

# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY CHARTER

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## HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM ADVISORY BOARD

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### 1. **Committee's Official Designation (Title):**

Hazardous Waste Electronic Manifest System Advisory Board (e-Manifest Board)

### 2. **Authority:**

The e-Manifest Board was established pursuant to the Hazardous Waste Electronic Manifest Establishment Act, 42 U.S.C. § 6939g (e-Manifest Act), and in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. § 1001 et seq.

### 3. **Objectives and Scope of Activities:**

The e-Manifest Board will provide recommendations on matters related to the activities, functions, policies, and regulations of the EPA under the e-Manifest Act. If broader issues are identified that have implications for E-Enterprise, recommendations on those issues will be referred to the Office of the Chief Financial Officer (OCFO) by the Office of Land and Emergency Management (OLEM).

### 4. **Description of Duties:**

The e-Manifest Board will provide advice and recommendations to the EPA Administrator on e-Manifest issues, including:

- The effectiveness of the e-Manifest Information Technology (IT) system and associated user fees and processes.
- Matters and policies related to the e-Manifest program.
- General e-Manifest issues, including issues identified in EPA's E-Enterprise strategy that intersect with e-Manifest, such as:
  - Business to business communications
  - Performance standards for mobile devices
  - EPA's Cross Media Electronic Reporting Rule (CROMERR) compliant e-signatures.
- Regulations and guidance as required by the e-Manifest Act.
- Actions to encourage the use of the electronic (paperless) system; and
- Changes to the user fees as described in Section 3024(c)(3)(B)(i).

**5. Agency or Official to Whom the Committee Reports:**

The Board will report its advice and recommendations to the EPA Administrator through the Assistant Administrator for OLEM. Any recommendations related to E-Enterprise will be forwarded to OCFO by OLEM.

**6. Support:**

EPA will be responsible for financial and administrative support. Within EPA, this support will be provided by OLEM.

**7. Estimated Annual Operating Costs and Staff Years:**

The estimated annual operating cost of the Board is \$274,103 which includes approximately 1.9 staff years of support. EPA may pay travel and per diem expenses when determined necessary and appropriate.

**8. Designated Federal Officer:**

A full-time or permanent part-time employee of EPA will be appointed as the Designated Federal Officer (DFO). The DFO or an alternate will be present at all meetings of the advisory committee and subcommittees. In the event that the DFO cannot fulfill the assigned duties of the committee, one or more full-time or permanent part-time employees will be assigned as DFO and carry out these duties on a temporary basis. Each meeting will be conducted in accordance with an agenda approved in advance by the DFO. The DFO is authorized to adjourn any meeting when he or she determines it is in the public interest to do so and will chair meetings when directed to do so by the official to whom the committee reports.

**9. Estimated Number and Frequency of Meetings:**

The e-Manifest Board will meet at least annually as required by the e-Manifest Act. Additional meetings by teleconference may occur approximately once every 6 months or as needed and approved by the DFO.

As required by FACA, the Board will hold open meetings unless the EPA Administrator (or a designee) determines that a meeting or a portion of a meeting may be closed to the public in accordance with 5 U.S.C. § 552b(c). Interested persons may attend meetings, appear before the committee, and file comments with the Board.

**10. Duration:**

Continuing.

**11. Termination:**

This charter will be in effect for 2 years from the date it is filed with Congress. After this 2-year period, the charter may be renewed in accordance with Section 14 of FACA.

**12. Membership and Designation:**

As required by the e-Manifest Act, the e-Manifest Board will be composed of nine members. One member will be the EPA Administrator (or a designee), who will serve as Chairperson of the Board. The rest of the committee will be composed of:

- At least two members (designated as either Special Government Employee (SGE) or Regular Government Employee (RGE) members) who have expertise in IT.
- At least three members (designated as Industry Representative members) who have experience in using or represent users of the manifest system to track the transportation of hazardous waste under the e-Manifest Act or an equivalent state program.
- At least three members (designated as State Representative members) who will be state representatives responsible for processing e-Manifests.

In accordance with Executive Order 14035 (June 25, 2021) and consistent with the law, EPA values and welcomes opportunities to increase diversity, equity, inclusion, and accessibility on its federal advisory committees. EPA's federal advisory committees have a workforce that reflects the diversity of the American people.

**13. Subcommittees:**

EPA, or the e-Manifest Board with EPA's approval, may form subcommittees or working groups for any purpose consistent with this charter. Such subcommittees or working groups may not work independently of the chartered committee and must report their recommendations and advice to the chartered Board for full deliberation and discussion. Subcommittees or working groups have no authority to make decisions on behalf of the chartered Board, and they cannot report directly to the Agency.

**14. Recordkeeping:**

The records of the committee, formally and informally established subcommittees, or other subgroups of the committee, will be handled in accordance with NARA General Records Schedule 6.2 and EPA Records Schedule 1024 or other approved agency records disposition schedule. Subject to the Freedom of Information Act, 5 U.S.C. § 552, these records will be available for public inspection and copying, in accordance with the Federal Advisory Committee Act.

**15. Filing Dates**

August 2, 2023

Agency Approval Date

July 12, 2023

GSA Consultation Completion Date

August 16, 2023

Date Filed with Congress