

State of California General Assembly
Appropriations Committee
1020 N Street, Sacramento, California 95814

July 27, 2026

Dear Honorable Chair Wicks, Vice Chair Hoover, and Members of the Assembly:

I submit these comments on *AB 1642, Wildfire Environmental Safety and Testing Act*, having reviewed the bill¹ text on July 24, 2026. As an environmental engineer and professor at Purdue University with over two decades of disaster response experience, including major wildfires in California, Colorado, Hawaii, New Mexico, and Oregon, and the East Palestine, Ohio chemical disaster my work has encompassed reviewing hundreds of post-fire testing reports, engaging directly with affected households and businesses, and evaluating post-fire assessment and remediation practices.

Public comments regarding *AB 1642* were previously provided² to the Assembly Environmental Safety and Toxic Materials Committee, and as were recommendations³ regarding post-fire testing, remediation, and recovery to the California Department of Insurance Smoke Claims and Remediation Task Force. These positions have been publicly documented since 2025. I respectfully encourage consideration of the following issues as *AB 1642* is further refined.

1. Lead (Pb) is not a surrogate indicator of indoor or outdoor environmental safety following a fire.

Wildland-urban interface fires produce complex contaminant mixtures, and no government, academic, or industry evidence supports the assumption that one contaminant's presence or absence indicates another's. Following the 2025 fires in the Los Angeles area, a property owner was reportedly diagnosed with arsenic poisoning after handling contaminated materials in a standing home, a lead-only approach would miss. Further, mercury can similarly change worker protection and remediation requirements; after the 2014 Valley Fire, mercury in some fire-affected soils reached hazardous-waste levels (3,900 vs. Calif. hazmat limit of 20 mg/kg). Fire incidents can transport soil and dust inside fire-damaged homes. We have also seen as high as 765,000 asbestos structures/cm² reported in fire-impacted standing homes. Because fire impacts vary by materials burned, local conditions, and contaminant transport, testing for all fire-related metals is essential to determine whether a property poses a health risk.

2. Legally enforceable state oversight is needed to establish consistent standards of practice. Reviews of hundreds of testing reports prepared by more than 50 companies and consultants involved in the Palisades and Eaton Fire recoveries revealed systemic problems. There are substantial differences in sampling methods, contaminants tested, exposure benchmarks, data interpretation, and remediation recommendations which is likely explained by the wide range of professional credentials and certifications we see. This variability, which without question has contributed to wasted money and time that insurance companies are encountering and policy holders are navigating, demonstrates a need for stronger professional accountability when test results are used to guide public health, insurance, and property

¹ State of California Assembly. *AB 1642, Wildfire Environmental Safety and Testing Act*. Sacramento, California. Accessed July 24, 2026.

² Whelton, A.J. *Opinion: AB 1642, Wildfire Environmental Safety and Testing Act*. Submitted to: Environmental Safety and Toxic Materials Committee. Sacramento, California. March 2, 2026.

³ Whelton, A.J., Bollens, E. *Opinion: Evidence-Based Recommendations*. Submitted to: Smoke Claims and Fire Damage Task Group, California Department of Insurance. Sacramento, California. October 16, 2025.

restoration decisions. While certifications can sometimes provide valuable training, they differ fundamentally from professions regulated through state licensure and disciplinary authority. As the Legislature considers refinement of this bill, creating additional certifications will not improve consistency, but instead contribute to the variability already observed in practice. California already⁴ possesses established oversight mechanisms through agencies such as the Department of Consumer Affairs and its licensing boards. Professional state licensure is recommended.

3. Odor is not an appropriate indicator of indoor environmental safety. Odor should not be relied upon as a health-protective indicator of whether a fire-impacted property is safe. Odor perception varies significantly among individuals and is influenced by age, illness, anosmia, chemical sensitivity, sensory adaptation, and fatigue. The *National Academies*⁵ recently highlighted problems associated with using odor as an environmental health indicator. Post-fire observations reinforce these concerns. During post-fire work, one consultant explained to me that contamination odors could no longer be detected at a Palisades property because the day had been spent inspecting homes with much stronger odors, a textbook example of olfactory fatigue. Additional inspections nevertheless continued. Metals and asbestos cannot be smelled at concentrations that pose a health concern; lead and asbestos have no odor and no vapor pressure at environmental temperatures. Contaminants can pose risks even when no odor is detected, and odors can dissipate while contamination remains. Odor should never be treated as a substitute for proper environmental assessment and testing.

4. Distance from a fire is only one factor influencing indoor contamination. Distance from a fire may influence contamination but should not be viewed as a standalone indicator of indoor environmental conditions. Indoor contamination is influenced by many factors, including building design, HVAC operation, air-leakage pathways, wind direction, weather conditions, ember intrusion, structural damage, and proximity to damaged structures, contents of nearby structures. Consequently, homes located similar distances from a fire can experience substantially different contamination conditions. Distance should be considered one factor among many rather than a deterministic measure of risk.

I respectfully urge the Assembly to consider these issues as the bill is refined. **AB 1642 offers a critical opportunity towards consistent, science-based standards for post-fire assessment, testing, and restoration.** I have no conflicts of interest: I am not a California resident, do not own a testing or remediation company, and am not involved in wildfire litigation. These comments reflect an independent perspective grounded in field experience, research, and direct community engagement.

Sincerely,



Andrew Whelton, Ph.D. (I am not listing certifications)

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⁴ State of California, Department of Consumer [Affairs](#). *License Search*. Sacramento, California. Accessed July 25, 2026.

⁵ National Academies of Science, Engineering, and Medicine. *Consensus Study Report: Clinical Follow-Up and Care for Those Impacted by the JP-5 Releases at Red Hill*. 2026. Washington, D.C.