



26th of October 2009, 10h30 - 16h30

Chair: E. Broekaert (Umicore)

*Metals Conference Centre - Copper room
Rue du Duc 100 - 1150 Brussels (BELGIUM)*

MINUTES

1. Introduction

- 1.1. **Confidentiality and European Competition Law provisions.** All attendees have committed to respect Confidentiality and Competition Law.
- 1.2. **Tour de table and apologies.** The list of participants is available in Annex 1.
- 1.3. **Approval of the Agenda.** The Agenda (Annex 1) was approved. The slides presented at the meeting are available in Annex 2. Agreed actions are summarised at the end of this document in Table 1.

2. Finalisation of ID Cards

- 2.1. **ID Card template.** ID Card template supported. Understood that some of its content may require completion in a step-wise manner.
- 2.2. **Pending comments on:**
 - 2.2.1. **ID Cards 1 to 3.** Final versions available in Annex 3.
 - 2.2.2. **ID Card 4. Slimes and Sludges.** Final version available in Annex 3. The need to split this group into several groups process-wise may be considered again in future.
 - 2.2.3. **ID Cards 5 to 8.** Final versions available in Annex 3.
 - 2.2.4. **ID Cards 9.1 to 9.5 Reclaimed materials: name, description and composition for each.** Final versions not yet available. Draft versions available in Annex 3. Companies having an interest in these ID Cards are required to provide composition ranges for each subgroup.
 - 2.2.5. **Next steps for “approval” of ID Cards.** Final versions will be circulated to the Assembly of the Consortium for comment/approval within one month period (reminder at 3 Dec Assembly meeting). Subsequently, ID Cards will be sent to each relevant pre-SIEF for substance sameness discussion. Each Member shall confirm (a) the refinables it will register, (b) the intermediate status (on-site or transported), and (c) the associated tonnage band. For each refinable, a mini-team will be formed so as to address any question with a narrower audience.

3. Communication with pre-SIEFs

- 3.1. **Need to gather xml files.** One Consortium rapporteur has been appointed for each one of the refinable groups and its associated similar materials. Each rapporteur will be invited to send the .xml file of the relevant pre-SIEFs to the PMC. The .xml files will be uploaded onto REACHsuite and allow massive e-mail communications to take place.
- 3.2. **Sameness discussion: based on composition mainly - how to distinguish main constituents vs. impurities?** Once the .xml files are uploaded, and the ID Cards approved by the Consortium Members, each relevant pre-SIEF will receive this ID Card and be invited to comment on the proposed profile and registration strategy. It was agreed to circulate the ID Cards as approved and to refine these down to a less detailed description for further steps. It was also clarified that the composition is not the only reference for substance identification and sameness discussions; the name of the material, its source and process of manufacture shall be considered as well. It was agreed for the process description in each ID Card to be further detailed using, amongst others, the IPPC Directive NFM BRef Note process descriptions.



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4. Information and testing requirements

- 4.1. **Recap of PM Refiners Project.** Annex 4 presents a recap of the refinables project.
- 4.2. **Identity/sameness: characterisation of refinables → preferred method(s).** Although XRD and ICP-OES or ICP-MS are generally used, it was agreed that there is no unique method that can be used when characterising complex materials such as the refinables. It was agreed for each Member to perform a chemical analysis of its own refinables; each Member will then complete IUCLID 5 with its own information (chemical elements only).
- 4.3. **Meaning of “Available”.** It was agreed to consider any information that may be useful to ensure the proper classification and labelling of the materials and as such, any information which may assist in developing risk management measures to ensure safety.
- 4.4. **Annex VII requirements.** A recap on Annex VII requirements was presented at the meeting. Most of the required information is not available to the Members of the Consortium and should hence be produced. However, only three refinables require Annex VII information.
- 4.5. **IUCLID 5 requirements: analytical information.** Each company shall provide analytical information of its substance or intermediate in IUCLID 5. An elemental analysis is sufficient. However, it is not yet clear how different grades of a same material can be uploaded onto IUCLID 5 in preparation of Registration.
- 4.6. **Approach supported by PM Refiners WG.** See above. No information shall be purchased from other consortia as the classification and labelling information that will be shared freely across consortia shall be sufficient to ensure safe use and handling. Any consultancy, information or testing cost shall be shared by the companies having confirmed their interest in each given refinable.

