Hazardous Waste Import-Export Final Rule Requirements and Implementation

December 12, 2016
Agenda

• Webinar Instructions (5 minutes)
• Overview of Requirements (70 minutes)
  • Exports
  • Imports
• Health Break (10 minutes)
• Demo of EPA’s Waste Import Export Tracking System (WIETS) and Central Data Exchange (CDX) (85 minutes)
• Converting to Electronic Border Process for Export Shipments (5 minutes)
• Next Steps (5 minutes)
Export Requirements for Shipments under New Regulation (i.e., w/o Current Consent)

• Exports of hazardous waste under RCRA Parts 262, 266 and 273 under new regulation w/o consent
  • OECD requirements
  • EPA ID numbers
  • Consent numbers on manifest
  • Phase in of electronic process at the border
  • Electronic submittal of export notices using CDX and WIETS

• Exports of CRTs under Part 261
  • Phase in of electronic process at the border
  • Electronic submittal of export notices using CDX and WIETS

• Export of hazardous waste samples over 25 kg
Where to Find Export Requirements

40 CFR 262.83:

a) general export requirements
b) notification requirements
c) RCRA manifest instructions for export shipments
d) international movement document requirements for export shipments
e) the exporter’s duty to return or re-export (to a third country) export shipments of waste that cannot be managed in accordance with the terms of the contract or consent and cannot be managed at an alternate facility in the country of import
f) contract requirements
g) annual reporting requirements
h) exception reporting requirements
i) recordkeeping requirements
Export Process for Exports under New Regulation (i.e., for Shipments w/o Current Consent)

Questions?
Requirements for Export Shipments with Consent Issued Prior to 12/31/16

• Export shipments comply with requirements listed in Acknowledgement of Consent (AOC) letter plus two new requirements
  • Converting to electronic process at the border
  • Listing waste stream consent numbers on RCRA manifests

https://www.epa.gov/hwgenerators/resource-conservation-and-recovery-act-rcra-requirements-previously-consented-exports
What is Happening to Export Notices Now

• Paper export notices submitted already are being processed; most are still being reviewed by country of import
  • EPA has reached out to the countries asking them to process consent by 12/30/16 if at all possible

• EPA is no longer accepting paper export notices, as it is impossible to receive consent prior to 12/31/16

• Any paper notice that does not receive consent by 12/31/16 will have to be resubmitted electronically using WIETS with all information required in 40 CFR 262.83(b)
Questions?
Import Requirements for Shipments under New Regulation (i.e., w/o Current Consent)

- Imports of hazardous waste under Parts 262, 266 and 273 w/o consent
  - OECD requirements
  - EPA ID numbers
  - Consent numbers on manifest
- Import of hazardous waste samples over 25 kg
Where to Find Import Requirements

40 CFR 262.84:

a) general import requirements
b) notification requirements when country of export does not control as hazardous waste export
c) RCRA manifest instructions for import shipments
d) international movement document requirements for import shipments
e) the importer’s duty to return or export (to a third country) import shipments of waste that cannot be managed in accordance with the terms of the contract or consent and cannot be managed at an alternate facility in the US
f) contract requirements
g) Confirmation of recovery or disposal
h) recordkeeping requirements
Import Process for Imports under New Regulation (i.e., for Shipments w/o Current Consent)

Questions?
Requirements for Import Shipments with Consent Issued Prior to 12/31/16

• Import shipments comply with requirements in force when consent documentation sent to receiving facility plus one new requirement
  • Listing waste stream consent numbers on RCRA manifests

https://www.epa.gov/hwgenerators/resource-conservation-and-recovery-act-rcra-requirements-previously-consented-imports
What is Happening to Import Notices Now

• Import notices submitted by other countries are being processed

• Consent will be required for all import shipments of hazardous waste or hazardous waste samples over 25 kg that occur on or after 12/31/16

• Companies currently importing hazardous waste without consent (e.g., from maquiladora facilities in Mexico) should submit paper import notice to EPA listing all information required in 40 CFR 262.84(b) as soon as possible

• EPA will soon be testing electronic import notices in WIETS
Questions?
Health Break
(10 minutes)
Demo of EPA’s Waste Import Export Tracking System (WIETS) and Central Data Exchange (CDX)
Intro

Today we will go over:

• What are WIETS and CDX
• Different User Types for WIETS
• CDX Registration
• Using WIETS
About WIETS and CDX

**WIETS** is the United States Environmental Protection Agency (EPA) Waste Import/Export Tracking System responsible for managing hazardous waste notice and reporting data. EPA has extended use of WIETS by hazardous waste importers and exporters to include electronic submission and signature of hazardous waste notices and annual reports. Exporters shipping hazardous waste internationally must use WIETS to electronically submit notices, and may use WIETS to electronically submit annual reports to EPA. Importers submitting notices when the country of origin does not control the shipments as hazardous waste exports will be required to use WIETS to electronically submit notices to EPA at a future date. WIETS is not used for tracking of internal domestic shipments.

