

99063009006000, 99063009006000

Applying for an immission control permit for the construction and operation of systems

Heruntergeladen am 01.07.2025

<https://fimportal.de/xzufi-services/9555152/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99063009006000, 99063009006000
Leistungsbezeichnung I	Applying for an immission control permit for the construction and operation of systems
Leistungsbezeichnung II	Apply for an immission control permit for the construction and operation of systems
Typisierung	3a - Bundesaufsichtsverwaltung: Regelung, Land: Vollzug
Quellredaktion	Mecklenburg-Vorpommern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Immissionsschutz (063)
Verrichtungskennung	Genehmigung (006)

Modul	Sachverhalt
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	01.10.2021
Fachlich freigegeben durch	Ministry of Agriculture and Environment Mecklenburg-Western Pomerania
Handlungsgrundlage	https://www.gesetze-im-internet.de/bimschg/__4.html https://www.gesetze-im-internet.de/bimschg/__10.html https://www.gesetze-im-internet.de/bimschv_9/ https://www.gesetze-im-internet.de/uvpg/ https://www.landesrecht-mv.de/bsmv/document/jlr-ImSchZustVMV2015rahmen https://www.landesrecht-mv.de/bsmv/document/jlr-ImSchKostVMV2019rahmen https://www.gesetze-im-internet.de/bimschg/__4.html https://www.gesetze-im-internet.de/bimschg/__10.html https://www.gesetze-im-internet.de/bimschv_9/ https://www.gesetze-im-internet.de/uvpg/ https://www.landesrecht-mv.de/bsmv/document/jlr-ImSchZustVMV2015rahmen https://www.landesrecht-mv.de/bsmv/document/jlr-ImSchKostVMV2019rahmen
Teaser	<p>The construction and operation of plants require a permit under immission control law if they are particularly likely to damage the environment or endanger the general public.</p> <p>The construction and operation of plants require a permit in accordance with the Federal Immission Control Act (BImSchG).</p>
Volltext	If you wish to construct and operate a facility which, due to its nature or operation, is particularly likely to cause harmful effects on the environment or otherwise endanger, significantly disadvantage or significantly inconvenience the general public or the neighborhood, you require a permit from the competent authority.

Modul

Sachverhalt

This also includes stationary waste disposal facilities for the storage or treatment of waste.

The construction and operation of facilities

- which, due to their nature or operation, are particularly likely to cause harmful effects on the environment or otherwise endanger, significantly disadvantage or significantly inconvenience the general public or the neighborhood
- as well as stationary waste disposal facilities for the storage or treatment of waste

require a permit in accordance with the Federal Immission Control Act (BImSchG).

The permit is required if it is expected that the facilities will be operated at the same location for longer than twelve months. Mining facilities or parts of these facilities only require approval if they are constructed and operated above ground. Opencast mines and the installations required for the operation of an opencast mine and for meteorological control are not subject to approval.

The "Fourth Ordinance on the Implementation of the Federal Immission Control Act (4th BImSchV)" contains the final list of installations requiring approval. Two different approval procedures are prescribed for installations requiring approval, depending on their type and/or size (capacity):

- Large installations and those with a particularly high hazard potential are subject to a procedure with public participation and
- smaller installations in a simplified procedure without public participation.

According to the Federal Immission Control Act (BImSchG), installations requiring approval must be constructed and operated in such a way that, in order to ensure a high level of protection for the environment as a whole

1. harmful effects on the environment and other

Modul
Sachverhalt

hazards, significant disadvantages and significant nuisances for the general public and the neighborhood cannot be caused;

2. precautions are taken against harmful effects on the environment and other hazards, significant disadvantages and significant nuisances, in particular by means of state-of-the-art measures;

3. waste is avoided, waste that cannot be avoided is recycled and waste that cannot be recycled is disposed of without adversely affecting the public good. Waste is not to be avoided if avoidance is technically impossible or unreasonable. Prevention is not permitted if it leads to more adverse environmental impacts than recovery. Waste shall be recycled and disposed of in accordance with the provisions of the Closed Substance Cycle and Waste Management Act and the other regulations applicable to waste.

4. Energy is used sparingly and efficiently.

Erforderliche Unterlagen

- Application form
- Description of the project, including details of plant components, process steps, material and product data,
- schematic representation, flow diagrams,
- Information on possible disruptions to intended operation,
- Information on safety and protective measures (e.g. emission reduction measures, planned measurements, occupational safety measures, noise protection measures),
- Information on emissions and immissions (forecast), e.g. of air pollutants, noise,
- Information on waste and waste water,
- Building documents: site plan, construction drawings, building description (form), description of site drainage, possibly structural engineering certificates (for structural engineering inspection)

Voraussetzungen

https://www.gesetze-im-internet.de/bimschg/_6.html
https://www.gesetze-im-internet.de/bimschg/_6.html

Kosten
Verfahrensablauf

The approval procedure requires a written application, which must be accompanied by the drawings, explanations and other documents required to check the approval requirements. If the application is

Modul

Sachverhalt

complete, it must be published together with the documents and then displayed for one month. In simplified approval procedures or if public participation is waived, there is no public display and no discussion meeting takes place. At the latest at the same time as the public announcement of the project, the approval authority also requests the authorities to be involved to submit their comments on the approval requirements within one month. If there are objections, these will be discussed with you and those who have raised the objections at a public meeting. Once the licensing authority has determined all the circumstances that are relevant to the granting of a license, a decision must be made on the application. The approval decision must be substantiated in writing and will be served on you and the persons who have raised objections. The notification of the approval notice to objectors can be replaced by a public announcement.

The approval procedure requires a written application. The application must be accompanied by the drawings, explanations and other documents required for examination. Before submitting the application, it is advisable to contact the authority responsible for issuing the permit, the respective State Office for Agriculture and the Environment Department 5, Immission and Climate Protection, Waste and Recycling Management (approval authority).

Note: The approval according to the BImSchG includes other official decisions (e.g. building permit) with a few exceptions (e.g. water law permits and authorizations).

Applications can also be submitted electronically via ELiA, the electronic immission control application system.

Bearbeitungsdauer

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The operator must obtain approval from the competent authority before constructing and operating the system. The licensing authority checks and informs the operator within one month whether the application documents are complete and whether

Modul	Sachverhalt
	a licensing procedure is required.
weiterführende Informationen	
Hinweise	Before completing the permit application, please consult with the relevant state office for agriculture and the environment responsible for you. You can take advantage of a non-binding consultation. Here you will find out, among other things, which forms need to be completed for your project and which other documents need to be submitted as part of the application (ELiA checklist).
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> • Construction and operation of facilities according to BImSchG approval • Installations that cause harmful effects on the environment or otherwise endanger, significantly disadvantage or disturb the general public or the neighborhood • Stationary waste disposal facilities for the storage or treatment of waste • Commercial and industrial facilities that are particularly likely to cause harmful effects on the environment, such as air pollution or noise, or otherwise endanger the general public, require an immission control permit prior to their construction and operation. The permit is required if it is expected that the facilities will be operated at the same location for a period of more than twelve months.
Ansprechpunkt	
Zuständige Stelle	Responsibility in the state lies with the State Offices for Agriculture and the Environment (StÄLU). https://www.stalu-mv.de/ https://www.stalu-mv.de/
Formulare	<ul style="list-style-type: none"> • Written form required: yes • Personal appearance required: yes, if applicable
Ursprungsportal	Immissionsschutz-Genehmigung für die Errichtung und Betrieb von Anlagen beantragen, Applying for an

Modul

Sachverhalt

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