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Exempt Action: Final Regulation Agency Background Document

Agency name	Virginia Waste Management Board
Virginia Administrative Code (VAC) Chapter citation(s)	9 VAC20-60
VAC Chapter title(s)	Virginia Hazardous Waste Management Regulations
Action title	Annual Update 2025
Final agency action date	December 9, 2025
Date this document prepared	November 24, 2025

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

The Virginia Hazardous Waste Management Regulations, 9VAC20-60, include citations and requirements in the form of federal regulatory text at Title 40 of the CFR which is incorporated by reference. This regulatory amendment, Annual Update 2025, will bring the citations up to date and incorporate the 2025 Annual edition of Title 40 of the CFR published on July 1, 2025.

With this regulatory action, the Board is adopting the following changes that have been made to the CFR since the last update:

- [Integrating e-Manifest With Hazardous Waste Exports and Other Manifest-Related Reports, PCB Manifest Amendments, and Technical Corrections - this action makes technical corrections to fix typographical errors in the e-Manifest and movement document regulations.](#) (Publication: July 26, 2024; Effective: January 22, 2025)

- [Phasedown of Hydrofluorocarbons: Management of Certain Hydrofluorocarbons and Substitutes Under the American Innovation and Manufacturing Act of 2020](#) (Publication: October 11, 2024; Effective: December 10, 2024)
- [Hazardous Waste Generator Improvements Rule, the Hazardous Waste Pharmaceuticals Rule, and the Definition of Solid Waste Rule; Technical Corrections](#) (Publication: December 11, 2024; Effective: February 10, 2025; Delayed Effective: March 21, 2025)

A listing of specific changes is provided in the Attachment to this Town Hall document.

Section 2.2-4006 A 4 (c) of the Code of Virginia allows the Board to adopt this regulatory amendment to 9VAC20-60 as a final exempt action as the changes are necessary to conform to changes in the federal regulations.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

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U.S. Environmental Protection Agency (EPA)-authorized states must implement Resource Conservation and Recovery Act (RCRA) programs that are at least as stringent as the federal requirements. Annually EPA publishes rule checklists, identifying federal rule changes to assist States in developing their program modifications.

The Integrating e-Manifest with Hazardous Waste Exports and Other Manifest-Related Reports, PCB Manifest Amendments, and Technical Corrections rule was effective in all states on January 22, 2025. The rule incorporates hazardous waste export manifests into the e-Manifest system; expands the required international shipment data elements; revises the movement document requirements; integrates Exception Reports, Discrepancy Reports, and Unmanifested Waste Reports into e-Manifest; requires small and large quantity generators to register for access to e-Manifest to obtain their final signed manifest copies; requires entities to correct manifest data errors; and makes other technical corrections to remove obsolete requirements, correct typographical errors and establish definitions. According to EPA, State programs are required to adopt the provisions in this rule to maintain their equivalency with the Federal program.

The revisions to the RCRA regulations under the Phasedown of Hydrofluorocarbons: Management of Certain Hydrofluorocarbons and Substitutes Under the American Innovation and Manufacturing Act of 2020 rule was effective in all states on December 10, 2024. The rule establishes alternative standards for ignitable spent refrigerants, that are lower flammability Hydrofluorocarbons, when "recycled for reuse". These alternative standards were promulgated because of the lower risk of fire from the collection and recycling for reuse of these refrigerants, and the greater market value of these refrigerants. According to EPA, State programs are required to adopt the provisions in this rule to maintain their equivalency with the Federal program.

The technical corrections to the Hazardous Waste Generator Improvements Rule, the Hazardous Waste Pharmaceuticals Rule, and the Definition of Solid Waste Rule finalizes five amendments that were included in the August 9, 2023, direct final rule that made technical corrections to the three rulemakings related to the generation of hazardous waste. The technical corrections will correct or clarify the regulations for generators and handlers of hazardous waste. Since the corrections are considered neither more or less stringent than the current standards authorized States are not required to adopt the rule but is it strongly urged by EPA that States do so.

Because the Virginia Hazardous Waste Management Regulations incorporate Title 40 of the Code of Federal Regulations by reference as of an annual publication date, the above changes are adopted and keep state regulations consistent with the federal regulations. This amendment only incorporates recent changes made by EPA to federal hazardous waste regulations into Virginia's regulations.

Conforming these regulations to the federal regulations allows DEQ to maintain authorization to implement the national hazardous waste management programs. Additionally, when Virginia's regulations are consistent with federal requirements, there is less confusion among the regulated community, and Virginia's businesses and facilities benefit from having local access to decision makers who have a clearer understanding of state-specific issues and needs. Maintaining hazardous waste regulations and direct state oversight is protective of human health, safety and welfare by protecting the Commonwealth's environment and natural resources from pollution, impairment or destruction.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) that the agency has "adopted final amendments" to the regulation; 3) the name of the agency taking the action; and 4) the title of the regulation. A suggested statement is, "On [insert date] the Board/Department of [insert name] adopted final amendments to the [title of regulation(s)]."

The Virginia Waste Management Board adopted this amendment, Annual Update 2025, to 9VAC20-60 on December 9, 2025, as a final exempt regulation and affirmed that the Board will receive, consider, and respond to requests by any interested person at any time with respect to reconsideration or revision.

Attachment
EPA Rule Included with Annual Update 2025 Title 40 of the CFR
July 1, 2024, through June 30, 2025

- [Integrating e-Manifest With Hazardous Waste Exports and Other Manifest-Related Reports, PCB Manifest Amendments, and Technical Corrections - this action makes technical corrections to fix typographical errors in the e-Manifest and movement document regulations.](#) (Publication: July 26, 2024; Effective: January 22, 2025)
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Typographical Changes

§ 261.6(a)(2)

“The following recyclable materials are not subject to the requirements of this section but are regulated under subparts C through N” changed to “through Q”
Section (v) added: “Ignitable spent refrigerants recycled for reuse ([40 CFR part 266, subpart Q](#)).”

§ 261.400

Added: “(2) facilities regulated under the standards at [40 CFR part 266, subpart Q](#) that receive ignitable spent refrigerant from off-site and that are not transfer facilities that store the refrigerants for less than ten (10) days.”;

Added minor typographical changes to grammatically incorporate this quoted second part.

Added “(c) Facilities receiving refrigerant from off-site under [40 CFR part 266, subpart Q](#) that are not transfer facilities that store the refrigerants for less than ten (10) days must comply with [§§ 261.410](#) and [261.420](#).”

