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## Los Angeles Regional Water Quality Control Board

November 19, 2019

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

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
CLAIM NO.: 7018 1130 0001 5911 3694

CVS Inc.  
Attn: Ms. Melanie Luker  
One CVS Drive  
Woonsocket, RI 02895-6167

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
CLAIM NO.: 7018 1130 0001 5911 3700

### **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 Ms. Luker and 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 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).

Pursuant to Health and Safety Code Section 25296.10, Daniel M. Moine Trust and CVS Inc. (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.

In a directive letter dated August 23, 2019 (copy enclosed), the Los Angeles Regional Board required the Responsible Parties to submit a site investigation work plan and additional information regarding the Site by September 30, 2019. The Los Angeles Regional Board has not received the required work plan and additional information to date.

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IRMA MUÑOZ, CHAIR | RENEE PURDY, EXECUTIVE OFFICER

**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 site investigation work plan and additional information by the due date of September 30, 2019.

The Responsible Parties are required to submit the required work plan and additional information, immediately.

### **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.

Compliance with the action set forth in the Notice of Violation does not affect the Los Angeles Regional Board's authorization to take enforcement action against you for any of the violations noted herein.

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

Sincerely,



Hugh Marley  
Assistant Executive Officer

Enclosure: Los Angeles Regional Board Directive dated August 23, 2019

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