

U.S. Department of Labor Occupational Safety and Health Administration
5807 Breckenridge Pkwy
Suite A
Tampa, FL 33610



09/30/2021

ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
and its successors
6505 JEWEL AVENUE
Tampa, FL 33619

Dear Employer:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000-04R) revised 2018, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone. Please contact me at (813) 626-1177.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dates together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

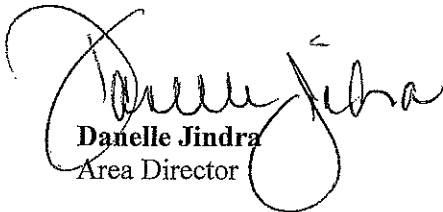
As indicated on page 3 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of the citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.

Sincerely,



Danelle Jindra
Area Director

Enclosures

U.S. Department of Labor

Occupational Safety and Health Administration
5807 Breckenridge Pkwy
Suite A
Tampa, FL 33610



Citation and Notification of Penalty

To:
ENVIROFOCUS TECHNOLOGIES, LLC, dba
Gopher Resource, LLC
and its successors
6505 JEWEL AVENUE
Tampa, FL 33619

Inspection Number: 1523378
Inspection Date(s): 04/05/2021 - 09/30/2021
Issuance Date: 09/30/2021

Inspection Site:
6505 JEWEL AVENUE
Tampa, FL 33619

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or you mail a notice of contest** to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period by calling (813) 626-1177. During such an informal conference, you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically at www.pay.gov. At the top of the [pay.gov](http://www.pay.gov) homepage, type “OSHA” in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will process the payments as if these restrictions or conditions do not exist.

Notification of Corrective Action – For each violation which you do not contest, you must provide **abatement certification** to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that **abatement documentation** is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an

employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 09/30/2021. The conference will be held by telephone or at the OSHA office located at 5807

Breckenridge Pkwy, Suite A, Tampa, FL 33610 on _____ at

_____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1523378

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Issuance Date: 09/30/2021

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 5807 Breckenridge Pkwy, Suite A, Tampa, FL 33610.**

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

Signature

Date

Typed or Printed Name

Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review



U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1523378
Inspection Date(s): 04/05/2021 - 09/30/2021
Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 1 Type of Violation: **Serious**

29 CFR 1910.36(d)(1):Employee(s) were not able to open an exit route door from the inside at all times without keys, tools, or special knowledge:

a. Furnace Department Cool Down Room: On or about 04/06/2021, employees were exposed to fire and entrapment hazards, as the exit door was locked.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5,851.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 2 Type of Violation: **Serious**

29 CFR 1910.37(a)(3): Exit route(s) were not kept free and unobstructed:

- a. Furnace Department Control Room: On or about 04/06/2021, employees were exposed to fire and entrapment hazards, as exit routes and exit access were blocked by a metal bench chair.
- b. Mobile Maintenance: On or about 06/01/2021, employees were exposed to fire and entrapment hazards, as exit routes were obstructed with a rack full of hoses.
- c. Containment Room: On or 06/01/2021, employees were exposed to fire hazards, as an exit access was blocked by warning tape indicating that the exit was unavailable.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5,851.00



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 3 a Type of Violation: **Serious**

29 CFR 1910.132(a):Protective equipment was not maintained in a sanitary and reliable condition:

a. Furnace Department: On or about 6/1/2021, employees were required to use aluminized jackets and leather gloves in order to work as the blast lead and slag side operators. The aluminized jackets and leather gloves were shared, not cleaned, and stored in the open environment near the blast furnace where employees were exposed to lead, cadmium and arsenic dust above the PEL.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$9,753.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1523378
Inspection Date(s): 04/05/2021 - 09/30/2021
Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 3 b Type of Violation: **Serious**

29 CFR 1910.132(e): The employer did not ensure that employees were not using defective or damaged personal protective equipment in the workplace.

a. Furnace Department: On or about 6/1/2021, employees were required to use damaged aluminized jackets when exposed to burns. The aluminized jacket had several holes in it.

Date By Which Violation Must be Abated:
Proposed Penalty:

November 18, 2021
\$0.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.134(f)(2): Employee(s) using a tight-fitting facepiece respirator were not annually fit tested:

a. Throughout the facility: On or about 04/06/2021, employees were exposed to hazards associated with lead, arsenic and cadmium, in that, they were required to wear air purifying full face respirators and tight fitting powered air purifying full face respirators and not annually fit tested.

Date By Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$13,653.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1523378
Inspection Date(s): 04/05/2021 - 09/30/2021
Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 5 a Type of Violation: **Serious**

29 CFR 1910.141(a)(3)(i): Places of employment were not kept clean to the extent that the nature of the work allowed:

- a. Refining Department: On or about 06/01/2021, employees were exposed to adverse health effects, in that the restroom was not maintained in a sanitary condition. The toilet, sink and floors were dirty and dusty.
- b. Material Transfer Room (MTR): On or about 06/01/2021, employees were exposed to adverse health effects, in that the restroom was not maintained in a sanitary condition. The toilet, sink and floors were dirty and dusty.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5,851.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 5 b Type of Violation: **Serious**

29 CFR 1910.141(d)(2)(iii):Lavatories were not provided with hand soap or similar cleansing agent:

a. Refining Department: On or about 06/01/2021, employees were exposed to unsanitary conditions, in that, soap or another cleansing agent was not provided for hand washing.

b. Material Transfer Room (MTR): On or about 06/01/2021, employees were exposed to unsanitary conditions, in that, soap or another cleansing agent was not provided for hand washing.

Date By Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$0.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1523378
Inspection Date(s): 04/05/2021 - 09/30/2021
Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 5 c Type of Violation: **Serious**

29 CFR 1910.141(d)(2)(iv): Lavatories were not provided with individual hand towels or sections thereof, of cloth or paper, warm air blowers or clean individual sections of continuous cloth toweling:

a. Furnace Department: On or about 06/01/2021, employees were exposed to unsanitary conditions, in that, no means was provided to dry hands after hand washing.

b. Material Transfer Room (MTR): On or about 06/01/2021, employees were exposed to unsanitary conditions, in that, no means was provided to dry hands after hand washing.

Date By Which Violation Must be Abated:
Proposed Penalty:

November 18, 2021
\$0.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 6 a Type of Violation: **Serious**

29 CFR 1910.146(d)(14): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not review the permit-required confined space program, using the cancelled permits retained under 29 CFR 1910.146(e)(6) within one year after entry:

a) On or about 04/08/2021, employees were exposed to asphyxiation hazards associated with oxygen deficiency and sulfur dioxide exposure. The employer did not review the permit-required confined space program using the cancelled permits from the prior 12 months where employees enter confined spaces to complete tasks such as, but not limited to, maintenance, cleaning and inspections in reactor pits and baghouses.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$13,653.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 6 b Type of Violation: **Serious**

29 CFR 1910.146(f)(7): The entry permit that documented compliance and authorized entry to a permit space did not identify the hazards of the permit space to be entered:

a) RMPC Department: On or about 5/31/2021, the employer did not ensure that all hazardous conditions were documented on the Confined Space Permit Form prior to entering into the permit space such as the Reactor Pit. Employees did not document oxygen deficiency as a hazard on the Confined Space Entry Permit Form prior to the entry for inspection and cleaning.

b) RMPC Department: On or about 5/23/2021, the employer did not ensure that all hazardous conditions were documented on the Confined Space Permit Form prior to entering into the permit space such as the Reactor Pit. Employees did not document oxygen deficiency as a hazard on the Confined Space Entry Permit Form prior to the entry.

c) RMPC Department: On or about 5/18/2021, the employer did not ensure that all hazardous conditions were documented on the Confined Space Permit Form prior to entering into the permit space such as the Reactor Pit. Employees did not document oxygen deficiency as a hazard on the Confined Space Entry Permit Form prior to the entry for maintenance.

d) RMPC Department: On or about 4/27/ 2021, the employer did not ensure that all hazardous conditions were documented on the Confined Space Permit Form prior to entering into the permit space such as the Reactor Pit. Employees did not document oxygen deficiency as a hazard on the Confined Space Entry Permit Form prior to the entry for inspection and cleaning.

