

99063016006000, 99063016006000

Premature construction of a plant requiring approval in accordance with the BImSchG approval

Heruntergeladen am 23.06.2025

<https://fimportal.de/xzufi-services/389412806/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99063016006000, 99063016006000
Leistungsbezeichnung I	Premature construction of a plant requiring approval in accordance with the BImSchG approval
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)
Verrichtungskennung	Genehmigung (006)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und

Modul	Sachverhalt
	Führung eines Unternehmens
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400), Anlagenbetrieb und -prüfung (2120100)
Einheitlicher Ansprechpartner	Ja
Fachlich freigegeben am	02.01.2024
Fachlich freigegeben durch	Saxon State Ministry of Energy, Climate Protection, Environment and Agriculture (SMEKUL)
Handlungsgrundlage	https://www.gesetze-im-internet.de/bimschg/__8a.html https://www.gesetze-im-internet.de/bimschg/__8a.html
Teaser	In a procedure for the granting of a permit for installations requiring a permit, you can submit an application to the competent authority for the early start of the construction of a plant.
Volltext	If you are seeking approval for the early construction of a facility requiring a permit, you must prove that: 1. a decision in your favour can be expected, 2. there is a public interest or a legitimate interest in the early start of their project, and 3. You undertake to compensate for all damage caused by the construction of the facility up to the time of the decision and, if the project is not approved, to restore it to its previous state. The authorisation can be revoked at any time. Authorisation may be subject to conditions or subject to subsequent conditions. The competent authority may require the provision of a security to the extent necessary to ensure the fulfilment of its obligations as an applicant.
Erforderliche Unterlagen	• Required drawings, plans, expert opinions • Explanatory notes and • other documents (please contact the competent authority if necessary). https://www.hlnug.de/downloads

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Voraussetzungen	• The application you submit, as well as the required documents, must be able to adequately assess the impact of the planned plant. • In addition, your application must show a legitimate interest in the early start. • Furthermore, as an applicant, you must undertake to compensate for all damage caused by the premature construction up to the time of the decision and, if the project is not approved, to restore it to its previous state.
Kosten	Gebühr: 625€ - 450.000€
Verfahrensablauf	• If you wish to obtain an authorisation to start the construction of a facility requiring a permit ahead of time, you must submit a written application in advance to the competent authority. • Attach to the application the drawings, explanations and the justified choice of location required to check the requirements, as well as evidence of the need for an early start. • The competent authority decides on the authorisation to start early. • You will receive a notification of the granting or refusal of admission. • In case of rejection, you can file an objection.
Bearbeitungsdauer	3 - 7 Monat(e) The authorisation procedure is part of the approval procedure, so the corresponding processing deadlines (with an extension option of three months) also apply.
Frist	The application must be submitted before the construction of the plant begins.
weiterführende Informationen	https://www.hlnug.de/fileadmin/downloads/luft/genehmigungsformulare/VHB_Genehmigungsverfahren.pdf https://www.hlnug.de/fileadmin/downloads/luft/genehmigungsformulare/Anleitung.pdf
Hinweise	In a procedure for the granting of a permit in the event of a significant modification of an installation requiring a permit, the licensing authority may, under certain conditions (pursuant to Section 16 (1) of the Federal Immission Control Act), also provisionally permit the operation of the plant.

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	A prerequisite for this is that the amendment fulfils an obligation arising from this Act or from an ordinance issued in connection with this Act.
Rechtsbehelf	• Contradiction • Complaint
Kurztext	• Premature construction of a plant requiring approval according to BImSchG approval In a procedure for the granting of a permit, the licensing authority shall, upon request, provisionally allow construction to begin, including the measures necessary to check the operability of the installation, before the permit is granted • Application with the specialist procedure ELiA or in writing
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Premature construction of a plant requiring approval in accordance with the BImSchG approval, Zulassung des vorzeitigen Beginns nach § 8a BImSchG beantragen