

# PROPERTY OWNER INFORMATIONAL MEETING

## REMEDIAL INVESTIGATION— HE'EIA COMBAT TRAINING AREA, MRS 01 & MRS 03

January 22, 2024



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## Heeia Combat Training Area



# PROJECT OBJECTIVES AND BACKGROUND



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# Project Objectives

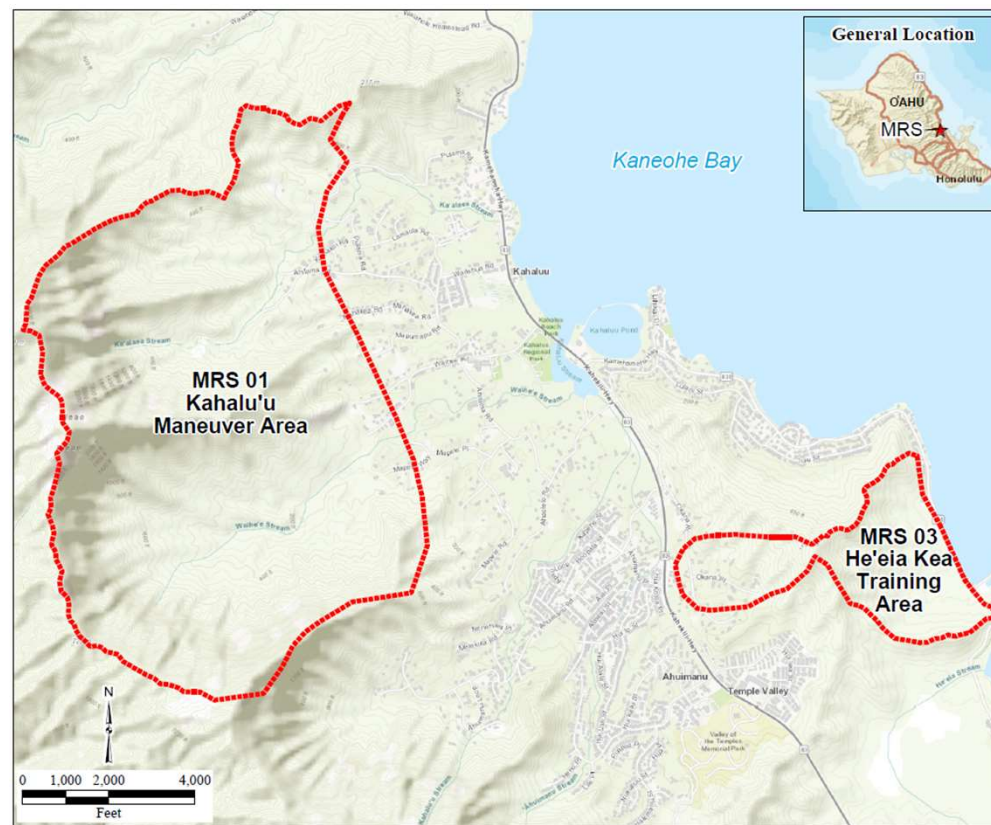
The objective of this project is to collect additional field data required to determine the nature and extent of munitions related contamination at Munitions Response Site (MRS) 03 (He'eia Kea Training Area) and MRS 01 (Kahalu'u).

## Munitions Response Site (MRS) 03 (Heeia Kea Training Area)

- 250 Acres Total
- 72 Acres previous Non Time Critical Removal Action (NTRCA)
- 234 Acres previous Remedial Investigation (RI) (2019)
- City/County and Private Landowners

## MRS 01 (Kahaluu)

- 2,254 Acres
- City/County and Private Landowners





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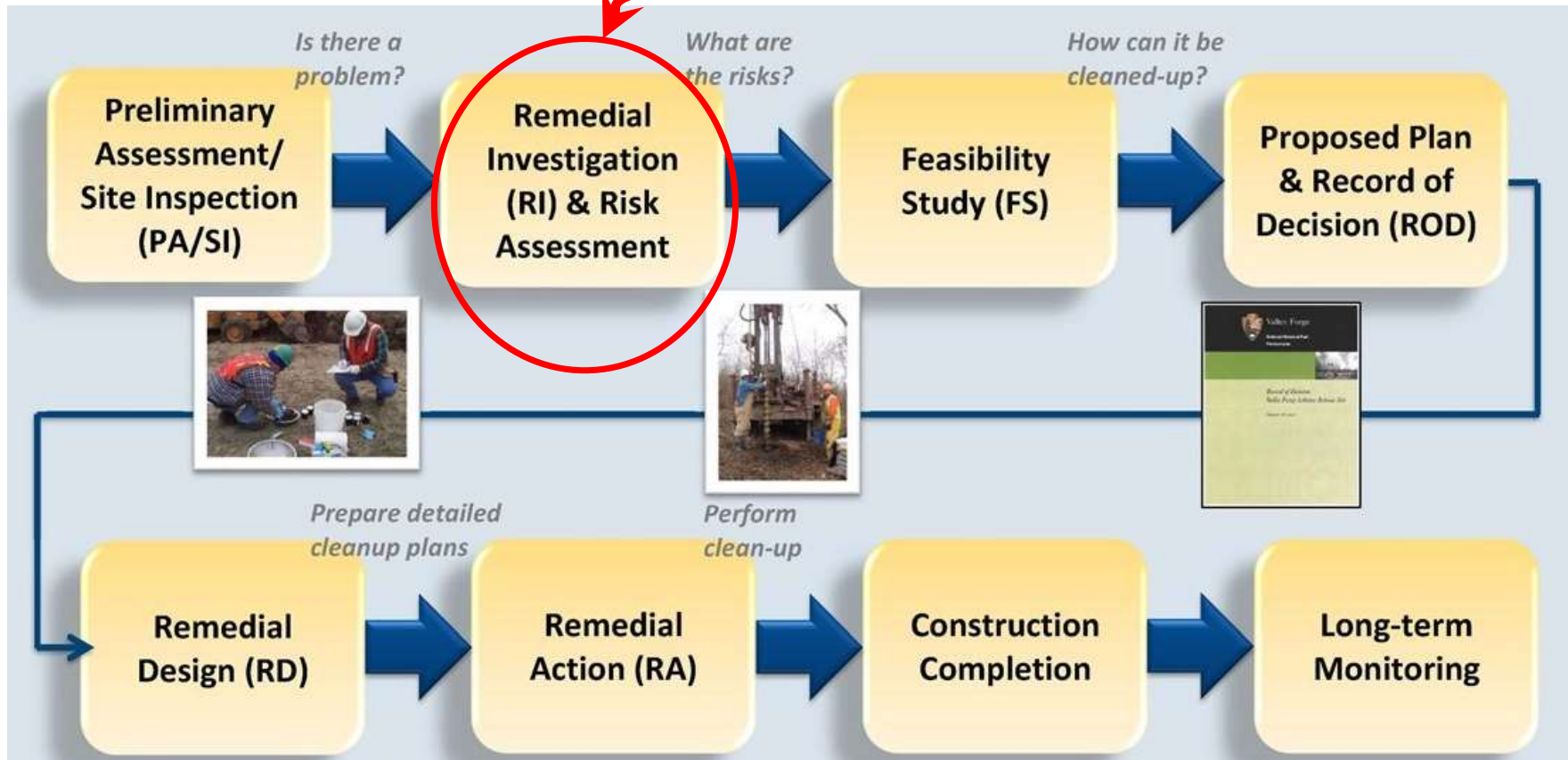


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## CERCLA PROCESS

Current Stage for Heeia







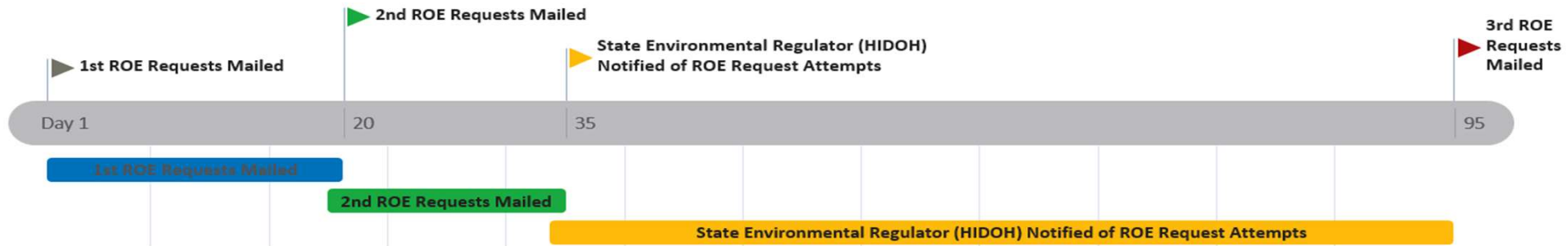
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# RIGHT OF ENTRY (ROE) PROCESS



- An executed ROE agreement between the property owner and USACE is required for project personnel (USACE and their contractor) to access private property to conduct field work (limited vegetation cutting and geophysical mapping surveys).
- An executed ROE grants property access to project personnel for a limited duration, and it expires upon completion of the project. The expected window for field work for this project is between May 2025 and October 2026.
- No work can be performed at a property if a landowner does not grant ROE.
- An executed ROE does not grant indefinite access to private property and only covers access to exterior/outdoor areas.
- Dates and times for access to properties will be facilitated and coordinated by USACE's contractor's Site Manager who will contact property owners ahead of and during planned field work activities.



# ROE REQUEST EXAMPLES



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, HONOLULU DISTRICT  
230 OTAKE STREET, BUILDING 230  
FORT SHAFTER, HAWAII 96858-5440

June 2, 2023

Environmental Programs Branch  
Programs and Project Management

via USPS Certified Mail

DEPT OF HAWAIIAN HOME LANDS  
ATTN: KAHANA ALBINIO, ACTING LAND MANAGEMENT ADMINISTRATOR  
91-5420 KAPOLEI PARKWAY  
KAPOLEI, HI 96707

Dear Property Owner or Lessee:

The U.S. Army Corps of Engineers (USACE) has identified the property you own at: Tax Map Keys (TMK) that are listed below, as located within, or adjacent to the former Waikoloa Maneuver Area. The Formerly Used Defense Sites Program was established to identify and remedy properties such as yours, where past Department of Defense (DoD) activities may have contributed to a release. Past DoD activities may have contributed to a contaminated condition that could present a risk to human health and the environment. The USACE is seeking access to respond to the potential condition of your property in accordance with applicable laws and regulations.



A fact sheet providing information on the FUDS Program and the FUDS Property is enclosed. General information on the FUDS program is also available at <http://www.fuds.mil>.

We request your permission to enter the property for a period sufficient to complete the necessary work as described in the attached Right-of-Entry agreement, generally anticipated to be five years from the date you sign the ROE to determine if any DERP eligible CERCLA contamination for execution by the FUDS Program is present on your property, etc. This may involve making a visual inspection of the property, surveying it with a metal detector or other instrument, and collecting soil and/or water samples, etc. At this time, we are not able to specify the exact dates for performing work due to the unpredictable nature of the weather and other factors. However, we will notify you at least

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15 calendar days prior to commencing on-site activities. If you decide to grant permission, please sign and return the enclosed Right-of-Entry form in the envelope provided. We are requesting that each owner, lessee, and trustees voluntarily sign the form.

After performing the Remedial Investigation/Feasibility Study phase for this project, we will advise you of our findings. We will also discuss with you the next steps in the process for addressing any hazards that may be present as a result of DoD's former use of the property and seek your additional permission before proceeding with any further action that may be required on the property.

If you have any questions regarding this request or would like further information, please contact Mr. Dave Griffin, Waikoloa Maneuver Area Program Manager with the U.S Army Corps of Engineers, at 808-835-4079.

Sincerely,

  
David Griffin  
Waikoloa Maneuver Area  
Program Manager  
U.S. Army Corps of Engineers

Encs  
Right-of-Entry  
FUDS Program Fact Sheet

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# ROE REQUEST EXAMPLES



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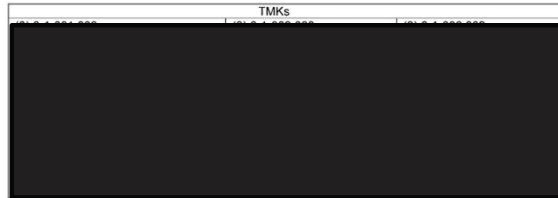
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## DEPARTMENT OF THE ARMY RIGHT OF ENTRY (ROE) FOR FORMERLY USED DEFENSE SITES PROGRAM

Waikoloa Maneuver Area  
Formerly Used Defense Sites (FUDS)

FUDS ID: H09HI035909, H09HI035920

The undersigned, hereby grants to the Department of the Army, its employees, contractors, and subcontractors a Right-of-Entry on the property located in: Waikoloa Maneuver Area and described as:



## ROE Permit

1. This Right-of-Entry is granted upon the following terms and conditions:

This Right-of-Entry may be exercised only for the purposes of:

Investigation of the property for chemical contamination, containerized regulated substances, or Munitions or Explosives of Concern, which may involve soil sampling, installation of groundwater monitoring wells, geophysical surveys, and clearance of surface vegetation.

All proposed activities will be coordinated with the Owner 15 days prior to the start of work.

2. This Right-of-Entry may be exercised at any time after the notice and is anticipated to end in or around June 2028 for the current phase of work; given consideration to potential delays in the document review schedule and multiple fieldwork mobilizations but may be exercised until the work described above is complete.

3. This Right-of-Entry does not grant any right to enter into any structure or building located on the property described above.

4. If any action of the Government's employees or agents in the exercise of this Right-of-Entry results in damage to the real property, the Government will, in its sole discretion, either repair such damage or make an appropriate settlement with the Owner. In no event shall such repair or settlement exceed the fair market value of the fee title to the real property at the time immediately preceding such damage. The Government's liability under this clause is subject to the availability of appropriations for such payment, and nothing

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contained in this agreement may be considered as implying that Congress will at a later date appropriate funds sufficient to meet deficiencies. The provisions of this clause are without prejudice to any rights the Owner may have to make a claim under applicable laws for any damages other than those provided for herein.

5. This Right-of-Entry may be revoked in writing by the undersigned upon no less than 30 days prior notice delivered to the Department of the Army at:

U.S. Army Corps of Engineers- Environmental Branch  
Attn: David Griffin  
Bldg. 230 Otake Street Room 104  
Fort Shafter, HI 96858

If the undersigned attempts to terminate or revoke this Right-of-Entry before the end of the period provided in paragraph 2, above, without the required notice period stated in this paragraph, the Government will be entitled to recover from the undersigned all damages incurred as a result of the early termination of access to the property, including all contractor costs and any other expenses of the Government incurred because of the unanticipated early termination.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Signature – Owner or Lessee)

\_\_\_\_\_  
Name(s) (Print Name and Title)

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Phone/Cellular Nos.

\_\_\_\_\_  
E-mail Address

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# PROPOSED FIELD WORK



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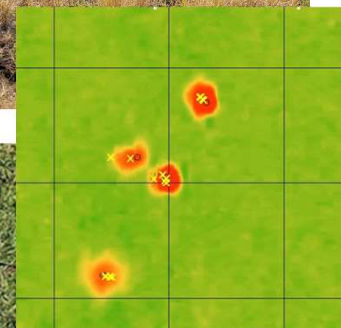


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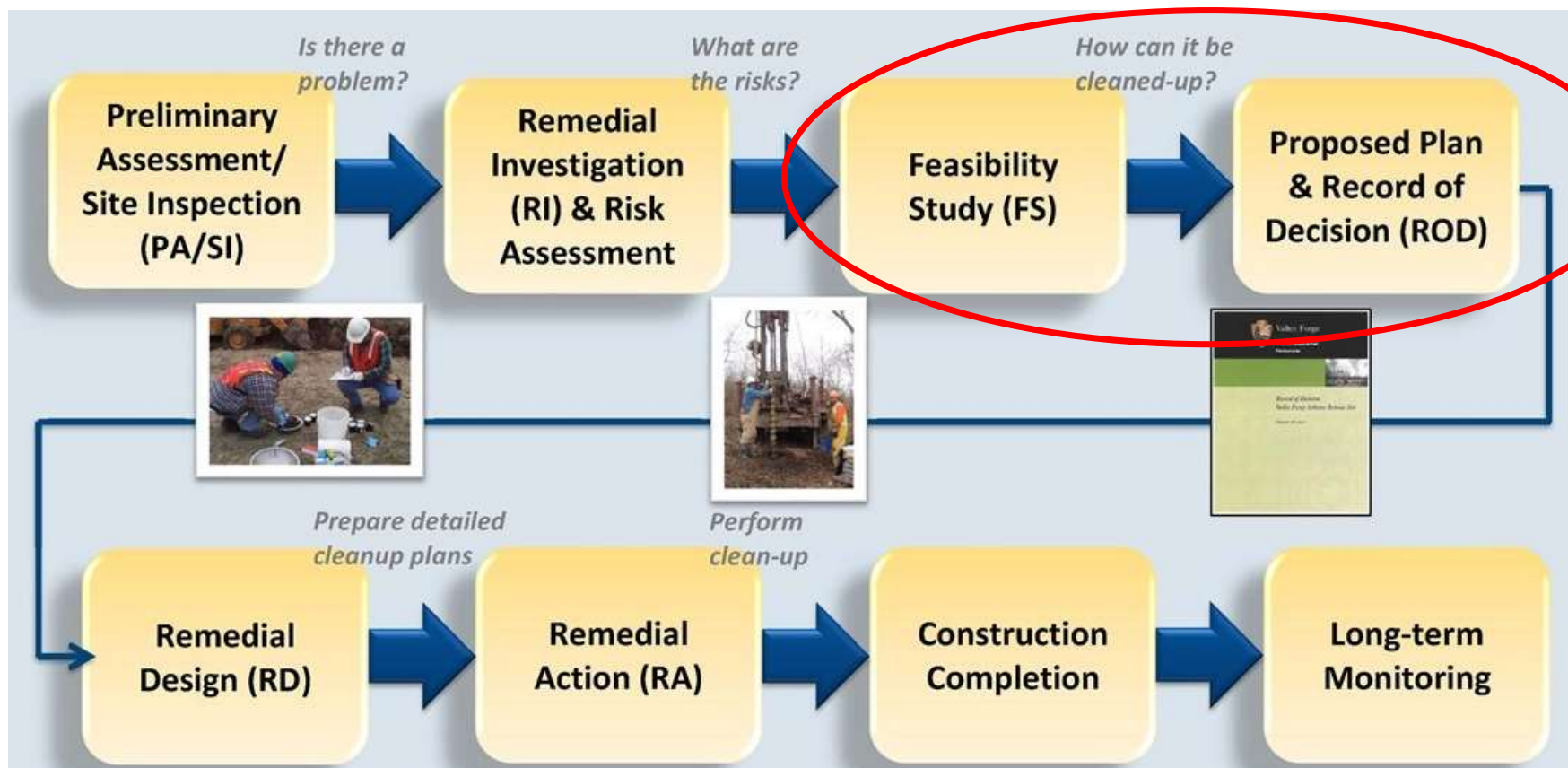


## PROJECT FIELD WORK PHASES

- **Phase 1:** Complete metal detection data surveys along transects (4-5 ft paths) to determine metallic density of overall project area.
- **Phase 2:** Complete additional metal detection data surveys (small grids) within areas suspected to have a concentration of metallic debris (possible munitions related contamination)
- **Phase 3:** Investigate selected subsurface metallic debris (within the small grids) to verify if buried metallic items are munitions related, or not.



## NEXT STEPS IN THE CERCLA PROCESS



# QUESTIONS



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# Closing Remarks



**R**ecognize - when you see a munition and that it is dangerous

**R**etreat - do not touch it, but carefully leave the area

**R**eport - call local authorities to report what you saw

For more information:

[honoluludistrictfudsinfo@usace.army.mil](mailto:honoluludistrictfudsinfo@usace.army.mil)