

CDM-PA3378-RULE01

Ruling note

Request for issuance for project activity
3378: “Landfill Gas Recovery and Flaring
Project in the El Verde Landfill, León.”

Version 01.0



United Nations
Framework Convention on
Climate Change

1. The CDM Executive Board decided to reject the proposed request for issuance for CDM project activity 3378 for the monitoring period 27 October 2017 – 31 December 2018 on 3 August 2020, in accordance with the "CDM project cycle procedure for project activities" (PCP-PA), version 02.0, paragraph 239. Further, in accordance with paragraph 249 of the PCP-PA, the ruling shall contain an explanation of the reasons and rationale for the final decision, which are as follows:
 - (a) The DOE E-0022: TÜV NORD CERT GmbH (TÜV NORD) failed to:
 - (i) Request the project participant (PP) to conduct the required calibration prior to finalizing the verification in accordance with the "CDM validation and verification standard for project activities" (VVS-PA), version 02.0, paragraph 368;
 - (ii) Validate the temporary deviation from the monitoring plan in accordance with the "Project standard for project activities" (PS-PA), version 02.0, paragraph 231, and VVS-PA, version 02.0, paragraph 281;
 - (iii) Verify the compliance with "TOOL06: Project emissions from flaring", version 02.0.0, with regard to the determination of flare efficiency, in accordance with VVS-PA, version 02.0, paragraph 373 (c).
 - (b) The relevant requirements are:
 - (i) VVS-PA, version 02.0, paragraph 368 states: "If the results of the delayed calibration are not available, or the calibration has not been conducted at the time of the verification, the DOE, prior to finalizing the verification, shall request the project participants to conduct the required calibration and shall determine whether the project participants have calculated GHG emission reductions or net anthropogenic GHG removals conservatively using the approach mentioned in paragraph 366 above";
 - (ii) VVS-PA, version 02.0, paragraph 373 states: "The DOE shall determine whether: (c) The calculations of baseline GHG emissions or baseline net GHG removals, project GHG emissions or actual net GHG removals, and leakage GHG emissions have been carried out in accordance with the formulae and methods described in the registered monitoring plan, the applied methodologies, the applied standardized baselines and the other applied methodological regulatory documents";
 - (iii) PS-PA, version 02.0, paragraph 231 states: "If the project participants are temporarily unable to monitor the registered CDM project activity in accordance with the monitoring plan in the registered project design document (PDD) (hereinafter referred to as the registered monitoring plan), the applied methodologies, the applied standardized baselines or the other applied methodological regulatory documents, the project participants shall describe the nature, extent and duration of the non-conforming monitoring period in the monitoring report, and: (a) Propose alternative monitoring arrangements for the non-conforming monitoring period. In this case, the project participants shall apply conservative assumptions or discount factors to the calculations [...]; or (b) Apply the following most conservative values

approach when alternative monitoring arrangements are not proposed. This does not require approval by the Board: [...]";

- (iv) "TOOL06: Project emissions from flaring", version 02.0.0, and the monitoring plan state that "To determine the flare efficiency for minute m exposed ($\eta_{flare,m}$) in the project activity, the project participant uses the case for enclosed flares (not defined as low height flares) choosing the "Option B: Measure the flare efficiency" under normal operational conditions. In case there is a malfunction or a delay in the installation of the measurement equipment to determine the flare efficiency, "Option A: Apply a default value for flare efficiency" for enclosed flares will be used by the project participant."
 - (c) The reasons and rationale for the final decisions are:
 - (i) The DOE has failed to request the PP to conduct the required calibration for thermocouples at the exhaust of the flare for measurement of parameter TEG, m prior to finalizing the verification as per VVS-PA, version 02.0, paragraph 368;
 - (ii) The DOE has failed to justify how the approach used to determine the flare efficiency, i.e. every two minutes instead of each minute as required by "TOOL06: Project emissions from flaring", version 02.0.0, requested as temporary deviation from the monitoring plan under the post-registration changes, is in accordance with paragraph 231 of PS-PA, version 02.0;
 - (iii) The DOE has failed to verify whether there is a malfunction in each minute m where option A to determine the flare efficiency, i.e. default value of 0.9, is applied by the PP as the submitted emission reduction calculation spreadsheet has not indicated when the malfunction of the continuous gas analyser occurred so that option A can be applied, and also neither the monitoring report nor verification report mentions any malfunction of the continuous gas analyse.
2. Please note that, in accordance with paragraph 256 of the PCP-PA, 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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01.0	18 September 2020	Initial publication. Related to CDM project cycle procedure for project activities, version 02.0 (Paragraphs 239, 249 & 256)

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