**CDX** is the point of entry on the Environmental Information Exchange Network (Exchange Network) for environmental data submissions to the Agency. Its use is supported by the Cross-Media Electronic Reporting Rule (CROMERR) which provides the legal framework for electronic reporting under all of EPA's environmental regulations.
Different Types of Users

- **Notice Preparers** – Preparers are hazardous waste industry representatives that can enter notice and report data into WIETS but do not have the legal authority to sign or submit notices and reports to EPA. Preparers must be sponsored by a US hazardous waste industry representative with legal authority to sign the notices and reports and must assign a certifier to each notice/report for signature and submission to EPA.

- **Notice Certifiers** – Certifiers are US hazardous waste industry representatives that legally sign off on the hazardous waste notice submissions. Along with being able to enter notice data, certifiers can provide electronic signatures for notices and reports and submit them to EPA.
Signing Up and CDX

Steps Include:
• Creating an account in CDX
• If you are a certifier and will be signing notices and reports, getting the account identity proofed for signing
• Setting up sponsorships between other preparers/certifiers
CDX Home Page

In production at https://cdx.epa.gov
CDX Program Selection

When registering, choose “WIETS” as your program service
### CDX Role Selection

If you will be signing and submitting notices to EPA, select Certifier as your role from the dropdown list. If you will be preparing notices on behalf of another signing entity, select Preparer. If you are not sure if you are a preparer or certifier, please refer to the WIETS User Roles section above.

<table>
<thead>
<tr>
<th>Role Selection</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cerfier</td>
<td>Personal signature only. No responsibility for entity.</td>
</tr>
<tr>
<td>Preparer</td>
<td>Requests, prepares, and submits notices on behalf of an entity.</td>
</tr>
</tbody>
</table>

Select a role from the dropdown list and provide any required additional information, if applicable.
CDX Certifiers – Identity Proofing

The program you are registering for requires additional proof of identity. Your options are to use LexisNexis®, an independent 3rd-Party electronic identity proofing service or to print and submit a signed form through U.S. Postal Mail to the U.S. Environmental Protection Agency.

Note: By clicking [Proceed to Verification] you understand the service is voluntary and that you are validating personally identifying information including the last 4 digits of SSN against a 3rd-Party service LexisNexis®, which will return evidence of validation of your personally identifying information back to the U.S. Environmental Protection Agency. The U.S. EPA will not collect or retain sensitive, personally identifying information such as your Social Security Number (SSN); however, EPA will receive evidence of identity validation which may be used to identify you for legal purposes.

You may sign the paper form if you do not want to use the automatic verification process.

Note: You will receive a limited number of attempts to complete identity verification. Please review all personal information carefully prior to submitting. If you need to modify the personal information listed below, please contact the CDX Help Desk.

First Name: Steve
Last Name: Miller

I have reviewed the name presented above and I would like to proceed with LexisNexis. Additional LexisNexis Identity Proofing Guidance

[Proceed to Verification] [Cancel]
CDX Preparers – Email a Certifier
Questions?
WIETS Home Page
### WIETS Notice Listings

**Notices Awaiting Signature**

<table>
<thead>
<tr>
<th>Create Date</th>
<th>Notice Number</th>
<th>Notice Type</th>
<th>Country</th>
<th>Waste Generator (Shipping Site)</th>
<th>Waste Material Type</th>
<th>Status</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/23/2016</td>
<td>D13505/111/16</td>
<td>Import</td>
<td>Mexico</td>
<td>AMG ALUMINUM MEXICO S.A. DE C.V</td>
<td>Cathode Ray Tubes (CRTs)</td>
<td>Awaiting Signature</td>
<td>Duplicate</td>
</tr>
</tbody>
</table>

**Pending Notices**

<table>
<thead>
<tr>
<th>Create Date</th>
<th>Notice Number</th>
<th>Notice Type</th>
<th>Country</th>
<th>Waste Generator (Shipping Site)</th>
<th>Waste Material Type</th>
<th>Status</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>02/23/2016</td>
<td>D13443/E18-A2</td>
<td>Export</td>
<td>Canada</td>
<td></td>
<td></td>
<td>Notice Sent to Foreign Govt: Pending</td>
<td>View</td>
</tr>
<tr>
<td>02/23/2016</td>
<td>D13443/E18-A5</td>
<td>Export</td>
<td>Canada</td>
<td></td>
<td></td>
<td>Notice Sent to Foreign Govt: Pending</td>
<td>View</td>
</tr>
<tr>
<td>04/15/2016</td>
<td>D13443/E18-A6</td>
<td>Export</td>
<td>Canada</td>
<td></td>
<td></td>
<td>Notice Sent to Foreign Govt: Pending</td>
<td>View</td>
</tr>
</tbody>
</table>
WIETS Notice Lifecycle

- **Draft**: While notice data is being entered into WIETS, the notice is in Draft status. Both preparers and certifiers can edit these notices. When all notice data is completed, preparers can assign a certifier to the notice for signature, and certifiers can continue to sign and submit the notice to EPA.

- **Awaiting Signature**: These notices have been assigned a certifier and are awaiting review and signature for submission to EPA. Notices in this status are still editable. Once the notice is signed and submitted to EPA, the notice becomes read-only.

- **Pending**: These notices have been signed and submitted to EPA, but no determination (consent or objection) has been made on the notices. These notices are read-only in WIETS.

- **Processed**: These notices have been signed and submitted to EPA and a determination (consent or objection) has been made on the notice. These notices are read-only in WIETS.
WIETS Notice Creation
WIETS Notice Info Tab

### Notice Information

- **Notice Received**: 11/23/2016

### EPA Notice Number: 013059/11/16

### Initial Foreign Notice Application ID: ________

(If this is not a required field for the EPA, the import country competent authority may require this information to process your notice)

### Requested Period of Time for Shipments (requested by Exporter)

<table>
<thead>
<tr>
<th>First Departure</th>
<th>Last Departure</th>
</tr>
</thead>
<tbody>
<tr>
<td>09/01/2016</td>
<td>11/22/2016</td>
</tr>
</tbody>
</table>

### Type of Waste Management

- ________

### Recovery/Recycling

- ________

### Technology Employed

- ________

### Reason for Export

- ________

### Exporting Country

- **Mexico**

### Exporter

<table>
<thead>
<tr>
<th>Company Name</th>
<th>City</th>
<th>First Name</th>
<th>Last Name</th>
<th>Email</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALLIED ELECTRONIC RECOVERY DE MEXICO, S. DE R.L. DE C.V.</td>
<td>ZAPO</td>
<td>PAOLA</td>
<td>GUADALUPE</td>
<td>NEVAREZ LEONIS</td>
<td><a href="mailto:PNEVAREZ@SRWORLDWIDE.COM">PNEVAREZ@SRWORLDWIDE.COM</a></td>
</tr>
</tbody>
</table>
WIETS Contacts
WIETS Transportation Tab

Notice Information | Transportation | Waste Streams | Review for Signature

- Transporter
  
  (This is not a required field for the EPA, but the import country competent authority may require this information to process your notice)

  Add Transporter

  Company Name: ALTOS HORNOS DE MEXICO SAB DE C.V.
  City: MONCLOVA
  First Name: GUERRA
  Last Name: GONZALEZ JAIME
  Email: SERVICIO@AHMISA.COM

  Showing 1 to 1 of 1 entries

- Mode of Transport
  
  [ ] Air
  [ ] Road
  [ ] Sea
  [ ] Train/Rail
  [ ] Inland Waterways

- Packaging Types
  
  [ ] Drum
  [ ] Wooden barrel
  [ ] Jerrican
  [ ] Box
  [ ] Bag
  [ ] Composite packaging
  [ ] Pressure receptacle
  [ ] Bulk
  [ ] Other (specify)

- Special Handling Requirements

- Shipment Frequency
  
  (This frequency is for each individual waste stream in the notice; This frequency is NOT for the total number of shipments for all the waste streams combined)

  Number of Shipments: 3
  How Often: Weekly

  Total Shipments Annually: 208 per year

Ports of Exit

ATEQUIZA, JAL.
**WIETS Ports**

**Ports of Exit**
- ATEQUIZA, JAL.

**Ports of Entry**
- DENTON, TX
- SAN DIEGO, CA
- SAN YSIDRO, CA

**NOTE:** It is critical that you list all countries through which your shipments will transit. Transit includes use of the Panama Canal, use of a country's seaports, or movement through a country by truck, rail or ship. If you intend to transit through a country, you are required to obtain its consent prior to shipment. If you do not obtain consent, your shipment could be stopped by that country.

