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# Immission control - applying for a preliminary decision on a plant requiring authorisation in accordance with the BImSchG

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<https://fimportal.de/xzufi-services/6020689-99063015001000/L100022>

Modul	Sachverhalt
Leistungsschlüssel	99063015001000
Leistungsbezeichnung I	Immission control - applying for a preliminary decision on a plant requiring authorisation in accordance with the BImSchG
Leistungsbezeichnung II	Immission control - applying for a preliminary decision on a plant requiring authorisation in accordance with the BImSchG
Typisierung	2 - Bundesauftragsverwaltung: Regelung
Quellredaktion	Baden-Württemberg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	

Modul	Sachverhalt
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<p>Gesetz zum Schutz vor schädlichen Umwelteinwirkungen durch Luftverunreinigungen, Geräusche, Erschütterungen und ähnliche Vorgänge - Bundesimmissionsschutzgesetz (BImSchG)</p> <ul style="list-style-type: none"> <li>• § 9 Vorbescheid</li> </ul>
Teaser	<p>If you apply for a preliminary decision on an immission control permit for the construction and operation of a plant requiring a permit, the competent authority will first decide on individual authorisation requirements and the location of the plant.</p>
Volltext	<p>If you apply for a preliminary decision on an immission control permit for the construction and operation of a plant requiring a permit, the competent authority will first decide on individual authorisation requirements and the location of the plant.</p> <p>If the effects of the planned installation can be adequately assessed and there is a legitimate interest in issuing a preliminary decision, the competent authority should issue a preliminary decision.</p> <p>If individual authorisation requirements have been conclusively assessed in the preliminary decision, the approval authority is bound by this in the subsequent approval procedure. However, the preliminary decision does not authorise you to construct or operate the plant. This is only possible once the immission control licence has been issued.</p>

Modul	Sachverhalt
Erforderliche Unterlagen	<ul style="list-style-type: none"> <li>• Application for a preliminary decision on an installation requiring authorisation</li> <li>• required drawings, plans, expert opinions</li> <li>• Explanations of the installation</li> <li>• other documents (if necessary, ask the competent authority)</li> </ul>
Voraussetzungen	<ul style="list-style-type: none"> <li>• The competent authority must be able to adequately assess the impact of the planned installation from the application you submit and the required documents.</li> <li>• In a preliminary forecast, it must be possible to confirm that your overall project can be authorised.</li> <li>• Your application must demonstrate a legitimate interest in the granting of a preliminary licence.</li> </ul>
Kosten	The fees are based on the investment costs for the system.
Verfahrensablauf	<p>The application for a preliminary decision on an installation requiring authorisation is made as part of a procedure for the granting of an immission control permit for the construction and operation of an installation requiring authorisation. As soon as the competent authority has completed its examination of the authorisation requirements affected by the preliminary decision and a positive preliminary overall assessment has been fulfilled, you will receive a corresponding decision from the competent authority.</p> <p>If individual authorisation requirements have been conclusively assessed in the preliminary decision, the approval authority is bound by this in the subsequent approval procedure (staged procedure). However, the preliminary decision does not authorise the construction or operation of the plant. This is only possible with the final authorisation.</p>
Bearbeitungsdauer	
Frist	The preliminary decision becomes invalid if you do not apply for authorisation of the installation within two years of the preliminary decision becoming invalid. In justified exceptional cases, the period of validity of the preliminary decision can be extended for up to two further years.

Modul	Sachverhalt
weiterführende Informationen	
Hinweise	<p>Coordinate in advance with the responsible immission control authority regarding the required documents.</p> <p>The application for a preliminary decision on a plant requiring authorisation is made via the online application for the administrative service "Immission control - applying for the construction and operation of an installation requiring authorisation".</p>
Rechtsbehelf	<ul style="list-style-type: none"> <li>• Opposition</li> <li>• Action</li> </ul>
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	