



Steven L. Beshear
Governor

KENTUCKY LABOR CABINET
DEPARTMENT OF WORKPLACE STANDARDS

Mark S. Brown
Secretary

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July 5, 2012

Ronald Wayans, President
TOYO Automotive Parts (USA), Inc.
521 Page Drive
Franklin, KY 42134

RE: Reinstatement of Citations and Penalties for report #310121058

Dear Mr. Wayans:

Kentucky's Division of Occupational Safety and Health inspection opened at your facility on May 7, 2011, to determine compliance with the 2008 settlement agreement signed by representatives of the Labor Cabinet and Toyo Automotive Parts (USA), Inc., discovered that Toyo Automotive Parts (USA), Inc., did not comply with all of the terms contained in that settlement agreement and had failed to continue compliance with one other term found to comply during the 2010 follow-up inspection. Toyo Automotive Parts (USA), Inc.'s, specific failures to comply with the terms of the settlement agreement are as follows:

Paragraph 5.(a)(2): Toyo Automotive Parts (USA), Inc., has not ensured that all employees cleaning jigs, their immediate supervisors, and their supervisors are trained in the written method developed as per 5.(a)(1). Although Toyo Automotive Parts (USA), Inc., could not provide any training records, the inspection determined the employees cleaning jigs had been trained in the procedure but not the two supervisory levels.

Paragraph 5.(a)(3): Toyo Automotive Parts (USA), Inc., has not had an electrician check the resistance to ensure proper bonding/grounding twice a year. A Toyo employee has been checking monthly but he is not an electrician as specified in the settlement agreement. The last time an electrician tested the bonding/grounding at the facility was January 31, 2011.

Paragraph 5.(a)(5): Toyo Automotive Parts (USA), Inc., did not pursue certification into Kentucky's SHARPS program and did not apply for SHARPS certification within three (3) years of the date of the final order which was February 9, 2009.

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As the Labor Cabinet's dismissal of the attached sixteen (16) serious violations and \$105,500 penalty was conditioned upon Toyo Automotive Parts (USA), Inc., complying with the terms of the settlement agreement, the Labor Cabinet reinstated these violations and penalties on July 3, 2012.

You have 10 days from the date of receipt of this letter to remit the \$105,500 penalty and provide abatement notification on the sixteen (16) violations. Failure to pay the penalty can result in a lien being placed on the company and failure to provide proof of abatement can result in another follow-up inspection to determine the status of the violations. Notification of Abatement of Apparent Violation forms have been attached for your convenience.

Please feel free to contact me at 502/564-3218 should you have any questions.

Sincerely,



Susan L. Draper, Director
Division of OSH Compliance