e-Manifest Fact Sheet: State Programs

On June 30, 2018, EPA launched a national system for tracking hazardous waste shipments electronically. This system, known as "e-Manifest," modernizes the nation's cradle-to-grave hazardous waste tracking process while saving valuable time, resources, and dollars for industry and states. EPA established e-Manifest per the Hazardous Waste Electronic Manifest Establishment Act, which Congress enacted into law on October 5, 2012. e-Manifest is a multi-faceted program that includes system development; regulation and policy; implementation and communication; and consultation with the e-Manifest federal advisory committee.

What States Need to Know

- e-Manifest launched on June 30, 2018.
- Users in the regulated community have the option of using electronic manifests or continuing to use the paper manifest forms.
- As of June 30, 2018, receiving facilities must submit all manifests, including electronic and paper manifests, to EPA's e-Manifest system.
- EPA charges receiving facilities a user fee for each manifest submitted. User fees differ based on the way the manifest is submitted.
- State programs must adopt the e-Manifest regulations (One Year Rule and User Fee Rule).
- States determine how they connect with e-Manifest. The e-Manifest system is the only means by which states may obtain all electronic manifests and the receiving facility copy of paper manifests.
- Generators who use paper manifests and do not register for e-Manifest, and thus cannot view their manifests in EPA's e-Manifest system, are required to obtain paper copies of final manifests from their receiving facilities to meet their RCRA recordkeeping requirements.
- Generators who register for e-Manifest can use the e-Manifest system to retain their final copies of manifests signed by receiving facilities and meet their recordkeeping requirements.
- The e-Manifest system collects manifests for wastes shipped on a manifest, where the manifest is required either by federal law, or the law of the generator state or destination state. Users who use the manifest voluntarily for their waste shipments (i.e., the manifest is not required by federal or state law) should not submit their manifests to the e-Manifest system.

Scope of e-Manifest

e-Manifest facilitates the electronic transmission of the uniform manifest, which accompanies shipments of hazardous waste. e-Manifest affects any regulated waste shipped on a manifest, including:

- Resource Conservation and Recovery Act (RCRA) federal hazardous waste,
- Regulated PCB waste shipped on a manifest,
- State-regulated hazardous waste (if manifest is required by origination or destination state)
- Very Small Quantity Generator waste (if manifest required), and
- Imported hazardous waste.

How e-Manifest Impacts State Programs

States need to do the following with respect to e-Manifest: (1) modify their authorized state program; (2) take steps to obtain manifest data from e-Manifest; and (3) communicate with the regulated entities within their state, including entities that send or receive state-only regulated waste on a manifest.

State Regulatory Programs

- Under the e-Manifest Act, the federal e-Manifest requirements issued by EPA – the February 2014 One Year Rule and the January 2018 User Fee Rule - became effective in all states on June 30, 2018.
- EPA implements the e-Manifest regulations until RCRA authorized states adopt and become authorized for the e-Manifest regulations. (Note: some parts of the e-Manifest regulations, such as collection of user fees, will only be implemented by EPA.)
- States must adopt these requirements so that they can enforce the electronic manifests used by the regulated community, ensure that the state programs are consistent with the federal manifest program, and recognize the validity of the electronic manifests used in e-Manifest.
- EPA has state authorization guidance and checklists available at https://www.epa.gov/rcra/state-authorization-under-resource-conservation-and-recovery-act-rcra to assist states with adopting and becoming authorized for the e-Manifest rules.

State Manifest Tracking Programs

- While the e-Manifest system does not replace states' existing tracking programs, Congress intended e-Manifest to be a one-stop reporting hub that would enable the user community to make their manifest submissions to the national system and, through the system, deliver any required manifest copies to the states.
- As of June 30, 2018, states must obtain the final receiving facility copy of paper manifests, and all electronic manifest copies, from the e-Manifest system. As such, states can no longer collect manifests from receiving facilities.
- States have several options to access data from e-Manifest, including: (1) a system-to-system data transfer using an Application Programming Interface (API); (2) a system-to-system connection using a Central Data Exchange (CDX) node; (3) direct view and print access through the RCRA Information System (RCRAInfo) web application; and (4) the use of "flat files," Excel spreadsheets, or similar means for obtaining a more customized download of manifest data.

Communication

- EPA encourages states to communicate with their regulated entities and share information about e-Manifest.
- In particular, it would be beneficial for states to: (1) add links to state websites to link to EPA's e-Manifest website (www.epa.gov/e-manifest); (2) post these Fact Sheets to state websites; and (3) share e-Manifest news and information through existing state communication channels, such as state listservs or email lists of regulated entities, including both hazardous waste and state-regulated waste entities.
- If you do not already have an account for RCRAInfo (Version 6), please register as a Regulatory Agency User to access e-Manifest (https://rcrainfo.epa.gov/rcrainfoprod/action/secured/login).

Federal Links

- For more information on EPA's e-Manifest Program and frequently asked questions go to http://www.epa.gov/e-manifest
- Attend the next e-Manifest webinar
- Subscribe to the e-Manifest mailing lists for the latest news and monthly webinar announcements:
    - General Program: Click here to subscribe
    - Software Developers: Click here to subscribe