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EXECUTIVE COMMITTEE OF THE MULTILATERAL FUND FOR THE IMPLEMENTATION OF THE MONTREAL PROTOCOL Fifty-third Meeting Montreal, 26-30 November 2007

PROJECT PROPOSAL: MONTENEGRO

This document consists of the comments and recommendation of the Fund Secretariat on the following project proposal:

Phase-out

• Terminal phase-out management plan: first tranche

UNIDO

Pre-session documents of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol are without prejudice to any decision that the Executive Committee might take following issuance of the document.

PROJECT EVALUATION SHEET – MULTI-YEAR PROJECTS MONTENEGRO

PROJECT TITLE

BILATERAL/IMPLEMENTING AGENCY

Terminal phase-out management plan: first tranche	UNIDO
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NATIONAL CO-ORDINATING AGENCY:

National Ozone Unit

LATEST REPORTED CONSUMPTION DATA FOR ODS ADDRESSED IN PROJECT

A: ARTICLE-7 DATA (ODP TONNES, 2006, AS OF OCTOBER 2007)

CFC	14.0	HCFC	1.3
CTC	0.1		

B: COUNTRY PROGRAMME SECTORAL DATA (ODP TONNES) (N/A)

ODS	Aerosol	Foam	Ref. Mfg.	Ref. Servicing	Solvents	Process agent	Fumigant

CFC consumption remaining eligible for funding (ODP tonnes)	n/a
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CURRENT YEAR BUSINESS PLAN: Total funding US \$0: total phase-out 0 ODP tonnes.

PROJECT	PROJECT DATA			2008	2009	2010	Total
CFC	Montreal Protocol limit	52.5	15.7	15.7	15.7	0	n/a
(ODP	Annual consumption limit		5	4	2	0	n/a
tonnes)	New reduction under plan		0	1	2	2	5
Halons (ODP	Montreal Protocol limit	1.2	1.2	1.2	1.2	0	n/a
tonnes)	Annual consumption limit		0	0	0	0	n/a
CTC	Montreal Protocol limit	0.2	0.2	0.2	0.2	0	n/a
(ODP tonnes)	Annual consumption limit		0.15	0.15	0.15	0	n/a
tonnes)	New reduction under plan		0	0	0	0.15	0.15
TOTAL O	DS CONSUMPTION TO BE PHASED OUT		0	1	2	2	5
Total ODS	consumption to be phased-in (HCFCs)		0	0	0	0	0
Final proje	ect costs (US \$):						
Fundir	ng for Lead IA: UNIDO		175,000	0	95,295	0	270,295
Final support costs (US \$):							
Support cost for Lead IA: UNIDO			13,125	0	7,147	0	20,272
TOTAL C	OST TO MULTILATERAL FUND (US \$)		188,125	0	102,442	0	290,567
Final proje	ct cost effectiveness (US \$/kg)						n/a

FUNDING REQUEST: Approval of funding for the first tranche (2007) as indicated above.

ECRETARIAT'S RECOMMENDATION	For blanket approval
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PROJECT DESCRIPTION

1. On behalf of the Government of Montenegro, UNIDO has submitted the Terminal Phase-out Management Plan for ODSs (TPMP), accompanied by a draft agreement, for the consideration by the Executive Committee at its 53rd Meeting. The total cost of the Montenegro TPMP as originally submitted is US \$295,320 plus agency support costs of US \$38,392. The CFC baseline for compliance is 104.9 ODP tonnes.

