

TEMPLATE STATEMENT ON COMPLIANCE WITH THE DNSH PRINCIPLE

The undersigned <name, surname> holder of the CI series <series> no. <no.>, issued by the <issuing body>, CNP <CNP> / passport no. <no.>, issued by the <issuing body>, as legal representative of the <beneficiary name>, being aware that misrepresentation of the truth, including by omission, constitutes a criminal offense and is punishable under criminal law, I hereby declare on my own responsibility that:

1. The project <project name>, under the CfD Scheme, fully complies with the “Do No Significant Harm” (DNSH) principle, in accordance with *the Communication from the Commission - Technical Guidance on the application of the 'do no significant harm' principle under the Recovery and Resilience Facility Regulation (2021/C 58/01) and Commission Delegated Regulation (EU) 2021/2139, pursuant to the Taxonomy Regulation (EU) (2020/852)*, throughout the entire life cycle of the proposed investment under it, particularly taking into account the implementation/execution, operation, and decommissioning phases of the investment.
2. Thus, the project <project name> does not significantly harm any of the 6 environmental objectives throughout the entire life cycle of the investment, in accordance with the provisions of art. 17 of Regulation (EU) 2020/852, namely:
 - (a) *climate change mitigation;*
 - (b) *adaptation to climate change;*
 - (c) *sustainable use and protection of water and marine resources;*
 - (d) *the transition to a circular economy;*
 - (e) *pollution prevention and control;*
 - (f) *protection and restoration of biodiversity and ecosystems.*
3. The self-assessment of the offer in terms of compliance with the DNSH principle for the project <project name> in the Annex which is an integral part of this statement shall be carried out in accordance with the *Communication from the Commission - Technical Guidance on the application of the 'do no significant harm' principle under the Recovery and Resilience Facility Regulation (2021/C 58/01) and Commission Delegated Regulation (EU) 2021/2139, pursuant to the Taxonomy Regulation (EU) (2020/852)*.
4. The self-assessment of the project <project name> in the annex to this statement includes correct, real data and information in accordance with the offer documentation in the design phases (SF/DALI, PTh, DTAC), as well as with the measures that will be taken during the period of implementation/execution, operation and decommissioning thereof.
5. Procurement procedures for the design phases include the obligation of the designer to properly treat and ensure the compliance of the investment with the “Do No Significant Harm” (DNSH) principle, in accordance with *the Communication from the Commission - Technical Guidance on the application of the 'Do No Significant Harm' principle under the Recovery and Resilience Facility Regulation (2021/C 58/01) and Commission Delegated Regulation (EU) 2021/2139 pursuant to the Taxonomy Regulation (EU) (2020/852)*.
6. The procurement procedures for the supply of equipment/installations and the execution of the works include the obligation of the beneficiary to comply with the measures established in the design phases and to properly ensure the compliance of the investment with the principle of "Do No Significant Harm" (DNSH), in accordance with the self-assessment in the annex to this statement.
7. During the operation period and at the end of the life cycle of the investment, the compliance of the investment with the "Do No Significant Harm" (DNSH) principle shall be duly ensured, in accordance with the self-assessment in the annex to this statement.
8. In order to ensure that the project <project name> complies with *the Communication from the Commission - Technical Guidance on the application of the 'do no significant harm' principle under the Recovery and*

Resilience Facility Regulation (2021/C 58/01), I declare that it excludes the production of electricity for own consumption, in case of the following list of activities:

- a) activities related to fossil fuels, including downstream use¹;
- b) activities under the EU Emissions Trading System (ETS) with expected greenhouse gas emissions that are not lower than the relevant baselines²;
- c) activities related to landfills, incinerators³ and mechanobiological waste treatment facilities⁴; and
- d) activities in which the long-term disposal of waste may harm the environment.

I attach hereto the self-assessment of the project from the point of view of compliance with the DNSH principle for the project <project name> in the Annex to this statement.

I also confirm that the affirmations within this statement (including the annex hereto) are true and that the information contained therein is correct.

Legal representative of the beneficiary

Name and surname

Date.....

Signature.....

¹ With the exception of projects for the generation of electricity and/or thermal energy, as well as related gas transmission and distribution infrastructure, which comply with the conditions set out in Annex III to the Technical Guidelines on the application of the 'do no significant harm' principle (2021/C58/01).

