



U.S. DEPARTMENT OF LABOR

Please note: As of 01/20/2025, information in some news releases may be out of date or not reflect current policies.

News Release

US DEPARTMENT OF LABOR FINDS TAMPA SMELTER WILLFULLY EXPOSED WORKERS TO UNSAFE LEVELS OF AIRBORNE LEAD, DESPITE EXPERTS' WARNING

OSHA proposes \$319K in penalties to address violations

TAMPA, FL – Despite warnings since March 2020 of unsafe measures of lead exposure, a Tampa battery recycling facility and smelter failed to make changes that resulted in worker exposure to lead inhalation hazards, a federal workplace safety investigation found.

The U.S. Department of Labor's Occupational Safety and Health Administration cited Envirofocus Technologies LLC – operating as Gopher Resource LLC – with a willful violation for exposing workers to inhalation hazards. The company also failed to provide employees with adequate respirators that could have kept worker exposure to hazardous substances at or below the allowable level.

OSHA also cited Gopher Resource for:

- Allowing cadmium, lead and inorganic arsenic exposure levels above the permissible exposure limit.
- Not implementing adequate engineering and work practice controls to prevent lead and inorganic arsenic exposure levels above the permissible exposure limit.
- Failing to provide an annual update of the written compliance program for cadmium, inorganic lead and arsenic.
- Allowing workers to share aluminized jackets that were damaged and stored in the open, and exposed to lead.
- Requiring workers to wear respirators that were not fit-tested annually.
- Using shoveling, sweeping or brushing methods to remove lead accumulations.
- Not identifying all hazards on entry permits.

Proposed penalties total \$319,876.

“This employer put their bottom line above the safety and well-being of their workers,” said OSHA Area Director Danelle Jindra in Tampa. “Every worker has the right to a safe workplace, and they should never have to decide between their own health and earning a living. Continuing to put workers in harm’s way is unacceptable, and OSHA will continue to hold employers like Gopher Resource responsible.”

OSHA also cited A & B Maintenance & Construction Inc., a Tampa-based company that provides supplemental maintenance at the Gopher facility, for exposing workers to health hazards by failing to maintain a written respiratory protection program and allowing lead exposure in excess of the permissible exposure limit. The company faces \$16,384 in penalties.

Gopher Resource is a secondary lead smelter. It recycles automotive batteries by separating the battery components to capture lead, acid and plastic, then processes those materials.

The companies have 15 business days from receipt of their citations and penalties to comply, request an informal conference with OSHA’s area director, or contest the findings before the independent Occupational Safety and Health Review Commission.

Learn more about controlling exposure to chemical hazards and toxic substances.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA’s role is to ensure these conditions for America’s workers by setting and enforcing standards, and providing training, education and assistance.

Agency: Occupational Safety & Health Administration

Date: September 30, 2021

Release Number: 21-1718-NAT

Media Contact: Eric R. Lucero

Phone Number: [678-237-0630](tel:678-237-0630)

Email: lucero.eric.r@dol.gov

Media Contact: Erika Ruthman

Phone Number: [678-237-0630](tel:678-237-0630)

Email: ruthman.erika.b@dol.gov

Share This



More News Releases

Previous

[US Department of Labor awards \\$195.7M in grants to 58 states, territories, District of Columbia to strengthen fraud detection, prevention efforts](#)

Next Up

[Biden-Harris administration issues third rule to implement No Surprises Act, protect Americans from surprise medical bills](#)

Agencies	Forms	Guidance Search	FAQ	About DOL	News
----------	-------	-----------------	-----	-----------	------



U.S. DEPARTMENT OF LABOR

200 Constitution Ave NW
Washington, DC 20210
[1-866-4-USA-DOL](tel:1-866-4-USA-DOL)
[1-866-487-2365](tel:1-866-487-2365)
www.dol.gov

FEDERAL GOVERNMENT+

White House
Disaster Recovery Assistance
DisasterAssistance.gov
USA.gov
No Fear Act Data
U.S. Office of Special Counsel

LABOR DEPARTMENT+

About DOL
Guidance Search
Español
Office of Inspector General
A to Z Index

ABOUT THE SITE+

Freedom of Information Act
Privacy & Security Statement
Disclaimers
Important Website Notices
Plug-Ins Used on DOL.gov
Accessibility Statement

Connect With DOL



[Important Website Notices](#) | [Privacy & Security Statement](#)