

VIA U.S. MAIL

March 21, 2002

60-Day Notice of Intent to Sue Under Health & Safety Code Section 25249.6

(This Proposition 65 notice fully incorporates herein the contents and effect of, and time period of alleged violations found in, the Proposition 65 notice sent to the noticed parties in December 2001). ***This notice is given by Consumer Advocacy Group, Inc. 9899 Santa Monica Boulevard, # 225, Beverly Hills CA 90212.*** The noticing party must be contacted through the following entity: **Reuben Yeroushalmi, Yeroushalmi & Associates; 3700 Wilshire Blvd. Ste. 480 Los Angeles CA 90010; 213-382-3183.** This letter constitutes notification that Consumer Advocacy Group, Inc. believes and alleges that Proposition 65, *The Safe Drinking Water and Toxic Enforcement Act* (commencing with Health & Safety Code Section 25249.5) and California Code of Regulations, title 22, section 12601 have been violated by the following companies and/or entities (hereinafter, "the violators") and during the time period referenced below:

NAMES OF COMPANIES ON THE ATTACHED EXHIBIT A

		PERIOD OF VIOLATION	
From:	12/21/97	Through	3/21/02 And continuing thereafter.

Environmental Exposures

While in the course of doing business at, but not limited to:

The locations on the attached Exhibit A

during the time period referenced above, in the normal course of business, during which violators installed, repaired, and replaced roofs, the violators have been and are knowingly and intentionally exposing reasonably foreseeable members of the public, including neighbors and residents, passersby, motorists, and inspectors not in the direct employ of violators and found within a 50 foot radius of the locations at which **roofing** work has been performed, using products containing **Asphalt**, including hot asphalt, and its constituent chemicals as listed below and designated by the State of California to cause **cancer** and **reproductive toxicity**, pursuant California Code of Regulations, title 22, section 12000, without first giving clear and reasonable warning of that fact to the exposed persons (Health & Safety Code Section 25249.6). The sources of exposures are **Asphalt**, including hot asphalt, and its constituent chemicals as listed below. The locations of the exposures include the areas in and around within a 50 foot radius of the violators' principal places of business, as referenced above, involving activities including whereby hot asphalt has been heated and mixed, to the area along and within 50 feet of the route traveled between said principal places of business and the addresses at which **roofing** materials have been stored and **roofing** work has been performed, whereby the **Asphalt**, including hot asphalt, has been transported, and the area within a 50 foot radius to such addresses at which such **roofing** work has been performed including the street, sidewalks and pathways within a 50 foot radius to said addresses, the vicinity of work vehicles and the immediately neighboring areas affected by the **Asphalt**, including hot asphalt, and associated fumes and its constituent chemicals that have been breathed in via the ambient air by the exposed persons causing contact with their mouths, throats, esophagi, and lungs. The route of exposure for Environmental exposures, as referenced above, to the chemicals listed below, has been the inhalation contact described above. Said exposures took place in the California counties whose district attorneys received copies of this notice as listed in the attached certificate of service.

Occupational Exposures

While in the course of doing business at, but not limited to:

The locations on the attached Exhibit A

during the time period referenced above, the violators have been and are knowingly and intentionally exposing employees of the violators to **Asphalt**, including hot asphalt, “cold” asphalt emulsions and adhesives, asphalt shingles, and inter-ply layers of asphalt or coal tar, and its constituent chemicals as listed below and designated by the State of California to cause cancer and reproductive toxicity, pursuant California Code of Regulations, title 22, section 12000, without first giving clear and reasonable warning of that fact to the exposed person (Health & Safety Code Section 25249.6). The sources of exposures include **Asphalt**, including hot asphalt, “cold” asphalt emulsions and adhesives, asphalt shingles, and inter-ply layers of asphalt or coal tar, and its constituent chemicals as listed below.

