

NOTICE OF VIOLATION

California Safe Drinking Water and Toxic Enforcement Act

Discharges of Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonate (PFOS)
Into Sources of Drinking Water Resulting from Operations at 31499 Hayman Street,
Hayward, CA 94544

May 8, 2023

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 508, Oakland, CA 94612, (510) 655-3900. CEH is a nonprofit corporation dedicated to protecting the environment, improving human health and supporting environmentally sound practices. Kaya Allan Sugerman is the Director of Illegal Toxic Threats and a responsible individual within CEH.

Description of Violation:

- Violator: The name and address of each violator is:

Teikuro Corporation
101A Clay Street, Suite 128
San Francisco, CA 94111
- Time Period of Discharges: The violations have been occurring since at least May 8, 2020, and are continuing up through the present. There is a substantial threat of ongoing and future violations unless and until the alleged violator abates the threat of additional PFOA and PFOS discharges from ongoing and future operations.
- Provision of Proposition 65: This Notice of Violation covers the “discharge prohibition” of Proposition 65, which is found at California Health and Safety Code Section 25249.5.
- Chemicals Involved: The names of the listed chemicals involved in these violations are Perfluorooctanoic Acid (PFOA) and Perfluorooctane sulfonate (PFOS). PFOA and PFOS are chemicals known to cause cancer, birth defects and other reproductive harm.

- Identification of Discharge and Sources of Drinking Water: The alleged violator's chromium plating operations located at 31499 Hayman Street, Hayward, CA 94544 (the "Facility"), discharges and/or releases PFOA and PFOS directly into the groundwater as well as onto land where it will probably pass into the groundwater surrounding the Facility. The groundwater surrounding the Facility is designated as a source of drinking water. The specific location of the source of the discharges is the Facility.

Resolution of Noticed Claims:

Based on the allegations set forth in this Notice, CEH intends to bring a citizen enforcement lawsuit against the alleged violator unless such violator agrees in a binding written instrument to: (1) immediately abate the threat of additional PFOA and PFOS discharges; (2) clean the groundwater surrounding the Facility to remove the PFOA and PFOS as well as from the soil surrounding the Facility; and (3) pay an appropriate civil penalty based on the factors enumerated in California Health and Safety Code Section 25249.7(b). If the alleged violator is interested in resolving this dispute without resorting to expensive and time-consuming litigation, please feel free to 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 the 60-day Notice. Therefore, while reaching an agreement with CEH will resolve its claims, such an agreement may not satisfy the public prosecutors.

Preservation of Relevant Evidence:

This Notice also serves as a demand that the alleged violator preserves and maintains all relevant evidence, including all electronic documents and data, pending resolution of this matter. Such relevant evidence includes, but is not limited to, all documents relating to PFOA and PFOS discharges from the Facility, actual or potential discharges of PFOA and PFOS from the Facility, efforts to comply with Proposition 65, and communications with any person relating to actual or potential discharges of PFOA and PFOS from the Facility since May 8, 2020 through the date of any trial of the claims alleged in this Notice.

Please direct any inquiries regarding this Notice to CEH's counsel Mark N. Todzo at Lexington Law Group, 503 Divisadero Street, San Francisco, CA 94117, (415) 913-7800, mtodzo@lexlawgroup.com.

1 **PROOF OF SERVICE**

2 I, Star Beltman, declare:

3 I am a citizen of the United States and employed in the County of San Francisco, State of
4 California. I am over the age of eighteen (18) years and not a party to this action. My business
5 address is 503 Divisadero Street, San Francisco, CA 94117 and my email address is
sbeltman@lexlawgroup.com.

6 On May 8, 2023, I served the following document(s) on all interested parties in this action
7 by placing a true copy thereof in the manner and at the addresses indicated below:

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

9 **THE SAFE DRINKING AND TOXIC ENFORCEMENT ACT OF 1986
10 (PROPOSITION 65): A SUMMARY** (only sent to addresses marked with an asterisk).

11 **BY MAIL:** I am readily familiar with the firm’s practice for collecting and processing mail
12 with the United States Postal Service (“USPS”). Under that practice, mail would be deposited
13 with USPS that same day with postage thereon fully prepaid at San Francisco, California in the
ordinary course of business. On this date, I placed sealed envelopes containing the above
mentioned documents for collection and mailing following my firm’s ordinary business practices.

14 California Attorney General’s Office
15 Attention: Prop 65 Coordinator
16 1515 Clay Street, Suite 2000
Post Office Box 70550
Oakland, CA 94612-0550

President/CEO*
Teikuro Corporation
101A Clay Street, Suite 128
San Francisco, CA 94111

17 **BY ELECTRONIC MAIL:** I transmitted a PDF version of the document(s) listed above via
18 email to the email address(es) indicated on the attached service list [or noted above] on the date
executed.

19 Nancy O’Malley, District Attorney
20 District Attorney of Alameda County
7776 Oakport Street, Suite 650
Oakland, CA 94621
CEPDProp65@acgov.org

21 I declare under penalty of perjury under the laws of the State of California that the
22 foregoing is true and correct.

23 Executed on May 8, 2023 at San Francisco, California.

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26 _____
Star Beltman

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