

99063016006000, 99063016006000

Apply for approval of the premature construction of a plant requiring a permit

Heruntergeladen am 13.06.2025

<https://fimportal.de/xzufi-services/402807803/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99063016006000, 99063016006000
Leistungsbezeichnung I	Apply for approval of the premature construction of a plant requiring a permit
Leistungsbezeichnung II	Apply for approval of the premature construction of a plant requiring a permit
Typisierung	2 - Bundesauftragsverwaltung: Regelung
Quellredaktion	Sachsen-Anhalt
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Immissionsschutz (063)
Verrichtungskennung	Genehmigung (006)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder

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	Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400), Anlagenbetrieb und -prüfung (2120100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	23.09.2022
Fachlich freigegeben durch	Saxon State Ministry for 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 granting a permit for facilities requiring a permit, you can submit an application to the competent authority for the early start of construction of a facility.
Volltext	If you are seeking approval for the early construction of a facility requiring a permit, you must demonstrate that: 1\ a decision in your favor can be expected, 2\ there is a public interest or a justified interest in the early start of your project, and 3\ you agree to compensate for all damages caused by the construction of the facility until the decision is made and, if the project is not approved, to restore it to its former condition. Approval may be revoked at any time. Approval may be subject to conditions or may be granted subject to subsequent conditions. The competent authority may require the provision of a security to the extent necessary to ensure the fulfillment of its obligations as applicant.
Erforderliche Unterlagen	• Required drawings, plans, expert opinions • explanations and • Other documents (if necessary, ask the competent

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	body).
Voraussetzungen	• From the application you submit and the required documents, it must be possible to adequately assess the impact of the planned installation. • In addition, your application must show a justified interest in the early start. • Furthermore, you as the applicant 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 condition.
Kosten	
Verfahrensablauf	• If you wish to obtain approval for the early start of construction of a plant requiring a permit, you must submit a written application in advance to the competent authority. • The application must be accompanied by the drawings, explanations and the justified choice of location required to verify the prerequisites, as well as evidence of the necessity of the early start. • The competent authority decides on the approval for early start. • You will receive a decision on the granting or rejection of the approval. • In the event of rejection, you can lodge an appeal.
Bearbeitungsdauer	3 - 7 Monat(e) The approval procedure is part of the licensing procedure, therefore the corresponding processing periods (with an extension option of three months) also apply.
Frist	The application must be submitted prior to the start of construction of the facility.
weiterführende Informationen	
Hinweise	In a procedure for the granting of a permit in the case of a substantial modification of an installation requiring a permit, the licensing authority may also provisionally permit the operation of the installation under certain conditions (in accordance with Section

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	16 (1) BImSchG). One prerequisite for this is that the modification fulfills an obligation arising from this Act or from a statutory order issued in connection with this Act.
Rechtsbehelf	• Objection • Complaint
Kurztext	• Premature construction of a plant requiring a permit in accordance with BImSchG Permit • In a procedure for the granting of a permit, the licensing authority shall, upon application, provisionally allow construction to commence prior to the granting of the permit, including the measures required for testing the operational reliability of the plant. • Application with the ELiA technical procedure or in writing
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Zulassung der vorzeitigen Errichtung einer genehmigungsbedürftigen Anlage beantragen, Apply for approval of the premature construction of a plant requiring a permit