



# FLORIDA DEPARTMENT OF Environmental Protection

Southwest District Office  
13051 North Telecom Parkway #101  
Temple Terrace, Florida 33637-0926

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

March 18, 2022

Elizabeth Clark, President  
Clark Environmental, Inc.  
755 Prairie Industrial Parkway  
Mulberry, FL 33860  
[bclark@ClarkEnv.com](mailto:bclark@ClarkEnv.com)

Re: Clark Environmental, Inc.  
Hazardous Waste Facility ID #FLD984206003  
Polk County

Dear Mrs. Clark:

Department of Environmental Protection (Department) personnel conducted a Hazardous Waste Compliance Evaluation Inspection of the above-referenced facility on January 26, 2022. Based on the information provided following the inspection, the facility was determined to be in compliance. A copy of the inspection report is attached for your records.

The Department appreciates your compliance efforts. Should you have any questions or comments, please contact Leslie Pedigo at (813) 470-5870 or via e-mail at: [Leslie.Pedigo@FloridaDEP.gov](mailto:Leslie.Pedigo@FloridaDEP.gov).

Sincerely,

A handwritten signature in black ink that reads "Shannon Lenhart".

Shannon Lenhart  
Environmental Manager  
Compliance Assurance Program  
Southwest District

SL/lelp

Enclosures: Inspection Report

cc: James Clark, Clark Environmental, Inc.; [jclark@ClarkEnv.com](mailto:jclark@ClarkEnv.com)  
Michael Ferguson, Polk County Solid Waste Division, SQG Program;  
[michaelferguson@polk-county.net](mailto:michaelferguson@polk-county.net)  
Shannon Lenhart, FDEP/SWD; [Shannon.Lenhart@FloridaDEP.gov](mailto:Shannon.Lenhart@FloridaDEP.gov)  
Leslie Pedigo, FDEP/SWD; [Leslie.Pedigo@FloridaDEP.gov](mailto:Leslie.Pedigo@FloridaDEP.gov)



**Florida Department of  
Environmental Protection  
Hazardous Waste Inspection Report**

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**FACILITY INFORMATION:**

**Facility Name:** Clark Environmental Inc  
**On-Site Inspection Start Date:** 01/26/2022 **On-Site Inspection End Date:** 01/26/2022  
**ME ID#:** 2775 **EPA ID#:** FLD984206003  
**Facility Street Address:** 755 Prairie Industrial Pkwy, Mulberry, Florida 33860-6559  
**Contact Mailing Address:** 755 Prairie Industrial Pkwy, Mulberry, Florida 33860-6559  
**County Name:** Polk **Contact Phone:** (863) 425-4884

**NOTIFIED AS:**

Non-Handler, Transporter

**WASTE ACTIVITIES:**

**Generator:** Non-Handler **Transporter:** Commercial Waste **Universal Waste: Indicate types of UW generated and/or accumulated at the facility:** Transport: Mercury Containing Lamps, Mercury Containing Devices  
**Maximum quantity of UW handled or transported at any time:** Less than 5,000 kg (11,000 lbs); Small Quantity Handler (SQH)

**INSPECTION TYPE:**

Routine Inspection for Transporter Facility

**INSPECTION PARTICIPANTS:**

**Principal Inspector:** Leslie Pedigo, Inspector  
David Petti, Environmental Specialist II; Elizabeth (Beth) Clark, President; James (Jim)  
**Other Participants:** Clark, Vice President; John Warren, Operations Manager

**LATITUDE / LONGITUDE:** Lat 27° 54' 9.4679" / Long 81° 59' 35.3215"

**NAIC:** 562112 - Hazardous Waste Collection

**TYPE OF OWNERSHIP:** Private

**Introduction:**

Clark Environmental, Inc. (Clark) was inspected by the Department of Environmental Protection (Department) on January 26, 2022 to determine the facility's compliance with state and federal hazardous and universal waste transporter requirements. Clark initially notified as a non-handler of hazardous waste in May of 1991. The facility most recently notified the Department of its waste activities on January 27, 2021 as part of the annual transporter renewal process. The last Hazardous Waste inspection was conducted on January 11, 2018. The Department was accompanied throughout the inspection by Elizabeth (Beth) Clark, President; James (Jim) Clark, Vice President; and John Warren, Operations Manager.

A Solid Waste inspection was conducted concurrent with this inspection.

**FACILITY PERMITS**

The facility maintains the following permits:

- Waste Processing Facility Permit under the Solid Waste Program - Permit No. 38627-008-SO/30 which expires on March 10, 2026.
- Source-Separated Organic (SOPF) under the Solid Waste Program - Permit No. 51555 which expires on August 1, 2022.
- Soil Thermal Treatment Facility under the Solid Waste Program - Permit No. 138634-006-SO/27 which expires on July 17, 2025.
- Soil Thermal Treatment Facility under the Air Program – Permit N. 1050319-014-AO which expires on November 15, 2023.

