

**Department of Environmental Protection
2014-2015 Annual Regulatory Plan**

Rule Number <i>(Do not list Chapters or subsections, rule sections only)</i>	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
18-1.002	Definitions	Rule Amendment	Other (Provide a detailed explanation)	Changes to USPAP (Uniform Standards of Professional Appraisal Practices). The definition erroneously refers to "member" of the Appraisal Foundations when the proper term is "sponsor". The Appraisal Institute is no longer a sponsor of the Appraisal Foundation, although it is the largest of the appraisal professional organizations.	Defines terms used in Ch. 18-1 related to State land acquisition procedures.	Delete "appraisal consulting assignment". Add comma after the word "designee" to clarify that the choice of designee need not be in compliance with USPAP, the Supplements, etc. Replace "member" with "sponsor". Add "or a member of the Appraisal Institute". Change "dated June 15, 2010" to "dated December 2012". Change "January 1, 2010" to "January 1, 2014".	None	No
18-1.007	Appraiser Eligibility and Selection	Rule Amendment	Update/Add Incorporated Material	Amendments to promote efficiency and reduce clerical work.	Provides for appraiser eligibility and selection. Requires the Chief Appraiser to request reaffirmation from fee appraisers on an annual basis to remain on the approved appraisers list.	Changes will allow approved appraisers to request reaffirmation every two years rather than every year.	None	No
18-2.017	Definitions	Rule Amendment	Update to assure all necessary definitions are within rule	Revise to assure completeness.	Defines terms used in Ch. 18-2, regarding the management of uplands vested in the Board of Trustees.	Update definitions.	None	No
18-2.018	Policies, Standards, and Criteria for Evaluating, Approving or Denying Requests to use Uplands. Procedures to Obtain Authorization.	Rule Amendment	Statutory Mandate (federal or state; include effective date)	Revise to give more time and revise for consistency with current statute. Mandated by Statute change (HB 1145), July 1, 2013.	Provides policies, standards and criteria for evaluating requests to use state lands. The Statute requires land use plans for non-conservation lands and the rule refers to operational reports. Current Rule does not give any details of what is required for a business plan as required by statute.	Provides criteria for lessees and sub lessees to prepare operational reports. Statute mandates that a business plan will be submitted by entities when requesting to lease BOT owned land. Statute also states that the specific details of said plan will be provided in Rule. Suggested 18-2.019(7) to be added.	None	No
18-14.001	Definitions	Rule Amendment	Update Rule (Explain)	Update definitions to conform with other changes made in the chapter.	Sets forth definitions used in the chapter.	Update definitions to conform with other changes made in the rule chapter; reduce redundancy; clarify terms used in the chapter.	None	No

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18-21.002	Scope and Effective Date	Rule Amendment	Update/Add Incorporated Material	Amendments to remove parts of rule that no longer apply.	Provides the scope and effective date of Chapter 18-21 regarding Sovereignty Submerged Land management States that these are rules of DEP and Dept. of Agriculture and Consumer Services; rules don't affect previous actions, and do apply to expansions.	Contains subsections that are unnecessary, duplicative of statute, or that relate to Rule 18-21.00405, which was repealed 3-12-12.	None	No
18-21.003	Definitions	Rule Amendment	Update/Add Incorporated Material	Update definitions.	Defines terms used in the chapter 18-21.	Delete definitions (28) and (69) that are not needed because they are repetitive of statutory definitions. Update other definitions as needed.	None	No
18-21.005	Forms of Authorization	Rule Amendment	Update/Add Incorporated Material	Amend rule to state what authorizations are required for the removal of pre-cut sunken timber from state lands - per Board of Trustees agenda item (1999 and 2000).	Rule describes the various forms of authorization of activities on sovereign submerged lands. Current rule is silent on the form of authorization from the removal of pre-cut sunken timber.	Amend rule to add removal of pre-cut sunken timber under easements in the forms of authorization.	None	No
18-21.0077	Application for Use Agreements	Rule Amendment	Other (Provide a detailed explanation)	Amend rule to state what authorizations are required for the removal of pre-cut sunken timber from state lands - per Board of Trustees agenda item (1999 and 2000); references made to the Bureau of Geology need to be updated to reflect the correct area of the department that performs these functions. The reference to the Bureau of Beaches and Wetland Resources needs to be changed to reflect new bureau name.	Lists information needed to apply for a use agreement for geophysical testing involving incidental crossings.	Amend rule to specify what information is needed for an application for a use agreement for the removal of pre-cut sunken timber; to remove the Bureau of Geology and add area of the department that currently performs functions described in rule JAPC letter 5/17/2012. Change the referenced Bureau of Wetland Resources to the current name of Bureau of Beaches, Inlets and Ports Program; JAPC letter 5/17/2012.	None	No

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18-21.008	Applications for Lease	Rule Amendment	Statutory Mandate (federal or state) (Include effective date)	F.S. 253.0347, F.S. (HB 13, July 1, 2012) and HB 999 (7-1-13). Delete the requirement to show location of proposed structures because it is in direct conflict with the rules governing Florida Survey and Mapping.	Lists information needed to apply for a lease for sovereign submerged lands.	Specify the standard lease term duration to reduce renewal processing paperwork, time, and expense burdens on public and staff. Amend rule to address recent statutory changes. Rule amendments to incorporate the ability to submit a survey for the pre-empted area without the need to show the proposed structures within the lease.	None	No
18-21.009	Applications for Public Easements	Rule Amendment	Update/Add Incorporated Material	Reduce time and expense burdens on the public.	Lists information needed to apply for a public easement.	Specify the maximum term duration to reduce renewal processing paperwork, time and expense burdens on public and staff.	None	No
18-21.010	Applications for Private Easements	Rule Amendment	Update/Add Incorporated Material	Reduce time and expense burdens on the public.	Lists information needed to apply for a private easement.	Specify the maximum term duration to reduce renewal processing paperwork, time and expense burdens on public and staff.	None	No

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18-21.011	Payments and Fees	Rule Amendment	Clarify existing language	To clarify existing language and replace the word "adjunct" with language that gives clear intent. Eliminate the need for appraisals, establish set fees for private easements, over water dining and natural gas pipelines - reducing time and expense burdens on the public. HB 13 and HB 999 statutory changes placed into law addition discounts for private single family and multi-family facilities not currently referenced in rule.	Details what fees apply to use of state-owned submerged land, how to calculate fees, what discounts and waivers apply. 18-21.011(1)(b)7b details the criteria to qualify for a fee waived lease, however, in 7b the word adjunct does not clearly detail the relationship between a fee waived entity and a commercial activity. Details what fees apply to use of state-owned submerged land, how to calculate fees, what discounts and waivers apply. Paragraph 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. Rule currently lists discounts to lease fees with the exception to those recently added in statute. Within the current rule for payment and fees, the special event fees are five percent of the gross rental income. HB 999 in 2013 statutory mandate of fee is base fee for preempted square footage and only the days of the event.	To eliminate confusion by a party under or applying for a fee waived lease in conjunction with the activities that will either support or eliminate them from receiving a fee waived lease. To 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. Consider amending the rule to establish a set fee for open air over water dining and beverage service. Also consider amending rule regarding fees for natural gas pipelines (per BOT direction). Add statute reference to 253 FS for discount placed into law through 2012 and 2013 legislation. Revise special event fee assessment. HB 999.	None	No

