

605. Judicial Proceedings. Following the entry of any order by the USB with respect to the conduct of a User contrary to the provisions of Section 602 hereof, the Attorney for the USB may, following the authorization of such action by the USB commence an action for appropriate legal and/or equitable relief in the appropriate local court in accordance with procedures established in Section 1.5 of the Sewer Use Ordinance 79-5.
606. Enforcement Actions - Annual Publication. A list of all significant Dischargers which were the subject of enforcement proceedings pursuant to Chapter 6 of this Ordinance during the twelve (12) previous months, shall be annually published by the USB in the largest daily newspaper, published in the municipality in which the USB is located, summarizing the enforcement actions taken against the Dischargers during the same twelve (12) months whose violations remained uncorrected 45 or more days after notification of non-compliance; or which have exhibited a pattern of non-compliance; over that twelve month period, or which involve failure to accurately report non-compliance.
607. Right of Appeal. Any User or any interested party shall have the right to request in writing an interpretation or ruling by the USB on any matter covered by this Ordinance and shall be entitled to a prompt written reply. In the event that such inquiry is by a User and deals with matters of performance or compliance with this Ordinance or deals with a Wastewater Discharge Permit issued pursuant hereto for which enforcement activity relating to an alleged violation which is the subject, receipt of a User's request shall stay all enforcement proceedings pending receipt of the aforesaid written reply. Appeal of any final judicial order entered pursuant to this Ordinance may be taken in accordance with local and state law.
608. Operating Upsets. Any User which experiences an upset in operations which places the User in a temporary state of non-compliance with this Ordinance or a Wastewater Discharge Permit issued pursuant hereto shall inform the Utilities Manager thereof within 24 hours of first awareness of the commencement of the upset. Where such information is given orally, a written follow-up report thereof shall be filed by the User with the USB within five days. The report shall specify:
- (a) Description of the upset, the cause thereof and the upset's impact on a Discharger's compliance status.
 - (b) Duration of non-compliance, including exact dates and times of non-compliance, and if the non-compliance continues, the time by which compliance is reasonably expected to occur.
 - (c) All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset or other conditions of non-compliance.
- A documented and verified bonafide operating upset shall be an affirmative defense to any enforcement action brought by the USB against a User for any non-compliance with the Ordinance or any Wastewater Discharge Permit issued pursuant hereto, which arises out of violations alleged to have occurred during the period of the upset.
609. Falsifying of Information. Any person who knowingly makes any false statements, representation, record, report, plan or other document filed with the USB or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under these regulations shall be considered in violation of this ordinance.