



Los Angeles Regional Water Quality Control Board

July 21, 2020

CVS Inc.
Attn: Mr. David Conway
One CVS Drive – MC2340
Woonsocket, RI 02895-6167

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
CLAIM NO.: 7018 1830 0001 5952 6084

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
CLAIM NO.: 7018 1830 0001 5952 6091

PCH Lomita, LLC
Attn: Mr. Charles Moine
521 East D Street
Wilmington, CA 90744

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
CLAIM NO.: 7018 1830 0001 5952 6107

UNDERGROUND STORAGE TANK PROGRAM – REVIEW OF SITE INVESTIGATION WORK PLAN

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

Dear Mr. Conway, Mr. Moine, and the Daniel M. Moine Trust:

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 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).

Pursuant to Health and Safety Code Section 25296.10, CVS Inc. (CVS), the Daniel M. Moine Trust, and PCH Lomita, LLC, (collectively “Responsible Parties”) 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 California Code of Regulations (CCR), Title 23, Chapter 16, Sections 2720 through 2727.

IRMA MUÑOZ, CHAIR | RENEE PURDY, EXECUTIVE OFFICER

Los Angeles Regional Board staff has received the documents titled "Work Plan for Site Assessment" (Work Plan) dated June 30, 2020, prepared by Terracon Consultants, Inc. (Terracon), on behalf of CVS, and "Regulatory Response Letter" (Response) dated July 7, 2020, prepared by Leymaster Environmental Consulting, LLC (LEC), on behalf of PCH Lomita, LLC. Los Angeles Regional Board staff has reviewed the Work Plan and Response and information in our case file.

Summary of Response

LEC provided a summary of previous investigations completed at the Site, indicating that benzene was detected in one soil sample collected beneath a UST at the Site. Benzene was not detected in any other soil samples collected at the Site down to 50 feet below ground surface (bgs). LEC also provided information regarding benzene concentrations in soil, groundwater, and surface water samples collected at properties within the vicinity of the Site and Lomita Well No. 5. Based on the data, LEC requested that the Site be removed as a potential responsible party for the benzene detected in Lomita Well No. 5.

Summary of Site Assessment Work Plan

To determine the extent of soil and groundwater impacts in the areas of the former car wash USTs, the former gas station, and other geophysical anomalies, Terracon proposes to advance three soil borings at the Site to approximately 150 feet bgs using hollow-stem auger drilling methods. Groundwater is expected to be encountered at approximately 140 feet bgs at the Site. Soil samples will be collected at five-foot intervals in each boring beginning at five feet bgs. Upon reaching total depth, a temporary well will be installed in each boring for the collection of a grab groundwater sample. Soil and groundwater samples will be tested for total petroleum hydrocarbons as gasoline (TPHg), as diesel (TPHd), and as oil (TPHo) by modified Environmental Protection Agency (EPA) Method 8015 and for the full suite of volatile organic compounds (VOCs) by EPA Method 8260B. The 5-foot and 10-foot samples collected in the boring located in the area of the former gasoline station will also be tested for polycyclic aromatic hydrocarbons (PAHs) by EPA Method 8270C. Based on laboratory analytical results for the grab groundwater samples, each boring will either be completed as a permanent groundwater monitoring well or properly abandoned.

Los Angeles Regional Board Comments (per CCR, Title 23, Chapter 16, §2725)

Los Angeles Regional Board staff have reviewed LEC's request on behalf of PCH Lomita LLC to remove the Site as a potential responsible party for the benzene detected in Lomita Well No. 5. Additional data is required to determine whether benzene and other petroleum hydrocarbon impacts at the Site have migrated down and impacted groundwater at the Site. Therefore, the Los Angeles Regional Board believes the request is premature and denies the request. The Responsible Parties must jointly comply with Los Angeles Regional Board requirements. Los Angeles Regional Board staff encourages the Responsible Parties to work together to meet Los Angeles Regional Board requirements.

