



Precious Metals & Rhenium Consortium Rhenium Work Group teleconference

2nd of March 2009, 3 pm CET

Please dial + 32 2 600 78 84 (no pin code required)



Introduction and welcome



Participants

- Angela Alderman (Johnson Matthey, UK) - Chair
- Caroline Braibant (EPMF, BE)
- Zuzana Hugonin (EPMF, BE)
- Michael Husakiewicz (Lipmann Walton, UK)
- Jean-François Lartigue (Eurotungstene, FR)
- András Szép (SEKOM, OR)
- Aad Van Meerkerk (Climax Molybdenum, NL)
- Gary Van Riper (Climax Molybdenum, US)
- Ewa Zygnerska (KGHM Ecoren, PL)



Agenda

1. Welcome and introduction
 - Pending action points
2. Pre-SIEF experiences
 - Rhenium inventory
 - Ni alloy scrap
 - Other rhenium substances
 - Membership and alternatives to membership
 - SFF surveys
3. Update on Rhenium project
4. AOB, 2009 meeting schedule and closing remarks



Completed/Pending action points

- **Co-Chair:** next face-to-face meeting
- **Pre-SIEF status for each rhenium substance:** done by appointing Consortium rapporteurs
- **Lead Registrant volunteers:** only one volunteer to date
- **Priority companies/membership strategy:** to be agreed upon today under item 2.5
- **KGHM Ecoren invited to submit any remaining in-house test results:** done but results in Polish - need for summary of results before translation is actioned
- **Mo questionnaire received and studied:** WCA already collaborating with EBRC for silver project - possibility of using same questionnaire to be discussed; otherwise, need to produce new one starting from multi-metallic questionnaire
- **Annex III assessment:** to be performed with WCA after phase II pilot project has been finalised (mid-March)
- **Management plan:** to be prepared after phase II pilot project has been finalised (already agree on 2009 meeting schedule today)



Pre-SIEF experiences



Rhenium inventory

(dated 26 February 2009)

- Circulated in separate excel file



Proposed Lead Registrants

- Clarification on the role of the Lead Registrant (see Ni consortia document)
- Intervention/support from:
 - Consultants
 - Consortium's Secretariat
- Need one volunteer per substance



Nickel-alloy scrap

- Recap on recommended pre-registration actions (see Annex 6.1 of pre-registration recommendation - circulated separately)
 - Not possible to pre-register Ni-alloy scrap as UVCB with no EINECS number...
 - Other routes followed instead - only one possible for registration (harmonisation recommended)!
- **TODAY: Before, need for company's clarification/confirmation on Ni-alloy scrap "status":**
 - Waste?
 - Transported isolated intermediate?
 - Yes → Handled under strictly controlled conditions all over its life-cycle?
 - No →
 - Substance?
 - Preparation?
- **NEXT: Depending on above clarification/confirmation:**
 - Determination of tonnage band
 - Determination of ID of the material (source, process it originates from + typical concentration ranges)
 - Prediction of testing requirements, consultancy requirements, need to exchange with other consortia, and related budget



Priority rhenium substances

- Objective: select, from list of pre-registered substances, rhenium substances that may be "useful" for the Consortium considering data-sharing and read-across possibilities, i.e.
 - Data rich substances (ideally soluble ones which could act as reasonable worst cases) - unlikely to apply for rhenium
 - Out of scope substances that are chemically close to in scope substances
- This exercise can be performed in two ways:
 - Scientific Manager screens list and then Chair/companies confirm
 - Chair screens list and then companies confirm
 - Participants to choose best option
- Once agreed:
 - Companies are invited to complete their pre-registration by adding "related substances" to ensure link to other Pre-SIEF, link to other Pre-SIEF participants!
 - Key companies in other Pre-SIEF can be identified and invited to collaborate in preparation of rhenium "master IUCLID 5 file"



Collaboration with Pre-SIEF colleagues

- Need for additional rhenium Members?
- Need for:
 - a) Open invitation?
 - b) Open invitation + targeted one?
 - c) Discrete invitation and promotion of letter of access only?

→ Up to participants to decide - Secretariat will adjust "draft template letter" accordingly




Self-claimed SIEF Formation Facilitators


- Some entities having or not ticked the SIEF Formation Facilitator (SFF) box are voluntarily endorsing, as such, the role of SFF **without any formal confirmation/support from other pre-registrants**
- These SFF state to be providing a broad range of services for subscribers, and requesting pre-SIEF participants to complete and return surveys; by completing survey:
 - You indicate your level of interest in the Consortium and
 - You are sent an invoice for SFF services
- Examples of such SFF are: REACH Registration Services (UK), B-Lands Consulting (FR), Ecomundo (FR), Intertek (UK), Swag (SP):
 - These have no relationship to the Consortium
 - Not clear what the role of the entity in the industry sector or in the pre-SIEF really is

RECOMMENDED ACTIONS:

- Read any survey very carefully before completing it (and engage or commit to anything with these SFF)
- A standard response letter prepared by several consortia managers should be finalised by the end of this week - ideal: all consortia members to use same approach when responding



