

CONCURRENCE IN SENATE AMENDMENTS

CSA1 Bill Id:AB 1181 Author:(Haney and Harabedian)

As Amended Ver:September 3, 2025

Majority vote

SUMMARY

Requires the Occupational Safety and Health Standards Board (OSHSB) to consider modifying its existing safety order regarding firefighter personal protective equipment (PPE) by January 1, 2028, in a manner that addresses National Fire Protection Association (NFPA) performance standards that are not relevant to how firefighters use their PPE and that result in the use of perfluoroalkyl and polyfluoroalkyl substances (PFAS), flame retardants, and other hazardous substances in firefighting personal protective garments and auxiliary firefighting PPE, as provided.

Senate Amendments

- 1) Require the OSHSB to consider modifying its existing safety order on firefighter PPE, rather than requiring the OSHSB to modify the safety order, and extend the date by which it shall do so from January 1, 2027 to January 1, 2028.
 - a) Require the OSHSB to do so in a manner that addresses NFPA performance standards for PPE that are not relevant or applicable to how firefighters utilize their PPE and that result in the use of PFAS, fluoropolymers, flame retardants and other hazardous substances in firefighting personal protective garments and auxiliary firefighting PPE, rather than in a manner that eliminates the use of PFAS and other regrettable substances.
- 2) Modify the requirements for the OSHSB, in modifying the existing safety order, as follows:
 - a) Add to the requirement that the OSHSB must use scientific research to create the new standard and do so in a way that is the most protective of firefighters' health and safety, that it must include performance standards that are relevant and applicable to how firefighters utilize their equipment.
 - b) Require that the OSHSB use scientific research to mandate that firefighter PPE certified for future use in California be free of hazardous substances that might pose long-term environmental and human health risks, including, but not limited to, PFAS and flame retardants.
 - c) Add that the OSHSB must provide for an implementation date that applies to auxiliary firefighting PPE to be later than the implementation date for firefighting personal protective garments.
 - d) Require the OSHSB to specify an implementation timeline that includes phasing out firefighter PPE that is in use at the time the safety order is modified through normal attrition or no later than 10 years after the safety order is modified, rather than requiring the OSHSB to consider an implementation timeline the may include phasing out firefighter PPE that is in use at the time the safety order is modified.
- 3) Add definitions for "auxiliary firefighting PPE" and "firefighting personal protective garments."

COMMENTS

Cancer is one of the leading causes of death among firefighters nationwide. A study by the Centers for Disease Control and Prevention and the National Institute for Occupational Safety & Health found that firefighters have higher risks of certain types of cancer than the general population, and that firefighters have a higher rate of cancer-related deaths.¹ According to the International Association of Fire Fighters (IAFF), in 2023, 72% of IAFF member line-of-duty deaths were due to occupational cancer.² This elevated risk is due to a number of factors, including exposure to byproducts of combustion that are known carcinogens, persistent compounds absorbed by the body, and particulate matter released by burning materials or debris.

Additionally, firefighter turnout gear – the PPE used by firefighters, complete with their fire kit and incident gear – has been found to contain significant levels of cancer-causing PFAS. In turnout gear, PFAS are mainly concentrated in the pants and jackets within the inner moisture barrier layer, found between the outer shell and the inner thermal liner of the composite material.³

PFAS are a family of synthetic chemicals that have been found to be harmful to both human health and the environment. Considered “forever chemicals” because they are long-lasting chemicals that break down very slowly over time, PFAS are released into the air, water, and soil in areas where they are stored and used and can be absorbed into the human body through inhalation, drinking water, or through contact.

In California, the OSHSB is tasked with creating standards for firefighter PPE. In doing so, the OSHSB is required to, every five years, review all revisions to the NFPA standards pertaining to personal protective equipment and determine whether the revisions provide a greater degree of personal protection than the state safety orders. If they do, the OSHSB must consider modifying the state safety orders and render a decision by July 1 of the subsequent year.

