

NOTICE OF VIOLATION

California Safe Drinking Water and Toxic Enforcement Act

Lead from Leaded Aviation Gasoline

March 27, 2012

This Notice of Violation is provided to you 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 EPA (copies not provided to public enforcement agencies).
- This Notice of Violation is provided by the Center for Environmental Health ("CEH"), 2201 Broadway, Suite 302, Oakland, CA 94612, (510) 655-3900. CEH is a nonprofit corporation dedicated to protecting the environment, improving human health and supporting environmentally sound practices. Charlie Pizarro is the Associate Director of and a responsible individual within CEH.

Description of Violation:

- Violators: The names and addresses of the violators are attached hereto as Exhibit 1.
- Time Period of Violation: The violations have been occurring since at least March 27, 2009 and are continuing to this day.
- Provisions of Proposition 65: This Notice of Violation covers the "warning provision" of Proposition 65, which is found at Health and Safety Code Section 25249.6.
- Chemical(s) Involved: The names of the listed chemicals involved in these violations are lead and lead compounds ("Lead"). Exposures to Lead occur from use of the Leaded aviation gasoline supplied by the violators listed on Exhibit 1.
- Description of Exposure: This Notice addresses environmental exposures to Lead caused by the alleged violators listed on the attached Exhibit 1. Use of the Leaded aviation gasoline supplied by the violators listed on Exhibit 1 results in human exposures to Lead. Lead is contained in the aviation gasoline that is supplied by the alleged violators and is emitted as airplanes fueled by the alleged violators take off and land at the airports identified in Exhibit 1.
 - Route of Exposure: The route of exposure for the violations is primarily inhalation, when individuals breathe the Lead emitted by the airplanes fueled by the alleged violators, but also includes ingestion via hand to mouth contact and dermal absorption directly through the skin when individuals within the vicinity of the airport listed on Exhibit 1 touch or handle dust laden with Lead from the aviation fuel.
 - Location of Source of Exposure: The sources of the exposures to Lead identified in this Notice are the airports listed on Exhibit 1. The exposures to Lead from the Leaded aviation fuel occur in the vicinity of the airports listed on Exhibit 1. The exposures occur beyond the property owned or operated by the violators.

Resolution of Noticed Claims:

- Based on the allegations set forth in this Notice, CEH intends to file a citizen enforcement lawsuit against the alleged violators unless the alleged violators agree in a binding written instrument to remedy the violations alleged herein by either: (a) providing warnings to the individuals who reside or pass through the areas surrounding the airports identified on Exhibit 1; or (b) ceasing use of all Leaded aviation fuel in order to cease ongoing and future exposures to Lead alleged herein; and paying an appropriate civil penalty in accordance with the factors set forth in Health and Safety Code Section 25249.7. If any of the alleged violators are interested in resolving this dispute without resorting to expensive and time-consuming litigation, please contact CEH through its counsel identified below. It should be noted that CEH cannot: (1) finalize any settlement until after the 60-day notice period has expired; nor (2) speak for the Attorney General or any District or City Attorney who received CEH's 60-day Notice. Therefore, while reaching an agreement with CEH will resolve its claims, such agreement may not satisfy the public prosecutors.

Please direct any inquiries regarding this Notice to counsel for CEH: Mark N. Todzo, Lexington Law Group, 503 Divisadero Street, San Francisco, CA 94117, (415) 913-7800.

