



Legislation Details (With Text)

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Enactment date: 11/20/2006 **Enactment #:** 717
Effective date: 11/28/2006

Title: Resolution authorizing the Mayor and the Director of the Department of Finance to enter into an agreement or agreements with the Commonwealth of Pennsylvania Department of Environmental Protection ("DEP") granting to the DEP and its agents, employees or contractors, leave to enter upon certain property of the City in the 5th Ward, located between 816 and 824 Herron Hill Avenue, for the purpose of conducting a subsurface investigation of an abandoned coal mine and if necessary to install a drainage system.

Sponsors:

Indexes: AGREEMENTS

Code sections:

Attachments: 1. 2006-0912.doc

Date	Ver.	Action By	Action	Result
11/28/2006	1	Mayor	Signed by the Mayor	
11/20/2006	1	City Council	Passed Finally	Pass
11/15/2006	1	Committee on Finance, Law and Purchasing	AFFIRMATIVELY RECOMMENDED	Pass
11/6/2006	1	City Council	Read and referred	

Presented by Mr. Deasy

Resolution authorizing the Mayor and the Director of the Department of Finance to enter into an agreement or agreements with the Commonwealth of Pennsylvania Department of Environmental Protection ("DEP") granting to the DEP and its agents, employees or contractors, leave to enter upon certain property of the City in the 5th Ward, located between 816 and 824 Herron Hill Avenue, for the purpose of conducting a subsurface investigation of an abandoned coal mine and if necessary to install a drainage system.

Be it resolved by the Council of the City of Pittsburgh as follows:

Section 1.

WHEREAS, the United States Department of the Interior, Office of Surface Mining, has entered into a cooperative agreement with or provided a federal grant to the Commonwealth of Pennsylvania, Department of Environmental Protection (hereinafter the "DEP") to perform the activity described herein pursuant to the authority granted in Title IV of the Surface Mining Control and Reclamation Act of 1997, P.L. 95-87, 30 U.S.C. section 1231 *et seq.*, and the Act of January 19, 1968, P.L. 996, as amended, known as the Land and Water Conservation and Reclamation Act, 32 P.S. section 5101 *et seq.*; and

WHEREAS, pursuant to such authority, the DEP desires to undertake certain activity in the nature of the sub-surface investigation for the presence of water in an abandoned mine and if necessary performing drainage installation work on certain property in the 5th Ward in the City of Pittsburgh; and

WHEREAS, the City of Pittsburgh is the owner of the surface rights of the parcels of property upon which such activity shall take place, specifically Block and Lot Nos. 26-N-224 and 26-N-268; and

WHEREAS, the DEP has requested and the City is willing to grant to the DEP a right of entry into, over and upon the Property to conduct certain activity described as follows:

To conduct a sub-surface investigation of an abandoned coal mine and to install if necessary a drainage system;

The Mayor and the Director of the Department of Finance are hereby authorized to execute a Consent for Right of Entry Agreement, in a form approved by the City Solicitor, granting the DEP, its agents, and contractors, a right of entry to conduct certain activity in the nature of investigating the presence of water in an abandoned mine and if necessary performing drainage installation work ("Exploratory Drilling Project Herron Avenue"), as described in the Job Description attached hereto as Exhibit A, on certain property in the 5th Ward in the City of Pittsburgh. Such activity will consist of the moving of personnel, equipment and materials

on to certain property of the City, specifically: Block and Lot Nos. 26-N-224 and 26-N-268, between 816 and 820 Herron Avenue in the Fifth Ward, and depicted on the Herron Avenue Map for DEP Drilling Project No. OSM 02(0391)/BD-2757, attached hereto as Exhibit B, and to execute such other documents and easement or other agreements as may be necessary or required to permit the DEP, its agents and contractors, to complete said project activity.

Section 2. The DEP shall agree thereafter to restore the property of the City to a condition as good as or better than the condition of said property prior to said Exploratory Drilling Project activity.

SEE ATTACHMENT

EXHIBIT A

CONTRACT NO. OSM PA (811) 110.5
SP No. 4500323749
CORE BORING SUBSURFACE INVESTIGATION/ BD PROJECT
PROJECT 02(0391)-2 and BD 2757
HERRON AVENUE AMD
CITY OF PITTSBURGH
ALLEGHENY COUNTY
CITY OF PITTSBURGH

JOB DESCRIPTION

The Pennsylvania Department of Environmental Protection proposes to conduct a Subsurface Drilling Investigation and abandoned coal mine drain installation between 824 and 816 Herron Avenue, City of Pittsburgh, Allegheny County, Pennsylvania.

The proposed project will affect areas indicated on the attached map. The property will be utilized for the following activities: mobilization and demobilization of equipment, and general access to the site; advancement of up to six (6) six-inch (6") boreholes; unclassified excavation of the mine drain, pipe installation, backfilling, grading, and reclamation of the site. The boreholes are being advanced in order to locate the abandoned mine and to verify that there is no mine pool present. The boreholes will be advanced to an approximate depth of 30 feet each. Some of the boreholes may eventually be excavated out and eliminated during the installation of the mine drain. Others may be completed and finished as monitoring wells into the mine. Boreholes that do not encounter the mine will be backfilled with cuttings and a cement plug to prevent the holes from settling.

Immediately following the drilling exploration on the site, a drain will be constructed along the under clay of the Pittsburgh coal seam to safely convey the mine water to the existing storm water culvert that was apparently constructed specifically for that purpose.

The project is expected to take a total of seven days, but may occur in less time. The seven days may not be consecutive and depending on the season and weather, a return to vegetate the adjacent construction site may have to occur

Upon completion of the project and removal of all equipment from the site, any disturbed areas will be cleaned, restored and/or repaired, and re-vegetated to a condition as good as or better than their pre-project condition.

The drill hole and drain locations shown on the plan are approximate. The actual locations will be made in the field, at or prior to the start of the project, but will not deviate from the general area shown.

Due to the nature of the work it may be necessary to slightly modify the project while the work is being carried out. Such modifications could include varying the activities listed above in order to satisfactorily complete the project.

EXHIBIT B