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SC Court of Appeals

THE 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 Environmental Services
and Dominion Energy, Respondents.

**RESPONDENT SOUTH CAROLINA DEPARTMENT OF
ENVIRONMENTAL SERVICES'
DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL**

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Attorneys for Respondent SCDES

Pursuant to Rule 209, SCACR, Respondent South Carolina Department of Environmental Services 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 Order

1. Final Order, issued July 24, 2023.

Transcripts

2. ALC Contested Case Hearing Transcript, from February 27, 2023 to March 1, 2023, specifically, pages: 13-19, 24, 34-35, 39, 42-43, 70-71, 81-83, 112-113, 119-127, 130-133, 135-138, 145-149, 154, 157-190, 192-195, 199, 204-211, 213, 217, 219-273, 274-281, 283, 285-288, 290-295, and 299.

Pleadings

3. Request for Board Review, submitted February 18, 2022.
4. DHEC Final Review Conference Denial, dated March 17, 2022.
5. Request for Contested Case Hearing, filed April 13, 2022.

Exhibits

6. Petitioner's Exhibit 8, South Carolina Department of Natural Resources Comment Letter, dated June 15, 2021.
7. Petitioner's Exhibit 75, Deposition of Charles Hightower, with highlighted designations.
8. Respondent's Exhibit 1, DHEC Notice of Department Decision, Water Quality Certification.
9. Respondent's Exhibit 2, River Neck Road Corridor Pipeline Sizing Report.

10. Respondent's Exhibit 5, Section 404 Individual Permit Application Supporting Documentation.

Respectfully Submitted,

/s/ Bennett W. Smith

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