

Management Practices for Florida Poultry Operations (June 2016 Edition), FDACS-P-02052 manual by reference. The new edition updates language to reflect statutory changes impacting the Best Management Practices program, provides more specific direction and expectation regarding the best management practices, and removes language not related to water quality or water conservation.

SUMMARY: The subject areas of the proposed rules are water quality and water conservation best management practices for Florida poultry production, enrollment in the program, and implementation verification site visit requirements. Proposed rule revisions require compliance with Chapter 5M-1, F.A.C., and therefore language that is duplicative with Chapter 5M-1, F.A.C., is removed. Rule revisions also clarify the intent of BMP Program enrollment and checklist requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.067(7)(c)2., 403.067(7)(d)2.c., 570.07(10), 570.07(23), F.S.

LAW IMPLEMENTED: 403.067(7)(c)2., 403.067(7)(d)2.c., 403.067(7)(d)3., F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jennifer Thera, Environmental Consultant, Office of Agricultural Water Policy, Mayo Building, 407 S Calhoun Street, Mailstop AX2, Tallahassee, Florida 32399-0800 or (850)617-1722. Copies of the manual can be accessed online at <https://www.fdacs.gov/Divisions-Offices/Agricultural-Water-Policy/Rule-Development-Activities/5M-19-Rulemaking>.

THE FULL TEXT OF THE PROPOSED RULE IS:

5M-19.001 Approved Florida Poultry Best Management Practices.

Statewide best management practices for poultry operations are in the manual titled Water Quality/Quantity Best Management Practices for Florida Poultry Operations, 2024 Edition: Water Quality and Water Quantity Best Management Practices, (June

2016 Edition) (FDACS-P-02052, rev. _____), is hereby adopted and incorporated by reference. Copies of the manual may be obtained from ~~the University of Florida county extension offices or from~~ the Florida Department of Agriculture and Consumer Services (FDACS), Office of Agricultural Water Policy, Mayo Building, 407 South Calhoun Street, Tallahassee, Florida, 32399 or accessed online at <http://www.flrules.org/Gateway/reference.asp?No=Ref> http://www.flrules.org/Gateway/reference.asp?No=Ref_07213. Rulemaking Authority 403.067(7)(c)2., 403.067(7)(d)2.c., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2., 403.067(7)(d)2.c., 403.067(7)(d)3. FS. History—New 8-25-16, Amended _____.

5M-19.002 Presumption of Compliance.

Rulemaking Authority 403.067(7)(c)2., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2. FS. History—New 8-25-16, Repealed _____.

Substantial rewording of Rule 5M-19.003, F.A.C., follows. See Florida Administrative Code for present text.

5M-19.003 Notice of Intent to Implement Best Management Practices.

An Enrollee under Florida Poultry Operations, 2024 Edition: Water Quality and Water Quantity Best Management Practices, (FDACS-P-02052, rev. _____), adopted by reference in Rule 5M-19.001, F.A.C., is also subject to the requirements of Chapter 5M-1, F.A.C.

Rulemaking Authority 403.067(7)(c)2., 403.067(7)(d)2.c., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2., 403.067(7)(d)2.c., 403.067(7)(d)3. FS. History—New 8-25-16, Amended _____.

5M-19.004 Record Keeping.

Rulemaking Authority 403.067(7)(c)2., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2. FS. History—New 8-25-16, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

West Gregory, Director, Office of Agricultural Water Policy

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Commissioner of Agriculture Wilton Simpson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 10, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 11, 2024

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-204.800 Federal Regulations Adopted by Reference

PURPOSE, EFFECT AND SUMMARY: The proposed rule amendments update the Department’s adoption by reference of air pollution regulations promulgated by the U.S. Environmental Protection Agency (EPA) in Title 40, Code of

Federal Regulations (C.F.R.), Parts 51, 52, 60, and 63 to incorporate requirements of the Department's federally approved and delegated air pollution programs. These rule amendments include adoption of both newly promulgated rules and amendments to New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP).

