
THIRD READING

Bill No: AB 1642
Author: Harabedian (D), et al.
Amended: 7/2/26 in Senate
Vote: 21

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 5-0, 7/1/26
AYES: Blakespear, Valladares, Allen, Gonzalez, Menjivar
NO VOTE RECORDED: Dahle, Hurtado

SENATE APPROPRIATIONS COMMITTEE: 5-0, 8/13/26
AYES: Cervantes, Cabaldon, Grayson, Richardson, Wahab
NO VOTE RECORDED: Seyarto, Dahle

ASSEMBLY FLOOR: 59-3, 5/27/26 - See last page for vote

SUBJECT: Wildfires: contamination standards

SOURCE: Eaton Fire Residents United

DIGEST: This bill requires 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.

ANALYSIS:

Existing federal law:

- 1) Establishes the federal Toxic Substances Control Act (TSCA), which, among other things, empowers the United States Environmental Protection Agency (U.S. EPA) with the authority to require reporting, record-keeping, and testing requirements, and restrictions relating to chemical substances and mixtures. (15 United States Code (USC) §§ 2601 et seq.)

- 2) Establishes, under TSCA, dust-lead hazard standards, post-abatement clearance levels, and abatement requirements for lead-based paint in certain residential structures. (40 Code of Federal Regulations (CFR) §§ 745.61 et seq.)

Existing state law:

- 1) Establishes the Hazardous Waste Control Law (HWCL) to authorize the Department of Toxic Substances Control (DTSC) to regulate the management of hazardous wastes in California. (Health and Safety Code (HSC) §§ 25100 et seq.)
- 2) Defines “hazardous waste” as waste, that, because of its quantity, concentration, or physical, chemical, or infectious characteristics:
 - a) Causes, or significantly contributes to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or
 - b) Poses a substantial present or potential hazard to human health or the environment, as specified. (HSC § 25141(b))
- 3) Requires the DTSC, under the HWCL, to adopt, and revise when appropriate, standards and regulations for the management of hazardous wastes to protect against hazards to public health, domestic livestock, wildlife, or the environment. (HSC § 25150)
- 4) Establishes DTSC’s Toxicity Criteria for Human Health Risk Assessments, Screening Levels, and Remediation Goals (Toxicity Criteria Rule) for hazardous waste and hazardous substance cleanup sites; requires, among other things, that human health risk assessment calculations—including, but not limited to, all cancer risk and non-cancer hazard screening levels and corrective action objectives—use the toxicity criteria specified under the Toxicity Criteria Rule and attain human health protection, as specified. (22 California Code of Regulations (CCR) § 68400.5).
- 5) Specifies, under the Toxicity Criteria Rule, criteria for all human health risk assessments, human health risk-based screening levels, and human health risk-based remediation goals statewide, for the cleanup of releases of hazardous waste or hazardous substances to the environment. (22 CCR §§ 69020-69022)
- 6) Defines, under DTSC’s health standards for the management of hazardous waste, “remediation goal” to mean a contaminant concentration that is media-specific (e.g., for air, groundwater, surface water, or soil affected by a release),

site-specific, protective of human health and the environment, and used as a final cleanup goal for a response or corrective action. (22 CCR § 69020(c)(5))

- 7) Defines, under DTSC's health standards for the management of hazardous waste, "screening level" to mean a risk-based, contaminant concentration, calculated as specified and considered to be protective for humans (including sensitive groups) over a lifetime. (22 CCR § 69020(c)(6))

This bill:

