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**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

October 1, 2010

Owner/Managing Agent
Honeywell Aerospace, a division of
Honeywell International, Inc.
2525 West 190th Street
Torrance, CA 90504

Purex Industries, Inc.
c/o United States Corporation Company,
Registered Agent
2711 Centerville Road, Suite 400
Wilmington, DE 19808

Mr. W. Howard Jones
Mrs. Catherine Jones
1471 Woodberry Avenue
San Mateo, CA 94403

Re: Notice of Violations and Intent to File Suit Under the Clean Water Act

To Whom It May Concern:

NOTICE

Clean Water Act ("CWA" or "Act") § 505(b), 33 U.S.C. § 1365(b), requires that sixty (60) days prior to the initiation of a civil action under CWA § 505(a), 33 U.S.C. § 1365(a), a citizen must give notice of his/her intent to sue to the alleged violator, the EPA (both local

and federal), the State in which the violations occur and if the alleged violator is a State or local agency, service of notice shall be accomplished by certified mail addressed to, or by personal service upon, the head of such agency. If the alleged violator is an individual or corporation, service of notice shall be accomplished by certified mail addressed to, or by personal service upon, the owner or managing agent with a copy sent to the registered agent of the corporation.

I am writing on behalf of Northern California River Watch ("River Watch") with regard to the discharges of pollutants into waters of the United States in violation of the CWA, from the facilities of Honeywell Aerospace located at 551 O'Neill Avenue in Belmont, California, formerly facilities of Baron-Blakeslee, Inc. and Purex Industries, Inc., on property currently owned by W. Howard and Catherine Jones. For purposes of this Notice, Baron-Blakeslee, Inc., Purex Industries, Inc., Honeywell Aerospace and Mr. and Mrs. Jones are hereafter collectively be referred to as "Polluters" and the 551 O'Neill Avenue, Belmont California facilities will be referred to as the "Site."

This letter constitutes notice of Polluters' continuing and ongoing violations of "an effluent standard or limitation", permit condition or requirement and/or "an order issued by the Administrator or a State with respect to such standard or limitation" under CWA § 505(a)(1), 33 U.S.C. § 1365(a)(1), the Code of Federal Regulations, and the Basin Plan, as exemplified by the illegal discharging of pollutants from a point source to waters of the United States without a National Pollution Discharge Elimination System ("NPDES") permit.

The CWA requires that any notice regarding an alleged violation of an effluent standard or limitation, or of an order with respect thereto, shall include sufficient information to permit the recipient to identify:

1. The specific standard, limitation, or order alleged to have been violated

The CWA regulates the discharge of pollutants into navigable waters. The statute is structured in such a way that all discharge of pollutants is prohibited with the exception of several enumerated statutory exceptions. One such exception authorizes a polluter who has been issued a NPDES permit pursuant to the Act, to discharge designated pollutants at certain levels subject to certain conditions. The effluent discharge standards or limitations specified in an NPDES permit define the scope of the authorized exception to the CWA § 301(a), 33 U.S.C. § 1311(a) prohibition. Without an NPDES permit **all surface and subsurface** discharges from to waters of the United States are illegal.

Belmont Creek is a water of the United States. According to records on file with the Regional Water Quality Control Board (“RWQCB,”) former point sources from the Site continue to discharge pollutants to Belmont Creek. River Watch contends Polluters do not have a NPDES permit for discharging pollutants of the kind described herein to waters of the United States. River Watch hereby notifies Polluters of the fact that they have no NPDES permit allowing them to discharge pollutants to waters of the United States from the Site and numerous point sources within the Site including: the above and below ground storage tanks; chemical storage; recycling equipment; waste ponds and solvent transfer equipment identified in the various records of Polluters and the regulatory agencies which have oversight of the Site as required by CWA § 301(a), 33 U.S.C. § 1311(a) and CWA §§ 402(a) and 402(b), 33 U.S.C. § 1342(a) and 1342(b) as well as CWA § 402(p), 33 U.S.C. 1342(p).

