

Florida Department of Environmental Protection
2011-2012 REGULATORY PLAN

I. RULES TO BE REPEALED PURSUANT TO EO 11-72

RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
16A-10	Real Property Leases of Less than 2000 Square Feet	Repeal Rules: 16A-10.001 16A-10.002 16A-10.003 16A-10.004 16A-10.005 16A-10.006 16A-10.007 16A-10.008 16A-10.009	Repeal all the rules in Chapter 16A-10, F.A.C. These were rules of the Department of Natural Resources regarding leases of less than 2000 square feet to the Department and have been superseded by DMS rules in Chapter 60H-1.
18-14	Administrative Fines for Damaging State Lands or Products Thereof	Repeal Rule 18-14.004, Applicability	No longer needed--language does not add anything
18-18	Biscayne Bay Aquatic Preserve - Agreements	Repeal Section 18-18.011	The authority to do so is granted to the Board of Trustees by section 258.397(3)(e), F.S., rendering the rule unnecessary.
		Repeal Section 18-18.016	The rule is duplicative of section 258.397(7), F.S., rendering the rule unnecessary.
18-20	Florida Aquatic Preserves	Repeal Section 18-20.008, Inclusion of Lands, Title to Which Is Not Vested in the Board, in a Preserve	The rule is duplicative of sections 258.40 and 258.41, F.S., rendering the rule unnecessary.
		Repeal Section 18-20.009, Establishment or Expansion of Aquatic Preserves	Rule 18-20.009, F.A.C., is duplicative of section 258.41, F.S., rendering the rule unnecessary.
18-21	Sovereignty Submerged Lands Management	Repeal Rule 18-21.001, Intent	Unnecessary because it repeats statutory language
		Repeal Rule 18-21.00405, Grandfather Provisions	The program for registration of existing structures has ended and the rule is now unnecessary. [This was erroneously listed as revision.]
		Repeal Rule 18-21.0081 Grandfather Structure Applications	Requirements for obtaining leases under this program have ended and the rule is now unnecessary. [This was erroneously listed as revision]
62-1	Forms	Repeal section 62-1.003, Forms and Instructions Used by the Department of Environmental Protection	No rulemaking authority, and the forms are no longer used by the department.

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62-4	Permits	Repeal section 62-4.060, Consultation	Sections and/or subsections not mandated by statute; no adverse consequences if rule is repealed.
		Repeal section 62-4.110, Financial Responsibility	Sections and/or subsections not mandated by statute; no adverse consequences if rule repealed.
		Repeal section 62-4.150, Review	No rulemaking authority for statute implemented
		Repeal section 62-4.210, Construction Permits	Sections and/or subsections not mandated by statute; no adverse consequences if rule repealed.
		Repeal section 62-4.220, Operation Permit for New Sources	Sections and/or subsections not mandated by statute; no adverse consequences if rule repealed. This is an old rule that has become obsolete and duplicates newer and more specific rules establishing a permitting framework for installations that may be sources of air or water pollution. This rule can therefore be repealed.
		Repeal section 62-4.240, Operation Permits for Water Pollution Sources	Sections and/or subsections not mandated by statute; no adverse consequences if rule repealed. This rule has become obsolete and duplicates newer and more specific rules establishing a permitting framework for installations that may be sources of water pollution. This rule can therefore be repealed
		Repeal section 62-4.249, Preservation of Rights	Sections and/or subsections not mandated by statute; no adverse consequences if rule repealed.
		Repeal section 62-4.250 Water Pollution Temporary Operation Permits; Conditions.	Sections and/or subsections not mandated by statute; no adverse consequences if rule repealed.

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62-11	Aquatic Animal Damage Valuation	62-11.003 Damages to other Resources, Flora or Fauna: Repeal subsection (3).	No rulemaking authority. The rule attempts to ensure no argument is made that rules 62-11.001 and 62-11.002 will not be construed to limit the Department's ability to recover environmental damages in other liability provisions in Chapter 403.
62-17	Electrical Power Plant Siting	Repeal Rule 62-17.011 (General)	Rule contains general info that's unnecessary
		Repeal Rule 62-17.031 (Prohibitions, Exceptions, and Applicability)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal Rule 62-17.081 (Supplementary Information - Cost Responsibility, Determination of Completeness of Application)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal Rule 62-17.093 (Preliminary Statements of Issues)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal Rule 62-17.137 (Proprietary Interest in State Lands)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal Rule 62-17.143 (Recommended Orders, Exceptions)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal Rule 62-17.221 (Revocation or Suspension of Certification)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal Rule 62-17.231 (Supplemental Applications)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal 62-17.510 (General)	Rule contains general info that's unnecessary
		Repeal Rule 62-17.610 (Proprietary Interest in State-Owned Lands)	Rule contains language that's unnecessary and/or substantially restates statutes
62-18	Vehicle Sound Measurement	24 rule repeals: 62-18.001, .020, .030, .040, .050, .080, .090, .500, .510, .530, .580, .700, .710, .720, .730, .740, .750, .760, .770, .780, .790, .800, .810, and .820. If sections 316.293 and 403.415, F.S., are revised or repealed, other possible rule repeals would be 62-18.060, .070, .520, .540, .550, .560, .570 (remainder of chapter).	Rules are obsolete motor vehicle exhaust system noise requirements from the 1970s. If statutes are not revised or repealed, Rule 62-18.560 is recommended for revision (see tab 2).
62-25	Regulation of Stormwater Discharge	Repeal 62-25.042, Permit Requirements for Wetland Stormwater Discharge Facilities	Rule has rarely to never been used; it has been replaced by provisions in the Environmental Resource Permit (ERP) rules
		Repeal 62-25.050, Delegation	Obsolete--replaced by s. 373.441, F.S.
		Repeal 62-25.080, General Provisions	Rule not necessary; doesn't add anything

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62-29	Conceptual Agency Review	Repeal 62-29.001, Intent	Obsolete & never used; superseded by ERP conceptual approval permit procedures
		Repeal 62-29.020, Definitions	Obsolete & never used; superseded by ERP conceptual approval permit procedures
		Repeal 62-29.030, Application for Conceptual Agency Review	Obsolete & never used; superseded by ERP conceptual approval permit procedures
		Repeal 62-29.040, Permit Processing	Obsolete & never used; superseded by ERP conceptual approval permit procedures
		Repeal 62-29.050, Standards for Issuance or Denial of Conceptual Agency Review	Obsolete & never used; superseded by ERP conceptual approval permit procedures
		Repeal 62-29.060, Effect of Approval or Denial	Obsolete & never used; superseded by ERP conceptual approval permit procedures
		Repeal 62-29.070, Duration of Permits; Renewal	Obsolete & never used; superseded by ERP conceptual approval permit procedures
		Repeal 62-29.080, Modification or Revocation	Obsolete & never used; superseded by ERP conceptual approval permit procedures
62-43	Surface Water Improvement and Management Act	Delete subsections (1) & (2) of 62-43.010	Duplicative with statute.
		Repeals 62-43.100, the advisory table of approved SWIM Priority lists	Rule list is stagnant and out-of-date. Including list via rule is unnecessary.
62-104	Administrative Procedures for Water Resources Restoration and Preservation Program	Repeals 62-104.040, the General section of Application of Funds and Criteria for Selection of Proposals and Allocation of Funds	Program and funding for the program no longer available.
62-112	Project Certification Procedures for Coordinated Agency Review in the Florida Keys Area of Critical State Concern	Repeal Rule 62-112.030, Procedures for Certification and Agency Review	The rule is obsolete in function and unnecessary.
62-133	Volunteer Rule	This rule chapter, which includes rules: .100, .200, .300, .400, .500, .600, .700, .800 is no longer needed and will be repealed.	Section 110.503(2), Florida Statutes, requires agencies that use volunteers to comply with DMS's uniform rule on volunteers (60L-33.006) and this DEP rule will be repealed.

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62-160	Quality Assurance	Repeal of Rule 62-160.900, F.A.C., which is simply a placeholder for forms.	We proposed repeal of this rule because it is not needed. We do not have any forms and do not foresee using forms in the near future.
62-204	Air Pollution Control -- General Provisions	8 rule repeals: 62-204.100, .200, .220, .240, .260, .320, .360, and .400.	Rules are duplicative of federal air quality standards elsewhere adopted by reference or otherwise outdated or redundant.
62-210	Stationary Sources -- General Requirements	2 rule repeals: 62-210.100 and .340.	62-210.100 is unnecessary introductory language, and 62-210.340 is obsolete (underlying statute 403.08725, F.S., has been repealed). Note: 62-210.920, marked for repeal on the EO11-01 list, was repealed effective 6/29/11.
62-212	Stationary Sources -- Preconstruction Review	3 rule repeals: 62-212.100, .600, and .710.	62-212.100 is unnecessary introductory language. 62-212.600 (sulfur handling) and 62-212.710 (emissions bubble) are unnecessary and outdated preconstruction review rules.
62-213	Operation Permits for Major Sources of Air Pollution	1 rule repeal: 62-213.100.	Rule is unnecessary introductory language.
62-242	Motor Vehicle Emission Standards and Test Procedures	8 rule repeals: 62-242.100, .200, .400, .500, .600, .700, .800, .900.	Rules are obsolete (underlying statute Chapter 325, F.S., has been repealed).
62-243	Tampering with Motor Vehicle Air Pollution Control Equipment	4 rule repeals: 62-243.100, .200, .400, .600. If section 316.2935, F.S., is revised, other possible rule repeals would be 62-243.300 and 62-243.500 (remainder of chapter).	Rules are technologically obsolete vehicle anti-tampering requirements. If statute is not revised, Rule 62-243.500 is recommended for revision (see tab 2).
62-252	Gasoline Vapor Control	5 rule repeals: 62-252.100, .200, .400, .500 and .900.	Federal standards for gasoline dispensing facilities supersede these rules for most facilities. Remaining facilities are covered by a portion of 62-252.300 which must be retained for Clean Air Act compliance is now recommended for revision.
62-257	Asbestos Program	1 rule repeal: 62-257.100.	Rule is unnecessary introductory language.
62-281	Motor Vehicle Air Conditioning Refrigerant Recovery and Recycling	1 rule repeal: 62-281.100.	Rule is duplicative of federal standards for recycling of ozone-depleting refrigerants.

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62-285	Greenhouse Gas Emissions Reduction	2 rule repeals: 62-285.400 and .420.	Federal emission standards for light-duty vehicles supersede 62-285.400. Market incentive for diesel fuel cost savings renders the anti-idling requirements of 62-285.420 unnecessary.
62-296	Stationary Sources -- Emission Standards	3 rule repeals: 62-296.407, .411, and .413.	Rule is superseded by federal standards for cement plants and synthetic organic fiber plants (62-296.407 and .413); or rule is not needed for protection of air quality near sulfur storage and handling operations (62-296.411).
62-297	Stationary Sources -- Emissions Monitoring	2 rule repeals: 62-297.100 and .520.	62-297.100 is unnecessary introductory language, and 62-297.520 is unnecessary since federal test methods and monitor performance specifications are elsewhere adopted by reference.
62-301	Surface Waters of the State	Repeal 62-301.100, Findings, Declaration and Intent	Rule no longer needed--entities who qualify for grandfathering under s. 373.4145(6)(b), 373.414 (11), (12), (13), (14), or (16), F.S., and applicants for permits from the Bureau of Mining and Minerals Regulation under s. 373.414(15), F.S., can continue to use this "old" wetland delineation methodology because this rule, even if repealed, will be preserved as it existed on the dates provided for in the above statutory sections
		Repeal 62-301.200, Definitions	Same as explanation for 62-301.100, above
		Repeal 62-301.400, Determination of the Landward Extent of Surface Waters of the State	Same as explanation for 62-301.100, above
62-303	Identification of Impaired Surface Waters	Repeal of Rule 62-303.810, F.A.C., which states that FL will share data, assessment information, and methodologies with Alabama, Georgia and federally recognized tribes.	We proposed repeal of Rule 62-303.810, F.A.C., because it is not needed. We plan to coordinate with other States regardless of the rule. There is also no rulemaking authority for this rule and it is not mandated by statute. There are no adverse consequences in repealing this rule.

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62-304	Total Maximum Daily Loads	Repeals 62-304.200, the definitions section for TMDL rule	Duplicative with Definitions elsewhere.
62-305	Total Maximum Daily Load Water Quality Restoration Grants	Repeals 62-305.900, the forms for the TMDLS water quality restoration grants	Duplicative with another rule. Form is incorporated elsewhere
62-312	Dredge and Fill Activities	Repeal 62-312.010, Scope of Part I	Rule is no longer needed—entities who qualify for grandfathering under s. 373.4145(6)(b), F.S., applicants for permits from the Bureau of Mining and Minerals Regulation under s. 373.414(15), F.S., and other entities qualifying for grandfathering under ss. 373.414 (11), (12), (13), (14), and (16), F.S., can continue to use this rule because, even if repealed, it is preserved as of the dates it existed in the above statutory sections
		Repeal 62-312.020, Definitions	Subsections (1)-(4), (6), (7), (10)-(13), and (17)-(18) are repetitive of identical statutory definitions and subsections (5), (8), (9), (14)-(16), and (19) are no longer needed because entities who qualify for grandfathering, as described under the explanation for the repeal in 62-312.010, above, can continue to use these definitions; therefore the entire rule can be repealed. [This had been listed for revision, but should be repealed.]
		Repeal 62-312.030, Jurisdiction	Same as explanation in 62-312.010, above
		Repeal 62-312.040, Jurisdictional Declaratory Statements	Superseded by Formal Determinations in Rule 62-343.040, F.A.C.
		Repeal 62-312.045, Jurisdictional Intent	Same as explanation in 62-312.010, above
		Repeal 62-312.050, Exemptions	Same as explanation in 62-312.010, above
		Repeal 62-312.060, Procedures to Obtain a Permit	Same as explanation in 62-312.010, above
		Repeal 62-312.065, Additional Requirements and Procedures for Concurrent Review of Related Applications	Same as explanation in 62-312.010, above
		Repeal 62-312.070, Short Form Applications for Certain Dredging or Filling	Same as explanation in 62-312.010, above
		Repeal 62-312.080, Standards for Issuance or Denial of a Permit	Same as explanation in 62-312.010, above

