#### THE INTERNATIONAL CADMIUM ASSOCIATION

**REGULATORY UPDATE**

**January 28, 2016**[[1]](#footnote-1)

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# NEW DEVELOPMENTS

New information is available on the following issues in this Update:

Federal Issues

CAA Issues

EPA Preparing Rule That Would Modernize Accidental Release Prevention Regulations, page 5

CERCLA Issues

EPA Announces 2014 TRI Analysis, page 5

CWA/SDWA Issues

EPA Publishes Draft Recommended Aquatic Life Water Quality Criteria For Cadmium, page 6

TSCA Issues

Senate Passes TSCA Reform, Staff Will Work To Reconcile Senate And House Bills, page 7

Mining Issues

Mine Cleanup Safety Bill Introduced In The House, page 7

Murkowski Expects Energy Policy Modernization Act To Be Brought To Floor In 2016, page 8

Bill Intended To Facilitate Good Samaritan Orphan Mine Cleanup, page 8

Gold King Mine Release In Colorado

*House Committee Holds Hearing On DOI’s Role In Gold King Mine Spill*, page 8

*Appropriations Bill Includes Provision To Support Gold King Mine Monitoring Efforts*, page 9

*House Committee Claims EPA May Have Interfered With OIG’s Investigation*, page 9

*New Mexico Files Notice Of Endangerment And Intent To Sue Under RCRA*, page 10

Miscellaneous Issues

CPSC Determines Unfinished And Untreated Trunk Wood Does Not Require Third Party Testing For Heavy Metals, Including Cadmium, page 10

DOJ And DOL Expand Worker Endangerment Initiative To Address Environmental And Worker Safety Violations, page 11

EPA Launches eDisclosure Portal, page 11

IRIS Multi-Year Agenda Includes Cadmium, page 11

SEC Proposes Rule Concerning Disclosure Of Payments By Resource Extraction Issuers, page 12

State Issues

*Alaska*

Alaska Signs MOU With British Columbia, page 13

*California*

OEHHA Adopts Regulation Regarding Lead Agency Website, page 14

*Kansas*

Fish Consumption Advisories For 2016 Include Recommendations Based On Cadmium, page 15

*Michigan*

MIOSHA Rules Concerning Welding, Cutting, And Brazing Address Cadmium, page 16

*Minnesota*

Minnesota Adopts Updated HRL For Cadmium, page 17

*Missouri*

House Resolution Calls For Study Of Operation Large Area Coverage, page 17

*New York*

Albany County Legislature Amends Toxic Free Toys Act, page 18

Bill Would Amend Public Health Law Relating To The Sale Of Children’s Jewelry Containing Cadmium, page 18

Senate Bill Would Regulate Cadmium-Added Novelty Consumer Products, page 18

Senate Bill Would Regulate Cadmium In Substrate Of Children’s Jewelry, page 19

New York City Council Committee Holds Hearing On Bill That Would Ban Certain Chemicals, Including Cadmium, From Children’s Products, page 19

Senate Bill Would Prohibit Use Of Cadmium In Brake Friction Material, page 19

*Oregon*

Oregon OSHA Intends To Address Outdated PELs, page 19

NGO Sues EPA For Failing To Promulgate Water Quality Criteria For Pollutants, Including Cadmium, page 20

*Vermont*

First Reporting Period May Be Delayed For Rule On Chemicals Of High Concern In Children’s Products, page 20

International Issues

Canada

Ontario Auditor General Audits Mines And Minerals Program, page 21

Ontario Proposes Legislation As Part Of Mining Act Modernization, page 21

Ontario Publishes Mineral Development Strategy, page 21

Health Canada Publishes Enforcement Summary Report Concerning Compliance Of Children’s Jewelry For Lead And Cadmium Content, page 22

News Investigation Finds Excessive Cadmium In Jewelry Manufactured In China, page 22

China

Standardization Administration Publishes Draft Standard For Dental Products, page 23

Chinese Due Diligence Guidelines For Responsible Mineral Supply Chains Adopted In December, page 24

State Council Intends To Create Product Traceability System, page 24

NDRC Plan Will Establish Early Warning And Risk Monitoring Networks Focusing On Heavy Metals, page 24

China Announces RoHS2, Which Restricts Cadmium And Its Compounds, page 25

India

Greenpeace India Finds “Alarming” Levels Of Heavy Metals, Including Cadmium, In Air Samples From Schools, page 25

Malaysia

Malaysia Monitoring For Heavy Metals, Including Cadmium, In Water, Food, And Fish, page 26

South Korea

KCMA Publishes Guidance For Importers On K-REACH Compliance, page 26

South Korea Opens Second Lead Registrant Election Period, page 27

**FEDERAL ISSUES**

**CAA ISSUES**

**EPA Preparing Rule That Would Modernize Accidental Release Prevention Regulations**

On December 21, 2015, EPA submitted to OMB for review a proposed rule entitled “Modernization of the Accidental Release Prevention Regulations Under Clean Air Act.” In a November 19, 2015, presentation at a Small Business Advocacy Panel outreach meeting, EPA described its plans for revising the RMP. According to EPA, changes would bolster existing requirements for facility audits and add new requirements for consideration of safer processes, as well as new standards to increase disclosure of facility data to first responders and the general public.

**CERCLA ISSUES**

**EPA Announces 2014 TRI Analysis**

EPA announced on January 21, 2016, the availability of its [*2014 TRI National Analysis*](http://www.epa.gov/trinationalanalysis/introduction-2014-tri-national-analysis), which highlights how toxic chemical wastes were managed, where toxic chemicals were released, and how the 2013 TRI data compare to data from previous years. The [Executive Summary](http://www.epa.gov/sites/production/files/2016-01/documents/2014-tri-na-exec-summary.pdf) states that a total of 21,783 facilities reported to TRI in 2014. The facilities reported managing 25.45 billion pounds of toxic chemicals in production-related wastes through recycling, combustion for energy recovery, treatment, or disposal or other releases. From 2013 to 2014, the quantities of TRI chemicals in waste that were recycled, treated, or released all decreased, and the quantity combusted for energy recovery increased. The Executive Summary states:

From 2013 to 2014 there was a 6% decrease in disposal or other releases, mainly due to decreases in on-site land disposal by the metal mining sector. In recent years mines have cited changes in the composition and production of waste rock as the primary reason for variability in land disposal of TRI chemicals.

**CWA/SDWA ISSUES**

**EPA Publishes Draft Recommended Aquatic Life Water Quality Criteria For Cadmium**

As reported in our December 1, 2015, e-mail, EPA published a *Federal Register* notice on December 1, 2015, announcing its draft recommended aquatic life water quality criteria for **cadmium**. As reported in our November 28, 2015, Update, EPA is updating its national recommended ambient water quality criteria for **cadmium** to reflect the latest scientific information, and current EPA policies and methods. The notice includes the following table:

**Summary of 2001 and 2015 Draft Aquatic Life AWQC for Cadmium**

|  |  |  |
| --- | --- | --- |
|  | **2015 AWQC Update** | **2001 AWQC** |
| **Acute****(1-hour,****dissolved Cd)c** | **Chronic****(4-day,****dissolved Cd)** | **Acute****(1-day,****dissolved Cd)** | **Chronic****(4-day,****dissolved Cd)** |
| Freshwater(Total Hardness = 100 mg/L as CaCO3)a | 2.1 μg/Lb | 0.73 μg/L | 2.0 μg/Lb | 0.25 μg/L |
| Estuarine/marine | 35 μg/L | 8.3 μg/L | 40 μg/L | 8.8 μg/L |

a Freshwater acute and chronic criteria are hardness-dependent and were normalized to a hardness of 100 mg/L as CaCO3 to allow the presentation of representative criteria values.

b Lowered to protect the commercially and recreationally important species (rainbow trout), as per the 1985 Guidelines, Stephen *et al*. (1985).

c The duration of the 2015 acute criteria was changed to 1-hour to reflect the 1985 Guidelines-based recommended acute duration.

