Insurer Perspectives on Wildfire Smoke Claims & Remediation

January 12, 2026

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American Property Casualty Insurance Association

Photo source: Commonweal

The insurance industry faces an unprecedented challenge:

The Eaton and Palisades fires have triggered a $40 billion insured loss event—the costliest wildfire disaster in history. As the scale and complexity of smoke damage claims surge, the absence of clear scientific standards threatens to undermine coverage, drive up costs, and destabilize protection for millions of customers.

-A Pivotal Crossroad-

If unsupported science prevails, the consequences will be profound—impacting not only insurers and policyholders, but the very foundation of risk pooling and recovery. This moment demands credible solutions, grounded in sound science, to safeguard both industry stability and consumer trust.

Photo source: Washington Post

Presentation Overview

PART 1:

- **How Insurance Works—***Insights on coverage for smoke damage*
- **Insurance Trends**—*Insights on insurance losses and evolving claims trends, for smoke losses*

PART 2:

- **Looking Ahead**—*Insights from the past and potential coverage impacts*
- **Exploring Solutions**—*Innovative and alternative approaches to consider*

Photo source: Washington Post

HOW INSURANCE WORKS

Insights on coverage for smoke damage

Insurance 101: Is SMOKE a covered peril?

INSURANCE POLICY REQUIREMENTS:

- Individual state laws govern specific insurance policy language required.

WHAT TYPICAL INSURANCE POLICY GENERALLY COVERS:

- Direct physical loss or damage to covered property that occurs during the policy period, from fire or other perils insured against, subject to purchased limits and any applicable deductible, endorsements or exclusions.

COVERAGE LIMIT:

- Subject to specific policy language, generally means the maximum amount the insurer will pay for all losses or damage resulting from a covered peril (i.e., single event, or "occurrence“ for liability coverages) and determines how deductibles are applied.
    - Under Liability coverage, policies generally define “occurrence” as an accident, including continuous or repeated exposure to substantially the same general harmful conditions.

Insurance 101: How is SMOKE covered?

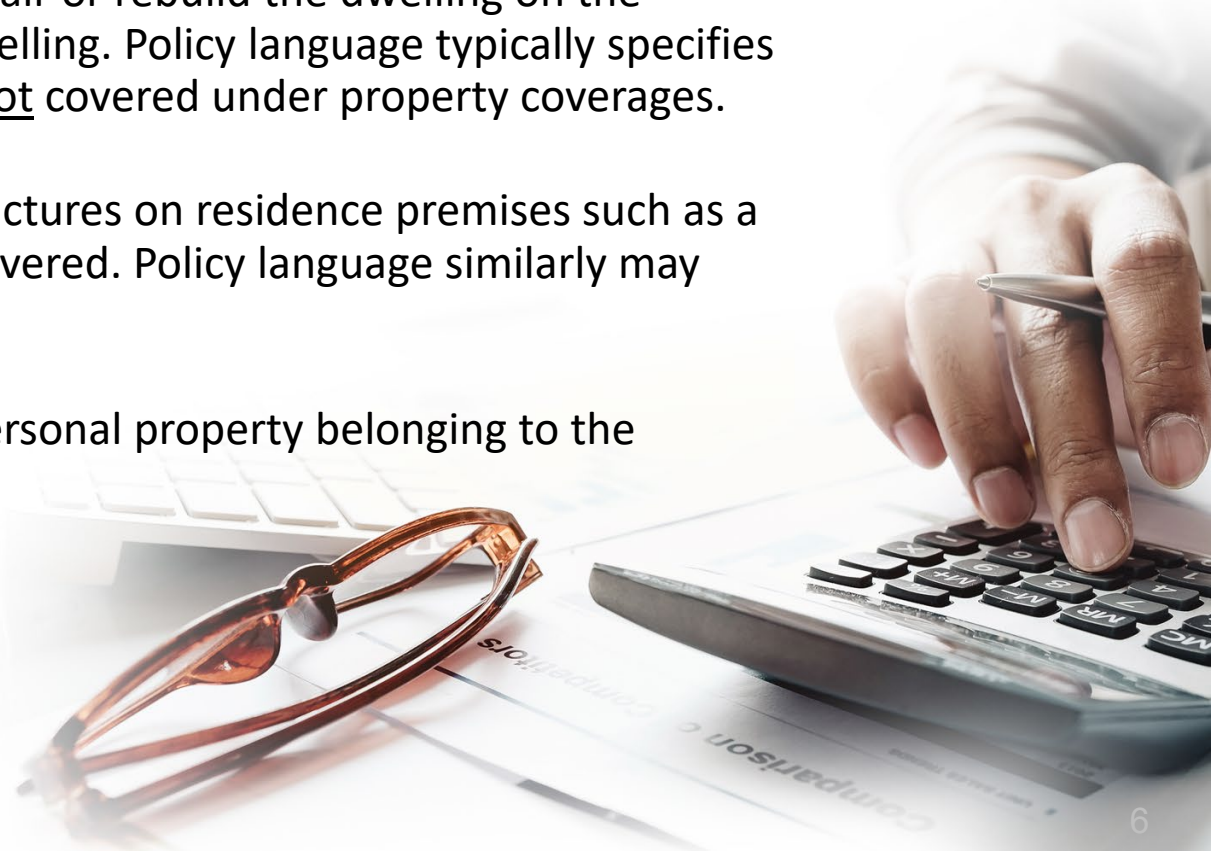
PROPERTY COVERAGES UNDER A HOMEOWNERS POLICY:

Coverage A: DWELLING – Intended to cover the cost to repair or rebuild the dwelling on the "residence premises", including structures attached to the dwelling. Policy language typically specifies that land, including land on which the dwelling is located, is not covered under property coverages.

Coverage B: OTHER STRUCTURES – Intended to cover structures on residence premises such as a detached garage, fences, gazebos, and other structures are covered. Policy language similarly may specify land is not covered.

Coverage C: PERSONAL PROPERTY – Intended to cover personal property belonging to the insured for specified risks of loss.

Coverage D: LOSS OF USE – Intended to cover expenses an insured may incur in addition to your normal living expenses if unable to live in the home due to an insured loss.



Insurance 101: Standard Fire Policy

What It Is:

Standard Fire Policy laws specify ***a minimum and consistent level of coverage*** required to be provided for ***all losses due to fire, or any aspect of fire,*** such as catastrophic fire (i.e., wildfire), smoke, soot, or ash. Laws apply to personal and commercial property lines.

These laws were created to reduce confusion and ensure consistency in claims handling.

History:

Early laws were largely modeled after a 1918 version, then amended in 1943 to follow the 165-line New York Standard Fire Policy, which more commonly became known as the "Standard Fire Policy". This provided a much shorter and standardized form that eliminated individual changes over many years to narrow definitions, apply coverage limitations or exclude certain items. 'Simplified language forms' were introduced in the mid-1980s which made the 165-line NY Standard Fire Policy form obsolete.

Some revisions to Standard Fire Policy laws have since been made by individual states, to permit an exclusion for terrorism or nuclear (reaction, radiation, or contamination), exempt inland marine, and specify that coverage can be equivalent or better.

Where and When It Was Adopted:

Laws based on the Standard Fire Policy exist in ***over half the states***. Standard Fire Policy laws were ***generally enacted in the 1980s, or earlier***.

California's version of the New York Standard Fire Policy is codified under ***Cal. Ins. Code § 2070 - 2085 California Standard Form Fire Insurance Policy***, particularly sections ***§ 2070*** and ***2071*** that specifies the perils to be covered and form requirements.

Is all smoke the same?

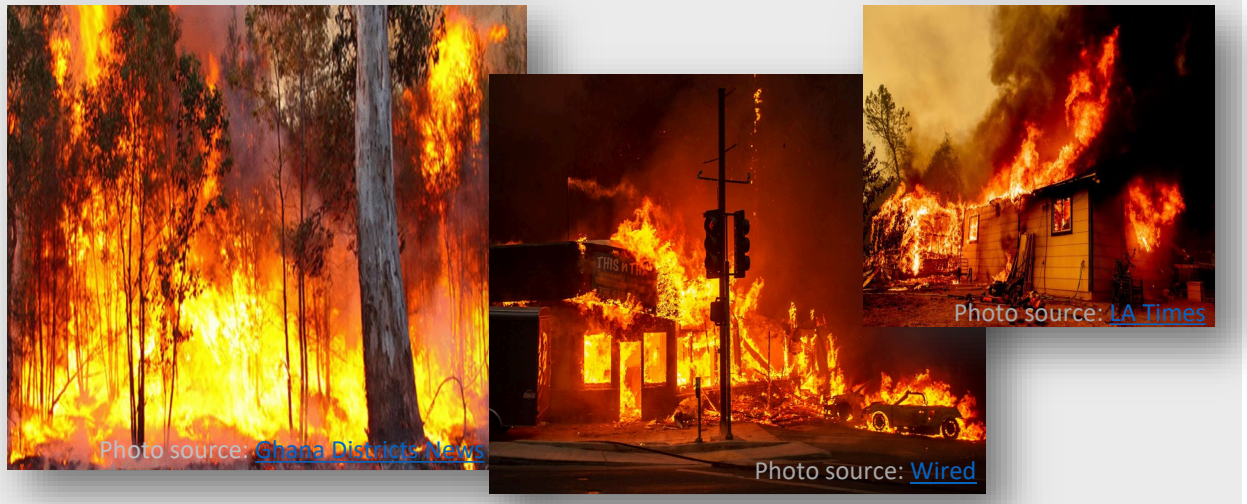
Fires in the Natural Environment -vs- Built Environment

Fine particulate matter, known as PM2.5, makes up the vast majority of total particle mass emitted from wildfires.

However, emissions from fires in the built environment may include more synthetic materials or chemical compounds resulting in more harmful particles for persons or property.

Byproducts of Wildfire:

- **Smoke: *superheated aerosol*** of gases, vapors, and particles after substance undergoes *incomplete combustion*.
- **Soot: *fine, black powder*** (carbon particles) that's a result of *incomplete combustion*.
- **Char: *solid mass*** made up of carbon and mineral matter (e.g. burnt wood) that is left over after *thermal decomposition at elevated temperatures* (i.e., pyrolysis)
- **Ash: *light, powdery residue*** that's left after a substance has been *completely burned*.



Considerations in determining when smoke, soot, char or ash may constitute "direct physical loss or damage"?

Is COVERAGE provided: What is the source of alleged contamination and when did it occur?

- Is it from a wildfire? If so, this wildfire?
- How do you distinguish this smoke, soot, ash, or char from potential pre-existing sources of environmental pollutants?

Considerations/examples:

- *Use of fireplace/woodstove or gas stove/oven, cooking practices, candles/incense, smoking, transportation-related air pollution, permeability of building materials*

DAMAGES: What is the level of contamination and how do you test and remediate it?

- Smell test or onsite swabs/wipes to detect presence?
- Lab test samples for chemistry and density (trace, light, moderate, or heavy) of smoke, soot and ash particulates?
- What type and level of contamination requires cleaning or replacement?

Considerations/examples:

- *Soft goods (e.g., bedding, couches, carpet), sensitive electronics, hard surfaces, and enclosed or hard to access spaces (e.g., ventilation systems, wall cavity, foundation)*

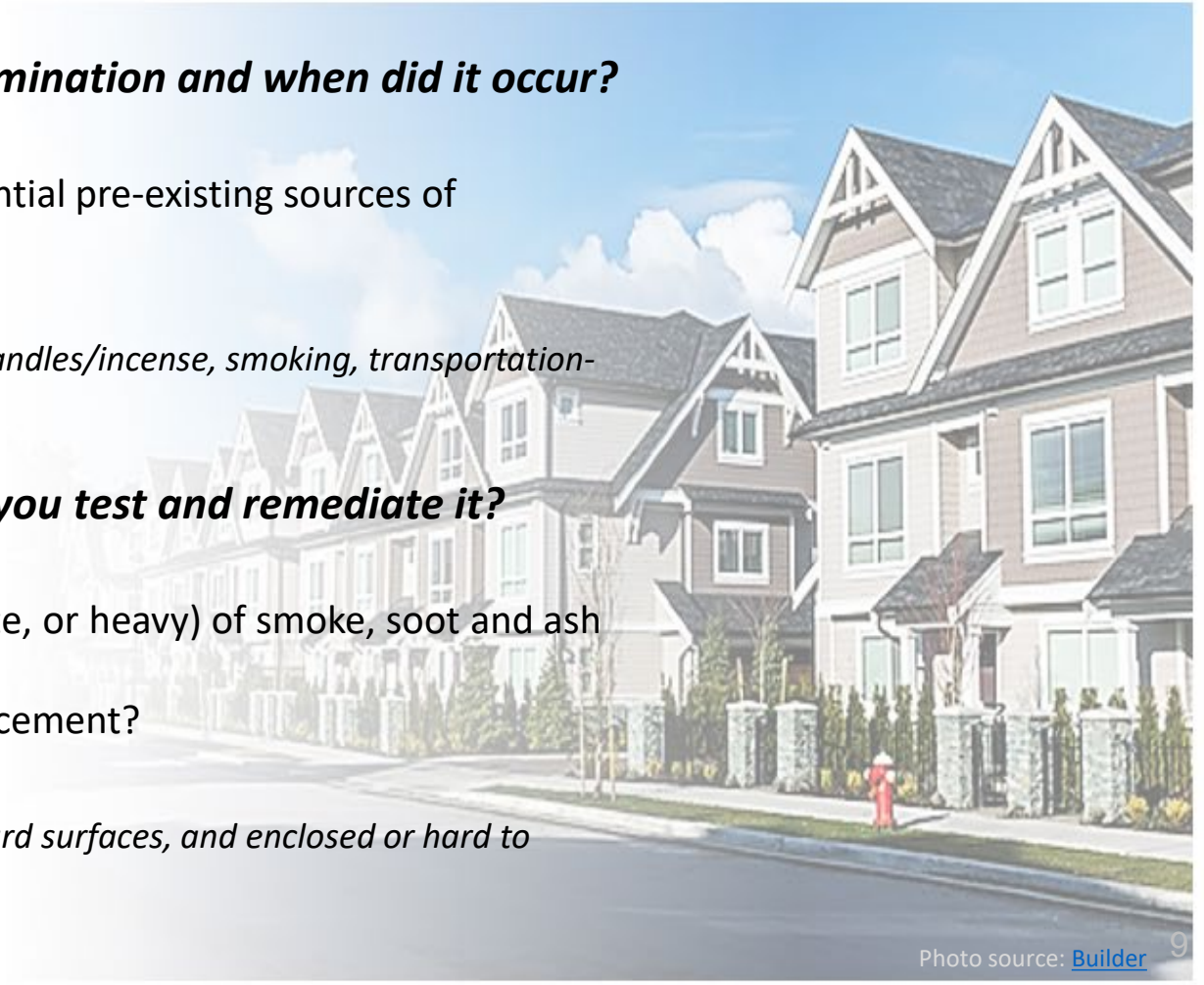


Photo source: Builder

Who is the appropriate **AUTHORITY**

to assess the contamination level and determine appropriate remediation?

