

Submission to the Joint Standing Committee on Treaties concerning the

Agreement among the Government of Australia, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America for Cooperation Related to Naval Nuclear Propulsion

This submission urges that the Joint Standing Committee on Treaties recommends against the Australian Government signing this Agreement as it is not in the best interests of the Australian people on a number of grounds.

These grounds include:

- (a) The nuclear weapons grade fuel and nuclear reactors pose a significant threat to the health of the Australian People who live or work within the nuclear zones associated with the storage of the imported nuclear fuel, the construction of nuclear submarines and the designated facilities for disposal of nuclear waste produced by these activities plus nuclear zones associated with the porting of foreign nuclear submarines. For this reason, the Agreement should not be signed by the Australian Government. Annex A provides supporting material explaining the danger and risks to health of workers and residents in defined nuclear zones as per the Australian Naval Nuclear Power Safety Bill, 2023 and the Australian Radiation Protection and the Nuclear Safety Authority (ARPANSA).

- (b) This Agreement is one step and a necessary one for Australia to construct hunter-killer nuclear submarines. It is the contention of this submission that such a project is not in the best interests of the Australian people as the acquisition of hunter-killer nuclear propelled submarines through this Agreement process ties Australia and indeed commits Australia, to use them in a war with the US, for example against China. Such a war which would be devastating for the Australian economy and way of life, could bring a missile attack upon us and is unnecessary as there is no military threat posed to Australia by China or any other enemy of the United States. For this reason, the Agreement should not be signed by the Australian Government.

- (c) This Agreement requires Australia to be responsible for the management, disposition, storage, and disposal of any spent nuclear fuel and radioactive waste resulting from the operation of Naval Nuclear Propulsion Plants transferred pursuant to this Article, including radioactive waste generated through submarine operations, maintenance, decommissioning, and disposal.”

Australia has no such facility and indeed there appears to be no example world-wide of such a facility that can guarantee such disposition, storage and disposal of spent fuel and radioactive waste in a manner that is safe for our population for thousands of years. Having this requirement dumped on Australia will put the Australian people's health at risk for many, many years. For this reason, the Agreement should not be signed by the Australian Government.

- (d) In any case the Agreement is one sided as it does not guarantee the cooperation of the UK or US in fulfilling the objectives of the Agreement if in doing so that would "constitute an unreasonable risk to its (own) defence and security (Article I)." This means Australia is paying both the US shipyards and UK shipyards billions without any iron-clad guarantee of getting the nuclear fuel, nuclear reactors or being able to construct, therefore nuclear-propelled submarines. This is a further reason for recommending against the signing of the Agreement in its present form.
- (e) Further the Agreement is also one-sided in responsibility as (para 22) says " The Agreement requires Australia to indemnify the UK and the US against any liability, loss, costs, damage, or injury (including third party claims) arising out of, related to, or resulting from nuclear risks (risks attributable to the radioactive, toxic, explosive or other hazardous properties of materials) connected with the design, manufacture, assembly, transfer, or utilisation of any material or equipment, including naval nuclear propulsion plants, parts thereof, or spare parts transferred or to be transferred pursuant to the Agreement (Article IV(E))." Yet another reason for recommending that the Australian Government does not sign this Agreement in its present form.
- (f) The final reason for recommending that the Australian Government not sign this Agreement is that there has been no public consultation on the implications of the Agreement for the Australian people and especially those living and working in nuclear zones as defined in the Australian Naval Nuclear Power Safety Bill 2023. The fact that there has not been any public consultation is acknowledged in the Agreement:

"ATTACHMENT ON CONSULTATION

Public Consultation 55. ***No public consultation has been undertaken***, given the classified scope of consultations between the Parties on the Agreement, including matters relating to national security and operational capability."

(The italics are mine)

Given the risks and dangers to public health and well-being implicit in this Agreement as stated above, and indeed from this point of view alone, the Agreement should not be signed until adequate public consultation has occurred.

Annex A- Australian Naval Nuclear Power Safety Bill and ARPANSA's Scenario Reference Accident

This Bill declares two areas of Australia as nuclear zones, Garden Island in WA and Osborne Naval Shipyard in SA. Garden Island is being upgraded at a cost to the Australian taxpayer of 8 billion dollars for the porting and maintenance of UK and US nuclear submarines and the Osborne shipyard is being prepared for the construction of future Australian nuclear-powered submarines. The Bill will also enable the establishment of a nuclear waste facility at Garden Island.

In preparation for foreign and Australian nuclear-powered submarines berthing at Australian ports a civil authority, the Australia Radiation Protection and Nuclear Safety Agency (ARPANSA), has analysed the dangers of a radiation leak or accident in a nuclear zone and the emergency responses required. In what the ARPANSA refers to as a Scenario Reference Accident, all persons in the first danger zone, 600 metres around the accident site, would be evacuated and given iodine tablets to reduce the likelihood of thyroid cancer. In Zone 2, 2.8 kilometres around the accident site, all workers and local residents could be ordered to evacuate, with children being required to take iodine tablets. They could all be required to attend a decontamination centre for medical treatment. Because wind can extend the spread of toxic radiation, a 3rd Zone is defined as extending beyond 2.8 km and possibly up to 15 kilometres depending on wind strength and direction and in this zone, residents could also face radiation hazards. We are indebted to scientist David Noonan for his research exposing these matters.

ARPANSA sets the maximum radiation exposure for a civilian at 1 millisievert, although under this accident scenario the exposure can be legally increased to 50 millisieverts, 50 times that considered a maximum in other circumstances. ARPANSA goes further, describing the scenario of a **catastrophic** accident in which volunteers would be asked to help control the disaster in the knowledge that they could be exposed to a radiation intensity of 500 millisieverts thereby putting their health at serious long term risk.

The Australian Naval Nuclear Power Safety Bill, 2023 declares Garden Island in WA and Osborne in SA to be nuclear zones, areas in which the scenarios determined by ARPANSA, would apply. However, this Bill over-rides ARPANSA regarding radiation safety and instead establishes a military safety authority to assume responsibility for these nuclear zones, and it is thus far unclear whether this military safety authority will apply the same radiation safety standards as ARPANSA or opt for a less stringent standard and response.

The Bill also provides for regulated activities in nuclear waste management storage and disposal at AUKUS facilities in future nuclear zones, with Garden Island being designated as

one of these nuclear waste management areas for low level nuclear waste. However, Senator David Shoebridge has found out that intermediate nuclear level waste could also be dumped at this location. From 2027, both UK and US nuclear submarines will be regularly porting at Garden Island and discharging their nuclear waste there. Since it is the policy of the US not to confirm or deny whether their vessels and aircraft are carrying nuclear weapons, we could have nuclear-armed US submarines porting and receiving maintenance at Garden Island and then, in a war scenario, departing on hunter-killer operations thus automatically involving Australia in such war operations and rendering us liable to retaliatory strikes.

The residents living near Garden Island and the Osborne Shipyard have not been advised of the ARPANSA risk analysis and emergency responses in relation to a nuclear radiation leak or accident or the establishment of a nuclear waste facility on Garden Island and so they have had no opportunity to ask questions or raise any opposition. Nor have they had the opportunity to express their dismay at their property values dropping when it becomes common knowledge that they are living in a nuclear zone.

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24/8/24