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# Construction and operation or modification of a facility not requiring a permit that could cause an accident

Heruntergeladen am 12.07.2025

<https://fimportal.de/xzufi-services/S1000020010000012818/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99063055006000
Leistungsbezeichnung I	Construction and operation or modification of a facility not requiring a permit that could cause an accident
Leistungsbezeichnung II	Apply for a permit under the accident prevention law for the construction and operation or modification of a facility that does not require a permit
Typisierung	2 - Bundesauftragsverwaltung: Regelung
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de">Immission control law</div>, <div lang="en-x-mtfrom-de">Federal Immission Control Act</div>, <div lang="en-x-mtfrom-de">Incident-relevant changes to

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	systems</div>, <div lang="en-x-mtfrom-de">Accident Ordinance</div>, <div lang="en-x-mtfrom-de">ELIA online service</div>, <div lang="en-x-mtfrom-de">Federal Immission Control Act</div>
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	07.12.2023
Fachlich freigegen durch	
Handlungsgrundlage	Section 23b paragraph 1 sentence 1 of the Act on the protection against harmful environmental effects caused by air pollution, noise, vibrations and similar processes (Federal Immission Control Act BImSchG) <a href="https://www.gesetze-im-internet.de/bimschg/_23b.html">https://www.gesetze-im-internet.de/bimschg/_23b.html</a> Hamburg Environmental Fees Ordinance <a href="https://www.landesrecht-hamburg.de/bsha/document/jlr-UmwGebOHARahmen">https://www.landesrecht-hamburg.de/bsha/document/jlr-UmwGebOHARahmen</a>
Teaser	If you construct or make a change to a facility that is part of an operating area and does not require a permit, and which has major accident-related effects, you will need a permit.
Volltext	If you construct, operate or modify a facility that does not require a permit and is part of an operating area and the effects are relevant to a major accident, you require a permit. If, when reviewing your previous notification of a construction or modification relevant to a major accident, the competent authority determines that your project has implications under major accident law, a permit is also required. These projects may result in the plant posing a significant risk or other requirements under emissions law no longer

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	being met.
<b>Erforderliche Unterlagen</b>	Application for accident-relevant construction and operation or accident-relevant modification of a facility not requiring approval required drawings, plans, reports Explanations of the system Information on further documents can be obtained from the responsible authority.
<b>Voraussetzungen</b>	The plant does not have any harmful environmental impacts that are avoidable given the current state of technology. The plant's unavoidable harmful environmental impacts are kept to a minimum using state-of-the-art technology. They properly dispose of the waste generated during the operation of the plant. Other public law regulations and occupational health and safety concerns do not conflict with the project.
<b>Kosten</b>	Fees apply. The amount of the fees depends on the investment amount or the administrative costs. They are calculated based on the Hamburg Environmental Fees Ordinance.
<b>Verfahrensablauf</b>	If, after reviewing your notification regarding a major accident-relevant construction, operation or major accident-relevant change, the competent authority determines that your project requires a permit, you will be informed of this in writing. To apply for approval, submit a written or electronic application and attach the documents required for review. The responsible authority will examine your application and your documents. Once all the necessary documents have been submitted, they will be made publicly available and displayed for one month. During this period, persons or associations whose interests are affected by the project may present their objections to the competent authority. As part of the approval review, the competent authority also obtains opinions from other authorities concerned. As soon as the competent authority has received objections and statements submitted in a timely manner, it will decide on your application. You will receive a notification from the responsible authority.
<b>Bearbeitungsdauer</b>	The processing time is up to 7 months.

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Frist	You need approval before you build, operate or modify the facility.
weiterführende Informationen	<a href="https://www.hamburg.de/politik-und-verwaltung/behoerden/bukea/themen/betrieblicher-umweltschutz/industrieanlagen-gentechnik/elia-160726">https://www.hamburg.de/politik-und-verwaltung/behoerden/bukea/themen/betrieblicher-umweltschutz/industrieanlagen-gentechnik/elia-160726</a> <a href="https://www.hamburg.de/elia/">https://www.hamburg.de/elia/</a>
Hinweise	You do not need a permit if you have already ensured a sufficient safety distance through binding specifications in the spatial planning or measure. You can apply for approval via the online service "ELiA".
Rechtsbehelf	Objection within one month of receipt of the decision Action before the administrative court
Kurztext	Apply for a permit under the accident prevention law for the construction and operation or modification of a facility that does not require a permit Approval required, if a facility that does not require a permit and is part of an operating area or part of an operating area is to be constructed and operated or modified and this will result in effects relevant to a major accident if the authority determines that a permit under the accident prevention law is required
Ansprechpunkt	
Zuständige Stelle	Authority for the Environment, Climate, Energy and Agriculture
Formulare	
Ursprungsportal	Hamburg Service, Hamburg Service (Currently this link is only available in german)