Chairperson: *Angela Alderman (Johnson Matthey)*

15 June 2009 (10:30 – 15:30 BST)

MINUTES OF THE MEETING

1. Introduction and Welcome

1.1. The participants (Annex 1) were reminded on their commitment to comply with Confidentiality and Competition Law provisions.

1.2. Slide 4 of Annex 2 presents the follow-up on the actions. Most actions have been completed or are in progress. Some will be addressed at the meeting today.

1.3. The Agenda (Annex 1) was approved.

2. Manpower at Consortium Level

2.1. Slide 7 presents the evolution of the human resources of the Consortium. In line with the Consortium's needs, the Consortium has increased its staff to three (Secretariat & Trustee + Scientific Manager + REACH Projects Manager). The distribution of responsibilities across this team is presented in slides 8 and 9 of Annex 2.

2.2. Z. Hugonin covered for most of the Consortium's activities during C. Braibant's maternity leave. Much progress has been achieved during this three months period, which is key to the Consortium's continuity. The attendees expressed sincere thanks to Z. Hugonin for her time, efforts and dedication to the Consortium.

2.3. Although the staff counts three people today, it may require additional human resources in future. It was clarified that the consultants can also assist the Consortium's staff with *ad hoc* missions such as uploading proprietary data on REACHsuite, and that the compilation of IUCLID 5 files is included in all consultants' proposals (Phase V of metal projects).

3. Structure of the Precious Metals and Rhenium Consortium

3.1. Slides 11 to 13 of Annex 2 present the adjusted structure of the PM & Re Consortium (including the names of the work groups' chairpersons).

3.2. The difference between the Re WG and the Re Sub-Assembly was clarified. The Re case is exceptional compared to the others as the Re WG counts with at least one representative of each Re Sub-Assembly members and can hence, in practice, become a decisional organ. More detailed explanations are provided in slides 42 and 43 of Annex 2. Although the Re WG can come up with recommendations (which need to go through the Technical Advisory Panel for support and the Management Committee for approval), it is up to the Re Sub-Assembly to decide on those. Re WG members were invited to volunteer for TAP if they are interested in following the technical discussions more closely. In principle, consultants only interact with TAP and Consortium staff. Where any specific Agenda item requires the presence of the consultant at a Re WG meeting, this is possible.

3.3. Slides 14 to 18 of Annex 2 present the extracts of the Consortium Agreement reflecting the above decision making process. The Re WG and Sub-Assembly must work in

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agreement with the rules laid down in the Consortium Agreement and the Consortium's overall spirit/underlying principles.

4. Budget (See slide 21 of Annex 2)

The attendees were invited to raise any pending question on REACHsuite. Amongst other questions, it was clarified that REACHsuite is a tool which allows data storage and management, project tracking and communicating with SIEF. It therefore allows complying with REACH in an organised and transparent manner. Consortium Members will be provided with a username and password with read-only rights allowing them to access project reports and check the projects' evolution. Following this discussion, the Attendees supported the implementation of REACHsuite.
Attendees requested the Secretariat to prepare and circulate budgets that require discussion/approval by the Re Sub-Assembly well in advance and in a manner which allows Re Members to clearly visualise what monies have been spent, when and for what part of the project. A budget line should hence, be included in the Re project tracking system.
The Attendees agreed to have a place-holder included in the 2009 budget so as to make sure enough monies are collected to launch the testing phase earlier than later. It was explained that rough calculations allow to estimate a place-holder of 150 000 to 265 000 €, which could become higher considering the continuous increase in testing costs.[1]

5. SIEFs Related to Re Members

5.1. Following exchanges with EcoMundo and Re Members' initiatives, the SIEF Formation Facilitator (SFF) role for all the Re materials covered in the Re project are now with Climax Molybdenum and Johnson Matthey (slide 23 of Annex 2). This means that there is now an official link between the Consortium and all relevant pre-SIEFs.
After the document clarifying the role, responsibilities and liability of the Consortium's Lead Registrant (updated version available in Annex 4) was circulated, several companies have volunteered to become Lead Registrants for Re materials (slide 25 of Annex 2).

5.2. See slide 26 of Annex 2. As soon as REACHsuite is in place, substance sameness surveys and the names of the volunteers will be circulated to the SIEF participants and, unless any objection arises, the ECHA will be notified on the SIEF confirmation (from Pre-SIEF to SIEF), and on the Lead Registrant's appointment (e-mail to be sent to lead-registrant@echa.europa.eu).