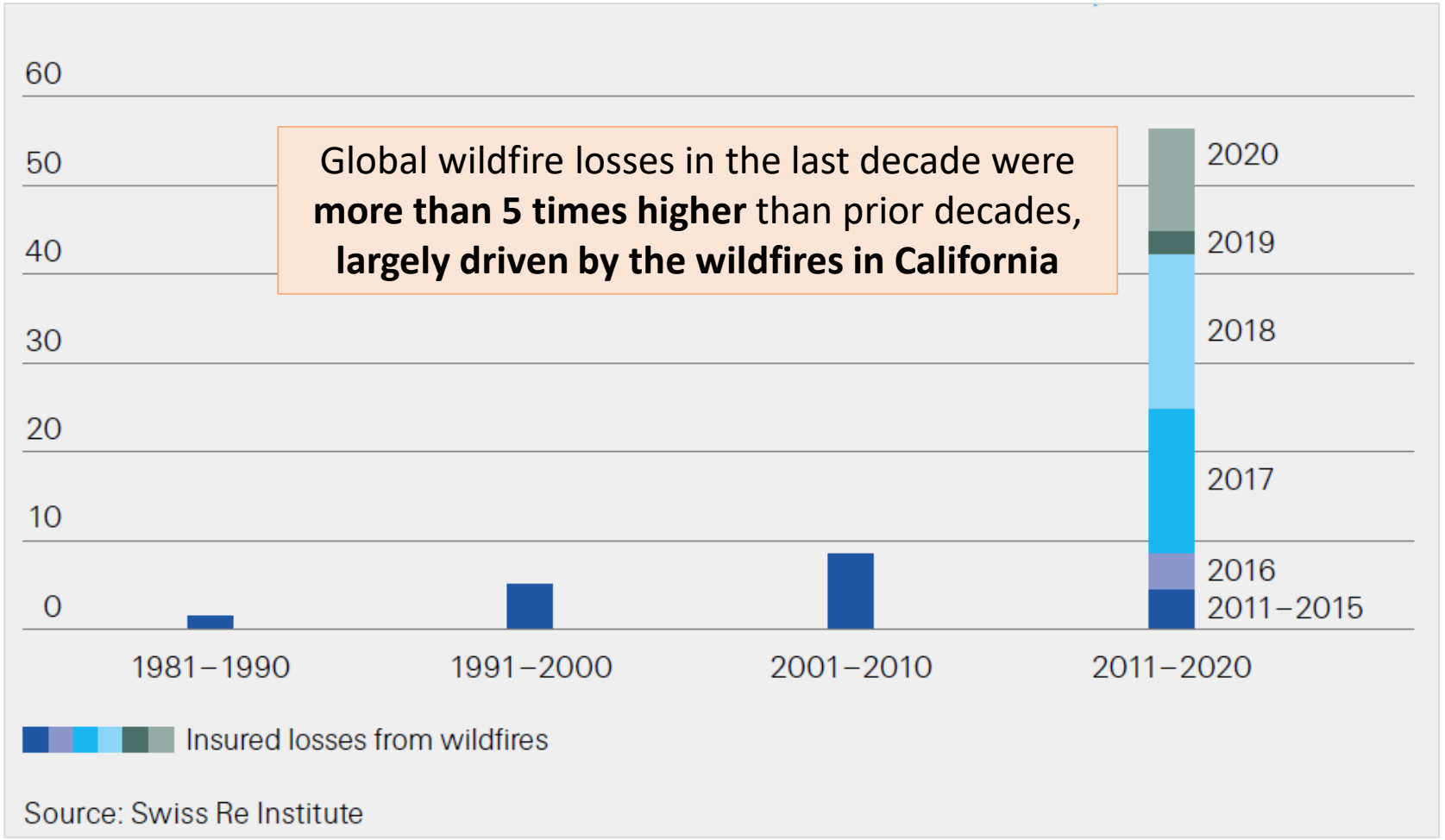
INSURANCE TRENDS

Insights on insurance losses and evolving claims trends, for smoke losses

Photo source: Roofing Contractor

Increasing Losses from Wildfires

Global insured losses from wildfires (in USD billion, at 2020 prices)



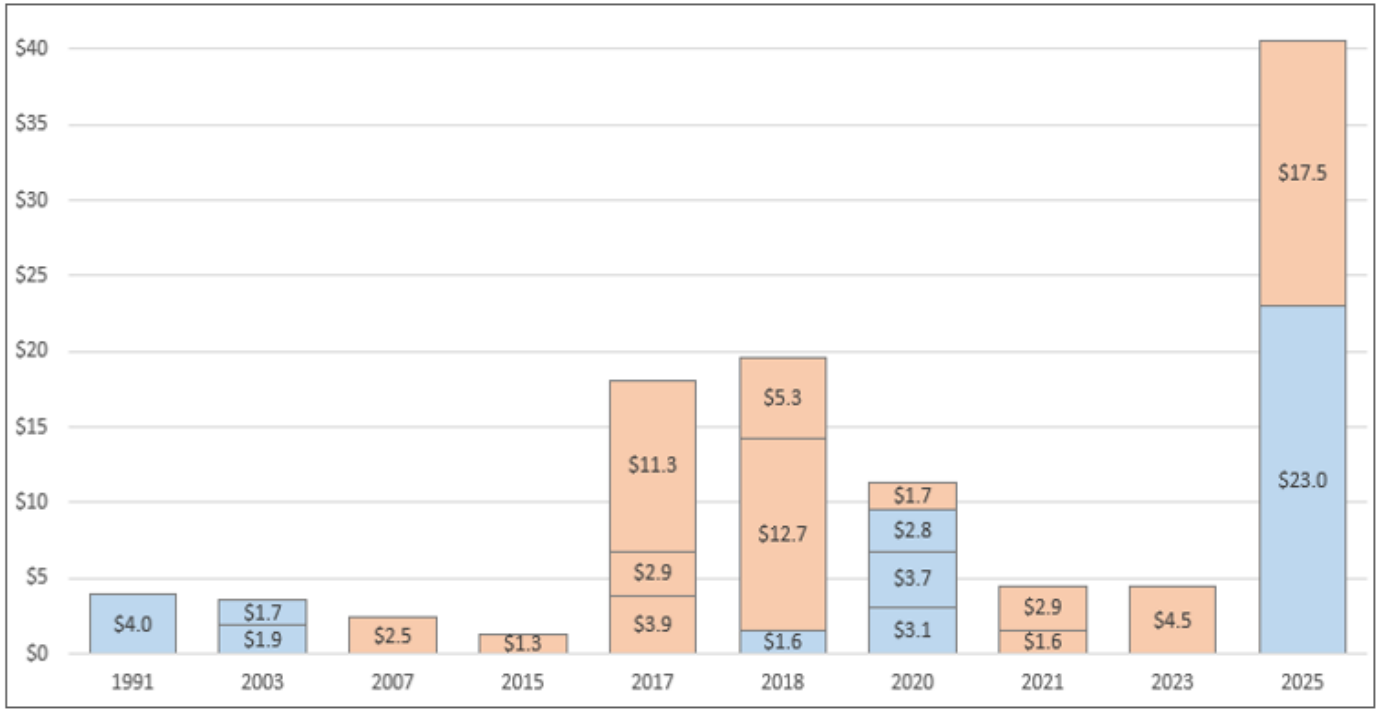
The 2017 and 2018 wildfires were a tipping point for the industry

… the start of a new era of wildfire losses (and resulting smoke claims).

Increasing Losses from Wildfires

Top 20 U.S. Insured Loss Events due to Wildfire

In billions, adjusted to 2024 dollars (except 2025 L.A. fires) | Orange shading= utility-involved ignitions



	Year	Name	Location	Insured Loss (Nominal $B)	Insured Loss (Inflated $B)	Utility-involved ignition
1	2025	Palisades Fire	California	$ 23.0	$ 23.0	
2	2025	Eaton Fire	California	$ 17.5	$ 17.5	Yes
3	2018	Camp Fire	California	$ 10.0	$ 12.7	Yes
4	2017	Tubbs Fire	California	$ 8.7	$ 11.3	Yes
5	2018	Woolsey Fire	California	$ 4.2	$ 5.3	Yes
6	2023	Maui/Hawaii Wildfires	Hawaii	$ 4.3	$ 4.5	Yes
7	1991	Oakland Fire (Tunnel)	California	$ 1.7	$ 4.0	
8	2017	Atlas Fire	California	$ 3.0	$ 3.9	Yes
9	2020	Glass Fire (2020)	California	$ 3.0	$ 3.7	
10	2020	CZU Lightning Complex Fire	California	$ 2.5	$ 3.1	
11	2017	Thomas Fire	California	$ 2.3	$ 2.9	Yes
12	2021	Marshall Fire (2021)	Colorado	$ 2.5	$ 2.9	Yes
13	2020	LNU Lightning Complex Fire	California	$ 2.3	$ 2.8	
14	2007	Multiple Fires (Inc. Witch)	California	$ 1.6	$ 2.5	Yes
15	2003	Cedar Fire	California	$ 1.1	$ 1.9	
16	2003	Old Fire	California	$ 1.0	$ 1.7	
17	2020	Beachie Creek Fire	Oregon	$ 1.4	$ 1.7	Yes
18	2018	Carr Fire	California	$ 1.3	$ 1.6	
19	2021	Dixie Fire	California	$ 1.4	$ 1.6	Yes
20	2015	Valley Fire	California	$ 1.0	$ 1.3	Yes

Source: APCIA, via Aon and fire investigation reports

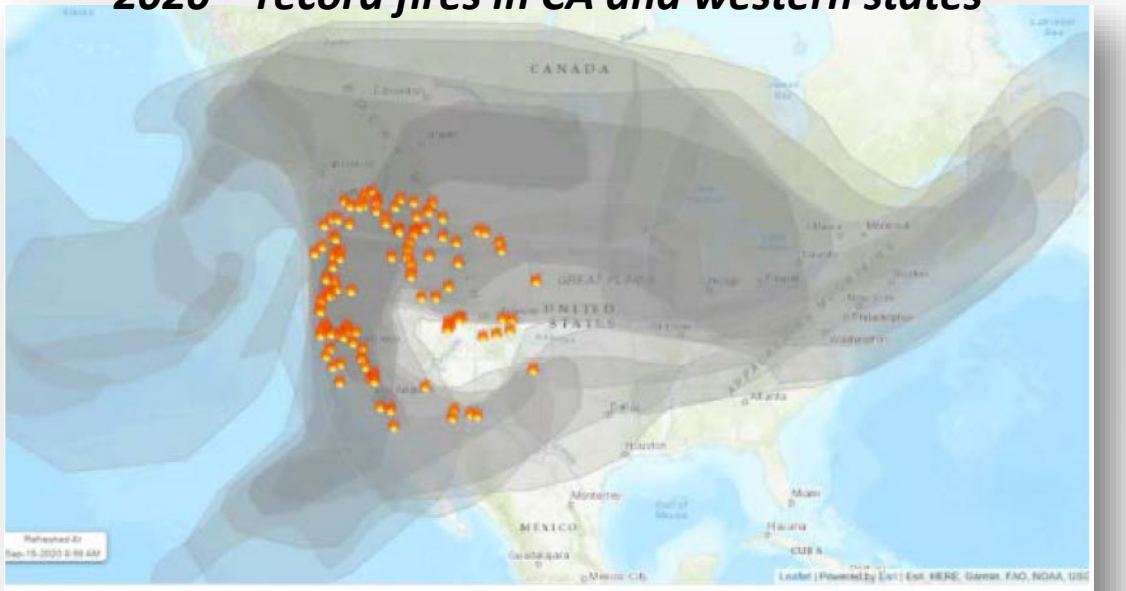
Top 20 Costliest Insured Wildfires in U.S. (since 2017)

Rank	Insured Losses	Event	Location
1	$40.5 B	2025 LA Fires	California
2	$12.7 B	2018 Camp	California
3	$11.3 B	2017 Tubbs	California
4	$5.3 B	2018 Woolsey	California
5	$4.5 B	2023 Maui	Maui
7	$3.9 B	2017 Atlas	California
9	$3.7 B	2020 Glass	California
10	$3.1 B	2020 CZU Lightning Complex	California
11	$2.9 B	2017 Thomas	California
12	$2.9 B	2021 Marshall	Colorado
13	$2.8 B	2020 LNU Lightning Complex	California
18	$1.7 B	2020 Beachie Creek (aka, Labor Day)	Oregon
19	$1.6 B	2018 Carr	California
20	$1.6 B	2021 Dixie	California

(Source: APCIA, via Aon. Losses adjusted to 2024 dollars, except 2025 LA fires)

Extreme SMOKE Events

2020 – record fires in CA and western states



Smoke extent from fires in the Lower 48. Large wildfires are also shown. (AirNow)

2021 – wildfire smoke blankets Colorado

KUNC

Dangerous air due to wildfires has risen across Colorado in the last five years

Massive wildfires across the West have worsened the air in Colorado, contributing to roughly double the number of days residents are exposed to dangerous fine...

Sep 28, 2021

2023 – Canadian wildfire smoke blankets Northeast

Wildfire smoke map: Forecast shows which US cities, states are being impacted by Canadian wildfires |...

NYC and the Northeast brace for two more days of hazardous smog from 400 Canadian wildfires | Dail...

Visit ›

2024 – wildfire smoke engulfs New York and New Jersey

The New York Times

Smoky Smell Engulfs New York City After Fires in Brooklyn and New Jersey (Published 2024)

The smell of acrid smoke spread throughout New York City on Saturday and persisted into the evening, after brush fires broke out on Friday in Brooklyn, the...

Nov 9, 2024

Insurance Claims "CHASER" Industry

Insurers routinely see opportunists (e.g., ambulance chasers, storm chasers) who seek to profit from auto and property insurance losses.

Storm Chasers

Contractors who arrive in **storm-damaged areas** offering unsolicited, quick, and often fraudulent repair services. They exploit homeowners' stress and may involve them in scams, insurance fraud or unnecessary repairs.

Door-to-Door Solicitation: Show up uninvited right after a storm, claiming to notice damage (often fabricating it).
High-Pressure Tactics: Urge immediate decisions, use "act now" deals, or pressure you to sign contracts quickly.
Payment Demands: Ask for large cash deposits or full payment upfront, sometimes even wanting you to sign over insurance checks.
Lack of Credentials: No local license, insurance (liability/workers' comp), or verifiable local business address/references; out-of-state plates/P.O. boxes are common.
Vague Contracts: Contracts lack specific costs, materials, or timelines; they may offer to waive your deductible (insurance fraud).
Unprofessionalism: Unbranded trucks, no business cards, no legitimate website, or fake IDs/documents.
Poor Work Quality/Abandonment: Perform substandard work or take payments and vanish, leaving the job unfinished.

'Door Knocker' Roofers Were Everywhere. NC Farm Bureau Saw an Opportunity

December 18, 2025

It began with "door knockers" … roofing companies telling homeowners that they could get a new roof with little or no out-of-pocket expense… [escalating to] "complaints that some roofers were actually causing damage to roofs to make it appear that wind or hail had caused the problem".

…

North Carolina authorities charged Robert Allen Bentley, a senior project manager with A&M Premier Roofing and Construction, with insurance fraud after he was reportedly videotaped manipulating roof shingles at the bait house.

…

Commissioner Mike Causey is committed to more investigations, has tripled the number of special agent fraud investigators, and has hired a team of special prosecutors to assist local district attorneys in cracking down on fraudulent actors. Without direct video evidence, prosecutions can be tricky, Childers noted.

Policyholders often have no idea that roof workers may have deliberately damaged their homes, and can't serve as good witnesses. The cause of apparent creasing or dents in shingles may come down to a battle of expert witnesses. And if it can't be proven that the damage was based in fraud, the carrier may end up paying the claim anyway.

…

One thing is certain, Childers said. Roof claims and roof fraud appear to be on the rise. In recent years, homeowner claims for roof damage have increased sharply. "Roof fraud is a growing problem in the U.S.," he said.

…

https://www.insurancejournal.com/news/southeast/2025/12/18/851533.htm

Insurance Claims "CHASER" Industry

Insurers are now seeing similar activity in the aftermath of wildfires.

Fire and Smoke Chasers

Contractors who arrive in **wildfire-affected areas** offering unsolicited, quick, and often fraudulent cleanup or repair services. They exploit homeowners' stress and fears—especially health concerns about smoke exposure—and may involve them in scams, insurance fraud or excessive repairs.

Aggressive Solicitation: Frequent mailers or show up uninvited shortly after a fire at home or evacuation shelter locations, suggesting smoke or soot damage.
High-Pressure Tactics: Use scare tactics like "ash will make your home toxic" or "your family's health is at risk" to push immediate decisions and quick contract signings.
Payment Demands: Request full payment upfront, ask homeowners to sign over insurance claim checks or will place lien on home.
Lack of Credentials: Minimal or no wildfire restoration certifications, local business licenses, or insurance.
Vague Contracts: Contracts lack clear scope, timelines, or costs; may promise to "handle everything with your insurer".
Unprofessionalism: Unbranded vehicles and no legitimate website, or branding designed to mimic government authorities or insurance carrier.
Poor Work Quality/Abandonment: Perform inadequate smoke/soot cleanup or structural repairs—or disappear after taking payment, leaving hazardous conditions unresolved.

