# Fukushima Update: Consequences Seen From Japan to California

### Sailors' $1 Billion Lawsuit Against Tokyo Electric, General Electric Moves Ahead

The Tokyo Electric Power Co. (Tepco) urged the Ninth Circuit US Court of Appeals in Pasadena on Sept. 1 to dismiss a $1 billion class action on behalf of hundreds of US service members exposed to radiation while responding to the Fukushima nuclear disaster in March 2011, arguing the claims belong in Japan.

The lawsuit is by hundreds of US Marines, sailors, airmen and their dependents who say they were sickened by the radioactive fallout that drifted across their ships when they served in a relief force of 25 Navy vessels sent to aid Japan while three Tepco reactors were simultaneously undergoing catastrophic explosions and uranium fuel meltdowns. Prevailing winds at first blew radioactive fallout from the exploding reactors out to sea where it doused the ships, but later shifted sending radiation plumes inland.

The three-judge panel heard arguments against Tepco and several other corporate co-defendants for allegedly lying to US forces about the risks of radiation and luring US forces into danger.

According to the sailors' complaint, filed in 2012 and amended in 2014, Tepco knew that Navy personnel were in danger of suffering from radiation exposure, leaving them at risk of cancer and other health problems, but neglected to warn them. The company should have informed the soldiers of the meltdowns before they arrived, the complaint says.

Illnesses named in the lawsuit include immune system diseases, headaches, difficulty concentrating, thyroid problems, bloody noses, rectal and gynecological bleeding, shrinking of muscle mass, memory loss, leukemia, testicular cancer, problems with vision, ringing in the ears, and anxiety, *Stars and Stripes* reported.

In October 2014, US District Judge Janis L. Sammartino denied Tepco's motion to dismiss the suit, ruling that the sailors' complaint sufficiently alleged that Tepco's negligence—not the Navy's decision to send them to the area to provide humanitarian relief—caused their injuries. At the Sept. 1 hearing, Tepco urged the court to reverse Judge Sammartino's refusal to dismiss the suit, Law360 reported. A decision isn't expected before November.

The lawsuit also targets the corporate giants General Electric, Toshiba, Hitachi and EBASCO, arguing that the companies disregarded safety measures and produced faulty parts for the reactors.

For its part, Tepco denied that the sailors' "asserted physical ailments were caused by radiation from the FNPP (Fukushima Nuclear Power Plant)." The company relies on a US Defense Department report commissioned by Congress that concluded that "the radiation exposures to the sailors serving aboard the [carrier USS] *Ronald Reagan* were very low" and that "it is implausible that these low-level doses are the cause of the health effects reported."

Vice Adm. William Hilarides, head of Naval Sea Systems Command, wrote to *Stars and Stripes*, "The radioactive contamination found on the ships involved in Operation Tomodachi is at such low levels that it does not pose a health concern to the crews, their families, or maintenance personnel."

—Daniel Siegal, Law360, Sept. 1 & 2; *Pasadena Now*, Sept. 1; Aaron Kidd, *Stars and Stripes*, July 7; Juan Carlos Rodriguez, Law360, Apr. 5; Matthew Burke, *Stars and Stripes*, Mar. 13, 2016

### 16 US aid ships still contaminated with radiation

Five years since the Fukushima disaster began, 16 of 25 US Navy ships that participated in relief efforts for Japan remain contaminated with low levels of radiation, Navy officials told *Stars and Stripes*, mostly in "ventilation systems, main engines and generators." The largest of the 16 is the carrier *USS Ronald Reagan* which carries 5,000 personnel and most of the 400 plaintiffs in the class action were aboard the *Reagan*.

—Justin McCurry, the *Guardian*, Sept. 7; and Matthew Burke, *Stars and Stripes*, Mar. 13, 2016

### Ex-political leaders side with vets in lawsuit, former Japanese PM: Abe "lying" about safety

Former US Sen. John Edwards and former Japanese Prime Minister Junichiro Koizumi have publicly promised to support the sailors, Marines and other personnel in their class action against Tepco and other major corporations.

