

**ENVIRONMENTAL WORLD
WATCH, INC.**

**4821 Lankershim Boulevard
Suite 239
North Hollywood, CA 91601**

JANUARY 10, 2007

**NOTICE OF VIOLATION OF THE SAFE DRINKING WATER
AND TOXIC ENFORCEMENT ACT OF 1986 (California Health
and Safety Code §25249.5 *et seq.*)**

TO:

- **The Walt Disney Co.**

First Class Mail-Proof of Service Attached

TO THE PARTIES LISTED ON THE ATTACHED DISTRIBUTION LISTS

Re: 500 S. Buena Vista St, Burbank, *et al.*

Environmental World Watch, Inc. (the "Noticing Party") and the individual noticing complainants (Complainants) as their individual names are delineated at EXHIBIT C serves this Notice of Violation ("Notice") individually and collectively upon The Walt Disney, Co. (hereinafter "the Company") pursuant to and in compliance with California Health and Safety Code ("H&S Code") §25249.7(d) and 22 California Code of Regulations ("CCR") §12903. This Notice satisfies the prerequisite for a Noticing Party to commence an action against the Company to enforce the Safe Drinking Water and Toxic Enforcement Act of 1986. The violations addressed by this Notice occur in Los Angeles County and Los Angeles City in California. This Notice is being served upon the violator ("the Company"), the California Attorney General, the District Attorney of Los Angeles and the City Attorney of Los Angeles. The Company has a current registration with the California Secretary of State that identifies a President. This Notice is addressed to, and served upon, Mr. Robert Iger, President of The Walt Disney Co.

Toxic Enforcement Act of 1986 (Proposition 65): A Summary." The attached Summary was prepared by the California EPA and provides general information about the Safe Drinking Water and Toxic Enforcement Act of 1986. Copies of the Summary are not required to be, and are not being, provided to the public enforcement agencies.

The description of the Noticing Parties, the Alleged Violator, and the Alleged Violations addressed by this Notice:

This Notice is provided by Environmental World Watch, Inc., (hereinafter "EWW"), is based in Los Angeles and is registered as a Delaware corporation with the office of the California Secretary of State. EWW is acting in the public interest pursuant to H&S Code §25249.7(d), and is dedicated to protecting the environment, improving human health, and supporting environmentally sound practices. The Noticing Complainants (hereinafter "Complainants") are citizens acting on their own behalf as persons suffering from these releases and exposures and are residents of the City of Burbank or Los Angeles within the County of Los Angeles, California.

The violators name and address is:

The Walt Disney Company, 500 South Buena Vista St. Burbank, CA 91521

The name of each chemical that is listed pursuant to the Safe Drinking Water and Toxic Enforcement Act of 1986 involved in the violations addressed by this Notice is Chromium VI, "Hexavalent Chromium", and its compounds; (the "Listed Chemical"). The Listed Chemical is listed (and has been so listed for more than twelve months) by the Governor of the State of California as being a chemical known to the State of California to cause cancer (carcinogen) or reproductive toxicity, or both cancer and reproductive toxicity. The carcinogen is subject to the warning requirements of Health and Safety Code §25249.6 and more specifically 22 CCR §12601(b) *et seq.* The aforementioned carcinogen is on the Governor's list (Prop 65 List) as expressed at 22 CCR §12000. This chemical is known to the State of California to cause carcinogenic harm to humans requiring special environmental warning signs and informational communication for the adjacent community. See EXHIBIT B attached hereto.

The routes of exposure for the violations addressed by this Notice are through inhalation and dermal exposure from direct contact with the particulate and dust from The Company and the Polliwog 11-acre parcel [See Map at EXHIBIT D].

Notice and mapped at EXHIBIT D, is the "Polliwog parcel". These exposures occur in and near the homes of the Complainants as they are Burbank Rancho residents and also may include other yet unknown innocent and un-knowledgeable persons who walk on, ride on, or other wise utilize the vacant 11 acre Polliwog parcel for recreation and enjoyment. Also, the property and the workplace of the Company at 500 S. Buena Vista St, Burbank, Ca. was a source of contamination and releases/exposures for many years, and the Noticing parties/Complainant are unaware if the releases/exposures have ever ceased. The current and continuing exposures occur principally off the property of the Noticed Company, at the Polliwog 11 acre parcel.

In the course of doing business, the Company has knowingly and intentionally exposed, and continues to expose, individuals to the Listed Chemical.

No clear and reasonable warning is or has been provided by the Company to individuals regarding exposure to the Listed Chemical.