EPA is soliciting additional scientific views, data, and information regarding the science and technical approach used in the derivation of the draft criteria for **cadmium**. EPA is also interested in obtaining information regarding new toxicity tests on *Hyalella azteca* (amphipod); latent acute effects of **cadmium** following short exposures; and new estuarine marine chronic toxicity tests. EPA will consider scientific views from the public on the draft document, as well as any new data or information received. EPA will then publish a *Federal Register* notice announcing the availability of the final **cadmium** criteria. Once prepared in final, EPA’s water quality criteria for **cadmium** will provide recommendations to states and tribes authorized to establish water quality standards under the CWA. EPA states that in adopting water quality standards, states set exposure protections for aquatic life; “chronic exposure to **cadmium** negatively impacts growth, development, behavior, reproduction, and immune and endocrine systems in aquatic life.” Comments are due **February 1, 2016**.

**TSCA ISSUES**

**Senate Passes TSCA Reform, Staff Will Work To Reconcile Senate And House Bills**

On December 17, 2015, the Senate passed by a voice vote the Frank R. Lautenberg Chemical Safety for the 21st Century Act (S. 697, renumbered as H.R. 2576), which would reform TSCA. The House passed its own bill, the TSCA Modernization Act, in June 2015. Senator James Inhofe (R-OK), Chair of the Senate Environment and Public Works Committee, stated on January 12, 2016, that he intended to meet with Representative Fred Upton (R-MI), Chair of the House Energy and Commerce Committee, at a January 13, 2016, Republican retreat. Issues to be discussed included reconciling the broad Senate bill with the narrower House bill. Inhofe stated: “We have a little more detail in terms of making sure the EPA does what they're supposed to be doing in pre-classifying chemicals and some other things they [House members] don’t have in their bill. I think it’s a matter of saying, ‘We agree with everything you have, but in addition we need to do this.’” On January 13, 2016, Representative John Shimkus (R-IL), Chair of the House Energy and Commerce Subcommittee on Environment and the Economy, stated that a formal conference between the House and Senate would likely occur because Speaker of the House Paul Ryan (R-WI) “wants to have a formal conference, so the question is how in-depth is it, how many people is it?” On January 19, 2016, 12 attorneys general sent a [letter](http://www.oag.ca.gov/system/files/attachments/press_releases/Multistate%20TSCA%20AG%20ltr%20011916%20w%20sigs%20.pdf) to Congress, urging it to limit any preemption of states’ authority to protect their residents and the environment from toxic chemicals when reconciling the bills. In the letter, attorneys general from California, Hawaii, Iowa, Maine, Maryland, Massachusetts, New Hampshire, New York, Oregon, Rhode Island, Vermont, and Washington set forth seven principles regarding the complementary roles that the states and the federal government play in chemicals regulation. The letter notes that in a few areas of core priority to the attorneys general, such as the timing of preemption and the requirements for obtaining a waiver, the Senate and House bills differ in the extent to which they address the states’ concerns. More information on the bill as passed is available in B&C®’s December 22, 2015, memorandum, “[Detailed Summary of Key Changes in Frank R. Lautenberg Chemical Safety for the 21st Century Act (S. 697) as Compared with S. 697 Passed by Senate EPW in June](http://www.lawbc.com/regulatory-developments/entry/tsca-reform-detailed-summary-of-key-changes-in-frank-r.-lautenberg-chemical).”

**MINING ISSUES**

**Mine Cleanup Safety Bill Introduced In The House**

On January 6, 2016, Representative Raul Grijalva (D-AZ) introduced the Abandoned Mine Reclamation Safety Act (H.R. 4323), which is intended to improve mine cleanup safety. The bill would require DOI to promulgate new rules on reopening abandoned coal and hardrock mines and put safety backstops in place. It also would add recordkeeping and monitoring requirements, request a national study on abandoned mine remediation, and respond to DOI’s recommendations related to the Gold King Mine spill in Colorado.

**Murkowski Expects Energy Policy Modernization Act To Be Brought To Floor In 2016**

On January 12, 2016, Senator Lisa Murkowski (R-AK), Chair of the Committee on Energy and Natural Resources, stated that she expects the Energy Policy Modernization Act of 2015 (S. 2012) to be brought to the floor in 2016. According to Murkowski, Senate Majority Leader Mitch McConnell (R-KY) assured her that the bill is “in the queue.” The bill would require the Secretary of the Interior to establish a methodology for the designation of critical minerals based on the potential for supply disruptions and the importance of their use, and require the list of critical minerals to be reviewed and updated at least every three years. The bill outlines a series of performance improvements and reporting requirements intended to reduce delays in the federal permitting process for mines that will produce critical minerals.

**Bill Intended To Facilitate Good Samaritan Orphan Mine Cleanup**

On January 19, 2016, Senators Michael Bennet (D-CO), Cory Gardner (R-CO), and Representative Scott Tipton (R-CO) [released](https://www.bennet.senate.gov/?p=release&id=3560) a discussion draft of the Good Samaritan Cleanup of Orphan Mines Act, which is intended to allow good Samaritans, such as state agencies, local governments, nonprofits, the mining industry, and other groups, the opportunity to clean up the environment and improve water quality in and around orphan mines. Under the bill, good Samaritans would have the opportunity to apply for a permit under a state or Indian tribe’s program or from EPA to assist in the environmental cleanup of orphan mines across the U.S. The press release states that the legislation is narrowly tailored to exempt good Samaritan cleanup efforts from liability at orphan mines only from those provisions necessary under the CWA and CERCLA. The bill would hold good Samaritans liable under all laws if they fail to comply with the terms of their permit, but would provide an exception if the failure results in only minor impacts. The bill would expire in ten years, which provides Congress the opportunity to determine if the good Samaritan program contributed to the cleanup of orphan mines resulting in a cleaner environment and improved water quality conditions.

**Gold King Mine Release In Colorado**

***House Committee Holds Hearing On DOI’s Role In Gold King Mine Spill***

On December 9, 2015, the House Committee on Natural Resources held an “[Oversight Hearing on the Department of the Interior’s Role in the EPA’s Animas Spill](http://naturalresources.house.gov/calendar/eventsingle.aspx?EventID=399677).” The hearing focused on actions of the DOI before, during, and after the disaster and how DOI’s responsibilities were managed, as well as the shortcomings of DOI’s technical review of the spill. The Committee heard from DOI Secretary Sally Jewell, who was accompanied by Deputy Secretary Mike Connor. Following the hearing, Representative Bob Bishop (R-UT), Chair of the Committee, sent a letter to the comptroller general asking that the GAO review the scope, objectivity, and thoroughness of DOI’s review. On December 10, 2015, Representative Louie Gohmert (R-TX), Chair of the House Natural Resources Subcommittee on Oversight and Investigations, asked the USACE to provide all documents and communications concerning its peer review of an independent investigation carried out by the Bureau of Reclamation of the spill. Gohmert stated that he was dissatisfied with the responses Jewell provided during the December 9, 2015, hearing.