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18-21.019	Application for Quit Claim. Disclaimer due to an Avulsion Event. Quitclaim Deeds as a Result of Artificial Erosion and Artificial Erosion and Avulsion	Rule Amendment	Other (Provide a detailed explanation)	The Board of Trustees has approved the use of a different formula regarding the sale of land. No specific statutory law authorizing the specific disclaimer. No specific statutory law authorizing the specific deed issuance.	Rule provides for the application for disclaimers, quitclaim deeds or certificates to clear title to filled formerly sovereignty lands and for disclaimers for lands lost due to avulsion or to reclaim lands lost to artificial erosion. Rule contains the formula for the consideration of the sale of such lands.	The formula has been revised based upon a Board of Trustees agenda item. Removal of subsection.	None	No
18-21.900	Forms	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Current forms in the rule need to be updated and revised.	Explains which forms to use in Ch. 18-21 and where to obtain the forms.	Need to update form names and where to obtain the forms. Billing information form will be updated.	None	No
62-4.050	Procedures to Obtain Permits and Other Authorizations; Applications	Rule Amendment	Update Rule	As part of the next federally-required Triennial Review of state surface water quality standards, DEP proposes to review the fee for petitions for Site Specific Alternative Criteria. DEP has encouraged third parties to apply for SSACs when appropriate, such as when statewide default numeric nutrient criteria may not properly account for local water quality circumstances.	Rule lists procedures for obtaining permits and various authorizations, including fees required for each activity.	Review fee for Site Specific Alternative Criteria.	SERC	No

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62-4.050	Procedures to Obtain permits and Other Authorizations; Applications	Rule Amendment	Update Rule	The rule should be amended to conform to changes to be made to 62-210.310 for Air General Permits.	Describes procedures for obtaining permits and details the processing fees associated with specific permits.	Amend rule to conform to any changes for Air General Permits in 62-210.310.	None	No
62-4.242	Antidegradation Permitting Requirements; Outstanding Florida Waters; Outstanding National Resource Waters; Equitable Abatement	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes antidegradation permitting requirements, lists permitting requirements for activities in Outstanding Florida Waters and Outstanding National Resource Waters, and describes the process of equitable abatement.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-4.244	Mixing Zones: Surface Waters	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule outlines requirements for mixing zones (relief mechanisms) for surface water permitting.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-4.246	Sampling, Testing Methods, and Method Detection Limits for Water Pollution Sources	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes surface water quality sampling protocols, including Method Detection Limits (MDLs) and Practical Quantification Limits (PQLs).	Revise the MDLs and PQLs where appropriate and update literature references where needed.	None	Yes
62-204.800	Air Pollution Control - General Provisions: federal Regulations Adopted by Reference	Rule Amendment	Update/Add Incorporated Material	Periodic adoptions by reference of updated and new EPA air pollution rules are necessary to maintain consistency with Clean Air Act requirements and to maintain Florida's federally-approved air program.	This rule adopts all of the federal regulations cited throughout DEP's air pollution rules. The actual purpose and effect of these adoptions is determined by the context in which it is cited.	Adopt updated and/or new federal regulations.	None	No

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62-210.200	Stationary Sources - General Requirements: Definitions	Rule Amendment	Update Rule	Some rule amendments specified in this plan will necessitate simultaneous deletions, revisions, or additions of definitions in this rule.	This rule houses the definitions of terms used throughout DEP's rules pertaining to stationary sources of air pollutant emissions (i.e., F.A.C. Chapters 62-212, 62-213, 62-214, 62-296, and 62-297).	Adopt, revise, or delete definitions associated with rule amendments specified in this plan.	None	No
62-210.300	Stationary Sources - General Requirements: Permits Required	Rule Amendment	Update Rule	Updates to permitting rules sometimes are required due to new federal requirements.	This rule specifies the activities that do and do not require air permits.	Revise permit requirements as necessary.	None	No
62-210.310	Stationary Sources - General Requirements: Air General Permits	Rule Amendment	Update Rule	Update general permit requirement for electronically submitted general permit registrations.	This rule houses DEP's air general permits (i.e., permits by rule).	Revise Air General Permit Registration for facilities that register using the Department's Air General Permit Electronic Registration System.	None	No
62-212.400	Stationary Sources - Preconstruction Review: Prevention of Significant Deterioration	Rule Amendment	Update Rule	Updates to permitting rules sometimes are required due to new federal requirements related to the preconstruction review for proposed new sources, or modifications to existing sources, of air pollution.	This rule establishes the preconstruction review requirements for proposed new air emissions units or facilities, and proposed modifications to any existing units or facilities, located in areas that are designated in attainment of the National Ambient Air Quality Standards.	Revise to make conforming changes consistent with federal law and any required revisions to Rule 62-212.500.	None	Yes
62-212.500	Stationary Sources - Preconstruction Review: Preconstruction Review for Nonattainment Areas	Rule Amendment	Update Rule	Updates to permitting rules sometimes are required due to new federal requirements related to the preconstruction review for proposed new sources, or modifications to existing sources, of air pollution.	This rule establishes the preconstruction review requirements for proposed new air emissions units or facilities, and proposed modifications to any existing units or facilities, located in areas that are designated in nonattainment of the National Ambient Air Quality Standards.	Revise to make conforming changes consistent with federal law and any required revisions to Rule 62-212.400.	None	Yes

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62-212.720	Stationary Sources - Preconstruction Review: Actuals Plantwide Applicability Limits (PALs)	Rule Amendment	Update Rule	Updates to permitting rules sometimes are required due to new federal requirements related to the preconstruction review for proposed new sources, or modifications to existing sources, of air pollution.	This rule establishes the preconstruction review requirements for proposed new air emissions units or facilities, and proposed modifications to any existing units or facilities, that wish to obtain plantwide applicability emission limits (or "PALs").	Revise to make conforming changes consistent with federal law and any revisions to 62-212.400 and 62-212.500.	None	Yes
62-297.310	Stationary Sources - Emissions Monitoring: General Compliance Test Requirements	Rule Amendment	Update Rule	DEP is finalizing a rulemaking process begun during FY 2013-14 for required emissions testing.	This rule provides the emission test procedures when such procedures are not more specifically provided by some other rule or order.	Revise to address emission testing requirements.	None	Yes
62-302.200	Definitions	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	The rule lists definitions for terms used throughout Chapter 62-302, F.A.C.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-302.300	Findings, Intent, and Antidegradation Policy for Surface Water Quality	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards. Provided EPA concurs, DEP intends to revise the Implementation Document for numeric nutrient criteria incorporated by reference in the rule.	Rule describes general findings and intent of Florida's surface water quality standards and the state's surface water quality antidegradation policies.	The Department proposes to update the document incorporated by reference titled "Implementation of Florida's Numeric Nutrient Standards" to provide more clarity. Other provisions in this rule, however, are subject to third party requests for amendment under the Triennial Review.	None	Yes

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62-302.400	Classification of Surface Waters, Usage, Reclassification, Classified Waters	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule lists all the surface water quality classifications and describes how surface waters may be reclassified. Class I and II waters are listed by county; all other waters are either Class III or Class IV.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-302.400	Classification of Surface Waters, Usage, Reclassification, Classified Waters	Rule Amendment	Update Rule	DEP proposes to update the list of Class I and Class II waters to reflect their designated use as potable water supplies (Class I) or shellfish harvesting waters (Class II).	Rule lists all the surface water quality classifications and describes how surface waters may be reclassified. Class I and II waters are listed by county; all other waters are either Class III or Class IV.	Although this rulemaking began in 2013, a year has passed since the initial Notice of Rule Development while DEP worked on technical issues for individual waterbody reclassifications. The Department must publish a new Notice of Rule Development.	SERC	No
62-302.400	Classification of Surface Waters, Usage, Reclassification, Classified Waters	Rule Amendment	Response to a Petition to Initiate Rulemaking	Several entities have advised they are considering applications to reclassify surface waterbodies from Class III to Class III-Limited waters. Each application would also include a request for Site Specific Alternative Criteria under rule 62-302.800, F.A.C.	Rule lists surface waters by county in five surface water classifications, based on designated uses. Section 403.061(10), F.S., authorizes the establishment of the surface water classification program and specifically allows for alterations to classifications.	For each petition received and appropriately supported, or upon DEP's own determination, rulemaking would involve reclassifying the waterbody from Class III waters to Class III-Limited waters and establishing Site Specific Alternative Criteria for one or more water quality parameters.	None	Yes
62-302.500	Surface Waters: Minimum Criteria, General Criteria	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes the minimum and general surface water quality criteria that apply to all waters in Florida.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No

