

October 29, 2007

Via First Class Mail
PROPANE GAS MANUFACTURERS,
PRODUCERS AND/OR REFINERS
(See Certificate of Service)

**60-DAY NOTICE OF INTENT TO SUE
FOR VIOLATIONS OF PROPOSITION 65**

Dear Messrs. and Madames:

This letter constitutes notice that the following companies have violated and continue to violate California's Safe Drinking Water and Toxic Enforcement Act of 1986 (Health & Safety Code § 25249.5 *et seq.*, commonly known as Proposition 65).

(1) General Information.

For general information regarding Proposition 65, please see the attached Appendix A, entitled, "The California Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary," which was prepared by the Office of Environmental Health Hazard Assessment of the California Environmental Protection Agency. (A copy is not provided to the public enforcement agencies which receive copies of this notice.) 22 California Code of Regulations § 12903(b)(1).

(2) Description of Violations.

Alleged Violators: BP Products North America, Inc., BP Amoco Chemical Company, Chevron Phillips Chemical Company LP, ConocoPhillips Company, Shell Chemical LP, Tesoro Refining & Marketing Co., and Valero Marketing & Supply Co., Equilon Enterprises LLC

Consumer Product: Propane gas.

Listed Chemical Involved in Alleged Violations: Benzene.

Time Period of Violations: From at least October 22, 2003 to the present day.

Route of Exposure: Inhalation.

Nature of Alleged Violations: The alleged violators respectively manufacture, produce and/or refine propane gas, which is, in turn, sold to California consumers, who (by their reasonably foreseeable use of the consumer product) burn it for the purpose of cooking. The act of burning propane gas produces benzene which is then inhaled by consumers.

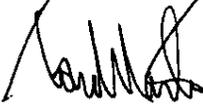
Benzene is on the Governor's list, as expressed at 22 C.C.R. 12000, and is known to the State of California to cause cancer and reproductive toxicity. The alleged violators do not provide California consumers with clear and reasonable warnings regarding exposure to benzene as a consequence of the product's reasonably foreseeable use. Without first receiving clear and reasonable warnings (as required by Proposition 65), California consumers purchase propane gas, burn it, and thereby unwittingly inhale and are exposed to benzene.

Noticing Individual: This Notice is provided by Dr. Richard F. Sowinski, who is a California citizen and who has an interest in protecting the public from health hazards posed by toxic chemicals. Dr. Sowinski's address and telephone number are: 1457 Ramsay Circle, Walnut Creek, California 94597, (925) 938-2693. However, Dr. Sowinski requests that all inquiries about this Notice be directed to him at the following address and telephone number:

Dr. Richard F. Sowinski
c/o Thomas G. Martin, Esq.
Law Office of Thomas Glenn Martin
One World Trade Center, Suite 800
Long Beach, California 90831
Telephone: (562) 208-9088
Facsimile: (562) 684-0882

Pursuant to Health and Safety Code § 25249.7(d), the Noticing Individual intends to bring suit in the public interest against the Alleged Violator sixty (60) days hereafter to correct the violations occasioned by the failure to warn of exposures to listed chemicals.

Very truly yours,



Thomas G. Martin

Enclosures

APPENDIX A

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.

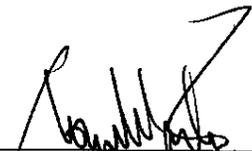
CERTIFICATE OF MERIT

Health and Safety Code Section 25249.7(d)

I, Thomas G. Martin, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged the parties identified in the notices have violated Health and Safety Code section 25249.6 by failing to provide clear and reasonable warnings.
2. I am an attorney for the noticing party.
3. I have consulted with one or more persons with relevant and appropriate experience or expertise who has reviewed facts, studies, or other data regarding the alleged 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 plaintiff's 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: October 29, 2007



Thomas G. Martin

CERTIFICATE OF SERVICE

I, Thomas G. Martin, declare under penalty of perjury under the laws of the State of California that the following is true and correct:

I am over the age of eighteen years and not a party to this action. My business address is: One World Trade Center, Suite 800, Long Beach, CA 90831.

