Hazardous Waste Manifest Regulations/RCRA: U.S. Environmental Protection Agency Proposed Sunsetting Use of Paper Manifests



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

03/13/2026

The United States Environmental Protection Agency ("EPA") published a proposed rule in the March 5th Federal Register to amend the Resource Conservation and Recovery Act ("RCRA") hazardous waste manifest regulations. See 91 Fed. Reg. 10862.

EPA is proposing to establish a date for sunsetting use of paper manifests in favor of electronic manifests.

A key component of the RCRA hazardous waste regulations is the uniform hazardous waste manifest. The manifest is a form required by EPA and the United States Department of Justice for all generators who transport, or offer for transport, hazardous waste for off-site treatment, recycling, storage, or disposal. The form contains information on the type and quantity of waste being transported, instructions for handling the waste, and signature lines for all parties involved in the disposal process.

The process involves each party handling the waste undertaking execution of the manifest and retaining a copy. The purpose is to ensure accountability in the transportation and disposal processes. When the hazardous waste reaches its destination, the receiving facility returns a signed copy of the manifest to the generator. This confirms that the hazardous waste has been received by the designated facility. In other words, the system is designed to track hazardous waste from the time it leaves the generator facility where it was produced, until it reaches the off-site waste management facility that will store, treat, or dispose of the hazardous waste.

The relevant document until several years ago had been exclusively a paper manifest. Federal legislation enacted in 2012 authorized EPA to implement a national electric manifest system. Further, it authorized the federal agency to assess the costs of developing and operating an e-Manifest system from user fees.

The e-Manifest system is a national database that similarly tracks hazardous waste shipments. It was launched by EPA in 2018. 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 and state and territorial programs.

EPA is proposing the sunset the use of paper manifests 24 months after the publication of the final rule. The amendments proposed are to the RCRA manifest regulations under 40 CFR Parts 262-267 for hazardous waste and to the Toxic Substances Control Act PCB regulations in part 761.

EPA states in the preamble to the proposed rule that phasing out paper manifests would result in an estimated $28.5 million annual savings. The savings are stated to be derived through:

- Decreased burden to manifest users.
- Increasing human health and environmental protection through better tracking of hazardous waste.
- Greater transparency for regulators and the public.

The proposed rule also includes conforming amendments to existing regulations.

Finally, the rule updates exception reporting requirements for very small quantity generators managing hazardous waste from episodic events, as well as for healthcare facilities and reverse distributors handling hazardous waste pharmaceuticals. Discrepancy reporting requirements for owners and operators of hazardous waste facilities operating under standardized permits are also revised. In addition, four technical corrections are proposed for the import and export requirements to:

- Correct EPA's mailing address.
- Remove obsolete text.
- Correct a citation associated with manifest corrections for export shipments.

A copy of the Federal Register notice can be found here.