



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

NOW THE
OFFICE OF LAND AND
EMERGENCY MANAGEMENT

DEC 28 2017

MEMORANDUM

SUBJECT: Transmittal of Meeting Minutes from the September 26-28, 2017, Hazardous Waste Electronic Manifest System (e-Manifest) Advisory Board Meeting

FROM: Fred Jenkins, Designated Federal Officer of the e-Manifest Advisory Board
U.S. Environmental Protection Agency *Fred Jenkins*

THRU: Barnes Johnson, Director *Barnes Johnson*
Office of Resource Conservation and Recovery

TO: Nigel Simon, Acting Principal Deputy Assistant Administrator
Office of Land and Emergency Management

Please find attached the meeting minutes from the September 26-28, 2017 e-Manifest Advisory Board public meeting held in Arlington, VA. The meeting theme was “*Implementing e-Manifest: User Registration and Account Activation.*” The purpose of the meeting was to provide input to EPA regarding critical e-Manifest user registration and account activation issues that need to be addressed prior to the launch of the e-Manifest system.

Enclosure

CC:

Steve Fine

David Bloom

**Hazardous Waste Electronic Manifest System
(e-Manifest) Advisory Board Minutes No. 2017-02**

**e-Manifest Advisory Board to Address –
*“Implementing e-Manifest: User Registration
and Account Activation.”***

**September 26-28, 2017
e-Manifest Advisory Board Meeting Held at
The Environmental Protection Agency Conference
Center, Lobby Level, One Potomac Yard (South
Bldg.), 2777 S. Crystal Dr., Arlington, VA 22202**

The Hazardous Waste Electronic Manifest System (e-Manifest) Advisory Board is established in accordance with the provisions of the Hazardous Waste Electronic Manifest Establishment (e-Manifest) Act, 42 USC § 6939g, and the Federal Advisory Committee Act (FACA), 5 U.S.C. App.2. The Board is in the public interest and supports the Environmental Protection Agency (EPA) in performing its duties and responsibilities. The e-Manifest Advisory Board provides independent, peer review and advice to the EPA on operational matters related to the e-Manifest System. This meeting's minutes represent the views and recommendations of the e-Manifest Advisory Board and do not necessarily represent the views and policies of the EPA or of other agencies in the Executive Branch of the federal government. Mention of trade names or commercial products does not constitute an endorsement or recommendation for use. The meeting minutes do not create or confer legal rights or impose any legally binding requirements on the EPA or any party.

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NOTICE

The e-Manifest Advisory Board is a federal advisory committee operating in accordance with the Federal Advisory Committee Act and established under the provisions of the Hazardous Waste Electronic Manifest System Establishment Act. The e-Manifest Advisory Board provides independent advice to the Agency on operational matters related to e-Manifest. The Board is structured to provide balanced expertise and advice on matters facing the EPA relating to the implementation and function of e-Manifest. These Advisory Board meeting minutes have been written as part of the activities of the e-Manifest Advisory Board. In preparing the meeting minutes, the e-Manifest Advisory Board carefully considered all information provided and presented by EPA, as well as information presented in public comment.

The September 26-28, 2017, e-Manifest Advisory Board meeting was held to consider and review issues associated with “*Implementing e-Manifest: User Registration and Account Activation.*” These meeting minutes are publicly available on the e-Manifest website (<https://www.epa.gov/hwgenerators/hazardous-waste-electronic-manifest-system-e-manifest>) under the heading of “Meetings” and in the public e-docket, Docket No. EPA-HQ-OLEM-2017-0368, accessible through the docket portal: <http://www.regulations.gov>. Interested persons are invited to contact Fred Jenkins, Ph.D., e-Manifest Advisory Board, DFO, via e-mail at jenkins.fred@epa.gov.



