

Burgos, Alexander N

From: Wiggs, Travis C
Sent: Thursday, January 30, 2025 1:55 PM
To: Wes Tripp
Cc: Burgos, Alexander N
Subject: RE: [External] Re: Periodic Review 21 NCAC 56

Sounds good, thanks!

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

From: Wes Tripp <wtripp@ncbels.org>
Sent: Thursday, January 30, 2025 1:51 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: [External] Re: Periodic Review 21 NCAC 56

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Travis,

Thanks for that information. I don't foresee the readoption process including any substantive changes or requiring a fiscal note. Let's do June 1, 2027.

—Wes



S. Wesley Tripp III
Board Counsel
North Carolina Board of Examiners for Engineers and Surveyors
wtripp@ncbels.org
Office: (919) 791-2000 Ext. 111
Mobile: (919) 906-9518

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Date: Thursday, January 30, 2025 at 1:45 PM
To: Wes Tripp <wtripp@ncbels.org>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] Re: Periodic Review 21 NCAC 56

[EXTERNAL]

Wes,

You have likely considered the factors below, but please review them to ensure your agency has considered how they may impact your readoption timeline.

- 150B-21.2(g), once you publish a rule in the Register, it starts the 1-year clock for adoption, or the publication expires.
- 26 NCAC 05.0212(c)(2) that requires agencies to file rules with the RRC within 30 days of adoption.
- Whether your agency will need to prepare any fiscal notes as required by G.S. 150B-21.4.
- Whether your agency will want to amend any rules after the public comment period and rulemaking hearing that may constitute a substantial change under 150B-21.2(g).

The Periodic Review/Readoption process is taking place over a 10-year period and involves all the state agencies subject to rulemaking. Seth and I are attempting to spread the rules out as much as possible while doing our best to accommodate the needs and priorities of each agency.

Since I sent you the email on January 7th, 159 rules are set for readoption by March 1, 2027. Thus, I'm proposing that your agency's readoption deadline be set for **April 1 or June 1, 2027**.

Please reply as soon as possible to confirm the readoption deadline of **April 1 or June 1, 2027** for your agency.

Thanks,

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

From: Wes Tripp <wtripp@ncbels.org>
Sent: Thursday, January 30, 2025 1:18 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: [External] Re: Periodic Review 21 NCAC 56

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Travis,

The Board agrees to a March 1, 2027 readoption deadline.

The Board's proposed timeline is as follows:

- File Notice of Text with OAH by September 24, 2026
- Publish Notice of Text in N.C. Register by October 15, 2026

- Hold public hearing in November 2026
- Complete 60-day public comment period by January 1, 2027
- Adopt Rules by March 1, 2027

Let me know if you need additional information.

—Wes



S. Wesley Tripp III

Board Counsel

North Carolina Board of Examiners for Engineers and Surveyors

wtripp@ncbels.org

Office: (919) 791-2000 Ext. 111

Mobile: (919) 906-9518

From: Wes Tripp <wtripp@ncbels.org>
Date: Tuesday, January 7, 2025 at 11:16 AM
To: Travis C Wiggs <travis.wiggs@oah.nc.gov>
Cc: Alexander N Burgos <alexander.burgos@oah.nc.gov>
Subject: Re: Periodic Review 21 NCAC 56

Thanks, Travis. I'll be in touch. Sending this email from Courtroom B by the way haha.

—Wes

S. Wesley Tripp III

Board Counsel

North Carolina Board of Examiners for Engineers and Surveyors

wtripp@ncbels.org

Office: (919) 791-2000 Ext. 111

Mobile: (919) 906-9518

Sent from my iPhone

On Jan 7, 2025, at 10:45 AM, Wiggs, Travis C <travis.wiggs@oah.nc.gov> wrote:

[EXTERNAL]

<image001.gif>

Good morning, Wes,

The attached periodic review report has been finalized. The next step is to set a deadline for the readoption of the 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 March 7, 2025. As a starting point, I would recommend a March 1, 2027, 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. Thank you.

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

From: McGhee, Dana <dana.McGhee@oah.nc.gov>
Sent: Thursday, January 2, 2025 1:14 PM
To: Wes Tripp <wtripp@ncbels.org>
Cc: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Subject: Periodic Review 21 NCAC 56

Good afternoon, Wes,

The determinations in the attached periodic review report for 21 NCAC 56 were effective December 31, 2024. Commission Counsel Travis Wiggs will reach out to you to discuss setting the readoption date for the rules in the report.

Let me know if you have any questions.

Dana McGhee
Publications Coordinator
Office of Administrative Hearings
984-236-1937
dana.mcghee@oah.nc.gov

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law N.C.G.S. Chapter 132 and may be disclosed to third parties.

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

<21 NCAC 56 - Necessary.pdf>