



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

U.S. Environmental Protection Agency Hazardous Waste Electronic Manifest System: Association of State and Territorial Solid Waste Management Officials Advisory Board Meeting Comments

10/14/2025

The Hazardous Waste Subcommittee of the Association of State and Territorial Solid Waste Management Officials ("ASTSWMO") sent a September 16th letter providing comments to the United States Environmental Protection Agency ("EPA") for submission to the upcoming Hazardous Waste Electronic Manifest System ("e-Manifest") Advisory Board meeting.

The Advisory Board meeting was held from September 23 – 25.

EPA had announced the e-Manifest Advisory Board meeting and also included in the Federal Register notice:

- Charge Questions posed to the e-Manifest Advisory Board.
- Background White Paper providing information on the issues to be discussed by the Board.

ASTSWMO describes itself as an organization representing the 50 States, 5 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.

The Resource Conservation and Recovery Act ("RCRA") cradle-to-grave Hazardous Waste Tracking System attempts to ensure that hazardous waste is properly generated, transported, and treated or disposed. The cradle-to-grave system has always been a key component of RCRA.

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

The e-Manifest system is a national database that similarly tracks hazardous waste shipments. It was launched by EPA in 2009. The goal of the e-Manifest system is to improve access to higher quality and timely data while also saving time and resources for industry, state, and territorial programs.

ASTSWMO notes in its September 16th comments that the theme of the Advisory Board meeting is referenced as:

Accelerating the Future: Phasing out Paper Manifests to Unlock the Full Potential of e-Manifest.

ASTSWMO states that it has reversed its position regarding retention of use of paper manifests. It states that the organization:

...now supports the use of fully electronic manifests.

One stated reason for this position is the concern that because data quality issues persist, it believes that maintaining two separate systems is contributing to such problems and that a transition to fully electronic manifesting, with all entities providing an electronic signature is preferable.

Additional points raised in the ASTSWMO comments include:

- Coordinating with the U.S. Department of Transportation is necessary, as it appears to be one of the most significant impediments to achieving a fully electronic e-Manifest system (noting DOT requires a physical paper copy of the manifest to be in the transport vehicle).
- If EPA chooses to sunset paper manifests and transition to a fully electronic system:
- Facilities that are normally very small quantity generators but have an episodic event should be required to register with the e-Manifest system in order to retain records.
- EPA should consider the impact of the paper sunset requirement on the use of voluntary manifests as contemplated in the e-Manifest Frequently Asked Questions.
- Supports EPA requiring e-Manifest registration for all entities involved in the waste handling process, including the generator, transporter, and the designated facility.
- Supports removing the existing paper-based manifest record-retention requirements (entities currently required to maintain a paper manifest should be obligated to establish and maintain electronic access to their manifest via the e-Manifest system).
- Supports a delayed enforcement and compliance approach to sunset paper manifests.
- Appreciates EPA's acknowledgement of state regulators and providing user support and management of the user registration process.
- Supports EPA hosting an e-Manifest User Conference as outlined in the Background White Paper.
- Added work on e-Manifest information has stretched limited state program resources and may not be sustainable without revisiting funding levels or expectations of workload.
- agrees with EPA's proposal related to the replacement manifest as outlined in the Background White Paper in the event that the e-Manifest system becomes temporarily unavailable for electronic manifest tracking.
- Supports the sunset of paper manifests to assist with the integration of e-Manifest and the Biennial Report.

A copy of the comments can be downloaded [here](#).