



# Oregon

Tina Kotek, Governor

Department of Environmental Quality

Northwest Region

700 NE Multnomah Street, Suite 600

Portland, OR 97232

(503) 229-5263

FAX (503) 229-6945

TTY 711

October 12, 2023

Ken & Tashina Patzke  
3508 North Ridge Dr.  
Klamath Falls, OR 97601

RE: Annual Inspection for Parcel C  
North Ridge Estates Superfund Site  
ECSI No. 5992

Dear Ken & Tashina Patzke:

The Oregon Department of Environmental Quality (DEQ) completed an annual inspection of the protective cap on your property located at 3508 North Ridge Drive during the week of July 3, 2023. Enclosed for your information is a summary of the inspection and recommended actions.

This letter provides notice of the following violation:

- 1 **Cap Damage.** Areas of damage (gully, rills) to the soil protective cap have been noted (see enclosed figure).

**Corrective Action.** Fill in the damaged areas. Armor as needed to prevent reoccurrence by November 12, 2023.

DEQ will perform an inspection the week of November 13, 2023 to confirm the repairs have been made.

The Easement and Equitable Servitude recorded with Klamath County requires you to maintain and keep the protective caps in good repair. If the repairs are not completed by November 12, 2023, DEQ may perform the corrective action at your expense in accordance with Paragraph 4.1 of the Easement and Equitable Servitude.

The next inspection will be performed in June 2024. Please continue to contact DEQ prior to any disturbing any of the protective caps on your property with the exception of soil disturbances less than 2 feet below the ground surface. A fact sheet with additional information is enclosed.

If you have any questions, please contact me at 503-860-3943, or via email at [Katie.Daugherty@deq.oregon.gov](mailto:Katie.Daugherty@deq.oregon.gov).

Sincerely,

*Katie DAUGHERTY*

Katie Daugherty, R.G.  
Project Manager  
NWR Cleanup Section

Enclosures

## Digging at the North Ridge Estates Superfund Site

### What do I need to do or know?

- 1) Perform all other normal permitting and utility locates as you would for any other project.
- 2) Be familiar with the types of protective caps at North Ridge Estates. The protective cap is intended to prevent people's exposure to any remaining asbestos-contaminated materials, including asbestos fibers in soil. Protective caps include:
  - A two-foot layer of clean soil with vegetation
  - Asphalt and concrete surfaces, such as garage concrete floor or basement concrete floor
  - Boulders
  - Black liners installed below covered porches and in home crawl spaces
  - Orange liners below the soil cap
- 3) Review the terms of the Easement and Equitable Servitude (EES) document recorded on the deed of your property. Determine if your planned activity is within the area covered by restrictions outlined in the EES. Some properties on the edge of the Superfund site only have a portion of the property restricted. *General rule of thumb: if the area was excavated during the Superfund Cleanup, the area is restricted.* Can't find your EES? Contact the Oregon Department of Environmental Quality (DEQ) project manager and they will email you a copy.
- 4) All activities or uses that could jeopardize the function of the protective cap, are prohibited without prior written approval from the DEQ.
- 5) Follow the steps below for your specific activity.

### I want to dig **less than two feet** - what are the required steps?

- 1) Minor activities are allowed within the **soil protective cap**, such as installing fence posts, planting, or other activities that go no deeper than two feet below the ground surface without prior written approval from DEQ.
- 2) You must fully restore the cap to the surface after the activities are completed.
- 3) Stop immediately and call the DEQ project manager if you see an orange liner. **No matter the depth!** You are entering an asbestos contamination zone and risk exposure to asbestos if you continue.



*Example of Orange Liner. 2018. Installing marker barrier consisting of rock base and orange liner on Parcel B prior to covering with clean soil.*



*Example of Black Liner. 2018. Black liner with rock to hold in place on Parcel A.*

### I want to dig deeper than two feet, dig below a black or orange liner, dig through asphalt or concrete, or move boulders on my property - what are the required steps?

- 1) Fill out the *North Ridge Estates Earthwork Notification and Reporting Form* and submit this form to the DEQ project manager. Can't find the form? Contact the project manager and they will email you a copy.

The project manager will review the information provided in the form and work with you to determine the conditions under which your work may be performed.

If your work will breach the cap, you must, at your own expense, use an Oregon-licensed asbestos abatement company during any action that may disturb a contaminated area. Any excavated material, including soil, will be required to be disposed at a landfill. If the liner is damaged during work, you must replace it at your expense.

- 2) Once work is complete, fill out the reporting section of the *North Ridge Estates Earthwork Notification and Reporting Form* and return to the DEQ project manager.