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		Repeal 62-312.082, Duration of Permits	Same as explanation in 62-312.010, above
		Repeal 62-312.085, Periodic Review of Permits	Same as explanation in 62-312.010, above
		Repeal 62-312.090, Emergency Classification and Procedures	Same as explanation in 62-312.010, above
		Repeal 62-312.100, Modification of Permits	Same as explanation in 62-312.010, above
		Repeal 62-312.200, Scope of Part II	Same as explanation in 62-312.010, above [This was listed as repeal and revise, but should be repealed.]
		Repeal 62-312.210, Procedures to Obtain a Long-Term Permit	Same as explanation in 62-312.010, above [This was listed as revise, but should be repeal.]
		Repeal 62-312.220, Standards for Issuance or Denial of a Long-Term Permit	Same as explanation in 62-312.010, above [This was listed as revise, but should be repeal.]
		Repeal 62-312.300, Intent [Mitigation]	Superseded by the Uniform Mitigation Assessment Method in Chapter 62-345, F.A.C.
		Repeal 62-312.310, Definitions [Mitigation]	Superseded by the Uniform Mitigation Assessment Method in Chapter 62-345, F.A.C.
		Repeal 62-312.320, Incorporation of Mitigation into the Permit Application Process	Superseded by the Uniform Mitigation Assessment Method in Chapter 62-345, F.A.C.
		Repeal 62-312.330, Mitigation Proposals	Superseded by the Uniform Mitigation Assessment Method in Chapter 62-345, F.A.C.
		Repeal 62-312.340, Evaluation of Mitigation Proposals	Superseded by the Uniform Mitigation Assessment Method in Chapter 62-345, F.A.C.
		Repeal 62-312.350, Determination of Success for Mitigation Projects	Superseded by the Uniform Mitigation Assessment Method in Chapter 62-345, F.A.C.
		Repeal 62-312.360, Pre-Construction Mitigation	Superseded by the Uniform Mitigation Assessment Method in Chapter 62-345, F.A.C.
		Repeal 62-312.370, Restrictions on Property Use	Superseded by the Uniform Mitigation Assessment Method in Chapter 62-345, F.A.C.
		Repeal 62-312.380, Release from Responsibility	Superseded by the Uniform Mitigation Assessment Method in Chapter 62-345, F.A.C.

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		Repeal 62-312.390, Financial Responsibility	Superseded by the Uniform Mitigation Assessment Method in Chapter 62-345, F.A.C.
		Repeal 62-312.800, Scope of Part V [General Permits]	Obsolete — replaced by the Noticed General Permit provisions in Chapter 62-341, F.A.C.
		Repeal 62-312.801, General Permit to U.S. Forest Service for Minor Works Within National Forests in Florida	Obsolete — replaced by the Noticed General Permit in Rule 62-341.495, F.A.C.
		Repeal 62-312.803, General Permit for Installation or Maintenance of Boat Ramps	Obsolete — replaced by the Noticed General Permit in Rule 62-341.417, F.A.C.
		Repeal 62-312.804, General Permit for Riprap	Obsolete — replaced by the Noticed General Permit in Rule 62-341.431, F.A.C.
		Repeal 62-312.805, General Permit for Headwalls and Culverts Associated with a Stormwater Discharge Facility	Obsolete — replaced by ERP requirements
		Repeal 62-312.806, General Permit to the Florida Department of Transportation for Minor Works Within FDOT Rights-of-Way or Easements	Obsolete — replaced by the Noticed General Permit in Rule 62-341.447, F.A.C.
		Repeal 62-312.807, General Permit for the Construction of Artificial Reefs	Obsolete — replaced by the Noticed General Permit in Rule 62-341.600, F.A.C.
		Repeal 62-312.808, General Permit for Certain Piers and Associated Structures	Obsolete — replaced by the Noticed General Permit in Rule 62-341.427, F.A.C.
		Repeal 62-312.809, General Permit to the Florida Department of Transportation for Minor Bridge Construction	Obsolete — replaced by the Noticed General Permit in Rule 62-341.443, F.A.C.
		Repeal 62-312.810, General Permit to Perform Prospecting Activities for Phosphate Minerals	Obsolete — replaced by the Noticed General Permit in Rule 62-341.610, F.A.C.
		Repeal 62-312.811, General Permit for Temporary Dragline Crossings of Waterways	Obsolete — replaced by the Noticed General Permit in Rule 62-341.611, F.A.C.
		Repeal 62-312.812, General Permit for Low Water Crossings	Obsolete — replaced by the Noticed General Permit in Rule 62-341.612, F.A.C.
		Repeal 62-312.813, General Permit for the Installation of Fences	Obsolete — replaced by the Noticed General Permit in Rule 62-341.437, F.A.C.

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		Repeal 62-312.814, General Permit to Florida Game and Fresh Water Fish Commission, U.S. Forest Service, and County and Municipal Governments for the Construction of Freshwater Fish Attractors	Obsolete — replaced by ERP requirements
		Repeal 62-312.815, General Permit for Ski Jumps and Slalom Courses	Obsolete — replaced by ERP requirements
		Repeal 62-312.816, General Permit for the Construction or Maintenance of Culverted Driveway or Roadway Crossings and Bridges of Artificial Waterways	Obsolete — replaced by the Noticed General Permit in Rule 62-341.439, F.A.C.
		Repeal 62-312.817, General Permit for the Construction of Aerial Pipeline Crossings of Certain Waters	Obsolete — replaced by the Noticed General Permit in Rule 62-341.455, F.A.C.
		Repeal 62-312.818, General Permit for Subaqueous Utility Crossings of Artificial Waterways	Obsolete — replaced by the Noticed General Permit in Rule 62-341.457, F.A.C.
		Repeal 62-312.819, General Permit for the Limited Dredging of Sediment for Aquatic Plant Management Purposes	Obsolete — replaced by the exemption in section 403.813(1)(r), F.S.
		Repeal 62-312.822, General Permit for the Construction and Maintenance of Electric Power Lines by Electric Utilities	Obsolete — replaced by the Noticed General Permit in Rule 62-341.620, F.A.C.
		Repeal 62-312.823, General Permit for Floating Vessel Platforms and Floating Boat Lifts	Obsolete — replaced by the Noticed General Permit in Rule 62-341.428, F.A.C.
		Repeal 62-312.824, General Permit to Counties and Municipalities to Pave Existing County or Municipally Owned and Maintained Roads, including the Repair and Replacement of Bridges that are Part of the Roadway	Obsolete — replaced by the Noticed General Permit in Rule 62-341.448, F.A.C., except for counties within the NFWFMD, where the exemption in section 403.813(2)(t), F.S., can continue to be used
		Repeal 62-312.825, General Permit to U.S. Army Corps of Engineers for Environmental Restoration or Enhancement Activities	Obsolete — replaced by the Noticed General Permit in Rule 62-341.486, F.A.C.
62-341	Noticed General Environmental Resource Permits	Repeal 62-341.603, General Permit for Non-nursery Cultivation & Wild Collection of Aquatic Plants	Rule is outdated and unnecessary; provisions of this rule are now regulated by the Department of Agriculture and Consumer Services

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62-342	Mitigation Banks	Repeal 62-342.300, Use of a Mitigation Bank	Language is substantively duplicative of provisions in section X.3.1.2 of the ERP Basis of Review/Applicant's Handbooks, where it is more appropriate
62-343	Environmental Resource Permit Procedures	Repeal 62-343.010, Policy and Purpose	Rule section is unnecessary; it duplicates some provisions of Rule 62-343.020, F.A.C., and other provisions could be moved into that rule
62-344	Delegation of the Environmental Resource Program to Local Governments	Repeal 62-344.900, Forms	This section incorporates only one form which is really only a suggested format and is not needed
62-346	Environmental Resource Permitting in Northwest Florida	Repeal 62-346.091, Documents Incorporated by Reference	Listing of all the documents that are incorporated by reference in Chapter 62-346, F.A.C., is helpful but is not necessary; the documents are specifically incorporated by reference elsewhere in the chapter
		Repeal 62-346.900, Forms	Listing of all the forms used in Chapter 62-346, F.A.C., is helpful but not necessary; the forms are specifically incorporated by reference elsewhere in the chapter
62-402	Water Management Lands Trust Fund	Repeal 62-402.001, Scope, in Entirety	Some statutory references, such as 259.101 outdated, also rule references land acquisition costs for which WMLTF can no longer be used (201.15(11)); rule does not include all the purposes for which the WMLTF can be used as described in applicable subsections of 373.59.
		Repeal 62-402.020, Definitions, in Entirety	These were reported as deletions but as a whole, they encompass the whole rule, so these need to be repealed. Some statutory references, such as 259.101 outdated, also rule references land acquisition costs for which WMLTF can no longer be used (201.15(11)); rule does not include all the purposes for which the WMLTF can be used as described in applicable subsections of 373.59.

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		Repeal 62-402.030, Release of Funds, in Entirety	The law implemented has been revised to be narrower than when the rule was promulgated.
		Repeal 62-402.031, Preservation 2000 Funds, in Entirety	The statute implemented has been revised to be narrower than when the rule was promulgated.
		Repeal 62-402.050, Financial Reports, in Entirety	Some statutory references, such as 259.101 outdated, also rule references land acquisition costs for which WMLTF can no longer be used (201.15(11)); rule does not include all the purposes for which the WMLTF can be used as described in applicable subsections of 373.59.
		Repeal 62-402.060, Water Management Lands Trust Fund Bond Issues, in Entirety	Some statutory references, such as 259.101 outdated, also rule references land acquisition costs for which WMLTF can no longer be used (201.15(11)); rule does not include all the purposes for which the WMLTF can be used as described in applicable subsections of 373.59.
		Repeal 62-402.070, Water Management Lands, in Entirety	Some statutory references, such as 259.101 outdated, also rule references land acquisition costs for which WMLTF can no longer be used (201.15(11)); rule does not include all the purposes for which the WMLTF can be used as described in applicable subsections of 373.59.
62-503	State Revolving Loan Program for Water Pollution Control	62-503.101	Repeal sections that are informational only.
62-505	Small Community Wastewater Construction Grants Program	62-505.100	Repeal sections that are informational only.
		62-505.850	
62-521	Wellhead Protection	62-521.100	Repeal scope and intent that appear in statute.
62-524	New Potable Water Well Well Permitting in Delineated Areas	62-524.720	Repeal permit fee and inspection subsections that are duplicative of statute.
		62-524.730	
62-528	Underground Injection Control	62-528.360	Repeal rules regulating Class IV wells, which are now banned. Repeal other duplicative rules for hazardous waste injection.
		62-528.500	
		62-528.520	

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		62-528.530	
		62-528.540	
		62-528.550	
62-531	Well Water Contractor License Requirements	62-531.390	Repeal exemptions and procedures that are already in statute.
62-532	Water Well Permitting and Construction Requirements	62-532.900	Repeal forms section already referenced in rule.
62-550	Drinking Water Standards, Monitoring and Reporting	62-550.400	Repeal rules dealing with unregulated contaminants as those are implemented by EPA.
		62-550.590	Repeal monitoring information and schedules that are duplicative.
62-601	Domestic Wastewater Treatment Plant Monitoring	62-601.400	Repeal rules that are informational, duplicative, or not used.
		62-601.830	
62-602	Drinking Water and Domestic Wastewater Treatment Plant Operators	62-602.880	Repeal this section. Consecutive Water Systems were replaced by Water Distribution Systems which is outlined in other sections of the rule.
		62-602.900	Repeal this section. Contains only form numbers which are referenced in other rule sections.
62-604	Collection Systems and Transmission Facilities	62-604.120	Repeal rule that is duplicative of other rules.
62-610	Reuse of Reclaimed Water and Land Application	62-610.426	Repeal rules that are informational or duplicative.
		62-610.478	
		62-610.479	
		62-610.490	
62-620	Wastewater Facility and Acitivites Permitting	62-620.400	Repeal rules that are informational only.
		62-620.715	
62-625	Pretreatment Requirements for Existing and New Sources of Pollution	62-625.100	Repeal rule that is informational and duplicative.
62-660	Industrial Wastewater Facilities	62-660.820	Repeal unnecessary general permits and intent section.
		62-660.821	
62-672	Minimum Requirements for Earthen Dams, Phosphate Mining and Processing Operations	62-672.100	Repeal subsections that are informational only and duplicative, or that are no longer applicable
		62-672.620	
		62-672.720	
62-702	Solid Waste Combustor Ash	Repeal Section 62-702.300, Applicability	Unnecessary

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
	Management	Repeal Section 62-702.400, Ash Residue Management Plan	Unnecessary
		Repeal Section 62-702.570, Ash Residue Storage and Disposal Requirements	Unnecessary
		Repeal Section 62-702.600, Recycling of Ash Residue	Unnecessary
62-708	Full Cost Accounting for Solid Waste Management	Repeal Section 62-708.100, Intent	No statutory authority
		Repeal Section 62-708.300, Applicability	Unnecessary
		Repeal Section 62-708.500, Public Disclosure of Full Cost of Solid Waste Management	Unnecessary
62-710	Used Oil Management	Repeal Section 62-710.300, Applicability	Unnecessary
62-711	Waste Tire Rule	Repeal Section 62-711.700, Closing of Waste Tire Sites	Unnecessary
62-716	Solid Waste Grants Program	Repeal Section 62-716.100, Intent	Unnecessary
		Repeal Section 62-716.200, Definitions	Unnecessary
		Repeal Section 62-716.400, Specific Recycling and Education Grant Application and Matching Requirements	No statutory authority
		Repeal Section 62-716.410, Recycling and Education Grant Eligibility Requirements	No statutory authority
		Repeal Section 62-716.420, Recycling and Education Grant Special Requirements	No statutory authority
		Repeal Section 62-716.430, Use of Recycling and Education Grant Funds	No statutory authority
		Repeal Section 62-716.440, Allocation of Recycling and Education Grant Funds	No statutory authority
		Repeal Section 62-716.510, Use of Small County Grant Funds	Unnecessary
		Repeal Section 62-716.610, Allocation of Waste Tire Grant Funds	Unnecessary
		Repeal Section 62-716.620, Use of Waste Tire Grant Funds	Unnecessary
		Repeal Section 62-716.700, Litter Control and Prevention Grants	No statutory authority
62-722	Regulation of Recovered Materials	Repeal Section 62-722.600, Procedures for Registration and Reporting	No statutory authority
62-730	Hazardous Waste	Repeal Section 62-730.001, Declaration and Intent	Unnecessary
		Repeal Section 62-730.100, Availability of Information	Unnecessary
		Repeal Section 62-730.231, Newly Regulated Facilities	Unnecessary
62-731	County and Regional Hazardous Waste Management Programs	Repeal Section 62-731.020, Definitions	Unnecessary
		Repeal Section 62-731.050, Grants; General Specifications	Unnecessary

