

January 6th 2009

To: Members of the Copper Pre-SIEF

Proposal to Act as Lead Registrant and SIEF Formation Facilitator for Copper

Through this letter, Norddeutsche Affinerie (NA) would like to advise all SIEF members that it is prepared to undertake the obligations of Lead Registrant and to act as the SIEF Formation Facilitator for Copper¹ for the purposes of preparing and submitting the Registration Dossier, and where agreed the Chemical Safety Report (CSR), pursuant to REACH Article 11.

Duties of SIEF Formation Facilitator/Lead Registrant

To maximise efficiency, the Lead Registrant and SIEF Formation Facilitator should be the same company. Its role is to undertake a wide range of tasks in order to effectively achieve joint submission of the Registration Dossier (and potentially the CSR). The most important involves organising the acquisition and, where not available, the generation of the necessary technical data.

Other important duties include establishing mechanisms for co-operation among the participants in the SIEF, organising the exchange of data, facilitating agreement on the Classification and Labelling of Copper, channelling communications with other SIEFs (for read across), ensuring the smooth absorption of new entrants into the SIEF, and taking responsibility for the joint submission of the Registration Dossier (and if appropriate the CSR) to ECHA.

The Lead Registrant must also act as the primary point of contact with ECHA in regard to the Registration Dossier.

NA's Role in Registration

NA is a major producer of Copper and has a strong interest in ensuring proper registration based on the best available science. NA is a member of the REACH Copper Consortium, managed by the European Copper Institute. This Consortium includes Copper in its scope.

NA has already dedicated substantial human and financial resources to this and has participated in the first phases of developing the data for the Registration Dossier.

NA is committed to submit the Registration Dossier for Copper before the >1,000 T registration deadline of December 1st 2010.

REACH Copper Consortium

The REACH Copper Consortium, managed by the European Copper Institute, was formed on February 26th 2008 for the sole purpose of assisting industry to comply with REACH. Its Members include major EU manufacturers, non-EU manufacturers (or their Only Representatives), plus EU importers and their respective Affiliates.

The Consortium is committed to compiling and assessing all relevant existing studies and data necessary to prepare the Registration Dossier for Copper and will assist NA in collecting information from the SIEF members, as well as sources outside the SIEF. The Consortium's primary source of scientific data will be the Voluntary Risk Assessment for copper metal. This comprehensive project, also managed by the European Copper Institute, was carried out between 2000 and April 2008. In addition, the Consortium has already conducted a gap analysis and is working to generate data to fill the gaps, or develop testing proposals in the case of vertebrate studies, where data is not available.

¹ * Copper is EINCES Number 231-159-6 and/or CAS Number 7440-50-8 (see page 3)

The Consortium is also working to develop read-across approaches, develop hazard Classification and Labelling proposals, identify and evaluate downstream uses and exposure scenarios, and prepare the Chemical Safety Reports.

Consortium Members are providing funding and human resources to pay for, and guide, these efforts. Finally, the Consortium has been involved in developing best practices to help manage SIEF obligations in as efficient and cost effective a manner as possible.

It is worth highlighting that the Consortium's activities properly reflect Competition law concerns. Any individual company data required is for the exclusive use of the independent Secretariat, with only consolidated data used in subsequent decision making.

Access to the Registration Dossier

NA will submit a Copper Registration Dossier to ECHA by the first tonnage deadline (December 1st 2010). Through its membership in the ECI Consortium, NA is committed to make available, to all Copper SIEF members, access to the Registration Dossier on fair and non-discriminatory terms. Interested companies will have two basic options to obtain the necessary access.

- Companies, who wish to provide resources and expertise to the definition of the scope and the development of the Registration Dossier, as well as to participate in meetings and technical working groups, can join the Consortium. Details on how to do so, and the costs involved, can be found at - <http://www.eurocopper.org/copper/reach.html>
- For reference, the minimum fee for full Consortium membership is 37,000 euro, with more detailed information available in the Consortium Agreement.
- SIEF members, who do not want to undertake the obligations associated with Consortium membership, or whose tonnages only require registration during the period December 2010 to June 2018, will be able to obtain the Registration Dossier via a Letter of Access. SIEF members choosing this option will only get a Letter of Access to the registration file and a Safety Data Sheet for use with customers. They will not get access to study reports, the risk assessment or Chemical Safety Report.
- Letters of Access will be available at a discount to full Consortium membership. The fees, which will depend on the registration tonnage band, will be announced, early in 2010, once a more accurate cost for the Registration Dossier is known.


Future Communications

Given the size of the Copper pre-SIEF membership (> 4,500 pre-registrations), generic communications will be via ECI's REACH website. Of particular near term importance, is the need to finalise the definition of "Copper" and to distinguish pure "cathode" quality material, from other copper containing materials on the market, such as anode and blister - see next page for the current definition. Ultimately, this may require you to modify your pre-SIEF registration.

In order to assist with this, your cooperation in completing the attached questionnaire would be appreciated. It is the Consortium's intention to finalise any changes to the scope at its next General Assembly, scheduled for Tuesday, February 24th 2009 in Brussels.

ECI's website also provides contact details for further information on the Copper Consortium.

Yours sincerely,


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For the Lead Registrant


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For the Copper Consortium

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The definition of Copper in the ECI managed REACH Consortium is currently:

EC name	Substance covered/ synonyms	EC Number	CAS Number
Copper	Copper metal (massive or powder form); copper cathode	231-159-6	7440-50-8

- “Copper Metal” defined as metal with copper content $\geq 99.90\%$
 - E.g. cathodes, fire-refined ingots, and unwrought shapes (billets, slabs or cakes, etc)
 - Strong expectation, based on Voluntary Risk Assessment, is that this substance, which contains $< 0.1\%$ materials of concern, will not require classification in the massive form
- Other market materials, also referred to as copper (such as anodes and blister), have elemental copper contents $> 80\%$ and $< 99.90\%$
 - The Consortium combines these materials within a sub-group called Intermediate B1. It is expected that this sub-group will have multiple classification and labelling requirements. These will be linked to various levels of materials of concern

REACH Copper Consortium - Questionnaire

To help ECI best support your potential registration, please take a few minutes to complete and return this (non-binding) reply form.

THIS DATA WILL ONLY BE SEEN BY THE FULLY INDEPENDENT SECRETARIAT

What is your legal entity name as pre-registered in SIEF?	
What is your Pre-registration number provided by ECHA?	
Email address for follow up by ECI Secretariat	

	YES	NO
Are you a legal importer of copper into the EU?		
In what form is the copper that you have pre-registered? – tick all that apply		
• Metal meeting the $\geq 99.90\%$ definition		
• Metal NOT meeting this definition		
• Powder		
• Copper containing articles		
• Copper containing scrap		
Are you an Only Representative?		
Are you a scrap collector, trader or processor?		
Are you a downstream user? – see Consortium’s value chain definitions		
In which tonnage band (X tonne/year) is your copper business?		
• $X \geq 1,000$		
• $100 \leq X < 1,000$		
• $1 \leq X < 100$		
Are you interested in becoming a full member of the Copper Consortium?		
Are you interested in a simple Letter Of Access for a discounted fee?		
Based on your knowledge of REACH and your business interest, are you currently planning to register Copper, as defined above?		
Based on the information provided, are you more interested in registering your copper as Intermediate B1?		

Please return this form, electronically, ideally before March 31st 2009 – thank you