Property Restoration Industry: A Culture in Need of Repair?

April 8, 2024

Jatiek Smith, a Bloods gang member convicted on extortion and racketeering charges in New York, blamed ***ruthless competition and a culture of violence in the fire restoration industry*** for the accusations made against him by federal prosecutors.

Smith was a fire chaser, one of many in the restoration business who ***aggressively solicit business from owners of fire-damaged properties*** by monitoring emergency dispatches. They may show up at a homeowner's door with a contract, sometimes while the fire is still burning. The restoration work is paid for by the property owners' insurance companies.

Prosecutors found that through his control of one mitigation company, Smith asserted control over the industry by using ***violence, threats and extortion to drive his main competitor out of the business***.

U.S. Attorney Damian Williams, whose office prosecuted the case, said Smith's "audacious takeover of the New York City fire mitigation industry with the help of his gang associates presented a new form of organized criminal activity."

…
The use of violence and extortion to dominate an industry places the New York case in a category of its own. But experts say ***often-aggressive, sometimes-violent tactics have been seen across the country*** as fire restoration, paid for by insurance carriers, ***attracts illegitimate contractors seeking quick profits***.

https://www.claimsjournal.com/news/national/2024/04/08/322771.htm

Insurance Claims "CHASER" Industry

Insurers are now seeing similar activity in the aftermath of wildfires.

Fire and Smoke Chasers

RESTORATION R&R REMEDIATION

"Fire Chaser" Contractors Targeting Homeowners in California

By Eric Fish

We've covered "storm chaser contractors" (i.e. predatory contractors who knock on doors immediately after a natural disaster and pressure homeowners in to signing costly repair contracts), but it appears that there's a new type of scam gaining popularity – "fire chasing."

Similar to storm chaser contractors, these fire chasers are targeting victims of home fire right after the disaster and stringing homeowners into signing expensive repair contracts – often which greatly exceed their insurance coverage. These fire chasers are becoming common in the Bakersfield, California area, according to a news report out of Kern County.

https://www.randrmagonline.com/blogs/14-r-r-blog/post/86251-fire-chaser-contractors-targeting-homeowners-in-california

PROPERTY RECOVERY 911

BEWARE OF FIRE DAMAGE CHASERS

Taylor | Blog, Fire Restoration

Emergency restoration organizations are predominantly run by conscientious professionals who are sympathetic to the plight of their customers. Unfortunately, there are predatory practitioners eager to exploit victims of disaster that are a pitfall to recognize and to avoid. Such behavior is most prevalent when armies of malcontents known as 'fire damage chasers' solicit property owners, often before emergency crews have extinguished the fire.

Duplicitous Fire Damage Restoration Practices

Underhanded emergency restoration organizations often work in tandem with duplicitous public adjusters to obtain commitment from homeowners oblivious to their deceit. Such unscrupulous agents, known as solicitors, identify their prey by monitoring emergency response radio frequencies. They rush to the scene of burning buildings and attempt conscript acquiescence from unsuspecting property owners under duress.

https://propertyrecovery911.com/blog/beware-of-fire-chasers/

CALIFORNIA WILDFIRES

Here's how to spot wildfire scammers, according to the BBB

LOS ANGELES (KTLA) – With the Palisades and Eaton wildfires destroying over 15,000 structures and damaging thousands more, officials say crooks are looking to take advantage. The Better Business Bureau (BBB) of Los Angeles urges residents to remain vigilant against "fire chasers" and fraudulent charities.

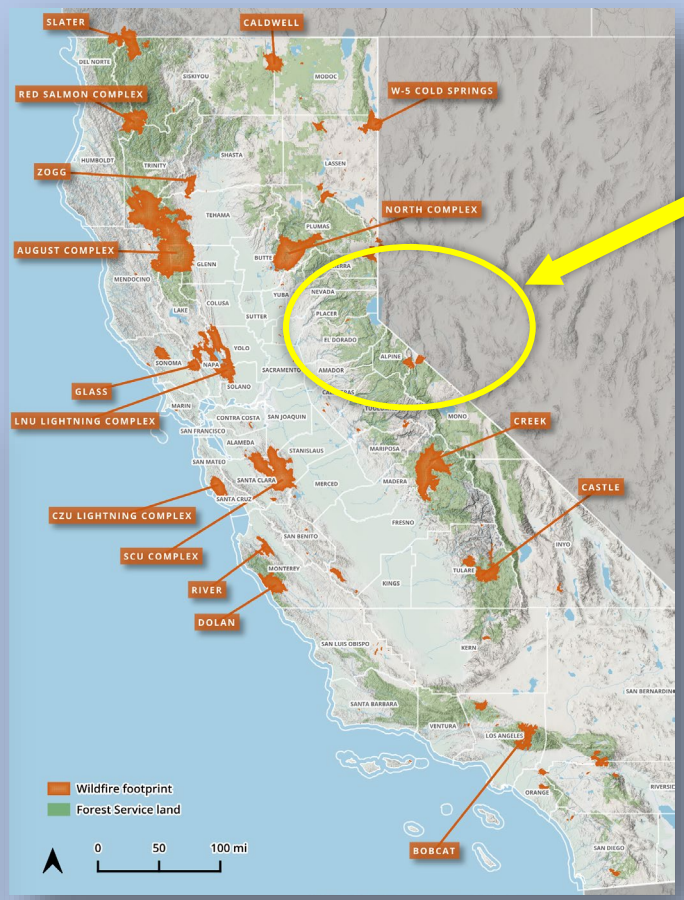
"Fire chasers" are scammers who target fire victims by offering fake services such as help with insurance claims, cleanup, or rebuilding, the BBB says. They often impersonate legitimate businesses or government agencies.

https://ktla.com/news/california/wildfires/heres-how-to-spot-wildfires-scammers-according-to-the-bbb/

SMOKE CHASER Industry

2020 Wildfires in California

While many fires burned, most were hundreds of miles from Reno



https://upload.wikimedia.org/wikipedia/commons/8/86/2020_California_wildfires_map.png

California business solicits northern Nevada homeowners with wildfire smoke damage

August 16, 2021

…

Reno residents are getting postcards in the mail from smokeclaim.com. They are from a company called ***California Recovery Group, Inc. based out of Southern California.*** The company says they get homeowners money if they have smoke damage at their house.

…

https://news3lv.com/news/local/california-business-illegally-targets-northern-nevada-residents-for-smoke-damage

SMOKE CHASER Industry

Advertisements

Mailers sent throughout the state, irrespective of distance from wildfire events, promoting increasingly higher settlements for personal property and cleaning and restoration work.

California business solicits northern Nevada homeowners with wildfire smoke damage

August 16, 2021

...

The company says they get homeowners money if they have smoke damage at their house. Their website claims that they've recovered thousands of dollars for their clients.

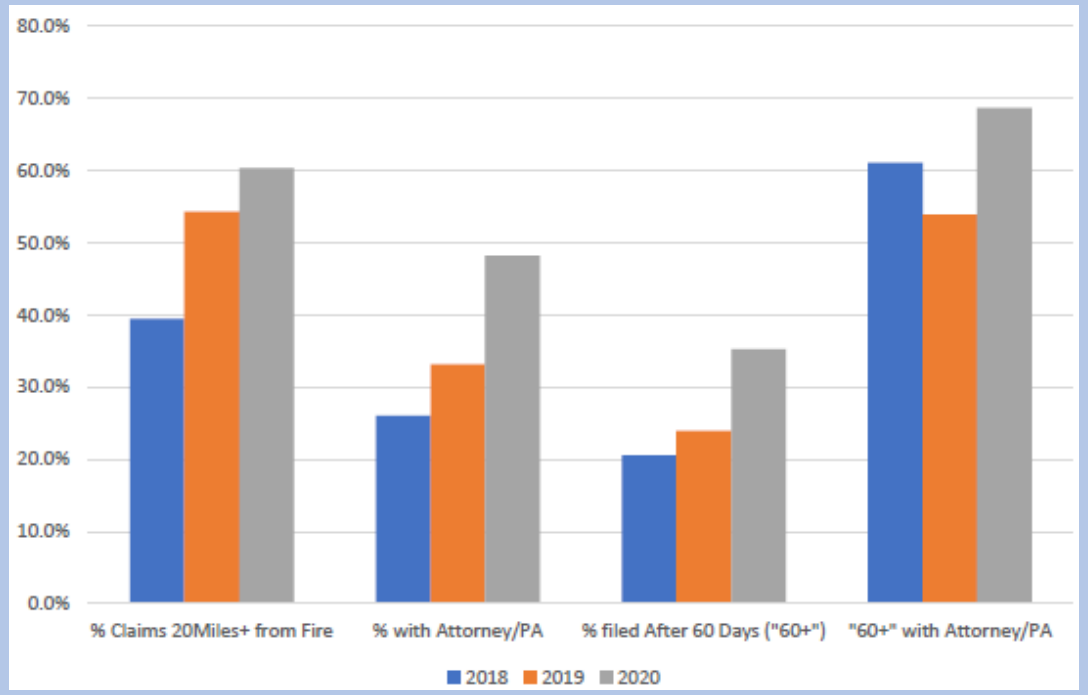
...

The California Insurance Commissioner warns residents about scam artists and unlicensed contractors that could be looking to take advantage of victims. Buyer beware.

https://news3lv.com/news/local/california-business-illegally-targets-northern-nevada-residents-for-smoke-damage

Wildfire Smoke Claims: Timing, Distance and Representation

California Smoke, Soot and Ash Claims
Part 1 Survey (Homeowners Insurance)



Joint Trades Survey - Smoke Claims After 2020 Fires

Part 1: February 2021 analysis

2,300 smoke claims in survey, offered preliminary insights

Key Observations: 2020 versus 2018

- ***More than 50% increase*** *in smoke claims filed* ***far from fire*** *(i.e., +20 miles)*
- ***85% increase*** *in smoke claims* ***filed with representation*** *(i.e., attorney or public adjuster)*
- ***More than 70% increase*** *in* ***late-filed smoke claims*** *(i.e., +60 days after fire)*

Part 2: June 2021 analysis

Additional survey, offered further insights (at request of CDI)

Key Observations: higher representation rate at time claim filed

- ***4-fold increase*** *in percentage of* ***claims reported by attorney or public adjuster*** *and when reported* ***4 months+ after fire****.*
  - *5% and 6% in 2016 and 2017, respectively*
  - *19% and 20%, in 2018 and 2019, respectively*

California's Efforts to Manage SMOKE CHASER Industry

Increased attention from Department of Insurance and Attorney General.

Investigations to identify and remove bad actors and prevent claims fraud.

California Department of Insurance

Investigated and banned a public adjuster firm in May 2023 due to misleading mailers and other solicitation violations and fraudulent smoke claims.

https://www.insurance.ca.gov/0400-news/0100-press-releases/2023/release030-2023.cfm

Investigation into misleading wildfire mailers results in ban from industry

News: 2023 Press Release

For Release: May 23, 2023
Media Calls Only: 916-492-3566
Email Inquiries: cdipress@insurance.ca.gov

Investigation into misleading wildfire mailers results in ban from industry

LOS ANGELES — A California Department of Insurance investigation into misleading mailers on insurance claims following wildfires has resulted in the ban of public adjuster and California Recovery Group owner/director, Argen Youssefi, 32, of Glendale.

The investigation found California Recovery Group (CRG) and its owner, Youssefi, were soliciting business at consumers' homes and sending mass mailers in an effort to file insurance claims related to damage caused by wildfires. The mailers prompted consumers to visit the website SmokeClaim.com or call a number in order to receive wildfire smoke settlement information.

"When disaster strikes it can be confusing for homeowners to know where to turn to and this company took advantage of that difficult situation in violation of California's consumer protection laws," said Insurance Commissioner Ricardo Lara. "Thanks to the hard work of my Department's investigators and legal team, this company has been stopped. We are committed to protecting consumers following a wildfire or other disaster and ensuring they have the information and tools they need."

Investigators found CRG and its representatives would often mislead prospective clients by telling them the program was funded by the State of California. They would also tell them that there would be no claim against their homeowner's insurance and their insurance rates would not be affected. Homeowners were told since the wildfires were declared a catastrophic event, there would be no impact on their existing insurance policy. In fact, homeowner's insurance typically covers smoke damage.

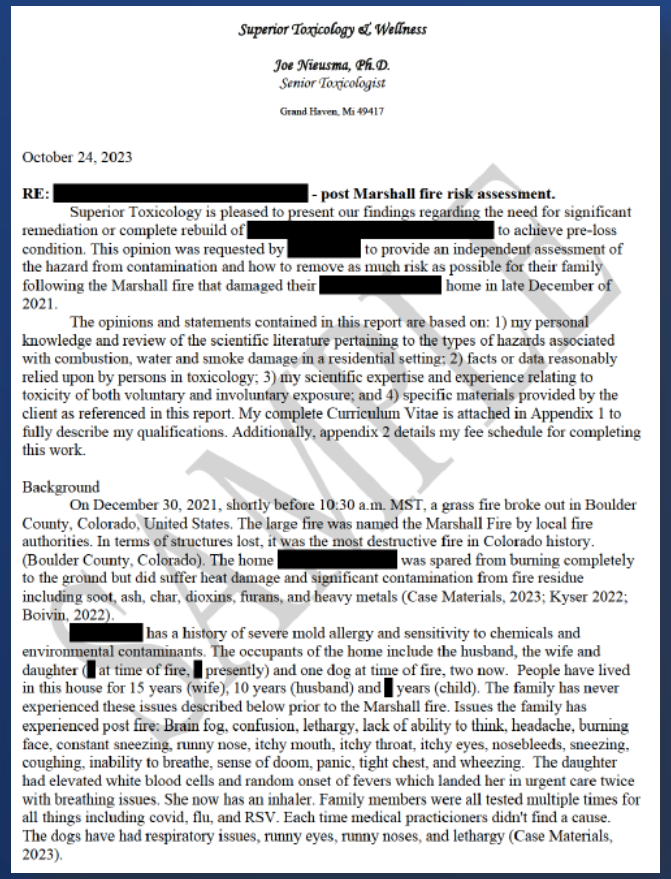
Department of Insurance investigators found CRG submitted insurance claims without the knowledge or consent of the homeowners and listed themselves as a payee on some of the submitted claims. CRG representatives canvassed neighborhoods in search of clients and were not licensed by the Department.

Records indicate there may be additional victims and the investigation is on-going. Anyone who believes they may be a victim should contact the Department at (323) 278-5000.

The Department of Insurance urges people to read our guide, Don't Get Scammed After a Disaster, to help avoid this situation. Consumers should make sure any insurance agent or public adjuster offering their services has a valid license by checking online with the Department of Insurance. Public adjusters cannot solicit business for seven calendar days after the disaster.

Youssefi agreed to surrender his licenses to the Department. He will be prohibited from working in the insurance industry in any capacity for eight years.

Wildfire Smoke Claims: Use of Medical Toxicology



Superior Toxicology & Wellness

Joe Nieusma, Ph.D.
Senior Toxicologist
Grand Haven, Mi 49417

October 24, 2023

RE: [redacted] - post Marshall fire risk assessment.

Superior Toxicology is pleased to present our findings regarding the need for significant remediation or complete rebuild of [redacted] to achieve pre-loss condition. This opinion was requested by [redacted] to provide an independent assessment of the hazard from contamination and how to remove as much risk as possible for their family following the Marshall fire that damaged their [redacted] home in late December of 2021.

The opinions and statements contained in this report are based on: 1) my personal knowledge and review of the scientific literature pertaining to the types of hazards associated with combustion, water and smoke damage in a residential setting; 2) facts or data reasonably relied upon by persons in toxicology; 3) my scientific expertise and experience relating to toxicity of both voluntary and involuntary exposure; and 4) specific materials provided by the client as referenced in this report. My complete Curriculum Vitae is attached in Appendix 1 to fully describe my qualifications. Additionally, appendix 2 details my fee schedule for completing this work.

Background

On December 30, 2021, shortly before 10:30 a.m. MST, a grass fire broke out in Boulder County, Colorado, United States. The large fire was named the Marshall Fire by local fire authorities. In terms of structures lost, it was the most destructive fire in Colorado history. (Boulder County, Colorado). The home [redacted] was spared from burning completely to the ground but did suffer heat damage and significant contamination from fire residue including soot, ash, char, dioxins, furans, and heavy metals (Case Materials, 2023; Kyser 2022; Boivin, 2022).

