

# apply for a permit for waste disposal facilities

Are you planning to build or modify a waste disposal facility? Then you may need to obtain a permit from the relevant authority.

## Competent Department

- [Die Senatorin für Bau, Mobilität und Stadtentwicklung](#)
- [Die Senatorin für Umwelt, Klima und Wissenschaft](#)

## Contact Person

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## Basic information

The construction and operation of waste treatment and disposal facilities are generally subject to approval.

The Closed Substance Cycle Waste Management Act applies to landfills. For all other waste disposal or waste treatment processes, the approval procedure is governed by the Federal Immission Control Act.

A permit may be required if a new plant is planned, an already licensed plant is modified or a capacity expansion of a plant previously operated without a permit is undertaken.

## Requirements

For the approval are needed:

- written application
- drawings and explanations

For insignificant changes to the plant, a notification is required.

In the Free Hanseatic City of Bremen, the application forms from Lower Saxony are used for the notification and approval procedure with the approval of the Lower Saxony Ministry of the Environment. The forms and other useful information can therefore be found on the website of the Lower Saxony Trade Inspectorate (see "Form / Online Service")

## Procedure

Newly planned facility

If a facility is to be newly constructed and operated and this is listed as a facility in the Fourth Ordinance on the Implementation of the Federal Immission Control Act, a licensing procedure is required. In this process, the types of facilities are described and the performance thresholds and facility sizes are defined, which are decisive for the waste disposal facilities requiring a permit. If, for example, a certain quantity threshold or plant size is not exceeded, a permit is not required under the BImSchG.

Modification of a facility

Any modification to a facility that may have an impact on protected goods such as humans, animals, plants, water or soil requires notification or approval. If it is a "substantial" change in the sense of § 16 BImSchG, a corresponding approval procedure is required. Other changes must be notified in writing by the operator to the competent authority at least one month before the start of the measure in accordance with § 15 BImSchG. Due to the difficulty in interpreting whether and with what intensity there may be effects on objects of protection as a result of planned changes and whether a significant change is involved, contact should always be made in advance with the competent authority (see "Service").

If a plant is to be operated in accordance with the Industrial Emissions Directive in which relevant hazardous substances are used, produced or released, an initial status report

must be submitted if and to the extent that pollution of the soil and or groundwater on the plant site by the relevant hazardous substances is possible (§ 10 Paragraph 1a BImSchG).

Partial approval, early start, preliminary decision

These procedures are subject to special requirements, which are regulated in §§ 8 to 9 of the BImSchG.

For further information on the possibilities of these types of procedure, please contact the responsible contact persons (see "Service").

The 4th BImSchV provides for public participation in certain licensing procedures. This includes, among other things, the public display of the application documents and the possibility of raising objections. In other cases, an environmental impact assessment may have to be carried out.

## **Legal bases**

- [Gesetz zur Förderung der Kreislaufwirtschaft und Sicherung der umweltverträglichen Bewirtschaftung von Abfällen \(KrWG\)](#)
- [Gesetz zum Schutz vor schädlichen Umwelteinwirkungen durch Luftverunreinigungen, Geräusche, Erschütterungen und ähnliche Vorgänge \(BImSchG\)](#)
- [Gesetz zur Umweltverträglichkeitsprüfung \(UVPG\)](#)

## **How long does it take to process**

Depending on:

- the type of procedure (large-scale procedure according to § 10 BImSchG with public participation, if applicable EIA examination and, if applicable, plant according to the Industrial Emissions Directive or simplified procedure according to § 19 BImSchG),
- the scope of the planned measure or amendment (the more extensive the measure or amendment, the greater, for example, the number of specialised agencies to be involved)
- Quality of the application documents

## **What are the costs?**

see cost regulation of the environmental administration under legal bases