



October 1, 2026

Mr. Areio Soltani, Program Supervisor (WOC)

South Coast Air Quality Management District

21865 Copley Drive

Diamond Bar, California 91765

RE: Proposed Rule 1495 – Commodity Fumigation

Dear Mr. Soltani and Members of the Proposed Rule 1495 Team:

We appreciate this opportunity to comment directly regarding Proposed Rule 1495. We applaud the efforts of the district as well as the prioritization the team has shown to understand all perspectives raised during this process. Our members' mission in conducting commodity fumigations addressed in Proposed Rule 1495, is to protect California's public health and food safety.

The National Pest Management Association respectfully requests the district extend the comment period for Proposed Rule 1495, which is currently slated to end on October 15, 2026, by a period of sixty days.

While we recognize that this extension will impact future scheduled steps outlined in the district's published presentation¹, it is necessary to ensure that constructive feedback can be shared by stakeholders. There are three specific areas we are focusing on in our review of the Proposed Rule:

First, we are concerned with uniform regulations across fumigation sites and the limitations on multiple fumigants based off information developed for a specific fumigant.

Proposed Rule 1495's efforts to address commodity fumigants and fumigation sites uniformly, rather than a site-by-site analysis and a fumigant-specific evaluation, will have a direct impact on the fumigation companies and their customers within the South District Air Quality Management District.

- Many factors must be considered when determining an annual use limit, and it should not be based solely on hours of operation or distance to receptors.
 - Current South Coast permitting is approved through site specific risk assessments. The final rule should include an alternative pathway to compliance, allowing operators to work directly with South Coast staff on mitigating potential risks.
- There are several commodity fumigants addressed in Proposed Rule 1495, and every fumigant is unique chemistry with different health concerns and exposure risks, utilized by a fumigator based on the product being treated and the location they are in.
 - Before South Coast moves forward with these limitations on products used across the entire commodity fumigation space, it is necessary for each fumigant to be properly evaluated, in its application, aeration and specific practices and mitigations required.

¹ [SCAQMD Webpage: Proposed Rule 1495 October 1, 2026 Presentation Slides](#)

Given the rulemaking process was triggered through a revised MOU between South Coast Air Quality Management District and the Los Angeles County Agricultural Commissioner Department, regarding Methyl Bromide Agricultural Commodity Fumigation Facilities², a clearer path forward would be moving forward with addressing commodity fumigations that utilize methyl bromide in Proposed Rule 1495. This would narrow the scope for SCAQMD staff to work directly with the facilities that utilize methyl bromide, allowing the district to work with each location and develop site-specific plans.

Second, the definitions in this rule are ambiguous, and in cases where there are specific actions required by industry, further clarification from SCAQMD is necessary.

Proposed Rule 1495 would require the owner or operator of a Commodity Fumigation operation to create and maintain a website available to the general public, which would include a database of each Commodity Fumigation completed by the operation within South Coast.

- For clarification throughout the rule, NPMA encourages SCAQMD to set a clear definition for their term of “owner or operator of a Commodity Fumigation operation.”
- SCAQMD is setting a dangerous precedent for fumigation companies to maintain a public-facing website. We recognize this is an attempt to provide transparency to the public, but there is no example, to our knowledge, of any other regulatory body requiring a company to maintain public access through a website. If this is something the public is calling for, we recommend that SCAQMD house the commodity fumigation database on their website, which would be 1) easily accessible to members of the public and 2) ensure regulatory standards are maintained, through review of information submitted by companies to SCAQMD within 72 hours.

Third, what is anticipated to be the most time-consuming is identifying real-world implications that the annual limits set forth by SCAQMD would have in Southern California.

The Proposed Rule 1495 not only affects fumigation operations within the district, but it impacts connected stakeholders and customers and threatens continued compliance with federal standards.

- As the Rule would decrease the total permitted use of fumigants at locations, at some sites to less than 20% of their current permitted limit, it questions the future of certain international trade at the Port of Los Angeles, the availability of affordable, fresh produce, and threatens domestic agriculture operations.
 - Our industry is working to compile data surrounding the quarantine post shipment (QPS) products that are currently received through the Port of Los Angeles.
 - Beyond the port, we are collecting commodity fumigation examples by producers and food processors that will be impacted by Proposed Rule 1495.
- We are concerned that certain federal statutory requirements, whether it is QPS fumigations required by U.S. Department of Agriculture, Animal and Plant Health Inspection Service (USDA-APHIS), or if it is federal standards within the Food Safety Modernization Act (FSMA), enforced by the Food and Drug Administration, will conflict with the Proposed Rule 1495.

² [SCAQMD Webpage: 2026 Commodity Fumigation Memorandum of Understanding](#)

Thank you for your review of our request to extend the comment period. We urge South Coast to consider the precedent that the final rule will set, and we remain committed to offer industry perspectives where necessary.

Sincerely,

A handwritten signature in black ink, reading "Megan Striegel-Thomas". The signature is written in a cursive, flowing style.

Megan Striegel-Thomas

Senior Director of Public Policy

CC:

Mr. Mike Morris, Planning and Rules Manager

Mr. Michael Krause, Assistant Deputy Executive Officer