These exposures began February 27, 1988 and the Noticing parties and Complainants believe exposures are ongoing and continuing to this day. Therefore, Noticing parties and Complainants contend that the statute of limitations is tolled by the Company's fraudulent concealment of these releases from those persons that required warning in the adjacent areas to the Company properties in Burbank, California, properties near the Company, and properties contaminated by the Company previously described as the 11-acre Polliwog parcel.

NOTICE OF SPECIFIC FACTS

The Company has, since at least February 27, 1988, utilized the listed Chemical as a cooling tower treatment for air circulation and cooling waters at 500 South Buena Vista Street. Furthermore the Company has utilized wood treatments and other commercial and industrial chemicals that contain the Listed Chemical and its compounds at 500 South Buena Vista Street. The use of the Listed Chemical and its compounds and then subsequent release by the Company at the three discharge pipes via waste water at the Keystone property line was done for each day thereafter February 27, 1988. The releases of said wastewater caused said water to travel down the centerline of Parkside Street low flow line toward Parish Place and across Riverside Drive and then into the Polliwog 11 acre parcel as delineated at Exhibit D.

These releases of contaminated waters, where they may pass into any source of drinking water or onto land [Polliwog] where they may probably pass into any source of drinking water is prohibited by the statutes complained of herein. However, the Noticing parties and Complainants do not allege the releases continue today, only that the contamination of the previous releases, has caused the entire property at the Polliwog parcel to be so contaminated and to a tested depth at elevations of 45 feet from natural surface ground that this polluted ground also "threatens" sources of drinking water as defined at H&S 25249.11(e).

Ongoing testing of the Polliwog and adjacent homes of Complainants reveal that the dirt dust, particulate and fine Listed Chemical dry sledges and micro fine particles [$<1\mu\text{g}$] of same contamination have migrated off said Polliwog property. These Listed Chemical dusts, also described as Toxic Air Contaminants [as Hexavalent Chromium] have blown away, been attached to human clothing, shoes, hair, horses hoofs and body hair, and dogs paws and body hair, etc., to such an extent that ANYONE or ANYTHING walking on or utilizing the Polliwog parcel in any way will be exposed to the Listed Chemical and carry that Listed Chemical's residues away from the property causing the further migration of and the further and ongoing exposures alleged in this notice while absent the warnings complained of herein.

This Notice of Violation covers the "warning provision" of Proposition 65, which is found at H&S Code §25249.6. Further the Noticing parties allege that the Company has released quantities of the Listed Chemical into waters of the state in violation of H&S Code §25249.5 *.

Please direct any inquiries regarding this notice or any communication with the responsible party Dennis Becvar for the noticing entity, Environmental World Watch, Inc. and the individual Noticing Complainants to: Mr. William P. Dunlap c/o Environmental World Watch, Inc., 4821 Lankershim

Boulevard, Suite 239, North Hollywood, California 91601

** No person in the course of doing business shall knowingly discharge or release a chemical known to the state to cause cancer or reproductive toxicity into water or onto or into land where such chemical passes or probably will pass into any source of drinking water, notwithstanding any other provision or authorization of law except as provided in Section 25249.9.*

DATED: January 10, 2007

ENVIRONMENTAL WORLD WATCH, INC.

By: 

William P. Dunlap III

President

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 contact address is: 4821 Lankershim Boulevard, Suite 239, North Hollywood, California 91601.

On January 10, 2007, I served copies of the documents listed immediately hereafter by first class mail by placing same in sealed envelopes, fully preparing postage thereon, and depositing said envelopes in the U.S. Mail at Los Angeles, California. Said envelopes were addressed as follows:

SEE ATTACHED DISTRIBUTION LIST

(Sent via certified mail with applicable postage to those parties listed with an asterisk)

Documents mailed:

1. **NOTICE OF VIOLATION OF THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (California Health and Safety Code §25249.5 et seq).**

NOTICED PARTIES:

The Walt Disney Co.
500 S. Buena Vista St.
Burbank, Ca. 91521-0686

2. **Exhibit A - THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY (only sent to those parties listed with an asterisk)**
3. **Exhibit B - Details of Relevant Proposition 65 Chemical Listing**
4. **CERTIFICATE OF MERIT - (attachments only sent to California Attorney General's Office)**
5. **Exhibit C – List of Individual Noticing Complainants**
6. **Exhibit D - Map of Area of Exposure in and around Burbank**

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 January 10, 2007, at Los Angeles, California.

