U.S. EPA Hazardous Waste Electronic Manifest System: ASTSWMO Comments to e-Manifest Advisory Board

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The Association of State and Territorial Solid Waste Management Officials ("ASTSWMO") submitted February 23rd comments to the U.S. Environmental Protection Agency ("EPA") Office of Land and Emergency Management for an upcoming Hazardous Waste Electronic System ("e-Manifest") Advisory Board meeting.

The Advisory Board meeting is being held March 2-4.

The theme of the Advisory Board meeting is:

Looking Ahead: Setting E-Manifest Program Priorities and User Fees for FY2022 and FY2023

Federal legislation enacted in 2012 authorized EPA to implement a national electronic manifest system. Further, it authorized the federal agency to assess the cost of developing and operating the e-Manifest system from user fees. Such fees would be charged to those who use hazardous waste manifests to track off-shipments of their waste.

The Resource Conservation and Recovery Act cradle-to-grave hazardous waste tracking system attempts to ensure that such waste is properly generated, transported and treated/disposed.

EPA launched the e-Manifest in 2008. The same year it published its final methodology the agency set for user fees based on the cost of processing manifests.

EPA had previously circulated a Background White Paper for the March 2-4 meeting. It had indicated that one of the purposes of the meeting was to consider program priorities.

ASTSWMO states in its February 23rd comments that one of the priorities should be "focusing on manifest data quality." In support of this statement it notes:

In its Background White Paper, EPA estimates that approximately 5% of data plus image upload manifests contain data quality issues. Data plus image uploads account for 80-85% of the approximately 4.2 million manifests in the e-Manifest system to date. Three of ASTSWMO's member States evaluated manifest data quality for manifests in their State and have identified error rates significantly higher than 5%. Each of the three States randomly selected recently shipped (and completed) manifests for generators in their State and compared the e-manifest data to the uploaded manifest PDFs. The overall error rate ranged from 10% to 86%. Additionally, one State provided a breakdown of errors related to manifest data submitted by three separate designated facilities.

ASTSWMO references transporter information errors that are sometimes counted:

- transporters being out of order
- incorrect dates for transporter signatures
- transporters missing from manifest data (but appear on uploaded PDF)
- transporters being listed in manifest data (but were crossed off on the uploaded PDF)

Waste information errors cited in the letter that are counted are stated to include:

- errors in reporting management method codes
- errors in reporting waste codes
- errors in reporting number of containers
- errors in reporting waste description
- errors in reporting waste quantity

Issues cited that ASTSWMO believes are "hindering this transition" are stated to include:

- U.S. Department of Transportation requiring a paper manifest to be in the vehicle during shipment even when EPA's electronic manifest is utilized
- Because of the hazardous waste management industry 's investment of time and money in developing internal databases to create hazardous waste manifests, etc., the majority of those companies have not converted to utilizing fully electronic manifests

ASTSWMO believes it would be more beneficial for EPA to focus on shifting image-only uploads to either data plus image uploads or fully electronic manifests. The rationale for this statement is cost savings. This is based on the organization's belief that data entry does not need to be performed at the Paper Processing Center.

ASTSWMO also "encourages" EPA to ensure staffing requirements related to obtaining corrections for previously submitted manifests is incorporated into the system costs.

ASTSWMO describes itself as an organization of 50 states, five territories and the District of Columbia whose mission is to enhance and promote effective state and territorial programs and to affect relevant national policies for waste and materials management, environmentally sustainable practices, and environmental restoration.

A copy of the letter can be downloaded here.