EXHIBIT 1
March 27, 2012 Notice of Violation
Lead from Leaded Aviation Gasoline

Name and Address of Responsible Party	Location of the Source of the Exposure (Airport Where Responsible Party Operates)
<p>Atlantic Aviation Corporation 6504 International Parkway Suite 2400 Plano, TX 75093</p> <p>Atlantic Aviation FBO Inc. 6504 International Parkway Suite 2400 Plano, TX 75093</p>	<p style="text-align: center;">Bob Hope Airport 2627 N. Hollywood Way Burbank, CA 91505</p>
<p>Aviation Consultants, Inc. 945 Airport Drive San Luis Obispo, CA 93401</p> <p>San Luis Jet Center 945 Airport Drive San Luis Obispo, CA 93401</p>	<p style="text-align: center;">San Luis Obispo County Regional Airport 903-5 Airport Drive. San Luis Obispo, CA 93401</p>
<p>Downstream Aviation, LP 1605 LBJ Freeway, Suite 700 Dallas, TX 75234</p>	<p style="text-align: center;">Napa County Airport 2030 Airport Road Napa, CA 94558</p> <p style="text-align: center;">Van Nuys Airport 16461 Sherman Way Van Nuys, CA 91406</p>
<p>Eastern Aviation Fuels, Inc. 601 McCarthy Boulevard New Bern, NC 28562</p> <p>EAFNC, LLC 601 McCarthy Boulevard New Bern, NC 28562</p>	<p style="text-align: center;">Camarillo Airport 555 Airport Way Camarillo, CA 93010</p> <p style="text-align: center;">Hayward Executive Airport 20301 Skywest Drive Hayward, CA 94541</p>

<p>Lancair Corp. 1424 Continental Street San Diego, CA 92154</p> <p>Lancair International Inc. 250 SE Timber Avenue Redmond, OR 97756</p> <p>San Diego Jet Center, Inc. 1424 Continental Street San Diego, CA 92154</p>	<p>Brown Field Municipal Airport 1424 Continental Street San Diego, CA 92154</p>
<p>Million Air Burbank 2800 N. Clybourn Avenue Burbank, CA 91505</p> <p>Million Air Interlink, Inc. 8501 Telephone Road Houston, TX 77061</p> <p>REW Investments, Inc. 8501 Telephone Road Houston, TX 77061</p>	<p>Bob Hope Airport 2627 N. Hollywood Way Burbank, CA 91505</p>
<p>Patterson Aviation Company 6133 Freeport Boulevard Sacramento, CA 95822</p> <p>Sacramento International Jet Center Incorporated 6133 Freeport Boulevard Sacramento, CA 95822</p> <p>Sacramento Executive Jet Center 6133 Freeport Boulevard Sacramento, CA 95822</p>	<p>Sacramento Executive Airport 6151 Freeport Boulevard Sacramento, CA 95822</p>

World Fuel Services Corporation

9800 NW 41 Street, #400
Miami, FL 33178

Air Petro Corp.

3000 Bayport Drive, #470
Tampa, FL 33607

Bob Hope Airport
2627 N. Hollywood Way
Burbank, CA 91505

Brackett Field
1615 McKinley Avenue
La Verne, CA 91750

Brown Field Municipal Airport
1424 Continental Street
San Diego, CA 92154

Camarillo Airport
555 Airport Way
Camarillo, CA 93010

El Monte Airport
4233 N. Santa Anita Avenue
El Monte, CA 91731

Fresno Yosemite
International Airport
5175 E. Clinton Way
Fresno, CA 93727

Hayward Executive Airport
20301 Skywest Drive
Hayward, CA 94541

John Wayne Airport
18601 Airport Way
Santa Ana, CA 92707

Long Beach Airport
(Daugherty Field)
4100 East Donald Douglas Drive
Long Beach, CA 90806

Los Angeles
International Airport
1 World Way
Los Angeles, CA 90045

Meadows Field Airport
3701 Wings Way
Bakersfield, CA 93308

Montgomery Field
3750 John J. Montgomery Drive
San Diego, CA 92123

Napa County Airport
2030 Airport Road
Napa, CA 94558

Oakland International Airport
1 Airport Drive
Oakland, CA 94621

Palo Alto Airport
1925 Embarcadero Road
Palo Alto, CA 94303

Reid-Hillview Airport
2500 Cunningham Avenue
San Jose, CA 95122

Sacramento Executive Airport
6151 Freeport Boulevard
Sacramento, CA 95822

San Luis Obispo County
Regional Airport
903-5 Airport Drive
San Luis Obispo, CA 93401

Santa Barbara Municipal Airport
500 Fowler Road
Santa Barbara, CA 93117

Santa Monica Municipal Airport
32223 Donald Douglas Loop South
Santa Monica, CA 90405

Van Nuys Airport
16461 Sherman Way
Van Nuys, CA 91406

Zamperini Field
3301 Airport Drive
Torrance, CA 90505

CERTIFICATE OF MERIT
Health & Safety Code § 25249.7(d)

I, Mark N. Todzo, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged that the parties identified in the notice have violated Health & Safety Code § 25249.6 by failing to provide clear and reasonable warnings.

