

August 12, 2026

Karl Gross, P.E.
Permits Chief – Waterways and Wetlands Program
PA Department of Environmental Protection
Northwest Regional Office
230 Chestnut Street
Meadville, PA 16335

Dear Mr. Gross:

Subject: Response to Technical Deficiency Letter M
Mercer Node Development
Auth ID 1567561, Application No. PAD430004
Sharon City, Mercer County
CEC Project: 353-024

On behalf of Mercer Node Property, LLC, Civil and Environmental Consultants, Inc. (CEC) is responding to the July 16, 2026 Individual NPDES Permit Application Technical Deficiency Letter from the Pennsylvania Department of Environmental Protection (PADEP) regarding activities associated with the proposed Mercer Node Development in Sharon City, Mercer County, Pennsylvania.

E&S Technical Review Comments

Comment 1: Please submit proof of coordination with PHMC regarding above-ground resources. §102.6(a)(1)

RESPONSE: On May 20, 2026, the Pennsylvania State Historic Preservation Office (PA SHPO) requested an above ground resource survey proposal be submitted for the project. The above ground survey proposal was provided to PA SHPO on July 13, 2026 and subsequently approved by PA SHPO on July 27, 2026. Project correspondence to date are enclosed for reference.

Comment 2: Please provide USFWS PNDI species list and any appropriate clearances; this was not found in incompleteness resubmission. Please note that permit coverage may not be approved until clearance letters are received. §102.6(a)(2)

RESPONSE: Clearance letters from the Pennsylvania Fish and Boat Commission and the United States Fish and Wildlife Service are enclosed.

Comment 3: Please provide specifications for retaining wall to be built on the west side of Phases 2 and 3 on ESCP and PCSM plans. §102.4(b)(5)(iii); §102.8(f)(3)

RESPONSE: Calculations and specifications for the retaining wall are enclosed.

Comment 4: The use of vegetative stabilization and erosion control blanket BMP is not clearly identified on the plan. Please refer to construction sequence item #16, BMP maintenance notes #2 & #6, Phase 1 sheet C902 and item B Phases 2 & 3 sheet C904. Also, please ensure that the proposed areas would be consistent with any requirements under the Environmental Covenant or CO&A regarding maintaining proper pathway elimination. §102.6(a)(1), §102.4(b)(5)(ix) and §102.8(f)(9)

RESPONSE: Due to suspected contamination areas within the project area, no vegetated areas are proposed for the project areas. All areas within the project area are proposed to be asphalt, concrete, or gravel. Geomembrane liners are proposed beneath all gravel areas to meet environmental requirements pertaining to contamination.

The plans have been revised to remove all references to vegetation. Construction details, which include details for the proposed landuses described above, are included on Sheet C800 of the Phase 1 and Phase 2 & 3 PCSM plan sets.

Comment 5: Rock construction entrance detail for ESCP Phase I indicates a minimum length of 50ft, within the area of the substation. The travel path from the public road to the substation pad needs to be included in the Phase 1 LOD and the RCE should be located where access enters the site from the public road. Please include rock construction entrance ABACT requirements in item A, ESCP Phases 1-3 sheets C902 and C904. §102.6(a)(1), §102.4(b)(5)(ii) and §102.4(b)(5)(ix)

RESPONSE: In order to meet ABACT requirements, the rock construction entrances for both Phase 1 and Phase 2 & 3 have been revised to wheel wash entrances.

The Phase 1 entrance has been relocated to where access enters the site from the public road. The limit of disturbance for Phase 1 has been revised to include this area. The limit of disturbance for Phase 2 & 3 has also been revised to include the entirety of the Phase 1 limit of disturbance. Erosion and sediment controls have been added for the expanded Phase 1 area. As the erosion and sediment controls for the expanded Phase 1 area are proposed to be installed on pavement that will remain in place during Phase 1, an option for weighted sediment filter tubes has been added to Sheet C902 of the Phase 1 Plan Set. Post construction stormwater management calculations for Phase 1 and Phase 2 & 3 have been updated per the revised limits of disturbance. Revised calculations, documents, and drawings are enclosed.