RULEMAKING AUTHORITY: 403.061, 403.8055, F.S.

LAW IMPLEMENTED: 403.061, 403.087, 403.8055, F.S.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION

403.8055, F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO: Terri Long, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, or Terri.Long@FloridaDEP.gov.

Public participation is solicited without regard to race, color, religion, sex, pregnancy, national origin, age, handicap or marital status. Persons who require special accommodations under the Americans with Disabilities Act (ADA) or persons who require translation services (free of charge) are asked to contact DEP's Limited English Proficiency Coordinator at (850)245-2118 or LEP@FloridaDEP.gov. If you have a hearing or speech impairment, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-204.800 Federal Regulations Adopted by Reference.

All federal regulations cited throughout the air pollution rules of the Department are adopted and incorporated by reference in this rule. The purpose and effect of each such federal regulation is determined by the context in which it is cited. Procedural and substantive requirements in the incorporated federal regulations are binding as a matter of state law only where the context so provides. Copies of the reference materials may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by calling (850)717-9000.

(1) No change.

(2) Title 40, Code of Federal Regulations, Part 51, Requirements for Preparation, Adoption, and Submittal of

Implementation Plans. The following subparts and appendices of 40 C.F.R. Part 51, are adopted and incorporated by reference:

(a) No change.

(b) Appendices M, P, W, and Y of 40 C.F.R. Part 51, revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15548>), amended March 29, 2023, at 88 FR 18396 (link).

(3) Title 40, Code of Federal Regulations, Part 52, Approval and Promulgation of Implementation Plans. The following subparts of 40 C.F.R. Part 52, are adopted and incorporated by reference:

(a) No change.

(b) 40 C.F.R. Part 52, Subpart K, Florida; revised as of July 1, 2023 (link), amended August 4, 2023, at 88 FR 51702 (link), amended October 3, 2023, at 88 FR 67963 (link), amended November 6, 2023, at 88 FR 76137 (link), amended January 22, 2024, at 89 FR 3886 (link), amended March 28, 2024, at 89 FR 21437 (link), amended July 16, 2024 at 89 FR 57734 (link) 2024

(~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-15550>~~); amended July 7, 2021, at 86 FR 35608

(~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-13579>~~); amended December 2, 2021 at 86 FR 68413

(~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-15551>~~); amended January 25, 2022, at 87 FR 3661

(~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-15552>~~).

(4) through (7) No change.

(8) Title 40, Code of Federal Regulations, Part 60, Standards of Performance for New Stationary Sources.

(a) No change.

(b) Standards Adopted. The following Standards of Performance for New Stationary Sources contained in 40 C.F.R. Part 60, revised as of July 1, 2017, or later as specifically indicated, are adopted and incorporated by reference:

1. through 18. No change.

19. 40 C.F.R. Part 60, Subpart L, Secondary Lead Smelters for which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and On or Before December 1, 2022; revised as of July 1, 2023 (link), amended November 20, 2023, at 88 FR 80594 (link) 2017 (~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-09756>~~).

20. 40 C.F.R. Part 60, Subpart La, Secondary Lead Smelters for which Construction, Reconstruction, or Modification Commenced After December 1, 2022, promulgated November 20, 2023, at 88 FR 80594 (link).

20. through 34. renumbered 21. through 35. No change.

36.35. 40 C.F.R. Part 60, Subpart AA, Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and on or Before August 17, 1983; revised as of July 1, 2017

<https://www.flrules.org/Gateway/reference.asp?No=Ref-09714>), amended August 25, 2023, at 88 FR 58442 (link), amended February 14, 2024, at 89 FR 11198 (link).

~~37.36.~~ 40 C.F.R. Part 60, Subpart AAa, Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983; and On or Before May 16, 2022; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-09715>), amended August 25, 2023, at 88 FR 58442 (link), amended February 14, 2024, at 89 FR 11198 (link).

