

BOROUGH OF AVALON

RESOLUTION NO. 4041

A RESOLUTION OF THE BOROUGH OF AVALON, COUNTY OF ALLEGHENY AND IN THE COMMONWEALTH OF PENNSYLVANIA, ENABLING THE BOROUGH TO ADOPT THE SANITARY SEWER OVERFLOW RESPONSE PLAN SO AS TO SATISFY THE REQUIREMENTS SET FORTH BY THE ADMINISTRATIVE CONSENT ORDER BY AND BETWEEN THE ALLEGHENY COUNTY HEALTH DEPARTMENT AND THE BOROUGH OF AVALON.

WHEREAS, the Environmental Protection Agency (hereinafter, the "EPA"), the Pennsylvania Department of Environmental Protection (hereinafter, the "DEP"), and the Allegheny County Health Department Consent Decree (hereinafter, the "ACHD") was executed by the Borough of Avalon on January 20, 2004 and was thereafter reauthorized by Resolution on March 16, 2004; and

WHEREAS, the Borough of Avalon is required to fulfill its legal obligations under the Administrative Consent Order (hereinafter, the "ACO"); and

WHEREAS, this Sanitary Sewer Overflow Response Plan (hereinafter, the "SSORP") is necessary for the Borough to fulfill its ongoing obligations pursuant to the ACO; and

WHEREAS, this SSORP defines what actions the Borough must take when its municipally-owned sanitary sewer system overflows; and

WHEREAS, the purpose of the SSORP is to minimize the adverse effects of such overflows on the public health and quality of surface waters; and

WHEREAS, the SSORP is designed to ensure safety pursuant to directions received from the ACHD and the DEP; and

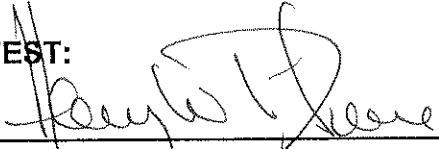
WHEREAS, the SSORP further provides that the notification and reporting of overflow issues are made to the appropriate local and state agencies; and

WHEREAS, nothing in this Resolution or in any prior Resolutions concerning the ACO amounts to an admission of liability by the Borough of Avalon and/or a waiver of indemnity by any Borough employees and/or elected officials;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Avalon, and **IT IS HEREBY RESOLVED** with the Authority of same, as follows:

1. That the Sanitary Sewer Overflow Response Plan, as attached hereto and incorporated herein by reference as Exhibit "A," is hereby adopted in full; and
2. That any other Resolutions or parts of any other Resolutions conflicting herewith are hereby repealed to the extent of any conflict.

ATTEST:



Harry W. Dilmore
Secretary

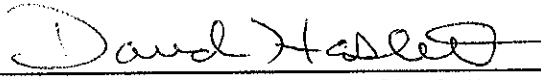
BOROUGH OF AVALON



Edward Klicker
President
Borough Council

SEAL

THIS RESOLUTION examined and approved by me
this 28 day of Dec, 2008.



Mayor David Haslett