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May 15 2025

SC Court of Appeals

EXHIBIT-A

Appellant Return to Motion to Strike

May 15, 2025

Fw: Appeal No. 2025-000288 - SCDES clarification regarding transcript correspondence

From J Cameron Halford <Cam@halfordlaw.net>

Date Thu 5/15/2025 8:02 PM

To Lucy Longstory <lucylongstory@gmail.com>; Lucy Longstory <lucy@halfordlaw.net>

From: J Cameron Halford <Cam@halfordlaw.net>

Sent: Wednesday, May 14, 2025 9:14 AM

To: Joanni Long <joanni@halfordlaw.net>

Subject: Fw: Appeal No. 2025-000288 - SCDES clarification regarding transcript correspondence

From: Dawn K. Miller <Dawn.Miller@des.sc.gov>

Sent: Tuesday, March 18, 2025 11:01 PM

To: J Cameron Halford <Cam@halfordlaw.net>; ctappfilings@sccourts.org <ctappfilings@sccourts.org>

Cc: Joanni Long <joanni@halfordlaw.net>; aware@williamsmullen.com <aware@williamsmullen.com>; Trail, Ryan <rtrail@williamsmullen.com>; production@southernreporting.net <production@southernreporting.net>

Subject: Appeal No. 2025-000288 - SCDES clarification regarding transcript correspondence

Dear Ms. Harrison, Counsel, and Court Reporter,

Program staff within the S.C. Department of Environmental Services (Department) received an inquiry from a court reporter (Southern Reporting) regarding the transcript request submitted by appellant's counsel, asking if the Department has any objection to their providing the transcript. The transcript referenced in the request to Southern Reporting is a transcript of a public hearing on a draft permit held on October 30, 2023 by the Department's predecessor, the S.C. Department of Health and Environmental Control (DHEC). While we have no objection to the court reporter sharing another copy of the public hearing transcript with appellant's counsel, the Department wishes to clarify for the parties and the Court that the referenced October 30, 2023 public hearing occurred outside of these court proceedings, and the transcript of that public hearing would not be a transcript of proceedings in this case under Rule 207 of the SCACR. The S.C. Administrative Law Court did not hold a hearing in the proceedings below.

By letter, appellant's counsel has also asked about obtaining a transcript of discussions occurring prior to the referenced DHEC public hearing. Only the public hearing was transcribed by court reporter; the public meeting that occurred prior to the formal public hearing was not subject to transcription.

Please advise should the Court have any questions or require a return by the Department.

Also, as a reminder to the parties, please be sure to direct future email or other correspondence to Department counsel in this case to myself (Dawn Miller).

Sincerely,

Dawn Miller
Assistant General Counsel

C: 803.528.1285

Dawn.Miller@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.

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