Office of Senate Floor Analyses
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THIRD READING

Bill No: AB 1642
Author: Harabedian (D), et al.
Amended: 8/28/26 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) and the California Air Resources Board (CARB) to develop regulations and guidance for testing, remediation, and restoration of wildfire smoke contamination, as specified, and DTSC to develop advisory guidance for schools to support local educational agencies after a wildfire.

Senate Floor Amendments of 8/28/26 establish interim standards for lead and asbestos for residential properties within a wildfire impact zone; require DTSC to adopt regulations for lead and asbestos testing and remediation; require DTSC to develop guidance for testing and remediating specified contaminants at the department's discretion; require CARB to develop guidance on indoor air contaminants following a wildfire; require DTSC, in collaboration with the Department of Education, to develop advisory guidance for schools to support local educational agencies after a wildfire; and make the enactment of these provisions contingent on the enactment of AB 1795 (Gipson).

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))

8) Establishes CARB as the air pollution control agency in California and requires CARB, among other things, to control emissions from a wide array of mobile sources and coordinate with local air districts to control emissions from stationary sources in order to implement the CAA. (HSC § 39000 et seq.)

This bill:

1) Requires, for the purposes of determining clearance for human occupancy for residential properties located within a wildfire impact zone, as defined, a lead and asbestos standard, as specified, to apply relative to wildfire-cased lead and asbestos remediation only.

2) Requires DTSC, in consultation with the Office of Environmental Health Hazard Assessment to do both of the following:
   a) Develop and adopt regulations pertaining to lead and asbestos testing, remediation, and restoration after a wildfire, as described, on or before December 31, 2028; and

   b) Develop and publish on its website guidance pertaining to specified contaminants for testing, remediation, and restoration after hosting a public workshop on or before December 31, 2029.

3) Authorizes DTSC to make technical determinations to add or remove contaminants from the guidance documents and update the guidance documents every five years based on scientific changes and in DTSC's discretion.

4) Requires DTSC to post recordings of the public workshops and public comments on its website.

5) Requires CARB to develop and publish on its website guidance on levels for indoor air contaminants following residential smoke damage from a wildfire, implications for health or health outcomes, and possible protective measures to reduce health impacts based on the best available science and after hosting a public workshop on or before December 31, 2028.

6) Authorizes CARB to release interim guidance prior to December 31, 2028, and revise and update the guidance as new research and data become available.

7) Requires DTSC, in collaboration with the State Department of Education and other relevant state agencies, to develop advisory, nonregulatory guidance, for schools to support local educational agencies, as defined, after a wildfire no later than July 1, 2028.

8) Exempts all regulations and guidance required in these provisions from the requirements of the Administrative Procedure Act and the California Environmental Quality Act.

9) Requires the act to become operative only if AB 1795 (Gipson) is enacted and takes effect on or before January 1, 2027.

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 wildland urban interface (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

[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?.

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 insultation, 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 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]

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

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 would establish regulations and guidance on the testing and remediation of contamination from smoke damage, as specified, following a wildfire.

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 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.

This bill, and a related bill AB 1795 (Gipson), are proposed to address many of the issues raised during the Task Force. While AB 1642 establishes requirements and guidance around testing and remediation for smoke contamination, AB 1795 links those regulations and guidance to insurance claims and processes and establishes training and certification requirements, amongst other provisions. Both bills contain contingency provisions such that each bill will become operative only if the other bill is enacted.

Comments

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

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

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 8/28/2026)

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

Altagether
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
Hollly 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 8/28/2026)

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
San Diego Gas and Electric Company

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
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