Will these shipments transit through any countries other than the US or Mexico?
- Yes
- No

[Save and Continue] [Cancel]
♯WIETS Waste Streams

Waste Import Export Tracking System
Notice Information - [013509/11/16]

<table>
<thead>
<tr>
<th>Waste Stream #</th>
<th>Description</th>
<th>Requested Qty</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>ws 1</td>
<td>5000 KG</td>
<td>Edit</td>
</tr>
<tr>
<td>2</td>
<td>ws 2</td>
<td>10 KG</td>
<td>Edit</td>
</tr>
</tbody>
</table>

Table rows can be dragged up and down to reorder waste streams.

Continue
### WIETS Waste Streams

#### Notice Information - [013509/11/16]

<table>
<thead>
<tr>
<th>Notice Information</th>
<th>Transportation</th>
<th>Waste Streams</th>
<th>Review for Signature</th>
</tr>
</thead>
</table>

- **Waste Material Type**
  - Waste Material Type: CRTs

- **Manifest Required**
  - No
  - (If you believe the information regarding a manifest requirement is incorrect, please submit an explanation on the ‘Notes’ tab)

- **Waste Management Codes**
  - R8 - Recovery of components from catalysts
  - R90

- **DOT ID**
  - N/A

- **DOT Hazard Class**
  - N/A

- **EPA Waste Codes**
  - 0001 - Ignitable waste

- **Foreign Waste Code**

- **Other Waste Code**

- **Customs Code**
WIETS Waste Streams
Ready to sign and submit to EPA?
Not quite yet - we need you to provide some more information first.

Notice Information Tab:
- First and last departure dates need to be provided
- At least 1 Waste Generator needs to be provided
- At least 1 Receiving Facility needs to be provided

Transportation Tab:
- At least 1 Transporter needs to be provided
- At least one mode of transport needs to be selected
- At least one packaging type needs to be selected
- Shipment Frequency needs to be provided
- At least one port of entry needs to be provided

Waste Streams Tab:
- At least one waste stream needs to be provided

Ready to sign and submit to EPA?
Everything looks good. Press the button below to continue to sign and submit to EPA.
WIETS Signature
Users can amend the following notice data:

- Transporters
- Ports of Exit and Entry
- Shipment Frequency
- Waste Stream EPA Codes
- Waste Stream DOT IDs and Hazard Classes
- Waste Stream Requested Quantity
- Waste Stream Shipment Frequency
Only Ports of Entry/Exit and Transporters can be amended through the Amend Multiple Notices interface.
Questions?
WIETS Annual Reporting
<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Company Name</td>
<td>U.S. EPA</td>
</tr>
<tr>
<td>Address</td>
<td>1200 PENNSYLVANIA AVE NW</td>
</tr>
<tr>
<td>City</td>
<td>WASHINGTON</td>
</tr>
<tr>
<td>State</td>
<td>DISTRICT OF COLUMBIA</td>
</tr>
<tr>
<td>Zip Code</td>
<td>20560</td>
</tr>
<tr>
<td>Country</td>
<td>US</td>
</tr>
<tr>
<td>First Name</td>
<td>BARBARA</td>
</tr>
<tr>
<td>Last Name</td>
<td>TEST</td>
</tr>
<tr>
<td>Phone</td>
<td>714456542</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:BARBARA.TEST@GMAIL.COM">BARBARA.TEST@GMAIL.COM</a></td>
</tr>
<tr>
<td>Fax</td>
<td></td>
</tr>
</tbody>
</table>

**Mailing Address**

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Company Name</td>
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</tr>
<tr>
<td>State</td>
<td>DISTRICT OF COLUMBIA</td>
</tr>
<tr>
<td>Zip Code</td>
<td>20560</td>
</tr>
<tr>
<td>Country</td>
<td>US</td>
</tr>
</tbody>
</table>
### Annual Reporting - Waste Streams