By 
Terry Yamasaki

DISTRIBUTION LIST - NOTICED PARTIES

By CERTIFIED MAIL U.S. Mail - Return Receipt Requested

60-Day Notice of Violation;
Certificate of Merit; and Certificate of Service;
Exhibit A - Summary of Prop. 65;
Exhibit B – Date of Relevant Proposition 65 Chemical Listing;
Exhibit C-List of Individual Noticing Complainants;
Exhibit D- Map of Area of Exposures in and Around Burbank, Ca.

Mr. Bob Iger, President

The Walt Disney Company
500 South Buena Vista Street
Burbank, CA 91521-0586

By Certified Mail – Return Receipt Requested

DISTRIBUTION LIST - GOVERNMENT ENTITIES

60-Day Notice of Violation
Certificate of Merit (w/attachments to AG's office only)
Exhibit B - Details of Relevant Proposition 65 Chemical Listing
Certificate of Service:

CALIFORNIA ATTORNEY GENERAL

CA Department of Justice
PROP. 65 ENFORCEMENT REPORTING
Attn: Prop 65 Coordinator
1515 Clay Street
Suite 2000, Post Office Box 70550
Oakland, CA 94612-0550

By Certified Mail-Return Receipt Requested

Los Angeles City Attorney's Office

1800 City Hall East 200 N. Main Street
Los Angeles, CA 90012

Office of the District Attorney of Los Angeles County

18000 Criminal Courts Building
210 W. Temple Street
Los Angeles, CA 90012

APPENDIX A

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 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.

Discharges 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 listed 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.

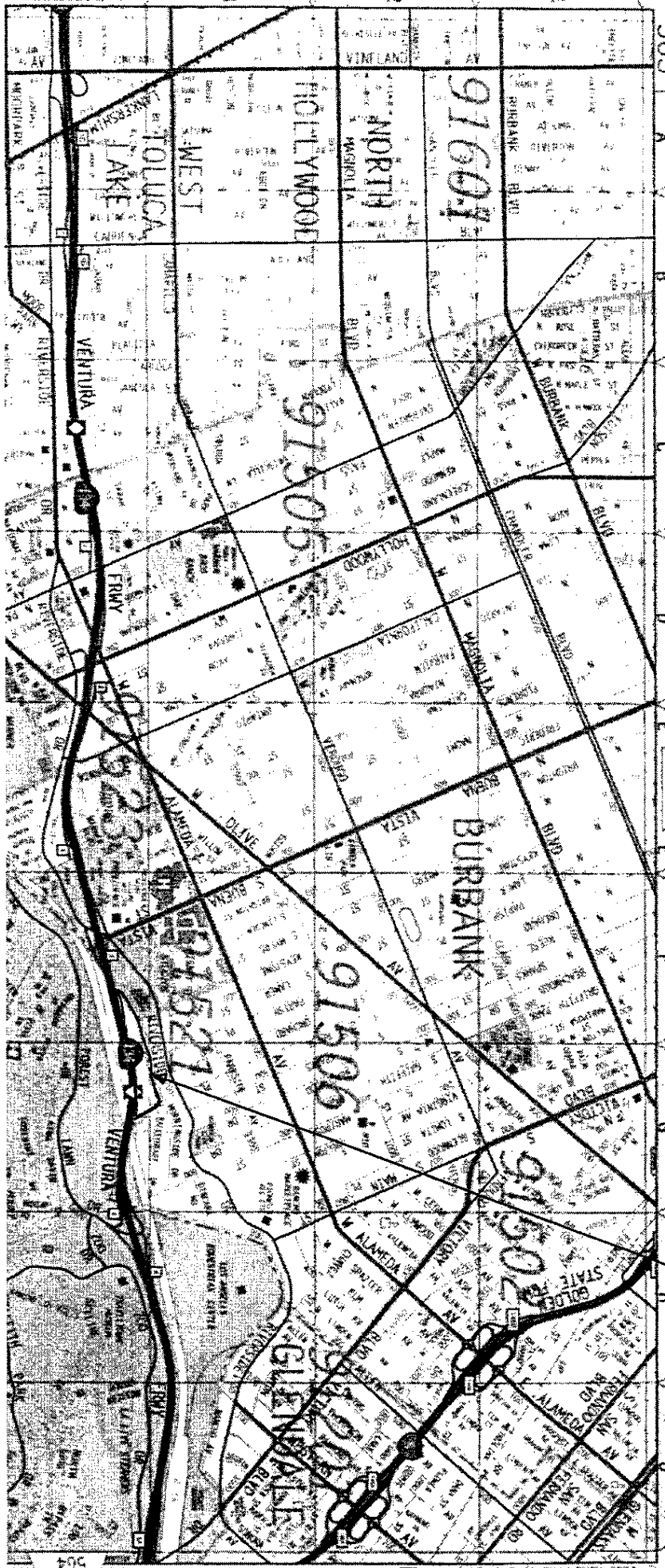
Carcinogen	Level (µg/day)	Section
Benz[a]anthracene	0.033 (oral)	12705(b)
Benzene	6.4 (oral)	12705(b)
	13 (inhalation)	12705(b)
Benzidine	0.001	12705(b)
Benzo[b]fluoranthene	0.096 (oral)	12705(b)
Benzo[j]fluoranthene	0.11 (oral)	12705(b)
Benzofuran	1.1	12705(b)
Benzo[a]pyrene	0.06	12705(c)
Benzyl chloride	4	12705(c)
Benzyl violet 4B	30	12705(d)
Beryllium	0.1	12709
Beryllium oxide	0.1	12705(c)
Beryllium sulfate	0.0002	12705(c)
Bis(2-chloroethyl)ether	0.3	12705(b)
Bis(chloromethyl)ether	0.02	12705(b)
Bromodichloromethane	5	12705(c)
Bromoform	64	12705(b)
1,3-Butadiene	0.4	12705(c)
Butylated hydroxyanisole	4000	12705(b)
beta-Butyrolactone	0.7	12705(d)
Cadmium	0.05 (inhalation)	12705(b)
Captafol	5	12705(d)
Captan	300	12705(d)
Carbazole	4.1	12705(d)
Carbon tetrachloride	5	12705(b)
N-Carboxymethyl-N-nitrosourea	0.70	12705(b)
Chlorambucil	0.002	12705(d)
Chlordane	0.5	12705(c)
Chlordecone (Kepone)	0.04	12705(d)
Chlorendic acid	8	12705(d)
Chlorinated paraffins (Ave. chain length C12; approx. 60% chlorine by weight)	8	12705(d)
Chloroethane (Ethyl chloride)	150	12705(b)
Chloroform	20 (oral)	12705(c)
	40 (inhalation)	12705(c)
Chloromethyl methyl ether (technical grade)	0.3	12705(d)
3-Chloro-2-methylpropene	5	12705(d)
4-Chloro-ortho-phenylenediamine	40	12705(d)
Chlorothalonil	200	12705(d)
p-Chloro-ortho-toluidine	3	12705(d)
p-Chloro-o-toluidine, hydrochloride	3.3	12705(d)
Chlorozotocin	0.003	12705(d)
Chromium (hexavalent)	0.001 (inhalation)	12705(b)
Chrysene	0.35 (oral)	12705(b)
C.I. Basic Red 9 monohydrochloride	3	12705(d)
Cinnamyl anthranilate	200	12705(d)
Coke oven emissions	0.3	12705(c)