- 1) Provides that there is a nonrebuttable presumption that a structure is safe for human occupancy only if the level of lead on an indoor surface meet specified conditions and authorizes DTSC to adopt regulations for standards that are stricter than these specified conditions;
- 2) Requires DTSC to adopt emergency regulations specifying the science-informed, health-based standards for investigation, environmental testing, and clearance, to guide the adequate removal of lead and TEM-identified asbestos (asbestos) inside and outside structures in residential areas after a wildfire in consultation with relevant coordinating agencies no later than July 1, 2027.
- 3) Requires the emergency regulations to include all of the following:
 - a) A rebuttable presumption that if the WUI debris is present in a structure after a WUI fire, any identified hazardous contamination in the WUI impact zone is the result of that WUI fire;
 - b) Requirements for testing lead and asbestos in specified locations of a surviving structure;
 - c) Specified requirements for preresmediation testing to understand where contaminants are present to guide cleanup efforts and ensure worker safety, and post-remediation testing to confirm that lead and asbestos have been removed from the structure and that clearance has been achieved, or to determine that further remediation efforts are required;
 - d) Preresmediation and postremediation testing guidelines establishing protocols and methodologies to evaluate specified WUI fire hazards.
 - e) The standards set forth in DTSC's Residential Soil Evaluation Guidance for the 2025 LA Wildfires; and

- f) Guidance on the use of other restoration strategies and methods and routines to reduce indoor exposures to the residual contamination following remediation.
- 4) Requires DTSC to adopt regulations specifying science-informed, health-based standards for hazardous chemicals, including levels that are required to achieve clearance for a structure and standards for investigation, environmental testing, and removal of hazardous chemicals inside and outside of a structure in a residential area no later than July 1, 2028.
- 5) Requires the adopted regulations to include all of the following:
 - a) The emergency regulations adopted for standards for levels of lead on an indoor surface;
 - b) A rebuttable presumption that if WUI debris is present in a surviving structure after a WUI fire, that any identified hazardous contamination in the WUI impact zone is the result of that fire;
 - c) Requirements for testing in specified locations of a surviving structure;
 - d) Specified requirements for preremediation testing to understand what hazardous chemicals are present to guide cleanup efforts and ensure worker safety, post-remediation testing after cleanup to confirm that WUI debris and contamination have been removed from the structure or to determine that further remediation efforts are required, and health-based thresholds for specified WUI fire hazards; and
 - e) Standards to ensure that individuals can inhabit a structure safely, including steps to ensure that a structure is habitable to pre-fire conditions and has reached clearance before a resident is required to move back into the resident's home or return to a structure.
- 6) Requires DTSC to determine the downwind ash zone for each WUI fire using methodologies and data sources, including maps, from the National Oceanic and Atmospheric Administration, within 45 days of the wildfire reaching 100% containment.
- 7) Defines “clearance” to mean a formal determination that a home, school, workplace, or other structure has been cleared of WUI debris and that any remaining hazardous chemicals meet the standards established in regulation.

8) Makes related findings and declarations.

Background

Fires in the wildland urban interface. Due to climate change, the frequency and severity of wildfires have been increasing in the state and globally.¹ Four out of the five most destructive wildfires in California history have occurred in the last 10 years.² In 2025, the Eaton and Palisades fires in Los Angeles County destroyed over 16,000 structures and burned nearly 38,000 acres combined; in 2018, the Camp Fire in Butte County destroyed nearly 19,000 structures and burned 153,000 acres; and in 2017, the Tubbs Fire in Napa and Sonoma counties destroyed more than 5,500 structures and burned nearly 37,000 acres.

These fires are all examples of WUI fires, which means a zone of transition between unoccupied land and human development. It is known as the line, area, or zone where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels.³ California is first among the top 5 states with the most homes in WUI areas, with 30-45% of all homes in the state in WUI areas.

Where there's smoke, there's toxins. When fires in the WUI burn into densely populated areas, wildfires can transition into urban conflagrations, in which fires spread rapidly from structure-to-structure. In the wake of these fires, both the interiors and exteriors of structures can become polluted by smoke residue, ash, and debris, which can contain toxic chemicals. The smoke from these fires doesn't just consist of the chemicals from plant-fueled fires, but also of various toxic compounds from lead-based paint, lithium batteries, vinyl siding, fiberglass insulation, electrical wiring, rubber tires, and more.⁴

Fires have been blamed for a long list of health illnesses. Wildland fire smoke has been linked to increased hospital admissions for asthma, strokes, and heart attacks. House fires have been associated with higher levels of cancer in firefighters. But new hazards arise when these types of fires are combined and amplified by burning entire neighborhoods. Health risks associated with WUI fire toxicants can persist beyond the active burning of the fire, due to contamination of the ecosystem and built environment. Exposure to these toxicants and health impacts can also extend

¹ California Air Resources Board. (2026). [Wildfires & Climate Change](#).

