

# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY CHARTER

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## HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM ADVISORY BOARD

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### 1. Committee's Official Designation (Title):

Hazardous Waste Electronic Manifest System Advisory Board (Board)

### 2. Authority:

The Hazardous Waste Electronic Manifest System Advisory Board is established in accordance with the provisions of the Hazardous Waste Electronic Manifest Establishment Act, 42 USC § 6939g, and the Federal Advisory Committee Act (FACA), 5 U.S.C. App.2. The Board is in the public interest and supports the Environmental Protection Agency (EPA) in performing its duties and responsibilities.

### 3. Objectives and Scope of Activities:

The e-Manifest Board will provide recommendations on matters related to the operational activities, functions, policies, and regulations of the EPA under the e-Manifest Act, including:

- The effectiveness of the e-Manifest IT system and associated user fees and processes;
- Matters and policies related to the e-Manifest program;
- Issues in the e-Manifest area, including issues identified in EPA's E-Enterprise strategy that intersect with e-Manifest, such as:
  - Business to business communications
  - Performance standards for mobile devices
  - EPA's Cross Media Electronic Reporting Rule (CROMERR) compliant e-signatures;
- Regulations and guidance as required by the e-Manifest Act;
- Actions to encourage the use of the electronic (paperless) system; and
- Changes to the user fees as described in Section 3024(c)(3)(B)(i).

The e-Manifest Board will focus on those operational issues that e-Manifest will address first. If broader issues are identified that have implications for E-Enterprise, recommendations on those issues will be referred to the Office of the Chief Financial Officer (OCFO) by the Office of Solid Waste and Emergency Response (OSWER).

### 4. Description of Committees Duties:

The sole duty of the Board is to provide advice and recommendations to the EPA Administrator.

**5. Official(s) to Whom the Committee Reports:**

The Board will report its advice and recommendations to the EPA Administrator through the Assistant Administrator for OSWER. Any recommendations related to E-Enterprise will be forwarded to OCFO by OSWER.

**6. Agency Responsible for Providing the Necessary Support:**

EPA will be responsible for financial and administrative support. Within EPA, this support will be provided by OSWER.

**7. Estimated Annual Operating Costs and Work Years:**

The estimated annual operating cost of the Board is \$144,800, which includes approximately one half (.5) person-year of support.

**8. Designated Federal Officer:**

A full-time or permanent part-time employee of EPA will be appointed as the Designated Federal Officer (DFO). The DFO or a designee will be present at all meetings of the advisory committee and subcommittees. Each meeting will be conducted in accordance with an agenda approved in advance by the DFO. The DFO is authorized to adjourn any meeting when he or she determines it is in the public interest to do so and will chair meetings when directed to do so by the official to whom the committee reports.

**9. Estimated Number and Frequency of Meetings:**

The e-Manifest Board will meet at least annually as required by the e-Manifest Act. Additional meetings by teleconference may occur approximately once every six (6) months or as needed and approved by the DFO.

As required by FACA, the Board will hold open meetings unless the EPA Administrator (or designee) determines that a meeting or a portion of a meeting may be closed to the public in accordance with 5 U.S.C. 552b(c). Interested persons may attend meetings, appear before the committee, and file comments with the Board.

**10. Duration and Termination:**

The e-Manifest Board will be needed on a continuing basis. This charter will be in effect for two years from the date it is filed with Congress. After this two-year period, the charter may be renewed in accordance with Section 14 of FACA.

**11. Member Composition:**

As required by the e-Manifest Act, the e-Manifest Board will be composed of nine (9) members. One (1) member will be the EPA Administrator (or a designee), who will serve as Chairperson of the Board. The rest of the committee will be composed of:

- At least two (2) members who have expertise in information technology;
- At least three (3) members who have experience in using or represent users of the manifest system to track the transportation of hazardous waste under the e-Manifest Act;
- At least three (3) members who will be State representatives responsible for processing e-Manifests.

All members of the e-Manifest Board, with the exception of the EPA Administrator, will be appointed as Special Government Employees or representatives.

**12. Subgroups:**

EPA, or the e-Manifest Board with EPA's approval, may form subcommittees or working groups for any purpose consistent with this charter. Such subcommittees or working groups may not work independently of the chartered committee and must report their recommendations and advice to the chartered Board for full deliberation and discussion. Subcommittees or working groups have no authority to make decisions on behalf of the chartered Board and they cannot report directly to the Agency.

**13. Recordkeeping:**

The records of the committee, formally and informally established subcommittees, or other subgroups of the committee, will be handled in accordance with NARA General Records Schedule 26, Section 2 and EPA Records Schedule 181 or other approved agency records disposition schedule. Subject to the Freedom of Information Act, 5 U.S.C. § 552, these records will be available for public inspection and copying, in accordance with the Federal Advisory Committee Act.

August 4, 2015  
Agency Approval Date

**AUG 28 2015**

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Date Filed with Congress