

99063001006003, 99063001006003

Modification of an installation requiring approval under the Federal Immission Control Act (BImSchG) Approval as part of the repowering of an installation for the generation of electricity from renewable energies

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<https://fimportal.de/xzufi-services/389412868/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99063001006003, 99063001006003
Leistungsbezeichnung I	Modification of an installation requiring approval under the Federal Immission Control Act (BImSchG) Approval as part of the repowering of an installation for the generation of electricity from renewable energies
Leistungsbezeichnung II	
Typisierung	2 - Bundesauftragsverwaltung: Regelung
Quellredaktion	Hessen

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Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Immissionsschutz (063)
Verrichtungskennung	Genehmigung (006)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Produkt- und Stoffzulassung (2120200), Anlagenbetrieb und -prüfung (2120100)
Einheitlicher Ansprechpartner	Ja
Fachlich freigegeben am	02.01.2024
Fachlich freigegeben durch	Hessian Ministry of Agriculture and Environment, Viticulture, Forestry, Hunting and Homeland
Handlungsgrundlage	https://www.gesetze-im-internet.de/bimschg/_6.html https://www.gesetze-im-internet.de/bimschg/_10.html https://www.gesetze-im-internet.de/bimschg/_16b.html https://www.gesetze-im-internet.de/bimschg/_19.html https://www.gesetze-im-internet.de/bimschv_4_2013/index.html#BJNR097310013BJNE000102116 https://www.gesetze-im-internet.de/bimschg/_6.html https://www.gesetze-im-internet.de/bimschg/_10.html https://www.gesetze-im-internet.de/bimschg/_16b.html https://www.gesetze-im-internet.de/bimschg/_19.html https://www.gesetze-im-internet.de/bimschv_4_2013/index.html#BJNR097310013BJNE000102116
Teaser	If you intend to make significant changes to an installation that requires a permit and generates electricity from renewable energy sources, you must apply for a permit from the competent authority.

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Volltext	Do you operate an installation that requires approval under immission control legislation, for which you already have approval under immission control legislation, and are you planning to carry out repowering measures on this installation? Repowering measures serve to modernize an installation for the purpose of generating electricity from renewable energies. This repowering measure can have adverse effects in relation to the current state of the installation. If these are significant for the approval requirements of the installation requiring approval, a modification permit is required. For this reason, any significant changes to installations requiring approval must be reviewed by the immission control authority. To do this, you must submit an application for a modification permit and submit all the documents required for the assessment. The application can be made in writing or electronically.
Erforderliche Unterlagen	Forms and instructions can be found at: https://www.hlnug.de/downloads https://www.hlnug.de/downloads
Voraussetzungen	Approval for change shall be granted if: • it is ensured that the obligations arising from the requirements of the Federal Immission Control Act and the Federal Immission Control Ordinance are fulfilled and • other public law regulations and occupational health and safety concerns do not conflict with the construction and operation of the plant. A permit for wind turbines in the context of repowering may also not be refused if, after the modernization, not all immission guideline values of the technical instructions for protection against noise are complied with, but

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	• the immission contribution of the wind turbine after modernization is lower than the immission contribution of the wind turbines replaced by it, and • the wind turbine is state-of-the-art.
Kosten	Gebühr: 2.500€ - 1.800.000€
Verfahrensablauf	The approval procedure requires a written or electronic application, which must be accompanied by the drawings, explanations and other documents required to check the approval requirements. If the application is complete, it may have to be made public together with the documents and then displayed for one month. At the latest at the same time as the public announcement of the project, the approval authority also requests the authorities to be involved to submit their comments on the approval requirements within one month. If there are objections, these will be discussed with you and those who have raised the objections in a meeting. Once the licensing authority has determined all the circumstances that are relevant to the granting of a license, a decision must be made on the application. The approval decision must be substantiated in writing and will be served to you and the persons who have raised objections. The notification of the approval notice to objectors can be replaced by a public announcement.
Bearbeitungsdauer	3 - 6 Monat(e) The duration can be extended by the authority.
Frist	You must apply to the competent authority for approval of the system before commencing the modification.
weiterführende Informationen	https://www.hlnug.de/fileadmin/downloads/luft/genehmigungsformulare/VHB_Genehmigungsverfahren.pdf https://www.hlnug.de/fileadmin/downloads/luft/genehmigungsformulare/Anleitung.pdf https://www.hlnug.de/fileadmin/downloads/luft/genehmigungsformulare/VHB_Genehmigungsverfahren.pdf https://www.hlnug.de/fileadmin/downloads/luft/genehmigungsformulare/VHB_Genehmigungsverfahren.pdf

Modul	Sachverhalt
	migungsformulare/Anleitung.pdf
Hinweise	
Rechtsbehelf	Action before the administrative court or administrative court of justice
Kurztext	• Modification of a plant requiring approval under the Federal Immission Control Act (BImSchG) Approval as part of the repowering of a plant for the generation of electricity from renewable energies • If you wish to modernize a plant that generates electricity from renewable energies and requires a permit, you will need a permit for this project if and to the extent that • these changes will have a negative impact in relation to the current status of the installation and • these may be significant for the approval requirements of the installations requiring approval. • Application: Electronically or in writing • Responsible: Environmental department of the regional council responsible for the plant location
Ansprechpunkt	
Zuständige Stelle	The environmental department of the regional council responsible for the plant location is responsible.
Formulare	
Ursprungsportal	Änderung einer genehmigungsbedürftigen Anlage nach BImSchG Genehmigung im Rahmen von Repowering einer Anlage zur Erzeugung von Strom aus erneuerbaren Energien, Modification of an installation requiring approval under the Federal Immission Control Act (BImSchG) Approval as part of the repowering of an installation for the generation of electricity from renewable energies