



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC - 3 1997

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Stephen W. Earp
Smith Helms Mullis & Moore, L.L.P.
Post Office Box 21927
Greensboro, North Carolina 27420

Dear Mr. Earp:

This is in response to your letter requesting assistance in determining whether the manufacture of screws by a company which you represent qualifies for the article exemption under EPCRA Section 313.

An article is defined by EPA as a manufactured item that meets the following criteria: 1) it is formed to a specific shape or design during manufacture, 2) it has end use functions dependent in whole or in part on its shape or design during end use (at least one of the original dimensions must be maintained), and 3) it does not release a toxic chemical under normal conditions of processing or use of that item at the facility.

You state in your letter that the metal rods used as raw material in the manufacture of the screws meet the three criteria for the article exemption. According to Agency guidance, these metal rods are articles if their basic dimensional characteristics are maintained in whole or in part in the finished product and if processing the metal rods does not result in releases; if there are releases and these releases are completely recycled either on site or off site, or if the releases amount to 0.5 pounds or less of a toxic chemical, then the releases can be rounded to zero. If the end product is totally different in diameter or thickness, then the metal rods would not be considered articles.

I hope this guidance is sufficient for your needs. If you have further questions, please contact Maria Spina of my staff at (202) 260-7258, or call me at (202)-260-9592.

Sincerely,

A handwritten signature in cursive script that reads "Maria J. Doa".

Maria Doa, Ph.D., Chief
Toxic Release Inventory Branch