§ 261.420

Title changed from “Contingency planning and emergency procedures for facilities generating or accumulating more than more than 6000 kg of hazardous secondary material;” to “Contingency planning and emergency procedures for facilities generating or accumulating more than 6,000 kg of hazardous secondary material or receiving ignitable spent refrigerants”

“A generator or an intermediate or reclamation facility that generates or accumulates more than 6000 kg of hazardous secondary material must comply with the following requirements;” changed to “A generator or an intermediate or reclamation facility that generates or accumulates more than 6,000 kg of hazardous secondary material, or a facility receiving refrigerant from off-site under [40 CFR part 266, subpart Q](#), that is not a

transfer facility that stores the refrigerants for less than ten (10) days must comply with the following requirements:

§ 262.14(a)(5)(vi)

Added “(B) For ignitable spent refrigerants regulated under [40 CFR part 266 subpart Q](#), meets the requirements of that subpart.”

Added minor typographical edits to incorporate the above change

Subpart Q added:

§ 270.1

Added: 40 CFR 270.1(c)(2)(xi): “(xi) Recyclers of ignitable spent refrigerants subject to regulation under [40 CFR part 266, subpart Q](#).”

§ 271.1

Added to Table 1: “Dec. 10, 2024 Standards for the Management of Ignitable Spent Refrigerants Recycled for Reuse [89 FR 82682](#) 10/11/2024”; Added to Table 2: December 10, 2024 Standards for the Management of Ignitable Spent Refrigerants Recycled for Reuse 3001(d)(4) 3004(n) [89 FR 82682](#)”

§ 261.4(e)(1)

Changed “ Except as provided in [paragraphs \(e\)\(2\)](#) and [\(4\)](#) of this section, persons who generate or collect samples for the purpose of conducting treatability studies as defined in [40 CFR 260.10](#), are not subject to any requirement of [40 CFR parts 261 through 263](#) or to the notification requirements of Section 3010 of RCRA, nor are such samples included in the quantity determinations of [40 CFR 261. 5](#) and [262.34\(d\)](#) when:” to “Except as provided in [paragraphs \(e\)\(2\)](#) and [\(4\)](#) of this section, persons who generate or collect samples for the purpose of conducting treatability studies as defined in [40 CFR 260.10](#), are not subject to any requirement of this part, [40 CFR parts 262](#) and [263](#), or to the notification requirements of Section 3010 of RCRA, nor are such samples included in the quantity determinations of [40 CFR 262.13](#) and the accumulation limits in [40 CFR 262.14\(a\)\(3\)](#), [40 CFR 262.14\(a\)\(4\)](#), and [40 CFR 262.16\(b\)\(1\)](#) when:”

§ 262.16(b)(1)

Changed: “**Accumulation limit.** The quantity of hazardous waste accumulated on site never exceeds 6,000 kilograms (13,200 pounds);” to “**Accumulation limit.** The quantity of acute hazardous waste accumulated on site never exceeds 1 kilogram (2.2 pounds) and the quantity of non-acute hazardous waste accumulated on site never exceeds 6,000 kilograms (13,200 pounds);”

§ 262.17(a)(8)(i)

Added to 8(i): “..., but not all waste accumulation units:”

Added to 8(i)A: “...(if the waste accumulation unit is subsequently reopened, the generator may remove the notice from the operating record).”

Removed from 8(i)B: "If the waste accumulation unit is subsequently reopened, the generator may remove the notice from the operating record."

§ 266.508(a)(2)(ii)

Added: "A healthcare facility shipping non-creditable hazardous waste pharmaceuticals must write the word "PHRM" or "PHARMS" in Item 13 of EPA Form 8700-22. A healthcare facility may also include the applicable EPA hazardous waste numbers (i.e., hazardous waste codes) in Item 13 of EPA Form 8700-22."

§ 260.2(d)(1)

Added: "After January 22, 2025, no claim of business confidentiality may be asserted by any person with respect to information contained in hazardous secondary material export documents prepared, used and submitted under [§ 261.4\(a\)\(25\) of this chapter](#), whether submitted electronically into the EPA's Waste Import Export Tracking System or in paper format."

§ 260.2(d)(2)

Added: "After January 22, 2025, the EPA will make available to the public under this section any hazardous secondary material export documents prepared, used and submitted under [§ 261.4\(a\)\(25\) of this chapter](#) on March 1 of the calendar year after the related hazardous secondary material exports occur, when these documents are considered by the EPA to be final documents."

§ 261.4(a)(25)(i)(A)

Changed "mailing address" to "site address"

§ 261.4(a)(25)(i)(H)

Added: "site" before "address"

§ 261.4(a)(25)(v)

Added "The" before "EPA" and removed "Where a claim of confidentiality is asserted with respect to any notification information required by paragraph(a)(25)(i) of this section, EPA may find the notification not complete until any such claim is resolved in accordance with [40 CFR 260.2](#)."

Appendix IX to Part 261

Removed Samsung Austin, Texas entry from Table 1 – Wastes Excluded from Non-Specific Sources

Added Covestro Industrial Park Baytown Baytown, TX entry to Table 1 - Wastes Excluded from Non-Specific Sources

Removed Bayer Material Science LLC Baytown, TX from the table

§ 261.6

40 CFR 261.6(a)(3)(i)(A) (Jan. 22, 2025) removed “[§§ 262.53, 262.56 \(a\)\(1\)-\(4\), \(6\), and \(b\), and 262.57](#), export such materials only upon consent of the receiving country and in conformance with the EPA Acknowledgment of Consent as defined in subpart E of part 262, and provide a copy of the EPA Acknowledgment of Consent to the shipment to the transporter transporting the shipment for export”, added “[§ 262.83 of this chapter](#) with the exception of [§ 262.83\(c\)](#),” and adjusted language to allow it to remain grammatically correct.

§ 261.6

40 CFR 261.6(a)(3)(i)(A) (Jan. 22, 2025) changed “A person” to “The person”, changed “applicable to a primary exporter” to “applicable to an exporter”. Changed “exporter in [§§ 262.53, 262.56 \(a\)\(1\)-\(4\), \(6\), and \(b\), and 262.57](#), export such materials only upon consent of the receiving country and in conformance with the EPA Acknowledgment of Consent as defined in subpart E of part 262, and provide a copy of the EPA Acknowledgment of Consent to the shipment to the transporter transporting the shipment for export” to “an exporter in [§ 262.83 of this chapter](#) with the exception of [§ 262.83\(c\)](#),”

40 CFR 261.6(a)(3)(i)(B) (Jan. 22, 2025) changed “Transporters transporting a shipment for export may not accept a shipment if he knows the shipment does not conform to the EPA Acknowledgment of Consent, must ensure that a copy of the EPA Acknowledgment of Consent accompanies the shipment and must ensure that it is delivered to the facility designated by the person initiating the shipment” to “Transporters transporting a shipment for export or import must comply with the movement document requirements listed in [§ 263.20\(a\)\(2\)](#) and [\(c\) of this chapter](#).”

§ 261.39

40 CFR 261.39(a)(5)(i)(A) (Jan. 22, 2025) changed “Name, mailing address, telephone number and EPA ID number (if applicable) of the exporter of the CRTs.” To “Name, site address, telephone number and EPA ID number (if applicable) of the exporter of the CRTs.”

40 CFR 261.39(a)(5)(i)(F) (Jan. 22, 2025) added “site” before the word “address”

40 CFR 261.39(a)(5)(v)(B) (Jan. 22, 2025) removed “On or after the AES filing compliance date” before “the exporter or a U.S. authorized agent must:”

40 CFR 261.39(a)(5)(xi) (Jan. 22, 2025) removed: “Prior to one year after the AES filing compliance date, annual reports must be sent to the following mailing address: Office of Land and Emergency Management, Office of Resource Conservation and Recovery, Materials Recovery and Waste Management Division, International Branch (Mail Code 2255A), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460. Hand-delivered annual reports on used CRTs exported during 2016 should be sent to: Office of Land and Emergency Management, Office of Resource Conservation and Recovery, Materials Recovery and Waste Management Division, International Branch (Mail Code 2255A), Environmental Protection Agency, William Jefferson Clinton South Building, Room 6144, 1200 Pennsylvania Ave. NW, Washington, DC 20004. Subsequently, annual reports must be submitted to the office

listed” and added “Annual reports must be submitted to the EPA” Additional corrections were made throughout for grammatical correctness.

§ 262.20

40 CFR 262.20(a)(1) (Jan. 22, 2025) Added “**Paper Manifest.**” Added “Large and small quantity generators must register with the EPA’s e-Manifest system to obtain signed and dated copies of completed manifests from the EPA e-Manifest system and comply with [paragraph \(a\)\(2\)](#) of this section.”

Removed: “The revised manifest form and procedures in [40 CFR 260.10](#), [261.7](#), [262.20](#), [262.21](#), [262.27](#), [262.32](#), [262.34](#), [262.54](#), and [262.60](#), shall not apply until September 5, 2006. The manifest form and procedures in [40 CFR 260.10](#), [261.7](#), [262.20](#), [262.21](#), [262.32](#), [262.34](#), [262.54](#), and [262.60](#), contained in the [40 CFR](#), parts 260 to 265, edition revised as of July 1, 2004, shall be applicable until September 5, 2006”

Added: “(2) **Post-receipt manifest data corrections.** After facilities have certified that the manifest is complete, by signing it at the time of submission to the EPA e-Manifest system, any post-receipt data corrections may be submitted at any time by any interested person (e.g., waste handler) named on the manifest. If corrections are requested by the Director for portions of the manifest that a generator is required to complete, the generator must address the data correction within 30 days from the date of the request. Data correction submissions must be made electronically via the post-receipt data corrections process as described in [§ 265.71\(l\) of this chapter](#), which applies to corrections made to either paper or electronic manifests.”

§ 262.21

40 CFR 262.21(f)(5) (Jan. 22, 2025) changed “The manifest and continuation sheet must be printed as five-copy forms.” To “The manifest and continuation sheet must be printed as four-copy forms.” An additional change from “five copies” to “four copies” was made.

40 CFR 262.21(f)(6)(i) (Jan. 22, 2025) changed “Designated facility to EPA’s e-Manifest system.” to “U.S. Designated Facility or U.S. Exporter to the EPA’s e-Manifest System.”

40 CFR 262.21(f)(6)(ii) (Jan. 22, 2025) capitalized “Facility” and “Generator”.

40 CFR 262.21(f)(6)(iii) (Jan. 22, 2025) changed “Designated facility copy” to “Transporter Copy; and”

40 CFR 262.21(f)(6)(iv) (Jan. 22, 2025) removed “Transporter copy; and”

40 CFR 262.21(f)(6)(v) (Jan. 22, 2025) removed; “bottom copy): “Generator’s Initial Copy.” Added into (iv) above.

40 CFR 262.21(f)(7) (Jan. 22, 2025) removed “and published to the e-Manifest program’s website”

40 CFR 262.21(f)(7)(i)(A) (Jan. 22, 2025) copy reference changed from 5 to 4.

40 CFR 262.21(f)(7)(i)(B) (Jan. 22, 2025) removed “International Shipment Block” and “Instructions for” and changed reference to Copy 4 to 3

40 CFR 262.21(f)(7)(i)(C) (Jan. 22, 2025) “Treatment, Storage, and Disposal Facilities” on Copy” replaced with “Exporters or Owners and Operators of Receiving Facilities Designated on the Manifest” on Top Copy (Page 1).”

§ 262.24

Removed (g) “Reserved” and (h) “**Post-receipt manifest data corrections.** After facilities have certified to the receipt of hazardous wastes by signing Item 20 of the manifest, any post-receipt data corrections may be submitted at any time by any interested person (e.g., waste handler) named on the manifest. Generators may participate electronically in the post-receipt data corrections process by following the process described in [§ 264.71\(l\) of this chapter](#), which applies to corrections made to either paper or electronic manifest records.”

§ 262.42

40 CFR 262.42(a)(1) (Jan. 22, 2025) Removed “handwritten” before “signature”; changed “35 days” to “45 days”.

Added (a)(3), (a)(3)(i), and (a)(3)(ii): “(a)(3) Beginning on December 1, 2025, the EPA will no longer accept mailed paper Exception Reports from large quantity generators. Beginning on December 1, 2025, a large quantity generator must submit an Exception Report to the EPA e-Manifest system if the generator has not received a copy of the manifest with the signature of the owner or operator of the designated facility within 60 days of the date the waste was accepted by the initial transporter. The Exception Report must include:

- (i) A legible copy of the manifest for which the generator does not have confirmation of delivery.
- (ii) An explanation of the efforts taken to locate the hazardous waste and the results of those efforts.”

40 CFR 262.42(b) (Jan. 22, 2025): Removed the word “submit”, and added it to paragraph (1) below

Added: 40 CFR 262.42(b)(2) (Jan. 22, 2025): “Beginning on December 1, 2025, the EPA will no longer accept mailed paper Exception Reports from small quantity generators. Beginning on December 1, 2025, a small quantity generator must submit a legible copy of the manifest, with some indication that the generator has not received confirmation of delivery, to the EPA e-Manifest system. Generators that are normally VSQGs but are subject to the SQG provisions of this [paragraph \(b\)](#) because of an episodic generation event pursuant to § 262.232(a)(5), must submit a legible copy of the manifest, with some indication that the generator has not received confirmation of delivery, to the EPA Regional Administrator for the Region in which the generator is located.”

Added: 40 CFR 262.42(d)(a) and (2) (Jan. 22, 2025): “(1) Beginning on December 1, 2025, any requirement in [§ 262.40](#) for a generator to keep or retain a copy of an Exception Report is satisfied by retention of a signed electronic Exception Report in the

generator's account on the EPA e-Manifest system, provided that the Exception Report is readily available if requested by the EPA.

(2) Beginning on December 1, 2025, no generator may be held liable for the inability to produce an electronic Exception Report for inspection under this section if the generator can demonstrate that the inability to produce the electronic Exception Report is due exclusively to a technical difficulty with the e-Manifest system for which the generator bears no responsibility."

