



October 28, 1999

CRAIG THOMPSON
SUPERVISING DEPUTY ATTORNEY GENERAL
STATE OF CALIFORNIA
1306 "I" STREET
P.O. BOX 94255
SACRAMENTO CA 95814

Dear Mr. Thompson:

This office and the Mateel Environmental Justice Foundation ("Mateel") give you notice that the private businesses named on the attached service list have been, are, will be and threaten to be in violation of Cal. Health & Safety Code § 25249.6. Both this office and Mateel are private enforcers of Proposition 65, both may be contacted at the below listed address and telephone number, and I am a responsible individual for both Mateel and this office. The above referenced violations occur when California residents come into contact with brass irrigation products these companies market, such as brass hose nozzles, brass impact sprinklers, brass rolling sprinklers, brass sprinklers, brass hose couplings, brass sprinkler head wrenches, brass flush sprinklers, brass automatic actuators, brass manifolds, brass quick connects, and brass anti-siphon valves and unions. All of these products expose the people who come into contact with them to lead and lead compounds ("lead"), a chemical known to cause cancer, birth defects and other reproductive harm. People are exposed to lead when they handle these products to water or otherwise irrigate lawns and gardens, or when they install or maintain irrigation systems. These exposures to lead occur via the dermal absorption, ingestion, inhalation, and subcutaneous routes. These violations and threatened violations pertain to lead's properties both as a carcinogen and a reproductive toxin. These private businesses did not and do not provide people with clear and reasonable warnings before they expose them to these chemicals. These violations have occurred every day since at least October 10, 1995 and will continue every day until clear and reasonable warnings are provided or until these companies' products are reformulated so as not to contain lead. These violations are for occupational exposures as well as consumer and environmental exposures. We do not, however, allege occupational exposure violations as to any manufacturer for products that manufacturer makes outside California. Exposures occur both on and off the property of the private businesses named on the attached service list.

Cordially,

William Verick

SERVICE LIST

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RON LINDQUIST, PRESIDENT
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DAVID HODNIK, PRESIDENT
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GILMOUR MANUFACTURING
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KENT C. ERICKSEN,
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PRESIDENT OR CEO
CHAMPION IRRIGATION
PRODUCTS
1460 NAUD
LOS ANGELES, CA 90012

JOHN FAIN, PRESIDENT
TEKNOR APEX COMPANY
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LAW OFFICE OF FREDRIC EVENSON

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TELEPHONE (510) 647-1900
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COPY

February 16, 2001

Craig C. Thompson
Supervising Deputy Attorney General
California Department of Justice
1300 "I" Street
P.O. Box 94255
Sacramento, CA 95814

Dear Mr. Thompson:

This office and the Mateel Environmental Justice Foundaiton ("Mateel") give you notice that the private businesses named on the attached service list have been, are, will be and threaten to be in violation of Cal. Health & Safety Code § 25249.5 and § 25249.6. Both this office and Mateel are private enforcers of Proposition 65, both may be contacted at the below listed address and telephone number, and I am a responsible individual for both Mateel and this office. The above referenced violations occur from use and handling of brass irrigation and lawn and garden watering equipment, including, brass hose nozzles, brass impact sprinklers, brass rolling sprinklers, brass hose couplings, brass quick connects, brass sprinkler head wrenches, brass flush sprinklers, brass automatic actuators, brass manifolds, and brass anti-siphon valves and unions. These brass irrigation products expose people who come into contact with them to lead and lead compounds ("lead"), a chemical known to cause cancer, birth defects and other reproductive harm. People are exposed to lead when they handle these products to water or otherwise irrigate lawns and gardens, or when they install or maintain irrigation systems. The exposures to lead occur via the dermal, ingestion, inhalation, and subcutaneous routes. Further, the brass irrigation and lawn and garden watering equipment discharge lead into sources of drinking water. The violations and threatened violations pertain to lead properties as both a carcinogen and a reproductive toxin. The private businesses named on the attached service list did not and do not provide people with clear and reasonable warnings before they expose them to these chemicals. These violations have occurred every day since at least February 16, 1997, and will continue every day until clear and reasonable warnings are provided or until these companies' products are reformulated so as not to contain lead. These violations are for occupational exposures as well as consumer and environmental exposures. We do not, however, allege occupational exposure violations as to any manufacturer for products that manufacturer makes outside California except as to workplaces that are either not covered by the federal Occupational Safety and Health Act or which occur at workplaces the company itself maintains in California. Exposures occur both on and off the property of the private businesses named in the attached service list and in every county of the State.

Cordially,



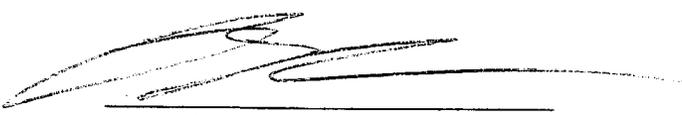
Fredric Evenson

This notice alleges the violation of Proposition 65 with respect to occupational exposures governed by the California State Plan for Occupational Safety and Health. The State Plan incorporates the provisions of Proposition 65, as approved by Federal OSHA on June 6, 1997. This approval specifically placed certain conditions on Proposition 65, including that it does not apply to conduct of manufacturers occurring outside the State of California. The approval also provides that an employer may use the means of compliance in the general hazard communication requirements to comply with Proposition 65. It also requires that supplemental enforcement is subject to the supervision of the California Occupational Safety and Health Administration. Accordingly, any settlement, civil complaint, or substantive court orders in this matter must be submitted to the Attorney General.

CERTIFICATE OF SERVICE

I, Brian Acree declare:

If called I could and would testify as follows: I am over eighteen. My business address is 2070 Allston Way, Suite 300, Berkeley, CA 94704. On February 16, 2001, I caused the attached 60-DAY NOTICE LETTER, or a letter identical in substance, to be served on those public enforcement agencies listed on the attached SERVICE LIST by U.S. mail, placing it in a sealed envelope with appropriate first class postage affixed and placing it for collection in Berkeley, CA. On the same date I caused the attached 60-DAY NOTICE LETTER and PROPOSITION 65: A SUMMARY to be served by Certified Mail, Return Receipt Requested on the private business entities also listed on the attached SERVICE LIST by depositing copies of these documents in envelopes, postage prepaid, for collection by the U.S. Postal Service in Berkeley, CA. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on February 16, 2001 in Berkeley, CA.



Brian Acree

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PRESIDENT
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HARDWARE CORP.
ORCHARD SUPPLY
HARDWARE STORES CORP.
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LONGS DRUG STORES CORP.
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