

## Burgos, Alexander N

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**From:** Upchurch, William  
**Sent:** Friday, June 12, 2026 4:21 PM  
**To:** Ascher, Seth M; TobaccoTrustFund@ncagr.gov  
**Cc:** Burgos, Alexander N  
**Subject:** RE: Periodic Review 02 NCAC 57

Seth,

Thank you so much for your time and guidance today. We accept your recommended proposal and will work in earnest to finalize the process at the appropriate time.

Best wishes and have a good weekend.

**William Upchurch**  
**Executive Director**  
**Tobacco Trust Fund Commission**  
**1080 Mail Service Center**  
**Raleigh, NC 27699-1080**  
**Tel: 919-733-2160**  
**Fax: 919-733-2510**  
[william.upchurch@ncagr.gov](mailto:william.upchurch@ncagr.gov)  
[www.tobaccotrustfund.org](http://www.tobaccotrustfund.org)



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**From:** Ascher, Seth M <seth.ascher@oah.nc.gov>  
**Sent:** Friday, June 12, 2026 4:18 PM  
**To:** Upchurch, William <william.upchurch@ncagr.gov>; TobaccoTrustFund@ncagr.gov  
**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>  
**Subject:** Re: Periodic Review 02 NCAC 57

William,

Thanks for reaching out to put this back on my radar. As we discussed on the phone, you are awaiting some statutory changes that may or may not necessitate changes to your rules. Given that you have a small ruleset

(currently 7 rules) my proposal is that we set your readoption deadline for January 1, 2030, even though you may readopt well before then.

Practically, this should give the legislature plenty of time to make your updates, and if they do you can go ahead and start the publication process immediately. If for some reason that doesn't happen, you could go through readoption as is starting the publication process in 2029.

Assuming that works for you, I will make the deadline recommendation at the June 25, 2026, RRC meeting at 10:00 AM.

Let me know if you have any questions.

**Seth Ascher**

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

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**From:** Upchurch, William <[william.upchurch@ncagr.gov](mailto:william.upchurch@ncagr.gov)>

**Sent:** Tuesday, January 13, 2026 5:18 PM

**To:** Ascher, Seth M <[seth.ascher@oah.nc.gov](mailto:seth.ascher@oah.nc.gov)>; [TobaccoTrustFund@ncagr.gov](mailto:TobaccoTrustFund@ncagr.gov) <[TobaccoTrustFund@ncagr.gov](mailto:TobaccoTrustFund@ncagr.gov)>

**Subject:** RE: Periodic Review 02 NCAC 57

Hey Seth,

We are open to any suggestion.

There is a possibility the General Statutes Commission may consider making some changes to our existing statute for later approval. How would that impact the current path we are on?

**William Upchurch**  
**Executive Director**  
**Tobacco Trust Fund Commission**  
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**From:** Ascher, Seth M <[seth.ascher@oah.nc.gov](mailto:seth.ascher@oah.nc.gov)>  
**Sent:** Friday, January 2, 2026 11:54 AM  
**To:** [TobaccoTrustFund@ncagr.gov](mailto:TobaccoTrustFund@ncagr.gov)  
**Subject:** Re: Periodic Review 02 NCAC 57

Good afternoon,

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 March 3, 2026. As a starting point, I would recommend a April 1, 2028 readoption deadline, but I am open to considering a different recommendation based on the needs of your agency.

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

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**From:** Julie B. Eddins <[julie.eddins@oah.nc.gov](mailto:julie.eddins@oah.nc.gov)>  
**Sent:** Friday, November 7, 2025 3:06 PM  
**To:** [TobaccoTrustFund@ncagr.gov](mailto:TobaccoTrustFund@ncagr.gov) <[TobaccoTrustFund@ncagr.gov](mailto:TobaccoTrustFund@ncagr.gov)>  
**Cc:** Ascher, Seth M <[seth.ascher@oah.nc.gov](mailto:seth.ascher@oah.nc.gov)>  
**Subject:** Periodic Review 02 NCAC 57

Good afternoon,

The determinations in the attached periodic review report for 02 NCAC 57 were effective September 30, 2025. Commission Counsel Seth Ascher 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\*\*](mailto:julie.eddins@oah.nc.gov)



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