Senator Edwards, the Democratic nominee for Vice President in 2004, is now a partner in a Raleigh law firm specializing in personal injury, economic justice and property rights. Edwards offered his "legal and personal assistance" after hearing about the lawsuit.

Prime Minister Koizumi has called on the Japanese public to donate to a fund that he established to support the US veterans' lawsuit.

"I felt I had to do something to help those who worked so hard for Japan," Koizumi told the *Guardian*. Promising to raise $1 million, he said, "That won't be enough money, but at least it will show that Japan is grateful for what they did for us."

Koizumi went beyond making nice with US first responders. While working hard to prevent the restart of Japans 50 shuttered power reactors, he accused the current Prime Minister Shinzo Abe of lying about the current state of the destroyed reactor complex.

"It's a lie," Koizumi, 74, said to a group of reporters in Tokyo September 7. "When [Abe] said the situation was under control, he was lying. It is not under control," the *Guardian* reported.

Koizumi added that after the Fukushima crisis he had "studied the process, reality and history of the introduction of nuclear power, and became ashamed of myself for believing such lies.

—*Stars and Stripes*, Aug. 31 & July 7; the *Guardian*, Sept. 7; Andy Sharp, Bloomberg, Sept. 7, 2016

### Fukushima disaster site continues to spill

… "Today the disaster site remains in crisis mode. … (Tepco) currently circulates water through the three melted units to keep them cool—generating a relentless supply of radioactive water. To make matters worse, groundwater flowing from a hill behind the crippled plant now mingles with radioactive materials before heading into the sea. …

"Health reports, too, are worrisome. Scientists have seen an increase in thyroid cancers among the children who had lived in Fukushima at the time, although it is too early to tell if those cases can be attributed to the accident."

—*Scientific American*, Mar. 1, 2016

### Radiation along rivers up to 200 times higher than Pacific Ocean seabed

Radioactive contamination in the seabed off the Fukushima coast is hundreds of times above pre-2011 levels, while contamination in local rivers is up to 200 times higher than ocean sediment, according to results from Greenpeace Japan survey work.

"The extremely high levels of radioactivity we found along the river systems highlights the enormity and longevity of both the environmental contamination and the public health risks resulting from the Fukushima disaster," said Ai Kashiwagi, Energy Campaigner at Greenpeace Japan.

"These river samples were taken in areas where the Abe government is stating it is safe for people to live. But the results show there is no return to normal after this nuclear catastrophe," said Kashiwagi.

Riverbank sediment samples taken along the Niida River in Minami Soma, measured as high as 29,800 Becquerels-per-kilo (Bq/kg) for radiocaesium (Cs-134 and 137). The Niida samples were taken where there are no restrictions on people living, as were other river samples. [The government says soil contaminated with over 8,000 Bq/kg must be isolated and disposed of as highly radioactive waste.]

The lifting of evacuation orders in March 2017 for areas that remain highly contaminated is a looming human rights crisis and cannot be permitted to stand, Greenpeace said. The vast expanses of contaminated forests and freshwater systems will remain a perennial source of radioactivity for the foreseeable future, as these ecosystems cannot simply be decontaminated.

Caesium-137 has a half life of 30 years, and will continue to pose a risk to the environment and human health for hundreds of years.

—Greenpeace Japan, July 21, 2016

### Recovery Could Cost $240 Billion

Former Japanese Prime Minister Naoto Kan, said "So far the government is paying $70 billion to support Tepco. But that is not enough. It will probably cost more than $240 billion. It's become clear that nuclear power is more dangerous than other energy sources. In the past, they said it was cheap. But it was only cheap if the cost of accidents or the cost of spent fuel and nuclear waste was not included." —Al Jazeera, Aug. 25, 2016

### "The Scary Thing..."

"This is the scary thing for me … the people who are most anti-nuclear, the people who are most afraid about this, are the ones who know most about it."

—Eric Schlosser, *Command and Control* author, the *Guardian*, Sept. 21, 2013

# *Montreal Declaration for a Nuclear Fission-Free World*

*The Second World Social Forum met in Montreal, Quebec this past August and over 30,000 participants made it the largest civil society gathering in the world. Thanks to a concerted effort by anti-nuclear campaigners including the Ontario Clean Air Alliance, the Canadian Coalition for Nuclear Responsibility, Nuclear Information and Resource Service, and Beyond Nuclear, the "Montreal Declaration," (following), was one of the principle statements issued by the forum.*

As citizens of this planet inspired by the Second Thematic World Social Forum for a Nuclear-Fission-Free World, conducted in Montreal from August 8 to August 12, 2016, we are collectively calling for a mobilization of civil society around the world to bring about the elimination of all nuclear weapons, to put an end to the continued mass-production of all high-level nuclear wastes by phasing out all nuclear reactors, and to bring to a halt all uranium mining worldwide.

This call goes out to fellow citizens of all countries worldwide who see the need, whether as an individual or as a member of an organization, for a nuclear-fission-free world. We are committed to building a global network of citizens of the world who will work together, using the internet and social media to overcome isolation, to provide mutual support and to coordinate the launching of joint actions for a world free of nuclear fission technology, whether civilian or military.

We will begin by creating communication channels to share information and educational tools on legal, technical, financial, medical, and security-related matters linked to military and non-military nuclear activities. We will pool our resources across national boundaries in a spirit of cooperation, allowing us to contribute to the formulation of a convergent and unified response to counteract the plans of the nuclear establishment that operates on a global scale to multiply civil and military nuclear installations worldwide and to dump, bury and abandon nuclear wastes.

We recognize each nuclear weapon as an instrument of brutal and unsurpassed terror, designed to kill millions of innocent men, women and children at a single stroke. We realize that even a limited nuclear war can provoke sudden extreme climate change on a global scale, crippling agricultural production and threatening the survival of all higher forms of life. We are grimly aware that a nuclear-armed world will surely destroy itself and set in motion a process that will undo four billion years of evolution. We are determined to help guide the world away from the brink of nuclear annihilation.

We recognize each nuclear reactor as a repository of the most pernicious industrial waste ever known; waste so radioactive that it spontaneously melts down if not continually cooled; waste that, when targeted by terrorists or saboteurs, or by conventional warfare, will render large portions of the earth uninhabitable for centuries; waste that contains material that can be used as a nuclear explosive at any time in the future, for thousands of years to come.

We recognize uranium as the key element behind all nuclear weapons and all nuclear reactors, and we endorse the call by the International Physicians for the Prevention of Nuclear War and by the 2015 Quebec World Uranium Symposium for a total global ban on the mining and processing of uranium.

**We will use our networks:**

• to pressure governments everywhere to put an end to nuclear fission;

• to expose the dangers associated with the export and transport of nuclear materials and nuclear waste;

• to puncture the myths used to prop up and justify our irrational nuclear addiction;

• to tell the sobering stories of nuclear victims and nuclear refugees;

• to emphasize our moral responsibilities not to burden future generations with a poisonous nuclear legacy;

• to warn governments without nuclear facilities to realize the dangers and avoid becoming enmeshed in this technology;

• to disseminate the findings of engineers, doctors, biologists, ecologists, physicists and concerned citizens having special knowledge and appreciation of nuclear dangers;

• to promote and popularize the wide variety of renewable energy alternatives that are green and sustainable;

• to launch lawsuits and to support whistleblowers to halt the most egregious examples of nuclear malfeasance;

• to promote non-violent conflict resolution, and

• to denounce the illegal, immoral, and insane obsession with nuclear weapons arsenals.

We invite all people, groups and organizations involved in the effort for a world without nuclear fission and uranium mining, to commit themselves to this effort. We also ask them to endorse this declaration and to transmit it widely in their networks.

This declaration is partly inspired by the Tokyo Appeal issued by the First Thematic World Social Forum for a Nuclear-Free World held in Tokyo and Fukushima in March 2016.

***To sign on to this statement, write to Canadian Coalition for Nuclear Responsibility at ccnr@web.ca.*** ***See Additional Resources, p. 3.***