

**Umwelt
Bundes
Amt DEHSt**

For people and environment German Emissions Trading Authority

Issuer: German Emissions Trading Authority
B.O.Box 330022/14191 Berlin

Dyckerhoff AG
Mr. Dietrich Locher
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Berlin, 23.06.2009
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Number: E 1.5 – 18310 - 0016

Application for approval of the project "Slag usage and switch from wet to semi-dry process at Volyn-Cement, Ukraine" within the framework of the Joint Implementation outside the territory of FRG

Your application of 9 April 2009 received on 16 April 2009

Dear Madam or Sir,
Dear Mr. Locher,

The Federal Environment Agency notifies Dyckerhoff AG of the approval of the abovementioned project.

Notification

1. The Federal Republic of Germany as investor country grants its approval of the project activity "Slag usage and switch from wet to semi-dry process at Volyn-Cement, Ukraine" within the framework of Joint Implementation.
2. The approval is limited to the project period until 31 December 2014. For the project period beyond 31 December 2012, the approval is granted subject to the proviso that once the commitment period pursuant to Article 3, paragraph (1) of the Kyoto Protocol has expired, joint implementation shall continue on the basis of a decision to be adopted by the Conference of the Parties to the Protocol.

Legal Notice:

This notification is subject to fees of which you will be notified separately.

Reasons

1) Facts

On 9 April 2009 Dyckerhoff AG applied for approval of the project "Slag usage and switch from wet to



semi-dry process at Volyn-Cement, Ukraine". For further details we refer to the project design document (Version 1.9) from 22. October 2008, and the determination report by Bureau Veritas' (Nr. Ukraine/0004/2007) from 30. September 2008. Together with the application we received the Letter of Approval of the host country Ukraine dating 23 January 2009.

II) Legal Reasons

The Federal Environment Agency is the competent national authority according to German law, section 10 para. 1 ProMechG.

The approval is granted according to section 3 ProMechG. The limitation of the project in no. 2 shall ensure compliance with the legal requirements of the administrative act as a collateral clause based on section 3 para. 3 ProMechG.

In detail the approval determines:

- 1) The Federal Republic is a party to the Kyoto Protocol.
- 2) With this approval the Federal Republic of Germany authorises Dyckerhoff AG to participate in the project according to Article 6 of the Kyoto Protocol.
- 3) The final project documentation "Slag usage and switch from wet to semi-dry process at Volyn-Cement, Ukraine" dating 22. October 2008 (Version 1.9) conforms to the formal and substantial requirements of section 3 para. 4 ProMechG, Appendix B to Decision 16/CP.7 of the Parties to the Convention.
- 4) The baseline and project emissions are calculated in the PDD in transparent manner with taking account of uncertainties and using conservative assumptions. Based on the calculations in the project documentation it is expected that the project activity will lead to additional reductions of greenhouse gas emissions of 1.207.508 tonnes of carbon dioxide equivalents in the period from 2008 until 2012. This also follows from the validation by 'Bureau Veritas' (Nr. Ukraine/0004/2007) from 30. September 2008.
- 5) The project does not cause severe adverse environmental impacts.
- 6) Reasons to deny the approval according to section 3 para. 2 ProMechG are not apparent.

Regarding the above-mentioned project all legal requirements are fulfilled.

Therefore the Federal Republic of Germany as investor country represented by the Federal Environment Agency grants its approval to the notified project.



Instruction on rights to appeal

Administrative appeal ("Widerspruch") against this notification can be filed within one month after its announcement. The appeal has to be in written form, in an equivalent electronic form or in form of a memorandum in writing ("zur Niederschrift") and to be addressed to Umweltbundesamt, Bismarckplatz 1, 14193 Berlin. The appeal in an equivalent electronic form requires an electronic signature according to the German Signature Act ("Signaturgesetz"). For further details regarding the electronic form please refer to the corresponding specifications published on our website <http://www.dehst.de>.

Yours sincerely,

On behalf of the Federal Environment Agency



Malin Ahlberg