6. Re Project Development and Progress

6.1. The phases of the Re project (same as the other projects of the PM & Re Consortium) are presented in slides 28 to 33 of Annex 2. Slide 34 shows the official deadlines of each metal-specific project. During the last year, the Re project has not progressed up to some of the Re WG participants' expectations. Now that the pilot project for Phase II predictions is finalised, the Re project will benefit from the experience gained in this pilot project and progress more quickly.

[1] **Post-meeting note:** In light of this discussion, a 150 000 € place-holder was added to the Re-specific costs of the revised 2009 budget (Annex 3). The 2010 budget will be put to a vote at the next Assembly meeting (December 2009). The proposed Re-specific costs and associated place-holders will be presented / discussed at the next Re WG meeting before they are put to a vote.

Au, PM CN- and Re dossiers are to be submitted (legally speaking) by 2018. It was however clarified that these three projects would, as much as possible, be run in parallel to the silver, PGM and complex refinables ones (which are bound to 2010 registration deadlines) so as to be able to submit the dossiers well in advance of 2018. The earliest the dossiers are submitted, the quickest the Consortium can be put on "permanence", therefore decreasing all Members' membership fees to a strict minimum. In light of this, a majority of Re Members wish to have all in scope rhenium materials ready for registration by 2010. However, the Consortium will prioritise its actions based on legal REACH deadlines first.[2], [3]

6.2. A short recap on the progress made on the Re project so far is presented in slides 35 to 39 of Annex 2. A thorough literature search and preliminary grouping approach has been achieved to date. Reliable information on physicochemical properties needs to be obtained in order to further progress.[4]
WCA has received the English version of one of KGHM Ecoren's study on APR.[5]

6.3. Testing strategy:

6.3.1. The criteria that were considered when selecting the PGM & Re projects consultants (WCA & BIBRA) are presented in slide 41 of Annex 2. The reason why the Re WG was not directly involved in the selection of the consultant is because the consultant was selected for both the PGM and the Re project before the scope of the Consortium had officially been expanded to include Re and hence, before the Re companies had become Members of the Consortium. They have however been informed of the consultancy selection since the first meeting of the Re WG, on 7 July 2008 (teleconference). The Project Manager/Key Contact at WCA is Mark Crane (mark.crane@wca-environment.com). One condition underpinning the WCA-BIBRA contractual arrangements is that they assign senior scientists to the project. The CVs of the other members of WCA & BIBRA team are available in the project proposal.

6.3.2. In order to produce groups within which read-across could be applied, the consultants were invited to come up with a grouping approach, which was preliminarily based on oxidation state (but with the understanding that other parameters such as ultimate ion in solution and solubility would also bear on any

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[2] **Post-meeting note:** It is likely that the Re testing programme will run until the end of 2010 and that the actual dossier preparation will take place subsequently. Registration is therefore unlikely to be possible by Dec 2010 if the dossier is to contain all required information, properly assessed and reported (robust study summaries, etc.).

[3] **Post-meeting note:** Considering the need for the Consortium's actions and documents to be available upon any request from the ECHA or other competent authorities (at least as long as the SIEF are operational, i.e. until 2018), the Secretariat is currently discussing with Baytouch on the cost of a retainer fee for using REACHsuite until 2018 for this purpose. Re Members will have to share part of this cost as any other Member of the Consortium, even if all Re materials have been registered.

[4] **Post-meeting note:** A data gap matrix prepared by WCA will be circulated to the group for last check-up. This matrix will be used by WCA when putting together their test recommendations.

[5] **Post-meeting note:** WCA has reverted with the following comment "*We have had a look at the ammonium perrhenate study and we have evaluated that we can use the granulometry (Section 1), density (Sections 3, 4 and 5) and decomposition data (Section 7). We will give these sections a reliability of 2 as, although there is some information on the methods, the studies are not carried out to GLP and the details provided are lacking. We will not be able to use the water solubility data as there are no details at all on the methods used*".

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final grouping). As applicable, experience from a similar approach within PGM Phase II Pilot will be integrated into this approach.

6.3.3. Most of the information that consultants require to confirm the proposed groups is missing or non-reliable. This means that several materials need to be tested for physicochemical properties before entering a complete but cost-effective testing phase. The testing approach described in slides 46 to 50 and Annex 5 will need to be adapted to the conclusions related to item 6.4 below.

