

e-Manifest October Webinar

Wednesday, October 25, 2017

2:00 PM (EST)

Webinar Presentation Overview

- ▶ e-Manifest Brief Overview
- ▶ e-Manifest System Development Update
- ▶ September 26-28, 2017 e-Manifest Advisory Board meeting
- ▶ Status of User Fee Rulemaking
- ▶ Update on Implementation and Outreach
- ▶ Question and Answer

Brief Overview of e-Manifest

e-Manifest Overview

- ▶ EPA is establishing a national system for tracking hazardous waste shipments electronically.
- ▶ This system, known as “e-Manifest,” will modernize the nation’s cradle-to-grave hazardous waste tracking process while saving valuable time, resources, and dollars for industry and states.
- ▶ [The Hazardous Waste Electronic Manifest Establishment Act](#) enacted in 2012 authorizes EPA’s to develop and implement the e-Manifest System



e-Manifest is a Multi-Faceted Project

- ▶ **System Development**

- ▶ Anticipated system launch in June 2018

- ▶ **Regulatory Development**

- ▶ Final rule establishing user fee methodology in December 2017

- ▶ **Implementation and Communication**

- ▶ Working to prepare states and industry for transition to e-Manifest

- ▶ **Advisory Board**

- ▶ Meets at least once a year; last meeting in September 2017 focused on user registration

