

CDI's Draft Issues and Preliminary Recommendations

PRESENTED TO THE SMOKE CLAIMS & REMEDIATION TASK FORCE

1/26/26

Overview of Issues

1. The presence of smoke in a home from wildfire is physical damage, is covered under the peril of fire, and must be remediated. There are recognized impacts to occupant health and property if smoke, soot, char, ash, and other substances are not properly remediated.
2. Classification, Inspection, Evaluation, and Remediation of Smoke Damage Inside Homes
3. Training and Certification of Insurance Claims Adjusters, Public Adjusters, Inspectors, Hygienists, Restorers, Testing Labs
4. Workplace Safety (OSHA)

Issue 1: Smoke is Physical Damage and Must be Remediated

Health Impacts:

Without intervention, smoke, soot, ash, and oily or sticky residues do not passively dissipate.

Depending on sensitivity, pre-existing health conditions, and duration and nature of exposure, health impacts could include those associated with lead exposure as well as other substances.

Possible health impacts include, but are not limited to, acute symptoms such as eye, nose, respiratory, and skin irritation, especially in children and other vulnerable populations, or worsening of chronic health conditions such as heart and lung disease.

The risk of long-term health outcomes from such exposures, such as cancer, is an area of emerging concern and research.

Issue 1 (cont.): Smoke is Physical Damage

Property Impacts:

Depending on the composition of wildfire constituents, the residues left behind can continue to corrode, discolor, weaken, and cause odor in structural materials, insulation, and contents.

Recommendation:

The fact that smoke in a home can be remediated does not void coverage for a smoke claim. Also, policyholders should not be required to personally clean (or pay for third-party cleaning of) their home of covered smoke damage as a pre-condition for the insurer to inspect, test, or otherwise remediate a valid smoke damage claim. To prevent health impacts or long-term property deterioration, smoke damage should be assessed and appropriately remediated.

Issue 2: Tiered Classification

The degree of smoke damage to an impacted home varies by the density of smoke in the area, direction of the wind, proximity of the home to the wildfire burn zone, duration of the fire, characteristics of the home, and other factors. For purposes of this presentation, “wildfires” are assumed to potentially include burned vegetation, vehicles, and structures.

Recommendation:

There is general consensus that homes within and adjacent to the fire perimeter are generally the most impacted by wildfire smoke and should require a more robust inspection and evaluation of the potential impacts of smoke damage.

Issue 2 (cont.): Tiered Classification

A tiered approach is recommended to evaluate the likelihood of smoke damage, identify which homes should receive a more robust evaluation, and design and implement a proper restoration strategy using the following steps:

1. Determine Proximity to the Fire Perimeter and/or Ash Zone
2. Classification of Damage
3. Inspection and Evaluation of Home
4. Restoration and Remediation of Home
5. Final Inspection and Clearance of Home

The following slides will discuss each step in further detail.

Step 1: Determine Proximity of Home to the Fire Perimeter or Ash Zone

Proposed Method #1: Objective Standard: Based on Distance of Home to Fire Perimeter

Proposed Method #2: Wildfire Specific Standard: Mapping of an “Ash Zone”. “Ash Zone” would be defined as the area covered by settled, fine particulate residue, including soot, char, and ash, from a wildfire, carried by a smoke plume and winds as determined by federal, state, or local government agencies with jurisdiction over the specific wildfire.

Step 2: Classification of Smoke Damage Based on Proximity

Recommendation: Classify each home into one of three impact zones based on the home's proximity to the Fire Perimeter or Ash Zone:

High Impact Zone	Moderate Impact Zone	Low Impact Zone
If the home is located (1) in the Fire Perimeter or within 6 miles from the Fire Perimeter or (2) within a designated Ash Zone (if applicable), there is a rebuttable presumption of significant smoke damage and the smoke claim will be classified as High Impact for purposes of the type of testing, inspection, and evaluation it receives.	If the home is located (1) within the 6-mile to 12-mile range from the Fire Perimeter or (2) within 6 miles from the designated Ash Zone (if applicable), there is a rebuttable presumption that the home will be classified as Moderate Impact for purposes of the type of testing (if applicable), inspection, and evaluation it receives.	If the home is in a location (1) greater than 12 miles from the Fire Perimeter or (2) greater than 6 miles from the Ash Zone, there is a rebuttable presumption that the home will initially be classified as Low Impact for purposes of the type of inspection (if any) and evaluation it receives.

