



OFFICE OF LAND AND EMERGENCY MANAGEMENT

WASHINGTON, D.C. 20460

February 17, 2026

MEMORANDUM

SUBJECT: Executing Electronic Waste Manifests Under Superfund Contracts, Enforcement Models, and Interagency Agreements

FROM: John W. Busterud **JOHN**
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TO: Superfund and Emergency Management Division Directors, Regions 1 – 10

PURPOSE

The purpose of this memorandum is to direct EPA Regions on the steps required to achieve 100% use of electronic manifests for tracking hazardous waste shipments on EPA-involved cleanups as soon as possible. The implementation steps outlined in this memo were developed through close collaboration among the Office of Resource Conservation and Recovery (ORCR), the Office of Superfund and Emergency Management (OSEM), the Office of Site Remediation Enforcement (OSRE) in the Office of Enforcement and Compliance Assurance (OECA), and the Regional Superfund and Emergency Management Divisions (SEMDs). EPA Regions are to integrate electronic manifest-specific language into all relevant contracts, enforcement models, and interagency agreements (IAs). Additionally, this memo provides clarification on manifest signatory authority for EPA-involved cleanups and removal actions where EPA's Federal Partner Agencies are involved.

BACKGROUND

EPA launched the e-Manifest system on June 30, 2018, as a national platform for tracking hazardous waste shipments. This system enhances transparency, efficiency, and accountability in hazardous waste management. In November 2023, the Office of Land and Emergency Management (OLEM) issued a memorandum ([Requirement to Use Electronic Manifest for EPA-led Cleanups](#)) mandating the nationwide adoption of electronic manifests for EPA-led cleanups beginning FY 2025. OLEM recognizes the critical role of electronic manifests in improving hazardous waste tracking and aims to increase its usage to 100% with all due haste. In addition, it is important for EPA to lead by example, showing the hazardous waste community the benefits of moving to exclusive use of electronic manifests.

IMPLEMENTATION FOR CONTRACTS

OSEM will work with the Office of Finance and Administration (OFA) to update contract language in the national Remedial Acquisition Framework (RAF) contracts to reflect the requirement to use electronic

manifests. In conjunction with those actions, EPA Regions are instructed to undertake the following actions **within 90 days** of this memo's issuance:

1. **Regional Contracts Language:** Regions are tasked with incorporating language that requires the use of electronic manifests in all Regional Contracts (e.g., Superfund Technical Assessment and Response Team, Emergency and Rapid Response Services, etc.) that require manifesting of waste. This requirement should be included whenever these documents are being drafted, updated, or amended. An example of this language: "As specified at the task order level, the hazardous waste manifest shall be an electronic manifest as defined by EPA."
2. **Technical Direction to Contractors:** Contracting Officers' Representatives (CORs) (i.e., Remedial Project Managers (RPMs), On-Scene Coordinators (OSCs), and Project Officers (POs) are to issue technical directions to contractors directing the use of electronic manifests for all hazardous waste tracking activities. This direction can be given independent of changes to contract language mentioned in the previous item.
3. **Provide Information to ORCR:** Regions must provide Donnelly.Stephen@epa.gov a comprehensive list of all EPA-led cleanup sites with any manifest activity (including those using electronic manifests and those still using paper manifests), and for each site that continues to use paper manifests, provide a detailed explanation of why paper remains in use and a specific timeline for transitioning to electronic manifests; additionally, for each paper-manifest site, include a list of associated manifest waste haulers, brokers, and receiving facilities.

IMPLEMENTATION FOR INTERAGENCY AGREEMENTS

OSEM will work with the Federal Partner Agencies to update national Superfund IA language to reflect the requirement to use electronic manifests. In conjunction with that, EPA Regions are instructed to undertake the following actions **within 90 days** of this memo's issuance:

1. **IA Language:** For any IAs without updated national Terms and Conditions that require the use of electronic manifests, RPMs and IA POs are tasked with incorporating language that requires the use of electronic manifests into Scopes of Work or any other requirement documents. An example of this language: "(Federal Partner Agency) shall utilize electronic manifests for any waste transportation activities pursuant to this Superfund IA that require a hazardous waste manifest."
2. **Communication with IA Partners:** On projects where EPA is using an Assisted Acquisition to procure waste transportation services, RPMs should communicate the requirement to use electronic manifests at the earliest opportunity to the Federal Partner Agency.
3. **Provide Information to ORCR:** Regions must provide Donnelly.Stephen@epa.gov a comprehensive list of all EPA-led cleanup sites with any manifest activity (including those using electronic manifests and those still using paper manifests), and for each site that continues to use paper manifests, provide a detailed explanation of why paper remains in use and a specific timeline for transitioning to electronic manifests; additionally, for each paper-manifest site, include a list of associated manifest waste haulers, brokers, and receiving facilities.

