

*50th Anniversary
All-Ohio Safety Congress
& Exhibit*

April 7-10, 1980

to file

PLAINTIFF'S
EXHIBIT
OSC-10

February 12, 1980

Legal Section
Industrial Commission of Ohio
246 N. High St.
Columbus, Ohio 43215

Attn: Diane Larson

O.D. 13332-22
Margaret S. Milton
Inland Division
General Motors
Dayton, Ohio

Ms. Larson:

On January 29, 1980, in an effort to gather data relative the occupational disease claim of Margaret S. Milton, O.D. 13332-22, a visit was made to the Inland Division of General Motors, located on West Third St., in Dayton. The objective of the visit was to obtain information as regards what type occupational exposures the claimant may have encountered, and then attempt to determine what the potential may have been for those exposures to have induced the claimant's condition.

The individual contacted at the plant was Marvin Aukerman, Director of Safety, Inland Division of General Motors. Mr. Aukerman was most courteous and helpful and was of great assistance.

The collection of environmental data in support of this claim was determined unnecessary. That decision is based on the fact that a great deal of information is available detailing exposures in the claimant's work area which was collected and compiled by the National Institute for Occupational Safety and Health in conjunction with a health hazard evaluation of the wet rubber process at the Inland Division. In conjunction with that evaluation, extensive environmental monitoring was conducted during July and October 1977 and March 1978. The claimant's file indicates the last work day was May 24, 1977. The process has not changed, which makes the NIOSH data indicative of conditions in the work place that the claimant would have encountered during her tenure at Inland.

The data compiled by NIOSH and provided to Inland was summarized in the following manner:

"The environmental results indicate that a hazard to the health of employees did not exist on the dates of the surveys based on the present single exposure criteria for the airborne contaminants identified. However, the additive and/or synergistic effects of the substances are not known- thus the complaints of the employees of symptoms of eye irritation, infections, etc. could be due to a combination of substances if they elicit similar physiological responses or to an agent which was not identified during the evaluation dates".

The following substances were identified as being present in the workplace by the NIOSH study.

N-Butyl Acetate	Cellosolve/2 ethoxyethanol
Isopropyl alcohol	Ethyl Benzene
Propylene Glycol	Toluene
Xylene	1,1,1-trichloroethane

A number of the above substances are skin irritants and are capable of inducing skin irritation and/or occupational contact dermatitis. Attached is a listing of primary chemical irritants of the skin as indicated in Table 4-13, taken from the publication "Chemical Hazards of the Workplace" by Nick H. Proctor, Ph.D and James P. Hughes, M.D., Toxicologist and Medical Director of Kaiser Aluminum and Chemical Corporation. Five of the substances identified by the NIOSH study appear on the list.

That unto itself does not establish the fact that the claimant's condition can be directly attributed to her workplace exposures. However, it does serve to establish the fact that the potential for occupational contact dermatitis certainly did exist. The fact that the potential did exist is borne out by the fact that Inland indicates they actively pursue a program to prevent and control dermatitis in this work area via worker education, protective equipment, barrier creams and a liberal transfer policy for individuals experiencing skin difficulties in conjunction with this work area.

It would appear the essential determination here is whether or not the medical determination is one of an occupational contact dermatitis, or pustular psoriasis.

Generally speaking, the test of whether or not a dermatitis is occupationally related is whether or not the problem clears up when the individual is away from the occupation. If the individual has exposures away from the workplace, it then becomes difficult to determine which exposure involves the causative agent or agents, and which is the contributing agent or agents.

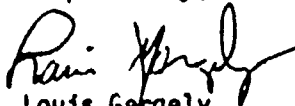
If the diagnosis of pustular psoriasis, defined by Dorland's Medical Dictionary as a hereditary condition, is correct, thorough pre-employment disclosure and examination should have precluded the individual from working in an area wherein skin contact with known skin irritants is likely. That is a personal judgement and is not intended to represent "competent medical authority".

O.D. 13332-22
General Motors

- 3 -

In summary, the final determination must be based on the nature and origin of the condition. If the determination is occupational contact dermatitis, the nature of the occupation, coupled with the environmental data available, serve to provide a relatively sound cause and effect relationship. If the condition was caused away from the workplace, was there any relationship between the non-occupational and occupational exposures, and finally, if the call is "pustular psoriasis" does the fact that by medical definition it is hereditary preclude environmental factors from affecting its occurrence or incidence.

