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December 11, 2003

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

To: Bill Lockyer, Attorney General for the State of California
Bonnie M. Dumanis, San Diego County District Attorney
Casey Gwinn, San Diego City Attorney
The Chairman and Chief Executive Officers of Atlantic Richfield Company, ARCO
Oil and Gas Company, ARCO Pipeline Company, ARCO Oil Refining Company, BP
Oil Marketing Company, BP America, Inc. and BP Amoco Chemical, their parents,
subsidiaries, affiliates, and/or divisions (hereinafter collectively referred to as
“Atlantic Richfield”).

RE: **Violations of Proposition 65: Discharge of Listed Chemicals into a Source of
Drinking Water in and around ATLANTIC RICHFIELD'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”) and 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). The public prosecutors 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 Atlantic Richfield (“Violator”). Atlantic Richfield has been sent a copy of this 60-day Notice through Federal Express mail (as noted) and/or certified mail, return receipt requested 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 facilities listed in Attachment 1 attached hereto.

The discharging and/or releasing of chemicals include, but are 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 Atlantic Richfield 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 storm water run-off from the facilities.

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 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 has discharged the chemicals listed above in the manner described herein continuously since approximately December 1994. 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 Atlantic Richfield 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:

Scott R. Summy, Esq.
Laura Baughman, Esq.
Renée Melançon, Esq.
Baron & Budd, P.C.
3102 Oak Lawn Avenue, Suite 1100
Dallas, TX 75219
(214) 521-3605 & (800) 222-2766

Other responsible individuals representing CBE and Nicole McAdam are:

Scott Kuhn, Esq.
Communities for a Better Environment
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Walter P. Lack, Esq.
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10100 Santa Monica Blvd., 16th Floor
Los Angeles, CA 90067

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 Baron & Budd, P.C., (214) 521-3605 or (800) 222-2766.

With this letter, noticing party gives notice of the alleged violations by your facilities to the Attorney General of California, to the District Attorney for the County of San Diego, to the City Attorney for San Diego, and to The Chairman and Chief Executive Officers of Atlantic Richfield Company, ARCO Oil and Gas Company, ARCO Pipeline Company, ARCO Oil Refining Company, BP Oil Marketing Company, BP America, Inc. and BP Amoco Chemical, their parents, subsidiaries, affiliates, and/or divisions, via service of their attorneys of record. This notice covers all violations of the Act that are 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.

Enclosures: Appendix A: *The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary.*

Attachment 1: List of sites noticed for violation of Proposition 65

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

Bill Lockyer, Esq. (Via First Class Certified Mail, Return Receipt Requested)
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ATLANTIC RICHFIELD COMPANY
ARCO OIL AND GAS COMPANY
ARCO PIPELINE COMPANY
ARCO OIL REFINING COMPANY
BP OIL MARKETING COMPANY
BP AMERICA, INC.
BP AMOCO CHEMICAL COMPANY

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Communities for a Better Environment
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Huntington Park, CA 90255

ATTACHMENT 1

SAN DIEGO COUNTY					
FACILITY ID	STREET ADDRESS	CITY	COUNTY	STATE	ZIP
68	8001 BROADWAY	LEMON GROVE	SAN DIEGO	CA	91945
1014	9065 CAMPO RD	SPRING VALLEY	SAN DIEGO	CA	91977
1016	1817 EUCLID AVE	SAN DIEGO	SAN DIEGO	CA	92105
1058	1548 F ST	SAN DIEGO	SAN DIEGO	CA	92101
1353	196 BROADWAY BLVD	CHULA VISTA	SAN DIEGO	CA	91910
1664	1410 E MAIN ST	EL CAJON	SAN DIEGO	CA	92021
1677	404 E CHASE AVE	EL CAJON	SAN DIEGO	CA	92021
1710	3775 MASSACHUSETTS AV	LA MESA	SAN DIEGO	CA	91941
1712	8303 PARKWAY DR	LA MESA	SAN DIEGO	CA	91942
1725	2290 CORONADO AVE	SAN DIEGO	SAN DIEGO	CA	92154
1735	12805 POWAY RD	POWAY	SAN DIEGO	CA	92064
1754	300 W WASHINGTON AVE	ESCONDIDO	SAN DIEGO	CA	92025
1758	1540 PLAZA BLVD.	NATIONAL CITY	SAN DIEGO	CA	91950
1783	1015 MAIN ST	RAMONA	SAN DIEGO	CA	92065
1785	985 TURQUOISE ST	SAN DIEGO	SAN DIEGO	CA	92109
1806	4498 BONITA RD	BONITA	SAN DIEGO	CA	91902
1862	1990 OCEANSIDE BLVD	OCEANSIDE	SAN DIEGO	CA	92054
1919	660 VIA DE LA VALLE	SOLANA BEACH	SAN DIEGO	CA	92075
1925	3190 MAIN ST	CHULA VISTA	SAN DIEGO	CA	91911
1995	11891 RANCHO BERNARDO	RANCHO BERNARDO	SAN DIEGO	CA	92128
3006	745 S SANTA FE AVE	VISTA	SAN DIEGO	CA	92083
3035	8820 CLAIRMONT MESA	SAN DIEGO	SAN DIEGO	CA	92123
3037	915 S CAMINO DEL RIO	SAN DIEGO	SAN DIEGO	CA	92108
3060	3205 UNIVERSITY AVE	SAN DIEGO	SAN DIEGO	CA	92104
5007	2940 LYTTON ST	SAN DIEGO	SAN DIEGO	CA	92110
5087	2340 EL CAJON BLVD	SAN DIEGO	SAN DIEGO	CA	92104
5134	5405 CLAIREMONT MESA	SAN DIEGO	SAN DIEGO	CA	92117
5137	201 BROADWAY	EL CAJON	SAN DIEGO	CA	92020
5160	1522 MISSION AVE	OCEANSIDE	SAN DIEGO	CA	92054
5231	1110 E MAIN ST	EL CAJON	SAN DIEGO	CA	92021
5254	625 SYCAMORE AVE	VISTA	SAN DIEGO	CA	92083
5350	3804 PLAZA DR	OCEANSIDE	SAN DIEGO	CA	92056
5397	407 E ST	CHULA VISTA	SAN DIEGO	CA	91910
5406	1875 GRAND AVE	SAN DIEGO	SAN DIEGO	CA	92109
5408	6301 EL CAJON BLVD	SAN DIEGO	SAN DIEGO	CA	92115
5410	1725 BROADWAY	CHULA VISTA	SAN DIEGO	CA	91911
5411	2255 PALM AVE	SAN DIEGO	SAN DIEGO	CA	92154
5428	6616 MIRAMAR RD	SAN DIEGO	SAN DIEGO	CA	92121
5527	538 N NORDAHL RD	ESCONDIDO	SAN DIEGO	CA	92025
5539	12610 SABRE SPRINGS P	SAN DIEGO	SAN DIEGO	CA	92128
5549	1550 E GRAND AVE	ESCONDIDO	SAN DIEGO	CA	92027
5573	1187 W SAN MARCOS BLV	SAN MARCOS	SAN DIEGO	CA	92069
5599	5555 MISSION RD	BONSALL	SAN DIEGO	CA	92003
5625	26915 MESA ROCK RD	ESCONDIDO	SAN DIEGO	CA	92026
5654	1518 N MAGNOLIA AVE	EL CAJON	SAN DIEGO	CA	92020
5668	2510 OTAY CENTER DR	OTAY MESA	SAN DIEGO	CA	92154
5737	3770 MURPHY CANYON RD	SAN DIEGO	SAN DIEGO	CA	92123
5770	1625 HERITAGE RD	SAN DIEGO	SAN DIEGO	CA	92154
5776	100 LA TERRAZA BLVD	ESCONDIDO	SAN DIEGO	CA	92025
5792	1991 PALOMAR AIRPORT	CARLSBAD	SAN DIEGO	CA	92009

ATTACHMENT 1

5830	9720 CARROLL CENTRE R	SAN DIEGO	SAN DIEGO	CA	92126
5869	3170 CARMEL VALLEY RD	SAN DIEGO	SAN DIEGO	CA	92130
6021	1801 SOUTH COAST HWY	OCEANSIDE	SAN DIEGO	CA	92054
6061	593 N MOLLISON AVE	EL CAJON	SAN DIEGO	CA	92021
6075	779 W SAN YSIDRO BLVD	SAN YSIDRO	SAN DIEGO	CA	92173
6083	3296 EL CAJON BLVD	SAN DIEGO	SAN DIEGO	CA	92104
6086	301 E SAN YSIDRO BLVD	SAN YSIDRO	SAN DIEGO	CA	92173
6101	2336 HIGHLAND AVE	NATIONAL CITY	SAN DIEGO	CA	91950
6133	800 PALOMAR ST	CHULA VISTA	SAN DIEGO	CA	91911
6138	495 TELEGRAPH CYN RD	CHULA VISTA	SAN DIEGO	CA	91910
6146	725 N 2ND ST	EL CAJON	SAN DIEGO	CA	92021
6195	9320 MIRA MESA BLVD	SAN DIEGO	SAN DIEGO	CA	92126
6315	1403 S SANTA FE AVE	VISTA	SAN DIEGO	CA	92083
6376	450 W EL NORTE PKY	ESCONDIDO	SAN DIEGO	CA	92026
6523	133 W 8TH ST	NATIONAL CITY	SAN DIEGO	CA	91950
SAN DIEGO	2295 E. HARBOR DRIVE	SAN DIEGO	SAN DIEGO	CA	92113