[redacted] has a history of severe mold allergy and sensitivity to chemicals and environmental contaminants. The occupants of the home include the husband, the wife and daughter ([redacted] at time of fire, [redacted] presently) and one dog at time of fire, two now. People have lived in this house for 15 years (wife), 10 years (husband) and [redacted] years (child). The family has never experienced these issues described below prior to the Marshall fire. Issues the family has experienced post fire: Brain fog, confusion, lethargy, lack of ability to think, headache, burning face, constant sneezing, runny nose, itchy mouth, itchy throat, itchy eyes, nosebleeds, sneezing, coughing, inability to breathe, sense of doom, panic, tight chest, and wheezing. The daughter had elevated white blood cells and random onset of fevers which landed her in urgent care twice with breathing issues. She now has an inhaler. Family members were all tested multiple times for all things including covid, flu, and RSV. Each time medical practicioners didn't find a cause. The dogs have had respiratory issues, runny eyes, runny noses, and lethargy (Case Materials, 2023).

https://uphelp.org/wp-content/uploads/2021/07/Marshall-Fire-C0-2021-Post-Wildfire-Toxicology-Report_Redacted.pdf

May 2, 2023 - Dr. Joe Nieusma presentation to Colorado Public Adjusters.

- *[Page 29] JL Nieusma.* ***Toxicology of Wildfire*** *and* ***how public adjustors can use toxicologists in practice****. Rocky Mountain Association of Public Insurance Adjustors. Cherry Creek, CO. May 2, 2023.*

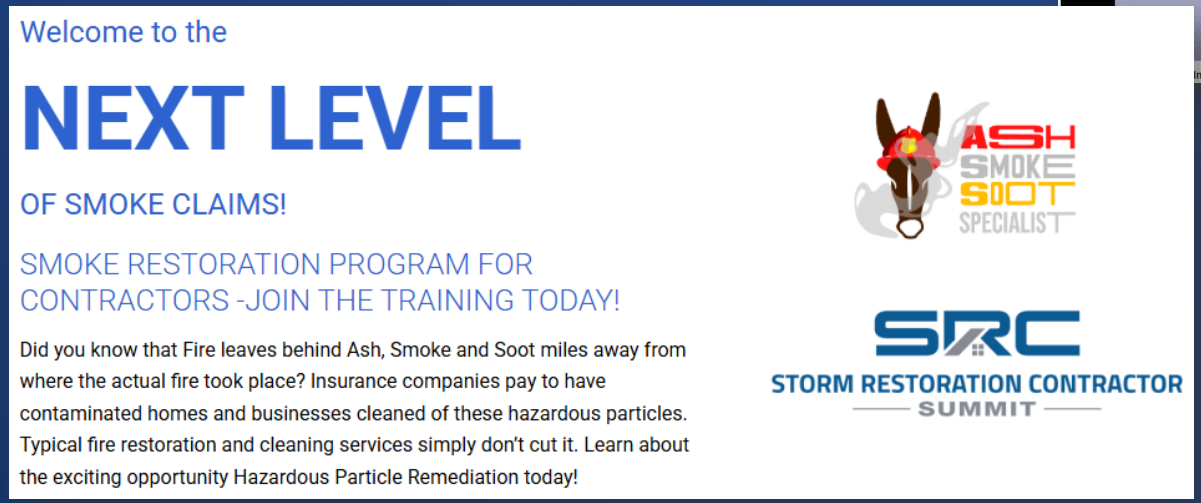
May 3, 2023 – United Policyholders Webinar

- ***Partial Losses- Working with an Industrial Hygienist***

https://uphelp.org/smokedamage-2/

May 4, 2023 – SRC Summit Training

- ***Next Level of Smoke Claims***



https://www.srcsummit.com/ashsmokesoot-training

SMOKE CHASER Industry

SRC Summit TRAINING: May 4, 2023
(2 days after Dr Nieusma's presentation in Colorado)

Key Claims:

- ***Exciting Opportunity: Hazardous Particle Remediation***
- ***Secrets of smoke trajectory***
- ***Health Concerns associated with ash, smoke, and soot***

A New Way of Thinking:

- ***MORE PROFITABLE MARGINS than THE MOST LUCRATIVE hail-related services***

Presenters Featured:

- ***Vendors**, a **public adjuster**, and a **plaintiff attorney***
  (Chip Merlin - bio noted serves on the Board of Directors for United Policyholders)

https://www.srcsummit.com/ashsmokesoot-training

Welcome to the

NEXT LEVEL

OF SMOKE CLAIMS!

SMOKE RESTORATION PROGRAM FOR CONTRACTORS -JOIN THE TRAINING TODAY!

Did you know that Fire leaves behind Ash, Smoke and Soot miles away from where the actual fire took place? Insurance companies pay to have contaminated homes and businesses cleaned of these hazardous particles. Typical fire restoration and cleaning services simply don't cut it. Learn about the exciting opportunity Hazardous Particle Remediation today!

ASH SMOKE SOOT SPECIALIST

SRC STORM RESTORATION CONTRACTOR SUMMIT

ASH, SMOKE, SOOT TRAINING

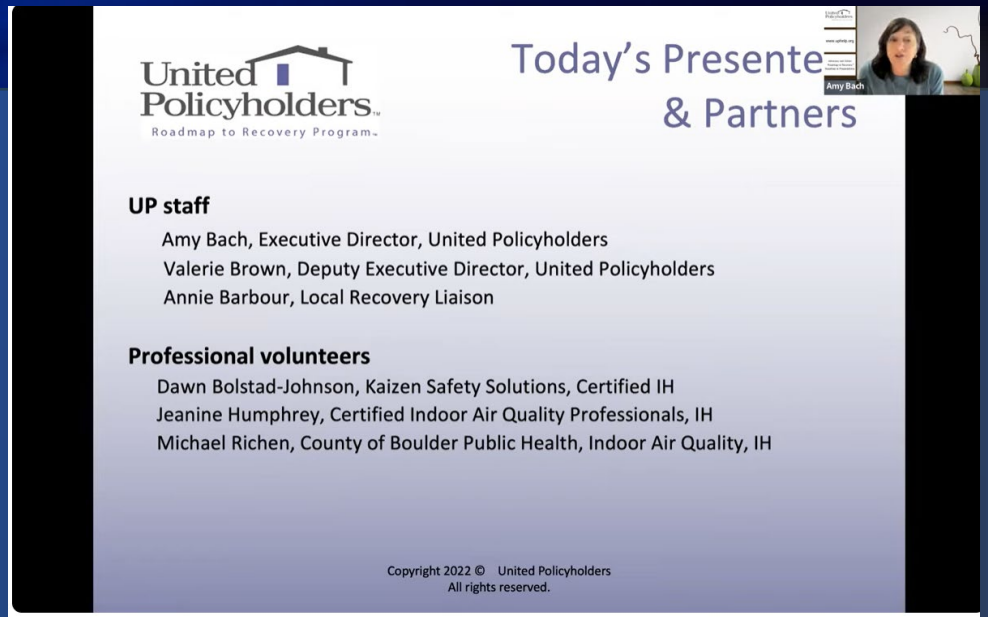
Welcome to the next level of smoke claims from fires. Learn about the health complications that arise from smoke. Our patented technology shows us where the smoke travels from fires. Learn how we restore homes back to pre-smoke condition and get our claims paid, backed by using science and technology.

What You'll Learn:

Background Knowledge
- An introduction to the world of Ash, Smoke, and Soot, where understanding the essentials is key.
- The secrets of smoke trajectory revealed by our cutting-edge technology
- Which combustion by-products are present in ash, smoke and soot
- The health concerns associated with ash, smoke, and soot that are of paramount importance
- The Insurance companies process for paying for Ash Smoke and Soot claims

A New of Way of Thinking
- How to ID the precise impact of by-products on prospective properties utilizing our patent-pending smoke maps
- Our restoration protocols and processes rooted in the latest scientific knowledge for efficient and effective restoration
- Our step-by-step guide through proper claim filing to ensure you get the compensation you deserve
- Examples from our successful jobs portfolio which are a testament to our commitment to excellence
- How our margins outperform even the most lucrative hail-related services
- Q&A with the speakers
- & Much More

United Policyholders Webinar: May 3, 2023
"Partial Losses- Working with an Industrial Hygienist"



2022_5_3_Working with an Industrial Hygienist (Roadmap to Recovery partial loss)

https://uphelp.org/smokedamage-2/

Panelists offered relatively moderate viewpoints:

- ***Testing:*** *Recommend Certified Industrial Hygienists for health reasons (cost $5k-15k), though also support use of Indoor Air Quality Professional ($1.2k-$5k, more cost effective)*
- ***Standards/Protocols:*** *Support IICRC, looking forward to release of new standards to help make homes safe to reoccupy (expected within a year)*
- ***Contaminants of Concern:***
  - ***Surface Dioxin and Furin****—all 3 panelists agreed testing not recommended as "standard". Dioxins are naturally present (e.g., in food/water sources), so test is rarely used and only when specific need exists, such as counter claim denial for individual items. (Dawn never sampled for this in 30 years). Guidance for this testing emerged in a webinar specific to single-structure house fire, but IH's now offering test for "peace of mind".*
  - ***VOCs/SVOCs****—many VOC tests are waste of money as already exist in home (just sampling common household hydrocarbons). Tests usually pick up various chemicals (e.g., benzene, butanes, methane, furans), as standard in every home—will detect presence.*
- ***Air Purifiers:*** *all 3 panelists expressed strong support for DIY air purifiers and scrubbers as effective tools, particularly those with HEPA and carbon filters when a maintaining routine schedule to clear/replace filters.*
- ***Testing Methods:***
  - ***IAQ****–Panelists underscored importance of visual assessment and noted useful tools, like particulate meters, for preliminary measurements of IAQ.*
  - ***Pre- vs Post- Testing****—Post-remediation testing is more important than Pre-, while other approaches to verify remediation outcomes may exist (e.g,. hire observer to verify remediation process, before/after pictures or visual reports, records or bills to confirm service work done).*

The Washington Post
Democracy Dies in Darkness

Maui wildfire survivors say insurers are failing to clean up toxic damage to their homes

Some homeowners, from Hawaii to Colorado, wish their homes had burned down because they can't afford to make them safe again.

Updated September 5, 2024 More than 1 year ago

20 min 484

Increasing Public Fear

The **August 2023** Maui wildfire marked a significant shift in media coverage.

Articles emphasized **unsafe homes** due to **toxic damage** that **cannot be cleaned**—often citing the same "expert"—and re-published by other media outlets.

Facebook · Washington Post
50+ reactions · 1 year ago

A year after west Maui's deadly wildfire, Homeowners are ...

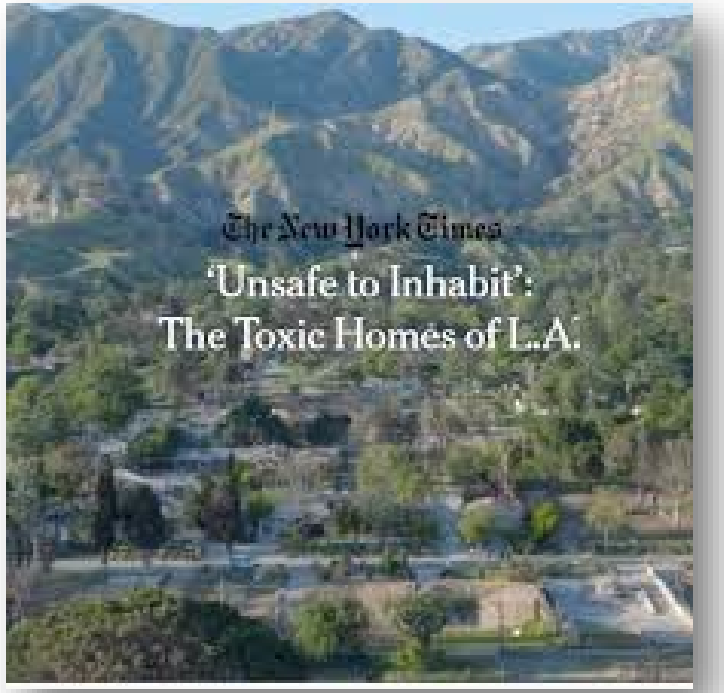
The couple felt that something was off, so they paid $17,000 to hire their own certified industrial hygienist, **Dawn Bolstad-Johnson**. The ... Read more

The Portland Press Herald
https://www.pressherald.com › 2024/09/05 › maui-wild...

Maui wildfire survivors say insurers are failing to clean up toxic ...

Dawn Bolstad-Johnson, a certified industrial hygienist who specializes in post-fire environments, says this poses inherent conflicts. The contracted testing ...

Increasing Public Fear



Following the **January 2025** LA fires, media coverage escalated further with more major media outlets amplifying toxic fears, and introduced new chemicals of concern, such as **cyanide** and **beryllium** —often attributed to the same "expert".

Bloomberg.com
https://www.bloomberg.com › news › features › la-home...

LA Homes Still Pose Health Risks From Wildfire Smoke

Sep 11, 2025 — After testing dozens of homes in the Los Angeles area, **Dawn Bolstad-Johnson**, a **certified industrial hygienist** who has long worked at fire ... Read more

The New York Times
https://www.nytimes.com › los-angeles-fires-toxic-homes

L.A. Homeowners Face Toxic Hazards After Wildfires

Jun 24, 2025 — **"Unsafe to inhabit,"** the 177-page report concluded. Ms. **Bolstad** ... Not only did **dangerous** levels of toxic gases remain after a fire ... Read more

The New York Times
https://www.nytimes.com › los-angeles-fires-toxic-homes

Venturing Inside L.A.'s Toxic Homes

Jul 5, 2025 — **Dawn Bolstad-Johnson** and her assistant, Nicole Minnick, a retired firefighter, collecting samples from a mattress to test for **cyanide**.Credit ... Read more

MSN
https://www.msn.com › en-us › news › after-the-la-fires-...

After the LA fires, a new toxin is being found in homes

Industrial hygienist **Dawn Bolstad-Johnson** has tested dozens of houses between Pacific **Palisades** and Altadena. Her company is Kaizen Safety Solutions ...

KESQ
https://kesq.com › cnn-regional › 2025/07/03 › after-th...

After the LA fires, a new toxin is being found in homes

Jul 3, 2025 — **Bolstad-Johnson has found beryllium in nearly two dozen homes** between Pacific Palisades and Altadena. It's the first time in her decades as an ... Read more

The Impact on Insurance Smoke Damage Claims

Insurers have a **duty to conduct a thorough investigation**, including if unclear or obvious whether "direct physical damage" exists.

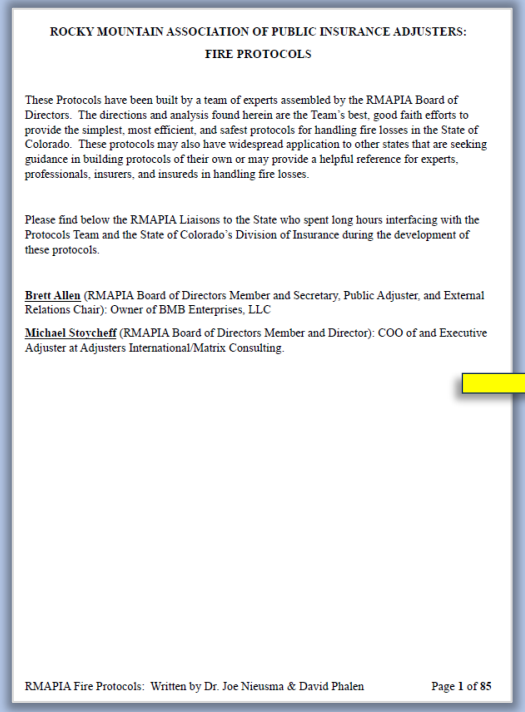
However, **heightened media attention** and **public concern** is contributing to the **perception** that such investigation must include **costly testing** and **costly, destructive remediation**.

Question: Is the fear merited or manufactured?

