

BRIAN HIGGINS
26TH DISTRICT, NEW YORK

2459 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-3306
(202) 226-0347 (FAX)

COMMITTEE ON HOMELAND SECURITY

RANKING MEMBER
SUBCOMMITTEE ON
COUNTERTERRORISM AND INTELLIGENCE
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EURASIA, AND EMERGING THREATS

Congress of the United States
House of Representatives
Washington, DC 20515-3226

726 EXCHANGE STREET
SUITE 601
BUFFALO, NY 14210
(716) 852-3501
(716) 852-3929 (FAX)
640 PARK PLACE
NIAGARA FALLS, NY 14301
(716) 282-1274
(716) 282-2479 (FAX)
higgins.house.gov

February 3, 2014

The Honorable Gina McCarthy
Administrator
Environmental Protection Agency
1200 Pennsylvania Ave, N.W.
Washington, D.C. 20460

The Honorable David Michaels
Assistant Secretary of Labor
Department of Labor - OSHA
200 Constitution Ave, N.W.
Washington, D.C. 20210

Dear Administrator McCarthy and Assistant Secretary Michaels,

On January 31, an explosion at the Tonawanda Coke factory in Tonawanda, New York shook the homes of area residents and could be heard miles away. Reports indicate that first responders dispatched to the scene were initially denied entry to the site by Tonawanda Coke officials. The New York State Department of Environmental Conservation's (NYSDEC) preliminary investigation "confirmed that a significant explosion caused damage to a portion of the plant."

In 2007, after reports of high incidences of cancer and other ailments among area residents, the NYSDEC conducted an air quality study which revealed high concentrations of benzene and formaldehyde, known carcinogens, in Tonawanda. Tonawanda Coke was later found guilty of violating numerous clean air regulations and environmental statutes for the illegal emission and dumping of these substances.

The company's past reckless practices have led to a real and justifiable mistrust by neighbors and the community as a whole. When considered together with the company's apparent attempts to limit first responder access to its site and minimize the significance of the explosion, there is reason to be circumspect of Tonawanda Coke's version of events.

Therefore, I strongly urge the EPA and OSHA to conduct a full investigation to confirm that Friday's incident did not result in any negative impact to the environment and to verify that all safety procedures were followed. Area residents, who have already suffered immensely at the hands of Tonawanda Coke's deceptive practices, deserve a full accounting of the incident. I thank you for your attention to this matter.

Sincerely,



Brian Higgins
Member of Congress