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62-302.520	Thermal Surface Water Criteria	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule contains the thermal criteria for discharges (primarily power plants) to Florida waters.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-302.530	Table: Surface Water Quality Criteria	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule lists numeric water quality criteria for Florida surface waters, except those criteria listed in rules 62-302.500 and 62-302.800.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-302.530	Table: Surface Water Quality Criteria	Rule Amendment	Update Rule	DEP may propose to update human health-based surface water quality criteria based on new fish consumption data and other factors.	Rule lists numeric water quality criteria for Florida surface waters, except those criteria listed in rules 62-302.500 and 62-302.800.	DEP has been trying to update its human health-based criteria for a number of years, a highly technical effort that has required extensive statistical analyses and third party review, including EPA. In 2014 EPA released its own updated human health-based criteria, which may or may not be appropriate for Florida. DEP is working with EPA to resolve certain issues and may reinstate rulemaking after a full review of EPA's proposed criteria.	SERC	Yes
62-302.530	Table: Surface Water Quality Criteria	Rule Amendment	Update Rule	New bacteriological criteria, based on federal research and investigation, are available from EPA to be used as guidance for states in developing revised state criteria. It is important to base state criteria on the most recent agreed on science.	Rule lists numeric water quality criteria for Florida surface waters, except those criteria listed in rules 62-302.500 and 62-302.800.	DEP proposes to adopt a Florida-appropriate version of the guidance federal criteria into state water quality standards, with the appropriate application of fecal coliform, e-coli and enterococci depending on waterbody classification and type.	SERC	Yes

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62-302.531	Numeric Interpretations of Narrative Nutrient Criteria	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes Florida's numeric nutrient standards and lists the numeric nutrient standards for fresh waters.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-302.532	Estuary-Specific Numeric Interpretations of the Narrative Nutrient Criterion	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule lists numeric nutrient standards that apply to Florida's marine waters.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions. (Rulemaking for estuarine numeric nutrient criteria in this section is ongoing and is identified on the ARP Plan Supplemental.)	None	No
62-302.533	Dissolved Oxygen Criteria for Class I, Class II, Class III, and Class III-Limited Waters	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule lists the numeric criteria for dissolved oxygen in Florida's waters.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-302.540	Water Quality Standards for Phosphorus Within the Everglades Protection Area	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes the complex water quality criteria for phosphorus in the Everglades Protection Area.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No

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62-302.540	Water Quality Standards for Phosphorus Within the Everglades Protection Area	Rule Amendment	Update Rule	Revisions to the Everglades phosphorus criteria may be needed to reflect updated water quality information and restoration goals related to the Central Everglades Planning Project.	Rule describes the complex water quality criteria for phosphorus in the Everglades Protection Area.	DEP may pursue revising the Everglades phosphorus criteria in response to updated water quality information and restoration goals. DEP continues to work with affected parties to meet these restoration goals related to the Central Everglades Planning Project. This work is being conducted in concert with the Office of Ecosystem Projects.	SERC	Yes
62-302.700	Special Protection, Outstanding Florida Waters, Outstanding National Resource Waters	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes the process for designating Outstanding Florida Waters (OFW) and Outstanding National Resource Waters (ONRW) and lists all water that have been designated OFW and ONRW.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-302.800	Site Specific Alternative Criteria	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards. Several entities have also indicated they are preparing or considering applications for Site Specific Alternative Criteria for various parameters associated with their surface water discharges.	Rule describes the three different types of Site Specific Alternative Criteria (SSACs), including petition requirements and how each type is established.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions. For each petition received and appropriately supported, or upon DEP's own determination, rulemaking would establish SSAC for the specific waterbody and parameter identified.	None	No

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62-303.100	Scope and Intent	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes scope and intent of Florida's Impaired Waters rule.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-303.150	Relationships Among Planning, Study and Verified Lists	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule demonstrates how the three Impaired Waters lists (planning, study, and verified) are related.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-303.200	Definitions	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule lists definitions for terms used throughout Chapter 62-303, F.A.C.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-303.300	Methodology to Develop the Planning List	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule lays out the methodology that DEP uses to prepare the Planning List.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-303.310	Evaluation of Aquatic Life Use Support	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes how aquatic life use support is evaluated for Planning List purposes.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No

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62-303.320	Aquatic Life-Based Water Quality Criteria	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes the data requirements for aquatic life use support for Planning List purposes.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-303.330	Biological Assessment	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes how the various biological assessment tools (e.g., Stream Condition Index, Lake Vegetation Index, etc.) are used for Planning List purposes.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-303.350	Assessments of Numeric Interpretations of Narrative Nutrient Criteria	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes how numeric nutrient standards, including data sufficiency requirements, are addressed for Planning List purposes.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-303.351	Nutrients in Freshwater Streams	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes how nutrients are assessed in freshwater streams for Planning List purposes.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No

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62-303.352	Nutrients in Freshwater Lakes	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes how nutrients are assessed in freshwater lakes for Planning List purposes.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-303.353	Nutrients in Estuaries and Open Coastal Waters	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes how nutrients are assessed in estuaries and open coastal waters for Planning List purposes.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-303.354	Nitrate-nitrite in Freshwater Spring Vents	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes how nitrate-nitrite levels are assessed in freshwater spring vents for Planning List purposes.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No

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62-303.360	Primary Contact and Recreation Use Support	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes how waters are assessed for primary contact (e.g., swimming) and recreation use support for Planning List purposes.	With the proposed adoption of new, Florida-specific bacteriological criteria in s. 62-302.530, changes to the water quality assessment determination triggers in several parts of 62-303 are necessary. In this case, the change would reflect applying the appropriate indicator bacteria (e-coli or enterococci) to the determination of impairment relative to primary contact and recreational uses in Class I-III surface waters. No other specific change are contemplated, but the rule is also open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	SERC	Yes
62-303.370	Fish and Shellfish Consumption Use Support	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes how waters are assessed for fish and shellfish consumption use support for Planning List purposes.	With the proposed adoption of new, Florida-specific bacteriological criteria in s. 62-302.530, changes to the water quality assessment determination triggers in several parts of 62-303 are necessary. In this case, the change would reflect applying the appropriate indicator bacteria (fecal coliform) to the determination of impairment relative to fish and shellfish consumption uses in Class I-III surface waters. No other specific change are contemplated, but the rule is also open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	SERC	Yes

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62-303.380	Drinking Water Use Support and Protection of Human Health	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes how waters are assessed for drinking water use support and protection of human health for Planning List purposes.	With the proposed adoption of new, Florida-specific bacteriological criteria in s. 62-302.530, changes to the water quality assessment determination triggers in several parts of 62-303 are necessary. In this case, the change would reflect the bacteriological data thresholds that would involve placing a water on the study list for future determination of impairment. No other specific change are contemplated, but the rule is also open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	SERC	Yes
62-303.390	The Study List	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes the role of the Study List and the requirements for placement of waters on the Study List.	With the proposed adoption of new, Florida-specific bacteriological criteria in s. 62-302.530, changes to the water quality assessment determination triggers in several parts of 62-303 are necessary. In this case, the change would reflect applying the appropriate indicator bacteria (e-coli. or enterococci) to the determination of impairment relative to primary contact and recreational uses in Class I-III surface waters. No other specific change are contemplated, but the rule is also open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	SERC	Yes

