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April 4, 2013

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

Re: *Town of Arcadia lakes, et al. v. South Carolina Department of Health  
and Environmental Control and Roper Pond, LLC*  
Case Tracking Number 2010159446; OGC #20827.1

Dear Ms. Kitchings:

This is to state that the Respondent South Carolina Department of Health and Environmental Control concurs with and joins in Sections III, IV, and V of Respondent Roper Pond, LLC's Return to Appellants' Petition for Rehearing filed on April 1, 2013. The Department respectfully takes no position on Sections I and II of the Return.

Very truly yours,

Stephen P. Hightower (SCBar. No. 72265)  
Assistant General Counsel

cc: Amy E. Armstrong, Esquire  
W. Thomas Lavender, Jr., Esquire  
Joan W. Hartley, Esquire

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