

## **Courtesy Translation**

### **Of the approval notice concerning the project activity**

#### **"Catalytic N<sub>2</sub>O destruction project in the tail gas of three Nitric Acid Plants at Hu-Chems Fine Chemical Corp."**

Issuer: Federal Environment Agency; German Emissions Trading Authority

Consignee: RWE Power AG, 45128 Essen, Germany

**Application for approval of the project "Catalytic N<sub>2</sub>O destruction project in the tail gas of three Nitric Acid Plants at Hu-Chems Fine Chemical Corp." in Korea within the framework of the Clean Development Mechanism from 2006-10-23, received on 2006-11-27**

Our Letter of Approval of 2006-12-19

#### **Correction of notification**

Dear Madam or Sir,

Based on Section 42 of the German administrative procedures act (VwVfG) the Letter of Approval of 2006-12-19 is amended due to an apparent mistake.

The Federal Environment Agency notifies you of the approval of the above mentioned project.

#### **Notification.**

The Federal Republic of Germany as investor country grants its approval of the project activity "Catalytic N<sub>2</sub>O destruction project in the tail gas of three Nitric Acid Plants at Hu-Chems Fine Chemical Corp." within the framework of Clean Development Mechanism.

Notice:

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

#### **Reasons**

##### **I) Facts**

On 2006-10-23 RWE Power Aktiengesellschaft applied for approval of the project activity "Catalytic N<sub>2</sub>O destruction project in the tail gas of three Nitric Acid Plants at Hu-Chems Fine Chemical Corp.". For further details we refer to the project design document version 2, from 2006-07-22, and the validation report version 1 by 'TÜV Süd Industrie Service GmbH' from 2006-08-05. Together with the application we received the Letter of Approval of the host country Korea from 2006-11-17. The project has not been registered at the Executive Board yet, but has been submitted at the Executive Board on 2006-11-16.



## II) Legal Reasons

The Federal Environment Agency is the competent national authority according to German law, Section 10 para. 1 German Project Mechanisms Act (ProMechG).

The authorisation is granted according to Section 8 ProMechG.

In detail it determines:

- 1) The Federal Republic of Germany and Korea are parties to the Kyoto Protocol.
- 2) The Federal Republic of Germany participates voluntarily in the Clean Development Mechanism (CDM) and the notified project.
- 3) The final project documentation version 2 dating 2006-07-22 conforms to the formal and substantial requirements of Appendix B and section H of the Annex to Decision 17/CP.7.
- 4) The calculations concerning baseline and project emissions follow the baseline methodology AM0028 ("Catalytic N<sub>2</sub>O destruction in the tail gas of Nitric Acid Plants", version 1). Based on the calculations in the project documentation it is expected that the project activity will lead to a reduction of greenhouse gas emissions of 8 878 169 tonnes of carbon dioxide equivalents in the period from 2006 until 2013. This also follows from the validation by 'TÜV SÜD Industrie Service GmbH' dating 2006-08-05 (Report No. 775390). The validation report approves the registration as CDM-project and confirms the predicted reductions of greenhouse gases.
- 5) The project does not cause severe adverse environmental impacts.
- 6) The host country Korea confirms with its Letter of Approval of 2006-11-17, that the project will not be adverse to sustainable development taking into account social, economic and environmental aspects.
- 7) Reasons to deny the authorization according to Section 8 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.

### Legal Note:

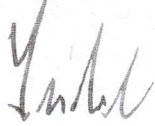
In particular we indicate that this approval does not assure the registration as a CDM-project by the Executive Board.

### 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. For further details please refer to the announcement of the Umweltbundesamt dating 2006-01-20 ("Bekanntmachung") published in "Bundesanzeiger", issue no. 14 dating 2006-01-20, p. 229.

Yours sincerely,

On behalf of the Federal Environment Agency

A handwritten signature in dark ink, appearing to read 'W. Seidel', is positioned below the typed name.

Dr. Wolfgang Seidel



Umweltbundesamt | Deutsche Emissionshandelsstelle  
Postfach 330022 | 14191 Berlin

RWE Power Aktiengesellschaft  
Mr. Michael Fübi  
Huyssenallee 2  
45128 Essen

Carbon CDM Korea Ltd.  
Mr. Michael Hennig  
8th Floor, Bongwoo Building  
31-7, 1 Ga, Janchung-Dong, Jung-Gu  
Seoul  
Republic of Korea  
- reporting -

Carbon Projektentwicklung GmbH  
Mr. Ferdinand Heilig  
Ortsring 41  
3485 Grunddorf  
Austria  
- reporting -

**Authorization to participate in the project „Catalytic N<sub>2</sub>O destruction project in the tail gas of three Nitric Acid Plants at Hu-Chems Fine Chemical Corp.” within the framework of the Clean Development Mechanism**

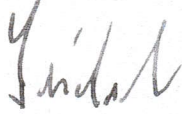
Request of RWE Power AG from 2006-10-23  
Our Letter of Approval of 2006-12-19  
**Correction of notification**

Dear Madam or Sir,

On above-mentioned request the Federal Environment Agency as the German Designated National Authority authorizes RWE Power AG, Huyssenallee 2, 45128 Essen, Germany, to participate in this project. In accordance with Section 8 paragraph 1 of the German Project Mechanisms Act (ProMechG) the Federal Environment Agency has approved this project on 2007-01-12 and has issued a Letter of Approval.

Yours sincerely,

On behalf of the Federal Environment Agency

A handwritten signature in black ink, appearing to read 'Seidel', written in a cursive style.

Dr. Wolfgang Seidel