



July 16, 2026

Service by electronic mail

Mr. William J. Cluck
Law Office of William J. Cluck
587 Showers Street
Harrisburg, PA 17104

RE: Permit No. PAC210079 A-4
Informal Hearing Determination
PAX 1 Data Center Project
Middlesex Township, Cumberland County

Dear Mr. Cluck:

On July 1, 2026, the Pennsylvania Department of Environmental Protection (“PADEP”) held an informal hearing at its Southcentral Regional Office. in response to your request on behalf of your clients, Andrew and Rachael Dymski and Jody and Stanley Shivell, regarding the Cumberland County Conservation District’s NPDES PAG-02 acknowledgement of coverage for a Major Amendment to Carlisle Development Partners, LLC’s, Permit No. PAC210079 A-4 for the PAX1 Data Center Project (“Amendment 4”). Your request was received within 30 days after the Cumberland County Conservation District issued its acknowledgment of coverage for Amendment 4 and this letter addresses only that Amendment 4.

You provided written comments about the permit and approved plans as part of your request for the informal hearing. You also provided comments orally during the informal hearing. To the extent those comments addressed Amendment 4, PADEP provides the following responses as a result of the informal hearing.

PAC210079 A-4 permittee name:

You commented that the permittee name listed on page one of Permit PAC210079 A-4 was incorrectly identified as Petri Ottavainen. This was a clerical error and was corrected by the Cumberland County Conservation District on July 9, 2026. Carlisle Development Partners, LLC applied for the Amendment 4 and while the original amendment 4 cover letter properly identified Carlisle Development Partners, LLC, page 1 of the permit inadvertently named Petri Ottavainen on Amendment 4. Page 1 of Amendment 4 has been corrected by Cumberland County Conservation District.

PAC210079 A-4 Pennsylvania Bulletin Publication:

You commented that Amendment 4 was not published in the *Pennsylvania Bulletin*. Chapter 92a of the PADEP’s regulations does not specify a timeframe for publishing an acknowledgment of coverage under a NPDES General Permit in the *Pennsylvania Bulletin*. Notice of CCCD’s acknowledgment of coverage under the corrected Amendment 4 anticipated to be published in the

July 25, 2026 edition of the *Pennsylvania Bulletin*. That publication will fulfill the Cumberland County Conservation District's notification obligations for Amendment 4.

Violations:

You commented that outstanding violations prohibited the acknowledgment of Amendment 4. PADEP has not identified that outstanding violations existed at the time of Amendment 4 and there is no evidence of a pattern of violations or lack of intention or ability to comply with regulatory requirements for Carlisle Development Partners, LLC that would support the denial of coverage in Amendment 4.

Conclusion:

Aside from the error of naming the individual that has now been corrected, nothing presented in your request or at the informal hearing provides the PADEP a basis to amend or overturn the decision of the Cumberland County Conservation District on Amendment 4.

If you have any questions regarding this determination, please contact Mr. Adam Duh, Esq. at 717.787.0475 or by email at aduh@pa.gov.

Sincerely,

Scott R.

Williamson

Scott R. Williamson

Program Manager

Waterways and Wetlands Program

Digitally signed by Scott R.
Williamson
Date: 2026.07.16 15:40:23
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cc: Cumberland County Conservation District, via email
Mr. Petri Ottavainen, Carlisle Development Partners, LLC, via email
Mr. Anthony Giorgione, Carlisle Development Partners, LLC, via email
Mr. and Mrs. Andrew Dymski, via first class mail
Mr. and Mrs. Stanley Shivell, via first class mail
Mr. Scott Gould, Esq., McNees, Wallace, and Nurick, via email
Mr. Errin McCaulley, Esq., McNees, Wallace, and Nurick, via email