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor
Occupational Safety and Health Administration

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Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

October 27, 2021

Proposed Penalty:

\$0.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 6 c Type of Violation: **Serious**

29 CFR 1910.146(j)(3): The employer did not ensure that each entry supervisor terminated the entry and canceled the permit as required by 29 CFR 1910.146(e)(5):

a) RMPC Department: On or about May 31, 2021, the employer did not ensure that the Confined Space Permit Form was cancelled after the Reactor Pit entry for inspection and cleaning where oxygen deficiency was the hazard.

b) RMPC Department: On or about May 23, 2021, the employer did not ensure that the Confined Space Permit Form was cancelled after the Reactor Pit PU 07 entry where oxygen deficiency was the hazard.

c) RMPC Department: On or about May 18, 2021, the employer did not ensure that the Confined Space Permit Form was cancelled after the Reactor Pit entry for maintenance where oxygen deficiency was the hazard.

d) RMPC Department: On or about April 27, 2021, the employer did not ensure that the Confined Space Permit Form was cancelled after the Reactor Pit entry for inspection and cleaning where oxygen deficiency was the hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

November 18, 2021

Proposed Penalty:

\$0.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor

Occupational Safety and Health Administration

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Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 6 d Type of Violation: **Serious**

29 CFR 1910.146(g)(2)(iv): The employer did not provide training to each affected employee whenever the employer had reason to believe either that there were deviations from the permit space entry procedures required by 29 CFR 1910.146(d)(3) or that there are inadequacies in the employee's knowledge or use of these procedures:

a) RMPC Department and Baghouse: On or about 04/05/2021, employees inadequately filling out permits were not retrained in proper completion of permits, including the types of potential hazards present in the spaces, including oxygen deficiency, SO2 exposure and asphyxiation..

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

November 18, 2021

Proposed Penalty:

\$0.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



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Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 7 Type of Violation: **Serious**

29 CFR 1910.146(l)(1):Employers did not consult with affected employees and their authorized representatives on the development and implementation of all aspects of the permit space program required by paragraph (c) of this section:

a) RMPC Department and Baghouse: On or about May 31, 2021, employees were not consulted on the development and implementation of the program which exposed employees to oxygen deficient atmospheres, sulfur dioxide exposure and asphyxiation when entering confined spaces to complete tasks such as, but not limited to, maintenance, cleaning and inspections in reactor pits and baghouses.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

November 18, 2021

Proposed Penalty:

\$13,653.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



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Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 8 Type of Violation: **Serious**

29 CFR 1910.157(c)(1): Portable fire extinguishers were not mounted, located and identified so that they were readily accessible without subjecting the employees to injuries:

- a. Material Transfer Room: On or about June 1, 2021, the employer did not ensure portable fire extinguishers were mounted to be readily accessible, exposing employees to a fire hazard.
- b. Furnace Department: On or about June 1, 2021, the employer did not ensure portable fire extinguishers were mounted to be readily accessible, exposing employees to a fire hazard.
- c. Shipping Department: On or about June 1, 2021, the employer did not ensure portable fire extinguishers were mounted to be readily accessible, exposing employees to a fire hazard.

Date By Which Violation Must be Abated:

November 18, 2021

Proposed Penalty:

\$5,851.00



U.S. Department of Labor
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Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 9 Type of Violation: **Serious**

29 CFR 1910.178(q)(1): Any power-operated industrial truck not in safe operating condition was not taken out of service, and/or repairs were not made by authorized personnel:

a. Furnace Department: On or about June 1, 2021, employees were exposed to struck-by hazards when the Mitsubishi forklift (FL#56) was not removed from service when defects were found such as, but limited to, damaged tires and inoperable back up alarms.

Date By Which Violation Must be Abated:
Proposed Penalty:

November 18, 2021
\$7,802.00



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 10 a

Type of Violation: **Serious**

29 CFR 1910.253(b)(2)(ii): Assigned storage spaces for cylinders was not located away from elevators, stairs, or gangways where cylinders could not be knocked over or damaged by passing or falling objects, or subject to tampering by unauthorized persons:

- a. Containment area: On or about 04/06/2021, employees were exposed to struck-by hazards, in that oxygen and acetylene cylinders stored on a cart and not located away from forklift traffic.
- b. Furnace Department Utility Room: On or about 06/01/2021, employees were exposed to a struck-by hazard, in that free standing oxygen and acetylene compressed gas cylinders that were not secured to prevent them from being knocked over.

Date By Which Violation Must be Abated:

November 18, 2021

Proposed Penalty:

\$7,802.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1523378
Inspection Date(s): 04/05/2021 - 09/30/2021
Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 10 b Type of Violation: **Serious**

29 CFR 1910.253(b)(4)(iii):Oxygen cylinders in storage were not separated from fuel-gas cylinders or combustible materials (especially oil or grease), a minimum distance of 20 feet (6.1 m) or by a noncombustible barrier at least 5 feet (1.5 m) high having a fire-resistance rating of at least

(a) Utility Room inside the furnace area: On or about 04/06/2021, employees were exposed to a fire hazard, in that oxygen and acetylene cylinder were stored together without separation.

Date By Which Violation Must be Abated:
Proposed Penalty:

November 18, 2021
\$0.00



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 11 a Type of Violation: Serious

29 CFR 1910.1018(c):Employee(s) were exposed to inorganic arsenic at concentrations greater than ten micrograms per cubic meter of air, averaged over an 8-hour period:

- a) Furnace Department: A blast loader driver was exposed to $19.1 \mu\text{g}/\text{m}^3$ of inorganic arsenic for an 8-hour time weighted average (TWA) of $17 \mu\text{g}/\text{m}^3$, approximately 1.73 times the OSHA-PEL of $10 \mu\text{g}/\text{m}^3$. The exposure was derived from one sample collected over a 436-minute period on 4/6/2021. Zero exposure was assumed for the remaining 44-minutes.
- b) Furnace Department: A blast lead side operator was exposed to $32.2 \mu\text{g}/\text{m}^3$ and $5.9 \mu\text{g}/\text{m}^3$ of inorganic arsenic for an 8-hour TWA of $13 \mu\text{g}/\text{m}^3$, approximately 1.31 times the OSHA-PEL of $10 \mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over a 251-minute period on 4/6/2021. Zero exposure was assumed for the remaining 229-minutes.
- c) Refining Department: A kettle operator was exposed to $45.1 \mu\text{g}/\text{m}^3$ and $2.9 \mu\text{g}/\text{m}^3$ of inorganic arsenic for an 8-hour TWA of $19 \mu\text{g}/\text{m}^3$, approximately 1.86 times the OSHA-PEL of $10 \mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over a 466-minute period on 4/6/2021. Zero exposure was assumed for the remaining 14-minutes.
- d) Refining Department: A refining lead operator was exposed to $29.1 \mu\text{g}/\text{m}^3$ and $5.3 \mu\text{g}/\text{m}^3$ of inorganic arsenic for an 8-hour TWA of $12 \mu\text{g}/\text{m}^3$, approximately 1.22 times the OSHA-PEL of $10 \mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over a 317-minute period on 4/6/2021. Zero exposure was assumed for the remaining 163-minutes.
- e) Furnace Department: A blast loader operator was exposed to $13.9 \mu\text{g}/\text{m}^3$ of inorganic arsenic for an 8-hour TWA of $13.6 \mu\text{g}/\text{m}^3$, approximately 1.36 times the OSHA-PEL of $10 \mu\text{g}/\text{m}^3$. The exposure was derived from one sample collected over a 468-minute period on 4/13/2021. Zero exposure was assumed for the remaining 12-minutes.