The NFPA is the entity in charge of setting the performance, durability and safety standards for turnout gear. Although manufacturers of PPE have largely been able to produce gear able to meet existing NFPA standards with safe alternatives to PFAS, one of the standards for firefighter turnout gear involves a light degradation resistance test, which uses ultraviolet (UV) light to test the moisture resistance of the gear to make sure it can hold up in the field. Currently, this test can only be passed with the addition of PFAS or other toxic flame-retardant materials to the turnout gear. However, given that the materials inside the fabric of firefighter turnout gear are never exposed to direct sunlight, the most recent revision of the NFPA standard, which took place in 2025, had proposed removing the UV light test.

Last session the author carried a bill, AB 2408, that would have brought California into conformance with the new federal standard once approved, by banning PFAS from being used in firefighter gear and directing the OSHSB to revise its regulations to meet the latest safety

¹ National Institute for Occupational Safety and Health. (2016). Findings from a study of cancer among U.S. fire fighters.

² Firefighter Cancer Awareness Month. IAFF. <https://www.iaff.org/cancer-awareness-month/>

³ Maizel AC, et al. (2023) Per- and Polyfluoroalkyl Substances in New Firefighter Turnout Gear Textiles. (National Institute of Standards and Technology, Gaithersburg, MD), NIST Technical Note (TN) NIST TN 2248. <https://doi.org/10.6028/NIST.TN.2248>

standard within a year after it has been updated. However, when the NFPA standards were ultimately revised in 2025, the UV light test remained a part of the standards.

According to the Author

"Twenty years ago heart disease was the biggest threat to firefighter health. Today, cancer has replaced heart disease as the biggest killer of firefighters. While firefighting is an inherently dangerous profession, it is critical for the health and safety of California's fire fighters that all unnecessary cancer causing exposures are eliminated. Firefighters put their lives at risk every day on the front lines saving lives, responding to emergencies and taking care of the vulnerable. We have an obligation to protect them – and that means making sure they are not exposed to cancer-causing chemicals in the very equipment designed to keep them safe."

Arguments in Support

California Professional Firefighters, sponsor of this bill, state that "While the newly renumbered NFPA Standard 1970 modified the stringent UV light degradation resistance test to more closely align with the actual wear and usage of PPE, the updated standard did not address the overly burdensome vertical flame test. The only way for a manufacturer to meet this standard, which similarly to the prior UV light test does not reflect the actual performance needs or usage of PPE, is with the addition PFAS or other toxic flame-retardant materials.

Additionally, while the revised standard does add PFAS compounds to a list of restricted substances, the list does not fully encompass the breadth of PFAS and flame retardants, thereby allowing the usage of specific compounds that are not captured by the list.

Under AB 1181, CalOSHA and OSHSB will be able to evaluate the recently-adopted NFPA standard and make adjustments to the tests that better reflect the functional use of firefighter PPE. In doing so, California can ensure that harmful chemicals are not added to PPE for the sole purpose of passing a light, flame or liquid test that has no meaningful impact on the protection of the firefighter wearing the equipment."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Senate Appropriations Committee:

- 1) The Department of Industrial Relations (DIR) indicates that it would incur annual costs in the high hundreds of thousands of dollars for the Board and its Division of Occupational Health and Safety (Cal/OSHA) to perform the rulemaking and enforcement work resulting from the bill (Occupational Safety and Health Fund).
- 2) This bill would result in one-time costs to the Department of Forestry and Fire Protection (CAL FIRE) to replace its existing supply of firefighting PPE. For the previous version of the bill, CAL FIRE estimated that doing so would ultimately require \$88 million in one-time funds, split evenly between three fiscal years, to replace existing structural firefighter turnouts. The amended version of the bill would likely reduce the fiscal impact to the CAL FIRE in the near term, as the turnout replacement timeline would likely be longer than three years. The specific year-to-year fiscal impact of the amendments has yet to be identified.

VOTES:**ASM LABOR AND EMPLOYMENT: 7-0-0**

YES: Ortega, Flora, Chen, Elhawary, Kalra, Lee, Ward

ASM APPROPRIATIONS: 11-0-4

YES: Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache

ABS, ABST OR NV: Sanchez, Dixon, Ta, Tangipa

ASSEMBLY FLOOR: 78-0-1

YES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

ABS, ABST OR NV: Alanis

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