² Where the supported activity generates expected greenhouse gas emissions that are not significantly lower than the relevant baselines, an explanation of why this is not possible should be provided. The benchmarks shall be set for the free allocation for activities falling within the scope of the EU Emissions Trading System in accordance with Commission Implementing Regulation (EU) 2021/447.

³ This exclusion shall not apply to actions taken under this measure in installations intended exclusively for the treatment of non-recyclable hazardous waste and existing installations, where the actions under this measure are aimed at increasing energy efficiency, capturing exhaust gases for storage or use or recovering materials from incineration ash, provided that such actions under this measure do not lead to an increase in capacity processing facilities or an extension of the life of the facilities, for which evidence is provided at plant level

⁴ This exclusion shall not apply to actions taken under this measure in existing mechanical-biological treatment plants, where the actions under this measure are aimed at increasing energy efficiency or modernising separate waste recycling operations for composting of bio-waste and anaerobic digestion of bio-waste, provided that such actions under this measure do not lead to an increase in the capacity of the plants to process waste, or an extension of the life of installations, for which evidence is provided at installation level.

Self-assessment

on compliance with the “do no significant harm” (DNSH) principle for the project [name will be mentioned]

Note: explanations in square brackets can be deleted at the time of filling in the analysis.

Brief description of the project

[The following will be briefly presented: the location of the project, the description of the proposed investment, the installed capacity.]

-Part 1 of the checklist-

*[Within part 1 of the list, the six environmental objectives will be filtered to identify those that require a substantive assessment (set out in part two of the list). If for an environmental objective in **Part 1 of the list** the answer is YES, the respective environmental objective will go through the **substantive assessment** in **Part 2 of the list**. If for an environmental objective in **Part 1 of the list** the answer is NO, the respective environmental objective will no longer go through the assessment in Part 2 of the checklist.*

<i>Please indicate which of the environmental objectives below require a substantive assessment of the measure according to the DNSH principle</i>	Yes	No	<i>Justification in case the answer "No" is selected</i>
Climate change mitigation		X	<i>Requirements: The beneficiary will justify that the project complies with the DNSH principle with regard to the climate change mitigation objective by contributing with a coefficient of 100% to this objective (see Technical Guidance on the application of the 'do no significant harm' principle (2021/C58/01)).</i>
Adaptation to climate change	X		
Sustainable use and protection of water and marine resources	X		
Circular economy, including waste prevention and recycling	X		
Prevention and control of air, water or soil pollution	X		

Protection and restoration of biodiversity and ecosystems	X		
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- Part 2 of the checklist –

*[The beneficiary shall provide a **substantive assessment** of the project/offer in accordance with the DNSH principle for environmental objectives requiring such an assessment.*

*Thus, the beneficiary shall answer the questions below, for those environmental objectives identified in Part 1 as requiring a substantive assessment, considering **the examination requirements** set out in the substantive **assessment** column below, while referring to the technical-economic documentation, endorsements and approvals obtained/to be obtained for the submitted project/offer.]*

Questions	No	Substantive assessment
Adaptation to climate change: Is it expected that the measure will increase the negative effect of the current climate and the anticipated future climate on the measure itself, on individuals, on nature, or on assets?	X	<p>Requirements:</p> <p><i>Within this section, the beneficiary must justify and prove, in relation to the feasibility study, endorsements, other relevant documents, that an assessment of the climate risks and other identified vulnerabilities has been carried out and that any adaptation solution necessary for the proposed investments will be implemented.</i></p> <p>I. Firstly, it will be justified that a <i>climate risk and vulnerability assessment</i> has been carried out, using climate projections under a range of future scenarios, in line with the expected lifespan of the constructions/installations, in this case, of 20 years.</p> <p>The steps regarding climate risk and vulnerability assessment are as follows:</p> <p>1. Primarily, based on the risks listed in Appendix A: Classification of climate-related hazards to Commission Delegated Regulation (EU) 2021/2139, <u>the climate risks that may affect the performance of the economic activity over its expected lifetime shall be identified.</u></p> <p><i>In the analysis, climate risks and vulnerabilities are assessed and structured according to the likelihood and intensity of the impact.</i></p> <p><i>According to the footnote to Commission Delegated Regulation (EU) 2021/2139, the List of climate-related hazards in the table set out in Appendix A Section II is not exhaustive, being only an indicative list of the most widespread hazards to be considered, as a minimum, when assessing climate risks and vulnerability.</i></p> <p>2. Where the assessment of the activity in point 1 shows that it is exposed to one or more physical climate risks, <u>a climate risk and vulnerability assessment shall be carried out to determine whether the physical climate risks are significant</u> for the respective economic activity.</p> <p><i>This assessment of climate risks and vulnerability must be proportionate to the size of the activity and its expected lifespan. Given that the estimated lifespan of constructions/installations is more than 10 years, <u>the assessment of climate risks and vulnerability</u> shall be carried out using state-of-the-art climate projections and at the highest resolution</i></p>