Background

- 2. Following the referendum held on 21 May 2006, Montenegro proclaimed its independence and, as a sovereign state, became a Member State of the United Nations. On 23 October 2006 Montenegro ratified, by means of succession, the Vienna Convention, the Montreal Protocol and all its Amendments. At its 51st Meeting, the Executive Committee approved project preparation funding of US \$40,000 to prepare the country programme and the TPMP. The institutional strengthening project amounting to US \$30,000 was approved at the same meeting for implementation by UNIDO.
- 3. The ODS phase-out activities on the territory of Montenegro started when it was a part of the former Federal Republic of Yugoslavia. A number of phase-out activities have been accomplished in Montenegro benefiting from assistance provided from the Multilateral Fund. In particular, the domestic refrigerator manufacturer "Obod" was converted to non-ODS technology phasing-out 94.9 ODP tonnes. Technical personnel participated in training activities organized by the National Ozone Unit (NOU). In 2006, the Government of Montenegro adopted legislation regulating import and export of ODSs and equipment containing ODSs. There are nine registered ODS importers in Montenegro. The established import licensing system was instrumental in regulating ODS imports, and collecting and reporting ODS consumption data.
- 4. The principal ODS consumption in 2006 was of CFCs (Annex A, Group I) used in the maintenance and servicing of refrigeration and air conditioning equipment, which accounts for about 99 per cent of all total CFC consumption of 14 ODP tonnes. Of that total CFC consumption, 50 per cent is used in servicing commercial unitary equipment. Another 30 per cent is for servicing household refrigerators and the remaining quantity is for servicing mobile air-conditioning systems, cold rooms and chillers. The consumption caused by CFC-based centrifugal chillers will be addressed through the regional chiller project being implemented by UNIDO.
- 5. The Government of Montenegro committed to reducing the CFC consumption to 5.0 ODP tonnes in 2007, which is considered as a starting point for the reduction schedule in the draft agreement between the Executive Committee and the Government of Montenegro. CFC consumption will be further reduced to 4.0 ODP tonnes and 2.0 ODP tonnes in 2008 and 2009, respectively. In 2010, CFC consumption will be zero.
- 6. The following activities are proposed in the TPMP for Montenegro: updating the existing legislation to facilitate the effective functioning of the licensing and monitoring system; preparation of the training manual "Good Practices in Refrigeration"; providing training equipment to vocational schools; training of about 200 refrigeration technicians; training of about 100 customs officers and provision of refrigerant identifiers to customs offices at major

entry points; purchasing and distribution of recovery and recycling equipment and servicing tools to the designated servicing workshops. A project management, monitoring and evaluation component is also part of the proposed TPMP.

- 7. About 0.15 ODP tonnes of CTC was imported for laboratory use in 2006. The same level of CTC consumption is envisaged in 2007, 2008 and 2009, with zero consumption in 2010. The allocation of US \$12,000 is requested for the awareness workshop on CTC alternatives.
- 8. The average consumption of halons is estimated to be about 300 ODP kg in the years 1995 to 1997. No imports of halons were registered in the years 2004 to 2006. In 2007, the total quantity of Halon 1211 and Halon 1301 amounts to about 18 ODP tonnes in installed fire-extinguishing systems. The funding of US \$25,000 is included in the budget for halon management.

SECRETARIAT'S COMMENTS AND RECOMMENDATION

COMMENTS

- 9. CFC consumption in Montenegro was 0.83 ODP tonnes and 1.12 ODP tonnes in 2004 and 2005 respectively. The 2006 CFC consumption was reported to the Ozone Secretariat to be 14 ODP tonnes, exceeding significantly that in the two previous years. The Secretariat has sought clarification from UNIDO on the rationale behind such an increase. UNIDO explained that the importers in Montenegro reacted to the independence of the country and the significant increase in CFC prices by requesting import permits for 14 ODP tonnes. Such permits have been issued by the Government of Montenegro. The import permits in the following years, however, have been and will be restricted. It appears that considerable amounts of CFCs have been stockpiled and will be used to meet the demand for refrigeration servicing of the remaining CFC-based equipment after the imports of CFCs into the country are completely banned.
- 10. The CFC consumption data reported in the TPMP have been reviewed by the Secretariat in conjunction with the 2006 verification report of CFC consumption in Serbia. This report was submitted together with the UNIDO request for the funding tranche under the national CFC phase-out plan in Serbia. The verification report contains detailed information on CFCs exported from Serbia to Montenegro since Serbia is the source of supply of CFCs to Montenegro. In reviewing the 2006 report, several inconsistencies in quantities of CFCs reported as imports into Montenegro in 2006 have been identified. The verification report indicates that in one case the reported import of 3.4 ODP tonnes of CFC-12 by Montenegro from Serbia cannot be corroborated since no records have been found in Serbian customs regarding the related export. Further, the import of 5.98 ODP tonnes of CFC-12 from Serbia is recorded by Montenegro as part of its total 2006 imports of 14 ODP tonnes. The import license for this quantity was issued by the Ministry of Tourism and Environmental Protection of Montenegro on 26 December 2006. However, the consignment was delivered to Montenegro only by the end of January 2007 and recorded as part of 2007 export in Serbia. The Secretariat advised UNIDO and the Ozone Secretariat regarding these inconsistencies. UNIDO responded that advice from the Ozone Secretariat will be sought.

