

Erste Verordnung zur Durchführung des Bundes-Immissionsschutzgesetzes

Basisdaten	
Titel:	Erste Verordnung zur Durchführung des Bundes-Immissionsschutzgesetzes
Kurztitel:	Verordnung über kleine und mittlere Feuerungsanlagen
Früherer Titel:	Verordnung über Feuerungsanlagen
Abkürzung:	1. BImSchV
Art:	Bundesrechtsverordnung
Geltungsbereich:	Bundesrepublik Deutschland
Erlassen aufgrund von:	§ 23 ^[1] Abs. 1, § 59 ^[2] BImSchG
Rechtsmaterie:	Umweltrecht
Fundstellennachweis:	2129-8-1-3
Ursprüngliche Fassung vom:	28. August 1974 (BGBl. I S. 2121)
Inkrafttreten am:	überw. 1. Oktober 1974
Neubekanntmachung vom:	14. März 1997 (BGBl. I S. 490)
Letzte Neufassung vom:	26. Januar 2010 (BGBl. I S. 38)
Inkrafttreten der Neufassung am:	22. März 2010
Bitte den Hinweis zur geltenden Gesetzesfassung beachten.	

Die **Erste Verordnung zur Durchführung des Bundes-Immissionsschutzgesetzes** (Kurztitel: **Verordnung über kleine und mittlere Feuerungsanlagen**, auch: *Kleinfeuerungsanlagenverordnung*) beschäftigt sich mit Feuerungsanlagen, die nicht unter die Genehmigungspflicht des § 4 BImSchG fallen. Dies sind namentlich die Heizungen im häuslichen Bereich. Die 1. BImSchV leistet einen wichtigen Beitrag, die – aufgrund der regelmäßig sehr niedrigen Ableithöhe – meist in unmittelbarer Nähe der Feuerungsanlage auftretenden Abgase zu vermindern. Ziel der Verordnung ist es auch, eine effizientere Energieverwendung zu fördern.

Novellierung

Die am 3. Juli 2009 vom Deutschen Bundestag beschlossene novellierte Verordnung regelt in erster Linie Emissionsgrenzwerte und die Überwachung von Kleinfeuerungsanlagen für alle Brennstoffe. Sie sieht eine Erweiterung der Überprüfungspflicht und umfangreiche Auflagen für die Betreiber von Festbrennstoffheizungen vor. Insbesondere werden

- Anpassungen an den verbesserten Stand der Technik der Emissionsminderung vorgegeben;
- Grenzwerte für bestehende und neu errichtete Einzelraumfeuerungsanlagen für Staub und Kohlenmonoxid vorgeschrieben sowie Nachweise für deren Einhaltung geregelt;
- Übergangsfristen für Anlagen festgelegt, die die Grenzwerte nicht einhalten; ein Übergangsbetrieb von Altanlagen bis zu 15 Jahre wird festgelegt;

- Modalitäten für die Verbrennung von Getreide, das nicht als Lebensmittel verwendet werden kann, erstmals geregelt;
- für Betreiber von modernen Brennwertheizungsanlagen wiederkehrende Messungen der Abgasverluste verpflichtend geregelt.

Am 3. Dezember 2009 hat der Deutsche Bundestag die Novelle endgültig beschlossen, nachdem vom Bundesrat geforderte Korrekturen umgesetzt wurden. Nach einer 7-wöchigen Übergangsfrist trat die Verordnung in Kraft (also zum 22. März 2010).

Weblinks

- Text der Verordnung über kleine und mittlere Feuerungsanlagen ^[3]
- Umfassende Informationen des Bundesministeriums für Umwelt, Naturschutz und Reaktorsicherheit (BMU) zur novellierten 1. BImSchV (12/2009), inklusive Gesetzestext, Fragen und Antworten sowie Hintergründe ^[4]



Bitte den Hinweis zu Rechtsthemen beachten!

Quellennachweise

[1] http://www.gesetze-im-internet.de/bimschg/__23.html

[2] http://www.gesetze-im-internet.de/bimschg/__59.html

[3] http://bundesrecht.juris.de/bimschv_1_2010/index.html

[4] <http://www.bmu.de/luftreinhaltung/downloads/doc/39616.php>

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