IMPLEMENTATION FOR POTENTIALLY-RESPONSIBLE PARTY (PRP) CLEANUPS

OSRE will update relevant enforcement and the model work settlements and orders including the Statement of Work for the Remedial Design/Remedial Action (RD/RA) Consent Decree and Unilateral Order (UAO), Removal administrative settlement and order on consent (ASAOC) and UAO, and any

other relevant model documents to include the requirement to use electronic manifests. Regions should ensure that these updates are reflected in their subsequent agreements with PRPs.

Coordinating with Federal Facilities on Utilizing Electronic Manifests

OSEM will communicate with our Federal Facility partners on the importance of transitioning to electronic manifests as soon as possible. In conjunction with that, EPA Regions are instructed to emphasize to Federal Facility partners the importance of transitioning to electronic manifests as soon as possible.

Coordinating with Partner Agencies on Signing Hazardous Waste Manifests

EPA frequently partners with other federal agencies on hazardous waste cleanup projects due to those partner agencies' extensive knowledge, training, and expertise. Our various partner agencies each have their own specific requirements for assigning their employees to sign manifests on behalf of EPA when EPA is the generator of the hazardous waste. This section outlines the circumstances under which EPA shall request that a Federal Partner Agency assign a trained employee to sign manifests on behalf of EPA.

During the negotiations of interagency agreements with our partner agencies, EPA and the partner agencies will agree upon the conditions under which the partner agency will consider a site-specific request to assign a trained employee to sign hazardous waste manifests on behalf of EPA. These conditions should be specified within the Scope of Work (SOW) or other requirements documents for the project. These conditions should be consistent with the policies of both agencies and only apply in limited conditions when EPA personnel are temporarily not available to sign manifests.

EPA considers EPA personnel to be "available" to sign a hazardous waste manifest when an EPA employee has met the following criteria:

1. *The EPA employee is in a designated role for the project site (i.e. RPM, OSC), AND*
2. *The EPA employee has completed the 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training, other trainings required by their Region, and any other applicable training requirements, AND*
3. *The EPA employee is a registered user in e-Manifest, AND*
4. *Either:*
 - a. *The EPA employee has direct physical responsibility and first-hand knowledge and can certify to all relevant activities described in manifest Item 15 Generator's/Offeror's Certifications, OR*
 - b. *Alternate EPA personnel, federal agency partners and contractors of federal agency partners, or EPA contractors, who have direct physical responsibility and first-hand knowledge of relevant activities described in manifest Item 15, have communicated information to said EPA employee to support certifying Item 15.*

If the above EPA availability criteria are not met for any personnel at the EPA Region, the EPA personnel at the Region are to be considered "not available" for the purpose of signing hazardous waste manifests for a project. In those instances, EPA can follow the procedures established with the relevant partner agency to request that an applicable partner agency employee sign hazardous waste manifests on behalf of EPA for the waste shipments currently requiring manifest preparation and

signature on behalf of EPA. In all cases, EPA as the generator is responsible for compliance with the generator requirements of RCRA and will support partner agency employees who sign manifests on behalf of EPA.

CONCLUSION

Through these measures, EPA Regions will contribute to the nationwide effort to fully integrate electronic manifests into hazardous waste management practices, ensuring compliance with federal guidelines and enhancing environmental protection efforts. Please ensure that these directives are communicated and followed within your respective regions and that all necessary steps are taken to facilitate the transition to electronic manifest usage. OSEM and ORCR will regularly reach out to the appropriate points of contact in all Regions to track the status of electronic manifest implementation timelines.

Your cooperation and commitment are essential to achieving our goal of 100% implementation of electronic manifests. The OLEM e-Manifest team will work alongside your programs to ensure a smooth transition to an electronic workflow. Their support includes assistance with:

- Technical questions.
- Process optimization.
- Regulatory requirements.
- Vendor coordination.

If you have questions, please contact the OLEM e-Manifest team: Stephen Donnelly (Donnelly.Stephen@epa.gov).

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