² CAL FIRE. (2025). [Top 20 Most Destructive California Wildfires](#).

³ U.S. Fire Administration. (2026). [What is the WUI?](#).

⁴ Cornwall, W. (2025). [In the Ashes](#).

well beyond the WUI communities, as smoke can be transported for hundreds to thousands of kilometers.⁵

Studies have reported that several types of chemicals can be found at elevated concentrations inside of structures following WUI fires, including volatile organic compounds (VOCs) and heavy metals.^{6,7,8} Reports and independent studies have also demonstrated that unsafe levels of toxins can remain in homes after professional cleaning and can be redistributed throughout the home by the HVAC systems.⁹ Some types of contamination from WUI fire smoke damage may cause permanent physical damage to property and pose potential acute and chronic health impacts if it goes without sufficient remediation.¹⁰

For homes 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. Residents returning to their homes have reported feeling concerned about whether it is safe to do so. In the absence of such standards, various entities have developed professional standards and certifications to guide the work of remediation and testing by contractors and hygienists, as well as recommendations for residents. Some guidance has been released from the state for soil contamination following WUI fires.¹¹ The state has not released similar guidance for indoor contaminants. This bill creates standards for investigation, environmental testing, and clearance to remove contamination, as specified, inside and outside of residential structures following a WUI fire.

Smoke Claims and Remediation Task Force. Out of recognition of the need for statewide standards for investigating and addressing smoke damage, CDI established the Smoke Claims and Remediation Task Force (Task Force) in May 2025. Key takeaways of the report from the Task Force highlighted areas of agreement and disagreement on how to address smoke damage. There was general consensus regarding the relatively greater potential for harm from toxins resulting from WUI fires; the need for standards for contaminants of concern in addition to existing standards; the utility of a tiered classification system for smoke damage

⁵ National Academies of Sciences, Engineering, and Medicine. (2022). [The Chemistry of Fires at the Wildland-Urban Interface.](#)

⁶ LA Fire Health Study. (2026). [LA Fire HEALTH Study.](#)

⁷ Jech, S., et. al. (2024). [Determination of Soil Contamination at the Wildland-Urban Interface after the 2021 Marshall Fire in Colorado, USA.](#)

⁸ Allen, J. et. al. (2025). [Post-fire soil hazards: recommendations for updated soil testing protocols and clearance thresholds.](#)

⁹ Callimachi, R. and Migliozi, B. (2025). [How Did This Family End Up Back in a Toxic House?.](#)

¹⁰ California Department of Insurance. (2026). [Report of the Smoke Claims and Remediation Task Force.](#)

¹¹ Department of Toxic Substances Control. (2025). [Residential Soil Evaluation.](#)

claims with varying protocols; and the importance of training and certification programs for personnel involved in the insurance claim and remediation process, including, but not limited to insurance adjusters, industrial hygienists, remediation experts, and testing laboratories.

Areas of contention included the necessity for pre-remediation testing; the applicability of additional remediation and repeated clearance testing under an insurance claim; and the development of the tiered classification system for smoke damage claims and the activities that apply to the varying protocols. The provisions of this bill reflect some of the more cautious perspectives expressed during the Task Force's activities. For example, the presumptions of safety and attribution in this bill could require additional testing and remediation to achieve what is considered an acceptable level for clearance.

While this bill does not directly address how the standards would apply in an insurance context, its implications should be considered within the broader policy framework of insurance to address smoke damage. There are broad, yet uncertain, implications to various entities that testing and remediation requirements would apply to, including homeowners, schools, and businesses. The presumptions warrant considerations within each of those contexts, and it is unclear how the regulations would apply them. A related bill, AB 1795 (Gipson, 2026), does address how health-based standards would apply within an insurance context in addition to the policy solutions set forth in this bill, however duplicative efforts between these two bills would need to be resolved.

[NOTE: See the Senate Environmental Quality Committee analysis for detailed background of this bill.]

Comments

- 1) *Purpose of Bill.* 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."

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- 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.

SUPPORT: (Verified 8/14/26)

301 Organics

350 Conejo / San Fernando Valley

350 South Bay Los Angeles

350 Southland Legislative Alliance

805 Undocufund

After the Fire

Alpha Kappa Alpha Sorority, Inc, Mu Lambda Omega Chapter

Altadena ACT

Altadena Arts

Altadena Colab

Altadena Community Land Trust

Altadena Earthseed Community Land Trust

Altadena Recovery Team

Altadena Tenants Union

Altogether

Asbestos Disease Awareness Organization

Asian Pacific Environmental Network

Beautiful Altadena

Biomax Environmental

Bw Builder

California Black Power Network
California Environmental Voters
California Green New Deal Coalition
California Integrative Therapy
California Interfaith Power & Light
California Teachers Association
Camp Fire
Catalyst California
Center for Biological Diversity
Centre for Applied Ecological Remediation
Champion Cleaners INC.
Christopherson Builders
City of Thousand Oaks
Civic Sundays
Clergy Community Coalition
Climate and Wildfire Institute
Coalition for a Safe Fire Recovery
Collaborate Pasadena
Community 3.0x
Conservation Strategies
Courage California
Day One
Eaton Fire Collaborative
Eaton Fire Renters Coalition
Eaton Fire Residents United
End Child Poverty CA Powered by Grace
Enviroscience, INC
Fire Safe Palisades
First Unitarian Church of San Jose, Environmental Justice Ministry Team
Glendale Environmental Coalition
Greenfaith
Holly Wyman Design
Hpp Cares
Huntington Asthma and Allergy Center
Idle DOT
Indivisible Alta-pasadena
Joan Collaborative
Kids and Teens Medical Group
L.a. Voice
L.z. Design Group

LA Region Community Recovery Organization
League of California Cities
Leap of Faith Family to Family Support
Lift LA
Little Tokyo Service Center
Long Beach Alliance for Clean Energy
Los Angeles County Office of Violence Prevention
Mcclain Consulting Services
Meteorite Real Estate
Miramar Hoa
NAACP Altadena
National Day Laborer Organizing Network (NDLON)
Nefesh LA
Neighborhood First Responders
Nrdc Action Fund
P.e.a.r.l.s. of Compassion-patient, Equity, Advocates, Relationships, Love & Support
Pacific Film Foundation
Pacific Palisades Community Council
Palipower
Palisades Recovery Coalition
Pasadena Community Job Center
Pasadena Tenant Union
Pasadena/altadena Ivy Foundation
Pasadenans Organizing for Progress (POP!)
Pediatric Firestorm Team
Physicians for Social Responsibility - Los Angeles
Plant Community LA
Public Counsel
Reclaim Our Power: Utility Justice Campaign
Resilient Palisades
Rise Economy
Rogue Food Unites
San Diego350
Sander Architects
Sonoma County Climate Activist Network (SOCOCAN!)
Sunita Jain Anti-trafficking Initiative
The Change Reaction
The Utility Wildfire Survivor Coalition
Town of Superior

United Policyholders
Uriu Architecture
Vida Mobile Clinic
Xtreme Athletics

OPPOSITION: (Verified 8/14/26)

American Property Casualty Insurance Association
California Association of Realtors
California Building Industry Association
National Association of Mutual Insurance Companies
Pacific Association of Domestic Insurance Companies
Personal Insurance Federation of California

ASSEMBLY FLOOR: 59-3, 5/27/26

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Gallagher, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Chen, DeMaio, Johnson

NO VOTE RECORDED: Alanis, Castillo, Davies, Dixon, Ellis, Flora, Jeff Gonzalez, Hadwick, Hoover, Lackey, Macedo, Nguyen, Patterson, Celeste Rodriguez, Ta, Tangipa, Valencia, Wallis

Prepared by: Taylor McKie / E.Q. / (916) 651-4108
8/15/26 11:38:34

**** **END** ****