

Hazardous Waste Manifests

Guidance on Hazardous Waste Requirements



Universal hazardous waste manifests provide a paper or electronic management record of hazardous waste and are part of the “cradle to grave” hazardous waste regulations in the United States intended to minimize risks to human health and the environment.

When completed, the manifest:

- identifies the location of the facility that generated the waste;
- describes the type and quantity of the hazardous waste transported;
- provides instructions for handling and management of the waste; and
- documents signatures for the generator, transporters and designated facility.

Hazardous waste regulations are found in chapters [NR 600-679](#) of the Wisconsin Administrative Code

Once the waste reaches its destination, the designated facility submits the manifest information to the federal e-manifest system. These “designated facilities” are licensed treatment, storage or disposal facilities (TSDFs) that receive hazardous wastes.

This publication presents information to help you identify the state and federal hazardous waste manifesting requirements and navigate the U.S. Environmental Protection Agency’s hazardous waste e-Manifest system.

Applicability

The first step to knowing if you need to manifest your waste is to determine if it is hazardous waste. For more information on whether your waste is hazardous, see *Waste Determination and Recordkeeping* (WA-1152). Large quantity and small quantity generators are required to use a manifest to ship hazardous waste. Very small quantity generators are not required to manifest; however, if a VSQG chooses to use a manifest they must follow EPA ID, exception reporting and manifest recordkeeping requirements.

It is the generator’s responsibility to ensure that the manifest is properly completed before the waste is transported off-site. However, if you require additional assistance, contact your designated facility for instructions on filling out the manifest, profiling the waste and determining waste codes. Any person signing the generator’s/offeror’s certification statement must be trained (see the section below on signing manifests).

Hazardous waste generators, transporters and TSDFs are all legally responsible for completing various parts of the manifest. All parties associated with an electronic “e-manifest” record can make corrections or changes.

Wisconsin’s hazardous waste manifest rules for:

- Generators are in subchapter B of chapter NR 662, Wis. Adm. Code.
- Transporters are in subchapter B of chapter NR 663, Wis. Adm. Code.
- TSDFs are in subchapter E of chapter NR 664 and 665, Wis. Adm. Code.

Manifests are not required when:

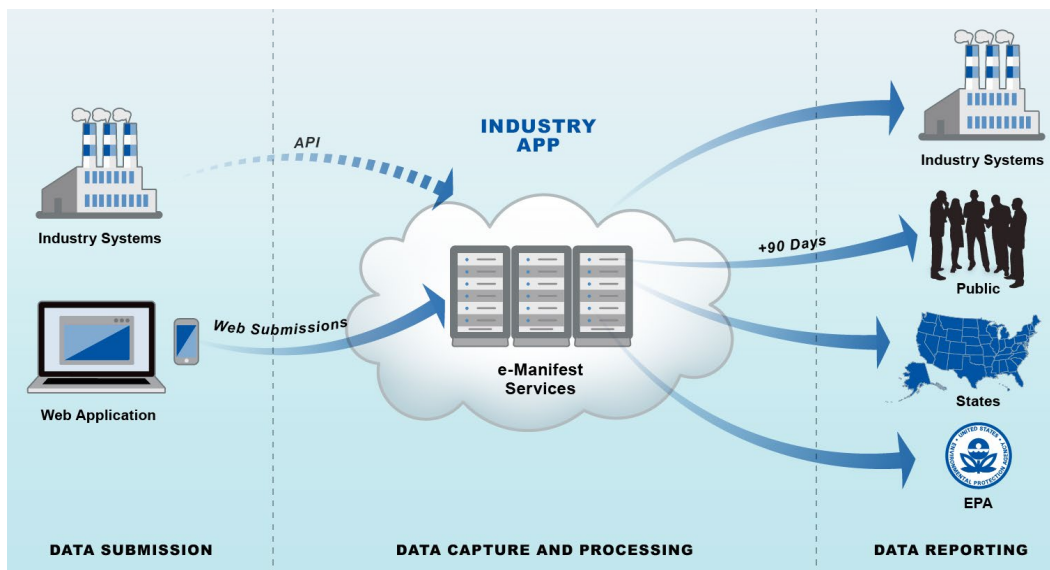
- Shipping waste that is not a hazardous waste. However, non-hazardous waste may be placed on the manifest with hazardous wastes.
- Small quantity generators using a contractual agreement which meets s. NR 662.020(5), Wis. Adm. Code.
- Certain hazardous wastes that are recycled, including discarded electronics, under ch. NR 661, Wis. Adm. Code. The DNR recommends that you contact program staff to determine if the hazardous waste you are recycling is subject to manifesting.
- Lamps, batteries, pesticides and mercury-containing devices that are being managed under the universal waste requirements in ch. NR 673, Wis. Adm. Code. Note that intentionally broken lamps are not considered universal wastes and must be fully managed as hazardous waste, including manifesting.

For shipments of waste to out-of-state designated facilities, generators are **no longer** required to send a copy of the manifest to the DNR within 30 days of receiving the final copy. The DNR will have access to these manifests through the U.S. EPA's e-Manifest system.

U.S. EPA's e-Manifest System

On June 30, 2018, the U.S. EPA launched the federal e-manifest system to collect and store electronic manifests, creating a nationwide hazardous waste tracking system. The e-Manifest system allows for sharing of manifesting information with industry, state and federal regulators and the public.

e-Manifest Conceptual Model



The e-Manifest system is designed to streamline the hazardous waste handling process by reducing regulatory paperwork, manifest preparation and management time, and the costs associated with tracking and recordkeeping. E-Manifest is part of the U.S. EPA's RCRAInfo database. The Wisconsin DNR administers user accounts for the federal RCRAInfo system which allows facilities to register for access to the e-Manifest system.

U.S. EPA requirements for use of an electronic manifest for generators, found in 40 CFR 262.24 and 262.25, define the use of an electronic manifest to be equivalent to a paper manifest, and the electronic signature as equivalent to a handwritten signature on a paper copy. In Wisconsin, e-Manifests are also the legal equivalent to the uniform hazardous waste manifest EPA forms 8700-22 and 8700-22A, with handwritten signatures, and satisfy any requirement to obtain, complete, sign, provide use and retain a manifest. [s. NR 662.024(1), Wis. Adm. Code]

The U.S. EPA no longer accepts paper copies for data entry to encourage electronic submittal to the e-Manifest system.

Once the wastes are received at the designated facility, the manifest must be submitted by the designated facility to the e-Manifest system within 30 days. It is the responsibility of the designated facility to submit the completed manifest to the e-Manifest system. The manifest can be submitted via a scanned and uploaded paper copy, uploaded data file, or manifest entered directly into the e-Manifest system.

The submittal method will dictate the manifest fees charged to the designated facility by U.S. EPA, and potentially passed on to the generator. Wisconsin will **no longer** be collecting manifest fees as that responsibility has been transferred to the U.S. EPA.

The U.S. EPA's e-Manifest system information is located at: <https://www.epa.gov/e-manifest/learn-about-hazardous-waste-electronic-manifest-system-e-manifest>.

Before Registering

Determine which employees will need access to the manifests for initiating, signing and recordkeeping. There are several user roles that can be assigned by facility "site managers" in the e-Manifest system: preparer, reviewer, certifier, viewer and broker. The U.S. EPA has created user-specific stakeholder fact sheets describing the use of the e-Manifest system. After reviewing the relevant stakeholder fact sheets, determine the user options that best fit your use. Stakeholder fact sheets and access to registration are located on the EPA's website at: <https://www.epa.gov/e-manifest>.

It is recommended that you register two "site managers" per facility. Site managers can then assign user roles for use of the e-Manifest system to other employees at the facility. This will avoid any lag in access to the system if there are personnel changes at the facility.

How to Register

To register, go to U.S. EPA's information system, RCRAInfo: <https://rcrainfo.epa.gov/>, to set up an account for a specific user role at your facility. Processing an account may take 3-5 days. You will receive an email when access is granted. Each employee expected to access the e-Manifest system should have their own account. Employees that will be signing electronic manifests must have certifier permission. This account should not be shared among employees.

Once you receive your access granted email, a site manager can log in to RCRAInfo to view permissions and assign permissions to other facility users (preparer, reviewer, viewer, certifier) and handlers (transporters and designated facilities) that may need to sign or correct a manifest. Once all the permissions are granted, the e-Manifest system is ready for use.