The employees exposed to said chemicals include **roofing** contractors, drivers, roofing installers, and workers otherwise involved in the installation, repair, and replacement of roofs. Said exposures took place in locations including the storage facilities/garage areas where the **Asphalt**, including where hot asphalt has been prepared and heated, and where “cold” asphalt emulsions and adhesives, asphalt shingles, and inter-ply layers of asphalt or coal tar have been stored at the violators’ principal places of business, as referenced above, on, in and in the vicinity of work vehicles transporting **Asphalt**, including hot asphalt, the addresses where roofing installations have been performed, and the areas along the routes traveled between said principal places of business and the addresses at which **roofing** work has been performed, by which the **Asphalt**, including hot asphalt, has been transported. The route of exposure for occupational exposures to the chemicals listed below, by the affected persons has been from heated **Asphalt**, including hot asphalt, **Asphalt** smoke, and associated fumes, and particulate matter and other airborne constituents, including gaseous emissions, released from “cold” asphalt emulsions and adhesives, asphalt shingles, and inter-ply layers of asphalt or coal tar by means of removing these products from packaging and tearing out said products from old roofing in preparation of re-roofing, that have been breathed in via the ambient air by the exposed persons (and was a direct result of participating in the process by which **Asphalt** is applied to roofing surfaces, handling roofing materials for storage, application, and transportation, or being in the vicinity of where hot asphalt was mixed, heated, or transported) causing inhalation contact with their mouths, throats, esophagi, and lungs.

Consumer Advocacy Group, Inc. also believes and alleges that the violators are also responsible for a route of exposure of dermal contact due to employees coming in direct contact (e.g. their bare skin touching) with the asphalt, including hot asphalt, while mixing, heating, transporting, and then applying the asphalt, including hot asphalt, “cold” asphalt emulsions and adhesives, asphalt shingles, and inter-ply layers of asphalt or coal tar, to surfaces at work locations, as well as employees coming in contact with the asphalt by inadvertently allowing their work gloves, which had touched the asphalt, to come in contact with their bare skin. Employees also sustained dermal contact when moving the asphalt, including hot asphalt, “cold” asphalt emulsions and adhesives, asphalt shingles, and inter-ply layers of asphalt or coal tar, in and out of the storage facilities/garage areas where the **Asphalt** has been stored at the violators’ principal places of business, as referenced above. Said exposures took place in the California counties whose district attorneys received copies of this notice as listed in the attached certificate of service.

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 with regard to occupational exposures on Proposition 65, including that it does not apply to (a.) the conduct of manufacturers occurring outside the State of California; and (b.) employers with less than 10 employees. The approval also provides that an employer may use any means of compliance in the general hazard communication requirements to comply with Proposition 65. It also requires that supplemental enforcement be 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 California Attorney General.

For each such type and means of exposure, the violators have exposed and are exposing the above referenced persons to

CARCINOGENS

▽

Benz[a]anthracene	Chrysene	Toluene diisocyanate	Formaldehyde (gas)
5-Methylchrysene	Nickel and Nickel Compounds	Dichloromethane (Methylene Chloride)	Benzene
Lead	Benzo[b]flouranthene	Benzo[k]flouranthene	Benzo[a]pyrene
Indeno[1,2,3-cd]pyrene	Acetaldehyde	Beryllium and Beryllium compounds	Arsenic (inorganic arsenic compounds)
Cadmium and Cadmium compounds	Chromium (hexavalent compounds)	Tetrachloroethylene (Perchloroethylene)	Trichloroethylene
Formaldehyde (gas)	Chrysene	Dibenz[a,h]anthracene	

REPRODUCTIVE TOXINS

▽

Toluene	Carbon Disulfide	Benzene	Lead
Mercury and Mercury compounds	Arsenic (inorganic oxides)	Cadmium	

Proposition 65 (Health & Safety Code Section 25249.7) requires that notice and intent to sue be given to the violator(s) 60 days before the suit is filed. With this letter, **Consumer Advocacy Group, Inc.** gives notice of the alleged violations to the violators and the appropriate governmental authorities. In absence of any action by the appropriate governmental authorities within 60 days of the sending of this notice, **Consumer Advocacy Group, Inc.** may file suit. This notice covers all violations of Proposition 65 that are currently known to **Consumer Advocacy Group, Inc.** from information now available to it. With the copy of this notice submitted to the violators, a copy of the following is attached: *The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary.*

Note: Consumer Advocacy Group, Inc., in the interest of the public, is determined to resolve this matter in the least costly manner and one which would be beneficial to all parties involved. In order to encourage the expeditious and proper resolution of this matter, Consumer Advocacy Group, Inc. is prepared to forgo all monetary recovery including attorney fees and costs, penalties, and restitution in exchange for a complete or substantial elimination of the exposures listed above through the possible reformulation of your products and modification of your business practices.

Dated: March 21, 2002

By: 

REUBEN YERUSHALMI

Attorney for

Consumer Advocacy Group, Inc.