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- NPDES-MSGP under the NPDES Stormwater Program – Permit No. FLR05H165-003 which expires on August 1, 2026.

Compliance with these permits and associated rules were not included as part of this inspection.

### Process Description:

Clark operates a Materials Processing Facility, for the processing, consolidation and bulking of nonhazardous solid waste materials. The facility is located on 10.47-acres owned by James W. Clark, III and Elizabeth G. Clark since December 28, 1993. The facility hours are from 8:00 a.m. to 4:30 p.m., Monday through Friday unless other arrangements are made. The facility has 25 employees: six in Administration; four in Sales; six drivers; and nine Plant Technicians and/or Field Technicians.

The Soil Thermal Treatment Facility for the processing and thermal treatment of nonhazardous solid waste soil and soil-like materials is no longer operational as the processing of petroleum impacted soil is not economically viable at this time. Clark submitted a letter to the Department on November 15, 2018, stating that the petroleum impacted soil would no longer be accepted for treatment after November 15, 2018, and operations are closed. However, Clark is maintaining the permit as the treatment of soil contaminated with other contaminated waste streams is being explored.

### WASTE TRANSPORTATION

Clark employs six drivers (of which five have a Hazardous Waste endorsement). Clark operates a number of vehicles including: two vacuum trucks; two road tractors (semi cab); two straight rail trailers; one semi dump-trailer; one roll off trailer; one 8,000-gallon tanker; two box trucks; and two pickups.

Approximately 90% of wastes transported are nonhazardous. These wastes include investigative-derived wastes, emergency response cleanup wastes, routine industrial cleanup wastes, and off-spec or out of date materials. Hazardous waste is transported by Clark directly from the generators' sites to a designated facility or second transporter, which include U.S. Ecology Tampa, Inc. (EPA ID #FLD981932494), Freehold Cartage, Inc. in Bartow (EPA ID #NJD054126164), Clean Harbors Florida LLC (EPA ID #FLD980729610), and Hepaco, LLC (EPA ID #NCD986194306). Used oil is not transported by Clark. Petroleum contact water (PCW) is transported by Clark and taken directly to Aqua Clean Environmental Company, LLC (EPA ID #FLR000034033) for treatment. Hazardous and universal wastes are transported only in enclosed box trailers and only in containers. Some bulk wastes are transported from customer facilities directly to the designated facilities. Routes are generally scheduled so that the last stop of the day is Freehold Cartage or US Ecology, which are certified hazardous waste transfer facilities. Occasionally a driver will stop by the facility to pick up paperwork or to overnight the vehicle (no more than 8 hours) before driving to the designated facility the next day. In these rare cases, the waste remains on the trucks.

### FACILITY GROUNDS

The facility also has two 25,000-gallon AST's that hold wastewater. The solids/sludge that settle to the bottom are processed via solidification, and the liquids are taken to Aqua Clean Environmental Company, LLC, for treatment. A stormwater berm surrounds the perimeter of the facility. Clark has an I/W permit for their on-site stormwater pond. Any discharges from the pond are tested and analyzed by Marcorp, Inc. Groundwater monitoring is conducted twice per year in accordance with the facility's solid waste thermal treatment permit.

A number of empty roll off containers, frac tanks and two tanker trailers were being stored on the east side of the property. Two empty and out of serviced aboveground storage tanks (one vertical and the other horizontal), a Conex box and unused equipment is located north of Buildings 2 to 5 and the south of the onsite stormwater retention pond.

### BUILDING #1

This building receives non-hazardous drums and bulk materials in liquid, solid, and sludge form. The waste materials are removed from their containers and placed into the contained solid waste processing area where the waste is solidified with saw dust or cement kiln dust. The area to the north of the contained solid waste processing area is used to store containerized waste prior to processing. No waste was being stored in this area at the time of the inspection. Empty metal drums and lids are placed into roll offs for metal recycling and plastic totes are cut up and disposed of. Between one and two roll offs of metal are recycled weekly.

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The Pending Analysis Storage area is located immediately west of the contained solid waste processing area. Unknown containerized wastes are stored here until analyses are received and treatment can commence.

### NONCOMFORMING WASTE JANUARY 2022

Clark picked up waste from the cleanup of a spill on January 9, 2020. The material reached Clark on January 10, 2022, was sampled the same day and was held in the Pending Analysis Storage area. The analysis completed on January 21, 2022 and material was determined to be hazardous. As such, the material was returned to the generator, Hertz Rentals, on January 24, 2022.

