
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 1642 (Harabedian) - Wildfires: contamination standards

Version: July 2, 2026

Urgency: No

Hearing Date: August 3, 2026

Policy Vote: E.Q. 5 - 0

Mandate: No

Consultant: Ashley Ames

Bill Summary: This bill would require the Department of Toxic Substances Control (DTSC) to adopt regulations that specify standards for investigation, environmental testing, and clearance to guide the removal of contamination from wildland urban interface (WUI) fire debris in residential areas after a wildfire, among other things.

Fiscal Impact:

- DTSC estimates one-time costs of at least \$1.8 million in fiscal year 2027-28 (Toxic Substances Control Account [TSCA]), which includes funding for research as well as regulation development and adoption.
- The California Department of Insurance (CDI) estimates ongoing costs of \$727,5000 in fiscal year 2026-27, \$1.4 million in 2027-28, and \$1.2 million annually thereafter (Insurance Fund—Proposition 103 sub-account) to implement the provisions of this bill. CDI notes that Proposition 103 funds may not be able to absorb these additional costs, and that these costs would put additional pressure on Proposition 103, which could accelerate the need for a fee increase in the future.
- The Office of Environmental Health Hazard Assessment (OEHHA) estimates ongoing costs of \$1.2 million (General Fund) to maintain and update standards once they are developed, as needed and supported by the science, or the identification and development of additional needed standards as new WUI-related fire hazards are identified.

Background:

Wildland urban interface (WUI) fires. Climate change has driven increases in both the frequency and severity of wildfires in California and worldwide, and four of the five most destructive fires in state history have occurred within the past decade. The 2025 Eaton and Palisades fires in Los Angeles County together destroyed more than 16,000 structures across nearly 38,000 acres; the 2018 Camp Fire in Butte County destroyed close to 19,000 structures across 153,000 acres; and the 2017 Tubbs Fire in Napa and Sonoma counties destroyed over 5,500 structures across nearly 37,000 acres. Each was a wildland urban interface (WUI) fire — the WUI being the transitional zone where structures and other human development meet or mix with undeveloped wildland and vegetative fuels. While the WUI accounts for only a small share of total acreage burned, most structural damage occurs there. California leads the nation in homes located in the WUI, with an estimated 30% to 45% of all homes in the state situated in these areas.

Toxic contamination from smoke. When WUI fires reach densely developed areas, they can become urban conflagrations that spread structure to structure. Afterward, smoke residue, ash, and debris containing toxic chemicals can contaminate both the interiors

and exteriors of buildings. The resulting smoke carries not only the byproducts of burning vegetation, but also toxic compounds released from lead-based paint, lithium batteries, vinyl siding, fiberglass insulation, electrical wiring, rubber tires, and similar materials — compounds that the intensity of the fire can chemically alter and that can react with one another as they are emitted. Wildland smoke has been tied to increased hospitalizations for asthma, stroke, and heart attack, and structure fires have been linked to elevated cancer rates among firefighters, but burning whole neighborhoods combines and magnifies these hazards in new ways. Because contamination persists in the ecosystem and built environment, health risks can outlast the fire itself, and because smoke can travel hundreds to thousands of kilometers, exposure is not confined to WUI communities. Studies have documented elevated indoor concentrations of volatile organic compounds and heavy metals following WUI fires, and both reports and independent research have shown that unsafe toxin levels can persist after professional cleaning and be redistributed through a home's HVAC system. Some smoke damage may permanently harm property and pose acute and chronic health risks if not adequately remediated.

For homes left standing but affected by WUI fire smoke and debris, no uniform state or federal standards govern investigation, testing, or remediation of indoor chemical hazards, and returning residents have voiced uncertainty about whether reoccupancy is safe. In that vacuum, various organizations have issued professional standards and certifications for contractors and industrial hygienists along with guidance for residents. The state has published guidance addressing post-fire soil contamination — including screening levels for soil contaminants, sampling instructions for survivors and local authorities keyed to damage levels, help interpreting results, and an overview of professional remediation methods — but has issued no comparable guidance for indoor contaminants. This bill would establish standards for investigation, environmental testing, and clearance for removing contamination inside and outside residential structures after a wildfire.