e-Manifest Advisory Board Minutes No. 2017-02

**e-Manifest Advisory Board to Address –
“Implementing e-Manifest: User Registration
and Account Activation.”**

September 26-28, 2017

**e-Manifest Advisory Board Meeting Held at
The Environmental Protection Agency Conference
Center, Lobby Level, One Potomac Yard (South
Bldg.), 2777 S. Crystal Dr., Arlington, VA 22202**

**Barnes Johnson
Director of the Office
of Resource Conservation and Recovery
and Delegated Chair
e-Manifest Advisory Board**


Date: DEC 27 2017

**Fred Jenkins, Jr., Ph.D.
Designated Federal Official
e-Manifest Advisory Board**


Date: DEC 27 2017

e-MANIFEST ADVISORY BOARD ROSTER**e-Manifest Advisory Board (Delegated) Chair****Barnes Johnson**

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INTRODUCTION

On September 26-28, 2017, the e-Manifest Advisory Board met to hold its second public meeting. The meeting theme was “*Implementing e-Manifest: User Registration and Account Activation.*” The purpose of the meeting was to provide input to EPA regarding critical e-Manifest user registration and account activation issues that need to be addressed prior to the launch of the e-Manifest system. U.S. EPA presentations were provided during the meeting by the following (listed in order of presentation):

Welcome and Opening Remarks –

Nigel Simon, Acting Principal Deputy Assistant Administrator, Office of Land and Emergency Management (OLEM)

Purpose and Benefits of e-Manifest –

Richard LaShier, Chair of the e-Manifest Fee Rule Workgroup, OLEM, Office of Resource Conservation and Recovery (ORCR)

e-Manifest System Develop – Stephen Donnelly, e-Manifest Program Manager, OLEM, ORCR

Implementation and Communication – Bryan Groce, OLEM, ORCR & Cheryl Nelson, Manager of the Planning and State Development Office Land Division, EPA Region 9

User Registration Background – Amanda Kohler, Chief of Permits Branch, OLEM, ORCR, & Steve Donnelly, OLEM, ORCR

EPA’s User Registration Process – Scott Christian OLEM, ORCR

PUBLIC COMMENTERS (listed alphabetically)

Public comments were provided by:

Robert Abril

Director of Development
Triumvirate Environmental

Paula Center

Environmental Specialist 3
Ohio Environmental Protection Agency
Division of Environmental Response & Revitalization Hazardous Waste Program

Robert Fronczak

Assistant Vice President and Hazmat
Safety Operations
Association of American Railroads

Larry Fura

Director of Technology
WTS Inc.

Tita LaGrimas

Executive VP of Regulatory Affairs
Tradebe Environmental Services, LLC

Phil Retallick

Senior Vice President
Compliance and Regulatory Affairs
Clean Harbors Inc.

Two anonymous public commenters

OVERALL SUMMARY OF e-MANIFEST ADVISORY BOARD RECOMMENDATIONS

The EPA is scheduled to launch the e-Manifest system in June of 2018. For this public meeting, the e-Manifest Advisory Board was convened and specifically tasked to advise the EPA on user registration and account activation issues that need resolution prior to the June 2018 system launch. The Board specifically advised the EPA on ways: 1) to enhance outreach and engagement of the e-Manifest user community in support of the user registration process and 2) to ensure an efficient user registration process that entails specific criteria. The following provides a brief synopsis of the Board's recommendations to the EPA regarding these issues. The complete set of Board recommendations can be found in the following "Detailed Board Deliberations and Response to Charge Questions" section of these meeting minutes.

To provide effective outreach and engagement that will aid the user registration process, the Board advised the EPA to implement several specific activities prior to the June 2018 system launch. Some highlighted recommendations included: 1) the establishment of a completely functional Help Desk, 2) clarification (directed to potential system users) as to how the EPA's e-Manifest system will collect, use, and protect personal information, including security question answers, 3) the capability for companies to manage, authorize, and be accountable for e-Manifest registered individuals within their companies, 4) extensive user testing, and 5) the development and implementation of a communications strategy entailing extensive coordination with the states and the Department of Transportation Pipeline and Hazardous Material Safety Administration (DOT PHMSA).

