



Precious Metals
Consortium

Precious Metals & Rhenium Consortium

Management Committee Meeting

13 May 2016, 10:00 – 12:00 | Conference call



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Welcome and introduction

Confidentiality and competition law

DO	DON'T
<u>Application of competition law</u>	
Art. 101 and 102 TFEU may be applicable to the conclusion of any preliminary agreement and activities of any preliminary phase.	Don't assume that conflicts with competition law are excluded simply by the fact that the Agreement complies with the provisions of the REACH Regulation.
<u>Consultation in Matters of Competition Law</u>	
Consult an in-house legal expert or the compliance officer of your company or an external lawyer whenever there are uncertainties respecting compliance with competition law. Stop all meetings/discussions which are not in compliance with these Compliance Guidelines until a legal expert has been involved.	Don't assume that these Compliance Guidelines deal with all competition law issues exhaustively. Basically, compliance with Art. 101 and 102 TFEU can be determined only on the basis of market impact in each individual case. These Compliance Guidelines may therefore be regarded only as a means of providing general conduct recommendations.
<u>Activities in any preliminary phase and at any other stage of operation of the Consortium</u>	
Restrict cooperation within the scope of the preliminary phase to the initially defined goals and purposes of the cooperation.	Pursuant to Art. 101 and 102 TFEU, activities which have the object of the effect of preventing, restricting and/or distorting competition are prohibited within the scope of this Agreement, including: <ul style="list-style-type: none"> - Coming to agreement, including arrangements or collusions, about prices, markets and customers (see Art. 101 paragraph 1 a)-e) TFEU); - Joint boycotting of other companies; - The unjustified unequal treatment of trade partners; - The abusive exploitation of a dominating market position.
<u>Exchange of Confidential Information</u>	
Involve a Trustee for the exchange of Confidential Information.	The exchange of Information concerning market behaviour and having the object or the effect of preventing, restricting and/or distorting competition is inadmissible; in particular, this relates to : <ul style="list-style-type: none"> - Production capacities; - Productions or sales volumes; - Import volumes; - Market shares; - Price policy; - Distribution and marketing terms; - Marketing strategies; - Information regarding the relationship with suppliers.
<u>Documentation on Cooperation</u>	
Keep minutes of all meetings which detail the subject of the meeting. In case of uncertainty, have the contents of the minutes reviewed by an external legal expert prior to sending them to all parties of the Agreement. Stop all meetings which are not in compliance with these Guidelines until a legal expert has been involved.	



Tour de table, quorum and apologies

- **List of Participants**

- Francisco Boo, Metalor (Switzerland)
- Roland Brasch or Herbert Fuchs, Heraeus (Germany), replacing M. Willeke
- Guy Ethier, Umicore (Belgium)
- Nissanka Rajapakse, Johnson Matthey (UK)
- Holger Zitt, BASF (Germany)

- **Secretariat**

- France Capon (EPMF, Belgium)
- Audrey Rondepierre (EPMF, Belgium)

- **Apologies**

- Michael Herman, Ames (United States)
- Jörn Mülhenfeld, Aurubis (Germany)
- Juha Parkkinen, Norilsk Nickel (Finland)
- Heinz-Günter Schenzel, C. Hafner (Germany)
- Markus Willeke, Heraeus (Germany)

Quorum is reached



Approval of agenda

- Welcome and Introduction
 - Confidentiality and Competition Law
 - Tour de table, quorum and apologies
 - Approval of the agenda
 - Approval of the minutes of previous meeting (14 March 2016)
- Q1 2016: financial report
- Status of 2016 Workplan and timelines
 - TCA
 - Early registration of Annex III substances
 - Phys-chem testing for some Pd compounds
- Draft agenda for June 2016 Assembly meeting
- 2017 Workplan: 1st draft
- Data sharing:
 - Between Ag and PM CN sub-Assembly
 - Agfa Gevaert
 - Reconcile
- Approval process: standard and exceptions (one registrant, Annex III)
- A.O.B. and closure of the meeting
 - Reelection of Management Committee for the 2017-2019 period

FOR APPROVAL



Approval of minutes of previous meetings

- Management Committee meeting (14 March 2016)

Actions	Who?	When?	Status
Invite EPMF President to PMC brainstorming (7th October 2016)	FC	ASAP	DONE
Update LoA agreement (Annex 3) and ensure that article 2.2. and 4.1. reflects the tonnage bands covered by PMC	FC/AR	ASAP/CONTINUOUS	DONE
Check scope of the PMC-Agfa Gevaert agreement	FC	March 2016	DONE
Contact Agfa Gevaert with PMC and LoA updated fees	FC	March 2016	DONE
Send to Assembly the rationales on nanosilver cost sharing as recommended by the Management Committee	FC	May 2016	DONE
Identify potential EHS issues of relevance for Precious Metals industry	FC	October 2016	

