



energy

Department:
Energy
REPUBLIC OF SOUTH AFRICA

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**Durban Solid Waste (DSW) - eThekweni
Metropolitan Municipality
P.O Box 1038
Durban
4000**

**South African
Designated National Authority
For the
Clean Development Mechanism
Of the
Kyoto Protocol to the United Nations
Framework Convention on Climate Change
Office of the Director General in the
Department of Energy
DNA Contact Address
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Attention: Mr John Parkin

DESIGNATED NATIONAL AUTHORITY (DNA) FOR THE CLEAN DEVELOPMENT MECHANISM (CDM): LETTER OF APPROVAL FOR DURBAN LANDFILL-GAS-TO-ELECTRICITY PROJECT – MARIANHILL AND LA MERCY LANDFILLS.

We refer to the application for the DNA's Letter of Approval for Durban Landfill-gas-to-Electricity Project – Mariannhill and La Mercy Landfills, herein referred to as the project submitted by Durban Solid Waste (DSW) – eThekweni Metropolitan Municipality.

The Republic of South Africa has ratified the United Nations Framework Convention on Climate Change and is a signatory to the Kyoto Protocol and complies with its obligations under these international instruments.

The DNA is the authorised body in South Africa to issue Letters of Approval for CDM projects. South Africa participates voluntarily in the CDM and in the Project.

Based exclusively on the information contained in the Project Design Document (PDD) and subject to the conditions set out herein;

We confirm that:

- a. the Project is located in South Africa;
- b. the boundary for the CDM project is the western area of Durban City within eThekweni Metropolitan Municipality, Kwazulu Natal Province;

Letter of Approval

- c. the Project supports sustainable development.

We authorise:

- a. the participation of Durban Landfill-gas-to-Electricity Project – Mariannhill and La Mercy Landfills as a CDM Project;
- b. Durban Solid Waste (DSW) – eThekweni Metropolitan Municipality as the project proponent, to participate in this CDM Project;
- c. Durban Solid Waste (DSW) – eThekweni Metropolitan Municipality, if it is the legal owner of the Project, to sell the title and all rights to the greenhouse gas emission reductions generated by this Project.

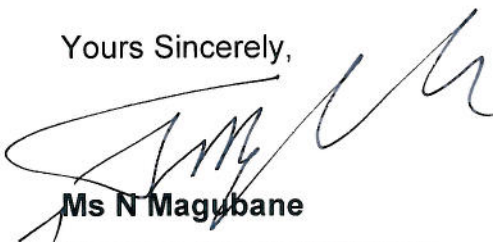
This Letter of Approval is subject to the following conditions:

- a. Durban Solid Waste (DSW) – eThekweni Metropolitan Municipality warrant to the DNA that it is the legal owner of the Project. The DNA does not take any responsibility for the private contractual arrangements and property rights between or among project participants. The DNA may not be held liable in the event that ownership of the Project is disputed;
- b. the Project must be developed in accordance with the PDD received by the DNA;
- c. the Project must obtain all relevant authorisations as required by national laws;
- d. the DNA retains the right to withdraw the authorisation granted in terms of the Letter of Approval in the event of non-compliance with the Project Design Document.

We will, to the extent possible, cooperate with Durban Solid Waste (DSW) – eThekweni Metropolitan Municipality and the CDM Executive Board to facilitate the CDM project cycle. The granting of this Letter of Approval does not guarantee the registration of the Project as a CDM project by the CDM Executive Board.

By its acceptance of this Letter of Approval, Durban Solid Waste (DSW) – eThekweni Metropolitan Municipality indemnifies the DNA against any loss that Durban Solid Waste (DSW) – eThekweni Metropolitan Municipality may suffer as a result of project implementation.

Yours Sincerely,



Ms N Magubane

Director-General: Energy

Date: 02/01/2014

DNA Letter of Approval

To: Mr
Lindsay Strachan
c/o CDM Landfill Gas Project Manager
Springfield
Durban
KwaZulu Natal Province

Tel No: 031 263 1371 / 2

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South African
Designated National Authority
for the
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Convention on Climate Change



Office of the Director General in the
Department of Minerals and Energy
Contact: L Tyani 012 317 8227

Designated National Authority (DNA) for the Clean Development Mechanism (CDM): Letter of Approval for the Durban Landfill Gas-to Electricity Generation Project (Marrianhil and La Mercy Landfill sites)

1. The DNA refers to the application for the DNA's Letter of Approval for the Durban landfill Gas- to- Electricity Project (Marrianhil and La mercy Landfill sites), 04 May 2006, submitted by eThekweni Metropolitan Municipality, and herein referred to as the Project.
2. South Africa has ratified the United Nations Framework Convention on Climate Change and the Kyoto Protocol and is in compliance with its obligations under these international instruments.
3. The DNA is the authorised body in South Africa to issue Letters of Approval for CDM projects.
4. South Africa participates voluntarily in the CDM and in the Project.
5. The DNA confirms that:
 - a. the Project is located in Mariannhill and La Mercy Landfill Sites, in eThekweni Metropolitan Municipality, kwaZulu Natal Province.
 - b. the boundary for the project activity of the Durban landfill Gas- to- Electricity will include collection of two landfill sites, Mariannhill and La Mercy, of the Durban municipality and use of the recovered gas to generate electricity. The generated electricity will be fed into the municipal grid and replace electricity that the municipal is currently buying from other suppliers.
 - c. the Project assists in supporting sustainable development in South Africa.

- d. the DNA will cooperate with eThekweni Metropolitan Municipality and the CDM Executive Board to facilitate the CDM project cycle, to the extent possible.
6. The DNA authorises:
- a. the participation of eThekweni Metropolitan Municipality in the CDM Project;
 - b. by virtue of South Africa's national ownership of any and all greenhouse gas emissions reductions generated in the Republic within the framework of the abovementioned international instruments and in the event that, upon generation of such greenhouse gas emissions reductions, eThekweni Metropolitan Municipality becomes the private owner of the right title and interest in such greenhouse gas emissions reductions, and the sale of such right title and interest by eThekweni Metropolitan Municipality.
7. The duration of validity of this Letter of Approval shall be 24 months from the date hereof.
8. The authorisation granted in terms of this Letter of Approval is conditional upon project development being in accordance with the Project Design Document dated 04 May 2006.
9. The DNA retains the right to withdraw the authorisation granted in terms of the Letter of Approval in the event of non-compliance with the conditions mentioned at paragraph 8, above.
10. The granting of this Letter of Approval does not guarantee the registration of the Project as a CDM project by the CDM Executive Board.
11. By its acceptance of this Letter of Approval eThekweni Metropolitan Municipality indemnifies the DNA against any loss that eThekweni Metropolitan Municipality may suffer as a result of implementation of the Project.

Yours faithfully


Advocate Sandile Nogxina

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Director General:

Date 06/02/2006