



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 10, 2023

Carly & Beugh Fullerton
3451 Old Fort Rd.
Klamath Falls, OR 97601

RE: Annual Inspection for Parcel AM
North Ridge Estates Superfund Site
ECSI No. 5987

Dear Carly & Beugh Fullerton:

The Oregon Department of Environmental Quality completed an annual inspection of the protective cap on your property located at 3451 Old Fort Road during the week of July 3, 2023. The protective cap appears to be in good condition with a few minor areas to watch. Enclosed for your information is a summary of the inspection.

This letter provides notice of the following violation:

1. **Erosion.** A gully and rills were noted during the inspection. This condition was also previously identified during the 2021 and 2022 annual inspections.

Corrective Action. Backfill, smooth out and vegetate the areas identified by November 12, 2023.

DEQ will perform an inspection the week of November 13, 2023 to confirm the gully and rills were repaired.

The two foot soil cover must be maintained to remain protective. The Easement and Equitable Servitude recorded with Klamath County requires you to maintain and keep the protective caps in good repair. In the event repairs are not performed, 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.

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
n.gov

Contact: Katie Daugherty

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

Parcel AM and AS

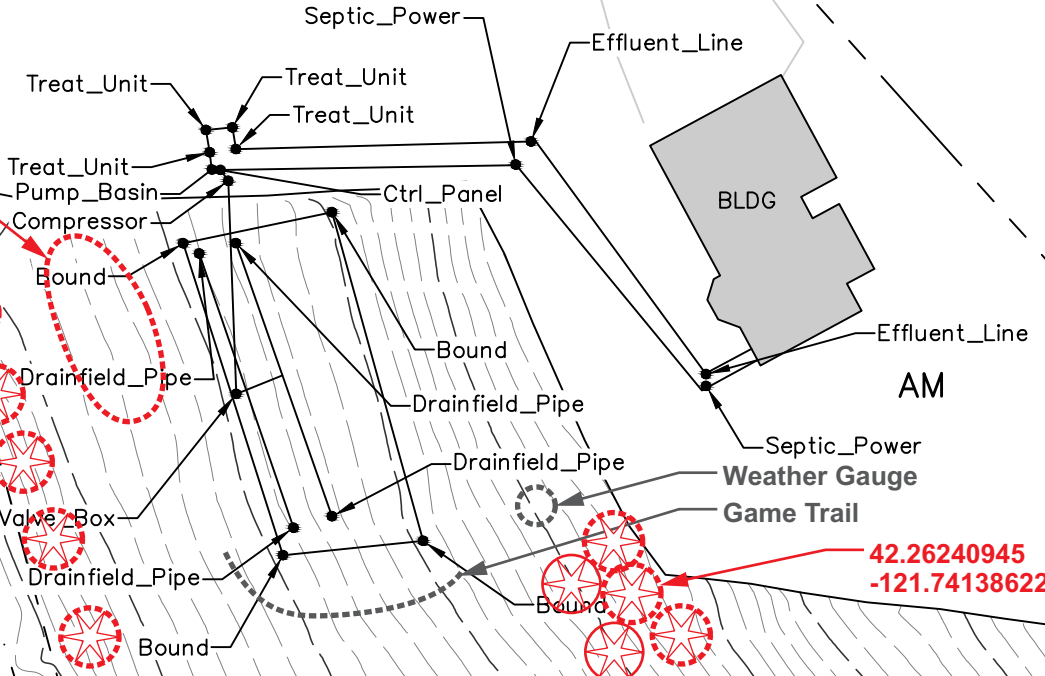
Operations and Maintenance Inspection Form