Colorado DRAFT Study Report

The science underpinning the Draft Report is neither sound nor defensible for policymaking.

Fire Protocols
June 2025
Written by:
Dr. Joe Nieusma & David Phalen



ROCKY MOUNTAIN ASSOCIATION OF PUBLIC INSURANCE ADJUSTERS:
FIRE PROTOCOLS

These Protocols have been built by a team of experts assembled by the RMAPIA Board of Directors. The directions and analysis found herein are the Team's best, good faith efforts to provide the simplest, most efficient, and safest protocols for handling fire losses in the State of Colorado. These protocols may also have widespread application to other states that are seeking guidance in building protocols of their own or may provide a helpful reference for experts, professionals, insurers, and insureds in handling fire losses.

Please find below the RMAPIA Liaisons to the State who spent long hours interfacing with the Protocols Team and the State of Colorado's Division of Insurance during the development of these protocols.

Brett Allen (RMAPIA Board of Directors Member and Secretary, Public Adjuster, and External Relations Chair): Owner of BMB Enterprises, LLC

Michael Stoycheff (RMAPIA Board of Directors Member and Director): COO of and Executive Adjuster at Adjusters International/Matrix Consulting.

RMAPIA Fire Protocols: Written by Dr. Joe Nieusma & David Phalen Page 1 of 85

Research Article
September 2025
Published by: TMAM
Contact: Dr. Joe Nieusma
(serves on the TMAM review board)

TOXICOLOGY MECHANISMS AND METHODS
https://doi.org/10.1080/15376516.2025.2561118

Taylor & Francis

RESEARCH ARTICLE

OPEN ACCESS

Industrial hygiene method for assessing toxic contamination in smoke and fire-damaged homes

David Phalen[a] and Joe L. Nieusma[b]

[a]Consistent Claim Services, Frederick, CO, USA; [b]Superior Toxicology and Wellness, Grand Haven, MI, USA

ABSTRACT
This article presents a new, more efficient and accurate method for assessing fire and toxic smoke losses to structures, the risks associated with such, and the scope necessary to restore an affected property to its pre-fire loss condition. While the commonly utilized field practice of handling fires, using the S700 as a guide, has been to focus on visible damage and particulate accumulations, to test for the presence of soot, char, and ash (sometimes referred to as fire residue), and to attempt remediation and cleaning of the property. The method proposed herein is to test for microscopic particulates commonly produced by fire, including heavy metals, dioxins, and furans, to determine if toxic levels of identified particulates are present. When toxic levels are present, standard airflow and waterflow dynamics, as well as secondary contamination circulate the toxic particles throughout the property rendering the property effectively totaled as a result of the impracticality of alternative handling methods.

ARTICLE HISTORY
Received 14 June 2025
Revised 5 September 2025
Accepted 9 September 2025

KEYWORDS
Structure fire; airflow dynamics; water flow dynamics; particulate matter; dioxin; furan; heavy metals; restoration of smoke damaged homes to pre-loss condition

Introduction

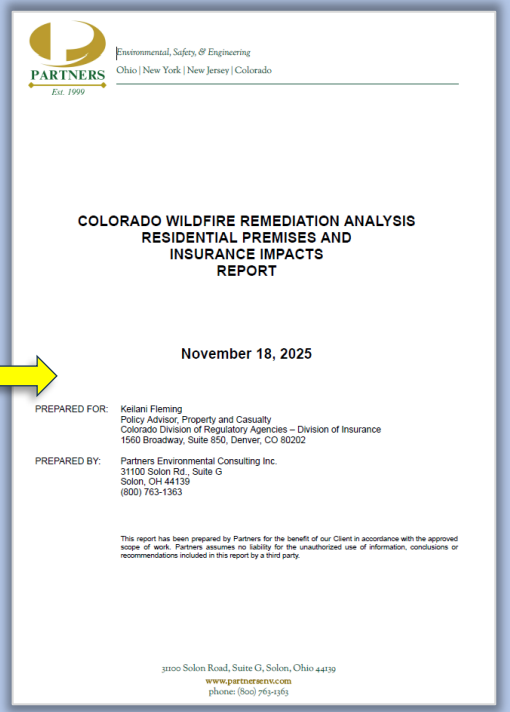
Fires, in addition to the heat and flames, also commonly involve two other hazards: the smoke with particulates produced, and the water or fire retardants used to put out the blaze. Each hazard has related toxicity. While smoke may sometimes leave visible particulate deposits, and while water may leave visible stains and related damage, these damages are often hidden. Combustion-based particulates are microscopic and capable of saturating every crack, crevice, seam, and texture of a structure by either airflow or waterflow. The human eye can see about 40 microns and larger while combustion-based particulates range in size from 0.01 to 10 microns (Baron 2010; Franks 2013). Combustion particles that tend to be hazardous are those which are 2.5 or less microns in size. Nonvisible particulate matter presents a huge risk that often prevents a structure from being returned to a pre-loss condition in the event of a fire with toxic smoke.

If a fire produces toxic smoke, that smoke will have generally contaminated the entirety of the home, all of its contents, and the other structures in close proximity to the home, regardless of the visibility of said contamination. In nearly all cases, there won't be visible discoloration or staining in most contaminated areas and a visual inspection of the area of loss should not be the only criteria utilized in an investigation. Industrial hygiene tests and analysis are critical to determining if toxic species are present. The elements that make up toxic smoke include heavy metals, dioxins and furans all of which can be carcinogenic to humans (Medina 2016; Scott 2017; Scott and Scott 2019; Fent et al. 2020; Gonzalez and Domingo 2021). These species are typically the risk assessment drivers that determine repair or replace from an insurance perspective.

Similar to smoke, water may accumulate in certain areas and be obvious upon visual inspection or due to dampness. Liquids have the ability to travel *via* a variety of means, identified later in this analysis, and cause damage *via* contamination that is not immediately identifiable or anticipated. One example of this would be where water is sprayed on or around a fire, absorbing toxic particulates, and thereafter transporting the toxins in the water throughout the house *via* electrical conduits, HVAC ductworks, and by zigzagging down the home levels. Water will travel all surfaces until it reaches openings to move downward into the lower levels continuously until a blockage is reached. Blockages will cause the water to reroute and travel

CONTACT Joe L. Nieusma drjoenieusma@gmail.com Superior Toxicology and Wellness, Grand Haven, MI 49417, USA

Draft Study Report
November 2025
Prepared for: Colorado DOI
Technical Experts include Dr. Joe Nieusma & David Phalen



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COLORADO WILDFIRE REMEDIATION ANALYSIS
RESIDENTIAL PREMISES AND
INSURANCE IMPACTS
REPORT

November 18, 2025

PREPARED FOR: Keilani Fleming
Policy Advisor, Property and Casualty
Colorado Division of Regulatory Agencies – Division of Insurance
1560 Broadway, Suite 850, Denver, CO 80202

PREPARED BY: Partners Environmental Consulting Inc.
31100 Solon Rd., Suite G
Solon, OH 44139
(800) 763-1363

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phone: (800) 763-1363

APCIA's review found:

The methodologies and toxicological interpretations adopted in Fire Protocols—and repeated by the same authors elsewhere —are deeply flawed.

These documents misapply regulatory standards, lack robust exposure modeling, and fail to appropriately contextualize risk for residential wildfire smoke impacts.

Independent peer review was not required by statute, but Colorado DOI now seeking external review.

Colorado DRAFT Study Report

The science underpinning the Draft Report is neither sound nor defensible for policymaking.

✗ *Misapplication of Standards and Thresholds*

Uses rules meant for workplaces or hazardous sites to judge safety in homes (e.g., EPA and OSHA).

These rules don't match how people live or what they're exposed to in their own houses, so the **results can be misleading**.

✗ *Sampling & Exposure Assessment Deficiencies*

Highlights possible health risks from dioxins and furans. However, there are no scientific studies that directly measure how much of these chemicals people living in wildfire-affected homes are actually exposed to.

Most available research focuses on firefighters or uses indirect methods to estimate risk, so **we simply don't know the real level of danger for residents**.

✗ *Toxicological Errors & Overextensions*

Treats all types of dioxins as equally dangerous and doesn't use the right scientific methods to figure out actual risks.

This can **make the dangers seem worse than they really are**.

✗ *Lack of Scientific Rigor and Peer Review*

Doesn't use strong scientific methods and lacks review by independent experts. It relies too much on websites and opinions instead of solid research. It includes a bibliography and references to peer-reviewed literature but does not consistently cite sources upon which **broad and generalized statements** are based.

Concerns about the rigor of peer review by the related TMAM academic journal article , and **potential bias** due to **undisclosed financial conflicts of interest and affiliations** with TMAM.

Colorado DRAFT Study Report

The science underpinning the Draft Report is neither sound nor defensible for policymaking.

What does this mean?

The authors use scientific terminology and charts, though on closer examination the authors do not present objective, evidence-based standards.

The science doesn't exist for residential smoke exposure.

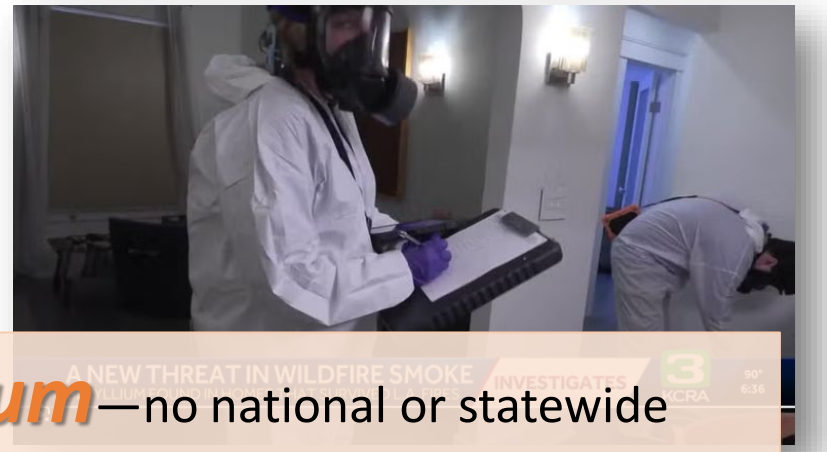
Instead, **pseudo-science** is presented to support recommendations— for costly testing panels and destructive remediation, and to build a database for future research. This would risk introduction of unwarranted complexity and additional costs into the claims process, ultimately threatening insurance affordability and availability for homeowners.

A house of cards

It looks solid, but collapses easily

Increasing Public Fear

Following the January 2025 LA fires, media coverage escalated further with more major media outlets amplifying toxic fears, and introduced new chemicals of concern, such as **cyanide** and **beryllium** —often attributed to the same "expert".



Cyanide—can be a threat to firefighters during a structure fire, but typically cyanide dissipates quickly from the environment, thus is NOT a threat in the aftermath of a wildfire.

Industry hygienists indicate this test is offered merely for "peace of mind", due to public fear.

Beryllium—no national or statewide standards for how much beryllium inside a home is safe, nor for how to test for it or remove it.

Additionally, other experts note there is no clear source of where beryllium is originating from, including if even from the LA fires.

The New York Times
https://www.nytimes.com › los-angeles-fires-toxic-homes

Venturing Inside L.A.'s Toxic Homes

Jul 5, 2025 — **Dawn Bolstad-Johnson** and her assistant, Nicole Minnick, a retired firefighter, collecting samples from a mattress to test for cyanide.Credit ...

KESQ
https://kesq.com › cnn-regional › 2025/07/03 › after-th...

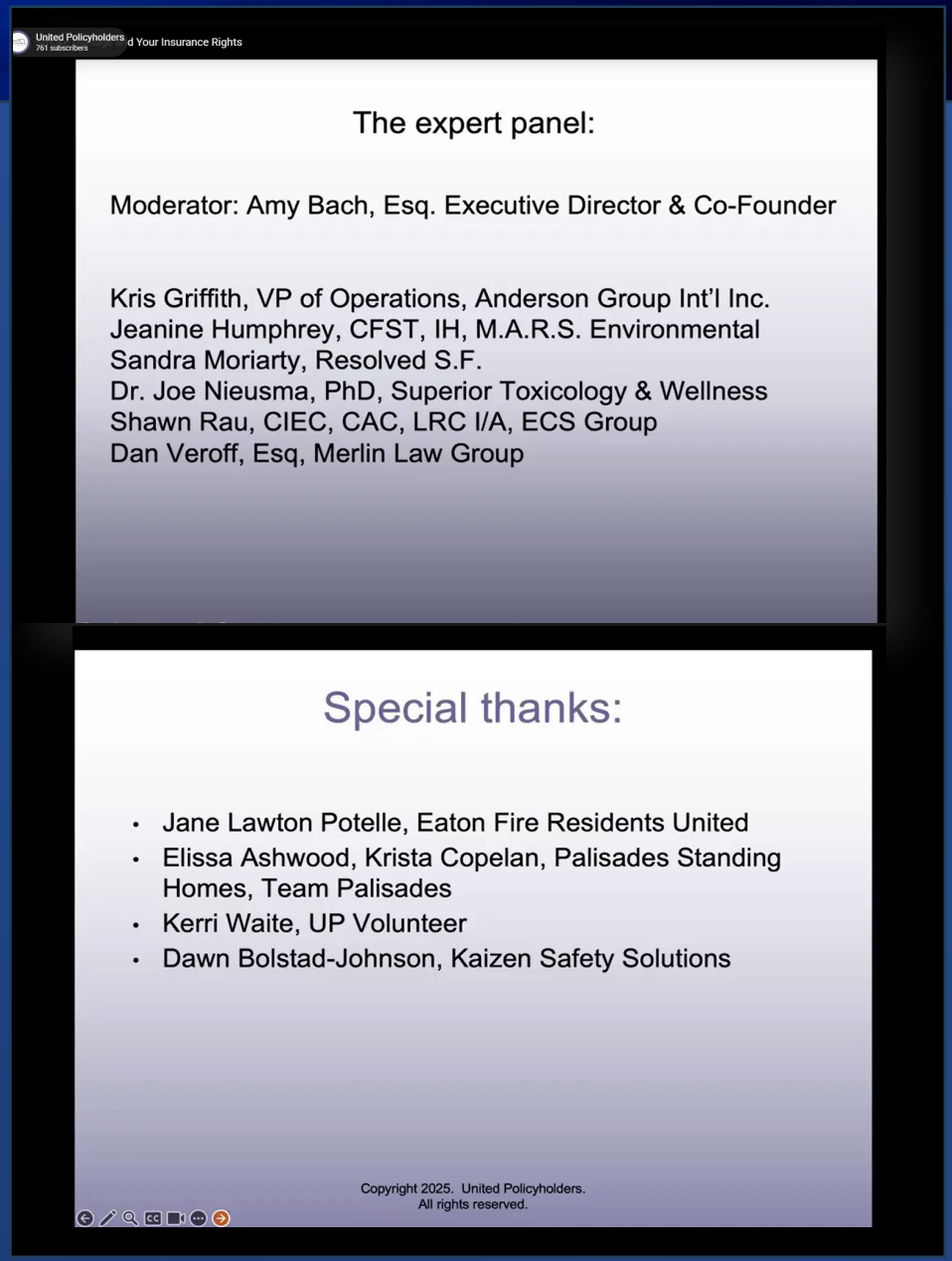
After the LA fires, a new toxin is being found in homes

Jul 3, 2025 — **Bolstad-Johnson has found beryllium in nearly two dozen homes** between Pacific Palisades and Altadena. It's the first time in her decades as an ... Read more

United Policyholders Webinar: December 18, 2025
"Wildfire Smoke Damage & Your Rights"

Consumer-Focused Panel Representing Industrial Hygiene, Toxicology, Law, and Restoration Offered Their Viewpoints and Practical Guidance:

- ***Testing:*** *Advocates for comprehensive testing due to "new age of understanding".*
- ***Restoration:***
  - ***Chemicals of Concern*** *—Suggests no known restoration methodology for dioxins and furans, thus must R&R (remove & replace) drywall.*
  - ***Post Testing*** *—Encourages when a preferred vendor completes work, either conduct post-testing or provide a written statement assuring that the home is "safe" to inhabit. Though suggests there is an assumption of liability of occupants re-entering home, if making a representation.*
- ***Disputes:***
  - ***Approach*** *—Suggests need to bring in the "right experts" on the science and many ways to pushback on insurers. Encouraged consumers to go ahead and spend the money on remediation, as money spent provides greater leverage in litigation.*
  - ***Documentation*** *—Encouraged to document claims thoroughly, seek expert opinions, and escalate disputes to regulatory bodies or courts if needed.*
  - ***Litigation*** *—Encouraged leveraging litigation, or a credible threat of litigation, to push insurers towards settlements.*



https://uphelp.org/events/smoke-damage-your-insurance-rights/

Increasing Media Attacks

Media coverage has become **increasingly hostile** through **attacks** on the credibility of individual experts and expert bodies with differing scientific viewpoints, in addition to suggestions of bias within the Smoke Claims and Remediation Task Force and standards organizations.

