

## Burgos, Alexander N

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**To:** Everett, Jennifer; Ascher, Seth M; Wiggs, Travis C; Liebman, Brian R  
**Cc:** Montie, Jessica; Young, Elizabeth S  
**Subject:** RE: Readopt consult email?

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**From:** Everett, Jennifer <jennifer.everett@deq.nc.gov>  
**Sent:** Monday, May 12, 2025 3:08 PM  
**To:** Ascher, Seth M <seth.ascher@oah.nc.gov>; Wiggs, Travis C <travis.wiggs@oah.nc.gov>; Liebman, Brian R <brian.liebman@oah.nc.gov>  
**Cc:** Montie, Jessica <jessica.montie@deq.nc.gov>; Young, Elizabeth S <esyong@ncdoj.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>  
**Subject:** RE: Readopt consult email?

Ok, thanks. I filed the readoption timeline/date to OAH on Friday for RRC review at its June meeting.

Jennifer Everett  
DEQ Rulemaking Coordinator  
N.C. Depart. Of Environmental Quality  
Office of General Counsel  
1601 Mail Service Center  
Raleigh, NC 27699-1601  
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<https://deq.nc.gov/permits-rules/rules-regulations/deq-proposed-rules>

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**From:** Ascher, Seth M <[seth.ascher@oah.nc.gov](mailto:seth.ascher@oah.nc.gov)>  
**Sent:** Monday, May 12, 2025 11:25 AM  
**To:** Everett, Jennifer <[jennifer.everett@deq.nc.gov](mailto:jennifer.everett@deq.nc.gov)>; Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>; Liebman, Brian R <[brian.liebman@oah.nc.gov](mailto:brian.liebman@oah.nc.gov)>  
**Cc:** Montie, Jessica <[jessica.montie@deq.nc.gov](mailto:jessica.montie@deq.nc.gov)>; Young, Elizabeth S <[esyong@ncdoj.gov](mailto:esyong@ncdoj.gov)>; Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>  
**Subject:** Re: Readopt consult email?

Jennifer,

I just wanted to confirm that I am looped in on this and will be your point person for the consultation and proposing a readoption date. Please direct the responsive emails to me.

Thanks to Travis and others for jumping in and handling this while I was out.

**Seth Ascher**

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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## Burgos, Alexander N

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**From:** Everett, Jennifer  
**Sent:** Friday, May 9, 2025 3:08 PM  
**To:** Rules, Oah  
**Cc:** Burgos, Alexander N; Montie, Jessica  
**Subject:** EMC readoption schedule 15A NCAC 02S  
**Attachments:** 15A\_NCAC\_02S\_ReadoptionScheduleAndDeadline.pdf

Hello,

The Environmental Management Commission approved the attached readoption schedule and deadline at its May 8, 2025, meeting for 15A NCAC 02S.

Let me know if there are any questions.

Thank you!

Jennifer Everett  
DEQ Rulemaking Coordinator  
N.C. Depart. Of Environmental Quality  
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**Environmental Management Commission Readoption Schedule for  
15A NCAC 02S - Rules and Criteria for the Administration of The Dry-Cleaning Solvent Cleanup Fund**

<b>Subchapter</b>	<b># of Rules</b>	<b>Previous Readoption Effective Date</b>	<b>Stakeholder Discussions and Rule Drafting</b>	<b>Fiscal Note Drafting &amp; Approval</b>	<b>Committee Approve to EMC</b>	<b>EMC Approve to Notice</b>	<b>Rules Published In Register</b>	<b>Public Hearing</b>	<b>End of Comment Period</b>	<b>Develop Hearing Officer's Report</b>	<b>EMC Adoption</b>
02S	16	Sep 2018	May - Nov 2025	Dec 2025 - Mar 2026	May 2026	Jul 2026	Aug 2026	Sep 2026	Oct 2026	Nov 2026 - Apr 2027	May 2027

**Readoption Deadline: August 1, 2027**

## Burgos, Alexander N

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**From:** Wiggs, Travis C  
**Sent:** Wednesday, May 7, 2025 2:47 PM  
**To:** Everett, Jennifer; Liebman, Brian R; Ascher, Seth M  
**Cc:** Montie, Jessica; Young, Elizabeth S; Burgos, Alexander N  
**Subject:** RE: Readopt consult email?  
**Attachments:** 15A NCAC 02S.pdf

Good afternoon,

The attached periodic review report has been finalized. The next step is to set a deadline for the readoption of the “Necessary” rules. Pursuant to G.S. 150B-21.3A and 26 NCAC 05 .0212, the RRC sets this deadline after consultation with the agency, and this email serves as the RRC’s request for that consultation. Please review 26 NCAC 05 .0212 for the information required to be submitted to the RRC, and the deadlines for doing so.

