

pipelines and other systems for the transmission of petroleum and other liquid or gaseous substances, parks, playgrounds and other recreational works, refineries, chemical plants and similar industrial plants requiring specialized engineering knowledge and skill, powerhouses, powerplants and other utility plants and installations, mines and metallurgical plants, land leveling and earthmoving projects, excavating, grading, trenching, paving and surfacing work and cement and concrete works in connection with the above-mentioned fixed works. (BPC § 7056)

- 4) Defines a B1 – General Building Contractor as those whose principal contracting businesses are in connection with any structure built, being built, or to be built, for the support, shelter, and enclosure of persons, animals, chattels, or movable property of any kind, requiring in its construction the use of at least two unrelated building trades or crafts, or to do or superintend the whole or any part thereof. (BPC § 7057)
- 5) Defines a C – Specialty Contractor as those whose operations involve performance of construction work requiring special skill and whose principal contracting business involves the use of specialized building trades or crafts. (BPC § 7058)

Existing Regulations:

- 1) Prohibits Contractors licensed in one classification from contracting in the field of any other classification unless they are also licensed in that classification or are permitted to do so by Title 16 of the California Code of Regulations (16 CCR) § 831. (16 CCR § 830)
- 2) Defines the scope under which each specialty contractor classification may perform contracting work (16 CCR §§ 832.02, 832.4-832.17, 832.20-832.23, 832.26-832.29, 832.31-832.36, 832.38, 832.39, 832.42, 832.43, 832.45-832.47, 82.49-832.51, 832.53-832.55, 832.57, 832.60-832.62)

This bill:

- 1) Prohibits a contractor from engaging in private debris removal unless the contractor has one of the following licenses or classifications:
 - a) A - General Engineering Contractor.
 - b) B - General Building Contractor.
 - c) C-12 –Specialty Contractor Classification for Earthwork and Paving and C-21 – Building Moving/Demolition.
- 2) Requires, during a declared federal, state, or local emergency or for a declared disaster area due to a natural disaster, any licensee authorized to perform debris removal to have passed an approved hazardous substance certification examination and to comply with hazardous waste operations and emergency response requirements.

FISCAL EFFECT: Unknown. This bill is keyed fiscal by Legislative Counsel.

COMMENTS:

1. **Purpose.** The Author is the Sponsor of this bill. According to the Author, “As California faces increasingly destructive natural disasters, safe debris removal and disposal are essential components of disaster recovery. Improper handling of hazardous debris can create significant risks to public health, worker safety, and the environment. SB 1263 clarifies who is authorized to conduct debris removal in declared disaster areas—including muck-out and ash-out operations—and requires that all who perform this work possess hazardous substance removal certifications and comply with HAZWOPER standards. These crucial safeguards will help ensure appropriate clearing of disaster sites while protecting workers and impacted communities.”
2. **Background.** Climate change, primarily caused by the burning of fossil fuels, is increasing the frequency and severity of wildfires, not only in California, but also all over the world. Since 1950, the area burned by California wildfires each year has been increasing. Drought conditions have brought unusually warm temperatures, intensifying the effects of very low precipitation and snowpack and creating conditions for extreme, high severity wildfires that spread rapidly.

In January 2025, Los Angeles experienced the most catastrophic wildfires in its history. Beginning January 7, a series of wildfires ravaged L.A. County, consuming tens of thousands of acres due to strong Santa Ana winds and severe dry conditions. The Palisades and Eaton Fires were the most destructive, burning over 20,000 and almost 14,000 acres, respectively. The fires claimed at least 28 lives and destroyed over 16,240 structures.

In the wake of unprecedented natural disasters in California over the past several years, residential rebuilding efforts have commenced across the state in areas devastated by floods, fires, and earthquakes. CSLB has received inquiries from concerned parties about whether contractors digging to remove contaminated materials from these devastated areas are trained or have the qualifications to do the work safely.

A contractor must have an existing license to apply for a Hazardous Substance Removal Certification, which is added to the license after the qualifier passes the corresponding examination. BPC section 7058.7 defines the scope of work for those holding a hazardous substance removal certificate, which includes engaging in the removal or remedial action if the action requires digging into the surface of the earth and removing the dug material from hazardous sites. The existing definition is unclear as to whether the contractor holding the certificate is authorized and qualified to conduct similar work in disaster areas.

CSLB updates the hazardous substances certification examination every five years with extensive input from subject matter experts who help design questions based on federal, state, and local law. However, existing statute only requires the Hazardous Substance Removal Certification for removal and installation of underground storage tanks or if the project site is listed on state or federal websites,

and as a result the certification examination questions are limited in scope to these issues.

Currently, there is no designation in Contractors Law as to who can perform debris removal during a declared disaster. Out of necessity, CSLB has made this determination on an ad hoc basis during recent declared disasters, but a permanent solution is needed. By specifying who is authorized to perform debris removal during a declared disaster, including muck-out and ash-out operations, and requiring that contractors possess sufficient training and certification to conduct debris removal, worker safety is enhanced and the risk of additional health and environmental hazards resulting from improper debris removal and disposal practices can be mitigated.

This proposal does not alter existing law as it relates to debris removal on sites unrelated to a disaster declaration. Limiting this proposal to the removal of debris by certain classifications who hold Hazardous Substance Removal Certification in a disaster area only is intended to address the safe disposal of dangerous contaminants and chemicals left behind after property is damaged or destroyed by a disaster.

SUPPORT AND OPPOSITION:**Support:**

None received

Opposition:

None received

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