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
		Repeal Section 62-731.060, Small Quantity Generator Assessment, Notification and Verification Program Grant Eligibility and Standards	Unnecessary
		Repeal Section 62-731.062, Expanded Local Hazardous Waste Management Program Grant Eligibility and Standards	Unnecessary
		Repeal Section 62-731.064, Award of Grant Funds	Unnecessary
62-737	The Management of Spent Mercury-Containing Lamps and Devices Destined for Recycling	Repeal Section 62-737.100, Purpose and Intent	No statutory authority
		Repeal Section 62-737.710, Requirements for Reverse Distribution Programs	Unnecessary
62-740	Petroleum Contact Water	Repeal Section 62-740.010, Declaration of Intent	Unnecessary
62-761	Underground Storage Tank Systems	Repeal Section 62-761.510, Performance Standards for Category-A and Category-B Storage Tank Systems	Unnecessary
62-769	FL Petroleum Liability and Restoration Insurance Program	Repeal Section 769.900, Forms	Unnecessary
62-773	Reimbursement for Petroleum Contamination Site Cleanup	Repeal Section 62-773.100, Introduction and Scope	Unnecessary
		Repeal Section 62-773.200, Definitions	Unnecessary
		Repeal Section 62-773.300, Auditing	Unnecessary
		Repeal Section 62-773.350, Limitations	Unnecessary
		Repeal Section 62-773.400, Cost and Completion Schedule	Unnecessary
		Repeal Section 62-773.500, Program Tasks	Unnecessary
		Repeal Section 62-773.600, Reimbursement of Capital Expense	Unnecessary
		Repeal Section 62-773.650, Reimbursement Incentives	Unnecessary
		Repeal Section 62-773.700, Application for Reimbursement	Unnecessary
		Repeal Section 62-773.750, Reimbursement Application Review	Unnecessary
		Repeal Section 62-773.800, Reimbursement Schedule	Unnecessary
		Repeal Section 62-773.900, Forms	Unnecessary
62-780	Contaminated Site Cleanup Criteria	Repeal Section 62-780.110, Purpose, Intent and General Principles	Unnecessary
62-788	Voluntary Cleanup Tax Credit Rule	Repeal Section 62-788.100, Applicability and Limitations	Unnecessary
		Repeal Section 62-788.200, Definitions	Unnecessary
		Repeal Section 62-788.300, Application Process	Unnecessary
		Repeal Section 62-788.400, Eligibility Determination	Unnecessary
		Repeal Section 62-788.900, Forms	Unnecessary
62-807	Natural Gas Transmission Pipeline Siting	Repeal Rule 62-807.100 (Purpose)	Rule contains language that's unnecessary and/or substantially restates statutes

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
		Repeal Rule 62-807.300 (Prohibitions and Applicability)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal Rule 62-807.310 (Public Service Commissions Determination of Need)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal Rule 62-807.420 (Application Distribution, Schedule)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal Rule 62-807.430 (Notice of Application Filing)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal Rule 62-807.440 (Determination of Sufficiency, Withdrawal)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal Rule 62-807.450 (Preliminary Statement of Issues)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal Rule 62-807.480 (Agency Reports)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal Rule 62-807.490 (Arrangement for Certification Hearing Locations, Notice)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal Rule 62-807.500 (Analysis by the Department; Conditions)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal Rule 62-807.520 (Reminder Notice)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal Rule 62-807.540 (Certification Hearing - Subject Matter, Procedure, Participants)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal Rule 62-807.590 (Corridor, Notice of Corridor)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal Rule 62-807.630 (Review, Enforcement)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal Rule 62-807.640 (Revocation or Suspension of Certification)	Rule contains language that's unnecessary and/or substantially restates statutes
		Repeal Rule 62-807.650 (Termination of Certification)	Rule contains language that's unnecessary and/or substantially restates statutes
62B-33	CCCL Rules and Procedures for Coastal Construction and Excavation	62B-33.007	Repeal section for consistency with recent modifications to the Florida Building Code for structural design requirements.
62B-49	Joint Coastal Permits and Concurrent Processing of Proprietary Authorizations	62B-49.003	Repeal section to remove redundancy in the rule chapter.
62C-30	Conservation of Oil and Gas: Wetlands And Submerged Lands	62C-30.001	Unnecessary

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62C-36	Limestone Reclamation Requirements	62C-36.007	Repeal sections that are duplicative of statute
		62C-36.012	
62C-37	Heavy Mineral Reclamation Requirements	62C-37.007	Repeal sections that are duplicative of statute
		62C-37.012	
62C-38	Fuller's Earth Reclamation Requirements	62C-38.007	Repeal sections that are duplicative of statute
		62C-38.012	
62C-39	Reclamation Requirements for Solid Resources Other Than Phosphate, Limestone, Heavy Minerals, and Fuller's Earth	62C-39.007	Repeal sections that are duplicative of statute
		62C-39.012	
62N-16	Pollutant Discharge Act	Repeal 62N-16.027	The rule is no longer applicable. For further information, see FDEP Rule Review Report.
		Repeal 62N-16.035	The rule is no longer needed. For further information, see FDEP Rule Review Report.
62N-30	Retirement Award	Repeal 62N-30.001	The rule is not mandated by statute and is no longer needed. For further information, see FDEP Rule Review Report.
62Q-15	Public Lands	Delete 62Q-15.013, Management and Sale of RICO Lands	This rule provides for the management and sale of RICO parcels owned by the Board of Trustees of the Internal Improvement Trust Fund. Because the Board of Trustees no longer owns any RICO parcels and parcels are no longer being forfeited to the state under the Florida RICO Act (ss. 895.01-895.09), the rule may be repealed. After repeal of this rule, if the Board of Trustees does acquire a future parcel under the RICO Act, management and disposition of that parcel would be governed by section 253.03(12), F.S., and Chapter 18-2, F.A.C., respectively.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
18-1	State Land Acquisition Procedures	Amend 18-1.013, Donations, to include the ability to waive the requirement of the evidence of marketability for donations under a certain value	18-1.013 (1)(b) should be amended as follows:(b) The Division may waive the requirement of the evidence of marketability for donations of property assessed by the county property appraiser at \$10,000 or less, where the Division finds, based upon the review of the status of title, it is reasonable under the circumstances to waive marketability and that there is no apparent impediment to management of the property by the state.
18-14	Administrative Fines for Damaging State Lands or Products Thereof	Amend Rule 18-14.001, Definitions	A Notice of Proposed Rule was published 11/24/10. The proposed rule requires final adoption by the Board of Trustees. Amendments will clarify and streamline the method for notifying suspected responsible parties of potential violations, required corrective actions, and assessment and collection of administrative fines for violations on state-owned lands
		Amend Rule 18-14.002, Determination of Fines	See explanation for Rule 18-14.001, above
		Amend Rule 18-14.003, Violations	See explanation for Rule 18-14.001, above
		Amending Rules 18-14.005, Imposition and Collection of Fines	See explanation for Rule 18-14.001, above
18-18	Biscayne Bay Aquatic Preserve - Additional Provisions	Revise Section 18-18.013	Delete subsection 18-18.013(1) which is duplicative of section 258.397(5) and renumber following subsections.
18-20	Florida Aquatic Preserves	Revise Section 18-20.004, Management Policies, Standards and Criteria	Rule 18-20.004(1)(b), F.A.C., is duplicative of section 258.42(1)(a), F.S., rendering the subsection unnecessary

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
		Revise Section 18-20.017, Lake Jackson Aquatic Preserve	Subsections 18-20.017(2)(b), and (3) F.A.C. restate the statute and can be repealed without statutory change. Subsection 18-20.017(6)(b) and (d), F.A.C. conflicts with the new amendment to 258.42(e)(1) and need to be revised.
18-21	Sovereignty Submerged Lands Management	Revise Rule 18-21.002, Scope and Effective Date	Contains subsections that are unnecessary, duplicative of statute, or that relate to Rule 18-21.00405, which is proposed to be repealed
		Delete definitions in subsections 18-21.003(28) and (69)	Not needed—repetitive of statutory definitions
		Revise Rule 18-21.004, Management Policies, Standards and Criteria	Delete unnecessary language addressed in other rules, that exceeds the authority of the Board of Trustees, that is outdated, or that is repetitive of statutory language. Also revise language so that provisions of the rule can apply to "public" and "private" uses
		Revise subsection 18-21.004(6), Standards and Criteria for Activities at Sovereignty and State-Owned Springs and Spring Runs	Clarification of activities on non-state owned lands or private uplands that are not affected by the rule
		Revise Rule 18-21.008, Applications for Lease	Specify the standard lease term duration to reduce renewal processing paperwork, time, and expense burdens on public and staff
		Revise Rule 18-21.009, Applications for Public Easement	Specify maximum term duration to reduce renewal processing paperwork, time, and expense burdens on public and staff
		Revise Rule 18-21.010, Applications for Private Easement	Specify maximum term duration to reduce renewal processing paperwork, time, and expense burdens on public and staff

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
		Revise Rule 18-21.011, Payments and Fees	Revise fees as needed. Delete subsection 18-21.011(4) pertaining to outdated language relating to geophysical testing rules that are recommended for repeal.
		Revise Rule 18-21.012, Spoil Islands	Expand to allow limited private use of spoil islands for a fee
62-4	Permits	62-4.001 Scope of Part I: Amend to fix incorrect citations to specific statutory authority. need to be corrected.	Clarification.
		62-4.020 Definitions: Amend (1)-(13) to fix incorrect citations to specific statutory authority.	Clarification. Without definitions the remainder of the rule chapter will be less clear.
		62-4.020 Definitions: Amend to repeal these subsections (14) and (15)	Subsections not mandated by statute, and these definitions are outdated and no longer used.
		62-4.021 Transferability of Definitions. Amend rule to address JAPC concerns.	Clarification. This rule authorizes the Department to apply definitions from other rule chapters. Without this ability, the remainder of the rule chapter will be less clear.
		62-4.040 Exemptions. Amend rule to address JAPC concerns.	Clarification. Without this section, some projects that pose minimal environmental risk will have to receive permits, adding to the cost and delays.
		62-4.050 Procedures to Obtain Permits and Other Authorizations. Repeal section subsections (1) & (2)	Not statutorily mandated, and no adverse consequences to repeal of subsection.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
		62-4.050 Procedures to Obtain Permits and Other Authorizations. Amend subsection (3) to address questions regarding federal agencies.	Clarification. Statutes require certification of engineering or geological work by professionals. Many proposed projects are complicated enough to require such certification. This rule does not require certification for projects that do not involve engineering or geology. Without profession certification, permit applications will either be out of compliance with Chapter 471 or will not provide reasonable assurance of compliance with standards. Complex projects may not be appropriately designed, and could result in impacts to the environment and public health.
		62-4.050 Procedures to Obtain Permits and Other Authorizations. Amend subsections (4) - (8) to clarify and update fee provisions.	Statutorily mandated. Statutes require fees be sufficient to cover agency costs; some fee amounts are mandated. Costs are born by those benefitting from permits; without fees, the costs would be born by the taxpayers generally.
		62-4.055 Permit Processing. Amend (1)&(4) to clarify language and delete some unnecessary language	Clarification. This rule clarifies several permitting procedures. Without it, applicants would be less certain of the process to follow, and it could lead to inconsistent results among different permit reviewers.
		62-4.055 Permit Processing. Repeal subsections (2),(3),(5) & (6).	Subsections not mandated by statute; no adverse consequences to the repeal.
		62-4.070 Standards for Issuing or Denying Permits; Issuance; Denial. Amend (1)-(5), (7) to clarify and to address JAPC concerns	Clarification. These subsections explain and clarify permitting processes. Without them, the permitting process would be more confusing and could lead to inconsistencies among permit review staff.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
		62-4.070 Standards for Issuing or Denying Permits; Issuance; Denial. Repeal subsection (6)	Subsections not mandated by statute; no adverse consequences to the repeal.
		62-4.080 Modification of Permit Conditions. Amend to clarify and to address JAPC concerns.	Statutorily mandated
		62-4.090 Renewals. Amend to clarify and to address JAPC concerns	Statutorily mandated
		62-4.100 Suspension and Revocation. Clarify provisions in (3) related to denial, suspension or revocation of permits.	Statutorily mandated
		62-4.100 Suspension and Revocation. Repeal subsections (1), (2), (4)	Subsections not mandated by statute; no adverse consequences to the repeal.
		62-4.120 Transfer of Permits. Substantially amend to clarify certain provisions and to create a new form for the transfer of permits.	Clarification. Though not mandated by statute, rulemaking authority exists this rule which includes forms and procedures for the transfer of permits. Without it, the regulated community would be uncertain of how to transfer a permit, and it could result in inconsistencies between reviewing staff.
		62-4.160 Permit Conditions. Amend subsections (1)-(15) to clarify general conditions for all permits.	Clarification. Though not mandated by statute, rulemaking authority exists for this rule which establishes general conditions for all permits. Without it, there could be confusion on the part of the regulated community as to how the permit is to be used and interpreted, and it could lead to inconsistencies among reviewing staff.
		62-4.160 Permit Conditions. Repeal subsections (16) & (17).	Subsections not mandated by statute; these provisions are found in the substantive UIC and HW rules.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
		Amend Rules 62-4.242 and .244 to provide regulatory flexibility for beach nourishment and maintenance dredging projects as part of the Triennial Review of surface water quality standards	Two rules in 62-4 are recommended for revision pursuant to EO-11-72. The proposed revisions will address maintenance dredging and beach nourishment projects to allow for more flexibility when addressing turbidity. These revisions will be made as part of the Triennial Review of water quality standards, which could also be listed under the tab for implementing federal programs.
		62-4-510 Scope of Part III. Amend to clarify certain provisions and update the history notes.	Though not statutorily mandated, rulemaking authority exists. Without this section it would be uncertain as to which programs Part III of Chapter 62-4 applied to.
		62-4.530 Procedures. Amend subsections (1),(2), (4) to clarify certain provisions.	Though not statutorily mandated, without these subsections the general permit program procedures would be unclear, and could result in less consistency among permit review staff.
		62-4.530 Procedures. Repeal subsection (3).	Not statutorily mandated, and no adverse consequences to repeal of subsection.
		62-4.530 Procedures. Repeal subsections (5), (6).	Though not statutorily mandated, rulemaking authority exists. Without these subsections, the procedures that are part of the general permit program would be less clear to the regulated community. However, these 2 subsections substantially restate the statute and therefore are marked for repeal.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
		62-4.540 General Conditions for All General Permits: Amend (7) to specify the reasons why a general permit may be suspended or revoked.	Though not statutorily mandated, rulemaking is authorized. Without this subsection, permittees would not be aware of the conditions under which the Department could suspend or revoke general permits.
62-17	Electrical Power Plant Siting	Amend Rule 62-17.021 (Definitions) to delete subsections (4, 6, 8, & 12)	Subsections contain definitions that are unnecessary and/or substantially restate statutes
		Repeal Rule 62-17.091 (Conduct of Studies)	Overall the Rule clarifies procedures but it could be revised as it is partially duplicative of statutes
		Amend Rule 62-17.121 (Local Government and Land Use and Zoning Consistency Determination) to eliminate redundancy	Overall the Rule clarifies procedures but it could be revised as it is partially duplicative of statutes
		Amend Rule 62-17.133 (Reports) to delete subsections (1-3, & 6)	Subsections contain language that's unnecessary and/or substantially restates statutes
		Amend Rule 62-17.135 (Coordination of Federally Approved or Delegated Programs with State Certification Application Review Procedures)	In addition to the unnecessary language we wish to excise (1) and (3), the rule provides important guidance that could be necessary for a decision-maker to opine on the appropriateness of certain changes to an application's schedule.
		Amend Rule 62-17.141 (Certification Hearings - Subject Matter, Procedure, Participants, Stipulations) to delete subsections (1-3, & 5)	Subsections contain language that's unnecessary and/or substantially restates statutes
		Amend Rule 62-17.205 (Postcertification Amendments or Clarifications) to revise subsection (2) for clarification	Rule could be revised to provide more clarity regarding site delineation submittal requirements

