e-Manifests and What's Been Happening Since June 30

Southern Section

Air & Waste Management Association

2018 Annual Meeting and Technical Conference

September 2018

Presented By:

Bill Connors, SVP Compliance for Clean Harbors

Beth Vaughan, Auditing & Compliance Community of Practice Lead for Jacobs Engineering
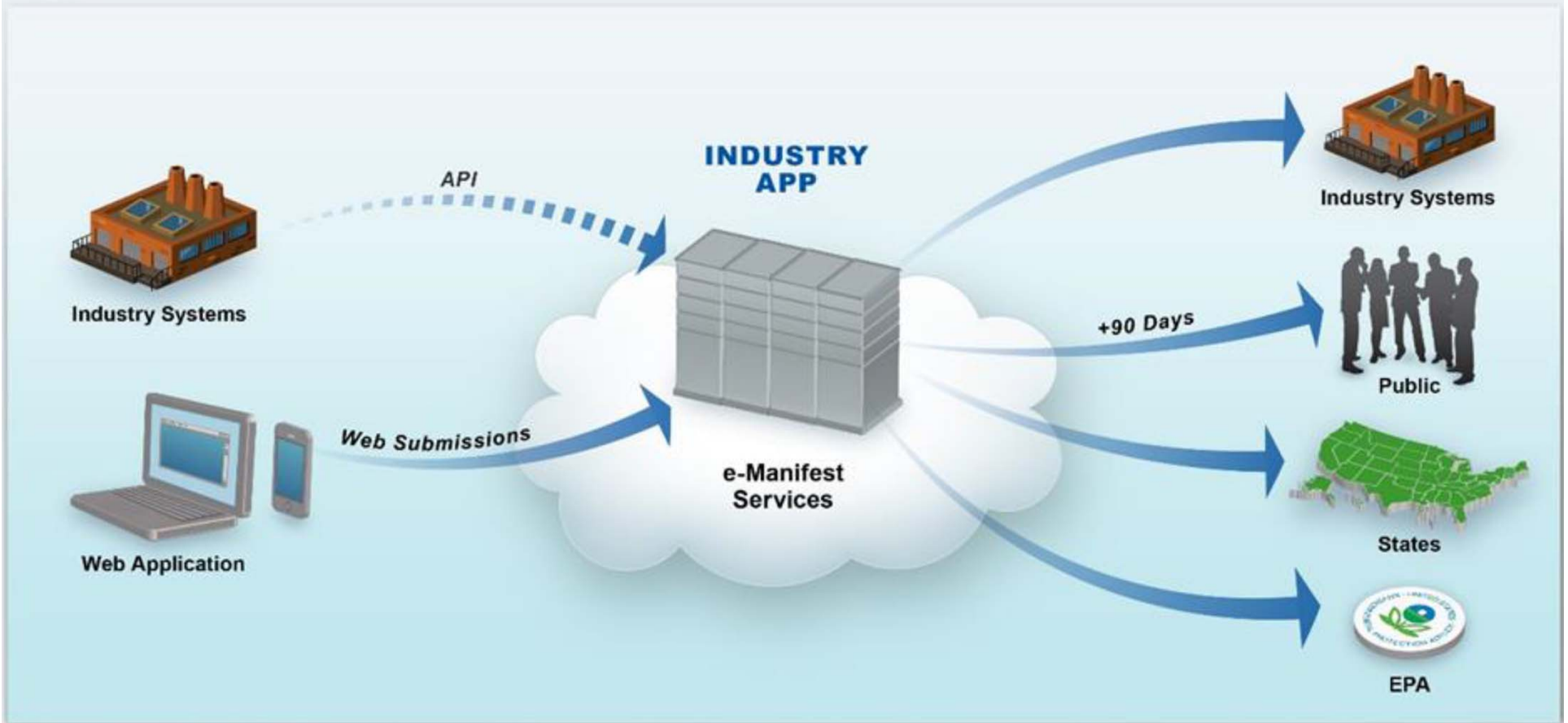
Agenda

