

**CDM-PA3622-RULE01**

## Ruling note

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Request for issuance for “Biogas Plant at United Plantations Berhad, UIE Palm Oil Mill”

Version 01.0



**United Nations**  
Framework Convention on  
Climate Change

1. The CDM-Executive Board decided to reject the above proposed project activity request for issuance on 29 December 2016, in accordance with the "CDM project cycle procedure" (PCP), version 09.0, paragraphs 258. In accordance with paragraph 267 of the PCP, the ruling shall contain an explanation of the reasons and rationale for the final decision, which are as follows:
  - (a) The DOE (TÜV Rheinland (China) Ltd) has failed to seek a prior approval from the Board for the Post Registration Change prior to submitting the request for issuance with respect to the acceptability of the reported temporary deviation from the monitoring plan as per CDM Validation and Verification Standard (VVS) version 9 paragraph 299 and 402 (a).
  - (b) The relevant CDM requirements are:
    - (i) VVS version 9, paragraph 299 states that:

If the DOE identifies that the project participants or the coordinating/managing entity have deviated from the registered monitoring plan, the applied methodology, and/or the applied standardized baseline, and where the provisions of the appendix to the Project standard do not apply, the DOE shall seek prior approval from the Board with respect to the acceptability of the deviations in accordance with the project cycle procedure.
    - (ii) VVS version 9, 402 (a) states that:

if only partial data are available because activity levels or non-activity parameters have not been monitored in accordance with the registered monitoring plan, the DOE shall either raise a CAR for the project participants or the coordinating/managing entity to comply with the requirements of the appendix to the Project standard or submit a request for deviation prior to submitting the request for issuance, if appropriate.
    - (iii) The CDM Project Standard, version 9, Appendix 1, paragraph 2 has listed "temporary deviation" situations that do not require prior approval by the CDM EB.
  - (c) The reasons and rationale for the final decision are:
    - (i) The DOE has concluded its verification on the reported "temporary deviation", a situation that is not exempted by any of the conditions under CDM Project Standard version 9, Appendix 1, Paragraph 2.
    - (ii) The above-mentioned CDM requirements shall be followed by the DOE requesting the PP to apply the requirements of the appendix to the project standard, or alternatively, where the provisions of the appendix 1 to the project standard do not apply to the temporary deviation, the DOE shall submit a request for deviation prior to submitting the request for issuance.
2. Please note that in accordance with paragraph 274 of PCP version 09.0, the DOE may re-submit the request for issuance with revised documentation if the reasons for the rejection can be addressed by means of a revised verification report, based on a revised monitoring report as appropriate.

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### Document information

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<i>Version</i>	<i>Date</i>	<i>Description</i>
01.0	8 February 2017	Initial publication. Related to CDM project cycle procedure, version 09.0 (CDM-EB65-A32-PROC) (Paragraphs 258, 267 & 274).

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