



# ERIE COUNTY LEGISLATURE

HON. KEVIN R. HARDWICK

LEGISLATOR

July 31, 2013

Honorable William M. Skretny, Chief Judge  
United States District Court  
Western District of New York  
2 Niagara Square  
Buffalo, NY 14202-3350

Dear Judge Skretny:

I write to you on behalf of thousands of my constituents in the Town of Grand Island and the Tonawandas who have suffered for decades because of the illegal behaviour of the Tonawanda Coke Corporation. Although it is difficult to attribute causality and say which deaths and serious medical conditions were the result of the company's actions and which were due to other factors, it is obvious that something is going on downwind of Tonawanda Coke.

For the past two months I have been walking the neighborhoods impacted by Tonawanda Coke's pollution. It has been heart-rending. Many residents I visited would point to the houses on their street and tick off the causes of death or current diseases in each one, "cancer, cancer, cancer, tumors, cancer, mesothelioma, cancer . . ." Last month I was in the Town of Tonawanda and met a 45 year old man sitting in front of his house. He told me he was a former football coach and now had COPD. He said he is unable to walk very far without becoming winded. He pointed to his house and told me his 18 year old son was inside with stitches in his head. The father explained that the young man recently had surgery to remove tumors. He lamented that this was the sixth such operation.

I relayed this story to Rebecca Newberry of the Clean Air Coalition recently and she asked me how this made me feel. I was not expecting the question and had yet to sort through my feelings, so I responded with the answer for which I thought she was looking and told her it made me angry. Although the corporation's disregard for the impact of their actions does indeed infuriate me, a more accurate response to Ms. Newberry's question would have been that I felt incredulous. I could not, and still do not, understand how someone could knowingly inflict so much pain and heartache on their fellow human beings. The people at Tonawanda Coke certainly had to know the consequences of their actions, yet they did it anyway.

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I hope, Judge Skretny, you share my incredulity and impose a just sentence. Although it is too late for many of the victims who lived on Grand Island and in the Tonawandas, a stiff sentence will serve to safeguard the health and welfare of those who still live in the shadow of the Tonawanda Coke Corporation's plant.

Thank you for your concern.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin R. Hardwick". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Kevin R. Hardwick, Ph.D.  
4<sup>th</sup> District Legislator

KRH/s

cc: Grand Island Supervisor Mary Cooke  
City of Tonawanda Mayor Ronald J. Pillozzi  
Town of Tonawanda Supervisor Anthony Caruana  
Senator Mark Grisanti  
Assemblyman Robin Schimminger  
Clean Air Coalition