On October 29, 2007, I served the following documents:

60-DAY NOTICE OF INTENT TO SUE FOR VIOLATIONS OF PROPOSITION 65;

APPENDIX A. THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY (NOT SERVED ON PUBLIC ENFORCERS);

CERTIFICATE OF MERIT; AND

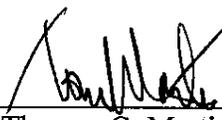
CERTIFICATE OF MERIT ATTACHMENTS (SERVED ONLY ON THE ATTORNEY GENERAL)

- a) on each of the alleged violators listed in the attached service list via First Class by placing a true and correct copy thereof in a sealed envelope with postage fully prepaid, addressed as set forth in the attached service list, and providing such to a United States Postal Service Representative; and
- b) on the public enforcers by placing a true and correct copy in a sealed envelope, addressed to each party listed below as follows:

<i>Via Priority Mail by providing such envelope, postage fully prepaid to a U.S Postal Service Representative:</i>	The Attorney General of the State of California
<i>Via First Class Mail by providing each envelope, postage fully prepaid to a U.S Postal Service Representative:</i>	The District Attorney for each of the 58 counties in the State of California, and The City Attorney for Los Angeles, San Diego, San Jose, San Francisco and Sacramento.

A service list of addresses for each of these public enforcer recipients is attached.

Executed on October 29, 2007 in Long Beach, California.



 Thomas G. Martin

SERVICE LIST

Public Enforcers:

