

RCRA Guidance/COVID-19: Signing Paper Hazardous Waste Manifests



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The United States Environmental Protection Agency (“EPA”) issued an August 20th memorandum titled: *Statement About Signing Paper Hazardous Waste Manifest During the COVID-19 Public Health Emergency* (“Statement”)

The *Statement* was transmitted from Peter C. Wright, EPA Assistant Administrator, Office of Land and Emergency Management and Susan Parker Bodine, EPA Assistant Administrator, Office of Enforcement and Compliance Assurance.

The previously issued “*Temporary COVID-19 Manifest Signature Policy*” was supposed to expire on August 31st . It was extended because various states were experiencing an increase in COVID-19 cases.

EPA indicates it had been contacted by hazardous waste handlers regarding:

... the anticipated need for continued social distancing for regulated parties obtaining “wet” signatures on paper hazardous waste manifests.

Because of the handlers’ concern that their hazardous waste operations were being conducted in states and localities with high rates of COVID-19 they asked for continued social distancing to protect truck drivers and facility personnel. As a result, they asked EPA to continue allowance of the COVID-19 signature substitute policy for paper hazardous waste manifests.

EPA, therefore, concludes in the *Statement* that the approach set forth in the previous policy (with certain modifications) will continue to be available. This availability is continued until November 30, 2020. EPA qualifies this commitment by stating it may (depending on conditions) terminate the *Statement* prior to that date. If so, it will post a notification with at least seven days’ notice.

The *Statement* contains three changes from the prior policy, which include:

1. Shortening the phrase transporters or designated facilities should write in Box 15, for generator signature, to address space limitations on the manifest form;
2. Changing the reference to the EPA policies about signatures on manifests during the COVID-19 public health emergency in the generator’s signature substitute; and
3. Removing language referencing the *Temporary COVID-19 Enforcement Policy* regarding how generators and transporters should maintain documentation

EPA states that it will exercise its enforcement discretion with noncompliance with the signature requirement on paper hazardous waste manifests for the period covered by the *Statement* on a case-by-case basis.

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