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## Los Angeles Regional Water Quality Control Board

August 23, 2019

Daniel M. Moine Trust  
1 CVS Drive  
Woonsocket, RI 02895-6167

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
CLAIM NO.: 7018 1130 0001 5911 4141

CVS Inc.  
1 CVS Drive  
Woonsocket, RI 02895-6167

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
CLAIM NO.: 7018 1130 0001 5911 4158

### **UNDERGROUND STORAGE TANK PROGRAM – WORK PLAN REQUIREMENT AND REQUEST FOR ADDITIONAL INFORMATION**

**CVS PHARMACY (FORMER ROLLING HILLS CARWASH)  
25825 SOUTH NARBONNE AVENUE, LOMITA  
(CASE NO. I-01353A) (GLOBAL ID NO. T10000013272)**

Dear Daniel M. Moine Trust and CVS Inc.:

The California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Regional Board), is the public agency with primary responsibility for the protection of ground and surface water quality for all beneficial uses within the Los Angeles and Ventura counties. As such, the Los Angeles Regional Board is the lead regulatory agency for overseeing corrective actions (assessment and/or monitoring activities) and cleanup of releases from leaking underground storage tank (UST) systems at the subject site (Site).

The Los Angeles Regional Board received notification of benzene detection in the City of Lomita Well No. 5 located at the south end of Cypress Street in the City of Lomita, approximately 1,130 feet southwest of the Site. Analytical testing data from Lomita Well No. 5 reported concentrations of benzene at 0.54 micrograms per liter ( $\mu\text{g/L}$ ) in May 2018, 3.2  $\mu\text{g/L}$  in April 2019, and 3.7  $\mu\text{g/L}$  in May 2019, and Lomita Well No. 5 was subsequently taken off-line. The Los Angeles Regional Board has initiated an investigation to identify the source(s) of benzene impacting Lomita Well No. 5. As USTs were used at the Site to store gasoline and the Site may be hydrologically upgradient from Lomita Well No. 5, the Site has been identified as a potential source.

Pursuant to Health and Safety Code Section 25296.10, you are required to take corrective actions (i.e. Preliminary Site Assessment, Soil and Water Investigation, Corrective Action Plan Implementation, and Verification Monitoring) to ensure protection of human health, safety, and the environment. Corrective action requirements are set forth in CCR, Title 23, Chapter 16, Sections 2720 through 2727.

### **Work Plan Requirement (per CCR, Title 23, Chapter 16, §2724)**

In order to determine the extent of contaminants at the Site, you are required to submit a work plan proposing the advancement of soil borings into groundwater and the collection of soil and groundwater samples to determine the extent of contamination. The work plan is due to the Los Angeles Regional Board by **September 30, 2019**.

### **Request for Additional Information**

In addition to the required work plan, you are required to provide the following information regarding the Site to the Los Angeles Regional Board by **September 30, 2019**:

1. Facility mailing address, contact person's name, phone number, and email address, if any;
2. Your telephone number and email address;
3. Contaminant release information (e.g., copy of Site Assessment Report);
4. A list of all historical and existing USTs (including tank size and contents, dates of use, dates of removal, and a figure showing their location);
5. UST removal and/or repair information (include tank size and contents, removal and/or repair date);
6. Tank disposal documentation; as well as soil disposal documentation (if any);
7. Copies of all previous site assessment and/or remediation report(s).
8. Reports of all previous soil and groundwater sample analytical results, if any;
9. Name, telephone number, and email address of your environmental consultant, if any;
10. Copies of all correspondence regarding environmental assessment for the subject site;
11. Current site use; and
12. Property Owner Information: Pursuant to the California Health and Safety Code Section 25296.20(a) and Division 7 of the Porter Cologne Water Quality Control Act under AB 681, the Los Angeles Regional Board is required to notify all current fee

title holders for the Site or sites impacted by releases from underground storage tanks prior to considering corrective action and cleanup or case closure. If corrective action data from the Site indicate that release(s) from the UST systems have impacted offsite property, we are also required to notify offsite property owners. Therefore, you are required to provide to the Los Angeles Regional Board the name, mailing address, and phone number for any record fee title holders for the Site and any offsite property(ies) impacted by releases from the Site, together with a copy of county record of current ownership (grant trust deed), available from the County Recorder's Office, for each property affected. Or as an alternative, you can complete the Los Angeles Regional Board's "Certification Declaration for Compliance with Fee Title Holder Notification Requirements," for each site available at [https://www.waterboards.ca.gov/losangeles/publications\\_forms/forms/ust/ab681\\_fm.pdf](https://www.waterboards.ca.gov/losangeles/publications_forms/forms/ust/ab681_fm.pdf).

