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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 1  
1 CONGRESS STREET, SUITE 1100  
BOSTON, MASSACHUSETTS 02114-2023

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NAS SOUTH WEYMOUTH  
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May 4, 2000

Captain Joseph W. Zorica  
Northern Division  
Naval Facilities Engineering Command  
10 Industrial Highway  
Mail Stop #82  
Lester, PA 19113-2090

Subject: Request for the Department of the Navy to Provide Funding for Technical Assistance at Nomans Land Island, Chilmark, MA

Dear Captain Zorica:

I have received the attached letter from the Honorable Beverly Wright, Chairperson for the Wampanoag Tribe of Gay Head (Aquinnah). Chairperson Wright has requested the United States Environmental Protection Agency's (EPA's) assistance in asking the Navy to fund an independent environmental monitoring company to study the potential hazards and impacts that may have resulted or may result to the human population on Martha's Vineyard Island from hazardous substances and/or materials located on Nomans Land Island, Chilmark, MA as a result of Navy activities. The Tribe has requested that the study also address the potential impacts to the cultural fisheries resources surrounding Nomans Land Island. In addition, it has asked that the study examine the possible impacts on the Martha's Vineyard population from air pollution and airborne contamination from known carcinogens in general and the contamination on Nomans Land Island in particular. The Tribe believes that an independent technical consultant funded by the Navy would breathe confidence into a process that many have doubts will be accomplished with the Tribe's welfare in mind.

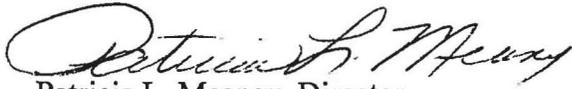
EPA welcomes the involvement of technical consultants representing affected citizens at sites such as Nomans Land Island. We believe that technical consultants contribute to the efficiency, effectiveness and timeliness of environmental restoration activities and aid in the development of community acceptance of environmental restoration activities. Therefore, EPA requests that the Navy make every effort to make any funds available to the Tribe as soon as is feasible.

I would also like to thank you for sending EPA copies of the *Release Abatement Measure, 120-Day Status Report (Ordnance Debris Removal), Nomans Land Island, Chilmark, Massachusetts* (September 1998) and *Phase 1 - Limited Investigation Report - Nomans Land Island, Chilmark, Massachusetts* (October 1998). We look forward to receiving any other reports concerning the Navy's remediation activities at Nomans Land Island. After we have completed our review, we will get in touch with you to set up a meeting to discuss this issue. In the meantime, I encourage

you to continue to work with the Wampanoag Tribe and Massachusetts Department of Environmental Protection address the Tribe's and the Commonwealth of Massachusetts' concerns about Nomans Land Island. If you have any further questions, please contact Stanley Chin of my staff at (617) 918-1401.

Thank you for your cooperation in this matter.

Sincerely,



Patricia L. Meaney, Director  
Office of Site Remediation and Restoration

Attachment

- cc: B. Wright, Wampanoag Tribe  
J. Day, Wampanoag Tribe  
M. Vanderhoop, Wampanoag Tribe  
F. Keel, BIA Director Eastern Area Office  
J. Loman, BIA CERCLA and NRDAR Coordinator  
A. Raddant, DOI  
B. Oliveria, USFWS  
R. Pirie, DOD  
A. Haring, US Navy - Northern Division  
D. Barney, US Navy - SOWEY NAS  
M. Begley, MADEP  
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Patricia Meaney  
Director of Site Remediation  
And Restoration  
US EPA Region 1  
1 Congress Street, Suite 1100  
Boston, MA 02203

March 21, 2000

Dear Ms. Meaney,

I am writing this letter to request the US Environmental Protection Agency (EPA) to assist the Wampanoag Tribe of Gay Head (Aquinnah), a federally recognized Indian tribe, in its efforts to address threats to human health and the environment associated with the release of hazardous substances into the air, land, waters and associated birds, plants, fish, animals on and adjacent to Nomans Island National Wildlife Refuge. The Department of Defense (DOD) recently transferred Nomans Island to the US Department of the Interior, Fish and Wildlife Service (USFWS). Since the 1940's Navy pilots have bombed Nomans with both live and practice bombs and a wide range of other small munitions.

Nomans Island located within the Town of Chilmark is part of the South Weymouth Naval Air Station in Weymouth, Massachusetts. While Weymouth Naval Air Station is a National Priorities Listed CERCLA (Comprehensive Environmental Response and Liability System Act) site, Nomans Island was not included in this listing. Currently EPA is monitoring Weymouth Naval Air Station clean-up activities while the clean-up activities at Nomans Island have been left to the State of Massachusetts Department of Environmental Protection. The State was able to get the DOD to conduct a limited ground surface removal of exposed unexploded ordnance (UXO). However, in this sweep, ordnance located below the ground surface, below mean low tide, in cliff faces, in coastal ponds and wetlands were not removed.

In March 2000 the State of Massachusetts met with the DOD and USFWS to hear their future plans regarding the further clean up of Nomans Island. Both Federal agencies agreed that they were not willing to fund or initiate any further clean-up of unexploded ordnance, and associated ammunitions, or any other debris removal activities from the lands and water surrounding Nomans Island.

I recently read a copy of a State of Massachusetts Department of Public Health Cancer Incidence Study for the years 1987-1994. In this State funded report female residents of the Town of Aquinnah (which contain all 540 acres of Tribal Trust Lands) were represented as having a 93% higher rate of cancer incidence than the Massachusetts average incidence rate. Exposure to contamination from Nomans Island has long been

**A FEDERALLY ACKNOWLEDGED TRIBE**

suspected as having detrimental health affects. Now with the Massachusetts Public Health Cancer study, the Tribe has reason to believe that there is a correlation between the cancer rates and carcinogenic materials known to be present on Nomans Island. I realize that this one study does not in it self prove that a direct relationship exists, but the findings do warrant further investigation and concentrated analysis.

On behalf of the Wampanoag Tribe of Gay Head (Aquinnah), I would like to formally request the EPA to investigate the potential for nominating Nomans Island to the National Priorities List for CERCLA. With this action the tribe would be assured that the EPA has a direct function to perform monitoring and compliance assurance through CERCLA regulations and clean up standards. Also, the CERCLA regulations require public involvement that has been lacking in the clean up activities to date.

The Tribe further requests the EPA to submit a request to the DOD Office of the Navy to fund an independent environmental monitoring company, selected by the tribe and approved by the Commonwealth of Massachusetts, to study the potential hazards and impacts from the hazardous materials located on Nomans Island to the human population of Martha's Vineyard Island. Furthermore the study should address the impacts to the cultural fisheries resources surrounding Nomans Island. In addition the possible extent of air pollution and air borne contamination associated with Nomans Island contamination as well as all known carcinogens. Areas of expected focus should include: UXO unexploded ordnance hazards, hazards associated with the use of depleted uranium ammunicions, RDX, Lead, TNT and other yet undiscovered (or unreported) regulated hazardous wastes. This independent environmental assessment company should be allowed to conduct data recovery efforts and site inspections on the Island of Nomans with the full cooperation of the DOD and USFWS.

The tribe also requests that a tribal cancer incidence survey and tribal member cancer rate study be conducted. Cancer is a human health issue viewed very seriously by the tribe. The tribe is dedicated to the identification of environmental and all other factors contributing to the spread of this disease. The Wampanoag Indian Health Service should administer this survey and the subsequent tribal cancer study. If provided the appropriate funds to cover the expense of each study the Wampanoag Tribe could complete this study.

The tribe's Natural Resources Department wishes the total extent of contamination to be evaluated. The Department feels there exists considerable risk to populations of shellfish, finfish, migratory waterfowl and other species due to exposure to these chemicals. Tissue sampling for ingested and absorbed chemicals is recommended. These species have historically been harvested from the local lands and waters not only for tribal sustenance but also for the commercial fishing industry, which supplies these products to the entire eastern United States seafood market often distributed through Boston Massachusetts.

The tribe plans to continue negotiations with the DOD and the USFWS to address these issues. The tribe wishes these two agencies to begin planning activities with the tribe in order to initiate further clean-up of Nomans Island with the least possible delay. The tribe is convinced that there are methods and technology available to perform the required clean-up of Nomans Island with minimal detrimental effects to the threatened and important species of plants and wildlife which have endured the years of bombing and burning and other destruction it was subjected to by the US Navy. Examples of similar bombing range clean-up activities in threatened species habitat, which were conducted in an environment friendly manner include: Kaho'olawe Island Reserve in Hawaii, Montana de Oro State Park near Morro Bay, California.

The tribe plans to start coordinating its own efforts with those of the Commonwealth of Massachusetts's environmental programs to assure compliance with both state and federal environmental laws and other applicable statutes. The information requested through these proposed studies is crucial to the Tribe assuring the safety of its future generations. I encourage any support your agency is able to provide my Tribe in regards to these important matters. Please contact me at your earliest convenience to discuss these critical issues.

In Peace,



Beverly M. Wright  
Chairperson, Wampanoag Tribe of Gay Head (Aquinnah)

CC:

WTGH(A) Tribal Council  
Mindy Lubber, Regional Administrator, Region 1 EPA  
Franklin Keel, BIA Director Eastern Area Office  
Jeff Loman, BIA CERCLA and NRDAR Coordinator  
Ron Lambertson, USFWS Director, Region 5  
Robert Pirie, DOD  
Senator Edward Kennedy  
Senator John Kerry  
Senator Patrick Kennedy  
Congressman William Delahunt  
Congressman Barney Frank