

# Maritime Transport of Nuclear and Hazardous Materials

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## ABSTRACT

Since the 1940's the Pacific Island region has been subject to deleterious environmental and human health effects from nuclear arms testing. Prospective use of the area as a repository for nuclear waste and increased shipments of hazardous materials pose further risks to Pacific Islanders. The legal framework pertaining to the shipments of hazardous and nuclear materials, however, is inadequate for the guarantee of ocean ecosystem safety and for the protection of Pacific Islanders. Therefore, the purpose of this study is twofold: to examine both the relevant legal framework and impacts of radionuclide contamination of the ocean, and to provide policy recommendations aimed at adequate environmental and human protections. Recommendations I and II aim to protect the environment by designating ecologically sensitive areas and requiring that States consult with regard to shipping routes, thereby minimizing risk and potential damage. Recommendation III includes the fishery and tourism industries in the definition of damages, and advises that the statute of limitations on claims from nuclear damage be reevaluated with further scientific studies to aptly reflect the possible duration over which radiation exposure may occur. Recommendation IV attributes further responsibility to the States directly involved in the transport of shipments resulting in damages, by requiring them to provide salvage plans for all shipments. The major findings of this study are that the recommendations provided are necessary to ensure that the environmental and social costs incurred by the shipping of nuclear and hazardous wastes are minimized and that the importer and exporter States should be held accountable for any damages that may arise from these activities.