***Appropriations Bill Includes Provision To Support Gold King Mine Monitoring Efforts***

Senator Tom Udall (D-NM), Ranking Minority Member of the Senate Appropriations Subcommittee on Interior, Environment, and Related Agencies, issued a December 18, 2015, [press release](http://www.tomudall.senate.gov/?p=press_release&id=2199) announcing that he, Senator Martin Heinrich (D-NM), and Representative Ben Ray Luján (D-NM) included a provision in the end-of-year appropriations bill that encourages EPA to conduct long-term monitoring efforts following the Gold King Mine spill. The provision directs EPA to coordinate with states and tribes impacted by the spill to develop a robust plan for independent monitoring, and directs EPA to provide support for states’ and tribes’ monitoring efforts.

***House Committee Claims EPA May Have Interfered With OIG’s Investigation***

On December 18, 2015, the House Natural Resources Committee sent a [letter](http://naturalresources.house.gov/uploadedfiles/letter_to_epa_oig_12_18_15.pdf) to EPA’s OIG that states that EPA may have interfered with the OIG’s investigation of the Gold King Mine spill. The Committee notes that on December 8, 2015, EPA notified the Committee of its release of the *Addendum to EPA Internal Review of Gold King Mine Incident*. The Addendum refers to a “follow up interview with the two On-Scene Coordinators (OSCs) most closely associated with the event.” The Committee states that “the circumstances surrounding this interview raise concerns about its timing, appropriateness, and potential to affect the OIG’s investigation.” According to the Committee, one of the “most concerning problems” with the Addendum is its timing. The interview with the OSCs took place on December 2, 2016, while the OIG’s report is not expected until **early 2016**. The interview was conducted by three EPA employees “with close ties” to EPA’s public response to the spill rather than independent investigators or technical experts from unaffected regions. The Addendum suggests that the interview of the OSCs may have been conducted jointly, “rendering it impossible” to verify the OSCs’ statements independently, and the Addendum does not indicate whether the interview was transcribed or recorded. The Committee requests the OIG to respond to the following questions:

* Whether it is OIG’s policy to request EPA to forego interviewing witnesses who are central to an ongoing OIG investigation;
* Whether the OIG ever asked EPA hold its internal review in abeyance;
* Whether EPA notified the OIG of its plans to interview the OSCs; and
* Whether the OIG is aware of any guidelines or briefings provided to the Addendum team by EPA’s Office of General Counsel concerning the interview.

***New Mexico Files Notice Of Endangerment And Intent To Sue Under RCRA***

On January 14, 2016, New Mexico gave notice of its intent to sue EPA, BLM, Colorado, Environmental Restoration LLC, San Juan Corporation, Todd Hennis, Sunnyside Gold, Inc., and Kinross Gold Corporation for violating RCRA “by creating an imminent and substantial endangerment to the health of New Mexico’s citizens and the environment of the Animas and San Juan Rivers in New Mexico.” The notice of intent states that New Mexico “has actively sought to avoid litigation, but the State’s efforts to move forward in a productive manner outside of the courtroom have been met with resistance at every turn.” While New Mexico tried to secure EPA’s support for an independent monitoring plan for the entire watershed impacted by the spill, EPA “has chosen to move forward with the State of Colorado to support its own woefully inadequate monitoring plan, which fails to address critical environmental and public health issues, and only serves to limit liability.” New Mexico states that its goal is the complete remediation of the contaminated rivers, the abatement and cessation of further releases of contamination from the Sunnyside and Gold King Mines and adjacent areas into the waters of New Mexico, and the prevention of “future catastrophes.” New Mexico states that it will pursue injunctive relief, future costs, and legal fees. Filing the notice of intent to sue begins a 90-day period before a lawsuit can be filed.

**MISCELLANEOUS ISSUES**

**CPSC Determines Unfinished And Untreated Trunk Wood Does Not Require Third Party Testing For Heavy Metals, Including Cadmium**

CPSC promulgated on December 17, 2015, a final rule determining that unfinished and untreated trunk wood does not contain heavy elements that would exceed the limits specified in CPSC’s toy standard, ASTM F963–11. CPSC states that, based on this determination, unfinished and untreated trunk wood in toys does not require third party testing for the heavy element limits in ASTM F963. The final rule includes a summary findings regarding wood, and states:

***Cadmium***. For **cadmium**, the studies examined showed **cadmium** in tree core samples and wood at levels below the ASTM solubility limit of 75 ppm. Studies that measured **cadmium** in hydroponic samples showed **cadmium** levels in root, stem bark, stem wood, and leaf parts above 75 ppm. In a similar manner, shoots grown in pots containing varying amounts of **cadmium** added, showed **cadmium** concentrations above the ASTM solubility limit in leaves, stems, and roots.

The rule was effective on January 19, 2016.

**DOJ And DOL Expand Worker Endangerment Initiative To Address Environmental And Worker Safety Violations**

On December 17, 2015, DOJ issued a [press release](http://www.justice.gov/opa/pr/departments-justice-and-labor-announce-expansion-worker-endangerment-initiative-address) announcing that its Environment and Natural Resources Division and the U.S. Attorneys’ Offices will work with DOL’s OSHA, MSHA, and Wage and Hour Division to investigate and prosecute worker endangerment violations. In a memo sent to all 93 U.S. Attorneys, Deputy Attorney General Yates urged federal prosecutors to work with the Environmental Crimes Section in pursuing worker endangerment violations. The press release states that while the worker safety statutes generally provide for only misdemeanor penalties, prosecutors have now been encouraged to consider using Title 18 and environmental offenses, which often occur in conjunction with worker safety crimes, to enhance penalties and increase deterrence. Statutes included in this plan are the OSH Act, MSPA, and MINE Act.

**EPA Launches eDisclosure Portal**

EPA published a *Federal Register* notice on December 9, 2015, to announce the launch of the [eDisclosure portal](http://www.epa.gov/compliance/epas-edisclosure) to receive and automatically process self-disclosed civil violations of environmental law. EPA states that, under the automated eDisclosure system, “large and small businesses will quickly be able to get some of their more routine types of disclosures resolved.” The eDisclosure portal is part of EPA’s effort to modernize implementation of its self-disclosure policies. According to the notice, companies suggested that EPA could streamline implementation of the self-disclosure policies for more routine disclosures to make the process faster, more efficient, and to save time and resources for both regulated entities and EPA, while still retaining the incentives to self-police environmental problems. EPA states that the regulated community “also emphasized that a key time to encourage self-auditing and self-disclosure is when companies are purchased or acquired, because that is a point in time when companies typically are assessing operations and management systems.” EPA agrees with these suggestions and welcomes input, on an ongoing basis, as to how the eDisclosure system is working.