A temporary wheel-washing station will be used to remove contaminated material from the equipment's rolling surfaces upon departure from the project site. Sediment removed from the rolling surfaces must be collected and managed in accordance with the SMP. Water quality can be monitored using total suspended solids (TSS). Once an agreed-upon TSS threshold is reached, the wash water in the closed-loop system will be replaced, and the spent wash water will be managed under the SMP.

<https://www.tirewash.com/portable-tire-wash/portable-tire-wash.html>

The system includes a sump mud conveyor, and any material extracted by the conveyor must be contained for disposal in a suitable container, such as a concrete washout roll-off or a DOT-approved drum. This approach helps maintain low TSS levels and reduces the need for cleaning that would require confined-space entry.

Comment 6: There appears to be two (2) concrete washout stations on ESCP Phase 2 sheet C901, if so, please identify the station located north of compost filter sock #23 and revise Module 1 accordingly. §102.4(b)(5)(ix)

RESPONSE: The concrete washout north of Compost Filter Sock Barrier 23B has been removed. Drawing C901 of the Phase 2 & 3 Plan Set has been update accordingly.

Comment 7: ESCP sheet C902; BMP maintenance notes should state that inspections must be performed by a Qualified Visual Site Inspector or someone who is either a Certified Professional Erosion and Sediment Control (CPESC) or Certified Erosion, Sediment and Storm Water Inspector (CESSWI). §102.6(a)(1)

RESPONSE: The BMP Maintenance Erosion Notes on Sheet C903 of the Phase 1 Plan Set and Sheet 907 of the Phase 2 & 3 Plan Set have been revised accordingly.

Comment 8: ESCP Phases 1-3; Recommend updating the BMP Maintenance Erosion Note section referring to use of PADEP form 3150-FM-BWEW0083 to document completion of BMP inspection, maintenance and repair activities with PA DEP Form 3800-FM-BCW0271d: Chapter 102 Visual Site Inspection Report. §102.4(b)(5)(x)

RESPONSE: RESPONSE: The BMP Maintenance Erosion Notes on Sheet C903 of the Phase 1 plan set and Sheet 907 of the Phase 2 & 3 plan set have been revised accordingly.

Comment 9: ESCP Phase 1 sheet C900; Recommend including statement providing direction for site contractors and other appropriate parties to reference on-site PCM plan for site-specific guidance, procedures, and responsibilities. §102.4(b)(5)(ii)

RESPONSE: A note has been added to all plan drawings which directs site contractors and other appropriate parties to reference the approved on-site materials management plan, environmental covenant, and consent order agreement for site-specific guidance, procedures, and responsibilities.

Comment 10: Please revise ESCP Phases 1-3 pumped water filter bag detail notes to meet ABACT requirements found in DEP ESCP Program Manual. Please remove note #3 from details. Please include ABACT requirements found in item F on ESCP sheets C902 and C904. §102.4(b)(5)(ii) and §102.4(b)(5)(ix)

RESPONSE: Pumped water filter bags are no longer proposed for Phase 1 or Phase 2 and 3 of the project. The Phase 1 and Phase 2 & 3 plan sets have been updated accordingly.

A note has been added to all plan drawings which indicates that the designated environmental representative must be present during all dewatering activities and dewatering is to be completed per the approved onsite materials management plan, environmental covenant, and consent order agreement.

Comment 11: ESCP Phase 3 sheet C901; Compost Filter Sock has proposed installation of utilities and asphalt pavement being installed within the BMP. Please clarify how perimeter controls will be maintained and function while this construction is being completed. Revise as necessary or expand LOD to allow for construction outside of the BMP. § 102.4(b)(5)(vii)

RESPONSE: The construction sequences for Phase 2 & 3 has been updated to specify installation of site utilities and storm systems (Step 9) prior to stabilization of the project area with gravel, concrete, or asphalt (Step 10). Compost filter sock is proposed to temporarily be removed, as necessary, during dry conditions, during utility and storm system installation and shall be immediately replaced following backfilling of excavations. Compost filter sock are proposed to be removed as site stabilization with gravel, concrete, and asphalt progresses.

