

99050025016000

Heruntergeladen am 07.06.2025

<https://fimportal.de/xzufi-services/27330/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99050025016000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Soil protection and contaminated site treatment; application for approval as an expert
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	

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Fachlich freigegeben am	16.10.2024
Fachlich freigegeben durch	Bayerisches Staatsministerium für Umwelt und Verbraucherschutz (Bavarian State Ministry of the Environment and Consumer Protection)
Handlungsgrundlage	http://www.gesetze-im-internet.de/bbodschg/_18.html http://www.gesetze-im-internet.de/bbodschg/_18.html https://www.gesetze-bayern.de/Content/Document/Ba yBodSchG-6 https://www.gesetze-bayern.de/Content/Document/Ba yBodSchG-6 http://www.gesetze-im-internet.de/bbodschg/BJNR050 210998.html http://www.gesetze-im-internet.de/bbodschg/BJNR050 210998.html https://www.gesetze-bayern.de/Content/Document/Ba yVSUBodAltV https://www.gesetze-bayern.de/Content/Document/Ba yVSUBodAltV https://www.gesetze-bayern.de/Content/Document/Ba yVwV97100 https://www.gesetze-bayern.de/Content/Document/Ba yVwV97100 https://www.lfu.bayern.de/altlasten/sachverstaendige_ bodenschutzgesetz/doc/vsu_verfo_2020.pdf https://www.lfu.bayern.de/altlasten/sachverstaendige_ bodenschutzgesetz/doc/vsu_verfo_2020.pdf
Teaser	Experts who perform tasks in accordance with the Federal Soil Protection Act must have the necessary expertise and reliability. They are licensed by the competent authority upon application.
Volltext	<p>The Federal Soil Protection Act provides for the involvement of experts for the investigation and assessment of suspected contaminated sites, harmful soil contamination and contaminated sites as well as for the implementation of remediation planning and investigations.</p> <p>In Bavaria, these experts are licensed by the Bavarian State Office for the Environment (LfU) in accordance with Section 18 of the Federal Soil Protection Act (BBodSchG).</p>

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Experts can be licensed for the following subject areas:

1. Areal and site-specific survey / historical investigation
2. Hazard assessment for the soil - water impact pathway
3. Hazard assessment for the soil-plant impact pathway / precautionary measures to limit substance inputs into the soil and during the application and introduction of materials
4. Risk assessment for the soil - human impact pathway
5. Remediation
6. Hazard identification, assessment and prevention of harmful soil changes due to soil erosion by water.

The license is granted for five years and can be extended for five years at a time upon application.

A public appointment as an expert for contaminated sites in accordance with § 36 of the Industrial Code is taken into account. In the case of a corresponding appointment tenor, the applicant undergoes a simplified approval procedure.

As a rule, the respective federal state in which the expert has his permanent place of business is responsible for licensing as an expert. Experts from other federal states can also work in Bavaria (equivalence of state-specific approval procedures).

All experts licensed in the Federal Republic of Germany are listed in the internet database ReSyMeSa (Recherchesystem Messstellen und Sachverständige).

Please seek advice from before submitting an application. You will find your contact person and further information under "Further links".

Erforderliche Unterlagen

- The following documents must be submitted:
 - Application for approval or extension (completed in

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full and signed)

- Declaration that the technical equipment, the personal requirements and the reliability in accordance with § 7 Para. 2, 3 and 4 VSU are present (Form 1)
- Proof of liability insurance in accordance with § 7 Para. 2 No. 3 VSU (Form 2) in the original, stamped and signed by the insurance company (textual changes (deletions or additions) are not permitted).
- for employees: Confirmation of exemption by the employer (Form 3)
- [Certificate of good conduct for submission to an authority in accordance with § 30 Para. 5 of the Federal Central Register Act](<http://www.freistaat.bayern/dokumente/leistung/83664331503>)(purpose of use: "Referat 96 / VSU-Sachverständige")
Must not be older than 6 months at the time of receipt of the application.
- Further documents are specified in the application for admission or renewal.

Voraussetzungen

Only natural persons who fulfill the personal requirements, possess the necessary expertise and reliability and have the necessary technical equipment are approved as experts (§§ 4, 5, 7 in conjunction with Annex 1 of the Ordinance on Experts and Inspection Bodies - VSU).

Further requirements are

- a degree from a university or university of applied sciences in the subject areas listed in the individual subject areas or an equivalent qualification,
- at least five years of practical experience, preferably in the field of soil protection/contaminated sites or in environmental areas closely related to soil protection/contaminated sites (e.g. water management, agriculture, waste management), including at least three years of experience in which decisions had to be made independently, and
- successful participation in suitable further training courses in the last three years prior to the application.

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Kosten	<p>LfU procedural costs for approval as an expert in accordance with Section 18 of the Federal Soil Protection Act:</p> <ul style="list-style-type: none"> • EUR 2,425.00 for the approval per subject area - plus travel expenses for the external committee members (An advance of EUR 500.00 per subject area must be paid when the application is submitted. If an application for approval is withdrawn by the applicant, the costs incurred up to the time the application is withdrawn will be charged for each subject area). • 335.00 euros for the extension or renewal of an approval (renewal or new approval notice) • 300.00 euros for the rejection of an authorization (rejection notice) • 300.00 euros for revocation of a license (revocation notice) <p>If it is necessary to involve the expert committee, further costs may be incurred.</p>
Verfahrensablauf	<p>The licensing authority (State Office for the Environment, Department 96) is supported by the Gesellschaft zur Altlastensanierung in Bayern (GAB mbH) in checking whether the applicant fulfills the licensing requirements.</p> <p>The examination of expertise is carried out by an appointed expert committee.</p> <p>A final expert discussion takes place.</p>
Bearbeitungsdauer	<p>The processing period is up to six months and begins with the submission of complete application documents. In justified cases, the period may be extended in accordance with Section 42a (2) of the Bavarian Administrative Procedure Act.</p>
Frist	<p>There are no deadlines for the application for admission. The application for renewal must be submitted 6 months prior to the expiry of the license (§ 8 para. 7 VSU). Proof of participation in suitable further training every 2 years from the date of notification of</p>

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	the license must be submitted to the licensing authority without being asked (§ 5 VSU).
weiterführende Informationen	http://www.lfu.bayern.de/altlasten/sachverstaendige_bodenschutzgesetz/index.htm http://www.lfu.bayern.de/altlasten/sachverstaendige_bodenschutzgesetz/index.htm http://www.stmuv.bayern.de/themen/boden/vollzug/index.htm http://www.stmuv.bayern.de/themen/boden/vollzug/index.htm http://www.resymesa.de http://www.resymesa.de http://www.lfu.bayern.de/altlasten/sachverstaendige_bodenschutzgesetz/doc/zulassungsinformationen.pdf http://www.lfu.bayern.de/altlasten/sachverstaendige_bodenschutzgesetz/doc/zulassungsinformationen.pdf
Hinweise	
Rechtsbehelf	An appeal may be lodged against a decision (admission, extension or revocation) within one month of its notification or an action may be brought directly.
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal