



2022 Public Due Diligence Report on Conflict Minerals

1 Jan 2023

1. Company Information

Company Name	Niagara Refining LLC
CID Number	CID002589
Company Location	5601 Transit Rd, Depew, NY 14034, USA
3TG Material Processed	Tungsten
Time Period Covered by this report	1/1/2022 – 12/31/2022

Niagara Refining LLC (NR) is a joint venture between Sumitomo Electric Industries, Ltd. and Buffalo Tungsten, Inc. The company operates a hydrometallurgy plant in Depew NY that processes tungsten. The sources of tungsten raw materials include mined tungsten concentrates, refined tungstates, and tungsten containing scrap. From a Conflict Minerals point view, the company is classified as a tungsten smelter.

The company does not procure any tungsten raw materials of its own accord. Raw material tungsten is instead sourced and supplied to the company by our parent companies. However, the company does have considerable input on these sources and has the final say on what materials will be accepted by the company for processing, in accordance with our Responsible Minerals policies. The company is committed to maintaining a conflict free supply chain and maintaining compliance with the OECD Guidance and RMAP assessment standard for tungsten.

2. RMAP Assessment Summary

Date of Last RMAP assessment	11/10/2022
Assessment Period	4/1/2021 – 9/30/2022
Assessment Firm	ARCHE Advisors
URL to most recent assessment summary report	http://www.niagararefining.com/responsible-sourcing.html
In 2022, NR completed an assessment against the Responsible Minerals Assurance Process Standard - Tungsten Smelter Standard 2017. The Assessment is currently still ongoing but it is expected that NR will be found as compliant with the standard. Note that NR was determined by RMAP to be compliant to the standard during its 2021 assessment.	

3. Company Supply Chain Policy

To avoid the use of conflict minerals, which directly or indirectly finance or benefit armed groups and/or involve other serious human right abuses in high-risk and conflict-affected regions, the company has developed a Responsible Minerals Supply Chain Policy. This policy conforms with the relevant OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas (OECD Guidance) and with the RMAP Tungsten Smelter Standard. It covers all of the risks identified in Annex II of the OECD Guidance and its geographic scope is global. The company is committed to addressing any Annex II risks if identified. The policy was reviewed and approved by senior management, which committed to support its implementation. The policy has been widely disseminated to relevant stakeholders (suppliers, customers, employees etc.) and is available on the company website at <http://www.niagararefining.com/responsible-sourcing.html>.

In 2022, the company refined its Responsible Minerals Supply Chain Policy by adding a specific reference to the Extractive Industries Transparency Initiative (EITI) as per a clarified requirement in the RMAP standard.

4. Company Management Systems

Management Structure

The company is committed to its supply chain policy and has developed an internal procedure for due diligence with the following aspects:

- The President has overall responsibility to manage the company responsible minerals program.
- The President is also responsible to ensure that supplier due diligence and risk assessments are up to date and are as complete as possible.
- The Accounting Manager and Warehouse Clerk are responsible to complete internal forms for each shipment and ensure that supplier provides the required documentation for each delivery. They are responsible to ensure that all raw materials tungsten released into production are approved for use.
- The company conducts due diligence management system training once a year for key staff from all relevant departments required in due diligence program. If there is an update of the program, the company conducts additional training as necessary.

Internal Systems of Control

The company has continued to update its risk management system to stay aligned with the OECD Guidance and the everchanging RMAP guidelines.

The company has a systematic approach to risk management. The company uses the following mechanisms to assess and manage conflict minerals risk:

1. TI-CMC Membership
2. Regular RMAP assessment audits
3. Grievance & Whistle Blower mechanisms
4. Know-Your-Supplier (KYS) Due Diligence
5. CAHRA Identification & Determinations
6. Red Flag Assessments
7. Risk Level Determinations

The company communicates its supply chain policy and sourcing requirements to all identified upstream suppliers. We continue to communicate with our parent companies regarding any Responsible Minerals requirements and/or policies and require them to communicate it downstream to their suppliers as well.

The company only uses a limited number of suppliers. This simplifies our efforts to effectively manage the supply chain and allows us to know our sources very well.

We have a well-defined grievance mechanism with a link from our website, using an independent third party to handle this mechanism on our behalf. We have yet to receive any complaints against the company regarding conflict minerals issues, but these would be taken very seriously by our parent company in Japan, who would handle any such investigation.

Record Keeping System

The company requires that all records relating to the due diligence program are maintained at least for five years. Records are kept on each individual incoming and outgoing shipment and there is a process to calculate and track the mass balance of all tungsten containing materials.

5. Risk Identification

The process used for Risk Identification includes the following:

Firstly, we have Know Your Supplier (KYS) requirements to include information concerning supplier legal status and identity, supplier mapping and potential risks for all suppliers. We have KYS Due Diligence completed for all of our suppliers and sources. The company's due diligence manager reviews this information. Whenever inconsistencies, errors or incomplete information are identified in in this information, these are investigated and clarified.

Secondly, referring to the risks in the company's supply chain policy, the company established a procedure to identify a Conflict Affected and High-Risk Area (CAHRA). The procedure includes the resources used, the criteria to define a CAHRA well as the frequency with which our determination is reviewed. Referring to its supply chain policy and external resources, the company has defined criteria and benchmark indicators to determine CAHRAs.

Thirdly, the company reviews all information to determine if any Red Flags are present. Red Flags are those described by the RMAP standard as potential indicators of conflict minerals risk. If any Red Flags are identified, the company would further engage with its suppliers to clarify and improve the documents as needed.

Based on the risk identification information collected above, NR then determines if a source is Low-Risk or High-Risk. In 2022, all sources were identified as Low-Risk sources.

6. Risk Assessment

NR is a member of the TI-CMC and participates in the RMAP Compliant Tungsten Smelter program. This program is an essential part of assessing the Conflict Minerals risk.

In 2022, NR began using a new source of tungsten ore. The risk identification process determined this source as Low-Risk. However, during the RMAP assessment performed by the outside auditors, it was found that there was undefined step in the supply chain that needed further clarification. NR is currently working with the supplier to further clarify this supply chain step. It is expected to have this resolved within the next few months. Despite this identified gap, NR is confident that the supply chain risk with this source in regards to Conflict Minerals is a very low level.

There were no other risks identified from all other sources in 2022.

7. Risk Mitigation

The company's Supply Chain Policy defines three possible risk mitigation strategies in accordance with the OECD Guidance Annex II Model Policy:

1. Continuing trade throughout the course of measurable risk management efforts.
2. Temporarily suspending trade while pursuing ongoing mitigation efforts.
3. Disengaging with a supplier in cases where mitigation appears not feasible or unacceptable.

With regards to the gap identified above with the new source, NR has determined that it may continue to trade with this new source while the supply chain is clarified. It is expected that this can be rectified within a short time.