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62-303.400	Methodology to Develop the Verified List	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule lays out the methodology that DEP uses to prepare the Verified List.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-303.410	Determination of Aquatic Life Use Support	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes how aquatic life use support is evaluated for Verified List purposes.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-303.420	Aquatic Life-Based Water Quality Criteria Assessment	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes the data requirements for aquatic life-based water quality criteria assessments for Verified List purposes.	With the proposed adoption of new, Florida-specific bacteriological criteria in s. 62-302.530, changes to the water quality assessment determination triggers in several parts of 62-303 are necessary. In this case, minor clean-up is needed to reflect other changes in 62-303. No other specific change are contemplated, but the rule is also open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	SERC	No
62-303.430	Biological Impairment	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes how the various biological assessment tools (e.g., Stream Condition Index, Lake Vegetation Index, etc.) are used for Verified List purposes.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No

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62-303.450	Assessments of Numeric Interpretations of Narrative Nutrient Criteria	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes how numeric nutrient standards, including data sufficiency requirements, are addressed for Verified List purposes.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-303.460	Primary Contact and Recreation Use Support	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes how waters are assessed for primary contact (e.g., swimming) and recreation use support for Verified List purposes.	With the proposed adoption of new, Florida-specific bacteriological criteria in s. 62-302.530, changes to the water quality assessment determination triggers and the development of associated Total Maximum Daily Loads in several parts of 62-303 are necessary. In this case, the change would reflect the circumstances under which a bacteria TMDL would be required associated with primary contact and recreational uses in Class I-III surface waters. No other specific change are contemplated, but the rule is also open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	SERC	Yes

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62-303.470	Fish and Shellfish Consumption Use Support	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes how waters are assessed for fish and shellfish consumption use support for Verified List purposes.	With the proposed adoption of new, Florida-specific bacteriological criteria in s. 62-302.530, changes to the water quality assessment determination triggers and the development of associated Total Maximum Daily Loads in several parts of 62-303 are necessary. In this case, the change would reflect the circumstances under which a bacteria TMDL would be required associated with shellfish consumption uses in Class I-III surface waters. No other specific change are contemplated, but the rule is also open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	SERC	Yes

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62-303.480	Drinking Water Use Support and Protection of Human Health	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes how waters are assessed for drinking water use support and protection of human health for Verified List purposes.	With the proposed adoption of new, Florida-specific bacteriological criteria in s. 62-302.530, changes to the water quality assessment determination triggers and the development of associated Total Maximum Daily Loads in several parts of 62-303 are necessary. In this case, the change would reflect the circumstances under which a bacteria TMDL would be required associated with drinking water use in Class I surface waters. No other specific change are contemplated, but the rule is also open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	SERC	Yes
62-303.500	Prioritization for TMDL Development	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes how waterbodies are prioritized for Total Maximum Daily Load development.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-303.600	Evaluation of Pollution Control Mechanisms	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes how DEP evaluates pollution control mechanisms in waterbodies deemed impaired.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No

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62-303.700	Listing Cycle	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes the listing cycle, using the watershed management approach, under which impaired waterbodies are addressed.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-303.710	Format of Verified List and Verified List Approval	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes the format for development of the basin-specific verified lists of impaired water segments.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-303.720	Delisting Procedure	Rule Amendment	Update Rule	The Federal Clean Water Act requires states to conduct a comprehensive review of surface water quality standards at least once every three years (Triennial Review). This rule is part of Florida's surface water quality standards.	Rule describes the process to delist waters that were verified as impaired.	No specific change is contemplated, but the rule is open for public comment as part of Triennial Review and subject to third party requests for rule revisions.	None	No
62-304.325	Choctawhatchee River Basin TMDLs	Rule Amendment	Statutory Mandate (federal or state; include effective date)	Total Maximum Daily Loads are required under the Watershed Restoration Act of 1999 (s. 403.067, F.S.) and the federal Clean Water Act.	Section 403.067, F.S., requires adoption of specific restoration targets (TMDLs) for waterbodies that do not meet water quality standards.	Identify TMDL (water quality restoration target) for various pollutants.	SERC	Yes
62-304.415	Lower St. Johns River Basin TMDLs	Rule Amendment	Statutory Mandate (federal or state; include effective date)	Total Maximum Daily Loads are required under the Watershed Restoration Act of 1999 (s. 403.067, F.S.) and the federal Clean Water Act.	Section 403.067, F.S., requires adoption of specific restoration targets (TMDLs) for waterbodies that do not meet water quality standards.	Identify TMDL (water quality restoration target) for various pollutants.	SERC	Yes

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62-304.500	Ocklawaha Basin TMDLs	Rule Amendment	Statutory Mandate (federal or state; include effective date)	Total Maximum Daily Loads are required under the Watershed Restoration Act of 1999 (s. 403.067, F.S.) and the federal Clean Water Act.	Section 403.067, F.S., requires adoption of specific restoration targets (TMDLs) for waterbodies that do not meet water quality standards.	Identify TMDL (water quality restoration target) for various pollutants.	SERC	Yes
62-304.505	Middle St. Johns River Basin TMDLs	Rule Amendment	Statutory Mandate (federal or state; include effective date)	Total Maximum Daily Loads are required under the Watershed Restoration Act of 1999 (s. 403.067, F.S.) and the federal Clean Water Act.	Section 403.067, F.S., requires adoption of specific restoration targets (TMDLs) for waterbodies that do not meet water quality standards.	Identify TMDL (water quality restoration target) for various pollutants.	SERC	Yes
62-304.640	Withlacoochee Basin TMDLs	Rule Amendment	Statutory Mandate (federal or state; include effective date)	Total Maximum Daily Loads are required under the Watershed Restoration Act of 1999 (s. 403.067, F.S.) and the federal Clean Water Act.	Section 403.067, F.S., requires adoption of specific restoration targets (TMDLs) for waterbodies that do not meet water quality standards.	Identify TMDL (water quality restoration target) for various pollutants.	SERC	Yes
62-304.645	Springs Coast Basin TMDLs	Rule Amendment	Statutory Mandate (federal or state; include effective date)	Total Maximum Daily Loads are required under the Watershed Restoration Act of 1999 (s. 403.067, F.S.) and the federal Clean Water Act.	Section 403.067, F.S., requires adoption of specific restoration targets (TMDLs) for waterbodies that do not meet water quality standards.	Identify TMDL (water quality restoration target) for various pollutants.	SERC	Yes
62-304.700	Total Maximum Daily Loads in the Southeast Florida District	Rule Amendment	Statutory Mandate (federal or state; include effective date)	Total Maximum Daily Loads are required under the Watershed Restoration Act of 1999 (s. 403.067, F.S.) and the federal Clean Water Act.	Section 403.067, F.S., requires adoption of specific restoration targets (TMDLs) for waterbodies that do not meet water quality standards.	Identify TMDL (water quality restoration target) for various pollutants.	SERC	Yes
62-304.705	St. Lucie Basin TMDLs	Rule Amendment	Statutory Mandate (federal or state; include effective date)	Total Maximum Daily Loads are required under the Watershed Restoration Act of 1999 (s. 403.067, F.S.) and the federal Clean Water Act.	Section 403.067, F.S., requires adoption of specific restoration targets (TMDLs) for waterbodies that do not meet water quality standards.	Identify TMDL (water quality restoration target) for various pollutants.	SERC	Yes