State of Oregon  
Department of  
Environmental  
Quality

### Cleanup Program

700 NE Multnomah St.,  
Suite 600  
Portland, OR 97232  
Phone: 503-860-3943  
800-452-4011  
Fax: 503-229-6124  
[Katie.Daugherty@deq.oregon.gov](mailto:Katie.Daugherty@deq.oregon.gov)  
[n.gov](http://n.gov)  
Contact: Katie Daugherty

[www.oregon.gov/DEQ](http://www.oregon.gov/DEQ)

*DEQ is a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water.*

### Alternative formats

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email [deqinfo@deq.oregon.gov](mailto:deqinfo@deq.oregon.gov)

***Parcel C***

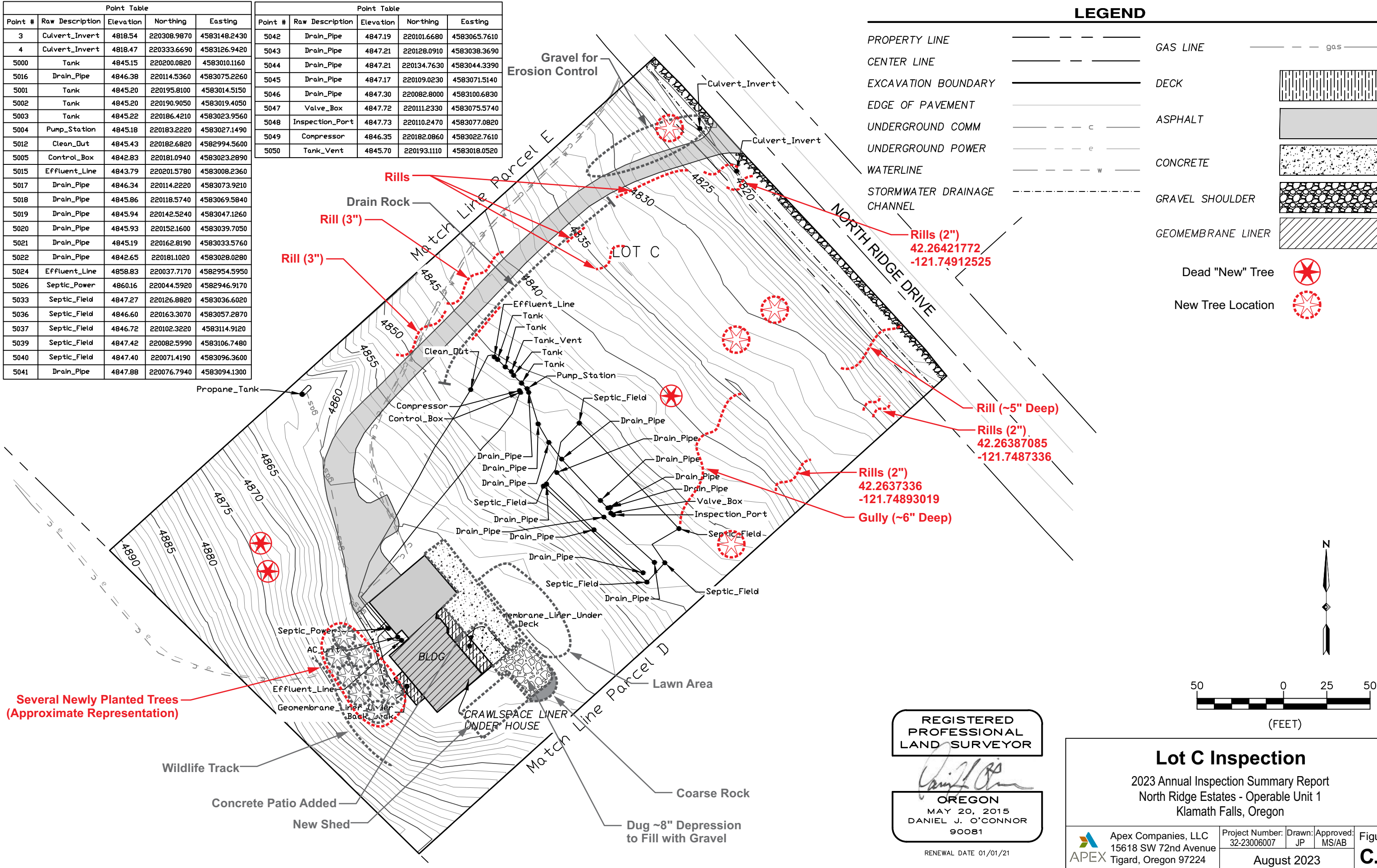
Operations and Maintenance Inspection Form

