MBAO Methyl Bromide Alternatives Outreach

Gary L. Obenauf
Manager

Via Electronic Mail

November 9, 2026

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

Re: Comments on Proposed Rule 1495 – Commodity Fumigation

Dear Mr. Soltani,

The Methyl Bromide Alternatives Outreach Stakeholder Exchange Program just had it's 32nd Conference trying to find viable alternatives to Methyl Bromide and alternatives to fumigants as well. The annual conference is made up of the regulatory community (EPA, DPR, APHIS, et.), registrants, usere of soil and commodity treatments and grower organizations. Even though much progress has been made we still have a lot of work to do.

MBAO supports the District's objective of ensuring that commodity fumigation is conducted in a manner that protects nearby communities from unacceptable health risks. However, we believe the rule, as written, is too rigid and ignores other practical measures that could address the potential exposures and still reduce the economic burden on fumigators.

Fumigation is the most reliable technology for quarantine treatments to prevent invasive pests from entering California, and they allow California commodities, including citrus, to ship to various international markets and still meet biosecurity concerns. Invasive pests are constantly being introduced into California, and we cannot predict when our industry might need to use a quarantine fumigation treatments for exports. In the future, it may be necessary to conduct fumigations at the ports in Los Angeles and Long Beach. We need to ensure that unnecessary or overly conservative regulations do not eliminate the fumigation infrastructure needed to protect and support California agriculture.

Fumigators have demonstrated through cooperative efforts with SCAQMD that raising stack height, staggering aeration and increasing off gassing fans speeds that ambient methyl bromide concentrations can be reduced by as much as 65 percent. We urge SCAQMD to broadly

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implement these mitigations before considering mandatory use reductions which are likely to severely limit fumigation capacity at the ports or put fumigators out of business.

For some facilities, it may be easier or preferential to adopt the proposed emission restrictions, but SCAQMD should also allow fumigators to demonstrate compliance through a district approved, site-specific health risk assessment (HRA) with tailored mitigations. The rule mentions the possibility that emissions could be reduced by employing capture technology. It is our understanding that the companies claiming methyl bromide can be captured have not demonstrated that capture can be successful and affordable at a large commercial scale. The staff report itself notes that non-regenerative carbon systems are expected to cost at least $100,000 per year for each ton of methyl bromide captured, plus hazardous waste disposal. Before mandating any specific technology, SCAQMD should demonstrate that the technology is reliable and feasible at comparable throughput, airflow, duty cycle and facility configuration. Even if recapture technology becomes viable, fumigators should be allowed to use less costly practices that meet the same safety standard. We believe PR 1495 should be focus on achieving specific health standard outcomes without prescribing the practices and technologies fumigators should use to meet those goals.

CCQC has significant concerns about the unintended consequences of the proposed rule. The added cost of compliance could change the economics of importing fruit and vegetables at the Los Angeles and Long Beach ports. It could (i) significantly reduce imports because of the added cost of the final product, (ii) put fumigators out of business if their business declines sharply, and (iii) destroy the fumigation infrastructure that California agriculture may need in the future for exports.

Since the primary concern regarding fumigation at the ports was exposures from methyl bromide fumigation there is no apparent justification for restricting the use of other fumigants. We recommend that SCAQMD limit the regulations to methyl bromide until a clear case can be made for expanding the regulations to other fumigants.

Fumigation is only necessary if importers or exporting commodities are required to control quarantine pests that can threaten domestic or international biosecurity. These regulations are usually the result of negotiated workplans between the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS). SCAQMD should be aware that the proposed regulations to limit fumigations at the ports of Los Angeles and Long Beach could preempt the ability of federal and state governments to make phytosanitary agreements for both import and export market access. We urge SCAQMD to consult with USDA APHIS to ensure PR 1495 does not interfere with federal quarantine treatment requirements, treatment timing or the efficient movement of imported and exported commodities.

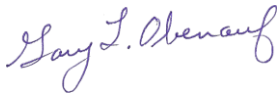
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We appreciate the opportunity to comment on this important matter.

Sincerely yours,



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