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# Construction and operation or modification of a facility not requiring approval that could cause an accident

Heruntergeladen am 07.07.2025

<https://fimportal.de/xzufi-services/S1000020010000012817/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99063055261000
Leistungsbezeichnung I	Construction and operation or modification of a facility not requiring approval that could cause an accident
Leistungsbezeichnung II	Report the accident-relevant construction and operation or an accident-relevant change to a facility that does not require approval
Typisierung	2 - Bundesauftragsverwaltung: Regelung
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de">Federal Immission Control Act</div>, <div lang="en-x-mtfrom-de">Incident-relevant changes to systems</div>, <div lang="en-x-mtfrom-de">Accident

Modul	Sachverhalt
	Ordinance</div>, <div lang="en-x-mtfrom-de">ELIA online service</div>, <div lang="en-x-mtfrom-de">Federal Immission Control Act</div>
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	07.12.2023
Fachlich freigegeben durch	
Handlungsgrundlage	§ 23a Law on the protection against harmful environmental effects caused by air pollution, noise, vibrations and similar processes (Federal Immission Control Act BImSchG) <a href="https://www.gesetze-im-internet.de/bimschg/_23a.html">https://www.gesetze-im-internet.de/bimschg/_23a.ht ml</a> Hamburg Environmental Fees Ordinance <a href="https://www.landesrecht-hamburg.de/bsha/document/jlr-UmwGebOHARahmen">https://www.landesrecht-hamburg.de/bsha/document/ jlr-UmwGebOHARahmen</a>
Teaser	If you are planning construction work or changes to a facility that does not require a permit that could be significant for an incident, you must notify us in advance.
Volltext	Do you operate a facility that does not require a permit under emissions control law and is part of an operating area or a component of such an area? Are you planning a significant change to this facility that could lead to a significant increase in risk or affect other requirements under emissions control law? Or do you intend to construct and operate a facility that does not require a permit, which is part of an operating area and may be relevant to a major accident? In these cases, it is necessary to inform the emission control authorities about these planned changes. This makes it

Modul	Sachverhalt
	possible to check whether the emission control requirements are still met. You must therefore notify the responsible authority before implementing your plan.
Erforderliche Unterlagen	Drawings, plans, reports describing the planned project Explanations and If applicable, further documents about which you will be informed by the competent authority
Voraussetzungen	You must report the planned construction, operation or modification of a facility that could cause a major accident to the competent authority if the following conditions are met: The facility does not require a permit, but is part of an operating area or a component of an operating area. You are planning the construction, operation or modification of the plant in a way that is relevant to an incident. You have not yet applied for a permit for the construction, operation or modification of this facility that could cause a major accident. You must apply for a major accident-related approval procedure for a facility that does not require approval if: the appropriate safety distance of the system is exceeded for the first time, the appropriate safety distance of the system is further exceeded or a significant increase in danger is triggered.
Kosten	Fees apply. The amount of the fees depends on the investment amount or the administrative costs. They are calculated based on the Hamburg Environmental Fees Ordinance.
Verfahrensablauf	You report the planned accident-relevant construction or modification of your facility that does not require approval to the responsible authority before commissioning or carrying out the project. You can do this either using the EliA online service or in writing. Attach all the necessary documents to your report. The responsible authority will confirm receipt of your notification and the attached documents. If necessary, the responsible authority will request further documents or information from you. No later than two months after receiving your complete documents, the responsible authority will inform you whether your project requires approval. If the authority determines that no approval procedure is required, you as the

Modul	Sachverhalt
	operator may implement the project. If the authorities come to the conclusion that your project requires approval, you must apply for approval for the construction or modification relevant to the incident. There are certain deadlines in the approval process.
Bearbeitungsdauer	The processing time is 2 months. The period begins when all required documents are submitted to the responsible authority.
Frist	Report your project to the responsible authority at least two months before the planned start. You may only start implementation after the responsible authority has informed you that no application for approval is required for your project.
weiterführende Informationen	<a href="https://www.hamburg.de/elia/">https://www.hamburg.de/elia/</a> <a href="https://www.hamburg.de/elia/">https://www.hamburg.de/elia/</a>
Hinweise	no
Rechtsbehelf	Objection within one month of receipt of the decision Action before the administrative court
Kurztext	Report incident-relevant construction and operation or incident-relevant modification of a facility not requiring approval Projects/planning of construction work or changes that may be relevant to an incident at a facility that does not require a permit Notification of a facility relevant to an incident and the operation or the interference-relevant change to a facility that does not require approval and that is an operating area or part of an operating area significant change to this facility that may lead to a significant increase in risk or impairment of other emissions regulations If the facility is an operating area or part of an operating area A permit according to Section 23b BImSchG is not applied for Notification to the competent authority before implementation of the project to check the requirements under emission law
Ansprechpunkt	
Zuständige Stelle	Environment, Climate, Energy and Agriculture Authority - Functional Accounts / Resources
Formulare	

Modul	Sachverhalt
Ursprungsportal	Behördenfinder Hamburg, Authority finder Hamburg (Currently this link is only available in german)