40 CFR 262.83(a)(6) (Jan. 22, 2025): Added: "submits Electronic Export Information (EEI) for each shipment to the Automated Export System (AES) or its successor system, under the International Trade Data System (ITDS) platform, in accordance with 15 CFR 30.4(b), and includes the following items in the EEI, along with the other information required under 15 CFR 30.6:" after "The exporter of a U.S. authorized agent"

40 CFR 262.83(b)(1)(i), (ii), (iii), (iv) (Jan. 22, 2025): Added "site" prior to each instance of "address" (excluding email address), added "numbers" after "fax"

40 CFR 262.83(b)(3) (Jan. 22, 2025): Added "site" before "address"; specified "(b)(3)" after the phrase "this paragraph"

40 CFR 262.83(c) (Jan. 22, 2025): changed "through 262.23" to "through 262.25"

40 CFR 262.83(c)(2) (Jan. 22, 2025) added: "on the continuation sheet (EPA Form 8700-22A)" after "In the International Shipments block"; moved "check" to the beginning of (c)(2)(i)

40 CFR 262.83(c)(2)(ii) (Jan. 22, 2025) was added: "Enter the exporter's EPA ID number, if the exporter is not identified in Item 5 of the manifest (EPA Form 8700-22) for the export shipment; and

40 CFR 262.83(c)(2)(iii) (Jan. 22, 2025) was added:, and added the phrase "List the waste stream" at the beginning and "an additional" before Continuation Sheet(s); multiple changes made for formatting

40 CFR 262.83(c)(3) (Jan. 22, 2025) removed: "that is registered with the U.S. EPA as a supplier of manifests (e.g., states, waste handlers, and/or commercial forms printers)" and added: "so long as the source of the printed form has received approval from the EPA to print the manifest in accordance with § 262.21(g)(1)."

40 CFR 262.83(c)(4), (4)(i), (4)(ii), (4)(iii), (4)(iv), and (4)(v) (Jan. 22, 2025) added: "(4) Beginning on December 1, 2025, within 30 days of receiving an export manifest from the final domestic transporter to carry the export shipment to or across the U.S. port of exit, the exporter must submit the top copy (Page 1) of the signed and dated manifest (whether electronic or paper) and all continuation sheets (whether electronic or paper) to the EPA e-Manifest system. The exporter must submit the paper manifest and all paper continuation sheets to the EPA e-Manifest system for purposes of data entry and processing by transmitting to the EPA e-Manifest system an image file of Page 1 of the

manifest and all continuation sheets, or by transmitting to the EPA e-Manifest system both a data file and the image file corresponding to Page 1 of the manifest and all continuation sheets.

(i) As prescribed in § 265.1311 of this chapter, and determined in § 265.1312 of this chapter, an exporter who is a user of the electronic manifest system shall be assessed a user fee by the EPA for the submission and processing of each electronic and paper manifest. The EPA shall update the schedule of user fees and publish them to the user community, as provided in § 265.1313 of this chapter.

(ii) An exporter subject to user fees under this section shall make user fee payments in accordance with the requirements of § 265.1314 of this chapter, subject to the informal fee dispute resolution process of § 265.1316 of this chapter, and subject to the sanctions for delinquent payments under § 265.1315 of this chapter.

(iii) Electronic manifest signatures shall meet the criteria described in § 262.25.

(iv) Within 30 days of receiving a paper replacement manifest from the last transporter carrying the shipment to or across the U.S. border for a manifest that was originated electronically, the exporter must send a signed and dated copy of the paper replacement manifest to the EPA e-Manifest system.

(v) After foreign facilities have certified to the receipt of hazardous wastes by sending a copy of the movement document to the exporter per paragraph (d)(2)(xvii) of this section, any post-receipt data corrections may be submitted at any time by any interested person (e.g., domestic waste handler) shown on the manifest. If requested by the Director, an exporter must address manifest data corrections within 30 days from the date of the request. Data correction submissions must be made electronically via the post-receipt data corrections process as described in § 265.71(l) of this chapter, which applies to corrections made to either paper or electronic manifests.

40 CFR 262.83(d)(2)(i) (Jan. 22, 2025) added: “and if required to be accompanied by a RCRA Uniform Hazardous Waste Manifest within the United States, the manifest tracking number from block 4”

40 CFR 262.83(d)(2)(ii) (Jan. 22, 2025) added: “or the movement tracking number”

40 CFR 262.83(d)(2)(iii). (2)(iv), (2)(v), (2)(viii), and (2)(ix) (Jan. 22, 2025) added “site” before “address”, and (ix) added “numbers” after “fax”

40 CFR 262.83(d)(2)(xv) (Jan. 22, 2025) added: “that control the shipment as an import and transit of hazardous waste respectively.” Additional grammar correctios made throughout. Removed the word “additionally” at the end.

Added (A) Initiate the movement document using the allowable methods listed in paragraph (b)(1) of this section; and

(B) Close out the movement document within three working days of receiving a copy of the signed movement document sent from the foreign receiving facility to confirm receipt using the allowable methods listed in paragraph (b)(1) of this section;

(xvi) As part of the contract requirements per paragraph (f) of this section, the exporter must require that the foreign receiving facility send a copy of the confirmation of recovery or disposal, as soon as possible, but no later than thirty days after completing recovery

or disposal on the waste in the shipment and no later than one calendar year following receipt of the waste, ...the exporter and to the competent authority of the country of import. If the movement includes shipment to a foreign interim receiving facility, the exporter must additionally require that the interim receiving facility promptly send copies of the confirmation of recovery or disposal that it receives from the final recovery or disposal facility within one year of shipment delivery to the final recovery or disposal facility that performed one of recovery operations R1 through R11, or RC1, or one of disposal operations D1 through D12, DC1 or DC2 as defined in § 262.81 to the competent authority of the country of import and to the exporter. For shipments occurring on or after the electronic import-export reporting compliance date, the exporter must submit each confirmation of recovery or disposal to the EPA within three working days of receiving the confirmation of recovery or disposal from the foreign receiving facility...and

(xvii) For shipments sent to a country with which the EPA has established an electronic exchange of movement document tracking data, foreign receiving facility transmittal to the exporter of the confirmation of receipt and the confirmation of recovery or disposal may be sent via the electronic exchange”

40 CFR 262.83(f)(3)(i) (Jan. 22, 2025):: removed “and”

40 CFR 262.83(f)(3)(ii) (Jan. 22, 2025) added “and”

Added (iii) Transmittals made by the transporter or foreign receiving facility under paragraph (i) of this section being sent to the exporter or the EPA from a country with which the EPA has established an electronic exchange of movement document tracking data may be sent via the electronic exchange.

40 CFR 262.83(f)(4), (f)(5), and (6)(ii) (Jan. 22, 2025): Removed “. For contracts that will be in effect on or after the electronic import-export reporting compliance date, the contracts must additionally specify that the foreign receiving facility send a copy to EPA at the same time using the allowable methods listed in paragraph (b)(1) of this section on or after that date” and added: “that control the shipment as an import and transit of hazardous waste respectively. For shipments sent to a country with which the EPA has established an electronic exchange of movement document tracking data, foreign receiving facility transmittal to the exporter of the confirmation of receipt may be sent via the electronic exchange.”

40 CFR 262.83(g) (Jan. 22, 2025) removes: “Prior to one year after the AES filing compliance date, the exporter must mail or hand-deliver”, “EPA using one of”, “addresses specified in § 262.82(e), or submit to”, and “if the exporter has electronically filed EPA information in AES, or its successor system, per paragraph (a)(6)(i)(A) of this section for all shipments made the previous calendar year. Subsequently, the exporter must submit annual reports to EPA using the allowable methods specified in paragraph (b)(1) of this section.” Adds: “the” before EPA, “The exporter must submit” before “annual reports”

40 CFR 262.83(i)(1) (Jan. 22, 2025) Adds: "the" before "EPA", capitalizes "State", includes the new paragraph (vi) in the reference.

40 CFR 262.83(i)(1)(v) (Jan. 22, 2025) changes "§ 262.85" to "paragraph (f) of this section",

Added 40 CFR 262.83(i)(1)(v) (Jan. 22, 2025): "(vi) A copy of each manifest sent by the last transporter in the United States per § 263.20(g) of this chapter."

40 CFR 262.84(b)(1)(i), (ii), (iii), (iv) (Jan. 22, 2025): Added "site" before "address", (iv) added "numbers" after "fax"

40 CFR 262.84(b)(2) (Jan. 22, 2025): Removed a comma; Added "site" before "address"

40 CFR 262.84(c)(1)(i) (Jan. 22, 2025): changed "addresses" to "mailing" and added "site addresses and"...added "site" in front of a usage of "address" and "mailing" in front of another usage of "address".

40 CFR 262.84(c)(3) (Jan. 22, 2025): Added "on the Continuation Sheet (EPA Form 8700-22A)"; changed "point of entry" to "port of entry".

40 CFR 262.84(c)(4) (Jan. 22, 2025) Removed content, but kept the numbering.

40 CFR 262.84(c)(5) (Jan. 22, 2025): Incorporated as (4)

40 CFR 262.84(d)(2)(i) (Jan. 22, 2025): Added: "and if required to be accompanied by a RCRA uniform hazardous waste manifest within the United States, the manifest tracking number from block 4"

40 CFR 262.84(d)(2)(ii) (Jan. 22, 2025) Added: "or the movement tracking number"

40 CFR 262.84(d)(2)(iii), (iv), (v), (viii) (Jan. 22, 2025): Added: "site" before "address"

40 CFR 262.84(d)(2)(ix) (Jan. 22, 2025) added: "(for transporters carrying RCRA manifested hazardous waste within the U.S. only)"; added "numbers" after "fax".

40 CFR 262.84(d)(2)(xv) (Jan. 22, 2025): Added "that control the shipment as an export and transit of hazardous waste respectively", "the receiving facility must close out the movement document to confirm receipt within three working days of shipment delivery using the" (EPA's website), and "For shipments sent from a country with which the EPA has established an electronic exchange of movement document tracking data, the receiving facility may use WIETS or its successor system to send movement document confirmation data back through the electronic exchange to the foreign exporter and the country of export."

Made several grammatical changes to accommodate these language additions.

40 CFR 262.84(f)(4)(iii) (Jan. 22, 2025) Added “(iii) Transmittals made by the transporter or receiving facility under paragraph (i) of this section being sent to a competent authority or foreign exporter in a country with which the EPA has established an electronic exchange of movement document tracking data may be sent via the electronic exchange.”

40 CFR 262.84(g)(1) (Jan. 22, 2025): Added “that controls the shipment as an export of hazardous waste”, added “the” in front of “EPA”, removed “Waste Import Export Tracking System”, but left the acronym in place, removed parentheses around acronym, added “For shipments sent from a country with which the EPA has established an electronic exchange of movement document tracking data, the receiving facility may use WIETS or its successor system to send confirmation of recovery or disposal data back through the electronic exchange to the foreign exporter and the country of export.”

40 CFR 262.84(g)(2) (Jan. 22, 2025) added: “that controls the shipment as an export of hazardous waste”, added “the” in front of “EPA”, removed “Waste Import Export Tracking System”, but left the acronym in place, removed parentheses around acronym, added “For shipments sent from a country with which the EPA has established an electronic exchange of movement document tracking data, the receiving facility may use WIETS or its successor system to send confirmation of recovery or disposal data back through the electronic exchange to the foreign exporter and the country of export.”

40 CFR 263.20(a)(2) (Jan. 22, 2025): “Subpart H” was moved from before “40 CFR part 262” to after; removed “for exports occurring under the terms of a consent issued by EPA on or after December 31, 2016, a” removed “40 CFR” and “(d) from the reference “40 CFR § 262.83 (d)” and added “of this chapter” after it, instead.

40 CFR 263.20(a)(9) (Jan. 22, 2025): removed “to the receipt of hazardous wastes by signing Item 20 of the manifest” and replaced it with “that the manifest is complete, by signing it at the time of submission to the EPA e-Manifest system”; Removed “Transporters may participate electronically in” and added “If corrections are requested by the Director for portions of the manifest that a transporter is required to complete, the transporter must address the data correction within 30 days from the date of the request. Data correction submissions must be made electronically via” before “the post-receipt data corrections process”. Removed “by following the process” and inserted “as in”; removed “264” and added “265” before “.71(l) of this chapter”. Changed “manifest records” to “manifests”.

40 CFR 263.20(c) (Jan. 22, 2025): Removed “In the case of exports occurring under the terms of a consent issued by EPA to the exporter on or after December 31, 2016”; added “For exports,”; removed “40 CFR”, added “§”; added “of this chapter”; These changes repeated further in this paragraph.

40 CFR 263.20(g)(1) (Jan. 22, 2025): added “on the Continuation Sheet (EPA Form 8700-22A)”; added “or has been delivered to a seaport of exit for loading onto an international carrier”

40 CFR 263.20(g)(3) (Jan. 22, 2025): removed “Return a signed copy” added “Compliance date for manifest returns on January 22, 2025. Beginning on January 22, 2025, return signed, top copies”; added “and continuation sheet”; removed “; and”
40 CFR 263.20(g)(4) (Jan. 22, 2025) Removed: “(4) For paper manifests only,

(i) Send a copy of the manifest to the e-Manifest system in accordance with the allowable methods specified in [40 CFR 264.71\(a\)\(2\)\(v\)](#); and

(ii) For shipments initiated prior to the AES filing compliance date, when instructed by the exporter to do so, give a copy of the manifest to a U.S. Customs official at the point of departure from the United States”

Added: “. On December 1, 2025, this [paragraph \(g\)\(3\)](#) no longer applies, and paragraph (g)(4) of this section applies instead.

(4) Compliance date for manifest returns on December 1, 2025. Beginning on December 1, 2025, return signed, top copies of the manifest and continuation sheet to the exporter.”

§ 264.12

Added “” For shipments received”; Removed “to EPA electronically using”; Added “the receiving facility must close out the movement document to confirm receipt within three working days of shipment delivery using the”; Added “For shipments sent from a country with which the EPA has established an electronic exchange of movement document tracking data, the receiving facility may use WIETS or its successor system to send movement document confirmation data back through the electronic exchange to the foreign exporter and the country of export.”; Removed “EPA's Waste Import Export Tracking System” prior to the acronym; Capitalized “State”; Added “the” before “EPA”; small typographical edits throughout to grammatically accommodate changes.

40 CFR 264.12(a)(4)(i) (Jan. 22, 2025) Removed “EPA's Waste Import Export Tracking System” prior to the acronym; Added “the” before “EPA”; Added “For shipments sent from a country with which the EPA has established an electronic exchange of movement document tracking data, the receiving facility may use WIETS or its successor system to send confirmation of recovery or disposal data back through the electronic exchange to the foreign exporter and the country of export.”

40 CFR 264.12(a)(4)(ii) (Jan. 22, 2025) Removed “EPA's Waste Import Export Tracking System” prior to the acronym; Added “the” before “EPA”; Added “For shipments sent from a country with which the EPA has established an electronic exchange of movement document tracking data, the receiving facility may use WIETS or its successor system to send confirmation of recovery or disposal data back through the electronic exchange to the foreign exporter and the country of export.”; Added reference to paragraph “(a)(4)(ii)”;

typographical edits
40 CFR 264.71(a)(2)(i) (Jan. 22, 2025) added: “, by hand,” for the process of signing and dating each manifest.

40 CFR 264.71(a)(2)(iv) (Jan. 22, 2025) removed: “Within 30 days of delivery, send a copy (Page 2) of the manifest to the generator;” and “Reserved” the paragraph.

40 CFR 264.71(a)(2)(v)(A) (Jan. 22, 2025) Reserved

40 CFR 264.71(a)(2)(v)(B) (Jan. 22, 2025) Paragraph added, Removed “2018. Beginning on June 30, 2018, send the top copy (Page 1) of any paper manifest and any paper continuation sheet to the e-Manifest system for purposes of data entry and processing, or in lieu of submitting the paper copy to EPA, the owner or operator may transmit to the EPA system” Added “2021. Send to the EPA e-Manifest system”; Removed “manifest and any continuation sheet, or both a data file and image file corresponding to Page 1 of the manifest and any continuation sheet, within 30 days of the date of delivery. Submissions of copies to the e-Manifest system shall be made at the mailing address or electronic mail/submission address specified at the e-Manifest program website's directory of services. Beginning on June 30, 2021, EPA will not accept mailed paper manifests from facilities for processing in e-Manifest.

(B) Options for compliance on June 30, 2021. Beginning on June 30, 2021, the requirement to submit the”; Removed “for purposes of data entry and processing may be met by the owner or operator only by transmitting to the EPA system an image file of Page 1 of the manifest and any continuation sheet, or by transmitting to the EPA system”; Removed “. Submissions of copies to the e-Manifest system shall be made to the electronic mail/submission address specified at the e-Manifest program website's directory of services”; Added small typographical changes.

40 CFR 264.71(a)(3)(i) (Jan. 22, 2025) Added “waste stream” between “relevant” and “consent number”; Added “in the International Shipments block on the Continuation Sheet (EPA Form 8700-22A)”; Changed “a” to “a an additional”.

40 CFR 264.71(a)(3)(ii) (Jan. 22, 2025) removed “EPA using the addresses listed in 40 CFR 262.82(e) until the facility can submit such a copy to the e”; added “the EPA e” to complete the phrase “the EPA e-Manifest system”

40 CFR 264.71(b)(4) (Jan. 22, 2025) Removed “after the” and added “of” before “delivery”; added “(Page 1)” after “send a copy”; Removed “or a signed and dated copy of the shipping paper (if the manifest has not been received within 30 days after delivery) to the generator; and”; Added “to the EPA e-Manifest system; and”; Removed “[Comment: Section 262.23(c) of this chapter requires the generator to send three copies of the manifest to the facility when hazardous waste is sent by rail or water (bulk shipment).]”

40 CFR 264.71(d) (Jan. 22, 2025) Added: “International movement documents.”; Added “For shipments received”; Removed “to EPA electronically”; added “the receiving facility must close out the movement document to confirm receipt within three working days of shipment delivery”; Added “For shipments sent from a country with which EPA has established an electronic exchange of movement document tracking data, the receiving facility may use WIETS or its successor system to send movement document confirmation data back through the electronic exchange to the foreign exporter and the country of export.”; Removed “EPA's Waste Import Export Tracking System” and the parentheses around the acronym; capitalized “State”; typographical changes for grammar.

40 CFR 264.71(l) (Jan. 22, 2025): Removed “to the receipt of hazardous wastes by signing Item 20 of the manifest”; Added “that the manifest is complete, by signing it at the time of submission to the EPA e-Manifest system”; Changed the word “shown” with the word “named”; Added “If corrections are requested by the Director for portions of the

manifest that a designated facility is required to complete, the facility must make the data correction within 30 days from the date of the request.”

§ 264.72

40 CFR 264.72(c) (Jan. 22, 2025) Changed the time a discrepancy must be resolved from “15” days to “20” days; Removed the word “immediately”; small typographical changes

40 CFR 264.72(c)(1) (Jan. 22, 2025): Added the paragraph number; Added “Immediately”

40 CFR 264.72(c)(2) (Jan. 22, 2025): Added the paragraph number; Added “Beginning on December 1, 2025, immediately submit a Discrepancy Report to the EPA e-Manifest system describing the discrepancy and attempts to reconcile it, and a copy of the manifest or shipping paper at issue. Beginning on December 1, 2025, the EPA will no longer accept mailed paper Discrepancy Reports from facilities.”

40 CFR 264.72(g) (Jan. 22, 2025): Removed “40 CFR”; Added “§” and “of this chapter” to a reference. Removed “And generator”; Added “Facilities are not required to send the amended manifest to any transporter who is registered in the EPA’s e-Manifest system. Registered transporters may obtain the signed and dated copy of a completed manifest from the EPA e-Manifest system in lieu of receiving the manifest through U.S. postal mail.”