2. The activity alleged to constitute a violation

To comply with this requirement River Watch has set forth below narratives describing with particularity the activities leading to violations. In summary the Act requires that all discharges of pollution from a point source to a water of the United States without a NPDES permit are prohibited. Polluters are discharging pollutants including TCE and vinyl chloride from the Site and various point sources within the Site to waters of the United States. The point sources were above and below ground storage tanks; chemical storage; recycling equipment; waste ponds and solvent transfer equipment which were removed from the Site. The solid and hazardous waste which was discharged from these tanks is also a point source. These point sources continue to discharge from the Site through conduits, that act as preferential pathways, to the estuary adjacent to the Site. The liability of Polluters stems from their ownership or operation of the Site or due to the activities conducted on the Site by Polluters.

3. The discharger responsible for the alleged violation.

The dischargers responsible for the alleged violations are the addressees of this Notice, referred to as “Polluters” throughout this Notice.

4. The location of the alleged violation.

The location or locations of the various violations is 551 O'Neill Avenue, Belmont, California, referred to as the “Site” throughout this Notice, as identified in the narrative section of this Notice and in records either created or maintained by or for Polluters which relate to Polluters’ activities at the Site.

5. The date or dates of violations, or a reasonable range of dates during which the alleged activities constituting violations occurred.

Disposition, discharge and release of pollutants can be traced as far back as at least October 1, 2005. The CWA is a strict liability statute with a statute of limitations of 5 years; therefore, the range of dates covered by this Notice is October 1, 2005 through October 1, 2010.

River Watch will from time to time update and supplement this Notice to include all violations which occur after the date of this Notice. The majority of the violations identified in this Notice such as discharging pollutants to waters of the United States without a NPDES permit, failure to obtain a NPDES permit, failure to implement the requirements of the Act, failure to meet water quality objectives, etc., are continuous, and therefore each day is a violation. River Watch believes all violations set forth in this Notice are continuing in nature or will likely continue after the filing of a lawsuit.

Specific dates of violations are evidenced in Polluters own records (or lack thereof) or files and records of other agencies including the RWQCB, GeoTracker, San Mateo County Health and local police and fire departments.

6. The full name, address, and telephone number of the person or entity giving notice.

The entity giving this notice is Northern California River Watch, 500 North Main Street, Suite 110, Sebastopol, CA 95472, Telephone/Facsimile 707-824-4372, Email US@ncriverwatch.org, referred to throughout this Notice as "River Watch". River Watch is a non-profit corporation organized under the laws of the State of California, dedicated to the protection and enhancement of the waters of the State of California including all rivers, creeks, streams and groundwater in Northern California.

The violations of Polluters as set forth in this Notice affect the health and enjoyment of River Watch members who reside, work and recreate in the affected area. River Watch members use this watershed for domestic water supply, agricultural water supply, recreation, sports, fishing, swimming, hiking, photography, nature walks and the like. Their health, property rights, use and enjoyment of this area is specifically impaired by Polluters' violations of the CWA as alleged herein.

River Watch has retained legal counsel to represent it in this matter. All communications should be addressed to:

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BACKGROUND

The Site is located in a mixed use area of Belmont, and consists of approximately 0.4 acres. It is located one mile west of the San Francisco Bay. The Currier Company opened the Site in 1960 and later with Baron-Blakeslee, Inc. operated a solvent sales and recycling company until 1972. On June 30, 1970 Baron-Blakeslee, Inc. merged with Purex Corporation, later acquired by Purex Industries, Inc. In 1985, all assets and liabilities of Baron-Blakeslee, Inc. were sold to Allied Corporation (AlliedSignal) which merged with Honeywell Inc.

The Site is at a surveyed elevation of approximately 10 feet above mean sea level (msl), and is relatively flat. Sediments of the Site are mapped as unconsolidated, alluvial sediments with interbedded sands and gravel underlain by bedrock. Groundwater at the unconfined surface aquifer is 2-12 feet below ground surface. The groundwater flow is east northeast toward Belmont Creek and Redwood Shore Lagoon. Groundwater flow is affected by a bedrock channel, tidal action in Belmont Creek and the saltwater interface. Belmont Creek, a water of the United States which drains to San Francisco Bay, is contaminated with pollutants which are the same as those found at the Site.

