

99020044001000

Applying for the first mining permit

Heruntergeladen am 24.07.2025

<https://fimportal.de/xzufi-services/381425772/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99020044001000
Leistungsbezeichnung I	Applying for the first mining permit
Leistungsbezeichnung II	Applying for the first mining permit
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Bodenschutz (020)
Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400)
Einheitlicher Ansprechpartner	Nein

Modul	Sachverhalt
Fachlich freigegeben am	12.12.2023
Fachlich freigegeben durch	Hessian Ministry for the Environment, Climate Protection, Agriculture and Consumer Protection (HMuKLV)
Handlungsgrundlage	https://www.gesetze-im-internet.de/bbergg/_3.html https://www.gesetze-im-internet.de/bbergg/_4.html https://www.gesetze-im-internet.de/bbergg/_6.html https://www.gesetze-im-internet.de/bbergg/_7.html https://www.gesetze-im-internet.de/bbergg/_8.html https://www.gesetze-im-internet.de/bbergg/_9.html https://www.gesetze-im-internet.de/bbergg/_10.html https://www.gesetze-im-internet.de/bbergg/_11.html https://www.gesetze-im-internet.de/bbergg/_12.html https://www.gesetze-im-internet.de/bbergg/_16.html https://www.umwelt-online.de/regelwerk/cgi-bin/suchausgabe.cgi?pfad=%2Fberg%2Fhe%2Frl_bbgg_erl19.htm&such=Nach https://www.gesetze-im-internet.de/unterlagenbergv/_1.html https://www.gesetze-im-internet.de/unterlagenbergv/_2.html https://www.gesetze-im-internet.de/unterlagenbergv/_3.html https://www.gesetze-im-internet.de/unterlagenbergv/_4.html https://www.gesetze-im-internet.de/unterlagenbergv/_5.html https://www.gesetze-im-internet.de/unterlagenbergv/_6.html https://www.gesetze-im-internet.de/bbergg/_3.html https://www.gesetze-im-internet.de/bbergg/_4.html https://www.gesetze-im-internet.de/bbergg/_6.html https://www.gesetze-im-internet.de/bbergg/_7.html https://www.gesetze-im-internet.de/bbergg/_8.html https://www.gesetze-im-internet.de/bbergg/_9.html https://www.gesetze-im-internet.de/bbergg/_10.html https://www.gesetze-im-internet.de/bbergg/_11.html https://www.gesetze-im-internet.de/bbergg/_12.html https://www.gesetze-im-internet.de/bbergg/_16.html https://www.umwelt-online.de/regelwerk/cgi-bin/suchausgabe.cgi?pfad=%2Fberg%2Fhe%2Frl_bbgg_erl19.htm&such=Nach https://www.gesetze-im-internet.de/unterlagenbergv/_

Modul	Sachverhalt
	<p>_1.html https://www.gesetze-im-internet.de/unterlagenbergv/_2.html https://www.gesetze-im-internet.de/unterlagenbergv/_3.html https://www.gesetze-im-internet.de/unterlagenbergv/_4.html https://www.gesetze-im-internet.de/unterlagenbergv/_5.html https://www.gesetze-im-internet.de/unterlagenbergv/_6.html</p>
Teaser	<p>Would you or your company like to extract one or more non-mining mineral resources? Then you must first apply for a mining license from the responsible mining authority</p>
Volltext	<p>With a mining permit, you are the only person permitted to prospect and mine the mineral resource in a defined area. To do so, you must submit an application to the responsible mining authority.</p> <p>With a permit, you are not yet allowed to implement any technical measures, such as drilling or removing layers of earth. The permit is merely a legal title that grants you the exclusive right to mine certain mineral resources within a defined area. The extracted mineral resources then become your property. If you wish to technically implement the extraction, you must submit further applications, for example for the approval of operating plans, to the competent authority. Only once these have been approved by the competent mining authority may you carry out such mining activities.</p> <p>The mining permit extends to so-called non-mining mineral resources that are of particular economic importance. These include energy resources such as hard coal and lignite or crude oil and natural gas, but also metals, salts, geothermal energy and lithium.</p> <p>The area covered by the permit is limited to the earth's surface and theoretically extends to the center of the earth.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Application for authorization

Modul

Sachverhalt

- Work program with the following information:
- Description of the planned technical implementation of the extraction
- Period for which you are applying for a permit
- planned financial expenditure
- Expected schedule for the extraction activities
- Details of the management and company name and registered office
- extract from the commercial register
- Proof that the discovered mineral resources are recoverable according to their location and nature, including information on the content, nature, depth of the deposit and technical extraction possibilities
- Proof of your financial capacity, for example in the form of balance sheets, bank statements, loan commitments showing the extent to which the expenditure will be financed from your own funds, loans or public subsidies
- A map drawn up by a mine surveyor in accordance with the criteria of the Documentary Mining Ordinance.
- The number of application copies depends on the number of federal states, districts and other institutions involved. Mining permits are not issued across state borders.
- Scale 1:5,000, 1:10,000 or 1:25,000.

Voraussetzungen

Certain requirements must be met before you can obtain a permit:

- You must precisely identify the mineral resources that you wish to prospect and mine.
- You or your representatives must have the necessary legal reliability.
- You must demonstrate that you can provide the necessary financing.
- You must be able to demonstrate that your project will not jeopardize the exploration and extraction of non-mining or natural resources.
- Your project must not impair any mineral resources whose protection is in the public interest.
- Your project must not affect any overriding public interests that preclude exploration in the entire field to be allocated, for example the environment and species protection.
- You must specify the exact locations and depths of

Modul

Sachverhalt

the sites where you have discovered the mineral resources in a map.

- The field in which you wish to extract the mineral resources must form a section of the earth's body bounded by straight lines on the surface and by perpendicular planes to depth, unless the boundaries of the area of application, such as state or federal boundaries, require a different course. be marked on a map with a suitable scale and be shown on a map that meets the requirements of the Unterlagen-Berg-Verordnung (Unterlagen-BergV).
- They must prove that their location and characteristics make it possible to extract the discovered mineral resources.
- They must submit a work program that
 - describes the nature, purpose and scope of your project and
 - which shows in particular that the technical implementation and the necessary underground and surface facilities are adequate and that the extraction of the mineral resources will take place within a reasonable period of time.

Kosten

The granting of a permit is subject to a fee in accordance with Section 1 of the Hessian Administrative Costs Act. The fee amounts to between 120 and 100,000 euros in accordance with item 11103 of the administrative cost schedule of the administrative cost regulations for the business area of the Ministry for the Environment, Climate Protection, Agriculture and Consumer Protection. It is based on the personnel and material costs associated with the official act as well as the imputed costs of all parties involved in the official act.

Verfahrensablauf

You can apply for the permit online via the "BergPass" platform (if available in the relevant federal state) or in writing to your local mountain authority.

Apply for a permit online via the "BergPass" platform:

- Call up the "BergPass" online platform and log in.
- To register, you will need a bundID and an identity card or residence permit with an active online ID function.

Modul

Sachverhalt

- Call up the application form and fill it out completely and truthfully.
- Upload the required documents as a file and send the application.

Apply for a permit in writing to the competent mining authority:

- Contact your responsible mining authority and coordinate the required application documents.
- Submit the application and all required documents by post to your competent mining authority.

Further procedural steps:

- The competent authority will check your application and the documents submitted. If any documents are missing, the authority will contact you.
- The mining authority alone decides on the approval, but usually carries out a participation process: If your work program contains measures and areas that affect the remit of other authorities or the municipalities as planning authorities, it will then distribute it to all authorities affected by the project.
- You will receive a notification by post informing you of the decision on your application. In addition, the decision will be sent electronically to the relevant mailbox (bundID or ELSTER company account) in advance and information will be displayed in BergPass.
- You will also receive a notification of costs. Pay the fees.

Bearbeitungsdauer

2 - 3 Monat(e)
After submission of the complete application documents.

Frist

0 - 50 Jahr(e)
1 Monat(e)
The duration of a permit depends largely on the mineral resource and the predicted deposit. Permits are issued for a limited period of time, which must be appropriate for the implementation of the planned extraction. This may only exceed 50 years if this is necessary in view of the investments normally required for extraction. If you do not commence extraction

Modul	Sachverhalt
	within 3 years of the permit being issued, the permit may be revoked. The same applies if you interrupt your extraction work for longer than 3 years.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	• Complaint to the administrative court
Kurztext	<ul style="list-style-type: none"> • Mining permit First-time issue • Upstream procedure for mining companies for the extraction (mining) of certain (non-mining) mineral resources (raw materials) in a defined area (authorization field) • Permit relates to so-called non-mining mineral resources • defines an area in which only the license holder has the right to prospect for and extract the designated mineral resource • Application via online portal "BergPass" (in preparation) or directly to the responsible mining authority • Responsible: Mining department of the Darmstadt Regional Council
Ansprechpunkt	
Zuständige Stelle	The mining department of the Darmstadt Regional Council is responsible.
Formulare	<ul style="list-style-type: none"> • Written form required: Yes • Online services available: no
Ursprungsportal	Applying for the first mining permit, Ersterteilung der Bergbaubewilligung beantragen