

EXHIBIT M2



400 Waterfront Drive
Pittsburgh, PA 15222-4745

MAY 1 0 2006

Southwest Regional Office

412-442-4000
Fax 412-442-4328

CERTIFIED MAIL NO. 7003 2260 0000 3132 7091

Diane Izzo
Borough of Eastvale
510 Second Avenue
Beaver Falls, PA 15010

Re: Sewage
Eastvale Pump Station
WQM Part II Permit No. 0405405
APS I.D. No. 572434
Eastvale Borough
Beaver County

Dear Ms. Izzo:

Your permit is enclosed.

You must comply with all Special Conditions attached to this Permit. Construction must be done in accordance with the permit application and all supporting documentation. Please review the permit conditions and application-supporting documentation submitted with your application before starting construction.

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800-654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.



7002 2260 0000 0922 E002

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OFFICIAL USE

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Total Postage & Fees **DIANE IZZO**
BOROUGH OF EASTVALE
510 SECOND AVENUE
BEAVER FALLS PA 15010

Sent To
Street, Apt. No.,
or PO Box No.
City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions


Diane Izzo

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IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717-787-3483) FOR MORE INFORMATION.

If you have any questions, please call me at 412-442-4031.

Sincerely,



James M. Vanek, P.E.
Sanitary Engineer
Water Management

Enclosures

cc: Mark T. Kennedy, P.E. – Widmer Engineering, Inc.

bcc: c ✓
Operations Section
J. Vanek

JMV:dk

OFFICIAL FILE COPY

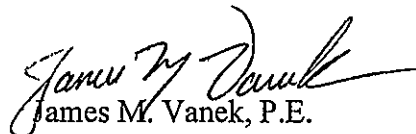
Diane Izzo

-2-

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If you have any questions, please call me at 412-442-4031.

Sincerely,


James M. Vanek, P.E.
Sanitary Engineer
Water Management

Enclosures

cc: Mark T. Kennedy, P.E. – Widmer Engineering, Inc.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATER MANAGEMENT

INTERNAL REVIEW AND RECOMMENDATIONS

Name of Applicant Borough of Eastvale File Location Eastvale Borough Beaver County Application Number 0405405

This review is in response to a new application received on December 27, 2005. Additional information was received on March 13, 2006.

The applicant proposes to construct:

- approximately 1400 feet of 8-inch diameter force main (FRP)
- and a wet and dry well type wastewater pumping station to serve Eastvale Borough and new and existing developments in North Sewickley Township, Beaver County.

The pump station installation includes:

- two pumps, each rated at 610 gpm at 41 feet total dynamic head designed so that each pump is capable of handling the expected peak instantaneous flow.
- mechanical ventilation to provide complete air changes.
- a remote alarm will be activated by the high level alarm float. A signal will also be available for remote signaling through a telephone dialer.
- a standby generator to operate the pumps during a power outage.

The new, upgraded and expanded pump station will use the existing pump station's influent line, dry well, wet well and bypass. The existing wet well will have a 2' x 2' hole cut into it. All of the equipment in the existing dry well will be removed so sewage will flow from the wet well into it. A 16" PVC pipe will direct the sewage into the new 6' diameter wet well and the prefabricated pump station will sit atop of the new wet well.

The size of the pump station is based on the existing population of Eastvale Borough and the anticipated flows from North Sewickley Township's 537 plan. The per capita flow rate was based according to design criteria contained in Pennsylvania Code Title 25, Chapter 73, Section 73.17. Based on the population and design criteria, the expected average daily flow is 0.254 mgd. The peak instantaneous factor is 3.4, which results in a peak instantaneous flow rate of 0.861 mgd or 598 gpm.

The Act 537 Plan was approved for this project. The planning approval was only for North Sewickley Township (letter DEP Code No. 04944-01-001). Planning for Beaver Falls was not performed. The design engineer provided calculations for flow from the Eastvale Bridge to the Beaver Falls STP. The pipe capacity between manholes 92 and 93 is 4.3 MGD and the design engineer believes the upgrade of the Eastvale pump station can be handled by the Beaver Falls collection system.

