

Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF FINANCIAL SERVICES

Division of Unclaimed Property

RULE NO.: RULE TITLE:
69G-20.0021 PROCEDURES FOR FILING CLAIM
PURPOSE AND EFFECT: The proposed rulemaking amends language to delete duplicative and unnecessary language and updates the Division of Unclaimed Property’s payment practices. The amendment also provides claimants the option to receive the amount of unclaimed property by means of a stored value product or account and makes other necessary updates.
SUBJECT AREA TO BE ADDRESSED: The rulemaking clarifies how unclaimed property will be disbursed to claimants.
RULEMAKING AUTHORITY: 717.124, 717.135, 717.138 FS.
LAW IMPLEMENTED: 92.525, 668.50, 717.1201, 717.124, 717.12403, 717.12404, 717.12405, 717.1242, 717.1243, 717.125, 717.126, 717.1261, 717.1262, 717.135, 717.138 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Phillip Carlton, Assistant Director, Division of Unclaimed Property, Department of Financial Services, 101 East Gaines Street, Tallahassee, Florida 32399-0258, (850)413-5570, Phillip.Carlton@myfloridacfo.com.
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Section II Proposed Rules

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:
62-210.300 Permits Required
62-210.310 Air General Permits
62-210.360 Administrative Permit Corrections and Amendments
PURPOSE AND EFFECT: The purpose of this Notice of Proposed Rule (NOPR) is to revise Rules 62-210.300, 62-210.310 and 62-210.360, F.A.C., to provide a permit exemption for Source-Separated Organics Processing Facilities, revise

existing exemptions for boilers to align with federal regulations, phase out the authorization for Ethylene Oxide Sterilizer Facilities to operate under an Air General Permit, and streamline the administrative corrections processes for minor operating permits and Title V operating permits.

SUMMARY: The proposed rule amendments address Stationary Sources – General Requirements.

OTHER RULES INCORPORATING RULE 62-210.300, F.A.C.: 62-210.200, 62-210.350, 62-210.360, 62-212.300, 62-296.401, 62-296.406, 62-296.417, 62-296.570

OTHER RULES INCORPORATING RULE 62-210.310, F.A.C.: 62-210.300, 62-213.301(b), 62-296.500

EFFECT ON THOSE OTHER RULES: There will be no effect on other rules.

OTHER RULES INCORPORATING RULE 62-210.360, F.A.C.: 62-210.200, 62-210.300

EFFECT ON THOSE OTHER RULES: There will be no effect on other rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: revision of these rules will not have an adverse impact or increase regulatory costs on any entity.

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

RULEMAKING AUTHORITY: 403.061, F.S.

LAW IMPLEMENTED: 403.031, 403.061, 403.087, 403.814, F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elizabeth Rogers, 2600 Blair Stone Rd., MS 5500, Tallahassee, FL, 32399-2400, Elizabeth.Rogers@FloridaDEP.gov, (850)717-9019.

THE FULL TEXT OF THE PROPOSED RULE IS:

- 62-210.300 Permits Required.
- (1) through (2) No change.

(3) Exemptions from Permitting. Except as otherwise provided herein, an owner or operator shall not be required to obtain an air construction permit or non-Title V air operation permit, or to use an air general permit pursuant to Rule 62-210.310, F.A.C., for any facility, emissions unit, or pollutant-emitting activity that satisfies the applicable permitting exemption criteria of paragraph 62-210.300(3)(a) or (b), F.A.C., or has been exempted from permitting pursuant to Rule 62-4.040, F.A.C. Failure of a facility, emissions unit, or activity to satisfy the exemption criteria of paragraph 62-210.300(3)(a) or (b), F.A.C., does not preclude such facility, emissions unit, or activity from being considered for exemption pursuant to Rule 62-4.040, F.A.C. Notwithstanding the above, no emissions unit or activity shall be exempt from the requirement to obtain an air construction permit or non-Title V air operation permit, or to use an air general permit pursuant to Rule 62-210.310, F.A.C., if it would be subject to any unit-specific limitation or requirement, unless compliance with such limitation or requirement is specifically listed as a condition of exemption. Furthermore, no new, reconstructed, or modified emissions unit or activity shall be exempt from the requirement to obtain an air construction permit if its emissions would contribute to a major modification or to any modification that would be a major modification but for the use, in whole or in part, of the baseline actual-to-projected actual applicability test in Rule 62-212.400, F.A.C. An emissions unit or pollutant-emitting activity exempt from the requirement to obtain an air construction permit shall not be exempt from the permitting requirements of Chapter 62-213, F.A.C., if it is contained within a Title V source or if its emissions, in combination with the emissions of other emission units and activities at the facility, would cause the facility to be classified as a Title V source. Exemption from the requirement to obtain an air construction permit or non-Title V air operation permit, or to use an air general permit pursuant to Rule 62-210.310, F.A.C., does not relieve the owner or operator of a facility or emissions unit from complying with any limitation or requirement applicable to such facility or emissions unit.

(a) Categorical and Conditional Exemptions. Except as otherwise provided at subsection 62-210.300(3), F.A.C., above, the following facilities, emissions units, and pollutant-emitting activities shall be exempt from any requirement to obtain an air construction permit or non-Title V air operation permit, or to use an air general permit pursuant to Rule 62-210.310, F.A.C.

1. through 33. No change.

34. Fossil fuel steam generators, hot water generators, and other external combustion heating units with heat input capacity less than 100 million Btu per hour, provided all the following conditions are met with respect to each such unit.

a. The unit is not subject to the Acid Rain Program, or any other unit-specific limitation or requirement other than any such

limitation or requirement that may apply pursuant to 40 C.F.R. Part 63, Subpart DDDDD and JJJJJ, adopted and incorporated by reference at Rule 62-204.800, F.A.C.

b. through h. No change.

i. If the unit/boiler is subject to 40 C.F.R. Part 63, Subparts DDDDD or Subpart JJJJJ, the owner shall comply with all limitations and requirements of Subparts DDDDD or Subpart JJJJJ that apply to the unit/boiler.

