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# Immission control - Apply for partial authorisation for the construction and operation of a plant in accordance with BImSchG

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<https://fimportal.de/xzufi-services/6021607-99063012001000/L100022>

Modul	Sachverhalt
Leistungsschlüssel	99063012001000
Leistungsbezeichnung I	Immission control - Apply for partial authorisation for the construction and operation of a plant in accordance with BImSchG
Leistungsbezeichnung II	Immission control - Apply for partial authorisation for the construction and operation of a plant in accordance with BImSchG
Typisierung	2 - Bundesauftragsverwaltung: Regelung
Quellredaktion	Baden-Württemberg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	

Modul	Sachverhalt
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<p>Bundesimmissionsschutzgesetz (BImSchG):</p> <ul style="list-style-type: none"> <li>• § 3 Begriffsbestimmungen</li> <li>• § 4 Genehmigung</li> <li>• § 8 Teilgenehmigung</li> <li>• § 10 Genehmigungsverfahren</li> </ul> <p>Vierte Verordnung zur Durchführung des Bundes-Immissionsschutzgesetzes (Verordnung über genehmigungsbedürftige Anlagen - 4. BImSchV)</p> <p>Neunte Verordnung zur Durchführung des Bundes-Immissionsschutzgesetzes (Verordnung über das Genehmigungsverfahren - 9. BImSchV)</p> <p>Wasserhaushaltsgesetz (WHG):</p> <ul style="list-style-type: none"> <li>• § 60 Abwasseranlagen</li> </ul> <p>Richtlinie 2010/75/EU des Europäischen Parlaments und des Rates vom 24. November 2010 über Industrieemissionen</p> <p>Immissionsschutz-Zuständigkeitsverordnung des Landes Baden-Württemberg</p>
Teaser	<p>The construction and operation of an installation listed in Annex 1 of the Fourth Ordinance on the Implementation of the Federal Immission Control Act (Ordinance on Installations Requiring Authorisation - 4th BImSchV) requires an immission control permit</p>

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Volltext	<p>from the competent authority.</p> <p>The construction and operation of an installation listed in Annex 1 of the Fourth Ordinance on the Implementation of the Federal Immission Control Act (Ordinance on Installations Requiring Authorisation - 4th BImSchV) requires an immission control permit from the competent authority.</p> <p>On application, it is also possible to issue such a licence in stages. With a partial licence, you can begin with the construction and operation of the approved project section. In individual cases, a partial permit can help to speed up the realisation of a project.</p>
Erforderliche Unterlagen	<p>The application must be accompanied by the documents required for an assessment. These are, for example</p> <ul style="list-style-type: none"> <li>• Descriptions of the project, including information on plant components, process steps, material and product data,</li> <li>• schematic diagrams and flow charts,</li> <li>• Information on possible disruptions to normal operation,</li> <li>• Information on emissions and immissions,</li> <li>• Information on waste and waste water,</li> <li>• Construction documents: site plan, construction drawings, construction description.</li> <li>• Forms 1 to 11 of "Annex 1" of the Guidelines for authorisation and notification procedures in accordance with the Federal Immission Control Act of the Baden-Württemberg Ministry of the Environment</li> </ul> <p>The competent authority may request further documents if necessary. Coordinate in advance with the responsible immission control authority or the specialised authorities involved in the procedure regarding the documents required for an assessment.</p> <p>If official decisions concerning the installation are communicated as part of the authorisation procedure (e.g. building permit), the documents required for this must also be submitted.</p>

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Voraussetzungen	A partial licence may only be granted if there is a legitimate interest and the licensing requirements for the part of the installation comprising the partial licence are met. In addition, it must be possible to confirm in a preliminary forecast that the overall project is capable of being authorised. Individual issues may not be excluded from this process.
Kosten	The fees are based on the investment costs for the system.
Verfahrensablauf	The authorisation procedure requires a written application, which must be accompanied by the drawings, explanations and other documents required to check the authorisation requirements. If further documents are required by the responsible immission control authority or the respective specialised authorities for an assessment, these must be submitted subsequently. The procedure for a partial permit corresponds to that of a formal or simplified permit procedure for the construction and operation of an installation requiring a permit under immission control legislation. The parts of the entire installation not covered by the partial licence must be approved by further partial licences.
Bearbeitungsdauer	As a rule, the licensing authority must check whether the documents are complete within one month of receiving the application. If the application documents are not sufficient for an assessment, they must be completed by the applicant. Once the application documents are complete, the statutory deadlines begin for the authorisation procedure under immission control law, which is seven months for new installations in a formal procedure and three months in a simplified procedure. The deadlines can be extended by three months if this is necessary due to the difficulty of the examination or for reasons attributable to the applicant.
Frist	Construction and operation of the system may only begin after the licence has been granted.
weiterführende Informationen	

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Hinweise	<p>Coordinate in advance with the responsible immission control authority regarding the required documents.</p> <p>The application for partial authorisation is made as part of the administrative service "Immission control - applying for the construction and operation of a plant requiring authorisation in accordance with the BImSchG"</p>
Rechtsbehelf	<p>If the responsible immission control authority refuses to authorise the project, an appeal can be lodged against this or, in the case of decisions by the regional councils, an action can be brought.</p>
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	