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LITIGATION SUPPORT

January 7, 2002

**NOTICE OF VIOLATION OF PROPOSITION 65,  
CALIFORNIA HEALTH & SAFETY CODE SECTION 25249.5.**

**TO:** The Attorney General of California;  
The District Attorneys of the Counties listed below;  
The Chairman and Chief Executive Officer of SHELL OIL  
COMPANY, SHELL OIL PRODUCTS COMPANY and  
SHELL OIL PRODUCTS, US, and any of its consolidated subsidiaries  
or related divisions (hereinafter referred to as "SHELL")

**RE: Violations of Proposition 65: Discharge of Listed Chemicals into a Source  
of Drinking Water in and around SHELL's Operations**

This 60-day Notice alerts you to violations of Proposition 65, the Safe Drinking Water and Toxic Enforcement Act of 1986, California Health & Safety Code Section 25249.5. Members of the noticing party include Communities for a Better Environment ("CBE"), Nicole McAdam, an individual (hereinafter collectively referred to as "noticing party"). CBE is an environmental health and justice 501(c)(3) nonprofit organization. CBE has offices in Huntington Park and Oakland, California. With over 20,000 members statewide, CBE has worked effectively throughout California to prevent and reduce pollution and pledges to cooperate with public prosecutors in this matter to ensure that the violations discussed herein are remedied. CBE and its attorneys have extensive experience in prosecuting violators of Proposition 65.

The noticing party intends to bring suit sixty days hereafter to correct these violations, pursuant to Health & Safety Code Section 25249.7(d). You may also do so within the next sixty (60)-days pursuant to Health & Safety Code Section 25249.7(c).

**Chemicals Discharged**

The specific violations alleged here are past and ongoing discharges or releases of Benzene, CAS Number 71432 and Toluene, CAS Number 108883. Benzene and Toluene are chemicals known by the State of California to cause cancer or reproductive toxicity. 22 California Code of Regulations Section 12000. Benzene has been listed as a human carcinogen or reproductive toxin under Proposition 65 since February 27, 1987. Likewise, Toluene has been listed as a human carcinogen or reproductive toxin since January 1, 1991.

**Identities of Violators**

The persons who in the course of doing business have committed the violations alleged herein are the employees, officers and directors of SHELL OIL COMPANY, SHELL OIL PRODUCTS COMPANY and SHELL OIL PRODUCTS, US ("SHELL" or "violator"). Violator has been sent a copy of this 60-day Notice through certified mail, return receipt requested, and/or Express Mail as noted, to the addresses and persons listed at the end of this letter.

**Location of Source of Drinking Water**

The Violator named herein has knowingly discharged or released each of the chemicals listed above into water or onto or into land where each chemical has passed, currently passes, or will probably pass into a source, or potential source, of drinking water under and around the following facilities<sup>1</sup>:

**Amador County**

253	Chevron # 9-7004	349 Preston Avenue	Ione	95640
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**Alameda County**

245	Chevron	1802 Webster St	Alameda	94501
246	Chevron	1797 Shattuck Avenue	Berkeley	94702
247	Chevron	2996 Telegraph Avenue	Berkeley	94702
250	Chevron	41500 Blacow Rd.	Fremont	94538
252	Chevron	3026 Lakeshore Avenue	Oakland	94601
299	Chevron	2340 Otis Drive	Alameda	94501
302	Chevron	1300 San Pablo Avenue	Berkeley	94702

<sup>1</sup> Numbers in left column are for internal CBE reference.