- 11. The future availability of significant quantities of CFCs from stockpiles gives rise to concerns about the effectiveness and efficiency of recovery and recycling operations planned in the TPMP. The Secretariat advised UNIDO to consider carefully the number of recovery and recycling machines being requested in the TPMP. Subsequently, UNIDO reduced the number of R&R machines by 25 per cent. The budget has been adjusted accordingly.
- 12. The Government of Montenegro submitted a draft agreement between the Government and the Executive Committee with the conditions for the complete phase-out of CFCs in Montenegro, which is contained in Annex I to the present document. Annex II contains the overview tables of this multi-year agreement.

RECOMMENDATION

- 13. The Secretariat recommends blanket approval of the terminal phase-out management plan for Montenegro. Approval of the terminal phase-out management plan for Montenegro is understood to be without prejudice to any actions that might be taken by the Ozone Secretariat in regard to the 2006 consumption data submitted under Article 7 by the Government of Montenegro.
- 14. The Executive Committee may wish to:
 - (a) Approve, in principle, the terminal phase-out management plan for Montenegro, at the amount of US \$270,295 plus agency support costs of US \$20,272 for UNIDO;
 - (b) Approve the draft agreement between the Government of Montenegro and the Executive Committee for the implementation of the terminal phase-out management plan as contained in Annex I to this document;
 - (c) Urge UNIDO to take full account of the requirements of decisions 41/100 and 49/6 of the Executive Committee during the implementation of the terminal phase-out management plan; and
 - (d) Approve the first tranche of the plan at the funding levels shown in the table below:

	Project Title	Project	Support Cost	Implementing
		Funding (US\$)	(US\$)	Agency
(a)	Terminal phase-out management plan (first tranche)	175,000	13,125	UNIDO

Annex I

DRAFT AGREEMENT BETWEEN MONTENEGRO AND THE EXECUTIVE COMMITTEE OF THE MULTILATERAL FUND FOR THE PHASE-OUT OF OZONE-DEPLETING SUBSTANCES

- 1. This Agreement represents the understanding of Montenegro (the "Country") and the Executive Committee with respect to the complete phase-out of controlled use of the ozone-depleting substances set out in Appendix 1-A (the "Substances") prior to 1 January 2010 in compliance with Protocol schedules.
- 2. The Country agrees to meet the annual consumption limits of the Substances as set out in rows 2, 5 and 7 of Appendix 2-A (the "Targets, and Funding") in this Agreement. The Country accepts that, by its acceptance of this Agreement and performance by the Executive Committee of its funding obligations described in paragraph 3, it is precluded from applying for or receiving further funding from the Multilateral Fund in respect to the Substances.
- 3. Subject to compliance by the Country with its obligations set out in this Agreement, the Executive Committee agrees in principle to provide the funding set out in row 9 of Appendix 2-A (the "Targets, and Funding") to the Country. The Executive Committee will, in principle, provide this funding at the Executive Committee meetings specified in Appendix 3-A (the "Funding Approval Schedule").
- 4. The Country will meet the consumption limits for each of the Substances as indicated in Appendix 2 -A. It will also accept independent verification by the relevant implementing agency of achievement of these consumption limits as described in sub-paragraph 5(b) of this Agreement.
- 5. The Executive Committee will not provide the Funding in accordance with the Funding Approval Schedule unless the Country satisfies the following conditions at least 60 days prior to the applicable Executive Committee meeting set out in the Funding Approval Schedule:
 - (a) That the Country has met the Targets for the applicable year;
 - (b) That the meeting of these Targets will be independently verified, if requested by the Executive Committee consistent with paragraph (d) of decision 45/54;
 - (c) That the Country has substantially completed all actions set out in the last annual implementation programme; and
 - (d) That the Country has submitted and received endorsement from the Executive Committee for an annual implementation programme in the form of Appendix 4-A (the "Format of Annual Implementation Programme") in respect of the year for which tranche funding is being requested.

