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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. 2025-000288

Walter Buchanon,

Appellant,

v.

South Carolina Department of Environmental Services and
Silfab Solar, Inc.

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 (“Department”) 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. Order of Dismissal, December 23, 2024.
2. Order Denying Motion for Reconsideration, January 17, 2025.

Pleadings

3. (Unsigned) Request for Contested Case Hearing, dated August 29, 2024, and received by ALC on September 9, 2024, with attachments, including:
 - a. Cover Letter
 - b. “Agency Information Sheet and Notice of Appearance” (subsequently returned to Appellant)
 - c. First page of Permit No. CP-50000090 v.1.0
 - d. Letter from SCDES General Counsel to Mr. Halford, dated August 16, 2024.
 - e. Petition for Final Review, submitted to SCDES on August 14, 2024.
4. (Signed) Request for Contested Case Hearing Form and court-stamped Cover Letter, submitted to ALC on October 2, 2024, and filed on October 5, 2024.
5. Pre-Hearing Statement by Petitioner Walter Buchanan, filed November 26, 2024.
6. Pre-Hearing Statement by Respondent Silfab Solar, filed November 26, 2024.
7. Pre-Hearing Statement by Respondent SCDES, filed on November 27, 2024.
8. Respondents’ Joint Notice and Motion to Dismiss, filed November 27, 2024, with attachments, including:

- a. Affidavit of Denise Hall, dated November 26, 2024.
 - b. Exhibit A to Affidavit of Denise Hall (Permit No. CP-50000090 v.1.0).
 - c. Exhibit B to Affidavit of Dense Hall (Air Compliance Analysis Summary Sheet).
 - d. Exhibit C to Affidavit of Denise Hall (July 30, 2024, Letter).
9. Petitioner Motion to Reconsider, Alter, or Amend Judgment, filed January 2, 2025.
 10. Petitioner Memorandum in Support of Petitioner Motion for Reconsideration, filed January 2, 2024, with attachments, including:
 - a. Excerpted page (p.8) from DHEC Response to Comments received on Permit No. CP-50000090 v.1.0
 - b. Assorted email correspondence (five pages total, including: Sept. 12, 2023, email from David Nasol (DHEC) to Matt Korzelius (Silfab Solar); Sept. 19, 2023, emails exchanged between Matt Korzelius (Silfab Solar) and David Nasol (DHEC); and Feb. 28, 2024, email from Matt Korzelius (Silfab Solar) to Denise Hall (DHEC))
 11. Respondent SCDES Response in Opposition to Petitioner's Motion for Reconsideration, filed January 10, 2025.
 12. Respondent Silfab Solar, Inc.'s Response to Petitioner Motion to Reconsider, Alter, or Amend Judgment, filed January 10, 2025.
 13. Petitioner Notice of Appeal, served February 14, 2025.

Other ALC Correspondence

14. Memorandum from ALC Clerk to Mr. Halford, dated September 10, 2024.
15. Email correspondence between ALC Clerk and Mr. Halford, dated October 2, 2024.

Respectfully submitted,

/s/ Dawn K. Miller

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July 21, 2025

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