



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 MBK-G (Warehouse)
North Ridge Estates Superfund Site
ECSI No. 6025

Dear John & Anna Budden:

The Oregon Department of Environmental Quality completed an annual inspection of the protective cap on your property located at 4300 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 violation:

1. **Cap Damage.** Significant areas of damage to the soil protective cap have been repeatedly noted primarily on the north side of the building (see enclosed figure).

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

2. **Damaged Siding.** The building's cement asbestos board (CAB) siding is continuing to deteriorate. Multiple pieces of this asbestos containing material (ACM) were observe and pose a risk of contaminating the protective cap.

Corrective Action. Remove and properly dispose of CAB material on the ground by November 12, 2023. Perform reguard inspections of siding and remove and properly dispose of CAB material on the ground promptly.

Recommendation. Remove or seal the deterorating siding in accordance with applicable local, state, and federal regulations.

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.

Sincerely,

A handwritten signature in cursive script that reads "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

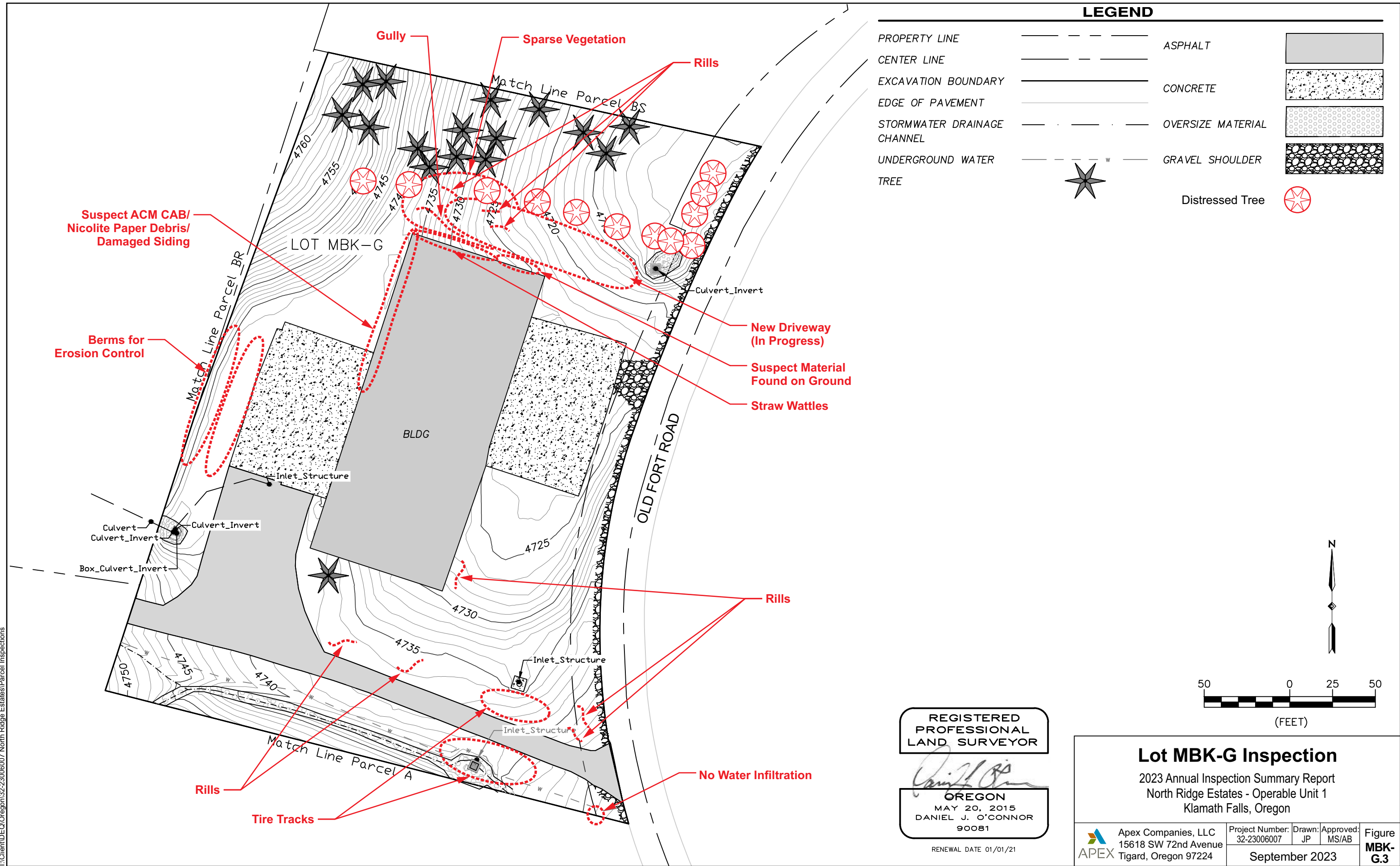
Parcel MBK-G

Operations and Maintenance Inspection Form

Part I. General Site Information							
Site Name:	North Ridge Estates	State/County:	Oregon (Klamath County)	Parcel/Tax ID:	Parcel MBK-G		
EPA Point of Contact	Linda Meyer (206) 553-6636	ODEQ Point of Contact	Katie Daugherty (503) 860-3943				
Inspection Date:	7/3/2023	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rills were noted on the northern side of the warehouse. (Same as 2022)	Owner onsite at time of inspection indicated intention of backfilling rills.
	Are the rills within a 10-foot interval?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>	Gullies were noted along the north side of the warehouse. (Same as 2021)	Owner onsite at time of inspection indicated intention of backfilling rills.
	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"/>	No damage to cap, but tire tracks were noted on the southeast corner of the parcel. (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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Suspect cement asbestos board (CAB) siding observed on all exterior sides of warehouse.	
	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"/>	Approximately 200 square feet of sparse vegetation was noted on the slope north of the warehouse. (Same as 2022)	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 12 newly planted trees were observed to be in 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 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 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	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"/>	Owner is adding an additional driveway to the northern side of the warehouse and will be paving the southeast portion of the yard. (Same as 2021) Not completed as of present.	
	Suspect CAB debris on ground.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Suspect CAB siding observed to be damaged and deteriorating on all exterior sides of warehouse structure. Suspect CAB siding debris observed on ground on north side of warehouse struture.	Remove and properly dispose of suspect CAB debris following local, state and federal regulations.
		<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\DEQ\Oregon\32-23006007 North Ridge Estates\Parcel Inspections



Parcel MBK-G



Parcel MBK-G – Northwest Corner of Parcel; Owner reportedly adding Driveway North of Warehouse.



Parcel MBK-G – Northeast Corner of Parcel, facing Southwest.

Parcel MBK-G



Parcel MBK-G – Suspect cement asbestos board (CAB) siding on West exterior of Warehouse.



Parcel MBK-G – Suspect CAB observed on the ground on the North side of the Warehouse.

Parcel MBK-G



Parcel MBK-G – Southwest corner of Parcel, facing Northeast.



Parcel MBK-G – Northwest corner of Parcel, facing Southeast.