To ensure an efficient user registration process, the Board recommended that the EPA not be responsible for user verification authenticity. Furthermore, the Board noted that user verification criterion should not be any more stringent than the EPA's "myRCRAid" user verification criteria. The Board agreed with the EPA proposal to require sites/user companies to establish "Site Managers" to manage their sites' user registrations. Furthermore, the Board emphasized that the EPA should provide an explicit definition of the role and responsibility of Site Managers. The Board identified several specific suggestions regarding the Site Manager's role.

The Board opposed the EPA's proposal to deactivate user accounts that have been inactive for 30 days. The Board noted some common scenarios in which users might not log in to use the system for more than 30 days. They further expressed concern that a default user account deactivation due to a 30-day inactivity period might discourage some users from adopting e-Manifest after it launches in June of 2018.

DETAILED BOARD DELIBERATIONS AND RESPONSES TO CHARGE QUESTIONS**Charge 1. How can the EPA best ensure that users are registered quickly and easily?*****1a. How best can the EPA register tens of thousands of users in the most efficient manner possible while maintaining integrity of the user registration process?***

The Board recommended that the EPA employ the following measures prior to launching e-Manifest in June of 2018 to enhance the registration process:

Ensure that a “fully functional Help Desk” (see the EPA’s Hazardous Waste e-Manifest System Advisory Board Background White Paper from the January 2017 public meeting, page 21) is in place on day 1.

A well trained Help Desk should go a long way in providing efficiency and integrity to the initial registration process. The Board strongly recommended that the Help Desk be operational before the registration process begins and that the Help Desk staff should: be trained in the software, be prepared to help new users trying to register, and be trained in basic RCRA programmatic issues and able to answer questions such as: ‘What is hazardous waste?’ ‘What is a Large/Small/Very Small Quantity Generator?’ They should also be prepared to refer RCRA state related questions to the appropriate state representative/point of contact for questions that vary from state to state, such as ‘Who is required to use a hazardous waste manifest?’

The Board considered the EPA’s proposed registration process (See the EPA’s *Hazardous Waste e-Manifest System Advisory Board Background White Paper from January page 8, 2017 public meeting*) and its advanced distribution to be critical for the success of the user registration process. The process and related instructions should be well tested by the EPA and Help Desk staff. The EPA needs to clearly define the Help Desk’s role in this regard, including training, phone services, web-based services, and management for success.

Address potential concerns regarding personal privacy as it relates to the EPA’s proposed user registration identification requirements.

It was the opinion of the Board that some potential users will be reluctant to register because the proposed registration process requires users to provide personally identifiable information (PII). In its clarifying remarks, the EPA stated that no PII will be stored, and that the information requested during the registration process will be for the sole purpose of comparison with information already in the possession of Lexis/Nexis so as to verify identity. The Board believed that the typical potential registrant would not be aware of the distinction and so this fact is unlikely to mitigate the concern.

Hold companies accountable for ensuring only authorized individuals use the system on their behalf.

In the opinion of several Board members, companies that use e-Manifest should be held accountable for ensuring that only authorized individuals “sign” e-manifests. This is consistent with practices of the current paper manifest system.

Develop and implement a Communications Plan prior to system roll out.

The Board recommended that the EPA develop and implement a deployment communications plan. Specific elements of the plan are included in the Board’s recommendations relative to subpart b of this charge question (see below response to Charge Question 1b).

Conduct a limited early test roll-out to identify/correct issues prior to full system roll out.

The Board suggested that the EPA pilot the program among a smaller subset of users prior to full system roll out so that issues may be identified and corrected in advance of the engagement with the entire regulated community.

Reach out to U.S. Department of Transportation (DOT) regarding their processes and experience with rolling out the PHMSA Hazmat Registration program.

