



County of Orange

California

September 11, 2012

Honorable Thomas J. Borris
Presiding Judge of the Superior Court of California
700 Civic Center Drive West
Santa Ana, CA 92701

Subject: Nesi/Site Study - The Saga Continues

Dear Judge Borris:

Per your request, and in accordance with Penal Code 933, please find attached the County of Orange response to the subject report as approved by the Board of Supervisors. The respondent is the Health Care Agency. If you have any questions, please contact Michelle Zink at (714) 834-7487 in the County Executive Office who will assist you or direct you to the appropriate individual.

Sincerely,



Robert J. Franz
Interim County Executive Officer

Attachment

cc: 2012-13 Orange County Grand Jury

County Executive Office
333 W. Santa Ana Blvd.
Third Floor
Santa Ana, California
92701-4062

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ORANGE COUNTY BOARD OF SUPERVISORS
MINUTE ORDER
September 11, 2012

Submitting Agency/Department: County Executive Office

Approve proposed response to FY 2011-12 Grand Jury Report "Nesi/Site Study: The Saga Continues" - All Districts

The following is action taken by the Board of Supervisors:

APPROVED AS RECOMMENDED OTHER

Unanimous (1) NGUYEN: Y (2) MOORLACH: Y (3) CAMPBELL: Y (4) NELSON: Y (5) BATES: Y
Vote Key: Y=Yes; N=No; A=Abstain; X=Excused; B.O.=Board Order

Documents accompanying this matter:

- Resolution(s)
- Ordinances(s)
- Contract(s)

Item No. 50

Special Notes:

Copies sent to:

CEO/Budget
Superior Court
Grand Jury



I certify that the foregoing is a true and correct copy of the Minute Order adopted by the Board of Supervisors, Orange County, State of California.
Susan Novak, Clerk of the Board

By: 
Deputy



AGENDA STAFF REPORT

ASR Control 12-000947

MEETING DATE: 09/11/12
LEGAL ENTITY TAKING ACTION: Board of Supervisors
BOARD OF SUPERVISORS DISTRICT(S): All Districts
SUBMITTING AGENCY/DEPARTMENT: County Executive Office (Approved)
DEPARTMENT CONTACT PERSON(S): Michelle Zink (714) 834-7487
 Margaret Cady (714) 834-3646

SUBJECT: Nesi/Site Study: The Saga Continues

2012 SEP 13 10:44:15

CEO CONCUR
Concur

COUNTY COUNSEL REVIEW
N/A

CLERK OF THE BOARD
Discussion
3 Votes Board Majority

Budgeted: N/A

Current Year Cost: N/A

Annual Cost: N/A

Staffing Impact: No

of Positions:

Sole Source: N/A

Current Fiscal Year Revenue: N/A

Funding Source: N/A

Prior Board Action: N/A

RECOMMENDED ACTION(S):

1. Approve proposed response to FY 2011-12 Grand Jury Report entitled "Nesi/Site Study: The Saga Continues".
2. Direct the Clerk of the Board to forward this ASR with exhibits to the Presiding Judge of the Superior Court and the FY 2012-13 Orange County Grand Jury no later than September 18, 2012.

SUMMARY:

Approve proposed response to the FY 2011-12 Grand Jury Report entitled "Nesi/Site Study: The Saga Continues".

BACKGROUND INFORMATION:

In June 2012, the Grand Jury released a report titled "Nesi/Site Study: The Saga Continues". This report directed Findings and Recommendations to the County of Orange. Enclosed as Exhibit 2 is the response to these Findings and Recommendations.

FINANCIAL IMPACT:

N/A

STAFFING IMPACT:

N/A

EXHIBIT(S):

1. Grand Jury Report
2. Response to Grand Jury Report
3. Transmittal Letter

**2011-2012 Grand Jury Report
Nesi/Site Study: The Saga Continues
Health Care Agency
Responses to Findings and Recommendations**

Responses to Recommendation R.2

R.2 The Huntington Beach City Council in conjunction with the Orange County Health Agency (Public Health) should inquire into the possibility that health issues in the neighborhood of the dumpsite were caused or exacerbated by proximity to the site.

Response: *The recommendation has been implemented.*

The State of California, Department of Toxic Substances Control (DTSC) has a statutory responsibility to regulate hazardous waste and to clean up existing contamination. DTSC assures that companies and individuals appropriately handle, transport, store, treat, dispose of, and clean up hazardous wastes. In accordance with California Environmental Protection Agency's 2003 Consent Order, DTSC maintains lead oversight of the Nesi-Ascon site, including evaluation and assessment of possible health issues. To ensure that a coordinated and comprehensive assessment of health issues occurs, Orange County Health Care Agency forwards any complaints or any information on possible illness to DTSC for inquiry, analysis, and evaluation. DTSC will continue to conduct Health Risk Assessments during and after site remediation.