

## Petition asks city to halt nuke weapons production

Joshua J. McElwee | May. 13, 2011



Kansas City Councilmember Ed Ford addresses nuclear weapons activists outside city hall in Kansas City, Mo. May 13. (NCR photo/Robyn J. Haas)

**KANSAS CITY, Mo.** -- Peace activists here want a citywide vote on a ballot initiative that would compel the operator of a major new nuclear weapons production plant to cease nuclear work.

With just under 5,000 signatures in hand, activists petitioned the city government May 12 to place the initiative -- which would prohibit production of parts for nuclear weapons and instead recommend production of environmentally sound energy or other environmental technologies? -- on a Nov. 8 ballot.

The initiative has raised questions about who has ultimate control of the facility.

Those backing the measure say the city has the power to prohibit nuclear weapons production at the site because of health concerns, even if an independent state agency technically holds title to the facility.

City officials, meanwhile, say that the agency, while the mayor appoints its members, is independent from city oversight.

Through a myriad of lease agreements, the agency -- known as Kansas City's Planned Industrial Expansion Authority -- will hold title for the new plant for up to 20 years until private developers pay off \$815 million in city bond measures in a lease-to-purchase scheme. The plant is expected to be operated by a private entity under contract with the National Nuclear Security Administration.

The new facility, estimated to cost a total of \$1.2 billion, is to replace an existing one here. It is set to be the nation's first new nuclear weapons production site in 33 years.

At question in the dispute between activists and city officials is what control the city has over the nuclear facility, which, through the complicated ownership arrangement, is thought to be the first in the nation's nuclear weapons complex not to be owned by the federal government.

City attorney Galen Beaufort told NCR that the expansion authority is a "separate government agency," and the

city has "no control" over land owned by the agency -- even when city tax dollars have been invested in development.

Yet a memo from the city attorney's office to a city council member seems to leave room for the city to exercise control over the nuclear facility if manufacturing there would pose a threat to "local health and safety."

A Dec. 22, 2010, memo from assistant city attorney William Geary to councilmember Ed Ford asserts that the items to be produced at the new plant "have no inherent danger," but it also says that the city would have "police power" over the facility if needed to protect residents from health threats.

Activists say concerns for worker health at the current nuclear site indicate the new facility would be a health hazard. Those concerns were stoked in April when the administrator of the General Services Administration confirmed that detectable levels of an unidentified carcinogen were found at that site.

"The city has the police power to say that it does not want contamination and has the authority to stop contamination in advance," said Rachel McNair, who coordinated the petition drive.

"We can see that the contamination is coming and we wish to stop it in advance. We, as city voters, want a chance for people here to say they do not want to deal with this contamination."

Despite whatever possible legal challenges may come, the next step for organizers is to have the petition's signatures verified. Organizers need at least 3,572 signatures to pass inspection by the city clerk. If enough are verified, the initiative will head to the city council, which has 60 days to pass the measure as written. Petitioners can then demand it be put to a citywide vote.

Kansas City's Planned Industrial Expansion Authority is one of many such authorities in place in cities across Missouri. A 1967 state law called for the creation of such groups in every consenting city that contained "blighted, insanitary or undeveloped industrial areas." The independent agencies are to seek development of such land "in the interest of the public health, safety, morals or welfare."

Kansas City's expansion authority designated the land for the new nuclear facility, formerly a soybean field, as "blighted" and assumed ownership of the property last year.

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**Editor's Note:** For more photographs of yesterday's press conference, take a look at the slideshow of *NCR* web developer Robyn Haas' photos below.

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