Comment 12: Please provide a unique identifier for all Compost Filter Sock across all Phases. The numbering has been reset in Phase 2. This may create confusion during the subsequent phases if Phases 2 or 3 would start prior to completion of Phase I. § 102.4(b)(5)(vii)

RESPONSE: To provide clarification, the prefix “A” has been added to all compost filter sock identifiers for Phase 1 of the project and “B” to all compost filter sock identifiers for Phases 2 & 3 of the project. Compost filter sock calculations have been revised accordingly and are enclosed.

Comment 13: ESCP Phase 3 sheet 901, there is a gap between CFS 25 and CFS 26, please clarify why this gap was left without perimeter controls. Revise plans, if necessary § 102.4(b)(5)(vii)

RESPONSE: Compost filter sock has been added in the referenced location. Compost filter sock barrier numbering has been updated accordingly.

Comment 14: Please clarify if compost filter socks sizing is calculated for maximum slope and maximum flow length to account for the entire time under construction. The calculations provided for device sizing suggest the calculated maximum slope and maximum flow length is after bulk of the earthwork had been completed and stormwater pipes are installed. Additionally, please provide an existing condition contour site map since the E&S drawings are too congested to determine existing drainage patterns prior to construction. 102.4(b)(5)(viii) & 102.4(b)(5)(ix)

RESPONSE: Compost filter sock paths have been reassessed. Calculations that were reevaluated and updated are enclosed and dated August 2026.

To more clearly present existing drainage area patterns, the Phase 1 and Phase 2 & 3 plans sets have been updated to include Stage 1 and Stage 2 erosion and sediment control plans. The Stage 1 plans illustrate site conditions immediately following the placement of perimeter erosion and sediment controls, prior to earth disturbance. The Stage 2 plans illustrate site conditions following completion of earth disturbance activities. The revised erosion and sediment plan sets for Phase 1 and Phase 2 & 3 are enclosed.

Comment 15: E&S plans do not adequately address site specific construction sequence for the individual phase of construction. One general construction sequence for all phases does not adequately address sequencing of construction specific to each phase of construction. Please revise construction sequence to include individual phases and stages of construction for appropriate phase. § 102.4(b)(5)(vii)

RESPONSE: The construction sequences have been updated to be specific to Phase 1 and Phase 2 & 3.

Comment 16: ESCP Phase 1 Sheet C900; Compost filter socks are proposed to be installed over new gravel. Please clarify if CFS will be removed to install new gravel areas in accordance with Item #10 of Construction sequence and then re-installed since upstream stormwater pipe excavation is not completed until Item #13. § 102.4(b)(5)(vii)

RESPONSE: The construction sequences for Phase 1 and Phase 2 & 3 have been updated to specify installation of site utilities and storm systems (Step 9) prior to stabilization of the project area with gravel, concrete, or asphalt (Step 10). Compost filter sock is proposed to temporarily be removed, as necessary, during dry conditions, during utility and storm system installation and shall be immediately replaced following backfilling of excavations. Compost filter sock are proposed to be removed as site stabilization with gravel, concrete, and asphalt progresses.

Comment 17: ESCP Phase 1 Sheet C900; Compost filter sock #1 is not installed on the contour and according to the existing contours it appears to be installed on the upslope side of construction. Please clarify how this sock will provide protection to the site for sediment runoff and if it is necessary for the project. § 102.4(b)(5)(ix)

RESPONSE: The referenced compost filter sock has been removed. Compost filter sock numbering has been revised accordingly.

Comment 18: ESCP Phase 1 Sheet C900; Alternative Compost Filter Sock J-hook design specifications have not been included for Sock Number 8, 10, 11, 12, and 13. Please revise compost filter sock table to include specific sock that will be configured using the j-hook design and provide approve details for installation and maintenance. § 102.4(b)(5)(ix)

RESPONSE: The compost filter sock details for Phase 1 and Phase 2 & 3 have been revised to be consistent with the PA DEP Manual standard detail.

Comment 19: ESCP Phase 1 Sheet C900; Installation of stormwater pipe P-2-200 is proposed to be installed outside of the LOD. Additionally, CFS#7 does not appear to be long enough to provide protection from runoff during installation of the stormwater pipe installation of this area. Please revise CFS#7 as to adequately address the entire earth disturbance in that area and LOD will need to be expanded as to allow for installation of all proposed BMPS. § 102.4(b)(5)(ix)

RESPONSE: The limit of disturbance has been revised to include area for installation of storm pipe P-2-200. The compost filter sock layout, in the vicinity of storm pipe P-2-200, has been revised to provide erosion and sediment control for earth disturbance in the entire area.