EXHIBIT A
List of Alleged Violators' Names and Locations

1.	A & B Roofing Inc, 3051 Edison Way, Redwood City, CA 94063, ATTN: John Worthington
2.	Andy's Roofing Co, 140 S Whisman Rd, Mountain View, CA 94041, ATTN: Jon Engquist
3.	A Ok Roofing Co, 712 W Harding Rd, Turlock, CA 95380, ATTN: Lon Jones
4.	Alliance Roofing Co, 1250 Campbell Ave, San Jose CA 95126, ATTN: Rod Miller
5.	Above All Roofing, 700 Northrup St., San Jose, CA 95126, ATTN: Ken Sulesky
6.	Acker & Guerro Roof Co. Inc., 1092 Calcot Plaza, Oakland, CA 94603, ATTN: George Acker
7.	Acme Roofing Co., 260 Ocean Ave., San Francisco, CA 94112, ATTN: John Dissmeyer
8.	AlCAL Roofing & Insulkation, 31164 Huntwood Ave, Hayward, CA 94544, ATTN: Stephen Bigham
9.	Atlas Roofing Co, 1773 Mission Rd, San Francisco, CA 94080, ATTN: Don Beene
10.	Baker Roofing, 1100 E. Charter Way, Stockton, CA 95205, ATTN: Troy Baker
11.	Belvedere Roofing Inc., 3619 E. Olympic Blvd., Los Angeles, CA 90023, ATTN: William Paveloff
12.	Best Roofing & Waterproofing, 29300 Pacific St., Hayward, CA 94544, ATTN: Mohammad Beigi
13.	Bigham-Taylor Roofing Inc., 22721 Alice St., Hayward, CA 94539, ATTN: Stephen Bigham
14.	Blue's Roofing Co., 1181 Campbell Ave, San Jose, CA 95126, ATTN: Tim Blue
15.	California Roofing Co., 1595 S 10 th St, .San Jose, CA 95112, ATTN: Happer Campbell
16.	Central Roofing, 19113 S. Hamilton, Gardena, CA 90248, ATTN: Johnathan Townsley
17.	Clark Roofing 2076, Acoma St., Sacramento, CA 95815, ATTN: Luther N. Clark
18.	Culver City Roofing, 5741 West Adams Blvd, Los Angeles, CA 90016, ATTN: Brad Coyne
19.	Curtis Roofing, 7475 14 th Ave, .Sacramento, CA 95820, ATTN: William E Hunting
20.	Dc Taylor Co., 140 Mason Circle # D, Concord, CA 94520, ATTN: James Meyersieck
21.	De Mello Roofing, 45 Jordan St. San Rafael, CA 94901, ATTN: Ricci Garzoli
22.	El Camino Roofing Co, 1650 S. 7 th St. San Jose, CA 95112, ATTN: Sam Castillo
23.	Enterprise Roofing Co, Po box 27368, Concord, CA 94527, ATTN: Aubrey Shehorn
24.	Fidelity Roof Co., 1075 40 th St., Emeryville, CA 94608, ATTN: Stephen Cadet
25.	Four Seasons Roofing, 645 Horning St. # C, San Jose, CA 95112, ATTN: Al Diaz
26.	General Roofing Co., 3309 Elmwood Ave., Oakland, CA 94601, ATTN: Tommy Wakerling
27.	Golden Roofing, 828 Willow St., Redwood City, CA 94063, ATTN: Gil Pena
28.	Gudgel Yancey Roofing, 5321 84 th St., Sacramento, CA 95826, ATTN: Janet Gudgel
29.	Hester Roofing, Po Box 245390, Sacramento, CA 95824, ATTN: Bob Bostwick
30.	Holmberg Roofing, 16 Cedar Grove Park, Sonoma, CA 95476, ATTN: Alan Holmberg
31.	Jack Johnson Roofing Co, 1773 Mission Rd, San Francisco, CA 94080, ATTN: Donald Beene
32.	James Scott Roofing Co., 1268 Lincoln St. #209, San Jose, CA 95125, ATTN: Jim Stevens
33.	Jnsj Roofing Co., 1268 Lincoln Ave. #209, San Jose, CA 95125, ATTN: Jim Stephens
34.	King's Roofing, Po Box 1542, Patterson, CA 95363, ATTN: David King
35.	Lawson Roofing Co, 1495 Tennessee St, San Francisco, CA 94107, ATTN: Frank Lawson
36.	Mcmurray & Sons Roofing Inc., Po Box 547, Crescent City, CA 95531, ATTN: Al Francis
37.	Mid Peninsula Roofing, 840 Brittan Ave, San Carlos, CA 94070, ATTN: Matt Greening
38.	Midwest Roofing, 1502 W. 132 nd St., Gardena, CA 90249, ATTN: Darren Tagen
39.	Modern Method Roofing Co, 180 Coombs St., Napa, CA 94559, ATTN: Bret Hummer
40.	Moreno Roofing Co, 16 Walker St, Monterey, CA 93940, ATTN: Paul Moreno
41.	Norm Armstrong Roofing Inc., 532 Purisima Way, Half Moon Bay, CA 94019, ATTN: Norm Armstrong
42.	Old Country Roofing, 8926 Alpine Ave., Sacramento, CA 95826, ATTN: Bryce Robicheau
43.	Old Country Roofing, 387 Umbarger Rd # B, San Jose, CA 95111, ATTN: Jim Perteet
44.	Raneri & Long Roofing Co., Po Box 2058, Napa, CA 94558, ATTN: Timothy Long
45.	Reinhardt Roofing, Inc., 8250 Enterprise Dr., Newark, CA 94560, ATTN: Carole Lowrance
46.	Renaissance Roofing Co., 2292 Lincoln Ave. San Jose, CA 95125, ATTN: Steve Daddario
47.	Responsible Roofing Inc., 2882 Spring St., Redwood City, CA 94063, ATTN: Paul Elmore
48.	Rey-Crest Roofing & Waterproofing, 3065 Verdugo Rd., Los Angels, CA 90065, ATTN: George Reyes
49.	Ridout Roofing Co., 621 Williams St. #A, San Leandro, CA 94585, ATTN: Steve G Ridout

