



August 27, 2009

EDWARD G. WEIL
DEPUTY ATTORNEY GENERAL
OFFICE OF THE ATTORNEY GENERAL
P.O. BOX 70550
OAKLAND CA 94612-0550

Greetings:

This office and the Mateel Environmental Justice Foundation ("Mateel") give you notice that the private businesses on the attached service list have been, are, will be and threaten to be in violation of Cal. Health & Safety Code § 25249.6. Both this office and Mateel are private enforcers of Proposition 65, both may be contacted at the below-listed address and telephone number, and I am a responsible individual at both Mateel and this office. The above referenced violations occur when California residents come into contact with products that are made of, or that incorporate parts made of, brass and/or bronze (collectively "brass products"). The above referenced violations occur when California residents come into contact with brass components that can be handled in the normal or foreseeable use of equipment manufactured, sold or distributed by ORS Nasco (and the other businesses listed on the service list). These brass components are found in welding equipment, safety and security products, pneumatics, measuring and leveling tools, janitorial equipment, hand tools, products and parts used to apply paints and chemicals, HVAC parts and tools, marking tools, and maintenance, repair and operations items, corkscrews, drills and drivers, tire inflators, air hoses, welding hoses and gauges (collectively hereinafter "brass components"). Though the products on the attached list are listed with a product number or SKU, this notice pertains to all products of the same specific type, not just to those products, the specific numbers for which are listed in the product list. The brass products are made in whole, or in part, from leaded brass, which contains lead and lead compounds ("lead"), which are chemicals known to cause cancer, birth defects and other reproductive harm. California residents are exposed to lead whenever they handle these brass products, such as when buying them, when handling them, or when using them. Lead is transferred from the brass products to their hands and to other parts of their skin. This lead is then absorbed through the skin, taken into cuts and abrasions, absorbed through mucous membranes, and transferred from the skin to the mouth via oral contact either directly with the lead-contaminated skin, and when lead is transferred from contaminated skin to cigarettes and food and the contaminated cigarettes and food are smoked and/or eaten. These lead exposures thus occur via the dermal absorption, subcutaneous, mucous membrane, ingestion and inhalation routes. The listed businesses did not and do not provide people with clear and reasonable warnings before they expose them to lead. These violations have occurred every day since at least August 27, 2006, and will continue every day until the lead is removed from the brass products, or until clear and reasonable warnings are given. The above-referenced violations are alleged for occupational exposures as well as for consumer and environmental exposures. We do not, however, allege occupational exposure violations as to any brass products made outside of California, except as to workplaces these companies themselves maintain in California. Exposures constituting Proposition 65 environmental exposure violations occur both on and off the companies' property and in each of California's 58 counties.

Cordially,

William Verick

424 First Street, Eureka, CA 95501 • 707.268.8900 (phone) 707.268.8901 (fax)

SERVICE LIST

EDWARD J. AWBIL
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GENERAL
P.O. BOX 30590
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OFFICE OF THE CITY ATTORNEY
CITY OF OAKLAND
255 14TH ST. 15TH FLOOR
OAKLAND, CA 94612

OFFICE OF THE CITY ATTORNEY
CITY OF SAN FRANCISCO
CITY HALL ROOM 206
400 VAN NESS
SAN FRANCISCO, CA 94102

OFFICE OF THE CITY ATTORNEY
CITY OF SACRAMENTO
PO BOX 1948
SACRAMENTO, CA 95812-1948

OFFICE OF THE CITY ATTORNEY
CITY OF SAN JOSE
200 EAST SANTA CLARA STREET
SAN JOSE, CA 95113

OFFICE OF THE CITY ATTORNEY
CITY OF LOS ANGELES
900 N. MAIN ST.
LOS ANGELES, CA 90012

OFFICE OF THE CITY ATTORNEY
CITY OF SAN DIEGO CONSUMER &
ENVIRONMENTAL PROTECTION
200 THIRD AVENUE, SUITE 700
SAN DIEGO, CA 92101

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF ALAMEDA
225 FALLON STREET 2ND ROOM 900
OAKLAND, CA 94612

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF ALPHEI
P.O. BOX 344
MARTINEVILLE, CA 96120

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF AMADOR
906 COURT STREET
MADISON, CA 95622

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF BUTTE
55 COUNTY CENTER DR
DROSVILLE, CA 95965

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF CALAVERAS
GOVERNMENT CENTER
900 MOUNTAIN RANCH ROAD
SAN ANDREAS, CA 95249