Use of Paper and Electronic Manifests

The U.S. EPA's goal is to transition from paper manifests or hybrid manifests to fully electronic manifests by July 2023. This transition will be dictated by the designated facilities as they work with

their transporters and generators to move to a fully electronic manifesting system. All designated facilities must submit manifests directly into the e-Manifest system. It is recommended that generating facilities review the final manifest information to verify the waste information, transporters and destination facility and make any corrections in the e-Manifest system. [s. NR 662.042(8), Wis. Adm. Code]

Paper Manifests

The paper manifest is a specific multi-copy form (EPA form 8700-22 – link in Resources section) provided by an EPA-approved printer. The uniform hazardous waste manifest has five copies, allowing the generator, each transporter and the designated facility to have copies of the same manifest. Use a ballpoint pen and press hard to ensure all copies are legible. For detailed instructions, review the EPA item-by-item guidance for the manifest form at: <https://www.epa.gov/hwgenerators/uniform-hazardous-waste-manifest-instructions-sample-form-and-continuation-sheet>.

Generators may prepare their own manifest or may rely on the destination facility. When picking up the hazardous waste, the transporter will leave an initial paper copy of the manifest with the generator, containing the signatures of both the generator and the transporter. The remaining copies accompany the hazardous waste to the designated facility and may become an electronic manifest along the way. This is referred to as a hybrid manifest.

To comply with state and federal recordkeeping requirements, when a paper copy is not maintained or received, a facility must be able to access e-Manifest records in the system during an inspection.

Generators must retain the initial paper manifest copy until the final copy is received from the designated facility, or you receive notification that the final copy is in the e-Manifest system.

E-Manifest (Hybrid or Fully Electronic)

If using an electronic manifest you must obtain access to the federal e-Manifest system prior to the initial shipping date to maintain compliance with state and federal regulations. Once registered in the e-Manifest system, a facility employee can create an e-Manifest, or view one created by the designated facility. If the generator creates the e-Manifest, the generator must provide one paper copy to the transporter to meet the U.S. Department of Transportation shipping requirements. [s. NR 622.024(4), Wis. Adm. Code.]

The designated facility may ask the generating facility to verify the manifest waste information in the e-Manifest system prior to scheduling a pick-up. Upon pick-up, an “e-signature” is equivalent to the initial handwritten signature on the paper manifest. Although the manifest was created in e-Manifest, the transporter may provide a paper copy for signature.

Waste Codes and Land Disposal Restrictions

When preparing or reviewing a manifest, the hazardous waste must be identified as characteristic and/or listed using federal wastes codes. The waste codes are found in ch. NR 661, subch. C and D, Wis. Adm. Code. The hazardous waste codes are a single letter (D, K, P or U) with a three-digit number and are added to Item 13 of the manifest. A manifest accepts up to 6 codes per waste stream. In the case of hazardous waste pharmaceuticals (non-creditable) from healthcare facilities operating under ch. NR 666, Subch. P, the waste code “PHRM” is used and can include other hazardous waste codes. This requirement is explained in the guidance document *Healthcare Facilities: Operating under Subchapter P* (WA-1902).

When the first shipment of a hazardous waste stream is sent to a TSDF, a land disposal restriction (LDR) notification must be provided by the generator [s. NR 668.07(1)(b)-(d) and (i)]. This initial copy must be kept by the generator as part of their recordkeeping requirement [s. NR 668.07(1)(h), Wis. Adm. Code].

Signing the Manifest

Hazardous waste transportation is regulated jointly under Resource Conservation Recovery Act (RCRA) regulations and the U.S. DOT's Hazardous Material Regulations (HMRs). The regulations pertaining to the use of the manifest were coordinated with DOT so that preparation of a manifest would satisfy DOT requirements for a shipping paper.

Any person signing the generator's/offeror's certification statement on the uniform hazardous waste manifest is required to be trained in accordance with DOT's Hazardous Material Regulations located in 49 CFR Part 172, Subpart H. Block 15 of the uniform hazardous waste manifest requires a signature that certifies the shipment is "fully and accurately described" and in "proper condition for transport," meaning the hazardous waste must be correctly packaged, marked, labeled, and placarded.