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62-304.810	Everglades West Coast Basin TMDLs	Rule Amendment	Statutory Mandate (federal or state; include effective date)	Total Maximum Daily Loads are required under the Watershed Restoration Act of 1999 (s. 403.067, F.S.) and the federal Clean Water Act.	Section 403.067, F.S., requires adoption of specific restoration targets (TMDLs) for waterbodies that do not meet water quality standards.	Identify TMDL (water quality restoration target) for various pollutants.	SERC	Yes
62-304.900	Statwide TMDLs	Rule Amendment	Update Rule	Total Maximum Daily Loads are required under the Watershed Restoration Act of 1999 (s. 403.067, F.S.) and the federal Clean Water Act.	Section 403.067, F.S., requires adoption of specific restoration targets (TMDLs) for waterbodies that do not meet water quality standards. Currently, DEP adopts TMDLs (and associated restoration plans), waterbody-by-waterbody. The agency proposes to develop a statewide TMDL for bacteria-impaired surface waters to simply the process, provide greater certainty to regulated parties, and expedite restoration.	Develop a statewide bacteria TMDL that will be applicable to bacteria-impaired surface waters in order to provide greater certainty to regulated parties and other stakeholders of the actions necessary to resolve the impairment and expedite restoration.	SERC	No
62-306.100	Scope and Intent	Rule Amendment	Non-mandatory Statutory Change (List; include effective date)	Chapter No. 2013-146, Laws of Florida, expanded the scope of water quality credit trading statewide, beyond the Lower St. Johns River basin, necessitating rule changes. While rulemaking for trading is arguably permissive, a functioning trading system would be ineffective if not impossible without specific implementing rules, which is why a rule was adopted in the first place (2010).	Section 403.067, F.S., primarily in subsection (8), authorizes voluntary water quality credit trading and establishes conditions for such trades.	Expand scope and intent to account for water quality credit trading beyond the Lower. St. Johns River basin.	None	No

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62-306.200	Definitions	Rule Amendment	Non-mandatory Statutory Change (List; include effective date)	Chapter No. 2013-146, Laws of Florida, expanded the scope of water quality credit trading statewide, beyond the Lower St. Johns River basin, necessitating rule changes. While rulemaking for trading is arguably permissive, a functioning trading system would be ineffective if not implementing rules, which is why a rule was adopted in the first place (2010).	Section 403.067, F.S., primarily in subsection (8), authorizes voluntary water quality credit trading and establishes conditions for such trades.	Revise definitions to account for water quality credit trading beyond the Lower. St. Johns River basin and clarify or expand other definitions.	None	No
62-306.300	General Requirements	Rule Amendment	Non-mandatory Statutory Change (List; include effective date)	Chapter No. 2013-146, Laws of Florida, expanded the scope of water quality credit trading statewide, beyond the Lower St. Johns River basin, necessitating rule changes. While rulemaking for trading is arguably permissive, a functioning trading system would be ineffective if not implementing rules, which is why a rule was adopted in the first place (2010).	Section 403.067, F.S., primarily in subsection (8), authorizes voluntary water quality credit trading and establishes conditions for such trades.	Revise general provisions to account for water quality credit trading beyond the Lower. St. Johns River basin and to clarify the potential trading relationships and associated requirements.	None	No

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62-306.400	Eligibility for Generation of Credits	Rule Amendment	Non-mandatory Statutory Change (List; include effective date)	Chapter No. 2013-146, Laws of Florida, expanded the scope of water quality credit trading statewide, beyond the Lower St. Johns River basin, necessitating rule changes. While rulemaking for trading is arguably permissive, a functioning trading system would be ineffective if not impossible without specific implementing rules, which is why a rule was adopted in the first place (2010).	Section 403.067, F.S., primarily in subsection (8), authorizes voluntary water quality credit trading and establishes conditions for such trades.	Revise eligibility requirements to water quality credit trading beyond the Lower. St. Johns River basin and to be consistent with the changes to the general requirements in s. 62-306.300.	None	No
62-306.600	Use of Credits and Credit Adjustments	Rule Amendment	Non-mandatory Statutory Change (List; include effective date)	Chapter No. 2013-146, Laws of Florida, expanded the scope of water quality credit trading statewide, beyond the Lower St. Johns River basin, necessitating rule changes. While rulemaking for trading is arguably permissive, a functioning trading system would be ineffective if not impossible without specific implementing rules, which is why a rule was adopted in the first place (2010).	Section 403.067, F.S., primarily in subsection (8), authorizes voluntary water quality credit trading and establishes conditions for such trades.	Revise water quality credits and credit adjustments to clarify how they apply and are accounted.	None	No

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62-306.700	Water Quality Credit Trade Tracking	Rule Amendment	Non-mandatory Statutory Change (List; include effective date)	Chapter No. 2013-146, Laws of Florida, expanded the scope of water quality credit trading statewide, beyond the Lower St. Johns River basin, necessitating rule changes. While rulemaking for trading is arguably permissive, a functioning trading system would be ineffective if not impossible without specific implementing rules, which is why a rule was adopted in the first place (2010).	Section 403.067, F.S., primarily in subsection (8), authorizes voluntary water quality credit trading and establishes conditions for such trades.	Clarify credit tracking provisions.	None	No
62-306.800	Compliance with Trade Provisions	Rule Amendment	Non-mandatory Statutory Change (List; include effective date)	Chapter No. 2013-146, Laws of Florida, expanded the scope of water quality credit trading statewide, beyond the Lower St. Johns River basin, necessitating rule changes. While rulemaking for trading is arguably permissive, a functioning trading system would be ineffective if not impossible without specific implementing rules, which is why a rule was adopted in the first place (2010).	Section 403.067, F.S., primarily in subsection (8), authorizes voluntary water quality credit trading and establishes conditions for such trades.	Clarify the provisions related to compliance and reporting.	None	No
62-550.200	Definitions for Public Water Systems	Rule Amendment	Statutory Mandate (federal or state; include effective date)	The Department will incorporate revisions under the federal Revised Total Coliform Rule (RTCR), which became effective 4/15/2013 and was corrected effective 4/28/2014.	The current rule lists definitions for public water systems.	The Department will add new definitions from the federal RTCR.	None	No
62-550.310	Primary Drinking Water Standards: Maximum Contaminant Levels and Maximum Residual Disinfectant Levels	Rule Amendment	Statutory Mandate (federal or state; include effective date)	The Department will incorporate revisions under the federal Revised Total Coliform Rule (RTCR), which became effective 4/15/2013 and was corrected effective 4/28/2014.	The current rule specifies primary drinking water standards, including maximum contaminant levels (MCLs) and maximum residual disinfectant levels.	The Department will revise the State microbiological MCLs to match the revised microbiological MCLs in the federal RTCR.	None	No