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF COLUSA
47 MARKET STREET
COLUSA, CA 95933

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF CONTRA COSTA
P.O. BOX 670
MARTINEZ, CA 94553

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF DEL Norte
SHERST # 71
RESIDENT CITY, CA 95941

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF EL DORADO
15 MAIN ST.
FAIRFIELD, CA 95627

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF FRESNO
200 CHILARE ST #1000
RENO, CA 95702

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF GLENN
P.O. BOX 430
WILLOWS, CA 95988

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF HUMBOLDT
825 5TH ST.
EUREKA, CA 95501

COUNTY OF IMPERIAL
COURTHOUSE, FLOOR 2
939 W. MAIN ST
EL CENTRO, CA 92243

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF INYO
P.O. DRAWER D
INDEPENDENCE, CA 93526

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF KERN
1215 TRUXTON AVE. FLOOR 4
BAKERSFIELD, CA 93301

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF KINGS
1400 W. LACEY BLVD.
HANFORD, CA 93230

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF LAKE
255 N. FORBES ST. # 424
LAKEPORT, CA 95453

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF LASSEN
220 SOUTH LASSEN ST. STB 8
SUSANVILLE, CA 96130

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF LOS ANGELES
18000 CRIMINAL COURTS
BUILDING
210 W. TEMPLE ST.
LOS ANGELES, CA 90012

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MADERA
209 W. YOSEMITE AVE.
MADERA, CA 93637

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MARIN
HALL OF JUSTICE #183
SAN RAFAEL, CA 94903

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MARIPOSA
P.O. BOX 730
MARIPOSA, CA 95338

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MENDOCINO
PO BOX 1000
UKIAH, CA 95482

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MERCED
2222 M ST.
MERCED, CA 95340

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MODOC
204 SOUTH COURT STREET
ALTURAS, CA 96101

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MONO
P.O. BOX 617
BRIDGEPORT, CA 93517

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MONTEREY
240 CHURCH STREET
P.O. BOX 1131
SALINAS, CA 93902

COUNTY OF NAPA
931 PARKWAY MALL
P.O. BOX 720
NAPA, CA 94559-0720

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF NEVADA
110 UNION STREET
NEVADA CITY, CA 95959

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF ORANGE
401 CIVIC CENTER DR WEST
SANTA ANA, CA 92701

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF PLACER
10810 JUSTICE CENTER DR., STE 240
ROSEVILLE, CA 95678

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF PLUMAS
520 MAIN STREET #404
QUINCY, CA 95971

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF RIVERSIDE
4075 MAIN ST.
RIVERSIDE, CA 92501

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SACRAMENTO
901 G STREET
SACRAMENTO, CA 95814

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN BENITO
419 4TH ST
HOLLISTER, CA 95023

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN BERNARDINO
316 MT. VIEW AVE.
SAN BERNARDINO, CA 92415-0004

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN DIEGO
330 W. BROADWAY, SUITE 1100
SAN DIEGO, CA 92101

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN FRANCISCO
850 BRYANT ST #322
SAN FRANCISCO, CA 94103

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN JOAQUIN
222 E. WEBER AVE #202
STOCKTON, CA 95202

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN LUIS OBISPO
COUNTY GOVERNMENT CENTER #450
SAN LUIS OBISPO, CA 93408

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN MATEO
HALL OF JUSTICE AND RECORDS
REDWOOD CITY, CA 94063

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SANTA BARBARA
1112 SANTA BARBARA ST.
SANTA BARBARA, CA 93101

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SANTA CLARA
70 W. HEDDING ST.
SAN JOSE, CA 95110

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SANTA CRUZ
701 OCEAN ST. #200
SANTA CRUZ, CA 95060

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SHASTA
1525 COURT ST.
REDDING, CA 96001

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SIERRA
P.O. BOX 457
DOWNEYVILLE, CA 95936

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF SOLANO
600 UNION AVE
FAIRFIELD, CA 94533

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF SONOMA
600 ADMINISTRATION DR. #212J
SANTA ROSA, CA 95403

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF STANISLAUS
1100 I ST. #200
MODESTO, CA 95354

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF SUTTER
1160 CIVIC CENTER BLVD. #A
YUBA CITY, CA 95993

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF TEHAMA
P.O. BOX 519
REDBLUFF, CA 96080

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF TUOLUMNE
2 S. GREEN ST.
SONORA, CA 95370