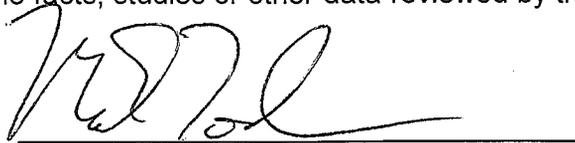
2. I am an attorney with the Lexington Law Group, and I represent the noticing party, the Center for Environmental Health.

3. Members of my firm and 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 exposures to the listed chemical that is the subject of the action.

4. Based on the information obtained through those consultations, and on 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 the 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 & Safety Code § 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.

March 27, 2012



Mark N. Todzo
Attorney for CENTER FOR
ENVIRONMENTAL HEALTH

PROOF OF SERVICE BY MAIL AND ELECTRONIC MAIL

I declare that:

I am employed in San Francisco County, California; my business address is 503 Divisadero Street, San Francisco, California 94117. I am over the age of 18 years and not a party to the within cause and my electronic notification address is jbanister@lexlawgroup.com.

On March 27, 2012, I served true copies of the following documents:

NOTICE OF VIOLATION OF CALIFORNIA SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT;

CERTIFICATE OF MERIT; and

THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY (only sent to those on service list marked with an asterisk).

On this date, I deposited fully prepaid and sealed envelopes containing the above-mentioned documents with the United States Postal Service, addressed to the following individuals:

Please see attached service list.

Also on this date, I transmitted via electronic mail the documents listed above to the electronic mail addresses set forth below at 3:15 p.m. on March 27, 2012:

Lon Wixson, Deputy District Attorney
Contra Costa County
900 Ward Street
Martinez, CA 94553
lwixson@contracostada.org

Karyn Sinunu-Towery,
Assistant District Attorney
Santa Clara County
70 West Hedding Street, West Wing
San Jose, CA 95110
epu@da.sccgov.org

Birgit Fladager, District Attorney
Stanislaus County
832 12th Street, Ste. 300
Modesto, CA 95354
Prop65@standa.org

Gary Lieberstein, District Attorney
Napa County
931 Parkway Mall
Napa, CA 94559
CEPD@countyofnapa.org

Dije Ndreu, Deputy District Attorney
Monterey County
230 Church Street, Bldg. 2
Salinas, CA 93901
Prop65DA@co.monterey.ca.us

Stephan R. Passalacqua, District Attorney
Sonoma County
600 Administration Drive, Rm. 212J
Santa Rosa, CA 95403
jbarnes@sonoma-county.org

Phillip J. Cline, District Attorney
Tulare County
221 S. Mooney Avenue, Rm. 224
Visalia, CA 93291
Prop65@co.tulare.ca.us

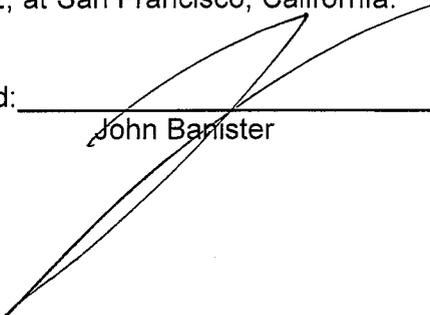
Gregory D. Totten, District Attorney Ventura
County
800 South Victoria Avenue
Ventura, CA 93009
daspecialops@ventura.org

Rod Pacheco, District Attorney
Riverside County
4075 Main Street
Riverside, CA 92501
Prop65@rivcoda.org

The transmission was reported as complete and without error.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on March 27, 2012, at San Francisco, California.