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U.S. Department of Labor

Occupational Safety and Health Administration

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Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

November 18, 2021

Proposed Penalty:

\$9,753.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 11 b

Type of Violation: **Serious**

29 CFR 1910.1018(g)(1)(i): Engineering and work practice controls were not instituted to reduce inorganic arsenic exposure to or below permissible exposure limit:

a) Furnace Department: On or about 4/5/2021, feasible engineering and administrative controls were not implemented to reduce exposure levels below the permissible exposure limit (PEL) of 10 $\mu\text{g}/\text{m}^3$ for employees exposed to inorganic arsenic ranging from 13 $\mu\text{g}/\text{m}^3$ - 17 $\mu\text{g}/\text{m}^3$.

b) Refining Department: On or about 4/5/2021, feasible engineering and administrative controls were not implemented to reduce exposure levels below the PEL of 10 $\mu\text{g}/\text{m}^3$ for employees exposed to inorganic arsenic ranging from 12 $\mu\text{g}/\text{m}^3$ - 19 $\mu\text{g}/\text{m}^3$.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

November 18, 2021

Proposed Penalty:

\$0.00



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 11 c Type of Violation: **Serious**

29 CFR 1910.1018(g)(2)(iv): Written compliance programs for inorganic arsenic were not revised and updated at least annually to reflect the current status of the program:

a) Furnace and Department: On or about 4/5/2021, the written compliance plan has not been updated since October 6, 2017; for employees exposed to inorganic arsenic ranging from 13 $\mu\text{g}/\text{m}^3$ - 17 $\mu\text{g}/\text{m}^3$, in excess of the permissible exposure limit (PEL) of 10 $\mu\text{g}/\text{m}^3$.

b) Refining Department: On or about 4/5/2021, the written compliance plan has not been updated since October 6, 2017; for employees exposed to inorganic arsenic ranging from 12 $\mu\text{g}/\text{m}^3$ - 19 $\mu\text{g}/\text{m}^3$ in excess of the PEL of 10 $\mu\text{g}/\text{m}^3$.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

November 18, 2021

Proposed Penalty:

\$0.00

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U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1523378
Inspection Date(s): 04/05/2021 - 09/30/2021
Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 11 d Type of Violation: **Serious**

29 CFR 1910.1018(k)(1): All surfaces were not maintained as free as practicable of accumulations of inorganic arsenic:

a) Furnace Control Room: On or about 4/6/2021, surfaces were not maintained as free as practical from accumulations of inorganic arsenic to prevent ingestion and or transfer to other areas and surfaces. Quantitative wipe samples indicated the presence of arsenic at the monitor desk of 0.2931 $\mu\text{g} / 100 \text{ cm}^2$.

b) Refinery Control Room: On or about 4/6/2021, surfaces were not maintained as free as practical from accumulations of inorganic arsenic to prevent ingestion and or transfer to other areas and surfaces. Qualitative wipe samples indicated the presence of arsenic on the beverage cooler knob of 0.3753 μg .

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

November 18, 2021
\$0.00

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U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1523378
Inspection Date(s): 04/05/2021 - 09/30/2021
Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 12 Type of Violation: **Serious**

29 CFR 1910.1018(e)(1)(iii): Full shift, for at least seven continuous hours, personal samples for inorganic arsenic were not collected for each job classification in each work area including at least one sample for each shift:

a) All Departments: On or about 4/5/2021, the employer did not collect full shift personal samples for employees exposed to inorganic arsenic on the night shift.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

November 18, 2021
\$9,753.00



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 13 a

Type of Violation: **Serious**

29 CFR 1910.1025(c)(2):Employee(s) were exposed to lead for more than eight -8 hours during the work day in excess of the reduced permissible exposure limit:

- a) Furnace Department: A slag side worker was exposed to 1,914.6 $\mu\text{g}/\text{m}^3$ and 1,597.6 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour time weighted average (TWA) of 1,700 $\mu\text{g}/\text{m}^3$, approximately 51.6 times the reduced OSHA-PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over a 702-minute period on 4/6/2021. Zero exposure was assumed for the remaining 18-minutes.
- b) Furnace Department: A blast loader driver was exposed to 7,635.4 $\mu\text{g}/\text{m}^3$, 4,583.4 $\mu\text{g}/\text{m}^3$ and 10,134 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 8,570 $\mu\text{g}/\text{m}^3$, approximately 259.7 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from three samples collected over a 699-minute period on 4/6/2021. Zero exposure was assumed for the remaining 21-minutes.
- c) Furnace Department: A blast lead side worker was exposed to 6,092.9 $\mu\text{g}/\text{m}^3$, 745.3 $\mu\text{g}/\text{m}^3$ and 986.3 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 2,240 $\mu\text{g}/\text{m}^3$, approximately 67.9 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from three samples collected over a 710-minute period on 4/6/2021. Zero exposure was assumed for the remaining 10-minutes.
- d) Maintenance Department: A maintenance employee working at RMPC was exposed to 1,277.9 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 1,110 $\mu\text{g}/\text{m}^3$, approximately 33.6 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from one sample collected over a 625-minute period on 4/6/2021. Zero exposure was assumed for the remaining 95-minutes.
- e) Maintenance Department: A maintenance employee working at Bag-house was exposed to 1,127.7 $\mu\text{g}/\text{m}^3$ and 20.3 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 290 $\mu\text{g}/\text{m}^3$, approximately 8.9 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over a 660-minute period on 4/6/2021. Zero exposure was assumed for the remaining 60-minutes.

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U.S. Department of Labor
Occupational Safety and Health Administration

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Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

f) Maintenance Department: A maintenance employee working at the water treatment was exposed to 600.4 $\mu\text{g}/\text{m}^3$ and 9.9 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 150 $\mu\text{g}/\text{m}^3$, approximately 4.6 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over a 624-minute period on 4/6/2021. Zero exposure was assumed for the remaining 96-minutes.

g) Refining Department: A refining worker screening lead and cleaning pig line was exposed to 200.2 $\mu\text{g}/\text{m}^3$ and 579.6 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 360 $\mu\text{g}/\text{m}^3$, approximately 11 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over a 555-minute period on 4/6/2021. Zero exposure was assumed for the remaining 165-minutes.

h) Refining Department: A kettle operator was exposed to 2,036.7 $\mu\text{g}/\text{m}^3$, 35 $\mu\text{g}/\text{m}^3$ and 482.7 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 710 $\mu\text{g}/\text{m}^3$, approximately 21.4 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from three samples collected over a 598-minute period on 4/6/2021. Zero exposure was assumed for the remaining 122-minutes.

i) Refining Department: A lead operator was exposed to 2,226.8 $\mu\text{g}/\text{m}^3$, 1,083.4 $\mu\text{g}/\text{m}^3$ and 625.9 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 1,090 $\mu\text{g}/\text{m}^3$, approximately 33 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from three samples collected over a 701-minute period on 4/6/2021. Zero exposure was assumed for the remaining 19-minutes.

j) RMPC Department: A dock coordinator was exposed to 92 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 80 $\mu\text{g}/\text{m}^3$, approximately 2.5 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from one sample collected over a 636-minute period on 4/6/2021. Zero exposure was assumed for the remaining 84-minutes.

k) RMPC Department: A utility operator was exposed to 3,028.2 $\mu\text{g}/\text{m}^3$, 3,169.8 $\mu\text{g}/\text{m}^3$ and 2,522.2 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 2,500 $\mu\text{g}/\text{m}^3$, approximately 75.9 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from three sample(s) collected over a 659-minute period on 4/6/2021. Zero exposure was assumed for the remaining 61-minutes.

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U.S. Department of Labor

Occupational Safety and Health Administration

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Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

l) Furnace Department: A blast slag side operator was exposed to 3,252.1 $\mu\text{g}/\text{m}^3$ and 2,631.8 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 2,710 $\mu\text{g}/\text{m}^3$, approximately 82.1 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over a 663-minute period on 4/6/2021. Zero exposure was assumed for the remaining 57-minutes.

m) Environmental Control Department: A bag-house operator was exposed to 565.4 $\mu\text{g}/\text{m}^3$ and 64 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 250 $\mu\text{g}/\text{m}^3$, approximately 7.67 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over a 605-minute period on 4/13/2021. Zero exposure was assumed for the remaining 115-minutes.

n) Furnace Department: A floater operator was exposed to 5,979.4 $\mu\text{g}/\text{m}^3$ and 1,957.7 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 3,343 $\mu\text{g}/\text{m}^3$, approximately 104.07 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over 733-minute period on 4/13/2021.

o) Furnace Department: A reverb loader operator was exposed to 224.7 $\mu\text{g}/\text{m}^3$ and 256.9 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 250 $\mu\text{g}/\text{m}^3$, approximately 7.58 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over 726-minute period on 4/13/2021.

p) Furnace Department: A blast loader operator was exposed to 9,476.6 $\mu\text{g}/\text{m}^3$ and 5,924 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 7,250 $\mu\text{g}/\text{m}^3$, approximately 219.59 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over 726-minute period on 4/13/2021.

q) Furnace Department: A blast side operator was exposed to 686 $\mu\text{g}/\text{m}^3$ and 592.7 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 350 $\mu\text{g}/\text{m}^3$, approximately 10.71 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over a 393-minute period on 4/13/2021. Zero exposure was assumed for the remaining 327-minutes.

r) Maintenance Department: A maintenance lead worker was exposed to 109.7 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 80 $\mu\text{g}/\text{m}^3$, approximately 2.31 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from one sample collected over a 500-minute period on 4/13/2021. Zero exposure was assumed for the remaining 220-minutes.