VENTURA COUNTY DISTRICT
ATTORNEY'S OFFICE
800 SOUTH VICTORIA AVE
VENTURA, CA 93009

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF YOLO
301 SECOND STREET
WOODLAND, CA 95695

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF YUBA
215 5TH ST.
MARYSVILLE, CA 95901

DONALD TOLLISON, PRESIDENT
BALKAMP, INC
2601 S. HOLT RD.
INDIANAPOLIS, IN 46241

JACK BURNS, PRESIDENT
COILHOSE PNEUMATICS, INC.
19 KIMBERLY RD
EAST BRUNSWICK, NJ 08816

MARK DALEY, CEO
DEAN & DELUCA, INC.
2402 E 37TH ST N
WICHITA, KS 67219

MARK DALEY, CEO
DEAN & DELUCA, INC.
560 BROADWAY
NEW YORK, NY 10012

RICHARD BELL, CEO
GATES CORPORATION
1551 WEWATTA STREET
DENVER, CO 80202

ROBERT J. KEEGAN, CEO
GOODYEAR TIRE & RUBBER CO
1144 EAST MARKET STREET
AKRON, OH 44316

JEFFREY S BLEECKER, CEO
INNOVATIONS IN CYCLING, INC.
2700 E HILBY RD BLDG C
TUCSON, AZ 85706

ROBERT A NIBLOCK, CEO
LOWE'S HIW, INC.
101 ANDOVER PARK E., SUITE 200
TUKWILA, WA 98188

WILLIAM K SCHELLER, CEO
ORS NASCO, INC.
2348 E SHAWNEE BYPASS
MUSKOGEE, OK 74403

TIMOTHY R. TOPPEN, CEO
VEYANCE TECHNOLOGIES, INC.
1144 EAST MARKET STREET
AKRON, OH 44316

PRODUCTS LIST

BAI KAMP, INC.

NAPA SELF STORING AIR HOSE 1/4" IN X 12' - 1/4" MALE NPT 715-1510 UPC CODE: 664766 062605 This product description pertains not only to the specific model of the product listed, but also for all units of all models of hose couplers, air or gas hoses that have components or accessories that utilize brass.

COILHOUSE PNEUMATICS, INC.

MULTI-PURPOSE HOSE 1/4" ID X 12', 1/4" MPT #R14012N UPC CODE: 029292 298308 This product description pertains not only to the specific model of the product listed, but also for all units of all models of hose couplers, air or gas hoses that have components or accessories that utilize brass.

DEAN & DELUCA, INC.

GATTORNA CLASSIC CORKSCREW-VOILA ITEM #105600 This product description pertains not only to the specific model of the product listed, but also for all units of all models of utensils that utilize brass.

GATES CORPORATION

NAPA 400S AIR HOSE 1/4" X 25' - 300 PSI H240 3215-6101 UPC CODE: 029769 35085 This product description pertains not only to the specific model of the product listed, but also for all units of all models of hose couplers, air or gas hoses that have components or accessories that utilize brass.

INNOVATIONS IN CYCLING, INC.

ULTRAFLATE PLUS CONTROLLABLE CO2 TIRE INFLATOR RM00283 REVD UPC CODE: 708162 024253 This product description pertains not only to the specific model of the product listed, but also for all units of all models of tools and/or accessories that utilize brass.

LOWE'S COMPANIES, INC.

BRASS HOSE COUPLERS/ACCESSORIES:

KOBALT 1/4" NPT INDUSTRIAL COUPLER #000352 UPC CODE: 879686 001492; KOBALT 25 FT DELUXE POLYURETHANE RECOIL AIR HOSE #061497 UPC CODE: 831868 002208; KOBALT 3/8" COUPLER/PLUG KIT #177219 UPC CODE: 879686 001539; KOBALT INFLATION KIT #179681 UPC CODE: 879686 001959; TASK FORCE 16PC PNEUMATIC ACCESSORY KIT ITEM# 193551 MODEL # SGY-KIT-F UPC CODE: 879686 000617; KOBALT 1/4" FIELD REPAIRABLE INDUSTRIAL COUPLER WITH CLAMP #127962 UPC CODE: 879686 001508; KOBALT 1/4" U COUPLING #129967 UPC CODE: 879686 001485; KOBALT 3/8" X 3/8" NPT COUPLING #002271 UPC CODE: 879686 001980 TASK FORCE 16PC PNEUMATIC ACCESSORY KIT ITEM# 193551 MODEL # SGY-KIT-F UPC CODE: 879686 000617 **BRASS TOOLS:** KOBALT #8 DRILL AND DRIVER #280534 UPC CODE: 051667 800939 These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of hose couplers, tools and accessories that utilize components or accessories made of brass.