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
		Amend Rule 62-17.211 (Modification of Certification, Criteria-change Modifications, Transfer of Ownership) to delete subsections (2 & 4) and revise subsection (1) to result in less costly implementation method	Subsections (2 & 4) contain language that's unnecessary and/or substantially restates statutes (1)(a & c) can be deleted and (1)(b) can be revised to reduce costs by allowing for electronic submittals
		Amend Rule 62-17.241 (Abandonment) to revise subsection (1) for clarification	Subsection (1) is confusing and should be revised to clarify abandonment procedures
		Amend Rule 62-17.281 (Newspaper Notice) for simplicity	Rule could be revised to simplify language and provide more clarity regarding noticing requirements
		Amend Rule 62-17.293 (Fees, Disbursement of Funds, Contracts) to delete subsections (1)(a) & (2)(a)	Subsections contain language that's unnecessary and/or substantially restates statutes
		Amend Rule 62-17.540 (Application for Corridor Certification and Precertification Amendments) to delete subsection (1-2)	Subsections contain language that's unnecessary and/or substantially restates statutes
		Amend Rule 62-17.545 (Fees, Disbursement of Funds, Contracts) to delete subsection (4)	Subsection contains language that's unnecessary and/or substantially restates statutes
		Amend Rule 62-17.660 (Post-Certification Monitoring and Reporting)	Rule could be revised to simplify language and provide more clarity regarding compliance monitoring efforts.
62-18	Vehicle Sound Measurement	Revision of subsection 62-18.560(1) and deletion of subsection 62-18.560(3) to eliminate obsolete language related to motor vehicle exhaust system noise. DEP has recommended revision or repeal of underlying statutes 316.293 and 403.415, F.S.	If statutes are not revised or repealed, subsection changes are needed to eliminate language which has been superseded by federal standards.
62-25	Regulation of Stormwater Discharge	Delete subsection 62-25.900(4), Application for Wetlands Stormwater Discharge Facility Permit, May 8, 1985	Form has rarely to never been used and will no longer be needed as part of the proposed repeal of Rule 62-25.042, F.A.C.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62-40	Water Resource Implementation Rule	Delete subsections 62-40.210 (9), (12), (15), (16), (23), (26), (33), (34), (36), (37), (38), (40), (41)	Repeal definitions that are duplicative of statute.
		Revise 62-40.410	Incorporate findings of the Reclaimed Water Policy Workgroup in order to promote consistent evaluations of reclaimed water use which should streamline permit evaluations for the regulated community.
62-43	Surface Water Improvement and Management Act	Delete subsections (1) - (4), (9), & (11) of 62-43.020	Duplicative with Definitions elsewhere.
		Delete subsection (4) of 62-43.030	Out of date and therefore inconsistent with statute. Additionally, statute sets out proper procedure for reviewing Priority Lists and amending the rule to be consistent would be duplicative.
		Delete subsection (4) of 62-43.035	Out of date and therefore inconsistent with statute. Additionally, statute sets out proper procedure for reviewing Plans and amending the rule to be consistent would be duplicative.
62-110	Exceptions to the Uniform Rules of Procedure	Amend 62-110.104(5) to add additional rulemaking authority, remove references to rule no longer in existence.	To provide clarification of the requirements of the rule and update rule and statutory citations.
		Amend 62-110.106(1) to clarify the requirements of this subsection and to specify whether electronic service is authorized.	Provide cost saving for the service of documents.
		Amend 62-110.106(2), (5)-(7), AND (9)-(12) to add citation to additional statutory authority to the law implemented section.	To provide clarification of the requirements of the rule and update rule and statutory citations.
		Amend 62-110.106(8) to clarify the requirements of the subsection.	To provide clarification of the requirements of the rule and update rule and statutory citations.
62-113	Delegations	Amend 62-113.100(2 - 3)	Some of the delegations are no longer in effect and others may need to be added.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
		Repeal 62-113.100(1), and also 62-113.200(1 - 11) and (13 - 16)	This section is out of date and delegations are obsolete.
		Amend Rule 62-113.200 to incorporate a Delegation Agreement providing for a partial delegation of the ERP program to the Environmental Protection Commission of Hillsborough County	Rulemaking in response to a petition for delegation from EPCHC under s. 373.441, F.S.; delegation will streamline permitting for residents by consolidating state and local programs
		Amend Rule 62-113.200 to incorporate a Delegation Agreement providing for a partial delegation of the ERP program to the Miami-Dade County	Rulemaking in response to a petition for delegation from MDC under s. 373.441, F.S.; delegation will streamline permitting for residents by consolidating state and local programs
		Amend Rule 62-113.200 to incorporate a Delegation Agreement providing for a partial delegation of the ERP program to Orange County	Rulemaking in response to an expected petition for delegation from Orange County under s. 373.441, F.S.; delegation will streamline permitting for residents by consolidating state and local programs
62-150	Hazardous Substance Release Notification	Amend Rule 62-150.200 by removing Section 403.061(11), F.S. from the specific authority section.	Removing a citation that is no longer valid. For further information, see FDEP Rule Review Report.
		Amend Rule 62-150.300 by removing Section 403.061(11), F.S. from the specific authority section. Furthermore, update the contact information for the State Warning Point.	Removing a citation that is no longer valid and updating contact information. For further information, see FDEP Rule Review Report.
62-160	Quality Assurance	Amend .405 to add a reference to Section 403.061, F.S.	As part of the rule review pursuant to EO 11-72, OGC recommended that we revise Rule 62-160.405 to include a citation for the statutory authority for the rule.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62-204	Air Pollution Control -- General Provisions	Revision of subsections 62-204.340(1)-(3) and 62-204.500(1) to eliminate duplicative and obsolete language.	62-204.340 is mostly duplicative of federal designations of attainment, nonattainment, and unclassifiable areas elsewhere adopted by reference. 62-204.500 contains obsolete and outdated language.
62-210	Stationary Sources -- General Requirements	Deletion of multiple, obsolete subsections (definitions) in 62-210.200 and deletion of unused subsection 62-210.900(2).	62-210.200 contains many definitions that can be deleted as obsolete. 62-210.900(2) is currently "reserved" with no plans to use.
62-210 62-212	Stationary Sources - General Requirements Stationary Sources - Preconstruction Review	Revisions to update Florida's "nonattainment area new source review (NSR)" permitting program at Rule 62-212.500 to incorporate EPA's 2002 NSR Reform provisions. Related amendments to Rules 62-210.200, 62-210.300 and 62-212.300 are also required.	Florida is expected to have nonattainment areas for sulfur dioxide and ozone. Revisions would incorporate NSR reform measures designed to give industries in such areas greater flexibility to modernize their plants.
62-213	Operation Permits for Major Sources of Air Pollution	Deletion of subsections 62-213.205(2) & (3) to eliminate language that simply repeats statutory language.	62-213.205(2) & (3) repeat statutory language and are unnecessary. Note: 62-213.300 and 62-213.900(2)-(6) & (9), marked for revision on the EO11-01 list, were revised as needed effective 6/29/11.
62-243	Tampering with Motor Vehicle Air Pollution Control Equipment	Deletion of subsection 62-243.500(2) to eliminate requirement that parties to a motor vehicle sale or lease acknowledge that the required anti-tampering certification has been provided. DEP has recommended revision of underlying statute 316.2935 to completely eliminate the outdated requirement that the motor vehicle seller provide an anti-tampering certification.	If statute is not revised so as to allow full repeal of 62-243.500, deletion of 62-243.500(2) would eliminate unnecessary acknowledgement language.
62-252	Gasoline Vapor Control	Revision of 62-252.300 to delete outdated provisions, while retaining provisions required for Clean Air Act compliance.	Rule is mostly superseded by federal standards for gasoline dispensing facilities, but one provision must be retained for Clean Air Act compliance. The retained state rule would impose no new requirements on affected facilities, and all gasoline dispensing facilities remain exempt from permitting requirements

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62-256	Open Burning	Revision of Rules 62-256.200, .300, and .700. to provide additional alternatives for open burning of vegetative debris. Conforming amendments to Rule 62-296.320(3) may be required.	Revisions would address vegetative waste disposal concerns of small communities, and increase efficiency of interactions between DEP and DACS (Forestry).
62-296	Stationary Sources -- Emission Standards	Deletion of obsolete language at subsection .320(1) (outdated VOC regulation), revision of language at subsection .320(4) (outdated PM provisions), subsection .341 (outdated reasonable progress standard for regional haze provision of Clean Air Act), .401(2)&(3) (outdated incinerator regulations), .412(1)-(3) (dry cleaner rules superseded by federal regulations), and .416(6) (outdated requirement for MWC study).	Deletions are needed to eliminate obsolete and outdated provisions.
		Revision of Rule 62-296.406 (emission limits for small fossil-fuel boilers) to eliminate outdated provisions.	Revisions would eliminate burdensome case-by-case control technology determinations for small boilers.
62-297	Stationary Sources -- Emissions Monitoring	Revision of Rules 62-297.310, .320, .401, .440 and .450 to accomplish clarifying and burden reducing improvements to the emissions monitoring (stack testing) rules, primarily through extending current exemptions for annual testing to more types of sources. Subsections 62-297.401(1)-(8) and (10)-(66) would be deleted.	Revisions would make stack testing rules easier to understand and less costly to implement, with equal or improved environmental protection.
62-302	Surface Water Quality Standards	Amend Rules 62-302.200, .300, .530, and .800 to revise surface water quality standards as part of the Triennial Review of surface water quality standards	Proposed revisions may include: (1) incorporation of bioassessment of Stream Condition Index and Lake Vegetation Index into Chapter 62-302 as approved methods to demonstrate aquatic life use support, (2) revisions to definitions of fresh/marine waters, (3) clarifying Class II waters limits such that they must be "predominantly marine" waters, (4) listing all EPA-approved site specific alternative criteria in 62-302.800, and (5) repeal of unnecessary subsections in Chapter 62-302. These revisions will be made as part of the Triennial Review of water quality standards, which could also be listed under the tab for implementing federal programs.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62-303	Identification of Impaired Surface Waters	Delete subsection 303.200(4)	Substantially restates the language of the statute.
		Amend Rules 62-303.370 and .470 to revise the IWR assessment methodology as part of the Triennial Review of surface water quality standards	As part of the rule review pursuant to EO 11-72, we noted that we may incorporate a methylmercury fish tissue threshold for impairment determinations, in support of the statewide mercury TMDL due in September 2012. In addition, revisions may be necessary in 62-303 to be consistent with changes made in 62-302 as part of Triennial Review.
62-304	Total Maximum Daily Loads	Delete subsections (2) & (8) of 62-304.610, Hillsborough River Basin TMDLs	Water quality standard that was the basis for rule doesn't exist.
62-330	Environmental Resource Permitting	Update Rule 62-330.100, Purpose & Intent	Update to remove rules that are revised and repealed pursuant to EO 11-72 and to include rules that are not currently identified
		Amend Rule 62-330.200, to update WMD rules incorporated by reference—Phase 1	Using the provisions of s. 120.54(1)(i)5, F.S., this phase will reduce existing differences between ERP rules used by DEP and the Suwannee River, Southwest and South Florida WMDs. This rulemaking was underway until it was suspended by EO 11-01; its completion will reduce regulatory burdens and improve consistency for public and staff.
		Amend Rule 62-330.200, to update WMD rules incorporated by reference—Phase 2	Will ensure the rules used by DEP in implementing the ERP program conform with revisions made by the WMDs to comply with EO 11-72; because the WMD rulemaking will take some time, this Phase will need to follow Phase 1, described above
62-341	Noticed General Environmental Resource Permits	Delete subsections (2), (4), (6), (7), (9), (10), (13), (16), & (19) of 62-341.021, Definitions	Subsections repeat statutory definitions

