

## Burgos, Alexander N

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**From:** Mize, Wilson  
**Sent:** Friday, June 13, 2025 3:10 PM  
**To:** Ascher, Seth M  
**Cc:** Burgos, Alexander N; Donna Coffey  
**Subject:** RE: Periodic Review 21 NCAC 62

That sounds good to me. Thanks Seth!

I have copied Donna Coffey on this email and would appreciate it if she too could be invited.

Thanks,

### Wilson Mize, REHS

On-Site Water Protection Branch Head  
Division of Public Health, Environmental Health Section  
[NC Department of Health and Human Services](#)

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**From:** Ascher, Seth M <seth.ascher@oah.nc.gov>  
**Sent:** Friday, June 13, 2025 3:09 PM  
**To:** Mize, Wilson <wilson.mize@dhhs.nc.gov>  
**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>  
**Subject:** Re: Periodic Review 21 NCAC 62

Thanks! This looks good to me.

I will recommend the June 1, 2027 readoption deadline at the upcoming RRC meeting. The RRC will formally consider the date at its meeting on Thursday, June 26, 2025, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get close to the meeting. 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 evites out to them as well.

### Seth Ascher

Counsel to the North Carolina Rules Review Commission  
Office of Administrative Hearings  
(984) 236-1934

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**From:** Mize, Wilson <[wilson.mize@dhhs.nc.gov](mailto:wilson.mize@dhhs.nc.gov)>  
**Sent:** Friday, June 13, 2025 7:47 AM  
**To:** Ascher, Seth M <[seth.ascher@oah.nc.gov](mailto:seth.ascher@oah.nc.gov)>  
**Cc:** REHS Board <[Rehs.board@dhhs.nc.gov](mailto:Rehs.board@dhhs.nc.gov)>  
**Subject:** RE: Periodic Review 21 NCAC 62

Please let me know if what I have provided below makes sense and follows the appropriate timeline for this process. Thank you!

We have agreed to the following timeline with readoption in June 2027:

**July 2025 – February 2026:**

Finalize proposed rule amendments.

**February 2026 – August 2026:**

SBC Approval (FAD) for Preliminary adoption of Rules and Proposed amendments.

**January 2027:**

Rule Submitted to NC Register for Publication

Posted on REHS Board Website

Notice to interested Parties

**February 2027 – April 2027:**

Submit to NC Register for Publication

60 Day comment period (Respond to comments)

Hold public hearing (late Feb. Early March)

**April 2027:**

Submit to RRC

**May 2027:**

RRC Meeting

**June 2027:**

Earliest Effective date

**Wilson Mize, REHS**

On-Site Water Protection Branch Head

Division of Public Health, Environmental Health Section

[NC Department of Health and Human Services](#)

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

**Sent:** Thursday, June 12, 2025 2:48 PM

**To:** Mize, Wilson <[wilson.mize@dhhs.nc.gov](mailto:wilson.mize@dhhs.nc.gov)>

**Cc:** REHS Board <[Rehs.board@dhhs.nc.gov](mailto:Rehs.board@dhhs.nc.gov)>

**Subject:** Re: Periodic Review 21 NCAC 62

Good afternoon,

I am checking in to see if you have had the opportunity to put together the materials for your readoption deadline, as discussed in the below email.

If possible, please get them to me by June 20th, so the readoption deadline can be considered at this month's RRC meeting.

Thank you,

**Seth Ascher**

Counsel to the North Carolina Rules Review Commission  
Office of Administrative Hearings  
(984) 236-1934

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

**Sent:** Friday, May 16, 2025 2:16 PM

**To:** Mize, Wilson <[wilson.mize@dhhs.nc.gov](mailto:wilson.mize@dhhs.nc.gov)>

**Cc:** REHS Board <[Rehs.board@dhhs.nc.gov](mailto:Rehs.board@dhhs.nc.gov)>

**Subject:** Re: Periodic Review 21 NCAC 62

That shouldn't be a problem. The Commission will want to see a rough estimated timeline before approving the date (although only the deadline itself is binding, the rest is just normal APA requirements).

It is fine for the timeline to be via email, see for example: <https://www.oah.nc.gov/commissioner-banks-agency-communication/open>

If you can get me that information by COB on May 20th, the RRC can vote on your deadline at the May 29<sup>th</sup> meeting. Otherwise, it will be at the June meeting.

