

Burgos, Alexander N

Subject: FW: [External] RE: Periodic Review Report- 04 NCAC 15

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Thursday, September 18, 2025 11:03 AM
To: tbrendle@cape-fear.net
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Dave Gardner <vondakay72@gmail.com>
Subject: Re: [External] RE: Periodic Review Report- 04 NCAC 15

Mr. Brendle,

Apologies for my delayed response. I have been out of the office for health reasons and thought I had my phone forwarded properly, but clearly did not.

Generally we recommend that someone from an agency at least be on the webex anytime they have material on the agenda in case there are questions. . However, I will note that historically the periodic review reports have not prompted any questions or discussions. If somehow questions were to come up that I could not answer, and no one from your agency was available, I would recommend that review of the report be put off until the next meeting.

Let me know if you would like to set up a time to talk on the phone.

Sincerely,

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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From: tbrendle@cape-fear.net <tbrendle@cape-fear.net>
Sent: Wednesday, September 17, 2025 2:09 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Dave Gardner <vondakay72@gmail.com>
Subject: [External] RE: Periodic Review Report- 04 NCAC 15

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Good afternoon Mr. Ascher,

I am a river pilot and member of the Wilmington - Cape Fear Pilots Association. I am currently serving as rules review liaison for the Cape Fear River Navigation and Pilotage Commission/Agency. I also served in this same capacity ten years ago.

I have a work schedule conflict during next Thursday's RRC meeting on the 25th.

Before I reach out to Chairman Gardner or another member of our group for coverage, thought I would consult with you to get a feel for the importance of my/our attendance. I viewed your recommendations on the report. At this point, It appears everything has a green light, with no changes necessary.

Do you have comments on the need for representation from our group?

Btw I made two attempts to contact you by phone (984) 236-1934 in regards to my schedule conflict next Thursday. Maybe my voicemails didn't get through.

Tommy Brendle
Pilot/Member, Wilmington - Cape Fear Pilots Assn

Burgos, Alexander N

From: Ascher, Seth M
Sent: Wednesday, September 3, 2025 3:21 PM
To: tbrendle@cape-fear.net; vondak72@gmail.com
Cc: Burgos, Alexander N
Subject: Periodic Review Report- 04 NCAC 15
Attachments: 04 NCAC 15.xlsx

Follow Up Flag: Follow up
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Good afternoon,

I am the attorney who reviewed your agency's periodic review reports. The RRC will formally review this report at its meeting on Thursday, September 25, 2025, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an invite should be sent to you as we get close to the meeting, or you are welcome to attend in person. If there are any other representatives from your agency who want to attend virtually, let me know prior to the meeting, and we will get invites out to them as well.

I have attached the reports I plan to recommend that the Commission adopt. Let me know if you have any questions.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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