

**Appendix A**  
**Wyoming State Plan**  
**FY 2010 Enhanced FAME Follow-up Report**  
**Summary of New and Continuing Findings and Recommendations**

Rec #	Findings	Recommendations	Related FY 09 Rec #
10-1	Personally identifiable information (PII) such as social security numbers and coroners reports were found in some case files. The State indicated they limit the release of personal information when appropriate.	Ensure a written process is in place to protect personally identifiable information.	09-14
10-2	Wyoming had no inspections in the construction emphasis areas of silica and lead.	Wyoming historically conducts significantly less health inspections than the national average. Proactively train safety CSHOs to identify and refer health related construction and oil and gas hazards to the Wyoming health staff.	09-16
10-3	Wyoming had not developed written instructions or criteria for any of their local emphasis programs describing the scope, procedures and coding to be used.	Document the current local emphasis programs, specifying criteria and procedures to be followed.	09-18
10-4	The complete criteria for the 75/25 program are not in writing.	Document the criteria of the 75/25 program and insert it into the State Internal Evaluation Program.	09-28
10-5	Employers are being allowed to participate in this penalty reduction program multiple times each year.	Change the parameters of the 75/25 program so that an employer is not able to participate multiple times. An employer should be completely out of the program before being considered for entry. Add criteria to the program to addresses repeat and regular participants.	09-29
10-6	The State appears to have unlimited time to settle a case at the informal level.	Review the State policy for post-contest informal settlements. Contact the State SOL and Hearing Officer to determine if timelines exist and who has ownership of the case after contest.	09-34
10-7	Multiple penalty reduction programs were being used for settlements, resulting in larger than average penalty reductions. Settlements made after the 15 days deadline for filing a notice of contest were considered informal settlements. The term "formal settlement" was reserved for use with court decisions or decisions of the commission.	In order to maintain a deterrent effect, discontinue the use of multiple penalty reduction programs for settlement of a case, or create written criteria to address the problem of large penalty reductions using the average federal penalty reduction percent.	09-35

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10-8	Numerous data entry issues were identified during the onsite visit.	The State will coordinate with the Region to set up an onsite visit with a data entry person supplied by the Region to educate the staff and resolve entry issues in preparation for the new data system.	09-38
10-9	References to the FOM are not made in the ROPP.	References should be made between the ROPP and the FOM to clarify what procedures are being followed for the Wyoming state plan staff.	09-59
10-10	State unique processes and Procedures are not documented in writing.	As part of the State Internal Evaluation Process (SIEP), processes and procedures need to be in writing.	09-60
10-11	Internal evaluations are not done in the State.	Document and evaluate a minimum of one internal process each year.	09-61
10-12		The Region recommends the State of Wyoming allow WSCD to "adopt standards by reference" in order to meet the adoption timelines stipulated in the State Plan agreement.	09-62