FOR APPROVAL



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Financial report: Q1 2016

Q1 2016 report

		2016 Budget to be spent	2016 Budget to be invoiced	2016 Forecast	Expenses by 31/03/2016	Committed	Remaining available budget (2016 budget- Expenses- Committed)
2.1	Administrative costs	€618.800	€618.800	€618.800	€116.098	€323.000	€179.702
2.2	Ag-specific costs	€681.250	€689.903	€681.250	€26.369	€173.251	€481.630
2.3	Au-specific costs	€122.700	€79.550	€307.450	€17.983	€60.411	€44.306
2.4	PM CN- -specific costs	€388.500	€288.200	€388.500	€28.606	€263.598	€96.296
2.5	PGM-specific costs	2.478.250 €	1.785.448 €	€2.488.250	€110.981	1.854.185 €	€513.084
2.5	PGM- horizontal costs					€ 486.902	€ -486.902
2.5a	Pt-specific costs	€ 1.183.955	€ 645.102	€ 1.183.955	€ 50.479	€ 615.636	€ 517.840
2.5b	Pd-specific costs	€ 572.405	€ 622.173	€ 572.405	€ 18.029	€ 145.718	€ 408.658
2.5c	Rh-specific costs	€ 162.470	€ 171.217	€ 162.470	€ 9.309	€ 82.064	€ 71.097
2.5d	Ru-specific costs	€ 558.420	€ 345.956	€ 558.420	€ 32.114	€ 513.865	€ 12.441
2.5e	Ir-specific costs	€ 1.000	€ 1.000	€ 11.000	€ 1.050	€ 10.000	€ -10.050
2.6	Re-specific costs	€11.400	€11.400	€11.400	€936	€5.000	€5.464
2.7	Refinables-specific costs	€772.550	€277.550	€772.550	€3.986	€246.065	€522.499
2.8	SVHC Roadmap-specific costs	€20.000	€20.000	€0	€0	€0	€20.000
	TOTAL	€5.093.450	€3.770.851	€5.268.200	€304.959	€2.925.510	€1.862.981



Q1 2016 report – key messages

- **Ir dossiers** - postponed due to the delay in receiving from LR the remaining information needed.

=> Finalisation of the work by consultants Q1 2016 – committed budget was not reported under “budget to be spent” approved by the Assembly in December 2015.

- **TCA repeated 422 testing**

- Approval by Mngt Cttee (28 January 2016) to repeat OECD 422 testing which failed
- Au WG tried to “save” the study but without success and confirmed in April 2016 that the test must be repeated
- Request of reimbursement from Covance is ongoing (120.000€ for OECD 422 and OECD 474 which failed too) BUT:
 - Will not be available when contracting the new study
 - All costs will not be covered (samples, monitoring, DNELs derivation)
 - The OECD 422 protocol changed in between and will also increase the budget
- Forecast: 307.450€ instead of 122.700€ in 2016.
- Available reserves: 25.000€
- **Missing in 2016: 151.000€**



Q1 2016 report – key messages

- **TCA repeated 422 testing**
 - **Two options:**
 - a) Issue an exceptional invoice in 2016 to the Au sub-Assembly members
 - b) At PMC level, enough cash flow is available which could allow to invoice the missing budget of 149.000€ in 2017 with the 2017 budget.

Option b) is recommended for approval by the
Management Committee

- **PGM project**
 - Implementation period of the change in the account structure, moving from a single PGM project to 5 projects (Pt, Pd, Rh, Ru and Ir).
 - Allocation of a part the “committed money” to each new project
 - Not possible to do this for the entire amount (contracts signed mainly with consultants monitoring the studies, preparing IUCLID, Exposure scenarios etc): 486.902€ are committed to PGMs
 - Booking of expenses will be booked at substance level





Status of 2016 Workplan and Timelines

TCA

- Cf. Supra for budget
- Timeline will be impacted: Q3 ~~2016~~ but Q2 or Q3 2017.



