



JI DETERMINATION REPORT FORM

(version 02)

(to be completed by an AIE requesting the publication of a determination pursuant to paragraph 33 of the JI guidelines)

Accredited independent entity (AIE) submitting form TÜV Nord Cert GmbH

Proposed JI activity

Reference number and title of proposed JI activity Reference number: 0172
Title of proposed JI activity: "Methane Capture and Destruction at the Solid Waste Landfill in the City of Lviv, Ukraine"

Host Party(ies) Ukraine

Parties involved in the JI activity United Kingdom

Coordinating entity (applicable to JI PoA only)

Project participants Gafsa LLC – Project participant of the Host Country.
Carbon Capital Markets Ltd. – Project participant of the United Kingdom.

Type of JI activity: large scale small scale LULUCF PoA

Brief description of the JI activity Within the project activity landfill gas (LFG) on the Lviv landfill will be collected and flared. A part of LFG will be utilized for power generation for the own needs of the collection and flaring equipment. As a result methane emissions contained in the landfill gas will avoided from the release into atmosphere.

Determination report

Please confirm that all requirements of Article 6 of the Kyoto Protocol, the JI guidelines and further relevant requirements defined by the CMP or the JISC with regard to determinations pursuant to paragraph 33 of the JI guidelines are met:

- Yes
 No

General information on determination

Please describe:

- The scope of the determination process, including all documentation that has been reviewed and list the names of persons interviewed during the determination process, as applicable;
- The AIE's determination team, including a list of all persons involved in the determination process and a description of the functions assumed.

The scope of the determination process:

The purpose of the determination is to have an independent third party assessment of the project design and in particular, the project's baseline, the monitoring plan (MP), the project's compliance with relevant UNFCCC JI Track 2 and host country criteria are validated in order to confirm that the project design as documented is sound and reasonable and meets the stated requirements and identified criteria.

Determination is seen as necessary to provide assurance to stakeholders of the quality of the project and its intended generation of emission reduction units (ERUs).

UNFCCC criteria refer to the Kyoto Protocol Article 6 criteria and the Guidelines for the implementation of Article 6 of the Kyoto Protocol as agreed in the Marrakech Accords.

Interviewed persons:

Serhiy M. Porovskyy	Director "Zbyranka Landfill Recovery" LLC
Jaroslav A. Kuhar	Director „Gafsa“ LLC
Igor E. Kovalchuk	Technical Director „Gafsa“ LLC
Igor G. Tsukornik	Main technical expert "Gafsa" LLC
Natalia P. Kovalchuk	Main financial expert "Gafsa" LLC

Determination team

Martin Saalman, TÜV Nord JI/CDM Certification Program, Determination team member (back office HQ)

Evgeni Sud, TÜV Nord JI/CDM Certification Program, Determination team leader (on-site-audit)

Rainer Winter, TÜV Nord JI/CDM Certification Program, Technical Review and Final Approval

Description of determination process

Please briefly describe and refer to:

- The review of the JI PDD/PoA DD and additional documentation attached to it;
- The assessment against JI requirements, e.g. by using a determination protocol;
- The report of findings by the AIE, including the use of different types of findings (e.g. corrective action requests, clarifications or observations etc.).

Statements or assessments should be included in section "Conclusions, final comments and determination opinion".

- A first PDD (Version 1 dated 30.01.2009) was submitted to TÜV Nord Cert GmbH by Carbon Capital Markets Ltd. in January 2009 with a purpose of submission the PDD for global stakeholder commenting process. The PDD has been made publicly available for the time period between 03 March 2009 and 01 April 2009 on the UNFCCC website. Based on this version determination has carried out the on-site assessment, background investigation and follow-up interviews with personnel of the project developer to confirm selected information and to resolve issues identified in the first document review. The on-site visit, the desk review comments and review of additional documents led to changes in the PDD, resulting in final version of the PDD ((Version 4 dated 19.07.2011).
- In order to ensure consideration of all relevant criteria a determination protocol is used. The protocol shows, in a transparent manner, criteria and requirements, means of determination and results from the pre-determination the identified criteria. The determination protocol reflects the generic JI requirements each JI project has to meet as well as project specific issues as applicable. The determination protocol serves the following purposes:
 - It organises, details and clarifies the requirements that a JI project is expected to meet;
 - It ensures a transparent determination PDD process where the independent entity will document how particular requirement has been validated and the result of the determination.