		<p><i>available, for the existing range of future scenarios that is compatible with the expected lifespan of the activity.</i></p> <p><i>Note: The future scenarios include several Representative Concentration Pathways (RCPs) established by the Intergovernmental Panel on Climate Change (IPCC)⁵, namely RCP2.6, RCP4.5, RCP6.0 and RCP8.5.</i></p> <p><i>These trajectories describe different future climate scenarios, all of which being considered possible depending on the volume of greenhouse gases (GHGs) in the coming years.</i></p> <p><i>The state-of-the-art and highest-resolution climate projections available and the impact assessment shall be based on best practices and available guidelines, and shall take into account the latest scientific knowledge related to vulnerability and risk analysis and related methodologies, in accordance with the most recent reports of the Intergovernmental Panel on Climate Change⁶, the latest peer-reviewed scientific publications, and the latest open source⁷ or paid models.</i></p> <p><i>II. The conclusions of the climate risk and vulnerability assessment must be included in the design of the investment project, the documentation providing adaptation solutions to reduce the physical and material climate-related risks, an aspect that must be argued by the beneficiary. For example, within the technical-economic documentation, special measures are provided to increase the resistance of the constructive components of investments to climate change and other vulnerabilities.</i></p> <p><i>As far as adaptation solutions are concerned, the following steps are considered:</i></p> <ol style="list-style-type: none"> <i>1. Carrying out an assessment of adaptation solutions that can reduce the identified physical climate risk.</i> <i>2. Implementation of identified physical and non-physical solutions ('adaptation solutions') that substantially reduce the most important significant physical climate risks to the respective economic activity.</i> <i>3. The beneficiary must also justify/confirm that the adaptation solutions implemented for this project/offer do not negatively affect the adaptation efforts or the level of resilience to climate-related physical risks of other individuals, nature, other assets and/or other economic activities and that they are consistent with national plans and strategies for adaptation to climate change at local, area, regional or national level.</i> <p><i>[The beneficiary shall mention, in relation to the question in the second part of the list, the conclusion of the substantive assessment of the project for this environmental objective.]</i></p>
Sustainable use and protection of water and marine resources: Is it	X	<p>Requirements: <i>In this section, the beneficiary must justify and prove that the environmental impact assessment process has started for the project, in accordance with the provisions of Directive 2014/52/EU of the European Parliament and of the Council, amending Directive 2011/92/EU on the</i></p>

⁵ The IPCC is the United Nations body for assessing the scientific aspects of climate change outcomes;

⁶ Assessment reports on climate change: impact, adaptation and vulnerability, published regularly by the Intergovernmental Panel on Climate Change (IPCC), <https://www.ipcc.ch/reports/>;

⁷ For example, Copernicus services managed by the European Commission;