**IRIS Multi-Year Agenda Includes Cadmium**

EPA published on December 15, 2015, the [IRIS Program multi-year agenda](http://ofmpub.epa.gov/eims/eimscomm.getfile?p_download_id=526329), which identifies the top priority chemical assessments that the IRIS Program will begin developing in the next few years. The agenda lists fifteen chemicals in three groups of chemical assessments in priority order. Group 2 includes **cadmium and compounds**. The agenda states that the top priority chemical assessments are those with the highest potential public health impacts and/or exposure and that would be useful in anticipated EPA decision-making. EPA used a three-step process to determine priority: (1) collecting, analyzing, and sharing input from program and regional offices on the prioritization of chemical assessments; (2) estimating the resources and expertise needed for completing assessments; and (3) developing a cross-EPA consensus on the most important chemicals for which to begin assessment development. According to the agenda, EPA has begun to identify the scope of the IRIS assessments for most of the chemicals in Groups 1 and 2, which will then inform the order of assessment development. EPA intends to release the problem formulation materials for these chemicals starting in 2016. The agenda states: “Public comments and submissions that provide information on current or planned research are encouraged to be submitted through the [IRIS docket](http://www.regulations.gov/#!docketDetail;D=EPA-HQ-ORD-2014-0211). Other comments and submissions relevant to the multi-year agenda may also be provided through the docket.”

**SEC Proposes Rule Concerning Disclosure Of Payments By Resource Extraction Issuers**

On December 23, 2015, the SEC proposed Rule 13q-1 and to amend Form SD to implement Section 1504 of the Dodd-Frank Act relating to disclosure of payments by resource extraction issuers. The SEC initially adopted Rule 13q-1 on August 22, 2012, but the U.S. District Court for the District of Columbia subsequently vacated it. The proposed rule would require a domestic or foreign issuer to disclose payments made to governments if:

* The issuer is required to file an annual report with the Commission under the Securities Exchange Act; and
* The issuer engages in the commercial development of oil, natural gas, or minerals.

A resource extraction issuer would be required to disclose payments made by a subsidiary or another entity controlled by the issuer. For purposes of the rule, control would be determined by reference to financial consolidation principles that the issuer applies to the audited financial statements in its Securities Exchange Act annual reports. Under the proposed rule, a resource extraction issuer would be required to disclose certain payments made to a foreign government, including foreign subnational governments, or the U.S. federal government. Resource extraction issuers would need to disclose payments that are: made to further the commercial development of oil, natural gas, or minerals; “not *de minimis*”; and within the types of payments specified in the rule. The proposed rule would define commercial development of oil, natural gas, or minerals to include exploration, extraction, processing, and export, or the acquisition of a license for any such activity. The proposed rule would define “not *de minimis*” as any payment, whether a single payment or a series of related payments, that equals or exceeds $100,000 during the same fiscal year. The types of payments related to commercial development activities that would need to be disclosed include taxes; royalties; fees (including license fees); production entitlements; bonuses; dividends; and payments for infrastructure improvements. The proposed rules would clarify the types of taxes, fees, bonuses, and dividends that are required to be disclosed and how they should be disclosed. This list of payment types would be consistent with the requirements of the EU, Canada, and EITI. Resource extraction issuers would be required to provide the following information about payments made to further the commercial development of oil, natural gas, or minerals:

* Type and total amount of such payments made for each project of the resource extraction issuer relating to the commercial development of oil, natural gas, or minerals;
* Type and total amount of such payments for all projects made to each government;
* Total amounts of the payments by category;
* Currency used to make the payments;
* Financial period in which the payments were made;
* Business segment of the resource extraction issuer that made the payments;
* The government that received the payments, and the country in which the government is located;
* The project of the resource extraction issuer to which the payments relate;
* The particular resource that is the subject of commercial development; and
* The subnational geographic location of the project.

A resource extraction issuer would be required to file Form SD with the SEC no later than 150 days after the end of its fiscal year. The SEC is providing two comment periods. Initial comments are due **February 16, 2016**. Reply comments, which may respond only to issues raised in the initial comment period, are due **March 8, 2016**. The SEC states that in developing the final rule, it may rely on both new comments and comments that have been received to date, including those that were provided in connection with the prior rules that the SEC issued under Section 13(q).

**STATE ISSUES**

***Alaska***

**Alaska Signs MOU With British Columbia**

Governor Bill Walker (I) [announced](http://gov.alaska.gov/Walker/press-room/full-press-release.html?pr=7340) on November 25, 2015, that he and British Columbia Premier Christy Clark signed an [MOU](http://gov.alaska.gov/Walker_media/press_release_resources/20151125_ak-bc_mou.pdf) that identifies the following broad areas of continued or new activity by Alaska and British Columbia:

* Establishing a bilateral working group on the protection of transboundary waters;
* Sharing best practices on workforce development and training;
* Advancing marine transportation reliability and safety;
* Reinforcing emergency management mutual aid response through the existing Pacific Northwest Emergency Management Arrangement;
* Fostering continued growth of existing and increased transportation links;
* Continuing joint visitor industry promotion; and
* Exploring other areas for cooperative action, including natural resource development, fisheries, ocean acidification, border management, trade and investment, and climate change adaptation.

***California***

**OEHHA Adopts Regulation Regarding Lead Agency Website**

OEHHA posted a January 25, 2016, [notice of adoption](http://www.oehha.ca.gov/prop65/CRNR_notices/WarningWeb/012516leadagencywebsite.html) of Section 25205 concerning the lead agency website that will provide information to the public concerning exposures to listed chemicals for which warnings are being provided. The regulation establishes a framework for a website operated by OEHHA that will provide supplemental information to the public about warnings they receive for exposures to Proposition 65 listed chemicals. The regulation is separate from but related to the pending rulemaking to repeal and adopt a new Article 6 of the California Code of Regulations on clear and reasonable warnings. Under Section 25205, OEHHA will:

(1) Provide information to the public on the website concerning exposures to listed chemicals, including common routes or pathways of exposure such as:

(A) Ingesting foods;

(B) Contact with or use of products or services;

(C) Common environmental scenarios; and

(D) Occupational activities;

(2) Provide strategies for reducing or avoiding exposure to those chemicals;

(3) Provide links, as appropriate, to information compiled by other authoritative entities such as the FDA, NTP, the U.S. Surgeon General, NIOSH, NAS, EPA, IARC, and the collective body of NIH, to assist individuals who wish to obtain additional information about listed chemicals, their effects, nutritional benefits, health concerns, or related issues;

(4) Provide reasonably available information concerning human exposure to listed chemicals;

(5) Provide a process for a person to request a correction of material provided on the website. The person making such a request shall provide information showing that such material is inaccurate; and

(6) Provide a disclaimer indicating that OEHHA cannot assure the accuracy of information it has received from third parties.

The regulation will take effect on **April 1, 2016**. OEHHA notes that the website described in the regulation is not currently operational.

***Kansas***

**Fish Consumption Advisories For 2016 Include Recommendations Based On Cadmium**

On January 7, 2016, KDHE and KDWPT issued [revised fish consumption advisories](http://ksoutdoors.com/KDWPT-Info/News/Weekly-News/1-7-16/2016-Fish-Consumption-Advisories-Issued) for 2016. The advisories identify types of fish or other aquatic animals that should be eaten in limited quantities or, in some cases, avoided altogether because of contamination. The recommendations include not eating specified fish or aquatic life from the following locations:

* The Spring River from the confluence of Center Creek to the Kansas/Oklahoma border (Cherokee County); shellfish because of lead and **cadmium**; and
* Shoal Creek from the Missouri/Kansas border to Empire Lake (Cherokee County); shellfish because of lead and **cadmium**.