### BUILDING #2

Petroleum material in liquid, solid, and sludge form are received in this area and processed in the "Sludgenator System," which is a series of settling tanks and sludge presses. This building can handle processing up to 700 tons of material. Overflowed containerized waste may be stored in this area which was empty at the time of the inspection.

### BUILDING #3

Bulk recycling materials are currently stored in Building #3.

### BUILDING #4

Petroleum contaminated soils and solidified waste is stored in this area prior to being shipped to the landfill for final disposal. A solid waste processing area is also located in this building.

### BUILDING #5

This building houses the solidification materials, saw dust or cement kiln dust.

### RECORDS

- **Hazardous Waste Manifests:** Hazardous waste manifests were reviewed for the past three years in E-Manifest. The drivers are signing the manifests as required; no discrepancies were noted. Clark is moving to an electronic recordkeeping system, but paper manifest copies were still available.
- PCW shipments are accompanied by a non-hazardous waste manifest and records are maintained on site.
- The 8 Hour DOT Haz-Mat Training includes Hazardous Waste regulations, hazards and personal protective equipment, shipping paper management, container labeling/marketing, DOT packaging requirements. Records are maintained. The training is provided every three years to drivers and other facility personnel handling or managing wastes. The last training was conducted by iOTC, An EH&S Company on October 21, 2019.

### PHOTO ATTACHMENTS:

Building #1: Pending Analysis Storage Area



Building #1: Contained solid waste processing area





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### Closed Thermal Treatment Facility



### Building #2: Sludgenator



### Building #5: Overflow Waste Storage Area



### Conclusion:

Clark was found to be operating in compliance with rules applicable to hazardous and universal waste transporters.

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**6.0: Transporters Checklist****Requirements:**

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

**Note: Checklist items with shaded boxes are for informational purposes only.**

Item No.	Transporter Requirements	Yes	No	N/A
6.1	Has the transporter notified the Department as a transporter and received an EPA identification number? 62-730.150(2)(a), 263.11(a)	✓		
6.2	Does the transporter repackage wastes with different USDOT shipping descriptions?			
6.3	If YES, does the transporter comply with 40 CFR 262 Generator Standards? 263.10(c)			✓
6.4	Does the transporter transport waste into the US from abroad?			
6.5	If YES, does the transporter comply with 40 CFR 262 Generator Standards? 263.10(c)			✓
6.6	Does the transporter obtain a signed and dated manifest prior to accepting a hazardous waste for transport?			
6.7	If NO, is the waste exempt from the manifest requirement? 263.20(a)(1) <input type="checkbox"/> Exemption Type - Tolling Agreement <input type="checkbox"/> Exemption Type - VSQG Bill-of-Lading	✓		
6.8	Does the transporter sign and date the manifest upon acceptance? 263.20(b)	✓		
6.9	Does the transporter leave a signed copy of the manifest acknowledging acceptance of the waste? 263.20(b)	✓		
6.10	Does the transporter ensure the manifest and, in the case of exports the Acknowledgment of Consent, accompany the waste during transport? 263.20(c)	✓		
6.11	Does the transporter obtain the signature and date of delivery of the receiving (designated) facility or other transporter upon transferring custody of the waste? 263.20(d)(1)	✓		
6.12	Does the transporter retain one copy of the manifest signed and dated by the designated facility or other transporter? 263.20(d)(2)	✓		
6.13	Does the transporter give the remaining copies of the manifest to the designated facility or accepting transporter? 263.20(d)(3)	✓		
6.14	If the entire quantity of hazardous waste cannot be delivered, does the transporter contact the generator for further direction and revise the manifest in accordance with the generator's instructions? 263.21(b)			✓
6.15	For a partial load rejection, while the transporter is on the facility's premises, does the transporter obtain a new manifest for the rejected material, accompanied by a copy of the original manifest that includes the manifest tracking number of the new manifest? 263.21(b)			✓
6.16	Does the transporter retain a copy of the manifest signed by the generator, himself, and the next designated transporter or designated facility for a period of three years from the date the hazardous waste was accepted by the initial transporter? 263.22(a)	✓		
Item No.	Rail Transporters	Yes	No	N/A
6.17	If initial rail transporter, when accepting hazardous waste from a non-rail transporter does the rail transporter sign and date the manifest acknowledging receipt of the hazardous waste? 263.20(f)(1)(i)			✓
6.18	If initial rail transporter, does the rail transporter return a signed copy of the manifest to the non-rail transporter? 263.20(f)(1)(ii)			✓


