

The Supreme Court of South Carolina

Sierra Club, Respondent,

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OCT 26 2017

SC Court of Appeals

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

Lower Court Case No. 2004-ALJ-07-0126CC

ORDER

Based on the vote of the Court, the petition for a writ of certiorari is granted. The parties are also directed to brief the following issue:

In holding substantial evidence did not support a finding that petitioner was in compliance with S.C. Code Ann. Regs. 61-63 (2011 & Supp. 2017), did the Court of Appeals erroneously shift the burden of proof to petitioner?

The parties shall proceed to serve and file the appendix and briefs addressing the aforementioned questions as provided by Rule 242(i), SCACR.

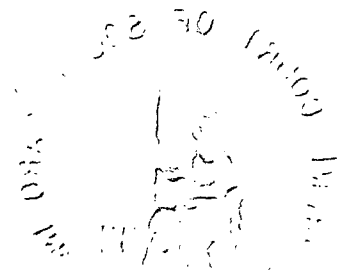
FOR THE COURT

BY



CLERK

Few, J., not participating



Columbia, South Carolina

October 26, 2017

cc:

Mary Duncan Shahid, Esquire
Stephen Peterson Groves, Sr., Esquire
Sara S. Rogers, Esquire
Amy Elizabeth Armstrong, Esquire
Michael Gary Corley, Esquire
Robert Guild, Esquire
Jacquelyn Sue Dickman, Esquire
Claire Harley Prince, Esquire
The Honorable Jana E. Shealy
The Honorable Jenny Abbott Kitchings