Early registration of Annex III exempted substances

Name of the substance	Identification numbers		LR
	CAS	EC	
Dichlorobis(triphenylphosphine)palladium	13965-03-2	237-744-2	Heraeus
Palladium(II) acetate	3375-31-3	222-164-4	Heraeus
Tetraamminepalladium (II) nitrate	13601-08-6	237-078-2	Johnson Matthey
Tetraamminepalladium(2+) dihydroxide	68413-68-3	270-241-6	Heraeus
Tetrakis(triphenylphosphine)palladium	14221-01-3	238-086-9	Umicore AG&Co.KG
Tetraammineplatinum dichloride	13933-32-9	237-706-5	Johnson Matthey
Diammineplatinum (II) nitrite	14286-02-3	238-203-3	Heraeus
Dipotassium tetrachloroplatinate	10025-99-7	233-050-9	Heraeus
Platinum dioxide	1314-15-4	215-223-0	Umicore AG&Co.KG
Carbonyl(pentane-2,4-dionato-O,O')(triphenylphosphine)rhodium	25470-96-6	247-015-0	Johnson Matthey
Carbonylhydrotris(triphenylphosphine)rhodium	17185-29-4	241-230-3	Umicore AG&Co.KG
Dicarbonyl(pentane-2,4-dionato-O,O')rhodium	14874-82-9	238-947-9	Umicore AG&Co.KG
Di- μ -chloro-bis(hapto-1,5-cyclooctadiene)dirhodium(I)	12092-47-6	235-157-6	Heraeus
Tris(triphenylphosphine) rhodium (I) chloride	14694-95-2	238-744-5	Umicore AG&Co.KG
Ruthenium (IV) oxide	12036-10-1	234-840-6	Heraeus
Tris(nitrato-O)nitrosylruthenium	34513-98-9	252-068-8	Umicore AG&Co.KG
Hexakis[μ -(acetato-O:O')]- μ 3-oxo-triangulo-triruthenium acetate / Ruthenium acetate	55466-76-7	259-653-7	Johnson Matthey



Phys-chem testing on some Pd compounds

- Change in registration strategy of some Pd compounds: registration of the anhydrous instead of the hydrated form
- Csq: Additional phys-chem tests required
- Potential impact on registration deadline (Q3 2016) of:
 - Palladium dinitrate
 - Tetraamminepalladium(2+) dihydroxide
 - Tetramminepalladium(2+) diacetate





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Assembly June 2016

Draft agenda (1/06)

- Welcome and Introduction (14:00-14:10)
 - Confidentiality and Competition Law
 - Tour de table, quorum and apologies
 - Approval of the agenda
 - Approval of the minutes of the last meeting (1-2 December 2015, Brussels) including status of action items
- PMC Membership news (14:10-14:15)
 - Changes in HR
- Update on PMC Registration Projects
 - Ag Project (Katrien Arijs, 14:15-14:45)
 - Refinables Project (Katrien Arijs, 14:45-15:00)
 - Au Project (Vincent Dunon, 15:15-15:30)
 - PM CN Project (Vincent Dunon, 15:30-15:45)
- **15:45-16:00: Coffee break**
 - Ir Project (Jelle Mertens, 16:00-16:05)
 - Pd Project (Maxime Eliat-Eliat, 16:05-16:20)
 - Pt Project (Maxime Eliat-Eliat, 16:20-17:45)
 - Rh Project (Jelle Mertens, 16:45-16:55)
 - Ru Project (Jelle Mertens, 16:55-17:05)
 - Re Project (Katrien Arijs, 17:05-17:10)
 - SVHC Roadmap project (Marie Gorkem, 17:10-17:25)
- Closing remarks



Draft agenda (2/06)

- Welcome and Introduction (9:00-9:05)
 - Confidentiality and Competition Law
 - Tour de table, quorum and apologies
 - Approval of the agenda
- PMC Finances (France Capon, 9:05 – 9:45)
 - 2015 accounts
 - 2016 status
- PMC Workplan 2016: timeline and registration status (France Capon, 9:45-10:15)
- **10:15-10:30: Coffee break**
- PMC Workplan 2017-2019 (France Capon, 10:30 – 11:00)
- Data sharing: status (France Capon, 11:00-11:30)
- Communication : new and updated tools (Audrey Rondepierre, 11:30-11:45)
- PMC after 2018 (France Capon, 11:45-12:00)
- AOB, next meeting and closing remarks (Guy Ethier, 12:00-12:15)
- **12:15-13:30: Lunch break and closure of the meeting**





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2017 Workplan – 1st draft

Main activities

- Ag: Substance Evaluation
- Au: finalisation of TCA dossier
- PM CN: finalisation of dicyanargentate dossier
- Pd: no activity except if resources allow a shadow RMO on chloropalladates
- Pt: registration Q1 2017
- Rh: registration Q2 2017
- Ru: registration Q3 2017
- SVHC Roadmap: ongoing monitoring



