October 8, 2012

The Honorable Shelly C. Chapman One Bowling Green Courtroom 621 New York, New York 10004-1408

Honorable Judge Chapman,

I was an employee of Squaw Creek Coal Company a subsidiary of Alcoa Aluminum Company of America which was managed by Peabody Coal Company. I never worked a day for Patriot Coal Company during my coal mining career.

I was seriously injured while working at Squaw Creek Coal Company. I crushed and fractured my left forearm, had a concussion, and a torn right rotator cuff. I lost 7 ½ months of work due to this accident.

During my employment at Squaw Creek Coal Mine, I was exposed to the toxic waste that Alcoa dumped in active areas of mining at Squaw Creek Coal Mine in Southwestern Indiana on a daily basis (hexavalent chromium sludge, coal tar pitch and spent pot lining. I carried the residue home on my clothing exposing my wife.

Both my wife and I have suffered from serious illnesses and require medications and treatments on a daily basis. I suffered from a ruptured colon and had to have a sigmoid colostomy for 7 months until it healed. I have developed hypertension and diabetes since Squaw Creek Coal Mine was closed. My wife developed breast cancer and had to have a mastectomy but the cancer has reoccurred three times requiring surgery each time. She has had to have two courses of chemotherapy and two courses of radiation therapy.

Under both the Coal Act and the National Bituminous Coal Wage Agreement employers are required to maintain health care benefits for their retirees and surviving spouses for life. The loss of benefits specified under the Coal Act and the National Bituminous Coal Wage Agreement for life for retirees and surviving spouses would be devastating for me and my wife.

Thomas Scheucher, Jr.
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P. O. Box 177

Elberfeld, IN 47613

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