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**U.S. Department of Labor**

Occupational Safety and Health Administration

Inspection Number: 1523378**Inspection Date(s):** 04/05/2021 - 09/30/2021**Issuance Date:** 09/30/2021**Citation and Notification of Penalty****Company Name:** ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC**Inspection Site:** 6505 JEWEL AVENUE, Tampa, FL 33619

s) Environmental Control Department: A pollution control lead was exposed to 1,165.3 $\mu\text{g}/\text{m}^3$ and 33.4 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 510 $\mu\text{g}/\text{m}^3$, approximately 15.58 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over a 644-minute period on 4/13/2021. Zero exposure was assumed for the remaining 76-minutes.

t) Refining Department: A kettle operator was exposed to 4,321.9 $\mu\text{g}/\text{m}^3$ and 2,780.2 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 3,160 $\mu\text{g}/\text{m}^3$, approximately 95.7 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over a 697-minute period on 4/13/2021. Zero exposure was assumed for the remaining 23-minutes.

u) RMPC Department: A desulf operator was exposed to 416.3 $\mu\text{g}/\text{m}^3$ and 265 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 290 $\mu\text{g}/\text{m}^3$, approximately 8.79 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over a 673-minute period on 4/13/2021. Zero exposure was assumed for the remaining 47-minutes.

v) RMPC Department: A utility worker was exposed to 1,005.4 $\mu\text{g}/\text{m}^3$ and 565 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 640 $\mu\text{g}/\text{m}^3$, approximately 19.29 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over a 674-minute period on 4/13/2021. Zero exposure was assumed for the remaining 46-minutes.

w) Refining Department: A kettle operator was exposed to 1,4289 $\mu\text{g}/\text{m}^3$ and 1,1452 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 1,240 $\mu\text{g}/\text{m}^3$, approximately 37.58 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over 724-minute period on 4/26/2021.

x) Furnace Department: A blast loader operator was exposed to 8,8636 $\mu\text{g}/\text{m}^3$, 5,5834 $\mu\text{g}/\text{m}^3$ and 5,2085 $\mu\text{g}/\text{m}^3$ of lead for a 12-hour TWA of 6,440 $\mu\text{g}/\text{m}^3$, approximately 195.04 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from three samples collected over 728-minute period on 4/26/2021.

y) Refining Department: An operator was exposed to 157.8 $\mu\text{g}/\text{m}^3$ and 774.6 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 460 $\mu\text{g}/\text{m}^3$, approximately 13.8 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over 721-minute period on 4/26/2021.

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U.S. Department of Labor

Occupational Safety and Health Administration

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Inspection Date(s): 04/05/2021 - 09/30/2021

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Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

z) Furnace Department: A reverb blast loader driver was exposed to 1,996.5 $\mu\text{g}/\text{m}^3$, 2,730.8 $\mu\text{g}/\text{m}^3$ and 3592.9 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 1,800 $\mu\text{g}/\text{m}^3$, approximately 54.46 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from three samples collected over a 702-minute period on 4/26/2021. Zero exposure was assumed for the remaining 18-minutes.

aa) Safety and Health Department: A hygiene worker was exposed to 26.7 $\mu\text{g}/\text{m}^3$ and 121.5 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour TWA of 60 $\mu\text{g}/\text{m}^3$, approximately 1.85 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over a 635-minute period on 4/26/2021. Zero exposure was assumed for the remaining 85-minutes.

bb) Furnace Department: A blast slag side worker was exposed to 1,5219 $\mu\text{g}/\text{m}^3$, 27 $\mu\text{g}/\text{m}^3$, 176.4 $\mu\text{g}/\text{m}^3$ and 472.4 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour time weighted average (TWA) of 390 $\mu\text{g}/\text{m}^3$, approximately 11.76 times the reduced OSHA- PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from four samples collected over a 719-minute period on 4/26/2021. Zero exposure was assumed for the remaining 1-minutes.

cc) RMPC Department: A desulf operator was exposed to 262.9 $\mu\text{g}/\text{m}^3$ and 83.2 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour time weighted average (TWA) of 160 $\mu\text{g}/\text{m}^3$, approximately 4.95 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over a 712-minute period on 4/26/2021. Zero exposure was assumed for the remaining 82-minutes.

dd) Furnace Department: A reverb worker was exposed to 1,989 $\mu\text{g}/\text{m}^3$ and 858.6 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour time weighted average (TWA) of 1,130 $\mu\text{g}/\text{m}^3$, approximately 34.22 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over a 706-minute period on 4/26/2021. Zero exposure was assumed for the remaining 14-minutes.

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

ee) Maintenance Department: An acting leader at RMPC was exposed to 1,192.7 $\mu\text{g}/\text{m}^3$, 292.1 $\mu\text{g}/\text{m}^3$ and 21.4 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour time weighted average (TWA) of 390 $\mu\text{g}/\text{m}^3$, approximately 11.75 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from three samples collected over a 680-minute period on 4/26/2021. Zero exposure was assumed for the remaining 40-minutes.

ff) RMPC Department: An operator was exposed to 394.4 $\mu\text{g}/\text{m}^3$, 278.6 $\mu\text{g}/\text{m}^3$ and 434.6 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour time weighted average (TWA) of 270 $\mu\text{g}/\text{m}^3$, approximately 8.2 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from three samples collected over a 712-minute period on 4/26/2021. Zero exposure was assumed for the remaining 8-minutes.

gg) RMPC Department: A desulf operator was exposed to 231.5 $\mu\text{g}/\text{m}^3$ and 191.45 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour time weighted average (TWA) of 200 $\mu\text{g}/\text{m}^3$, approximately 6.2 times the reduced OSHA- PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over 723-minute period on 4/28/2021.

hh) RMPC Department: A floor operator was exposed to 582.8 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour time weighted average (TWA) of 580 $\mu\text{g}/\text{m}^3$, approximately 17.64 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from one sample collected over a 719-minute period on 4/28/2021. Zero exposure was assumed for the remaining 1-minutes.

ii) Maintenance Department: A Lead Tec was exposed to 149.9 $\mu\text{g}/\text{m}^3$ and 88.2 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour time weighted average (TWA) of 110 $\mu\text{g}/\text{m}^3$, approximately 3.26 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over a 671-minute period on 4/28/2021. Zero exposure was assumed for the remaining 49-minutes.

jj) RMPC Department: A reverb slag side forklift operator was exposed to 5,368.6 $\mu\text{g}/\text{m}^3$ and 2,353.2 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour time weighted average (TWA) of 3,780 $\mu\text{g}/\text{m}^3$, approximately 114.6 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over 733-minute period on 4/28/2021.

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U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

kk) Furnace Department: A blast loader operator was exposed to 12,530 $\mu\text{g}/\text{m}^3$ and 4,041.7 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour time weighted average (TWA) of 6,420 $\mu\text{g}/\text{m}^3$, approximately 194.54 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over 732-minute period on 4/28/2021.

ll) RMPC Department: A reverb forklift operator was exposed to 3,831.2 $\mu\text{g}/\text{m}^3$ and 1,713.8 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour time weighted average (TWA) of 1,880 $\mu\text{g}/\text{m}^3$, approximately 56.94 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from one sample collected over a 651-minute period. Zero exposure was assumed for the remaining 69-minutes on 4/28/2021.

mm) Refining Department: A line operator was exposed to 12,530 $\mu\text{g}/\text{m}^3$ and 4,041.7 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour time weighted average (TWA) of 6,420 $\mu\text{g}/\text{m}^3$, approximately 194.54 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over 732-minute period on 4/28/2021.

nn) Refining Department: A kettle operator was exposed to 4,002.6 $\mu\text{g}/\text{m}^3$ and 2,020.6 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour time weighted average (TWA) of 2,540 $\mu\text{g}/\text{m}^3$, approximately 77.07 times the reduced OSHA PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from one sample collected over a 717-minute period on 4/28/2021. Zero exposure was assumed for the remaining 3-minutes.

oo) Furnace Department: A reverb loader operator was exposed to 997.7 $\mu\text{g}/\text{m}^3$ and 17.3 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour time weighted average (TWA) of 450 $\mu\text{g}/\text{m}^3$, approximately 13.55 times the reduced OSHA- PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over a 696-minute period on 4/28/2021. Zero exposure was assumed for the remaining 95-minutes.