<p>expected that the measure shall be harmful to:</p> <p>(a) the good status or for the good ecological potential of water bodies, including surface and groundwater, or</p> <p>(b) the good environmental status of marine waters?</p>		<p><i>assessment of the effects of certain public and private projects on the environment, transposed into national legislation under Law no. 292/2018 on the assessment of the impact of certain public and private projects on the environment.</i></p> <p><i>The beneficiary, in relation to the regulatory documents for environmental protection, will justify in this section whether the project falls under the provisions of art. 48 and 54 of Water Law no. 107/1996, as subsequently amended and supplemented, as the case may be (see para. (2) art. 8 of Law 292/2018), which transposed into national law the provisions of Directive 2000/60/EC establishing a framework for Community action in the field of water policy, as subsequently amended.</i></p> <p><i>Also, in relation to the regulatory documents for environmental protection, it will clarify whether the project falls under the scope of Directive 2006/118/EC on the protection of groundwater against pollution and deterioration, transposed into national legislation under Government Decision no. 53/2009 for the approval of the National Plan for the Protection of Groundwater against Pollution and Deterioration, as subsequently amended and supplemented, and the Order of the Minister Delegate for Water, Forests and Fish Farming no. 621 of 7 July 2014 for the approval of the threshold values for groundwater in Romania.</i></p> <p><i>If applicable, the beneficiary will confirm that it will implement the conditions established by the competent regulatory authorities, in the final regulatory act for environmental protection, in the Water Management Endorsement and in the affidavit.</i></p> <p><i>The beneficiary justifies and confirms the fact that the project does not involve risks of environmental degradation related to the preservation of water quality or to the accentuation of water scarcity, in accordance with the provisions of Directive 2000/60/EC establishing a framework for Community action in the field of water policy, not affecting the good status of surface and groundwater, as well as their good ecological potential, as defined under Article 2, points (22) and (23) of Regulation (EU) 2020/852 (the 'Taxonomy Regulation'), as required under Appendix B to Commission Delegated Regulation (EU) 2021/2139.</i></p> <p><i>For the execution phase of the works, the conditions imposed on contractors through the procurement documentation shall be specified, in order to eliminate any possibility of negative effects on environmental factors, and in particular on water, soil and subsoil, and air.</i></p> <p><i>[The beneficiary shall mention, in relation to the question in the second part of the list, the conclusion of the substantive assessment of the project for this environmental objective.]</i></p>
<p>Transition to a circular economy, including waste prevention and recycling: Is it expected that the measure:</p> <p>(a) will result in a significant increase in the generation, incineration or disposal of waste, except</p>	<p>X</p>	<p>Requirements: <i>In this section, the beneficiary shall mention how it will approach the requirements of the transition to a circular economy, at the time of drafting the technical-economic documentation and procurement documentation, at the time of carrying out the construction/assembly works, during the operation and decommissioning phase (at the end of the life cycle of these investments).</i></p>

<p>for the incineration of non-recyclable hazardous waste, or</p> <p>(b) will lead to significant inefficiencies in the direct or indirect use of any natural resources⁸ at any stage of its life cycle, which are not minimised by appropriate measures⁹, or</p> <p>(c) will cause significant and long-term damage to the environment in terms of the circular economy¹⁰?</p>	<p>➤ <i>At the time of drafting the technical-economic documentation and the procurement documentation, the beneficiary will ensure the following aspects:</i></p> <ul style="list-style-type: none"> - <i>The beneficiary will assess the availability and, where possible, will purchase and use equipment and components with high durability and recyclability, which can be easily dismantled and prepared for recycling. This aims to ensure that investments are in line with the principles of sustainable products and the waste hierarchy, prioritising waste prevention, and also ensuring that assets are sustainable and can be used efficiently – see Annex II to the Technical Guidance on the application of the 'do no significant harm' principle (2021/C58/01).</i> - <i>The management of the resulting waste will be carried out in line with the objectives of reducing the quantities of waste generated and maximizing reuse and recycling, respectively in line with the objectives of the general waste management framework at national level - National waste management plan (drafted on the basis of Article 28 of the Waste Directive 2008/98/EC and repealing certain directives, with subsequent amendments and approved by Government Decision no. 942/2017) – see Annex II to the Technical Guidance on the application of the 'do no significant harm' principle (2021/C58/01).</i> - <i>Waste from electrical and electronic equipment will be managed in accordance with Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment (WEEE), transposed into national legislation under GEO 5/2015 on waste electrical and electronic equipment, approved with amendments and completions by Law no. 127/2024, with subsequent additions.</i> - <i>In relation to recoverable waste resulting from the execution of construction/assembly works (including land preparation: dismantling, decommissioning), the constructors will be required to ensure that at least 70% (by weight) of non-hazardous waste resulting from construction/assembly and demolition (except for natural materials defined in category 17 05 04 - soil and gravel other than those referred to in entry 17 05 03 of the European list of waste established by Commission Decision 2000/532/EC, transposed under GD no. 856/2002 on the record of waste management and for the approval of the list of wastes, as subsequently supplemented) and generated on-site to be prepared, respectively sorted for reuse, recycling and other material recovery operations, in accordance with the waste hierarchy and the EU Protocol for the management of construction and demolition waste – see art. 11 of the Waste Framework Directive.</i>
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⁸ Natural resources include energy, materials, metals, water, biomass, air, and soil.

