County of San Diego

Auditor and Controller

OFFICE OF AUDITS & ADVISORY SERVICES

MANAGEMENT ADVISORY SERVICES

HAZARDOUS INCIDENT RESPONSE TEAM – DEPARTMENT OF ENVIRONMENTAL HEALTH

FINAL REPORT

Chief of Audits: Juan R. Perez
Senior Audit Manager: Laura R. Flores, CIA, CFE, CGAP
Supervising Senior Auditor: Lindsey Heeszel, CPA, CIA, CFE

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TRACY M. SANDOVAL
GENERAL MANAGER/
AUDITOR & CONTROLLER
(619) 531-5413
FAX: (619) 531-5219

County of San Diego

FINANCE & GENERAL GOVERNMENT GROUP

1600 PACIFIC HIGHWAY, SUITE 166, SAN DIEGO, CA 92101-2422

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January 6, 2014

TO: John Miller, Director
Environmental Health

FROM: Juan R. Perez
Chief of Audits

FINAL REPORT: HAZARDOUS INCIDENT RESPONSE TEAM

Enclosed is our Management Advisory Services final report regarding the Hazardous Incident Response Team. The report includes observations and recommendations made during our review.

Thank you for the opportunity to be of service to your office.

If you have any questions, please contact me at (858) 495-5661.

JUAN R. PEREZ
Chief of Audits

AUD:WA:aps

Enclosure

c: Sarah Aghassi, Deputy Chief Administrative Officer, Land Use and Environment Group
Tracy M. Sandoval, Deputy Chief Administrative Officer/Auditor and Controller
Lisa Keller-Chiodo, Group Finance Director, Land Use and Environment Group

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WHY OAAS PROVIDED THE SERVICES

Objective

At the request of the Land Use and Environmental Group (LUEG) management, the Office of Audits & Advisory Services (OAAS) provided management advisory services for the Department of Environmental Health (DEH). The mutually agreed upon objective was to assess the administration of the Hazardous Incident Response Team (HIRT) contract.

Background

DEH and the San Diego Fire Department (SDFD) jointly make up the HIRT and together respond to chemically related emergencies or complaints throughout the County. DEH provides these services based on the provisions of the "agreement to provide Hazardous Materials Incident Response Team (HIRT) during hazardous materials emergencies" entered with the Unified San Diego Emergency Services Organization (ESO). The HIRT was established in 1981 by the Unified Disaster Council (UDC) and is funded by a Joint Powers Agreement (JPA). The JPA is made up of representatives from the County of San Diego (County), the City of San Diego, and the 17 other cities in the County.

The JPA created the ESO and the UDC. The ESO was established to provide countywide emergency services programs including HIRT, as determined and approved by the UDC, its policy making body.

The HIRT services also extend to participating Indian Reservations and military bases. The HIRT contract is administered by the Office of Emergency Services (OES) on behalf of the UDC.

Scope & Limitations

The scope of the project included a limited review of the HIRT program and administration of the HIRT contract.

Methodology

OAAS performed the review using the following methods:

- Interviewed key DEH and OES personnel regarding the HIRT contract, structure, and relationships with other parties.
- Examined key documents and contracts related to the HIRT.
- Mapped an overview of the HIRT structure as well as key processes to gain an understanding of the contract administration.

WHAT OAAS FOUND

Summary of Results

Based on the limited review conducted, OAAS determined that the administration of the HIRT contract is adequate and efficient. However, HIRT related processes are highly complex and interconnected. To better explain the administration of the contract, OAAS prepared a narrative that provides an overview of the HIRT contract and its relationships with other parties along with a process flow to illustrate the

process. OAAS also developed a narrative and a flowchart to depict the procedure established to recover costs of responding to incidents caused by a negligent or criminally liable responsible party.

HIRT Contract Administration Overview (see Exhibit A)
As the contract administrator, OES is responsible for the procurement process when the HIRT contract is up for renewal (every 10 years) and for the coordination of the process to amend the contract every two years to adjust the rates charged to members. The member fees for HIRT services covers DEH-HIRT costs, 50% of SDFD-HIRT costs, and an administrative fee for the administration of the contract by OES. The City of San Diego does not pay member service fees; instead, the 50% reduction of fees charged is treated as an in-kind transaction. The County pays for half of the total HIRT contract. Although DEH makes the County payments to OES, the funding source is 1991 Realignment funds from HHSA. The remaining contract amount is split among the 17 other cities, based on population and real and personal property valuations. The participating Indian Reservations and military bases also pay a flat fee for HIRT services.

