

**ATTORNEY GENERAL
NEVADA DEPARTMENT OF JUSTICE**

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March 17, 2005

The Honorable Alberto Gonzales
United States Attorney General
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

Re: Yucca Mountain Project Alleged Data Falsification

Dear General Gonzales:

I am sending this letter concerning the deeply disturbing disclosure by the U. S. Department of Energy (DOE) yesterday that critical data supporting the Yucca Mountain project has been falsified by U.S. Geological Service (USGS) scientists. The information I am referring to concerns emails exchanged by USGS employees in conjunction with certain USGS studies relating to water infiltration at Yucca Mountain, a vital aspect of Yucca Mountain's ability or inability to isolate the nation's most lethal high-level nuclear waste.

This revelation casts additional, serious doubt on the Yucca project and undermines public confidence in the soundness of the science supporting the project. It is Nevada's position that to the extent the data supporting the Yucca Mountain site recommendation is compromised, public health and safety cannot be assured. I respectfully ask, in the strongest possible terms, that the Justice Department take the following immediate action.

First, please direct that DOE immediately make all emails relevant to this matter available to my office. Without access to these emails, there is simply no way to ensure public confidence in the pre-licensing activities being conducted at the Yucca Mountain site.

Second, I ask that your office move immediately to secure the entire Yucca Mountain data base at the project site to protect it from further manipulation. To the extent fraudulent activity has occurred, no one connected with the project should be allowed access to the very data being investigated.

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Third, because of the sensitive nature of this matter and the vested nature of DOE's involvement, a completely independent investigation should be conducted. I would suggest, in this regard, that either the Justice Department or an independent commission be established to undertake such an investigation. Such a commission should be entirely independent from DOE or any other agency or organization that has ever been involved with the Yucca Mountain project. If the Yucca Mountain data base has been compromised, independent investigators should be allowed to determine the extent and the severity of the activity

As Nevada's Attorney General, it is my responsibility to protect the public health and safety of the citizens of Nevada. I cannot fulfill my obligation without urging you to take the aforementioned action. Thank you for your immediate attention to this important matter.

Sincere regards,

BRIAN SANDOVAL
Attorney General

By Facsimile (202-616-5117)

c: Nevada Delegation (By Facsimile)
Governor Kenny Guinn (By Facsimile 775-684-5683)