

## Final Ruling Regarding the Request for Issuance of CERs

### “Shenzhen Xiaping Landfill Gas Collection and Utilization Project” (0887)

The CDM-Executive Board decided to reject the request for issuance for the above project activity on 18<sup>th</sup> February 2011, for the monitoring period 01/02/2009 - 30/09/2009 under “*Procedures for review of requests for issuance of CERs*”, version 1.3, EB 55 Annex 41, paragraph 24.

The Secretariat has provided to the Chair of the Executive Board a proposed final ruling which was made available to the Board following his approval, in accordance with paragraphs 27 and 29 of the procedures.

In accordance with paragraph 28 of the procedure, the final ruling shall contain an explanation of the reasons and rationale for the decision to reject issuance.

1. The reasons and rationale for the Board’s decision to reject issuance in this case are as follows:
  - the project activity was not implemented as per the registered PDD; and
  - a notification of changes / request for approval of changes was not submitted
2. The request for issuance of CERs is rejected because the verification report is not in compliance with the requirements of
  - paragraph 196 of the latest “Clean Development Mechanism Validation and Verification Manual”, version 01.2, EB 55, Annex 1, which states that “The DOE shall, by means of an on-site visit, assess that all physical features of the proposed CDM project activity proposed in the registered PDD are in place and that the project participants has operated the proposed CDM project activity as per the registered PDD”; and
  - paragraph 197 of the latest “Clean Development Mechanism Validation and Verification Manual”, version 01.2, EB 55, Annex 1, which states that “If the DOE identifies that the implementation or operation of CDM project activity does not conform with the description contained in the registered PDD, the DOE shall conduct an assessment on the potential impacts due to these changes following the relevant guidelines established by the CDM Executive Board and based on this assessment, the DOE shall submit a notification or a request for approval of changes from the project activity as described in the registered PDD prior to the conclusion of the verification/certification for the corresponding monitoring period.
3. The DOE failed to raise concerns regarding the actual implementation of the operation of the actual project activity as follows:
  - the actual project activity consists 3 units of 1.064 MW, 1 unit of 1.048 MW and 2 units of 1.100 MW, whereas the registered PDD states that the project was to install 8 units of 1.064MW. This is considered as a permanent change and therefore the DOE should have submitted a notification of changes / request for approval of changes from the registered PDD following the relevant procedures (annex 66 and 67 of EB48) to assess these changes.
4. Please note, in accordance with paragraph 96 of the Report of the 28th EB Meeting, in cases where the reasons for rejection can be addressed by means of a revised verification report based on a revised monitoring report, the DOE may request permission (including explanation of reasons) to submit a revised request for issuance for the same monitoring



period covered by the rejection. The Board will consider such a request at the subsequent EB meeting following that request in accordance with the procedures and decide on a case-by-case basis. In these cases the Board will provide further guidance, as appropriate. In cases where such a revised request for issuance is also rejected it shall not be possible to resubmit for a third time.

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### History of the document

<b>Project</b> 0887	Related to EB 59 Meeting Report Paragraph 59 (a) 18 February 2011	<b>Decision Class:</b> Ruling <b>Document Type:</b> Information Note <b>Business Function:</b> Issuance
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