

Application



Pennsylvania
Department of
Environmental Protection

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF CLEAN WATER

**National Pollutant Discharge Elimination System (NPDES)
Individual Permit for Discharges of Stormwater Associated with Construction Activities
Application**

DEP / CCD Use Only	
Date Received: _____	Permit ID: _____
Date Determined Complete: _____	Date of: ☐ Return ☐ Withdrawal ☐ Denial
Draft Permit Issued Date: _____	
Issuance Date: _____	Date Resubmission Received: _____
Effective Date: _____	Expiration Date: _____
General Information	
1. Applicant Name(s): Mercer Node Property, LLC	
2. ☐ There are co-applicants (If checked, attach a separate certification for each co-applicant)	
3. Applicant Type: a. ☐ Individual b. ☐ Non-Government	
c. ☒ Private Business (Attach documentation identifying the names of each current owner, member, etc.)	
Structure: ☒ LLC ☐ SP ☐ Partnership ☐ Corporation ☐ Other: _____	
☐ Registered with PA Department of State File No.: _____	
d. ☐ Government ☐ Federal ☐ State ☐ County ☐ Municipal ☐ School District	
4. Application Type: ☒ New ☐ Renewal ☐ Major Amendment ☐ Minor Amendment	
Permit No.: PA _____	
5. Project Type: ☐ Residential ☐ Commercial ☒ Industrial ☐ Agricultural ☐ Utilities	
☐ Roadways ☐ Redevelopment ☐ Site Restoration ☐ Other	
6. Project Site Name: Mercer Node Development	7. Primary NAICS Code: 518210
8. Project Description: The site is approximately 17.43 acres and has a total limit of disturbance area of 14.69 acres. Mercer Node, LLC is proposing to construct two buildings totaling 186,000 SF, equipment yards, parking, two substation pads, access roads, and associated site features.	
The development will be built in multiple phases. Phase I of the development will be the construction of the 80MW substation that will power the sites existing infrastructure and one of the future buildings. Phase I has a limit of disturbance of 2.29 acres.	
Phase 2 and Phase 3 will be constructed simultaneously and consists of the construction of two buildings totaling 186,000 SF, equipment yards, parking, the 30 MW substation, access roads, and the associated site features.	
9. ☒ Common Plan of Development or Sale	No. phases: 2 No. phases complete: _____
10. Anticipated Earth Disturbance Start Date: Aug 2026	Earth Disturbance End Date: August 2028
11. ☐ Stormwater will be discharged to Impaired Waters or Special Protection Waters (Module 3 is attached)	
12. ☐ The project site is within 150 feet of Special Protection Waters (Module 4 is attached)	

Existing Permits			
Type of Permit	Permit No.	Date Issued	Issued By

Project Site and Earth Disturbance Information						
Project Site			Earth Disturbance			
1. Total Area (acres):	17.43		14.69			
2. Pre-Construction Impervious Area (acres):	17.43		14.69			
3. Post-Construction Impervious Area (acres):	17.43		14.69			
4. Project Site Pre-Construction Land Uses:		5. Project Site Post-Construction Land Uses:				
Land Use		% of Total	Land Use		% of Total	
Impervious Former Industrial Site		100	Industrial Site		100	
6. Number of proposed lots or parcels comprising the project site:		2				
7. Number of proposed lots or parcels within the project site that are expected to be sold prior to project completion:		0				
8. Number of proposed lots or parcels within the project site with PCSM SCMs that are expected to be sold prior to project completion:		0				
NOTE – Permittees are required to provide a copy of the long-term O&M Plan and record drawings or equivalent to new owners of properties containing PCSM SCMs; complete the New Property Owner Notification form (3800-FM-BCW0271i) and provide it to the new property owner; and submit the New Property Owner Notification form to DEP/CCD within 30 days of the date of transfer of a property.						
9. County Name	Municipality Name	City	Boro	Twp	State	
Mercer	Sharon	☒	☐	☐	PA	
10. County Name	Municipality Name	City	Boro	Twp	State	
		☐	☐	☐	PA	
11. Site Location Address						
200 and 201 Clark Street						
12. Site Location City, State, ZIP						
Sharon, PA 16146						
13. Report latitude and longitude at the center of the proposed disturbed area (decimal degrees).						
Latitude: 41.24418 Longitude: -80.504414						
14. Horizontal Reference Datum: ☐ NAD of 1927 ☒ NAD of 1983 ☐ WGS of 1984 ☐ Other _____						
15. There will be off-site construction support activities. ☐ Yes ☒ No						
16. If Yes to #15, identify the nature of known off-site support activities whose disturbance is included in #1, above:						
Description of Off-Site Support Activity		Distance from Site		Disturbance Area		
		mi		acres		
		mi		acres		
17. Identify any other off-site support activities whose disturbance is not included in #1, above (see instructions).						
Description of Off-Site Support Activity		Distance from Site		Disturbance Area		
		mi		acres		
		mi		acres		

