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**By Email (**[**maryjane.coombs@arb.ca.gov**](mailto:maryjane.coombs@arb.ca.gov)**)**

Mary Jane Coombs

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California Air Resources Board

1001 I Street

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**SUBJECT: Input on Recent Petition to Regulate Sulfuryl Fluoride**

Dear Ms. Coombs:

The California Chamber of Commerce (CalChamber) would like to provide input on and context for the recent Petition to Regulate Sulfuryl Fluoride (Petition) submitted by the Center for Biological Diversity and Californians for Pesticide Reform (together, “Petitioners”). CalChamber is the largest broad-based business advocate to government in California. Our membership represents one-quarter of the private sector jobs in California and includes firms of all sizes and companies from every industry within the state.

The Petitioners seek to have the California Air Resources Board (CARB) regulate sulfuryl fluoride, a fumigant pesticide, as a greenhouse gas (GHG) affecting climate change. CalChamber offers the following comments for CARB’s consideration, which will show that CARB need not grant the Petition and regulate sulfuryl fluoride. This is because sulfuryl fluoride: (1) is a negligible component in the atmosphere; (2) is heavily regulated by other, specialized federal and state agencies; and (3) provides public health and food safety benefits.

Sulfuryl Fluoride Is a Negligible Component of the Atmosphere

The Petitioners contentions regarding sulfuryl fluoride’s contribution to climate change are misleading and out of context. Crucially, sulfuryl fluoride is more potent than carbon dioxide for trapping heat, but only at *the same mass*. Sulfuryl fluoride makes up only a sliver of the atmosphere when compared to carbon dioxide. The ratio of carbon dioxide to sulfuryl fluoride concentrations in the atmosphere is greater than 164 million to one. Other GHGs, such as nitrous oxide and methane, are also found in incredibly high ratios to sulfuryl fluoride.

In addition, the use of sulfuryl fluoride as a structural fumigant means that older structures can remain in good repair and use for a longer period of time. Maintaining and preserving existing structures reduces greenhouse gas emissions as compared to demolition and reconstruction.

Several State and Federal Agencies Regulate Sulfuryl Fluoride

The Petition asserts that regulation by CARB will also decrease health hazards, but this assertion fails to recognize that the US Environmental Protection Agency (USEPA), California Department of Pesticide Regulation (DPR), and several other state agencies already regulate sulfuryl fluoride specifically for public health concerns. Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), USEPA is the primary regulatory authority for pesticides within the nation. In California, DPR is responsible for regulating pesticide use and sales. DPR has a comprehensive and integrated network of regulations, including requiring mitigation for potential health risks to pesticide applicators and bystanders. DPR also requires monitoring of potential health and environmental impacts from the use of pesticides, including sulfuryl fluoride.

In this sense, USEPA and DPR already investigate and regulate potential adverse impacts to human health and the environment. And these two agencies that have decades of experience regulating pesticides. Thus, CARB may not be the best equipped to evaluate the potential risks and uses of sulfuryl fluoride when considered against other agencies.

Sulfuryl Fluoride Provides Public Health and Food Safety Benefits and Lacks Adequate Alternatives

Sulfuryl fluoride is used in both structural and agricultural pest control. As mentioned previously, the use of sulfuryl fluoride in structures means that existing structures and homes can remain in circulation for longer. This is both a savings in terms of GHG emissions, as well as the cost of treatments for termite infestations. Keeping existing housing stock available helps ensure that housing is more affordable than the alternative.

For food applications, sulfuryl fluoride as a fumigant is superior to other treatments. Specifically, it is more effective against target pest species, pests are less likely to be resistant to sulfuryl fluoride, treatment times are shorter, and it leaves little to no residue on hard surfaces or food processing equipment. In short, in both structural and agricultural settings, sulfuryl fluoride is an important part of integrated pest management.

In conclusion, CalChamber urges CARB to consider the full regulatory and scientific context surrounding sulfuryl fluoride when reviewing the Petition. In this context, CalChamber asks that you deny the Petition at this time.

Sincerely,

Brenda Bass

Policy Advocate