

RESOLUTION NO. 79-04

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A RESOLUTION OF THE WEST MIFFLIN SANITARY SEWER MUNICIPAL AUTHORITY, ALLEGHENY COUNTY, PENNSYLVANIA AUTHORIZING THE PROPER OFFICERS OF THE AUTHORITY TO EXECUTE THE ALLEGHENY COUNTY HEALTH DEPARTMENT'S ADMINISTRATIVE CONSENT ORDER PURSUANT TO THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION WATER QUALITY MANAGEMENT AND ENVIRONMENTAL PROTECTION AGENCY'S CLEAN WATER ACT.

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WHEREAS, the Authority was notified in 2003 of the Environmental Protection Agency's requirement to execute the Allegheny County Health Department's proposed Administrative Consent Order or be subject to traditional federal enforcement action; and

WHEREAS, the Authority is compelled to comply with the Administrative Consent Order as a result of its location within the ALCOSAN service area; and

WHEREAS, the Authority is desirous of executing said agreement subject to enumerating certain reservations.

NOW, THEREFORE, BE IT RESOLVED and enacted by the West Mifflin Sanitary Sewer Municipal Authority, Allegheny County, Pennsylvania, as follows:

1. The proper officers of the Authority are hereby authorized to execute the Administrative Consent Order between the Authority, the Allegheny County Health Department, the Pennsylvania Department of Environmental Protection and the United States Environmental Agency; and the Authority executes same subject to the following exceptions.

2. The Authority denies specifically certain allegations outlined in the Administrative Consent Order. Among them:

A. The Authority denies contributing to the discharge of untreated sewage from one or more SSO downgradient from the Authority.

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B. The Authority denies specifically contributing to the discharge of untreated sewage at points of connections within the ALCOSAN owned system.

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C. The Authority specifically denies that it is causing any detriment to the public health.

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D. The Authority specifically denies that it contributed to the combined sewer overflows in CSO communities.

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E. The Authority specifically denies Allegheny County Health Department allegations that it has not properly operated its system.

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3. The Authority objects to the fact that ALCOSAN is not a signatory to the Consent Order.

RESOLVED this _____ day of _____, 2004.

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ATTEST: WEST MIFFLIN SANITARY SEWER

MUNICIPAL AUTHORITY

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_____ By _____

Secretary

Chairman

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