Project Site and Earth Disturbance Information	
18. Check the appropriate box concerning fill material (see instructions): ☐ No fill material is expected to be imported to the project site. ☒ It is expected that fill will be needed for this project. The source of fill has not yet been determined but will undergo environmental due diligence when identified. ☐ It is expected that fill will be needed for this project. The applicant has identified the source of the fill and has determined the material to be clean fill. DEP's online Certification of Clean Fill form has been submitted. ☐ It is expected that fill will be needed for this project, which is located on a site that is being remediated to Act 2 standards and will be utilized in accordance with DEP standards under that program. ☐ It is expected that fill will be needed for this project. The applicant has identified the source of the fill and has determined it to be regulated fill. The regulated fill is authorized on the project site under a Waste Management General Permit No. WMGR096 authorization dated: _____. ☐ It is expected that fill will be needed for this project, which is not on an Act 2 site. The applicant has identified the fill and has determined that it does not meet criteria for clean fill. The applicant is seeking authorization to use the regulated fill from DEP's Waste Management Program.	
19. ☒ An Environmental Site Assessment (ESA) has been completed	☒ Soil samples have been analyzed
20. The site is currently or was previously enrolled in DEP's Act 2 Program. ☒ Yes ☐ No	
21. Act 2 cleanup standards have been met. ☐ Yes ☒ No	
22. Is Act 537 sewage planning approval needed for this project? ☒ Yes ☐ No (Attach approval letter if available)	
23. Is a Chapter 105 permit or authorization required? ☐ Yes ☒ No	
24. If Yes to #23, identify the necessary authorization. ☐ Joint Permit ☐ General Permit ☐ Waiver	
25. If Yes to #23, report the disturbed area not subject to NPDES permit requirements (acres):	
26. Other DEP/CCD permits or authorizations are required. ☐ Yes ☒ No	
27. If Yes, identify the necessary authorizations.	
Compliance History	
Was/Is the applicant, facility owner or operator in violation of any DEP regulation, permit, order, or schedule of compliance at this or any other facility or project site within the past five (5) years? ☐ Yes ☒ No	
If "Yes," list each permit, order or schedule of compliance and provide current compliance status. Use additional sheets to provide information on all permits.	
Permit Program:	Permit No.:
Brief Description of Non-Compliance:	
Steps Taken to Achieve Compliance	Date(s) Compliance Achieved
Current Compliance Status: ☐ In Compliance ☐ In Non-Compliance	

