

Annex III of Technical Volume 5
OUTLINE OF THE GUIDELINES ON THE SCOPE OF NUCLEAR DAMAGE

III-1. AREAS SUBJECT TO GOVERNMENT INSTRUCTIONS [III-1]

Area ¹	Stage 1 and Stage 2	Stage 3
Restricted area or Deliberate evacuation area	Area 1	Yen 100 000 per month Reasonable period is one year
	Area 2	
	Area 3	Lump sum of Yen 10 000 000 (for loss of home)
Evacuation prepared area in case of emergency	Yen 100 000 per month for a year since the accident	Yen 100 000 per month Reasonable period is until August 2012
Specific spots recommended for evacuation		Yen 100 000 per month Reasonable period is three months after lifting of evacuation orders

III-1.1. Damage associated with evacuation

Subject areas: evacuation area (restricted area), in-house evacuation area, deliberate evacuation area, evacuation-prepared area in case of emergency, evacuation recommendation spot, and areas for which temporary evacuation was requested by Minamisoma City.

- Evacuation, temporary entry, homecoming expenses (evacuation expenses are paid only until evacuee remove to a new residence).
- Injury or death (medical treatment expenses, etc., due for instance to a deterioration in the state of health resulting from evacuation and other such actions).
- Mental anguish.
- Loss or reduction, etc., of property value (including cost of refinement and decontamination in addition to actual loss or reduction of value):
 - Real estate within Area 3 is estimated to be a total loss.
 - Real estate value within Areas 1 and 2 is estimated to have decreased from pre-accident prices.
- Securing of homes:
 - For residential houses, compensation for up to 75% of the difference between the original price and the pre-accident price of the house.
 - For housing land in Area 3, compensation for the difference between the price of newly acquired land and the price of land formerly held. For housing land in Areas 1 and 2, in case where mitigation is allowed as reasonable, compensation of 75% of the difference between the two prices.
 - For rented houses, compensation for the difference in rent between the new houses and houses standing for the previous eight years.
- Business damage (agriculture, forestry and fisheries, general industry, including manufacturing).
- Damages due to inability to work.
- Examination expenses (human and material).

¹ **Note:** Evacuation ordered areas. Area 1: Where evacuation orders are ready to be lifted. Area 2: Where the residents are not permitted to live. Area 3: Where it is expected that the residents have difficulties in returning for a long time (See Fig. 5.2-4).

III-1.2. Damage related to the establishment of navigation danger and a no-fly zone

- Damage to businesses (fishing, shipping, and passenger shipping operators, and air carriers, etc.).
 - Fall in revenue due to operational difficulties.
 - Increase in costs due to circumnavigation.
- Damages due to the inability to work.

III-1.3. Damage associated with shipping restrictions for agricultural/forestry/fisheries products (including processed goods) and food products (shipment/planting restrictions, restricted grazing or pasture grass provision, sales ban, testing based on the Food Sanitation Act and other acts)

- Business damage (operator engaged in agriculture/forestry/fisheries, distribution, etc.):
 - Fall in revenue due to shipment being abandoned, etc.
 - Additional costs such as product disposal expenses.
- Damages due to inability to work.
- Examination expenses (material).

III-1.4. Other damages associated with government instructions

Restrictions on the consumption of drinking water, guidance on the handling of water supply and sewerage by-products, notices concerning the use of school facilities/yards, etc.

- Business damages:
 - Cost of measures to provide replacement water, store sludge, reduce radiation levels in school yards, etc.
- Damages due to inability to work.
- Examination expenses (material).

III-2. AREAS NOT SUBJECT TO GOVERNMENT INSTRUCTIONS

III-2.1. Damages as a result of rumours

The psychological state of wanting to avoid something due to concern about the risk of contamination with radioactive material is reasonable from the perspective of an average, ordinary person. As a general rule, indicate the types that are allowable as damage.

- Business damages
 - Fall in revenue due to drop in trading volume, price reductions.
 - Additional costs such as product disposal expenses.
- Damages due to incapacity to work.
- Examination expenses (material).

III-2.2. ‘Indirect’ damages

In connection with a primary victim who has sustained damages under III-1.1–III-2.1 above, the following is allowed as damages with a sufficient causal relationship: ‘a case in which trading is non-replaceable (where damage is inevitable as customers or suppliers are limited geographically, due to the nature of the business)’.

Example of business damages caused to indirect victims:

- A store adjacent to an evacuation area from which the majority of customers have been evacuated which has seen a fall in sales, etc.
- Ice maker, broker, etc., in a fishing port where no fish are being landed due to the suspension of business.

III-2.3. Other types of damages

- Damage resulting from radiation exposure.
- Late-onset radiation damage suffered by NPP workers and Japan Self-Defense Force (SDF) officials engaged in the recovery effort, civilians, etc.
- Adjustment between various benefits, etc., and damage compensation payments.
- Property damage sustained by local governments, etc.

III-2.4. Damage associated with voluntary evacuation

- Until the end of December 2011, evacuees from areas related to voluntary evacuation, etc. (23 municipalities of Fukushima Prefecture) and persons who stayed home within the said area: Yen 400 000 per person with regard to children and pregnant women and Yen 80 000 for the other person.
- After January 2012, regardless of designated areas, compensation shall be decided individually for children and pregnant women.

III-2.5. Damage associated with decontamination

- Expenses that are inevitably incurred in connection with necessary and reasonable decontamination.
- Expenses related to necessary and reasonable testing, etc., carried out by local authorities and educational institutions.

REFERENCES

- [III-1] OECD NUCLEAR ENERGY AGENCY, Japan's Compensation System for Nuclear Damage, OECD/NEA, Paris (2012).