38. 40 C.F.R. Part 60, Subpart AAb, Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After May 16, 2022; promulgated August 25, 2023, at 88 FR 58442 (link), amended February 14, 2024, at 89 FR 11198 (link).

38. through 43. renumbered 39. Through 44 No change.

~~45.44.~~ 40 C.F.R. Part 60, Subpart KK, Lead-Acid Battery Manufacturing Plants for Which Construction, Reconstruction, or Modification Commenced After January 14, 1980, and On or Before February 23, 2022; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-09753>), amended February 23, 2023, at 88 FR 11556 (link).

46. 40 C.F.R. Part 60, Subpart KKa, Lead-Acid Battery Manufacturing Plants for Which Construction, Modification or Reconstruction Commenced After February 23, 2022, promulgated February 23, 2023, at 88 FR 11556 (link).

45. renumbered 47 No change.

~~48.46.~~ 40 C.F.R. Part 60, Subpart MM, Automobile and Light-Duty Truck Surface Coating Operations for which Construction, Modification or Reconstruction Commenced After October 5, 1979, and On or Before May 18, 2022; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-09761>), amended May 9, 2023, at 88 FR 29978 (link).

49. 40 C.F.R. Part 60, Subpart MMa, Automobile and Light-Duty Truck Surface Coating Operations for which Construction, Modification or Reconstruction Commenced After May 18, 2022; promulgated May 9, 2023, at 88 FR 29978 (link).

47. through 53. renumbered 50. Through 56. No change.

~~57.54.~~ 40 C.F.R. Part 60, Subpart VV, Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-09790>), amended July 5, 2024, at 89 FR 55522 (link).

~~58.55.~~ 40 C.F.R. Part 60, Subpart VVa, Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry; for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006; and on or Before April 25, 2023, revised as of July 1, 2017

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-09791>), amended May 16, 2024, at 89 FR 42932 (link).

59. 40 C.F.R. Part 60, Subpart VVb, Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After April 25, 2023, promulgated May 16, 2024, at 89 FR 42932 (link).

56. renumbered 60. No change.

~~61.57.~~ 40 C.F.R. Part 60, Subpart XX, Bulk Gasoline Terminals That Commenced Construction, Modification, or Reconstruction After December 17, 1980, and On or Before June 10, 2022; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-09797>), amended May 8, 2024 at 89 FR 39304 (link).

62. 40 C.F.R. Part 60, Subpart XXa, Bulk Gasoline Terminals that Commenced Construction, Modification, or Reconstruction After June 10, 2022, promulgated May 8, 2024, at 89 FR 39304 (link).

58. through 63. renumbered 63. through 68. No change.

~~69.64.~~ 40 C.F.R. Part 60, Subpart III, Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes After October 21, 1983, and on or Before April 25, 2023; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-09744>), amended May 16, 2024, at 89 FR 42932 (link).

70. 40 C.F.R. Part 60, Subpart IIIa, Standards of Performance for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes for Which Construction, Reconstruction, or Modification Commenced After April 25, 2023, promulgated May 16, 2024, at 89 FR 42932 (link).

65. through 67. renumbered 71. Through 73. No change.

~~74.68.~~ 40 C.F.R. Part 60, Subpart NNN, Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations After December 30, 1983, and on or Before April 25, 2023; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-09765>), amended May 16, 2024, at 89 FR 42932 (link).

75. 40 C.F.R. Part 60, Subpart NNNa, Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations for Which Construction, Reconstruction, or Modification Commenced After April 25, 2023, promulgated May 16, 2024, at 89 FR 42932 (link).

69. through 71. renumbered 76. Through 78. No change.

~~79.72.~~ 40 C.F.R. Part 60, Subpart RRR, Volatile Organic Compound Emissions from Synthetic Organic Chemical

Manufacturing Industry (SOCMI) Reactor Processes After June 29, 1990, and on or Before April 25, 2023; revised as of July 1, 2017

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-09778>), amended May 16, 2024, at 89 FR 42932 (link).