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Carbon black (airborne, unbound particles of respirable size)	cancer	1333-86-4	February 21, 2003
Carbon disulfide	developmental, female, male	75-15-0	July 1, 1989
Carbon monoxide	developmental	630-08-0	July 1, 1989
Carbon tetrachloride	cancer	56-23-5	October 1, 1987
Carbon-black extracts	cancer	---	January 1, 1990
Carboplatin	developmental	41575-94-4	July 1, 1990
N-Carboxymethyl-N-nitrosourea	cancer	60391-92-6	January 25, 2002
Catechol	cancer	120-80-9	July 15, 2003
Ceramic fibers (airborne particles of respirable size)	cancer	---	July 1, 1990
Certain combined chemotherapy for lymphomas	cancer	---	February 27, 1987
Chenodiol	developmental	474-25-9	April 1, 1990
Chlorambucil	cancer	305-03-3	February 27, 1987
	developmental		January 1, 1989
Chloramphenicol	cancer	56-75-7	October 1, 1989
Chlorcyclizine hydrochloride	developmental	1620-21-9	July 1, 1987
Chlordane	cancer	57-74-9	July 1, 1988
Chlordecone (Kepone)	cancer	143-50-0	January 1, 1988
	developmental		January 1, 1989
Chlordiazepoxide	developmental	58-25-3	January 1, 1992
Chlordiazepoxide hydrochloride	developmental	438-41-5	January 1, 1992
Chlordimeform	cancer	6164-98-3	January 1, 1989
Chlorendic acid	cancer	115-28-6	July 1, 1989
Chlorinated paraffins (Average chain length, C12; approximately 60 percent chlorine by weight)	cancer	108171-26-2	July 1, 1989
<i>p</i> -Chloroaniline	cancer	106-47-8	October 1, 1994
<i>p</i> -Chloroaniline hydrochloride	cancer	20265-96-7	May 15, 1998
Chlorodibromomethane	cancer	124-48-1	January 1, 1990
<u>Delisted October 29, 1999</u>			
Chloroethane (Ethyl chloride)	cancer	75-00-3	July 1, 1990
1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU) (Lomustine)	cancer	13010-47-4	January 1, 1988
1-(2-Chloroethyl)-3-(4-methylcyclohexyl)-1-nitrosourea (Methyl-CCNU)	developmental		July 1, 1990
	cancer	13909-09-6	October 1, 1988
Chloroform	cancer	67-66-3	October 1, 1987
Chloromethyl methyl ether (technical grade)	cancer	107-30-2	February 27, 1987
3-Chloro-2-methylpropene	cancer	563-47-3	July 1, 1989
1-Chloro-4-nitrobenzene	cancer	100-00-5	October 29, 1999
4-Chloro- <i>o</i> -phenylenediamine	cancer	95-83-0	January 1, 1988
Chloroprene	cancer	126-99-8	June 2, 2000
Chlorothalonil	cancer	1897-45-6	January 1, 1989
<i>p</i> -Chloro- <i>o</i> -toluidine	cancer	95-69-2	January 1, 1990
<i>p</i> -Chloro- <i>o</i> -toluidine, strong acid salts of	cancer	---	May 15, 1998
5-Chloro- <i>o</i> -toluidine and its strong acid salts	cancer	---	October 24, 1997
Chlorotrianisene	cancer	569-57-3	September 1, 1996
Chlorozotocin	cancer	54749-90-5	January 1, 1992
Chlorsulfuron	developmental, female, male	64902-72-3	May 14, 1999
Chromium (hexavalent compounds)	cancer	---	February 27, 1987
Chrysene	cancer	218-01-9	January 1, 1990

LIST OF NOTICING COMPLAINANTS

1. Edward Allen
2. Anamyn Turowski
3. Lorraine Baptist
4. Christine Bird
5. Caryle Bryon and Minor Children: Skylar Nelson, Wylie Nelson
6. Diane Charles
7. Ron Qurashi
8. Alexandra Charles Wyatt
9. Taylor Charles Qurashi (Minor)
10. Sharon Culotta
11. Amy Curtis
12. Daniel Curtis
13. Beverly Daily
14. Robert Dunivant
15. Michael Dunivant
16. Deborah Dunivant
17. Shawn Dunivant
18. Nichola Ellis
19. Jan Flame
20. Dennis Jackson
21. Jennifer Jackson
22. Louise Jackson
23. Matthew Jackson
24. Chantal Mariotti
25. Cyndi Moore
26. Susan Panuska
27. Joel Parker
28. Dawn Peterson
29. Galen Peterson
30. Gini Rebber
31. John Roe
32. Sandra Roe
33. Debra Sasaki
34. Florence Satchell
35. Chuck Sewell
36. Stanley Smith
37. Phyllis Thompson
38. Donna Tritten
39. John Tritten (Deceased)
40. Michelle Tritten
41. Jeffrey Tritten



POLLWOG PARCEL

CERTIFICATE OF MERIT
HEALTH AND SAFETY CODE SECTION 25249.7(d)

• HEXAVALENT CHROMIUM AND ITS COMPOUNDS

NOTICED PARTY:

The Walt Disney Co.

1. I, Dennis Becvar, on behalf of Environmental World Watch, Inc., and individual Complainants hereby declare:

This Certificate of Merit and attached sixty-day notice(s) in which it is alleged that the parties identified in the notices have violated California Health and Safety Code section 25249.6 by failing to provide clear and reasonable warnings.

This Certificate of Merit and attached sixty-day notice(s) in which it is alleged that the parties identified in the notices have violated California Health and Safety Code section 25249.5 by releasing quantities of water containing the Listed Chemical into or onto land where it will pass into waters of the State.

2. I am the environmental expert for the Noticing Party and other Noticing Complainants.

3. I have consulted with one or more persons with relevant and appropriate experience or expertise who has/have reviewed facts, studies, or other data regarding the exposure to the listed chemical(s) that is the subject of this action.

4. Based upon the information obtained through those consultations, and 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 private action" means that the information provides a credible basis that all the 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 24249.7(h)(2), *i.e.*, (1) the identity of the person consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.

DATED: January 10, 2007

By: Dennis Becvar
DENNIS BECVAR