The U.S. DOT operates an online registration service for hazmat shippers and transporters; this system includes hundreds of thousands of registrants. The Board recommended that the EPA reach out to DOT for information about the most efficient manner of registering users while maintaining integrity of the user registration process.

Clarify the role and need for a registered system user.

The Board recommended that the EPA clarify who needs to be a registered e-Manifest user. More specifically, the EPA needs to clarify the various user permission levels (Viewer, Preparer, Certifier, Site Manager) to be able to accurately predict the number and type of users. They suggested that this can be done by the development and distribution of a simple matrix that indicates the roles and responsibilities of each user type. Such a matrix could identify whether generators need to have registered users associated with their facility, especially if the generators have retained the services of a transporter or broker to sign ‘on behalf of’ the generator. Such a matrix could also show whether generators or transporters need registered users under the “hybrid” manifest approach. This could be either because the EPA will require it or because it will be the only way for generators to obtain their TSDF-signed manifest copy.

1b. What communication vehicles should the EPA employ to convey information on e-Manifest, including how to register? Are some mediums better to reach certain groups than others?

The Board recommended the following actions to convey information concerning e-Manifest to parties that will be impacted by the program:

- Develop and publish a master set of instructions governing the user registration process and application use. The instructions will then be used as a primary resource for states to post on their respective websites. This lets states focus on and supply ancillary documentation describing local policies and further instructions.
- Utilize state agencies, trade associations, and private companies that have direct ties to the regulated community. Such entities have their own communication tools and distribution lists that can help disseminate the EPA's information. Examples of private service companies that could be of assistance include: TSDFs, companies authorized to print manifests, and various consultants and RCRA/DOT trainers. The Board also suggested that the EPA work with TSDFs and transporters to help them become ambassadors for the program. Specific recommendations included asking transporters to provide an e-Manifest related pamphlet or card to customers at the time of a waste pickup. The card/pamphlet could include information with other waste profile forms that are provided to generators. The Board fully understood that participation by private service companies and other entities would be voluntary.
- Establish an EPA website dedicated to assisting registered and potential users.

The Board also suggested that the EPA educate parties included in the Toxic Release Inventory (TRI) and/or users of the PHMSA's hazmat registration database, as they are likely generators of hazardous waste. The EPA also should include e-Manifest material with RCRA biennial reporting notices.

Several members of the Board believed that the EPA should provide IT-specific details to counterparts in RCRA-authorized states in advance of the June 2018 launch of e-Manifest. This would be so that state IT staff can facilitate the importing of e-Manifest data into state systems that support state-based RCRA activities. State IT staff need to understand related data compatibility implications. If there are inconsistencies, states will need to assess and to advise their own program leaders and state compliance/enforcement leads. The earlier EPA can share IT-specific information; the sooner states can address these issues.

Likewise, the EPA should provide RCRA authorized states and the EPA regional offices advanced access to written e-Manifest registration and system use instructions with enough lead time to ensure key questions are answered before national deployment. State RCRA policy leads and RCRAInfo IT-technical leads with parallel systems need to be included in the advanced access to instructions.

The Board noted that some states are already drafting communication materials for the lack of fully developed EPA Headquarters (HQ) policy directives regarding the national system. Thus, the Board reiterated that since e-Manifest is a national system, the EPA needs to provide comprehensive policy directions immediately.

Operating a website dedicated to assisting registered and potential users.

The Board recommended that EPA create a dedicated website separate and apart from (but linked to) www.epa.gov/e-Manifest for the sole purpose of promoting e-Manifest to users and potential users. The website would include all information on how and why to register as a system user, training materials that could be downloaded and links to *YouTube* videos. The Board further recommended that the domain name be short, simple and easy to remember. Finally, several Board members noted that instructions should be available in print format. A set of instructions specifically designed for first-time reporters should be developed.