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303	Chevron	1500 University Avenue	Berkeley	94702
305	Chevron	21995 Foothill Blvd.	Hayward	94545
306	Chevron	26990 Hesperian Blvd.	Hayward	94545
307	Chevron	30151 Industrial Parkway	Hayward	94545
308	Chevron	4904 Front Road S	Livermore	94550
309	Chevron	6104 Jarvis Avenue	Newark	94560
311	Chevron	1700 Castro Street	Oakland	94601
312	Chevron	2630 Broadway	Oakland	94601
313	Chevron	7225 Bancroft Avenue	Oakland	94601
315	Chevron	5280/5820 Hopyard Rd.	Pleasanton	94566
316	Chevron	16304 Foothill Blvd.	San Leandro	94579
317	Chevron	15900 Hesperian Blvd.	San Lorenzo	94580
318	Chevron	31890 Alvarado Blvd.	Union City	94587
435	Chevron	2920 Castro Valley Blvd.	Castro Valley	94546
754	Texaco	4004 Mowry Avenue	Fremont	94538
756	Texaco	1998 Whipple Road W	Union City	94587
794	Exxon Texaco	2200 12 <sup>th</sup> Street E	Oakland	94601

**Colusa County**

320	Chevron #9-0795	505 4 <sup>th</sup> Street (aka: 4 <sup>th</sup> /E St.)	Williams	95987
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**Contra Costa County**

254	Chevron	2380 Willow Pass Road	Concord	94520
255	Chevron	3400 Willow Pass Road	Concord	94520
256	Chevron	1250 Morello Avenue	Martinez	94553
292	Chev/Avon/Fuel T.	612 Solano Way	Martinez	94553
321	Chevron	3177 Danville Blvd.	Alamo	94507
322	Chevron #9-4585	2413 A Street	Antioch	95409
323	Chevron	795 Oak Grove Rd.	Concord	94520
324	Chevron	2200 Solano Way	Concord	94520
325	Chevron	4295 Clayton Rd.	Concord	94520
326	Chevron	11319 San Pablo Avenue	El Cerrito	94530
328	Chevron	22 Bryant Way	Orinda	94563
329	Chevron	2695 Pinole Valley Road	Pinole	94564
330	Chevron	698 Contra Costa Blvd.	Pleasant Hill	94523
332	Chevron	4838 MacDonald Avenue	Richmond	94805

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333	Chevron	699 Ygnacio Valley Rd.	Walnut Creek	94596
334	Chevron	1700 Mt. Diablo Blvd.	Walnut Creek	94596
335	Chevron	1805 Ygnacio Valley Rd.	Walnut Creek	94596
759	Texaco	1275 Main Street S	Walnut Creek	94595
760	Texaco	2330 Main Street N	Walnut Creek	94595
795	Exxon Texaco	16400 San Pablo Avenue	San Pablo	94806

**Imperial County**

294	Chevron # 9-4671	173 Main Street	Brawley	92227
295	Chevron # 9-2693	400 Imperial Avenue	Calexico	92231

**Inyo County**

340	Chevron #9-8853	670 Main Street	Bishop	93514
341	Chevron #9-0130	905 Main Street N	Bishop	93514

**Kern County**

761	Texaco Refining & Marketing	6451 Rosedale Highway	Bakersfield	93301
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**Los Angeles County**

296	Chevron # 9-5348	5051 Kanan Road N	Agoura	91301
297	Chevron, U.S.A., Inc.	324 El Segundo Blvd. W	El Segundo	90245
342	Chevron # 9-0099	2602 Western Avenue S	Jefferson Park	90018
343	Chevron #9-2811	2601 Bellflower Blvd.	Long Beach	90815
344	Chevron #9-3901	5750 7 <sup>th</sup> Street	Long Beach	90815
345	Chevron #9-4044	6340 Spring Street E	Long Beach	90815
346	Chevron #9-3929	1600 Olympic Blvd. W	Los Angeles	90037
437	Chevron #9-7645	17255 Bloomfield Avenue	Cerritos	90703
438	Chevron #9-2436	10030 Lakewood Blvd.	Downey	90241
722	Texaco	14220 Firestone Blvd.	La Mirada	90638
724	Texaco	340 Pacific Coast Hwy W	Long Beach	90801
725	Texaco	9915 Broadway S	Los Angeles	90046
727	Texaco	18910 Crenshaw Blvd.	Torrance	90505
728	Texaco	1222 Anaheim Street E	Wilmington	90744