⁹ For example, inefficiencies can be minimised by significantly increasing the durability, repairability, upgradability and reusability of products, or by significantly reducing resources through design and the materials chosen, by facilitating repurposing, disassembly and deconstruction, in particular to reduce the use of building materials and promote the reuse of building materials. Added to this is the transition to product-as-a-service business models and circular value chains, with the aim of keeping products, components and materials at their highest level of utility and value for as long as possible. It also includes a significant reduction in the content of hazardous substances in materials and products, including by replacing them with safer alternatives. This also includes significantly reducing food waste in the production, processing, manufacture or distribution of food.

¹⁰ For more information on the circular economy objective, see recital 27 of the Taxonomy Regulation.

		<p>- The beneficiary will ensure that it provides conditions that ensure the effective and efficient separate collection of waste at source and the sending of separate fractions to the source to prepare for reuse or recycling.</p> <p>- Sorting of waste will be carried out at the generation place, under the care of the constructor. The constructor will limit the generation of waste in the processes related to construction and demolition, in accordance with the EU Protocol on the management of construction and demolition waste, will consider the best available techniques and will selectively decommission/sort the waste.</p> <p>[Note: The inclusion of the provisions in the procurement documentation will be subject to reporting during the implementation period of the investment project].</p> <p>➤ At the time of performing construction/assembly works</p> <p>- In accordance with the regulations in force, the resulting waste will be collected selectively according to its characteristics, transported to authorized landfills or handed over to authorized economic operators for its recovery. Contracts will be concluded with authorized companies that will ensure the elimination/recovery of all types of waste generated. All waste generated as a result of investment projects, at all stages, will be temporarily stored only on specially designed surfaces.</p> <p>- The constructor's employees will be trained on waste handling, as well as on sorting waste by categories, in containers specially provided for each category of waste.</p> <p>[Note: The above provisions will be subject to reporting during the implementation period of the investment project].</p> <p>➤ In the operation and decommissioning phase (at the end of the life cycle of these investments)</p> <p>The waste resulting from maintenance activities (primarily related to current repairs) and decommissioning will be managed similarly to the waste generated during the construction/assembly period.</p> <p>[The beneficiary will mention, in relation to the question in the second part of the list, the conclusion of the substantive evaluation of the offer/project for this environmental objective.]</p>
<p>Pollution prevention and control:</p> <p>Is the measure expected to lead to a significant increase in emissions of pollutants to air, water or soil?</p>	X	<p>Requirements: Within the section, the beneficiary will present the measures taken in order to prevent and control air pollution (including noise and vibrations), water, soil and subsoil, in the construction/assembly phases of capacities/installations, in the operation phase (for example, wind energy capacities/installations will be located and operated in such a way that there are no significant effects on sensitive receptors) and decommissioning.</p> <p>The beneficiaries can clarify whether, in accordance with the provisions of Decision no. 2000/532/EC of the Commission, transposed to the national legislation under GD no. 856/2002, as subsequently supplemented, it is considered that the execution works do not involve the use of categories of materials that can be classified as toxic and dangerous substances.</p>