50.	Robertson & Co., 4 Las Aromas, Orinda, CA 94565, ATTN: Bernise Robertson
51.	Roof Guard Co., 740 W. San Carlos St., San Jose, CA 95126, ATTN: Jeff Johnson
52.	Roofing Land, 1840 W. Adams Blvd., Los Angeles, CA 90018, ATTN: Danny Kim
53.	Roofing Service Inc., 4165 Santa Rosa Ave., Santa Rosa, CA 95407, ATTN: Steve Amend
54.	Roofoppers Inc., 5318 Venice Blvd., Los Angeles, CA 90019, ATTN: Marilyn Howard
55.	Rose Roofing & Supply Inc., 144 Teamtrack Rd., Auburn, CA 95603, ATTN: Janet Rose
56.	Ross Roofing, Inc., 1795 California Ave., Sand City, CA 93955, ATTN: Richard Ross
57.	Royal Roofing Co., 13545 Vander Way, San Jose, CA 95112, ATTN: Mark J Laubach
58.	Salinas Valley Roofing, 820 Ark Row Rd., #678, Salinas, CA 93901, ATTN: Jeff Lorono
59.	Scudder Roofing Co., Po Box 2596, Monterey, CA 93942 , ATTN: Pete Scudder
60.	Security Air System, 677 Kings Row, San Jose, CA 95112, ATTN: Brian Seifert
61.	Selco Inc., 145 Town And Country Dr. #102, Danville, CA 94526, ATTN: Dennis Coleman
62.	Shaughnessy Roofing Inc., 1280 Hillside Blvd., Daly City, CA 94010, ATTN: W J Shaughnessy
63.	Skyline Roofing, 49 Quail St., Walnut Creek, CA 94601, ATTN: Peter Eva
64.	Southern California Roofing Co, 9623 Imperial Hwy, Downey, CA 90242, ATTN: Pam Gill
65.	St. John Roofing, 2405 Laurel St., Napa, CA 94559, ATTN: Ross L. Shoop
66.	Stanislaus Roofing Inc., 325 7 th St., Modesto, CA 95354, ATTN: Fred Freudenthal
67.	State Center Roofing Co., 2160 S. 4 th St., Fresno, CA 93725, ATTN: Gary Hodges
68.	Stout Roof Management, 9705 Washburn Road, Downey, CA 90241, ATTN: Ray Debrouwer
69.	Stout Roofing Inc., 475 Waxlax Way, Livermore, CA 94550, ATTN: Scott De Brouwner
70.	United Roofing Co, 1821 Daly St., Los Angeles, CA 90031, ATTN: Don Jones
71.	Vincent Roofing Co, 2181 Dunn Road, Hayward, CA 94544, ATTN: Ken Vincent
72.	Watson Roofing Inc., 3491 Orange Grove Ave. # G, North Highlands, CA 95660, ATTN: Gregg Watson
73.	West Coast Roofing Co, 3184 E. Pico Blvd, Los Angeles, CA 90023, ATTN: Barry Lippman
74.	Westco Roofing Co, 763 46 th Ave., Oakland, CA 94601, ATTN: Mike Lee
75.	Western Roofing Svc, 2594 Oakdale Ave., San Francisco, CA 94124, ATTN: John Miller
76.	World Group Roofing Co, 1243 S. Hoover St., Los Angeles, CA 90006, ATTN: Tony Kim
77.	Yorkshire Roofing Inc, Po Box 2088, Livermore, CA 94551, ATTN: Peter Clark
78.	Zimmerman Reproofing Inc., 3675 R St., Sacramento, CA 95816, ATTN: David Zimmerman