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U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

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Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

pp) A subcontracted maintenance worker was exposed to 199.2 $\mu\text{g}/\text{m}^3$ and 8.6 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour time weighted average (TWA) of 70 $\mu\text{g}/\text{m}^3$, approximately 1.97 times the reduced OSHA- PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over 642-minute period on 4/13/2021. Zero exposure was assumed for the remaining 78-minutes.

qq) A subcontracted maintenance worker was exposed to 1,140.6 $\mu\text{g}/\text{m}^3$ and 440.7 $\mu\text{g}/\text{m}^3$ of inorganic lead for a 12-hour time weighted average (TWA) of 680 $\mu\text{g}/\text{m}^3$, approximately 20.71 times the reduced OSHA- PEL of 33 $\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over 694-minute period on 4/13/2021. Zero exposure was assumed for the remaining 26-minutes.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

November 18, 2021

Proposed Penalty:

\$13,653.00

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U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 13 b

Type of Violation: **Serious**

29 CFR 1910.1025(e)(1)(i): For any employees exposed to lead above the permissible exposure limit for more than 30 days per year the employer did not implement engineering and work practice controls (including administrative controls) were not implemented to reduce and maintain employee exposure to lead:

- a) Furnace Department: On or about 4/5/2021, Feasible engineering and administrative controls were not implemented for employees exposed to inorganic lead in excess of the reduced permissible exposure limit (PEL) of 33 $\mu\text{g}/\text{m}^3$ ranging from 250 $\mu\text{g}/\text{m}^3$ - 8,570 $\mu\text{g}/\text{m}^3$.
- b) RMPC Department: On or about 4/5/2021, Feasible engineering and administrative controls were not implemented for employees exposed to lead in excess of the reduced PEL of 33 $\mu\text{g}/\text{m}^3$ ranging from 80 $\mu\text{g}/\text{m}^3$ - 2,5000 $\mu\text{g}/\text{m}^3$.
- c) Refining Department: On or about 4/5/2021, Feasible engineering and administrative controls were not implemented for employees were exposed to lead in excess of the reduced PEL of 33 $\mu\text{g}/\text{m}^3$ ranging from 360 $\mu\text{g}/\text{m}^3$ - 3,160 $\mu\text{g}/\text{m}^3$.
- d) Maintenance Department: On or about 4/5/2021, Feasible engineering and administrative controls were not implemented for employees were exposed to lead in excess of the reduced PEL of 33 $\mu\text{g}/\text{m}^3$ ranging from 70 $\mu\text{g}/\text{m}^3$ - 1, 110 $\mu\text{g}/\text{m}^3$.
- e) Hygiene Department: On or about 4/5/2021, Feasible engineering and administrative controls were not implemented for employees were exposed to lead in excess of the reduced PEL of 33 $\mu\text{g}/\text{m}^3$, about 60 $\mu\text{g}/\text{m}^3$.
- f) Environmental Controls Department: On or about 4/5/2021, Feasible engineering and administrative controls were not implemented for employees were exposed to lead in excess of the reduced PEL of 33 $\mu\text{g}/\text{m}^3$ ranging from 250 $\mu\text{g}/\text{m}^3$ - 510 $\mu\text{g}/\text{m}^3$.

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U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1523378
Inspection Date(s): 04/05/2021 - 09/30/2021
Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
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November 18, 2021

\$0.00



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

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Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 13 c

Type of Violation: **Serious**

29 CFR 1910.1025(e)(3)(iv): Written compliance programs for lead were not revised and updated annually to reflect the current status of the program:

- a) Furnace Department: On or about 4/5/2021, the written compliance plan has not been updated since 10/16/2017 for employees exposed to inorganic lead ranging from 250 $\mu\text{g}/\text{m}^3$ - 8,570 $\mu\text{g}/\text{m}^3$ in excess of the reduced permissible exposure limit (PEL) of 33 $\mu\text{g}/\text{m}^3$ for employees.
- b) RMPC Department: On or about 4/5/2021, written compliance plan has not been updated since 10/16/2017 for employees exposed to inorganic lead ranging from 80 $\mu\text{g}/\text{m}^3$ - 2,500 $\mu\text{g}/\text{m}^3$ in excess of the reduced PEL of 33 $\mu\text{g}/\text{m}^3$.
- c) Refining Department: On or about 4/5/2021, written compliance plan has not been updated since 10/16/2017 for employees exposed to inorganic lead ranging from 360 $\mu\text{g}/\text{m}^3$ - 3,160 $\mu\text{g}/\text{m}^3$ in excess of the reduced PEL of 33 $\mu\text{g}/\text{m}^3$.
- d) Maintenance Department: On or about 4/5/2021, written compliance plan has not been updated since 10/16/2017 for employees exposed to inorganic lead ranging from 70 $\mu\text{g}/\text{m}^3$ - 1,110 $\mu\text{g}/\text{m}^3$ in excess of the reduced PEL of 33 $\mu\text{g}/\text{m}^3$.
- e) Hygiene Department: On or about 4/5/2021, written compliance plan has not been updated since 10/16/2017 for employees exposed to inorganic lead ranging at approximately 60 $\mu\text{g}/\text{m}^3$ in excess of the reduced PEL of 33 $\mu\text{g}/\text{m}^3$.
- f) Environmental Controls Department: On or about 4/5/2021, written compliance plan has not been updated since 10/16/2017 for employees exposed to inorganic lead ranging from 250 $\mu\text{g}/\text{m}^3$ - 510 $\mu\text{g}/\text{m}^3$ in excess of the reduced PEL of 33 $\mu\text{g}/\text{m}^3$.

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1523378
Inspection Date(s): 04/05/2021 - 09/30/2021
Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

November 18, 2021
\$0.00

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U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 13 d

Type of Violation: **Serious**

29 CFR 1910.1025(h)(1): All surfaces were not maintained as free as practicable of accumulations of lead:

- a) Raw Materials Processing Center Control Room B: On or about 4/6/2021, surfaces were not maintained as free as practical from accumulations of inorganic lead to prevent ingestion and or transfer to other areas and surfaces in the facility. Qualitative and quantitative wipe samples indicated the presence of lead at a beverage cooler of 77.82 $\mu\text{g} / 100 \text{ cm}^2$, at the beverage cooler knob of 6.49 μg and at the monitor station of 15.22 $\mu\text{g} / 100 \text{ cm}^2$ and 25.84 $\mu\text{g} / 100 \text{ cm}^2$.
- b) Furnace Control Room: On or about 4/6/2021, surfaces were not maintained as free as practical from accumulations of inorganic lead to prevent ingestion and or transfer to other areas and surfaces in the facility. Qualitative and quantitative wipe samples indicated the presence of lead at the beverage cooler knob of 20.94 μg and at the monitor desk of 133.5 $\mu\text{g} / 100 \text{ cm}^2$.
- c) Refinery Control Room: On or about 4/6/2021, surfaces were not maintained as free as practical from accumulations of inorganic lead to prevent ingestion and or transfer to other areas and surfaces in the facility. Qualitative wipe samples taken indicated the presence of lead at the beverage cooler knob of 37.36 μg .
- d) Waste Water Treatment Control Room: On or about 4/6/2021, surfaces were not maintained as free as practical from accumulations of inorganic lead to prevent ingestion and or transfer to other areas and surfaces in the facility. Qualitative and quantitative wipe samples indicated the presence of lead at the monitor desk of 22.63 $\mu\text{g} / 100 \text{ cm}^2$ and beverage cooler knob of 3.16 μg .
- e) Respirator Hygiene Room: On or about 4/13/2021, surfaces were not maintained as free as practical from accumulations of inorganic lead to prevent ingestion and or transfer to other areas and surfaces in the facility. Qualitative wipe samples indicated the presence of lead at the phone handle of 2.81 μg , at the mouthpiece area of a cleaned respirator mask of 1.48 μg and the clean respirator cartridges of 3.59 μg and 10.21 μg .

