e-Manifest

Quarterly Webinar Series
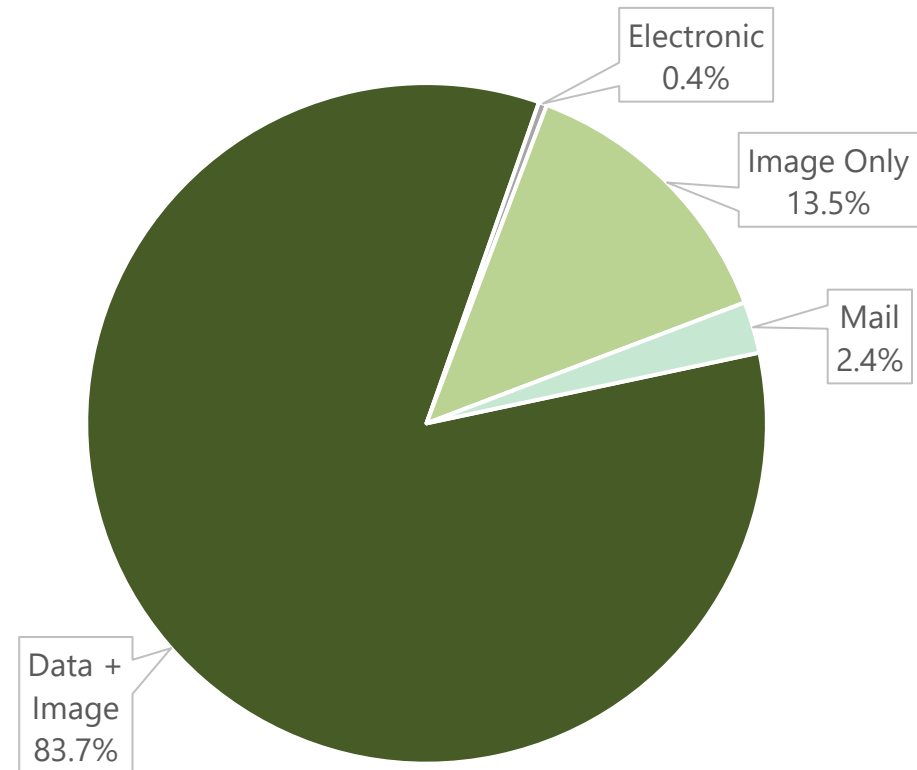
September 27, 2023

Agenda

- e-Manifest Submission Update
- New PCB rule
- Remote Signer
- New e-Manifest Fees
- e-Manifest Next Two-Years Overview
- Call for e-Manifest Case Studies
- Update In the Case of Government Shutdown
- Q&A

All Time Submission Summary

- Submitted manifests: 9.3M

- Submission breakdown:

  - Data + Image: 7,792,653

  - Image Only: 1,254,310

  - Mail*: 227,712

  - Electronic: 36,396

Mailed paper not accepted after June 2021

Electronic 0.4%
Image Only 13.5%
Mail 2.4%
Data + Image 83.7%

Data as of 09/11/2023

All Time Submission Summary

- Monthly/Daily average of electronic type manifests, before and after quick sign

	Pre-Quick Sign[1]	Post-Quick Sign[2]	Last 3 Months
Electronic Per Day	14.91	20.53	27.40
Electronic Per Month	453.74	606.44	822
Time to 100k Electronic	18.4 years	10.92 years	8.08 years

PCB Final Rule

- "Alternate PCB Extraction Methods and Amendments to PCB Cleanup and Disposal Regulations"
  - Effective February 28th, 2024
- The rule includes
  - Updates for PCB Annual Reports
  - Changing the categories of PCB waste in § 761.207(a), as specified by the generator on the manifest, to align with the categories of PCB waste in § 761.180(b)(3)(iii)-(vi).
- Specifically for Manifests
  - New Load Types
  - Allows for an alternate facility to be listed on the manifest at the time of shipment

PCB Final Rule (Cont'd)

- Changing Load Types will be available for test in the evening of October 4th (potentially):