- The Honorable Tom Orloff
Alameda County District Attorney
1225 Fallon Street, Room 900
Oakland, CA 94612
- The Honorable William Richmond
Alpine County District Attorney
270 Laramie Street, PO BOX 248
Markleeville, CA 96120
- The Honorable Todd Riebe
Amador County District Attorney
708 Court Street, #202
Jackson, CA 95642
- The Honorable Michael Rarnsey
Butte County District Attorney
25 County Center Drive,
Administration Building
Oroville, CA 95965
- The Honorable Jeffrey Tuttle
Calaveras County District Attorney
891 Mountain Ranch Road
San Andreas, CA 95249
- The Honorable John R. Poyner
Colusa County District Attorney
547 Market Street
Colusa, CA 95932
- The Honorable Robert J. Kochly
Contra Costa County District Attorney
725 Court Street, 4th Floor, Rm. 402
Martinez, CA 94553
- The Honorable Michael Riese
Del Norte County District Attorney
450 H Street
Crescent City, CA 95531
- The Honorable Gary Lacy
El Dorado County District Attorney
515 Main Street
Placerville, CA 95667
- The Honorable Elizabeth Egan
Fresno County District Attorney
2220 Tulare Street, #1000
Fresno, CA 93721
- The Honorable Robert Holzapfel
Glenn County District Attorney
540 West Sycamore
Willows, CA 95988
- The Honorable Paul Gallegos
Humboldt County District Attorney
825 5th Street
Eureka, CA 95501
- The Honorable Gilbert Otero
Imperial County District Attorney
939 West Main Street
El Centro, CA 92243
- The Honorable Arthur Maillet
Inyo County District Attorney
PO Drawer D
Independence, CA 93526
- The Honorable Edward R. Jagels
Kern County District Attorney
1215 Truxtun Avenue
Bakersfield, CA 93301
- The Honorable Ronald Calhoun
Kings County District Attorney
1400 West Lacey Boulevard
Hanford, CA 93230
- The Honorable Gerhard Luck
Lake County District Attorney
255 North Forbes Street
Lakeport, CA 95453
- The Honorable Robert Burns
Lassen County District Attorney
220 S. Lassen Street, Ste. 8
Susanville, CA 96130
- The Honorable Steve Cooley
Los Angeles County District Attorney
210 West Temple Street
Los Angeles, CA 90012
- The Honorable Ernest LiCalsi
Madera County District Attorney
209 West Yosemite Avenue
Madera, CA 93637
- The Honorable Edward Berberian
Marin County District Attorney
3501 Civic Center Drive, Room 130
San Rafael, CA 94903
- The Honorable Robert Brown
Mariposa County District Attorney
5101 Jones Street, P.O. Box 730
Mariposa, CA 95338
- The Honorable Norman Vroman
Mendocino County District Attorney
100 North State Street, G-10
Ukiah, CA 95482
- The Honorable Gordon Spencer
Merced County District Attorney
2222 M Street
Merced, CA 95340
- The Honorable Jordan Funk
Modoc County District Attorney
204 S. Court Street, Room 202
Alturas, CA 96101
- The Honorable George Booth
Mono County District Attorney
Old Court House, Main Street
Bridgeport, CA 93517
- The Honorable Dean Flippo
Monterey County District Attorney
240 Church Street, #101
Salinas, CA 93901
- The Honorable Gary Lieberstein
Napa County District Attorney
931 Parkway Mall
Napa, CA 94559
- The Honorable Michael Ferguson
Nevada County District Attorney
201 Church Street, Suite 8
Nevada City, CA 95959
- The Honorable Tony Rackauckas
Orange County District Attorney
401 Civic Center Drive West
Santa Ana, CA 92701
- The Honorable Bradford Fenocchio
Placer County District Attorney
11562 B Avenue
Auburn, CA 95603
- The Honorable Jeff Cunan
Plumas County District Attorney
520 Main Street, Room 404
Quincy, CA 95971
- The Honorable Grover Trask II
Riverside County District Attorney
4075 Main Street
Riverside, CA 92501
- The Honorable Jan Scully
Sacramento County District Attorney
901 G Street
Sacramento, CA 95814
- The Honorable John Sarsfield
San Benito County District Attorney
419 4th Street, Second Floor
Hollister, CA 95203
- The Honorable Michael Ramos
San Bernardino County District Attorney
316 N. Mountain View Avenue
San Bernardino, CA 92415
- The Honorable Bonnie Dumanis
San Diego County District Attorney
330 W. Broadway Street, Suite 1320
San Diego, CA 92101
- The Honorable Kamala Harris
San Francisco County District Attorney
850 Bryant Street, Room 325
San Francisco, CA 94103
- The Honorable James Willett
San Joaquin County District Attorney
222 E. Weber Avenue
2nd Floor, Room 202
Stockton, CA 95201
- The Honorable Gerald Shea
San Luis Obispo County District Attorney
1050 Monterey Street, Room 450
San Luis Obispo, CA 93408
- The Honorable James Fox
San Mateo County District Attorney
400 County Center, Third Floor
Redwood City, CA 94063
- The Honorable Thomas Sneddon, Jr.
Santa Barbara County District Attorney
1112 Santa Barbara Street
Santa Barbara, CA 93101
- The Honorable George Kennedy
Santa Clara County District Attorney
70 West Hedding Street, West Wing
San Jose, CA 95110
- The Honorable Bob Lee
Santa Cruz County District Attorney
701 Ocean Street, Room 200
Santa Cruz, CA 95060
- The Honorable Gerald Benito
Shasta County District Attorney
1525 Court Street, Third Floor
Redding, CA 96001
- The Honorable Lawrence Allen
Sierra County District Attorney
100 Courthouse Square, Second Floor
Downieville, CA 95936
- The Honorable James Andrus
Siskiyou County District Attorney
311 4th Street
Yreka, CA 96097
- The Honorable David Paulson
Solano County District Attorney
675 Texas Street, Suite 4500
Fairfield, CA 94533
- The Honorable Stephan Passalacqua
Sonoma County District Attorney
600 Administration Drive, Room 212J
Santa Rosa, CA 95403
- The Honorable Carol Shipley
Stanislaus County District Attorney
800 11th Street, Room 200
Modesto, CA 95353
- The Honorable Carl Adams
Sutter County District Attorney
446 Second Street
Yuba City, CA 95991
- The Honorable Gregg Cohen
Tehama County District Attorney
PO Box 519
Red Bluff, CA 96080
- The Honorable Michael B. Harper
Trinity County District Attorney
PO Box 310
Weaverville, CA 96093
- The Honorable Phillip Cline
Tulare County District Attorney
221 South Mooney Boulevard, Suite 224
Visalia, CA 93291
- The Honorable Donald Segerstrom, Jr.
Tuolumne County District Attorney
2 South Green Street
Sonora, CA 95370
- The Honorable Gregory Totten
Ventura County District Attorney
800 South Victoria Avenue
Ventura, CA 93009
- The Honorable David C. Henderson
Yolo County District Attorney
301 Second Street
Woodland, CA 95695
- The Honorable Patrick McGrath
Yuba County District Attorney
215 Fifth Street
Marysville, CA 95901
- The Honorable Rockard Delgadillo
City Attorney, Los Angeles
200 North Main Street
Los Angeles, CA 90012
- The Honorable Michael Aguirre
City Attorney, San Diego
1200 Third Avenue, Suite 1620
San Diego, CA 92101
- The Honorable Samuel Jackson
City Attorney, Sacramento
915 I Street, 4th Floor
Sacramento, CA 95814
- The Honorable Dennis J. Herrera
City Attorney, San Francisco
City Hall, Room 234
San Francisco, CA 94102
- The Honorable Richard Doyle
City Attorney, San Jose
200 East Santa Clara Street
San Jose, CA 95113
- Office of the California Attorney General
Proposition 65 Enforcement Reporting
ATTN: Prop 65 Coordinator
1515 Clay Street, Suite 2000
Oakland, CA 94612-0550

SERVICE LIST (cont'd)

Alleged Violators:

President, CEO or General Counsel
BP Products North America, Inc.
41101 Winfield Road
Warrenville, IL 60555

BP Products North America, Inc.
C/O CSC – LAWYERS INCORPORATING SVC.
(Agent for Service of Process)
P.O. Box 526036
Sacramento, California 95852

President, CEO or General Counsel
BP Amoco Chemical Company
41101 Winfield Road
Warrenville, IL 60555

BP Amoco Chemical Company
C/O CSC – LAWYERS INCORPORATING SVC.
(Agent for Service of Process)
P.O. Box 526036
Sacramento, California 95852

President, CEO or General Counsel
Chevron Phillips Chemical Company LP
Specialty Chemicals
10001 Six Pines Drive
The Woodlands, TX 77380

President, CEO or General Counsel
ConocoPhillips Company
600 N. Dairy Ashford
Houston, TX 77079-1175

ConocoPhillips Company
C/O CSC – LAWYERS INCORPORATING SVC.
(Agent for Service of Process)
P.O. Box 526036
Sacramento, California 95852

President, CEO or General Counsel
Shell Chemical LP
P.O. Box 2463
Houston, TX 77252-2463

President, CEO or General Counsel
Tesoro Refining & Marketing Co.
300 Concord Plaza Drive
San Antonio, TX 78216-6999

Tesoro Refining & Marketing Co.
C/O CSC – LAWYERS INCORPORATING SVC.
(Agent for Service of Process)
P.O. Box 526036
Sacramento, California 95852

President, CEO or General Counsel
Valero Marketing & Supply Company
One Valero Way
San Antonio, TX 78249-1616

Valero Marketing & Supply Company
C/O CT CORPORATION SYSTEM
(Agent for Service of Process)
818 West Seventh Street
Los Angeles, CA 90017

President, CEO or General Counsel
Equilon Enterprises LLC
P.O. Box 674414
Houston, TX 77267-4414

President, CEO or General Counsel
Equilon Enterprises LLC
910 Louisiana Street, Suite 2556
Houston, TX 77002-5227