



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

June 30, 2017

The Honorable Richard Corcoran, Speaker
Florida House of Representatives
420 The Capitol
402 South Monroe Street
Tallahassee, FL 32399-1300

The Honorable Joe Negron, President
Florida Senate
409 The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

Kenneth J. Plante, Esquire
Joint Administrative Procedures Committee
680 Pepper Building
111 W. Madison Street
Tallahassee, FL 32399-1400

Alexandra Phillips, Rules Ombudsman
Reg.Reform@eog.myflorida.com

Subject: Compliance with Chapter 120.695, F.S., Designation of Minor Violation of Rules

To Whom It May Concern:

As required by section 120.695, F.S., the South Florida Water Management District (District) has reviewed all 23 Rules within Title 40E, F.A.C. to ensure compliance with statutory requirements.

The District has one rule within Chapter 40E-3, F.A.C., Regulation of Wells, that regulates a business, occupation, or profession, or regulates a person operating a business, occupation, or profession, and that, if not complied with, may result in a disciplinary penalty. Within Chapter 40E-3, F.A.C., Rule 40E-3.036, F.A.C., adopts by reference Chapter 62-531, F.A.C., Water Well Contractor Licensing Requirements, which regulates the licensing of water well contractors. Section 62-531.450, F.A.C., Unlawful Acts, Grounds for Disciplinary Actions, and Penalties, within Chapter 62-531, F.A.C., adopts and incorporates the Water Well Construction Disciplinary Guidelines and Citations Dictionary, effective 6-22-14. The Water Well Construction Disciplinary Guidelines and Citations Dictionary identifies citations and subsequent District rules

within Chapter 40E-3, F.A.C., Regulation of Wells, that are minor violations that result in penalties and points against water well contractor licenses. Within that incorporated document, disciplinary guidelines and citations include the following minor violations as that term is defined in section 120.695, F.S., for first offenses by water well contractors:

Citation Number (violation)	Applicable Rule	Requirement
Citation Number 8	62-531.380(2) 40E-3.038(3)	Failure to display a contractor license number on both sides of each piece of drilling equipment owned, leased, or operated by the contractor.
Citation Number 18	40E-3.451(3)	Failure to submit permit application and permit fee within 24 hours after making oral application.
Citation Number 20	62-532.400(2)(b) 40E.3.101(4)	Failure to supply additional information as requested.
Citation Number 23	62-532.400(4) 40E-3.461(8)	Failure to make the permit available for inspection at the site during construction, repair, or abandonment of a well.
Citation Number 25	40E-3.451(3)	Failure to submit a permit application after being granted an oral variance.
Citation Number 26	62-532.400(6) 40E-3.321(2)(3)(a)(b)	Failure to request an extension prior to expiration of a permit in the event construction, repair, or abandonment is not complete.
Citation Number 27	40E-3.341(1)	Failure to provide accurate information when applying for a permit.
Citation Number 32	62-532.410 40E-3.411(1)	Failure to submit a completion report within 30 days after well completion.
Citation Number 32	40E-3.411(3)	Failure to submit a completion report within 30 days after permit expiration.
Citation Number 32	40E-3.411(3)	Failure to notify the Permitting Authority that work was not performed or completed within 30 days of the expiration of the permit.

Citation Number 33	40E-3.411(1)	Failure to file a complete well completion report form.
Citation Number 34	40E-3.411(2)	Failure to maintain a field log on-site during construction, repair or abandonment of a well.
Citation Number 35	40E-3.411(2)	Failure to allow the Permitting Authority to inspect drilling records upon reasonable notice to the contractor.
Citation Number 82	40E-3.512(2)(a)	Failure to construct a well, which prevents the entrance of sand into the well.
Citation Number 83	40E-3.507(2)(d)(e)	Failure to use the minimum number of centralizers required by rule between the external and internal telescoping casing when the internal casing is grouted.
Citation Number 84	40E-3.507(2)(d)(e)	Failure to join telescoping casing with an appropriate overlap.

I hereby certify that I have reviewed the District rules and certify that the rules that have been designated as rules the violation of which would be a minor violation, consistent with the legislative intent, are identified above. A copy of the rules that the agency has designated as rules the violation of which would be a minor violation will be published on the District's website prior to July 1, 2017.



Brian J. Accardo
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