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
		Delete 62-341.201(2) of Policy and Purpose	Delete obsolete report requirement
		Amend Rule 62-341.500, General Permit for Construction, Operation, Maintenance, Alteration, Abandonment or Removal of Minor Silvicultural Surface Water Management Systems	Amend to comply with section 120.55(1)(a)4, F.S. by incorporating by reference form 62-341.900(1), which is currently listed and incorporated by reference in Rule 62-341.900(1); associated with revisions to Rule 62-341.900, F.A.C., described below
		Amend Rule 62-341.600, General Permit for the Construction of Artificial Reefs	Rule is outdated and needs to be revised to incorporate current statutory requirements of Chapter 379, F.S.; revisions have been requested by the FWC
		Amend 62-341.900, Noticed General Permit Forms	Revise subsections (1) and (4) to comply with section 120.55(1)(a)4, F.S., as discussed above for Rule 62-341.500; update subsections (2) and (3) to reference the current form used within the Northwest Florida Water Management District and to incorporate proposed updates to the joint application form discussed below for subsection 62-343.900(1)
62-342	Mitigation Banks	Delete subsection (2) in 62-342.100, Intent	Repetitive of language in sections 373.4135 and .4136, F.S.
		Delete definitions in subsections 62-342.200(4), (5), (6), and (8)	Duplicative of statutory definitions in 373.403(18), (20), (21), and (19), F.S., respectively

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62-343	Environmental Resource Permit Procedures	Amend 62-343.020, General Provisions	Amend to incorporate some provisions from Rule 62-343.010, F.A.C., which is proposed to be repealed; revisions will streamline understanding and implementation of the chapter [this was omitted from the report]
		Amend 62-343.070, Procedures to Obtain a Permit	Amend to incorporate by reference a revised ERP Joint Application form that will be more user-friendly and to address problems associated with use of the form to request verification of an exemption
		Amend 62-343.080, Applications Processed by District & Division Offices of the Department	Update to remove obsolete provisions
		Amend 62-343.100, Modifications of Permits	Update to conform to provisions of section 373.416, F.S., re: transfers of ownership in the operation and maintenance phase; associated amendments also are needed to Rule 62-343.130, F.A.C.
		Amend 62-343.130, Transfer of Ownership	Update to conform to statutory provisions of section 373.416, F.S., re: transfers of ownership in the operation and maintenance phase; associated with amendments to Rule 62-343.100, F.A.C.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
		Amend 62-343.900, Environmental Resource Permit Forms	Update the Joint Application form (1) to make it more user-friendly including improving compatibility with form requirements of the U.S. Army Corps of Engineers; create a new, separate exemption verification form, as recommended by DEP counsel; amend form (4) to make it more user friendly; amend forms (7) and (8) to reflect amendments needed to Rules 62-343.100 and .130, above, and amend other sections of Chapter 62-343, F.A.C., to directly incorporate forms by reference as required by s.120.55(1)(a)4, F.S.
62-345	Uniform Mitigation Assessment Method	Amend 62-345.100, Intent and Scope	Revise to include language providing for the Department to be responsible for ensuring statewide coordination and consistency in the application of this rule by through programmatic training and guidance to the DEP, WMDs and others; will improve statewide consistency for public and staff
		Amend 62-345.200, Definitions	Delete subsections (3) and (8), which are repetitive of statutory definitions, and add a definition of "preservation as mitigation" to help public and staff in the consistent application of the rule
		Amend 62-345.400, Qualitative Characterization - Part I	Amend to provisions to improve clarity and consistent application of the rule and form for public and staff

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		Amend 62-345.500, Assessment and Scoring - Part II	This rule could be amended to clarify the application of the method for assessment areas where preservation as mitigation is proposed; provide a method to assure equal weighting and evaluation of considerations used to calculate the preservation adjustment factor, when applied to preservation mitigation; and providing additional guidance on the assessment of upland mitigation and location/landscape support.
62-346	Environmental Resource Permitting in Northwest Florida	Delete definitions in subsections 62-346.030(51) and (53)	Repetitive of statutory definitions
62-503	State Revolving Loan Program for Water Pollution Control	62-503.200 (4, 11, 13, 17, 23)	Repeal definitions that are in statute
62-505	Small Community Wastewater Construction Grants Program	62-505.350	Simplify rule language.
62-520	Groundwater Classes, Standards and Exemptions	62-520.200	Remove three definitions and transfer definitions from 62-521. Transfer Ground Water Protection Measures from 62-521.400. Revise 62-520.600 to include form references, then delete 62-520.900. Re-evaluate for appropriateness of drinking water treatment technology standards.
		62-520.600	
		62-520.900	
62-521	Wellhead Protection	62-521.200	Transfer these remaining definitions to ground water rule in 62-520
		62-521.200	
		62-521.400	
62-528	Underground Injection Control	62-528.100	Revise ASR requirements to streamline and provide consistency with the reuse program. Eliminate duplication. Include forms in appropriate rules and eliminate forms section.
		62-528.615	
		62-528.900	

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62-531	Well Water Contractor License Requirements	62-531.200	Revise definitions.
62-532	Water Well Permitting and Construction Requirements	62-532.200	Revise definitions.
62-552	State Revolving Fund Program for Drinking Water Facilities	62-552.200 (11)	Repeal definitions that are in statute.
		62-552.350	Entire rule will be clarified and simplified to improve the process (see later tabs).
62-555	Permitting, Construction, Operation and Maintenance of Public Water Systems	62-555.315	Revise to reduce sampling or treatment requirements for new or altered wells or wells that have been out of operation for a period of time.
		62-555.348	Revise to require capacity analysis reports only for community water systems serving greater than 3,300 persons.
		62-555.360	Revise to give community water systems more flexibility regarding acceptable backflow protection at service connections to residential premises where there is an auxiliary water system. Revise to allow less-frequent testing of backflow preventer assemblies at service connections to residential premises. Revise to clarify the rule and improve compliance.
		62-555.520	Revise to allow plumbing contractors to design drinking water projects that meet certain criteria and that have a value up to \$125,000.
62-600	Domestic Wastewater Facilities	62-600.100	Repeal rule subsections that are informational, duplicative, or not used.
		62-600.100	
		62-600.120	Revise for consistency with more recent regulations (e.g. NPDES program,
		62-600.200	

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		62-600.200	Chapters 62-610 and 62-640, ocean outfall legislation, etc.)
		62-600.300	
		62-600.300	
		62-600.400	
		62-600.405	
		62-600.410	
		62-600.410	
		62-600.420	
		62-600.430	
		62-600.440	
		62-600.445	
		62-600.500	
		62-600.510	
		62-600.510	
		62-600.520	
		62-600.530	
		62-600.540	
		62-600.550	
		62-600.550	
		62-600.700	
		62-600.700	
		62-600.720	
		62-600.735	
		62-600.740	
62-601	Domestic Wastewater Treatment Plant Monitoring	62-601.100	
		62-601.100	
		62-601.200	
		62-601.200	
		62-601.300	
		62-601.300	
		62-601.500	
		62-601.700	
		62-601.700	
62-602	Drinking Water and Domestic Wastewater Treatment Plant Operators	62-602.200 (7, 13, 16, 20, 21)	Repeal definitions that are in statute.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62-603	Detergents	62-603.100	Repeal rule subsection that is informational and duplicative.
62-604	Collection Systems and Transmission Facilities	62-604.100	Repeal rule subsection that is informational and duplicative.
		62-604.200	
62-606	Releases from Gambling Vessels	62-606.200	Revise definitions.
62-610	Reuse of Reclaimed Water and Land Application	62-610.100	Repeal rule subsections that are informational or duplicative. Revise for consistency with more recent regulations. Adopt updated Reuse Feasibility Guidelines. Re-evaluate pre-treatment requirements for public access systems; re-evaluate monitoring requirements; streamline ASR requirements with UIC program.; Revise to recognize other supplemental water supplies.
		62-610.100	
		62-610.200	
		62-610.300	
		62-610.310	
		62-610.320	
		62-610.412	
		62-610.463	
		62-610.466	
		62-610.471	
		62-610.472	
		62-610.480	
		62-610.491	
		62-610.510	
		62-610.525	
		62-610.555	
		62-610.560	
		62-610.568	
		62-610.571	
		62-610.600	
		62-610.610	
		62-610.613	
		62-610.614	
		62-610.617	
		62-610.618	
		62-610.621	
		62-610.625	
62-610.650			
62-610.670			
62-610.800			

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		62-610.800	
		62-610.810	
		62-610.870	
		62-610.870	
		62-610.890	
62-611	Wetlands Application	62-611.110	Repeal rule subsections that are informational or duplicative. Revise for consistency with more recent regulations. Re-evaluate and clarify design criteria, limitations and prohibitions, including monitoring requirements.
		62-611.200	
		62-611.350	
		62-611.400	
		62-611.450	
		62-611.500	
		62-611.600	
		62-611.650	
62-620	Wastewater Facility and Activities Permitting	62-620.100	Repeal rule subsections that are informational, duplicative, or not used. Revise for consistency with more recent regulations. Reduced number of copies of application required.
		62-620.200	
		62-620.301	
		62-620.305	
		62-620.310	
		62-620.325	
		62-620.345	
		62-620.350	
		62-620.410	
		62-620.510	
		62-620.610	
		62-620.620	
		62-620.625	
		62-620.630	
		62-620.705	
		62-620.710	
		62-620.800	
		62-620.910	
62-621	Generic Permits	62-621.100	Revise NPDES permits for petroleum contaminated sites and produced ground water from non-contaminated sites to reduce information requirements, monitoring, recordkeeping and reporting. Revise non-NPDES generic permit for citrus packinghouses to update information
		62-621.250	
		62-621.260	
		62-621.300	
		62-621.300	

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		62-621.303	On-line packinghouses to update information requirements, monitoring, recordkeeping and reporting.
		62-621.500	
		62-621.500	
62-640	Biosolids	62-640.100	Repeal rule subsections that are informational.
62-660	Industrial Wastewater Facilities	62-660.200	Revise General Permits and rules to update definitions, reduce information and permitting requirements. Adopt BMPs in rule to substitute for GP coverage where possible (i.e., no-discharge car washes, sand and limestone mines that do not use chemical additives).
		62-660.200	
		62-660.300	
		62-660.400	
		62-660.801	
		62-660.802	
		62-660.803	
		62-660.804	
62-670	Feedlot and Dairy Wastewater Treatment and Management Requirements	62-670.200	The rules in this chapter cover large Concentrated Animal Feeding Operations (CAFOs) and have not been revised since the mid-1990s. The proposed revisions would make CAFO permitting consistent statewide among all the regulatory districts. DEP has already initiated rulemaking and conducted several rule workshops. DEP has also worked intensively with CAFO industry representatives and FDACS to make the rules more user-friendly and efficient.
		62-670.400	
		62-670.500	
		62-670.600	
62-673	Phosphogypsum Management	62-673.200	Repeal definitions (4), (14), and (16)
62-699	Treatment Plant Classification and Staffing	62-699.200	Repeal rule subsections that are informational or duplicative. Revise to reduce staffing requirements for smaller, less complex facilities.
		62-699.200	
		62-699.310	
		62-699.311	

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62-701	Solid Waste Management Facilities	Amend to delete 62-701.200 subsections (9), (15), (27), (29), (50), (60), (71), (75), (83), (87), (88), (95), (96), (98), (99), (101), (109), (111), (112), (116), (123), (126), (127), AND (129), Definitions	Restates statutes
		Amend 62-701.320(2), Solid Waste Management Facility Permit Requirements, General, to revise or delete several paragraphs that are similar or identical to provisions in Section 403.708, F.S.	Maintain consistency and eliminate redundancy
		Amend to delete 62-701.510, Water Quality and Leachate Monitoring Requirements, subsection (5) and amend Subsection (6) due to deletion of Subsection (5).	Unnecessary
		Amend 62-701.730, Construction and Demolition Debris Disposal and Recycling, to address new requirement in paragraph 403.707(9)(b), F.S. amended in 2010 to require liners for construction and demolition debris disposal facilities. Rule must also be amended to implement statutory requirement that all construction and demolition debris be processed prior to disposal when economically feasible.	Update rule to be consistent with statutes.
		Amend Section 62-701.803, General Permit For Off-Site Disposal Of Land Clearing Debris, to address change in statute to include all yard trash in definition of construction and demolition debris.	Update rule to be consistent with statutes.
		Amend 62-701.900, Forms, to correct numbering due to recent amendments.	Correct numbering
62-709	Criteria for Organics Processing and Recycling Facilities	Amend to delete 62-709.201, Definitions, subsection (19)	Unnecessary
		Amend to delete 62-709.305, Exemptions, subsection (5)	Unnecessary
		Amend this 62-709.320, General Provisions for Registrations, to include one new provision since rule Section 62-709.330 is being repealed.	Amend this Section to include one new provision.
		Amend to move Rule 62-709.350(5), Specific Criteria for Registration of Facilities Composting Vegetative Wastes, Animal Byproducts or Manure, or Blending Manure, into Rule 62-709.320.	Consistency and clarification