- 6. The Country will ensure that it conducts accurate monitoring of its activities under this Agreement. The institutions set out in Appendix 5-A (the "Monitoring Institutions and Roles") will monitor and report on that monitoring in accordance with the roles and responsibilities set out in Appendix 5-A. This monitoring will also be subject to independent verification as described in sub-paragraph 5(b).
- 7. While the Funding was determined on the basis of estimates of the needs of the Country to carry out its obligations under this Agreement, the Executive Committee agrees that the Country may have the flexibility to reallocate the approved funds, or part of the funds, according to the evolving circumstances to achieve the goals prescribed under this Agreement. Reallocations categorized as major changes must be documented in advance in the next annual implementation programme and endorsed by the Executive Committee as described in sub-paragraph 5(d). Reallocations not categorized as major changes may be incorporated in the approved annual implementation programme, under implementation at the time, and reported to the Executive Committee in the report on implementation of the annual implementation programme.
- 8. Specific attention will be paid to the execution of the activities in the refrigeration-servicing sub-sector, in particular:
 - (a) The Country would use the flexibility available under this Agreement to address specific needs that might arise during project implementation;
 - (b) The technical assistance programme for the refrigeration-servicing sub-sector will be implemented in stages so that remaining resources can be diverted to other phase-out activities such as additional training or procurement of service tools in cases where the proposed results are not achieved, and will be closely monitored in accordance with Appendix 5-A of this Agreement; and
 - (c) The Country and the implementing agencies will take full account of the requirements of decisions 41/100 and 49/6 during the implementation of the plan.
- 9. The Country agrees to assume overall responsibility for the management and implementation of this Agreement and of all activities undertaken by it or on its behalf to fulfil the obligations under this Agreement. UNIDO (the "Lead IA") has agreed to be the lead implementing agency ("Lead IA") in respect of the Country's activities under this Agreement. The Lead IA will be responsible for carrying out the activities listed in Appendix 6-A including but not limited to independent verification as per sub-paragraph 5 (b). The country also agrees to periodic evaluations, which might be carried out under the monitoring and evaluation work programmes of the Multilateral Fund. The Executive Committee agrees, in principle, to provide the Lead IA with the fees set out in row 10 of Appendix 2-A.
- 10. Should the Country, for any reason, not meet the Targets for the elimination of the Substances set out in Appendix 2-A of the Montreal Protocol or otherwise does not comply with this Agreement, then the Country agrees that it will not be entitled to the Funding in accordance with the Funding Approval Schedule. At the discretion of the Executive Committee, funding will be reinstated according to a revised funding approval schedule determined by the Executive Committee after the Country has demonstrated that it has satisfied all of its obligations that were

due to be met prior to receipt of the next tranche of funding under the Funding Approval Schedule. The Country acknowledges that the Executive Committee may reduce the amount of the Funding by the amounts set out in Appendix 7-A in respect of each ODP tonne of reductions in consumption not achieved in any one year.

- 11. The funding components of this Agreement will not be modified on the basis of any future Executive Committee decision that may affect the funding of any other consumption sector projects or any other related activities in the Country.
- 12. The Country will comply with any reasonable request of the Executive Committee and the Lead IA to facilitate implementation of this Agreement. In particular, it will provide the Lead IA with access to information necessary to verify compliance with this Agreement.
- 13. All of the agreements set out in this Agreement are undertaken solely within the context of the Montreal Protocol and as specified in this Agreement. All terms used in this Agreement have the meaning ascribed to them in the Protocol unless otherwise defined herein.

APPENDICES

APPENDIX 1-A: THE SUBSTANCES

Annex A:	Group I	CFC-11, CFC-12, CFC-113, CFC-114, CFC-115
Annex A:	Group II	Halons
Annex B:	Group II	CTC

