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 99063054261000, 99063012001000, 99063055261000,
 99063014006000, 99063001261000, 99063015001000,
 99063055006000, 99063001006002, 99063001006001

Heruntergeladen am 26.06.2025

<https://fimportal.de/xzufi-services/2365/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99063009006000, 99063016006000, 99063001006003, 99063054261000, 99063012001000, 99063055261000, 99063014006000, 99063001261000, 99063015001000, 99063055006000, 99063001006002, 99063001006001
Leistungsbezeichnung I	
Leistungsbezeichnung II	Immission control; application for a permit for the construction and operation of a plant
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
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	03.06.2025
Fachlich freigegeben durch	Bayerisches Staatsministerium für Umwelt und Verbraucherschutz (Bavarian State Ministry of the Environment and Consumer Protection)
Handlungsgrundlage	http://bundesrecht.juris.de/bimschg/ http://bundesrecht.juris.de/bimschg/ http://bundesrecht.juris.de/bimschv_4_2013 http://bundesrecht.juris.de/bimschv_4_2013 http://bundesrecht.juris.de/bimschv_9/index.html http://bundesrecht.juris.de/bimschv_9/index.html https://www.gesetze-im-internet.de/bimschv_12_2000/ https://www.gesetze-im-internet.de/bimschv_12_2000/
Teaser	The construction, operation and significant modification of certain installations that may have a harmful impact on the environment require a permit under immission control legislation.
Volltext	<p>Immission control legislation applies to a large number of facilities.</p> <p>Certain facilities, such as large agricultural operations, can be sources of considerable environmental pollution - to prevent this, operators of such facilities require a permit from the competent authority. You can find out whether an immission control permit is required for your planned plant by contacting your local authority. Selected aspects of the approval procedure are described below, and it is strongly recommended that you contact the authority responsible for you as early as possible for such projects.</p>

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The Federal Immission Control Act (BImSchG) stipulates that the construction and operation of installations that may typically have a harmful impact on the environment require a permit under immission control law. The relevant types of installations are listed exhaustively in the Ordinance on Installations Requiring a Permit (4th BImSchV).

A distinction is made between the formal procedure under Section 10 BImSchG and the simplified procedure under Section 19 BImSchG. What both procedures have in common is that they require a written or electronic application and the submission of all documents relevant to the assessment as well as the involvement of other affected authorities. In the formal procedure, there is also a public announcement of the project, a public display of the application including documents and, if necessary, a discussion meeting. In certain cases, an environmental impact assessment must also be carried out.

An installation that does not require a permit and has already been constructed or the construction or substantial modification of which has already begun becomes subject to approval when it is included in the list of installations requiring approval under the ordinance. In this case, the installation is subject to the immission control licensing requirements and must be notified to the competent authority within three months of the respective 4th BImSchV coming into force in accordance with Section 67 (2) BImSchG.

Under certain conditions, the granting of a partial permit, a preliminary decision or the approval of an early start is possible.

If the operator intends to change the location, nature or operation of an installation requiring a permit, he must also obtain a permit for this if it is a significant change. Other changes must be notified to the licensing authority at least one month before commencement.

The project must also be notified for the construction and operation or modification of installations that do

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	<p>not require a permit under immission control legislation and that are an operating area or part of an operating area within the meaning of the 12th BImSchV (so-called Hazardous Incident Ordinance) and, if necessary, a permit must be obtained in accordance with Section 23b BImSchG or Section 16a BImSchG.</p> <p>As a rule, the district administrative authority (district administration office, independent city or large district town) is responsible for the decision on the permit; in exceptional cases defined by law, the government or the mining authority is responsible.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • The application documents depend on the individual case. Information on the type of documents can be found in §§ 3 ff 9. BImSchV (see under "Legal bases") and in the checklists under "Further links".
Voraussetzungen	<p>You must prove to the competent authority that you will comply with the obligations of the Federal Immission Control Act during the construction, operation and modification of an installation. Other public law regulations and occupational health and safety concerns must not conflict with the project.</p>
Kosten	<p>The costs incurred are set out in the schedule of costs under the Bavarian Costs Act, No. 8.II.0, tariff item 1.</p>
Verfahrensablauf	<p>You notify the competent authority of your project prior to commissioning or implementation of the project.</p> <p>Please submit to the competent authority the documents listed in the checklist for application documents in the immission control licensing procedure or for the licensing procedure for wind turbines (see "Further links").</p>
Bearbeitungsdauer	<p>A decision on the application for approval must be made within seven months of receipt of the application and the documents to be submitted in accordance with Section 10 (1) sentence 2 BImSchG, or within three months in simplified procedures. Other deadlines apply in special constellations, e.g. a decision on an application for repowering must be made within six</p>

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	months.
Frist	In principle, there are no deadlines. However, in the case of a planned change to the location, nature or operation of an installation requiring approval, for example, the change must be notified at least one month before the change is to begin.
weiterführende Informationen	https://formularserver.bayern.de/intelliform/forms/stmi+regierungen/rof/b5/55.1/rof_55.1-053/index https://formularserver.bayern.de/intelliform/forms/stmi+regierungen/rof/b5/55.1/rof_55.1-053/index https://www.energieatlas.bayern.de/sites/default/files/checkliste_genehmigung_windenergieanlagen.pdf https://www.energieatlas.bayern.de/sites/default/files/checkliste_genehmigung_windenergieanlagen.pdf https://www.lfu.bayern.de/energie/doc/verfahrenshandbuch_ee.pdf https://www.lfu.bayern.de/energie/doc/verfahrenshandbuch_ee.pdf
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Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal