

99020020007000

Request Amendment or Amendment to a Main Mining Operating Plan

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<https://fimportal.de/xzufi-services/266213576/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99020020007000
Leistungsbezeichnung I	Request Amendment or Amendment to a Main Mining Operating Plan
Leistungsbezeichnung II	Request Amendment or Amendment to a Main Mining Operating Plan
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Bodenschutz (020)
Verrichtungskennung	Zulassung (007)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder

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	Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Tier-, Pflanzen- und Naturschutz (2130200), Bauplanung (2050400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	22.06.2023
Fachlich freigegeben durch	Ministry of Economic Affairs, Transport, Agriculture and Viticulture Rhineland-Palatinate (MWVLW)
Handlungsgrundlage	https://www.gesetze-im-internet.de/bbergg/_51.html https://www.gesetze-im-internet.de/bbergg/_52.html https://www.gesetze-im-internet.de/bbergg/_55.html https://www.gesetze-im-internet.de/bbergg/_51.html https://www.gesetze-im-internet.de/bbergg/_52.html https://www.gesetze-im-internet.de/bbergg/_55.html
Teaser	If your company wants to explore, extract and process mineral resources, one of the things you need to do is establish a main operating plan. If you want to amend or supplement it, you must apply for authorisation from the competent authority.
Volltext	<p>In order to be able to set up and manage a prospecting, extraction or processing operation, you as an entrepreneur need an approved main operating plan. If you want to add to it at a later date or change individual components, you must apply for approval.</p> <p>An operational plan is used to monitor operations. In general , it includes extensive explanations and planning documents on planned measures in mining, for example with regard to:</p> <ul style="list-style-type: none"> • location and extent, • technical implementation, • Timing • possible effects on people and the environment, • measures to prevent and reduce negative effects on the environment; • Operational and occupational safety.

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With the addition or amendment of the licence, you are allowed to explore, extract and process mineral resources that are subject to the Federal Mining Act. These include energy resources such as hard coal and lignite or crude oil and natural gas, but also metals, salts, geothermal energy and lithium.

Erforderliche Unterlagen

You can clarify which documents are required in your case together with your responsible mining authority. Basically, the following documents are required:

- reference to the final main operating plan and its approval,
- Presentation of the reasons, the reason for the amendment or amendment to be requested,
- Description of the planned changes or additions.

The following may also be required:

- general information on the expected development of the operation, expected target.
- Proof of ownership of the property on which land-owned mineral resources are to be sought or extracted, or
- the right to explore and extract non-mining mineral resources, i.e.:
- a permit to visit, or
- a permit for the extraction of a mine-free mineral resource
- if applicable, proof of the water permit,
- Comprehensive presentation of the site situation at a distance from protected areas and existing infrastructure
- geological surveys
- hydrogeological reports
- Contributions to nature conservation
- Technical conception for operational management, e.g. planned drilling (start/finish coordinates, ownership)
- technical descriptions of the required equipment, e.g. for drilling, machines, processing
- Information on operational safety (from shut-off to

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time verification) and operational monitoring

- Proof of proper waste disposal and access (fulfillment of all relevant requirements)
- Description and evaluation of possible effects on the environment and planned measures to avoid and reduce them, nature conservation contributions, noise assessments

- Measures for water management
- Measures to prepare for the reuse of the surface
- Measures for immission control
- Description of the operating facilities, such as office and social rooms, parking and parking spaces, storage areas, workshops, petrol stations
- Information on responsible persons
- if applicable, a certificate of guarantee

Voraussetzungen

In order for your main operating plan to be amended or supplemented by the competent authority, you must have a valid approval for your main operating plan. With all the changes, you need to take into account, among other things, the following points:

- Your project must not conflict with any overriding public interest.
- You must prove that you have the officially granted authorization for the exploration or extraction of non-mining mineral resources or the rights to land resources.
- You must be able to prove that your company and your executives or representatives have the necessary reliability and also the necessary expertise and physical aptitude.
- They must take all necessary safety measures to prevent hazards to the life and health of employees and third parties in the company. The protection of material assets must also be guaranteed by the measures.
- Your work must not adversely affect other mineral resources, the protection of which is in the public interest.
- The earth's surface must be protected in the interests of personal safety and public transport.
- The waste generated must be properly reused or disposed of.