OES collects and deposits member payments into the HIRT Trust Fund. These monies pay for services provided by DEH-HIRT and SDFD-HIRT, as well as the administrative services provided by OES.

HIRT Cost Recovery from Responsible Party (see Exhibit B)
When a spill or release of hazardous materials is the result of a criminal activity or negligence, HIRT will seek reimbursement for their costs from the responsible party.

If the spill occurs outside the City of San Diego, DEH-HIRT will prepare the invoice for both DEH and SDFD costs and submit to OES. OES will then send the invoice to the responsible party. If the spill occurs in the City of San Diego, DEH-HIRT will prepare the invoice for DEH-HIRT costs only and submit to OES. SDFD will then prepare an invoice for the cost recovery for SDFD only and submit to the responsible party.

Recovered funds are placed in the HIRT Trust Fund and are used to reduce future member fees.

Exhibit A

HIRT Contract Administration Overview

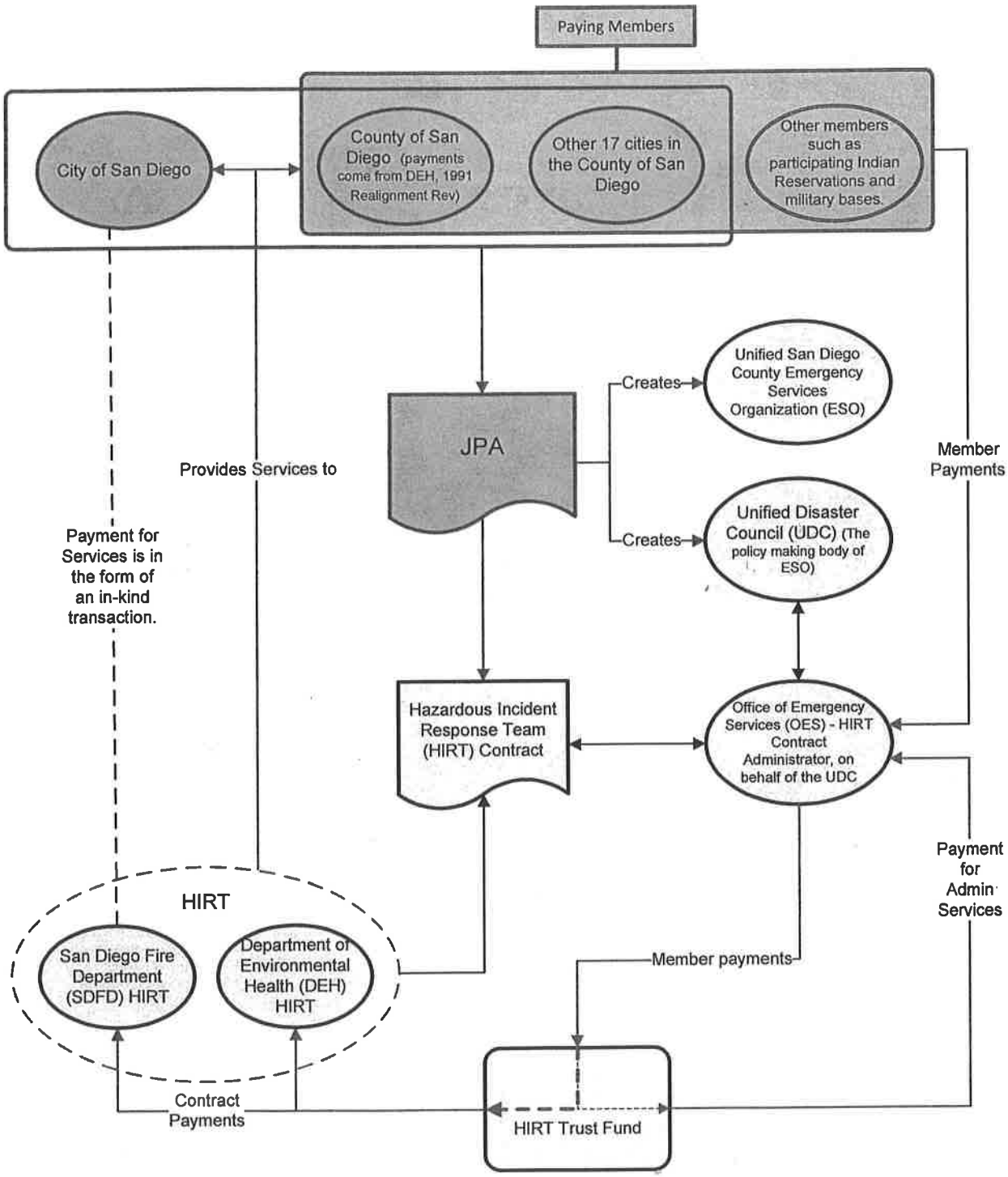
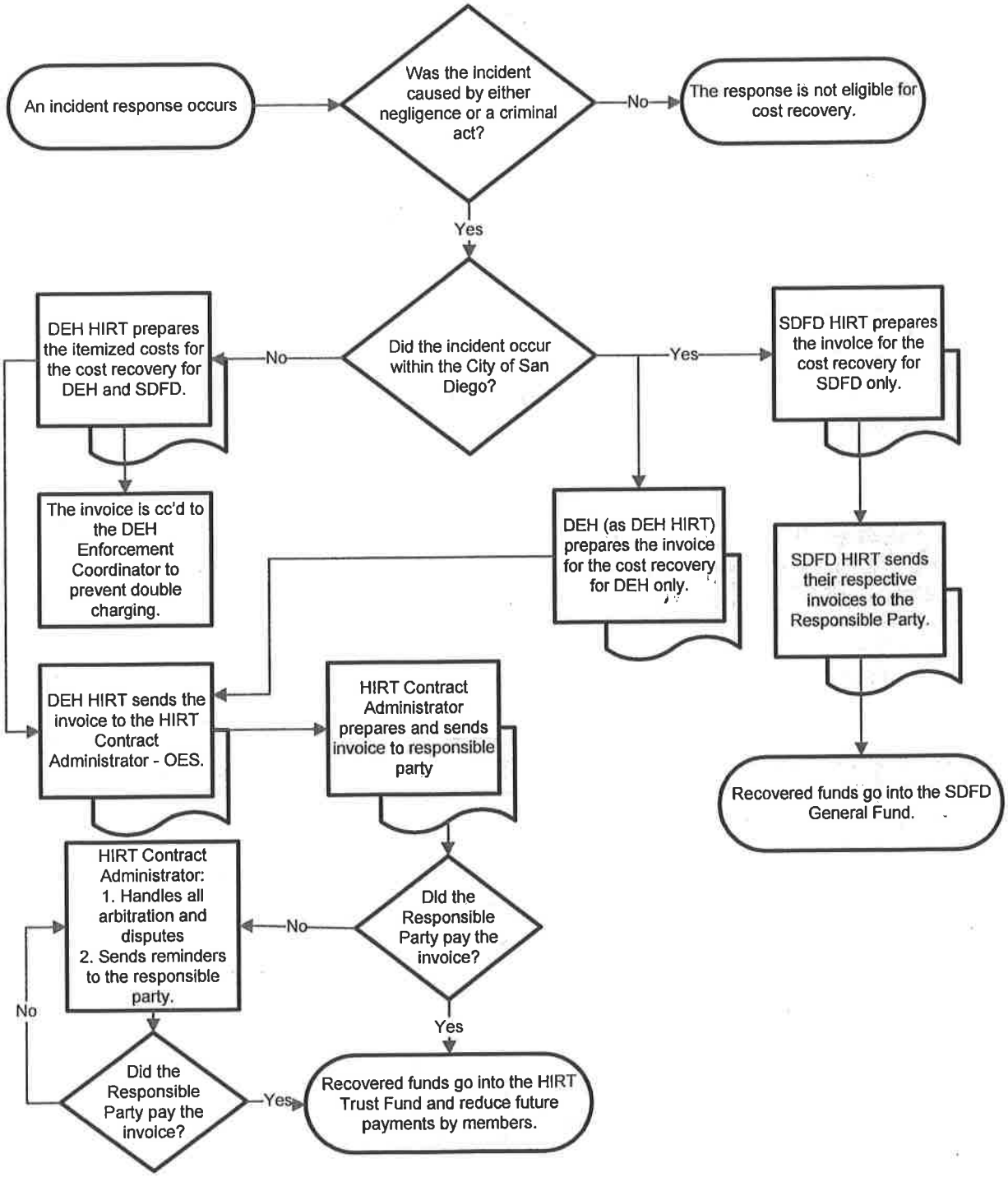


Exhibit B

HIRT Cost Recovery from Responsible Party