

draft Berkeley Resolution (already being adapted/considered in Fairfax and Seattle) approved by the Peace & Justice Commission and being expedited by Councilmember Kriss Worthington to the City Council for their Dec 3 meeting. Constituents may speak for it during public comment that night and lobby for it in advance: [mayor@CityofBerkeley.info](mailto:mayor@CityofBerkeley.info), [lmaio@cityofberkeley.info](mailto:lmaio@cityofberkeley.info), [dmoore@CityofBerkeley.info](mailto:dmoore@CityofBerkeley.info), [manderson@CityofBerkeley.info](mailto:manderson@CityofBerkeley.info), [jarreguin@CityofBerkeley.info](mailto:jarreguin@CityofBerkeley.info), [lcapitelli@CityofBerkeley.info](mailto:lcapitelli@CityofBerkeley.info), [swengraf@CityofBerkeley.info](mailto:swengraf@CityofBerkeley.info), [kworthington@CityofBerkeley.info](mailto:kworthington@CityofBerkeley.info), [gwozniak@CityofBerkeley.info](mailto:gwozniak@CityofBerkeley.info), [clerk@cityofberkeley.info](mailto:clerk@cityofberkeley.info)

## **Resolution to Reduce Fukushima Daiichi Nuclear Dangers**

**WHEREAS** Berkeley's Peace and Justice Commission advises the City Council on all matters relating to the City of Berkeley's role in issues of peace and social justice;<sup>i</sup> and

**WHEREAS** the people of Berkeley voted overwhelmingly for the Nuclear Free Berkeley Act;<sup>ii</sup> and

**WHEREAS** a coalition of seventy-two organizations, joined by Hiroaki Koide of Kyoto University Nuclear Reactor Research Institute, former United Nations (U.N.) diplomat Akio Matsumura, former senior adviser to the United States (U.S.) Secretary of Energy Robert Alvarez, former nuclear plant engineer Masashi Goto, etc., requested that the U.N. organize an independent assessment team and international assistance, stating that it is "imperative for the Japanese government and the international community to work together on this crisis before it becomes too late. We are appealing to the United Nations to help Japan and the planet in order to prevent the irreversible consequences of a catastrophe that could affect generations to come;"<sup>iii</sup> and

**WHEREAS**, after visiting the Fukushima Daiichi nuclear power plant on 6 April 2012, U.S. Senator Ron Wyden (D-OR), a senior member of the U.S. Senate Committee on Energy and Natural Resources who is highly experienced with nuclear waste storage issues, commented, "What we learned the first time is that radioactivity leaks out quickly. If (No.4) ruptures now, it gets into the air....This must not happen," and "The precarious status of the Fukushima Daiichi nuclear units and the risk presented by the enormous inventory of radioactive materials and spent fuel in the event of further earthquake threats should be of concern to all;"<sup>iv</sup> and

**WHEREAS** the nuclear reactors are located in a highly active seismic zone where an earthquake is likely to further compromise the structural integrity of damaged buildings and equipment, the melted reactor cores and fuel rods require constant cooling, and a meltdown in a spent fuel pool would release unprecedented amounts of radioactivity into the global atmosphere;<sup>v</sup> and

**WHEREAS** over 300 tons of radioactive water have been discharged every day into the Pacific Ocean since the 2011 catastrophe, readings of marine life in the Western Pacific and elsewhere have indicated increased radioactivity, a much more highly radioactive 300 ton leak occurred in 2013 from a poorly constructed storage tank, and according to nuclear expert Mycle Schneider in August 2013, “It is leaking out from the basements, it is leaking out from the cracks all over the place. It is much worse than we have been led to believe;”<sup>vi</sup> and

**WHEREAS** this radioactive contamination will be carried by the jet stream and spread by ocean currents to all parts of the world, adversely affecting marine life as well as human populations, and much greater contamination is likely given that the reactor cores are highly unstable and that the structures and storage tanks are deteriorating;<sup>vii</sup> and

**WHEREAS** this disaster presents one of the gravest threats and greatest technological challenges ever to face our species, and as such demands an international response utilizing the world's most accomplished experts as well as international funding on a level commensurate with humankind’s most ambitious efforts, in the interest of every nation;<sup>viii</sup> and

**WHEREAS** an industry that minimizes the severity of the disaster will not resolve it responsibly and, therefore, independent expertise and innovative thinking are fundamental requirements for remediation;<sup>ix</sup> and

**WHEREAS** the International Covenant on Civil and Political Rights established the rights to life and of children to special protection;<sup>x</sup> and

