



Catherine B. Templeton, Director  
*Promoting and protecting the health of the public and the environment*

December 4, 2012

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

RECORDED

DEC 06 2012

SC COURT OF APPEALS

Re: *DTG Holdings, LLC v. SCDHEC*  
Case Tracking #: 2011191826

Dear Ms. Kitchings:

The Record on Appeal in the above referenced matter was due on November 15, 2012, which included fifteen (15) additional days as requested by the Department. I am writing to clarify the date of mailing noted on the Certificate of Service. As you are aware from our communication with your office, we encountered several problems in obtaining, verifying, and copying the exhibits included in the Record on Appeal. Due to technical problems at the Administrative Law Court, the Department did not receive the final exhibits until approximately 3:00 PM on November 15, 2012. Immediately upon receipt, Department staff began the copying and binding of the Record on Appeal. However, the complete Record with needed copies was not complete and ready for mailing until 3:30 AM. Immediately upon completion, the Record was delivered to the Post Office at approximately 4:00 AM. Therefore, I wanted to write and clarify that my Certificate was dated November 15, 2012, but the actual mailing was not technically delivered to the US Postal Service until the early hours of November 16, 2012.

I apologize for any confusion, but felt it was important to clarify this matter. If you have any questions or need any additional clarification, please contact me.

Very truly yours,

Bradley D. Churdar  
Chief Counsel

BDC/mdc

cc: Mary D. Shahid, Esquire

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SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

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