The required Act 14 notification was submitted with the Part II Permit application and no adverse comments were received.

The design engineer claims the proposed facilities are not within the 100-year flood plain.

Permit issuance in response to this application is recommended.

RECOMMENDATION AND ACTION			
Approve	Refuse	Signature	Date
[]	[]	REVIEWING GEOLOGIST	
[X]	[]	REVIEWING ENGINEER / <i>James M. Daulton</i>	3/24/06
[X]	[]	REGIONAL SECTION CHIEF / <i>N. A. 2</i>	4/26/06
[X]	[]	REGIONAL MANAGER / <i>J. P. Bolto</i>	5/18/06

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATER MANAGEMENT PROGRAM

WATER QUALITY MANAGEMENT PERMIT

NO. 0405405

<p>A. PERMITTEE</p> <p>Borough of Eastvale 510 Second Avenue Beaver Falls, PA 15010</p>	<p>B. LOCATION</p> <p>Municipality <u>Eastvale Borough</u></p> <p>County <u>Beaver</u></p>									
<p>C. TYPE OF FACILITY OR ESTABLISHMENT</p> <p>Sewage Pump Station</p>	<p>D. NAME OF PLANT, AREA SERVED, ETC.</p> <p>Eastvale Borough</p>									
<p>E. THIS PERMIT APPROVES</p> <p>1. Plans for construction of:</p> <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Treatment Facilities</td> <td><input type="checkbox"/> Outfall or Headwall</td> <td><input type="checkbox"/> Impoundment</td> </tr> <tr> <td><input type="checkbox"/> Sewers and Appurtenances</td> <td><input type="checkbox"/> Stream Crossing</td> <td><input checked="" type="checkbox"/> Pump Station</td> </tr> <tr> <td><input type="checkbox"/> Injection Well</td> <td><input checked="" type="checkbox"/> Force Main</td> <td></td> </tr> </table> <p>2. <input type="checkbox"/> The discharge of _____ to _____</p> <p>3. <input checked="" type="checkbox"/> An Erosion and Sedimentation Control Plan. Project Area is _____ acres.</p> <p>4. <input type="checkbox"/> Preparedness, Prevention, Contingency (PPC) Plan.</p>		<input type="checkbox"/> Treatment Facilities	<input type="checkbox"/> Outfall or Headwall	<input type="checkbox"/> Impoundment	<input type="checkbox"/> Sewers and Appurtenances	<input type="checkbox"/> Stream Crossing	<input checked="" type="checkbox"/> Pump Station	<input type="checkbox"/> Injection Well	<input checked="" type="checkbox"/> Force Main	
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<input type="checkbox"/> Injection Well	<input checked="" type="checkbox"/> Force Main									
<p>F. THIS APPROVAL IS SUBJECT TO THE FOLLOWING CONDITIONS</p> <p>1. All construction, operations, procedures, and discharge shall be in accordance with the application dated <u>December 22, 2005</u>, its supporting documentation, and amendments dated through <u>March 15, 2006</u>. Such application, its supporting documentation and amendments are hereby made part of this permit.</p> <p>2. Conditions <u>1, 2, 4, 5, 6, 7, 9, 10, 11, 13, 14, 16, 20, 21, 22</u> of the Standard Conditions Relating to Sewerage - Part II Permits dated September 2, 1983, revised June 1, 2001, and all of the Standard Conditions Relating to Erosion Control for use in Water Quality Management Permits dated August, 1991, which conditions are attached and made part of this permit.</p> <p>3. Special Conditions designated <u>A, B, C, D, E</u> which are attached and made part of this permit.</p>										
<p>G. THE AUTHORITY GRANTED BY THIS PERMIT IS SUBJECT TO THE FOLLOWING FURTHER QUALIFICATIONS</p> <p>1. If there is a conflict between the application or its supporting documentation and amendments and the standard or special conditions, the standard or special conditions shall apply.</p> <p>2. Failure to comply with the rules and regulations of the Department or with the terms or conditions of this permit shall void the authority given to the permittee by the issuance of the permit.</p> <p>3. This permit is issued pursuant to the Clean Streams Law, Act of June 22, 1937, P.L. 1987 as amended, 35 P.S. §691.1 et seq., and/or the Dam Safety and Encroachments Act of November 26, 1978, P.L. 1375, as amended, 32 P.S. §693.1 et seq. Issuance of this permit shall not relieve the permittee of any responsibility under any other law.</p>										
<p>H. PERMIT ISSUED</p> <p>DATE <u>MAY 10 2006</u> BY <u>Stephen R. Balta</u> Stephen R. Balta Water Management Program Manager</p>										