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746	Texaco #61-106-0186	22232 Wilmington Avenue	Carson	90745
747	Texaco – former	22351 Wilmington Avenue	Carson	90745
748	Texaco	11004 South Street	Cerritos	90701
749	Texaco Refining and Marketing	21103 Golden Springs Drive	Diamond Bar	91765
750	Texaco	7718 Beverly Blvd.	Gardena	90247
785	Texaco Refinery	2101 E. Pacific Coast Hwy	Wilmington	90744
787	Texaco #61-058-0340	49764 Gorman Post Road	Gorman	93534
788	Texaco	1107 Hacienda Blvd. S	Hacienda Heights	91745

**Marin County**

348	Chevron	90 Madera Blvd.	Corte Madera	94925
350	Chevron	475 3 <sup>rd</sup> Street	San Rafael	94901
765	Texaco	1524 Second Street	San Rafael	94901

**Merced County**

351	Chevron #9-2513	12801 Hwy. 33 S	Santa Nella	95322
432	Chevron # 769	1164 Pacheco Blvd.	Los Banos	93635

**Mono County**

352	Chevron # 9-1861	3236 Forrest Trail	Mammoth Lakes	93546
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**Monterey County**

353	Chevron Service #91060	351 Fremont Street	Monterey	93940
766	Texaco SS	1042 Del Monte Avenue	Monterey	93940

**Napa County**

354	Chevron	1400 Main Street	St. Helena	94574
768	Texaco	691 Lincoln Avenue	Napa	94558

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**Nevada County**

355	Chevron #9-2368	451 Main Street E	Grass Valley	95945
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**Orange County**

265	Chevron SS #8474	18501 Beach Blvd.	Huntington Beach	92646
266	Chevron SS #1825	2261 Fairview Street N	Santa Ana	92701
267	Chevron SS #1921	3801 Bristol Street S	Santa Ana	92701
356	Chevron SS #8319	6971 Beach Blvd.	Buena Park	90620
357	Chevron SS #2250	7990 Valley View Street	Buena Park	90620
358	Chevron SS #7347	17971 Brockhurst Street	Fountain Valley	92708
359	Chevron SS #3167	17980 Magnolia Street	Fountain Valley	92708
360	Chevron SS #6287	11971 Valley View Street	Garden Grove	92640
361	Chevron SS # 4887	6972 Warner Avenue	Huntington Beach	92646
362	Chevron SS # 8655	7777 Edinger Avenue	Huntington Beach	92646
363	Chevron SS # 8721	9971 Adams Avenue	Huntington Beach	92646
364	Chevron SS #5418	18692 MacArthur Blvd.	Irvine	92715
365	Chevron SS #9384	24081 El Toro Road	Laguna Hills	92653
366	Chevron Station # 9-3783	30072 Crown Valley Pky	Laguna Niguel	92677
367	Chevron SS	525 Avenida Pico	San Clemente	92672
368	Chevron SS #0550	2051 Edinger Avenue E	Santa Ana	92701
369	Chevron SS #9212	2303 Bristol Street S	Santa Ana	97201
729	Texaco SS	5650 La Palma Avenue E	Anaheim	92804
731	Texaco	1833 Pacific Coast Hwy. S	Laguna Beach	92651
732	Texaco SS	28922 Golden Lantern	Laguna Niguel	92677
752	Harbor Fair Texaco	2502 Harbor Blvd.	Costa Mesa	92626
769	Texaco SS	100 Katella Avenue W	Anaheim	92804
770	Texaco SS	6011 Manchester Blvd.	Buena Park	90620
771	Texaco SS	1695 Superior Avenue	Costa Mesa	92626
772	Texaco SS	8520 Warner Avenue	Fountain Valley	92708
773	Texaco SS	9475 Warner Avenue	Fountain Valley	92708
774	Texaco SS	3370 Yorba Linda Blvd. E	Fullerton	92631
775	Texaco SS	12571 Valley View Street	Garden Grove	92640
776	Texaco SS	6962 Edinger Avenue	Huntington Beach	92646
777	Texaco SS	18502 Beach Blvd.	Huntington Beach	92646

**Placer County**

371	Chevron # 9-9375	13381 Lincoln Way	Auburn	95603
372	Chevron # 9-6705	4365 Sierra College Blvd.	Loomis	95650
373	Chevron # 9-9839	251 Sunrise Avenue	Roseville	95661
374	Chevron # 9-2937	604 Riverside Avenue	Roseville	95661

**Riverside County**

439	Blythe 7 <sup>th</sup> St. Chevron	761 E. Hobson Way	Blythe	92225
790	Midway Texaco SS	2469 San Jacinto Avenue S	San Jacinto	92383
733	Texaco SS	3498 Central Avenue	Riverside	92501

**Sacramento County**

268	Chevron # 2174	7700 Auburn Blvd.	Citrus Heights	95610
375	Chevron # 9-8977	2449 Northgate Blvd.	Sacramento	95825

**San Bernardino County**

270	Chevron # 9-9879	Kelbaker Road	Baker	92309
734	Montara Texaco #0427	200 Montara Road	Barstow	92311

**San Diego County**

271	Chevron SS	941 Camino Del Mar	Del Mar	92014
273	Chevron #9-2884	5600 Baltimore Drive	La Mesa	90241
274	Chevron SS	1704 Rosecrans Street	San Diego	92101
275	Chevron #9-6907	3377 Sandrock Road	San Diego	92101
276	Chevron #9-4339	3860 Governor Drive	San Diego	92101
277	Chevron SS	5401 Balboa Avenue	San Diego	92101
377	Chevron #91456	1099 Main Street W	El Cajon	92021
379	Chevron SS	215 Via Rancho Parkway E	Escondido	92025
380	Chevron # 9-0938	550 Escondido Blvd. N	Escondido	92025
381	Chevron SS #9-4955	12410 Poway Road	Poway	92064
382	Chevron SS	4592 Clairemont Drive	San Diego	92101
735	Texaco SS	601 Second Street N	El Cajon	92020

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736	Texaco SS	13341 Poway Road	Poway	92064
738	Texaco U.S.A. sales terminal	9966 Mission Road	San Diego	92101
779	Texaco SS	5103 Waring Road	San Diego	92101
780	Texaco SS	11611 Rancho Bernardo Rd.	San Diego	92101
781	Texaco SS	314 San Ysidro Blvd. E	San Ysidro	92073
782	Texaco SS	221 Emerald Drive N	Vista	92038
791	Del Mar Texaco	2205 Via De La Valle	Del Mar	92014

**San Francisco County**

278	Chevron	1790 Lombard Street	San Francisco	94109
383	Chevron	101 Bayshore Blvd.	San Francisco	94101
384	Chevron	301 Claremont Blvd.	San Francisco	94101
385	Chevron	1288 19 <sup>th</sup> Street	San Francisco	94101
386	Chevron	2998 San Jose Avenue	San Francisco	94101
388	Chevron	3675 Geary Blvd.	San Francisco	94101

**San Joaquin County**

390	Saddle City Chevron #9-0302	6421 Paddock Place W	Lodi	95240
391	Chevron #9-0557	139 Center Street S	Stockton	95201
392	Chevron # 9-4275	2905 Benjamin Holt Dr. W	Stockton	95201
393	Chevron # 9-3232	8660 Lower Sacramento Road	Stockton	95201
440	Tracy Blvd. Chevron	3775 Tracy Blvd. N	Tracy	95376
441	Chevron Keylock Terminal	22888 Kasson Road	Tracy	95376
443	Chevron Pipeline Co. – Corral Hollow	Corral Hollow & Grantline Road	Tracy	95376