80. 40 C.F.R. Part 60, Subpart RRRa, Standards of Performance for Volatile Organic Compound Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes for Which Construction, Reconstruction, or Modification Commenced After April 25, 2023, promulgated May 16, 2024, at 89 FR 42932 (link).

73. renumbered 81. No change.

82. 40 C.F.R. Part 60, Subpart TTT, Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-09784>), amended March 27, 2023, at 88 FR 18056 (link).

83. 40 C.F.R. Part 60, Subpart TTTa, Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines for Which Construction, Reconstruction, or Modification Commenced After June 21, 2022, promulgated March 27, 2023, at 88 FR 18056 (link).

75. through 79. renumbered 84. Through 88. No change.

89. 40 C.F.R. Part 60, Subpart CCCC, Commercial and Industrial Solid Waste Incineration Units; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15561>), amended March 20, 2023, at 88 FR 16732 (link).

90. 40 C.F.R. Part 60, Subpart EEEE, Other Solid Waste Incineration Units for Which Construction Is Commenced After December 9, 2004, or for Which Modification of Reconstruction Is Commenced on or After June 16, 2006; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-09732>), amended April 17, 2024, at 89 FR 27392 (link).

82. through 88. renumbered 91. Through 97. No change.

(c) General Provisions Adopted. The general provisions of 40 C.F.R. Part 60, Subpart A, revised as of July 1, 2023 (link), amended August 25, 2023, at 88 FR 58442 (link), amended November 20, 2023, at 88 FR 80594 (link), amended May 16, 2024, at 89 FR 42932 (link), amended July 5, 2024, at 89 FR 55521 (link), 2021, (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15568>).

(d) Appendices Adopted. The following appendices of 40 C.F.R. Part 60, revised as of July 1, 2017, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 60, Appendix A-1, Test Methods 1 through 2F; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15569>), amended March 29, 2023, at 88 FR 18396 (link).

2. No change.

3. 40 C.F.R. Part 60, Appendix A-3, Test Methods 4 through 5I; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15570>), amended March 29, 2023, at 88 FR 18396 (link).

4. 40 C.F.R. Part 60, Appendix A-4, Test Methods 6 through 10B; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15571>), amended March 29, 2023, at 88 FR 18396 (link).

5. through 6. No change.

7. 40 C.F.R. Part 60, Appendix A-7, Test Methods 19 through 25E; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15574>), amended March 20, 2023, at 88 FR 16732 (link), amended March 29, 2023, at 88 FR 18396 (link); except that in Method 23, the toluene rinse concentrate may be added to the acetone and methylene chloride concentrate, the filter, and the resin in the Soxhlet apparatus specified at section 5.1.4 of the method prior to analysis, in lieu of separate analysis of the toluene rinse extract pursuant to section 5.1.6 of the method.

8. 40 C.F.R. Part 60, Appendix A-8, Test Methods 26 through 30B; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15575>), amended March 29, 2023, at 88 FR 18396 (link).

9. 40 C.F.R. Part 60, Appendix B, Performance Specifications; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15576>), amended March 29, 2023, at 88 FR 18396 (link), amended June 28, 2023, at 88 FR 41833 (link), amended April 5, 2024, at 89 FR 24090 (link).

10. through 11. No change.

12. 40 C.F.R. Part 60, Appendix F, Quality Assurance Procedures; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15577>), amended March 29, 2023, at 88 FR 18396 (link), amended April 5, 2024, at 89 FR 24090 (link).

(9) Title 40, Code of Federal Regulations, Part 60, Emission Guidelines and Compliance Times. This subsection contains regulatory language that implements EPA's Emission Guidelines for various source categories. These regulations have been submitted to EPA as Clean Air Act Section 111(d) State Plans. EPA's approvals of Florida's 111(d) State Plans are codified at 40 C.F.R. Part 62, Subpart K which are hereby adopted and incorporated by reference, revised as of July 1, 2023 (link), 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09694>).