Appendix A

OFFICE OF ENVIRONMENTAL HEALTH
HAZARD ASSESSMENT
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCYTHE SAFE DRINKING WATER AND TOXIC
ENFORCEMENT ACTION 1986
(PROPOSITION 65): A SUMMARY

The following summary has been prepared by the Office of Environmental Health Hazard Assessment, the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (commonly known as "Proposition 65"). A copy of this summary must be included as an attachment to any notice of violation served upon an alleged violator of the Act. The summary provides basic information about the provisions of the law, and is intended to serve only as a convenient source of general information. It is not intended to provide authoritative guidance on the meaning or application of the law. The reader is directed to the statute and its implementing regulations (see citations below) for further information.

Proposition 65 appears in California law as Health and Safety Code Sections 25249.5 through 25249.13. Regulations that provide more specific guidance on compliance, and that specify procedures to be followed by the State in carrying out certain aspects of the law, are found in Title 22 of the California Code of Regulations, Sections 12000 through 14000.

WHAT DOES PROPOSITION 65 REQUIRE?

The "Governor's List." Proposition 65 requires the Governor to publish a list of chemicals that are known to the State of California to cause cancer, or birth defects or other reproductive harm. This list must be updated at least once a year. Over 550 chemicals have been listed as of May 1, 1996. Only those chemicals that are on the list are regulated under this law. Businesses that produce, use, release, or otherwise engage in activities involving those chemicals must comply with the following:

Clear and Reasonable Warnings. A business is required to warn a person before "knowingly and intentionally" exposing that person to a listed chemical. The warning given must be "clear and reasonable." This means that the warning must: (1) clearly make known that the chemical involved is known to cause cancer, or birth defects or other reproductive harm; and (2) be given in such a way that it will effectively reach the person before he or she is exposed. Exposures are exempt from the warning requirement if they occur less than twelve months after the date of listing of the chemical.

Prohibition from discharges into drinking water. A business must not knowingly discharge or release a listed chemical into water or onto land where it passes or probably will pass into a source of drinking water. Discharges are exempt from this requirement if they occur less than twenty months after the date of listing of the chemical.

DOES PROPOSITION 65 PROVIDE ANY EXEMPTIONS?

Yes. The law exempts

Governmental agencies and public water utilities. All agencies of the federal, State or local government, as well as entities operating public water systems, are exempt.

Businesses with nine or fewer employees.. Neither the warning requirement nor the discharge prohibition applies to a business that employs a total of nine or fewer employees.

Exposures that pose no significant risk of cancer. For chemicals that are listed as known to the State to cause cancer ("carcinogens"), a warning is not required if the business can demonstrate that the exposure occurs at a level that poses "no significant risk." This means that the exposure is calculated to result in not more than one excess case of cancer in 100,000 individuals

exposed over a 70-year lifetime. The Proposition 65 regulations identify specific "no significant risk" levels for more than 250 listed carcinogens.

Exposures that will produce no observable reproductive effect at 1,000 times the level in question. For chemicals known to the State to cause birth defects or other reproductive harm ("reproductive toxicants"), a warning is not required if the business can demonstrate that the exposure will produce no observable effect, even at 1,000 times the level in question. In other words, the level of exposure must be below the "no observable effect level (NOEL)," divided by a 1,000-fold safety or uncertainty factor. The "no observable effect level" is the highest dose level which has not been associated with an observable adverse reproductive or developmental effect.

Discharge that do not result in a "significant amount" of the listed chemical entering into any source of drinking water. The prohibition from discharges into drinking water does not apply if the discharger is able to demonstrate that a "significant amount" of the list chemical has not, does not, or will not enter any drinking water source, and that the discharge complies with all other applicable laws, regulations, permits, requirements, or orders. A "significant amount" means any detectable amount, except an amount that would meet the "no significant risk" or "no observable effect" test if an individual were exposed to such an amount in drinking water.

HOW IS PROPOSITION 65 ENFORCED?

