e-Manifesting: What You Need to Know About the New Rule

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Electronic Hazardous Waste Manifest System – The High Points

• Goes into effect June 30, 2018
  – Central collection and storage of information from hazardous waste manifests
  – Applies to RCRA wastes and state-regulated wastes requiring manifests
  – Paper manifests still allowed, but information eventually is converted to electronic form
  – Receiving facilities responsible for paying fees
  – Biennial audits and reports to Congress

• Information will be available to third parties
Three Rules at Issue


Paper Manifests Still Acceptable

- Current 6-copy forms to be replaced with 5-copy forms
- Proposed form being reviewed
- New forms to display specific directions on where to be submitted
- “Hybrid Manifest” includes paper copy prepared by generator with remainder electronic (charged as “electronic manifest”)

Access to Information

• Manifest information is available to the states
• Also available to the public
• Manifest information is NOT confidential business information

• Information on certain materials will not be disclosed to the public, especially toxic and acutely toxic materials found on DHS Chemicals of Interest list
Fees Paid

• Fees to be paid by the “receiving facility.”
• Broader than RCRA-defined treatment, storage, and disposal facilities
• Public and other users of the system are not charged a fee directly
  – Receivers will probably impose higher charges
  – FOIA expenses may still apply
• Facility that receives shipment, but rejects and returns shipment to generator will still pay fee
Fee Structure

- First year only

<table>
<thead>
<tr>
<th>Manifest Type</th>
<th>Per Manifest Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paper Manifest – by mail</td>
<td>$20.00</td>
</tr>
<tr>
<td>Paper Manifest – image upload</td>
<td>$13.00</td>
</tr>
<tr>
<td>Paper Manifest – data file upload</td>
<td>$7.00</td>
</tr>
<tr>
<td>Electronic Manifest</td>
<td>$4.00</td>
</tr>
</tbody>
</table>

- Re-evaluated on two-year cycle
Participate in the Process

• Must register with RCRAInfo System
• Levels of permission/registration
  – Viewer, Preparer, Certifier, Site Manager (all functions)
• For states that have “opted in” sites can register now. For others, registration must come later.
• All receiving facilities need an EPA ID
• Transporters need EPA ID to sign manifests electronically
• Generators need EPA ID to sign manifests electronically, access e-manifests, and issue corrections
# Three Industry Applications

<table>
<thead>
<tr>
<th>EPA Form</th>
<th>RCRASInfo Industry App</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Identification Form (EPA Form 8700-12)</td>
<td>MyRCRAid</td>
<td>Available now in certain states</td>
</tr>
<tr>
<td>Biennial Report (EPA Form 8700-13)</td>
<td>Biennial Report</td>
<td>Available now in certain states</td>
</tr>
<tr>
<td>Hazardous Waste Manifest (EPA form 8700-22)</td>
<td>e-Manifest</td>
<td>Launching June 30, 2018, everywhere</td>
</tr>
</tbody>
</table>
Corrections to Manifests

• Corrections made electronically
• Made by any interested party
• Notice of change given electronically to other interested parties
• “Signed” in accordance with CROMERR
• The last form is the completed manifest
The e-Manifest is “done” when

- e-Manifest Perfection (think liens . . . .)
  - When the proper form has been completed and submitted; and
  - Payment is made
For More Information

- EPA’s e-Manifest website
  https://www.epa.gov/e-manifest

- EPA e-Manifest ListServe
  eManifest-subscribe@lists.epa.gov

- Learning Zen website
  https://rcrainfoindustry.learningzen.com/onlinetraining/auth/login

- Monthly e-Manifest Webinars
  https://epawebwebconferencing.acms.com/r3x3041s4xd/