In addition, Block 15 is used for the facility to sign off on their waste minimization efforts as an LQG or SQG. The person signing for the waste minimization certification must be familiar with the facility's waste minimization program. An offeror who is signing on behalf of the facility is unlikely to be familiar with the facility's waste minimization program. Thus it is unlikely that an offeror is an adequate signatory for this certification [ss. NR 662.027 and NR 662.020(1)(a), Wis. Adm. Code]. In this case, two signatures are needed in Box 15 to complete the manifest requirements.

Signing as the Generator or Offeror

Under 49 CFR 171.8, the generator is always an offeror; however, a transporter or a consultant can also be the offeror and sign on behalf of the generator when they aid the generator in performing the pre-transportation functions (e.g., selecting packages, labeling containers, filling and closing containers, selecting and affixing placards, completing the manifest or reviewing it for compliance with the HMRs and RCRA).

This is reflected in 70 FR 10792, which states: "*A preparer who assists with pre-transportation functions under the HMRs, and who can certify to the "shipper's certification" statements in the generator's/offeror's certification, may sign this certification and initiate the manifest as an offeror.*"

"The offeror's responsibilities are limited to the proper discharge of the pre-transportation functions they perform or certify to being properly performed"

When someone signs as the offeror on behalf of the generator, the generator is still accountable for any RCRA issues.

Transporters

Hazardous waste must be transported by a licensed transporter in most cases, and the transportation of manifested waste must comply with the requirements of Subch. B of ch. NR 663, Wis. Adm. Code. It is both the generator's and the transporter's responsibility to ensure these requirements are met.

Transporters must comply with U.S. DOT requirements, which can be satisfied by retaining a paper copy of the manifest. See Transporting Hazardous Waste (WA-137) for details.

Exception Reporting

The designated facility must submit a signed/certified final copy of the manifest to EPA's e-Manifest system within 30 days of the date the waste was received.

As a generator, if you do not receive a final paper copy, or notification to view e-Manifest from the designated facility in accordance with s. NR 662.042, Wis. Adm. Code, an exception report to the DNR is required. Exception reports can be sent to DNRHazardousWasteReporting@wisconsin.gov.

- A large quantity generator who does not receive the final copy of a manifest within 35 days from the date the waste was accepted for transport **must contact the transporter or the owner of the designated facility**. If the final manifest was not received within 45 days after the waste was accepted by the transporter, the LQG must submit an exception report to the DNR as identified in s. NR 662.042 (1), Wis. Adm. Code.
- A small quantity generator who does not receive the final copy of a manifest within 60 days from the date the waste was accepted for transport should contact the transporter or designated facility, and **must submit a legible copy of the manifest** to the department with an indication that the generator has not received confirmation of delivery as identified in s. NR 662.042 (2), Wis. Adm. Code.

Recordkeeping

During an inspection, state or federal hazardous waste inspectors may request to review manifests from the previous three years. If you are retaining paper copies, it is recommended that you maintain easy access to these manifests. While inspectors will have access to EPA's e-Manifest system, it is required that the generator and designated facilities show proof of access to the e-Manifest system or provide paper copies during an inspection, in order to demonstrate compliance with state and federal regulations.

Resources

U.S. EPA Information

EPA Form 8700-22 Uniform Hazardous Waste Manifest

https://www.epa.gov/sites/production/files/2018-05/documents/uniform_hazardous_waste_manifest.pdf

e-Manifest system information is located at: <https://www.epa.gov/e-manifest>

FAQs on the e-manifest system are located at:

<https://www.epa.gov/e-manifest/learn-about-hazardous-waste-electronic-manifest-system-e-manifest>.

DNR Information

Waste Activity Notification and EPA ID#s (EPA Form 8700-12) on the DNR's Notification of Hazardous Waste Activities webpage: <https://dnr.wisconsin.gov/topic/Waste/Notifications.html>

E-Manifest Contacts

The state RCRAInfo administrator and EPA e-Manifest contacts are listed on the DNR's Hazardous Waste Manifest Requirements webpage: <https://dnr.wi.gov/topic/Waste/Manifest.html>

DNR Contact Information

For more information including [publications, inspection forms, and administrative codes and statutes](#), go to dnr.wi.gov and search "hazardous waste resources." Use the *Additional Resources* menu to navigate to specific topics. For staff contact information, go to the [staff directory](#) and enter "hazardous waste requirements" in the subject field and choose the appropriate county contact.

PUB-WA-1176 2023

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Disclaimer: This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.

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