Enforcement is carried out through civil lawsuits. These lawsuits may be brought by the Attorney General, any district attorney, or certain city attorneys (those in cities with a population exceeding 750,000). Lawsuits may also be brought by private parties acting in the public interest, but only after providing notice of the alleged violation to the Attorney General, the appropriate district attorney and city attorney, and the business accused of the violation. The notice must provide adequate information to allow the recipient to assess the nature of the alleged violation. A notice must comply with the information and procedural requirements specified in regulations (Title 22, California Code of Regulations, Section 12903). A private party may not pursue an enforcement action directly under Proposition 65 if one of the governmental officials noted above initiates an action within sixty days of the notice.

A business found to be in violation of Proposition 65 is subject to civil penalties of up to \$2,500 per day for each violation. In addition, the business may be ordered by a court of law to stop committing the violation.

FOR FURTHER INFORMATION...

Contact the Office of Environmental Health Hazard Assessment's Proposition 65 Implementation Office at (916) 445-6900.

§14000. Chemicals Required by State or Federal Law to Have been Tested for Potential to Cause Cancer or Reproductive Toxicity, but Which Have Not Been Adequately Tested As Required.

(a) The Safe Drinking Water and Toxic Enforcement Act of 1986 requires the Governor to publish a list of chemicals formally required by state or federal agencies to have testing for carcinogenicity or reproductive toxicity, but that the state's qualified experts have not found to have been adequately tested as required [Health and Safety Code 25249.8(c)].

Readers should note a chemical that already has been designated as known to the state to cause cancer or reproductive toxicity is not included in the following listing as requiring additional testing for that particular toxicological endpoint. However, the "data gap" may continue to exist, for purposes of the state or federal agency's requirements. Additional information on the requirements for testing may be obtained from the specific agency identified below.

(b) Chemicals required to be tested by the California Department of Pesticide Regulation.

The Birth Defect Prevention Act of 1984 (SB 950) mandates that the California Department of Pesticide Regulation (CDPR) review chronic toxicology studies supporting the registration of pesticidal active ingredients.

CERTIFICATE OF MERIT

Health and Safety Code Section 25249.7(d)

I, Reuben Yeroushalmi, hereby declare:

- 1 This Certificate of Merit accompanies the attached sixty-day notice(s) in which it is alleged the party(s) identified in the notice(s) has violated Health and Safety Code section 25249.6 by failing to provide clear and reasonable warnings.
- 2 I am the attorney for the noticing party.
- 3 I have consulted with at least one person with relevant and appropriate experience or expertise who has reviewed facts, studies, or other data regarding the exposure to the listed chemical that is the subject of the action.
- 4 Based on the information obtained through those consultations, and on all other information in my possession, I believe there is a reasonable and meritorious case for the private action. I understand that "reasonable and meritorious case for the private action" means that the information provides a credible basis that all elements of the plaintiffs' case can be established and the information did not prove that the alleged violator will be able to establish any of the affirmative defenses set forth in the statute.
- 5 The copy of this Certificate of Merit served on the Attorney General attaches to it factual information sufficient to establish the basis for this certificate, including the information identified in Health and Safety Code section 25249.7(h)(2), i.e., (1) the identity of the persons consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.

Dated: March 21, 2002

By. 
REUBEN YERUSHALMI

CERTIFICATE OF SERVICE

I am over the age of 18 and not a party to this case. I am a resident of or employed in the county where the mailing occurred. My business address is 3700 Wilshire Boulevard, Suite 480, Los Angeles, CA 90010.

I SERVED THE FOLLOWING:

- 1) 60-Day Notice of Intent to Sue Under Health & Safety Code Section 25249.6
- 2) Exhibit A: List of Alleged Violators' Names and Locations
- 3) Certificate of Merit: Health and Safety Code Section 25249.7(d)
- 4) Certificate of Merit: Health and Safety Code Section 25249.7(d) *Attorney General Copy (only sent to Attorney General's Office)*
- 5) The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary

by enclosing a true copy of the same in a sealed envelope addressed to each person whose name and address is shown below and depositing the envelope in the United States mail with the postage fully prepaid.

