



**SAMPLE AS A COURTESY VALID LETTER OF APPROVAL ATTACHED IN  
SPANISH**

**Resolution of the Designated National Authority approving the voluntary participation of Spain in the project “*Fertiberia Aviles abatement project in Spain*”, and the participation of Fertiberia S.A., N.Serve Environmental Services GmbH, and Johnson Matthey Plc. in the project.**

THE DESIGNATED NATIONAL AUTHORITY,

Having examined the documentation submitted by **Fertiberia S.A., N.Serve Environmental Services GmbH, and Johnson Matthey Plc.**, in the application for voluntary participation of Spain in the Project “*Fertiberia Aviles abatement project in Spain*”.

Recalling Article 6 of the Kyoto Protocol,

Recalling paragraphs 21 to 23, and the paragraph 33 of decision 16/CP 7 of the United Nations Framework Convention on Climate Change,

In compliance with Third Additional Provision of Law 1/2005, of 9th March, regulating the regime for greenhouse gas emission allowances trading, with Royal Decree 1031/2007, of 20<sup>th</sup> July, developing the participation framework in the Kyoto Protocol flexible mechanisms, and with the Resolution of the Designated National Authority approving guidelines that will rule the approval by the Designated National Authority of the voluntary participation of Spain in Joint Implementation projects aimed at reduction of N2O emissions in nitric acid plants in Spain, **the Spain’s Designated National Authority** for project based mechanisms of the Kyoto Protocol,

CONSIDERING,

1. That The Kingdom of Spain ratified the United Nations Framework Convention on Climate Change on 21<sup>st</sup> December 1993, and ratified the Kyoto Protocol thereto on 31<sup>st</sup> May 2002,
2. That The Kingdom of Spain meets all of the eligibility requirements of the decision 16/CP 7 of the United Nations Framework Convention on Climate Change, and thus a "simplified" JI procedure ("Track 1") may be applied.
3. That the project “*Fertiberia Aviles abatement project in Spain*” henceforth “the project”, for GHG emission reductions located in **Spain** submitted by **Fertiberia S.A., N.Serve Environmental Services GmbH, and Johnson Matthey Plc.**, on **May 10<sup>th</sup> 2010**, has been presented in conformity with the Third Additional Provision of Law 1/2005, of 9th March, regulating the regime for greenhouse gas emission allowances trading, with the



Royal Decree 1031/2007, of 20<sup>th</sup> July, developing the participation framework in the Kyoto Protocol flexible mechanisms, with the Resolution of the Designated National Authority approving guidelines that will rule the approval by the Designated National Authority of the voluntary participation of Spain in Joint Implementation projects aimed at reduction of N<sub>2</sub>O emissions in nitric acid plants in Spain, and with the requirements established for clean development mechanism projects in Article 6 of the Kyoto Protocol, the Marrakech Accords and the subsequent decisions,

4. That the project has been analysed from the project design document sent by **Fertiberia S.A., N.Serve Environmental Services GmbH, and Johnson Matthey Plc.**, to the Spanish Climate Change Bureau with registration number **106/586**, dated on **May 10<sup>th</sup> 2010**, and in the terms expressed in the aforementioned document, **the Spain's Designated National Authority:**

**APPROVES THE VOLUNTARY PARTICIPATION OF THE KINGDOM OF SPAIN AS PARTY OF THE KYOTO PROTOCOL IN THE PROJECT “FERTIBERIA AVILES ABATEMENT PROJECT IN SPAIN”**

**AS WELL AS THE PARTICIPATION OF FERTIBERIA S.A., N.SERVE ENVIRONMENTAL SERVICES GMBH, AND JOHNSON MATTHEY PLC. IN THE AFOREMENTIONED PROJECT**

And accords that in compliance with the **Resolution of the Designated National Authority approving guidelines that will rule the approval by the Designated National Authority of the voluntary participation of Spain in Joint Implementation projects aimed at reduction of N<sub>2</sub>O emissions in nitric acid plants in Spain**, the recognition of Emission Reduction Units (ERUs) generated by the project will only apply:

- for the emission reductions achieved below a benchmark of 2.5 Kg. N<sub>2</sub>O/t HNO<sub>3</sub>,
- from the starting date in which emission reductions have already occurred as stated in the Verification Report, till the 31<sup>st</sup> of December 2012,

provided the compliance with all the conditions laid down in that guidelines.

Madrid, 21st May 2010

Teresa Ribera Rodríguez  
President of the Spanish Designated National Authority