SPECIAL CONDITIONS FOR PART II PERMIT 0405405

- A. The County Conservation District shall be notified prior to the start of earth moving associated with the construction of the herein approved project.
- B. The permittee shall comply with Chapter 102 of the Department's Rules and Regulations regarding erosion control. Chapter 102 requires, in part, that the erosion control plan be available at work sites at all times, that all upslope surface water be diverted away from the project areas, that runoff from project areas pass through facilities for removal of sediment, that all disturbed areas be stabilized as soon as possible after final grade or final earthmoving, that interim stabilization measures be implemented promptly where it is not possible to permanently stabilize a disturbed area immediately after final earthmoving or where the activity ceases for more than 20 days, that erosion and sedimentation control facilities be maintained until stabilization is completed, and that all unnecessary and unusable control measures and facilities be removed upon completion of stabilization.
- C. The requirements of Act 1989-32, the Storage Tank and Spill Prevention Act, must be met for installation of the fuel tank to be used with the emergency generator.
- D. The Department considers the registered professional engineer whose seal is affixed to these documents to be fully responsible for the adequacy of all aspects of the facility design.
- E. If, at any time, this sewer extension and/or pump station covered by this permit creates a public nuisance, including but not limited to, causing malodors or causing environmental harm to the waters of the Commonwealth, the Department may require the permittee to adopt appropriate remedial measures to abate the nuisance or harm.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STANDARD CONDITIONS RELATING TO SEWERAGE - PART II PERMITS ..
Effective September 2, 1983
Revised June 1, 2001

ONE: During construction, no changes affecting any engineering design parameter shall be made from the plans, designs, and other data herein approved unless the permittee shall first receive written approval thereof from the Department. The sewerage facilities shall be constructed under expert engineering supervision and competent inspection.

TWO: The sewers shall have adequate foundation support as soil conditions require. Trenches shall be back-filled such that the sewers will have proper structural stability, with minimum settling and adequate protection against breakage. Concrete used in connection with these sewers shall be protected from injury by water, freezing, drying or other harmful conditions until cured.

THREE: Manhole inverts shall be so formed as to facilitate the flow of the sewage and to prevent the stranding of sewage solids, and the whole manhole structure shall have proper structural strength and be so constructed as to prevent undue infiltration, entrance of the street wash or grit, and to provide convenient and safe means of access and maintenance.

FOUR: No stormwater from pavements, area ways, roofs, foundation drains or other sources shall be admitted to the sanitary sewers herein approved.

FIVE: The permittee shall adopt and enforce an ordinance requiring the abandonment of privies, cesspools or similar receptacles for human waste and on-lot sewage disposal systems on the premises of occupied structures which are accessible to public sewers and require the connection of such structures to the public sewers.

SIX: The herein approved sewers shall be maintained in good condition, kept free from deposits by flushing or other proper means of cleaning, and repaired when necessary.

SEVEN: The permittee shall file with the Department of Environmental Resources "as-built" plans showing the correct plan of all sewers and sewerage structures as actually constructed together with any other information in connection therewith that may be required.

EIGHT: The outfall sewer or drain shall be extended to the low water mark of the receiving body of water. Where necessary to assure the proper mixing and waste assimilation an outfall sewer or drain may be extended with appurtenances below the low water mark and into the bed of navigable stream, provided that the permittee has secured an easement, right-of-way, license, or lease from the Department in accordance with Section 15 of the Dam Safety and Encroachment Act, the Act of November 26, 1978, P.L. 1375, as amended.

NINE: The approval herein given is specifically made contingent upon the permittee acquiring all necessary property rights, by easement or otherwise, providing for the satisfactory construction, operation, maintenance and replacement of all sewers or sewerage structures in, along, or across private property, with full rights of ingress, egress and regress.

TEN: When the herein approved sewage treatment works is completed and before it is placed in operation, the permittee shall notify the Department in writing so that an inspection of the works may be made by a representative of the Department.

ELEVEN: The various structures and apparatus of the sewage treatment works herein approved shall be maintained in proper condition so that the facility will individually and collectively perform the functions for which they were designed.

TWELVE: If, in the opinion of the Department, these works are not so operated or if by reason of change in the character of wastes or increased load upon the works, or changed use or condition of the receiving body of water, or otherwise the effluent from the said works ceases to be satisfactory or the sewerage facilities shall have created a public nuisance, then upon notice by the Department, the right herein granted shall cease and become null and void unless within the time specified by the Department, the permittee shall adopt such remedial measures as will produce an effluent which, in the opinion of the Department, will be satisfactory.

THIRTEEN: The attention of the permittee is called to the highly explosive nature of certain gases generated by the digestion of sewage solids when these gases are mixed in proper portions with air, and to the highly toxic character of certain gases arising from such digestion or from sewage in insufficiently ventilated compartments or sewers. Therefore, at all places throughout the sewerage facilities where hazard of fire, explosion, or danger from toxic gases may occur, the permittee shall post conspicuously proper warnings of a permanent and legible character and shall provide for the thorough instruction of all employees concerning the aforesaid hazards and in first aid and emergency methods of meeting such hazards and shall further provide, in a conveniently accessible place, all necessary equipment and material therefor.

FOURTEEN: Cross connections between the potable water supply and the sewerage system constitute a potential danger to the public health. Therefore, all direct and indirect connections whereby under normal or abnormal conditions the potable water supply may become contaminated from an inferior water supply from any part of a sewerage system are hereby specifically prohibited. The permittee is further warned against permitting to be made permanent any temporary connection with a potable supply designed to be held in place while being used for flushing or other purposes, and is also cautioned against the danger of back siphonage through portable hose lines and similar avenues of possible contamination.

FIFTEEN: This permit authorizes the construction and operation of the proposed sewerage facilities until such time as facilities for conveyance and treatment at a more suitable location are installed and are capable of receiving and treating the permittee's sewage. Such facilities must be in accordance with the applicable municipal official plan adopted pursuant to Section 5 of the Pennsylvania Sewage Facilities Act, the Act of January 24, 1966, (1965 P.L. 1535, No. 537), as amended. When such municipal sewerage facilities become available, the permittee shall provide for the conveyance of the sewage to these sewerage facilities, abandon the use of the herein-approved facilities and notify the Department accordingly. This permit shall then, upon notice from the Department, terminate and become null and void, and shall be relinquished to the Department.

SIXTEEN: The permittee shall construct the sewerage facilities in a manner compatible with good conservation methods in order to minimize the adverse effect on the environment.

SEVENTEEN: The local waterways patrolman of the Pennsylvania Fish Commission shall be notified when the construction of a stream crossing and outfall is started and completed. A permit must be secured from the Pennsylvania Fish Commission if the use of explosives is required. The permittee shall notify the local waterways patrolman when explosives are to be used.

EIGHTEEN: If future operations by the Commonwealth of Pennsylvania require modifications of the stream crossing and/or outfall, or there shall be unreasonable obstruction to the free passage of loads or navigation from the stream crossing and/or outfall, permittee shall remove or alter the structural work or obstruction without expense to the Commonwealth of Pennsylvania. If upon the revocation of the permit, the work shall not be completed, the permittee, at his own expense and in such time and manner as the Department may require, shall remove any or all portions of the incompleated work and restore the water-course to its former condition. No claims shall be made against the Commonwealth of Pennsylvania on account of any such removal or alteration.

NINETEEN: The sewage treatment plant shall be operated by an operator certified in accordance with the Sewage Treatment Plant and Waterworks Operators' Certification Act, the Act of November 18, 1968, P.L. 1217, as amended.

TWENTY: All industrial waste discharged or proposed for discharge into the sewer system shall be studied to determine the degree of pretreatment necessary in order that the industrial waste will not adversely affect the sewerage facilities or the sewage treatment process. The permittee shall properly control any industrial waste discharge into its sewerage system by regulating the rate of such discharge, requiring necessary pretreatment, and excluding industrial waste, if necessary, to protect the integrity of the permittee's sewerage system.

TWENTY-ONE: Receipt of this permit does not relieve the permittee of its obligations to comply with all federal, interstate, state, or local laws, ordinances, and regulations applicable to the sewerage facilities authorized herein.

TWENTY-TWO: This permit does not give any real or personal property rights or grant any exclusive privileges, nor shall it be construed to grant or confirm any right, title, easement, or interest in, on, to, or over any lands belonging to the Commonwealth.

DEPARTMENT OF ENVIRONMENTAL RESOURCES
STANDARD CONDITIONS RELATING TO EROSION CONTROL
For Use in Water Quality Management Permits

1. By approval of the plans for which this permit is issued, neither the Department nor the Commonwealth of Pennsylvania assumes any responsibility for the feasibility of the plans or the operation of the measures and facilities to be constructed thereunder.
2. If at any time the erosion and sedimentation activities undertaken pursuant to this permit or the discharge of the effluent therefrom is causing or contributing to pollution of the waters of the Commonwealth, the permittee shall forthwith adopt such remedial measures as are acceptable to the Department.
3. This permit does not authorize any earth disturbance controlled by an ordinance enacted by a local municipality. Additional permits must be secured from local municipalities where earthmoving activities are covered by local ordinances.
4. At least seven days before earthmoving will begin, the permittee, by telephone or certified mail, shall notify the Department or its designee of the date for beginning of construction and invite the County Conservation District Representative to attend a pre-construction conference with the contractor. The permittee shall have his erosion control plan available at the site of the activity at all times.
5. All earthmoving activities shall be undertaken in the manner set forth in the erosion and sedimentation control plan identified with this permit. Revisions to the plan shall be pre-approved by the Department.
6. The erosion control measures and facilities shall be constructed under the supervision and competent inspection of an individual trained and experienced in erosion control, and in accordance with plans, designs and other data as herein approved or amended, and with the conditions of this permit. Control facilities shall be frequently inspected to insure effective control.
7. When the herein approved erosion control measures and facilities are completed, the permittee shall notify the County Conservation District so that an inspection of the measures and facilities may be made.
8. No storm water, sewage or industrial wastes not specifically approved herein, shall be admitted to the erosion and sedimentation measures and facilities for which this permit is issued, unless with the approval of the Department.

9. Sediment shall at no time be permitted to accumulate in sedimentation basins to a depth sufficient to limit storage capacity or interfere with the settling efficiency thereof. The sediment removed shall be handled and disposed of in a manner that will not create pollution problems and so that every reasonable and practical precaution is taken to prevent the said material from reaching the waters of the Commonwealth.
10. All slopes, channels, ditches or any disturbed area shall be stabilized as soon as possible after the final grade or final earthmoving has been completed. Where it is not possible to permanently stabilize a disturbed area immediately after the final earthmoving has been completed or where the activity ceases for more than 20 days, interim stabilization measures shall be implemented promptly.
11. Upon completion of the project, all areas which were disturbed by the project shall be stabilized so that accelerated erosion will be prevented. Any erosion and sedimentation control facility required or necessary to protect areas from erosion during the stabilization period shall be maintained until stabilization is completed. Upon completion of stabilization, all unnecessary or unusable control measures and facilities shall be removed, the areas shall be graded and the soils shall be stabilized.
12. The responsibility of carrying out the permit conditions shall rest with the owner, lessee, assignee or other responsible manager of earthmoving that affects the approved erosion controls. Such responsibility passes with each control succession.