APPENDIX 2-A: THE TARGETS, AND FUNDING

		2006	2007	2008	2009	2010	Total
1	Montreal Protocol consumption limits of						
	Annex A, Group I substances (ODP tonnes)	52.5	15.75	15.75	15.75	0	n/a
2	Maximum allowable consumption of						
	Annex A, Group I substances (ODP tonnes)		5	4	2	0	n/a
3	New reduction under plan (ODP tonnes)		0	1	2	2	5
4	Montreal Protocol consumption limits of						
	Annex A, Group II substances (ODP tonnes)	1.2	1.2	1.2	1.2	0	n/a
5	Maximum allowable consumption of						
	Annex A, Group II (ODP tonnes)		0	0	0	0	n/a
6	Montreal Protocol consumption limits of						
	Annex B, Group II substances (ODP tonnes)	0.2	0.2	0.2	0.2	0	n/a
7	Maximum allowable consumption of						
	Annex B, Group II substances (ODP tonnes)		0.15	0.15	0.15	0	n/a
8	New reduction under plan (ODP tonnes)		0	0	0	0.15	0.15
9	Total agreed funding (US \$)		175,000	0	95,295	0	270,295
10	Total agreed support costs (US \$)		13,125	0	7,147	0	20,272
11	Grand total agreed funding (US \$)		188,125	0	102,442	0	290,567

APPENDIX 3-A: FUNDING APPROVAL SCHEDULE

1. Funding for the second tranche will be considered for approval at the first meeting of 2009. In case the Executive Committee requires verification of the achievements of the targets in the TPMP, it is understood that the approval or disbursement of the tranche might be delayed until the verification is completed and has been reviewed.

APPENDIX 4-A: FORMAT OF ANNUAL IMPLEMENTATION PROGRAMME

Data	
Country	
Year of plan	
# of years completed	
# of years remaining under the plan	
Target ODS consumption of the preceding year	
Target ODS consumption of the year of plan	
Level of funding requested	
Lead implementing agency	
Cooperating agency(ies)	

2. Targets

Indicators		Preceding year	Year of plan	Reduction
Supply of ODS	Import			
	Total (1)			
Demand of ODS	Manufacturing			
	Servicing			
	Stockpiling			
	Total (2)			

3. **Industry Action**

Sector	Consumption preceding year (1)	Consumption year of plan (2)	Reduction within year of plan (1) – (2)	Number of projects completed	Number of servicing related activities	ODS phase- out (in ODP tonnes)
Manufacturing						
Total						
Refrigeration						
Total						
Grand total						

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Proposed Activity: Objective: Target Group: Impact:

5. Government Action

Policy/Activity planned	Schedule of implementation
Type of policy control on ODS import: servicing, etc.	
Public awareness	
Others	

6. **Annual Budget**

Activity	Planned expenditures (US \$)
Total	

7. Administrative Fees

APPENDIX 5-A: MONITORING INSTITUTIONS AND ROLES

- 14. All the monitoring activities will be coordinated and managed through the project "Monitoring and Management Unit", within the National Ozone Unit (NOU).
- 15. The Lead IA will have a particularly prominent role in the monitoring arrangements because of its mandate to monitor ODS imports, whose records will be used as a crosschecking reference in all the monitoring programmes for the different projects within the terminal phase-out plan (TPMP). This organization will also undertake the challenging task of monitoring illegal ODS imports and exports with advisements made to the appropriate national agencies through the National Ozone Unit (NOU).

Verification and reporting

16. In accordance to decision 45/54 (d), the Executive Committee reserves the right for independent verification in case the Executive Committee selects Montenegro for related auditing. Based on discussion with the Lead IA, Montenegro should select the independent organization (auditing) to carry out the verification of the TPMP results and this independent monitoring programme.

APPENDIX 6-A: ROLE OF THE LEAD IMPLEMENTING AGENCY

- 1. The Lead IA will be responsible for a range of activities to be specified in the project document as follows:
 - (a) Ensuring performance and financial verification in accordance with this Agreement and with its specific internal procedures and requirements as set out in the Country's phase-out plan;
 - (b) Assisting the Country in preparation of the Annual Implementation Programme;
 - (c) Providing verification to the Executive Committee that the Targets have been met and associated annual activities have been completed as indicated in the Annual Implementation Programme consistent with Appendix-5A. In case the Executive Committee selects Montenegro consistent with paragraph (d) of decision 45/54, separate funding will be provided by the Executive Committee to the Lead IA for this undertaking;
 - (d) Ensuring that the achievements in previous annual implementation programmes are reflected in the future annual implementation programme;
 - (e) Reporting on the implementation of the Annual Implementation Programme of the preceding year and preparing for annual implementation programme for the year of submission for submission to the Executive Committee, commencing with the 2008 annual implementation programme combined with the report on the 2007 annual implementation programme;
 - (f) Ensuring that appropriate independent technical experts carry out the technical reviews undertaken by the Lead IA;
 - (g) Carrying out required supervision missions;
 - (h) Ensuring the presence of an operating mechanism to allow effective, transparent implementation of the Annual Implementation Programme and accurate data reporting;
 - (i) Providing verification for the Executive Committee that consumption of the Substances has been eliminated in accordance with the Targets, if requested by the Executive Committee;
 - (j) Ensuring that disbursements made to the Country are based on the use of the indicators; and
 - (k) Providing assistance with policy, management and technical support when required.

