

March 16<sup>th</sup> 2009

To: Members of the Pre-SIEF for Cupro, copper processing

**Proposal to Act as Lead Registrant and SIEF Formation Facilitator for Cupro, Copper processing**

Through this letter, Metallo-Chimique 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 Cupro, Copper processing for the purposes of preparing and submitting the Registration Dossier, 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. 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 cooperation among the participants in the SIEF, organising the exchange of data, facilitating agreement on the Classification and Labelling of Cupro, Copper processing, 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 to ECHA.

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

**Metallo-Chimique's Role in Registration**

Metallo-Chimique is an important producer of Cupro, Copper processing and has a strong interest in ensuring proper registration based on the best available science. Metallo-Chimique is a member of the REACH Copper Consortium, managed by the European Copper Institute. This Consortium includes Cupro, Copper processing in its scope.

Metallo-Chimique 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.

Metallo Chimique is committed to submit the Registration Dossier for Cupro, Copper processing before the >1,000 T Registration deadline of December 1<sup>st</sup> 2010.

**REACH Copper Consortium**

The REACH Copper Consortium, managed by the European Copper Institute, was formed on February 26<sup>th</sup> 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 the various by-products arising out of the smelting and refining of copper, including Cupro, Copper processing. ECI will assist Metallo-Chimique in collecting information from the SIEF members, as well as sources outside the SIEF. One of the Consortium's primary sources 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 on the data required to complete the registration dossier for Cupro, Copper processing as a UVCB\* substance, handled under the Strictly Controlled Conditions (SCC)\*\* , allowed for transported isolated Intermediates.

\* UVCB substances are of Unknown or Variable composition, Complex reaction products or Biological materials

\*\* To be demonstrated by each Registrant

The Consortium is also working to develop hazard Classification and Labelling proposals, as well as the REACH Annex VII data required to complete the registration dossier for this as a high tonnage intermediate.

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 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

Metallo-Chimique will submit the Registration Dossier for Cupro, Copper processing to ECHA by the first tonnage deadline (December 1<sup>st</sup> 2010). Through its membership in the ECI Consortium, Metallo-Chimique is committed to make available, to all Cupro, Copper processing SIEF members, access to the Registration Dossier on fair and non-discriminatory terms. Interested companies will have two 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 for Cupro, Copper processing, 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 Consortium membership for Cupro, Copper processing is 75,000\* 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. They will not get access, or ownership, to study reports, the risk assessment or the 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

The size of the pre-SIEF for Cupro, Copper processing is relatively small (+/- 4 pre-registrations). It is therefore intended that future communications will be via direct email from ECI and/or Metallo-Chimique. Of particular near term importance, is the need to agree on the definition of Cupro, Copper processing - see next page for the current definition. Ultimately, this may require you to modify your pre-SIEF registration.

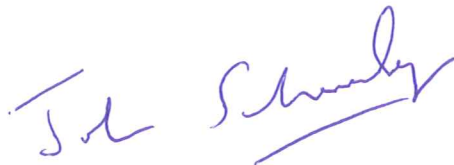
In order to assist with this, your cooperation in completing the attached questionnaire would be appreciated.

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

Yours sincerely,



Inge Maes  
REACH Manager  
For the Lead Registrant, Metallo-Chimique



John Schonenberger  
Chief Executive, European Copper Institute  
For the Copper Consortium

\* This fee will come down with more participants.

**Disclaimer:** The Lead Registrant will do its utmost to comply with the REACH Regulation and the directives of ECHA and to perform the tasks connected to its role as Lead Registrant as a 'bonus pater familias'. The Lead Registrant can only be held responsible and liable for delays in completion of its tasks due to its wilful conduct or gross negligence. The Lead Registrant can never be held liable for any error or defect in any data, specifications, material, assessment or other information submitted by any other party, or for any consequence caused by any inaccuracy therein. Since the Lead Registrant is not paid for its services, there is no financial liability towards the other SIEF members.

The definition of Cupro, Copper processing in the ECI managed REACH Consortium is described here. The Consortium will claim "sameness of substances" for the substances listed below:

Intermediate B15 – Cupro, Copper processing			
<p><b>Cupro, Copper processing is "the copper containing metallic substance obtained by reaction of silicon with a complex mixture of a copper, lead and tin containing alloy scrap. At high temperature, and if enough silicon is available, a copper containing liquid phase (called "cupro") can be isolated. Cupro contains copper and residues of other ferrous and non-ferrous metals and their oxides. Cupro is sensitive to air oxidation at room temperature, resulting in a gradual transformation of the metals into their oxides. Cupro is further metallurgically processed to obtain "blister copper" and "anode copper" (&gt;80% copper)."</b></p>			
<p><b>The following materials are grouped under this registration:</b></p>			
EC names (or recognised name)	Substance covered	EC Number/ EINECS No.	CAS No.
Cupro, copper processing**	Cupro	Not available	Not available

\*\* These names are proposals, based on internationally accepted naming rules

### REACH Copper Consortium - Questionnaire

To help ECI best support your potential registration, please take a few minutes to complete and return this (non-binding) and free of charge reply form. Please return by email to [reach@eurocopper.org](mailto:reach@eurocopper.org), before March 31<sup>st</sup>, 2009.

#### THIS DATA WILL ONLY BE SEEN BY THE FULLY INDEPENDENT ECI 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 an EU producer of Cupro, Copper processing?		
Are you a legal importer of Cupro, Copper processing into the EU?		
Are you an Only Representative of Cupro, Copper processing?		
What material have you pre-registered? - tick all that apply from above definitions*		
<ul style="list-style-type: none"> <li>• Cupro, copper processing</li> </ul>		
In which tonnage band (X tonne/year) is your business?		
<ul style="list-style-type: none"> <li>• X &gt; 1,000</li> <li>• 100 &lt; X &lt; 1,000</li> <li>• 1 &lt; X &lt; 100</li> </ul>		
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 Cupro, Copper processing, as defined above?		