

Biofuelwatch's comments on Drax's response to Biofuelwatch's question, as published in document REP6-032.

Biofuelwatch considers that Drax's response to this question admits that its first response to the ExA on this "Local authorities undertake widespread monitoring of pollution concentrations in the study area and, where these are elevated above background pollution levels eg, Selby AQMA, they have been explicitly included in the Predicted Environmental Concentrations" was misleading. Drax's updated response demonstrates that the local air pollution monitoring is inadequate for the purpose of monitoring air pollution at Drax's Selby plant.

Biofuelwatch's comments on Natural England's responses to Biofuelwatch's questions published in document REP6-050

1. Not all modelling assumptions are precautionary as has been detailed in Biofuelwatch's deadline 2 submission. There is insufficient information to be confident that the assumptions that are precautionary are sufficient to outweigh the assumptions that are not precautionary. The uncertainties associated with the non-precautionary assumptions remained unquantified but there are reasons to believe the uncertainties arising from these assumptions are substantial.
2. Natural England says "The identification of appropriate in-combination plans/projects, and the incorporation of their emissions in the model has been undertaken in accordance with PINS guidance and good practice." but Natural England does not say that it considers all aspects of the modelling comply with good practice. Natural England have not responded to Biofuelwatch's assessment of the modelling against important aspects of ADMLC Guidance nor has Natural England explained why it considers modelling that has not followed ADMLC Guidance to be appropriate for an assessment of the impact on protected habitats.
3. Variations in levels and loads between years should not be used as a justification for further pollution increases when critical loads/levels are already significantly exceeded. Further increased pollution can be expected to increase levels and loads, and therefore ecological impact, whether the year has slightly higher or slightly lower than average pollution levels. Regardless of the year and the natural variation, any further increase can be expected to cause ecological harm. When the expected increase exceeds the significance criteria (1% of the load/level), the expected harm can be expected to be significant. For the reasons given in Biofuelwatch's submission, the applicant's modelling predictions may underestimate the increase in pollution.
4. In *Compton v Guildford Borough Council* 2019, the pollution levels near the road exceeded critical limits but no birds for which the site was designated were found to use this part of the protected area anyway so no impact on these species was expected. This is very different from the Drax proposal under consideration where the expected increase above critical loads is expected to occur over whole protected areas. Harm to the designated species and habitats in that area is to be expected when the pollution levels/loads exceed those considered critical for the habitats/species concerned.