

CHAPTER 101. [Reserved]**Cross References**

This chapter cited in 25 Pa. Code § 78.18 (relating to disposal and enhanced recovery well permits); and 25 Pa. Code Chapter 105 Appendix E (relating to utility line stream crossings; general permit BDWM-GP-5).

§ 101.1. [Reserved].**Source**

The provisions of this § 101.1 adopted September 2, 1971, effective September 3, 1971, 1 Pa.B. 1804; reserved January 28, 2000, effective January 29, 2000, 30 Pa.B. 521. Immediately preceding text appears at serial page (237395).

§ 101.2. [Reserved].**Source**

The provisions of this § 101.2 adopted September 2, 1971, effective September 3, 1971, 1 Pa.B. 1804; amended through July 16, 1983, effective July 17, 1983, 13 Pa.B. 2195; reserved January 28, 2000, effective January 29, 2000, 30 Pa.B. 521. Immediately preceding text appears at serial pages (237395) to (234598).

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**

The provisions of this § 101.3 adopted September 2, 1971, effective September 3, 1971, 1 Pa.B. 1804; reserved January 28, 2000, effective January 29, 2000, 30 Pa.B. 521. Immediately preceding text appears at serial page (234599).

Cross References

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

§ 101.4. [Reserved].**Source**

The provisions of this § 101.4 adopted September 2, 1971, effective September 3, 1971, 1 Pa.B. 1804; amended July 2, 1992, effective July 4, 1992, 22 Pa.B. 3389; reserved January 28, 2000, effective January 29, 2000, 30 Pa.B. 521. Immediately preceding text appears at serial pages (234599) to (234600).

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**

The provisions of these §§ 101.5 and 101.6 adopted September 2, 1971, effective September 3, 1971, 1 Pa.B. 1804; reserved January 28, 2000, effective January 29, 2000, 30 Pa.B. 521. Immediately preceding text appears at serial pages (234600) to (234601).

§ 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**

The provisions of this § 101.8 adopted June 3, 1977, effective June 4, 1977, 7 Pa.B. 1478; amended March 16, 1990, effective March 17, 1990, 20 Pa.B. 1495; reserved January 28, 2000, effective January 29, 2000, 30 Pa.B. 521. Immediately preceding text appears at serial pages (234601) and (234602).

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).

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