



The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Our ref: RA/2023/145958/01
Your ref: EN010120
Date: 13 June 2023

Dear Sir/Madam

DRAX POWER STATION BIOENERGY WITH CARBON CAPTURE AND STORAGE EXTENSION DEVELOPMENT CONSENT ORDER: RESPONSE TO EXAMINER'S REQUEST FOR FURTHER INFORMATION RULE 17

We have reviewed the Examining Authority's questions (R17QA), received 6 June 2023 and wish to offer the following responses set out below.

GENERAL AND CROSS-TOPIC QUESTIONS

R17QA.1

The ExA requests that the Applicant and all IPs submit closing submissions at the final D10, detailing the respondent's closing positions at the close of the Examination on their principal issues.

Noted.

R17QA.5

The Applicant has stated that there will be a two-year delay to the timescales identified in Table 2.1 of Chapter 2 of the ES [APP-038]. Are there any implications on survey work or conclusions that have been drawn as a result of this delay?

We do not consider there are any implications on survey work or conclusions that have been drawn as a result of a two-year delay. Our reasons for this are set out below:

- In relation to Ecology, the Environmental Statement, Chapter 8, Section 8.7.2 states that "The survey data obtained for these projects have been reviewed as per CIEEM's advice note on the lifespan of ecological reports and surveys (CIEEM, 2019)." As CIEEM's advice note on the lifespan of ecological reports and surveys should be followed we would expect to see the validity of the existing data being assessed again before the construction phase starts to check if any significant changes have occurred in the interim via an updated Preliminary Ecological Appraisal. The need for this survey update should be included within the proposed/updated timescales.

- Prior to the commencement of the project, there is a requirement (as outlined in the S106) for the BNG assessment to be updated in line with the detailed design of the project – and any updated surveys would be undertaken at this point where required. So we do not consider the proposed 2 year delay should cause issues for the BNG provided.
- The outline landscape and biodiversity strategy highlights that a series of ecological surveys and assessment would be required prior to construction taking place and that this would include walkovers to re-confirm the ecological baseline to ensure construction phase mitigation remains appropriate.
- For flood risk the applicant has assessed a longer lifetime of the development in terms of its mitigation. The agreed revised wording for Requirement 11 ensures that further mitigation will be considered at year 20 of operation.

AIR QUALITY AND EMISSIONS

R17QA.6

The ExA notes that the Applicant's Statement of Commonality [REP7-014] states that the application for a variation to the EP was duly made on 18 May 2023.

- The EA is asked to answer questions AQ 1.3, 1.4, 1.5, 1.7, 1.9 and 1.10 from ExQ1 [PD-011].*
- If the EA is unable to confirm its response to this for D8 to prevent pre-determining the EP application, the EA is asked to provide an indication of when during the EP determination process it is likely to be in a position to respond to the above.*
- If the EA is unable to respond by the end of the Examination, please provide confirmation that the matters will be covered and controlled by the EP application process.*

We are unable to confirm our response to this for D8. We can confirm that the areas covered by questions AQ 1.3, 1.4, 1.5, 1.7, 1.9 and 1.10 from ExQ1 [PD-011] will be considered as part of the EP determination process. We will endeavour to provide feedback at Deadline 9 or 10 if we are in a position to do so.

R17QA.7

The ExA notes that item ref. 4.3.1 of the SoCG between the Applicant and the EA [REP5-016] states the 15km study area size is agreed for ecological sites and ecological receptors. At D6, Biofuelwatch reiterated its concern from previous submissions that the study area size for assessing the effect on human receptors of nitrosamines and nitramines may not encapsulate the location of largest concentrations [REP6-034]. The Applicant explains in its D7 submission [REP7-017] (response ref. 5.1) that the maximum impacts are indeed encapsulated in the 15 x 15km study area and that modelling of impacts is increasingly conservative with distance from the stack.

The EA is asked to confirm the following:

- Whether or not it is satisfied that the study area for assessing impact of amines and nitrosamines on human health does cover a large enough extent to assess the impact on human health.*

- ii. *If the EA is unable to confirm its response to this for D8 to prevent pre-determining the EP application, it is asked to provide its response at D9 or D10 at the latest, and/ or confirm that the matters will be covered and controlled by the EP application process.*

We are unable to confirm our response to this for D8. We can confirm that these matters will be considered as part of the EP determination process. We will endeavour to provide feedback at Deadline 9 or 10 if we are in a position to do so.

R17QA.8

Biofuelwatch raised concern, both in its Written Representation [REP2-073] and again in its D6 submission [REP6-034], that there is no monitoring of existing emissions and background levels of amines/ nitrosamines. The ExA notes the Applicant's position in its D7 submission [REP7-017] that the assessment demonstrates that the impacts of amines can be screened as insignificant independently of background concentrations and the assessment of nitrosamines is based on an acceptable incremental risk.

- i. *The Applicant is asked to confirm whether the ExA is correct in understanding that the assessment of nitrosamines relies on the assumption that the long-term average concentration at receptors in assessment year is < 75% of the EAL?*
- ii. *Both the Applicant and the EA are asked if they have agreed the Applicant's approach and assumptions in the absence of measured background concentrations of amines and nitrosamines?*
- iii. *The EA is asked if an approach to establishing baseline operational monitoring for amines and nitrosamines, both for the proposed scheme and cumulatively with other emitters, will form part of the EP process as is stated by the Applicant in paragraph 6.14.3 of ES Chapter 6 [APP-042]?*
- iv. *If the EA is unable to confirm its response on these matters for D8 to prevent pre-determining the EP application, it is asked to provide its response at D9 or D10 at the latest, and/ or confirm that the matters will be covered and controlled by the EP application process.*

We are unable to confirm our response to this for D8. We can confirm that these matters will be considered as part of the EP determination process. We will endeavour to provide feedback at Deadline 9 or 10 if we are in a position to do so.

R17QA.9

The EA was asked at ExQ1 [PD-011] for its view of the Applicant's approach to the assessment of cumulative effects associated with amine compounds. The Applicant's position [REP7-017] (response ref. 5.3) in response to Biofuelwatch's concerns [REP6-034] regarding cumulative short-term impacts is that 'to exceed the maximum impacts presented in the ES, the meteorological conditions would have to be such that the near maximum impacts from two plants will occur [...] at the location of maximum impact of the two or more plants in the same hour. This simply will not occur and does not warrant assessment.'

- i. *The EA is asked if it agrees with the Applicant's approach on this matter? If the EA is unable to confirm its response on these matters for D8 to prevent pre-determining the EP application, it is asked to provide its response at D9 or*

D10 at the latest, and/ or confirm that the matters will be covered and controlled by the EP application process.

- ii. Biofuelwatch is asked if it is able to provide evidence to support its view that there are a range of meteorological conditions likely to exist under which less-than-maximum ground level impacts could combine to exceed the maximum ground level impact for one plant?*

We are unable to confirm our response to this for D8. We can confirm that these matters will be considered as part of the EP determination process. We will endeavour to provide feedback at Deadline 9 or 10 if we are in a position to do so.

R17QA.13

In its Written Representation [REP2-073] (paragraph 122) and again in its D6 submission [REP6-034], Biofuelwatch raised three questions relating to the regulation of amine emission rates, emissions temperatures and flow velocity. Could the EA provide a response to Biofuelwatch's questions as follows: "Biofuelwatch requests that the Examining Authority asks the Environment Agency to:

- a) Confirm that it will regulate emissions to ensure that amine emissions rates will be no worse than assumed by the applicant in the application (including after taking measurement uncertainties into account - see previous subsection)*
- b) Confirm that it will regulate the emissions temperature to ensure that the temperature will be no less than modelled by the applicant (because the temperature will impact buoyancy and dispersion)*
- c) Confirm that it will regulate flow velocity to ensure that the velocity can be no less than modelled by the applicant (because the velocity will impact dispersion)".*

As part of our assessment of emissions to air we will undertake a validation of assumptions used by the applicant in the risk assessment along with a sensitivity analysis of those assumptions. We can only issue a permit if we conclude that the impact in the receiving environment is not significant. We confirm, the release profile in terms of release rate, temperature and volumetric discharge rate will form part of that validation / sensitivity analysis work.

R17QA.14

In its D6 submission [REP6-034] Biofuelwatch reiterates a concern raised in its Written Representation regarding dioxin emissions. The ExA understands from the Applicant's responses to this issue at D4 [REP4- 020] and D7 [REP7-017] that dioxin emissions are related to the existing process of biomass combustion and not the carbon capture plant.

- i. The Applicant is asked if it can confirm whether the ExA's understanding is correct?*
- ii. The EA is asked if it agrees with the Applicant's position in [REP4-020] (response ref. 9.19) and [REP7- 017] (response ref. 5.30) that the assessment of dioxin emissions is unnecessary?*

It is our view that the carbon capture process will not introduce anything new that would contribute to the formation of dioxins. We therefore consider that the assessment of dioxin emissions is unnecessary.

We trust this answers your questions sufficiently.

Yours faithfully

Mrs Frances Edwards

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