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Update on Rhenium project
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List of references on rhenium
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- This list was requested from participants of last Re WG meeting
- WCA sent list - attached to 4 Dec mtg minutes
- **Any comment on this list?**

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Next steps:

- Phase II pilot project:
 - Understanding best manner of grouping substances to maximise read-across and minimise testing
 - Report from WCA expected mid-March
 - Uses, exposure and emissions questionnaire
 - EBRC' one seems to be most pragmatic one
 - WCA and EBRC already collaborating for silver project - possibility of using EBRC' questionnaire for PGM and Re (copyright conditions still to be agreed upon)
 - Questionnaire should be circulated by end of April
 - In the meantime, need to understand uses of Re
- Participants to educate Secretariat & Scientific Manager of uses associated to each in-scope Re substance + volume associated to each use (required for mass flow calculations) - circulated template to be adjusted



Material Safety Data Sheets

- REACH coupled with GHS as regards classification and labelling (and MSDS preparation):
 - New structure
 - Sometimes, additional endpoints to report in MSDS (depending on CSA)
 - Proposal to produce one template MSDS for each in-scope substance was made by one of participants, however:
 - Segments of MSDS will always be company-specific anyway...
 - Some companies have own internal MSDS software tool...
 - MSDS needs to be available in language of country where substance is sold to/used in...
- Participants to agree on need to prepare an English template MSDS? If yes: Designated Company, Scientific Manager or WCA?



AOB, 2009 meetings schedule and conclusion


AOB: How to calculate tonnage band in order to estimate need for a late pre-registration (1)



REACH does not require pre-registrants to disclose exact manufacture or import volumes. Instead, pre-registrants are invited to calculate the annual tonnage band in which their manufactured or imported volumes fit.

Article 3(30) of the REACH Regulation:


- "Per year" means per calendar year, unless stated otherwise, for phase-in substances that have been imported or manufactured for at least three consecutive years.
- Quantities per year shall be calculated on the basis of the average production or import volumes for the three preceding calendar years.





AOB: How to calculate tonnage band in order to estimate need for a late pre-registration (2)


Article 3(30) of REACH can be combined with commercial strategies:


- As a precaution, some companies might want to register substances and intermediates they do **not yet manufacture or import in volumes of more than one tonne per year** in order to provide transparent REACH-compliance to their customers.
- **Involve several legal entities** to decrease the individual volumes and associated information requirements: higher administrative burden and multiplied registration fees.
- **Decrease or stop manufacturing or importing** some substances in order to apply for lower tonnage bands or no registration obligations at all: limits access to market.
- **Register in a higher tonnage band** than the current one in case business improves and/or import from additional non-EU suppliers becomes likely: higher registration dossier preparation costs and registration fees.
- Knowing that registrations below ten tonnes per year do not necessarily require a Chemical Safety Report (Chemical Safety Assessment, exposure scenario, etc...), therefore reducing the costs, a legal entity might also **combine several of the above** options.
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AOB: How to calculate tonnage band in order to estimate need for a late pre-registration (3)


For more information, refer to: Technical Guidance Document on Registration (http://reach.jrc.it/docs/guidance_document/registration_en.pdf?vers=24_09_08):


- In the event a legal entity is manufacturing or importing a material under all or some of the following forms:
 - **As a substance on its own** ⇒ **Sum up to registered tonnage**
 - **As a component of one or several preparations and/or alloys** ⇒ **Sum up to registered tonnage**
 - **Contained in an imported article with intended release** ⇒ **Make reference in Registration Dossier**
 - **As an intermediate** ⇒ **Make reference in Registration Dossier**
 - **To be used in PPORD applications** ⇒ **Notify separately to Agency**
- The final tonnage to be registered (and its associated information requirements) can be limited to the volume of the substance itself + the quantity of substance contained in each preparation and/or alloy, as long as:
 - The tonnage of the substance in the imported articles with intended release is below one tonne per year (otherwise it must be included as use in Registration Dossier)
 - The use as intermediate (and the tonnage corresponding to the intermediate) is included in the Registration Dossier
 - A notification is made to the Agency for the use in PPORD


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AOB: How to communicate with suppliers and downstream users on REACH compliance?




- Some downstream users/customers are requesting their suppliers to submit their pre-registration number as a demonstration of their compliance towards REACH requirements:
 - No legal obligation to do so (pre-registration has no legal value as you may still decide not to register in the end)
 - Each company is free to decide to share this number, depending on typical relationship with customers
- N.B.:**
- There will be a need (in close future) to communicate and exchange actively with downstream users when collecting information on uses (+ exposure and emissions for APR) and ensuring strict control of intermediates
 - Need to make sure a solid relationship is established with them



Next meetings




- Brussels: 17 April
- London: 15 June (host: Lipmann Walton?)
- Brussels: 22 September
- Brussels: 4 December
- *Ad hoc* teleconferences may be organised too.
- **N.B.:** Secretariat on maternity leave from 9 March till 9 June - Scientific Manager in charge in the meantime (thank you for your patience and support)



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Any Other Business?



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Thank you for your participation!