Smoke Claims and Remediation Task Force. Recognizing the need for statewide standards, CDI created the Smoke Claims and Remediation Task Force in May 2025 and charged it with evaluating existing best practices and recommending uniform standards for inspecting, testing, and remediating smoke-damaged properties; recommending standards for determining whether damaged structures fall below, at, or above established occupant health and safety thresholds; and identifying which state and local agencies would need to participate in developing and enforcing those standards. CDI published the Task Force's findings on March 9, 2026. The report describes the Task Force's work, including its deliberations on how smoke damage and contaminants should be handled after WUI fires and urban conflagrations, informed by testimony from affected homeowners and survivor groups, consumer advocates, academics, industrial hygienists, restoration specialists, state and local public health experts, insurance industry representatives, and attorneys representing policyholders and insurers.

The report identifies both consensus and disagreement. Participants generally agreed that toxins from WUI fires carry comparatively greater potential for harm, that standards are needed for contaminants of concern beyond those already covered, that a tiered classification system for smoke damage claims with protocols varying by tier would be useful, and that training and certification are important for personnel involved in claims

and remediation, including insurance adjusters, industrial hygienists, remediation experts, and testing laboratories. Points of contention included whether pre-remediation testing is necessary, whether additional remediation and repeated clearance testing should be covered under an insurance claim, and how to design the tiered classification system and assign activities to each protocol.

Proposed Law: This bill would:

1. Establish a nonrebuttable presumption that a home, school, workplace, or other structure is safe for human occupancy after a wildfire only if the level of lead on an indoor surface meets specified conditions, as provided.
2. Require DTSC to adopt, no later than July 1, 2027, emergency regulations specifying the science-informed, health-based standards for investigation, environmental testing, and clearance, to guide the removal of lead and asbestos inside and outside of homes, schools, workplaces, and other structures in residential areas after a wildfire, as provided.
3. Require DTSC, in consultation with OEHHA, to adopt regulations by July 1, 2028, specifying science-informed, health-based standards for hazardous chemicals following a wildfire.
 - a. Require those standards to be established at chemical levels to ensure safe reoccupancy and reduce cancer cases and noncancer health risks attributable to such fires, as provided.
 - b. Define terms for purposes of these provisions, including “downward ash zone.”
 - c. Require DTSC to determine the downwind ash zone for each WUI fire using methodologies and data sources from the National Oceanic and Atmospheric Administration, as provided.

Related Legislation:

AB 1795 (Gipson) would require CalEPA to develop health-based standards and requirements for minimum sampling, testing, and chemical screening levels for residential properties that have sustained smoke damage as a result of a wildfire; require CalEPA in consultation with CDI to establish training and certification requirements; and apply the established standards to all covered smoke damage claims submitted under policies of residential property insurance.

AB 1 (Connolly, Chapter 472, Statutes of 2025) required, by January 1, 2030 and every five years thereafter, CDI to consider whether to update the Safer from Wildfires regulations to include certain building hardening measures.

SB 1176 (Niello, 2024) would have required CalFire, the California Governor's Office of Emergency Services, and DTSC, in consultation with academic and research institutions with demonstrated relevant expertise, and any other governmental agency or educational institution that may have experience in public health and wildfires, to form

a workgroup related to toxic heavy metal exposure after a wildfire. This bill was held on the suspense file in the Assembly Appropriations Committee.

AB 541 (Wood, Chapter 530, Statutes of 2023) required the State Water Resources Control Board (State Water Board) to require a public water system that has experienced a major wildfire event of 300 acres or more and under specified conditions to perform sample collection and analysis of its source waters for the presence of benzene as soon as it is safe to do so. It also authorized the State Water Board to require the public water system to take specified response actions if benzene is detected.

Staff Comments: OEHHA notes that, under this bill as currently written, it would need to prepare chemicals assessments for chemicals that currently lack them, and develop and oversee contracts to complete this work. Because chemical assessments are developed through a rigorous scientific and public process, and because OEHHA does not currently have resources for wildfire clean-up standard development, the July 1, 2028 deadline would not be feasible.

OEHHA also estimates an absorbable fiscal impact for external affairs, to provide public information and engage with interested parties, and for legal support including to interpret the law, respond to Public Records Act requests concerning OEHHA's work, and to review contracts public-facing work product. If multiple bills pass that have a fractional impact, OEHHA may need to request staff resources to fulfill the additional workload.

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