**WHEREAS** the U.N. has a duty to act decisively when people’s collective human rights, basic livelihood, environmental security, and right to know are being jeopardized.<sup>xi</sup>

**NOW THEREFORE, BE IT RESOLVED** that the Council of the City of Berkeley urge that the U.N. General Assembly:

1. *Appoint* on an emergency basis, within thirty days, an International Independent Commission of Experts (IICE) charged with formulating a plan to reduce, to every extent possible, releases of Fukushima Daiichi radiation into the atmosphere and the ocean, drawing personnel from universities, national research laboratories, other public institutions and nonprofit NGO's in order to avoid conflicts of interest and to ensure adherence to the purpose of the IICE, and insisting on transparency for investigatory, planning and implementation phases of remediation, ensuring that the project plans will be meticulously assessed, critiqued and optimized;
2. *Empower* the IICE, with the intention of accurately assessing risks and formulating viable solutions, to investigate the site with the cooperation of the Government of Japan, including full access to the site, to relevant government documents and staff, and to personnel and documents of the Tokyo Electric Power Company (TEPCO), operator of the site;
3. *Direct* the IICE to publicize a report within ninety (90) days with a risk-based strategic plan that addresses all existing and emergent problems with a minimum mandate of preventing the abandonment of the site, and the ultimate goal of minimizing public health risks;
4. *Authorize* the Commission to employ qualified project managers, technical consultants and contractors, and engineering firms to implement the plan;
5. *Further direct* the IICE to continue monitoring, and to publicize regular and accurate progress reports, as well as public health alerts as needed, working with Japan and with the public in an independent and transparent process;
6. *Call upon* Member States and the international community to provide expeditious funding and resources for this urgent endeavor to protect the nations of the world from additional impending, irreparable harm.

**BE IT FURTHER RESOLVED** that the Council of the City of Berkeley instruct its Health Department to research and inform the public regarding elevated risk from seafood and other Pacific basin products, and to educate the population of Berkeley regarding specific treatments for radiation exposure and have in place emergency procedures to administer treatment, if necessary, to mitigate radiation exposure.

**BE IT FURTHER RESOLVED** that copies of this Resolution be sent to the U.N. General Assembly, U.N. Secretary-General Ban Ki-moon, U.S. Ambassador to the U.N. Samantha Power, President Barack Obama Senator Dianne Feinstein, Senator Barbara Boxer, Congresswoman and

Representative to the 68th Session of the U.N. General Assembly Barbara Lee, and Governor Jerry Brown, with a request to the U.S. elected officials that they do whatever they can to keep the Environmental Protection Agency radiation safety thresholds at or below the levels that were established before March 11, 2011 and that there be regular testing and accurate reporting of radiation levels in air, water, soil and food.

---

<sup>i</sup> Berkeley Municipal Code (BMC) Chapter 3.68.070

<sup>ii</sup> BMC Chapter 12.90

<sup>iii</sup> <http://energymatters.com/?p=814>

<http://enenews.com/just-in-coalition-requests-un-intervention-to-stabilize-spent-fuel-pool-no-4-at-fukushima-endorsed-by-nuclear-experts>

<sup>iv</sup> [www.wyden.senate.gov/news/press-releases/after-tour-of-fukushima-nuclear-power-station-wyden-says-situation-worse-than-reported](http://www.wyden.senate.gov/news/press-releases/after-tour-of-fukushima-nuclear-power-station-wyden-says-situation-worse-than-reported)

<sup>v</sup> <http://www.reuters.com/article/2013/08/14/us-japan-fukushima-insight-idUSBRE97D00M20130814>

According to Robert Alvarez, former Senior Policy Adviser and Deputy Assistant Secretary for National Security & the Environment at the U.S. Dept of Energy, reactors that have been operating for decades, such as those at Fukushima, have some of the largest concentrations of radioactivity on the planet. Spent fuel stored at Fukushima contains roughly 336 million curies of long-lived radioactivity. About 134 million curies is Cesium-137, roughly 85 times the amount of Cs-137 released at Chernobyl. The total spent fuel at Fukushima contains nearly half of the total amount of Cs-137 released by all atmospheric nuclear weapons testing, Chernobyl, and worldwide reprocessing plants to date. Pages 2-5:

<http://akiomatsumura.com/2012/04/682.html>

[http://www.huffingtonpost.com/robert-alvarez/the-fukushima-nuclear-dis\\_b\\_1444146.html](http://www.huffingtonpost.com/robert-alvarez/the-fukushima-nuclear-dis_b_1444146.html)

<http://fairewinds.org/media/fairewinds-videos/tour-fukushima-daiichi>

<sup>vi</sup> <http://news.nationalgeographic.com/news/energy/2013/08/130821-fukushima-latest-leak-how-is-it-different/>

<http://www.bbc.co.uk/news/science-environment-23779561>

<sup>vii</sup> Akio Matsumura wrote that releasing that quantity of Cesium-137 “would destroy the world environment and our civilization. . . . This is an issue of human survival.” Page 5:

<http://akiomatsumura.com/2012/04/682.html>

A study published in Feb 2013 found Cesium-134 deposits in marine snow gathered 2000 kilometers away at depths of 5000 meters measuring 1,200 Bq/kg. “Fukushima Derived Radionuclides in the Ocean” by K. Buesseler & Michio Aoyama: <http://tinyurl.com/FukuSnow>

Yale University scientist Elizabeth Grossman wrote of nuclear material moving up the food chain:

[http://e360.yale.edu/feature/radioactivity\\_in\\_the\\_ocean\\_diluted\\_but\\_far\\_from\\_harmless/2391/](http://e360.yale.edu/feature/radioactivity_in_the_ocean_diluted_but_far_from_harmless/2391/)

Stony Brook University marine biologist Nicholas Fisher found Fukushima cesium 134 and 137 in every bluefin tuna tested, caught off the California coast over a year after 11-3-11: <http://samuel-warde.com/2013/08/radioactive-bluefin-tuna-caught-off-california-coast/>

*Numerical study and prediction of nuclear contaminant transport from Fukushima Daiichi nuclear power plant in the North Pacific Ocean*-Chinese Science Bulletin, “high concentrations of the radioactive isotope cesium-137 (137Cs) will move eastward and reach the central Pacific and west coast of North America in two and eight years, respectively. . . . can negatively affect human life for decades, so the transport and diffusion process of 137Cs should raise concern.” <http://link.springer.com/article/10.1007%2Fs11434-012-5171-6>

About 25 percent of the radioactivity initially released will travel to the Indian Ocean and South Pacific over 20-30 years: <http://www.sciencedirect.com/science/article/pii/S096706371300112X>

---

“...radionuclides will gradually spread to the US West Coast waters after a suitable period of time, with the possibility of affecting food quality throughout the food web (including humans).” *Assessment and characterization of radionuclide concentrations from the Fukushima Reactor release in the plankton and nekton communities of the Northern California Current* <http://www.tinyurl.com/FukuOR>

Pices, the intergovernmental scientific organization (Canada, China, Japan, Korea, Russia, U.S.) - Chair Dr. Zhang pointed out that Fukushima Daiichi led to increasing amounts of radionuclides released into the North Pacific. In addition, the long half-life radionuclides could potentially endanger the marine ecosystem, including human health through food chain exposures. Consequently, it is important to monitor the radiation exposure level and assess the effects. [https://pices.int/publications/other/2013-SG-RS\\_final\\_report.pdf](https://pices.int/publications/other/2013-SG-RS_final_report.pdf)

For evidence of widespread Fukushima contamination: P. Povinec, K. Hirose, and M. Aoyama (18 September 2012) ‘Radiostrontium in the Western North Pacific: Characteristics, Behavior, and the Fukushima Impact’, *Environmental Science & Technology*, 46.18, 10356–10363.

Additional charts and projections: <http://www.washingtonsblog.com/2013/10/fukushima-is-here.html>

<sup>viii</sup> Dr. Helen Caldicott “Endless Fukushima catastrophe: many generations health at stake.” <http://fukushimaupdate.com/op-edge-endless-fukushima-catastrophe-many-generations-health-at-stake/>

Mitsuhei Murata, “It is no exaggeration to say that the fate of Japan and the whole world depends on No.4 reactor. This is confirmed by most reliable experts like Dr. Arnie Gundersen or Dr. Fumiaki Koide....The world has been made so fragile and vulnerable. The role of the United Nations is increasingly vital,” and he testified on 22 March 2012 that the crisis could escalate into “a global catastrophe like we have never before experienced” that would “affect us all for centuries.” <http://akiomatsumura.com/2012/04/682.html>

Former Prime Minister of Japan Naoto Kan, “The accident at the Fukushima Daiichi Nuclear Power Plant was the most severe accident in the history of mankind.” [http://www.huffingtonpost.com/naoto-kan/japan-nuclear-energy\\_b\\_4171073.html](http://www.huffingtonpost.com/naoto-kan/japan-nuclear-energy_b_4171073.html)

<sup>ix</sup> A “committee created by the government to oversee the cleanup is loaded with industry insiders, including from the Ministry of Trade, in charge of promoting nuclear energy, and nuclear reactor manufacturers like Toshiba and Hitachi. The story of how the Fukushima plant ended up swamped with water, critics say, is a cautionary tale about the continued dangers of leaving decisions about nuclear safety to industry insiders.” [http://www.nytimes.com/2013/04/30/world/asia/radioactive-water-imperils-fukushima-plant.html?hp&\\_r=2&](http://www.nytimes.com/2013/04/30/world/asia/radioactive-water-imperils-fukushima-plant.html?hp&_r=2&)

Lest **related conflicts of interest** cause confusion, seventeen experts from five nations expressed fifteen concerns to the U.N. Secretary-General including that the Memorandum of Understanding between the World Health Organization and International Atomic Energy Agency be dissolved because the mandate of the IAEA to spread “peaceful” uses of nuclear technology prevents independence. <http://www.nirs.org/fukushima/expert-ltr-bankimoon-09-2013.pdf>

Physicians for Social Responsibility and IPPNW (Nobel Peace Prize awardees): “We believe the 2013 UNSCEAR report systematically underestimates the true extent of the catastrophe.” (Oct 2013) [http://www.ippnw.de/commonFiles/pdfs/Atomenergie/Ausfuehrlicher\\_Kommentar\\_zum\\_UNSCEAR\\_Fukushima\\_Bericht\\_2013\\_\\_Englisch\\_.pdf](http://www.ippnw.de/commonFiles/pdfs/Atomenergie/Ausfuehrlicher_Kommentar_zum_UNSCEAR_Fukushima_Bericht_2013__Englisch_.pdf)

Prime Minister Abe, in his bid for the Olympics, said that Fukushima is under control, only to be corrected by Kazuhiko Yamashita, an executive officer of Tokyo Electric Power Co. (Tepco), who said on 13 September 2013 “We regard the current situation as not being under control.” (Tepco quickly issued a retraction.) <http://ajw.asahi.com/article/0311disaster/fukushima/AJ201309130063>

---

Japanese state secrets bill “raises the possibility that the kind of information about which the public should be informed is kept secret eternally,” attorney Tadaaki Muto: <http://rt.com/news/japan-state-secrets-law-712/>

“degradation of vital streams of research and info” in Canada:  
[http://www.nytimes.com/2013/09/22/opinion/sunday/silencing-scientists.html?\\_r=0](http://www.nytimes.com/2013/09/22/opinion/sunday/silencing-scientists.html?_r=0)

<sup>x</sup> ICCPR Part.III Article 6, "1. Every human being has the inherent right to life. This right shall be protected by law....," and PART III Article 24. G.A. Res. 2200A (XXI), U.N. GAOR, 21st Sess, Supp. No. 16, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171 (entered 23/3/1976.)

<sup>xi</sup> These rights are implied in Articles 3, 19, and 25 of the 1948 Universal Declaration of Human Rights, and recognized in numerous U.N. Environmental Declarations since the Stockholm Conference of 1971, and have been codified and included as part of environmental rights in Japanese, Chinese, and European Community statutes and ordinances, and various U.S. state constitutions, and have frequently been cited by the courts in these jurisdictions.

## **Contact info for recipients:**

U.N. General Assembly, in care of H.E. Mr. John W. Ashe, President of the sixty-eighth session of the General Assembly, United Nations Headquarters, 2 United Nations Plaza New York, NY 10017

U.N. Secretary General Ban Ki-moon, United Nations Headquarters, 2 United Nations Plaza New York, NY 10017

Ms. Samantha Power, Ambassador and Permanent Representative, United States Mission to the United Nations, 799 UN Plaza, New York, N.Y. 10017  
Fax: (212) 415-4443 email: [USUNPoIFax@state.gov](mailto:USUNPoIFax@state.gov)

President Barack Obama 1600 Pennsylvania Ave. NW, Washington, DC 20500 Fax: (202) 456-2461

U.S. Congresswoman and Representative to the 68th Session of the U.N. General Assembly Barbara Lee, 2444 Rayburn HOB, Washington, D.C. 20515 Fax: (202) 225-9817

U.S. Senator Barbara Boxer: 112 Hart Senate Office Bldg., Washington, D.C. 20510 Fax: (415) 956-6701

---

U.S. Senator Dianne Feinstein: 331 Hart Senate Office Bldg.,  
Washington, D.C. 20510 Fax: (202) 228-3954

California Governor Jerry Brown, Office of the Gov, State Capitol,  
Sacramento, CA 95814