- e-Manifest Overview – Effective June 30
- What We've Learned Since June 30
- Looking Forward
- Questions

E-Manifest Conceptual Model

EPA e-Manifest Conceptual Model

e-Manifest History Overview

- Manifests are used to serve as documentation of waste transport for both the EPA and DOT
- The Hazardous Waste Electronic Manifest Establishment Act, signed into law on October 5, 2012, authorized EPA to implement a national electronic manifest system. (e-Manifest)
  - The purpose of e-Manifest is to establish a national information technology (IT) system that transitions to a more streamlined, efficient, and automated system to track and manage hazardous waste shipments.
  - The EPA launched e-Manifest on June 30, 2018.
- The e-Manifest System is not fully developed – Parts of the system will not be programmed until "Fall 2018".

Process In Place June 30

- TSDFs are responsible for uploading manifests or otherwise providing information to EPA

- Generators can still sign paper manifests

- DOT does not allow electronic papers to serve as shipping documents

- Generators still have to provide states copies of paper manifests

- Generators still need to comply with the document retention period for paper manifests until they are available in the e-manifest system.

What Have We Learned Since June 30

- **Electronic Accounts:**
  - Some generators have consultants signing manifests on their behalf; current access system not useful for these situations
  - An electronic account for agents signing manifests is coming

- **Mailing Hard Copies to Generators**
  - TSDFs are having to send these now because many generators/agents don't have accounts or access to retrieve the return copies
  - TSDFs want this to stop soon
  - TSDFs are adding email addresses to automatically send return copy image to generator/agent

What Have We Learned Since June 30 (cont.)

- **Fees**
  - Fees are paid by the TSDFs (and passed along to the generator) when a hazardous waste code is included on the manifest (not simply the use of a hazardous waste manifest)
  - Non-hazardous waste on a hazardous waste manifest would have no fees applied

- **State Waste Codes**
  - Confusion about using eManifests and when fees apply
  - Example – Texas
    - Class 1 waste destined for recycling – no manifest
    - Class 1 waste destined for disposal – manifest and fee

What Have We Learned Since June 30 (cont.)

- **Department of Homeland Security Chemicals**
  - Chemicals of Interest initially removed from eManifest use
  - Restored 6 weeks later
  - Slowed down EPA development of other tools needed by generators, transporters, TSDFs
- **State Coordination**
  - Has been good
- **EPA ID Numbers Required to Use eManifest System**
  - System doesn't currently allow for non-routine situations such as
    - Spills for utilities in different locations
    - Accidents on road

What Have We Learned Since June 30 (cont.)

- **States and Regions Monitoring System for Compliance**
  - Notices of Violation could be issued for compliance with exception reporting, generator classification (SQG vs LQG), biennial reporting, non-hazardous waste identification
  - Exception reports are still required even though TSDFs have extra time to upload initial manifests

What Have We Learned Since June 30 (cont.)

- EPA Has Target to Reduce Paper Manifests by 75%
  - EPA estimates about 330,000 hazardous waste manifests generated per month
    - 466 electronic submittals/day in July
    - 2,371 electronic submittals/day in August
  - EPA will monitor reduction for a couple of years and revise fees, if needed, for incentive to move to eManifests
  - Still need technology for brokers and transporters to create manifests in EPA's system (in process)

What Have We Learned Since June 30 (cont.)

- Department of Transportation Shipping Paper
  - DOT currently not allowing electronic format for shipping papers
  - Talking with EPA
  - Concern about first responders being able to access information during an incident
    - First responders don't currently have accounts to access manifests in transit
  - Considering printers in cabs to print eManifests

Looking Forward

- System will change over the next four years – be patient

- Remember that states and regions will be looking at your manifests and data online for compliance

- EPA Resources
  - For more information on EPA's e-Manifest Program: https://www.epa.gov/e-manifest
  - Questions can be submitted to EPA at: eManifest@epa.gov

Questions?