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U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

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Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

- f) Respirator Hygiene Room: On or about 4/28/2021, surfaces were not maintained as free as practical from accumulations of inorganic lead to prevent ingestion and / or transfer to other areas and surfaces in the facility. Qualitative wipe samples indicated the presence of lead at the mouthpiece area of a clean respirator mask of 3.83 μg and 8.93 μg and the cleaned respirator cartridges of 2.83 μg and 20.01 μg .
- g) Lunch Room: On or about 4/6/2021, surfaces were not maintained as free as practical from accumulations of inorganic lead to prevent ingestion and or transfer to other areas and surfaces in the facility. Quantitative wipe samples indicated the presence of lead at a table of 1.43 $\mu\text{g} / 100 \text{ cm}^2$.
- h) Lunch Room: On or about 4/26/2021, surfaces were not maintained as free as practical from accumulations of inorganic lead to prevent ingestion and or transfer to other areas and surfaces in the facility. Quantitative wipe samples indicated the presence of lead at a table of 1.26 $\mu\text{g} / 100 \text{ cm}^2$.
- i) Lunch Room: On or about 4/28/2021, surfaces were not maintained as free as practical from accumulations of inorganic lead to prevent ingestion and or transfer to other areas and surfaces in the facility. Qualitative and quantitative wipe samples indicated the presence of lead at a refrigerator handle of 1.56 $\mu\text{g} / 100 \text{ cm}^2$, at a microwave handle of 2.41 $\mu\text{g} / 100 \text{ cm}^2$ and at tables of 3.17 $\mu\text{g} / 100 \text{ cm}^2$, 3.36 $\mu\text{g} / 100 \text{ cm}^2$ and 3.12 $\mu\text{g} / 100 \text{ cm}^2$.
- j) Women's Locker Room: On or about 4/6/2021, surfaces were not maintained as free as practical from accumulations of inorganic lead to prevent ingestion and or transfer to other areas and surfaces in the facility. Qualitative and quantitative wipe samples indicated the presence of lead at the benches of 10.42 $\mu\text{g} / 100 \text{ cm}^2$ and 3.84 $\mu\text{g} / 100 \text{ cm}^2$, and at the locker handles of 8.11 μg and 4.94 μg .
- k) Men's Locker Room: On or about 4/6/2021, surfaces were not maintained as free as practical from accumulations of inorganic lead to prevent ingestion and or transfer to other areas and surfaces in the facility. Qualitative and quantitative wipe samples indicated the presence of lead at the bench of 4.7 μg , at door handle of 2.84 μg , and at the locker handle 75.9 μg .

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U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1523378
Inspection Date(s): 04/05/2021 - 09/30/2021
Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

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\$0.00



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 14 Type of Violation: **Serious**

29 CFR 1910.1025(d)(1)(ii): Full shift (for at least seven -7 continuous hours) personal samples for lead were not collected including at least one sample for each shift for each job classification in each work area:

- a) Furnace Department: On or about 4/5/2021, the employer did not collect full shift personal samples for night shift employees exposed to inorganic lead in excess of the reduced permissible exposure limit (PEL) of 33 $\mu\text{g}/\text{m}^3$ ranging from 450 $\mu\text{g}/\text{m}^3$ - 6,440 $\mu\text{g}/\text{m}^3$.
- b) RMPC Department: On or about 4/5/2021, the employer did not collect full shift personal samples for night shift employees exposed to inorganic lead in excess of the reduced PEL of 33 $\mu\text{g}/\text{m}^3$ ranging from 160 $\mu\text{g}/\text{m}^3$ -1,880 $\mu\text{g}/\text{m}^3$.
- c) Refining Department: On or about 4/5/2021, the employer did not collect full shift personal samples for employees exposed to inorganic lead on the night shift. Night shift employees were exposed to lead in excess of the reduced PEL of 33 $\mu\text{g}/\text{m}^3$ ranging from 380 $\mu\text{g}/\text{m}^3$ - 2,540 $\mu\text{g}/\text{m}^3$.
- d) Maintenance Department: On or about 4/5/2021, the employer did not collect full shift personal samples for night shift employees exposed to inorganic lead in excess of the reduced PEL of 33 $\mu\text{g}/\text{m}^3$ ranging from 110 $\mu\text{g}/\text{m}^3$ - 500 $\mu\text{g}/\text{m}^3$.
- e) Hygiene Department: On or about 4/5/2021, the employer did not collect full shift personal samples for night shift employees exposed to lead in excess of the reduced PEL of 33 $\mu\text{g}/\text{m}^3$, about 60 $\mu\text{g}/\text{m}^3$.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

November 18, 2021

Proposed Penalty:

\$13,653.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1523378
Inspection Date(s): 04/05/2021 - 09/30/2021
Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 15 Type of Violation: **Serious**

29 CFR 1910.1025(e)(4)(i): When ventilation was used to control exposure to lead, measurements which demonstrate the effectiveness of the system in controlling exposure were not made at least every three months:

a. Furnace Department: On or about 4/5/2021, the employer failed to take measurements, such as capture velocity, duct velocity, or static pressure, to ensure the effectiveness of the hygiene vent system, at installation, after collection filters were emptied or replaced, after changes to the ductwork were completed, and/or at least every three months.

b. Refining Department: On or about 4/5/2021, the employer failed to take measurements such as capture velocity, duct velocity, or static pressure to ensure the effectiveness of the hygiene vent system, at installation, after collection filters were emptied or replaced, after changes to the ductwork were completed, and/or at least every three months.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

November 18, 2021
\$13,653.00



U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1523378
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Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 16 Type of Violation: **Serious**

29 CFR 1910.1025(h)(2)(ii): Shoveling, sweeping or brushing methods were used to remove lead accumulations where vacuuming or other equally effective methods were available and feasible:

a) Furnace Department: On or about 4/5/2021, the employer exposed employees to hazards associated with lead, in that, brooms were used to sweep dust and debris around the furnace department.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

November 18, 2021
\$13,653.00



U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1523378
Inspection Date(s): 04/05/2021 - 09/30/2021
Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 17 a Type of Violation: **Serious**

29 CFR 1910.1027(c): The employer did not ensure that no employee was exposed to an airborne concentration of cadmium in excess of five micrograms per cubic meter of air ($5\mu\text{g}/\text{m}^3$), calculated as an eight-hour time-weighted average (TWA):

- a) Furnace Department: A slag side worker was exposed to $10.4\mu\text{g}/\text{m}^3$ of cadmium for an 8-hour TWA of $7\mu\text{g}/\text{m}^3$, approximately 1.42 times the OSHA permissible exposure limit (PEL) of $5\mu\text{g}/\text{m}^3$. The exposure was derived from one sample collected over a 327-minute period on 04/06/2021. Zero exposure was assumed for the remaining 153-minutes.
- b) Furnace Department: A blast loader driver was exposed to $20.8\mu\text{g}/\text{m}^3$ of cadmium for an 8-hour TWA of $19\mu\text{g}/\text{m}^3$, approximately 3.78 times the OSHA PEL of $5\mu\text{g}/\text{m}^3$. The exposure was derived from one sample collected over a 436-minute period on 04/06/2021. Zero exposure was assumed for the remaining 44-minutes.
- c) Furnace Department: A blast lead side worker was exposed to $41.5\mu\text{g}/\text{m}^3$ and $3.4\mu\text{g}/\text{m}^3$ of cadmium for an 8-hour TWA of $16\mu\text{g}/\text{m}^3$, approximately 3.24 times the OSHA PEL of $5\mu\text{g}/\text{m}^3$. The exposure was derived from two samples collected over a 251-minute period on 04/06/2021. Zero exposure was assumed for the remaining 229-minutes.
- d) Furnace Department: A blast slag side worker was exposed to $14.3\mu\text{g}/\text{m}^3$ of cadmium for an 8-hour TWA of $10\mu\text{g}/\text{m}^3$, approximately 1.97 times the OSHA PEL of $5\mu\text{g}/\text{m}^3$. The exposure was derived from one sample collected over a 331-minute period on 04/06/2021. Zero exposure was assumed for the remaining 149-minutes.
- e) Furnace Department: An operator was exposed to $23.3\mu\text{g}/\text{m}^3$ of cadmium for an 8-hour TWA of $13\mu\text{g}/\text{m}^3$, approximately 2.5 times the OSHA PEL of $5\mu\text{g}/\text{m}^3$. The exposure was derived from one sample collected over a 258-minute period on 04/13/2021. Zero exposure was assumed for the remaining 222-minutes.

