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<https://fimportal.de/xzufi-services/3375/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99129090261000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Installations for handling substances hazardous to water; notification of construction and significant changes
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	

Modul	Sachverhalt
Fachlich freigegeben am	30.01.2025
Fachlich freigegeben durch	Bayerisches Staatsministerium für Umwelt und Verbraucherschutz (Bavarian State Ministry of the Environment and Consumer Protection)
Handlungsgrundlage	<a href="http://bundesrecht.juris.de/whg_2009/BJNR258510009.html#BJNR258510009BJNG001000000">http://bundesrecht.juris.de/whg_2009/BJNR258510009.html#BJNR258510009BJNG001000000</a> <a href="http://bundesrecht.juris.de/whg_2009/BJNR258510009.html#BJNR258510009BJNG001000000">http://bundesrecht.juris.de/whg_2009/BJNR258510009.html#BJNR258510009BJNG001000000</a> <a href="http://www.gesetze-im-internet.de/awsv/">http://www.gesetze-im-internet.de/awsv/</a> <a href="http://www.gesetze-im-internet.de/awsv/">http://www.gesetze-im-internet.de/awsv/</a>
Teaser	The district administrative authority must be notified of the construction or significant modification, the taking of measures that lead to a change in the hazard level and the change of operator of installations for handling substances hazardous to water that require testing.
Volltext	<p>Installations for handling substances hazardous to water are subject to special legal regulations. The purpose of these regulations and their enforcement is to protect groundwater and surface waters (lakes, streams, rivers) from contamination by substances hazardous to water. Legal regulations can be found in federal law:</p> <ul style="list-style-type: none"> <li>• in Sections 62 and 63 of the Federal Water Act (WHG) and</li> <li>• the Ordinance on Installations for the Handling of Substances Hazardous to Water - Installations Ordinance (AwSV)</li> </ul> <p>These regulations specify requirements for the quality, operation, maintenance and decommissioning of facilities for handling substances hazardous to water.</p> <p>According to Section 62 (3) WHG, substances hazardous to water are solid, liquid and gaseous substances that are capable of causing permanent or significant adverse changes to water quality.</p> <p>This includes in particular</p>

## Modul

## Sachverhalt

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- Acids, alkalis, poisons,
- liquid and water-soluble hydrocarbons,
- organic compounds containing halogens, nitrogen and sulphur,
- mineral oils and mineral oil products,
- slurry, liquid manure, silage seepage and comparable substances arising in agriculture (e.g. solid manure, silage, biomass from basic agricultural production).

Installations for handling substances hazardous to water are

- independent and stationary or permanently used units in which substances hazardous to water are stored, filled, transhipped, manufactured, treated or used in the commercial sector or in public facilities, as well as
- Pipeline systems that do not exceed the area of the factory premises, are accessories of a system for handling substances hazardous to water or connect systems that are in close spatial and operational connection (§ 62 Para. 1 Sentence 2 WHG).

Units are considered to be stationary or used in a stationary manner if they are operated at one location for a specific operational purpose for longer than half a year; installations may consist of several parts.

Examples of installations are heating oil consumer installations, filling stations, oil refineries, delivery zones at forwarding companies, biogas plants, biomass storage facilities and slurry tanks.

The district administrative authority must be notified of the construction or significant modification of systems for handling substances hazardous to water that require testing (e.g. heating oil consumer systems from hazard level B - i.e. from a storage tank volume of more than 1,000 l or biogas plants with exclusively

## Modul

## Sachverhalt

agricultural fermentation substrates over 100 m<sup>3</sup>)  
(Section 40 (1) AwSV).

Installations subject to mandatory inspection must be inspected for proper condition in accordance with the inspection dates and intervals specified in Annex 5 and 6 AwSV.

The district administrative authority must also be notified of any measures taken on a system that lead to a change in the hazard level. Measures that lead to a change in the hazard level could be, for example, more frequent filling or emptying of filling systems, as this increases the average daily throughput, the expansion of a storage facility with additional storage containers or the use of a water-polluting substance with a higher water hazard class.

The notification must be made in writing to the responsible district administrative authority at least six weeks before the construction, significant modification or implementation of measures that lead to a change in the hazard level.

In addition to the above-mentioned cases, a change of operator must also be notified (§ 40 Para. 4 AwSV).

Slurry, liquid manure and silage leachate plants (JGS plants) are also subject to notification as defined above if they exceed the following plant volumes:

- Storage facilities for silage leachate - Over 25 m<sup>3</sup>
- Storage facilities for solid manure or silage - Over 1000 m<sup>3</sup>
- Other JGS facilities - Over 500 m<sup>3</sup>

The following are exempt from the notification requirement

- Installations for the storage, filling or handling of substances hazardous to water for which a suitability assessment is requested in accordance with Section 63 (1) WHG

Modul	Sachverhalt
	<ul style="list-style-type: none"> <li>• other installations that are the subject of an approval procedure under other legislation, provided that this procedure also ensures compliance with the requirements of the AwSV</li> <li>• the substantial modification of another aforementioned installation requiring approval</li> <li>• the mere operation of (existing) installations</li> </ul> <p>Further information and advice on notification and the necessary documents can be obtained from the "competent authorities for water management" at the district office or the independent city (see link to district administrative authorities under "Responsible for you").</p>
Erforderliche Unterlagen	
Voraussetzungen	
Kosten	
Verfahrensablauf	
Bearbeitungsdauer	
Frist	
weiterführende Informationen	<a href="http://www.lfu.bayern.de/wasser/umgang_mit_wgs/index.htm">http://www.lfu.bayern.de/wasser/umgang_mit_wgs/index.htm</a> <a href="http://www.lfu.bayern.de/wasser/umgang_mit_wgs/index.htm">http://www.lfu.bayern.de/wasser/umgang_mit_wgs/index.htm</a>
Hinweise	
Rechtsbehelf	
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal