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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In The Court Of Appeals**

APPEAL FROM THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT

The Honorable John D. McLeod, Administrative Law Judge

**Case No. 13-ALJ-07-0395-CC
Appellate Case No. 2015-000700**

Rick Still, Donice Still, Christine Orr and Terry Orr Appellants,

v.

South Carolina Department of Health and Environmental Control,
Lisa Sumerel and Sumerel Poultry Farm Respondents.

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

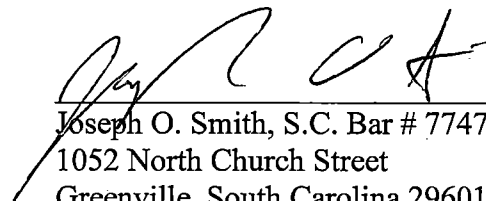
Appellants propose the following to be included in the Record on Appeal:

- 1) Final Order and Decision filed January 12, 2015
- 2) Motion to Reconsider and Memorandum in Support filed January 22, 2015
- 3) DHEC Response to Petitioners' Motion to Reconsider filed February 5, 2015
- 4) February 6, 2015 Letter to Administrative Law Court Re: DHEC response to Motion to Reconsider
- 5) February 11, 2015 Email from Administrative Law Court re: DHEC response to Motion to Reconsider
- 6) Transcript of Trial
- 7) Comprehensive Nutrient Management Plan for Sumerel Farm (DHEC 11-133)
- 8) Dead Animal Disposal Plan (DHEC 284-319)

- 9) Permit – 19647-AG issued June 12, 2013 (DHEC 00001-3)
- 10) DHEC “Chronology of the Sumerel Farm Permit Issuance” (DHEC 403-404)
- 11) Agricultural Permitting Review Checklist Summary (DHEC 000005-10)
- 12) April 27, 2012 DHEC letter to L. Sumerel re Preliminary Site Approval
(DHEC 180-81)
- 13) October 11, 2012 William Chaplin Memo to On-Site Wastewater Management,
Bureau of Environmental Health (DHEC 279-81)
- 14) October 16, 2012 Bureau of Air Quality Memo re Review of Air Quality Issues
(DHEC 185-86)
- 15) Preliminary Site Inspection Request dated June 24, 2013 (Composter) (DHEC
429)
- 16) June 27, 2013 DHEC letter to L. Sumerel re PSI for Composter (DHEC 430)
- 17) Notice of Appeal dated April 2, 2015

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

ROE CASSIDY COATES & PRICE, P.A.



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1052 North Church Street
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Attorneys for Appellants

June 8, 2015

Greenville, South Carolina

Other Counsel Of Record:

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*Attorney for Respondents Lisa Sumerel
and Sumerel Poultry Farm*

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PROOF OF SERVICE

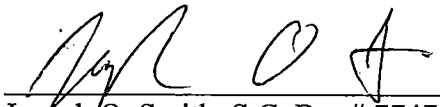
I certify that I have served the Appellants' Initial Brief and Designation of Matter on the Respondents Lisa Sumerel and Sumerel Poultry Farm and South Carolina Department of Health and Environmental Control by depositing a copy of it in the United States Mail, postage pre-paid, this 8th day of June, 2015, addressed as follows:

Stephen P. Hightower
Assistant General Counsel
Office of the General Counsel
Bureau of Water & Special Enforcement
South Carolina DHEC
2600 Bull Street
Columbia, SC 29201
Attorney for Respondent SC DHEC

Thomas E. Hite, III
Hite & Stone
P.O. Box 805
Abbeville, SC 29620
*Attorney for Respondents Lisa Sumerel
and Sumerel Poultry Farm*

(signature on following page)

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June 8, 2015
Greenville, South Carolina



**Roe Cassidy
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June 8, 2015

VIA FEDERAL EXPRESS

The Hon. Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

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SC Court of Appeals

Re: Rick Still, Donice Still, Christine Orr and Terry Orr v. South Carolina Department of Health and Environmental Control and Lisa Sumerel and Sumerel Poultry Farm
Appellate Case No. 2015-000700
RCCP 2015.0002

Dear Ms. Kitchings:

Enclosed please find the original and one copy of the **Appellants' Initial Brief and Designation of Matter** in the above-referenced appeal. Also enclosed is a Proof of Service for the same. Please file the enclosed documents in your usual manner and kindly return a clocked copy of the same to me in the stamped, self-addressed envelope provided herein.

If you have any questions or concerns, please do not hesitate to call. Thank you for your assistance.

With kind regards, I am

ROE CASSIDY COATES & PRICE

Ellen S. Griffin
Paralegal to Joseph O. Smith

Enclosures: (as stated above)

cc: Stephen P. Hightower w enclosures
Thomas E. Hite, III w enclosures

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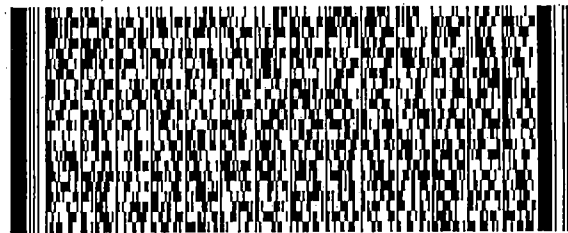
Hon. Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
1220 Senate Street

COLUMBIA, SC 29201

Ref # Still Appeal 2105.0002
Invoice #
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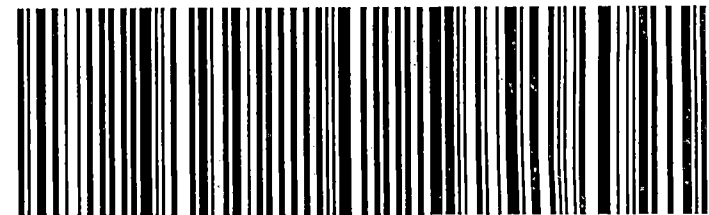
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