

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM THE ADMINISTRATIVE LAW COURT  
Shirley C. Robinson, Administrative Law Judge

---

Appellate Case No. 2017-00066

---

RECEIVED  
NOV 20 2017  
SC Court of Appeals

Pickens County,

vs.

South Carolina Department of Health and Environmental Control and  
MRR Pickens, LLC,

Appellant,

Respondents.

---

**MOTION TO EXCEED PAGE LIMITS**

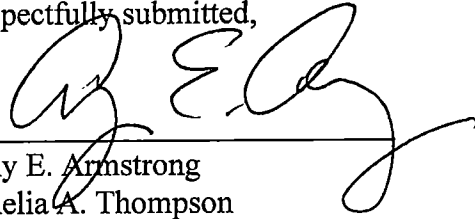
---

Concurrent with this Motion, Appellant is filing an Initial Reply Brief, responding to arguments submitted in separate briefs filed by the Respondents. The substance of Appellant's Reply Brief is twenty-five pages in length, with four additional pages for the cover sheet, table of contents, and table of authorities. Given that Appellant is replying to two separate opening briefs with one reply, Appellant believes that its Reply Brief is within the applicable page limits; however, out of an abundance of caution, Appellant is filing this Motion, pursuant to Appellate Court Rule 208(b)(5), requesting permission to exceed the twenty-five page limit for reply briefs.

Specifically, the Appellant requests permission to submit a thirty-page brief replying to the briefs filed by the Respondents. **The Respondents have consented to such relief.**

\* \* \*

Respectfully submitted,



---

Amy E. Armstrong  
Amelia A. Thompson  
Michael G. Corley  
S.C. ENVIRONMENTAL LAW PROJECT  
Post Office Box 1380  
Pawleys Island, SC 29585  
Telephone: (843) 527-0078  
Fax: (843) 527-0540

Gary Poliakoff  
POLIAKOFF & ASSOCIATES, P.A.  
215 Magnolia Street  
Spartanburg, SC 29306  
Telephone: (864) 582-5472  
Fax: (864) 582-7280

Attorneys for the Appellant

Georgetown, South Carolina

November 16, 2017

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Shirley C. Robinson, Administrative Law Judge

Appellate Case No. 2017-000066

RECEIVED

NOV 20 2017

SC Court of Appeals

Pickens County,

vs.

South Carolina Department of Health and Environmental and  
MRR Pickens, LLC,

Appellant,

Respondents.

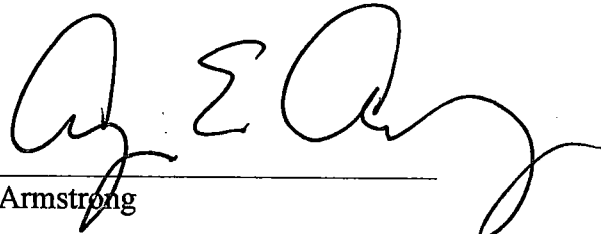
**CERTIFICATE OF SERVICE**

I hereby certify that on this date I served the foregoing Initial Reply Brief and Motion to Exceed Page Limit on Respondents SCDHEC and MRR Pickens, LLC, by placing copies of same in the U.S. Mail addressed to:

Jessica J. O. King  
P.O. Box 8116  
Columbia, SC 29202

Robert F. Goings  
914 Richland St #A101  
Columbia, SC 29201

Etta Linen  
SCDHEC, Legal Office  
2600 Bull Street  
Columbia, SC 29201

  
\_\_\_\_\_  
Amy E. Armstrong

November 16, 2017

Georgetown, SC



# South Carolina Environmental Law Project

Lawyers for the Wild Side of South Carolina

a 501c3  
non-profit organization

November 16, 2017

**Amy E. Armstrong**  
Executive Director  
**Michael G. Corley**  
Staff Attorney  
**Amelia A. Thompson**  
Staff Attorney  
**Jessie A. White**  
Staff Attorney

**MAIN OFFICE**  
430 Highmarket Street  
Georgetown, SC 29440

**MAILING ADDRESSES**  
P.O. Box 1380  
Pawleys Island, SC 29585

P.O. Box 5761  
Greenville, SC 29606

(843) 527-0078  
(864) 412-7921  
Fax (843) 527-0540  
E-mail: amy@scelp.org  
michael@scelp.org  
amelia@scelp.org  
jessie@scelp.org

#### BOARD OF DIRECTORS

**Greg VanDerwerker, MD**  
Chairperson

John Barton, Esq.  
Barbara Burgess, Esq.  
Nancy Cave  
Frances Close  
John Mark Dean, PhD  
Paula Feldman, PhD  
Allen Grumbine, Esq.  
Susan Hilfer  
Gary W. Poliakoff, Esq.  
Nancy Vinson  
Wendy Zara

#### BOARD MEMBER EMERITI

Daryl Hawkins, Esq.  
Robert Schofield

#### ADVISORY COUNCIL

Josh Eagle, Esq.

The Honorable Jenny Abbott Kitchings  
Clerk of Court, SC Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

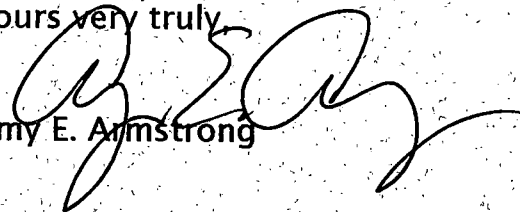
Re: Pickens County v. SCDHEC  
Appellate Case No. 2017-000066

Dear Ms. Kitchings:

Enclosed for filing, please find the original and one copy of the Appellant's Initial Reply Brief and an original and 7 copies of the Appellant's Motion to Exceed Page Limit, along with my certificate of service.

Please return a clocked-in copy of each of the filings in the enclosed, postage-paid envelop. Thank you for your assistance.

Yours very truly,

  
Amy E. Armstrong

cc: Etta R. Linen, Esquire  
Robert F. Goings, Esquire  
Jessica J. O. King, Esquire  
Gary Poliakoff, Esquire

RECEIVED

NOV 20 2017

SC Court of Appeals

*Post Office Box 1380  
Pawleys Island, SC 29585*



02 1P **\$ 003.50<sup>0</sup>**  
0004714816 NOV 16 2017  
MAILED FROM ZIP CODE 29440

The Honorable Jenny Abbott Kitchings  
Clerk of Court, SC Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

SC