Several "experts" and organizations are continually identified in media coverage.

San Francisco Chronicle

Subscribe Sign in

California is drafting new rules for wildfire smoke cleanup. Are home insurers calling the shots?

Wearing protective coveralls and a chemical, biological, radiological and nuclear-rated gas mask, Debbie McMahon walks in her Altadena living room on Sept. 25, where last year's Christmas tree still stands after the wildfire evacuation. McMahon is among the many displaced Los Angeles County residents who are fighting with their insurance companies over smoke damage.
Stephen Lam/S.F. Chronicle

Dec. 5, 2025 –
But a Chronicle investigation of the 13-member committee, whose meetings are currently closed to the public, found that it doesn't have a single toxicologist or scientific expert in the changing chemistry of smoke from urban fires.

…

"I am very concerned about undue influence," said **Amy Bach**, one of two consumer advocates on the task force and the executive director of the advocacy group United Policyholders.

…

"Because the final composition so leans toward insurers' point of view, she said, "I do not believe this panel is in a position to issue recommended standards."

https://www.sfchronicle.com/california-wildfires/article/wildfire-smoke-home-insurance-21118274.php

The New York Times

How Did This Family End Up Back in a Toxic House?

A Times investigation has found that insurers are driving families into homes contaminated by smoke. Lab results show how one family was exposed to neurotoxins and carcinogens.

•**By Rukmini Callimachi and Blacki Migliozzi**
Dec. 29, 2025

https://www.nytimes.com/interactive/2025/12/29/us/insurers-smoke-damaged-homes-toxins.html

Results – Ten experts reviewed the lab results commissioned by The Times and compared them with the tests conducted by the contractor chosen by Farmers Insurance.

- Dr. Joseph G. Allen, a certified industrial hygienist and an associate professor of exposure assessment science at Harvard University's T.H. Chan School of Public Health, where he heads its Healthy Buildings Program.
- **Dawn Bolstad-Johnson**, a certified industrial hygienist who has tested more than 100 homes in the Los Angeles area.
- Dr. Jill Johnston, an associate professor at the University of California at Irvine's Joe C. Wen School of Population & Public Health whose research focuses on the health impacts of environmental contaminants.
- **Jeanine Humphrey**, an industrial hygienist who has tested more than 100 smoke-damaged homes in Los Angeles.
- Dr. Zahid Hussain, a former division deputy of the Lawrence Berkeley National Laboratory and the recipient of the Department of Energy Secretary's Distinguished Service Award.
- Dr. Lisa A. Maier, a pulmonologist who leads a clinical team studying and caring for patients with chronic beryllium disease as chief of National Jewish Health's Division of Environmental and Occupational Sciences.
- Peggy Mroz, lead epidemiologist in the Division of Environmental and Occupational Health Sciences at National Jewish Health, who studies chronic beryllium disease.
- **Dr. Joe L. Nieusma**, a toxicologist and author of a recent study showing that particles of smoke saturate every crevice, seam and texture of a home and are recirculated through airflow.
- Dr. Michael Weitzman, a professor and former chairman of the department of pediatrics at the New York University School of Medicine, whose research on lead poisoning in children contributed to the decision by the E.P.A. to lower its dust lead clearance levels.

One expert asked not to be named because of fear of retaliation.

Increasing Media Attacks

The Merlin Law Group posted 2 blogs on the **LA Fires 1-year anniversary**, amplifying the SF Chronicle and NYT articles, including a Fox News Clip that largely echoes the same **hostile attacks** and **falsely insinuates bias and interference** from the Governor, Commission (i.e., the Smoke Claims and Remediation Task Force) and Mayor to protect insurers.

One Year After the Wildfires and the Real Insurance Fire Still Burns

Jan 07, 2026 **By Chip Merlin**

https://www.propertyinsurancecoveragelaw.com/blog/the-real-insurance-fire-still-burns/

> *Guess who is shielding the insurance companies? The governor, the insurance commission that is populated by the richest insurance companies in the country, they are making sure with the help of Gavin Newsom and Karen Bass that they don't have to help anybody.*

One Year Later: What the Altadena and Palisades Fires Really Taught Us About Smoke, Contamination, and Claims

Jan 08, 2026 **By Derek Chaiken**

https://www.propertyinsurancecoveragelaw.com/blog/urban-wildfire-smoke-contamination-claims/

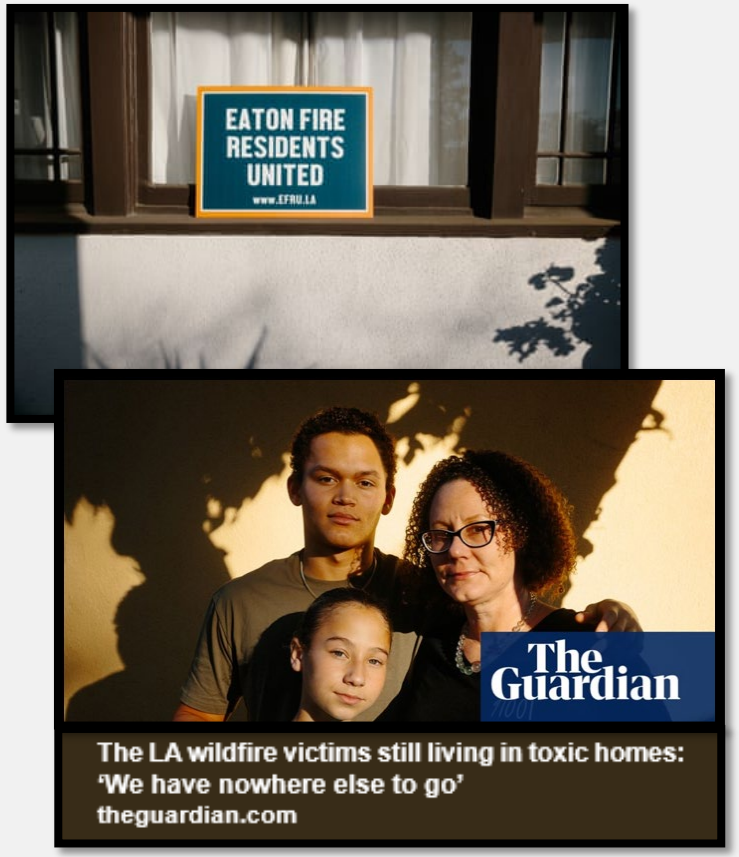
At the policy level, California convened the Smoke Claims & Remediation Task Force to address many of these issues. That effort is important and well intentioned. But meaningful progress depends on having a balanced set of perspectives, and there remains limited representation from independent industrial hygienists and other experts who work on behalf of policyholders and understand how complex smoke contamination behaves inside homes. [3]

[2] Insurers Said They Could Return Home. Our Tests Found Neurotoxins in Their Bodies. – *The New York Times*, Dec. 29, 2025. https://www.nytimes.com/interactive/2025/12/29/us/insurers-smoke-damaged-homes-toxins.html

[3] Sarah McGrew, *SF Chronicle investigates smoke damage task force with ties to insurance companies*, KCRA Sacramento, Dec. 5, 2025. Available online at https://www.kcra.com/article/sf-chronicle-investigates-smoke-damage-task-force/69648821

Public Fear Leads Community Group to Develop Testing and Remediation Guidelines and Fire Protocols

Eaton Fire Residents United was quoted in media coverage for the LA Fires 1-year anniversary that indicates in response to concerns with the local government's handling of health concerns, the community group is developing testing and remediation guidelines and working to assemble an expert panel to establish protocols for future fires.



Wed 7 Jan 2026

https://www.theguardian.com/us-news/ng-interactive/2026/jan/07/la-wildfire-victims-toxic-homes

> ***Confused and frustrated with the local government's handling of health concerns***, *Maccalla and Fanning joined other fire survivors to form Eaton Fire Residents United in hopes of ensuring the impacted areas recover safely.* ***The community group is developing testing and remediation guidelines****, gathered hygienic testing reports of hundreds of homes, and advocated for fire survivors and workers.*
>
> ***…***
>
> *residents grew increasingly frustrated about what they viewed as a* ***lack of official information about the safety of returning to their homes****. Many also encountered pushback from their insurance providers that said additional testing for hazards, or more intensive remediation efforts recommended by experts, were unnecessary and not covered under their policies.*
>
> *The group includes scientists and people dedicated to educating and supporting the community, ensuring there is data collection to support legislation, and* ***assembling an expert panel to establish protocols for future fires****, Fanning said. They've published research based on testing reports from hundreds of properties across the affected area, and advocated that homes should receive a comprehensive clearance before residents return.*

What Insurers See

COMPANY A — Patterns of Questionable Claims

Key Observations:

- Claims often filed late and represented by law firms or public adjusters. In some cases, no contact with the insured or evidence the insured was aware of the claim.
- Many claims lacked evidence, with property managers and hygienists confirming no damage, and no other tenants or nearby properties with similar issues reported. Some claims withdrawn when additional documentation was requested.
- In several cases, claims were staged or attempted to support claims with estimates from fictitious companies or without site visits.
- Claims included demands for extreme remediation such as gutting homes and disposal of all personal property without expert support to support level of action.

Impact:

Claims frequently denied due to lack of evidence or abandoned when documentation was required

Photo source: IQAir

What Insurers See

COMPANY B — Evolving Tactics and Lack of Evidence

Key Observations:

Claim example 1–

- Reported 6 months late after receiving attorney flyer.
- Insured indicated paid cash to a helper to clean property and drycleaned clothes, but had no receipts or proof of damage.
- During an interview, insured stated “just wants justice” after 21 days in hospital during COVID, before attorney ended interview.
- **Outcome:** Claim closed without payment due to no documentation provided.

Claim example 2–

- Reported 6 months late after receiving attorney flyer.
- Insured cleaned property themselves; no receipts or proof of damage
- Submitted claim based on “microscopic damage” suggested in the flyer. Attorney provided notice of single sample taken of windowsill that indicated contamination throughout home. Attorney sent sample to out of state lab; lab results showed only dust and paint particles.
- **Outcome:** Claim closed without payment due to no supporting evidence or cost incurred for claimed damage.

Photo source: Scientific American

What Insurers See

COMPANY C — Escalating Claims and Emotional Factors

Key Observations:

- **Lead-related issues:**
  - Attorneys often push for full roof replacements, citing embedded lead contamination—absent fire damage.
  - Hygienists/contractors often deem contents "non-cleanable," recommending full replacement due to safety and comfort concerns, forgoing attempts to clean due to liability concerns amid public health fears.
  - Positive lead tests trigger referrals to lead remediation companies, but many refuse involvement because of the novelty of health concerns and testing protocols.
  - Commercial restaurant case involves public adjuster claiming lead and other contaminants, despite deemed safe by health inspectors.
- **New testing trends:** More Public Adjusters demanding tests for cyanide, dioxins/furans, often from companies like M.A.R.S. Environmental.
- **Emotional drivers:** Policyholder and contractor decisions often based on fear and comfort, not scientific evidence.
- **Standstills:** Disputes over remediation scope is stalling claims, often with the same attorney firm involved.
- **Outlier examples:** Claims from properties far outside fire zones and opposite of the smoke plume.
- **Inflated or weak responses:** Some responses appear AI-generated or recycled; unusual requests like pool removal for "smoke damage."

Photo source: Sweeney

What Insurers See

COMPANY D — Questionable Environmental Testing and Remediation Demands

Key Observations:

- Environmental testing reports (e.g., M.A.R.S. Environmental) are presented by public adjusters recommending extreme remediation (e.g., gutting homes to the framing), though unsupported by scientific evidence.
- Insurer's peer review found the methodologies and conclusions questionable, including misrepresented testing techniques and unsubstantiated contamination thresholds.
- Recommendations for disposal of electronics and appliances contradicted normal test results.

Impact:

Concerned that reports may be designed to escalate claims costs and negotiations rather than reflect actual damage.

Photo source: Wall Street Journal

What Insurers See

COMPANY D — Questionable Environmental Testing and Remediation Demands

Specific Scientific Issues Observed:

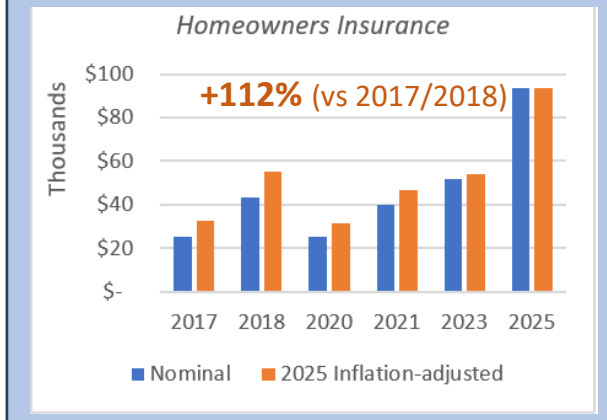
- **Presumptive soot ID:** M.A.R.S. relied solely on optical microscopy; soot identification in lab report stated "presumptive," meaning visual only, without chemical confirmation. (i.e., looks like soot but unconfirmed)
- **Misrepresented methodology:** Report cited "Optical Electron Microscope methodology"—a non-existent technique. Light and electron microscopy are fundamentally different, raising concerns about scientific competence.
- **Unscientific threshold:** Used >1% carbon black particles (CBP) as contamination benchmark (versus common industry standard of >3% to account for natural background levels), inflating positive results.
- **Contradictory cyanide findings:** 4 samples taken 2 months after fire were below detection limits (<1 mg/wipe), yet report claimed cyanide was "still present." Hydrogen cyanide is highly volatile and would dissipate within days, making this conclusion scientifically implausible.
- **Inconsistent recommendations:** pH and conductivity tests showed normal, non-corrosive conditions, yet M.A.R.S. advised disposal of all electronics and appliances—contradicting their own data.
- **Unsupported remediation scope:** Recommended full gutting (drywall to studs, flooring removal, disposal of all contents) despite test results indicating only minor cleaning was warranted.

Photo source: Wall Street Journal

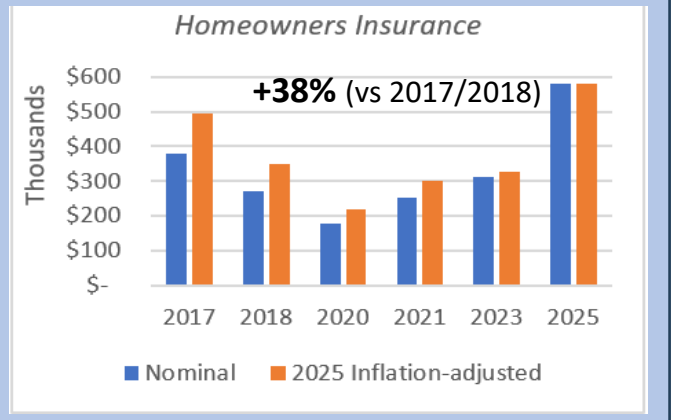
Wildfire Smoke Claims: Use of Medical Toxicology

Residential Property Survey

Average Severity of Wildfire Claims:
Smoke, Soot and Ash Damage-only



Average Severity of Wildfire Claims



The survey was conducted between August-October 2025 and represents nearly 69,000 wildfire claims (including more than 19,000 smoke, soot or ash damage-only claims) received for 15 of the 20 costliest insured wildfire events, since 2017.

