**Wyoming OSHA State Plan**

**Formal Response to FY 2023 Comprehensive FAME Report**

Observation # FY 2023-OB-01: In FY 2023, three of nine (33.33%) case files reviewed did not contain documentation that all complaint or referral allegations were addressed. Wyoming OSHA did not follow the guidance in its modified Chapter 9, Section I.H.5 of the FOM.

State Plan Response: Federal OSHA is addressing Wyoming OSHA’s modified FOM, which was not in place or completed at the beginning of this FAME. Federal OSHA did not include this language in the draft FAME dated 3-4-2024, sent to Wyoming OSHA for review. Wyoming OSHA completed its modified FOM sections and submitted them to Federal OSHA in May 2024 after the FAME was completed. Federal OSHA should relate and confer on any reference to Wyoming OSHA not following guidance to the partially adopted FOM, CPL 02-00-164, before sending to DCSP as a final copy.

Observation # FY 2023-OB-02: In FY 2023, six of 18 (33.33%) complaint investigations reviewed were closed prior to completion of abatement. Wyoming OSHA did not follow the guidance in its modified Chapter 9, Section I.I.9 of the FOM.

State Plan Response: Federal OSHA is addressing Wyoming OSHA’s modified FOM, which was not in place or completed at the beginning of this FAME. Federal OSHA did not include this language in the draft FAME dated 3-4-2024, sent to Wyoming OSHA for review. Wyoming OSHA completed its modified FOM sections and submitted them to Federal OSHA in May 2024 after the FAME was completed. Federal OSHA should relate and confer on any reference to Wyoming OSHA not following guidance to the partially adopted FOM, CPL 02-00-164, before sending to DCSP as a final copy.

Observation # FY 2023-OB-03: In FY 2023, of the six case files reviewed that resulted in violations, two (33.33%) did not contain documentation of worker interviews or statements regarding facts pertinent to a violation. Wyoming OSHA did not follow the guidance in Chapter 5, Section VII.A; Chapter 3, Section VII.C; and Chapter 3, Section VII.I.5.b of the FOM.

State Plan Response: Federal OSHA added wording specific to the FOM. This addition was neither included nor provided, reviewed, or agreed to by the State in the draft FAME dated 3-4-2024.

Observation # FY 2023-OB-05: In FY 2023, abatement of hazards was closed in five of twenty (25%) state and local government consultation case files when abatement was not completed. Wyoming OSHA did not follow the guidance in Chapter 4, Section IV.A.2.b and Chapter 4, Section IV.A.2.b.ii of the CPPM.

State Plan Response: Federal OSHA added wording specific to the FOM. This addition was neither included nor provided, reviewed, or agreed to by the State in the draft FAME dated 3-4-2024.