



16 April 2014 (10:30 - 12:30 CET)

Chairman: *Guy Ethier, Umicore*
Co-Chairman: *Mark Raffray, Johnson Matthey*

Metals Conference Centre - Gold Room
Rue du Duc 100 - 1150 Brussels (BELGIUM)

Minutes

1. Welcome and introduction

- a. **Reminder on confidentiality and Competition Law.** Participants were reminded on their obligation to comply with confidentiality and Competition Law.
- b. **Tour de table and apologies.** The list of participants is available in Annex 1.
- c. **Approval of the Agenda.** The Agenda (Annex 1) was approved. The slides presented at the meeting are available in Annex 2.
- d. **Approval of and status of the actions agreed at the last Mgmt Cttee conference call (18 Mar 2014).** The actions of the previous call (slide 4 of Annex 2) are all in time ([AP 1 - 11](#)). The Mgmt Cttee requested the Secretariat to ensure that project plans would be finalised and discussed with each relevant WG ASAP, in order to allow the presentation of the final version to the Assembly on 12 Jun 2014 in Bern.

2. PMC Accounts, Budget, Projections, and LoA prices

- a. **2013 accounts: Late payers, status of audit and reserves.**
 - Only SFPZ (Morocco)'s 2013 invoice remains unpaid, despite having sent several informal and formal reminders.
 - Audit has been performed on 21 Mar 2014 and auditors are preparing the audit report (nothing appeared to be out of order during the audit so far).
 - The 2013 reserves were calculated in March, upon closure of the 2013 accounts, in order to be partly credited from the 2014 invoices, as applicable.
- b. **SFPZ: exclusion?** The Mgmt Cttee agreed to propose the exclusion of this Member from the PMC membership at the upcoming Assembly meeting, for decision by the Assembly and to record the unpaid invoice amount as a loss for 2013. It was noted that the 2014 invoice issued in March will probably remain unpaid as well and may need to be registered as a loss in 2014 too, in the event the exclusion proposal is approved. PMC may try to retrieve these monies by taking legal action against SFPZ. The exclusion of SFPZ will result in a reduction of the number of Members contributing to the Generic costs.

Post-meeting note: *SFPZ has paid its 2013 invoice in May 2014. The proposal for exclusion will hence be put on hold for now.*

- c. **PMC 2014: Status of reserves and invoices**
 - Slide 7 of Annex 2 summarises the delta between the budgeted and spent budget for 2013:
 - A lot more than anticipated was spent for the Ag project, in preparing the update of the Ag metal Registration Dossier in time for the Feb 2014 Substance Evaluation. The budget overrun was not anticipated because: 1) PMC is a pioneer in Substance Evaluation preparation in the metals sector, and state-of-the art REACH registration of nanomaterials; and 2) no one had foreseen so much (nano)Ag literature to be found relevant + sources requiring review (guidance, presentations, position papers from various REACH authorities) to be required. In order to meet the strict deadline of Feb 2014, the consultants were asked to produce *ad hoc* deliverables at regular Ag WG conference calls, and consultancy invoices were only received in late 2013/early 2014 to realise the amount of work that had been invested in the preparation of the Dossier. The Secretariat had a meeting with EBRC in February to discuss the invoices received from this consultant, and except for some minor clarifications, all hours



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invoiced were duly justified. It was however agreed that such budget overruns would not be accepted in future, and that proposals should include a specific 'ad hoc work' budget line for unanticipated work, so it can be tracked more pro-actively. The Mgmt Cttee also requested the Secretariat to ensure that work requests and budget overruns are better controlled by the Mgmt Cttee, as the WG and the Secretariat alone are not entitled to commit to additional expenditure. This puts the Ag project in a delicate situation for 2014, for which an *ad hoc* budget (to be charged separately) must be prepared and invoiced after approval by the Assembly.

