

**§ 79.57**

- (1) Pathology report of tissue biopsy or resection;
  - (2) Autopsy report;
  - (3) One of the following summary medical reports:
    - (i) Physician summary report;
    - (ii) Hospital discharge summary report;
    - (iii) Operative report;
    - (iv) Radiotherapy summary report;
- or
- (v) Medical oncology summary or consultation report;
  - (4) Report of one of the following radiology examinations:
    - (i) Computerized tomography (CT) scan; or
    - (ii) Magnetic resonance imaging (MRI); or
  - (5) Death certificate, provided that it is signed by a physician at the time of death.

**§ 79.57 Proof of chronic renal disease.**

- (a) In determining whether a claimant developed chronic renal disease following pertinent employment as a miller, the Assistant Director shall resolve all reasonable doubt in favor of the claimant. A conclusion that a claimant developed chronic renal disease must be supported by medical documentation.
- (b) A claimant or beneficiary may submit any of the following forms of medical documentation in support of a claim that the claimant contracted chronic renal disease.
  - (1) Pathology report of tissue biopsy;
  - (2) If laboratory or radiographic tests exist:
    - (i) Abnormal plasma creatinine values; and
    - (ii) Abnormal glomerular filtration rate (by either measured creatinine or iothalamate clearance or calculated by MDRD equation); and
    - (iii) Renal tubular dysfunction as evidenced by:
      - (A) Glycosuria in the absence of diabetes mellitus;
      - (B) Proteinuria less than one gram daily without other known etiology; or
      - (C) Hyperphosphaturia, aminoaciduria, B-2 microglobulinuria or alkaline phosphaturia or other marker of proximal tubular injury; or
    - (iv) Radiographic evidence of chronic renal disease;

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- (3) Autopsy report;
- (4) Physician summary report;
- (5) Hospital discharge summary report;
- (6) Hospital admitting report; or
- (7) Death certificate, provided that it is signed by a physician at the time of death.

**Subpart G—Eligibility Criteria for Claims by Ore Transporters**

**§ 79.60 Scope of subpart.**

The regulations in this subpart define the eligibility criteria for compensation under section 5 of the Act pertaining to uranium or vanadium-uranium ore transporters and the nature of evidence that will be accepted as proof that a claimant satisfies such eligibility criteria. Section 5 of the Act provides for a payment of \$100,000 to persons who contracted lung cancer, one of a limited number of nonmalignant respiratory diseases, renal cancer, or chronic renal disease, following employment for at least one year as a transporter of uranium ore or vanadium-uranium ore from a uranium mine or uranium mill located in a specified state during the period beginning January 1, 1942, and ending December 31, 1971.

**§ 79.61 Definitions.**

- (a) *Chronic renal disease* means the chronic, progressive, and irreversible destruction of the nephron. It is exhibited by diminution of renal function.
- (b) *Cor pulmonale* means heart disease, including hypertrophy of the right ventricle, due to pulmonary hypertension secondary to fibrosis of the lung.
- (c) *Designated time period* means the period beginning on January 1, 1942, and ending on December 31, 1971.
- (d) *Employment as an ore transporter* means employment involving the transporting or hauling of uranium ore or vanadium-uranium ore from a uranium mine or uranium mill, including the transportation or hauling of ore from an ore buying station, “upgrader,” “concentrator” facility, or pilot plant by means of truck, rail or barge.
- (e) *Employment for at least one year* means employment for a total of at