



Oregon

Kate Brown, Governor

Department of Environmental Quality
Eastern Region Bend Office
475 NE Bellevue Drive, Suite 110
Bend, OR 97701
(541) 388-6146
FAX (541) 388-8283
TTY 711

January 4, 2021

John & Anna Budden
3510 Jasma Lane
Klamath Falls, OR 97601

RE: Conditional No Further Action Determination for Parcel BM, ECSI No. 6019

Dear Mr. & Mrs. Budden:

The Oregon Department of Environmental Quality (DEQ) has completed a review of the available information related to your property located at 4343 Old Fort Rd in Klamath Falls, Oregon (Map ID 3809-15A tax lot 307). DEQ has determined that remedial actions at the Parcel BM site are complete, and no further action is required.

This determination is based on the DEQ regulations and the facts as we now understand them including, but not limited to the following:

- The property is included within the boundary of the North Ridge Estates (NRE) Superfund Site, Operable Unit No. 1 (OU1). DEQ tracks NRE, OU1 under Environmental Cleanup Site Information System (ECSI) No. 2335.
- DEQ assigned individual ECSI numbers to individual properties to track property specific documents and future actions performed by current and/or future owners. Your property was assigned ECSI No. 6019. Properties were also assigned individual parcel identifications by U.S. Environmental Protection Agency's (EPA's) contractor. This determination is specific to Parcel BM.
- The NRE OU1 boundary encompasses the footprint of the former Marine Recuperation Barrack facility and one satellite area (Parcels BP and BQ).
- As was common in the 1940s, many different types of building materials contained asbestos, including cement asbestos board, floor tile mastic, and several different types of steam pipe insulation (MAG and AirCell) were used in the construction of the facility.
- Improper disposal practices during demolition of the barrack buildings left large and widespread amounts of asbestos and asbestos containing materials (ACMs) in the soil, posing a health risk to residents.
- EPA completed a Remedial Investigation of NRE OU1 properties by 2010.
- EPA performed Removal Actions on the property in 2008 and 2009.
- EPA performed Remedial Action on the property from 2016 to 2018. The contractor removed 3,342 cubic yards of asbestos contaminated soil from the property. The contaminated soil was transported off-property. A two-foot soil protective cap was placed over the excavated area.

- The protective cap is designed to ensure long-term protectiveness from exposure to asbestos. **Written approval from DEQ is required prior to any actions that will or likely will penetrate the protective cap** present on the property or jeopardize the protective cap's function as an engineering control that prevents exposure to contaminated materials.
- The EPA NRE Site, OU1 *Record of Decision*, dated September 2011, required institutional controls to be used as part of the remedial action to inform current and future owners of the presence of the protective cap.
- An Easement and Equitable Servitude on Parcel BM was recorded with Klamath County on April 29, 2019.
- EPA issued a No Further Remedial Action Planned determination for Parcel BM on December 30, 2020.
- DEQ requested a public comment period during the period of February 1 to March 3, 2020. The request appeared in the February issue of the Secretary of State's Bulletin and in the local newspaper (Herald and News) on January 31, 2020. DEQ also emailed notices to residents and other interested parties through EPA's NRE OU1 community outreach email list notifying them of the opportunity to comment. DEQ received comments from three individuals (one current resident, one former resident, and one member of the public). The comments were not specific to protectiveness of the cap or the effectiveness of the remedial action.

Based on the available information, Parcel BM is currently protective of public health and the environment. The site requires no further action under the Oregon Environmental Cleanup Law, ORS 465.200 et seq. unless new or previously undisclosed information becomes available, or there are changes in site development or land and water uses, or more contamination is discovered. DEQ will update the ECSI database to reflect this decision.

DEQ recommends keeping a copy of all of the documentation associated with this remedial action. If you have any questions, please contact Katie Daugherty at 503-229-6748, or via email at Daugherty.Katie@deq.state.or.us.

Sincerely,

David Anderson, Manager
Eastern Region Cleanup Program

ecc: Katie Daugherty, DEQ