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3:00 pm, Aug 24, 2009

Alameda County  
Environmental Health

August 4, 2009

Alameda County Department of  
Environmental Health  
1131 Harbor Bay Parkway, 2<sup>nd</sup> Floor  
Alameda, CA 94502

Attention: Donna Drogos, Barbara Jakub

Subject: Project Update  
Former St Francis Pie Shop, 1125 67<sup>th</sup> Street Oakland, California  
ACDEH Site No. RO2602

Ladies and Gentlemen:

With this letter, I wish to inform you of Mr. Buschini's passing, which I happened to notice in the Contra Costa Times (see attached). It had been my sincerest hope to be able to help Mr. Buschini obtain regulatory closure for his site, and I am deeply saddened that I was not able to do so.

I first met Mr. Buschini in early 2004, while conducting a Phase I ESA for a potential purchaser of the St. Francis Pie property. At that time, Mr. Buschini was in the process of closing St. Francis Pie Shop and selling the various facility baking and ancillary equipment. Mr. Buschini was also in the process of having the site USTs removed at this time.

We were again contacted by Mr. Buschini in early 2006 to provide a proposal for environmental services to move the site towards regulatory closure. Mr. Buschini indicated that he could not settle the accounts and close the St Francis Pie Shop corporation until he sold the subject property, which he could not do without site closure. Also, since Mr. Buschini could not directly fund our activities, we agreed to wait for reimbursement from the UST Cleanup Fund before being paid. We subsequently conducted a Soil Boring Investigation and a Remedial Investigation which showed that (1) a gas station was located immediately east from the project site which could have contributed to project site impacts, and (2) fuel (principally MTBE) soil and groundwater impacts from the site UST are very localized and do not extend a significant distance from the former UST source area.

In discussing these investigative results with Mr. Barney Chan of your office, we relayed Mr. Buschini's desire to achieve site closure quickly and asked whether some form of quick source remediation, such as ozone injection (which has been shown to be very effective on MTBE-only plumes) could get us to closure quicker than simply monitoring. Mr. Chan indicated that this was possible, and, as such, we submitted the ozone injection workplan in the Remedial Investigation report in May 2007. However, as you know there have been delays in approving the ozone injection pilot test workplan. Also, given the dramatic slowing of payments by the

UST Cleanup Fund, we are not sure that funds are available to conduct the pilot test (we are currently waiting on payment and have all but stopped work on this project).

I talked to Mr. Buschini on Thursday, July 9, 2009 and stated my belief that this site should be closed without the need for source area remediation. The original proposal for an ozone injection pilot test was to try to close this site relatively rapidly (without long-term monitoring). However, we currently have over two years of quarterly monitoring results for five site wells that show a small, localized, stable MTBE groundwater plume.

As stated in the July 9, 2009 quarterly monitoring report, we believe that this site should be reviewed for regulatory closure as a "low risk" commercial property, based on the following criteria:

- The source (UST, piping, and soil/groundwater overexcavation) has been removed.
- The site has been adequately characterized, essentially to nondetect in all directions.
- The contaminant plume is not migrating, and chemical concentrations in groundwater are expected to meet water quality objectives in the future.
- No other waters of the State, water supply wells, or other sensitive receptors are likely to be impacted.
- The site does not pose a significant risk to human health or safety.

Subject to your approval, a formal closure request can be prepared which details these closure criteria and, I believe, provides a basis for granting site closure.

We appreciate this opportunity to provide this letter for your review. Please contact us if there are questions or if additional information is required.

Very truly yours,



James E. Gribi  
Professional Geologist  
California No. 5843



Enclosure

cc: Mrs. Peggy Buschini (w/o attachment)  
Ms. Mary Rose Cassas, SFBRWQCB  
Mr. Sunil Ramdass, SWRCB, UST Cleanup Fund



**John Anthony  
Buschini**

Oct. 1 1934-July 11, 2009  
Resident of Clayton

John Buschini was born in San Francisco to Margaret and Jerry Buschini. Growing up in San Mateo, John attended Military School in his lower grades. He graduated from Serra High School and continued onto Santa Clara University where he graduated in 1955. While in college he met his first wife. John & Chloe shared 35 years together, raising their family in Lafayette. John was involved in his children's lives, having four sons. He enjoyed managing and coaching PHBA little league, fishing adventures, Y-Guide leader and just spending time to relax.

After Chloe's passing in 1991 John remarried in 1997, and he and his wife Peggy relocated to Clayton where they spent their retirement years together - traveling, playing golf, enjoying 11 grandchildren and creating great memories.

After college John began his carrier in the wholesale food industry, working as a sales rep for General Foods. After some time of experience, he then moved to St. Francis Pie Shop, Inc. where he helped in running the family business until he retired in 2003. Through his years at the Pie Shop John was able to work by the sides of his grandfather, father, first wife and all four sons.

John was an avid fisherman and enjoyed fishing throughout No. Calif but especially loved the Feather River Canyon and of course the infamous "secret hole." As a "Faithful," John followed and supported the SF 49ers from the beginning of the team's formation and was a season ticket holder since 1956. Those who knew him will agree that he was a friend to everyone he met and touched many lives. He was a great man and will be missed by all.

He is survived by his wife Peggy, sons Mark, wife Mary; John, wife Jill; Matt, wife Michelle; Paul wife, Alana. Grandchildren Shane, Nick, Adam, Sarah, Pierce, Breck, Max, Marco, Elora, Anthony & Sam.

A mass in honor of John will be held on Thurs., July 16, 2009 at 11:30am at Christ the King Church, 199 Brandon Rd., Pleasant Hill, with a vigil service being held on Wed. July 15 at 7pm at Oak Park Hills Chapel. In Lieu of flowers, please make donations to your favorite charity.

OAK PARK HILLS CHAPEL  
WALNUT CREEK/PLEASANT HILL  
925-934-6500 FD 1073