(a) through (e) No change.

(f) Commercial and Industrial Solid Waste Incineration (CISWI) Units. 40 C.F.R. Part 60, Subpart DDDD, Emission Guidelines and Compliance Times for Commercial and

Industrial Solid Waste Incineration Units that Commenced Construction on or Before June 4, 2010, revised as of July 1, 2021,

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-15578>), amended March 20, 2023, at 88 FR 16732 (link), is hereby adopted and incorporated by reference subject to the following provisions (all cross-references to 40 C.F.R. 63 Subpart LLL [40 C.F.R. §§63.1340 through 1359], are adopted and incorporated by reference at paragraph 62-204.800(1)(b), F.A.C.):

1. through 13. No change.

(g) through (h) No change.

(10) No change.

(11) Title 40, Code of Federal Regulations, Part 63, National Emission Standards for Hazardous Air Pollutants for Source 87 FR 50269 Categories.

(a) No change.

(b) Standards Adopted. The following National Emission Standards for Hazardous Air Pollutants contained in 40 C.F.R. Part 63, revised as of July 1, 2017, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 63, Subpart F, Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10947>), amended May 16, 2024, at 89 FR 42932 (link).

2. 40 C.F.R. Part 63, Subpart G, Organic Hazardous Air Pollutants From the Synthetic Organic Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10948>), amended May 16, 2024, at 89 FR 42932 (link).

3. 40 C.F.R. Part 63, Subpart H, Organic Hazardous Air Pollutants for Equipment Leaks; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10949>), amended May 16, 2024, at 89 FR 42932 (link).

4. 40 C.F.R. Part 63, Subpart I, Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10950>), amended May 16, 2024, at 89 FR 42932 (link).

5. No change.

6. 40 C.F.R. Part 63, Subpart L, Coke Oven Batteries; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10952>), amended July 5, 2024, at 89 FR 55684 (link).

7. through 8. No change.

9. 40 C.F.R. Part 63, Subpart O, Ethylene Oxide Emissions Standards for Sterilization Facilities; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10955>), amended April 5, 2024, at 89 FR 24090 (link).

10. No change.

11. 40 C.F.R. Part 63, Subpart R, Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations); revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15581>), amended May 8, 2024 at 89 FR 39304 (link).

12. 40 C.F.R. Part 63, Subpart S, Pulp and Paper Industry; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10958>), amended March 29, 2023, at 88 FR 18396 (link).

13. No change.

14. 40 C.F.R. Part 63, Subpart U, Group I Polymers and Resins; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10960>), amended May 16, 2024, at 89 FR 42932 (link).

15. through 19. No change.

20. 40 C.F.R. Part 63, Subpart CC, Petroleum Refineries; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15584>), amended April 4, 2024, at 89 FR 23840 (link).

21. through 27. No change.

28. 40 C.F.R. Part 63, Subpart LL, Primary Aluminum Reduction Plants; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10973>), amended March 20, 2023, at 88 FR 16732 (link).

29. through 39. No change.

40. 40 C.F.R. Part 63, Subpart YY, Generic Maximum Achievable Control Technology Standards; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15590>); amended November 19, 2021, at 86 FR 66096 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15591>), amended April 4, 2024, at 89 FR 23840 (link).

41. through 42. No change.

43. 40 C.F.R. Part 63, Subpart EEE, Hazardous Waste Combustors; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15594>), amended March 20, 2023, at 88 FR 16732 (link), amended March 29, 2023, at 88 FR 18396 (link).

44. through 52. No change.

53. 40 C.F.R. Part 63, Subpart QQQ, Primary Copper Smelting; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10996>), amended May 13, 2024, at 89 FR 41648 (link).

54. through 57. No change.

58. 40 C.F.R. Part 63, Subpart XXX, Ferroalloys Production: Ferromanganese and Silicomanganese; revised as of July 1, 2017 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11000>), amended March 20, 2023, at 88 FR 16732 (link).

