

ONE HUNDRED TWELFTH CONGRESS
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Opening Statement of Rep. Henry A. Waxman
Ranking Member, Committee on Energy and Commerce
Markup of the S. 710, the Hazardous Waste Electronic Manifest Establishment Act
Subcommittee on Environment and the Economy
July 26, 2012

I would like to thank the Chairman for working closely with me and Ranking Member Green over the last week on this legislation.

That work has paid off. I'm pleased to support the Chairman's Amendment in the Nature of a Substitute and believe it has a high likelihood of being acceptable to the Senate and the President.

Today we take a step forward towards modernizing the tracking system for hazardous waste shipments in this country. The goals of these efforts are to reduce burdens, save money, and improve data quality. At present, the federal manifest system still relies on paper manifests, just as it did when this system was established in 1980.

We should bring this system into the 21st century. Technology has advanced significantly over the last 32 years, and we should no longer be relying on carbon copies to track potentially dangerous shipments. At the hearing on this legislation last month, we heard unanimous agreement on that point.

The adoption of an electronic manifest system was proposed by EPA more than 11 years ago, and it has been supported by chemical companies, state agencies, and environmental organizations. But it hasn't been adopted.

Initially, there were technological concerns; questions about the enforceability of digital signatures are one example. As we heard from EPA on the first panel, those concerns have been addressed.

There were also questions about how the program will be funded. Hazardous waste generators, shippers, and processors have expressed a willingness to fund this program through user fees. But the details are important.

Structuring the fees to fund this electronic system has been a challenge, but we have resolved the issue through bipartisan negotiation.

As it passed the Senate, S. 710 embodied concepts that are widely supported, but it carried significant costs and direct spending, and it deviated from the common practice of making the collection and utilization of user fees subject to appropriation. I believe the Chairman's Amendment in the Nature of a Substitute appropriately adjusts these policies and will improve the bill dramatically.

I urge support for the Amendment in the Nature of a Substitute and for favorably reporting this legislation.