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Applying for authorisation to discharge waste water early into water bodies

Heruntergeladen am 27.07.2025

<https://fimportal.de/xzufi-services/376343278/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99129046007000
Leistungsbezeichnung I	Applying for authorisation to discharge waste water early into water bodies
Leistungsbezeichnung II	
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Wasser (129)
Verrichtungskennung	Zulassung (007)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und

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	Führung eines Unternehmens
Lagen Portalverbund	Bauplanung (2050400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	30.08.2022
Fachlich freigegeben durch	Hessian Ministry for the Environment, Climate Protection, Agriculture and Consumer Protection
Handlungsgrundlage	https://dejure.org/gesetze/WHG/17.html https://www.rv.hessenrecht.hessen.de/bshe/document/jlr-WasGHE2010V3P14 https://dejure.org/gesetze/WHG/17.html https://www.rv.hessenrecht.hessen.de/bshe/document/jlr-WasGHE2010V3P14
Teaser	Would you like to discharge wastewater into surface waters and/or into groundwater via infiltration before permission is granted? Then you must apply for an authorisation for the early start of water use.
Volltext	<p>In Germany, approval is required for the premature start of discharge. For this purpose, a permit for discharge must already be applied for at the competent authority.</p> <p>The approval of the early start of the discharge of wastewater in accordance with § 17 WHG is granted by the competent water authority, provided that the necessary conditions are met.</p> <p>The permit may only be granted if an application for a permit for the discharge of waste water has already been submitted to the competent authority and all requirements of § 17 paragraph 1 nos. 1-3 WHG are met.</p> <p>If a permit or authorisation of premature commencement pursuant to § 17 Abs. 1 WHG has expired in whole or in part, the water authority may, pursuant to § 14 Abs. 1 Hessisches Wassergesetz HWG) oblige the entrepreneur to remove the waste water plant in whole or in part at his or her expense and to</p>

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	restore the previous condition or to take precautions at his or her expense, which are likely to prevent adverse consequences.
Erforderliche Unterlagen	The required documentation depends on the type and quantity of wastewater (rainwater, waste water, mixed water) to be discharged into the surface water and / or via infiltration into the groundwater.
Voraussetzungen	<p>Authorisation may be granted (discretion) if:</p> <ul style="list-style-type: none"> • an application for permission has already been submitted, • a decision in favour of the applicant can be expected, • there is a public interest or a legitimate interest of the applicant in the early start, and • the applicant undertakes to make good any damage caused by the discharge up to the time of the decision and, if the discharge is not allowed, to restore the previous situation. • There is no impairment of the public interest and no infringement of the rights of third parties
Kosten	<p>For the administrative service "admission of early start", administrative costs are to be paid to the competent authority in the respective federal state.</p> <p>The amount of the administrative costs depends on the respective provisions of state law on administrative costs.</p> <p>The administrative costs are calculated in accordance with the administrative costs regulation for the portfolio of the Ministry of the Environment. Climate protection, agriculture and consumer protection (VwKostO-MULKV) in the currently valid version. The administrative costs for the approval of the early start amount to 20 percent of the administrative costs to be paid for the granting of the permit, but at least 300 € (VwKostO-MUKLV No. 16227 f.) (as of July 2021)</p>
Verfahrensablauf	<ul style="list-style-type: none"> • Authority declares applicant the admission procedure of early start • Applicant prepares and submits application documents. • Authority checks application documents; requests

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	<p>documents if necessary and involves affected bodies</p> <ul style="list-style-type: none"> • Applicant submits documents; Bodies concerned issue an opinion • Authority examines subsequently submitted documents and comments received • The authority prepares the approval on the basis of the examined and, if necessary, supplemented application documents, provided that the requirements of § 17 Abs. 1 WHG are met. • Applicant receives letter of admission for early start • Applicant pays the administrative costs
Bearbeitungsdauer	The processing time depends on the quality and scope of the submitted application and the associated documents. In principle, the processing time is at least 2 months. Processing time may depend on when subsequent documents are submitted
Frist	The application must be submitted at an early stage, as wastewater may only be discharged into surface waters or via the subsoil into groundwater with the granting of the early start permit.
weiterführende Informationen	
Hinweise	https://umwelt.hessen.de/wasser/gewaesserschutz/abwasser https://umwelt.hessen.de/wasser/gewaesserschutz/abwasser
Rechtsbehelf	<p>An objection may be lodged against the decision on the early commencement within one month of notification (§§ 68 and 70 VwGO), unless the Regional Council has made the decision (§ 16a Hessian Law on the Implementation of the Code of Administrative Court Procedure – HessAGVwGO)</p> <p>If the opposition proceedings are omitted, an action may be brought before the administrative court.</p>
Kurztext	For the discharge of waste water (rainwater, waste water, mixed water) into surface waters or via infiltration into groundwater, an application for approval of the early start of discharge can be applied for in Germany.

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Ansprechpunkt	
Zuständige Stelle	<p>The responsibility for granting the permit results from § 65 HWG in conjunction with the Ordinance on the Competence of the Water Authorities</p> <p>Upper water authorities: Regierungspräsidium Darmstadt, Regierungspräsidium Gießen, Regierungspräsidium Kassel</p> <p>Lower water authorities: The tasks of the lower water authorities are performed by the district administrations and, in independent cities, by the city administrations.</p> <p>https://umwelt.hessen.de/Wasser/Wasserbehoerden-und-Wasserwirtschaftsrecht</p> <p>https://umwelt.hessen.de/Wasser/Wasserbehoerden-und-Wasserwirtschaftsrecht</p>
Formulare	<ul style="list-style-type: none"> • Online procedure: no • Written form required: yes • Personal appearance: no
Ursprungsportal	<p>Zulassung eines vorzeitigen Beginns des Einleitens von Abwasser in Gewässer beantragen, Applying for authorisation to discharge waste water early into water bodies</p>