

99020021007000, 99020021007000

Mining Operating plan procedure Special operating plan - first-time approval

Heruntergeladen am 08.06.2025

<https://fimportal.de/xzufi-services/394175231/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99020021007000, 99020021007000
Leistungsbezeichnung I	Mining Operating plan procedure Special operating plan - first-time approval
Leistungsbezeichnung II	
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	Zulassung (007)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und

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	Führung eines Unternehmens
Lagen Portalverbund	Bauplanung (2050400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	22.06.2023
Fachlich freigegeben durch	Ministry of Economic Affairs, Transport, Agriculture and Viticulture Rhineland-Palatinate (MWVLW)
Handlungsgrundlage	https://www.gesetze-im-internet.de/bbergg/_51.html https://www.gesetze-im-internet.de/bbergg/_52.html https://www.gesetze-im-internet.de/bbergg/_52.html https://www.gesetze-im-internet.de/bbergg/_55.html https://www.gesetze-im-internet.de/bbergg/_51.html https://www.gesetze-im-internet.de/bbergg/_52.html https://www.gesetze-im-internet.de/bbergg/_52.html https://www.gesetze-im-internet.de/bbergg/_55.html
Teaser	<p>If your company wants to carry out mining work that is too detailed for the main operating plan and has not yet been regulated, you must draw up a special operating plan and apply to the competent authority for approval.</p>
Volltext	<p>An operating plan is used to monitor operations. In order to establish and operate a mining operation, you as an entrepreneur need an approved main operating plan.</p> <p>The competent authority may require special operating plans for special work and facilities that are not suitable for inclusion in the main operating plan due to their level of detail.</p> <p>An operating plan includes comprehensive explanations and planning documents for planned mining measures, for example</p> <ul style="list-style-type: none"> • Location and extent, • technical implementation • time planning, • possible effects on people and the environment, • measures to avoid and minimize negative effects on

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the environment,
 • operational and occupational safety.

Special operating plans contain measures which, although part of the main operating plan, cannot be limited to the duration specified in the main operating plan or which concern special measures. Such measures can be, for example

- Handling of substances hazardous to water,
- utilization of foreign materials,
- landslides on embankments,
- the construction of a gas drying plant,
- the construction of treatment plants or exploration facilities,
- geophysical work,
- seismic exploration work,
- carrying out deep drilling,
- measures for the recultivation of former mining areas or
- the construction of roads and access routes,
- Construction of filling stations and weighbridges,
- Construction of power generation facilities ("mine power plant"),
- monitoring.

Special operating plans, like general and main operating plans, must be approved by the competent authority. Special operating plan procedures are only suitable for procedures in which no environmental impact assessment (EIA) is required.

Erforderliche Unterlagen

You can clarify which documents are required in your case together with your responsible mining authority. In addition to the information in the main operating plan, the following documents may be required in the special operating plan:

- Proof of the permit under water law, if applicable,
- Full description of the site situation with distance to protected areas and existing infrastructure

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- geological reports
- hydrogeological reports
- nature conservation contributions
- Technical descriptions of the required equipment, including for drilling, machinery and processing
 - Information on operational safety (from shut-off to time records) and operational monitoring
 - Proof of proper waste disposal and access routes (compliance with all relevant requirements)
 - Description and assessment of possible impacts on the environment and planned measures to avoid and reduce them, nature conservation contributions, noise reports
- Water management measures
- Measures to provide for the reutilization of the surface
 - Measures for immission control
 - Description of the operating facilities, such as offices and social rooms, parking spaces, storage areas, workshops, filling stations

Voraussetzungen

In order for you to obtain approval for your special operating plan, certain requirements must be met, although these may already have been examined in the procedure for approval of the main operating plan:

- Your project must not conflict with any overriding public interests.
- You must be able to prove that you have the officially issued authorization for the exploration or extraction of non-mining mineral resources or the rights to mining mineral resources.
- You must be able to prove that your company and your managerial staff or representatives have the necessary reliability as well as the required expertise and physical fitness.
- You must take all necessary safety measures to prevent risks to the life and health of employees and third parties in the company. These measures must also ensure the protection of material assets,
- Your work must not impair other natural resources

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whose protection is in the public interest.

- The earth's surface must be protected in the interests of personal safety and public traffic.
- The waste produced must be properly reused or disposed of.
- You must take precautions to ensure that
 - the surfaces can subsequently be made usable again to the extent required by the circumstances,
 - the safety of other mining operations is not jeopardized,
 - the search for or extraction of mineral resources does not result in any harmful consequences for the general public and, in the case of mining operations in the area of the continental shelf or coastal waters:
 - shipping facilities and signs are not impaired and
 - shipping and shipping lanes, airspace, fishing and flora and fauna are not unreasonably impaired,
 - underwater cables and pipelines as well as oceanographic or other scientific research are not impaired more than is unavoidable under the circumstances, and
 - the harmful effects on the sea are kept to a minimum
- You may be required to provide the competent authority with evidence of a security deposit with an appropriate sum insured, a bank guarantee, letter of comfort or similar covering the above risks.

Kosten

Verfahrensablauf

You can apply for approval of your special operating plan online via the "BergPass" platform or directly to your local mining authority.

Apply for approval online:

- Go to the "BergPass" online platform and log in.
- To apply, you will need a BundID and an identity card or residence permit with an active online ID function.
- Upload the required documents as a file.

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Apply directly to the responsible mining authority for approval:

- You must draw up your special operating plan in such a way that both the approval requirements and other concerns such as groundwater and nature conservation are comprehensively described. For complex projects, it is advisable to contact your competent authority and coordinate the required application documents.
- Submit all the necessary documents to them.

Further procedural steps:

- The competent authority will receive your application and check the documents submitted. If any documents are missing, the authority will contact you.
- You will receive a notification electronically and by post informing you of the decision on your approval.
- You will also receive a notification of costs. Pay the fees.

Bearbeitungsdauer

Frist You may only start your planned mining work once you have received approval for your special operating plan.

weiterführende Informationen

Hinweise

Rechtsbehelf

Kurztext

- Mining operating plan procedure Special operating plan - initial approval
 - An approved operating plan is a prerequisite for exploration, extraction or processing operations that are subject to the Federal Mining Act
 - Special operating plan contains measures that are part of the main operating plan but cannot be limited

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	<p>to the duration specified in the main operating plan or that affect a special part of the operation, such as the handling of substances hazardous to water, the utilization of foreign substances or measures in the event of landslides</p> <ul style="list-style-type: none"> • Application via <ul style="list-style-type: none"> • online portal "Bergpass" or • directly to the responsible mining authority • Responsible: competent mining authority of the federal state in which the company is located
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	<p>Mining Operating plan procedure Special operating plan - first-time approval, Bergbau Betriebsplanverfahren Sonderbetriebsplan - erstmalig Zulassung</p>