Signed: _____


John Banister

SERVICE LIST

District Attorney of Alameda
County
1225 Fallon Street, Rm. 900
Oakland, CA 94612

District Attorney of Alpine County
P.O. Box 248
Markleeville, CA 96120

District Attorney of Amador
County
708 Court Street, Ste. 202
Jackson, CA 95642

District Attorney of Butte County
Administration Building
25 County Center Drive
Orville, CA 95965

District Attorney of Calaveras
County
891 Mountain Ranch Road
San Andreas, CA 95249

District Attorney of Colusa County
547 Market Street, Ste. 102
Colusa, CA 95932

District Attorney of Del Norte
County
450 H Street, Ste. 171
Crescent City, CA 95531

District Attorney of El Dorado
County
515 Main Street
Placerville, CA 95667

District Attorney of Fresno County
2220 Tulare Street, Ste. 1000
Fresno, CA 93721

District Attorney of Glenn County
P.O. Box 430
Willows, CA 95988

District Attorney of Humboldt
County
825 5th Street
Eureka, CA 95501

District Attorney of Imperial
County
939 Main Street, Ste. 102
El Centro, CA 92243

District Attorney of Inyo County
P.O. Drawer D
Independence, CA 93526

District Attorney of Kern County
1215 Truxtun Avenue
Bakersfield, CA 93301

District Attorney of Kings County
1400 West Lacey Blvd.
Hanford, CA 93230

District Attorney of Lake County
255 N. Forbes Street
Lakeport, CA 95453

District Attorney of Lassen County
220 S. Lassen Street, Ste. 8
Susanville, CA 96130

District Attorney of Los Angeles
County
210 W. Temple Street, Ste. 1800
Los Angeles, CA 90012-3210

District Attorney of Madera County
209 West Yosemite Avenue
Madera, CA 93637

District Attorney of Marin County
3501 Civic Center Drive, Rm. 130
San Rafael, CA 94903

District Attorney of Mariposa
County
P.O. Box 730
Mariposa, CA 95338

District Attorney of Mendocino
County
P.O. Box 1000
Ukiah, CA 95482

District Attorney of Merced County
2222 "M" Street
Merced, CA 95340

District Attorney of Modoc County
204 S. Court Street, Rm. 202
Alturas, CA 96101-4020

District Attorney of Mono County
P.O. Box 617
Bridgeport, CA 93546

District Attorney of Nevada County
110 Union Street
Nevada City, CA 95959

District Attorney of Orange County
401 Civic Center Drive West
Santa Ana, CA 92701

District Attorney of Placer County
10810 Justice Center Drive, Ste.
240
Roseville, CA 95678

District Attorney of Plumas County
520 Main Street, Rm. 404
Quincy, CA 95971

District Attorney of Sacramento
County
901 "G" Street
Sacramento, CA 95814

District Attorney of San Benito
County
419 Fourth Street, 2nd Fl.
Hollister, CA 95023

District Attorney of San
Bernardino County
316 N. Mountain View Avenue
San Bernardino, CA 92415

District Attorney of San Diego
County
330 West Broadway, Ste. 1300
San Diego, CA 92101

District Attorney of San Francisco
County
850 Bryant Street, Rm. 325
San Francisco, CA 94103

District Attorney of San Joaquin
County
P.O. Box 990
Stockton, CA 95202

District Attorney of San Luis
Obispo County
1050 Monterey Street, Rm. 450
San Luis Obispo, CA 93408

District Attorney of San Mateo
County
400 County Center, 3rd Fl.
Redwood City, CA 94063

District Attorney of Santa Cruz
County
701 Ocean Street, Rm. 200
Santa Cruz, CA 95060

District Attorney of Santa Barbara County
Attn: Jerry Lule-Jian
312-D E. Cook Street
Santa Maria, CA 93454

District Attorney of Shasta County
1525 Court Street, 3rd Fl.
Redding, CA 96001-1632

District Attorney of Sierra County
Courthouse
100 Courthouse Sq., 2nd Fl.
Downieville, CA 95936