ORS NASCO, INC.

ANCHOR TWIN WELDING HOSE 3/16" X 25' UPC CODE: 604669 169285; ANCHOR TWIN WELDING HOSE 3/16" X 12.5' UPC CODE: 604669 169513; ANCHOR BRAND TWIN WELDING HOSE FOR ACETYLENE GAS 1-EA GRADE R 1/4" X 25' B-B PART# LB254 UPC CODE: 604669 168219; ANCHOR BRAND TWIN WELDING HOSE 3/16" X 12.5' B-B PART #LB123 GRADE R UPC CODE: 604669 168103; ANCHOR BRAND TWIN WELDING HOSE 3/16" X 25' B-B PART#LB253 UPC CODE: 604669 168141; ANCHOR BRAND TWIN WELDING HOSE FOR ACETYLENE GAS GRADE R, 3/16" X 50' B-B FITTINGS PART NO# LB503 UPC CODE: 604669 168172 This product description pertains not only to the specific model of the product listed, but also for all units of all models of valves " (including the valve handles) regulators, connector hoses and accessories that utilize brass fittings, and other brass fittings that are associated with the use of flammable compressed gasses.

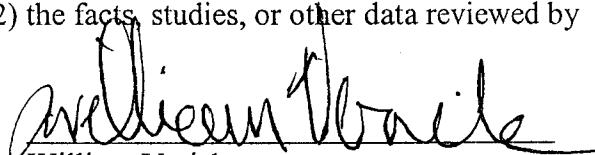
VEYANCE TECHNOLOGIES, INC./GOODYEAR TIRE & RUBBER COMPANY/W.W. GRAINGER, INC.

DAYTON 3/8" IN X 2.5' PVC AIR WHIP HOSE RD #11AFJ1; DAYTON MULTI PURPOSE HOSE 1/4" X 25' LENGTH 1/4" FITTINGS ITEM 3JT63; SPEEDAIRE MULTI PURPOSE HOSE 1/4" X 50'- 1/4" FITTINGS ITEM 2Z010 These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of hose couplers, air or gas hoses that have components or accessories that utilize brass.

CERTIFICATE OF MERIT

I, William Verick, hereby declare: This Certificate of Merit accompanies the attached sixty-day notice(s) 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. I am the attorney for the noticing party. 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 exposure to the listed chemical that is the subject of the action. 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 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. 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 person(s) consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.

Dated: August 27, 2009

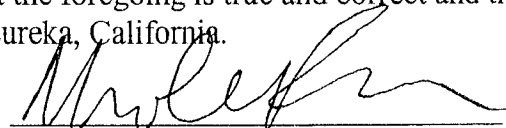

William Verick

This notice alleges the violation of Proposition 65 with respect to occupational exposures governed by the California State Plan for Occupational Safety and Health. The State Plan incorporates the provisions of Proposition 65, as approved by Federal OSHA on June 6, 1997. This approval specifically placed certain conditions on Proposition 65, including that it does not apply to the conduct of manufacturers occurring outside the State of California. The approval also provides that an employer may use the means of compliances in the general hazard communication requirements to comply with Proposition 65. It also requires that supplemental enforcement is subject to the supervision of the California Occupational Safety and Health Administration. Accordingly, any settlement, civil complaint, or substantive court orders in this matter must be submitted to the Attorney General.

CERTIFICATE OF SERVICE

I, Nicole Frank, declare:

If called, I could and would testify as follows: I am over eighteen. My business address is 424 First Street, Eureka, California, 95501. On August 27, 2009, I caused the attached 60-DAY NOTICE LETTER, or a letter identical in substance, to be served by U.S. Mail on those public enforcement agencies listed on the attached SERVICE LIST; in addition on the same date and by U.S. Mail I caused the attached 60-DAY NOTICE LETTER and PROPOSITION 65: A SUMMARY to be sent by Certified U.S. Mail to the private business entities also listed on the attached SERVICE LIST. I deposited copies of these documents in envelopes, postage pre-paid, with the U.S. Postal Service on the day on which the mail is collected. 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 August 27, 2009, at Eureka, California.


Nicole Frank