***Michigan***

**MIOSHA Rules Concerning Welding, Cutting, And Brazing Address Cadmium**

On December 15, 2015, MIOSHA [amended Occupational Health Standard Part 529 Welding, Cutting, and Brazing](http://www.michigan.gov/lara/0%2C4601%2C7-154-11407_15368-372042--%2C00.html), to incorporate provisions of the revised federal regulations, 1910.1200 Hazard Communication, and 1910.252 Welding, Cutting, and Brazing. Rule 325.52909(3)(c) states that where brazing or welding filler metals contain **cadmium** in significant amounts, the labels shall indicate the hazards associated with **cadmium** including cancer, lung, and kidney effects, and acute toxicity effects. Under Rule 325.52909(4)(b), brazing (welding) filler metals containing **cadmium** in significant amounts must carry the following notice on tags, boxes, or other containers:

WARNING

CONTAINS **CADMIUM** -- POISONOUS FUMES MAY BE FORMED ON HEATING

Do not breathe fumes.

Use only with adequate ventilation such as fume collectors, exhaust ventilators, or air-supplied respirators.

*See* ANSI Z49.1-1967.

If chest pain, cough, or fever develops after use call physician immediately.

Rule 325.52923 concerning **cadmium** states:

(1) In confined spaces or indoors, welding or cutting operations involving **cadmium**-bearing or **cadmium**-coated base metals shall be done using local exhaust ventilation or airline respirators unless atmospheric tests under the most adverse conditions show that employee exposure is within the acceptable concentrations specified by Occupational Health Standard Part 301 “Air Contaminants for General Industry,” as referenced in R 325.52902. Such operations, when done outdoors, shall be done using respirators, such as fume respirators, approved for this purpose by NIOSH under C.F.R. Title 42, Part 84, as adopted by reference in R 325.52902.

(2) Confined space. Welding, also known as brazing, involving **cadmium**-bearing filler metals shall be done using ventilation as prescribed in R 325.52911 or R 325.52912, if the work is to be done in a confined space.

***Minnesota***

**Minnesota Adopts Updated HRL For Cadmium**

As reported in our December 31, 2015, e-mail, on December 21, 2015, the Health Risk Assessment Unit published a notice of adoption of the permanent rules relating to [HRLs for groundwater](http://www.health.state.mn.us/divs/eh/risk/guidance/gw/table.html) in the *Minnesota State Register*. The amendments repealed outdated HRL values for six chemicals, including **cadmium**, and replaced them with new HRL values. Minnesota adopted the following HRL values for **cadmium**:

|  | **Acute** | **Short-term** | **Subchronic** | **Chronic** | **Cancer** |
| --- | --- | --- | --- | --- | --- |
| HRL (µg/L) | 5 | 1 | 1 | 0.5 | NA |
| Endpoints | developmental | developmental, nervous system, renal (kidney) system | developmental, skeletal | renal (kidney) system, skeletal | -- |

The new values went into effect on December 29, 2015.

***Missouri***

**House Resolution Calls For Study Of Operation Large Area Coverage**

H.C.R. 75, which was introduced on January 13, 2016, calls for the U.S. Army to hold town hall sessions in the St. Louis region to explain the testing that occurred as a result of Operation Large Area Coverage in the 1950s and 1960s in St. Louis. The resolution also calls for EPA and DHHS to conduct a study to track the health effects on populations exposed to Operation Large Area Coverage testing. The resolution states that, during the 1950s and 1960s, as part of a series of Cold War experiments, the U.S. Army dusted chosen American cities from coast to coast with a fine powder of a fluorescent, potentially toxic chemical. The powder scattering was part of Operation Large Area Coverage, a series of tests intended to assess the threat of biological attacks by simulating the airborne dispersion of germs. According to the resolution, the experiments exposed large portions of the U.S., and parts of Mexico and Canada, “to flurries of a synthesized chemical called **zinc cadmium sulfide**.”

***New York***

**Albany County Legislature Amends Toxic Free Toys Act**

During a [special legislative meeting](http://www.albanycounty.com/Government/Departments/CountyLegislature/ResolutionsandLocalLaws/ResolutionsandLocalLaws2015.aspx) held on December 28, 2015, the Albany County legislature amended the Toxic Free Toys Act. As originally enacted, the Act prohibits the sale of children’s products or apparel that contain benzene, lead, mercury, antimony, arsenic, **cadmium**, and cobalt within Albany County. On May 14, 2015, the U.S. Northern District Court granted a motion to stay the Act. The Safe to Play Coalition, a coalition of toy and children’s products groups, filed suit challenging the law, claiming that pre-emption provisions of the Federal Hazardous Substances Act and the Consumer Product Safety Act prevent municipalities or states from enacting their own regulations. The amendments enacted by the Albany County legislature are intended to address concerns regarding federal preemption issues. The Act now includes specific ppm limits for each of the substances that mirror existing federal legislation where applicable. The limit for **cadmium** is above 75 ppm of total **cadmium** content. In addition, new language clarifies that federal law will govern in the event of a direct conflict, unless CPSC rules that the local standards apply. If signed by the Albany County Executive, the amended Act will take effect **July 1, 2016**.

**Bill Would Amend Public Health Law Relating To The Sale Of Children’s Jewelry Containing Cadmium**

On January 6, 2016, A.B. 6672, which was introduced on March 30, 2015, was referred to the Committee on Health. The bill would amend the public health law in relation to the sale of children’s jewelry containing **cadmium** by defining children and children’s jewelry. In addition, in the absence of a federal standard, the Commissioner of the Department of Health would establish the maximum quantity of **cadmium** for children’s jewelry offered for sale as currently exists for glazed ceramic tableware. The bill was referred to the Committee on Health.

**Senate Bill Would Regulate Cadmium-Added Novelty Consumer Products**

On January 6, 2016, S.B. 1126, which was introduced on January 8, 2015, would amend the environmental conservation law in relation to **cadmium**-added novelty consumer products. A **cadmium**-added novelty consumer product would be defined as a product intended mainly for personal use or adornment that contains **cadmium** in an amount equal to or in excess of .0075 percent by weight. **Cadmium**-added novelty consumer products would include but not be limited to jewelry, toys, and ornaments. Beginning **June 1, 2017**, no person would be allowed to sell, offer for sale, or distribute free of charge in the state any **cadmium**-added novelty consumer product.

**Senate Bill Would Regulate Cadmium In Substrate Of Children’s Jewelry**

On January 6, 2016, S.B. 1890, which was introduced on January 15, 2015, would regulate **cadmium** in certain substrate components of children’s jewelry. Under the bill, no children’s jewelry would be sold or distributed that contains **cadmium** in accessible metal or plastic substrate components exceeding the levels prescribed in the bill. Children’s jewelry would be defined as jewelry designed and intended primarily for use by children 12 years of age or younger to be worn as an item of personal ornamentation, and does not include toys, accessories, apparel, footwear, or any other product whose purpose is primarily functional and not ornamental.