Proposed budget and HR

	PMC 2017	PMC 2017	PMC 2017
	Budget to be spent	Budget to be invoiced	HR
2.1 Administrative costs	632.500 €	632.500 €	2
2.2 Ag-specific costs	897.950 €	897.950 €	1,027
2.3 Au-specific costs	145.150 €	145.150 €	0,1
2.4 PM CN- -specific costs	48.150 €	39.650 €	0,1
2.5.A Platinum-specific costs	131.983 €	116.483 €	0,3
2.5.B Palladium-specific costs	35.111 €	35.111 €	0,1
2.5.C Rhodium-specific costs	165.122 €	147.622 €	0,7
2.5.D Ruthenium-specific costs	168.883 €	151.383 €	0,5
2.5.E Iridium-specific costs	1.000 €	1.000 €	0,1
2.6 Re-specific costs	11.400 €	11.400 €	0,02
2.7 Refinables-specific costs	424.700 €	102.200 €	0,3
2.8 SVHC Roadmap-specific costs	30.000 €	30.000 €	0,5
TOTAL	2.691.950 €	2.310.450 €	5,747





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Data Sharing

Use of Ag data by PM CN Sub-Assembly

- Ag data are used to prepare the dicyanoargentate dossier
- Data owners are different
- No formal data sharing agreement exists between the Ag and PM CN Sub-Assembly

Recommendation:

- Formalise data sharing via a LtU agreement between the Sub-Assembly

Question:

- Cost sharing?



Agfa Gevaert

- Agfa Gevaert declined the proposal to join PMC
- Updated LoA agreement, as an invoice for updates from 2014-2016 have been sent to Agfa Gevaert
- Proposal: review existing cooperation agreement to include a procedure in case of update will be required by Agfa Gevaert



Reconcile

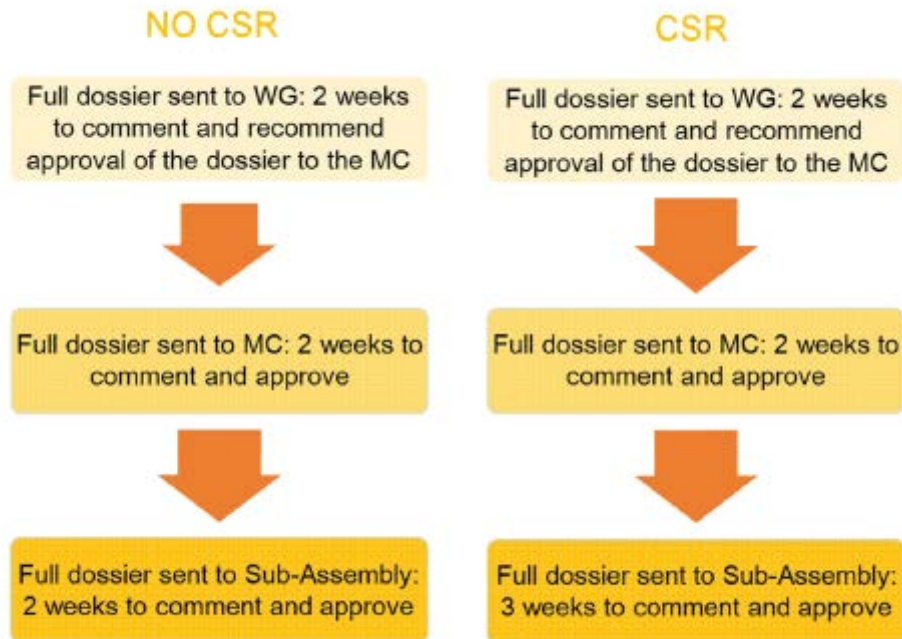
- Cooperation agreement signed end of April!





Approval process of registration dossiers

Standard procedure



« Fast track » procedure

- If:
 - only one registrant (at WG and Sub-Assembly, only the approval of this member is requested)
 - Annex III exempted dossier (only phys-chem data included)
- ⇒ ONE SENDING to relevant WG, Management Committee, relevant Sub-Assembly
- ⇒ 3 weeks for approval



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A.O.B

Reelection of Management Committee in December 2016

- Based on article 4.2.1.1. « Elections of the Management Committee shall take place every 3 (three) years” – last elections have been organized end of 2013
- Next election: Assembly December 2016
- Call for nomination will be sent 1 month prior to the Assembly
- Chair and Co-chair must be elected amongst new Management Committee for 2 years





THANK YOU

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