59. through 61. No change.

62. 40 C.F.R. Part 63, Subpart EEEE, Organic Liquids Distribution (Non-Gasoline); revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15608>), amended April 4, 2024, at 89 FR 23840 (link).

63. 40 C.F.R. Part 63, Subpart FFFF, Miscellaneous Organic Chemical Manufacturing; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15609>), amended April 4, 2024, at 89 FR 23840 (link).

64. through 66. No change.

67. 40 C.F.R. Part 63, Subpart JJJJ, Paper and Other Web Coating; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15615>), amended March 29, 2023, at 88 FR 18396 (link).

68. through 81. No change.

82. 40 C.F.R. Part 63, Subpart ZZZZ, Stationary Reciprocating Internal Combustion Engines; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15631>); amended August 10, 2022, at 87 FR 48603 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15563>), amended March 29, 2023, at 88 FR 18396 (link).

83. 40 C.F.R. Part 63, Subpart AAAAA, Lime Manufacturing Plants; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15632>), amended July 16, 2024, at 89 FR 57738 (link).

84. No change.

85. 40 C.F.R. Part 63, Subpart CCCCC, Coke Ovens: Pushing, Quenching, and Battery Stacks; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15634>), amended July 5, 2024, at 89 FR 55684 (link).

86. through 87. No change.

88. 40 C.F.R. Part 63, Subpart FFFFF, Integrated Iron and Steel Manufacturing Facilities; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15638>), amended April 3, 2024, at 89 FR 23294 (link).

89. No change.

90. 40 C.F.R. Part 63, Subpart HHHHH, Miscellaneous Coating Manufacturing; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15640>), amended February 23, 2023, at 88 FR 10842 (link).

91. through 96. No change.

97. 40 C.F.R. Part 63, Subpart PPPPP, Engine Test Cells/Stands; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15649>), amended March 29, 2023, at 88 FR 18396 (link).

98. No change.

99. 40 C.F.R. Part 63, Subpart RRRRR, Taconite Iron Ore Processing; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15651>), amended March 6, 2024, at 89 FR 16408 (link).

100. through 101. No change.

102. 40 C.F.R. Part 63, Subpart UUUUU, Coal and Oil-Fired Electric Utility Steam Generating Units; revised as of July 1, 2023 (link), amended May 7, 2024, at 89 FR 38508 (link) 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15653>).

103. through 113. No change.

114. 40 C.F.R. Part 63, Subpart PPPPP, Lead Acid Battery Manufacturing Area Sources; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15656>), amended February 23, 2023, at 88 FR 11556 (link).

115. through 118. No change.

(c) No change.

(d) General Subparts Adopted. The following general subparts of 40 C.F.R. Part 63, revised as of July 1, 2017, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 63, Subpart A, General Provisions; revised as of July 1, 2023 (link), amended March 6, 2024, at 89 FR 16408 (link), amended April 3, 2024, at 89 FR 23294 (link), amended April 5, 2024, at 89 FR 24090 (link), amended May 7, 2024, at 89 FR 38508 (link), amended May 13, 2024, at 89 FR 41648 (link), amended May 16, 2024, at 89 FR 42932 (link), amended July 5, 2024, at 89 FR 55684 (link), amended July 16, 2024, at 89 FR 57738 (link) 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15660>); amended October 6, 2022, at 87 FR 60816 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15636>); amended November 19, 2021, at 86 FR 66038 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15614>); amended November 19, 2021, at 86 FR 66045 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15652>); amended November 19, 2021, at 86 FR 66096 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15591>).

2. through 5. No change.

(e) Appendices Adopted. The following appendices of 40 C.F.R. Part 63, revised as of July 1, 2017, or later as specifically indicated, are adopted and incorporated by reference:

1. Appendix A, Test Methods; revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15662>), amended March 29, 2023, at 88 FR 18396 (link).

2. through 5. No change.

(12) through (14) No change.