**New York City Council Committee Holds Hearing On Bill That Would Ban Certain Chemicals, Including Cadmium, From Children’s Products**

On January 14, 2016, the New York City Council Committee on Consumer Affairs held a hearing on the proposed Toxic Toy Ban Bill, which would prohibit the sale and distribution in New York City of children’s products that contain more than specified amounts of formaldehyde, benzene, lead, mercury, antimony, arsenic, **cadmium**, and cobalt. Violations of the prohibition would be punishable by a civil penalty of $250 to $500 for the first violation and $750 to $1,000 for subsequent violations. The law would take effect 180 days after its enactment.

**Senate Bill Would Prohibit Use Of Cadmium In Brake Friction Material**

S.B. 996, introduced on January 26, 2016, would amend the vehicle and traffic law to limit the use of certain substances in brake friction material. Beginning **January 1, 2019**, the bill would prohibit the sale of brake friction material containing listed constituents in an amount exceeding the specified concentrations. **Cadmium and its compounds** would be limited to 0.01 percent by weight.

***Oregon***

**Oregon OSHA Intends To Address Outdated PELs**

The December 2015-January 2016 issue of Oregon OSHA’s [*Health and Safety Resource*](http://www.orosha.org/resource-newsletter/full/2850-2015-12.pdf) includes an article entitled “Oregon OSHA expects 2016 to be an ambitious year.” According to the article, OSHA intends to address outdated PELs using two approaches: (1) identifying ways to encourage employers to consider more up-to-date and protective reference levels, using Oregon OSHA’s consultation and educational resources, “but also reinforcing the important role of education even as part of our enforcement visits”; and (2) tackling four to six of the “most significant and outdated PELs” on a state level. The article states that to address the most significant and outdated PELs, Oregon OSHA will bring together a group of toxicologists, industrial hygienists, and others to advise it about which chemicals represent the most significant unregulated -- or under-regulated -- risks, as well as to identify any existing state-initiated PELs that are unnecessarily restrictive.

**NGO Sues EPA For Failing To Promulgate Water Quality Criteria For Pollutants, Including Cadmium**

On January 15, 2016, the parties filed a joint status report in the U.S. District Court for the District of Oregon. *NWEA v. EPA*, No. 3:15-cv-0663. NWEA claims EPA failed to promulgate replacement aquatic life toxics criteria for Oregon. According to the status report, the parties have continued their settlement discussions, and have reached agreement on the main substantive provisions of a proposed settlement. The parties have begun drafting proposed settlement documents, and they anticipate completing the initial drafting process by the **end of January 2016**. In its November 19, 2015, stay order, the court directed the parties to file a jointly proposed stipulated judgment resolving the case by **February 19, 2016**. According to the joint status report, the parties anticipate that the drafting and approval process may not be complete by **February 19, 2016**. The parties state that if they have not completed the process, they will seek the court’s leave to amend that deadline and will file a report providing a status update on the progress toward filing the proposed consent decree with the court.

***Vermont***

**First Reporting Period May Be Delayed For Rule On Chemicals Of High Concern In Children’s Products**

The [Chemicals of High Concern in Children’s Products Rule](http://healthvermont.gov/regs/documents/chemicals_high_concern_childrens_products_rule.pdf) provides the requirements for the disclosure and reporting of toxic substances, including **cadmium**, that are intentionally added to a children’s product at a level above the PQL produced by the manufacturer or are present in a children’s product produced by the manufacturer as a contaminant at concentrations of 100 ppm or greater. The [PQL](http://healthvermont.gov/enviro/chemical/documents/PQL.pdf) for **cadmium** and **cadmium compounds** is 1.0 ppm. Under the Rule, the first reporting period will be January 1, 2016, to **July 1, 2016**. According to VDOH’s [website](http://healthvermont.gov/enviro/chemical/cdp.aspx), the period may be delayed, however:

The Department is continuing development and beta-testing of the online reporting system, and launch of the new system is now anticipated for **Spring, 2016**. Online reporting will not be operational January 1, 2016.

**Important note**: All manufacturers will have six months from the date of the system’s availability to file reports to the Health Department. Including a situation where that six month period extends past **July 1, 2016**.

**INTERNATIONAL ISSUES**

**CANADA**

**Ontario Auditor General Audits Mines And Minerals Program**

The [*2015 Annual Report of the Office of the Auditor General of Ontario*](http://www.auditor.on.ca/en/reports_en/en15/2015AR_en_final.pdf) examined several critical areas with audits, including the Mines and Minerals Program. According to the Report, the audit found that the Ministry of Northern Development has not been effective in encouraging mineral development in the province. The Report states that “[t]he Ministry’s marketing strategies may be ineffective, and the Ministry is slow to make geosciences information available to the mining industry.” The audit also found that the Ministry lacks adequate processes to manage mine closure plans and the rehabilitation of 4,400 abandoned mines.

**Ontario Proposes Legislation As Part Of Mining Act Modernization**

Ontario [announced](http://news.ontario.ca/mndmf/en/2015/12/ontario-moving-forward-with-mining-act-modernization.html?_ga=1.110298050.69876961.1449678492) on December 2, 2015, that it introduced legislation as part of the ongoing Mining Act Modernization process that would improve how mining claims are registered and “enhance the province’s global competitiveness in the mining industry.” The proposed Mining Amendment Act, 2015, would enable the online registration of mining claims, as well as a modernized electronic mining lands administration system. According to Ontario, online mining claim registration would benefit the province’s mining sector by encouraging prospecting, claim registration, and exploration. It would also be more respectful of private landowners and eliminate the impact on the environment of ground staking of mining claims.

**Ontario Publishes Mineral Development Strategy**

On December 11, 2015, Ontario [announced](http://www.mndm.gov.on.ca/en/mines-and-minerals/mineral-development-strategy) the renewal of its Mineral Development Strategy, a ten-year plan that includes four strategic priorities and ten key action items:

* Competitive and innovative by:
* Attracting jobs and investment;
* Increasing mineral discovery rates;
* Improving cost-competitiveness; and
* Fostering a culture of innovation and entrepreneurship.
* Safe and environmentally responsible by:
* Enhancing worker health and safety; and
* Protecting the environment now and for future generations.
* Efficiently and effectively regulated by:
* Improving regulatory efficiency, predictability, and transparency.
* Providing growth and prosperity for future generations by:
* Enhancing Aboriginal voices and meaningful participation in economic development;
* Establishing the necessary socio-economic conditions to advance major mining projects; and
* Developing the workforce of tomorrow.

**Health Canada Publishes Enforcement Summary Report Concerning Compliance Of Children’s Jewelry For Lead And Cadmium Content**

CPSP published a December 22, 2015, enforcement summary report entitled “[Cyclical Enforcement Project: Children’s Jewellery Regulations and Health Canada's Proposed **Cadmium** Guidelines for Children’s Jewellery](http://hc-sc.gc.ca/cps-spc/pubs/indust/jewellery-bijoux-eng.php).” The purpose of the cyclical enforcement project was to verify compliance of children’s jewelry for lead and **cadmium** content which are subject to the children’s jewelry regulations and Health Canada’s proposed **cadmium** guidelines for children’s jewelry. CPSP states that it determined compliance of children’s jewelry with the regulations and guidelines through a sampling and testing process by which Health Canada inspectors visit establishments and sample any relevant product(s). It then verified compliance through testing at the Product Safety Laboratory. Before initiating the project, CPSP conducted a market survey to quantify the presence of children’s jewelry stakeholders in Canada, then selected targets from that list of companies. Over the course of the 2014-15 fiscal year, 20 different products were tested for lead and **cadmium**. The testing resulted in one voluntary stop sale.

