

e-Manifest Fact Sheet: TSDFs

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. EPA is establishing 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 TSDFs Need to Know

- e-Manifest launches nationwide on **June 30, 2018**.
- Treatment, Storage, and Disposal Facilities (TSDFs) will have the option to create and submit manifests electronically.
- TSDFs may continue to use paper manifests after June 30, 2018; however, use of e-Manifest is highly encouraged by EPA.
- **TSDFs must submit all manifests, both paper and electronic, to EPA.**
- **EPA will charge a fee to TSDFs for each manifest submitted. Fees are differentiated based on how the manifest is submitted.**
- **TSDFs must be registered with e-Manifest (RCRAInfo Industry App account).**
- Existing 6-copy manifest form is being replaced with a new 5-copy form. The new form will be effective starting on June 30, 2018. *TSDFs may use up their remaining copies of the 6-copy manifest form, but must ensure that forms are routed to the correct entity (top copy [sheet 1] needs to be submitted to the e-Manifest system).*

Scope of e-Manifest

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

- RCRA federal hazardous waste;
- Regulated PCB waste shipped on a manifest (see NY's more stringent requirements for PCBs - [6 NYCRR 371.4\(e\)](#) and "Continued Use of State Hazardous Waste Codes" on page 3);

- State-regulated hazardous waste (if manifest is required by origination or destination state);
- Very Small Quantity Generator (*a.k.a.*, Conditionally Exempt Small Quantity Generator) waste (if manifest required); and
- Imported hazardous waste (currently, e-Manifest cannot be used for exported hazardous waste).

EPA will implement the e-Manifest regulations until Resource Conservation and Recovery Act (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.)

How TSDFs Will Be Impacted

- The e-Manifest Act mandates that the system must cover waste shipments for which either federal or state law require a RCRA hazardous waste manifest for their tracking. **Shipments of state-regulated wastes that are not federal RCRA wastes, but that are subject to the hazardous waste manifest under state law, by either the origination state or the destination state, must be included in the system.** *If a shipment is voluntarily shipped on a manifest (i.e., not required to be manifested under either state or federal law), the manifest is not required to be submitted to EPA.*
- Use of electronic manifesting is optional; however, TSDFs must register with e-Manifest. Registered users can view electronic copies of completed manifests and make corrections to manifests electronically.
- Generators with accounts will also be able to participate in the electronic data corrections process supported by e-Manifest.

- If generators do not create e-Manifest accounts to view their manifests, you should make arrangements with them to provide paper copies of completed manifests so they can meet applicable recordkeeping requirements (including, but not limited to 6 NYCRR 372 and 40 CFR part 262). **The e-Manifest system will only supply electronic copies of completed manifests to registered generators with e-Manifest accounts.**

What TSDFs Need to Do

Work with Customers to Select Manifest Creation Option

e-Manifest allows for three types of manifest creation options:

- Paper (generator, transporter, and receiving facility all sign on paper)
- Hybrid (starts as paper manifest signed by the generator and then is signed electronically by the transporter and receiving facility)
- Electronic (created in e-Manifest and electronically signed by all entities listed on the manifest)

Beginning on June 30, 2018, all receiving facilities must submit manifests to EPA. If a manifest is in transit *prior* to June 30, 2018, it **does not** need to be submitted to EPA. All manifests initiated (signed by the generator) *on or after* June 30, 2018 **must** be submitted to EPA.

Electronic and **hybrid manifests** are submitted to EPA instantaneously, as they are signed electronically by the receiving facility in the system. EPA's Cross-Media Electronic Reporting Rule (CROMERR) provides the legal framework for electronic reporting under EPA's regulatory programs. Those signing electronically need to go through identity proofing and sign using a CROMERR-compliant electronic signature (*e.g.*, enter password and answer personal challenge question). If a **paper manifest** is used, the receiving facility must submit the manifest to EPA within 30 days of receipt.

TSDFs can utilize the EPA's e-Manifest website to create electronic manifests for their customers or they can utilize the e-Manifest API (Application Programming Interface) to add e-Manifesting capabilities to their existing manifesting system.

Select Manifest Submission Options and Associated Fee

TSDFs have several options for submitting manifests to EPA including mailing in paper manifests, sending a scanned image of a paper manifest, or submission of image and data files, hybrid manifests or electronic manifests via e-Manifest. EPA will impose a fee for every manifest submitted to the system based on the manifest type and mode of submission. Each manifest submission option has a different associated fee:

- Mailed paper forms incur the highest fees.
- Scanned image file and data + scanned image file uploads will incur moderate fees.
- Electronic manifest, including hybrid manifest, will incur the lowest fees.

EPA will publish user fees on the e-Manifest website.

Register with e-Manifest

e-Manifest registration and instructions will be available at: www.epa.gov/e-Manifest. Users can register for different permissions related to whether they want to view, create, and/or sign manifests electronically. **Each user must register separately**; sharing of accounts is **not** allowed. EPA encourages TSDFs to register at least two users as "Site Managers" per EPA ID who, in addition to all the permissions above, can also approve other users in their company for e-Manifest access.

Stay Updated

Subscribe to the e-Manifest Listservs for the latest news and monthly webinar announcements:

- 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 e-Manifest Program:

- e-Manifest Website: www.epa.gov/e-Manifest
- EPA e-Manifest General FAQ: <https://www.epa.gov/e-manifest/frequent-questions-about-e-manifest>

Direct your questions to the contact(s) listed on page 3.

New York State Requirements

The New York Department of Environmental Conservation (DEC) will continue to require several state manifest provisions.

Continued Collection of Paper Generator Copies of Manifest

Generators must continue to submit a copy of the generator copy of hazardous waste manifest forms to DEC, if the generator uses paper manifests to ship hazardous waste. DEC will evaluate the necessity of this requirement after the EPA e-Manifest system has been operating for a reasonable period of time.

Continued Use of State Hazardous Waste Codes

The **use of all applicable state hazardous waste codes including** those for: **PCB wastes** (state-only hazardous waste codes B001-B007) and **ultimate disposal method code** (L, B, R, T) will continue to be required.

New York & EPA Region 2 Contacts

- EPA Region 2 (federal questions & requirements):
(212) 637-4106
- DEC (state-specific questions & requirements):
manifest@dec.ny.gov

New York Links

- For New York specific e-Manifest information visit:
www.dec.ny.gov/chemical/112876.html.
- For New York specific e-Manifest updates, subscribe to DEC's *Hazardous Waste and Clean Up* Listserv: visit www.dec.ny.gov/public/65855.html, enter your email address into the blue *DEC Delivers* box on the right-hand side of the web page, click "Submit" and select the "Hazardous Waste and Clean Up" topic.