

99063016006000, 99063016006000

Applying for approval for the early construction of an installation requiring a permit

Heruntergeladen am 26.06.2025

<https://fimportal.de/xzufi-services/402807803/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99063016006000, 99063016006000
Leistungsbezeichnung I	Applying for approval for the early construction of an installation requiring a permit
Leistungsbezeichnung II	Applying for approval for the early construction of an installation requiring a permit
Typisierung	2 - Bundesauftragsverwaltung: Regelung
Quellredaktion	Sachsen-Anhalt
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Immissionsschutz (063)
Verrichtungskennung	Genehmigung (006)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder

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	Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400), Anlagenbetrieb und -prüfung (2120100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	23.09.2022
Fachlich freigegeben durch	Saxon State Ministry for Energy, Climate Protection, Environment and Agriculture (SMEKUL)
Handlungsgrundlage	https://www.gesetze-im-internet.de/bimschg/__8a.html https://www.gesetze-im-internet.de/bimschg/__8a.html
Teaser	In a procedure for the granting of a permit for installations requiring approval, you can submit an application to the competent authority for an early start to the construction of an installation.
Volltext	<p>If you are seeking approval for the early construction of an installation requiring a permit, you must prove that:</p> <ol style="list-style-type: none"> 1. a decision in your favor can be expected, 2. there is a public interest or a legitimate interest in the early commencement of your project and 3. you undertake to compensate for all damage caused by the construction of the facility up to the time of the decision and, if the project is not approved, to restore it to its previous state. <p>The approval can be revoked at any time. Approval may be granted subject to conditions or subject to subsequent conditions. The competent authority may demand the provision of a security if this is necessary to ensure the fulfillment of its obligations as the applicant.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Required drawings, plans, expert opinions • explanations and • other documents (if necessary, ask the competent

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	authority).
Voraussetzungen	<ul style="list-style-type: none"> • It must be possible to adequately assess the impact of the planned installation from the application you submit and the required documents. • In addition, your application must demonstrate a legitimate interest in the early start. • Furthermore, as the applicant, you must undertake to compensate for all damage caused by the premature construction up to the time of the decision and, if the project is not approved, to restore it to its previous state.
Kosten	
Verfahrensablauf	<ul style="list-style-type: none"> • If you wish to obtain approval for the early commencement of the construction of an installation requiring approval, you must submit a written application to the competent authority in advance. • The application must be accompanied by the drawings, explanations and reasoned choice of location required to check the requirements, as well as evidence of the need for early commencement. • The competent authority will decide on the approval for early commencement. • You will receive a notice of approval or rejection. • In the event of a rejection, you can lodge an appeal.
Bearbeitungsdauer	<p>3 - 7 Monat(e)</p> <p>The approval procedure is part of the licensing procedure, which is why the corresponding processing deadlines also apply (with an extension option of three months).</p>
Frist	The application must be submitted before construction of the system begins.
weiterführende Informationen	
Hinweise	In a procedure for granting a permit in the event of a significant change to an installation requiring a permit, the licensing authority can also provisionally permit the operation of the installation under certain conditions (in accordance with Section 16 (1) BImSchG).

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	One prerequisite for this is that the modification fulfills an obligation arising from this Act or from an ordinance issued under this Act.
Rechtsbehelf	<ul style="list-style-type: none"> • Objection • Complaint
Kurztext	<ul style="list-style-type: none"> • Premature construction of a plant requiring approval in accordance with BImSchG Approval In a procedure for granting a permit, the licensing authority shall, upon application, provisionally allow construction to begin before the permit is granted, including the measures required to test the operational capability of the installation • Application using the ELiA technical procedure or in writing
Ansprechpunkt	Responsibility lies with the immission control authorities of the districts and independent cities or with the State Administration Office. For matters subject to mining supervision, please contact the State Office for Geology and Mining (LAGB). You can obtain detailed information from the relevant authorities.
Zuständige Stelle	
Formulare	
Ursprungsportal	Applying for approval for the early construction of an installation requiring a permit, Zulassung der vorzeitigen Errichtung einer genehmigungsbedürftigen Anlage beantragen