

## Burgos, Alexander N

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**Subject:** FW: [External] RRC Agenda Item 7: Environmental Management Commission - 15A NCAC 02H .1301, .1401, .1402, .1403, .1404, .1405

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**From:** Millis, Chris <[CMillis@nchba.org](mailto:CMillis@nchba.org)>

**Sent:** Monday, August 15, 2022 3:49 PM

**To:** Liebman, Brian R <[brian.liebman@oah.nc.gov](mailto:brian.liebman@oah.nc.gov)>

**Cc:** rrc.comments <[rrc.comments@oah.nc.gov](mailto:rrc.comments@oah.nc.gov)>; Peter Daniel, Jr. <[pdaniel@ncchamber.com](mailto:pdaniel@ncchamber.com)>

**Subject:** RE: [External] RRC Agenda Item 7: Environmental Management Commission - 15A NCAC 02H .1301, .1401, .1402, .1403, .1404, .1405

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Thank you.

Please note that any information that can be shared with the public concerning what the Rules Staff or RRC may be considering regarding Agenda Item 7 would be helpful as I am currently at a loss as to what our association and other members of the regulated community will be facing on Thursday. It is my understanding that Agenda Item 7 is a part of the meeting as a follow-up matter according to the normal procedure of the RRC waiting for the Agency to respond according to G.S. 150B-21.12, but the communication from the DOJ and their colleagues at the SELC listed under the recently added "Additional Public Comments in support following RRC objection" tab on the website, one could suggest that there is a move afoot for the RRC to reconsider their previous objection to the 15A NCAC 02H .1301, .1401, .1402, .1403, .1404, .1405 rule package. <https://www.oah.nc.gov/media/13601/open>

Again, any direction that could be shared with the public by the Rules Staff or the RRC concerning potential action that could take place concerning Item 7 would be greatly appreciated.

In case there is a mechanism within G.S. 150B that allows the agency to petition the RRC to reconsider a rule package it previously rejected, please find this email as a request to speak at the meeting on Thursday regarding any action the RRC may take involving 15A NCAC 02H .1301, .1401, .1402, .1403, .1404, .1405.

P.S.: If there is a mechanism within G.S. 150B that allows the agency to petition the RRC to reconsider a rule package it previously rejected, would the regulated community be allowed to submit 10 written letters of objection according to the timeframe established in G.S.150B-21.3(b2) to invoke Legislative Review? Just concerned about when would be considered the point of rule "adoption" depending on the potential action taken by the RRC on Thursday. Thanks again!

Chris Millis  
Director of Regulatory Affairs  
North Carolina Home Builders Association  
5580 Centerview Drive, Suite 415  
Raleigh, NC 27606  
(919) 676-9090