**News Investigation Finds Excessive Cadmium In Jewelry Manufactured In China**

CBC published on January 15, 2016, an article entitled “[Toxic jewelry: Cadmium found in Ardene, Aldo products](http://www.cbc.ca/news/health/cadmium-jewelry-ardene-aldo-1.3404036).” CBC *Marketplace* bought jewelry from major Canadian retailers and claims that it found that “some Ardene and Aldo Accessories jewelry manufactured in China contains thousands of times more **cadmium** than Health Canada says is safe for children.” The article states:

*Marketplace* sent a group of 12-year-old girls to choose jewelry pieces that appealed to them, since **cadmium** is considered especially unsafe for children. *Marketplace* also selected other pieces to test.

In total, *Marketplace* tested more than 50 pieces of costume jewelry, including necklaces, earrings and bracelets, from various retailers.

Researchers from University of Toronto and École Polytechnique de Montréal tested the jewelry and found seven items from Ardene and Aldo Accessories contained between 15 and 7,000 times the Health Canada threshold for **cadmium** in children’s jewelry.

Aldo and Ardene declined to speak with *Marketplace* on camera about the results. According to CBC, an Aldo spokesperson stated in an e-mail that it would remove the items *Marketplace* identified from store shelves. CBC states that Ardene agreed to investigate further the four products identified by *Marketplace*, “though the company says the jewelry wasn’t meant for children.” Ardene stated that it has not received “any customer reports of incidents related to **cadmium**.” *Marketplace* also shared the test results with Health Canada, and Health Canada sent inspectors to contact the companies about the products *Marketplace* identified to “figure out to what extent these may actually be marketed straight to kids.” According to CBC, James Van Loon, Director of the Risk Management Bureau in the Consumer Product Safety Directorate of Health Canada, stated that it is up to parents to ensure kids do not have access to jewelry intended for adults. CBC notes that Ardene “has been the subject of five voluntary Health Canada recalls since 2007 for selling products containing high concentrations of **cadmium** or lead.”

**CHINA**

**Standardization Administration Publishes Draft Standard For Dental Products**

On November 25, 2015, the Standardization Administration published a [draft standard](http://www.sac.gov.cn/sbgs/syxw/201511/t20151125_197257.htm) that would regulate the technical safety requirements for dental care products. The standard specifies limits for certain phthalates and places volume limits on several metals, including **cadmium**. Under the standard, the volume limit for **cadmium** would be 75mg/kg. The draft standard includes an annex that describes the test methods to use to detect chemicals and additives in dental care products.

**Chinese Due Diligence Guidelines For Responsible Mineral Supply Chains Adopted In December**

On December 2, 2015, at a workshop hosted by CCCMC and OECD, the [Chinese Due Diligence Guidelines for Responsible Mineral Supply Chains](http://mneguidelines.oecd.org/chinese-due-diligence-guidelines-for-responsible-mineral-supply-chains.htm) were adopted. CCCMC, in close cooperation with OECD, prepared the Guidelines. The Guidelines are intended to align Chinese company due diligence with international standards and allow for mutual recognition with existing international initiatives and legislations. The Guidelines will apply to all Chinese companies that are extracting and/or using mineral resources and their related products and are engaged at any point in the supply chain of minerals. Companies using or engaged in the supply chain of other natural resources are also encouraged to use the Guidelines as a reference. The implementation of the Guidelines will initially be voluntary. The Guidelines state that CCCMC will prioritize releasing audit protocols and supplementary materials covering the supply chains of gold, tin, tungsten, and tantalum.

**State Council Intends To Create Product Traceability System**

On January 12, 2016, the State Council [announced](http://www.gov.cn/zhengce/content/2016-01/12/content_10584.htm) the first steps towards creating a unified system that would trace a range of consumer products. The State Council stated that it intends to have the basics of a unified system to track products from production to distribution to consumption functioning by 2020, although it may take longer for a comprehensive system to be implemented. The system would cover special equipment, rare earth minerals, food, medicine, alcohol, and products for infants and young children. It would also include imports such as dairy products and alcohol that are sold in free-trade zones. According to the State Council, it will announce additional measures during the next several years to define specific producer and seller responsibilities.

**NDRC Plan Will Establish Early Warning And Risk Monitoring Networks Focusing On Heavy Metals**

NDRC [released a plan](http://www.sdpc.gov.cn/gzdt/201601/t20160121_771959.html) on January 21, 2016, that describes how China will increase its use of advanced technologies to monitor pollution. The broad aims of the plan are to give NDRC the lead in helping other ministries, provinces, and local governments establish natural resource and environmental monitoring systems. Under the plan, MEP and SOA will establish early warning and risk monitoring networks for potential environmental problems, with primary focus on heavy metals, hazardous waste, and dangerous chemicals.

**China Announces RoHS2, Which Restricts Cadmium And Its Compounds**

On January 21, 2016, MIIT [announced](http://www.miit.gov.cn/n1146295/n1652858/n1652930/n3757016/c4609634/content.html) RoHS2, which will enter into force on **July 1, 2016**. RoHS2 will restrict the following substances in EEPs:

* **Cadmium and compounds**, 0.01 percent;
* Mercury and compounds, 0.1 percent;
* Lead and compounds, 0.1 percent;
* Hexavalent chromium and compounds, 0.1 percent;
* PBBs, 0.1 percent; and
* PBDEs, 0.1 percent.

RoHS2 expands the product scope from EIPs to EEPs, which are defined as devices and accessory products with a voltage rating not exceeding 1,000 V for alternating current and 1,500 V for direct current and function by means of current or electromagnetic fields and generate, transmit, and measure such currents and electromagnetic fields. Under RoHS2, manufacturers and importers of EEPs will be required to provide information about the impact of a product on the environment and human health when the product is misused or disposed, and to provide the name and amount of hazardous substances, the name of parts that contain hazardous substances, and whether a part or product can be recycled. China will develop a “Compliance Management Catalog” that includes EEP categories, classes of restricted hazardous substances, restricted use timelines, and exemption requirements. MIIT posted a [Q&A](http://www.miit.gov.cn/n1146285/n1146352/n3054355/n3057254/n3057260/c4608743/content.html), which is available only in Chinese. More information is available in Acta®’s January 28, 2016, memorandum, “[China Publishes Long Awaited RoHS2 Regulation](http://www.actagroup.com/regulatory-developments/entry/china-publishes-long-awaited-rohs2-regulation?2016m3).”

**INDIA**

**Greenpeace India Finds “Alarming” Levels Of Heavy Metals, Including Cadmium, In Air Samples From Schools**

On January 13, 2016, Greenpeace India issued a [press release](http://www.greenpeace.org/india/en/Press/Compromising-childhood-Greenpeace-unravels-Alarming-levels-of-cancer-causing-heavy-metals-presence-in-Delhis-air/) announcing the available of a report entitled *Demystifying Delhi’s Air: A study of Heavy Metals concentrations in PM2.5 collected inside schools across Delhi, India*. Greenpeace India collected 11 samples of airborne particulates between October and November 2015 from locations in Delhi, India. According to the press release, the samples showed “dangerous levels of heavy metals such as Arsenic, **Cadmium**, Lead and Nickel which are carcinogenic and detrimental to health.” The press release states: “**Cadmium** and Arsenic concentrations were higher than the prescribed standards (Indian/WHO) in 70% and 40% of the schools respectively.” Greenpeace India urges Delhi “to take stringent measures to reduce the air pollution exposure to children. Urgent action such as shutting down schools and restricting outdoor activities should take place; this practice must be expanded to include advice on precautionary measures to other sensitive groups by the government.”