Respectfully,



Louis Gergely
Manager
Industrial Hygiene Department

LG/ng

Table 4-13. Primary Chemical Irrit

Acetaldehyde	Cyanides (alkali)
Acetic acid	Cyclohexane
Acetic anhydride	Cyclohexanol
Acetone	Cyclohexanone
Acrocin	Cyclohexene
Acrylamide	DDT
Acrylonitrile	Diacetone alcohol
Allyl alcohol	Dibutyl phosphate
Allyl chloride	<i>o</i> -Dichlorobenzene
Allyl glycidyl ether	<i>p</i> -Dichlorobenzene
Ammonia	1,1-Dichloro-1-nitroethane
<i>n</i> -Amyl acetate	Diethylamine
<i>sec</i> -Amyl acetate	Diethylaminoethanol
Antimony	Diglycidyl ether
Arsenic and compounds	Diisobutyl ketone
Barium and compounds	Dimethylamine
Benzene	Dimethylformamide
Benzoyl peroxide	1,1-Dimethylhydrazine
Benzyl chloride	Dimethyl sulfate
Beryllium and beryllium compounds	Dioxane
Boron oxide	Epichlorohydrin
Boron trifluoride	Epoxy resins
Bromine	Ethanolamine
<i>n</i> -Butyl acetate	2-Ethoxyethanol
<i>sec</i> -Butyl acetate	2-Ethoxyethyl acetate
<i>n</i> -Butyl alcohol	Ethyl acetate
<i>sec</i> -Butyl alcohol	Ethyl acrylate
<i>tert</i> -Butyl alcohol	Ethylamine
<i>n</i> -Butylamine	Ethyl amyl ketone
<i>n</i> -Butyl glycidyl ether	Ethylbenzene
Calcium arsenate	Ethyl bromide
Calcium oxide	Ethyl butyl ketone
Carbaryl	Ethylene diamine
Carbon disulfide	Ethylene dibromide
Carbon tetrachloride	Ethylene dichloride
Chlorinated diphenyl oxide	Ethyleneimine
Chlorine	Ethylene oxide
Chlorine trifluoride	Ethyl ether
Chloroacetaldehyde	Ethyl formate
<i>alpha</i> -Chloroacetophenone	Ethylidene chloride
Chlorobenzene	Ethyl silicate
<i>o</i> -Chlorobenzylidene malononitrile	Fluoride
Chlorobromomethane	Fluorine
Chlorodiphenyl, 42% chlorine	Formaldehyde
Chlorodiphenyl, 54% chlorine	Formic acid
Chloroform	Furfural
Chloropicrin	Glycidol
Chloroprene	<i>n</i> -Heptane
Chromic acid and chromates	Hexachloronaphthalene
Chromium, soluble chromic and chromous salts	<i>n</i> -Hexane
Coal tar pitch volatiles	Hydrazine
Copper dusts and mists	Hydrogen bromide
Crag herbicide	Hydrogen chloride
Cresol, all isomers	Hydrogen fluoride
Crotonaldehyde	Hydrogen peroxide, 90%
Cumene	Iodine
	Isoamyl acetate

of the Skin

Isobutyl alcohol	Phosgene
Isophorone	Phosphoric acid
Isopropylamine	Phosphorus (yellow)
Isopropyl ether	Phosphorus pentachloride
Isopropyl glycidyl ether	Phosphorus pentasulfide
Ketene	Phosphorus trichloride
Lead arsenate	Phthalic anhydride
Lithium hydride	Picric acid
Maleic anhydride	Platinum, soluble salts
Mercury	Portland cement
Mercury, alkyl compounds	Propyl acetate
Mesityl oxide	n-Propyl alcohol
Methyl acetate	Propylene dichloride
Methyl acrylate	Propylene imine
Methylal	Propylene oxide
Methyl alcohol	Pyrethrum
Methylamine	Pyridine
Methyl bromide	Quinone
Methyl butyl ketone	Rotenone
Methyl chloride	Selenium compounds
Methylcyclohexane	Silver, metal and soluble compounds
Methylcyclohexanol	Sodium hydroxide
o-Methylcyclohexanone	Stoddard solvent
Methylene bisphenyl isocyanate	Styrene
Methylene chloride	Sulfur dioxide
Methyl ethyl ketone	Sulfur monochloride
Methyl iodide	Sulfuric acid
Methyl isobutyl ketone	Tellurium
Methyl isocyanate	Terphenyls
Methyl methacrylate	Tetrachloroethane
Methyl propyl ketone	Tetrachloroethylene
alpha-Methyl styrene	Tetrachloronaphthalene
Monomethylhydrazine	Tetranitromethane
Morpholine	Tetryl
Naled	Thiram
Naphtha, coal tar	Tin, organic and inorganic compounds
Naphtha, petroleum distillates	- Toluene
Nickel, metal	Toluene 2,4-diisocyanate
Nitric acid	o-Toluidine
Nitrobenzene	Toxaphene
Nitroethane	Tributyl phosphate
Nitromethane	-1,1,1-Trichloroethane
Octachloronaphthalene	Trichloroethylene
Octane	Trichloronaphthalene
Osmium tetroxide	2,4,5-Trichlorophenoxyacetic acid
Oxalic acid	1,2,3-Trichloropropane
Pentaborane	1,1,2-Trichloro-1,2,2-trifluoroethane
Pentachloronaphthalene	Triethylamine
Pentachlorophenol	2,4,6-Trinitrotoluene
Pentane	Turpentine
Perchloromethyl mercaptan	Uranium (natural), soluble and insoluble compounds
Phenol	Vanadium pentoxide
p-Phenylenediamine	Vinyltoluene
Phenyl ether	- Xylene
Phenyl ether-biphenyl mixture	
Phenyl glycidyl ether	
Phenylhydrazine	

