KENNETH AHLRICH, 3209 FM 892, Robstown, Texas 78380 (1/4 mile)

ORAL PRESENTATION BEFORE THE COMMISSION, November 18, 2009

Please allow me to reserve at least two minutes of the assigned five minutes for rebuttal of any comments that may be made about my presentation.

US Ecology Texas, Inc.'s amendment should be suspended until such time as the soon-to-expire Permit is processed and available for public debate; there is no rush . Has there been a failure to efficiently prepare and make proper plans for the facility? These modifications can be incorporated in to the new permit with tighter requirements for compliance.
Note USET's poor compliance history of the past five years; **in the past five years, USET has been cited by TCEQ for multiple violations which have included multiple fires, explosions, and illegal air emissions, in addition to poor recordkeeping, failure to follow the contingency plan.** Particularly note:

1. Twenty-three alleged violations in 2004 that were assessed penalties of $138,320 (Ahlrich Exhibit 1-F).

2. Twelve alleged violations March 31, 2008 resulted after investigation of chlorine gas, benzene, etc. and, after several delays, were finally presented to the commissioners **after** the fall TCEQ annual compliance evaluation. (Ahlrich Exhibit 1-J) Assessments were $92,650.

3. The new tank mixing barn located on the western side of the property has been operating for the past two years **without** a requisite air permit.

4. In addition to my present concerns over the way USET has been operating in the past five years, I am also concerned about the **long term consequences** represented by these documented failures to follow the permit, compliance plan, and the contingency plan.

5. Also, there seems to be a **blatant** disregard of the commissioners authority by USET. Buildings have already appeared and operations appear to be activated on the proposed Cell 50 ahead of the November 18, 2009 meeting.

6. USET's operation interferes with the use and the enjoyment of our private properties.

7. Most importantly, **USET has been penalized for "failing to operate in a manner to minimize the possibility of fire, explosion, or any unplanned sudden or non- sudden release of hazardous constituents to air, soil or surface water which could threaten human health or the environment."**

Thank you for the opportunity to speak.

Kenneth Ahlrich