Eaton Fire Legend:

-  Eaton Fire Perimeter
-  6 Mile Radius from Fire Perimeter
-  12 Mile Radius from Fire Perimeter



National Geographic, Esri, Garmin, Bing, UNEP-WCMC, USGS, NASA, ESA, METI, NRCAN, GEBCO, NOAA, increment P Corp.

Step 3: Inspection and Evaluation of Home (Based upon Impact Zone)

High Impact Zone:

- Full in-depth on-site inspection by a certified industrial hygienist, certified indoor air quality consultant, or equivalent professional with other credentials following appropriate ASTM, NIOSH, USEPA, and/or equal practice.
- Automatic Pre-Remediation Testing for Smoke, Lead, Asbestos, and any other substances identified by state or local agencies as substances of concern for WUI wildfires (in general) or for a specific WUI wildfire, to the degree that there are health-protective levels and standards that would inform interpretation of results. Any testing should be performed by trained and certified personnel and consistent with local, county, or state health department standards or advisories, if any are issued.
- Develop Preliminary Remediation Plan, including any target post-remediation testing levels if testing was conducted, to the degree that there are health-protective levels and standards.
- Develop Final Remediation Plan to remediate impacts of smoke, soot, char, ash, and any other hazardous substances identified in testing.

Moderate Impact Zone:

- On-site inspection by a certified industrial hygienist, certified indoor air quality consultant, or equivalent professional.
- If the inspection reveals a basis for doing pre-remediation testing, any testing should be performed by trained and certified personnel and consistent with local, county, or state health department standards or advisories, if any are issued.
- Develop Preliminary Remediation Plan, including any target post-remediation testing levels if testing was conducted.
- Develop Final Remediation Plan to remediate impacts of smoke, soot, char, ash, and any other hazardous substances identified.

Low Impact Zone:

- Homeowner/Policyholder must submit “proof of loss” to insurer within statutory timeframe of **100 days plus any applicable extensions** (for a declared state of emergency claim [(i.e., CIC Section 2051.5(b)(3) – “In the event of a loss relating to a state of emergency . . . an insurer shall not require the insured to provide proof of loss less than 100 days after the loss.”]).
- Based on the proof of loss, the insurer must conduct its due diligence to determine if the claim requires inspection and/or other actions to evaluate and adjust the claim.
- If remediation is necessary, develop a remediation plan.

Step 4: Restoration and Remediation of Home

Development of a Restoration Work Plan: A scope of work is developed based on the preliminary determination, information gathering, owner/occupant interviews, inspection findings, and pre-remediation test results, if performed.

Recommendation:

The AIHA Technical Guide could be used as a basis for developing the scope and conducting the restoration. (Note: this would be in addition to any other standards required by state or local agencies, such as testing)

Step 5: Final Inspection and Clearance of Home

After restoration is completed, the home should undergo a final evaluation to ensure adequate remediation has occurred.

Recommendation:

- Visual inspection for signs of smoke damage and no detectable smoke odor.
- Post-Remediation Testing using certified personnel, if pre-remediation testing was conducted and target values were established.
- Follow-up remediation (if inspection and/or testing warrants).

Issue 3: Training and Certification

In many cases, insurance adjusters, public adjusters, inspectors, hygienists, restorers, and other professionals are not adequately trained to identify and evaluate smoke damage claims caused by wildfire.

Recommendation:

Any insurance adjuster, public adjuster, field inspector, hygienist, restorer, and other professional hired by the insurer or policyholder to evaluate, test for, or remediate smoke damage claims should possess the proper training and certification on smoke damage caused by wildfire.

The Department of Insurance would create a training and certification program for its licensees (i.e., insurance adjusters, public adjusters). Other state agencies with appropriate jurisdiction would create a training and certification program for other persons that would be involved with evaluation or remediation of smoke damage caused by wildfire (i.e., hygienists, restorers, labs, etc.)

Issue 4: Workplace Safety

Insurance adjusters', inspectors', and restoration workers' exposure when evaluating smoke damage and remediating buildings is a concern. OSHA, EPA, and other agencies may cite remediation contractors for exposing workers to hazardous conditions and hazardous substances. A jobsite hazard analysis (JHA) must be completed when known or suspected hazards or exposure to hazards can be present. Employers must comply with all applicable regulations for workplace safety.

Recommendation:

Insurance adjusters, restorers, and other competent professionals shall understand and adhere to all applicable state health and safety regulations and any related to the county or locale in which smoke damage evaluation and restoration work is being conducted. These rules should be part of the training & certification programs in Issue 3.