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SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

The Honorable Ralph King Anderson, III
Administrative Law Judge

Appellate Case No. 2023-001351

Blue Ridge Environmental Defense League, Appellant,

v.

South Carolina Department of Health and
Environmental Control and Dominion Energy, Respondents.

APPELLANT'S DESIGNATION OF MATTER
TO INCLUDE IN THE RECORD ON APPEAL

Pursuant to Rule 209, SCACR, Appellant Blue Ridge Environmental Defense League designates the following material for inclusion in the record on appeal. Undersigned counsel certifies, pursuant to Rule 209(c), SCACR, that the designation contains no matter which is irrelevant to this appeal.

Administrative Law Court Orders

1. Final Order, filed July 24, 2023.

Transcripts

2. ALC Contested Hearing Transcript, from February 27, 2023 to March 1, 2023.
3. Blue Ridge Environmental Defense League's Deposition Page and Line Designations, submitted February 23, 2023 and all corresponding highlighted transcripts, including, but

not limited to, (a) SCRCF 30(b)(6) Deposition of S.C.D.H.E.C. taken in this matter on November 2, 2022, (b) SCRCF 30(b)(6) Deposition of Dominion Energy, Inc. (Priester) taken in this matter on December 15, 2022, and (c) SCRCF 30(b)(6) Deposition of Dominion Energy, Inc. (Shier) taken in this matter on December 15, 2022 .

Pleadings

4. Request for Board Review (RFR), submitted February 18, 2022.
5. Acknowledgement of Request for Final Review, dated February 23, 2022.
6. DHEC Staff Response to Request for Final Review, dated March 7, 2022.
7. DHEC Final Review Conference Denial, dated March 17, 2022.
8. Request for Contested Hearing, submitted April 13, 2022.
9. BREDL's Amended Pre-Hearing Statement, submitted December 14, 2022.
10. BREDL's Proposed Order, dated August 18, 2022.

DHEC Staff Decisions and Certification

11. DHEC Notice of Department Decision, dated February 4, 2022.
12. DHEC Certification, dated July 28, 2023.

Exhibits

13. Petitioner BREDL's Exhibit 2 – DHEC Notice of Department Decision – Water Quality Certification.
14. Petitioner BREDL's Exhibit 8 – SCDNR Comment Letter, dated June 15, 2021.
15. Petitioner BREDL's Exhibit 53 – Email dated June 28, 2021.
16. Petitioner BREDL's Exhibit 75 – Deposition of Charles Hightower, with highlighted designations.

17. Petitioner BREDL's Exhibit 76 – Deposition of Robert Priester, with highlighted designations.
18. Petitioner BREDL's Exhibit 77 – Deposition of Darell Shier, with highlighted Designations.
19. Respondent's Exhibit 1 - DHEC Notice of Department Decision – Water Quality Certification.
20. Respondent's Exhibit 2 – River Neck Road Corridor Pipeline Sizing Report
21. Respondent's Exhibit 3 – Terracon Report
22. Respondent's Exhibit 4 – Dominion Energy Letter, dated August 20, 2021.
23. Respondent's Exhibit 5 – Section 404 Individual Permit Application Supporting Documentations

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August 1, 2024