Includes residential claims (homeowners & renters) with payments issued under coverages A, B, C and D, for the following major wildfire catastrophes:

- CA fires in 2017, 2018, 2020, and 2025 (Palisades, Eaton, Camp, Tubbs, Woolsey, Atlas, Thomas, CZU/LNU, Carr, Dixie)
- CO 2021 Marshall fire
- HI 2023 Lahaina fire
- OR 2020 Beachie Creek/Labor Day fires

Joint Trades Survey
Smoke Claims 2017-2025 Fires

69k wildfire claims and 19k smoke claims in this survey.

Key Observations:

*The **average severity** of smoke, soot and ash damage-only claims is **increasing at a higher rate** than wildfire claims (adjusted for inflation).*

- *Average claims severity for **smoke, soot and ash damage-only claims** was **112% higher in 2025** wildfires versus the 2017/2018 wildfires (in 2025 dollars).*
- *Average claims severity for **all wildfire claims** was **only 38% higher in 2025** versus the 2017/2018 wildfires (in 2025 dollars).*

Wildfire Smoke Claims: Use of Medical Toxicology

Residential Property Survey

Percentage of Claims With Payment Totals Exceeding Thresholds

Smoke, Soot and Ash Damage-only claims

	2017	2018	2020	2021	2023	2025
Smoke claims with payment totals $25k+	16.4%	29.0%	22.9%	41.7%	51.4%	73.0%
Smoke claims with payment totals $50k+	6.3%	14.6%	7.3%	17.1%	32.1%	52.9%
Smoke claims with payment totals $100k+	2.4%	5.9%	2.4%	5.5%	9.2%	26.2%
Smoke claims with payment totals $150k+	1.1%	2.6%	1.0%	2.6%	8.3%	15.9%
Smoke claims with payment totals $200k+	1.4%	3.1%	1.2%	2.4%	4.6%	10.9%

Increased tenfold (since 2017)

The survey was conducted between August-October 2025 and represents nearly 69,000 wildfire claims (including more than 19,000 smoke, soot or ash damage-only claims) received for 15 of the 20 costliest insured wildfire events, since 2017.

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Joint Trades Survey
Smoke Claims 2017-2025 Fires

69k wildfire claims and 19k smoke claims in this survey.

Key Observations:

Large loss severity trends *(i.e., payments totaling over $100k and $200k) show a* ***notable increase following the 2023 Lahaina Fire and further accelerated with the 2025 LA fires****.*

- *The* ***percentage of smoke, soot and ash damage-only claims*** *in 2025 that had payments totaling over $100k and $200k have each* ***increased tenfold*** *since 2017.*

Potential Market Implications
(A Data-Driven Look)

Following an NBC news report on a still standing home in the Pacific Palisades fire footprint, a November 2025 LinkedIn post sparked discussion about the potential impact on insurance premiums and broader market dynamics, due to wildfire-smoke claims costs.

Can read the LinkedIn discussion here

The following summarizes the LinkedIn discussion.

Numbers have not been verified and only represent the views of the original posters and commenters.

Home Value and Smoke Claim Potential Value:

Information in the news report *(from original poster)*:

- ~$3M – home's real estate value (2600 sq.ft. home near Temescal Gateway Park, paid $2.45M in 2021)
- $390K – loss settlement offer from the FAIR Plan (for smoke remediation)
- $1.6M – attorney demand (for destructive remediation… i.e., take structure to the studs)

Potential Attorney Commission:

Additional information *(from commenters)*:

- 30-45% – likely Plaintiff Attorney's contingency fee on settlement (Translates to $117K-$175K if a $390K settlement, or $480K-$720K if a $1.6M settlement)

Projected Insurance Premium:

Additional information *(from original poster and commenters)*:

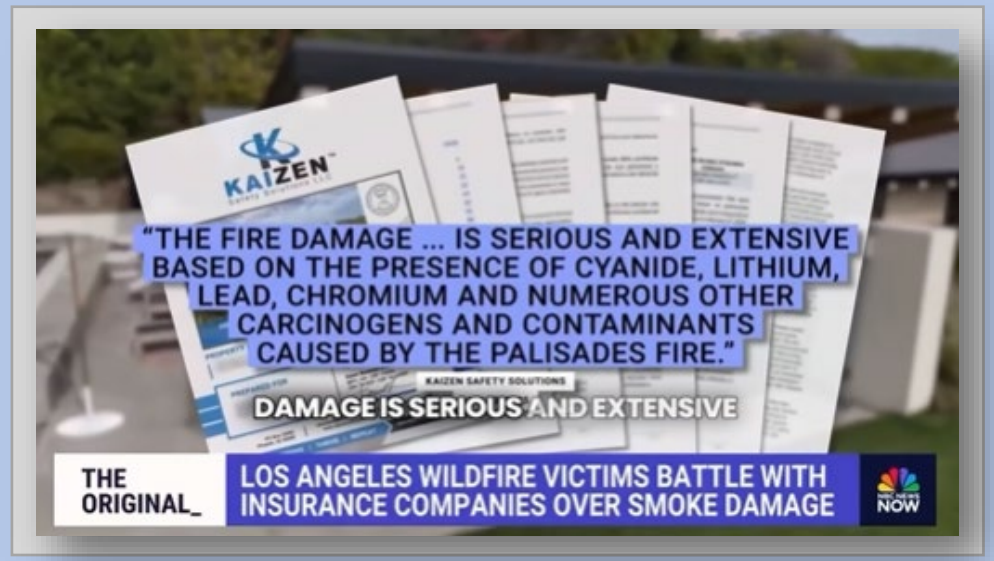
- <$10K – assumed annual insurance premium for home (since news report didn't indicate "tens of thousands")
- $3500 – estimated average FAIR Plan premium in 2025 (assumption, based on $3200 average in 2022 per FAIR Plan website.
- 35% expense ratio (assumption, and noted likely on the low end)
- 65% claims loss ratio (math calculation, subtract expense ratio from 100%)

Projected Market Impact:

Simple math calculation *(from commenters)*:

- If $2275 of premium (i.e., 65% claims loss ratio of average policy premiums), is allocated to cover FAIR Plan claims costs it would take a full year of premiums paid by:

~700 policyholders potentially to cover one smoke loss ($1.6M claim value)



NASA – Palisades Fire Smoke Stream

Jan 10-11, 2025 link

Red arrow denotes wind direction, same angle as yellow arrows (pointing to home).

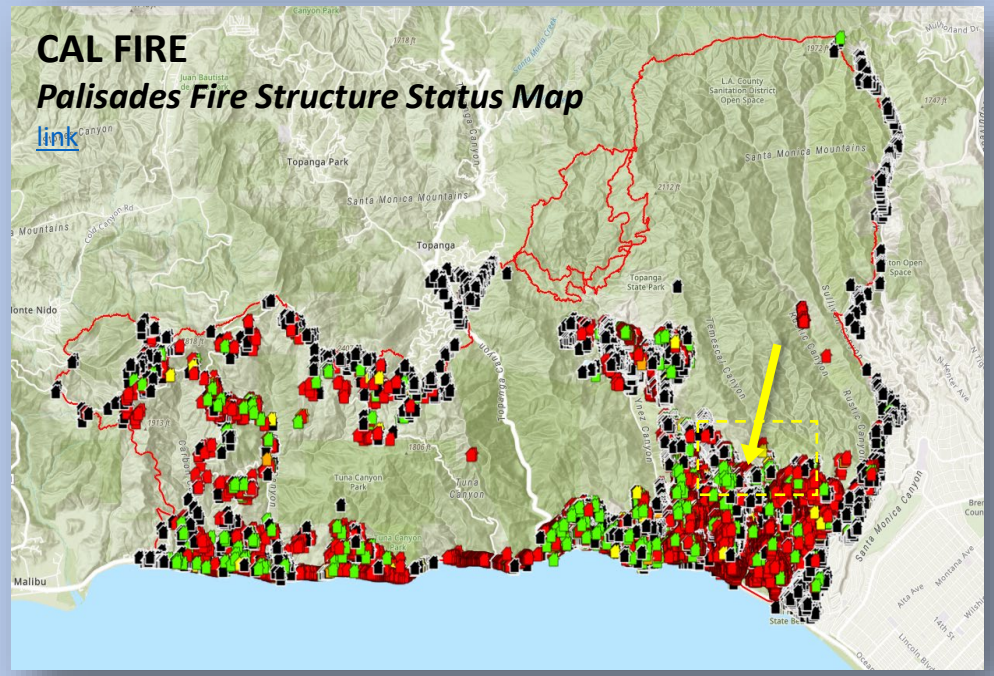
A Closer Look at This Home

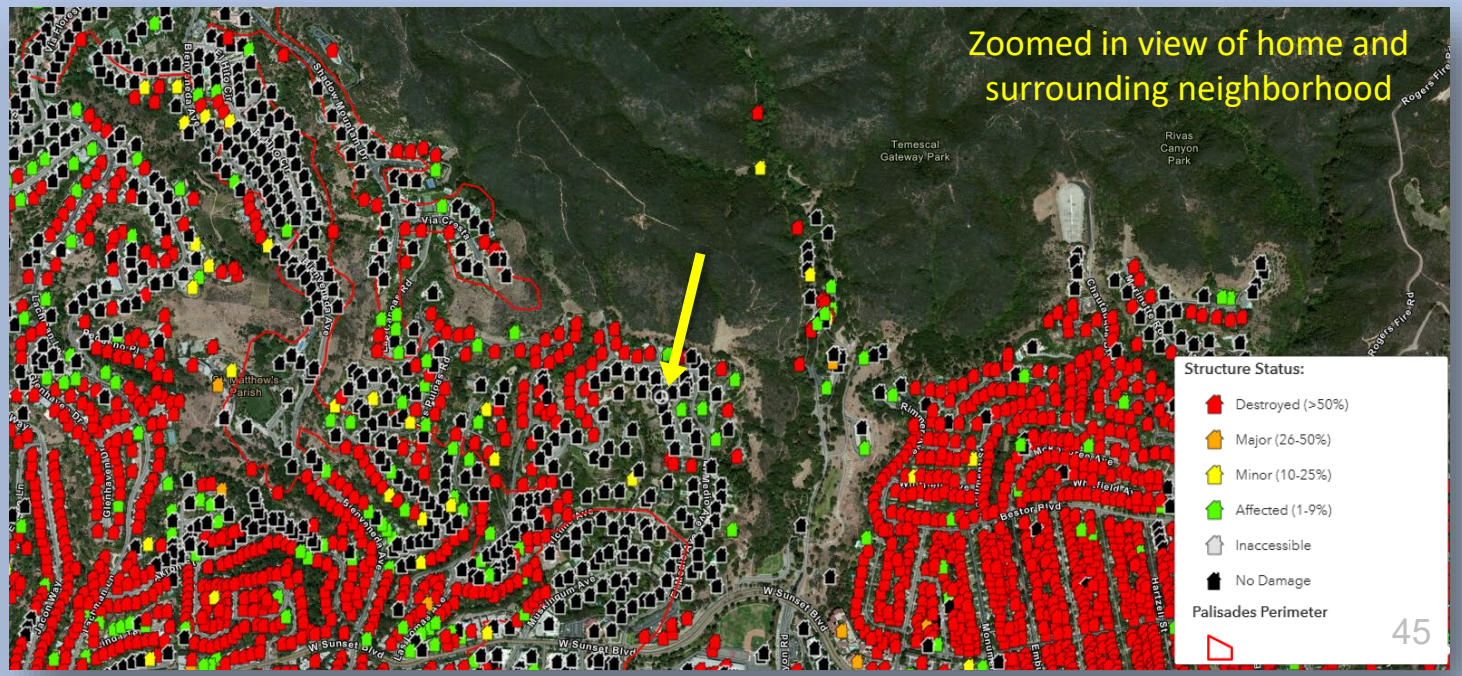
CAL FIRE data indicated ***"No Damage"*** for this home (yellow arrow), on Palisair Place and most others on same street. The wind pushed flames and smoke away from the home and neighborhood. Only a couple of homes upwind, on another street, were *"Destroyed"*. Though, the NBC report noted Kaizen Safety Solutions (Dawn Bolstad-Johnson) found "***serious and extensive damage"***.

CAL FIRE

Palisades Fire Structure Status Map

link





WHERE MIGHT THIS BE HEADING

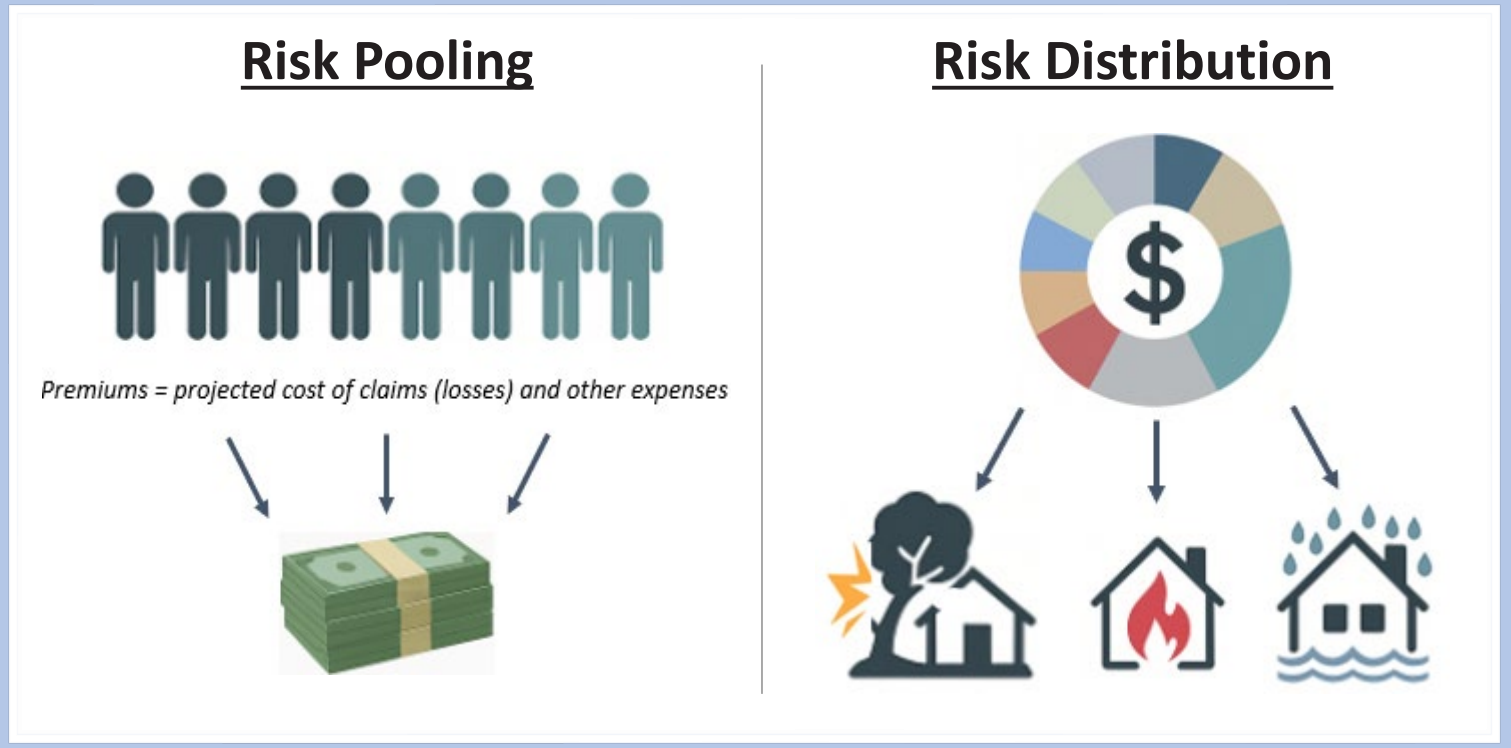
Insights from the past and potential coverage impacts

Photo source: Boston University

Insurance 101: Pool and Distribute Risk

Basic Insurance Principle:
Pricing insurance coverage is based on aggregating, or ***pooling*** individual risks from multiple policyholders ***and distributing those risks*** across the global insurance markets.

The System Breaks Down When:
Catastrophic events—such as widespread smoke claims—trigger ***simultaneous payouts***, that can ***threaten the stability of the pool***.