Date of Mailing: March 21, 2002

Place of Mailing: Los Angeles, CA

NAME AND ADDRESS OF EACH PERSON TO WHOM DOCUMENTS WERE MAILED:

∇
Alleged Violators

A & B Roofing Inc 3051 Edison Way Redwood City, CA 94063 ATTN: John Worthington
Andy's Roofing Co 140 S Whisman Rd Mountain View, CA 94041 ATTN: Jon Engquist
A Ok Roofing Co 712 W Harding Rd Turlock CA 95380 ATTN: Lon Jones
Alliance Roofing Co 1250 Campbell Ave San Jose CA 95126 ATTN: Rod Miller
Above All Roofing 700 Northrup St. San Jose, CA 95126 ATTN: Ken Sulesky
Acker & Guerro Roof Co. Inc. 1092 Calcot Plaza Oakland, CA 94603 ATTN: George Acker
Acme Roofing Co. 260 Ocean Ave San Francisco, CA 94112 ATTN: John Dissmeyer
AICAI Roofing & Insulation 31164 Huntwood Ave Hayward, CA 94544 ATTN: Stephen Bigham
Atlas Roofing Co 1773 Mission Rd San Francisco, CA 94080 ATTN: Don Beene
Baker Roofing 1100 E. Charter Way Stockton, CA 95205 ATTN: Troy Baker
Belvedere Roofing Inc. 3619 E. Olympic Blvd. Los Angeles, CA 90023 ATTN: William Paveloff

Golden Roofing 828 Willow St. Redwood City, CA 94063 ATTN: Gil Pena
Gudgel Yancey Roofing 5321 84 th St. Sacramento, CA 95826 ATTN: Janet Gudgel
Hester Roofing Po Box 245390 Sacramento, CA 95824 ATTN: Bob Bostwick
Holmberg Roofing 16 Cedar Grove Park Sonoma, CA 95476 ATTN: Alan Holmberg
Jack Johnson Roofing Co 1773 Mission Rd San Francisco, CA 94080 ATTN: Donald Beene
James Scott Roofing Co. 1268 Lincoln St. #209 San Jose, CA 95125 ATTN: Jim Stevens
Jnsj Roofing Co. 1268 Lincoln Ave. #209 San Jose, CA 95125 ATTN: Jim Stephens
King's Roofing Po Box 1542 Patterson, CA 95363 ATTN: David King
Lawson Roofing Co 1495 Tennessee St San Francisco, CA 94107 ATTN: Frank Lawson
McMurray & Sons Roofing Inc. Po Box 547 Crescent City, CA 95531 ATTN: Al Francis
Mid Peninsula Roofing 840 Brittan Ave San Carlos, CA 94070 ATTN: Matt Greening

Roofing Service Inc. 4165 Santa Rosa Ave. Santa Rosa, CA 95407 ATTN: Steve Amend
Roofoppers Inc. 5318 Venice Blvd. Los Angeles, CA 90019 ATTN: Marilyn Howard
Rose Roofing & Supply Inc. 144 Teamtrack Rd. Auburn, CA 95603 ATTN: Janet Rose
Ross Roofing, Inc. 1795 California Ave. Sand City, CA 93955 ATTN: Richard Ross
Royal Roofing Co. 13545 Vander Way San Jose, CA 95112 ATTN: Mark J Laubach
Salinas Valley Roofing 820 Ark Row Rd., #678 Salinas, CA 93901 ATTN: Jeff Loro
Scudder Roofing Co. Po Box 2596 Monterey, CA 93942 ATTN: Pete Scudder
Security Air System 677 Kings Row San Jose, CA 95112 ATTN: Brian Seifert
Selco Inc. 145 Town And Country Dr. #102 Danville, CA 94526 ATTN: Dennis Coleman
Shaughnessy Roofing Inc. 1280 Hillside Blvd. Daly City, CA 94010 ATTN: W J Shaughnessy
Skyline Roofing 49 Quail St. Walnut Creek, CA 94601 ATTN: Peter Eva

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Bigham-Taylor Roofing Inc. 22721 Alice St Hayward, CA 94539 ATTN: Stephen Bigham
Blue's Roofing Co. 1181 CAmpbell Ave. San Jose, CA 95126 ATTN: Tin Blue
California Roofing Co. 1595 S 10 th St San Jose, CA 95112 ATTN: Happer CAmpbell
Central Roofing 19113 S Hamilton Gardena, CA 90248 ATTN: Jonnathan Townsley
Clark Roofing 2076 Acoma St Sacramento, CA 95815 ATTN: Luther N. Clark
Culver City Roofing 5741 West Adams Blvd Los Angeles, CA 90016 ATTN: Brad Coyne
Curtis Roofing 7475 14 th Ave Sacramento, CA 95820 ATTN: William E Hunting
Dc Taylor Co 140 Mason Circle # D Concord, CA 94520 ATTN: James Meyersieck
De Mello Roofing 45 Jordan St San Rafael, CA 94901 ATTN: Ricci Garzoli
El Camino Roofing Co 1650 S. 7 th St San Jose, CA 95112 ATTN: Sam Castillo
Enterprise Roofing Co Po box 27368 Concord, CA 94527 ATTN: Aubrey Shehorn
Fidelity Roof Co 1075 40 th St Emeryville, CA 94608 ATTN: Stephen Cadet
Four Seasons Roofing 645 Horn ng St # C San Jose, CA 95112 ATTN: A Diaz
General Roofing Co. 3309 Elmwood Ave. Oakland, CA 94601 ATTN: Tommy Wakerling

