CHAPTER 101. [Reserved]

Cross References
This chapter cited in 25 Pa. Code § 78.18 (relating to disposal and enhanced recovery well permits).

§ 101.1. [Reserved].

Source

§ 101.2. [Reserved].

Source

Notes of Decisions
Immediate Action
The notification requirements do not violate an offender’s privilege against self-incrimination, since the notice admits only that an accident has occurred which may cause pollution; a telephone call by a borough police officer to a District Waterways patrolman employed by the Fish Commission is not sufficient notice to the Department of Environmental Resources. Commonwealth v. Shippensburg Borough, 2 Pa. D. & C.3d 417 (1977).

The intent of 25 Pa. Code § 101.2(a) is to alert others downstream about the possibility of pollution; the fact that the damage appeared to be done by the time it was discovered is no reason for failing to notify the Department of Environmental Resources. Commonwealth v. Shippensburg Borough, 2 Pa. D. & C.3d 417 (1977).

§ 101.3. [Reserved].

Source

Cross References
This section cited in 25 Pa. Code § 78.55 (relating to control and disposal plan).

§ 101.4. [Reserved].

Source
Notes of Decisions

On appeal from a DER order requiring a silt pond to be closed, the Department has the burden of proving the condition of the impoundment. Department of Environmental Resources v. Leon E Kocher Coal Company, 305 A.2d 784 (Pa. Cmwlth. 1973).

§§ 101.5 and 101.6. [Reserved].

Source


§ 101.7. [Reserved].

Source

The provisions of this § 101.7 reserved February 15, 1985, effective February 16, 1985, 15 Pa. B. 544. Immediately preceding text appears at serial page (53961).

§ 101.8. [Reserved].

Source


Cross References

This section cited in 25 Pa. Code § 83.201 (relating to definitions); and 25 Pa. Code Chapter 105 Appendix I (relating to agricultural activities; general permit BDWM-GP-9).

§ 101.9. [Reserved].

Source

The provisions of this § 101.9 adopted May 5, 1978, effective May 6, 1978, 8 Pa.B. 1275; reserved April 8, 1988, effective April 9, 1988, 18 Pa.B. 1681. Immediately preceding text appears at serial pages (105229) to (105232).