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Immission control - applying for authorisation in the simplified procedure for a plant in accordance with the BImSchG

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Modul	Sachverhalt
Leistungsschlüssel	99063014006000
Leistungsbezeichnung I	Immission control - applying for authorisation in the simplified procedure for a plant in accordance with the BImSchG
Leistungsbezeichnung II	Immission control - applying for authorisation in the simplified procedure for a plant in accordance with the BImSchG
Typisierung	2 - Bundesauftragsverwaltung: Regelung
Quellredaktion	Baden-Württemberg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	

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Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<p>Bundes-Immissionsschutzgesetz (BImSchG):</p> <ul style="list-style-type: none"> • § 4 Genehmigung • § 6 Genehmigungsvoraussetzungen • § 10 Genehmigungsverfahren • § 19 Vereinfachtes Verfahren <p>Neunte Verordnung zur Durchführung des Bundes-Immissionsschutzgesetzes (Verordnung über das Genehmigungsverfahren - 9. BImSchV)</p> <p>Vierte Verordnung zur Durchführung des Bundes-Immissionsschutzgesetzes (Verordnung über genehmigungsbedürftige Anlagen - 4. BImSchV)</p>
Teaser	<p>The construction and operation of an installation listed in Annex 1 of the Fourth Ordinance on the Implementation of the Federal Immission Control Act (Ordinance on Installations Requiring Authorisation - 4th BImSchV) requires an immission control permit from the competent authority. The significant modification of such an installation is also subject to authorisation.</p>
Volltext	<p>The construction and operation of an installation listed in Annex 1 of the Fourth Ordinance on the Implementation of the Federal Immission Control Act (Ordinance on Installations Requiring Authorisation - 4th BImSchV) requires an immission control permit from the competent authority. The significant modification of such an installation is also subject to</p>

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authorisation.

Authorisations for installations of a certain type or scope can be granted in a simplified procedure instead of a formal one. In these cases, the procedure is carried out without public participation.

The cases in which a simplified authorisation procedure is possible can be found in the legal basis.

Erforderliche Unterlagen

The application must be accompanied by the documents required for an assessment. These are, for example

- Descriptions of the project, including information on plant components, process steps, material and product data,
- schematic diagrams and flow charts,
- Information on possible disruptions to normal operation,
- Information on emissions and immissions,
- Information on waste and waste water,
- Construction documents: site plan, construction drawings, construction description.

The competent authority may request further documents if necessary. Coordinate in advance with the responsible immission control authority regarding the documents required for an assessment.

If official decisions concerning the installation are communicated as part of the authorisation procedure (e.g. building permit), the documents required for this must also be submitted.

If no online procedure is available, please use forms 1 to 11 of "Annex 1" of the Guidelines for authorisation and notification procedures under the Federal Immission Control Act of the Baden-Württemberg Ministry of the Environment.

Voraussetzungen

- You must prove that you will fulfil the obligations of the Federal Immission Control Act (BImSchG) when constructing and operating a plant.
- The project does not conflict with any other public

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	law regulations or occupational health and safety concerns.
Kosten	The fees are based on the investment costs for the system.
Verfahrensablauf	<p>The authorisation procedure requires a written or electronic application, which must be accompanied by the drawings, explanations and other documents required to check the authorisation requirements.</p> <ul style="list-style-type: none"> • If further documents are required by the competent immission control authority or the respective specialised authorities for an assessment, these must be submitted subsequently. • The competent immission control authority shall involve the specialist authorities affected by the project to determine the eligibility for authorisation . In contrast to the formal authorisation procedure, there is no public participation in the simplified authorisation procedure and therefore no presentation of the application documents. • Once the licensing authority has determined all the circumstances that are relevant to the granting of a licence, a decision must be made on the application. • The authorisation decision must be substantiated in writing. • Pursuant to Section 13 BImSchG, the immission control permit includes other official decisions relating to the installation, in particular permits, approvals, awards, authorisations and licences under public law. Excluded from this are planning approvals, approval of operating plans under mining law, official decisions based on nuclear regulations and water law permits and authorisations. • As part of the application, the approval of an early start in accordance with Section 8a BImSchG or the granting of a preliminary decision in accordance with Section 9 BImSchG as well as the division into several partial authorisations in accordance with Section 8 BImSchG can be applied for.
Bearbeitungsdauer	As a rule, the licensing authority must check whether the documents are complete within one month of receiving the application. If the application documents

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are not sufficient for an assessment, they must be completed by the applicant. In a simplified procedure, the processing time is 3 months after receipt of all the necessary documents. The deadline may be extended by three months if this is necessary due to the difficulty of the examination or for reasons attributable to the applicant.

Frist

The operator must obtain authorisation from the competent authority before installing and operating the system.

weiterführende Informationen

Hinweise

Coordinate in advance with the responsible immission control authority regarding the documents required for an assessment.

The application for an immission control permit in the simplified or formal authorisation procedure is made using the same online application. The procedure variant is selected during the application process.

A major change to an installation requiring authorisation under immission control law also requires authorisation. The same forms or the same online procedure are used here.

When submitting an application electronically via the Baden-Württemberg service portal, use the online process "Submitting documents for immission control authorisation" for the subsequent submission of application documents.

Further information on the immission control authorisation procedure can be found in the description of the administrative management "Immission control - applying for the construction and operation of an installation requiring authorisation".

Rechtsbehelf

If the responsible immission control authority refuses to authorise the project, an appeal can be lodged against this or, in the case of decisions by the regional councils, a complaint can be lodged. Further

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	information can be found in the decision.
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	