

Burgos, Alexander N

From: Ascher, Seth M
Sent: Tuesday, May 14, 2024 3:26 PM
To: Everett, Jennifer
Cc: Burgos, Alexander N; Snyder, Ashley B
Subject: RE: Request for Consultation: 15A NCAC 05A, 05B, 05F, 05G

Jennifer,

I meant to mention this to you when I saw you at the meeting yesterday, but this is fine. Note that our standard recommendation is two years from the deadline for the consult, so feel free to use October 2026 as a starting point.

Thanks for bearing with us as we sort our procedures for the next big round of periodic reviews and let me know if you have any other questions.

Seth Ascher

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

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From: Everett, Jennifer <jennifer.everett@deq.nc.gov>
Sent: Monday, April 29, 2024 1:40 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Snyder, Ashley B <ashley.snyder@oah.nc.gov>
Subject: RE: Request for Consultation: 15A NCAC 05A, 05B, 05F, 05G

Thanks Seth,

The next Mining Commission's regularly scheduled meeting is October 2024. Pursuant to 26 NCAC 05 .0212(b), we will have a proposed readoption date submitted 10 days thereafter to the RRC.

Jennifer

Jennifer Everett
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N.C. Depart. Of Environmental Quality
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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>

Sent: Friday, April 19, 2024 4:52 PM

To: Everett, Jennifer <jennifer.everett@deq.nc.gov>

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Snyder, Ashley B <ashley.snyder@oah.nc.gov>

Subject: Request for Consultation: 15A NCAC 05A, 05B, 05F, 05G

Jennifer,

Thanks for pointing out that these were outstanding. We are still working out our process for these in anticipation of the upcoming periodic review season.

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 June 18, 2024. As a starting point, I would recommend a June 2026 readoption deadline, but I am open to considering a different recommendation based on the needs of your agency.

Let me know if you have any questions.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

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