Midwest Roofing 1502 W. 132 nd St. Gardena, CA 90249 ATTN: Darren Tagen
Modern Method Roofing Co 180 Coombs St. Napa, CA 94559 ATTN: Bret Hummer
Moreno Roofing Co 16 Walker St Monterey, CA 93940 ATTN: Paul Moreno
Norm Armstrong Roofing Inc. 532 Purisima Way Half Moon Bay, CA 94019 ATTN: Norm Armstrong
Old Country Roofing 8926 Alpine Ave. Sacramento, CA 95826 ATTN: Bryce Robicheau
Old Country Roofing 387 Umbarger Rd # B San Jose, CA 95111 ATTN: Jim Perteet
Raneri & Long Roofing Co. Po Box 2058 Napa, CA 94558 ATTN: Timothy Long
Reinhardt Roofing, Inc. 8250 Enterprise Dr. Newark, CA 94560 ATTN: CArole Lowrance
Renaissance Roofing Co. 2292 Lincoln Ave. San Jose, CA 95125 ATTN: Steve Daddario
Responsible Roofing Inc. 2882 Spring St. Redwood City, CA 94063 ATTN: Paul Elmore
Rey-Crest Roofing & Waterproofing 3065 Verdugo Rd. Los Angels, CA 90065 ATTN: George Reyes
Ridout Roofing Co. 621 Williams St. #A San Leandro, CA 94585 ATTN: Steve G Ridout
Robertson & Co. 4 Las Aromas Orinda, CA 94565 ATTN: Bernise Robertson
Roof Guard Co. 740 W. San Carlos St. San Jose, CA 95126 ATTN: Jeff Johnson
Roofing Land 1840 W. Adams Blvd. Los Angeles, CA 90018 ATTN: Danny Kim

Southern California Roofing Co 9623 Imperial Hwy Downey, CA 90242 ATTN: Pam Gill
St. John Roofing 2405 Laurel St. Napa, CA 94559 ATTN: Ross L. Shoop
Stanislaus Roofing Inc. 325 7 th St. Modesto, CA 95354 ATTN: Fred Freudenthal
State Center Roofing Co. 2160 S. 4 th St. Fresno, CA 93725 ATTN: Gary Hodges
Stout Roof Management 9705 Washburn Road Downey, CA 90241 ATTN: Ray Debrouwer
Stout Roofing Inc. 475 Waxlax Way Livermore, CA 94550 ATTN: Scott Derouwner
United Roofing Co 1821 Daly St. Los Angeles, CA 90031 ATTN: Don Jones
Vincent Roofing Co 2181 Dunn Road Hayward, CA 94544 ATTN: Ken Vincent
Watson Roofing Inc. 3491 Orange Grove Ave. # G North Highlands, CA 95660 ATTN: Gregg Watson
West Coast Roofing Co 3184 E. Pico Blvd Los Angeles, CA 90023 ATTN: Barry Lippman
Westco Roofing Co 763 46 th Ave. Oakland, CA 94601 ATTN: Mike Lee
Western Roofing Svc 2594 Oakdale Ave. San Francisco, CA 94124 ATTN: John Miller
World Group Roofing Co 1243 S. Hoover St. Los Angeles, CA 90006 ATTN: Tony Kim
Yorkshire Roofing Inc Po Box 2088 Livermore, CA 94551 ATTN: Peter Clark
Zimmerman Reroofing Inc. 3675 R St. Sacramento, CA 95816 ATTN: David Zimmerman



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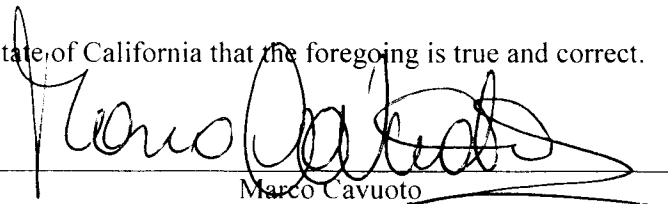
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: March 21, 2002

By: _____



Marco Cavuoto