**Exporters**: BIOMED RECOVERY & DISPOSAL LTD.

**Exporters Address**: 105 INDUSTRIAL DRIVE, ABERDEEN, SK, S0K 0A0, CA

<table>
<thead>
<tr>
<th>Consent Number</th>
<th>Waste Description</th>
<th>DOT ID</th>
<th>OECD Codes</th>
<th>EPA Codes</th>
<th>Consent Quantity</th>
<th>Quantity Shipped</th>
<th>Quantity Units</th>
<th>Annual Frequency</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>D0145E16005</td>
<td>test 1</td>
<td>UN007</td>
<td>AC370</td>
<td>D015</td>
<td>12000</td>
<td>5000</td>
<td>CM</td>
<td>12</td>
<td>X</td>
</tr>
<tr>
<td>D01445E16005</td>
<td>test 1</td>
<td>UN007</td>
<td>AC370</td>
<td>D015</td>
<td>12000</td>
<td>5000</td>
<td>CM</td>
<td>12</td>
<td>X</td>
</tr>
<tr>
<td>D01444E16005</td>
<td>test 1</td>
<td>UN007</td>
<td>AC370</td>
<td>D015</td>
<td>12000</td>
<td>5000</td>
<td>CM</td>
<td>12</td>
<td>X</td>
</tr>
</tbody>
</table>

Showing 1 to 1 of 1 entries

**Prev** | **1** | **Next**
## WIETS Report Transporters

### Annual Reporting - Transporters

<table>
<thead>
<tr>
<th>Transporter Name</th>
<th>EPA ID</th>
</tr>
</thead>
<tbody>
<tr>
<td>TRANSPORT ROLLEX LTE &amp; ROLLEX INTERMODAL, A DIVISION OF TRANSPORT ROLLEX LTD.</td>
<td>NY0060000052</td>
</tr>
<tr>
<td>SJ TRANSPORTATION CO., INC.</td>
<td></td>
</tr>
<tr>
<td>HAROLD MARCUS LIMITED</td>
<td>MIT270012321</td>
</tr>
<tr>
<td>DART TRUCKING CO., INC.</td>
<td></td>
</tr>
</tbody>
</table>

Showing 1 to 4 of 4 entries
WIETS Report Waste Reduction

The information on this page is required in even numbered years, for each hazardous waste exported, except for hazardous waste produced by exporters of greater than 100kg but less than 1,000kg in a calendar month, and except for hazardous waste for which information was already provided pursuant to §252.41.

Please provide a description of the efforts undertaken during the year to reduce the volume and toxicity of waste generated.

Please provide a description of the changes in volume and toxicity of waste actually achieved during the year in comparison to previous years to the extent such information is available for years prior to 1994.
WIETS Report Certify and Print
Questions?
Converting to Electronic Border Process for Export Shipments

- Automated Export System (AES) run by U.S. Customs and Border Protection
- Successful validations of consent along U.S.-Mexico border in 2015 and 2016
- More information at https://www.cbp.gov/trade/aes
- January 18, 2017 webinar on AES filing of consent data for exporters and their authorized Electronic Export Information filers
Next Steps

- Need for Additional 2017 Webinars?

<table>
<thead>
<tr>
<th>For Exporters?</th>
<th>For Importers?</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Transporters?</td>
<td>For Receiving Facilities?</td>
</tr>
<tr>
<td>For SLAB imports and exports?</td>
<td>For universal waste imports and exports?</td>
</tr>
</tbody>
</table>

- Where to find more information and register for future webinars
- Feedback on this webinar
More Questions?

• Check the Frequent Questions list at https://www.epa.gov/hwgenerators/frequent-questions-about-hazardous-waste-imports-and-exports to see if your question has been addressed

• Email questions regarding the new regulations to Laura Coughlan at coughlan.laura@epa.gov

• Email questions or comments about WIETS or CDX roles to the following administrators:
  – Jana Tatum - Tatum.Jana@epa.gov (Notice Officer)
  – Stephen Miller – Stephen.miller@csra.com (Technical Administrator)
Additional Rule Resources


• Information concerning the final rule at https://www.epa.gov/hwgenerators/final-rule-hazardous-waste-export-import-revisions

• Overview of the new import and export requirements at https://www.epa.gov/hwgenerators/basic-information-resource-conservation-and-recovery-act-rcra-export-and-import

• Two Frequently Asked Questions (FAQs) sections: