Attachment 35 to

GNRO-2012/00039

ER Reference - MDEQ 2011b (401 WQC Letter), Mississippi Department of Environmental Quality, Re: Grand Gulf Nuclear Station License Renewal

STATE OF MISSISSIPPI
HALEY BARBOUR
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
TRUDY D. FISHER, EXECUTIVE DIRECTOR

October 17, 2011

Chuck D. Barlow
Associate General Counsel - Environmental
Entergy
P.O. Box 1640
Jackson, MS 39215

Re: Grand Gulf Nuclear Station License Renewal

Dear Mr. Barlow:

You have informed the Mississippi Department of Environmental Quality (MDEQ) that your client intends to file an application for renewal of the operating license for Grand Gulf Nuclear Station with the United State Nuclear Regulatory Commission (NRC). You have requested that MDEQ confirm that your renewal application does not trigger the need to apply for a new or additional water quality certification pursuant to Clean Water Act Section 401 (33 U.S.C. § 1341). You correctly pointed out that MDEQ deems the existing Section 401 certification, which was issued for the Grand Gulf facility on February 5, 1974, as a "certification obtained pursuant to paragraph (1) of [33 U.S.C. § 1341(a)] with respect to the construction of" the Grand Gulf facility.

I understand that your client is simply applying for renewal of its NRC's license and that the facility is not expanding its footprint, increasing its water discharge, or engaging in any activity that would trigger the need for a new Section 401 certification. Based on these assurances, MDEQ agrees the initial Section 401 water quality certification it issued in February 1974, is supportive of your client's renewal application and that you do not need to apply for a new or additional Section 401 certification. MDEQ acknowledges that your client has a current National Pollutant Discharge Elimination System (NPDES) permit and that one of the requirements of the NPDES permit, and subsequent NPDES permit renewals, is that your client complies with state and federal regulations to refrain from violating the state's water quality standards. Compliance with the NPDES terms and conditions will be protective of the state's water quality standards.

MDEQ of course reserves the right to revisit this issue if the facility expands its footprint or otherwise implements facility changes that could adversely impact water quality.

Sincerely,

Barry M. Wilson III, P.E., DEE
Chief, MDEQ Environmental Permits Division