

99012033029000, 99012033029000

Landfills: Submit objections in the planning approval procedure

Heruntergeladen am 24.06.2025

<https://fimportal.de/xzufi-services/106353636/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99012033029000, 99012033029000
Leistungsbezeichnung I	Landfills: Submit objections in the planning approval procedure
Leistungsbezeichnung II	
Typisierung	2 - Bundesauftragsverwaltung: Regelung
Quellredaktion	Mecklenburg-Vorpommern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Baurecht (012)
Verrichtungskennung	Prüfung (029)
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher	

Modul	Sachverhalt
Ansprechpartner	Nein
Fachlich freigegeben am	26.03.2015
Fachlich freigegeben durch	Ministry of Economics, Construction and Tourism M-V
Handlungsgrundlage	§ Section 38 of the Closed Substance Cycle Waste Management Act in conjunction with Section 73 of the Federal Administrative Procedure Act
Teaser	
Volltext	<p>The construction, operation and significant modification of landfills require special official approval. In principle, the competent authority issues this approval to the applicant in a strictly formalized administrative procedure, the so-called planning approval procedure. Approval for the establishment and construction or significant modification of the landfill is then granted in a so-called plan approval decision. The core element of the planning approval procedure is public participation as part of a special hearing procedure. The applicant's application documents are made available for inspection for a period of one month in the municipalities in which the landfill project is likely to have an impact. The detailed circumstances of the display and the procedure for raising objections and submitting comments are published by the municipalities in the usual local manner. In particular, citizens whose own interests are affected by the landfill project can lodge their objections to the project with the relevant planning approval authority (responsible State Office for Agriculture and the Environment) or with the municipality that has put the site on display until the end of the so-called objection period. The period during which objections can be raised (known as the objection period) begins at the end of the display period. However, objections can also be raised during the exhibition, i.e. before the actual objection period begins. The objection period ends two weeks after the end of the display period. After the end of the objection period, no further objections to the project can be raised. Once the objection period has expired, all objections are therefore generally excluded. There</p>

Modul

Sachverhalt

is an exception in particular for objections based on special titles under private law. Objections must be raised in writing or for the record. Objections raised verbally or by telephone are not sufficient. Only those persons whose own rights or interests worthy of protection may be affected by the landfill project are entitled to raise objections. In addition, recognized nature conservation and environmental associations with legal standing are entitled to submit comments on the project within the objection period. After the objection period has expired, the competent authority discusses the objections raised in good time and the comments submitted in good time in a separate meeting with the affected parties, the objectors and the nature conservation and environmental associations involved. The competent authority shall announce the hearing in good time in advance. The competent authority shall conclude the discussion within three months of the expiry of the objection period. The purpose of the discussion is to establish the facts and aspects relevant to the assessment of the landfill project. The discussion thus serves to determine the material to be weighed up, which is required for the competent authority's subsequent decision on the planning approval of the landfill project.

Erforderliche Unterlagen

Voraussetzungen

In order to be taken into account in the further proceedings, the objection raised by the citizen must at least indicate in broad terms a) for which own rights or own interests worthy of protection b) by which impacts of the landfill project c) in which spatial context an impairment is feared.

Kosten

No fees are charged to objectors for the official receipt, examination and discussion of objections raised.

Verfahrensablauf

- Submission of a written - if necessary also electronic - application with associated application documents by the applicant to the competent authority
- Consultation of the relevant authorities by the competent authority
- Implementation of public participation in a separate hearing procedure with plan presentation, opportunity

Modul	Sachverhalt
	<p>to raise objections and submit comments as well as a discussion meeting</p> <ul style="list-style-type: none"> • Examination by the authorities of the approval requirements on the basis of the application documents and comments from the relevant authorities and consideration of the results of the separate hearing procedure - in particular the discussion meeting • Official decision on the granting of planning approval • Announcement of the official decision
Bearbeitungsdauer	depending on the individual case
Frist	<p>Citizens must ensure that they submit their objections in good time, i.e. within the objection period. The objection period ends two weeks after the end of the display period. Once the objection period has expired, it is generally no longer possible to raise objections to the project. Once the objection period has expired, all objections are therefore generally excluded. There is an exception in particular for objections based on special titles under private law.</p>
weiterführende Informationen	
Hinweise	
Rechtsbehelf	
Kurztext	
Ansprechpunkt	State Offices for Agriculture and the Environment - Department 5 (Immission and climate protection, waste and recycling management)
Zuständige Stelle	The State Office for Agriculture and the Environment - Department 5 (Immission and Climate Protection, Waste and Recycling Management), in whose area the applicant plans to locate the site of the landfill applied for.
Formulare	
Ursprungsportal	<p>Deponien: Einwendungen im Planfeststellungsverfahren einreichen, Landfills: Submit objections in the planning approval procedure</p>