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6.19	If initial rail transporter, does the rail transporter forward at least three copies of the manifest to the next designated non-rail transporter or facility? 263.20(f)(1)(iii)			✓
6.20	If initial rail transporter, does the rail transporter retain one copy of the manifest and rail shipping paper? 263.20(f)(1)(iv)			✓
6.21	Does the rail transporter ensure the shipping paper and, in the case of exports the Acknowledgment of Consent, accompany the waste during transport? 263.20(f)(2)			✓
6.22	Does the final rail transporter obtain the date of delivery and handwritten signature of the designated facility on the manifest or shipping paper? 263.20(f)(3)(i)			✓
6.23	Does the final rail transporter retain a copy of the manifest or signed shipping paper? 263.20(f)(3)(ii)			✓
6.24	When delivering hazardous waste to a non-rail transporter, does the rail transporter obtain the date of delivery and handwritten signature of the next non-rail transporter on the manifest and retain one copy of the manifest? 263.20(f)(4)			✓
Item No.	Water (Bulk) Transporters	Yes	No	N/A
6.25	Does the water (bulk) transporter obtain the date of delivery and handwritten signature of the designated facility on the manifest or shipping paper? 263.20(e)(3)	✓		
6.26	Does the water (bulk) transporter retain a copy of the manifest or signed shipping paper? 263.20(e)(5)	✓		
Item No.	SQG Waste	Yes	No	N/A
6.27	For SQG waste, if a manifest is not used is the waste being transported pursuant to a recalculation (tolling) agreement per 262.20(e)? 263.20(h)(1)			✓
6.28	Is the following information recorded on a log or shipping paper for each shipment? (Check items below that are NOT in compliance): 263.20(h)(2) <input type="checkbox"/> Name, address, and EPA identification number of the generator of the waste <input type="checkbox"/> Quantity of waste accepted <input type="checkbox"/> All DOT-required shipping information <input type="checkbox"/> The date the waste is accepted	✓		
6.29	Does the transporter carry the shipping paper/log when transporting waste to the reclamation facility? 263.20(h)(3)	✓		
6.30	Does the transporter retain shipping papers/logs for a period of at least three years after termination or expiration of the tolling agreement? 263.20(h)(4)	✓		
6.31	If hazardous waste was discharged during transport, did the transporter give notice, if required by 49 CFR 171.15, to the National Response Center (800-424-8802)? 263.30(c)(1)			✓
6.32	If hazardous waste was discharged during transport, did the transporter report in writing as required by 49 CFR 171.16 to the Director, Office of Hazardous Materials Regulations, Materials Transportation Bureau, Department of Transportation, Washington, DC 20590? 263.30(c)(2)			✓
6.33	If hazardous waste was discharged during transport, did the transporter clean up the discharge so that it no longer presents a hazard to human health or the environment? 263.31			✓
6.34	Has the transporter demonstrated the financial responsibility required under 62-730.150(2)(a)? 62-730.150(2)(a)	✓		
6.35	Does the transporter verify the evidence of financial responsibility annually? 62-730.150(3)	✓		

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**Signed:**

A hazardous waste compliance inspection was conducted on this date, to determine your facility's compliance with applicable portions of Chapters 403 & 376, F.S., and Chapters 62-710, 62-730, 62-737 & 62 -740 Florida Administrative Code (F.A.C.). Portions of the United States Environmental Protection Agency's Title 40 Code of Federal Regulations (C.F.R.) 260 - 279 have been adopted by reference in the state rules under Chapters 62-730 and 62-710, F.A.C

Leslie Pedigo	Inspector	
<b>Principal Investigator Name</b>	<b>Principal Investigator Title</b>	
	DEP	03/14/2022
<b>Principal Investigator Signature</b>	<b>Organization</b>	<b>Date</b>
David Petti	Environmental Specialist II	
<b>Inspector Name</b>	<b>Inspector Title</b>	
	FDEP/SWD	
	<b>Organization</b>	
Elizabeth (Beth) Clark	President	
<b>Representative Name</b>	<b>Representative Title</b>	
	Clark Environmental, Inc.	
	<b>Organization</b>	

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Potential Violations" or areas of concern.

James (Jim) Clark	Vice President	
<b>Representative Name</b>	<b>Representative Title</b>	
	Clark Environmental, Inc.	
	<b>Organization</b>	

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Potential Violations" or areas of concern.

John Warren	Operations Manager	
<b>Representative Name</b>	<b>Representative Title</b>	
	Clark Environmental, Inc.	
	<b>Organization</b>	

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**Report Approvers:**



# Clark Environmental Inc Inspection Report

Inspection Date: 01/26/2022

**Approver:** Shannon Lenhart

**Inspection Approval Date:** 03/14/2022