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

**U.S. Department of Labor**

Occupational Safety and Health Administration

Inspection Number: 1523378**Inspection Date(s):** 04/05/2021 - 09/30/2021**Issuance Date:** 09/30/2021**Citation and Notification of Penalty****Company Name:** ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC**Inspection Site:** 6505 JEWEL AVENUE, Tampa, FL 33619

- f) Furnace Department: A blast loader operator was exposed to $10.3 \mu\text{g}/\text{m}^3$ of cadmium for an 8-hour TWA of $10 \mu\text{g}/\text{m}^3$, approximately 2.01 times the OSHA PEL of $5 \mu\text{g}/\text{m}^3$. The exposure was derived from one sample collected over a 468-minute period on 04/13/2021. Zero exposure was assumed for the remaining 12-minutes.
- g) Furnace Department: A blast loader operator was exposed to $13.4 \mu\text{g}/\text{m}^3$ and $8 \mu\text{g}/\text{m}^3$ of cadmium for an 8-hour TWA of $8.9 \mu\text{g}/\text{m}^3$, approximately 1.78 times the OSHA PEL of $5 \mu\text{g}/\text{m}^3$. The exposure was derived from one sample collected over a 392-minute period on 04/26/2021. Zero exposure was assumed for the remaining 88-minutes.
- h) Furnace Department: A slag side forklift driver was exposed to $17.2 \mu\text{g}/\text{m}^3$ of cadmium at an 8-hour TWA of $11.9 \mu\text{g}/\text{m}^3$, approximately 2.37 times the OSHA PEL of $5 \mu\text{g}/\text{m}^3$. The exposure was derived from one sample collected over a 331-minute period on 04/28/2021. Zero exposure was assumed for the remaining 149-minutes.
- i) Furnace Department: A blast loader operator was exposed to $17.8 \mu\text{g}/\text{m}^3$ of cadmium at an 8-hour TWA of $7.3 \mu\text{g}/\text{m}^3$, approximately 1.45 times the OSHA PEL of $5 \mu\text{g}/\text{m}^3$. The exposure was derived from one sample collected over a 196-minute period on 04/28/2021. Zero exposure was assumed for the remaining 284-minutes.
- j) Furnace Department: A reverb forklift driver was exposed to $25.2 \mu\text{g}/\text{m}^3$ of cadmium at an 8-hour TWA of $5.9 \mu\text{g}/\text{m}^3$, approximately 1.18 times the OSHA PEL of $5 \mu\text{g}/\text{m}^3$. The exposure was derived from one sample collected over a 112-minute period on 04/28/2021. Zero exposure was assumed for the remaining 368-minutes.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

November 18, 2021

Proposed Penalty:

\$9,753.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 17 b

Type of Violation: **Serious**

29 CFR 1910.1027(f)(1)(i): The employer did not implement engineering and work practice controls to reduce and maintain employee exposure to cadmium at or below the permissible exposure limit (PEL):

a) Furnace Department: On or about 4/5/2021, feasible engineering and administrative controls were not implemented for employees exposed to cadmium ranging from 7 $\mu\text{g}/\text{m}^3$ - 19 $\mu\text{g}/\text{m}^3$ in excess of the PEL of 5 $\mu\text{g}/\text{m}^3$.

b) RMPC Department: On or about 4/5/2021, feasible engineering and administrative controls were not implemented for employees exposed to cadmium at approximately 5.9 $\mu\text{g}/\text{m}^3$ in excess of the PEL of 5 $\mu\text{g}/\text{m}^3$.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

November 18, 2021

Proposed Penalty:

\$0.00



U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1523378
Inspection Date(s): 04/05/2021 - 09/30/2021
Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 17 c Type of Violation: **Serious**

29 CFR 1910.1027(f)(2)(iii): The employer's written compliance program to reduce employee exposure to cadmium to or below the permissible exposure limit (PEL) was not reviewed and updated at least annually, or more often if necessary, to reflect significant changes in the employer's compliance status:

a) Furnace Department: On or about 4/5/2021, the written compliance plan for cadmium has not been updated since 10/6/2017 for employees exposed to cadmium ranging from 5.9 $\mu\text{g}/\text{m}^3$ - 19 $\mu\text{g}/\text{m}^3$ in excess of the PEL of 5 $\mu\text{g}/\text{m}^3$.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	November 18, 2021
Proposed Penalty:	\$0.00



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 17 d

Type of Violation: **Serious**

29 CFR 1910.1027(k)(1): Surfaces were not maintained as free as practicable of accumulations of cadmium:

- a) Furnace Control Room: On or about 4/6/2021, employees were exposed to hazards associated with cadmium exposure, in that surfaces were not maintained as free as practical from accumulations of cadmium to prevent ingestion and or transfer to other areas and surfaces. Quantitative wipe samples indicated the presence of cadmium at the monitor desk of 0.83 µg / 100 cm².
- b) Women's Locker Room: On or about 4/6/2021, employees were exposed to hazards associated with cadmium exposure, in that surfaces were not maintained as free as practical from accumulations of cadmium to prevent ingestion and or transfer to other areas and surfaces. Qualitative wipe samples indicated the presence of cadmium at the locker handle of 0.53 µg.
- c) Men's Locker Room: On or about 4/6/2021, employees were exposed to hazards associated with cadmium exposure, in that surfaces were not maintained as free as practical from accumulations of cadmium to prevent ingestion and or transfer to other areas and surfaces. Qualitative wipe samples indicated the presence of cadmium at the locker handle 0.24 µg.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

November 18, 2021

Proposed Penalty:

\$0.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 1 Item 18 Type of Violation: **Serious**

29 CFR 1910.1027(d)(1)(iii): The employer did not determine the eight-hour TWA exposures to cadmium for each employee on the basis of one or more personal breathing zone samples reflecting full shift exposure on each shift, for each job classification, in each work area:

a) Furnace Department: On or about 4/5/2021, the employer did not collect full shift personal samples for employees exposed to cadmium on the night shift. Night shift employees were exposed to cadmium in excess of the permissible exposure limit (PEL) of $5 \mu\text{g}/\text{m}^3$ ranging from $5.9 \mu\text{g}/\text{m}^3$ - $11.9 \mu\text{g}/\text{m}^3$.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

November 18, 2021

Proposed Penalty:

\$9,753.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 2 Item 1 Type of Violation: **Willful - Serious**

29 CFR 1910.134(d)(3)(i)(B)(1): The employer did not select a respirator for employee use that maintained the employee's exposure to the hazardous substance, when measured outside the respirator, at or below the maximum use concentration:

a. Furnace Department: On or about 04/05/2021, the employer exposed employees to hazards associated with lead, in that full face air purifying respirators did not maintain the employee's exposure at or below the maximum use concentration of $1,650 \mu\text{g}/\text{m}^3$ for employees working as a blast loader operator, furnace operator, slag side blast operator, lead side furnace operator, and furnace lead exposed to lead in excess of the reduced permissible exposure limit (PEL) of $33 \mu\text{g}/\text{m}^3$ ranging from $1,797 \mu\text{g}/\text{m}^3$ - $3,780 \mu\text{g}/\text{m}^3$.

b. Refining Department: On or about 04/05/2021, the employer exposed employees to hazards associated with lead, in that full face air purifying respirators did not maintain the employee's exposure at or below the maximum use concentration of $1,650 \mu\text{g}/\text{m}^3$ for employees working as a kettle operator. Employees were exposed to lead in excess of the reduced PEL of $33 \mu\text{g}/\text{m}^3$, about $2,543 \mu\text{g}/\text{m}^3$.

c. RMPC Department: On or about 04/05/2021, the employer exposed employees to hazards associated with lead, in that full face air purifying respirators did not maintain the employee's exposure at or below the maximum use concentration of $1,650 \mu\text{g}/\text{m}^3$ for employees working as a utility operator. Employees were exposed to lead in excess of the reduced PEL of $33 \mu\text{g}/\text{m}^3$, about $2,504 \mu\text{g}/\text{m}^3$.

d. Maintenance Department: On or about 04/05/2021, the employer exposed employees to hazards associated with lead, in that full face air purifying respirators did not maintain the employee's exposure at or below the maximum use concentration of $1,650 \mu\text{g}/\text{m}^3$ for employees conducting maintenance activities. Employees were exposed to lead in excess of the reduced PEL of $3,692 \mu\text{g}/\text{m}^3$, about $16,390 \mu\text{g}/\text{m}^3$.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Date By Which Violation Must be Abated:

November 18, 2021

Proposed Penalty:

\$136,532.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 3 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.28(c)(3):The employer did not barricade the area into which objects could fall, prohibiting employees from entering the area, and keeping objects far enough away from an edge or opening to prevent them from falling to a lower level:

a. Furnace Department: On or about 6/1/2021, employees were not protected from entering an un-barricaded area below an elevated platform where employees are using tools, such as, but not limited to, a sledge hammer.

Date By Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$0.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 3 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1910.134(m)(2)(i): The employer did not establish a record of the qualitative and quantitative fit tests administered to an employee which included the information required by 29 CFR 1910.134(m)(2)(i)(A) through (m)(2)(i)(E):

a. Throughout the facility: On or about 04/05/2021, fit test records were missing for employees required to wear tight fitting full face air purifying respirators and tight fitting powered air purifying respirators.