40 CFR 264.76(b) (Jan. 22, 2025): Removed “Reserved”. Added:
“Beginning on December 1, 2025, if a facility accepts for treatment, storage, or disposal any hazardous waste from an off-site source without an accompanying manifest, or without an accompanying shipping paper as described by § 263.20(e) of this chapter, and if the waste is not excluded from the manifest requirement by this chapter, then the owner or operator must prepare an electronic Unmanifested Waste Report in the EPA e-Manifest system for submission to the EPA within 15 days after receiving the waste. The Unmanifested Waste Report must contain the following information:

- (1) The EPA identification number, name and address of the facility;
- (2) The date the facility received the waste;
- (3) The EPA identification number, name and address of the generator and the transporter, if available;
- (4) A description and the quantity of each unmanifested hazardous waste the facility received;
- (5) The method of treatment, storage, or disposal for each hazardous waste;
- (6) The certification signed by the owner or operator of the facility or his authorized representative; and
- (7) A brief explanation of why the waste was unmanifested, if known.

40 CFR 264.1311(a)(2) (Jan. 22, 2025) Removed “mail, by”

40 CFR 264.1311(b) (Jan. 22, 2025) Removed “in lieu of submitting mailed paper forms”; Added “EPA”

40 CFR 264.1311(c) (Jan. 22, 2025) Removed “in lieu of submitting mailed paper forms”; Added “EPA”

40 CFR 264.1312(a) (Jan. 22, 2025) Changed the fee calculation EPA will use initially to determine manifest fees.

40 CFR 264.1312(b)(1) (Jan. 22, 2025) Changed the fee calculation EPA will use initially to determine manifest fees.

40 CFR 265.12(a)(2) (Jan. 22, 2025) Added: “For shipments received”; Removed “to EPA electronically using” Added: “the receiving facility must close out the movement document to confirm receipt within three working days of shipment delivery using the”; Added “For shipments sent from a country with which the EPA has established an electronic exchange of movement document tracking data, the receiving facility may use WIETS or its successor system to send movement document confirmation data back through the electronic exchange to the foreign exporter and the country of export.”; Removed “EPA’s Waste Import Export Tracking System”; Removed parentheses around an acronym; Capitalized “State”; typographical edits.

40 CFR 265.12(a)(4)(i) and (ii) (Jan. 22, 2025) Added “the” before “EPA”; Removed “EPA’s Waste Import Export Tracking System” and the parentheses around the acronym; Added “For shipments sent from a country with which the EPA has established an electronic exchange of movement document tracking data, the receiving facility may use WIETS or its successor system to send confirmation of recovery or disposal data back through the electronic exchange to the foreign exporter and the country of export.”

40 CFR 265.71(a)(2)(iv) (Jan. 22, 2025) Removed “Within 30 days of delivery, send a copy (Page 2) of the manifest to the generator;”; Added “Reserved”

40 CFR 265.71(a)(2)(v)(A) (Jan. 22, 2025): Added “Reserved”

40 CFR 265.71(a)(2)(v)(B) (Jan. 22, 2025): Added the paragraph number; Removed “2018. Beginning on June 30, 2018, send the top copy (Page 1) of any paper manifest and any paper continuation sheet to the e-Manifest system for purposes of data entry and processing, or in lieu of submitting the paper copy to EPA, the owner or operator may transmit to the EPA system”; Added “2021. Send to the EPA e-Manifest system”; Removed “manifest and any continuation sheet, or both a data file and image file corresponding to Page 1 of the manifest and any continuation sheet, within 30 days of the date of delivery. Submissions of copies to the e-Manifest system shall be made at the mailing address or electronic mail/submission address specified at the e-Manifest program website’s directory of services. Beginning on June 30, 2021, EPA will not accept mailed paper manifests from facilities for processing in e-Manifest. (B) Options for compliance on June 30, 2021. Beginning on June 30, 2021, the requirement to submit the... Page1) of the paper manifest and any paper continuation sheet to the e-Manifest system for purposes of data entry and processing may be met by the owner or operator only by transmitting to the EPA system an image file of Page 1”; Added “Page 1”; Removed “by transmitting”; Added “send”; Added “e-Manifest”; Removed “. Submissions of copies to the e-Manifest system shall be made to the

electronic mail/submission address specified at the e-Manifest program website's directory of services"

40 CFR 265.71(a)(3)(i) (Jan. 22, 2025) Added "waste stream"; Added "the" before "EPA"; Added "in the International Shipments block on the Continuation Sheet (EPA Form 8700-22A)"; changed "a" to "an additional"

40 CFR 265.71(a)(3)(ii) (Jan. 22, 2025) Removed "EPA using the addresses listed in 40 CFR 262.82(e) within thirty (30) days of delivery until the facility can submit such a copy to the e"; Added "the EPA e" prior to "-Manifest system"

40 CFR 265.71(b)(4) (Jan. 22, 2025) Removed "after the" and added "of"; Added "(Page 1)"; Removed "or a signed and dated copy of the shipping paper (if the manifest has not been received within 30 days after delivery) to the generator; and [Comment: Section 262.23(c) of this chapter requires the generator to send three copies of the manifest to the facility when hazardous waste is sent by rail or water (bulk shipment).]" Added "to the EPA e-Manifest system."

40 CFR 265.71(d) (Jan. 22, 2025) Added "International movement documents." Added "For shipments received"; Removed "to EPA electronically using EPA's Waste Import Export Tracking System (WIETS"; Added "the receiving facility must close out the movement document to confirm receipt within three working days of shipment delivery using WIETS"; Added "For shipments sent from a country with which the EPA has established an electronic exchange of movement document tracking data, the receiving facility may use WIETS or its successor system to send movement document confirmation data back through the electronic exchange to the foreign exporter and the country of export."; Removed "EPA's Waste Import Export Tracking System" and parentheses around the acronym; Capitalized "State"; typographical changes to align grammar with the changes above

40 CFR 265.71(l) (Jan. 22, 2025) Removed "to the receipt of hazardous wastes by signing Item 20 of the manifest"; Added "that the manifest is complete, by signing it at the time of submission to the EPA e-Manifest system"; Changed "shown" to "named"; Added "If corrections are requested by the Director for portions of the manifest that a designated facility is required to complete, the facility must address the data correction within 30 days from the date of the request."

40 CFR 265.72(c) (Jan. 22, 2025) Changed "15" days to "20" days; Removed "immediately"; small typographical changes

40 CFR 265.72(c)(1) (Jan. 22, 2025) Paragraph number added; "Immediately" added

40 CFR 265.72(c)(2) (Jan. 22, 2025) Paragraph number added; Added "Beginning on December 1, 2025, immediately submit a Discrepancy Report to the EPA e-Manifest system describing the discrepancy and attempts to reconcile it, and a copy of the manifest or shipping paper at issue. Beginning on December 1, 2025, the EPA will no longer accept mailed paper Discrepancy Reports from facilities."

