

Burgos, Alexander N

From: Wiggs, Travis C
Sent: Monday, November 24, 2025 1:17 PM
To: svc_OSFM.Rulemaking; Heuser, Kyle
Cc: Burgos, Alexander N; Taylor, Brian T
Subject: RE: Periodic Review 11 NCAC 05A,D; 07

Follow Up Flag: Follow up
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Thank you, Kyle,

I'm satisfied with the proposed readoption timeline submitted by your agency. The RRC will plan to vote on the agreed readoption deadline of **December 1, 2028** at its next meeting on December 18, 2025 at 10am.

Please let me know if you have any questions.

Thanks,

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

From: svc_OSFM.Rulemaking <OSFM.Rulemaking@ncdoi.gov>
Sent: Monday, November 24, 2025 12:04 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>; Heuser, Kyle <kyle.heuser@ncdoi.gov>; svc_OSFM.Rulemaking <OSFM.Rulemaking@ncdoi.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Taylor, Brian T <brian.taylor@ncdoi.gov>
Subject: RE: Periodic Review 11 NCAC 05A,D; 07

Travis,

Please find the requested additional information/detail below. The dates noted are projected deadlines for each indicated step in the rulemaking process.

Initial Re-adoption by the State Fire Marshal: *February 2028*

Publication of Notice of Text: *February 2028*

Public Hearing: *At least 15 but no later than 60 days after notice of text is published*

Public Comment Period: *February/March 2028 – May 2028; May 2028 – July 2028 (if substantial changes are made after the initial public comment period that require republication of the rules)*

Final Re-adoption by the State Fire Marshal: *May 2028; July 2028 (if substantial changes are made after the initial public comment period that require republication of the rules)*

Submission of rules to OAH for RRC consideration: *between May 2028 and November 2028*

Rules Review Commission review: *No later than November 2028*

Earliest Effective Date of Rules: *December 1, 2028*

Thanks,
Kyle

Kyle Heuser
Assistant General Counsel



North Carolina
Office of State Fire Marshal
1202 Mail Service Center
Raleigh, NC 27699-1202
919.647.0100

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Monday, November 24, 2025 10:01 AM
To: Heuser, Kyle <kyle.heuser@ncdoi.gov>; svc_OSFM.Rulemaking <OSFM.Rulemaking@ncdoi.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Taylor, Brian T <brian.taylor@ncdoi.gov>
Subject: RE: Periodic Review 11 NCAC 05A,D; 07

Good morning, Kyle,

Will you please provide a little more information/detail to the timeline? Please lay out each step in the process and the anticipated timeframe for each step. We realize unforeseen challenges may arise and the timeframes are subject to change.

I've attached an example from another agency, but your schedule does not need to be as formal.

Thanks,

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

From: Heuser, Kyle <kyle.heuser@ncdoi.gov>
Sent: Friday, November 21, 2025 3:22 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>; svc_OSFM.Rulemaking <OSFM.Rulemaking@ncdoi.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Taylor, Brian T <brian.taylor@ncdoi.gov>
Subject: RE: Periodic Review 11 NCAC 05A,D; 07

Good afternoon, Travis,

The Office of the State Fire Marshal accepts the proposed readoption deadline of **December 1, 2028** for the rules in 11 NCAC 05A, 05D, and 07. In light of that readoption deadline, we anticipate publishing notice of the proposed text of the rules in the first quarter of 2028 to allow for a robust public comment period and – if the State Fire Marshal decides to make substantial changes to the rules following that public comment period – enough time to re-publish the rules and proceed through a second public comment period. Pursuant to G.S. 150B-21.2(e), the public hearing will be held at least 15 days but not later than 60 days from publication. The State Fire Marshal will then adopt the rules after the expiration of the public comment period.

Please let me know if this email provides all the details regarding the Office of the State Fire Marshal's planned timeline for readoption required by 26 NCAC 05 .0212.

Thanks, and have a great weekend,
Kyle

Kyle Heuser
Assistant General Counsel



North Carolina
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From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Wednesday, November 12, 2025 1:18 PM
To: svc_OSFM.Rulemaking <OSFM.Rulemaking@ncdoi.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: Periodic Review 11 NCAC 05A,D; 07

Also please consider **December 1, 2028** as a readoption deadline.

Thanks,

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

From: Wiggs, Travis C
Sent: Wednesday, November 12, 2025 12:41 PM
To: svc_OSFM.Rulemaking <OSFM.Rulemaking@ncdoi.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: Periodic Review 11 NCAC 05A,D; 07

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 **January 20, 2026**. As a starting point, I'm proposing a few readoption deadlines options for your consideration: **January 1, 2027; November 1, 2028; or February 1, 2029**. I am open to considering a different readoption deadline based on the needs of your agency.

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

From: Julie B. Eddins <julie.eddins@oah.nc.gov>
Sent: Friday, November 7, 2025 3:11 PM
To: svc_OSFM.Rulemaking <OSFM.Rulemaking@ncdoi.gov>
Cc: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Subject: Periodic Review 11 NCAC 05A,D; 07

Good afternoon,

The determinations in the attached periodic review report for 11 NCAC 05A,D; 07 were effective September 30, 2025. Commission Counsel Travis Wiggs will reach out to you to discuss setting the readoption date.

Let me know if you have any questions.

Julie

Julie B. Eddins

Publications Coordinator

NC Office of Administrative Hearings

Phone 984-236-1937 (direct) – new number effective March 14, 2025

julie.eddins@oah.nc.gov



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