

Department of Justice

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Florida Power Company Sentenced in Worker Death Case

Incident Resulted in the Deaths of Five Workers

A Florida corporation was sentenced in federal court in the Middle District of Florida after pleading guilty to a charge of willfully violating an Occupational Safety and Health Administration (OSHA) rule. The criminal charge related to an explosion at a coal-fired power plant in 2017 that caused the death of five workers.

Tampa Electric Company (TECO) operates several facilities in Florida, including Big Bend, a coal-fired power plant outside Tampa. At the time of the offense, the facility consisted of four large coal-fired furnaces. Underneath the furnaces were water-filled “slag tanks” designed to catch and cool a molten “slag” by-product that drips down from the furnace. On June 29, 2017, hardened slag had accumulated at the top and the bottom of one of the slag tanks and could not be removed. Rather than shutting down the furnace, TECO called in a contractor to perform high-pressure water blasting to try and clear the slag with the unit on-line. The work proceeded even though the procedure for this work could not be located. Five people were killed when one of the slag accumulations came loose, spraying the area with molten slag.

Judge Charlene Honeywell sentenced TECO to a \$500,000 fine and three years of probation, along with the requirement that TECO comply with a safety compliance plan. Federal law makes it a class B misdemeanor to willfully fail to follow an OSHA safety standard, where the failure causes the death of at least one employee. The class B misdemeanor is the only federal criminal charge covering such workplace safety violations. The maximum punishment for a corporation such as TECO that violates this provision is a \$500,000 fine.

“TECO’s willful violation had catastrophic consequences, including five workers dead and several more injured, underlining the importance of workplace safety standards,” said Assistant Attorney General Todd Kim of the Justice Department’s Environment and Natural Resources Division. “The department takes this conduct very seriously, and accordingly pursued the maximum remedy available under the law.”

“Tragically, five individuals lost their lives on June 29, 2017, following the explosion at the TECO facility. Our hearts go out to the victims’ families as well as other TECO employees and contractors impacted by this catastrophic event,” said U.S. Attorney Roger B. Handberg for the Middle District of Florida. “Our office is proud to have partnered with DOJ’s Environmental Crimes Section, the FBI, and the Department of Labor, Office of Inspector General to shine a light on this willful violation of OSHA safety standards in order to deter such conduct and ensure that workers are protected in the future.”

In a plea agreement with the government, TECO admitted to willfully failing to hold a pre-job briefing with the workers performing the work. Such briefing should have included information about the hazards associated with the job, the work procedures involved, any special precautions, energy source controls, and personal protective equipment requirements. Instead, the work proceeded without such a briefing and in contravention of the procedures governing the work to be performed, which could not be located. As a result, certain critical safety-related steps were not taken, and five individuals lost their lives when an explosion caused a violent release of molten slag throughout the work area.

The Federal Bureau of Investigation and the Department of Labor, Office of Inspector General investigated the case.

Trial Attorney Adam Cullman of the Environment and Natural Resources Division's Environmental Crimes Section and Assistant U.S. Attorney Rachelle DesVaux Bedke for the Middle District of Florida prosecuted the case.

Topic(s):

Labor & Employment
Environment

Component(s):

[Environment and Natural Resources Division](#)

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