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62-550.518	Microbiological Monitoring Requirements	Rule Amendment	Statutory Mandate (federal or state; include effective date)	The Department will incorporate revisions under the federal Revised Total Coliform Rule (RTCR), which became effective 4/15/2013 and was corrected effective 4/28/2014. Also, the Department will move assessment ground water source monitoring requirements to Rule 62-550.828.	The current rule includes the current Total Coliform Rule monitoring requirements and assessment ground water source monitoring requirements.	The Department will incorporate revisions under the federal RTCR by specifying that Rule 62-550.518 is effective only through March 31, 2016. Also, the Department will move assessment ground water source monitoring requirements from this rule to Rule 62-550.828.	None	No
62-550.817	Additional Requirements for Subpart H Water Systems	Rule Amendment	Statutory Mandate (federal or state; include effective date)	The Department will incorporate revisions under the federal Revised Total Coliform Rule (RTCR), which became effective 4/15/2013 and was corrected effective 4/28/2014.	The current rule includes federal and State requirements for Subpart H water systems.	The Department will incorporate revisions under the federal RTCR by updating the adopted/referenced edition of the federal Surface Water Treatment Rule.	None	No
62-550.821	Disinfectant Residuals, Disinfection Byproducts (Stage 1), and Disinfection Byproduct Precursors	Rule Amendment	Statutory Mandate (federal or state; include effective date)	The Department will incorporate revisions under the federal Revised Total Coliform Rule (RTCR), which became effective 4/15/2013 and was corrected effective 4/28/2014.	The current rule incorporates the federal Stage 1 Disinfectants and Disinfection Byproducts Rule (D/DBPR).	The Department will incorporate revisions under the federal RTCR by updating the adopted/referenced edition of the federal Stage 1 D/DBPR.	None	No
62-550.824	Consumer Confidence Reports	Rule Amendment	Statutory Mandate (federal or state; include effective date)	The Department will incorporate revisions under the federal Revised Total Coliform Rule (RTCR), which became effective 4/15/2013 and was corrected effective 4/28/2014.	The current rule includes federal and State requirements for consumer confidence reports.	The Department will incorporate revisions under the federal RTCR by updating the adopted/referenced edition of the federal Consumer Confidence Report Rule.	None	No
62-550.828	Ground Water Rule	Rule Amendment	Other	The Department will clarify portions of the federal Ground Water Rule (GWR). Also, the Department will incorporate the federal Revised Total Coliform Rule (RTCR), which became effective 4/15/2013 and was corrected effective 4/28/2014.	The current rule incorporates the federal GWR.	The Department will clarify those portions of the federal GWR involving State options. Also, the Department will incorporate the federal RTCR by updating the adopted/referenced edition of the federal GWR.	None	Yes

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Rule Number <i>(Do not list Chapters or subsections, rule sections only)</i>	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
62-550.830	Revised Total Coliform Rule	New Rule	Statutory Mandate (federal or state; include effective date)	The Department will incorporate the federal Revised Total Coliform Rule (RTCR), which became effective 4/15/2013 and was corrected effective 4/28/2014.	This will be a new rule to incorporate new 40 CFR Part 141, Subpart Y, which was added under the federal RTCR.	The Department will incorporate by reference 40 CFR Part 141, Subpart Y, which was added under the federal RTCR.	None	No
62-555.322	Prohibition on Use of Lead Pipe, Solder, and Flux	Rule Amendment	Update Rule	The Department will update this rule to implement the Federal Reduction of Lead in Drinking Water Act, which amended Section 1417 of the Federal Safe Drinking Water Act.	The current rule implements Section 1417 of the Federal Safe Drinking Water Act.	The Department will change the definition of "lead-free" for pipes and pipe fittings and will add rule exemptions.	None	No
62-555.325	Fluoridation	Rule Amendment	Update Rule	The Department will update this rule to reflect the U.S. Department of Health and Human Services' new recommended optimal fluoride concentration for fluoridated community water systems.	The current rule establishes design, construction, and operation requirements for public waters systems that are fluoridating their water.	The Department will change the recommended optimal fluoride concentration for fluoridated community water systems.	None	No
62-560.400	Scope of Drinking Water Public Notification	Rule Repeal	Other	The Department will incorporate by reference all portions of the federal Public Notification (PN) Rule into Rule 62-560.410.	The current rule incorporates by reference those portions of the federal PN Rule that are not addressed in Rule 62-560.410, 62-560.430, or 62-560.440.	The Department will repeal Rule 62-560.400 and will incorporate by reference all portions of the federal PN Rule into Rule 62-560.410.	None	No
62-560.410	Public Notification - Primary Standards	Rule Amendment	Other	The Department will delete most of this rule and will incorporate the federal Public Notification (PN) Rule by reference into this rule so all State public notification requirements are completely consistent with the federal PN Rule.	The current rule establishes State requirements for public water systems to give public notification for all violations of primary drinking water standards and for certain other situations. These State requirements generally are consistent with the federal PN Rule except that they are more stringent regarding the timing of public notification for monitoring violations.	The Department will delete most of this rule and will incorporate the federal PN by reference into this rule.	None	No

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62-560.430	Public Notification - Secondary Standards	Rule Repeal	Other	The Department will incorporate by reference all portions of the federal Public Notification (PN) Rule into Rule 62-560.410.	The current rule establishes State requirements for public water systems to give public notification for exceedance of the secondary maximum contaminant level for fluoride. These State requirements generally are consistent with the federal PN Rule but need clarification.	The Department will repeal Rule 62-560.430 and will incorporate by reference all portions of the federal PN Rule into Rule 62-560.410.	None	No
62-560.440	Public Notification for Unregulated Contaminants	Rule Repeal	Other	The Department will incorporate by reference all portions of the federal Public Notification (PN) Rule into Rule 62-560.410.	The current rule establishes State requirements for public water systems to give public notification of the availability of unregulated contaminant monitoring results. These State requirements generally are consistent with the Federal Public Notification Rule except that they are more stringent regarding the timing of the public notification.	The Department will repeal Rule 62-560.440 and will incorporate by reference all portions of the federal PN Rule into Rule 62-560.410.	None	No
62-620.100	Scope/Applicability/References.	Rule Amendment	Statutory Mandate (federal or state; include effective date)	Update references to specific sections of title 40 of the Code of Federal Regulations to adopt the most recent revisions to Section 316(b) of the CWA containing requirements applicable to cooling water intake structures. Rule signed by EPA Administrator May 19, 2014. Also align rule with EPA regulations on NPDES stormwater.	Section 316(b) of the Clean Water Act requires the design and operation of intake structures that minimize adverse environmental impacts. Federal rules have been updated. Also amendments related to NPDES stormwater for no exposure certification.	NPDES authorized states are required to adopt federal regulations within a year from federal rule promulgation. Revise the rule for consistency with the recently updated federal rule.	None	No
62-621.300	Permits	Rule Amendment	Update Rule	Aligning with EPA permit requirements regarding stormwater discharges from large and small construction activities, industrial activities, and Phase II Municipal Separate Storm Sewer Systems.	Establishes requirements for treatment and control of stormwater discharges associated with construction activity.	Revise the rule for consistency with the recently updated federal rule.	None	No

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62-624.100	Policy and Purpose	Rule Amendment	Update Rule	The Department anticipates amending this rule to maintain consistency between the Department rules and the Federal Regulations regarding the National Pollutant Discharge Elimination System (NPDES) municipal separate storm sewer system (MS4) permitting.	Establishes criteria for designation, permit application, and reporting requirements for municipal separate storm sewer system permits	Revise the rule for consistency with the recently updated federal rule.	None	No
62-624.200	Definitions	Rule Amendment	Update Rule	The Department anticipates amending this rule to maintain consistency between the Department rules and the Federal Regulations regarding the National Pollutant Discharge Elimination System (NPDES) municipal separate storm sewer system (MS4) permitting.	Establishes criteria for designation, permit application, and reporting requirements for municipal separate storm sewer system permits	Revise the rule for consistency with the recently updated federal rule.	None	No
62-624.300	General Provisions	Rule Amendment	Update Rule	The Department anticipates amending this rule to maintain consistency between the Department rules and the Federal Regulations regarding the National Pollutant Discharge Elimination System (NPDES) municipal separate storm sewer system (MS4) permitting.	Establishes criteria for designation, permit application, and reporting requirements for municipal separate storm sewer system permits	Revise the rule for consistency with the recently updated federal rule.	None	No
62-624.310	General Conditions, Individual Permits	Rule Amendment	Update Rule	The Department anticipates amending this rule to maintain consistency between the Department rules and the Federal Regulations regarding the National Pollutant Discharge Elimination System (NPDES) municipal separate storm sewer system (MS4) permitting.	Establishes criteria for designation, permit application, and reporting requirements for municipal separate storm sewer system permits	Revise the rule for consistency with the recently updated federal rule.	None	No

