

NOTICE OF VIOLATION

California Safe Drinking Water
and Toxic Enforcement Act of 1986

EQUIVA SERVICES LLC

March 27, 2003

This Notice of Violation is provided to Equilon Enterprises LLC pursuant to, and in compliance with, California Health and Safety Code Section 25249.7(d).

For general information regarding the California Safe Drinking Water and Toxic Enforcement Act, see the attached summary provided by the California Environmental Protection Agency (the attachment is not provided to public enforcement agencies but to all others who are served with this notice).

This Notice of Violation is provided by Dean Hilburn, individually and as trustee of the Edina Hilburn Trust, (collectively, "Mr. Hilburn) who may be contacted at the address, telephone and/or facsimile number set forth in the last paragraph of this Notice of Violation.

Description of Violation:

- The name and address of the violator is: Equiva Services LLC, 1100 Louisiana Street, Ste. 2200, Houston, Texas 77002.
- The violations have been occurring since at least 2000 through to the present, though there are indications that separate and additional violations may have occurred before then as well.
- This Notice of Violation covers the "discharge or release prohibition" of Proposition 65, which is found at California *Health and Safety Code* Section 25249.5.
- The name of the listed chemical involved in these violations is benzene and toluene. Benzene and toluene are known carcinogens. Benzene and toluene are contained in the gasoline that was released.
- Discharges of the gasoline which contained benzene and toluene occurred and continue to occur at, and in the area around, the gasoline station located at 3009 N. Long Beach Boulevard (at West Spring Street) in Long Beach, California (the "gasoline station").

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- The gasoline station and the equipment and fixtures associated with the gasoline station were and are the sources of the releases of the gasoline that contain the benzene and toluene.
- The releases of the gasoline that contain the benzene and toluene have been and continue to be into the soils and into the groundwater under the gasoline station and into the groundwater underlying the area around the gasoline station.

Please direct any inquiries regarding this notice to the representative of Mr. Hilburn: Patrick L. Rendon, Smith & Rendon LLP, 515 South Flower Street, Ste. 3500, Los Angeles, California 90071-2203, Tel. (213) 624-6144, Fax (213) 624-6063.

Enclosure – The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary. (The enclosure is not provided to public enforcement agencies but to all others who are served with this notice.)

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 515 South Flower Street, Ste. 3500, Los Angeles, California 90071-2203.

On March 27, 2003, I served the foregoing document(s) described as **NOTICE OF VIOLATION** (for Equiva Services LLC) on the interested parties in this action.

X By placing X the original true copies thereof enclosed in sealed envelopes addressed as follows:

EQUIVA SERVICES LLC
c/o CT Corporation
818 W. Seventh Street
Los Angeles, CA 90017

X BY PERSONAL SERVICE

X As follows: I caused such envelopes to be delivered by hand to the offices of the above- listed addressees on this same day.

On March 27, 2003, I also served the foregoing document(s) described as **NOTICE OF VIOLATION** (for Equiva Services LLC) on the interested parties in this action.

X By placing the original X true copies thereof enclosed in sealed envelopes addressed as follows:

Attorney General's Office
California Dept. of Justice
1515 Clay Street, Ste. 2000
Oakland, CA 94612

Steve Cooley, Esq.
LA County District Attorney's Office
210 West Temple St., Ste. 1800
Los Angeles, California 90012

Robert E. Shannon, Esq.
Long Beach City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, California 90802-4664

Executed on March 27, 2003 at Los Angeles, California.

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