- Not all tests of the PGM testing programme could be launched in 2013, mainly due to the need to focus on Ag at Secretariat level, and the need to resolve substance behaviour and speciation issues with the consultants supervising the testing programme.
- The cumulative reserves available by Mar 2014 before crediting them from the 2014 invoices are available in slide 8 of Annex 2:
 - As regards the Generic costs, the Mgmt Cttee recommended to ensure that the reserves for this budget line contain sufficient monies to ensure the sustainable liquidation of the PMC when relevant (AP12).
 - As explained above, the Ag project is now in a position of negative reserves. An *ad hoc* budget for 2014 will be presented to the Assembly in Jun. This will be accompanied by a presentation of the full Ag project's picture, for lesson-learning and transparency: Ag vs other PMC projects, work anticipated vs work required, improved budget review, etc (AP13).
 - The Mgmt Cttee suggested that for each project, a minimum retained reserve should be proposed; and that in case of budget overruns of more than a given percentage, the Mgmt Cttee should decide on whether and how to approve the budget overrun (AP13).
- d. **PMC 2015-2020 Generic costs projection**
 - Slide 10 of Annex 2 presents the 2015 proposed budget.
 - The Mgmt Cttee approved this proposal with the request that for:
 - Each project, a minimum reserve is added (AP13)
 - Each project, the project manager is made responsible for the budget tracking and preparation (AP13)
 - The Ag project, a new amount is proposed, to cover 2014 expenses, in light of the negative reserves of 2013, the anticipated budget requirement for 2014, and work that can be anticipated for 2015 after reception of the draft decision of the Substance Evaluation (e.g. 60 day payment of share of Carcinogen study for first year) (AP14)
 - Slide 11 of Annex 2 presents the Generic costs projection from 2016-2020 assuming 45 Member Companies. The Mgmt Cttee approved this projection.
- e. **PMC 2015-2020 Metal-specific costs projection for Re and Refinables projects.** Slide 12 of Annex 2 presents the Rhenium- and Refinables- specific costs projections for 2016-2020. The Mgmt Cttee approved these projections with the request that the assumptions made to calculate these are clearly presented with the figures (AP15), and that the use of Re specific costs to lower or cover for the share of Generic costs of the Re only Members of PMC is simulated to anticipate possible questions from these Members and propose reasonable solutions to them (AP16).
- f. **Review of PMC LoA Prices + formal leverage on LoA purchasers.** On the basis of the confirmed expenses by 2013 and the cost projections discussed above, the PMC LoA prices were reviewed using the same cost-sharing formula and assumptions (AP17).
 - Generic LoA costs: LoA price should increase from 38.500 € to 68.750 €/legal entity as from 2014. As regards LoA sold from 2010-2013, it was agreed to send the LoA purchasers a courtesy letter informing them about the increase of the Generic LoA price but explaining that the difference between the 2010-2013 price and the 2014 price will not be invoiced to the



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2010-2013 LoA purchasers before 2018, after the actual Generic LoA price has been recalculated considered all registrants registered for PMC substances then.

- For the other LoA costs: 2014 LoA price should be as per slide 14 of Annex 2.

3. AOB, next meetings/calls, and closing remarks

- Ag REACH vs Ag Biocides and CLH proposal from Sweden on silver zinc zeolite.** The Secretariat is actively monitoring the evaluation of the Ag Biocides Dossier by the Swedish Competent Authorities (KEMI) as it may set a precedent for a number of risk assessment endpoints also contained in the REACH Dossier for Ag. The Secretariat started by comparing the DNELs and PNECs proposed in the REACH Dossier with those of the Biocides Dossier (which are much lower!!!). It has also become aware of the harmonised classification (CLH) proposal submitted by KEMI to ECHA which depicts silver zinc zeolite (but with a focus on so-called silver ion effects) as a Carc 2, Repr 1, and STOT RE material, among others. Eurométaux has been informed of this and Eurométaux representatives participating in ECHA Committees will monitor any developments around this CLH proposal (currently on the Registry of Intentions). The Mgmt Cttee agreed that further contact to the Biocides Ag Task Force should be made to ensure an alignment and possible common advocacy work when relevant (AP18).
- Refinables dossiers upgrades: update.** In parallel to the Ag Registration Dossier update preparation, the Secretariat and consultants have been busy finalising the Refinables Registration Dossiers 'upgrade' (from intermediate light registration to intermediate full registration). All files are due to be submitted by end April 2014 and have been sent to the Lead Registrants (LR) for first submission so co-registrants can comply with the deadline too. Following an ad hoc conference call with ECHA representatives, the Secretariat unilaterally updated a couple of sections of each Refinable's CSR in order to shed some clarity on the variable composition/overall substance identity of these. Each LR was then invited to look at the text and correct it as needed, without removing the level of detail added by the Secretariat. One of the LR disagreed to submit the detail proposed by the Secretariat and removed it from the CSR submitted to ECHA. The Mgmt Cttee agreed to discuss this case with the Refinables WG and decide on the best way to submit this information to ECHA, not to undermine PMC's credibility with ECHA.