Part I. General Site Information							
Site Name:		North Ridge Estates		State/County:		Oregon (Klamath County)	
EPA Point of Contact		Linda Meyer (206) 553-6636		ODEQ Point of Contact		Katie Daugherty (503) 860-3943	
Inspection Date:		7/5/2023		Person(s) Performing Inspection:		Alex Evernden (Apex Companies, LLC)	
Parcel/Tax ID:		Parcels AM & AS					
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A rill approximately 2 inches deep was observed near the western boundary. Will monitor during subsequent inspections. (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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A gully was observed on Parcel AM along the middle of the western property line draining to the ditch along Old Fort Road. (Same as 2022)	Backfill gully to prevent further erosion.
	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sparse vegetation was noted on Parcel AM in the northern and eastern portions of the parcel.	Reseed areas and supply irrigation to support vegetation growth.
	Evidence of trees and shrubs in distress?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A total of 10 new trees were observed to be in healthy condition; two newly planted trees show signs of distress.	
	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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>		
Crawlspace and Decks	Are the liners inside crawlspace and under covered decks damaged or punctured?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
	Are the liners exposed to UV radiation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Access Controls	Where applicable, are access controls in place? Note damage.	<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 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"/>		

Sparse Vegetation

OLD FORT ROAD



42.26240945
-121.74138622

Sparse Vegetation

LEGEND

- PROPERTY LINE
- CENTER LINE
- EXCAVATION BOUNDARY
- EDGE OF PAVEMENT
- STORMWATER DRAINAGE CHANNEL
- GRAVEL SHOULDER
- New Tree Location
- Distressed Tree

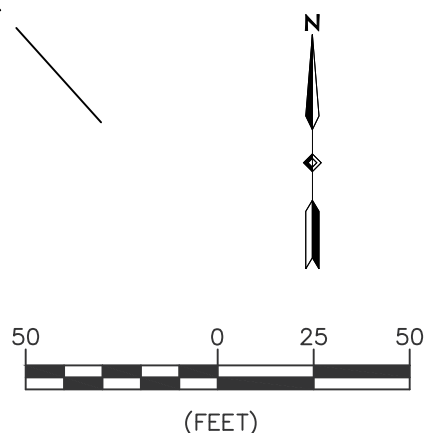
REGISTERED PROFESSIONAL LAND SURVEYOR

[Signature]

OREGON
MAY 20, 2015
DANIEL J. O'CONNOR
90081

RENEWAL DATE 01/01/21

Point Table				
Point #	Raw Description	Elevation	Northing	Easting
1	Treat_Unit	4842.83	219707.29	4585147.70
2	Treat_Unit	4842.81	219712.92	4585146.79
3	Treat_Unit	4842.79	219706.45	4585140.91
4	Treat_Unit	4842.81	219712.25	4585139.92
5	Pump_Basin	4842.75	219701.97	4585141.45
6	Ctrl_Panel	4842.34	219701.82	4585143.72
7	Compressor	4843.58	219699.03	4585145.70
8	Drainfield_Pipe	4840.20	219680.09	4585138.18
9	Drainfield_Pipe	4840.55	219608.69	4585162.70
10	Drainfield_Pipe	4841.98	219611.67	4585172.72
11	Drainfield_Pipe	4841.75	219682.79	4585147.70
12	Valve_Box	4840.36	219643.54	4585147.81
13	Bound	4844.85	219690.83	4585172.74
14	Bound	4845.04	219605.28	4585196.46
15	Bound	4840.20	219601.54	4585159.98
16	Bound	4840.34	219682.74	4585133.99
18	Effluent_Line	4858.84	219648.67	4585270.10
20	Effluent_Line	4856.08	219709.25	4585224.55