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62-710	Used Oil Management	Amend 62-710.201, Definitions, to delete subsection (5).	Restates statutes
		Amend 62-710.600, Certification Program for Used Oil Transporters, to delete Subsection (2)(b).	Unnecessary
		Amend Section 62-710.901, Forms, to update and clarify forms.	Consistency and clarification
62-711	Waste Tire Rule	Amend 62-711.300, Waste Tire Permit Requirements, to delete Subsection (9).	Unnecessary.
		Amend 62-711.300, Waste Tire Permit Requirements, to revise Subsection (10).	Remove unnecessary language.
		Amend 62-711.500, Waste Tire Site Notification and Requirements, to revise financial assurance requirements to be more consistent with the financial assurance requirements for other solid waste management facilities.	Consistency and clarification
		Amend 62-711.520, Waste Tire Site Collector Requirements, to remove several unnecessary reporting requirements, and to facilitate on-line registrations.	Unnecessary and to make it easier for the public to register on-line.
		Amend 62-711.530, Waste Tire Processing Facility Requirements, to delete subsection (1).	Unnecessary
62-716	Solid Waste Grants Program	Amend 62-716.300, General Grant Application Requirements, to update and clarify this rule chapter.	Consistency and clarification
		Amend 62-716.310, Disbursement of Funds, to update and clarify this rule chapter.	Consistency and clarification
		Amend 62-716.450, Solid Waste Annual Reports, to address statutory requirements for solid waste and recycling annual reports that have been significantly amended.	Update rule to be consistent with statutes.
		Amend 62-716.500, Specific Small County Grant Application Requirements, to address change in statute for small county grants.	Update rule to be consistent with statutes.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
		Amend 62-716.600, Specific Waste Tire Grant Application Requirements, to update and clarify this rule chapter.	Consistency and clarification
		Amend 62-716.900, Forms, to delete subsections (1) and (4) - (6) and revise subsections (2) and (3).	No statutory authority for (1) and (4) - (6); update and clarify subsections (2) and (3).
62-722	Regulation of Recovered Materials	Amend 62-722.200, Definitions, to delete subsections (3), (6), (8), (9), (10), and (13)	Restates statutes
62-730	Hazardous Waste	Amend 62-730.150, General, to delete subsection (6).	Unnecessary
		Amend 62-730.160, Standards Applicable to Generators of Hazardous Waste, to delete subsection (3).	Unnecessary
		Amend 62-730.225, Requirements for Remedial Activities, to delete subsections (3) and (4).	Unnecessary
		Amend 62-730.900, Forms, to delete subsection (7).	Unnecessary
62-737	The Management of Spent Mercury-Containing Lamps and Devices Destined for Recycling	Amend 62-737.300, Prohibitions, to delete subsections (1) and (2).	Restates statutes
62-761	Underground Storage Tank Systems	Amend 62-761.200, Definitions, to delete subsections (12), (20), (22), (39), (42), (44), (48), (51), (68) and (69).	Restates statutes; (68) and (69) are unnecessary.
		Amend 62-761.400, Registration and Financial Responsibility, to delete subsections (1) and (2).	Restates statutes
		Amend 62-761.640, Performance Standards for Release Detection Methods, to delete subsections (2)(a) - (2)(d)5.	Unnecessary
		Amend 62-761.850, Alternative Requirements and Equipment Approvals, to delete subsection (2).	Unnecessary

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62-762	Aboveground Storage Tank Systems	Amend 62-762.201, Definitions, to delete subsections (7), (13), (19), (28), (32), (52), (55), (57), (58), (62), and (65).	Restates statutes
		Amend 62-762.451, Notification and Reporting, to increase timeframe to investigate and report incidents from 24 hours to 72 hours, giving more time to determine whether a discharge has occurred which will continue to be an allowable reason not to submit an incident reporting form.	Provides the regulated public more time to determine if a discharge has occurred and investigate and report incidents.
		Amend 62-762.501, Performance Standards for Category-C Storage Tank Systems, to delete subsection (2)(b)5.	Unnecessary
		Amend 62-762.511, Performance Standards for Category-A and Category-B Storage Tank Systems, to delete subsection (1).	Unnecessary
		Amend 62-762.641, Performance Standards for Release Detection Methods, to delete subsections (2)(a) - (2)(d)5.	Unnecessary
		Amend 62-762.821, Incident and Discharge Response, to eliminate requirement to submit written confirmation to county or DEP that an incident was not a discharge if such determination was made within 72 hours and if documentation of the investigation is maintained with the facility records; increase timeframe to finalize incident investigation from 2 weeks to 3 weeks to determine if a discharge has actually occurred.	Eliminates unnecessary requirement and provides the regulated public more time to finalize incident investigation.
		Amend 62-762.851, Alternative Requirements and Equipment Approvals, to delete subsection (2).	Unnecessary
		Amend 62-762.891, Mineral Acid Storage Tank Requirements, to delete subsection (1).	Unnecessary
62-769	FL Petroleum Liability and Restoration Insurance Program	Amend 62-769.800, Abandoned Tank Restoration Program, to delete subsections (1) - (4)(b) and (4)(d) - (e).	Unnecessary
62-770	Petroleum Contamination Site Cleanup	Amend 62-770.200, Acronyms and Definitions, to delete subsections (2), (3), (8), (13), (14), (17), (27), (33), (34), (48), (54), (58), and (59).	Unnecessary

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
		Amend 62-770.220, Notices, to delete Subsection (5).	Unnecessary
		Amend 62-770.900, Forms, to delete subsections (1), (4) and (5).	Unnecessary
62-771	Petroleum Contamination Site Priority Ranking Rule	Amend 62-771.100, Introduction, Scope and Definitions, to delete subsections (1) - (3).	Restates statutes
62-780	Contaminated Site Cleanup Criteria	Amend 62-780.200, Acronyms and Definitions, to delete subsections (2), (3), (9), (10), (13), (16), (17), (25), (29), (32), (40), (44), (47) and (48).	Unnecessary
		Amend 62-780.900, Forms, to delete subsections (2), (4) and (5).	Unnecessary
62-782	Drycleaning Solvent Cleanup Criteria	Amend 62-782.200, Acronyms and Definitions, to delete subsections (2), (3), (7), (8), (11), (13), (14), (15), (16), (22), (26), (35), (37), (41), (44) and (45).	Unnecessary
		Amend 62-782.900, Forms, to delete subsections (2), (4) and (5).	Unnecessary
62-785	Brownfields Cleanup Criteria	Amend 62-785.150, Applicability, to delete subsections (6) and (7).	Unnecessary
		Amend 62-785.200, Acronyms and Definitions, to delete subsections (2), (3), (7), (8), (12), (15), (25), (29), (32), (40), (44) and (47).	Unnecessary
		Amend 62-785.900, Forms, to delete subsections (1), (4) and (5).	Unnecessary
62-807	Natural Gas Transmission Pipeline Siting	Amend Rule 62-807.400 (Application for Corridor Certification, Recipients) to revise subsection (3) to result in less costly implementation method	Subsection (3) can be revised to reduce costs by allowing for electronic submittals
		Amend Rule 62-807.460 (Conduct of Studies) for simplicity	Rule could be revised to simplify language and provide more clarity regarding evaluations performed by affected agencies
		Amend Rule 62-807.580 (Postcertification - Easements, Federal Permitting)	Rule is partially duplicative of statutes and could be streamlined to clarify applicant and agency procedural requirements

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
		Amend Rule 62-807.610 (Modifications) for clarification	Rule is partially duplicative of statutes and could be streamlined to clarify applicant and agency procedural requirements
		Amend Rule 62-807.620 (Replacements) to revise for clarification	Rule could be revised to provide more clarity regarding procedural requirements for replacing equipment in the event of an emergency
		Amend Rule 62-807.660 (Fee, Disbursement of Funds, Contracts) to update and make consistent with sister rules	Rule is outdated and partially duplicative of statutes and should be updated to be consistent with provisions of power plant and transmission line rules
		Amend Rule 62-807.670 (Specifications and Text for Newspaper Notice) for simplicity	Rule could be revised to simplify language and provide more clarity regarding noticing requirements
		Amend Rule 62-807.690 (Evidence of Notice, Additional Notice) for compliance/consistency	Rule needs to be revised as a DEP Rule cannot add or take away from the rights of an ALJ. Should be restructured to be consistent with 62-17.281 F.A.C.
62-814	Electric and Magnetic Fields	Amend Rules 62-814.100 (Intent) and .900 (Forms and Instructions)	Rule 62-814.100 to be revised to simplify language, update subsection 3(c) and update references. Once form references are deleted from 62-814.100, 62-814.900 will be repealed; see FDEP Rule Review Reports for further information; see FDEP Rule Review Reports for further information
		Amend Rule 62-814.510 (Monitoring and Reporting) to result in less costly implementation method	Rule can be revised to reap a cost savings to the citizens of the state; see FDEP Rule Review Reports for more information

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
		Amend Rule 62-814.520 (Compliance) to reduce lead time for notification prior to construction of a transmission line from 90 days to 30 days and to allow for earlier construction following review by DEP.	This revision will reduce unnecessary and onerous requirement to wait 3 months to construct a transmission line after notifying DEP, and will allow construction to begin in less than 30 days if DEP has reviewed the notification and has sent confirmation to the applicant. The 90 day requirement serves no apparent purpose other than to allow DEP sufficient time to review the applicant's submittal. A 90-day review time for this type of submittal is excessive and unwarranted.
62B-33	CCCL Rules and Procedures for Coastal Construction and Excavation	62B-33.002 62B-33.005 62B-33.005 (9) 62B-33.008 62B-33.0081 62B-33.0085 62B-33.013 62B-33.024	Clarify and update procedures for exemptions, siting policies, sea turtle lighting criteria, survey requirements, permit time limits and extensions, general permit conditions, definitions, forms, and fee language.
62B-41	Rules and Procedures for Coastal Construction Permits	62B-41.002 62B-41.003 62B-41.004 62B-41.005 62B-41.007 62B-41.0075 62B-41.008	Amendments will address comments from the Joint Administrative Procedures Committee. Other changes will refine and streamline criteria for coastal construction permits for coastal armoring below the mean high water line, inlet construction and maintenance, and beach restoration and nourishment.
62B-49	Joint Coastal Permits and Concurrent Processing of Proprietary Authorizations	62B-49.006 62B-49.012	Clarify and update procedures related to fees and suspension and revocation of permits to conform with current practices.
62C-16	Mandatory Phosphate Mine Reclamation	62C-16.0032 (2)	Revise filing procedures for applications, notices and reports.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62C-17	Master Reclamation Plan for Lands Disturbed by the Severance of Phosphate prior to July 1, 1975	62C-17.002 (1) - (6), (8) - (22), (24)- (37))	Repeal outdated definitions and subsections.
		62C-17.002 (7), (23)	
		62C-17.005(1) - (2), (4)	
		62C-17.005 (3)	
		62C-17.010 (1)	Technical rule correction to delete organizational references, add definitions. Repeal definitions.
62C-25	Conservation of Oil and Gas: General	62C-25.002 (1), (7), (9), (10), (21), (31), (40),(64)	Technical rule correction to delete organizational references, modify surety options, modify permitting requirements, revise permit duration, repeal intent subsection.
62C-26	Conservation of Oil and Gas: Permitting	62C-26.002	Technical rule correction to delete organizational references, modify surety options, modify permitting requirements, revise permit duration, repeal intent subsection.
		62C-26.003 (2)	
		62C-26.007 (1)	Repeal subsection that is duplicative
62C-29	Conservation of Oil and Gas: Injection Wells, Well Workovers, And Abandonments	62C-29.002 (5)	Repeal definitions and inspections subsections that are duplicative of statute.
62C-36	Limestone Reclamation Requirements	62C-36.002 (1 5 6 7 9 10 11 12 15 16 18)	Repeal definitions subsections that are duplicative of statute.
		62C-36.009 (1-2)	
		62C-36.008	Repeal subsection to remove the requirement to plant trees within reclaimed uplands and littoral zones. Planting trees may not be consistent with some future land uses. Amend subsections to allow alternative designs for reclaimed sheer walls. The only acceptable design in the rule is not appropriate in all geologic conditions.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62C-37	Heavy Mineral Reclamation Requirements	62C-37.002 (1 3 4 6 7 8 9 11 12 13)	Repeal definitions subsections that are duplicative of statute.
62C-38	Fuller's Earth Reclamation Requirements	62C-38.002 (1 3 6 7 8 10 11 13)	Repeal definitions subsections that are duplicative of statute.
62C-39	Reclamation Requirements for Solid Resources Other Than Phosphate, Limestone, Heavy Minerals, and Fuller's Earth	62C-39.002 (1 4 5 6 7 8 9 10 12 13 14 16 17)	Repeal definitions and inspections subsections that are duplicative of statute.
		62C-39.009 (1-2)	
62D-15	Myakka River Wild And Scenic River Rule	62D-15.004(1) should be repealed as a restatement of the statute and 62D-15.004(2) is to be moved and merged with 62D-15.002(15).	62D-15.004(1) substantially restates the statute. It is necessary for 62D-15.004(2) to remain to explain outdated references in the statute.
		62D-15.006(1) - remove reference to Bureau Chief, District 4 Administration, Division of Recreation and Parks, 1843 South Tamiami Trail, Osprey, FL 34229 and replace with DEP Southwest District address	Certain projects on the designated segment of the Myakka River require a DEP Southwest District Office Environmental Resource Permit and a DEP Myakka River Permit from the Division of Recreation and Parks (DRP). This requires two separate DEP permits and two fees. This process should be consolidated to one permit and one fee from DEP. Amendments are necessary to remove the addresses and references to the DRP District Office in 62D-15.006(1), 62D-15.008(9), 62D-15.009, 62D-15.010. Myakka River Permits could be issued by the DEP Southwest District Office during their application review. Applicable Environmental Resource Permitting Rules may need to be amended. Reduce the regulatory burden and create a one-stop permit and fee process for the applicant by eliminating the DRP permit process and shifting the permitting responsibilities for the Myakka River Permit solely to the DEP Southwest District Office.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
		62D-15.008(9) - omit reference to District Manager	Reduce the regulatory burden and create a one-stop permit and fee process for the applicant by eliminating the DRP permit process and shifting the permitting responsibilities for the Myakka River Permit solely to the DEP Southwest District Office.
		62D-15.009 - omit reference to Division of Recreation and Parks and replace with DEP Southwest District	
		62D-15.010 - omit reference to Bureau Chief	
		62D-15.011 - Fees will need to be reviewed by DEP Southwest District as they incorporate the Myakka Wild and Scenic River Rule into their permitting process.	
62N-16	Pollutant Discharge Act	Amend Rule 62N-16.009 by removing subsections (1), (3)-(25) and (28)-(31) that are no longer applicable or are repeating the statute. Also remove reference to Section 376.15(2)(c), F.S., which is located in the specific authority and the law implemented section, since it is no longer applicable.	Removing unnecessary portions of the rule. For further information, see FDEP Rule Review Report.
		Amend Rule 62N-16.012 by removing subsections (3) and (5) since they are no longer applicable. Also remove references to Rule 62N-16.026, F.A.C., located in subsection (1) and Section 376.06, F.S., located in the specific authority since they no longer exist. Finally incorporate a form into subsection (1).	Removing unnecessary portions of the rule and incorporating a form into the rule as required to do so by Section 120.55(1)(a)4., F.S. For further information, see FDEP Rule Review Report.
		Amend Rule 62N-16.022 by correcting the statutory authority (removing Section 376.021, F.S., and adding in Section 376.07, F.S.). Also removing the references to the Florida Marine Patrol and the US Coast Guard in (1) and (2) and replacing them with the Florida State Warning Point and the appropriate contact info.	Removing unnecessary portions of the rule and correcting citations and contact info. For further information, see FDEP Rule Review Report.
		Amend Rule 62N-16.032 by removing subsection (1).	Removing a portion of the rule that restates the statute. For further information, see FDEP Rule Review Report.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
		Amend Rule 62N-16.033 by removing the radio references as well as the references to U.S. Coast Guard and Florida Marine Patrol in subsections (1)(b)3.a. and (1)(c)3.a. In place of the Florida Marine Patrol, the State Warning Point and the appropriate contact info will be added. Furthermore, subsection (4) will be removed as will the reference to October 1, 1992 located in subsection (1). Finally the law implemented section will updated by adding in Section 376.065, F.S.	Removing outdated references, dates and portions that are no longer applicable. Putting in the correct contact information and statutory references. For further information, see FDEP Rule Review Report.

