



# 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 11, 2023

John & Anna Budden  
1835 Portland St.  
Klamath Falls, OR 97601

RE: Annual Inspection for Parcel BM (Apartments)  
North Ridge Estates Superfund Site  
ECSI No. 6019

Dear John & Anna Budden:

The Oregon Department of Environmental Quality completed an annual inspection of the protective cap on your property located at 4343 Old Fort Road during the week of July 3, 2023. Enclosed for your information is a summary of the inspection.

This letter provides notice of the following violations:

1. **Gullies.** A gully located on the upper slope and a “trench” noted at the base of the property have impacted the protective cap (see enclosed figure).

**Corrective Action.** Fill in the gully and “trench”. 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 annual 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, 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 BM***

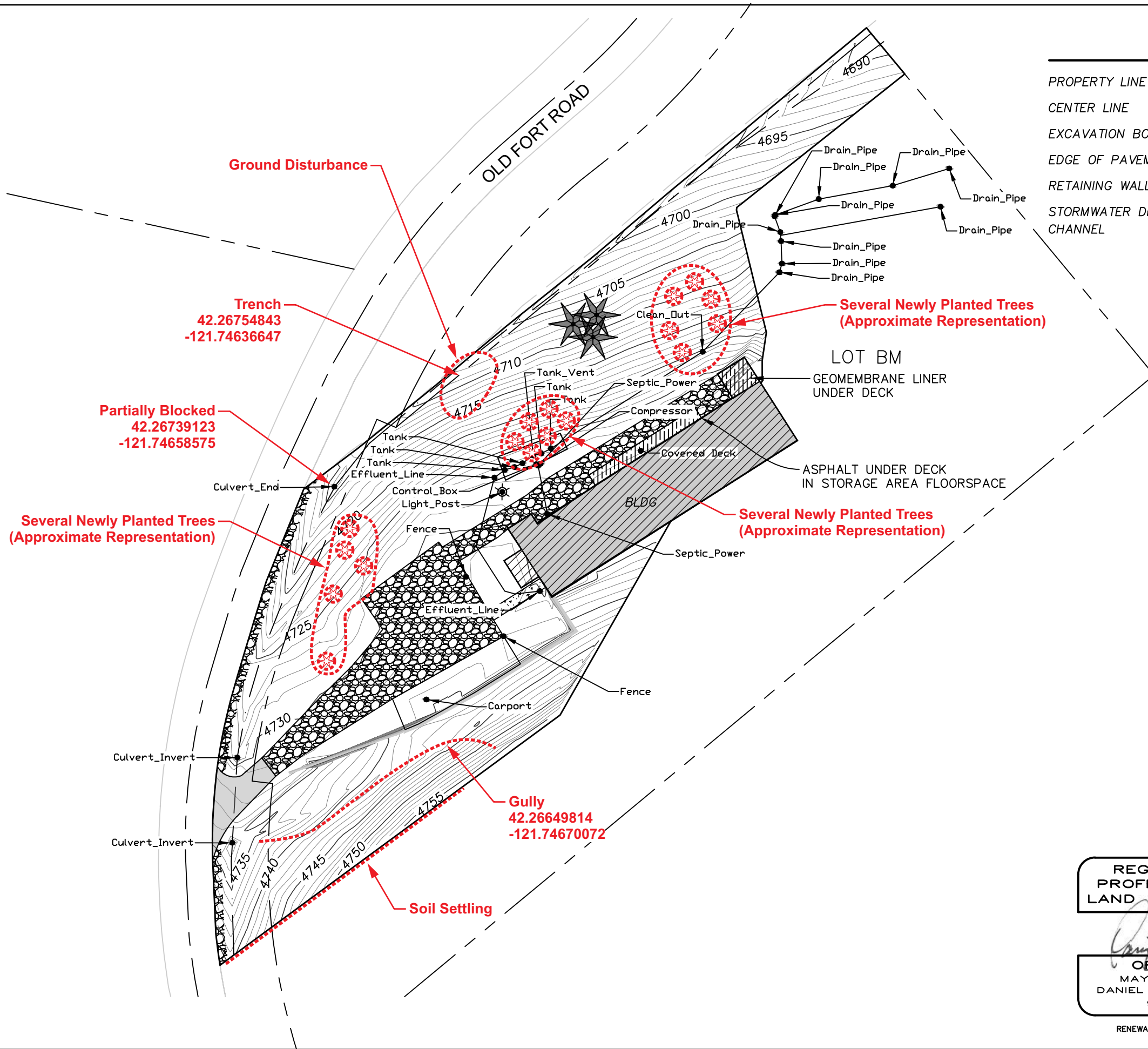
Operations and Maintenance Inspection Form