- Deactivating:

  - Article In Container - will be deactivated in Production in Feb 2024 lookup table

  - Article Not In Container - will be deactivated in Production in Feb 2024 lookup table

PCB Final Rule (Cont'd)

- Not changing
    - Bulk Waste
    - Container
- New load types
    - Transformer - will be added to preproduction on 10/4 and go live in Feb 2024
    - High Or Low Voltage Capacitor - will be added to preproduction on 10/4 and go live in Feb 2024
    - Article Container - will be added to preproduction on 10/4 and go live in Feb 2024
    - Other - will be added to preproduction on 10/4 and go live in Feb 2024
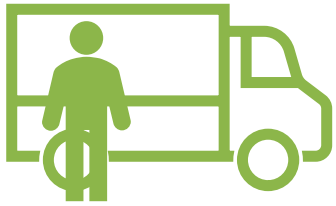
PCB Final Rule (Cont'd)

- Other changes finalized on the PCB Rule include:

  - An expanded set of extraction and determinative methods;

  - An amendment of the performance-based disposal option for PCB remediation waste;

  - Removal of the provision allowing PCB bulk product waste to be disposed of as roadbed material;

  - Addition of more flexible provisions for cleanup and disposal of waste generated by spills that occur during emergency situations (e.g., hurricanes or floods);

  - Harmonization of the general disposal requirements for PCB remediation waste; and

  - Other amendments to improve the implementation of the regulations, clarify ambiguity, and correct technical errors.

- To learn additional information about the Final PCB Rule please visit the following link:

  - https://www.federalregister.gov/documents/2023/08/29/2023-17708/alternate-pcb-extraction-methods-and-amendments-to-pcb-cleanup-and-disposal-regulations.

Remote Signer Policy

- On May 5, 2023, EPA issued a new policy to allow personnel to execute electronic signatures through their employees or contractors who are remotely located from the hazardous waste shipment.
  - [Read the policy (pdf)](#).

- Provides a way for unregistered individuals to sign electronic manifest through registered coworkers with sufficient permissions.

- Only for electronic (Fully Electronic/Hybrid) manifests.

Remote Signer Policy - Example 1

1

The individual (Field Personnel) directly responsible for the hazardous waste is ready to take custody of the shipment.

2

The Field personnel communicates that the manifest(s) is ready to be signed and authorizes the Remote Signer to initiate the electronic signature.

3

The Remote Signer logs into RCRAInfo (with their own username and password) and signs the corresponding electronic manifest(s).
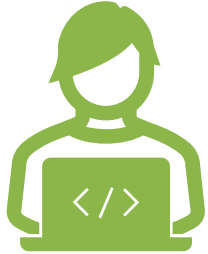
4

The electronic manifest(s) is successfully signed, the valid and enforceable signature is stored in the e-Manifest system. The status is communicated back to the Remote Signer through the RCRAInfo user interface.

Remote Signer Policy - Example 2

1

The Site's hazardous waste management software is configured to interface with RCRAInfo using the Remote Signer's API credentials.

2

The field personnel logs into their site's hazardous waste management software and initiates the electronic signature. The electronic signature is sent as a request to the e-Manifest system through the API.

3

The electronic manifest(s) is successfully signed, the valid and enforceable signature is stored in the e-Manifest system. The status of the electronic signature process is communicated back hazardous waste management software.

Remote Signer Policy

- The electronic manifest will maintain a record of the Printed Name (the individual directly responsible for the shipment) and the Remote Signer (or signature provider)

New e-Manifest User Fees

- EPA sets user fees based on the manifest usage and processing costs for each manifest type in accordance with its user fee calculation methodology in 40 CFR parts 264/265 subpart FF.

- Based on the Advisory Board's feedback, EPA has pivoted to the Highly Differentiated Fee Formula for the FY 2024/2025 user fee cycle.

- These fees will apply to manifests submitted for shipments initiated on or after October 1, 2023.

