

BUREAU OF
WORKERS' COMPENSATION

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December 16, 1991

Judy Spencer
Legal Section
Industrial Commission of Ohio
30 W. Spring St. 9th Floor
Columbus, OH 43266-0581

Claim: [REDACTED]
Claimant: [REDACTED]
Company: R.E. Kramig Co.
323 S. Wayne Ave.
Cincinnati, OH 45714

Dear Ms. Spencer,

[REDACTED] is a 45 year-old man who worked as an insulator for approximately 28 years. During that period he worked out of a union local for a large number of employers, the last being Kramig. He has developed mesothelioma allegedly caused by exposures to asbestos-containing materials encountered during his employment.

Insulators, especially those who worked in the trade before 1971, have a high probability of past exposure to asbestos-containing materials. It is impossible to determine when [REDACTED] may have received the first or last injurious exposure to asbestos-containing materials, or what the levels of exposure may have been. Due to the stringent regulations and requirements pertaining to asbestos exposure prevention, it is highly unlikely that he was exposed during the last years when he worked for Kramig.

Since the latency period for the development of most forms of asbestos-related respiratory disease is so variable, symptom onset cannot be used to determine when or where exposures occurred. Because of the ambiguity of symptomology, a direct link between exposures and symptom development is also difficult.

The development of mesothelioma is another matter, however. In a paper by Hughes and Weill (reference below), the following is found: "Mesothelioma, a primary pleural or peritoneal malignancy, is a rare disease, even among asbestos workers (a total of approximately 1500 cases in the U.S. annually compared with approximately 130,000 lung cancers). Consequently, in comparison with lung cancer, there is much less quantitative information for mesothelioma for establishing a dose-response relationship. As a result, of the very low incidence of this disease in the general population and conclusive evidence of an increased risk among asbestos workers

[REDACTED]

(the only known occupational cause), any case occurring in a person with an industrial asbestos exposure is assumed to be a result of that exposure. However, virtually all studies of mesothelioma cases have included persons for whom no known asbestos exposure could be identified. Moreover, a substantial number of cases have been reported from rural Turkey (attributed to the indigeno's occurrence of another fibrous mineral, erionite, a form of the mineral zeolite) and animal studies have demonstrated that fibers other than asbestos can induce mesothelioma. For these reasons, it is concluded that there are background cases of mesothelioma in the general population: i.e., cases with no relationship to asbestos exposure".

Since [REDACTED] worked for many years as an insulator, there is little doubt that he received exposures to asbestos-containing materials. Exposures to any particular agent, or combination of agents does not guarantee disease development, however. The occurrence of mesothelioma, with known asbestos exposures makes a strong case for the connection between this claim and his work history.

If I may be of further assistance with this claim, please let me know.

Sincerely,

James S. Ferguson
James S. Ferguson CIH
Industrial Hygienist

References:

1. Hughes and Weill, Asbestos Exposure - Quantitative Assessment of Risk, Am. Rev. Respir. Dis., 133:5- 13, 1986.
2. Occupational Respiratory Diseases, NIOSH Pub. 86-102, Sept. 1986.

RECORDS CERTIFICATION

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