APPENDIX 7-A: REDUCTIONS IN FUNDING FOR FAILURE TO COMPLY

1. In accordance with paragraph 10 of the Agreement, the amount of funding provided may be reduced by US \$10,000 per ODP tonne of reductions in consumption not achieved in the year.

OVERVIEW TABLES FOR MULTI-YEAR AGREEMENTS

Montenegro Annex II

(1) PROJECT TITLE:

Terminal phase-out management plan

(2) EXECUTIVE COMMITTEE APPROVALS AND PROVISIONS: Not applicable for first tranche

(3) ARTICLE 7 DATA (ODP TONNES)

Substances	Baseline	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
CFC													14
CTC													0.1
Halons													0
MBR													0
TCA													0

Source: A7 Data from the Ozone Secretariat

(4) LATEST COUNTRY PROGRAMME SECTORAL DATA (ODP TONNES)

Not applicable. The Country Programme for Montenegro was submitted for approval at the 53rd Executive Committee Meeting.

(5) PHASE-OUT (ODP TONNES)

Substances	Calendar year	2007	2008	2009	2010	Total	Decision
CFC (ODP tonnes)	Montreal Protocol limit	15.75	15.75	15.75	0	n/a	
	Maximum Allowable	5.0	4.0	2.0	0.0	n/a	
	Consumption (Agreement; per						
	substance if valid)						
	New reduction under plan	0.0	1.0	2.0	2.0	5.0	
Halons (ODP tonnes)	Montreal Protocol limit	1.2	1.2	1.2	0.0	n/a	
	Maximum Allowable	0.0	0.0	0.0	0.0	n/a	
	Consumption (Agreement; per						
	substance if valid)						
CTC (ODP tonnes)	Montreal Protocol limit	0.2	0.2	0.2	0.0	n/a	
	Maximum Allowable	0.2	0.2	0.2	0.0	n/a	
	Consumption (Agreement; per						
	substance if valid)						
	New reduction under plan	0.0	0.0	0.0	0.2	0.2	
	Compliance Action Target	n/a	n/a	n/a			n/a

Source: Agreement, Inventory, Progress Report, MOP Report, Project Document (Annual Plan) and Verification Reports.

(6a) PROJECT COSTS (US\$)

Calendar year	2007	2008	2009	2010	Total
UNIDO					
Funding as per Agreement	175,000	0	95,295	0	270,295
Disbursement as per Annual Plan					
[Comments]					

Source: Agreement, Inventory, Progress Reports and Project Document (Annual Plan)

(6b) SUBMISSION SCHEDULES (planned and actual)

2007	2008	2009	2010
Nov-07	n/a	Mar-09	
1	n/a	2	
			Nov-07 n/a Mar-09

Source: Agreement, Inventory and Final ExCom Report Decisions

(7) INFORMATION ON POLICIES FROM COUNTRY PROGRAMME AND VERIFICATION REPORTS

Not applicable. The Country Programme for Montenegro was submitted for approval at the 53rd Executive Committee Meeting.

(8) IMPLEMENTATION DETAILS: Not applicable for the first tranche

(9) ANNUAL PLAN SUBMITTED COMPARED TO OVERALL PLAN

	Ac	Activities		lget	Explanations
	Planned (future tranche)	Cumulative achievement as compared to overall plan [%]	Planned (future tranche)	Cumulative achievement as compared to overall plan [%]	
Awareness workshop on CTC			12,000		
Training			70,000		
Equipment			70,000		
PMU & Monitoring			23,000		