Comment 20: Please include plan revision date on ESCP and PCSM plans. §102.4(b)(5)(ix) and §102.8(f)(9)

RESPONSE: The revision block has been updated to list the previous and current plan revision dates. The Phase 1 and Phase 2 & 3 E&S and PCSM plan sets have been updated with the referenced revision block and are enclosed.

PCSM Technical Review Comments

Comment 21: The PCSM Spreadsheets were filled out incorrectly.

- a. An outdated version of the PCSM Spreadsheet was used and submitted for Phase 1 of the project. Please resubmit using the latest version.*

RESPONSE: The PCSM Spreadsheet for Phase 1 of the project has been updated to Version 2.2, June 2026.

It has also been noted that an updated Managed Release Concept (MRC) Spreadsheet, dated July 2026, was released following submission of the NPDES package. The MRC Spreadsheets for Underground MRC 2A and 2B have been updated to the most current spreadsheet and are enclosed.

- b. In the Phase 1 General Information Worksheet, the Existing Impervious Project Site DA and Proposed Impervious Project Site DA values exceed the Project Site DA (Earth Disturbance in DA) values. The Existing Impervious and Proposed Impervious values may not exceed the Project Site DA values for individual POAs.*

RESPONSE: In the Phase 1 General Information Worksheet, values for “Existing Impervious, Project Site DA” and “Proposed Impervious, Project Site DA” have been revised and no longer exceed the “Project Site DA” value for the POA.

- c. In the Phase 1 General Information Worksheet, Structural SCMs is marked no for POA 002. This should be marked yes since POA 002 drains to the proposed MRC basins.*

RESPONSE: The General Worksheet Section of the Phase 1 PCSM Spreadsheet has been revised accordingly.

- d. In the Phases 2&3 General Information Worksheet, the Total Drainage Area given in the table is 25.41 acres and the Total Project Area is given as 20.18 acres. The Total Drainage Area cannot exceed the Total Project Area.*

RESPONSE: According to the PADEP PCSM Spreadsheet instructions, “Total Drainage Area” and “Total Project Site Area” are to be input as follows:

Total Drainage Area - Report the total post-construction drainage area tributary to the POA that will be treated by a structural SCM, including area outside the project site, if applicable.

Total Project Site Area - Enter the total number of acres for the project site in the watershed of interest...Note that Total Project Site Area does not mean the entire tributary drainage area to the site or to SCMs on the site (i.e., off-site area where stormwater runs onto the Project Site should not be included).

Based on the underlined portions of the above definitions, the total drainage area may contain areas outside of the project site and, therefore, may be a value larger than the project site area.

For this reason, the “Total Drainage Area” reported on the PCSM Spreadsheet remains larger than the “Total Project Site Area”.

e. The Total Project Area given in Phase 1 and in Phases 2&3 don't match.

RESPONSE: The PCSM Spreadsheets for Phase 1 and Phases 2 & 3 have been updated to list the “Total Project Site Area” as 17.430 acres. Associated information in the PCSM Spreadsheets has been revised accordingly.

Comment 22: For Phase 1, the Incremental SCM Drainage Area on the MRC Spreadsheet does not match the Incremental SCM Drainage Area provided for the MCR basins in the Structural SCM Volume Credit section of the Volume Management worksheet of the PCSM Spreadsheet.

RESPONSE: Phase 1 of the PCSM Spreadsheet has been revised to list 2.210 acres as the “Incremental SCM DA” for SCM No. 2. This value is consistent with the “Incremental SCM Drainage Area” listed on the Phase 1 MRC Spreadsheet for SCM No. 2.

Comment 23: For both phases of the project, the Total Volume Routed to SCM and Total Volume from Off-Site Sources values provided in the MRC Spreadsheets do not match the values provided in the Structural SCM Volume Credit section of the Volume Management worksheet of the PCSM Spreadsheets.

RESPONSE: The PCSM Spreadsheets and MRC Spreadsheets for Phase 1 and Phases 2 & 3 have been updated. The reported values for “Total Volume Routed to SCM” and “Total Volume from Offsite Sources” is now consistent on the spreadsheets.

