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Lead/OSHA Enforcement: Proposed Penalty Assessment Addressing Tampa, Florida, Battery Recycling Facility/Smelter

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The Occupational Safety and Health Administration ("OHSA") issued a September 30th news release stating it was proposing to assess penalties against a Tampa, Florida, battery recycling facility and smelter.

The proposed assessment addresses Envirofocus Technologies LLC, operating as Gopher Resource LLC.

The facility is described as a secondary lead smelter. It is stated to recycle automobile batteries by separating the battery components to capture lead, acid and plastic. It then processes those materials.

OSHA alleges that warnings were provided in March 2020 of unsafe measures of lead exposure. It is further alleged that the facility failed to make changes which resulted in worker exposure to lead inhalation hazards.

Additional alleged violations include:

- Failure to provide employees with adequate respirators
- 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 to be assessed are $319,876.

Envirofocus Technologies LLC has 15 days from receipt of the 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.

A copy of the news release can be downloaded here.