

99020018007000, 99020018007000

Applying for approval of a main mining operating plan

Heruntergeladen am 24.06.2025

<https://fimportal.de/xzufi-services/545924172/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99020018007000, 99020018007000
Leistungsbezeichnung I	Applying for approval of a main mining operating plan
Leistungsbezeichnung II	Applying for approval of a main mining operating plan
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
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
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400)

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Einheitlicher Ansprechpartner	Ja
Fachlich freigegeben am	22.06.2023
Fachlich freigegeben durch	State Office for Mining, Energy and Geology (LBEG)
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 company wants to explore, extract and process certain mineral resources, you will need to draw up a main operating plan, among other things. For this main operating plan, you must apply for approval from the competent authority.</p>
Volltext	<p>In order to be able to set up and run an exploration, extraction or processing business, you as an entrepreneur need an approved main operating plan. An operating plan is used to monitor operations. It generally 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. <p>With the licence, you are allowed to explore, extract and process mineral resources that are subject to the Federal Mining Act. These include energy raw materials such as hard coal and lignite or crude oil and natural gas, but also metals, salts, geothermal energy and lithium.</p>
Erforderliche Unterlagen	<p>You can clarify which documents are required in your case together with your responsible mining authority. In principle, the following documents are required:</p>

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- Information about the applicant company
- general overview of the operation and the planned project,
- general information on the expected development of the farm, expected target,
- proof of ownership of the land on which land-owned mineral resources are to be sought out or extracted, or
- the authorisation to explore and extract non-mining mineral resources, i.e.:
- a permit to visit or
- a permit for the extraction of a mineral resource that is free of mining
- if applicable, proof of the permit under water law,
- Full presentation of the location situation with distance to protected areas and existing infrastructure
- Geological surveys
- Hydrogeological reports
- Nature conservation contributions
- Technical concept for operational management, e.g. planned drilling (start/destination coordinates, ownership)
- Technical descriptions of the required equipment, including drilling, machinery and processing
- Information on operational safety (from shut-off to time sheet) and operational monitoring
- Proof of proper waste disposal and access (fulfilment of all relevant requirements)
- Description and evaluation of possible impacts on the environment and planned measures to avoid and reduce them, nature conservation contributions, noise assessments
- Water management measures
- Measures to precaution the reuse of the surface
- Measures for immission control
- Description of the operating facilities, such as offices and social rooms, parking and parking spaces, storage areas, workshops, petrol stations
- Information on responsible persons

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- if applicable, certificate of guarantee

Voraussetzungen

In order to be eligible for approval for your main operating plan, certain requirements must be met:

- Their project must not be opposed by any overriding public interests.
- You must prove that you have the officially granted authorisation to explore or extract the non-mining mineral resources or the rights to land-owned mineral resources.
- You must be able to prove that your company and your executives or substitutes have the necessary reliability and also the necessary expertise and physical fitness.
- They must take all necessary safety measures to prevent dangers 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 whose protection is in the public interest.
- The earth's surface must be protected in the interest 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 endangered, the search for 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 affected, and shipping and shipping lanes, airspace, fishing and flora and fauna are not unduly affected subsea cables and pipelines as well as oceanographic or other scientific research are not impaired more than is unavoidable under the circumstances, and the harmful effects on the sea are limited to the lowest possible extent
- You may need to provide proof to the competent authority of a security deposit with an appropriate sum insured, a bank guarantee, letter of comfort or similar that covers the above risks.

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Kosten

Gebühr: 340€ - 20.450€

- Operating plan for facilities for the disposal of radioactive materials, the fee shall be 1.5 % of the construction costs - Several factors are taken into account in the calculation of the actual costs, such as the economic value, the time required, expert opinions and expenses for official business outside the office or advice to the entrepreneur plus the costs for the involvement of other authorities.

https://resources-eu-prd.wk-onega.com/docmedia/attach/WKDE-LTR-DOCS-PHC/ni5_1_as_49.pdf

Verfahrensablauf

You can apply for approval of your main operating plan online via the "BergPass" platform or directly from your responsible mining authority.

Apply for admission online:

- Go to the online platform "BergPass" and log in.
- To apply, you need a Federal ID 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 responsible mining authority:

- You must prepare your 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.
- Submit the application and all required documents to the competent authority

Further procedural steps:

- The competent authority will check your application and the documents submitted for completeness. If documents are missing, the authority will contact you.
- The mining authority decides on the approval.
- You will receive a notification electronically and by

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	<p>post informing you of the decision on your application.</p> <ul style="list-style-type: none"> • The approval may contain ancillary provisions (requirements, conditions, time limits) that you must comply with accordingly and which are checked by the mining authority. <p>You will also receive a notice of costs. Pay the fees.</p>
Bearbeitungsdauer	<p>1 - 6 Monat(e)</p> <p>The processing time varies greatly depending on the scope and complexity of the planned measures and the quality of the application documents. As a guide, you can expect 1 to 6 months.</p>
Frist	<p>You may not commence your planned mining operations until you have received approval of your main operating plan. As a rule, operating plans are permitted for a limited period of time. If long-term planning is not possible, it may be necessary to submit a new main operating plan at short intervals, for example every 2 years. The main operating plan can be drawn up for a period of up to 8 years. Depending on the individual case, approval is initially granted for up to 4 years. Further extensions must be applied for separately in good time.</p>
weiterführende Informationen	<p>https://bergpass.lbeg.de/Wilma.aspx?pgId=227 https://bergpass.lbeg.de/Wilma.aspx?pgId=227</p>
Hinweise	<p>Duration of the main operating plan</p> <p>The period 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 foreseeability of the operating plan. In practice, the term can be extended by a few years without a new main operating plan having to be drawn up and comprehensively examined in a mining law procedure.</p> <p>If you interrupt the activity of your business for up to 2 years, you will still legally continue to operate during this time. Only if the interruption lasts longer than 2 years do you need to obtain permission from the competent authority.</p>

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Exceptions and special features

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

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

If your business is of low danger or importance, you can be exempted from the operating plan obligation if:

- the protection of your employees and third parties, and
- the reusability of the surface is ensured, and
- your project is not 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 affected public at an early stage, i.e. before submitting an application. In this way, public opinion can be incorporated into the company's planning before the planning is solidified.

Rechtsbehelf

An action must be filed directly with the competent administrative court. The objection procedure has been abolished.

Kurztext

- Mining Operational Plan Procedure Main Operating Plan Approval
- An approved main operating plan is a prerequisite for the construction and management of mining exploration, extraction or processing operations that are subject to the Federal Mining Act
- Main operating plan comprehensively describes the planned mining measures for the extraction or processing of mineral resources
- The main operating plan is usually drawn up for

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	<p>several years.</p> <ul style="list-style-type: none"> • Application possible via Online portal "Bergpass" or directly with the responsible mining authority • Responsible: competent mining authority of the federal state in which the business is located
Ansprechpunkt	
Zuständige Stelle	State Office for Mining, Energy and Geology (LBEG)
Formulare	
Ursprungsportal	Applying for approval of a main mining operating plan, Zulassung eines Hauptbetriebsplans für Bergbau beantragen