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62-624.400	Application Procedures for New Individual MS4 Permits	Rule Amendment	Update Rule	The Department anticipates amending this rule to maintain consistency between the Department and the Federal Regulations regarding the National Pollutant Discharge Elimination System (NPDES) municipal separate storm sewer system (MS4) permitting.	Establishes criteria for designation, permit application, and reporting requirements for municipal separate storm sewer system permits	Revise the rule for consistency with the recently updated federal rule.	None	No
62-624.420	Re-application Procedures for Individual MS4 Permits	Rule Amendment	Update Rule	The Department anticipates amending this rule to maintain consistency between the Department rules and the Federal Regulations regarding the National Pollutant Discharge Elimination System (NPDES) municipal separate storm sewer system (MS4) permitting.	Establishes criteria for designation, permit application, and reporting requirements for municipal separate storm sewer system permits	Revise the rule for consistency with the recently updated federal rule.	None	No
62-624.440	Contents of Re-application for Individual Permits	Rule Amendment	Update Rule	The Department anticipates amending this rule to maintain consistency between the Department rules and the Federal Regulations regarding the National Pollutant Discharge Elimination System (NPDES) municipal separate storm sewer system (MS4) permitting.	Establishes criteria for designation, permit application, and reporting requirements for municipal separate storm sewer system permits	Revise the rule for consistency with the recently updated federal rule.	None	No
62-624.460	Application Processing, Individual Permits	Rule Amendment	Update Rule	The Department anticipates amending this rule to maintain consistency between the Department rules and the Federal Regulations regarding the National Pollutant Discharge Elimination System (NPDES) municipal separate storm sewer system (MS4) permitting.	Establishes criteria for designation, permit application, and reporting requirements for municipal separate storm sewer system permits	Revise the rule for consistency with the recently updated federal rule.	None	No

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62-624.500	Standards for Issuing or Denying Individual Permits	Rule Amendment	Update Rule	The Department anticipates amending this rule to maintain consistency between the Department rules and the Federal Regulations regarding the National Pollutant Discharge Elimination System (NPDES) municipal separate storm sewer system (MS4) permitting.	Establishes criteria for designation, permit application, and reporting requirements for municipal separate storm sewer system permits	Revise the rule for consistency with the recently updated federal rule.	None	No
62-624.600	Monitoring and Annual Reports for Individual Permits	Rule Amendment	Update Rule	The Department anticipates amending this rule to maintain consistency between the Department rules and the Federal Regulations regarding the National Pollutant Discharge Elimination System (NPDES) municipal separate storm sewer system (MS4) permitting.	Establishes criteria for designation, permit application, and reporting requirements for municipal separate storm sewer system permits	Revise the rule for consistency with the recently updated federal rule.	None	No
62-624.800	Regulated Phase II MS4s	Rule Amendment	Update Rule	The Department anticipates amending this rule to maintain consistency between the Department rules and the Federal Regulations regarding the National Pollutant Discharge Elimination System (NPDES) municipal separate storm sewer system (MS4) permitting.	Establishes criteria for designation, permit application, and reporting requirements for municipal separate storm sewer system permits	Revise the rule for consistency with the recently updated federal rule.	None	No
62-624.810	Permit Procedures for Phase II MS4s	Rule Amendment	Update Rule	The Department anticipates amending this rule to maintain consistency between the Department rules and the Federal Regulations regarding the National Pollutant Discharge Elimination System (NPDES) municipal separate storm sewer system (MS4) permitting.	Establishes criteria for designation, permit application, and reporting requirements for municipal separate storm sewer system permits	Revise the rule for consistency with the recently updated federal rule.	None	No

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62-730.210	Definitions	Rule Amendment	Update Rule	Annual adoption of federal rules via our Federal Fast Track procedure that is required to maintain consistency with the Resource Conservation and Recovery Act	Contains additional definitions of terms used in this rule chapter, regarding hazardous waste.	Revise the rule as necessary for consistency with any updated federal regulation on the Resource Conservation and Recovery Act (RCRA).	None	No
62-730.220	Applications for Permits and Other Authorizations	Rule Amendment	Update Rule	Annual adoption of federal rules via our Federal Fast Track procedure that is required to maintain consistency with the Resource Conservation and Recovery Act	Adopts by reference and clarifies certain sections of 40 CFR Part 270 containing requirements for applications for hazardous waste permits and adopts the required forms.	Revise the rule as necessary for consistency with any updated federal regulation on the Resource Conservation and Recovery Act (RCRA).	None	No
62-730.225	Requirements for Remedial Activities	Rule Amendment	Update Rule	Annual adoption of federal rules via our Federal Fast Track procedure that is required to maintain consistency with the Resource Conservation and Recovery Act	Contains the risk based corrective actions authorized by statute and rule that apply to remedial activities at hazardous waste facilities.	Revise the rule as necessary for consistency with any updated federal regulation on the Resource Conservation and Recovery Act (RCRA).	None	No
62-730.226	Financial Assurance for Remedial Activities	Rule Amendment	Update Rule	Annual adoption of federal rules via our Federal Fast Track procedure that is required to maintain consistency with the Resource Conservation and Recovery Act	Contains the financial assurance requirements for remedial activities.	Revise the rule as necessary for consistency with any updated federal regulation on the Resource Conservation and Recovery Act (RCRA).	None	No
62-730.240	Operation Permits	Rule Amendment	Update Rule	Annual adoption of federal rules via our Federal Fast Track procedure that is required to maintain consistency with the Resource Conservation and Recovery Act	Contains the requirements for applying for a permit for operation of a hazardous waste facility and for closure of the facility.	Revise the rule as necessary for consistency with any updated federal regulation on the Resource Conservation and Recovery Act (RCRA).	None	No
62-730.250	Construction Permits	Rule Amendment	Update Rule	Annual adoption of federal rules via our Federal Fast Track procedure that is required to maintain consistency with the Resource Conservation and Recovery Act	Contains the requirements for applying for a permit to begin construction or major modification of any unit at a hazardous waste facility.	Revise the rule as necessary for consistency with any updated federal regulation on the Resource Conservation and Recovery Act (RCRA).	None	No