e-Manifest System Development Update

e-Manifest Development Timeline

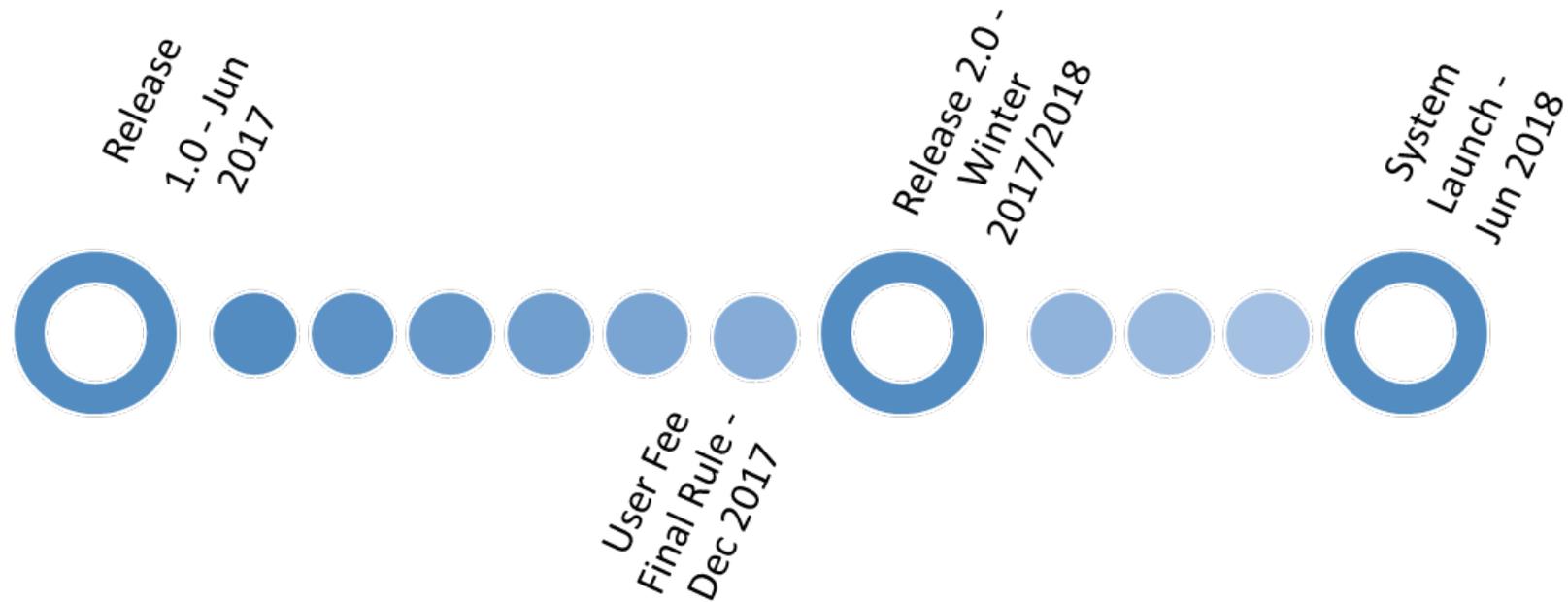


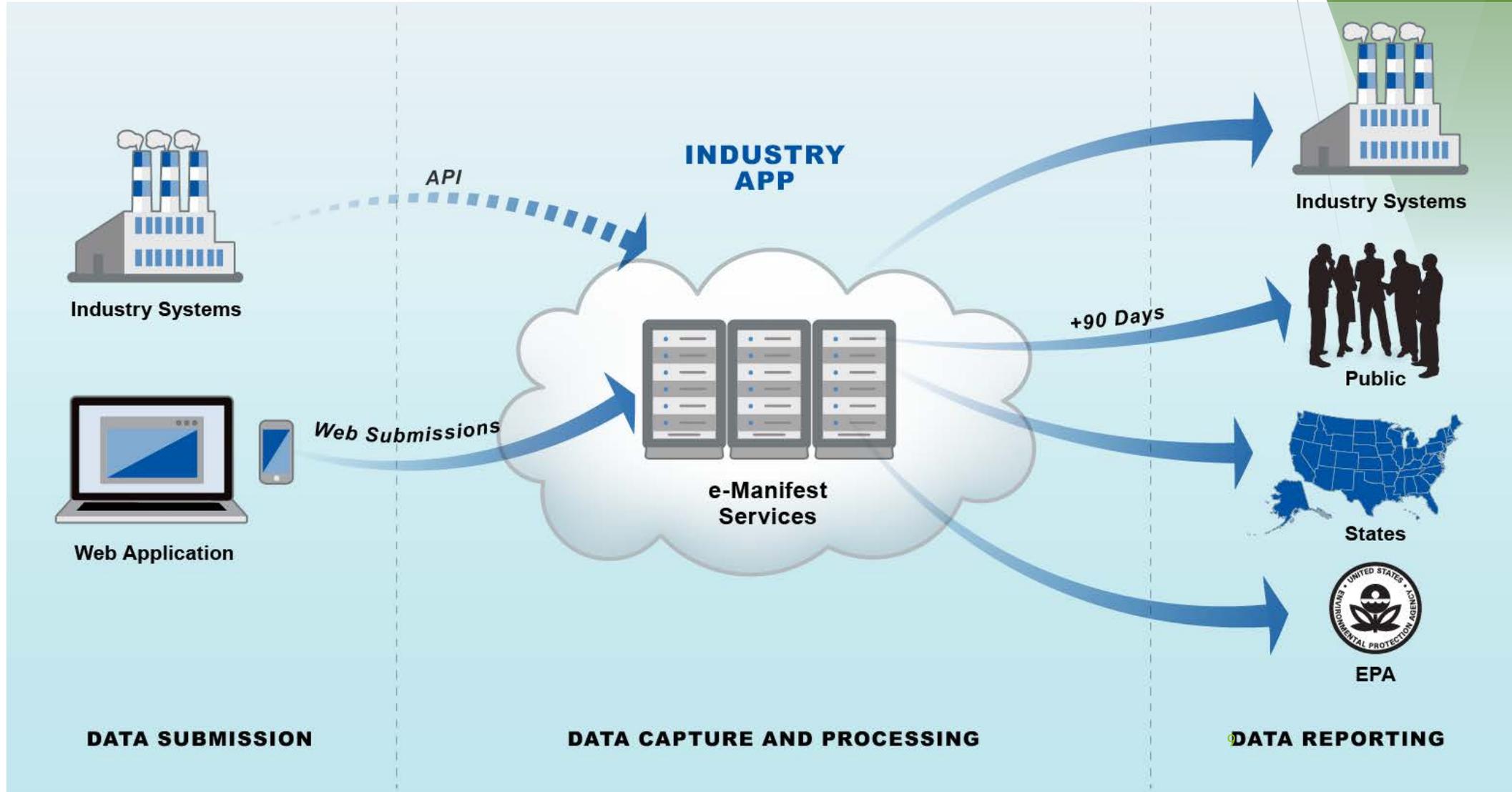
Figure 1: e-Manifest High-Level Schedule and Milestones

e-Manifest Development Timeline

Winter 2017/18 - e-Manifest Release 2.0 (*On Schedule*)