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- You must take precautions to ensure that: the surfaces can subsequently be made usable again to the extent required by the circumstances, the safety of other mining operations is not jeopardised; the exploration or extraction of mineral resources does not have harmful consequences for the general public and, in the case of mining operations in the area of the continental shelf or coastal waters: navigation facilities and signs are not adversely affected, and shipping and shipping lanes, airspace, fishing and flora and fauna are not unduly affected submarine cables and pipelines and oceanographic or other scientific research are not affected more than is unavoidable under the circumstances, and the harmful effects on the sea are kept to the lowest possible level
- You may be required to provide proof to the competent authority of a security deposit with an appropriate sum insured, a bank guarantee, letter of comfort or similar, which covers the above risks.

Kosten

Verfahrensablauf

You can apply for approval for changes to your main operating plan online via the "BergPass" platform or in writing to your local mining authority.

Apply for admission online:

- Go to the online platform "BergPass" and register.
- To apply, you need a BundID and an identity card or residence permit with an active online ID function.
- Upload the required documents as a file.

Apply for approval directly from the competent mining authority:

- You must prepare your amended main operating plan in such a way that both the approval requirements and other concerns such as groundwater and nature conservation are comprehensively described. In the case of complex projects, it makes sense for you to contact your competent authority and coordinate the necessary application documents.

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- Submit the application and all the necessary documents there.

Further procedural steps:

- The competent authority will examine your application and the documents submitted. If documents are missing, the authority will contact you.
- The mining authority decides on the approval.
- You will receive a notification informing you of the decision on your application.
- The permit may contain ancillary provisions (requirements, conditions, time limits) that you must comply with accordingly and that are checked by the mining authority.
- You will also receive a cost notice. Pay the fees.

Bearbeitungsdauer

Frist

1 Monat(e)

You may not commence your planned mining operations until you have received approval for your (amended) main operating plan. If you need to change or discontinue your mining activities at short notice and immediately because the life or health of your workforce or third parties is in danger, you must first notify the competent authority immediately and apply for approval to change your main operating plan without delay.

weiterführende Informationen

<https://bergpass.lbeg.de/Wilma.aspx?pgId=227>
<https://bergpass.lbeg.de/Wilma.aspx?pgId=227>

Hinweise

Duration of the main operating plan

The period of time that your main operating plan describes is usually several years. The responsible mining authority decides on the duration on a case-by-case basis. An important criterion here is the predictability of the operating plan. In practice, the term can then be extended by a few years without having to draw up a new main operating plan and comprehensively examine it in a mining procedure.

If you interrupt the activity of your business for up to 2 years, you will still legally continue to operate during

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this time. Only if the interruption lasts longer than 2 years do you need to obtain permission from the competent authority.

Exceptions and special features

You are exempt from the operating plan obligation if you want to explore an area as a prospecting company and

- do not plan depressions in the surface,
- do not use mechanical force,
- do not carry out any work underground, and
- do not use explosive substances or explosive substances intended for blasting.

If your holding is of low hazard or importance, you can be exempted from the operational plan requirement if:

- the protection of your employees and third parties, and
- the reusability of the surface is ensured, and
- your project is not located on the continental shelf.

If you want to explore, extract and process mineral resources together with other companies, the competent authority may require you to draw up a joint operating plan.

In the case of projects that may have a significant impact on the population, you should inform the public concerned at an early stage, i.e. before submitting an application. In this way, public opinion can be incorporated into the planning of the company before the planning is solidified.

Rechtsbehelf

- Objection: You can find out how to file this in your decision.
- Administrative court action

Kurztext

- Mining Operating Plan Procedure Main Operating Plan – Supplement or Amendment Approval
- Approved main operating plan is a prerequisite for the construction and management of mining exploration, extraction or processing operations that

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are subject to the Federal Mining Act

- Main operating plan comprehensively describes the planned mining measures for the extraction or processing of mineral resources
- Changes or additions to the main operating plan must be allowed
- Deviations from an approved operating plan which are immediately necessary due to danger to life and health must be reported immediately to the competent authority
- Applications can be submitted via Online portal "Bergpass" or directly at the responsible mining authority
- Responsible: Mining authority of the federal state in which the farm is located

Ansprechpunkt

Zuständige Stelle

Formulare

Ursprungsportal

Request Amendment or Amendment to a Main Mining Operating Plan, Ergänzung oder Änderung eines Hauptbetriebsplans für Bergbau beantragen