Post-meeting note: *The Ref WG agreed to retain the information in-house while substance identification is refined and confirmed for all refinables using the same approach, and to provide upon request by ECHA the additional details explaining the variability of the slimes and sludges from precious metals refining.*

- EPA's access to REACH data.** EPA has expressed an interest in data generated under REACH, which has not been spontaneously notified under TSCA in all cases. REACH registrants' fear seems to be related to the possible publication by EPA of data which has not yet been submitted to ECHA and that whose IP should be protected. The Secretariat will continue to submit TSCA 8e notifications and inform the Mgmt Cttee of any agreements reached between ECHA and EPA or request for REACH data PMC may receive from EPA.
- GreenFacts' request for financial support.** The Mgmt Cttee declined the invitation from GreenFacts to provide financial support for their recent publications (AP19).
- Next meetings.** It was agreed to review the actions points agreed above via e-mail exchanges and for the Chairman to support the Secretariat to prepare the Assembly meeting. The Mgmt Cttee also agreed to retain two Assembly meetings per year. Finally, the Mgmt Cttee will have a debrief meeting after the Assembly meeting on 12 Jun 2014 in Bern (AP20).



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Annexes:

- 1- Agenda and list of participants
- 2- Slides presented at the meeting (slide 14 corrected)

Table 1. Actions carried over from 18 Mar 2014 Mgmt Cttee conference call + actions agreed at the Mgmt Cttee 16 April 2014 conference call

	What?	Who?	When?
1-	Contact IPA and WGC to clarify the situation as regards the presence and use (or none) of nanoforms of Au and PGM on the EU market	CB	Apr 2014
2-	Contact reserved Member to inform about majority view and need to respect deadlines for comments and provision of constructive reservations	CB	Apr 2014
3-	Scope down exact role of PM sector in TCF supply/use chain	RN	May 2014
4-	Clarify if and how PM uses of of RCF are covered in the Registration Dossier for RCF	RN	May 2014
5-	Finalise second draft of each project plan and distribute to each WG for discussion, refinement, and approval	Each project manager	May 2014
6-	Identify Chairperson and Co-chairperson candidates for Mgmt Cttee's mandate 2014-2016	GE + MR	May 2014
7-	Prepare a business case addressing the scope, timeframe, and co-sponsoring opportunities of the additional research on fate and bioavailability of nano(AgS) in soil with CSIRO (to be launched after receiving RIVM's draft decision on the Substance Evaluation of Ag).	Ag WG	End 2014
8-	Confirm scope (nano in or out) and identify missing LR for Au, PM CN-, and PGM projects	RN, and KR	Jun 2014
9-	Validate 'sensitisation' result of K dicyanoaurate and ensure the relevant TSCA 8(e) notification(s) are sent as soon as applicable	RN	Jun 2014
10-	Prepare MSDS for all Re substances and intermediates	KA	Jun 2014
11-	Finalise ID Cards for all remaining PMC substances and intermediates	KA + each LR	End 2014
12-	Calculate minimum reserve for PMC Generic costs to allow dismissal of officers dedicated to PMC activities upon liquidation	CB + Mgmt Cttee	Jun 2014
13-	Develop rules for budget set-up, surveillance, and expense approval per project, including: • Minimum reserve per project/budget line • One project manager per project budget • Monthly tracking of actual expenses versus available budgets • Alerting upon unexpected expense or reaching reserve level • Decision by concerned WG + Mgmt Cttee upon budget overrun or unexpected expense • Etc.	CB + Mgmt Cttee	Jun 2014
14-	Determine 2014 amount to be invoiced for Ag project to bring reserves up to a healthier level + cover anticipated expenses for 2014	CB + Mgmt Cttee	Jun 2014
15-	Present total costs of Re and Refinables projects to Assembly for information	CB	Jun 2014
16-	Determine whether remaining Re reserves can be used to relieve Re only Members from (part) of their annual contribution to generic costs	CB	Jun 2014
17-	Announce 2014 LoA prices to Assembly for approval	CB	Jun 2014
	Inform REACHCentrum of updated prices for implementation in the LoA e-shop	AR	Jul 2014
	Inform LoA purchasers of changes in prices and clarify that difference will	CB	Jul 2014



PRECIOUS METALS AND RHENIUM CONSORTIUM
Management Committee meeting / conference call

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	only be charged after confirmation in 2020		
18-	Continue monitoring and reaching out to Ag TF in order to keep track of Biocides' dossier review by KEMI + possible CLH proposals by KEMI	CB	On-going
19-	Respond to GreenFacts' request for funds as decided by the Mgmt Cttee	CB	Jun 2014
20-	Circulate invitation for Debrief meeting of Mgmt Cttee after 12 Jun Assembly meeting in Bern	AR	Jun 2014