		<p><i>The beneficiaries will also present the conditions/criteria that will be found in the procurement documentation in relation to the prevention and control of air pollution (including noise and vibrations), water, soil and subsoil for the construction/assembly phase of the capacities/installations and possibly, operation, as the case may be.</i></p> <p><i>[The beneficiary will mention, in relation to the question in the second part of the list, the conclusion of the substantive evaluation of the offer/project for this environmental objective.]</i></p>
Protection and restoration of biodiversity and ecosystems: Is the measure expected to be: (i) significantly harmful to the good condition ¹¹ and resilience of ecosystems, or (ii) harmful to the conservation status of habitats and species, including those of interest for the Union?	X	<p><i>Requirements:</i> Within this section, the beneficiary <i>must justify and prove by relevant documents</i>, the fact that the environmental impact assessment process has started for the project, in accordance with the provisions of Directive 2014/52/EU of the European Parliament and of the Council, amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment, transposed into national legislation by <i>Law no. 292/2018 on the assessment of the impact of certain public and private projects on the environment</i>.</p> <p><i>Where applicable, the beneficiary will also provide evidence whether, as a result of completing the stages of the environmental impact assessment process, the competent environmental authority has foreseen any significant effect on this environmental objective, in accordance with the provisions of Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, respectively whether or not the projects are subject to the adequate environmental assessment.</i></p> <p><i>If the investments related to this measure are located within or near biodiversity-sensitive areas (including the Natura 2000 network of protected areas, natural sites inscribed on the UNESCO World Heritage List and the main biodiversity areas, as well as other protected areas, etc.), the beneficiary will present the situation and attach the adequate environmental assessment, in accordance with the provisions of Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, and on the basis of the conclusions of this adequate assessment, the beneficiary shall confirm that it will implement the necessary measures to mitigate the effects of the investments on this environmental objective.</i></p> <p><i>The beneficiary must prove the above statements with the following documents, as applicable:</i></p> <ul style="list-style-type: none"> <i>- The final regulatory act for environmental protection;</i> <i>- Adequate assessment study (where applicable).</i> <p><i>Also, the beneficiary will justify and prove that the project investments shall not affect:</i></p> <p><i>(a) arable land and cultivated land with a moderate to high level of soil fertility and subterranean biodiversity,</i></p>

¹¹ According to Article 2(16) of the Taxonomy Regulation, "good condition" means, in relation to an ecosystem, that the ecosystem is in good physical, chemical and biological condition or has good physical, chemical and biological quality, and is capable of reproducing or recovering itself, with species composition, ecosystem structure and ecological functions not being affected'.

		<p><i>(b) land that is recognised as having a high biodiversity value and land that serves as a habitat for endangered species (flora and fauna), and</i></p> <p><i>(c) forest lands (whether or not covered by trees), other wooded lands, or lands that are partially or fully covered, or intended to be covered by trees, even if these trees have not yet reached the size and coverage necessary to be classified as forests or other wooded lands, as defined in accordance with the FAO definition of forests.</i></p> <p><i>The beneficiary must prove the above statements with the following documents, as applicable:</i></p> <p style="padding-left: 40px;"><i>➤ With reference to the protection and restoration of biodiversity and ecosystems</i></p> <p style="padding-left: 40px;"><i>- The final regulatory act for environmental protection;</i></p> <p style="padding-left: 40px;"><i>- Adequate assessment study (where applicable)</i></p> <p style="padding-left: 40px;"><i>➤ With reference to the prohibition of affecting arable land and cultivated land with a moderate to high level of soil fertility:</i></p> <p style="padding-left: 40px;"><i>- proof that the land is located within the built-up area and is not used for agricultural purposes;</i></p> <p style="padding-left: 40px;"><i>or</i></p> <p style="padding-left: 40px;"><i>- proof that the land is located outside the built-up area, but is not included in the agricultural circuit;</i></p> <p style="padding-left: 40px;"><i>or</i></p> <p style="padding-left: 40px;"><i>- if the land is located outside the built-up area and is also included in the agricultural circuit, it will be proven that the land is degraded in terms of pedological characteristics or that at least it does not have a moderate to high level of fertility;</i></p> <p style="padding-left: 40px;"><i>- Affidavit;</i></p> <p style="padding-left: 40px;"><i>➤ With reference to the prohibition of affecting forest lands:</i></p> <p style="padding-left: 40px;"><i>- proof that the land is not included in the forest fund;</i></p> <p style="padding-left: 40px;"><i>- Affidavit;</i></p> <p><i>[The evidence may consist of any kind of documents issued by the competent institutions, for example: documents from land book extracts, notices, certificates, pedological studies, etc.]</i></p> <p><i>[The beneficiary will mention, in relation to the question in the second part of the list, the conclusion of the substantive evaluation of the offer/project for this environmental objective.]</i></p>
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