

RECEIVED

Apr 08 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from the Administrative Law Court

The Honorable Deborah Brooks Durden
Administrative Law Judge

Appellate Case No. 2025-000379

SOUTH CAROLINA COASTAL CONSERVATION LEAGUE, APPELLANT,

v.

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL
CONTROL AND PULTE HOMES, LLC, RESPONDENTS.

**MOTION TO SUBSTITUTE THE SOUTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL SERVICES
AS RESPONDENT**

Pursuant to Rule 265(c), SCACR, the Respondent through the undersigned counsel respectfully moves this Court to substitute the South Carolina Department of Environmental Services (“SCDES”) as Respondent in this matter in place of the South Carolina Department of Environmental Control (“SCDHEC”).

Pursuant to Act No. 60, 2023 S.C. Acts 302, SCDHEC was abolished, and all of its functions, powers, and duties were transferred to and incorporated in SCDES, effective July 1, 2024. *See* S.C. Code Ann. §§ 1-30-140 and 48-6-20(A).

Accordingly, the undersigned request that the Court enter an order granting this Motion and substituting SCDES as Respondent in this matter.

Respectfully Submitted,

/s/ Joseph A. Giordano

Joseph A. Giordano
Assistant General Counsel
SC Bar No. 104500
Joseph.Giordano@des.sc.gov

Christopher P. Whitehead
Assistant General Counsel
SC Bar No. 100264
Christopher.Whitehead@des.sc.gov

South Carolina Department of
Environmental Services,
2600 Bull Street
Columbia, South Carolina 29201

April 8, 2025

RECEIVED

Apr 08 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from the Administrative Law Court

The Honorable Deborah Brooks Durden
Administrative Law Judge

Appellate Case No. 2025-000379

SOUTH CAROLINA COASTAL CONSERVATION LEAGUE, APPELLANT,

v.

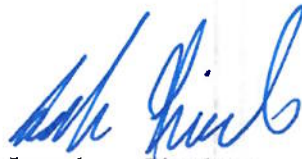
SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL
CONTROL AND PULTE HOMES, LLC, RESPONDENTS.

CERTIFICATE OF SERVICE

I, Joseph A. Giordano, attorney for the South Carolina Department of Environmental Services, hereby certify that I have on this 8th day of April, 2025, served the Department's **Motion to Substitute the South Carolina Department of Environmental Services as Respondent** upon all parties via e-mail sent to the primary AIS e-mail address for counsel of record, as follows:

Amy Armstrong, Esquire
Leslie Lenhardt, Esquire
Monica Whalen, Esquire
South Carolina Environmental Law Project
Post Office Box 1380
Pawleys Island, South Carolina 29585
Tel: (843) 527-0078
Email: amy@scelp.com
leslie@scelp.com
monica@scelp.com

Mary D. Shahid, Esquire
Cheryl D. Shoun, Esquire
Maynard Nexsen
Post Office Box 486
Charleston, South Carolina 29402
Tel: (843) 577-9440 Email:
mshahid@maynardnexsen.com
cshoun@maynardnexsen.com



/s/ Joseph A. Giordano

Joseph A. Giordano, SC Bar No. 104500
Assistant General Counsel

Christopher P. Whitehead, SC Bar No. 72265
Assistant General Counsel

South Carolina Department of
Environmental Services

2600 Bull Street

Columbia, South Carolina 29201

Tel: (803) 898-7286

Email: Joseph.Giordano@des.sc.gov

Christopher.Whitehead@des.sc.gov

Attorneys for Respondent South Carolina
Department of Environmental Services

April 8, 2025
Columbia, South Carolina

SCCCL v. SCDES/Pulte Homes (Case No. 2025-000379) Motion to Substitute DHEC/DES

From Joseph A. Giordano <Joseph.Giordano@des.sc.gov>

Date Tue 4/8/2025 3:21 PM

To amy@scelp.org <amy@scelp.org>

Cc leslie@scelp.org <leslie@scelp.org>; monica <monica@scelp.org>; Mary D. Shahid <mshahid@maynardnexsen.com>; Cheryl D. Shoun <CShoun@maynardnexsen.com>; Christopher P. Whitehead <Christopher.Whitehead@des.sc.gov>; Sandra R. Wessinger <Sandra.Wessinger@des.sc.gov>

 1 attachment (143 KB)

Motion to Substitute DES for DHEC.pdf;

Good Afternoon,

Attached is a copy of SCDES's Motion to Substitute DHEC as SCDES and accompanying Certificate of Service for the above-referenced matter.

Joseph A. Giordano (he/him)
Assistant General Counsel
Office of General Counsel
South Carolina Department of Environmental Services

Office: 803-898-1309

Joseph.Giordano@des.sc.gov

DES.SC.gov



Please note my new email address with the South Carolina Department of Environmental Services (SCDES), which [launched as a new state agency](#) on July 1, 2024. While my old DHEC email will direct to me for a while, please update your address book with my new SCDES contact information.



SC DEPARTMENT of
**ENVIRONMENTAL
SERVICES**

Joseph A. Giordano
Office of General Counsel
2600 Bull Street
Columbia, South Carolina 29201

April 8, 2025

Via Email: ctappfilings@sccourts.org

Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RECEIVED
Apr 08 2025
SC Court of Appeals

Re: South Carolina Coastal Conservation League vs. South Carolina Department of Environmental Services and Pulte Homes, LLC
Appellate Case No.: 2025-000379

Dear Madam Clerk:

Please find enclosed the Department's **Motion to Substitute The South Carolina Department of Environmental Services as Respondent** and accompanying **Certificate of Service** for filing in the above-referenced matter.

Thank you for your assistance with this matter. Please contact our office should you have questions or need additional information.

Sincerely,

/s/ Joseph A. Giordano _____

Joseph A. Giordano
Assistant General Counsel

Enclosures

cc: Amy Armstrong, Esquire (amy@scelp.com)
Leslie Lenhardt, Esquire (leslie@scelp.com)
Monica Whalen, Esquire (monica@scelp.com)
Mary D. Shahid, Esquire (mshahid@maynardnexsen.com)
Cheryl D. Shoun, Esquire (cshoun@maynardnexsen.com)