Thanks,

**Seth Ascher**

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

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**From:** Mize, Wilson <[wilson.mize@dhhs.nc.gov](mailto:wilson.mize@dhhs.nc.gov)>  
**Sent:** Thursday, May 15, 2025 9:01 AM  
**To:** Ascher, Seth M <[seth.ascher@oah.nc.gov](mailto:seth.ascher@oah.nc.gov)>  
**Cc:** REHS Board <[Rehs.board@dhhs.nc.gov](mailto:Rehs.board@dhhs.nc.gov)>  
**Subject:** RE: Periodic Review 21 NCAC 62

Good morning Ascher,  
I apologize, we have been so busy I am worried we missed the deadline for the RRC to approve our rules for the June, 2027 readoption. Can you update me on where we are at this point in time, what we need to submit, etc. to get this moving forward. Thanks, and I hope you are doing well.

**Wilson Mize, REHS**

On-Site Water Protection Branch Head  
Division of Public Health, Environmental Health Section  
[NC Department of Health and Human Services](#)

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**From:** Ascher, Seth M <[seth.ascher@oah.nc.gov](mailto:seth.ascher@oah.nc.gov)>  
**Sent:** Monday, March 24, 2025 11:21 AM  
**To:** Mize, Wilson <[wilson.mize@dhhs.nc.gov](mailto:wilson.mize@dhhs.nc.gov)>  
**Cc:** Julie B. Eddins <[julie.eddins@oah.nc.gov](mailto:julie.eddins@oah.nc.gov)>; REHS Board <[Rehs.board@dhhs.nc.gov](mailto:Rehs.board@dhhs.nc.gov)>; Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>  
**Subject:** Re: Periodic Review 21 NCAC 62

Thank you for letting me know. The next step will be for RRC to approve the deadline. Let me know when you are ready for that and I will put it on their agenda.

**Seth Ascher**

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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**From:** Mize, Wilson <[wilson.mize@dhhs.nc.gov](mailto:wilson.mize@dhhs.nc.gov)>  
**Sent:** Friday, March 21, 2025 4:21 PM  
**To:** Ascher, Seth M <[seth.ascher@oah.nc.gov](mailto:seth.ascher@oah.nc.gov)>

**Cc:** Julie B. Eddins <[julie.eddins@oah.nc.gov](mailto:julie.eddins@oah.nc.gov)>; REHS Board <[Rehs.board@dhhs.nc.gov](mailto:Rehs.board@dhhs.nc.gov)>

**Subject:** RE: Periodic Review 21 NCAC 62

Good afternoon Ascher,

I think we would like to move forward with the June 1, 2027 readoption. I have copied Donna from the REHS board on this email so we can start putting together the necessary information. We will reach out if we have questions.

Thanks,

**Wilson Mize, REHS**

On-Site Water Protection Branch Head

Division of Public Health, Environmental Health Section

[NC Department of Health and Human Services](#)

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

**Sent:** Thursday, March 6, 2025 4:22 PM

**To:** McGhee, Dana <[dana.McGhee@oah.nc.gov](mailto:dana.McGhee@oah.nc.gov)>; Mize, Wilson <[wilson.mize@dhhs.nc.gov](mailto:wilson.mize@dhhs.nc.gov)>

**Cc:** Julie B. Eddins <[julie.eddins@oah.nc.gov](mailto:julie.eddins@oah.nc.gov)>

**Subject:** Re: Periodic Review 21 NCAC 62

Good afternoon,

The attached periodic review reports have been finalized. The next step is to set a deadline for the readoption of these 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.

It appears that the deadline for your agency to provide this information is May 5, 2025. As a starting point, I would recommend a June 1, 2027 readoption deadline, but I am open to considering a different recommendation based on the needs of your agency.

**Seth Ascher**

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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**From:** McGhee, Dana <[dana.McGhee@oah.nc.gov](mailto:dana.McGhee@oah.nc.gov)>  
**Sent:** Thursday, March 6, 2025 4:11 PM  
**To:** Mize, Wilson <[wilson.mize@dhhs.nc.gov](mailto:wilson.mize@dhhs.nc.gov)>  
**Cc:** Ascher, Seth M <[seth.ascher@oah.nc.gov](mailto:seth.ascher@oah.nc.gov)>; Julie B. Eddins <[julie.eddins@oah.nc.gov](mailto:julie.eddins@oah.nc.gov)>  
**Subject:** Periodic Review 21 NCAC 62

Good afternoon,

The determinations in the attached periodic review report for 21 NCAC 62 were effective February 19, 2025. Commission Counsel Seth Ascher will reach out to you to discuss setting the readoption date.

Let me know if you have any questions.

***Dana McGhee***  
*Publications Coordinator*  
*Office of Administrative Hearings*  
984-236-1937  
[dana.mcghee@oah.nc.gov](mailto:dana.mcghee@oah.nc.gov)

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