- Manifests submitted for shipments initiated prior to October 1, 2023, will be charged the FY 2022/2023 rate

Manifest Submission Type	Fee per Manifest	Change from FY2022/2023
Scanned Image Upload	$22.00	+10%
Data + Image Upload	$10.00	-23%
Electronic Manifest (Fully Electronic and Hybrid)	$6.00	-25%

Interested in how we set fees?

- All e-Manifest user fees are set using the fee formulas in our regulations that were promulgated from the e-Manifest User Fee Final Rule.

  - **We don't just produce these numbers arbitrarily**

- The e-Manifest program also consults the e-Manifest Advisory Board.

  - The final meeting materials for our meeting with the board, entitled "*Meeting the Needs of the User Community: e-Manifest Program Priorities and User Fees for FY2024/FY2025*," are currently available in the public docket at www.regulations.gov under docket no. EPA-HQ-OLEM-2022-0973.

The Next Two Years

- Area 1: Increasing Electronic Adoption
  - The primary objective of the e-Manifest program in FY 2024/2025 is to increase electronic adoption
    - Only by doing so will the system achieve anticipated cost savings
    - All facets of the program from system development and enhancement to stakeholder outreach and engagement will focus on reaching this goal
  - In 2022, nearly 88% of manifest were submitted as Data + Image Upload
    - Over 90% of those were submitted via the e-Manifest Application program Interface (API)
  - IT development will focus on building on EPA's data services with industry users to send and receive quality data with our APIs

The Next Two Years

- Area 2: Expanding End User Support

  - EPA recognizes that even though e-Manifest does collect, process, and host a large amount of data that would have been untenable for states to do individually, the day-to-day operation of the program has drawn on state regulators to aid with user registration, application support, as well as responding to waste-related questions

  - To better serve both the regulator and regulated communities, EPA intends to expand the current e-Manifest help desk role to assist state regulators with these tasks

The Next Two Years

- Area 3: Outreach

  - In addition to the program's traditional outreach activities, the Agency intends to prioritize focused outreach to address a key need – generator and transporter registration

  - Engaging directly with those groups and increasing the number of users for generator sites and transporters will assist with both electronic manifest adoption as well as reducing the need for the receiving facility to mail back paper copies of the manifest to their generators

The Next Two Years

- Area 4: US Department of Transportation (DOT) Coordination

  - Based on input from the Board and the public, the Agency will continue to coordinate with our partners at DOT to ensure that our programs are sharing information and building toward a more streamlined future

  - e-Manifest program staff participate in the DOT Pipeline and Hazardous Materials Safety Administration (PHMSA) electronic hazard communication working group

The Next Two Years

- Area 5: 3rd Rulemaking

  - Efforts are underway to complete a third rulemaking for e-Manifest

  - The rulemaking would address hazardous waste export manifests as well as other hazardous waste manifest-related reports

  - EPA anticipates the rulemaking will be completed during the FY 2024/2025 user fee cycle

Potential Government Shutdown and e-Manifest

- The e-Manifest system will remain operational

- TSDFs are still required to submit and pay for manifests

- Monthly invoices will still be issued

- EPA staff may be furloughed and unable to respond to support questions

- When we get updated guidance, we will post to RCRAInfo/email list

Call for e-Manifest Case Studies

- **How are you using e-Manifest?**

- If you have an e-Manifest success story especially about benefits that you have experienced while using the e-Manifest System, please contact Fred Jenkins, the e-Manifest Communications Lead, at jenkins.fred@epa.gov.

Contact Info and Useful Links

- Help desk: (833) 501-6826

- Subscribe to our low-volume mailing lists

  - https://public.govdelivery.com/accounts/USEPAORCR/subscriber/new

- e-Manifest program website

  - https://www.epa.gov/e-Manifest

- FAQs

  - https://www.epa.gov/e-manifest/frequent-questions-about-e-manifest

- Webinars

  - https://www.epa.gov/e-manifest/monthly-webinars-about-hazardous-waste-electronic-manifest-e-manifest

- GitHub Repository

  - https://github.com/USEPA/e-manifest

Q & A

- Please enter any questions into the chat.