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III. RULES REQUIRED BY LEGISLATIVE OR COURT MANDATE

RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62-344	Delegation of the Environmental Resource Program to Local Governments	Amend 62-344.100, Purpose, Intent & Scope	Amend to reflect 2010 amendments to section 373.441 (Chapter 2010-147, Laws of Florida), which mandated that DEP has sole authority to delegate all or part of the ERP program under Part IV of Chapter 373, F.S., and to create a process for local governments to petition the Governor and Cabinet to review the status of their delegation
		Amend 62-344.200, Definitions	To meet statutory requirements as described for Rule 62-344.100, above
		Amend 62-344.300, Procedures for Requesting Delegation	To meet statutory requirements as described for Rule 62-344.100, above
		Amend 62-344.400, Content of Petition	To meet statutory requirements as described for Rule 62-344.100, above
		Amend 62-344.500, Criteria for Review	To meet statutory requirements as described for Rule 62-344.100, above
		Amend 62-344.600, Procedures to Reconcile Duplication	To meet statutory requirements as described for Rule 62-344.100, above
		Amend 62-344.700, Delegation Agreements	To meet statutory requirements as described for Rule 62-344.100, above
62-716	Solid Waste Grants Program	Two new rule sections need to be created to include requirements for a voluntary certification program for materials recovery facilities and methods and criteria for calculating county recycling rates.	Statutes require the creation of these new rules.
62-722	Regulation of Recovered Materials	Rule 62-722.400, Procedures for Certification and Reporting, needs to be amended to reflect a statutory change in a reporting date.	Update rule to be consistent with statutes.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62B-36	Beach Management Funding Assistance Program	Proposed rule amendments implement the new inlet management priorities and procedures set forth in section 161.143, F.S., clarify ambiguities in the rule, improve program implementation, and incorporate process improvements recommended by the Beach Management Working Group. Secretarial adoption. Anticipate easy to adopt.	Section 161.143, F.S., requires that the Department establish annual funding priorities for studies, activities, or other projects concerning inlet management, through the Beach Erosion Control Program.

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IV. RULES TO ASSIST THE REGULATED PUBLIC

RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
18-1	State Land Acquisition Procedures	<p>18-1.002 (7), FAC. Definitions. "Approved appraisal organization" is defined as "an organization that is a member of the Appraisal Foundation, a foundation authorized by the United States Congress as the source of appraisal standards and appraiser qualifications." 18-1.007 (2)(c)(2) gives preference to appraisers receiving designations from "approved appraisal organizations". The proposed rule change is to update and revise the definition of approved appraisal organizations. The revised definition will be "the Appraisal Institute and any organization that is a member of the Appraisal Foundation, a foundation authorized by the United States Congress as the source of appraisal standards and appraiser qualifications."</p>	<p>The Appraisal Institute is recognized as the leading and most respected national appraisal organization. It was a member of the Appraisal Foundation until 2010. This rule change will continue to provide a pool of well qualified appraisers for state appraisal assignments.</p>
		<p>18-1.002 (29), FAC. Definitions. "USPAP" is defined as "the Uniform Appraisal Standards of Professional Appraisal Practice, effective January 1, 2010....." 18-1.006(1), FAC states "Appraisal reports obtained for the acquisition, disposition, leasing or granting of easements on state land are to conform to the Uniform Standards of Professional Appraisal Practice (USPAP)." In the past these standards have been updated annually; they currently are updated biannually. This requires the reference in rule to be revised every two years, involving the rulemaking process. This proposal is to remove the requirement from rule that appraisal reports are to conform to USPAP and to move the requirement to the Supplemental Appraisal Standards for Board Trustees Land (Supplemental Standards). The Supplemental Standards are referenced in rule; thus, the requirements for appraisal standards are not diminished by this proposed rule change.</p>	<p>The benefit is that the rule making process does not have to be done every two years only to update the reference to the current version of USPAP. A revised version of USPAP will become effective January 2012.</p>

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
18-21	Sovereignty Submerged Lands Management	<p>Amend Rule 18-21.0051, Delegation of Authority</p> <p>18-21.011 (2) (b) specifies that the fee for all private easements except for those of 3,000 square feet or less for single family riparian parcels and those for telecommunications lines and associated conduits be determined by an approved appraisal. The proposed change will eliminate the appraisal requirement and replace it with an annual per-square-foot fee which would be tied to the then-current base rate for submerged land leases as a percentage. This will save 60-90 days in the application process, save the applicant the cost of having an appraisal performed, eliminate one-time up-front easement fees in favor of smaller annual payments, and allow the applicant to know at the beginning of his project what the easement fee will be.</p>	<p>Increase the number of projects that can be authorized locally by DEP and WMD offices rather than require review by the Governor and Cabinet sitting as the Board of Trustees. This will reduce processing time by approximately 45 days and eliminate the costs to the public and agency staff. [The BOT approved rulemaking 4/5/11, which was after the report was finalized.]</p> <p>The proposed change will save 60-90 days in the application process, save the applicant the cost of having an appraisal performed, and allow the applicant to know at the beginning of his project what the easement fee will be. It will also generate a more consistent income stream to the IITF by eliminating the existing fee structure which requires a significantly higher fee for a new easement as compared to a renewal in favor of a blended rate to be applied to all.</p>
62-40	Water Resource Implementation Rule	Amendments to this rule are possible, but language hasn't been formalized. We anticipate that this rule will move from the Division of Water Resource Management to the newly created Deputy Secretary's Office of Water Policy and Ecosystem Projects.	Amendments would incorporate consensus concepts developed by the Reclaimed Water Work Group, other statutory changes, and policy direction implemented since the last rule update which occurred in 2006.

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IV. RULES TO ASSIST THE REGULATED PUBLIC

RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62-160	Quality Assurance	Miscellaneous revisions to the QA rule, including rules 62-160.210, .220, .300, .320, .330, and .800).	A variety of revisions are needed to the QA rule, including revisions to the methodology for bioassessment scoring, frequency of assessment proficiency testing, and groundwater SOPs. These changes will also help clarify/simplify several parts of the rule. Details are provided below if needed.
		Amend and add to DEP SOPs for bioassessment scoring criteria, bioassessment procedures, field documentation, sampler proficiency criteria requirements for bioassessment procedures, groundwater sampling procedures and other miscellaneous revisions (cited at .210 & .800).	Realignment with proposed 62-302 revisions; updates for scientific advancement.
		Amend .220 to allow more flexibility to use modified or alternative field procedures; update bioassessment methods not amenable to modification or alternatives	Facilitate alignment of procedures with project objectives or scientific advancements; potential reduction of process and/or cost burdens for regulated parties and DEP; update for new or obsolete methods.
		Amend .300 to allow greater flexibility with lab certification requirements	Facilitate alignment of procedures with project objectives or scientific advancements; potential reduction of process and/or cost burdens for regulated parties.
		Amend .320 to add new bioassessment method(s)	Facilitate alignment of procedures with project objectives or scientific advancements.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
		Amend .330 to allow more flexibility to use modified or alternative analytical methods; update bioassessment methods not amenable to modification or alternatives	Facilitate alignment of procedures with project objectives or scientific advancements; potential reduction of process and/or cost burdens for regulated parties and DEP; update for new methods.
62-210 62-296	Stationary Sources - General Requirements Stationary Sources -- Emission Standards	Additional rule amendments (beyond those adopted June 2011) to extend and further streamline air permitting exemptions and air general permits (automatic permits-by-rule). While exemptions and general permits are in 62-210, amendments to 62-296 may be needed to facilitate expansion of general permit program.	Rule amendments would build on DEP's success in reducing regulatory burdens through the use of air permitting exemptions and air general permits.
62-210 62-213	Stationary Sources - General Requirements Operation Permits for Major Sources of Air Pollution	Amendments to 62-210 to reduce the number of facilities required to submit an annual operating report. DEP may recommend statutory changes to allow consolidation of the annual operating report and Title V fee report into a single report for major sources. This would necessitate amendments to 62-213.	Rule amendments would eliminate the requirement for small emission sources, particularly in ozone nonattainment areas, to submit an annual operating report. Possible statutory changes would reduce reporting burden for major sources.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62-204 62-210 62-212 62-213 62-296	Air Pollution Control -- General Provisions Stationary Sources - General Provisions Stationary Sources - Preconstruction Review Major Sources of Air Pollution Stationary Sources - Emission Standards	Revisions to correct erroneous cross references, remove obsolete provisions, and clarify rule language, especially where needed as a result of repeals and revisions to other rule sections and other rule chapters.	The repeal or revision of rules pursuant to EO11-01 will require conforming amendments in other rules and rule chapters. Revisions may also be needed to provide clarity in situations where rule language could be misinterpreted or interpreted inconsistently across the state.
62-302	Surface Water Quality Standards	Amend Rule 62-302.400 to reclassify the lower part of the Alafia River and Tampa By-Pass Canal from Class III to Class I waters	Tampa Bay Water has petitioned for reclassification of these waters. Tampa Bay Water has used these waters as a raw water source for several years.
		Amend Rule 62-302.700 to designate the Matanzas River as "Outstanding Florida Waters"	DEP has received a rulemaking petition to designate the Matanzas River as "Outstanding Florida Waters". More DEP study is needed before we will be able to make a final recommendation to the ERC.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
		Amend Rule 62-302.800 to address waterbody-specific petitions for site-specific alternative criteria	Rulemaking petitions are anticipated from several regulated parties to obtain site-specific alternative criteria (SSAC). These petitions may include: fluoride in parts of the Alafia River, dissolved oxygen in Thomas Creek, and pH for the City of Pace treatment wetland. Establishment of SSACs will provide regulatory relief to dischargers while protecting the designated use of the receiving waters.
62-330	Environmental Resource Permitting	Amend Rule 62-330.200 to incorporate revisions to section X.2.5 of the Basis of Review/Applicant's Handbooks of the WMDs governing docks having between 3 and 10 slips in shellfish harvesting waters, and to WMD rules referencing listed species rules of the FWC to reflecting recent rulemaking by the FWC	Will streamline permitting and reduce regulatory burdens for the public by deleting rule prohibitions for docks that meet certain requirements
		Adoption by DEP of a "statewide ERP rule" that would be implemented by DEP and the WMDs without further rulemaking by the WMDs	Will improve permitting consistency and reduce regulatory confusion for the public by establishing uniform, statewide ERP criteria, including criteria governing statewide stormwater quality to reduce nutrient loading; rule would include provisions for basin-specific criteria and to address physical and natural variability throughout the state. This rulemaking will require prior statutory authorization, so it's details and schedule will be dependent on legislative action.

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62-341	Noticed General Environmental Resource Permits	Adoption of new noticed general permits to streamline permitting; specific activities to be authorized are under consideration and development	Will streamline permitting for activities that have minimal adverse individual and cumulative impact, thereby reducing regulatory burdens. Specific NGPs have not been identified at this time.
		Adoption of a new noticed general permit to streamline permitting of maintenance of public navigation channels and canals within Charlotte County	Will streamline permitting for dredging activities in Charlotte County to meet WCIND statutory requirements, while having minimal adverse individual and cumulative impact. This will reduce regulatory burdens, save money, and enhance navigation for the public. [This was omitted from the report.]
		Adoption of a new noticed general permit construction, operation, maintenance, alteration, abandonment or removal of airport airside surface water management systems	Will streamline permitting; this NGP has been requested by the FDOT and the FAA, and has been under development in coordination with the WMDs. The NGP will reduce regulatory burdens, save money, and enhance airport safety and stormwater quality and quantity.
62-343	Environmental Resource Permit Procedures	Amendments to this rule will be required as part of the "statewide ERP rule," including potentially deleting this chapter and replacing it with new procedures in the revised Chapter 62-330, F.A.C.	Will improve permitting consistency and reduce regulatory confusion for the public by establishing uniform, statewide ERP procedures, forms, and other criteria; however, this will require prior statutory authorization, so rulemaking will be dependent on legislative action
62-345	Uniform Mitigation Assessment Rule	Amendments to this rule are possible, but haven't been formalized, and possibly would be part of the "statewide ERP rule" development process	Possible amendments haven't been formalized at this time

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RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62-346	Environmental Resource Permitting in Northwest Florida	Amendments to this rule will be required as part of the "statewide ERP rule," including potentially deleting this chapter and replacing it with new procedures in the revised Chapter 62-330, F.A.C.	Will improve permitting consistency and reduce regulatory confusion for the public by establishing uniform, statewide ERP procedures, forms, and other criteria; however, this will require prior statutory authorization, so rulemaking will be dependent on legislative action
62-701	Solid Waste Management Facilities	This rule is currently under development to implement several statutory changes. In addition, a number of sections need to be amended to clarify or simplify existing requirements. The Department also proposes to create a new general permit for certain Waste Processing Facilities, Waste Transfer Stations and Materials Recovery Facilities, which may require amending several rule sections.	Current rule requirements for waste processing facilities that operate indoors may be more stringent than necessary. Creating a general permit will save applicants time and money without jeopardizing public health or the environment. By reducing the current "full blown" permit requirement to a General Permit, the time to process would be reduced from 90 days to 30 days. Hundreds of applications, major modifications, renewals and RAIs would be eliminated for a simpler General Permit process currently allowed by law. The financial impact of this action would save millions of dollars for Florida businesses in keeping with the Governor's 7-7-7 plan.

