

99063015001000, 99063015001000

Preliminary decision on a plant requiring a permit in accordance with the Federal Immission Control Act (BImSchG)

Heruntergeladen am 08.07.2025

<https://fimportal.de/xzufi-services/389412800/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99063015001000, 99063015001000
Leistungsbezeichnung I	Preliminary decision on a plant requiring a permit in accordance with the Federal Immission Control Act (BImSchG)
Leistungsbezeichnung II	
Typisierung	2 - Bundesauftragsverwaltung: Regelung
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Immissionsschutz (063)

Modul	Sachverhalt
Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400), Anlagenbetrieb und -prüfung (2120100)
Einheitlicher Ansprechpartner	Ja
Fachlich freigegeben am	02.01.2024
Fachlich freigegen durch	Saxon State Ministry of Energy, Climate Protection, Environment and Agriculture (SMEKUL)
Handlungsgrundlage	https://www.gesetze-im-internet.de/bimschg/__9.html https://www.gesetze-im-internet.de/bimschg/__9.html https://www.gesetze-im-internet.de/bimschg/__4.html https://www.gesetze-im-internet.de/bimschg/__5.html https://www.gesetze-im-internet.de/bimschg/__6.html https://www.gesetze-im-internet.de/bimschv_4_2013/index.html
Teaser	If you submit an application for a preliminary decision on an installation requiring a permit, the competent authority should approve it under certain conditions.
Volltext	After your application for a preliminary decision, the competent authority decides on individual approval requirements as well as on the location of the plant. 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. The preliminary decision becomes invalid if you have not applied for approval within two years.
Erforderliche Unterlagen	• Required drawings, plans, expert opinions • Explanations and • other documents (if necessary, ask the competent authority). https://www.hlnug.de/downloads

Modul	Sachverhalt
Voraussetzungen	• From the application you have submitted, as well as the required documents, it must be possible to adequately assess the effects of the planned plant. • In addition, your application must show a legitimate interest in the issuance of a preliminary decision. • If a preliminary decision is issued, you must apply for approval within two years of the preliminary decision becoming final. The deadline may be extended to four years upon request.
Kosten	Gebühr: 600€ - 450.000€
Verfahrensablauf	• If you would like to receive a preliminary decision on a plant requiring a permit, you must submit a written application in advance to the competent authority. • The application must be accompanied by drawings, explanations and the justified choice of location required to check the prerequisites. • The competent authority shall decide whether to issue the preliminary ruling. • You will receive a decision on the granting or rejection of the preliminary decision. • The preliminary decision becomes invalid if you do not apply for approval of the installation within two years. The deadline may be extended to four years upon request.
Bearbeitungsdauer	3 - 7 Monat(e) There is no legal deadline for the preliminary ruling procedure. The simplified approval procedure can be used as a guide. This is subject to a period of three months with a maximum of three months of extension.
Frist	2 Jahr(e) The preliminary decision becomes invalid if you do not apply for approval of the installation within two years. In justified exceptional cases, the period of validity of the preliminary decision may be extended for up to two further years.
weiterführende Informationen	https://www.hlnug.de/fileadmin/downloads/luft/genehmigungsformulare/VHB_Genehmigungsverfahren.pdf https://www.hlnug.de/fileadmin/downloads/luft/genehmigungsformulare/Anleitung.pdf
Hinweise	

Modul	Sachverhalt
Rechtsbehelf	• Contradiction • Complaint
Kurztext	• Preliminary decision on a plant requiring a permit in accordance with the Federal Immission Control Act (BImSchG) • Upon request, a preliminary decision can be made on individual approval requirements as well as on the location of the plant • Application with technical procedure ELiA or in writing
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Preliminary decision on a plant requiring a permit in accordance with the Federal Immission Control Act (BImSchG), Vorbescheid zu einer genehmigungsbedürftigen Anlage beantragen