Additional Recommendations

Additional recommendations made by members of the Board include:

- The EPA's HQ e-Manifest development team is too small to also be accountable to disperse information about their work nationwide; they are too busy building and testing code. Further, IT technical staff are generally best suited to answer the more prevalent program/policy questions. Road shows should be done by RCRA Program staff who are well versed on the system's technical features and constraints for users.
- The EPA regional offices should be the primary communicators to states on regulatory/policy issues deriving from the e-Manifest roll out. Communications must be consistent across all of the EPA's regions. Currently there are inconsistent communications between different regions and their respective states about e-Manifest. Thus far, there are some states where no outreach has occurred.
- The EPA HQ regulatory/policy staff should communicate during the RCRA Interpretation Network (RIN) calls, held monthly and open to states/Regions.
- The EPA should develop the e-Manifest system user/registration and program guidance to ensure that a uniform national system is implemented. Due to state-specific differences in manifesting requirements, states must be allowed to take the lead on outreach/education if they choose, and states should be able to add their own materials to the base documentation in the form of 'state specific instructions.'

1c. Are there special considerations EPA should take into account when reaching out to state-only hazardous waste sites that may not have previously registered with the federal RCRA program?

The Board suggested that the EPA consider doing the following when working with state-only hazardous waste sites:

- Develop an accurate list of states to which this consideration applies.
- Work closely with state regulatory agencies and/or let states take the lead in communicating to their respective state-only regulated communities.

Focusing on outreach and onboarding during system rollout.

In the initial roll-out, EPA and states should focus their efforts on assisting users in registering and using the system. The concept of discretionary enforcement was introduced, but this should not be an EPA directive and it is understood that ultimate authority in this matter is within the individual states purview.

Additionally, the Board advised that EPA clarify how compliance and enforcement will be applied in states that a) do not adopt the e-Manifest User Fee Rules; b) will adopt, but are delayed; and/or c) immediately adopt the Rules, but authorization is pending.

Work closely with state regulatory agencies and/or let states that wish to do so take the lead.

States with ‘state-only’ wastes that have dedicated receiving facilities by definition will have the lead role in addressing e-Manifest implications for their respective states and generators, carriers, and brokers. The EPA can’t do this on these states’ behalf. The EPA should work with the states in planning coordinating communication strategies

The EPA’s regional offices should facilitate conversations with their respective states to enhance a common understanding about e-Manifest registration needs for state-only receiving facilities. The regional offices should have specific points of contact for each states’ RCRA team who will be responsible for addressing specific questions for the states. Questions that states will need the EPA to address include: ‘Is a RCRA ID # required for generators of state-only wastes?’ and ‘What are the implications for non-RCRA wastes relative to manifesting requirements and the use of e-Manifest?’

Address the unique circumstances of states with “state only hazardous waste”.

The Board recommended that the EPA work to develop a list of states that have state only hazardous waste requirements and facilities. This will help ensure inclusion and support for this unique subset of wastes and facilities. Inter-state transit of state-only wastes further complicates this question. All stakeholders (EPA regions, states, carriers, TSDFs, brokers) need more clarity on how and when these matters will be addressed and clarified.

1d. Should the EPA prioritize registration, for example, for receiving facilities or for Site Managers?

The Board recommended that the EPA prioritize the registration of Site Managers. This is based on the understanding, that users will not be permitted to use the e-Manifest system until/unless approved by their Site Manager. Further, as it concerns outreach and education efforts, the Board agreed with the EPA that Site Managers for receiving TSDFs should be the highest priority. However, as it concerns processing registration requests, some members of the Board suggested that the registration system be built and operated such that no prioritization of registration processing is necessary. Other members of the Board believed that the EPA should 'hold' registrations for other user levels at sites that do not yet have a Site Manager established until those sites do have a Site Manager, thus necessarily prioritizing registrations.

1e. To what extent should the EPA encourage sites to establish Site Managers?

