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NEWS | FEATURE

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'We're Being Stonewalled'

OC grand jury says Surf City officials stand in the way of toxic cleanup

by Nich Schou

Huntington Beach's infamous toxic dumpsite may not be California's biggest, but it's one of the most dangerous.

The Ascon-Nesi hazardous-waste dump includes three 25-foot-deep oil lagoons (only partially covered) and a styrene pit protected by little more than a plastic tarp. Residents have long complained about the foul odor that emanates from the styrene pit, and rumors of people dying from cancer thanks to Ascon-Nesi are legendary in the surrounding neighborhood. Most disturbing is that the dumpsite is easily accessible to trespassers, including any of the 2,300 students who attend nearby Edison High School.



Don't kick the buckets!
Photo by Johan Vogel

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Ascon-Nesi is so dangerous that the California Department of Toxic Substances Control (DTSC) says there's no way to clean it up without threatening the safety of the surrounding community. And according to a June 14 report by the Orange County grand jury, political inertia—what the jury calls a "who-cares" attitude among Huntington Beach officials—makes an immediate solution unlikely.



More than a decade after it ceased operations, Ascon-Nesi is still highly toxic and, in the words of the grand jury, "so easily breachable that there are trails emanating from the holes in the fences." The damning six-page report claimed that during the jury's months of investigation into the dumpsite, both city and county officials essentially refused to take any action to protect the public from Ascon-Nesi.

According to the report, "meetings with city officials in Huntington Beach have left the grand jury with feelings of frustration summed up by the reaction: 'We're being stonewalled.'

"The city of Huntington Beach does not assume the degree of responsibility for monitoring the Nesi/Ascon [sic] site that seems prudent to the grand jury," the report continued. "The community and county should mount a more rigorous push to resolve and eliminate the dirty, dangerous dump. . . . One would think that local pride and community service would have provided better results. But instead, the prevailing reaction received by the grand jury has been the old 'if it ain't broke, don't fix it.'"

That conclusion was apparently confirmed when Huntington Beach officials didn't react to the highly critical report for two weeks, when officials finally got together at a June 28 meeting to discuss a response.

There's no sign that any new ideas came out of that meeting. "We're going to be preparing a response which will be given to the [next] grand jury in September," said senior city planner Mary Beth Broeren. "In the meantime, we're going to continue to monitor the fencing and work with the property owner to make sure the fence is in good working order."

Asked if the city would put up separate fences around the oil lagoons and styrene pit—one of the grand jury's specific safety recommendations—Broeren reckoned not. "We did discuss that, and I don't believe there is anything in the city regulations that covers that," she said. "That's the purview of the DTSC as far as we know."


Much of the grand jury's report mirrored concerns first raised three years ago by the *Weekly* ("How Not to Clean up a Toxic Waste Dump," Aug. 1, 1997). That story described how several efforts to clean up Ascon-Nesi went nowhere. In 1991, the site's previous owner, Nesi Investment Group, got the city to rezone the property to build a housing project there, something Nesi hoped would pay for cleanup operations. The company proposed sucking the waste out of the lagoons and hauling it away in trucks—a two-year process state officials now say is too dangerous. By then, the plan had already succumbed to pressure from residents who said they'd rather live next door to a toxic-waste pit than a new apartment building.

Ascon-Nesi's current owner, Signal Landmark Mortgage Co. Inc., bought the property in 1993, shortly after Nesi Development Group went broke. Signal Landmark has been working with consultant Marina Robertson of the Green Park Holdings Group LLC to come up with a revised cleanup plan, which it finally submitted to the DTSC a few months ago. The new plan is to treat the waste on-site by sucking the lagoon's numerous cancer-causing toxins out of the ground and turning the remaining (hopefully harmless) sludge into foundation soil for a proposed tract of apartment buildings and single-family homes. The DTSC is expected to issue its response to the plan sometime in the next few months.

Both the county Board of Supervisors and Huntington Beach officials have six months to respond to the grand jury, which in a series of findings asked both entities to take immediate measures such as seeking federal cleanup money, increasing police surveillance of the dumpsite and building new fences to ensure public safety.

Orange County grand juror William Atkinson, who chaired the subcommittee that wrote the report, said he is hopeful but not confident about whether city officials will ensure that any of those things will ever happen or whether the site can ever be safely put to rest.

"If they don't react to our report, they are not being prudent," Atkinson said. "Their defense is that this is a private deal, but that's not true. Their mission is to protect the city of Huntington Beach from potential dangers. Why they would let this go on, I don't know."

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