The deadline for your agency to provide this information is July 8, 2025. As a starting point, I would recommend August 1, 2027, as a readoption deadline, but I am open to considering a different date based on the needs of your agency. Please consult with Seth Ascher hereafter to discuss your agency’s readoption deadline for these rules.

Please reply to confirm receipt of this email. Let me know if you have any questions. Thank you.

Travis C. Wiggs  
Rules Review Commission Counsel  
Office of Administrative Hearings  
Telephone: 984-236-1929  
Email: [travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)

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**From:** Everett, Jennifer <[jennifer.everett@deq.nc.gov](mailto:jennifer.everett@deq.nc.gov)>  
**Sent:** Wednesday, May 7, 2025 2:27 PM  
**To:** Liebman, Brian R <[brian.liebman@oah.nc.gov](mailto:brian.liebman@oah.nc.gov)>; Ascher, Seth M <[seth.ascher@oah.nc.gov](mailto:seth.ascher@oah.nc.gov)>; Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>; Peaslee, William W <[bill.peaslee@oah.nc.gov](mailto:bill.peaslee@oah.nc.gov)>  
**Cc:** Montie, Jessica <[jessica.montie@deq.nc.gov](mailto:jessica.montie@deq.nc.gov)>; Young, Elizabeth S <[esyong@ncdoj.gov](mailto:esyong@ncdoj.gov)>; Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>  
**Subject:** RE: Readopt consult email?

Wonderful, thank you!

Jennifer Everett  
DEQ Rulemaking Coordinator  
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**From:** Liebman, Brian R <[brian.liebman@oah.nc.gov](mailto:brian.liebman@oah.nc.gov)>

**Sent:** Wednesday, May 7, 2025 2:26 PM

**To:** Everett, Jennifer <[jennifer.everett@deq.nc.gov](mailto:jennifer.everett@deq.nc.gov)>; Ascher, Seth M <[seth.ascher@oah.nc.gov](mailto:seth.ascher@oah.nc.gov)>; Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>; Peaslee, William W <[bill.peaslee@oah.nc.gov](mailto:bill.peaslee@oah.nc.gov)>

**Cc:** Montie, Jessica <[jessica.montie@deq.nc.gov](mailto:jessica.montie@deq.nc.gov)>; Young, Elizabeth S <[esyong@ncdoj.gov](mailto:esyong@ncdoj.gov)>; Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>

**Subject:** RE: Readopt consult email?

Jennifer,

Thanks for reaching out. It appears to me that 15A NCAC 02S was sent to APO on February 28, 2025, meaning the 61<sup>st</sup> day was April 30, 2025. As you noted, Seth is currently out of the office, but in light of the timing of the EMC meeting, Travis will send you a consultation request before the end of the day.

Best,  
Brian

Brian Liebman  
Codifier of Rules  
Office of Administrative Hearings  
(984)236-1941  
[brian.liebman@oah.nc.gov](mailto:brian.liebman@oah.nc.gov)

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**From:** Everett, Jennifer <[jennifer.everett@deq.nc.gov](mailto:jennifer.everett@deq.nc.gov)>

**Sent:** Wednesday, May 7, 2025 1:59 PM

**To:** Ascher, Seth M <[seth.ascher@oah.nc.gov](mailto:seth.ascher@oah.nc.gov)>; Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>; Peaslee, William W <[bill.peaslee@oah.nc.gov](mailto:bill.peaslee@oah.nc.gov)>

**Cc:** Montie, Jessica <[jessica.montie@deq.nc.gov](mailto:jessica.montie@deq.nc.gov)>; Young, Elizabeth S <[esyong@ncdoj.gov](mailto:esyong@ncdoj.gov)>; Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>; Liebman, Brian R <[brian.liebman@oah.nc.gov](mailto:brian.liebman@oah.nc.gov)>

**Subject:** RE: Readopt consult email?

Hi - Ok, Seth is out of the office. The 60 days have passed since the Report was sent to the APO. The EMC is meeting tomorrow and we anticipated that the request would have been emailed to me ahead of the EMC's meeting. Can someone send me the consultation request for 15A NCAC 02S on the readoption schedule? Thanks.

Jennifer Everett  
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**From:** Everett, Jennifer

**Sent:** Wednesday, May 7, 2025 1:56 PM

**To:** Ascher, Seth M <[seth.ascher@oah.nc.gov](mailto:seth.ascher@oah.nc.gov)>

**Cc:** Montie, Jessica <[jessica.montie@deq.nc.gov](mailto:jessica.montie@deq.nc.gov)>; Young, Elizabeth S; Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>; Liebman, Brian R <[brian.liebman@oah.nc.gov](mailto:brian.liebman@oah.nc.gov)>

**Subject:** Readopt consult email?

Hi Seth,

More than 60 days have passed since the Report for 15A NCAC 02S. The EMC is to meet tomorrow regarding the readoption schedule. Can you please send us the consultation request today?

Thanks.

Jennifer Everett  
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