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62-730.260	Closure Permits	Rule Amendment	Update Rule	Annual adoption of federal rules via our Federal Fast Track procedure that is required to maintain consistency with the Resource Conservation and Recovery Act	Contains the requirements for applying for and receiving a hazardous waste permit that includes conditions for remedial activities.	Revise the rule as necessary for consistency with any updated federal regulation on the Resource Conservation and Recovery Act (RCRA).	None	No
62-730.265	Clean Closure Plans at Unpermitted Facilities and Subpart H Remedial Action Plans.	Rule Amendment	Update Rule	Annual adoption of federal rules via our Federal Fast Track procedure that is required to maintain consistency with the Resource Conservation and Recovery Act	Contains the requirements for an alternate enforceable document to perform remedial activities at unpermitted hazardous waste facilities.	Revise the rule as necessary for consistency with any updated federal regulation on the Resource Conservation and Recovery Act (RCRA).	None	No
62-730.270	Exemptions	Rule Amendment	Update Rule	Annual adoption of federal rules via our Federal Fast Track procedure that is required to maintain consistency with the Resource Conservation and Recovery Act	Lists the exemptions from a hazardous waste permit.	Revise the rule as necessary for consistency with any updated federal regulation on the Resource Conservation and Recovery Act (RCRA).	None	No
62-730.290	Permit Modification	Rule Amendment	Update Rule	Annual adoption of federal rules via our Federal Fast Track procedure that is required to maintain consistency with the Resource Conservation and Recovery Act	Contains the requirements for new or additional permit conditions, and transfer of a permit or other authorizations.	Revise the rule as necessary for consistency with any updated federal regulation on the Resource Conservation and Recovery Act (RCRA).	None	No
62-730.291	Permit Renewal.	Rule Amendment	Update Rule	Annual adoption of federal rules via our Federal Fast Track procedure that is required to maintain consistency with the Resource Conservation and Recovery Act	Contains the requirements for renewal of a hazardous waste permit.	Revise the rule as necessary for consistency with any updated federal regulation on the Resource Conservation and Recovery Act (RCRA).	None	No
62-730.292	Public Notice for Hazardous Waste Permits and Other Authorizations.	Rule Amendment	Update Rule	Annual adoption of federal rules via our Federal Fast Track procedure that is required to maintain consistency with the Resource Conservation and Recovery Act	Contains the public notice requirements for a permit application or renewal.	Revise the rule as necessary for consistency with any updated federal regulation on the Resource Conservation and Recovery Act (RCRA).	None	No
62-730.293	Fees for Hazardous Waste Permits and Other Authorizations.	Rule Amendment	Update Rule	Annual adoption of federal rules via our Federal Fast Track procedure that is required to maintain consistency with the Resource Conservation and Recovery Act	Lists the fees required for various types of hazardous waste permits.	Revise the rule as necessary for consistency with any updated federal regulation on the Resource Conservation and Recovery Act (RCRA).	None	No

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62-730.320	Emergency Detonation or Thermal Treatment of Certain Hazardous Waste	Rule Amendment	Update Rule	Annual adoption of federal rules via our Federal Fast Track procedure that is required to maintain consistency with the Resource Conservation and Recovery Act	Contains the requirements for emergency detonation or treatment of explosives or munitions waste.	Revise the rule as necessary for consistency with any updated federal regulation on the Resource Conservation and Recovery Act (RCRA).	None	No
62-730.900	Forms	Rule Amendment	Update Rule	Annual adoption of federal rules via our Federal Fast Track procedure that is required to maintain consistency with the Resource Conservation and Recovery Act	Lists the forms by title and number that are adopted in this rule chapter and where they are adopted.	Revise the rule as necessary for consistency with any updated federal regulation on the Resource Conservation and Recovery Act (RCRA).	None	No
62S-4.004	Coastal Management Program Coastal Partnership Initiative Grants	Rule Amendment	Technical Change	Increase Financial Award Amounts to allow for increased flexibility in grant decision-making	Application and funding procedures for Coastal Partnership Grants	Increase Financial Award Amounts to allow for increased flexibility in grant decision-making	None	No
62S-4.007	Coastal Management Program Coastal Partnership Initiative Grants	Rule Amendment	Technical Change	Add an application form to standardize submittals	Application and funding procedures for Coastal Partnership Grants	Add an application form to standardize submittals	None	No

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To: Patricia Nelson, Deputy Director
 Office of Fiscal Accountability and Regulatory Reform

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The Department submits the following Annual Regulatory Plan Supplement reflecting all rulemaking activity from the 2013-2014 Annual Regulatory Plan that is recurring in the 2014-2015 Annual Regulatory Plan.

Rule Chapter or Number	Rule Title	Detailed Explanation
62-204	Air Pollution Control General Provisions	Periodic adoptions by reference of updated and new EPA air pollution rules are necessary to maintain consistency with Clean Air Act requirements and to maintain Florida's federally-approved air program.
62-210	Stationary Sources – General Requirements	Some rule amendments specified in the plan will necessitate simultaneous revisions to definitions in this rule.
62-212	Stationary Sources – Preconstruction Review	Florida's preconstruction review provisions require periodic clarification and federal consistency updates. As necessary, DEP intends to revise or clarify existing provisions to ensure consistency with federal law.
62-296	Stationary Sources – Emission Standards	Federally driven changes to Chapter 62-212, F.A.C., sometimes require changes to this rule.
62-297	Stationary Sources – Emissions Monitoring	DEP is finalizing a rulemaking process begun during FY 2013-14 for emission testing requirements.

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Rule Chapter or Number	Rule Title	Detailed Explanation
62-302	Surface Water Quality Standards	<p>DEP initiated rulemaking to reclassify from Class III certain surface waters currently used for potable water supplies (Class I) or shellfish harvesting (Class II), where water quality supports the use. This is a complex issue with local issues that must be resolved before rulemaking can be completed. The rulemaking began in 2013 but more than a year has passed since the initial Notice of Rule Development while DEP worked on technical issues for individual waterbody reclassifications. A new Notice of Rule Development is required and the rule is included in the 2014-15 regulatory plan.</p> <p>DEP initiated rulemaking to revise its numeric surface water quality criteria for bacteria, consistent with EPA's recommended criteria, and conducted four Technical Advisory Committee meetings on this complicated subject. The first public workshops are anticipated in summer/fall 2014. The rule is included in the 2014-15 regulatory plan.</p> <p>As required, DEP submitted a report to the Governor and Legislature in August 2013 that contained numeric nutrient standards for marine waters that did not yet have such standards. The report committed to establishing the standards in Chapter 62-302, F.A.C., in 2014, with public workshops expected in summer/fall 2014. The rule is included in the 2014-15 regulatory plan.</p> <p>DEP completed review of a petition to establish Site Specific Alternative Criteria for pH in Pace Swamp, submitted by Pace Water, Inc. Completion of the rulemaking requires bringing the issue to the next available meeting of the Environmental Regulation Commission. It is likely other third parties will submit other SSAC petitions in 2014-2015.</p>

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Rule Chapter or Number	Rule Title	Detailed Explanation
62-303	Identification of Impaired Surface Waters	<p>A number of sections within Chapter 62-303, F.A.C., are proposed for revision as part of the revision of surface water quality criteria for bacteria (see Chapter 62-302, above). The rulemaking is part of a comprehensive effort to achieve efficiencies in how waters identified as impaired for bacteria are restored. The impaired waters listing methodology in Chapter 62-303, F.A.C., and procedures in Chapter 62-304, F.A.C., for calculating necessary pollutant reductions associated with bacterial contamination (see below) will also be updated. The rule is included in the 2014-15 regulatory plan.</p>
62-304	Total Maximum Daily Loads	<p>As part of the comprehensive effort to revise the criteria for bacteria, DEP is also considering the adoption of a statewide TMDL for the new bacteriological indicators. The rule is included in the 2014-15 regulatory plan.</p> <p>DEP also initiated a number of DEP's TMDL development efforts will continue under this regulatory plan for the following waters: Caloosahatchee, Peace River Lakes, fecal indicator TMDL for the Santa Fe and Suwannee rivers, Lake Talquin, Lake Tallavana, lakes in the Middle St. Johns/Ocklawaha basin, and for Homosassa and Chassahowitzka springs.</p>
62-306	Water Quality Credit Trading	<p>HB 713 from the 2013 legislative session revised s. 403.067, F.S., to expand water quality credit trading beyond the pilot program in the Lower St. Johns River Basin. After extensive consideration, it was determined necessary to revise the current rule and discussions with stakeholders are underway. The rule is included in the 2014-15 regulatory plan.</p>