- ▶ EPA will complete e-Manifest Release 2.0 “Beta Version” in the winter of 2017/18. This version will also incorporate input from extensive user testing of the system.
- ▶ Key features of Release 2.0 include the ability:
 - ▶ To handle state user functionality in the web application
 - ▶ For generators to sign manifests electronically
 - ▶ For the public to access manifest data through reports
 - ▶ To correct manifest data
 - ▶ To complete manifests for polychlorinated biphenyls (PCBs)
 - ▶ To accommodate input of paper manifests received by EPA
 - ▶ To integrate e-Manifest with Pay.gov, which will handle billing and collection of user fees

e-Manifest Application Diagram



Status of User Fee Rulemaking

Status of e-Manifest User Fee Final Rule

- ▶ The draft User Fee final rule is now with OMB, for its 90-day EO 12866 and Interagency Review.
- ▶ The Final Rule is on track for publication in the *Federal Register* in December 2017.
- ▶ Schedule is intended to allow 180-day interval between publication and effective date.

What the User Fee Rule Does

- ▶ Presents EPA's methodology for determining, revising, and announcing applicable e-Manifest user fees. Our goals:
 - ▶ A *durable* methodology that will prevail without numerous rules,
 - ▶ A *simple* schedule of fees that accomplishes full cost recovery,
 - ▶ Per manifest fees based on processing costs of each manifest type.
- ▶ Resolves several non-fee matters raised in proposed rule:
 - ▶ Changing transporters on manifest while shipment is en route,
 - ▶ Use of mixed paper/electronic manifests (the "*hybrid*"),
 - ▶ Describes a process for correcting existing data records in system
- ▶ Explains implementation and authorization requirements for state programs, and
- ▶ Announces effective date for system and rules.

Other Key Issues for Final Rule

1. Which manifest or data users will be charged fees?
2. Which transactions will be charged fees?
3. Should there be a chemical security based restriction on data disclosure to public?
4. Should the fee formula pivot to more aggressive fees for paper manifest use?
5. What payment methods will be allowed?
6. What sanctions will be imposed for non-payment?
7. What process for resolution of fee disputes?
8. Should we prohibit facilities from mailing paper forms?

Overview of September 2017 e-Manifest Advisory Board meeting

Advisory Board Meeting – Sep 26-28, 2017

- ▶ EPA solicited the Advisory Board for recommendations on how to best register and maintain accounts for tens of thousands of potential e-Manifest users.
- ▶ EPA presented information regarding:
 - ▶ User Registration Outreach
 - ▶ Criteria for verifying users
 - ▶ Process for deactivating users
 - ▶ Current user registration process for e-Manifest
- ▶ Official meeting minutes/report of Advisory Board of recommendations will be completed within 90 days after the close public meeting.
- ▶ After the Agency reviews the official e-Manifest Advisory Board recommendations, the Agency will subsequently issue a final response to the recommendations.

Update on Implementation and Outreach

Implementation Work Group

- ▶ EPA has established an implementation work group that consists of EPA HQ staff and Regional Points of Contacts.
- ▶ The EPA Regions will play a very important role in helping implement e-Manifest in their region by helping their respective states:
 - ▶ Identify how their current hazardous waste manifest business practices will need to change to align with e-Manifest;
 - ▶ Adopt the e-Manifest rules as soon as possible
 - ▶ Engage their regulated community
 - ▶ Raise concerns and questions to the e-Manifest work group for consideration
 - ▶ Ensure state access to e-Manifest data

Current Activities

- ▶ Over the summer the implementation team worked on a couple of e-Manifest implementation activities to prepare the states for system launch:
- ▶ Reviewed state-only hazardous waste codes
- ▶ Identified state points of contact who will work with their Regional POC to prepare their regulating agency and regulated community for e-Manifest.
- ▶ More recently, we have begun focusing our attention on identifying receiving facilities that accept state-regulated waste for treatment/disposal
 - ▶ Once e-Manifest goes live, these facilities will be expected to sign and submit manifests to EPA.