Los Angeles Regional Board staff concurs with the Work Plan, provided the following conditions are met:

1. Los Angeles Regional Board staff concurs with the locations and advancement of the two proposed soil borings in the northern portion of the Site. The southern proposed boring location appears to be north of the location of the former Rolling Hills Car Wash USTs and needs to be relocated. The Responsible Parties are required to locate the southern proposed boring to a position closer to the location of the former USTs. A revised map showing the locations of the proposed borings shall be submitted for Los Angeles Regional Board staff's approval prior to beginning field activities.
2. Los Angeles Regional Board staff concurs with the proposed analytical testing suite for soil and grab groundwater samples.
3. Soil samples shall be collected in all eight proposed borings at five-foot intervals beginning at five feet bgs, at changes in soil lithology, and at areas of obvious contamination for lithological logging, field screening, and chemical testing purposes. All soil samples collected must be field screened for petroleum hydrocarbons using either a Photoionization Detector (PID) or a Flame Ionization Detector (FID). Soil samples collected at five-foot intervals in each boring must be collected and preserved in accordance with EPA Method 5035 and submitted to an analytical laboratory for chemical testing.
4. Soil borings not completed as groundwater monitoring wells must be properly sealed per requirements prescribed in the California Well Standards (Bulletin 74-90), published by the California Department of Water Resources (can be seen at https://water.ca.gov/LegacyFiles/pubs/groundwater/water_well_standards_bulletin_74-90/ca_well_standards_bulletin74-90_1991.pdf). If soil borings are completed as permanent groundwater monitoring wells, the construction and development of groundwater monitoring wells must comply with requirements prescribed in the California Well Standards.
5. The professional in responsible charge shall review the borings logs and assume responsibility for their accuracy and completeness.
6. The Responsible Parties are required to submit a technical report detailing the results of the site investigation activities to the Los Angeles Regional Board by **October 30, 2020**. The report must include, at a minimum, a scaled site map, soil boring logs, soil and groundwater analytical results, a summary of field activities, an evaluation of the data, and recommendations. Based on the data, additional site investigation activities may be required.

General Requirements

7. Soil and groundwater samples must be analyzed by Cal-LUFT GC/FID or Cal-LUFT GC/MS Method for TPHg, TPHd, and TPHo and by EPA Method 8260B for benzene, toluene, ethylbenzene, and xylenes (BTEX), naphthalene, and fuel oxygenate compounds including methyl tertiary butyl ether (MTBE), di-isopropyl ether (DIPE), ethyl tertiary butyl ether (ETBE), tertiary amyl methyl ether (TAME), and tertiary butyl alcohol (TBA). Ethanol is also required and shall be analyzed by either method above. If a waste oil UST was used at the Site, the full suite of aromatic and chlorinated analytes must also be tested and reported per EPA Method 8260B. The analytical detection limits must conform to the Los Angeles Regional Board General Laboratory Testing Requirements (9/06) (http://www.waterboards.ca.gov/losangeles/publications_forms/forms/ust/lab_form_s/labreq9-06.pdf). All respective analytical methods must be certified by the California Environmental Laboratory Accreditation Program (ELAP). All analytical data must be reported by a California-certified laboratory.
8. 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 PG/PE-Civil indicating her/his responsibility for them, as required by the Business and Professions Code.
9. The Responsible Parties are required to obtain all necessary permits from the appropriate agencies and make all required notifications prior to the start of work.
10. Please provide Los Angeles Regional Board staff a minimum of **10 days** advance notice by email (jamesw.ryan@waterboards.ca.gov) prior to commencing any field work.

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, the Responsible Parties 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 at weixing.tong@waterboards.ca.gov, or Mr. James W. Ryan IV at (213) 576-6711 or at jamesw.ryan@waterboards.ca.gov.

Sincerely,

Renee Purdy
Executive Officer

cc: Ric Roda, State Water Resources Control Board, Division of Drinking Water
Dmitriy Ginzburg, 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
Fabio Minervini, Terracon Consultants, Inc.
Greg Buchanan, Leymaster Environmental Consulting, LLC