6.4. Ammonium perrhenate (APR) was originally considered to be a candidate reference substance for testing programme read-across because of (1) its substance status, (2) its highest tonnage band/information requirements, (3) its dispersion/frequency on the market and associated exposure.
Due to ultimate ion in solution considerations, Dr Mitchell's assessment recommends that sodium perrhenate be considered as reference substance (Annex 6) instead. Information from testing this substance could be read-across to other rhenium family substances. However, some exception test requirements, are still likely to be required to augment this dataset, e.g. for APR in relation to ecotoxicity tests (covering presence of the ammonium ion).
As an enabling test route related to the above, it was suggested that solubility tests and perrhenate ion in solution determinations[6] be conducted on the Re family substances (and sodium perrhenate).[7] Should sodium rhenate be considered as reference substance for read-across, Climax Molybdenum would be unable to supply the Consortium with sodium rhenate samples because Climax places this material as a mixture on the market.[8]

6.5. No feed-back has been sent following A. Alderman's request for remaining data gaps (dd 26 May 2009).[9]

6.6. Slide 57 presents a draft time plan. A detailed time plan will be presented at the next Re WG meeting, once item 6.4 has been integrated in the overall Re project and the consultants have submitted the complete Phase II report (envisaged: September 2009) and their suggestions for a accelerated (though still parallel to the PGM project) finalisation of Phases III to V of the Re project.

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[6] With, for instance ICPMS (inductively coupled plasma mass spectrometry) analysis, in combination with UV spectrum to measure the concentration of rhenate in solution allows the calculation of the mass balance, based on the concentration of rhenium.

[7] **Post-meeting note:** It is proposed:
1. For WCA to commission the tests at the proper laboratory (Fraunhofer Institute for Molecular Biology and Applied Ecology, Division Applied Ecology, Schmallenberg, Germany).
2. Once the results are available, these shall be sent to Dr Mitchell for a first draft report that will be further completed with WCA's and TAP's input.
3. The final report will then be included as an annex to the Phase II report from WCA who shall propose an ITS for Re, considering the above results, by the end of September 2009.
4. Should the results not be available on-time for September, a preliminary ITS shall be proposed by WCA to the Re WG instead, which will be further refined following the reception of the results.
5. A decision will then jointly be made on progression of the (enabling) testing.

[8] **Post-meeting note:** Sodium rhenate can be purchased from Sigma Aldrich, AAA Molybdenum, amongst others. This has been indicated to WCA.

[9] **Post-meeting note:** A data gap matrix prepared by WCA will be circulated to the group for last check-up. This matrix will be used by WCA when putting together their test recommendations.

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7. AOB, next meeting

AOB:
The Secretariat should contact Adams Metals / MolyMet and Kazakhmys to understand what their position is as regards the registration of rhenium and the Consortium.[10]
Next meetings:
An *ad hoc* teleconference shall be organised before the next face-to-face meeting of the Re WG to address the case of Ni alloy scrap.
The date of the next face-to-face meeting in London will be confirmed after WCA & BIBRA have confirmed the delivery date of the draft Phase II report (probably in late September 2009 in the UK – exact location to be confirmed). Meanwhile, the date of 4 December 2009 has been confirmed already.

AGREED ACTIONS:

1. Re WG members were invited to volunteer for TAP if they are interested in following the technical discussions more closely.
2. The proposed Re-specific costs and associated place-holders will be presented / discussed at the next Re WG meeting.
3. WCA shall revert to the TAP and Re WG with further recommendations for ITS (including water solubility).
4. A decision will need to be made by the Re WG and the TAP on the progression of the enabling chemistry testing.
5. A detailed time plan of the Re project will be presented at the next Re WG meeting.
6. The Secretariat should contact Adams Metals / MolyMet and Kazakhmys to understand what their position is as regards the registration of rhenium and the Consortium.
7. An *ad hoc* teleconference shall be organised before the next face-to-face meeting of the Re WG to address the case of Ni alloy scrap.
8. The Secretariat will confirm the date of the next face-to-face meeting of the Re WG.

Annexes:

1. Agenda and list of participants
2. Slides presented at the meeting
3. 2009 revised budget
4. Duties and responsibilities of the Lead Registrant (June 2009)
5. WCA's preparatory notes for the Re WG meeting
6. Philip Mitchell's report on sodium rhenate solubility
7. Dr Mitchell's description of the protocol on ultraviolet spectrophotometry of rhenium compounds in water– speciation and concentration
8. OECD Test Guideline 101 for UV-VIS Absorption Spectra

[10] **Post-meeting note:** Climax has contacted MolyMet and will revert to the Secretariat as soon as their strategy for rhenium is clarified.