**MALAYSIA**

**Malaysia Monitoring For Heavy Metals, Including Cadmium, In Water, Food, And Fish**

The Health Ministry will increase the monitoring frequency of heavy metals to every two weeks at the ten water treatment plants in the Kuantan district. According to Health Director-General Datuk Dr. Noor Hisham Abdullah, the increased monitoring is intended to ensure no one is exposed to water contamination due to the bauxite mining. The sampling frequency for heavy metals at treatment plant outlets is typically once every three months, and at the service reservoir outlets and distribution areas, it is once every six months. The Pahang state Health Department Food Safety and Quality Division will continuously conduct sampling on the food quality near bauxite mining areas. The types of samples that have been analyzed for heavy metal parameters, including **cadmium**, include New Zealand onion, Chinese garlic and potato, rambutan, pomelo, durian, and mangosteen. The Health Ministry has analyzed five types of fish and seafood, such as the backear lizardfish (ikan mengkerong), ponyfish (ikan kekek), reeve’s croaker (ikan gelama), “andeng” fish and marsh clam (lokan) for plumbum, **cadmium**, and inorganic arsenic parameters.

**SOUTH KOREA**

**KCMA Publishes Guidance For Importers On K-REACH Compliance**

KCMA published on January 13, 2016, [*Guidance on Compliance Procedures of the Act on Registration and Evaluation, etc. of Chemical Substances*](http://www.kcma.or.kr/_module/bbs/bbs_file_down.asp?bbs_code=1&bbs_idx=4724&file_idx=2324). The Guidance, which is English, includes:

* An overview of K-REACH;
* Glossary of key terms;
* Confirmation of phase-in substances and substances under regulation;
* Report of substance manufacturing;
* Registration of chemicals;
* Declaration of products containing hazardous substances;
* Information offering;
* Registration by OR (overseas manufacturers or producers);
* Competent authorities by work; and
* FAQs.

**South Korea Opens Second Lead Registrant Election Period**

A second voting period for lead registrants of PECs has opened and will end **February 5, 2016**. Interested companies should log in to the [Joint Registration Information System](https://kreach.me.go.kr/regweb/regMain.do) and, if there are more than two lead registrant volunteers, vote for one. If there is only one lead registrant volunteer, the company can vote yes or no, but if voting no, must provide a reason and alternative lead registrant. Results will be collected on **February 11, 2016**, and made public on **February 22, 2016**. As reported in our July 28, 2015, Update, the final list of 510 PECs for registration under K-REACH includes **cadmium**, as well as several **cadmium compounds**.

\* \* \* \* \*

Unless otherwise noted, if you have questions about any item summarized above, please call or e-mail Lynn L. Bergeson at (202) 557-3801 or lbergeson@lawbc.com, or Carla N. Hutton at (202) 557-3809 or chutton@lawbc.com.

## ACRONYMS

**μg/L** -- Microgram Per Liter

**Acta** -- The Acta Group

**ASTM** -- ASTM International

**AWQC** -- Ambient Water Quality Criteria

**B&C** -- Bergeson & Campbell, P.C.

**BLM** -- Bureau of Land Management

**CAA** -- Clean Air Act

**CaCO3** -- Calcium Carbonate

**CCCMC** -- Chinese Chamber of Commerce for Metals, Minerals, and Chemicals

**Cd** -- Cadmium

**CERCLA** -- Comprehensive Environmental Response, Compensation, and Liability Act

**CPSC** -- Consumer Product Safety Commission

**CPSP** -- Consumer Product Safety Program

**CWA** -- Clean Water Act

**DHHS** -- United States Department of Health and Human Services

**DOI** -- United States Department of the Interior

**DOJ** -- Department of Justice

**DOL** -- Department of Labor

**EEP** -- Electrical and Electronic Product

**EIP** -- Electronic Information Product

**EITI** -- Extractive Industries Transparency Initiative

**EPA** -- United States Environmental Protection Agency

**EU** -- European Union

**FAQ** -- Frequently Asked Question

**FDA** -- United States Food and Drug Administration

**GAO** -- United States Government Accountability Office

**HRL** -- Health Risk Limit

**IARC** -- International Agency for Research on Cancer

**ICdA** -- International Cadmium Association

**IRIS** -- Integrated Risk Information System

**KCMA** -- Korea Chemicals Management Association

**KDHE** -- Kansas Department of Health and Environment

**KDWPT** -- Kansas Department of Wildlife, Parks, and Tourism

**K-REACH** -- Act for the Registration and Evaluation of Chemicals

**MEP** -- Ministry of Environmental Protection

**mg/kg** -- Milligram Per Kilogram

**mg/L** -- Milligram Per Liter

**MIIT** -- Ministry of Industry and Information Technology

**MINE** -- Mine Safety and Health

**MIOSHA** -- Michigan Occupational Safety & Health Administration

**MOU** -- Memorandum of Understanding and Cooperation

**MSHA** -- Mine Safety and Health Administration

**MSPA** -- Migrant and Seasonal Agricultural Worker Protection Act

**NAS** -- National Academy of Sciences

**NDRC** -- National Development and Reform Commission

**NGO** -- Non-Governmental Organization

**NIH** -- National Institutes of Health

**NIOSH** -- National Institute of Occupational Safety and Health

**NTP** -- National Toxicology Program

**NWEA** -- Northwest Environmental Advocates

**OECD** -- Organization for Economic Cooperation and Development

**OEHHA** -- Office of Environmental Health Hazard Assessment

**OIG** -- Office of the Inspector General

**OMB** -- Office of Management and Budget

**OR** -- Only Representative

**Oregon OSHA** -- Oregon Occupational Safety and Health Division

**OSC** -- On-Scene Coordinator

**OSH** -- Occupational Safety and Health

**OSHA** -- Occupational Safety and Health Act

**PBB** -- Polybrominated Biphenyl

**PBDE** -- Polybrominated Diphenyl Ether

**PEC** -- Priority Existing Chemical

**PEL** -- Permissible Exposure Limit

**ppm** -- Part Per Million

**PQL** -- Practical Quantification Limit

**Q&A** -- Question and Answer

**RCRA** -- Resource Conservation and Recovery Act

**RMP** -- Risk Management Program

**RoHS2** -- Administrative Measures for the Restriction of the Use of Hazardous Substances in Electrical and Electronic Products

**SDWA** -- Safe Drinking Water Act

**SEC** -- United States Securities and Exchange Commission

**SOA** -- State Oceanic Administration

**TRI** -- Toxics Release Inventory

**TSCA** -- Toxic Substances Control Act

**USACE** -- United States Army Corps of Engineers

**V** -- Volt

**VDOH** -- Vermont Department of Health

1. This Update addresses significant federal, state, and international environmental and occupational safety and health regulatory issues and ongoing advocacy efforts pertinent to the ICdA member companies. A list of acronyms used in this Update is provided. [↑](#footnote-ref-1)