Determination team has documented how particular requirement has been validated and the result of the determination. The completed determination protocol is enclosed in Annex 1 of the determination report.
- The report of findings by the determination team, including the use of different types of findings (e.g. corrective action requests, clarification requests, forward action requests) is included in the determination report.

Comments received from Parties, stakeholders and UNFCCC accredited observers

Please:

- Summarise the comments received pursuant to paragraph 32 of the JI guidelines; and
- Provide a report of how due account was taken of these.

- PDD (version 1 dated 30.01.2009) was made publicly available for the global stakeholder commenting process in the time period between 03 March 2009 and 01 April 2009.
- Two NGOs have submitted their comments w.r.t. the environmental impacts, stakeholder consultation process and baseline determination of the proposed project activity. The issues raised in submitted comments have been discussed in CARs and CLs that were all successfully closed. In addition project participant has prepared a separate analysis and responses to the raised comments. Determination team has carried out an assessment of the provided responses of the project participant. Determination team was able to confirm that the provided responses have been duly elaborated and project complies with all relevant JI criteria. The detailed assessment of the stakeholder consultation process is presented in the Annex 5 of the determination report.

Conclusions, final comments and determination opinion

Please provide:

- Conclusions describing how each of the requirements of Article 6 of the Kyoto Protocol and the JI guidelines and further relevant requirements defined by the CMP or the JISC, in particular those referred to in paragraph 33 of the JI guidelines, have been met, including assessments and findings (e.g. corrective action requests, clarifications or observations) related to each requirement, and statements on whether all issues raised have been addressed to the AIE's satisfaction;
- Final comments and a determination opinion.

TÜV Nord Cert GmbH has performed a determination of the project "Methane Capture and Destruction at the Solid Waste Landfill in the City of Lviv, Ukraine" with regard to the relevant requirements for the Joint Implementation project activities of the Host Country (Ukraine), as well as the criteria for consistent project operations and monitoring, UNFCCC criteria refer to the Kyoto Protocol Article 6 criteria and the Guidelines for the implementation of Article 6 of the Kyoto Protocol as agreed in the Marrakech Accords.

The review of the project design documentation and additional documents related to baseline and monitoring methodology; the subsequent background investigation, follow-up interviews and review of comments by parties, stakeholders and NGOs have provided TÜV NORD JI/CDM CP with sufficient evidence to validate the fulfilment of the stated criteria. The conclusions can be summarised as follows:

- The project is in line with all relevant host country criteria (Ukraine) and all relevant UNFCCC requirements for JI.
- An analysis as provided by the applied approved CDM Methodology ACM0001 version 11 demonstrates that the proposed project activity is not likely the baseline scenario.
- An analysis as provided by the applied approved CDM Methodology ACM0001 version 11 demonstrates that the proposed project activity will result in a reduction of anthropogenic emissions by sources that is additional to any that would otherwise occur;
- The monitoring plan is transparent, adequate and provides for the collection and archiving of all relevant data necessary for determination project and baseline emissions within the project boundary.
- The calculation of the project emission reductions is carried out in a transparent and conservative manner, so that the calculated emission reductions of 434,533 tCO₂e are most likely to be achieved within the crediting period between 2009 and 2012. Also the emission reductions of 654,848 tCO₂e to be achieved in the time period between 2013 and 2018 have been estimated in an appropriate and conservative manner.

The conclusions of this report show, that the project, as it was described in the project documentation, is in line with all criteria applicable for the determination PDD.

The required approvals of all Parties involved i.e. Ukraine (Host Country) and United Kingdom (Other Party) have been received from the corresponding Designated Focal Points.

List of documents attached to the determination report form

Please attach relevant documents used in the determination process and check mark below accordingly

- PDD/PoA DD of the proposed JI activity**
- Determination report**
- Written approvals by the Parties involved, listed in the JI PDD/PoA DD**
- Other relevant documents:**
 - Determination protocol**
 - List of persons interviewed see Table 7-4 of the determination report**
 - Any other documents (please list):**
 1. **Excel spreadsheet with financial analysis**
 2. **Excel spreadsheet with calculation of the emission reductions**
 3. **Confirmation regarding voluntary withdrawal from the project issued by Zbyranka Landfill Recovery LLC**

The AIE herewith declares that undertaking the determination for the proposed JI activity referred to above does not constitute a conflict of interest which is incompatible with the role of an AIE

Authorized officer signing for the AIE

Mr. Rainer Winter

Date and signature

26.07.2011