40 CFR 265.72(g) (Jan. 22, 2025) Removed "40 CFR"; Added "§"; Added "of this chapter"; Capitalized "Discrepancy"; Removed "and generator"; Added "Facilities are not required to send the amended manifest to any transporter who is registered in the EPA's e-Manifest system. Registered transporters may obtain the signed and dated copy of a completed manifest from the EPA e-Manifest system in lieu of receiving the manifest through U.S. postal mail."; Small typographical changes

40 CFR 265.76(b) (Jan. 22, 2025) Removed "Reserved"; Added: "Beginning on December 1, 2025, if a facility accepts for treatment, storage, or disposal any hazardous

waste from an off-site source without an accompanying manifest, or without an accompanying shipping paper as described by § 263.20(e) of this chapter, and if the waste is not excluded from the manifest requirement by this chapter, then the owner or operator must prepare an electronic Unmanifested Waste Report in the EPA e-Manifest system for submission to the EPA within 15 days after receiving the waste. The Unmanifested Waste Report must contain the following information:

- (1) The EPA identification number, name and address of the facility;
- (2) The date the facility received the waste;
- (3) The EPA identification number, name and address of the generator and the transporter, if available;
- (4) A description and the quantity of each unmanifested hazardous waste the facility received;
- (5) The method of treatment, storage, or disposal for each hazardous waste;
- (6) The certification signed by the owner or operator of the facility or his authorized representative; and
- (7) A brief explanation of why the waste was unmanifested, if known."

§ 265.1310 - Paper Manifest Systems

Added "EPA"; Removed "mailing the paper manifests or continuation sheets, by";
Changed "265" to "264"; Added "of this chapter";

§ 265.1311

40 CFR 265.1311(a)(2) (Jan. 22, 2025) Removed "mail, by"

40 CFR 265.1311(b) (Jan. 22, 2025) Removed "in lieu of submitting mailed paper forms"; Added "EPA"

40 CFR 265.1311(c) (Jan. 22, 2025) Removed "mailed paper forms or"; Added "EPA"

§ 265.1312

40 CFR 265.1312(a) (Jan. 22, 2025) and 40 CFR 265.1312(b)(1) (Jan. 22, 2025):
Changed the formula to determine manifest fees

§ 267.71

40 CFR 267.71(a)(6)(i) (Jan. 22, 2025): Added "waste stream"; Added "in the International Shipments block on the Continuation Sheet (EPA Form 8700-22A)";
Changed "a" to "an additional";

40 CFR 267.71(a)(6)(ii) (Jan. 22, 2025): Changed "Mail" to "Submit"; Removed "EPA using"; Removed "addresses listed in 40 CFR 262.82"; Removed "within thirty (30) days of delivery until the facility can submit such a copy to the e"; small typographical changes

40 CFR 267.71(d) (Jan. 22, 2025) Added "and"; Added "For shipments received";
Removed "and"; Removed "to EPA electronically using"; Added "the receiving facility must close out the movement document to confirm receipt within three working days of

shipment delivery using the”; Added “For shipments sent from a country with which the EPA has established an electronic exchange of movement document tracking data, the receiving facility may use WIETS, or its successor system, to send movement document confirmation data back through the electronic exchange to the foreign exporter and the country of export.”; Capitalized “State”; small typographical changes

§ 270.30

40 CFR 270.30(l)(7) (Jan. 22, 2025) Removed “attempt”

40 CFR 270.30(l)(7)(i) (Jan. 22, 2025) Added “(i)”; Added “Attempt”; Changed “fifteen” to “20” days;

40 CFR 270.30(l)(7)(ii) Added paragraph; “Beginning on December 1, 2025, attempt to reconcile the discrepancy. If not resolved within 20 days, the permittee must immediately submit a Discrepancy Report to the EPA e-Manifest System describing the discrepancy and attempts to reconcile it, and a copy of the manifest or shipping paper at issue. (See 40 CFR 264.72.)”

40 CFR 270.30(l)(8) (Jan. 22, 2025) Changed “This report must be submitted” to “A permittee must.”; Small typographical changes made

40 CFR 270.30(l)(8)(i) (Jan. 22, 2025) Added paragraph number; Added “Submit the Unmanifested Waste Report”; Small typographical changes

40 CFR 270.30(l)(8)(ii) (Jan. 22, 2025) Added paragraph number; Added “Beginning on December 1, 2025, submit an electronic Unmanifested Waste Report in the EPA e-Manifest system for submission to the EPA within 15 days of receipt of unmanifested waste. (See 40 CFR 264.76.)”

Subchapter I Part 271 Subpart A § 271.1 Addition to Table 1 and Table 2; Added the promulgation of the rule “Integrating e-Manifest with Hazardous Waste Exports and Other Manifest- Related Reports, PCB Manifest Amendments, and Technical Corrections” on July 26, 2024, Effective on January 22, 2025, with a federal register reference of 89 FR 60692; Small typographical change to Table 2

§ 271.10

40 CFR 271.10(f)(4)(i) and (ii) (Jan. 22, 2025) Added both paragraphs: “(i) Beginning on December 1, 2025, investigate instances where manifests have not been returned by the owner or operator of the designated facility and report such instances by electronic submission in the EPA’s e-Manifest system to the State in which the shipment originated.

(ii) [Reserved]”

40 CFR 271.10(h)(2) (Jan. 22, 2025) Removed “Either the State to which a shipment is manifested (consignment State) or the State”; Added “The State”; Removed “, or both,”; Removed “copies”; Added “the initial generator copy”; Added “paper”

40 CFR 271.10(j) (Jan. 22, 2025) Added paragraph “(j) The State shall have standards for hazardous waste exporters which are equivalent to 40 CFR part 262. These standards shall include:

(1) Compliance with the manifest system including the requirements that:

(i) Beginning on December 1, 2025, the exporter submits a signed copy of the manifest and continuation sheet to the EPA e-Manifest system.

(ii) The exporter lists the relevant consent number from consent documentation supplied by the EPA facility for each waste listed on the manifest in the International Shipments block on the Continuation Sheet (EPA Form 8700-22A), matched to the relevant list number for the waste from block 9b; and

(2) Beginning on December 1, 2025, the exporter pays user fees to the EPA to recover the EPA's costs related to the development and operation of an electronic hazardous waste manifest system, in the amounts specified by the user fee methodology included in 40 CFR part 265, subpart FF for all paper and electronic manifests submitted to the EPA e-Manifest system.”

§ 271.12

40 CFR 271.12(l) (Jan. 22, 2025) Added paragraph “Beginning on December 1, 2025, requirements for owners and operators of facilities to submit electronic Discrepancy Reports to the EPA e-Manifest system; and”

40 CFR 271.12(m) (Jan. 22, 2025) Added paragraph “Beginning on December 1, 2025, requirements for owners and operators to submit electronic Unmanifested Waste Reports to the EPA e-Manifest system.”

Definition Changes

§ 262.1 – On 8/8/24, EPA added: “Independent requirement means a requirement of part 262 that states an event, action, or standard that must occur or be met; and that applies without relation to, or irrespective of, the purpose of obtaining a conditional exemption from storage facility permit, interim status, and operating requirements under §§ 262.14, 262.15, 262.16, 262.17, or subpart K or subpart L of this part.”

§ 264.1310 - Paper manifest submissions Added “EPA” prior to e-Manifest; Removed “mailing the paper manifests or continuation sheets, by”