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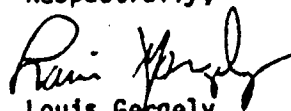
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42

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Resp.

LG
MGR
I.H.

LG/ng

43.

E. S. GALLON & ASSOCIATES

ATTORNEYS AT LAW

MIAMI VALLEY TOWER

40 W FOURTH ST.

DAYTON, OHIO 45403

TELEPHONE

513/461-3894

E. S. GALLON
DAVID M. DEUSCH
JACK CERVAT
PATRICK W. ALLEN
DAVID A. SAPHIRE
GARY T. BRINSFIELD
JOSEPH R. EBENGER
JAMES G. RICE
JEFFREY V. NACKLEY
JAMES R. PIERCY

JACK GALLON (TOLEDO)
OF COUNSEL

January 14, 1980

Ohio Department of Safety and Hygiene
P.O. Box 16512
Columbus, Ohio 43216

ATTN: Louis Gergeley

RE: Margaret Milton
I.C. Claim No. OD-13332-22

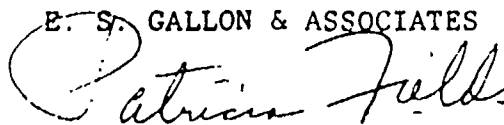
Dear Mr. Gergeley:

Pursuant to your telephone conversation with Mr. Ebenger on January 8, 1980, we contacted the claimant who advises that she worked with weather stripping, although she was not certain that this was the name of the department, and she also worked in inspection. She indicated that the entire time she worked at Inland, she worked with weather stripping materials.

Once your report is complete, we would appreciate a copy being sent to our office.

Very truly yours,

E. S. GALLON & ASSOCIATES



PATRICIA FIELDS
Legal Assistant

PF/mk
(c)

44

E. S. GALLON & ASSOCIATES

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ATTORNEYS AT LAW
MIAMI VALLEY TOWER
40 W. FOURTH ST.
DAYTON, OHIO 45402
TELEPHONE
513/461-3884

JACK GALLON (TOLEDO)
OF COUNSEL

January 23, 1980

Ohio Department of Safety and Hygiene
P. O. Box 16512
Columbus, Ohio 43216

Attention: Mr. Louis Gergeley

Re: Margaret Milton
I. C. Claim No. OD-13332-22

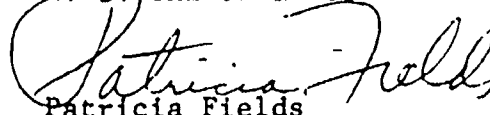
Dear Mr. Gergeley:

Pursuant to our letter to you dated January 14, 1980, copy of which is attached, Ms. Milton advises our office that the information we gave you in that letter was not entirely accurate. She indicates to us that she also worked on dash pads for approximately three to four years. She said that her hands broke out while she was working with the pads, but not with infections like the condition caused by working with weather stripping. The department where she worked with the weather stripping was Department 464, and she worked there for nine or ten years.

We hope this information is of help to you.

Very truly yours,

E. S. GALLON & ASSOCIATES


Patricia Fields
Legal Assistant

/ls
Encl.
(c)

45.

January 14, 1980

Ohio Department of Safety and Hygiene
P.O. Box 16512
Columbus, Ohio 43216

ATTN: Louis Gergeley

RE: Margaret Milton
I.C. Claim No. OD-13332-22

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