Part I. General Site Information							
Site Name:		North Ridge Estates		State/Country:		Oregon (Klamath County)	
EPA Point of Contact		Linda Meyer (206) 553-6636		ODEQ Point of Contact		Katie Daugherty (503) 860-3943	
Inspection Date:		7/4/2023		Person(s) Performing Inspection:		Alex Evernden (Apex Companies, LLC)	
				Person(s) Performing Inspection:			
Part II. Remedy Performance Assessment							
Remedy Component	Potential Problem	Yes (Repair Needed)	Yes (Monitor/ No Repair)	No	N/A	If Yes, Describe Extent of Problem	Describe Potential Repair Solution
Protective Cap	Have rills developed deeper than 2 inches?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Multiple rills were noted along both the north and south sides of the driveway and on the northeast portion of the parcel. (Same as 2022)	
	Are the rills within a 10-foot interval?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	Have gullies developed deeper than 6 inches?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gullies were noted on the south side of the driveway and in the eastern portion of the parcel. (Same as 2022)	
	Have animals created burrows in the protective cap?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	Have vehicles damaged the protective cap?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	Any evidence of ACM on Site including areas where the protective cap is less than 2 feet (see as-built drawings) or within the dripline of the legacy trees?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	Are there areas that show evidence of unstable slopes, subsidence, or slope failure? Are there signs of active bank erosion and/or lateral cutting?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	Any visible ACM along the perimeter of the Site (where applicable)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Vegetation	Evidence of distressed or sparse vegetation? (sparse vegetation no greater than 10 percent of area and bare areas no greater than 100 square feet)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sparse vegetation was noted to the north of the driveway along the northern boundary of the parcel.	
	Evidence of trees and shrubs in distress?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A total of four new trees were observed to be in healthy condition.	
	Are there any stressed or dying trees that may impact or damage the protective cap when felled?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

Ditches and Culverts	Obstructions observed in ditches or culverts that may impede conveyance of stormwater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	Damaged observed to riprap surface? Note if riprap is not intact or not effectively providing armor protection.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	Are there any areas that show signs of excessive scour? (i.e., gullies forming along centerline of ditch)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	Are culvert inlets and outlets damaged?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Driveways and Walkways	Are the driveways showing signs of failure? (i.e., alligator cracking)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	Are there any other signs of considerable damage to paved surfaces, other than normal wear and use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Crawlspace and Decks	Are the liners inside crawlspaces and under covered decks damaged or punctured?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Liner was not visible under deck. (Same as 2022)	
	Are the liners exposed to UV radiation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Access Controls	Are access controls damaged?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
	Are changes to the access controls needed?	<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Miscellaneous Features / Changes in Site Conditions / Misc.	Are there any new site features installed that have damaged the protective cap?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Point Table				
Point #	Raw Description	Elevation	Northing	Easting
3	Culvert_Invert	4818.54	220308.9870	4583148.2430
4	Culvert_Invert	4818.47	220333.6690	4583126.9420
5000	Tank	4845.15	220200.0820	4583010.1160
5016	Drain_Pipe	4846.38	220114.5360	4583075.2260
5001	Tank	4845.20	220195.8100	4583014.5150
5002	Tank	4845.20	220190.9050	4583019.4050
5003	Tank	4845.22	220186.4210	4583023.9560
5004	Pump_Station	4845.18	220183.2220	4583027.1490
5012	Clean_Out	4845.43	220182.6820	4582994.5600
5005	Control_Box	4842.83	220181.0940	4583023.2890
5015	Effluent_Line	4843.79	220201.5780	4583008.2360
5017	Drain_Pipe	4846.34	220114.2220	4583073.9210
5018	Drain_Pipe	4845.86	220118.5740	4583069.5840
5019	Drain_Pipe	4845.94	220142.5240	4583047.1260
5020	Drain_Pipe	4845.93	220152.1600	4583039.7050
5021	Drain_Pipe	4845.19	220162.8190	4583033.5760
5022	Drain_Pipe	4842.65	220181.1020	4583028.0280
5024	Effluent_Line	4858.83	220037.7170	4582954.5950
5026	Septic_Power	4860.16	220044.5920	4582946.9170
5033	Septic_Field	4847.27	220126.8820	4583036.6020
5036	Septic_Field	4846.60	220163.3070	4583057.2870
5037	Septic_Field	4846.72	220102.3220	4583114.9120
5039	Septic_Field	4847.42	220082.5990	4583106.7480
5040	Septic_Field	4847.40	220071.4190	4583096.3600
5041	Drain_Pipe	4847.88	220076.7940	4583094.1300

Point Table				
Point #	Raw Description	Elevation	Northing	Easting
5042	Drain_Pipe	4847.19	220101.6680	4583065.7610
5043	Drain_Pipe	4847.21	220128.0910	4583038.3690
5044	Drain_Pipe	4847.21	220134.7630	4583044.3390
5045	Drain_Pipe	4847.17	220109.0230	4583071.5140
5046	Drain_Pipe	4847.30	220082.8000	4583100.6830
5047	Valve_Box	4847.72	220111.2330	4583075.5740
5048	Inspection_Port	4847.73	220110.2470	4583077.0820
5049	Compressor	4846.35	220182.0860	4583022.7610
5050	Tank_Vent	4845.70	220193.1110	4583018.0520





## Parcel C



Parcel C – New Rill present in the Northwest corner of the Parcel on the East side of the driveway.



Parcel C – Southeast corner, facing Northwest.

Parcel C



Parcel C – Gully present, likely caused by stormwater from drainage pipe.



Parcel C – Southeast corner, facing Northwest.



## Parcel C



Parcel C – Southwest corner, facing Northeast.



Parcel C – Northwest Corner, facing Southeast.