



FBI Muzzles Former Colorado Agent

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An active FBI agent who was planning to go public Wednesday with startling claims about Rocky Flats said he was muzzled at the last minute by the FBI, News 4 reports.

In 1989, special agent Jon Lipsky led a raid called "Operation Desert Glow" on the former Colorado nuclear weapons plant looking for evidence that workers may have been illegally burning plutonium and performing other environmental crimes.

Workers at Rocky Flats made plutonium triggers for nuclear weapons, and in the 80s there were indications that such illegal activity might have been going on.

The raid led to a grand jury investigation of Rocky Flats. That grand jury had voted to indict eight people for environmental crimes, but the U.S. Attorney suddenly disbanded the panel, and its report was kept secret to this day.

Rockwell International, the operators of Rocky Flats at the time, eventually pleaded guilty to environmental crimes and paid a \$12.5 million fine.

The authors of a book on Rocky Flats recently interviewed Lipsky, and said that he claims he was ordered by his superiors in the Justice Department to lie to them. Lipsky allegedly disobeyed and told the authors the truth.

On Wednesday Lipsky had planned to talk about the investigation for the first time publicly, but he simply said:

"I came here as a private citizen to talk about the dangers of recreation at Rocky Flats. I took vacation time to come here. Yesterday at 5:54 p.m., just as my family and I were driving into Denver, I received a call from the FBI ordering me not to talk about the Rocky Flats case. So, I can't tell you what I came to tell you."



Special Agent Jon Lipsky

Former U.S. Attorney Michael Norton said Tuesday that he is astonished that an active FBI agent would be claiming that he was ordered to lie.

News 4 Video:

 [FBI Muzzles Agent Who Planned To Go Public About Rocky Flats Lie](#)

if you are not online, video is at (click on link to the right or at the bottom of the story):

http://news4colorado.com/localnews/local_story_231164624.html

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FBI agent silenced on Colo. nuke plant

Denver, CO, Aug. 19 (UPI) -- An FBI agent who planned to comment on plans to convert a Colorado nuclear arms facility into a public park was ordered by superiors not to speak.

Special agent Jon Lipsky used vacation time to travel from his home in California to speak at a Wednesday news conference in Denver organized by anti-nuclear activists who oppose plans to turn the Rocky Flats area into a wilderness refuge and public recreation area but received a call en route ordering him not to speak at the event, the Denver Post reported.

Lipsky investigated environmental crimes committed in the area during the 1980s.

"I received a call from the FBI ordering me not to talk about the Rocky Flats case, so I can't tell you what I came here to tell you," he said at the news conference but added that he supports the activists' efforts to halt the transformation of the 6,240-acre area north of Arvada. The U.S. Fish and Wildlife Service is scheduled to take control of the property in 2006.

"As a father and a fellow human being, I urge you not to allow recreation at Rocky Flats. I'm sorry I can't tell you more," Lipsky said.



Agencies want Flats files

Move follows advocacy group's report on cleanup

**By Robert Weller, Associated Press
August 20, 2004**

DENVER — State and federal agencies are in the process of asking to see the sealed files of a grand jury that investigated alleged environmental crimes at the former Rocky Flats nuclear weapons plant after an advocacy group said cleanup plans for the site were dangerously incomplete. The federal Environmental Protection Agency, U.S. Department of Energy and Colorado Department of Public Health and Environment will request the files from U.S. Attorney John Suthers, spokesmen for the agencies said Thursday.

U.S. attorney's spokesman Jeff Dorschner said Suthers has received at least one of the requests. Dorschner did not know when Suthers would respond. The request came one day after an FBI agent who led a 1989 raid at Rocky Flats warned against turning the site into a wildlife refuge, as planned, saying it would be too dangerous. Agent Jon Lipsky said he had been ordered by superiors not to comment on his investigation, but he said concerns raised by the advocacy group, the Ambushed Grand Jury Citizens' Investigation, were valid. Jacques Brever, a member of the group and a former employee of Rocky Flats, released a report this week accusing federal officials of lying about the extent of contamination at Rocky Flats. Brever's report said so much radioactive waste was disposed of clandestinely at Rocky Flats that some contaminated areas are not part

of the cleanup. Rocky Flats, eight miles south of Boulder, made plutonium triggers for nuclear weapons until production was shut down after the 1989 raid. A federal grand jury investigated allegations of safety violations by the contractor and the Department of Energy. The grand jury wanted to indict eight, including two corporations, but the Justice Department declined. The grand jury's report and investigative files remain sealed. One of the plant's operators at the time, Rockwell International Corp., pleaded guilty to 10 hazardous waste and clean water violations in 1992 and paid an \$18.5 million fine. The Department of Energy plans to convert the site into a wildlife refuge in two years after a \$7 billion cleanup is complete. Max Dodson, assistant regional director of the EPA, said the agency's decision to seek the grand jury files was prompted in part by the report from the Ambushed Grand Jury Citizens' Investigation. On Thursday, he said the request for the files had not been made yet, but added, "We fully intend to do so." State health department spokesman Steve Gunderson said his agency is reviewing the group's report and wants to see relevant grand jury files as well. "I am happy that we are the catalyst and hope they will not certify the site as clean until have gone back and looked at the areas we have pointed out to them," said Caron Balkany, co-author of a book compiled by the group, "The Ambushed Grand Jury." Karen Lutz of the Department of Energy said the agency thinks it has the information it needs to complete the cleanup but wants to see any grand jury documents deemed relevant by the U.S. Attorney. A court order would be required for Suthers to release the documents to the agencies.

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On Point, August 20

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PASSING THE BUCK

Federal and state regulators should have long ago requested a review of the grand jury files from the investigation into criminal wrongdoing at the Rocky Flats Nuclear Weapons Plant. That they declined such an offer when it was made in May by Colorado U.S. Attorney John Suthers is nothing less than a violation of the public's trust.

On Wednesday, activists affiliated with the grand jury said the files could help the Department of Energy and state health department determine the location of still-buried

radioactive waste. They claim the DOE is relying on false reports, uncovered by the jury years ago, to conclude that parts of the site are clean.

Even if the activists are wrong, regulators still have an obligation to investigate their claims. Taxpayers are shelling out \$7 billion to clean up Rocky Flats. Surely they have a right to expect a thorough review of all the relevant documents.

Officials in charge of the cleanup don't get this. As of Wednesday, some were backtracking on a promise that they would either obtain the files or request access to them immediately.

But the DOE's Rocky Flats Project Office passed the buck altogether, asking Suthers and his staff to inform it of anything in the files "that would further the Rocky Flats cleanup mission."