EIS001705

RECEIVED
FEB 25 2000

Draft Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste

Comment Sheet

Name: Jody Berger

Organization: Culinary Union - Ex Board

Mailing Address: 21 Castle Rock Ct
LVNV Zip: 89148

Telephone number (optional): (202) 740 2469

I request that these comments be made a part of the official record.

The DEIS violates the intent of the National Environmental Policy Act (NEPA).

1 • There is no alternative action presented in the DEIS normally required in an EIS. The Nuclear Waste Policy Act as amended in 1987 states that "... the Secretary [of Energy] shall not be required ... to consider the need for a repository, the alternatives to geological disposal, or alternative sites to the Yucca Mountain site;". The Department of Energy (DOE) could have and was asked (1995 scoping hearings) to consider alternative actions, and yet the DOE didn't.

2 • The "no-action" discussion of the DEIS is unreasonable, making on-site storage appear to be untenable. It *appears* as though the no-action discussion is designed to establish a "straw man" to give the preferred alternative (dump at Yucca Mt.) validity. The DEIS gives us no choice. There is no decision to be made, because the DEIS has make it for us. This is completely contrary to the intent of an EIS.

Please note: For your comment(s) to be considered in the Final Environmental Impact Statement, your comment(s) need to be received by the Department of Energy by February 9, 2000. To the extent practicable the Department will consider comments received after February 9.