

99020023007000

Request to amend or amend a special mining operating plan

Heruntergeladen am 26.07.2025

<https://fimportal.de/xzufi-services/266239134/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99020023007000
Leistungsbezeichnung I	Request to amend or amend a special mining operating plan
Leistungsbezeichnung II	Request to amend or amend a special 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 Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens

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Lagen Portalverbund	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	<p>If your mining operation is running on an approved special operating plan and you wish to amend or amend it, you will need to apply to the competent authority for approval.</p>
Volltext	<p>An operational plan is used to monitor operations. In order to be able to set up and run a mining business, you as an entrepreneur need an approved operating plan. For special works and installations which, due to their level of detail, are not suitable for inclusion in the main operating plan, the competent mining authority may oblige you to draw up special operating plans.</p> <p>If you want to supplement this special operating plan at a later date or change individual components, you must apply for approval.</p> <p>An operating plan includes extensive explanations and planning documents for planned measures in mining, for example</p> <ul style="list-style-type: none"> • location and extent, • technical implementation, • Timing • possible effects on humans and the environment, • measures to prevent and reduce negative effects on the environment; • Operational and occupational safety.

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Special operating plans contain measures which, although part of the main operating plan, cannot be limited to the duration specified in the main operating plan or which concern specific measures. Such measures can be, for example:

- handling of substances hazardous to water,
- Recycling of third-party masses,
- landslides on embankments,
- the construction of a gas drying plant,
- the construction of processing plants or exploratory plants,
- geophysical works,
- seismic exploration work,
- carrying out a deep borehole,
- measures for the recultivation of former mining areas, or
- the construction of paths and access roads,
- construction of petrol stations and truck scales,
- construction of power generation plants ("mine power plant"),
- Monitoring.

Special operating plan procedures are only suitable for procedures in which environmental impact assessments (EIAs) are not required.

Erforderliche Unterlagen

You can clarify which documents are required in your case together with your responsible mining authority. In addition to the information in the main operating plan, the following documents may be required in the special operating plan:

- 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 descriptions of the required equipment, e.g. for drilling, machines, processing
- Information on operational safety (from shut-off to time verification) and operational monitoring

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- 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

Voraussetzungen

In order for you to be able to obtain approval for your amended special operating plan, certain requirements must be met, which, however, may have already been checked in the procedure for approval of the main operating plan:

- 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 mine-owned mineral 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 ensured 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.
- 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

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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 of the amendment or addition to your special operating plan online via the "BergPass" platform or in writing to your competent 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 special 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 local authority and coordinate the necessary application documents.
- Submit all the necessary documents there.

Further procedural steps:

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- The competent authority will receive your application and check the documents submitted. If documents are missing, the authority will contact you.
- You will receive a notification electronically and by post informing you of the decision on your admission.
- You will also receive a cost notice. Pay the fees.

Bearbeitungsdauer

Frist

If you have to change or discontinue your mining activities at short notice and immediately, for example because the life or health of your workforce or third parties or significant property is at risk, then it is sufficient that you notify the competent authority immediately. However, you must then apply for approval for the change as soon as possible.

weiterführende Informationen

<https://bergpass.lbeg.de/Wilma.aspx?pgId=228>
<https://bergpass.lbeg.de/Wilma.aspx?pgId=228>

Hinweise

Rechtsbehelf

Kurztext

- Mining Operating Plan Procedure Special Operating Plan Amendment or Amendment Approval
- An approved operating plan is a prerequisite for exploration, extraction or processing operations that are subject to the Federal Mining Act
- Special operating plan contains measures that are part of the main operating plan, but cannot be limited to the duration specified in the main operating plan or that affect a specific part of the operation, such as the handling of water-polluting substances, the recycling of foreign matter or landslides
- Significant changes or additions to the special operating plan must be permitted
- Changes that are necessary immediately due to danger to life and health must be applied for immediately and the application for approval for the change must be made up for immediately
- Application via Online portal "Bergpass" or directly at the responsible mining authority
- Responsible: Mining authority of the federal state in which the farm is located

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Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Ergänzung oder Änderung eines Sonderbetriebsplans für Bergbau beantragen, Request to amend or amend a special mining operating plan