

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

The Honorable Carolyn C. Matthews, Administrative Law Judge
Trial Court Case No. 2013-ALJ-07-0494-CC

Case No. 2014-001939

James Weatherholtz, Appellants,

v.

South Carolina Department of Health and
Environmental Control, Respondents.

**Initial Designation of Matter of Respondent South Carolina
Department of Health and Environmental Control**

Bradley D. Churdar, Associate General Counsel
SCDHEC
1362 McMillan Ave., Ste 400
North Charleston, SC 29405
(843) 953-0213

Attorney for Respondent

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SC Court of Appeals

The Appellant South Carolina Department of Health and Environmental Control

(Department) proposes the following be included in the Record on Appeal:

- | | | |
|-----|--|------------|
| 1. | DHEC Board Final Review Conference denial letter | 9/16/2013 |
| 2. | Request for Contested Case | 10/14/2013 |
| 3. | Notice of Assignment | 10/22/2013 |
| 4. | DHEC's Agency Information Sheet | 11/19/2013 |
| 5. | Order for Prehearing Statements | 12/06/2013 |
| 6. | Department's Prehearing Statement | 12/23/2013 |
| 7. | Petitioner's Prehearing Statement | 12/27/2013 |
| 8. | Department's cover letter to ALC and opposing counsel submitting Respondent's Exhibits in advance of trial | 2/18/2014 |
| 9. | Petitioner's Motion for Reconsideration and Motion for Admission of Petitioner's Exhibit 16 | 3/13/2014 |
| 10. | Department's Return to Petitioner's Motion for Reconsideration | 3/24/2014 |
| 11. | Order Denying Motion for Admission of Petitioner's Exhibit 16 | 4/03/2014 |
| 12. | Final Order and Decision | 6/19/2014 |
| 13. | Petitioner's Motion for Reconsideration | 6/27/2014 |
| 14. | Department's Return to Motion for Reconsideration | 7/18/2014 |
| 15. | Amended Final Order and Decision | 8/12/2014 |
| 16. | Trial Transcript pages 3 to 234 | |
| 17. | Respondent's Trial Exhibits 1 thru 5 | |

I certify that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,



Bradley D. Churdar, Chief Counsel
**SOUTH CAROLINA DEPARTMENT OF
HEALTH AND ENVIRONMENTAL CONTROL**
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405
churdabd@dhec.sc.gov

*Attorney for Respondent
South Carolina Department of Health
and Environmental Control*

March 19, 2015
Charleston, South Carolina

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Case No. 2014-001939

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PROOF OF SERVICE

The undersigned hereby certifies that on this date she has served the *Respondent SCDHEC's Initial Brief and Designation of Matter to be Included in the Record on Appeal* in this matter upon the following, by placing copies of same in the United States Mail, first class postage prepaid, addressed to:

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

Andrew R. de Holl, Esquire
Womble Carlyle Sandridge & Rice, LLP
Post Office Box 999
Charleston, South Carolina 29402


M. Denise Crawford

March 19, 2015
Charleston, South Carolina



W. Marshall Taylor Jr., Acting Director

Promoting and protecting the health of the public and the environment

March 19, 2015

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

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SC Court of Appeals

Re: James Weatherholtz v. SCDHEC
Appellate Case No. 2014-001939

Dear Ms. Kitchings:

Please find enclosed the original and one (1) copy of the Respondent SCDHEC's Initial Brief and Designation of Matter to be Included in the Record on Appeal in the above referenced case. I would appreciate your returning a clocked copy in the enclosed envelope.

By copy of this letter, I am serving all parties of the same.

Very truly yours,

Bradley D. Churdar
Chief Counsel

BDC/mdc

cc: Andrew R. de Holl, Esquire

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