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Re: CBA Feedback on ERO 025-1361 – Exempting low-risk activities from environmental permissions

On behalf of the Canadian Biogas Association (CBA), thank you for the opportunity to provide comments on ERO 025-1361 – Exempting low-risk activities from environmental permissions.

CBA represents Canada's biogas and renewable natural gas (RNG) sector, including farmers, municipalities, project developers, utilities, and technology providers operating across Ontario. Our members support Ontario's environmental, waste diversion, and emissions reduction objectives through the production of biogas and RNG from organic materials.

CBA strongly supports the proposed exemption related to upgrading biogas to renewable natural gas (RNG) when the biogas is sourced from a landfill or an organic waste anaerobic digestion facility.

The proposal to clarify that biogas is not considered a "waste" for the purposes of RNG upgrading, and to therefore remove the requirement for a waste Environmental Compliance Approval (ECA), represents a meaningful and practical improvement to Ontario's regulatory framework. Importantly, the other approvals required to construct and operate these facilities maintains the required integrity of environmental protections, and this is a welcome reduction of duplicating regulations.

From the biogas sector's perspective, this change would:

- Give the appropriate recognition to biogas that it is not a waste, but a valuable feedstock for RNG upgrading facilities.
- Eliminate duplicative regulatory requirements where environmental risks are already well managed;
- Reduce permitting timelines and associated development costs;
- Improve financing certainty and project bankability for RNG facilities; and
- Support the expansion of RNG as a low-carbon, circular economy solution aligned with provincial climate and energy objectives.

CBA notes that biogas upgrading technologies are mature and well understood, and that RNG facilities already operate under multiple robust regulatory frameworks. The proposed exemption appropriately recognizes the low-risk nature of RNG upgrading activities when environmental protections for air, noise, and sewage are maintained.

CBA encourages the Ministry to ensure that the exemption is applied clearly and consistently across Ontario, and that guidance confirms its applicability to all qualifying RNG upgrading facilities, including on-farm, municipal, landfill-based, and stand-alone upgrading facilities, provided the criteria in the regulation are met. CBA welcomes the opportunity to provide input on the specific regulations to ensure that they are accurate and aligned with industry needs.

CBA appreciates the Ministry's leadership in advancing a more proportional, risk-based approach to environmental permitting and strongly supports the proposed changes in ERO 025-1361.

Sincerely,



Jennifer Green
Executive Director / Directrice générale
Canadian Biogas Association / Association canadienne du biogaz