Lot AM Inspection

2023 Annual Inspection Summary Report
North Ridge Estates - Operable Unit 1
Klamath Falls, Oregon

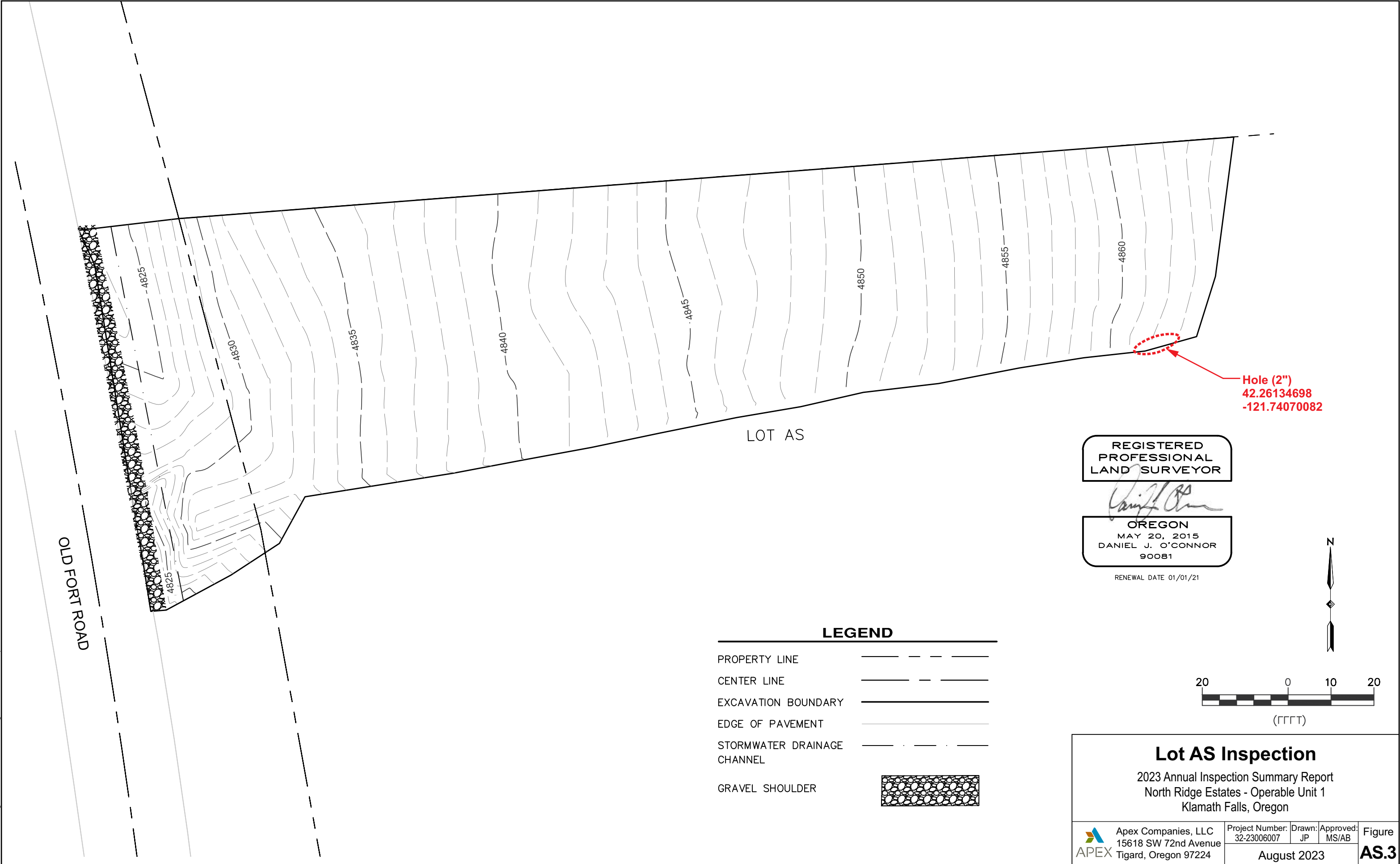
Apex Companies, LLC
15618 SW 72nd Avenue
Tigard, Oregon 97224

Project Number: 32-23006007
Drawn: JP
Approved: MS/AB

August 2023

Figure
AM.3

I:\Client\DEQ\Oregon\32-23006007 North Ridge Estates\Parcel Inspections



Parcel AM



Parcel AM – Northwest corner of Parcel, facing Southeast.



Parcel AM – Northeast corner of Parcel, facing Southwest.

Parcel AM



Parcel AM – East central corner of the Parcel, facing South.



Parcel AM – Northeast corner of Parcel, facing Southwest.

Parcel AM



Parcel AM – Southwest corner of Parcel, facing East.



Parcel AM – Newly planted Trees (distressed) in East Central corner of the Parcel.

Parcel AS



Parcel AS – Southwest corner of Parcel, facing Northeast.



Parcel AS – Northeast corner of Parcel, facing Southeast.

Parcel AS



Parcel AS – Northeast corner of Parcel, facing Southwest.



Parcel AS – Southeast corner of Parcel, facing Northwest.

Parcel AS



Parcel AS – Large Hole (2-feet deep) found on Southeast corner.