Regional Programmatic and Technical Points of Contact (POCs) for e-Manifest Implementation

Region	Programmatic Contact	email address	Phone	Technical Contact	email address	Phone
1	Beth Deabay	Deabay.Beth@epa.gov	617-918-1343	Lynn Hanifan	hanifan.lynn@epa.gov	617-918-1644
2	Norman Rost	rost.norman@epa.gov	212-637-4049			
3	Evelyn Sorto	sorto.evelyn@epa.gov	215-814-2123	Catherine McGoldrick	McGoldrick.Catherine@epa.gov	215-814-3399
4	Parvez Mallick	mallick.parvez@epa.gov	404-562-8594	Bob Reimer	reimer.robert@epa.gov	404-562-8484
	Nancy McKeePerez	McKeePerez.Nancy@epa.gov	404-562-8674			
5	Gary Victorine	victorine.gary@epa.gov	312-886-1479	Tom Crosetto	crosetto.thomas@epa.gov	312-886-6294
6	Matthew Loesel	loesel.matthew@epa.gov	214-665-8544	Melissa Smith	smith.melissa@epa.gov	214-665-7357
7	Mary Goetz	goetz.mary@epa.gov	913-551-7754	Colleen Thomas	thomas.colleen@epa.gov	913-551-7182
	Rebecca Wenner	wenner.rebecca@epa.gov	913-551-7644			
8	Mike Roach	Roach.Michael@epa.gov	303-312-6365			
9	Cheryl Nelson	nelson.cheryl@epa.gov	415-972-3291	Kaoru Morimoto	morimoto.kaoro@epa.gov	415-972-3306
	Sarah Bielski	bielski.sarah@epa.gov	415-972-3961			
10	Melissa Winters	winters.melissa@epa.gov	206-553-5180	Ian Ainoa	ainoa.ian@epa.gov	206-553-0311

Challenge: State-Regulated Facilities

- ▶ Under the e-Manifest Act, EPA must collect manifests from any entity required to submit a manifest under a federal or state requirement.
- ▶ Entities that manifest per state regulations may not be previously known to the federal RCRA program.
- ▶ EPA needs to identify and reach out to state-regulated receiving facilities as they will have new requirements under e-Manifest.
- ▶ For example, these facilities will need to:
 - ▶ register in RCRAInfo for e-Manifest
 - ▶ submit manifests to EPA, and
 - ▶ pay manifest fees starting June 2018.

Challenge: User Registration

- ▶ Tens of thousands of generators, transporters, and receiving facilities will need to register and activate user accounts to use e-Manifest.
- ▶ Some of these users may not have accounts (e.g., EPA IDs) associated with the RCRA program.
- ▶ Registration for e-Manifest will be the same as for RCRAInfo's other industry applications (BR & MyRCRAid).
- ▶ New permission launched in September 2017 - Site Manager
- ▶ Site Managers can register other users at their facility and submit data for any industry application module (MyRCRAid, Biennial Report, and e-Manifest)

EPA is planning to provide information on the following:

- ▶ How can brokers engage in e-Manifest/sign “on behalf” of generators?
- ▶ How will interstate shipments work when the generating state/receiving state doesn't require a manifest?
- ▶ How much will EPA charge to process manifests?
- ▶ How can states receive data from the e-Manifest system?
- ▶ How long will EPA keep manifest data?

e-Manifest Outreach

- ▶ EPA is conducting outreach through a number of mechanisms to disseminate information about e-Manifest and coordinate with other stakeholders
 - ▶ EPA Region 9- Regional sub-lead for e-Manifest
 - ▶ Webinars
 - ▶ e-Manifest Website
 - ▶ Advisory Board meetings
 - ▶ Industry and state stakeholder meetings
 - ▶ Road Shows for states
 - ▶ Development of Frequently Asked Questions
 - ▶ ListServ (Send a blank message to: eManifest-subscribe@lists.epa.gov)
 - ▶ Monthly Updates for interested stakeholders
 - ▶ Fact Sheets

Contact us

- Submit input/questions to eManifest@epa.gov
- To subscribe to the general program listserv send a blank message to: eManifest-subscribe@lists.epa.gov
- To subscribe to the developers only listserv send a blank message to: e-manifestdev-subscribe@lists.epa.gov
- For more information on EPA's Manifest Program: <http://www.epa.gov/e-manifest>

Questions?