5. Testing programme

- 5.1. **Priority plan: all in one go or step-by-step? Which go first?** Focus shall be on those refinables requiring Annex VII information. However, all but one refinable is to be registered in 2010 so all refinables shall be addressed in parallel.
- 5.2. **Sample providers → Lead Registrant - need for volunteers / how to deal with confidentiality?** After ID Cards will be finalised, the PMC will identify potential Lead Registrants for each amongst the respective mini-teams. Once the candidates are confirmed, they will be proposed to the PMC for approval before doing so at SIEF level. It was clarified that although respecting Competition Law remains key, confidentiality of the identity of the LR and potential registrant shall be minimised so as to make the overall preparation for Registration practical.
- 5.3. **Sample preparation → Representative sample, number of samples.** Once the testing programme is confirmed, the number of samples and their preparation will be considered.
- 5.4. **Preferred test houses.** Outotec is currently involved with several non-ferrous metals consortia and has already shared some information as presented in the slideset. For example, Outotec requests the samples to be crushed in 3 mm size grains by the sample provider before shipping to their facilities. Before launching any test with Outotec, it was agreed to confirm the testing requirements and learn from the other consortia's experience with testing such UVCBs. Other test houses were not discussed.
- 5.5. **With support of consultant Research Organisation or “inside job”?** It was agreed to place this project in the hands of one of the current consultants working with the Consortium. PMC will approach these to request a formal quotation. The ID Cards will be shared with the consultants to give them an idea about the materials in scope.

6. AOB and closing remarks

- 6.1. **Pure vs. impure PMs.** Precious metals are placed on the EU market in pure and less pure



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forms. The 80% rule provided in the REACH guidance on substance identification has generally been considered by companies when pre-registering. It is therefore possible to find manufacturers or importers of both pure and impure forms of precious metals in each pre-SIEF.

This situation requires urgent attention as it may complicate the sameness discussion and worse, where an impure form contains > 0,1% of a CMR, it may trigger an earlier registration. The possibility of submitting an intermediate-type dossier for these impure materials in advance of the “full” substance-type dossier (which would be an update from the intermediate one) is currently being considered.

The cost of the intermediate dossier would be shared equally by those companies having an interest in these impure forms whereas the cost of updating it to become a substance dossier would be shared according to the Consortium’s cost-sharing formula amongst the registrants of the pure form.

PMC will further develop the possible options and approaches and circulate a survey to identify those Members who have such impure materials.

- 6.2. **Registration strategy of other metallic refinables (e.g.: scraps) unless covered in any of the groups discussed previously.** PMC shall be informed on any refinable which has not been allocated to any of the groups for which an ID Card exists.

Table 1. Summary of actions agreed during meeting.

	What?	Who?	When?
1.	Provide comments or support on final versions of ID Cards 1 - 8	All	15 Nov 2009
2.	Provide composition ranges for each of ID Cards of set number 9	Potential registrants of reclaimed materials	15 Nov 2009
3.	Confirm interest in specific refinable (including associated intermediate status and tonnage band)	All	15 Nov 2009
4.	Send requests for .xml files to identified Consortium rapporteurs	Secretariat	9 Nov 2009
5.	Send .xml files for given pre-SIEFs to PMC	Consortium rapporteurs	15 Nov 2009
6.	Request quotation for refinables from WCA	Secretariat	9 Nov 2009
7.	Determine how different grades of a same material can be reported in IUCLID 5	Secretariat	9 Nov 2009
8.	Perform (in-house) elemental analysis of each refinable up for registration	All	ASAP
9.	Send any (safety-related) information on the refinables to the PMC Secretariat	All	15 Nov 2009
10.	Indicate interest to act as Lead Registrant for any of the in-scope refinables	All	15 Nov 2009
11.	Prepare and circulate survey on impure precious metals and precious metal materials to PMC	Secretariat	15 Nov 2009
12.	Inform PMC on any pending refinable that requires re-allocation or the set-up of an additional group	All	15 Nov 2009
13.	Refine process description and composition ranges in all ID Cards	All	Next ftf mtg