



Pennsylvania
**Department of
Environmental Protection**

July 16, 2026

VIA EMAIL: chibbard@keelinfra.com

Craig Hibbard
Mercer Node Properties LLC
850 New Burton Road
Dover, DE 19904-5785

Re: Technical Deficiency Letter
Mercer Node Properties, LLC
Mercer Node Development
Auth ID 1567561, Application No. PAD430004
Sharon City, Mercer County

Craig Hibbard:

The Department of Environmental Protection (DEP) has reviewed the above-referenced application and has identified the technical deficiencies listed below. The *Pennsylvania Erosion and Sediment Pollution Control Program Manual* (E&S Manual) and the *Pennsylvania Stormwater Best Management Practices Manual* (BMP Manual) include information that may aid you in responding to some of the items listed below. The items are based on applicable laws and regulations, and the guidance sets forth the DEP's preferred means of satisfying the applicable regulatory requirements.

Technical Deficiencies

E&S Comments

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

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)
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)
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)
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)
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)
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)
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)
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)
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)

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

PCSM Comments

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.
 - 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 may not exceed the Project Site DA values for individual POAs.
 - 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.

- 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.
 - e. The Total Project Area given in Phase 1 and in Phases 2&3 don't match.
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.
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.
24. Please provide the calculations for the drawdown times of the proposed MRC basins for both phases of the project.
15. The Pre-Construction 1-Year/24-Hour Peak Rate given in the two MRC Spreadsheets does not match the calculations provided.
25. In the MRC Spreadsheet for Phases 2&3, the Post-Construction 2-year/24-hour Peak Rate provided does not match the calculations.
26. Please show the Internal Water Storage (IWS) Depth and Freeboard for the proposed MRC basins on the PCSM plans.
27. 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.
 - b. In Table 5, the Pre-Development rates and 50-year Post-Development rates for DP-004 do not match the calculations.
28. 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.

You must submit a response fully addressing each of the technical deficiencies set forth above. Please note that this information must be received within 30 calendar days from the date of this letter, on or before **August 15, 2026**, or DEP may deny or withdraw the application. Alternatively, you may consider voluntary withdrawal.

Your response must be submitted to application using the same method of submission as was used for the original application.

Please be advised that if your response does not satisfy the technical deficiencies, in general your application will proceed to an Elevated Review. If you do not believe the technical

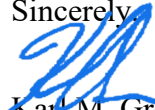
deficiencies can be fully addressed within the required timeframe, you should consider a voluntary withdrawal. If a permit application is denied, there is no recovery of fees available; however, if you voluntarily withdraw the application and then submit a new application for the same project, previously paid disturbed acreage fees will be reapplied to the new application.

If you believe that any of the stated deficiencies are not significant, instead of submitting a response to that deficiency, you have the option of requesting that DEP make a permit decision based on the information you have already provided regarding the subject matter of that deficiency. If you choose this option with regard to any deficiency, you should explain and justify how your current submission satisfies that deficiency.

Conservation districts may charge additional fees in accordance with section 9(13) of the Conservation District Law (3 P.S. § 857(13)). You may be expected to submit these fees to a conservation district in accordance with 25 Pa. Code § 102.6(b)(3).

If you have questions about the information contained in this letter, please contact Karl Gross by e-mail at kagross@pa.gov or by telephone at 814.332.6138 and refer to Application No. PAD430004, to discuss your questions or to schedule a meeting. Any such meeting must be held within the deficiency correction period.

Sincerely,



Karl M. Gross, P.E.

Permits Chief

Waterways and Wetlands Program

cc: Michael Archer, Civil & Environmental Consultants, Inc. marcher@cecinc.com
Mercer County Conservation District