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# Notification of a facility requiring approval for the first time due to a change in the law

Heruntergeladen am 10.06.2025

<https://fimportal.de/xzufi-services/S1000020010000012859/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99063054261000
Leistungsbezeichnung I	Notification of a facility requiring approval for the first time due to a change in the law
Leistungsbezeichnung II	Report a facility requiring approval for the first time due to a change in the law
Typisierung	2 - Bundesauftragsverwaltung: Regelung
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de">Federal Immission Control Act, permits</div> , <div lang="en-x-mtfrom-de">Federal Immission Control Act</div> , <div lang="en-x-mtfrom-de">Federal Immission Control Act</div> , <div lang="en-x-mtfrom-de">4. Federal Immission Control Ordinance</div>

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Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	18.12.2023
Fachlich freigegeben durch	
Handlungsgrundlage	<p>Section 67, paragraph 2 of the Act on the protection against harmful environmental effects caused by air pollution, noise, vibrations and similar processes (Federal Immission Control Act - BImSchG)            &lt;<a href="https://www.gesetze-im-internet.de/bimschg/__67.html">https://www.gesetze-im-internet.de/bimschg/__67.html</a>&gt;</p> <p>Fourth Ordinance on the Implementation of the Federal Immission Control Act (4th BImSchV)            &lt;<a href="https://www.gesetze-im-internet.de/bimschv_4_2013/index.html#BJNR097310013BJNE000102116">https://www.gesetze-im-internet.de/bimschv_4_2013/index.html#BJNR097310013BJNE000102116</a>&gt;</p>
Teaser	If you are building or have built a facility and this facility requires approval due to a change in the law, you must notify the responsible authority in a timely manner.
Volltext	A facility that does not require a permit but has already been built or whose construction or significant modification has begun becomes subject to a permit requirement when it is included in the catalogue of facilities requiring a permit in the ordinance (4th BImSchV). In this case, the facility is subject to the permit requirements under emissions control law and must be reported to the responsible authority.
Erforderliche Unterlagen	<ul style="list-style-type: none"> <li>• Advertisement</li> <li>• Required drawings, plans, reports</li> <li>• Explanations and</li> <li>• if necessary, other documents that you can obtain</li> </ul>

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	from the responsible authority
Voraussetzungen	Due to a change in the law, the plant requires approval for the first time. It is listed for the first time in the catalogue of the 4th Federal Immission Control Ordinance.
Kosten	Fees apply. The amount of the fees depends on the administrative effort. They are determined based on the Hamburg Environmental Fees Ordinance.
Verfahrensablauf	<ul style="list-style-type: none"> <li>• Report the facility to the relevant authority in writing or electronically.</li> <li>• Attach the required documents. You must submit all required documents to the relevant authority no later than 2 months after the notification.</li> <li>• The responsible authority will confirm receipt of your notification and the documents. If necessary, it will request further documents or information.</li> <li>• The competent authority may impose additional orders on you to ensure that your plant complies with the obligations under the Federal Immission Control Act and that no public law regulations or interests conflict with the construction and operation of the plant.</li> </ul>
Bearbeitungsdauer	The responsible authority will respond to your application within one month of receipt of your complete documents.
Frist	You must register the plant with the competent authority within three months of the entry into force of the respective regulation in which your plant was included in the catalogue of plants requiring approval (4th BImSchV).
weiterführende Informationen	<a href="https://www.gesetze-im-internet.de/bimschg/_8a.html">https://www.gesetze-im-internet.de/bimschg/_8a.html</a> <a href="https://www.gesetze-im-internet.de/bimschg/_8a.html">https://www.gesetze-im-internet.de/bimschg/_8a.html</a> <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	Coal-fired power plants, industrial plants, intensive animal husbandry and similar facilities are particularly responsible for air pollution, noise, vibrations and

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	<p>other problems.</p> <p>In order to protect people and the environment from harmful environmental impacts and to prevent the occurrence of harmful environmental impacts, you need a permit under the Federal Immission Control Act (BImSchG) to set up and operate such systems. The systems that are subject to a permit requirement due to their type and size are listed in detail in the Ordinance on Systems Requiring a Permit (4th BImSchV).</p>
Rechtsbehelf	<ul style="list-style-type: none"> <li>• Contradiction</li> <li>• Action before the administrative court</li> </ul>
Kurztext	<ul style="list-style-type: none"> <li>• Report a facility requiring approval for the first time due to a change in the law               <ul style="list-style-type: none"> <li>• If the facility was not already subject to approval or notification prior to construction or in the event of a significant change or at the start of construction or in the event of a significant change                   <ul style="list-style-type: none"> <li>• Plant requires approval for the first time due to a change in the law</li> <li>• Final catalogue of plants requiring approval in the 4th Federal Immission Control Ordinance (4th BImSchV)</li> <li>• Notification of the facility within 3 months after the entry into force of the respective 4th Federal Immission Control Ordinance (4th BImSchV)</li> </ul> </li> </ul> </li> </ul>
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)