



Final Ruling Regarding the Request for Issuance of CERs of

“Methane recovery and utilisation project at United Plantations Berhad, Jendarata Palm Oil Mill, Malaysia” (1153)

(Version 01.1)

The CDM-Executive Board decided to reject the request for issuance of certified emission reductions (CERs) for the above project activity on 12 September 2012, for the monitoring period 01 May 2009 - 31 January 2011, in accordance with of the “*Procedures for review of requests for issuance of CERs*”, version 02.0, EB 64 Annex 4, paragraphs 20 and 29 (the procedures). According to paragraph 28 of the procedures, the rulings shall contain the reasons and rationale for the final decision, which are as follows:

- The DOE (TÜV SÜD) has failed to adequately explain the impact of the consistently higher COD value reported in the request for issuance compared to the registered PDD in line with paragraph 195 and 197 of the VVM 1.2 as it is not clear how the anaerobic digester plant was able to operate continuously at levels significantly above design capacity and whether the higher level of operation impacts the applicability of the methodology and/or the additionality of the project.
- Paragraph 195 of the VVM version 1.2. states that “The DOE shall identify any concerns related to the conformity of the actual project activity and its operation with the registered project design document”. Further paragraph 197 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.”
- The DOE (TÜV SÜD) explained that the COD value used in the registered PDD (52kgCOD/m³) is in line with the COD design specification of the plant given in the contract between the technology provider and the PP (52 kgCOD/m³). Also, the DOE has explained that the change in actual COD value is not within the control of project participant but depends on external parameters (quality of the POME) and is outside the project boundary. However, the DOE has failed to explain how the anaerobic digester was able to operate continuously at 76.76 kgCOD/m³ during this monitoring period, about 50 percent above the designed capacity of 52 kgCOD/m³. Therefore, it remains unclear whether the plant has been operated in line with the plant design specified in the registered PDD. Further, as this parameter was used to determine the additionality of the project activity, it is considered that the assessment of the potential impacts due to the changes has not been assessed..

Please note, however, that, 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.

**History of the document**

Version	Date	Nature of revision
01.1	12 October 2012	Editorial revision to correct the DOE from DNV to TÜV SÜD.
01.0	Related to EB 64 Annex 4 Paragraphs 20, 28, 29 12 September 2012	Initial publication. Project 1153
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