

Date of Hearing: April 8, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 1642 (Harabedian) – As Amended March 2, 2026

Policy Committee: Environmental Safety and Toxic Materials Vote: 5 - 0

Urgency: Yes State Mandated Local Program: No Reimbursable: No

SUMMARY:

This bill requires the Department of Toxic Substances Control (DTSC) to adopt regulations specifying science-informed, health-based standards to guide investigation, testing, and remediation efforts after wildland urban interface (WUI) fire events.

Specifically, this bill, among other things:

- 1) Requires DTSC, by July 1, 2027, and in consultation with relevant coordinating agencies, to adopt emergency regulations specifying science-informed, health-based standards for investigation, environmental testing, and clearance, to guide the adequate removal of lead and Transmission Electron Microscopy (TEM)-identified asbestos inside and outside of homes, schools, workplaces, and other structures (HSWU) in residential areas after a wildfire.
- 2) Specifies numerous presumptions and requirements for the aforementioned emergency regulations, including specified standards and requirements for pre-remediation and post-remediation testing; a presumption that a HSWU is safe for human occupancy only if the levels of lead and TEM-identified asbestos on an indoor surface meet specified conditions; and a presumption that if WUI debris is present in a surviving HSWU after a WUI fire, any identified hazardous contamination in the WUI impact zone is the result of that WUI fire.
- 3) Requires DTSC, by July 1, 2028, to adopt regulations specifying science-informed, health-based standards for hazardous chemicals, including levels for these chemicals that are required to achieve clearance for a HSWU, as well as standards for investigation, environmental testing, and to guide the removal of hazardous chemicals inside and outside of a HSWU in a residential area after a wildfire.
- 4) Requires DTSC to adopt the standards in item 3, above, in consultation with the Office of Environmental Health Hazard Assessment (OEHHA). Specifies numerous other requirements and standards for the regulations referenced in item 3, above.

For a detailed summary of the bill's provisions, please see the Assembly Environmental Safety and Toxic Materials (ESTM) Committee's analysis of this bill.

FISCAL EFFECT:

- 1) DTSC estimates ongoing annual costs of at least \$1.8 million for seven positions (Toxic Substances Control Account (TSCA) to develop and adopt regulations, conduct research,

coordinate with other state and local entities, conduct literature reviews, and perform other necessary tasks. Given the deadline and urgency clause in the bill, DTSC notes it would need to begin implementation as soon as the bill goes into effect and likely reassign staff from other programs (most likely its Site Mitigation and Restoration Program and Office of Legal Counsel) to meet the bill's requirements before the department is able to request additional resources through the state budget process. Absent a different fund source, DTSC notes its costs will be borne by TSCA and will result in a 2% increase to fee payers.

- 2) OEHHA estimates ongoing annual costs of \$624,000 (General Fund) for one new position and contract funds to assist DTSC in the development of standards and maintain and update standards as needed and as OEHHA identifies new WUI fire hazards.

OEHHA has performed chemical assessments for several of the chemicals named in the bill (such as lead, cadmium, and arsenic) as part of its existing programs like Proposition 65, the Air Toxics Hot Spots Program, and the Study of Neighborhood Air near Petroleum Sources project. Where available, OEHHA plans to apply these assessments towards the development of the standards required by this bill. However, OEHHA will need to prepare chemicals assessments and sampling methods for chemicals that currently lack these components. OEHHA contends that because chemical assessments are developed via a rigorous scientific and public process, and because it does not currently have resources for wildfire clean-up standard development, the July 1, 2028, deadline in the bill is likely infeasible.

The Legislative Analyst's Office recently warned of structural deficits of around \$35 billion per year in the 2027-28 FY and ongoing.

The author has submitted an associated budget request for \$10 million for DTSC and OEHHA to develop science-backed smoke damage testing and remediation standards.

COMMENTS:

- 1) **Purpose.** According to the author:

The 2025 Los Angeles Wildfires exposed the enormous gaps in our wildfire recovery protocol, specifically around testing and remediation for smoke damaged properties. There are currently no statewide standards for how to handle smoke damaged homes, what contaminants to test for, and what levels are unsafe for re-occupancy. This bill makes one thing clear: when it comes to our families' health we trust science. AB 1642 will create a statewide scientific standard for when it's safe to return to a home after an urban wildfire. Public health will be the standard, not the exception.

- 2) **Background. *WUI Fires and Chemical Hazards.*** The frequency and severity of wildfires have been increasing, both in California and all over the world. In 2025, the Eaton and Palisades fires in Los Angeles (LA) County destroyed over 16,000 structures and burned 38,000 acres combined. The LA fires, as well as many major wildfires in other states, are examples of WUI fires. According to the U.S. Fire Administration, the WUI is the line, area,

or zone where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels.

As detailed in the ESTM Committee analysis of this bill, in the wake of WUI fires, both the interiors and exteriors of structures can become polluted by smoke residue, ash, and debris, which in turn can contain toxic chemicals.

For homes, schools, and workplaces that remain standing, but have been impacted by WUI fire smoke and debris, there are no uniform state or federal standards pertaining to investigation, testing, and remediation for indoor chemical hazards. While there are screening and remediation goals for soil contaminants, testing protocols have been inconsistently applied. As widely reported after the LA fires, residents returning to their homes have reported feeling concerned about whether it is safe to do so.

Among others in support of this bill, Eaton Fire Residents United (EFRO) writes:

Currently, there are few statewide standards governing the recovery of standing structures and soil after a wildland–urban interface (WUI) fire. AB 1642 prioritizes science and human health in setting testing protocols and determining when it is safe to return home. Our community needs a safe return, a safe rebuild, and a safe recovery. The goal should be the complete restoration of our communities, and a key path to getting there is to understand the damage and then to remove the disaster-related debris and hazardous chemicals to health-based federal and/or state regulatory levels, offering the greatest protection for community members.

The American Property Casualty Insurance Association, the National Association of Mutual Insurance Companies, the Pacific Association of Domestic Insurers, and the Personal Insurance Federation of California are opposed to this bill. Among numerous other concerns, the coalition argues the bill establishes an automatic presumption of toxic conditions for virtually all structures affected by WUI fires based solely on the presence of debris, without requiring any showing of actual exposure or chemical intrusion, and that the bill defines “clearance” in a way that lacks thresholds for most contaminants. The coalition contends the bill “usurps the ongoing work of the CDI and subsequent policy negotiations by inappropriately granting overlapping and conflicting authority over claims handling to DTSC.”

Smoke Claims and Remediation Task Force. In May 2025, out of recognition that the state needs consistent statewide standards for investigating and paying smoke damage claims, the California Department of Insurance (CDI) established the Smoke Claims and Remediation Task Force (Task Force). In March 2026, The Task Force issued its formal report. CDI reports that, based on the report’s findings, consumer complaints, and meetings with wildfire survivor groups, the department is sponsoring AB 1795 (Gipson). CDI contends AB 1795 is intended to fill in the gaps that currently exist in how smoke-damaged homes are restored by “establishing uniform statewide standards for the inspection, testing, and remediation of residential properties damaged by smoke exposure from wildfires and will require insurers to follow consistent remediation protocols.” AB 1795 is pending in the ESTM Committee.

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