

**Dec 08 2025****SC Court of Appeals****STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT**

Friends of Horse Creek Valley,

Docket No. 24-ALJ-07-0316-CC

Petitioner,

vs.

**ORDER DENYING PETITIONER'S MOTION  
FOR RECONSIDERATION**South Carolina Department of  
Environmental Services and Rabbit Hill  
Class 2 Landfill,

Respondents.

This matter came before the Administrative Law Court (ALC or court) pursuant to a request for a contested case filed by Friends of Horse Creek Valley (Petitioner). The Petitioner challenged the South Carolina Department of Environmental Services' (Department and DES) decision to grant Rabbit Hill Class 2 Landfill (Respondent or Rabbit Hill) a Demonstration of Need (DON) replacement variance for its proposed solid waste management facility.

On October 14, 2025, the court issued an Order Granting Respondent Rabbit Hill's Motion for Summary Judgment and Denying Petitioner's Motion for Summary Judgment. In its order, the court found that the Respondent's proposed landfill qualified for a DON variance and that the Respondent was entitled to judgment as a matter of law.

Thereafter, on October 22, 2025, the Petitioner filed a Motion for Reconsideration (Motion) arguing that the court erred in granting the Respondent's motion for summary judgment and denying its motion for summary judgment. The Motion largely reiterates the Petitioner's arguments from its motion for summary judgment and asserts that the court erred by not adopting its position. On October 31, 2025, Rabbit Hill and DES filed a joint response in opposition to the Motion (Response) arguing that the court ruled on all of the Petitioner's arguments in its order and that the Motion fails to articulate any issue warranting reconsideration.

After careful consideration of the Motion and Response, the court finds the Motion to be without merit. The Petitioner failed to establish any error in the court's decision or identify any point that was overlooked or misapprehended by the court. As such, the Motion must be denied.

**ORDER**

**THEREFORE**, for the foregoing reasons, the Petitioner's Motion for Reconsideration is hereby **DENIED**.

**AND IT IS SO ORDERED.**




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S. Phillip Lenski  
S.C. Administrative Law Judge

November 18, 2025  
Columbia, South Carolina

CERTIFICATE OF SERVICE

I, Erika S. Easler, hereby certify that I have this date served this Order upon all parties to this cause by depositing a copy hereof, in the United States mail, postage paid, or by electronic mail to the address provided by the party(ies) and/or their attorney(s).

A handwritten signature in black ink, appearing to read "Erika S. Easler", written in a cursive style. The signature is positioned above a solid horizontal line.

Erika S. Easler  
Judicial Law Clerk

November 18, 2025  
Columbia, South Carolina