



# LUKINS BROTHERS WATER COMPANY, INC.

SINCE 1947

February 9, 2016

Sue Genera, Executive Assistant  
Lahontan Regional Water Quality Control Board  
2501 Lake Tahoe Blvd.  
South Lake Tahoe, CA 96150

**RE: COMMENTS IN RESPONSE TO PROPOSED CLEANUP AND ABATEMENT ORDER, REQUIRING SEVEN SPRINGS LIMITED PARTNERSHIP AND FOX CAPITAL MANAGEMENT CORPORATION, TO CLEAN UP AND ABATE THE DISCHARGE AND THREATENED DISCHARGE OF CHLORINATED HYDROCARBONS TO GROUNDWATERS OF THE LAKE TAHOE HYDROLOGIC UNIT AT 1024 LAKE TAHOE BLVD, SOUTH LAKE TAHOE, EL DORADO COUNTY**

Lukins Brothers Water Company, Inc. has reviewed the Proposed Clean Up and Abatement Order (CAO) issued to Seven Springs Limited Partnership (Seven Springs) and Fox Capital Management Corporation (Fox Capital) on September 15, 2015, to clean up and abate the discharge and threatened discharge of chlorinated hydrocarbons. Lukins has met with representatives from Lahontan Board and South Tahoe Public Utility District regarding this matter.

As a result of our review, Lukins supports the CAO and has 7 comments as listed below. In addition, Lukins Brothers Water Company supports comments made by agencies in support of enforcing the proposed CAO to determine long term damage caused to the entire South Y Basin aquifer as a result of this known chlorinated hydrocarbon discharge to the groundwaters of the Lake Tahoe hydrologic unit at 1024 Lake Tahoe Blvd (subject site).

1. Historical groundwater sample data reflects only shallow groundwater sampling has been completed at the subject site, while public water systems are discovering chlorinated hydrocarbons well above the MCL at well depths from 150' to as deep as 400'. This suggests that the contamination originating at the subject site has migrated much deeper than the current shallow sample wells. Off-site investigations need to be completed to determine both the vertical and lateral extent of the contamination. The extent of long term damage to groundwater aquifers needs to be determined. Impacted aquifer regions need to be investigated at all affected depths so that proper remediation can begin.
2. Recent quarterly reporting by the Parties responsible for remediation of the subject site to Lahontan indicates that contamination still exists in soil despite 5 years of remedial actions. This source is allowing groundwater contamination to continue to be generated every day. It would seem reasonable to consider alternative remedial measures for soil such as excavation of contaminated material and/or thermal treatment of contaminated areas to quickly remediate the source and to prevent ongoing impacts to groundwater.

3. In June of 2015, Fox Capital Management Corporation and Seven Springs Limited Partnership entered into a stipulation agreement with Lahontan whereby Seven Springs and Fox Capital agreed to provide a replacement water supply to the well-owners located at 883 and 903 Eloise Avenue, South Lake Tahoe, as a result of domestic well water data indicating the presence of chlorinated hydrocarbons. Although all Parties agreed that neither Fox Capital nor Seven Springs admitted to any liability under or any violation of the California Water Code or any other federal, state, or local law or ordinance, both the test results and the action to provide replacement water implies that the plume from 1024 Lake Tahoe Blvd. has migrated as far as Eloise Avenue, if not further. This further supports the need to determine the actual off site migration of the plume beyond Eloise since the time of discovery, both vertically and horizontally.
4. Lahontan investigations have not been successful in identifying additional source(s) of PCE contamination affecting west side supply wells. Seven Springs and Fox Capital, as the named source, should be responsible for determining the actual migration of PCE through the entire aquifer. We feel it would be in the best interest of all parties if any additional investigations are conducted in a similar fashion to the previous USA gasoline/MTBE investigation in South Lake Tahoe.
5. According to the text of the proposed CAO, Fox Capital Management Corporation and Seven Springs Partnership do not believe that the PCE contamination detected in various down gradient wells originated from the subject site. If this is their position, then they should complete the vertical and horizontal delineation of the plume that does emanate from the subject site to prove or disprove their belief. Completion of this delineation may also have the desired effect of eliminating or reducing the need for Lahontan to conduct expensive groundwater investigations looking for other sources.
6. Information provided to the Water Board indicates that between February 5 and August 6, 2013, the ozone sparge system at the subject site had reportedly malfunctioned and required repairs. As a result of six months of down time, PCE concentrations in groundwater rose from 5.9 ppb to 450 ppb. This shutdown potentially created a new discharge from the 1024 Lake Tahoe Blvd site. A complete investigation into this discharge should be conducted to determine both the horizontal and vertical delineation of the contamination, and how it relates to the existing contaminant plume. In addition, Seven Springs and Fox Capital should be responsible for off-site remediation associated with discharges from the subject site.
7. Remediation systems need to be developed away from as well as at the original contamination site, as was done for the USA Gas Station. While efforts are being made to prevent any further discharge from leaving the site, past discharges that are migrating through the aquifer are continuing to contaminate the drinking water supply in the entire South Y area which jeopardize public health and safety. Remediation of the entire aquifer is the only way to attempt to contain the movement of the plume.

Sincerely,



Jennifer Lukins

Lukins Brothers Water Company, Inc.