

99063016006000

Premature construction of a facility requiring approval under the Federal Immission Control Act (BImSchG)

Heruntergeladen am 12.06.2025

<https://fimportal.de/xzufi-services/S1000020010000011843/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99063016006000
Leistungsbezeichnung I	Premature construction of a facility requiring approval under the Federal Immission Control Act (BImSchG)
Leistungsbezeichnung II	Apply for approval for the early construction of a system that requires approval
Typisierung	2 - Bundesauftragsverwaltung: Regelung
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de">Garbage disposal</div> , <div lang="en-x-mtfrom-de">Systems requiring approval according to BImSchG (Federal Immission Control Act)</div> , <div lang="en-x-mtfrom-de">noise protection</div> , <div lang="en-x-mtfrom-de">Federal </div>

Modul	Sachverhalt
	Immission Control Act, permits</div>, <div lang="en-x-mtfrom-de">Air pollution from businesses (except restaurants)</div>, <div lang="en-x-mtfrom-de">vibration</div>, <div lang="en-x-mtfrom-de">harmful environmental impact systems</div>, <div lang="en-x-mtfrom-de">permanent waste disposal facilities</div>, <div lang="en-x-mtfrom-de">waste storage facilities</div>, <div lang="en-x-mtfrom-de">Plant waste treatment</div>
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	18.12.2023
Fachlich freigegen durch	
Handlungsgrundlage	§ 8a Federal Immission Control Act (BImSchG) < https://www.gesetze-im-internet.de/bimschg/_8a.html >
Teaser	Have you applied for a permit for a facility that requires a permit? Then you can also apply to start construction of the facility early.
Volltext	<p>If you want to build a facility that requires approval before it is approved by the responsible authority, you must apply to the responsible authority for approval for early construction. The responsible authority can revoke the approval for early construction at any time. The approval can be subject to conditions or can be granted conditionally if you still have to meet certain requirements. The conditions are intended to ensure that the facility can be dismantled if it is not approved.</p> <p>The responsible authority may require you to provide</p>

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	security. Security may include, for example, the deposit of money or securities or guarantees.
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Application for approval for early construction of a facility requiring approval • required drawings, plans, reports • Explanations of the system • if necessary, other documents that you can obtain from the responsible authority
Voraussetzungen	<ul style="list-style-type: none"> • You must have submitted an application for approval and construction or significant changes. You can apply for early commencement of construction within the application or subsequently • The competent authority must be able to adequately assess the impacts of the planned facility from the application and the required documents. • Your application must demonstrate a legitimate interest in starting early. • As an applicant, you must undertake to compensate for all damage caused by the premature construction until the decision is made and, if the project is not approved, to restore the previous condition.
Kosten	Fees apply. The amount of the fees depends on the investment amount or the administrative costs. The fees are calculated based on the Hamburg Environmental Fees Ordinance.
Verfahrensablauf	Those who have raised objections will also receive the decision with reasons.
Bearbeitungsdauer	Processing time is usually up to 2 months.
Frist	You will need the approval letter before you can start your planned project.
weiterführende Informationen	https://www.gesetze-im-internet.de/bimschg/__8a.html https://www.gesetze-im-internet.de/bimschg/__8a.html https://www.hamburg.de/elia/ https://www.hamburg.de/elia/
Hinweise	<p>The competent authority can revoke the approval at any time.</p> <p>Admission may be conditional or conditional if you still</p>

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	<p>have to meet certain requirements. The requirements are intended to ensure that the system can be dismantled if it is not approved. The competent authority may require you to provide security for this purpose. Collateral can be, for example, the deposit of money or securities as well as guarantees.</p>
Rechtsbehelf	<ul style="list-style-type: none"> • Contradiction • Action before the administrative court
Kurztext	<ul style="list-style-type: none"> • Apply for approval for early construction of a facility requiring approval <ul style="list-style-type: none"> • Construction and operation of plants according to BImSchG approval <ul style="list-style-type: none"> • Facilities that cause harmful environmental impacts or otherwise endanger, significantly disadvantage or nuisance the general public or the neighbourhood • Authorization can be revoked at any time • Approval may be subject to conditions if requirements still need to be met <ul style="list-style-type: none"> • Conditions are intended to ensure that the plant can be dismantled if it is not approved • Conditions in the form of collateral such as the deposit of money, securities or guarantees
Ansprechpunkt	
Zuständige Stelle	Authority for the Environment, Climate, Energy and Agriculture
Formulare	
Ursprungsportal	Behördenfinder Hamburg, Authority finder Hamburg (Currently this link is only available in german)