The EPA proposed that that users should not be permitted to use the e-Manifest system until/unless approved by their Site Manager. The Board agreed with EPA's proposal to require sites to establish Site Managers and should not allow other user level registrations for a site until a Site Manager is registered.

The Board suggested that the EPA HQ staff work with their regional RCRA staff and respective authorized states so that states better understand the EPA's focused effort as some state staff may have a closer link to these sites. Further, the Board suggested that the EPA should share with states and regional RCRA counterparts which TSDFs have or have not registered a Site Manager.

The Board recommended that the EPA reconsider the term used to refer to the person responsible for managing a facility's e-Manifest system. The Board believed that the term 'Site Manager' is overly broad and means different things to different people. Thus, the Board suggested that the following terms are less ambiguous and should be considered: 'Manifest Manager', 'e-Manifest Administrator', 'e-Manifest Manager' and 'Environmental Site Manager'.

The Board also suggested that the e-Manifest registration process be structured such that the first user to register for a site will, by default, be designated the Site Manager. If the first user tries to register for any other level, that applicant should then be presented with a popup window that their application will be held and cannot be completed until a Site Manager for the site is first registered.

Advisory Board concerns in regard to the EPA's proposed user registration process not addressed in the charge question.

Following the EPA's presentation and public comments one or more Board members expressed the following concerns with respect to the EPA's user registration process. While these concerns are outside the limited scope of the EPA's charge questions to the Board, they are included here to ensure a complete and accurate record of the meeting.

As it concerns the ‘*on-behalf-of*’ reporting options that the EPA presented to the Board, the Board said that facilities should indicate which company affiliations or individuals are authorized to sign ‘on-behalf-of’ for their facility. Site Managers could possibly provide the EPA with a list of their approved ‘on-behalf-of’ users.

The Board heard comments from the public suggesting that some TSDFs intend to use the e-Manifest system as a depository for paper-based manifests only to be updated at the end of the transaction, rather than a communication tool to be used by any/all handlers involved during a manifested shipment. The EPA should proactively address this scenario by supplying clearer information regarding the way the system is to be used relative to paper-initiated manifests.

Charge 2. What criteria should EPA use to verify users for e-Manifest?

2a. What criteria should the EPA use to verify that a user who requests access to certain sites is, in fact, associated with those sites while, at the same time, serving to expedite processing of those requests?

The Board recommended that the EPA should not be accountable for user verification authenticity. They stated that this role should be assigned to the “Site Manager” with applicable permission level (as defined for the e-Manifest application) within the organization/facility. The Board noted the following reasons for their recommendations:

- It is unrealistic and unworkable for the EPA or states to verify the site association of users.
- Business names, e-mail addresses, mailing addresses, position authorities vary too much to track and maintain.
- Many businesses use Gmail or other unassociated server names that would slow down and complicate, instead of expedite processing requests.
- Site associations of users will be constantly changing when employees and/or approved contractors/carriers/brokers move to other companies, including competitors.

The Board asserted that user verification criteria should be no more restrictive than the EPA’s “myRCRAid” user verification criteria. Furthermore, they believed that the criteria should be as similar to myRCRAid’s criteria as practicable or the same as myRCRAid’s criteria relative to site association. This would help expedite processing.

Also specific to the Site Manager role, the Board provided the following recommendations:

- The EPA needs to clearly describe the roles and responsibilities of a “Site Manager,” from a system perspective. The description must be able to show other users associated with the Site Manager. The EPA should make the Site Manager, and the entity that

employs the Site Manager, accountable/liable for the lifecycle of the users they approve, including activation and deactivation.

- The EPA should clearly outline (in plain language) legal accountabilities associated with approved users, starting with Site Manager.
- Existing Site Managers should be notified of requests for new users (other than ‘Viewers’) that request access association to the Site Manager’s facilities within e-Manifest.
- Facilities, through their Site Managers, should be wholly responsible for ensuring association of each user under them.
- A facility Site Manager should be able to access and review all users authorized to be associated with that same facility.
- Reports should be developed to allow Site Managers to more easily ascertain the status of their organization’s users.
- Site Managers should be able to deny a potential user’s access to their facility’s e-Manifest records. The EPA and authorized state RCRA access should NOT be deniable.
- The EPA should consider establishing a “Super” Site Manager level that could associate/disassociate subordinate Site Managers. This may be limited to facilities that have reached a threshold number of Site Managers already associated with the facility.
- A user already approved for one facility should have to undergo the same verification process to gain new access to a different facility’s e-Manifest records.
- Electronic Signature Agreements (ESAs) should be accessible for review by the EPA and the host state RCRA staff.
- The EPA needs to track the ease and success of the early registration process, define the performance measure(s) and set a reasonable goal.
- The EPA and state training resources should emphasize that e-Manifest site managers are responsible for reviewing and approving their users access to e-Manifest.
- The EPA should consider automating the user registration process as much as possible, for example, have workflows defined that could interact with users or systems (for approval) to help with shortening the registration process.
- State and EPA officials should have readily viewable access to information on all approved users, arrayed as individuals, or by facility affiliations.

2b. Are there best practices the EPA should employ in reviewing user requests?

The Board unanimously advised that the EPA should not be reviewing user requests for the purpose of normal user verification processes. Their reasoning for this advice is detailed in in their responses to Question 2 a) above. However, if there was reason to suspect improper or illegal users, state and EPA officials should be able to see all approved users, arrayed as individuals, or by facility affiliations.

Charge 3. How does the process for deactivating users in e-Manifest align with the nature of hazardous manifest activity?

3a. What obstacles does the Board see, if any, with the deactivation process described above as it relates to the hazardous waste manifest program?

The Board unanimously expressed concern that a default 30-day or less log-in requirement was far too brief for the great majority of intended e-Manifest users. Very few hazardous waste generators consistently initiate hazardous waste shipments at shorter than 30-day intervals. These generators would not have any other need to log into the system other than to prevent their password from expiring. If retained, this requirement would likely lead to frustration with the system and a reluctance to use it. This could potentially hinder progress towards the EPA's goal of nationwide use.

The Board strongly recommended that the EPA reconsider its proposed user deactivation (i.e. password expiration) time limits. Instead, the EPA should request waivers (from other federal rules) of either one year, or at least for the length of time that generators are allowed to accumulate hazardous waste on site (90 days for LQGs or 180 days for SQGs).

The Board expressed that most electronic reporting system users are familiar with, and not overly burdened by an annual authentication renewal requirement. One Board member suggested that the EPA have no authorization time limit for the "Viewer" level.

The Board identified many situations in which a particular user might not log into and use the system within a 30-day time span. Examples include VSQG and SQG generators that ship waste infrequently, or users (registered individuals) who are on an extended leave of absence. Several Board members suggested for these cases that the EPA instead transfer the responsibility for ensuring the active status of system users by assigning that task to the Site Manager, as discussed in the response to Charge Question 2 (a & b). To assist, the EPA should offer a report to Site Managers that includes the last log-in dates of all dependent users at that site.

Several members of the Board also expressed concern regarding user confusion with the terms 'de-activation' and 'inactivation' as proposed for use by the EPA with the e-Manifest, Biannual Reporting (BR) and myRCRAid user registrations. In many state RCRA programs, these terms have different meanings that pertain to the regulated status of a hazardous waste generator site and its approval or other recognition status under state hazardous waste programs. This can be a concern for a user to be 'deactivated' or 'inactivated', especially when paired with the term 'Site Manager', and could cause significant and needless confusion among regulated parties and regulators alike.

However, if this terminology is clarified, a Board member also suggested that tying user activity status to the regulated activity status of the facility could address the EPA's concerns about perpetually-persisting user accounts without periodic review.