Comment 24: Please provide the calculations for the drawdown times of the proposed MRC basins for both phases of the project.

RESPONSE: The drawdown time listed on the MRC Spreadsheets has been updated. Drawdown calculations are enclosed.

Comment 25: The Pre-Construction 1-Year/24-Hour Peak Rate given in the two MRC Spreadsheets does not match the calculations provided.

RESPONSE: The MRC Spreadsheets have been updated to match the pre-construction 1-year/24-hour peak rate from the provided calculations.

Comment 26: In the MRC Spreadsheet for Phases 2&3, the Post-Construction 2-year/24-hour Peak Rate provided does not match the calculations.

RESPONSE: The MRC Spreadsheet for Phases 2 & 3 has been updated to match the post-construction 2-year/24-hour peak rate from the provided calculations.

Comment 27: Please show the Internal Water Storage (IWS) Depth and Freeboard for the proposed MRC basins on the PCSM plans.

RESPONSE: Freeboard and internal water storage depth have been incorporated into Detail 7 on Sheet C403 of the Phase 1 PCSM plans. The MRC Spreadsheets for Phases 1 and 2 & 3 have been updated to match the information provided on the Detail 7.

Comment 28: There are inconsistencies between the Peak Rate Summary tables provided in the PCSM narrative and the calculations provided.

- a. *In Table 4, the Post-Development rates for DP-002 do not match the calculations. The 50-year Post-Development rate for POA-001 does not match the calculations.*

RESPONSE: Table 4 has been updated to be consistent with the provided calculations.

- b. *In Table 5, the Pre-Development rates and 50-year Post-Development rates for DP-004 do not match the calculations.*

RESPONSE: Table 5 has been updated to be consistent with the provided calculations.

Comment 29: The Soil and Groundwater Management Plan and the Health and Safety Plan appear to only refer to proposed test borings. Please ensure that the plan includes steps to be taken during all stages/phases of project construction.

RESPONSE: The March 2026 Site-Specific Project Manual was initially written and developed for review and approval by EPA and PADEP under the 2015 Environmental Covenant, "Activities and Use Limitations," specifically paragraph 5, section f.

There shall be no excavation on the Property, and no soils shall be taken off of the Property, unless PADEP is notified and a site-specific health and safety plan (HSP) and a soil management plan (SMP) are developed and implemented. Additionally, this March 2026 Site-Specific Project Manual was submitted to the PADEP in accordance with Paragraph 4.c of the April 20, 2026 Consent Order and Agreement between the DEP, Mercer Node Property, LLC, and Mercer Node Development, LLC (COA).

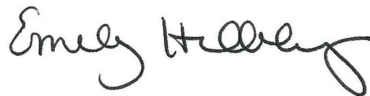
In the March 2026 Project Manual submitted for review and approval by EPA and PADEP, the agreed-upon strategic approach was to update the site-specific soil and groundwater characterization data, as the available data were significantly aged and data gaps across the site had been identified. With the updated site-specific soil and groundwater data, a more accurate site-specific health and safety plan (HSP) and soil management plan (SMP) would be developed for the project's construction phase using the latest characterization data. Approval of this submittal was granted on May 4, 2026, by the PADEP. Field efforts to begin the latest characterization data collection started on June 23, 2026. The updated HSP and SMP would be developed with the key understanding that they needed to protect worker health and safety and environmentally sensitive receptors, using the latest site-specific soil and groundwater data.

The updated soil characterization has recently been completed, and CEC is reviewing the latest data with plans to revise the HSP and SMP based on the new findings. The groundwater characterization investigation is scheduled to begin in the coming weeks. Once all updated site-specific soil and groundwater data have been collected and reviewed, the HSP and SMP will be updated to address historical identified data gaps at the site and support the development of the project's construction phase.

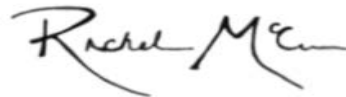
If you require additional information to complete the technical review, please reach out to Rachel McCune at 724-972-3781 or rmccune@cecinc.com.

Thank you,

CIVIL & ENVIRONMENTAL CONSULTANTS, INC.



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