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Immission control - Display changes to an installation requiring authorisation in accordance with BImSchG

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<https://fimportal.de/xzufi-services/6010909/L100022>

Modul	Sachverhalt
Leistungsschlüssel	99063001261000
Leistungsbezeichnung I	Immission control - Display changes to an installation requiring authorisation in accordance with BImSchG
Leistungsbezeichnung II	Immission control - Display changes to an installation requiring authorisation in accordance with BImSchG
Typisierung	2 - Bundesauftragsverwaltung: Regelung
Quellredaktion	Baden-Württemberg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	

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Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	Bundes-Immissionsschutzgesetz (BImSchG): <ul style="list-style-type: none"> • § 4 Genehmigung • § 15 Änderung genehmigungsbedürftiger Anlagen • § 16 Wesentliche Änderung genehmigungsbedürftiger
Teaser	Changes to installations subject to immission control authorisation that may have a positive or negative impact on protected assets are subject to notification in accordance with Section 15 (1) of the Federal Immission Control Act (BImSchG), unless the changes are to be considered a significant change due to their scope and are therefore subject to authorisation in accordance with Section 16 BImSchG.
Volltext	<p>Changes to installations subject to immission control authorisation that may have a positive or negative impact on protected assets are subject to notification in accordance with Section 15 (1) of the Federal Immission Control Act (BImSchG), unless the changes are to be considered a significant change due to their scope and are therefore subject to authorisation in accordance with Section 16 BImSchG.</p> <p>If it is intended to discontinue the operation of an installation requiring authorisation under immission control law, this must be notified in accordance with Section 15 (3) BImSchG, stating the date of discontinuation.</p>
Erforderliche Unterlagen	The notification must be accompanied by the documents required for an assessment. These are, for

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example

- Descriptions of the project, including information on plant components, process steps, material and product data,
- schematic diagrams and flow charts,
- Information on possible disruptions to normal operation,
- Information on emissions and immissions,
- Information on waste and waste water,
- Construction documents: site plan, construction drawings, building description,
- [if the notification is not made via the web form: Forms 1 - 3 of "Annex 2" of the Guidelines for Authorisation and Notification Procedures under the Federal Immission Control Act of the Ministry of the Environment, Climate Protection and the Energy Sector Baden-Württemberg](<https://um.baden-wuerttemberg.de/de/presse-service/publikation/did/leitfaden-genehmigungs-und-anzeigeverfahren-nach-dem-bundes-immissionsschutzgesetz>).

The competent authority may request further documents if necessary.

When notifying the decommissioning of an installation, documents on the measures planned by the operator to fulfil the aftercare obligations arising from Section 5 (3) and (4) BImSchG must be enclosed.

Voraussetzungen

The competent authority must be notified of any planned changes to an installation requiring a permit under immission control legislation at least one month before the change is to begin.

The modification may be carried out by the operator as soon as the competent licensing authority states that the modification does not require a licence - so-called declaration of exemption - or the authority has not issued a statement within one month of receipt of the notification - so-called legal fiction. This does not apply in the case of an incident-relevant change in accordance with Section 15 (2a). In this case, a review

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	<p>period of two months applies and the legal fiction does not apply. In these cases, the changes may only be made once the responsible immission control authority has notified that no authorisation is required.</p>
Kosten	<p>The fees are based on the investment costs for modifying the system.</p>
Verfahrensablauf	<p>In the notification procedure, the responsible immission control authority only checks whether a notification is sufficient or whether an authorisation procedure must be carried out instead due to the scope of the planned change.</p> <p>If no online procedure is available, please use [forms 1 to 3 of "Annex 2" of the Guidelines for Authorisation and Notification Procedures under the Federal Immission Control Act of the Ministry of the Environment, Climate Protection and the Energy Sector Baden-Württemberg](https://um.baden-wuerttemberg.de/de/presse-service/publikation/did/leitfaden-genehmigungs-und-anzeigeverfahren-nach-dem-bundes-immissionsschutzgesetz) for the notification.</p> <p>The notification must be accompanied by the documents required for an assessment. If further documents are required by the competent immission control authority for an assessment, these must be submitted subsequently. In such cases, the period of one month begins to run from the date on which the documents are complete (receipt by the authority).</p> <p>You may start modifying an installation if the competent authority</p> <ul style="list-style-type: none"> • has not responded within one month or • informs you that no modification licence is required. <p>This does not apply if it is an accident-relevant modification in accordance with Section 15 (2a), for which there is a review period of two months. The changes may only be carried out once the responsible immission control authority has notified that no</p>

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	<p>authorisation is required.</p> <p>If other permits or authorisations are required for the project, these must be applied for separately, for example building permits.</p>
Bearbeitungsdauer	
Frist	Notification of a planned change must be made at least one month before the start of the change.
weiterführende Informationen	
Hinweise	<p>Coordinate in advance with the responsible immission control authority regarding the documents required for an assessment.</p> <p>Please ensure that you submit the notification to the immission control authority responsible for your plant requiring authorisation under immission control law.</p>
Rechtsbehelf	If the responsible immission control authority informs you that a change authorisation procedure must be carried out for the project, an objection can be lodged against this or, in the case of decisions by the regional councils, a complaint can be filed.
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	