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:		7/4/2023		Person(s) Performing Inspection:		Ben Echt (Apex Companies, LLC)	
Parcel/Tax ID:		Parcel BM					
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"/>	A rill was identified on the north portion of the parcel.	
	Are the rills within a 10-foot interval?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rills were located on the southwest portion of the parcel.	
	Have gullies developed deeper than 6 inches?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Continual erosion from downslope movement of stormwater likely formed trench on western portion of parcel. Gullies formed along southeast portion of parcel.	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Minor ground disturbance activities were noted along the northwest perimeter of the site. No apparent damage to the protective liner was noted. (Same as 2022)	
	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Soil along the upslope side of the cap (southeast edge of property), has settled slightly versus native grade. This settling should be monitored during future inspections to see if slope continues to move. (Same as 2022)	
	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A total of five newly planted trees located on east portion of parcel near apartment building are in distressed condition.	
	Evidence of trees and shrubs in distress?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Stressed trees previously noted in the 2022 inspection were observed to be in good condition during the 2023 inspection. Newly planted trees were also identified on the north side of the apartment building.	
	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"/>		

Operations and Maintenance Inspection Form

Ditches and Culverts	Obstructions observed in ditches or culverts that may impede conveyance of stormwater?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Large amount of vegetation and soil obstructing the movement of stormwater throughout culverts on the northwest portion of parcel.	Remove obstructions from culverts to enable stormwater flow.
	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"/>	Driving surfaces are gravel. (Same as 2022)	
	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"/>	Paved carport was noted to be in good condition.	
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"/>		
	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"/>	Minor ground disturbance activities were noted along the northwest perimeter of the parcel. No apparent damage to the protective liner was noted. (Same as 2022)	
		<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"/>		

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



## LEGEND

PROPERTY LINE

CENTER LINE

EXCAVATION BOUNDARY

EDGE OF PAVEMENT

RETAINING WALL

STORMWATER DRAINAGE  
CHANNEL

TREE

DECK

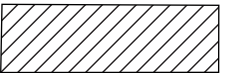
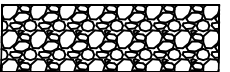
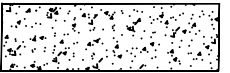
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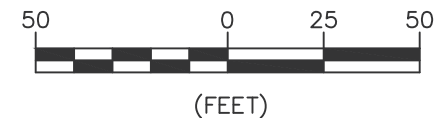
GRAVEL

GEOMEMBRANE LINER


New Tree Location



Point Table				
Point #	Raw Description	Elevation	Northing	Easting
13	Culvert_Invert	4727.85	221318.7980	4583808.0330
14	Culvert_Invert	4731.61	221277.7040	4583805.6560
5000	Culvert_End	4714.94	221449.3900	4583854.8150
5008	Tank	4727.39	221460.6590	4583945.5790
5001	Effluent_Line	4731.88	221399.0540	4583954.0120
5009	Tank	4727.23	221465.3870	4583954.6090
5005	Effluent_Line	4726.09	221453.7440	4583932.0300
5006	Tank	4727.33	221457.4000	4583937.0210
5007	Tank	4726.26	221458.8210	4583941.7570
5010	Tank	4727.34	221467.7400	4583959.3460
5011	Tank_Vent	4728.23	221464.4270	4583950.7860
5012	Compressor	4728.25	221460.4430	4583954.3160
5013	Control_Box	4726.68	221460.1460	4583952.1470
5014	Septic_Power	4726.99	221459.5150	4583953.1130
5015	Septic_Power	4728.60	221436.1770	4583957.6230
5016	Clean_Out	4721.18	221514.3970	4584032.4350
5017	Drain_Pipe	4709.14	221552.7730	4584069.5360
5018	Drain_Pipe	4708.43	221556.9060	4584070.7030
5019	Drain_Pipe	4707.70	221567.7720	4584070.2900
5020	Drain_Pipe	4705.95	221572.1270	4584069.9290
5021	Drain_Pipe	4703.23	221579.7390	4584067.1750
5022	Drain_Pipe	4702.98	221580.3590	4584067.4930
5023	Drain_Pipe	4702.45	221588.0080	4584088.4410
5024	Drain_Pipe	4702.36	221594.4730	4584124.1340
5025	Drain_Pipe	4702.35	221602.7630	4584151.4110
5026	Drain_Pipe	4705.50	221584.3470	4584147.2170




REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

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

RENEWAL DATE 01/01/21

## Lot BM 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  
**BM.3**



## Parcel BM



Parcel BM – Gully located on East side of Parcel (same as 2022).



Parcel BM – View of distressed trees in background, facing Northeast from Southeast corner of Parcel.

Parcel BM



Parcel BM – View facing Northeast from Southwest corner of Parcel.



Parcel BM – View facing Southwest from Southwest Central corner of Parcel.



Parcel BM



Parcel BM – Culvert partially blocked by vegetation located on Western portion of Parcel.



Parcel BM – View facing South from North corner of Parcel.

Parcel BM



Parcel BM – View facing West from North Central corner of Parcel.



Parcel BM – View facing Northwest from Southwest corner of Parcel.