

**Opening Statement of the Honorable John Shimkus**  
**Subcommittee on Environment and the Economy**  
**Hearing on "Electronic Submission of Hazardous Waste Manifests –**  
**Modernizing for the 21st Century"**  
**June 21, 2012**  
*(As Prepared for Delivery)*

Today, our subcommittee will be looking into the issue of hazardous waste manifests, required under Section 3002 of the Solid Waste Disposal Act, and whether it makes sense to have these manifests submitted in paper form or converted into an electronic format. I think it undoubtedly makes sense to modernize to electronic filing.

With the commonplace usage of laptop computers, scanners, PDAs, and tablets; the idea of having this information maintained electronically seemed like a "no brainer" to me. I hope this hearing helps us understand what good reason has prevented us from using an electronic system, and, if it is legal in nature, how Congress can help encourage a transition.

When I first learned EPA was still requiring multiple copies of a paper manifests to track every movement of hazardous waste, from the generator through the transporter and to final disposal site, I was surprised a more user friendly format was not being used. When I then found out EPA also required these same manifests be sent – via postal mail – back to the original waste generator and the state regulator to be kept on file, I was astounded at the inefficiency of this system and the cost to both government and the private sector.

When the agency was last proposing revisions that would standardize RCRA's subtitle C manifesting data requirements, EPA's website claims about 12 million tons of hazardous waste per year was being manifested for shipment, involving 2.4 to 5.1 million RCRA manifests, requiring about 4.4 to 9.2 million waste handler labor hours, costing about \$187 to \$733 million annually. That is staggering.

Moreover, 34 state governments reportedly spend 199,000 to 416,000 labor hours, costing \$6.3 to \$37 million, annually to administer the current RCRA hazardous waste manifest program, which when added to waste handler burden, totals 4.6 to 9.7 million hours or, in terms of cost, \$193 to \$770 million per year in baseline national paperwork burden.

According to EPA, the agency estimates the cost of the paperwork burden on states and private entities from the current paper manifest system to be from \$193 million to over \$400 million annually. Specifically, EPA's fiscal year 2013 budget states a fully-implemented "electronic manifest system is estimated to reduce the reporting burden for firms regulated under RCRA's hazardous waste provisions by \$76 to \$124 million annually."

Especially at a time of unacceptably high unemployment, an enormous Federal debt, and limited state budgetary resources, Congress should be looking for ways to lighten the fiscal burden generated by the paper manifest system, but do so in a way that makes sense for tracking, enforcement, and public health concerns.

In addition to the regulatory and economic relief an electronic manifest provides, proponents also believe collateral benefit of an electronic system to include increased transparency, access to critical public safety and security information for first responders, better tracking services for our citizens, improved data for informed policy decisions and

program management, and greater accountability for how hazardous wastes are transported and managed.

The Senate has twice passed legislation, with the support of environmental advocacy groups, industry stakeholders, and state regulators that created an electronic manifest system at EPA. Their approach melded private sector expertise with technology and EPA's concerns for what a meaningful manifest system needed. If the House is going to act on this issue, we need to understand why this needs to be done and how best to make it work for federal and state regulators, the regulated community, and U.S. taxpayers. Furthermore, if the industry wants this system and is willing to pay for it, the system should be viable, performance based, and industry should not be forced to overpay for the system nor have their money held hostage by Congress or the Executive Branch.

I am aware that there have been concerns raised about various facets of the Senate passed bill, including whether it requires some spending offset, even though it would be fully funded by user fees, and whether those funds, once collected, should be appropriated. These are issues that we will investigate fully and address to the extent they need to be. I look forward to working with all parties.

I want to thank the witnesses for taking time out of their busy schedules to be with us. We appreciate your testimony and look forward to being better educated by your experience.

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