



Los Angeles Regional Water Quality Control Board

November 20, 2020

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
CLAIM NO.: 7018 2290 0001 8504 2737

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
CLAIM NO.: 7018 2290 0001 8504 2744

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
CLAIM NO.: 7018 2290 0001 8504 2751

UNDERGROUND STORAGE TANK PROGRAM – NOTICE OF VIOLATION

**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 (Regional Water 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 Regional Water 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

In a directive dated July 21, 2020 (copy enclosed), the Regional Water Board approved a work plan for the advancement of three soil borings into groundwater and the collection of soil and grab groundwater samples from those borings for chemical testing. The Regional Water Board required the Responsible Parties to complete these activities and submit a technical report detailing the results of the site investigation activities by October 30, 2020. On November 12, 2020, Regional Water Board staff received an email from Mr. Charles Moine of PCH Lomita, LLC, requesting additional time in order to review the well installation report for the UST case located across the street from the Site at 25808 South Narbonne Avenue in the City of Lomita, which is due to the Regional Water Board by December 7, 2020. Regional Water Board staff do not concur that to be an adequate reason to delay work on your site. The Regional Water Board has not received the required technical report detailing the results of the site investigation activities at the Site nor has Regional Water Board staff received notification of the commencement of field activities at the Site.

PCH Lomita, LLC's request for additional time is denied. The Responsible Parties are required to submit the required technical report, immediately.

YOU ARE HEREBY NOTIFIED that the Responsible Parties are in violation of Health and Safety Code Section 25296.10 and CCR, Title 23, Chapter 16, Section 2723 by failing to provide the technical report detailing the results of the site investigation activities by the due date of October 30, 2020.

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 Regional Water Board pursuant to California Water Code (CWC) sections 13323 through 13328. The Regional Water Board may also request that the Attorney General seek judicial civil liabilities or injunctive relief pursuant to CWC sections 13264, 13304, and 13340. The Regional Water 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,

Hugh Marley
Assistant Executive Officer

Enclosures: Los Angeles Regional Board Directive dated July 21, 2020

cc: Ric Roda, State Water Resources Control Board, Division of Drinking Water
Dmitriy Ginzburg, State Water Resources Control Board, Division of
Drinking Water
Tim Smith, Los Angeles County Department of Public Works,
Environmental Program Division
Carla Dillon, City of Lomita, Department of Public Works
Joe Liles, Water Replenishment District of Southern California
Fabio Minervini, Terracon Consultants, Inc.
Greg Buchanan, Leymaster Environmental Consulting, LLC