

April 17, 2019

Jon Niermann, Chairman
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

RE: ITC Incident Penalties

Dear Chairman Niermann:

As a result of the Intercontinental Terminals Company (ITC) facility fire and subsequent environmental impacts, I am urging the Texas Commission on Environmental Quality (TCEQ) to levy maximum penalties against ITC.

ITC has a lengthy history of environmental violations that became increasingly pertinent as this incident and investigation developed. Past TCEQ reports have made it clear that ITC has repeatedly violated proper regulatory and environmental standards with more than 30 incidents from 2013 to 2018. Although the investigation is ongoing, TCEQ already has the power and rationale to pursue the highest level of penalty action against ITC. The disaster at their facility on March 17, 2019 resulted in innumerable negative impacts to residents, various businesses and the surrounding environment. Neighborhoods were mandated to shelter-in-place, schools were shut down, one of the busiest ports in the country was closed and families were fearful that their homes were no longer safe.

It is the role of the TCEQ to uphold and enforce stringent environmental protection standards in Texas for the safety and wellbeing of our residents. There should be no question as to what TCEQ's role in this incident will be from a legal standpoint. The company should face consequences for all of their actions, or lack thereof, that negatively impacted the surrounding areas. I formally request that TCEQ take all actions available against ITC and maximize penalties that the company will face as a result of the fire and all damages caused.

Sincerely,

A handwritten signature in black ink, appearing to read "Carol Alvarado". The signature is fluid and cursive, with the first name "Carol" being more prominent than the last name "Alvarado".

Carol Alvarado
State Senator, District 6