

RESOLUTION 78-03-A

A RESOLUTION OF THE WEST MIFFLIN SANITARY SEWER MUNICIPAL AUTHORITY, ALLEGHENY COUNTY, PENNSYLVANIA AUTHORIZING THE ENTERING INTO A THIRD AMENDMENT TO THE CONSENT ORDER AND AGREEMENT WITH THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF ENVIRONMENTAL PROTECTION.

WHEREAS, on September 21, 1993, the Commonwealth of Pennsylvania, Department of Environmental Protection and the Borough of West Mifflin entered into a Consent Order Agreement; and

WHEREAS, on March 16, 1999, the Department, the Allegheny County Health Department, the Authority and the Borough entered into a First Amendment to the Consent Order Agreement which transferred the obligations of the Consent Order Agreement from the Borough to the Authority and sets forth a modified schedule for improvement plan; and

WHEREAS, on September 21, 2000, the Department, the Allegheny County Health Department and the Authority entered into a Second Amendment to the Consent Order Agreement which set forth a modified schedule for completion of an equalization tank at New England Sewage Plant and one of the construction projects required an improvement plan and install equalization tanks at Belmont Pump Station, Curry Hollow Pump Station, Maryland Avenue Pump Station and Homeville Pump Station on or before March 1, 2001; and

WHEREAS, in January of 2002, the Authority substantially completed construction of the Belmont Pump Station equalization tank, Curry Hollow Pump Station equalization tank and the Maryland Avenue Pump Station equalization tank; and

WHEREAS, the Authority has encountered difficulties in constructing an equalization tank at the Homeville Pump Station; and

WHEREAS, the Authority has proposed a joint project with the Borough of Munhall, Borough of Whitaker and the Allegheny County Sanitary Sewer Authority which would obviate the need for the Homeville Pump Station Equalization Tank.

NOW THEREFORE, be it resolved and it is hereby resolved as follows:

1. The Authority hereby authorizes the appropriate officers to enter into a Third Amended Consent Order Agreement modifying the schedule with respect to the completion of the Homeville Project to a completion date of February 28, 2005.
2. All other provisions of the Consent Order Agreement, First Amendment and Second Amendment not specifically revised herein remain unchanged.
3. Any Resolution or parts of Resolutions that are contrary to or conflict with the provisions of this resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

RESOLVED, this 2nd day of March, 2004.

ATTEST:

WEST MIFFLIN SANITARY SEWER

<![if !supportEmptyParas]> <![endif]><![if !supportEmptyParas]><![if !supportEmptyParas]> <![endif]><![if !supportEmptyParas]> MUNICIPAL AUTHORITY

John P. Schmidt, Secretary

William G. Kiger, Chairman