**San Luis Obispo County**

395	Chevron U.S.A.	251 Grand Avenue	Arroyo Grande	93420
396	Chevron Station # 9-0919	2194 Main Street	Cambria	93428
397	Chevron # 9-0028	12 Ocean Avenue N	Cayucos	93430
398	Chevron	3180 Broad Street	San Luis Obispo	93401

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399	Chevron SS # 9-2565 (former)	9540 Castillo	San Simeon	93452
740	Texaco	1205 24 <sup>th</sup> Street	Paso Robles	93446
741	Texaco SS	3 Santa Rosa Street	San Luis Obispo	93401
783	Texaco (former service station)	275 Madonna Plaza Road	San Luis Obispo	93401
793	Texaco	12398 Los Osos Valley Road	San Luis Obispo	93401

**San Mateo County**

281	Chevron	1603 Broadway	Redwood City	94063
282	Chevron	698 El Camino Real	So. San Francisco	94080
293	Chevron Fuel Pipeline	San Francisco Airport	So. San Francisco	94080
401	Chevron	260 El Camino Real	Burlingame	94010
402	Chevron	2690 Bayshore Highway	Daly City	94014
403	Chevron	1101 Hillsdale Blvd. E	Foster City	94404
404	Chevron	320 Millbrae Avenue E	Millbrae	94030
405	Chevron	1055 Terra Nova	Pacifica	94044
406	Chevron	585 Whipple Avenue	Redwood City	94063
409	Chevron	23 <sup>rd</sup> Avenue E	San Mateo	94401
410	Chevron	300 Hillsdale E	San Mateo	94401
411	Chevron	880 Delaware Street N	San Mateo	94401
412	Chevron	1350 Hillsdale Blvd. W	San Mateo	94401
415	Chevron	2950 Woodside Road	Woodside	94062
436	Chevron	2045 Ralston Avenue	Belmont	94002
753	Texaco Exxon	503 Whipple Avenue	Redwood City	94061

**Santa Barbara County**

444	Chevron Gas Plant	Dump Road	Carpinteria	93013
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**Santa Clara County**

434	Chevron	404 Saratoga Avenue S	San Jose	95123
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**Santa Cruz County**

283	Chevron Station 9-4909	6325 Hwy 9	Felton	95018
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284	Chevron Station 9-0499	404 Soquel Avenue	Santa Cruz	95018
285	Chevron Station 9-1361	805 Ocean Street	Santa Cruz	95060

**Sonoma County**

291	Chevron Bulk Plant (Redwood Oil)	258 Roseland Avenue	Santa Rosa	95407
417	Chevron # 9-5918	206 Clovedale Blvd. S	Cloverdale	95425
420	Chevron # 9-4377	214 Third Street W	Santa Rosa	95407
422	Chevron # 9-2813	2500 Mendocino Avenue	Santa Rosa	95407
423	Chevron # 0-8270	4840 Redwood Highway, Old	Santa Rosa	95407
445	Chevron	540 Napa West	Sonoma	95476
742	Texaco (southwest, 175)	175 Southwest Blvd.	Rohnert Park	94928
792	Texaco (Cloverdale, 690)	690 Cloverdale Blvd.	Cloverdale	95425

**Stanislaus County**

424	Chevron # 9-0510	100 Glenwood Avenue E	Turlock	95380
425	Chevron # 9-1780	2901 Geer Road	Turlock	95380

**Sutter County**

289	Chevron # 9-8338	885 Colusa	Yuba City	95991
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**Ventura County**

743	Texaco	1107 Ventura Street	Fillmore	93015
744	Texaco	1196 Los Angeles Avenue E	Simi Valley	93065
784	Texaco	2439 Victoria Avenue S	Ventura	93001

