



September 30, 2026

Mr. Areio Soltani  
Program Supervisor  
Planning, Rule Development and Implementation  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, California 91765

**RE: Proposed Rule 1495, Commodity Fumigation; Request for 60-Day Extension and Initial Comments**

Dear Mr. Soltani and Members of the Proposed Rule 1495 Team: The California Pest Management Association (CAPMA) appreciates the opportunity to submit initial comments on Proposed Rule 1495, Commodity Fumigation (PR 1495). CAPMA joins the National Pest Management Association (NPMA) in requesting a 60-day extension of the comment period and agrees with the principal concerns and requests identified in NPMA's draft letter dated October 1, 2026.<sup>1</sup>

These comments supplement and reinforce NPMA's letter. CAPMA shares the objective of protecting public health and the food supply and requests additional time to evaluate the proposal's technical basis, practical requirements, and effects on commodity fumigation.

**1. Additional time for review**

CAPMA requests a 60-day extension of the comment period, with corresponding adjustments to subsequent rulemaking milestones. Additional time would allow affected fumigation operators, their customers, and other stakeholders to evaluate the proposed requirements and provide facility-specific information.

The Preliminary Draft Staff Report identifies the socioeconomic impact assessment and comparative regulatory analysis as forthcoming.<sup>2</sup> CAPMA requests a meaningful opportunity to review and comment on those materials before the rule is finalized. That review would help stakeholders assess costs, operational feasibility, and the relationship between PR 1495 and existing requirements.

---

<sup>1</sup> National Pest Management Association, "Re: Proposed Rule 1495 – Commodity Fumigation," draft letter to Areio Soltani and members of the Proposed Rule 1495 team, October 1, 2026, 1–2.

<sup>2</sup> South Coast Air Quality Management District, *Preliminary Draft Staff Report: Proposed Rule 1495 – Commodity Fumigation* (September 2026), 3-3–3-4.

## **2. Site-specific and fumigant-specific evaluation**

CAPMA agrees with NPMA that requirements should account for differences among facilities and fumigants. Annual limits and other operating restrictions should be evaluated using more than distance to receptors and hours of operation alone.

The May 12, 2026, revision to the Memorandum of Understanding between South Coast AQMD and the Los Angeles County Agricultural Commissioner addressed permitting for facilities using methyl bromide to fumigate agricultural commodities.<sup>3</sup> The proposed rule extends beyond methyl bromide, establishing separate limits for methyl bromide and sulfuryl fluoride and an “All Others” category.<sup>4</sup>

Consistent with NPMA’s letter, CAPMA requests that the District focus the current rulemaking on commodity fumigations using methyl bromide. Further evaluation of other fumigants should address their distinct uses, exposure characteristics, application and aeration practices, and existing requirements before broader limitations are advanced.

CAPMA also supports NPMA’s request for a site-specific alternative compliance pathway. Operators should be able to work with District staff to assess facility conditions, existing permit requirements, and appropriate risk mitigation rather than relying solely on standardized limits. The available options should be developed with affected fumigators before final requirements are established.

## **3. Clear compliance responsibilities and workable public reporting**

The proposal applies to owners or operators of commodity fumigation operations.<sup>5</sup> CAPMA agrees with NPMA that the final rule should clearly define the regulated owner or operator and identify responsibility for each applicable obligation.

Where the property owner, facility operator, commodity owner, port tenant, and fumigation contractor are different entities, the rule should explain which party is responsible for compliance. Clear language is needed to avoid inconsistent interpretations and duplicative submissions.

The draft would also require operators to maintain public-facing websites containing electronic databases of commodity fumigations and to update those databases after each completed fumigation.<sup>6</sup>

CAPMA agrees with NPMA that any required public database should be housed and administered by South Coast AQMD rather than separately by each fumigation business. Operators could submit information through a standardized District system, providing the public with a single point of access.

---

<sup>3</sup> South Coast Air Quality Management District, “Fumigation Facilities,” under “MOU Update,” accessed September 30, 2026.

<sup>4</sup> South Coast Air Quality Management District, *Proposed Rule 1495: Commodity Fumigation*, preliminary draft for the October 1, 2026, public workshop, subdivision (d)(6), table 1.

<sup>5</sup> South Coast AQMD, *Proposed Rule 1495*, subdivision (b).

<sup>6</sup> South Coast AQMD, *Proposed Rule 1495*, subdivisions (h)(3)–(4).

The scope of information to be collected and disclosed, submission timing, confidentiality, and administrative requirements should remain subjects of stakeholder review. Supporting a District-hosted system should not be interpreted as agreement with every proposed reporting requirement.

#### **4. Trade, agriculture, food safety, and federal requirements**

CAPMA shares NPMA's concern that the proposed limits could affect the availability of commodity fumigation services and the operations of customers that depend on those services. The review should address both international trade through the Port of Los Angeles and off-port agricultural producers, storage operations, and food processors.

USDA-APHIS explains that imported commodities may require phytosanitary treatment before entering the United States and that available treatment options depend on the commodity, country of origin, packaging, and port of entry. Its framework also addresses approved treatment facilities and treatment schedules.<sup>7</sup>

CAPMA also requests review of the proposal's interaction with FDA-administered food-safety obligations, including applicable requirements under the Food Safety Modernization Act.<sup>8</sup> The District should work with the relevant federal, state, and local agencies and affected stakeholders to identify any conflicts, inconsistencies, or practical impediments to meeting existing requirements.

That review should examine how proposed annual and short-term limits, operating restrictions, and permitting requirements would affect the ability to complete required treatments. Additional time would allow operators and their customers to provide specific examples rather than relying on general assumptions about treatment availability or scheduling.

The economic review should extend beyond direct equipment costs. It should evaluate seasonal treatment demand, available capacity at approved facilities, potential cargo delays, storage and rerouting costs, spoilage risks, and effects on domestic agricultural and food-processing operations. Proposed limits should be compared with existing permitted capacity, actual use, and seasonal demand to identify their practical consequences.

CAPMA requests that these issues be evaluated before final operating and emission limits are established. The requested extension would provide time to develop the information needed for that assessment.

#### **Conclusion**

CAPMA reiterates its agreement with NPMA's principal concerns and its request for a 60-day extension. Our immediate request is for additional time and coordinated review of the proposal's scope, site-specific compliance options, regulated-party responsibilities, public reporting requirements, and potential effects on trade, agriculture, food safety, and federal compliance.

---

<sup>7</sup> U.S. Department of Agriculture, Animal and Plant Health Inspection Service, "Phytosanitary Treatments for Imported Commodities," last modified September 2, 2026.

<sup>8</sup> U.S. Food and Drug Administration, "FSMA Final Rule for Preventive Controls for Human Food," accessed September 30, 2026.

These are initial comments. CAPMA looks forward to continued coordination with NPMA and affected fumigation operators as further technical and operational information is developed. Thank you for considering these comments and our request for additional time.

Sincerely,

Jake Plevelich, Chairman Government Affairs Committee  
California Pest Management Association