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SB-234 Wildfires: workgroup: toxic heavy metals. (2025-2026)

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AMENDED IN ASSEMBLY JUNE 27, 2025

AMENDED IN SENATE MAY 23, 2025

AMENDED IN SENATE APRIL 09, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

SENATE BILL

NO. 234

Introduced by Senator Niello
(Coauthor: Senator Allen)

January 28, 2025

An act to add Section ~~4114.1~~ **4114.2** to the Public Resources Code, relating to wildfires.

LEGISLATIVE COUNSEL'S DIGEST

SB 234, as amended, Niello. Wildfires: workgroup: toxic heavy metals.

Existing law requires the Department of Forestry and Fire Protection to do certain things with respect to fire prevention, including organizing fire crews and patrols.

This bill would require, upon appropriation by the Legislature, the Department of Forestry and Fire Protection, the Office of Emergency Services, and the Department of Toxic Substances Control, in consultation with specified entities, to form a workgroup related to exposure to toxic heavy metals after a wildfire. The bill would require the workgroup to do certain things, including establishing best practices and recommendations for wildfire-impacted communities, first responders, and other personnel engaged in wildfire response and cleanup to avoid exposure to heavy metals after a wildfire, including outreach. The bill would authorize the Department of Forestry and Fire Protection to contract with public universities, research institutions, and other technical experts to support the work of the workgroup. The bill would require the Department of Forestry and Fire Protection, the Office of Emergency Services, and the Department of Toxic Substances Control to report their findings to the Legislature ~~on or before January 1, 2027~~ **not more than 3 years after the convening of the first meeting of the workgroup**.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) During the years 2018 to early 2025, inclusive, fire seasons in California were among the most destructive on record, with millions of acres burned, thousands of homes destroyed, and dozens of lives lost.

(b) According to the Department of Forestry and Fire Protection (CAL-FIRE), over 10,000,000 acres burned in California between 2018 and early 2025, which is double the 756,000-acre annual average for the prior 10 years 2008 to 2017, inclusive.

(c) During this time period, multiple large-scale wildfires, including the Camp Fire, Woolsey Fire, Thomas Fire, Palisades Fire, and Eaton Fire, caused significant damage and destruction to homes and communities across the state.

(d) The magnitude and scale of these wildfires have created unprecedented challenges for affected Californians, including years-long site cleanup and hazardous material removal, prolonged displacement, and serious health complications. There is emerging evidence that wildfire processing and post-wildfire processing of certain metals found in soil, vegetation, and the built environment can be converted to toxic forms and incorporated into airborne particulate matter.

(e) For example, a recent Stanford University study showed that unmanaged wildfires can release toxic metal particles. Specifically, the study showed extreme high heat wildfires can transform a natural element in soils into a potentially cancer-causing and airborne metal known as hexavalent chromium, or chromium 6.

(f) Chromium 6 can possibly increase cancer risk when inhaled or ingested. Other serious health consequences include asthma, heart attacks, and early death, due to its toxicity.

(g) These health risks to firefighters, disaster response workers, other personnel engaged in wildfire response and cleanup, including, but not limited to, those in support roles such as fire mechanics and local public works employees, and California residents living and working near or downwind from conflagrations from airborne chromium 6 and other potential toxic metals need to be further vetted and mitigated.

(h) More research and study is needed to better understand how to limit high-heat fires, which may increase exposure to chromium 6 and other potential toxic metals, by implementing strategies, including controlled burns and other forest clean-up measures.

(i) Further research and mitigation strategies will better protect humans and ecosystems, including waterways and groundwater.

(j) More research and study is needed to better understand how exposure to key heavy metals impacts firefighters, first responders, first responder supporters, disaster response workers, and California residents from inhalation, ingestion, and dermal exposures.

~~SEC. 2. Section 4114.1 is added to the Public Resources Code, to read:~~

~~4114.1.~~

~~SEC. 2. Section 4114.2 is added to the Public Resources Code, to read:~~

4114.2. (a) Upon appropriation by the Legislature, the department, the Office of Emergency Services, and the Department of Toxic Substances Control, in consultation with academic and research institutions with demonstrated relevant expertise, and any other governmental agency, educational institution, or representatives of other organizations representing people exposed to potential toxic heavy metals in response to a wildfire, that has experience in occupational and public health and wildfires, shall form a workgroup related to exposure to toxic heavy metals after a wildfire.

(b) The workgroup shall do all of the following:

(1) Establish best practices and recommendations for wildfire-impacted communities, first responders, and other personnel engaged in wildfire response and cleanup to avoid exposure to heavy metals after a wildfire, including outreach.

(2) Study and consider ways that communities can mitigate and prevent exposure to heavy metals from a wildfire.

(3) Study and consider ways that communities can mitigate or remediate the accumulation of heavy metals in the environment after a wildfire, including, but not limited to, bioremediation through vegetation, fungal, or bacterial treatments.

(4) Study and consider ways that fire departments, agencies, and other organizations can develop and implement best practices and policies for avoiding, minimizing, and mitigating exposure risk.

(c) The department may contract with public universities, research institutions, and other technical experts to support the work of the workgroup.

(d) (1) ~~On or before January 1, 2027,~~ *Not more than three years after the convening of the first meeting of the workgroup,* the department, the Office of Emergency Services, and the Department of Toxic Substances Control shall report to the Legislature their findings pursuant to this section.

(2) A report submitted to the Legislature pursuant to this subdivision shall be submitted in compliance with Section 9795 of the Government Code.

~~(3) The requirement for submitting a report imposed by this subdivision is inoperative on January 1, 2031, pursuant to Section 10231.5 of the Government Code.~~