District Attorney of Siskiyou County
P.O. Box 986
Yreka, CA 96097

District Attorney of Solano County
675 Texas Street, Ste. 4500
Fairfield, CA 94533

District Attorney of Sutter County
446 Second Street
Yuba City, CA 95991

District Attorney of Tehama County
P.O. Box 519
Red Bluff, CA 96080

District Attorney of Trinity County
P.O. Box 310
11 Court Street
Weaverville, CA 96093

District Attorney of Tuolumne County
423 N. Washington Street
Sonora, CA 95370

District Attorney of Yolo County
301 Second Street
Woodland, CA 95695

District Attorney of Yuba County
215 Fifth Street
Marysville, CA 95901

Los Angeles City Attorney's Office
City Hall East
200 N. Main Street, Rm. 800
Los Angeles, CA 90012

San Diego City Attorney's Office
1200 Third Avenue, Ste. 1620
San Diego, CA 92101

San Francisco City Attorney's Office
City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

San Jose City Attorney's Office
200 East Santa Clara Street
San Jose, CA 95113

California Attorney General's Office
Attention: Proposition 65
Coordinator and Robert Thomas
1515 Clay Street, Ste. 2000
P.O. Box 70550
Oakland, CA 94612-0550

President *
Air Petro Corp.
3000 Bayport Drive, #470
Tampa, FL 33607

President *
Air Petro Corp.
45315 Trevor Avenue
Lancaster, CA 93534

Louis T. Pepper, CEO *
Atlantic Aviation FBO Inc.
6504 International Parkway
Suite 2400
Plano, TX 75093

President *
Atlantic Aviation Corporation
6504 International Parkway
Suite 2400
Plano, TX 75093

William Borgsmiller, President *
Aviation Consultants, Inc.
945 Airport Drive
San Luis Obispo, CA 93401

President *
Downstream Aviation, LP
P.O. Box 142826
Irving, TX 75014

President *
Downstream Aviation, LP
1605 LBJ Freeway, Suite 700
Dallas, TX 75234

President *
Downstream Aviation, LP
5605 N. MacArthur Blvd.
Suite 1106
Irving, TX 75038

Robert L. Stallings III, President *
Eastern Aviation Fuels, Inc.
601 McCarthy Boulevard
New Bern, NC 28562

Robert L. Stallings III, President *
Eastern Aviation Fuels, Inc.
P.O. Box 12327
New Bern, NC 28561

President *
EAFNC, LLC
601 McCarthy Boulevard
New Bern, NC 28562

President *
EAFNC, LLC
P.O. Box 12327
New Bern, NC 28561

Thomas D. Ricotta Jr., President *
Lancair Corp.
1424 Continental Street
San Diego, CA 92154

Joseph C. Bartels, President *
Lancair International Inc.
250 SE Timber Avenue
Redmond, OR 97756

Harold Lee, President *
Million Air Burbank
2800 N. Clybourn Avenue
Burbank, CA 91505

Roger Woolsey, CEO *
Million Air Interlink, Inc.
8501 Telephone Road
Houston, TX 77061

Scott Powell, CEO *
Patterson Aviation Company
6133 Freeport Boulevard
Sacramento, CA 95822

President *
Phillips 66 Company
600 N. Daily Ashford Road
Houston, TX 77079

Roger Woolsey, CEO *
REW Investments, Inc.
8501 Telephone Road
Houston, TX 77061

President *
Sacramento Executive Jet Center
6133 Freeport Boulevard
Sacramento, CA 95822

President *
Sacramento International Jet
Center Incorporated
6133 Freeport Boulevard
Sacramento, CA 95822

Thomas Ricotta, President *
San Diego Jet Center, Inc.
1424 Continental Street
San Diego, CA 92154

William Borgsmiller, President *
San Luis Jet Center
945 Airport Drive
San Luis Obispo, CA 93401

Michael J. Kasbar, President *
World Fuel Services Corporation
9800 NW 41 Street, #400
Miami, FL 33178