Date By Which Violation Must be Abated:

November 18, 2021

Proposed Penalty:

\$0.00



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 3 Item 3 Type of Violation: **Other-than-Serious**

29 CFR 1910.178(a)(6):The employer did not ensure that all nameplates and markings were in place:

a. Outside Mobile Maintenance: On or about 06/01/2021, employees were exposed to struck-by hazards when Mitsubishi forklift (FL#11) was not removed from service due to missing data plates.

b. Inside the Blast Furnace: On or about 06/01/2021, employees were exposed to struck-by hazards when Mitsubishi forklift (FL#56) was not removed from service due to missing data plates.

Date By Which Violation Must be Abated:

November 18, 2021

Proposed Penalty:

\$0.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 3 Item 4 Type of Violation: **Other-than-Serious**

29 CFR 1910.178(l)(4)(iii): An evaluation of each powered industrial truck operator's performance was not being conducted at least once every three years:

a. Throughout the facility: On or about 04/05/2021, the performance of employees operating forklifts were not evaluated at least once every three years.

Date By Which Violation Must be Abated:

November 18, 2021

Proposed Penalty:

\$0.00



U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1523378
Inspection Date(s): 04/05/2021 - 09/30/2021
Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 3 Item 5 Type of Violation: **Other-than-Serious**

29 CFR 1910.303(b)(7)(iv): Equipment with damaged parts that may adversely affect its safe operation or its mechanical strength, such as broken, bent, cut, or deteriorated by corrosion, chemical action, or overheating parts shall not be used:

a) Furnace Department Cool Down Room: On or about 06/01/2021, a wall mounted quad box outlet had a damaged.

Date By Which Violation Must be Abated:

November 18, 2021

Proposed Penalty:

\$0.00



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 3 Item 6 Type of Violation: **Other-than-Serious**

29 CFR 1910.305(g)(1)(iv)(D): Flexible cords and cables were attached to building surfaces:

a) Furnace Department Cool Down Room - On or about 06/01/2021, an extension cord used to charge batteries, was affixed with plastic ties to a locker.

Date By Which Violation Must be Abated:

November 18, 2021

Proposed Penalty:

\$0.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1523378
Inspection Date(s): 04/05/2021 - 09/30/2021
Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 3 Item 7 Type of Violation: **Other-than-Serious**

29 CFR 1910.334(a)(2)(i): Portable cord and plug connected equipment and flexible cord sets (extension cords) were not visually inspected before use on any shift for external defects (such as loose parts, deformed and missing pins, or damage to outer jacket or insulation) and for evidence of possible internal damage (such as pinched or crushed outer jacket):

- a. Furnace Department: On or about 04/27/2021, the employer does not inspect cords for defects prior to shift start, in that the outer jacket of the cord on a 115-volt Patterson 26" diameter fan was damaged.
- b. Furnace Department: On or about 04/13/2021, the employer does not inspect cords for defects prior to shift start, in that the outer jacket of an extension cord was damaged and connected to a 115-volt Patterson 26" diameter fan.

Date By Which Violation Must be Abated:
Proposed Penalty:

November 18, 2021
\$0.00



U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1523378
Inspection Date(s): 04/05/2021 - 09/30/2021
Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 3 Item 8 Type of Violation: **Other-than-Serious**

29 CFR 1910.1200(f)(6)(ii): Except as provided in 29 CFR 1910.1200(f)(7) and 29 CFR 1910.1200(f)(8), the employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with the product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals and which, in conjunction with the other information immediately available to employees under the hazard communication program, would provide employees with the specific information regarding the physical and health hazards of the hazardous chemical:

a. Hygiene Department: On or about 04/05/2021, chemical containers such as, but not limited to, D- Lead Abrasive Hand Soap and D-Lead Respirator and Laundry Detergent were not labeled.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00



U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1523378

Inspection Date(s): 04/05/2021 - 09/30/2021

Issuance Date: 09/30/2021

Citation and Notification of Penalty

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC

Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619

Citation 3 Item 9 Type of Violation: **Other-than-Serious**

29 CFR 1910.1200(g)(8): The employer did not ensure that Safety Data Sheets were readily accessible during each work shift to employees when they were in their work area(s):

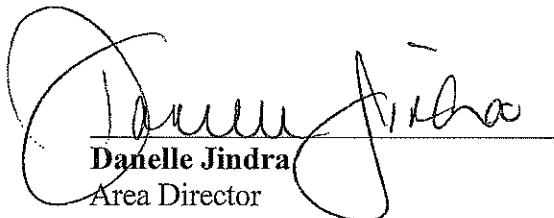
a. Hygiene Department: On or about 04/05/2021, employees did not have access to the data base to obtain the SDS for chemicals such as, but not limited to, D- Lead Abrasive Hand Soap and D-Lead Respirator and Laundry Detergent.

Date By Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$0.00


Danelle Jindra
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration
5807 Breckenridge Pkwy
Suite A
Tampa, FL 33610



INVOICE / DEBT COLLECTION NOTICE

Company Name: ENVIROFOCUS TECHNOLOGIES, LLC, dba Gopher Resource, LLC
Inspection Site: 6505 JEWEL AVENUE, Tampa, FL 33619
Issuance Date: 09/30/2021

Summary of Penalties for Inspection Number: 1523378

Citation 1 Item 1, Serious	\$5,851.00
Citation 1 Item 2, Serious	\$5,851.00
Citation 1 Item 3a, Serious	\$9,753.00
Citation 1 Item 3b, Serious	\$0.00
Citation 1 Item 4, Serious	\$13,653.00
Citation 1 Item 5a, Serious	\$5,851.00
Citation 1 Item 5b, Serious	\$0.00
Citation 1 Item 5c, Serious	\$0.00
Citation 1 Item 6a, Serious	\$13,653.00
Citation 1 Item 6b, Serious	\$0.00
Citation 1 Item 6c, Serious	\$0.00
Citation 1 Item 6d, Serious	\$0.00
Citation 1 Item 7, Serious	\$13,653.00
Citation 1 Item 8, Serious	\$5,851.00
Citation 1 Item 9, Serious	\$7,802.00
Citation 1 Item 10a, Serious	\$7,802.00
Citation 1 Item 10b, Serious	\$0.00
Citation 1 Item 11a, Serious	\$9,753.00
Citation 1 Item 11b, Serious	\$0.00
Citation 1 Item 11c, Serious	\$0.00
Citation 1 Item 11d, Serious	\$0.00
Citation 1 Item 12, Serious	\$9,753.00
Citation 1 Item 13a, Serious	\$13,653.00
Citation 1 Item 13b, Serious	\$0.00
Citation 1 Item 13c, Serious	\$0.00
Citation 1 Item 13d, Serious	\$0.00
Citation 1 Item 14, Serious	\$13,653.00
Citation 1 Item 15, Serious	\$13,653.00

Citation 1 Item 16, Serious	\$13,653.00
Citation 1 Item 17a, Serious	\$9,753.00
Citation 1 Item 17b, Serious	\$0.00
Citation 1 Item 17c, Serious	\$0.00
Citation 1 Item 17d, Serious	\$0.00
Citation 1 Item 18, Serious	\$9,753.00
Citation 2 Item 1, Willful - Serious	\$136,532.00
Citation 3 Item 1, Other-than-Serious	\$0.00
Citation 3 Item 2, Other-than-Serious	\$0.00
Citation 3 Item 3, Other-than-Serious	\$0.00
Citation 3 Item 4, Other-than-Serious	\$0.00
Citation 3 Item 5, Other-than-Serious	\$0.00
Citation 3 Item 6, Other-than-Serious	\$0.00
Citation 3 Item 7, Other-than-Serious	\$0.00
Citation 3 Item 8, Other-than-Serious	\$0.00
Citation 3 Item 9, Other-than-Serious	\$0.00

TOTAL PROPOSED PENALTIES:	\$319,876.00
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To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically at www.pay.gov. At the top of the pay.gov homepage, type "OSHA" in the Search field and select Search. From the **OSHA Penalty Payment Form** search result, select Continue. The direct link is: <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to two times.

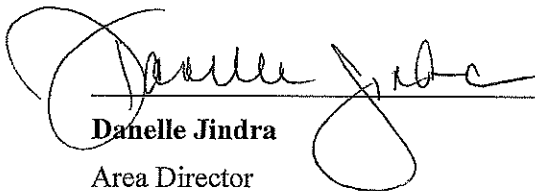
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount

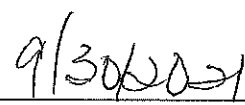
becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Danelle Jindra
Area Director



Date