
March 13, 2020

Christy Taglieri
Food Safety and Environmental Policy Branch
Ontario Ministry of Agriculture and Rural Affairs
1 Stone Road West, 2nd floor, Southwest
Guelph, ON
N1G 4Y2

Ms. Taglieri,

Re: EBR 019-1234 - Proposed amendments to O. Reg. 267/03 under the Nutrient Management Act to expand the regulatory framework for on-farm regulated mixed anaerobic digestion facilities

The Ontario Federation of Agriculture (OFA) is the leading advocate and voice for 38,000 farm families and businesses across Ontario. Thank you for the opportunity to comment on proposed regulatory changes under the Nutrient Management Act to expand the framework for on-farm regulated mixed anaerobic digestion facilities (RMADFs).

OFA supports the Ontario government's efforts to remove unnecessary and burdensome red tape. OFA is supportive of the proposed regulation amendments to O. Reg 267/03 that offer simplified processes for farmers who wish to produce biogas, while ensuring environmental safeguards are not compromised. Amendments are necessary to allow production at a scale needed to increase the likelihood of establishing viable biogas to renewable natural gas (RNG) for pipeline injection.

On-farm anaerobic digestion regulations should clarify project design and build, define and broaden the types and volumes of feedstocks permitted, and define operation requirements. OFA supports the continuance of RMADFs to broaden and accelerate design, scale, and operation of biogas-to-RNG facilities. This flexibility will make RNG production more efficient and economical for farmers, while continuing to protect the environment.

Allowing greater flexibility of off-farm feedstock volumes and makeup, clarifying rules to incorporate off-farm materials, and related compliance, will help ensure agriculture's contribution to a steady and measurable RNG supply can be realized. OFA recommends these regulations under the Nutrient Management Act should clarify design requirements for biogas-to-RNG facilities at agricultural operations, including components of an RMADF such as setback, noise and odour limits. OFA supports simplifying operational requirements to sample and test received AD feedstocks to help reduce costs and enhance operational flexibility for farmers while maintaining risk-based performance requirements and environmental standards.

OFA believes the proposed amendments will enable farmers to develop a revenue stream by providing access to RNG markets while continuing to provide a source of nutrients and organic matter for use on farm fields.

OFA supports the rationale that expanding RMADFs under the Nutrient Management Act that will:

- Reduce duplication of efforts for farmers and government
- Ensure farm applicants demonstrate regulatory compliance and protection of the environment for approval of an RMADF under the NMA,
- Ensure applicants undertake an OMAFRA approved nutrient management strategy stipulating acceptable method for managing all the prescribed materials generated during the operation including post-AD digestates.

Easing the regulatory burden and ensuring environmental compliance and recourse through the Nutrient Management Act is appropriate. These proposed amendments will identify agricultural RNG production facility and sector standards within General Regulation 267/03.

Thank you for the opportunity to comment on the proposal. OFA looks forward to working with OMAFRA to ensure the secure, environmentally safe and timely expansion of RNG production throughout Ontario's agriculture sector.

Sincerely,



Keith Currie
President

cc: The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs
OFA Board of Directors