



Warsaw, 15th June 2009

MINISTER OF THE ENVIRONMENT

Maciej Nowicki

DZKiOAzk/076/406/2009/eb

Mr. Jacek Chrzęstek
Managing Director
ECO2 Sp. z o.o.
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LETTER OF APPROVAL

With reference to the project "Landfill gas recovery on the Radiowo landfill in Warsaw, Poland" (the Joint Implementation Project – the JI Project), submitted by the project participant ECO2 (Poland - the Project Host) (ECO₂ is a consortium of Arcadis Ekokonrem and Eclair Eastern Europe BV) to the Government of the Kingdom of the Netherlands which is represented by SenterNovem (Dutch party) I herewith declare that:

- 1 The Republic of Poland is a Party to the United Nations Framework Convention on Climate Change and the Kyoto Protocol.
- 2 The Republic of Poland comply with the requirements to participate in Article 6 of the Kyoto Protocol projects as stated in Dec.9/CMP.1.
- 3 I recognize the JI Project to be a Joint Implementation project in accordance with article 6 of the Kyoto Protocol and its underlying decisions.
- 4 I authorize the Project Host ECO₂, and any future owner of the JI Project to generate Claims on Emission Reduction Units (ERUs), by operation of the JI Project, in accordance with article 6 of the Kyoto Protocol.
- 5 Taking into account the fact that activities from JI Project may result in double counting in accordance with *Commission Decision of 13 November 2006 on avoiding double counting of greenhouse gas emission reductions under the Community emissions trading scheme for project activities under the Kyoto Protocol pursuant to Directive 2003/87/EC of the European Parliament and of the Council*, transfer will not include this ERUs which may result in double counting pursuant to the Decision 2006/780/EC.
- 6 I accept the transfer of 100% of verified ERUs generated through the JI Project during the period 2008-2012 to the Dutch party. Using the baseline scenario the number of emission reductions estimated to be generated from the JI Project in the period 2008-2012 are: up to 216 866 ERUs.

- 7 Provisions of this Letter of Approval will enter into force when the Ministry of the Environment of the Republic of Poland receives the writing confirmation of ERUs purchase agreement (ERPA) between the Project Host and the Dutch party
- 8 The transfer of verified ERUs will be free of any taxes or levies, if it is pursuant to the law of European Union, law of the Republic of Poland and law of the Kingdom of the Netherlands.

MINISTER ŚRODOWISKA

Maciej Nowicki