

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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OCT 14 2015

S.C. Supreme Court

Sierra Club,

Respondent,

v.

South Carolina Department of Health and Environmental Control and Chem-Nuclear Systems,
LLC,

Defendants,

of whom Chem-Nuclear Systems, LLC is Petitioner.

Appellate Case No. 2015-001915

**SIERRA CLUB'S MOTION FOR AN
EXTENSION TO FILE A RETURN TO CHEM-NUCLEAR
SYSTEMS, LLC'S PETITION FOR CERTIORARI**

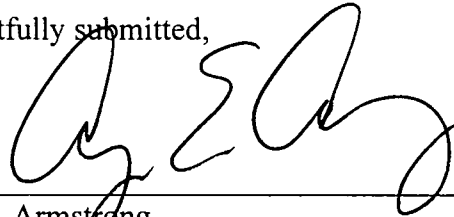
TO: THE SUPREME COURT OF SOUTH CAROLINA AND THE DEFENDANTS AND
THEIR ATTORNEYS:

Sierra Club hereby moves the Supreme Court for leave to file its Return to the Petition for Certiorari. The Return is presently due on October 12, 2015 and the Respondent requests and additional two weeks such that the Return would be due on October 23. Counsel for the South Carolina Department of Health and Environmental Control and Chem-Nuclear Systems, LLC both consent to this motion.

This request is based on extenuating circumstances that counsel for Sierra Club has faced over the past ten (10) days. Counsel's parents and brother traveled from Columbia to her home in Pawleys Island for an annual fundraising event on October 3rd. The event itself required

significant time, particularly last minute re-organizing due to the weather. Then counsel's family became trapped in Pawleys Island, trying to gather information about their home and belongings, but unable to return to Columbia until October 8th due to multiple road and bridge closures. Counsel had to close her office on Monday, October 5th, due to flooding in and around the office. Thankfully counsel's office did not suffer any permanent damage, but the flooding events interfered with routine business, including an entire day without internet service. Also during that time, counsel's eleven (11) year old english mastiff passed away on October 6th after several difficult weeks, causing counsel to miss another day of work. For these reasons, counsel has been unable to spend the necessary time to prepare an adequate response to the petition for certiorari and asks the Court for a two-week extension pursuant to Rule 263 of the South Carolina Rules of Appellate Procedure.

Respectfully submitted,



Amy E. Armstrong
SOUTH CAROLINA ENVIRONMENTAL LAW
PROJECT

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Attorneys for Sierra Club

Georgetown, South Carolina

October 12, 2015

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CERTIFICATE OF SERVICE

I hereby certify that on this date I served the foregoing Sierra Club's Motion for an extension to File a Return to the Petition for Certiorari of the Petitioner, Chem-Nuclear Systems, LLC on counsel for all parties, by placing copies of the same in the United States Mail, first-class postage prepaid, addressed to:

Mary D. Shahid, Esquire
McNair Law Firm, P. A.
P. O. Box 1431
Charleston, SC 29402

Claire H. Prince, Special Counsel
S.C. Department of Health and
Environmental Control
2600 Bull Street, Columbia SC 29201



Amy E. Armstrong

Georgetown, South Carolina

October 12, 2015

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SC SUPREME COURT



The South Carolina Environmental Law Project
Lawyers for the Wild Side of South Carolina

October 12, 2015

a 501c3
non-profit organization

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Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
P. O. Box 11330
1231 Gervais Street
Columbia, SC 29211

RE: Sierra Club v. DHEC;
Appellate Case No. 2015-001915

Dear Mr. Shearouse:

Enclosed for filing please find the original and seven (7) copies of the Sierra Club's Motion for Extension to File a Return to the Petition for Certiorari of the Petitioner, Chem-Nuclear Systems, LLC.

Please return a clocked-in copy in the prepaid envelope provided.

Thank you very much for your kind cooperation and assistance.

Yours very truly,

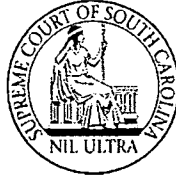

Amy E. Armstrong

cc: Mary D. Shahid, Esquire
Claire H. Prince, Esquire

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SC SUPREME COURT



The Supreme Court of South Carolina

SC Environmental Law Project

10/14/2015

RECEIPT #77556

Case No: 2015-001915
Case Short Title: Sierra Club v. Chem-Nuclear
Event: Motion - Extension of Time (1st)
Fee Type: Motion Fee
Amount: \$25.00
Payment Type: Check
Reference No: 8222
Check/Money Order Date: 10/12/2015
Comments: