



COVER LETTER (29)

Drax Bioenergy with Carbon Capture and Storage

The Planning Act 2008, The Infrastructure Planning (Examination Procedure) Rules 2010

Document Reference Number: 8.2.28

Applicant: Drax Power Limited

PINS Reference: EN010120



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PUBLIC

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George Harrold
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The Planning Inspectorate
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6 July 2023

Dear Mr Harrold,

PINS Reference: EN010120

Document Reference: 8.2.28 Cover Letter (29) – Submission of Documents Requested for Deadline 9 of the Examination

Drax Power Station Bioenergy with Carbon Capture and Storage (BECCS)

1. We write on behalf of Drax Power Limited ('the Applicant') to provide the documents requested by the Examining Authority ('ExA') for Deadline 9 of the Examination, including additional information requested by the ExA in Rule 17 Letters dated 22 June 2023 (R17QB) and 29 June 2023 (R17QC).
2. This is in accordance with the request set out in the Rule 6 letter dated 13 December 2022 and as updated and confirmed in the Rule 8 letter dated 24 January 2023 and the further letters dated 27 February 2023 and 26 April 2023.
3. Accordingly, the following documents are enclosed with this submission:

Application Document Reference	PINS Document Reference (Most up to date submitted version)	Document Details	Date
1.3	REP8-001	Application Guide (Clean)	6 July 2023
1.3	REP8-002	Application Guide (Tracked)	6 July 2023
1.4	REP8-003	Application Document Tracker (Clean)	6 July 2023
1.4	REP8-004	Application Document Tracker (Tracked)	6 July 2023
3.1	REP8-005	Draft Development Consent Order (Rev 11) (Clean)	6 July 2023
3.1	REP8-006	Draft Development Consent Order (Rev 11) (Tracked)	6 July 2023
3.1.6	N/A new document	Schedule of Changes to the Draft Development Consent Order	6 July 2023
3.2	REP4-023	Explanatory Memorandum (Clean)	6 July 2023
3.2	REP4-009	Explanatory Memorandum (Tracked)	6 July 2023
4.1	REP6-010	Statement of Reasons (Clean)	6 July 2023
4.1	REP6-011	Statement of Reasons (Tracked)	6 July 2023
4.1.1	REP8-008	Schedule of Negotiations and Powers Sought (Clean)	6 July 2023
4.1.1	REP8-009	Schedule of Negotiations and Powers Sought (Tracked)	6 July 2023
4.3	REP7-007	Book of Reference (Clean)	6 July 2023
4.3	REP7-008	Book of Reference (Tracked)	6 July 2023
4.3.7	N/A new document	Schedule of Changes to the Book of Reference	6 July 2023
6.3.6.5	REP8-012	ES Appendix 6.5 (Operational Phase Air Quality Results Tables: Ecological Receptors) (Clean)	6 July 2023
6.3.6.5	REP8-013	ES Appendix 6.5 (Operational Phase Air Quality Results Tables: Ecological Receptors) (Tracked)	6 July 2023
6.5	REP7-010	Register of Environmental Actions and Commitments (Clean)	6 July 2023
6.5	REP7-011	Register of Environmental Actions and Commitments (Tracked)	6 July 2023

Application Document Reference	PINS Document Reference (Most up to date submitted version)	Document Details	Date
6.8.1	REP6-021	Habitats Regulations Assessment (Clean)	6 July 2023
6.8.1	REP6-022	Habitats Regulations Assessment (Tracked)	6 July 2023
8.4	REP8-024	Statement of Commonality	6 July 2023
8.10.8	N/A new document	Applicant's Response to Submissions at Deadline 8	6 July 2023
8.21	N/A new document	Applicant's Comments on the Report on the Implications for European Sites	6 July 2023
8.22	N/A new document	The Applicant's Responses to Rule 17 Questions from Letters Dated 22 and 29 June 2023 (R17QB and R17QC)	6 July 2023

In considering this documentation, please note the following:

4. The Application Document Tracker and Application Guide have been updated to reflect the latest status and list of documents submitted as part of the Examination process.
5. The draft DCO has been updated at Deadline 9 (Rev 11) to reflect changes arising from on-going discussions with stakeholders and points covered by the response to the Rule 17 letter dated 22 June 2023.
6. The Explanatory Memorandum has been updated to reflect changes to the draft DCO since Deadline 4.
7. The Statement of Reasons has been updated in response to a request included in the Rule 17 letter dated 22 June 2023, to reflect that the Applicant seeks seven years in which to commence construction of the Proposed Scheme and exercise compulsory acquisition powers.
8. The Schedule of Negotiations and Powers Sought document has been updated to set out the engagement that the Applicant has undertaken since Deadline 8. The progress as at 06/07/23 is summarised in the table below:

Status of Voluntary Agreement with Parties	Parties	Number
Signed Agreement regarding habitat provision areas	Mr Watson	1

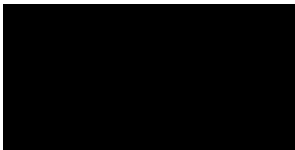
Status of Voluntary Agreement with Parties	Parties	Number
Signed and returned HoTs for voluntary agreements or written confirmation of voluntary agreement.	Mr Roustoby Mr Jowett, EOF Holdings Limited Mr Cowling Mr Dickinson	4
Ongoing discussions regarding HoTs, including positive discussions and willingness to enter into a voluntary agreement but no formal response to date	Mr Hussain Mr Milner, ERYC Mr Pickering, on behalf of the Consortium Mr Andrews, JRS Services (Goole) Ltd	4
Confirmation of no objection from ERYC to use of highway land (plots of land owned by DfT and NH but conferred to and maintained by ERYC) for works associated with ALL route	ERYC	1
Ongoing discussions between Applicant, NH and DfT regarding land registered with these parties and maintained by ERYC as highway land	National Highways Department for Transport	2

9. The Applicant has also updated the Register of Environmental Actions and Commitments at Deadline 9, to include a minor change to item PH3, in response to ongoing discussions with the Consortium of landowners and EOF Ltd. Details of the discussions are set out in the Schedule of Negotiations and Powers Sought referred to above.
10. The Applicant continues to engage with all Statement of Common Ground parties, and intends to submit the following updated SoCGs at Deadline 10:
- Statement of Common Ground between National Grid ESO and Drax Power Limited
 - Statement of Common Ground between National Grid Carbon Limited and Drax Power Limited
 - Statement of Common Ground between The North Yorkshire Council and Drax Power Limited (Rev 07)
 - Statement of Common Ground between National Highways and Drax Power Limited
 - Statement of Common Ground between East Riding of Yorkshire Council and Drax Power Limited
 - Statement of Common Ground between National Grid Electricity Transmission and Drax Power Limited

11. The Statement of Commonality has been updated at Deadline 9 to reflect updates to SoCGs and the position more generally at this time.
12. The Applicant submitted Air Quality Technical Note 3 (hereafter referred to as 'AQ TN3') into the Examination at Deadline 8. AQ TN3 was produced in response to a series of changes to the data held on the Air Pollution Information System (APIS). These changes took place in late May 2023, and varied a range of data relevant to the assessment of air quality impacts on ecological features, relative to the APIS data used in 2022 to inform the ES and subsequent assessment work. AQ TN3 provided a summary of how these changes were potentially relevant to the Proposed Scheme and the European Sites and SSSI. Due to the short amount of time available between identifying the changes to APIS and Deadline 8, the Applicant was not able to review the changes with Natural England (NE). The Applicant has subsequently discussed the APIS updates with NE and requested their advice as to whether the APIS updates should be incorporated into the Air Quality and Ecology Assessments. NE have advised that, given the advanced stage of the Examination, the APIS updates should not be incorporated into the assessment. NE have stated that, 'We are satisfied with the assessment and the approach taken based on the best available information at the time that the assessment was undertaken'.
13. Based on the advice received from NE, the Applicant therefore requests that the ExA considers AQ TN3 to be withdrawn. The Applicant is not intending to reflect the May 2023 APIS updates in any subsequent Examination documents.
14. Given that AQ TN3 is to be withdrawn, there are only minor changes included in the D9 version of the Habitats Regulations Assessment, relating to:
 - The Applicant's responses to the ExA's Rule 17 Questions of 6 June 2023;
 - Updates to baseline concentrations of NO_x in air over the Humber Estuary SAC, SPA, and Ramsar to correct a previously reported error; and
 - The latest SoCG between Natural England and Drax Power Limited (REP8-019).
15. The Environmental Statement Appendix 6.5 has been updated to reflect maximum NO_x concentrations over the Humber Estuary designated sites in the 2017-2019 APIS data that has been used by the Applicant to date. In addition, typographical errors were identified in Table 1.14 of the Appendix, where annual mean impacts were included within a table of daily mean impacts and these have been corrected in the latest Appendix.
16. The Applicant's responses to submissions received at Deadline 8 is provided within document 8.10.8.
17. The ExA published its Report on the Implications for European Sites (RIES) on 14 June 2023 and the Applicant has prepared responses to the applicable questions within Document 8.21.
18. There was one Relevant Representation received in response to the Second Change Application from Northern Gas Networks. The Applicant's response to this representation was provided in the Schedule of Negotiations and Powers Sought dated 13 June 2023 (REP8-008) and a further update is now provided in Document 8.22 in response to the ExA's Question R17QC.1.

19. The Applicant's responses to Rule 17 Questions from Letters dated 22 and 29 June 2023 (R17QB and R17QC) are provided within Document 8.22.
20. Enclosed with this letter are the above documents via the file upload facility on the project application website¹, as agreed with the Inspectorate via the Rule 6 letter on 13 December 2022.
21. We trust the above and enclosed are helpful. However, please do not hesitate to contact the undersigned should you have any queries regarding these documents.

Yours sincerely



Jim Doyle

Planning and Consents Manager

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¹ <https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/drax-bioenergy-with-carbon-capture-and-storage-project>