**Yolo County**

427	Chevron #9-9148	4475 Chiles Road	Davis	95616
429	Chevron #9-0543	999 Grant Street E (29794 Russell)	Winters	95694

786	Former Texaco site	712 G Street	Davis	95616
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**Yuba County**

290	Chevron # 3-2159	700 E Street	Marysville	95901
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The discharging and/or releasing of chemicals includes, but is not limited to, the leaching of chemicals listed herein into water or onto or into land where each chemical has passed, currently passes, or will probably pass into a source, or potential source, of drinking water. These discharges and releases have occurred and are occurring through the leaching of chemicals as a result of direct releases from underground storage tanks, and/or gasoline storage, transfer, delivery, and dispensing systems (hereinafter "USTs" or "gasoline systems") into and onto soil and subsurface groundwater surrounding the above mentioned facilities. These releases from the USTs and gasoline systems enter into surrounding groundwater and soil and migrate toward actual and potential sources of drinking water. Listed chemical discharges also occur through stormwater run-off from the facility.

"A source of drinking water" means either a present source of drinking water or water that is identified in a water quality control plan as being suitable for domestic or municipal uses. Health & Safety Code Section 25249.11(d).

The groundwater under and around the above facilities has been used for domestic and/or municipal purposes and/or has been designated as a potential source of drinking water. The subsurface groundwater into which the violator has and continues to discharge contaminants are potential sources of drinking water, and/or are tributaries to potential sources of drinking water.

Therefore, the violator here named has discharged or released the chemicals here named into water or onto or into land where such chemicals have passed, are passing, and/or will probably pass into a source of drinking water. The violator named herein has violated, is violating, and currently threatens to violate Health & Safety Code Section 25249.5 within the meaning of Section 25249.5 and Section 25249.11(e).

**Approximate Time Period of Violations**

The violator(s) has discharged the chemicals listed above in the manner described herein continuously since approximately October 9, 2001. Such violations have been ongoing since that time.

Each and every day during which the violator has discharged or released the chemicals named herein into the groundwater and/or surface water under and around the listed facilities constitutes a separate violation of Health & Safety Code Section 25249.5, and each chemical released or discharged constitutes a separate violation for each day on which each chemical was released or discharged.

**Knowing Discharge of Chemicals**

The violator named herein has known of its discharges or releases of the chemicals listed above. Therefore, the violations here described have been knowing on the part of the violator.

**Identity of Noticing Party**

The name, address, and telephone number of the noticing party is as follows:

Communities for a Better Environment  
1611 Telegraph Ave., Suite 450  
Oakland, CA 94612  
Phone: 510-302-0430; FAX: 510-302-0438

Responsible individual within CBE:

Richard Toshiyuki Drury, Legal Director  
William Rostov, Staff Attorney

The noticing party would appreciate receiving prompt notification from you as to whether you will pursue action under Health & Safety code Section 25249.7(c) so that we may make our decisions under Health & Safety Code Section 25249.7(d). We pledge to cooperate with you in this matter and look forward to hearing from you in the near future. If you have any questions or desire any further information, please contact one of the attorneys listed above at 510-320-0430.

With this letter, noticing party gives notice of the alleged violations by your facilities to the Attorney General of California, to the District Attorney of the below-listed counties, and to the President and Registered Agent of SHELL OIL COMPANY, SHELL OIL PRODUCTS COMPANY and SHELL OIL PRODUCTS, US and any of its consolidated subsidiaries or related divisions. This notice covers all violations of the Act that are

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known to Plaintiffs from public records now available to us. When filed, this suit may also address such other violations as may occur or become apparent after service of this notice letter.

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Enclosure: The Safe Drinking Water and Toxic Enforcement Act of 1986  
(Proposition 65): A Summary

cc: (Via First Class Certified Mail, Return Receipt Requested)

BILL LOCKYER,  
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