

52nd ALL-OHIO SAFETY CONGRESS & EXHIBIT

APRIL 20-22, 1982

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Legal Section
Industrial Commission of Ohio
246 North High Street

Grizzly Manufacturing
Paulding, Ohio

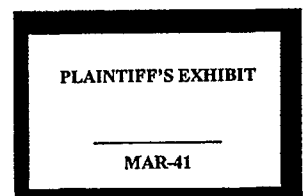
Attn: Judy Spencer

Dear Ms Spencer:

At the request of Mr. Arthur Shantz of the Legal Section, a review of the claim for [REDACTED], was made for an industrial hygiene opinion. The worksite was not visited, as the plant reportedly ceased operation. The Division of Safety and Hygiene has no records of prior investigations there. The federal Occupational Safety and Health Administration had performed air sampling for asbestos at this site several times, and their reports have been added to the claim file. This report is based solely on a review of the file and generally available occupational health literature.

The decedent worked 25 to 30 years as a machine operator in a plant which manufactured brake and clutch linings containing asbestos. Mr. Bond was also a smoker. He recently died of large cell undifferentiated lung cancer.

Businesses at this site were issued citations for serious violations due to asbestos overexposure on at least 3 occasions by OSHA. Although the actual sample results were not released, we can infer that they were extremely high. On two different occasions citations were issued when the ceiling value was exceeded by more than 10 times. (Ceiling values are higher than limits for a whole workday. Such exposures are allowed for only a brief period a few times a day.) Another was for not wearing special protective clothing. Yet another was for improper storage of asbestos.



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Perhaps the most insightful comments on the conditions in this plant were those of the OSHA inspector in 1975. They are brutally frank:

"The operation that was sampled during the inspection was generating large clouds of asbestos in the air. The foreman or management representative in the department is either an idiot or he has no regard at all for the employee in the department. The operation should have been stopped or corrected or the employee should have been provided with protective covering and a powered air purifying respirator.

It appears that this company lacks the initiative to take any corrective action on their own other than what they feel is meeting the minimum requirements."

These comments reflect conditions which prevailed after the decedent's tenure of employment. Given the general lack of knowledge of the effects of asbestos during the 1950's and 1960's, it is likely that conditions would have been worse, not better, than those described above.

In the United States, exposure to asbestos has been known to be associated with the development of bronchogenic cancer since at least 1961. Shortly thereafter, researchers discovered the link between asbestos exposure and mesothelioma, a naturally rare lung cancer of the peritoneum or pleura.

Currently, asbestos exposure is also known to be associated with an excess risk of suicide, heart disease, non-malignant respiratory disease (including asbestosis), digestive cancer, and lymphoma. Although no safe exposure level exists, it is generally believed that the risk of contracting lung disease from asbestos exposure increases with the duration of exposure (i.e., number of years on the job.)

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The Asbestos Work Group, scientific advisors to OSHA and NIOSH, recently reviewed the literature on smoking and asbestos exposure (Cf. Workplace Exposure to Asbestos: Review and Recommendations, April 1980, DHHS (NIOSH) Publication No. 81-103.) They summarized the major relevant study, published in 1979, as follows:

Asbestos workers who did not smoke showed about a 5 times greater risk of dying of lung cancer when compared to the non-smoking population. Asbestos workers who did smoke also had a 5 times greater risk of dying of lung cancer as compared to the controls who smoked. This means the relative risk associated with asbestos is about 5-fold for smokers and non-smokers alike. Therefore the probability that their lung cancer was due to asbestos exposure is about 80% in both smokers and non-smokers. (p. 26, emphasis added.)

In short, the decedent was employed at a plant where excessive exposure to asbestos appears to have been common. His total duration of exposure was very long and he smoked. The combination of all these factors makes it very probable that his cancer was work related.

Respectfully submitted,

Robert J. Crackel

Robert J. Crackel
Industrial Hygienist

RJC/nh

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