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V. RULES TO IMPLEMENT FEDERAL PROGRAM REQUIREMENTS

RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62-204	Air Pollution Control - General Provisions	Quarterly adoption by reference of EPA air pollution rules for consistency with Clean Air Act requirements and to maintain "Approved" air program status. EPA air rules are adopted and incorporated by reference at Rule 62-204.800.	Failure to maintain consistency with Clean Air Act requirements could result in additional permitting costs and delays for regulated industries and possible loss of federal funds.
62-302	Surface Water Quality Standards	Adopt revised nutrient criteria as new rules in Chapter 62-302.	OFARR has previously approved rulemaking for nutrient criteria development, and DEP has initiated rulemaking.
		Amend Rule 62-302.530 (or develop a new rule) to revise the surface water quality criteria for dissolved oxygen	Revision of dissolved oxygen (DO) criteria for both fresh and marine waters to better account for those waterbodies that naturally have low amounts of DO. DEP has collected new water quality data that support revised criteria that would ensure aquatic life is still protected, but would reduce the number of waterbodies that are incorrectly listed as impaired due to DO.
62-303	Identification of Impaired Surface Waters	Amend Rules 62-303.200, .320, .330, .350, .351, .420, .430, .450, and .720 to address impairment methodology and impairment thresholds for nutrients to reflect nutrient standards revisions in Chapter 62-302, F.A.C.	OFARR has approved rulemaking for Nutrient Criteria development, including revisions to Chapter 62-303 (IWR).
62-304	Total Maximum Daily Loads	Adopt rules in 62-304.315, .320, .330, .335, .435, .500, .510, .520, .625, .640, .645, .705, .800 and statewide for mercury (rule number not yet assigned) for Total Maximum Daily Load reductions for various pollutants.	Required pursuant to Section 303(d) of the Clean Water Act and under the terms of a federal consent decree or as a high priority restoration project for the state.
62-528	Underground Injection Control	Adopt new federal Class VI Geosequestration regulation by fast track.	Obtain primacy for regulating Class VI injection wells to maintain consistency with industry.

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V. RULES TO IMPLEMENT FEDERAL PROGRAM REQUIREMENTS

RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62-550	Drinking Water Standards, Monitoring, and Reporting	Adoption of USEPA Stage 2 Disinfectants and Disinfection Byproducts Rule, Long-Term 2 Enhanced Surface Water Treatment Rule, and Ground Water Rule and update of references to USEPA regulations to maintain consistency with the USEPA national primary drinking water regulations.	Rulemaking is necessary to maintain primacy (i.e., primary responsibility) for regulating public water systems in Florida and to maintain federal funding for Florida's State Revolving Fund Program.
62- 555	Permitting, Construction, Operation, and Maintenance of Public Water Systems		
62-560	Requirements for Public Water Systems That Are Out of Compliance		
62-621	Generic Permits	To revise 62-621.300(4) the construction generic permit to maintain consistency with revisions by EPA to the requirements for construction sites	Maintain consistency with Federal stormwater regulations as required by our MOA with EPA on implementing the NPDES Stormwater program.
		To revise 62-621.300(5) the multisector generic permit for stormwater associated with industrial activities to maintain consistency with revisions by EPA to the requirements for these facilities.	Maintain consistency with Federal stormwater regulations as required by our MOA with EPA on implementing the NPDES Stormwater program.
		To revise 62-621.300(7) the Phase II municipal stormwater generic permit to maintain consistency with revisions by EPA to the requirements for these facilities.	Maintain consistency with Federal stormwater regulations as required by our MOA with EPA on implementing the NPDES Stormwater program.
62-730	Hazardous Waste	Annual adoption of federal rules needed to maintain consistency with the Resource Conservation and Recovery Act.	Needed to ensure compliance with federal requirements of having an approved state hazardous waste program.

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VI. RULEMAKING TO CLARIFY OR SIMPLIFY EXISTING RULES

RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
18-2	Management of Uplands Vested in the Board of Trustees	Revise 18-2.018, Policies, Standards, and Criteria for Evaluating, Approving or Denying Requests to use Uplands, for consistency with current statute (statute calls for land use plans, rule calls for operational plans)	Consistency
		Update 18-2.018, Policies, Standards, and Criteria for Evaluating, Approving or Denying Requests to Use Uplands to: Amend 18-2.018(3)(b)1.a. deleting reference to size and value of Murphy Act parcels that the Trustees can convey.	Eliminate confusion and provide more flexibility by eliminating unnecessary steps and reducing process.
		Amend 18-2.019(5)(a) to include state universities and community colleges as required by statute.	To clarify and make consistent with statute.
		Amend 18-2.020 (1)(a) to require consideration for private leases take into consideration appraisal services instead of being based on appraisal services. Amend 18-2.020(2)(a) to require value to be determined as directed in statute and eliminating the requirement for appraisals for parcels valued in excess of \$100,000. Amend 18-2.020(2)(b) to eliminate requirement for competitive bid for parcels with values over \$100,000 and provide for all sales to be by any reasonable means including competitive bid, auction, real estate services and negotiated direct sales. Amend 18-2.020 (7)(a) reducing time frame for notice in newspaper publication	Amending 18-2.020 (1)(a) will clarify meaning and make consistent with 18-2.020(2)(a) consideration for disposition. 18-2.020(2)(a) is duplicative of statute 18-2.020(2) and (7) and will provide more flexibility resulting in eliminating unnecessary steps, reducing process and time for the sales process.
		Revise 18-2.021, Land Management Planning and Land Use Evaluation Procedures of the Acquisition and Restoration Council, to add 253.034, 259.032 and 259.035 to the Specific Authority section and correct the law implemented from 253.022, which does not exist to 259.035, which is correct.	Incomplete and incorrect citations exist in current rule for specific authority and laws implemented.

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VI. RULEMAKING TO CLARIFY OR SIMPLIFY EXISTING RULES

RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
18-21	Sovereignty Submerged Lands Management	Revise Rule 18-21.0082, Applications for Special Event Authorizations	Incorporate revisions to the Billing Information Form 18-21.900(1) to improve clarity and accuracy of information for public and staff; this form also needs to be incorporated by reference in this section to comply with s. 120.54(1)(i)5, F.S. [Inadvertently missed from the review sheets and was not included in the report.]
		Revise subsection 18-21.900(1), Billing Information Form	Revisions to improve clarity and accuracy of information for public and staff. [Inadvertently missed from the review sheets and was not included in the report.]
18-23	State Buffer Preserves	Revise section 18-23.011	Clarify fee structure to be consistent with that of the Division of Recreation and Parks, and to ensure that new facilities are covered by the fee structure.
62-4	Permits	Rule 62-4.021 Amend to address JAPC concerns about vagueness.	Clarification.
62-8	Ad Valorem Tax - Assessment Rules - Guidelines for Tax Assessors	Amend Rules 62-8.001 (Intent), .020 (Definitions), .030 (Requests for Assistance), and .040 (Procedures) to correct citations and update references to the Pollution Control Board	Assists with keeping the public up-to-date with the most recent references and citations
62-110	Exceptions to the Uniform Rules of Procedure	Repeal Rule 62-110.107 Note: The Rule Review did not indicate that this rule would be repealed. See justification.	Rule 28-106.107, of the uniform rules of procedure has been repealed, therefore there is no uniform rule to make an exception.

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VI. RULEMAKING TO CLARIFY OR SIMPLIFY EXISTING RULES

RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62-160	Quality Assurance	Potential minor, miscellaneous revisions to any rule, subsection, paragraph, etc.	Clarification or simplification for regulated parties, including reduction of process and/or cost burdens; editorial corrections; new or clarified definitions; updated document references (revised, replaced or obsolete); alignment with other rules; NOTE: Not previously listed for revision, as item #15 in questionnaire misinterpreted to apply to existing rulemaking only.
		Amend .405 to add FS 403.061	Cite additional statutory authority
		Potential miscellaneous revisions to incorporated document, DEP-EA-001/07 (incorporated at .800)	Clarification or simplification for regulated parties and DEP data reviewers; editorial corrections; alignment with accepted data validation & usability criteria or other rules; NOTE: Not previously listed for revision, as item #15 in questionnaire misinterpreted to apply to existing rulemaking only.
		Amend .800 to update references to revised, replaced or obsolete documents	Clarification or simplification for regulated parties; updated document references (revised, replaced or obsolete); NOTE: Not previously listed for revision, as item #15 in questionnaire misinterpreted to apply to existing rulemaking only.
62-312	Dredge and Fill Activities	Transfer Part IV, the "Florida Keys Rule" into either Chapter 62-330 or 62-343, F.A.C.	All of Chapter 62-312, F.A.C., except for this part is proposed to be repealed to comply with EO 11-72; this part is used in the ERP program and needs to be transferred to assist public and staff in easily locating the existing rule requirements

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VI. RULEMAKING TO CLARIFY OR SIMPLIFY EXISTING RULES

RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62-503	State Revolving Loan Program	Amend Rule to clarify and improve the process.	Proposed changes include the addition of asset management plans as an eligible cost and an incentive for their implementation, a revision to the formula for calculating the financing rate, a financing rate incentive for green projects, restructuring of the priority system and listing methodology, and many other miscellaneous changes.
62-528	Underground Injection Control	62-528.420	Revise ASR requirements to streamline and provide consistency with the reuse program. Eliminate duplication. Include forms in appropriate rules and eliminate forms section.
		62-528.450	
		62-528.460	
		62-528.630	
		62-528.635	
		62-528.640	
		62-528.645	
62-552	State Revolving Fund Program For Drinking Water Facilities	Amend Rule to clarify and improve the process.	Changes will incorporate an Affordability Index, offer interest rate reductions to incentivize "green" projects and the use of asset management plans, revise the priority system, remove the technical services costs from the calculation of allowances, allow small communities that do not have a public health risk issue to apply for pre-construction loans, allow qualifying sponsors of DWSRF Program projects to receive more than one grant, but limit sponsors to one open grant at a time, change the requirement to obtain fundable listing to readiness to proceed, eliminate loan repayment reserves, base interest rates for roll-over projects on the current market rate.

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VI. RULEMAKING TO CLARIFY OR SIMPLIFY EXISTING RULES

RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62-555	Permitting, Construction, Operation and Maintenance of Public Water Systems	62-555.536	Revise to clarify GP requirements
62-709	Criteria for Organics Processing and Recycling Facilities	Begin process to possibly repeal this entire rule chapter to deregulate the mulching, composting and disposal of yard trash. After public input some rule sections may need to be retained but may be amended.	By deregulating yard trash, DEP will eliminate unnecessary regulations in order to focus on core mission activities that protect public health and the environment.
62-710	Used Oil Management	Need to amend several rule sections to clarify.	Clarifies the existing rule.
62-730	Hazardous Waste	Need to amend several rule sections to ensure internal consistency and references.	Consistency and clarification
62-770	Petroleum Contamination Site Cleanup Criteria	Merge various rule chapters pertaining to contaminated site cleanup criteria into one cleanup rule.	Simplifies process for the regulated industries, cleanup contractors, consultants, DEP staff, other state agencies and the public by having all cleanup rules in one rule chapter.
62-780	Contaminated Site Cleanup Criteria		
62-782	Drycleaning Solvent Cleanup Criteria		
62-785	Brownfields Cleanup Criteria		
62-814	Electric and Magnetic Fields	Amend Rule 62-814.520 (Compliance) to eliminate outdated reference to form	Would reduce public confusion by not referencing a non-existent form; see FDEP Rule Review Reports for further information
62S-1	Florida Greenways and Trails Program	On July 1, 2011, the Office of Greenways and Trails (OGT) will be merged into the Division of Recreation and Parks (DRP). To coincide with this merger, 62S-1 may be clarified or simplified.	As a result of the merger, the OGT and the DRP will perform a thorough review and analysis of 62S-1 and 62D-2.014. This may result in a need to clarify or simplify the existing rules.
62S-2	Recreational Trails Grant Program	On July 1, 2011, the Office of Greenways and Trails (OGT) will be merged into the Division of Recreation and Parks (DRP). To coincide with this merger, 62S-2 may be clarified or simplified.	As a result of the merger, the OGT and the DRP will perform a thorough review and analysis of 62S-2 and 62D-2.014. This may result in a need to clarify or simplify the existing rules.

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VI. RULEMAKING TO CLARIFY OR SIMPLIFY EXISTING RULES

RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
62S-3	Operations, Activities and Recreation on Lands Under the Management of the Office of Greenways and Trails	On July 1, 2011, the Office of Greenways and Trails (OGT) will be merged into the Division of Recreation and Parks (DRP). To coincide with this merger, 62S-3 may be clarified or simplified.	As a result of the merger, the OGT and the DRP will perform a thorough review and analysis of 62S-3 and 62D-2.014. This may result in a need to clarify or simplify the existing rules.

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VII. OTHER

RULE CHAPTER #	CHAPTER TITLE	PROJECT DESCRIPTION	JUSTIFICATION FOR RULEMAKING
18-24	Florida Forever Land Acquisition and Management	Revise 18-24.007 to reduce land acquisition priority list reporting requirements of the Acquisition and Restoration Council (ARC) from twice each year to only once each year and only if new funding is provided.	ARC directed staff that it wants to rank Florida Forever projects only once each year, and the law only requires that a priority list be submitted by the first Board meeting in May [s. 259.105(14)]. {Suggested Revision: 18-24.007 (1) The Board shall receive at a regularly scheduled public meeting, the report of the Council pursuant to Section 259.105(15), F.S., and act on the recommendations contained in that report pursuant to Section 259.105(14), F.S.}
62-777	Contaminant Cleanup Target Levels	Revise 62-777.100 Referenced Guidelines	Pursuant to an anticipated petition to amend rulemaking from a regulated industry pursuant to subsection 120.54(7), F.S., DEP may initiate rulemaking proceedings to amend this rule. DEP may elect to make other changes to this rule at that time to provide consistency and clarification. The petition is anticipated to be received by September 30, 2011.
		Revise 62-777.150 Applicability	
		Revise 62-777.170 Derivation of Cleanup Target Levels	
62-780	Contaminated Site Cleanup Criteria	Revise 62-780.680 No Further Action and No Further Action with Controls	
62-788	Voluntary Tax Cleanup Credit Rule	Notice of Proposed Rule was published in November 2010. Intend to file a Notice of Withdrawal.	Unnecessary. Bring closure to rulemaking process.