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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT
S. Phillip Lenski, Administrative Law Judge

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

Friends of Horse Creek Valley,

Appellant,

v.

South Carolina Department of Environmental Services and Rabbit Hill Class 2 Landfill,

Respondents.

**APPELLANTS' DESIGNATION OF MATTERS TO BE INCLUDED IN THE RECORD
ON APPEAL**

Appellant proposes to include the following in the Record on Appeal:

1. Request for Contested Case Hearing, filed August 16, 2024.
2. Notice of Assignment, filed August 26, 2024.
3. Notice of Appearance and Agency Information Sheet with attachments, filed September 5, 2024.
4. Order for Prehearing Statements, filed September 16, 2024.
5. Respondent South Carolina Department of Environmental Services' Prehearing Statement, filed October 22, 2024.
6. Petitioner's Prehearing Statement, filed October 22, 2024.
7. Respondent Rabbit Hill Class 2 Landfill's Prehearing Statement, filed October 22, 2024.

8. Petitioner's Motion for Summary Judgment including exhibits: (1) Report from G.L. Williams' Consultant; (2) Initial Landfill Permit; (3) 2017 Annual Report; (4) B&K Email Correspondence; (5) 2023 Application; and (6) DON Map from 2023 DHEC Annual Solid Waste Report, filed February 10, 2025.
9. Respondent South Carolina Department of Environmental Services' Response in Opposition to Petitioner's Motion for Summary Judgment and Cross-Motion for Summary Judgment, filed March 17, 2025.
10. Respondent Rabbit Hill Class 2 Landfill's Response to Petitioner's Motion for Summary Judgment and Cross-Motion for Summary Judgment, including (1) Public Notice Materials exhibit; and (2) April 23, 2023 Smith+Gardner correspondence exhibit, filed March 18, 2025.
11. Petitioner's Response and Reply to Respondents' Cross-Motions for Summary Judgment, filed April 11, 2025.
12. Respondent Rabbit Hill Class 2 Landfill's Reply to Petitioner's Response to Motion for Summary Judgment, filed May 1, 2025.
13. Transcript of the hearing held on June 26, 2025 before the Honorable S. Phillip Lenski.
14. Order on Summary Judgment, filed October 14, 2025.
15. Petitioner's Motion for Reconsideration, filed October 22, 2025.
16. Defendants' Response to Motion for Reconsideration, filed October 31, 2025.
17. Order Denying Motion to Reconsider, filed November 18, 2025.

SCACR Rule 209 Certification

The undersigned certifies this Designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,

SOUTH CAROLINA ENVIRONMENTAL LAW PROJECT

s/Michael G. Corley

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April 22, 2026

Pawleys Island, South Carolina