

99063001006001

Immission control - Applying for a permit for a significant change to a plant requiring authorisation in accordance with the BImSchG

Heruntergeladen am 08.06.2025

<https://fimportal.de/xzufi-services/6021609/L100022>

Modul	Sachverhalt
Leistungsschlüssel	99063001006001
Leistungsbezeichnung I	Immission control - Applying for a permit for a significant change to a plant requiring authorisation in accordance with the BImSchG
Leistungsbezeichnung II	Immission control - Applying for a permit for a significant change to a plant requiring authorisation in accordance with the BImSchG
Typisierung	4 - Land: Regelung
Quellredaktion	Baden-Württemberg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	

Modul	Sachverhalt
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<p>Bundesimmissionsschutzgesetz (BImSchG):</p> <ul style="list-style-type: none"> • § 3 Begriffsbestimmungen • § 4 Genehmigung • § 10 Genehmigungsverfahren • § 15 Änderung genehmigungsbedürftiger Anlagen • § 16 Wesentliche Änderung genehmigungsbedürftiger Anlagen <p>Vierte Verordnung zur Durchführung des Bundes-Immissionsschutzgesetzes (4. BImSchV)</p> <p>Neunte Verordnung zur Durchführung des Bundes-Immissionsschutzgesetzes (9. BImSchV)</p> <p>Wasserhaushaltsgesetz (WHG):</p> <ul style="list-style-type: none"> • § 60 Abwasseranlagen <p>Richtlinie 2010/75/EU des Europäischen Parlaments und des Rates vom 24. November 2010 über Industrieemissionen</p> <p>Immissionsschutz-Zuständigkeitsverordnung des Landes Baden-Württemberg (ImSchZuVO)</p>
Teaser	Do you operate an installation subject to immission

Modul

Sachverhalt

control authorisation for which you already have an immission control permit and are you planning to make significant changes to this installation?

Volltext

Do you operate an installation subject to immission control authorisation for which you already have an immission control permit and are you planning to make significant changes to this installation?

A permit is required for modifications to an installation that has been approved under immission control legislation if the modification could have a negative impact on the environment and this could be significant for the assessment of the approval requirements for installations requiring approval. A permit is also always required if the modification or expansion of the operation of installations requiring a permit results in the capacity limits or the size of the installation being reached for the first time. In addition, authorisation is always required if the change in itself reaches the relevant performance limit for a permit requirement.

The planned significant change to the installation requiring a licence must be applied for with the responsible licensing authority. As part of the approval procedure, the approval authority will check whether the modified system still fulfils the legal requirements.

However, authorisation is not required if

- the adverse effects caused by the change are obviously minor and
- fulfilment of the requirements of the licensing conditions of the Federal Immission Control Act (BImSchG) for installations requiring a licence is ensured.

This also applies if an authorised installation or parts of an authorised installation are to be replaced within the scope of the authorisation granted.

If the operator is of the opinion that the planned

Modul	Sachverhalt
	<p>change is not significant, notification of the planned change to the competent authority is required.</p>
Erforderliche Unterlagen	<p>The application must be accompanied by the documents required for an assessment. These are, for example</p> <ul style="list-style-type: none"> • 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, construction description, • Forms of "Annex 1" to the [Guidelines for authorisation and notification procedures in accordance with the Federal Immission Control Act of the Baden-Württemberg Ministry of the Environment](https://um.baden-wuerttemberg.de/de/presse-service/publikation/did/leitfaden-genehmigungs-und-anzeige-verfahren-nach-dem-bundes-immissionsschutzgesetz) <p>The competent authority may request further documents if necessary. Coordinate in advance with the responsible immission control authority regarding the documents required for an assessment.</p> <p>If official decisions concerning the installation are communicated as part of the authorisation procedure (e.g. building permit), the documents required for this must also be submitted.</p>
Voraussetzungen	<p>The permit must be granted if it is ensured that the obligations arising from the Federal Immission Control Act (BImSchG) and its ordinances will continue to be fulfilled after the significant change to the plant requiring a permit and that other public law regulations and occupational health and safety concerns do not conflict with the construction and operation of the plant.</p>

Modul	Sachverhalt
Kosten	The fees are based on the investment costs for the system.
Verfahrensablauf	<p>The authorisation procedure requires an application, which must be accompanied by the drawings, explanations and other documents required to check the authorisation requirements. If further documents are required by the competent immission control authority or the relevant specialised authorities for an assessment, these must be submitted subsequently.</p> <p>Once the application is complete, the licensing authority requests the authorities to be involved in the procedure to submit their comments on the licensing requirements. In the case of a formal authorisation procedure, there is also public participation in which the project is made public and the application documents are displayed for one month and objections can be raised by the public. After the objection period has expired, the licensing authority can discuss the objections raised against the project in good time with the applicant and those who have raised objections. In accordance with Section 16 of the Federal Immission Control Act (BImSchG), the licensing authority should refrain from publicising the project and displaying the application and documents if the project sponsor requests this and there are no concerns of significant adverse effects on relevant protected assets.</p> <p>Once the licensing authority has determined all the circumstances that are relevant to the granting of a licence, a decision must be made on the application. The authorisation decision must be substantiated in writing and will be sent to you and the persons who have raised objections. The notification of the authorisation notice to objectors can be replaced by a public announcement.</p> <p>Pursuant to Section 13 BImSchG, the immission control permit includes other official decisions relating to the</p>

Modul	Sachverhalt
	<p>plant, in particular permits, approvals, concessions, authorisations and licences under public law. Excluded from this are planning approvals, approval of operating plans under mining law, official decisions based on nuclear regulations and water law permits and authorisations.</p>
Bearbeitungsdauer	<p>As a rule, the licensing authority must check whether the documents are complete within one month of receiving the application. If the application documents are not sufficient for an assessment, they must be completed by the applicant. Once the application documents are complete, the statutory deadlines begin for the authorisation procedure under immission control law, which is six months in a formal procedure and three months in a simplified procedure for modification projects. The deadlines can be extended by three months if this is necessary due to the difficulty of the examination or for reasons attributable to the applicant.</p>
Frist	<p>The operator must obtain prior authorisation from the competent authority for any significant change to the system.</p>
weiterführende Informationen	
Hinweise	<p>Coordinate in advance with the responsible immission control authority regarding the documents required for an assessment.</p> <p>The application for a significant change to an installation requiring authorisation is made as part of the [administrative service](https://www.service-bw.de/zufi/leistungen/6016849)["Immission control - Applying for the construction and operation of an installation requiring authorisation"](https://www.service-bw.de/zufi/leistungen/6016849)["](https://www.service-bw.de/zufi/leistungen/6016849).</p>
Rechtsbehelf	<p>Objection or complaint</p>
Kurztext	

Modul	Sachverhalt
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	