(15) Title 40, Code of Federal Regulations, Part 70, State Operating Permit Programs. The provisions of 40 C.F.R. Part 70, §§70.1 through 70.11, revised as of July 1, 2021 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15664>), amended July 21, 2023, at 88 FR 47029 (link), are adopted and incorporated by reference.

(16) through (26) No change.

Rulemaking Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.0872, 403.8055 FS. History—New 3-13-96, Amended 6-25-96, 10-7-96, 10-17-96, 12-20-96, 4-18-97, 6-18-97, 7-7-97, 10-3-97, 12-10-97, 3-2-98, 4-7-98, 5-20-98, 6-8-98, 10-19-98, 4-1-99, 7-1-99, 9-1-99, 10-1-99, 4-1-00, 10-1-00, 1-1-01, 8-1-01, 10-1-01, 4-1-02, 7-1-02, 10-1-02, 1-1-03, 4-1-03, 10-1-03, 1-1-04, 4-1-04, 7-1-04, 10-1-04, 1-1-05, 4-1-05, 7-1-05, 10-1-05, 1-1-06, 4-1-06, 7-1-06, 9-4-06, 9-6-06, 1-8-07, 1-31-07, 4-2-07, 5-31-07, 7-2-07, 10-1-07, 2-1-08, 7-1-08, 10-1-08, 10-6-08, 12-1-08, 11-18-09, 6-11-10, 7-1-10, 10-1-10, 12-30-10, 12-1-11, 12-1-12, 5-22-13, 12-17-13, 1-24-14, 1-14-15, 1-7-16, 10-23-16, 1-13-17, 12-21-17, 9-25-18, 8-12-19, 4-2-20, 6-15-20, 10-8-21, 7-14-23, _____.

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-25.001 Examination Requirements

PURPOSE AND EFFECT: The Board proposes the rule change to remove the option to apply by endorsement on the current application due to changes in the licensure by endorsement process created by SB 1600.

SUMMARY: To update the Application for Massage Therapist License to remove references to Licensure by Endorsement.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 456.013(7), 456.017(1)(c), 480.035(7), 480.041(2), (5)(b), 480.044 FS.

LAW IMPLEMENTED: 456.013(7), 456.017(1)(c), 456.0635, 480.033(1), 480.041(5)(b), 480.042, 480.044 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Stephanie Webster, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3257, Stephanie.Webster@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-25.001 Examination Requirements.

(1) The Department shall issue a license by examination to a person who:

(a) No Change.

(b) Submits a completed application on form DH-MQA 1115, "Application for Massage Therapist License by Examination" (08/2024 07/2022). The form is incorporated herein by reference and may be obtained from the board office at 4052 Bald Cypress Way, Bin C-06, Tallahassee, Florida 32399 or from the website located at <http://floridasmassagetherapy.gov/applications/massage-app.pdf> or <http://www.flrules.org/Gateway/reference.asp?No=Ref-14940>. To apply on-line, visit <https://flhealthsource.gov/mqa-services>;

(c) through (e) No Change.

(2) through (4) No Change.

Rulemaking Authority 456.013(7), 456.017(1)(c), 480.035(7), 480.041(2), (5)(b), 480.044 FS. Law Implemented 456.013(7), 456.017(1)(c), 456.0635, 480.033(1), 480.041(5)(b), 480.042, 480.044 FS. History—New 11-27-79, Amended 9-2-80, 10-9-85, Formerly 21L-25.01, Amended 12-22-92, 3-24-93, 5-20-93, Formerly 21L-25.001, Amended 8-12-93, 6-28-94, 8-18-96, Formerly 61G11-25.001, Amended 5-20-98, 7-30-02, 3-31-08, 6-15-09, 9-6-09, 6-2-10, 12-24-13, 6-2-14, 10-2-14, 3-14-16, 10-2-16, 3-13-17, 3-22-18, 2-9-21, 12-19-22, 7-15-24, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Massage Therapy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 28, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 28, 2024