35. through 36. No change.

37. Yard Trash Processing and Recycling facilities, provided that:

a. The facility maintains its Registration and Annual Report for a Yard Trash Transfer Station or Solid Waste Recycling Facility pursuant to Chapter 62-709, F.A.C.;

b. The facility complies with the general particulate emissions limiting standards pursuant to subsection 62-296.320 (4), F.A.C.; and

c. Open burning is prohibited at the facility.

(b) Generic Exemptions.

1. No change.

2. Generic Facility Exemption. Except as otherwise provided at subsection 62-210.300(3), F.A.C., a facility that is not entitled to a categorical or conditional exemption pursuant to paragraph 62-210.300(3)(a), F.A.C., shall be exempt from any requirement to obtain an air construction permit or non-Title V air operation permit, or to use an air general permit pursuant to Rule 62-210.310, F.A.C., if all of the emissions units and pollutant-emitting activities within the facility, including any proposed new emissions units and activities, individually meet the exemption criteria of paragraph 62-210.300(3)(a), F.A.C., or subparagraph 62-210.300(3)(b)1., F.A.C., or if none of the emissions units and pollutant-emitting activities within the facility, including any proposed new emissions units and activities, is subject to any unit-specific limitation or requirement and the facility meets all of the following criteria.

a. through b. No change.

c. A unit that does not qualify for the Generic Emissions Unit or Activity Exemption in subparagraph 62-210.300(3)(b)1., F.A.C., may still be eligible for the Generic Facility Exemption if it meets the criteria specified in subparagraphs 62-210.300(3)(b)2.a., F.A.C. and 62-210.300(3)(b)2.b., F.A.C.

3. No change.

(c) No change.

(4) through (7) No change.

Rulemaking Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087, 403.814 FS. History—Formerly 17-2.210, Amended 11-28-93, Formerly 17-210.300, Amended 11-23-94, 4-2-95, 4-18-95, 10-16-95, 1-2-96, 3-13-96, 3-21-96, 5-13-96, 8-15-96, 10-7-96, 5-20-97, 11-13-97, 2-5-98, 2-11-99, 4-16-01, 6-21-01, 7-6-05, 2-2-06, 1-10-

07, 5-9-07, 3-16-08, 10-12-08, 6-29-11, 4-26-17, 7-3-18, 9-29-20, 6-16-21,_____.

62-210.310 Air General Permits.

(1) through (4) No change.

(5) Air General Permits for Miscellaneous Facilities.

(a) through (f) No change.

(g) Air General Permit for Facilities Comprising Ethylene Oxide Sterilizers. Effective July 1, 2023, authorizations under the Air General Permit for Facilities Comprising Ethylene Oxide Sterilizers will no longer be available. Ethylene Oxide Sterilizer facilities operating under the authorization of an existing air general permit may continue to operate until the expiration of the facility’s existing air general permit, or, if the facility applies for an air construction permit prior to the expiration of its existing air general permit, until the Department issues an air construction permit to the facility. After July 1, 2023, any modification at a facility to expand operations, capture fugitive emissions, or install air pollution control equipment will require authorization through a facility-specific air construction permit and air operation permit. The owner or operator of a facility operating under the authority of this air general permit shall apply for an air operation permit at least 180 days prior to the expiration of the facility’s existing air general permit.

1. through 4. No change.

(h) through (k) No change.

Rulemaking Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087, 403.814 FS. History–New 1-10-07, Amended 5-9-07, 10-12-08, 6-29-11, 4-26-17, 7-3-18, 9-29-20, 3-27-22,_____.

62-210.360 Administrative Permit Corrections and Amendments.

(1) A facility owner shall notify the Department in writing of minor corrections or amendments to information contained in a permit. Such minor corrections or amendments shall include:

(a) through (d) No change.

(e) A change to a minor operating permit that incorporates requirements established pursuant to a minor air construction permit authorized by Rule 62-212, F.A.C., provided that any such minor air construction permit was publicly noticed as required by Rule 62-210.350, F.A.C.

(f) A change to a Title V operating permit that incorporates requirements established pursuant to a minor air construction permit authorized by Rule 62-212, F.A.C., provided that any such minor air construction permit was publicly noticed consistent with the requirements for Title V permits in Rule 62-210.350, F.A.C., the minor air construction permit was provided to EPA for review consistent with the requirements of Rule 62-213.450, F.A.C., and the minor air construction permit

contains compliance provisions consistent with the requirements of Rule 62-213.440, F.A.C.

(e) through (g) renumbered (g) through (i) No change.

(2) through (4) No change.

Rulemaking Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087, 403.0872 FS. History–New 11-28-93, Formerly 17-210.360, Amended 11-23-94, 2-11-99, 4-16-01, 6-2-02, 3-16-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Preston McLane

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Shawn Hamilton

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 04/05/2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 09/08/2022

Section III Notice of Changes, Corrections and Withdrawals

NONE

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

NONE

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF TRANSPORTATION

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: April 14, 2023, 10:00 a.m. – 11:30 a.m.

PLACE: VIRTUAL VIA MICROSOFT TEAMS

GENERAL SUBJECT MATTER TO BE CONSIDERED:

<https://www.myflfamilies.com/news-events/public-events-meetings/circuit-14-community-alliance-families>.

A copy of the agenda may be obtained by contacting: Mylisa Lee, mylisa.lee@myflfamilies.com, 850-251-7350.