Stormwater Discharge Information								
1. List all stormwater discharge points (DPs) <u>during construction</u> and provide the information requested below (see instructions). ☐ Chesapeake Bay								
DP ID	Latitude	Longitude	Name of Receiving Waters	Ch. 93	Distance to Waters	EP Analysis	Impaired ?	TMDL?
002	41.241972	80.507015	Shenango River	WWF	1284 ft	☐	☐	☐
003	41.244543	80.506980	Shenago River	WWF	322 ft	☐	☐	☐
					ft	☐	☐	☐
					ft	☐	☐	☐
					ft	☐	☐	☐
					ft	☐	☐	☐
					ft	☐	☐	☐
					ft	☐	☐	☐
					ft	☐	☐	☐
2. List all stormwater DPs <u>after construction and stabilization are complete</u> and provide the information requested below.								
DP ID	Latitude	Longitude	Name of Receiving Waters	Ch. 93	Distance to Waters	EP Analysis	Impaired ?	TMDL?
002	41.241972	80.507015	Shenango River	WWF	1284 ft	☐	☐	☐
003	41.244543	80.506980	Shenango River	WWF	322 ft	☐	☐	☐
					ft	☐	☐	☐
					ft	☐	☐	☐
					ft	☐	☐	☐
					ft	☐	☐	☐
					ft	☐	☐	☐
					ft	☐	☐	☐
					ft	☐	☐	☐
3. Stormwater will be managed using ☐ non-discharge alternative(s) ☒ ABACT BMPs/SCMs for stormwater discharges during and following construction.								
4. Will any of the points identified above discharge to a sewer system? ☒ Yes ☐ No Is the sewer an MS4 or CSS? ☒ Yes ☐ No Name of storm sewer owner/operator: PennDOT Will there be an increase in rate, volume or WQ? ☐ Yes ☒ No								
5. Identify and describe all non-stormwater discharges that are expected to occur during permit coverage. Describe the frequency and volume of all such discharges.								
☒ No non-stormwater discharges are anticipated.								
6. Will stormwater flow off the project site through properties owned by others prior to reaching a surface water or storm sewer during or following construction? ☒ Yes ☐ No If Yes to #6, has an easement been obtained? ☐ Yes ☒ No								
NOTE – The applicant is expected to: 1) secure legal authority for discharges on or through property not owned by the applicant; 2) provide for adequate E&S controls and a stable conveyance as necessary to prevent accelerated erosion; and 3) complete an EP Analysis when necessary according to the Instructions.								

3800-PM-BCW0408b Rev. 2/2026
Application

Applicant Certification

I certify under penalty of law that this application and all related attachments were prepared by me or under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my own knowledge and on inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. The responsible official's signature also verifies that BMPs, SCMs, E&S Plan, PPC Plan, PCSM Plan, and other controls will be implemented to ensure that water quality standards and effluent limits are attained and that I will submit a Notice of Termination (NOT) to DEP/CCD upon final stabilization of the project site if I am the permittee or co-permittee at that time. I grant permission to DEP/CCD and EPA to enter the project site for inspection purposes. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment or both for knowing violations pursuant to Section 309(c)(4) of the Clean Water Act and 18 Pa. C.S.A. § 4904.

For applicants that are individuals or sole proprietors, check the box below and proceed to the signature section.

☐ **Individual / Sole Proprietor**

For all other applicants, select the applicable box after reviewing the certification below.

I hereby certify that I am the signatory pursuant to 25 Pa. Code § 92a.22 and 40 CFR § 122.22 and that I am the person who is responsible for decision-making regarding environmental compliance functions for the entity named below, the manager of one or more manufacturing, production, or operating facilities of the applicant and am authorized to make management decisions which govern the operation of regulated facility including having explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure the applicant's long-term environmental compliance with environmental laws and regulations, and I am responsible for ensuring that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements.

☐ **Corporation/Company:** I am the ☐ Responsible Corporate Officer ☐ President ☐ Vice President
☐ Secretary ☐ Treasurer ☐ Other: _____ for _____

☒ **LLC:** I am a person either holding a position designated or individually listed on a "Certificate of Limited Liability Company Authority" filed with the Pennsylvania Department of State as a position/person with the authority to bind the company OR the person listed in the LLC's most current and active operating agreement as having the authority to bind the company. **Attach the applicable "Certificate of Limited Liability Company Authority" or operating agreement.** If the operating agreement is attached, identify the page and paragraph containing the applicable information.

☐ **Partnership:** I am a general partner of _____
☐ Partnership ☐ LP ☐ LLP

☐ **Government:** I am the principal executive officer or ranking elected official of _____
☐ Federal ☐ State ☐ Municipal ☐ Other

☐ **Power of Attorney / delegation of contractual authority** (documentation supporting delegation of contracting authority must be provided) for _____

Craig Hibbard

SVP Infrastructure

Name (type or print legibly)

Title

Signed by:



6/1/2026

602C8AC595E347F...
Signature

Date Signed