Beneficial uses of the groundwater include municipal and domestic water supply, industrial process water supply, industrial service water supply, agricultural water supply, and freshwater replenishment to surface water. The beneficial uses of Belmont Creek include water contact and non-contact recreation, wildlife habitat, cold freshwater and warm freshwater habitat and estuarine habitat.

Volatile organic compounds ("VOCs") were detected in the groundwater at the Site in 1990, and were also detected in adjacent sites. The RWQCB has indicated these pollutants originated from point sources within the Site. The primary chemicals of concern are TCE

(trichloroethylene), cis-1,2-DCE (a breakdown product of TCE), and vinyl chloride. TCE is in the soil in levels up to 81 mg/kg and in the groundwater at levels of 740,000 µg/L. Off-site TCE levels are as high as 380,000 µg/L. The high concentration of TCE suggests a dense non-aqueous phase liquid in the soils. The TCE plume is approximately 2,400 feet long and 1,000 feet wide. Cis-1,2-DCE is in the groundwater at levels of 13,000 µg/L. Vinyl chloride is in the groundwater at levels of 8,100 µg/L.

TCE dissolves little in water but can remain in groundwater and soils for a long time. TCE can cause headaches, lung irritation, dizziness, poor coordination, difficulty concentrating, impair heart function, cause an increase in cancer, cause nerve, kidney and liver damage and death. The California primary maximum contaminant level of 5 µg/L. The maximum contaminant level for cis-1,2-DCE is 6 µg/L. Vinyl chloride can cause headaches, dizziness, drowsiness, loss of consciousness, liver degeneration and is a known carcinogen. The maximum contaminant level for vinyl chloride is 0.5 µg/L.

CONTINUING VIOLATIONS

Existing records indicate that pollutants continue to be discharged from the Site to waters of the United States. Pursuant to CWA § 301(a), 33 U.S.C. § 1311(a), the EPA and the State of California have formally concluded that violations by Polluters as identified in this Notice are prohibited by law. Beneficial uses of surface waters are being affected in a prohibited manner by these violations. The EPA and the State of California have identified Polluters' operations at the Site as a point source, the discharges from which contribute to violations of applicable water quality standards.

From October 1, 2005 through October 1, 2010, Polluters have violated the CWA by failing to acquire a NPDES permit and for discharging pollutants into waters of the United States without a NPDES permit. Each and every discharge is a separate violation of the CWA. These enumerated violations are based upon review of the RWQCB files and Geotracker files for Polluters, as well as other files publicly available. In addition to all of the above violations, this Notice covers any and all violations evidenced by Polluters' records and monitoring data which Polluters have submitted (or failed to submit) to the RWQCB and/or other regulatory agencies during the period October 1, 2005 through October 1, 2010.

This Notice also covers any and all violations which may have occurred but for which data may not have been available or submitted or apparent from the face of the reports or data submitted by Polluters to the RWQCB, Geotracker or other agencies.

Pursuant to CWA § 309(d), 33 U.S.C. § 1319(d), each of the above-described violations of the Act subjects the violator to a penalty per day/per violation, for violations occurring within 5 years prior to the initiation of a citizen enforcement action. In addition to civil penalties, River Watch will seek injunctive relief preventing further violations of the Act pursuant to CWA § 505(a) and § 505(d), 33 U.S.C. §1365(a) and § 1365(d), and such other relief as is permitted by law. Lastly, CWA § 505(d), 33 U.S.C. § 1365(d), permits prevailing parties to recover costs and fees.

CONCLUSION

River Watch believe this Notice sufficiently states grounds for filing suit. At the close of the 60-day notice period or shortly thereafter River Watch intends to file a citizen's suit under Act against Polluters for the violations of the CWA enumerated herein.

During the 60-day notice period, River Watch is willing to discuss effective remedies for the violations noted in this Notice. However, if Polluters wish to pursue such discussions in the absence of litigation, it is suggested that discussions be initiated within the next 20 days so that they may be completed before the end of the 60-day notice period. River Watch does not intend to delay the filing of a lawsuit if discussions are continuing when that period ends.

Very truly yours,


Jack Silver

JS:lhbm

cc:

Administrator
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Executive Director
State Water Resources Control Board
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