

Burgos, Alexander N

Subject: FW: RRC communications on website

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Thursday, January 23, 2025 8:56 AM
To: Premakumar, Rajeev K <raj.premakumar@dhhs.nc.gov>; Everett, Jennifer <jennifer.everett@deq.nc.gov>
Cc: Snyder, Ashley B <ashley.snyder@oah.nc.gov>; Niehaus, Virginia <virginia.niehaus@dhhs.nc.gov>; Rules, Oah <oah.rules@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: RRC communications on website

Good morning,

Yes, we will make that change on the January agenda. Thank you for bringing this to our attention.

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

From: Premakumar, Rajeev K <raj.premakumar@dhhs.nc.gov>
Sent: Wednesday, January 22, 2025 8:00 PM
To: Everett, Jennifer <jennifer.everett@deq.nc.gov>; Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Snyder, Ashley B <ashley.snyder@oah.nc.gov>; Niehaus, Virginia <virginia.niehaus@dhhs.nc.gov>; Rules, Oah <oah.rules@oah.nc.gov>
Subject: Re: RRC communications on website

Thank you, Jennifer. Yes, apologize for that confusion.

Rajeev K. Premakumar

Deputy General Counsel
Office of General Counsel

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

Office: [919-855-4800](tel:919-855-4800)

Raj.Premakumar@dhhs.nc.gov

Burgos, Alexander N

Subject: FW: RRC communications on website

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

Sent: Wednesday, January 22, 2025 7:26 PM

To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>; Premakumar, Rajeev K <raj.premakumar@dhhs.nc.gov>

Cc: Snyder, Ashley B <ashley.snyder@oah.nc.gov>; Niehaus, Virginia <virginia.niehaus@dhhs.nc.gov>; Rules, Oah <oah.rules@oah.nc.gov>

Subject: RRC communications on website

Hi Travis and Raj,

I am reviewing communications between you two on the January RRC agenda under readoptions regarding 15A NCAC 01. To be clear, DHHS only has authority of 15A NCAC 01O. The rest of the subchapters are under DEQ. DEQ has not authorized a readoption date for its subchapters in chapter 01. Will you please reflect that this RRC agenda item and the RRC's motion for readoption pertains to 15A NCAC 01O and not 15A NCAC 01.

Thank you.

Jennifer

Jennifer Everett
DEQ Rulemaking Coordinator
N.C. Depart. Of Environmental Quality
Office of General Counsel
1601 Mail Service Center
Raleigh, NC 27699-1601
Tele: (919)-707-8595
<https://deq.nc.gov/permits-rules/rules-regulations/deq-proposed-rules>

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law 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.

Burgos, Alexander N

From: Premakumar, Rajeev K
Sent: Wednesday, January 8, 2025 5:38 PM
To: Wiggs, Travis C
Cc: Burgos, Alexander N; Niehaus, Virginia
Subject: RE: Periodic Review 15A NCAC 01

Travis,

We agree with, and confirm, March 1, 2027 as the readoption deadline for 15A NCAC 01.

Thanks,
Raj

Rajeev K. Premakumar
Deputy General Counsel
Office of General Counsel
[NC Department of Health and Human Services](#)

Office: 919-855-4800
Mobile: 984-800-1117 (**primary**)
Raj.Premakumar@dhhs.nc.gov

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Wednesday, January 8, 2025 11:47 AM
To: Premakumar, Rajeev K <raj.premakumar@dhhs.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: Periodic Review 15A NCAC 01

Good morning,

The Periodic Review/Readoption process is taking place over a 10-year period and involves all the state agencies subject to rulemaking. My colleague 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.

We already have 157 rules that are set for readoption by February 1, 2027. Thus, I'm proposing that your agency's readoption deadline be set for March 1, 2027.

Please reply as soon as possible to confirm the readoption deadline of March 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: Premakumar, Rajeev K <raj.premakumar@dhhs.nc.gov>
Sent: Monday, January 6, 2025 2:24 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: Periodic Review 15A NCAC 01

Hello Travis,

We agree with your proposed readoption deadline of February 1, 2027 for 15A NCAC 01. Therefore, there are no rulemaking priorities that we have determined to be relevant to the timeline of readoption, as we are in agreement with RRC's proposed deadline.

Pursuant to [Rule 26 NCAC 05 .0212](#), below is our planned timeline for adoption:

Readoption plan – 15A NCAC 01

1. January – December 2025:
 - a. Engage staff in the readoption process.
 - b. Identify which rules, if any, could be readopted without substantive changes.
 - c. Identify which rules will require substantive changes in content, scope, and implementation.
2. January 2026 – February 1, 2027
 - a. Begin readoption of rules which can be implemented without substantive changes.
 - b. Consult with the Office of State Budget Management regarding development and its approval of fiscal notes where applicable.
 - c. Follow rulemaking procedures
 - i. Initial approval
 - ii. Approval of fiscal note (where applicable)
 - iii. Publication
 - iv. Notice to public and interested persons
 - v. Public comment period (public hearing if necessary)
 - vi. Final adoption
 - vii. Submission to RRC

NOTE: We may be able to move these rules to readoption sooner than February 2027, but agree with you about setting this readoption date at this point in time.

Thanks,
Raj

Rajeev K. Premakumar
Deputy General Counsel
Office of General Counsel
[NC Department of Health and Human Services](#)

Office: 919-855-4800
Mobile: 984-800-1117 (**primary**)
Raj.Premakumar@dhhs.nc.gov

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Monday, January 6, 2025 10:13 AM
To: Premakumar, Rajeev K <raj.premakumar@dhhs.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: Periodic Review 15A NCAC 01

Good morning,

I'm writing to remind you about the email below. The deadline to provide the required information is today.

Please review 26 NCAC 05 .0212 for the information required to be submitted to the RRC. The Rule essentially requires every agency to submit a general timeline of when your agency intends to complete each step in the permanent rulemaking process.

There are several factors your agency should consider when setting the readoption deadline. Please be mindful of 26 NCAC 05.0212(c)(2) that requires agencies to file rules with the RRC within 30 days of adoption. Remember to consider whether your agency will need to prepare any fiscal notes as required by G.S. 150B-21.4. Also, please account for 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).

Please let me know if you have any questions or concerns.

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: Thursday, November 7, 2024 3:49 PM
To: Premakumar, Rajeev K <raj.premakumar@dhhs.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: FW: Periodic Review 15A NCAC 01

Good afternoon,

The attached periodic review reports became effective October 29, 2024. 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.

The deadline for your agency to provide this information is **January 6, 2025**. As a starting point, I would recommend a February 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, November 7, 2024 12:33 PM
To: Premakumar, Rajeev K <raj.premakumar@dhhs.nc.gov>
Cc: Niehaus, Virginia <virginia.niehaus@dhhs.nc.gov>; Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Subject: Periodic Review 15A NCAC 01

Good afternoon,

The determinations in the attached periodic review report for 15A NCAC 01 were effective August 29, 2024. Commission Counsel Travis Wiggs will reach out to you to discuss setting the readoption date for the rules in the reports.

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.

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized State official. Unauthorized disclosure of juvenile, health, legally privileged, or otherwise confidential information, including confidential information relating to an ongoing State procurement effort, is prohibited by law. If you have received this email in error, please notify the sender immediately and delete all records of this email.