Copies of future technical reports shall also be sent directly to the property owner of the Site and to any other property owner(s) impacted by contamination from the Site. You are also responsible to provide new contact information if the property owner(s) changes. The new owner shall comply with the requirement stated above.

### **General Requirements**

13. The contractor who conducts the environmental work as required in this directive shall, at all times, comply with all applicable State laws, rules, regulations, and local ordinances specifically including, but not limited to, environmental, procurement, and safety laws, rules, regulations, and ordinances. The contractor shall obtain the services of a Professional Geologist or Engineer, Civil (PG/PE-Civil) to comply with the applicable requirements of the Business and Professions Code, sections 6700 et seq. and/or 7800 et seq. implementing regulations for engineering or geological analysis and interpretation for this case. All documents prepared by the contractor that reflect or rely upon engineering or geological interpretations by the contractor shall be signed and stamped by the PE-Civil/PG indicating her/his responsibility for them, as required by the Business and Professions Code.

### **Regulatory Requirement for Electronic Submission of Laboratory Data to the State GeoTracker Internet Database**

On September 30, 2004, the State Water Resources Control Board (State Board) adopted the resolution to revise regulations in Chapter 30, Division 3 of Title 23 of CCR, which requires persons to ensure electronic submission of laboratory analytical data (i.e., soil or water chemical analysis) and locational data (i.e., location and elevation of groundwater monitoring wells) via the Internet to the State Board's GeoTracker database. The regulations and other background information are available at <http://geotracker.waterboards.ca.gov>.

In accordance with the regulations, you must upload the following information to the State Board's GeoTracker database: the report (in PDF format), laboratory analytical data (in electronic data format [EDF]), monitoring event information in GEO\_WELL format,

an updated site map (GEO\_MAP) showing the new monitoring well locations, boring logs in PDF (GEO\_BORE) to be used to link to well locations, monitoring well latitude and longitude (GEO\_XY) survey data, and monitoring well elevation data (GEO\_Z). Hard copy paper reports, which have already been electronically uploaded to GeoTracker, are no longer required to be submitted to the Los Angeles Regional Board.

### **Enforcement**

Pursuant to Health and Safety Code section 25299, subdivision (d), any person who violates any corrective action requirement established by, or issued pursuant to, section 25296.10 is liable for a civil penalty of not more than ten thousand dollars (\$10,000) for each underground storage tank for each day of violation. A civil penalty may be imposed by civil action pursuant to Health and Safety Code section 25299, subdivision (d)(2) or imposed administratively by the Los Angeles Regional Board pursuant to California Water Code (CWC) sections 13323 through 13328. The Los Angeles Regional Board may also request that the Attorney General seek judicial civil liabilities or injunctive relief pursuant to CWC sections 13264, 13304, and 13340. The Los Angeles Regional Board reserves its rights to take any further enforcement action authorized by law.

If you have any questions regarding this matter, please contact Dr. Weixing Tong at (213) 576-6715 or by email at [weixing.tong@waterboards.ca.gov](mailto:weixing.tong@waterboards.ca.gov), or Mr. James W. Ryan IV at (213) 576-6711 or by email at [jamesw.ryan@waterboards.ca.gov](mailto:jamesw.ryan@waterboards.ca.gov).

Sincerely,



Renee Purdy  
Executive Officer

Enclosure: AB681 Certification Declaration Form

cc: Ric Roda, State Water Resources Control Board, Division of Drinking Water  
Brian Partington, Water Replenishment District of Southern California  
Tim Smith, Los Angeles County Department of Public Works,  
Environmental Program Division  
Carla Dillon, City of Lomita, Department of Public Works