Learning from the Past

ASBESTOS CRISIS

Timeframe: 1970s-80s

Issue:

- **Wave of litigation** and insurance claims beginning in the 1970s and intensifying through the 1980s and 1990s, triggered by **widespread health problems** associated with asbestos exposure. The crisis revealed the insurance industry's vulnerability to **long-tail liability risks arising from environmental and health hazards**.
- **Massive, unforeseen costs** of asbestos claims led insurers to introduce broad pollution exclusions and other limitations to shield themselves from similar exposures in the future. Changes **reshaped liability insurance policies** and spurred the **growth of specialized coverage for environmental risks**.

MOLD CRISIS

Timeframe: 1980s-90s

Issue:

- **Surge in claims** related to mold damage, which significantly impacted insurers' financial performance.
- The crisis was a **convergence of legal, environmental, and public perception issues** that forced the insurance industry to revise policies and **limit mold coverage**, protecting insurers from unsustainable losses while reducing ambiguity in policy language.

Learning from the Past

Photo source: Insurance Business


Photo source: The Spokesman-Review

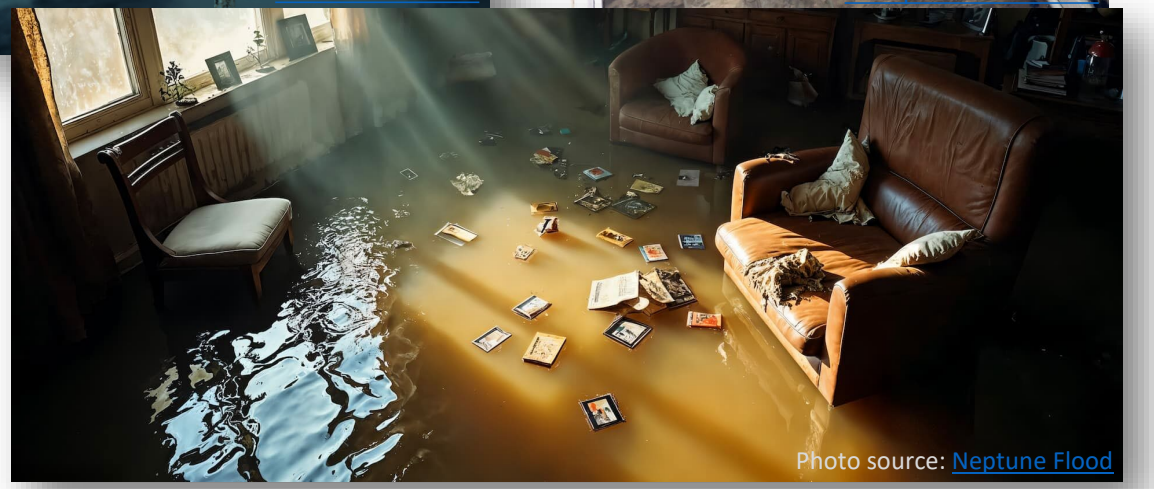


Photo source: Neptune Flood

MOLD CRISIS

Key Events:

- **Texas – Tropical Storm Allison (2001)**: Widespread flooding in Houston caused extensive water damage to homes and buildings.
- **Southern California – El Niño Rains (1997–1998)**: Heavy rains and flooding caused significant water intrusion into homes, particularly in areas not built for sustained wet weather.
- **Florida and Gulf States** – Hurricanes and Humidity: Frequent hurricanes and tropical storms (e.g., Hurricane Georges in 1998, Hurricane Floyd in 1999) created ideal conditions for mold, especially in poorly ventilated or water-damaged buildings.

Learning from the Past

ASBESTOS CRISIS

Key Factors:

- **Health Hazards of Asbestos:** Linked to serious illnesses (e.g., mesothelioma, asbestosis, and lung cancer), often with long latency periods, meaning claims could arise decades after exposure.
- **Mass Litigation**: Flood of lawsuits against manufacturers, contractors, and property owners, claiming failure to warn or protect against asbestos exposure, creating massive legal liabilities.
- **Occurrence-Based Policies:** Most commercial general liability (CGL) policies written before the mid-1980s were “occurrence-based,” meaning they covered events that happened during the policy period, regardless of when a claim was filed, leaving insurers exposed to long-tail liabilities (i.e., decades later).
- **Unprecedented Claims Volume and Costs:** Volume and scale of claims overwhelmed insurers. By the early 2000s, the total projected cost of asbestos claims for the insurance industry exceeded $100 billion, resulting in insolvency or enormous reserves to cover liabilities.

MOLD CRISIS

Key Factors:

- **High-Profile Lawsuits:** National attention due to several high-profile lawsuits, most notably the 2001 Ballard v. Farmers Insurance case in Texas. The court awarded $32 million (later reduced) to a homeowner for mold damage and bad faith denial of the claim. This case and others prompted fears of escalating jury awards.
- **Increased Awareness of Mold Risks:** Rising public and media awareness about the health risks of mold (e.g., "toxic mold“) led to more insurance claims filed by homeowners and public adjusters for mold damage that might previously have gone unreported.
- **Broad Policy Language:** Standard homeowners' insurance policies often contained vague or broadly worded "all-risk" clauses that some courts interpreted as covering mold damage, even if from long-term maintenance issues rather than sudden and accidental water damage.
- **Surge in Claims and Payouts:** Surge in mold-related claims (e.g., Texas mold claims accounted for over $1 billion in losses by 2001).

Learning from the Past

ASBESTOS CRISIS

Insurance Industry Response:

- **Pollution Exclusion (1970s–1980s)**:
  - *Early Exclusions:* The first wave of pollution exclusions began appearing in standard CGL policies in the 1970s, initially in response to environmental claims (e.g., hazardous waste).
  - *Absolute Pollution Exclusion (1986)*: In 1986, the Insurance Services Office (ISO) introduced a broader "absolute pollution exclusion" in CGL policies, which explicitly excluded coverage for claims related to pollutants, including asbestos.
- **Clarification of Exposures**: Insurers rewrote policy language to eliminate ambiguity around "occurrence" definitions and ensure that policies reflected the coverage intended, retroactively limited coverage for known risks like asbestos exposure.
- **Reinsurance and Reserves**: Reinsurers also began tightening terms and raising premiums. Insurers significantly increased reserves and pushed for legislative and judicial reforms to stem losses.
- **Litigation Management:** Complex strategies developed to help manage and settle claims (e.g., use of trust funds and class action settlements).

MOLD CRISIS

How Coverage Re-Shaped:

- **Exclusions and Limitations:** Insurers rewrote policies to exclude or strictly limit mold coverage. This included:
  - Adding mold-specific exclusions or sub-limits (e.g., capping mold-related payouts at $5,000 or $10,000) and requiring policy endorsements for broader protection.
  - Narrowing the definition of covered perils (e.g., a burst pipe) that could lead to mold damage.
- **Rate Increases and Market Withdrawal:** In high-claim areas like Texas, insurers raised premiums, reduced new policy issuance, or withdrew from the market altogether.
- **Regulatory Changes:** States like Texas revised insurance regulations to clarify mold coverage and enable policyholders to purchase optional mold endorsements for an additional premium.

Insurance 101: Key Factors for 'Insurability'

7-Factor Framework

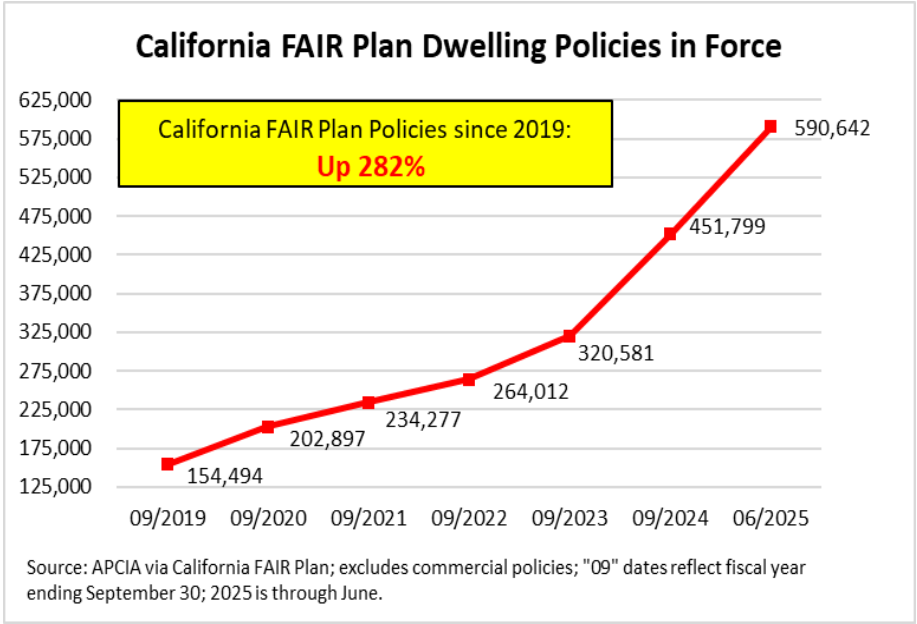
Assessing the Insurability of Catastrophic Risks (including Wildfire and Smoke)

1. **Homogeneity: Ability to spread risk**—wildfire typically fits, but costly and widespread smoke coverage mandates could disrupt this balance.
2. **Fortuity: Losses must be accidental**—moral hazard and profit motives can undermine this principle.
3. **Adjustability: Claims must be identifiable and measurable enabling loss adjustment**—complexity increases with mandated coverages and subjective smoke damage, in addition to challenges processing simultaneous large number of claims in timely manner.
4. **Manageable Losses: Avoiding financially ruinous exposure**—broadened coverage post-event creates systemic risk.
5. **Predictability: Ability to model and adequately price risk**—impacts of growing "smoke chaser" industry compounds other evolving factors such as climate risk, land use policy and community mitigation.
6. **Cost-Effectiveness: Affordability for consumers**—rising costs driven by catastrophic losses, inflation, and legal abuse.
7. **Government Risk: Regulatory constraints on pricing and product design**—impact of Standard Fire Policy and rate limitations.

Today's Coverage Landscape

Evolution of the "Fire" Peril a Growing Concern for Insurers

- All or Nothing – Insurers must consider whether they can provide coverage for all fire-related risk, or none (due to Standard Fire Policy law constraints).
- Some insurers have opted to offer wrap-around (or "differences in conditions") coverage that provides coverage for other non-catastrophic risks.
- Recent challenges have contributed to significant growth in the CA FAIR Plan for fire coverage.



Source: APCIA via California FAIR Plan; excludes commercial policies; "09" dates reflect fiscal year ending September 30; 2025 is through June.

Existing Common Insurance Policy Exclusions

(related to smoke and pollutants)

- Smog, rust or other corrosion, or dry rot
- Smoke from agricultural smudging or industrial operations
- Discharge, dispersal, seepage, migration, release or escape of pollutants, **unless** the discharge, dispersal, seepage, migration, release or escape **is caused by a Peril Insured Against**. Pollutants means any solid, liquid, gaseous or thermal irritant or contaminant, including smoke, vapor, soot, fumes, acids, alkalis, chemicals and waste. Waste includes materials to be recycled, reconditioned or reclaimed.

Potential Systemic Risk

- Further limitations or market withdrawal for fire coverage could have greater implications, including potential systemic risks if the fire peril becomes uninsurable.

POTENTIAL SOLUTIONS

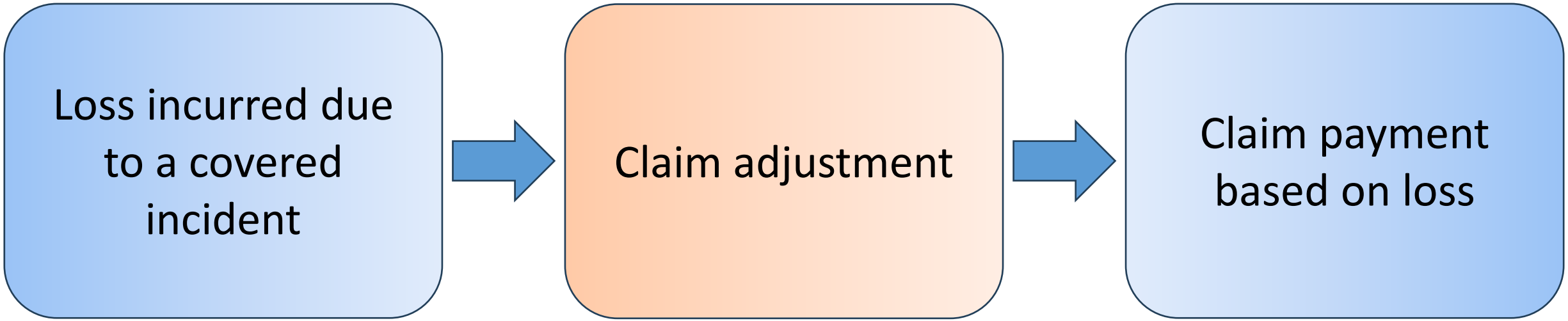
New and alternative approaches to consider

Photo source: Ready.Gov

Parametric – A New Approach to Coverage

Under a Traditional (or Indemnity) Insurance Policy:

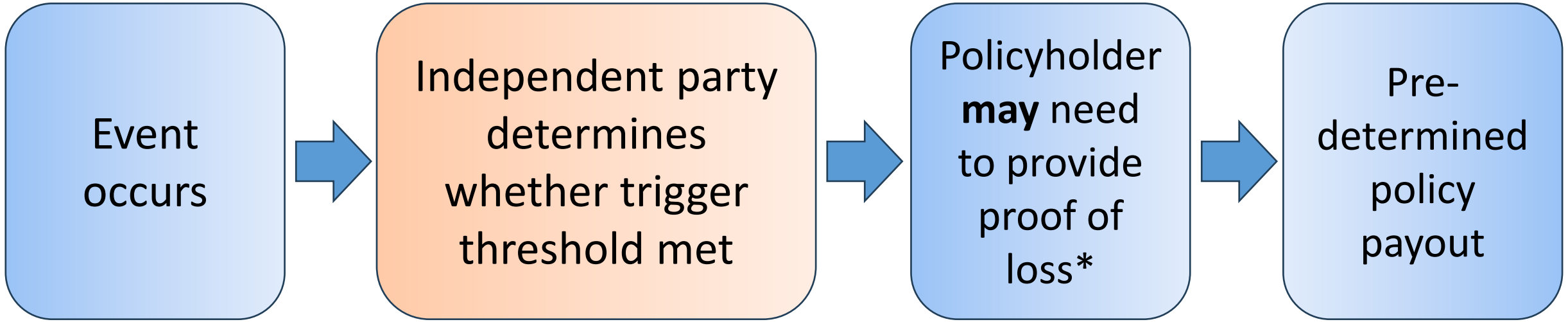
- Customer selects covered peril(s) – wind, fire, flood, earthquake, etc.
- Chooses deductibles, policy limits, endorsements
- Pays premium



Parametric – A New Approach to Coverage

Under a Parametric (or Index-Based) Policy:

- Customer selects or negotiates trigger threshold(s) – windspeed, proximity to fire, rainfall amount, ground velocity, etc.
- Chooses payment amount when policy triggered
- Pays premium



* Proof of loss may be required so the policy will not be regulated as a financial derivative

Parametric – A New Approach to Coverage

Parametric Example: *Wildfire*

Marsh Specialty's parametric solutions group indicates that enhanced data, research, and improved modeling enables the insurance industry to detect and monitor ***wildfire*** events with increased accuracy in a near real-time basis.

Their clients are able to use parametric wildfire as a standalone policy or as an additional coverage to fill gaps in coverage, such as *non-damage business interruptions*, or be used as a *deductible buydown*. Typical parametric clients include *forestry operations and wineries*.

https://www.businessinsurance.com/More-buyers-seek-parametric-wildfire-cover/

Federal Efforts to Manage Smoke Losses

148 Recommendations

Unanimous consensus from nonpartisan commission.
Commission comprised of 50 members representing diverse geographies and backgrounds.
https://www.usda.gov/topics/disaster-resource-center/wildland-fire/commission

Key Recommendations

SMOKE MONITORING AND MITIGATION CAPABILITIES

*Invest in **national monitoring and alert systems** and public strategies to mitigate smoke impacts.*

[See Report Recommendation(s): 43, 44]

…AND REMEDIATION

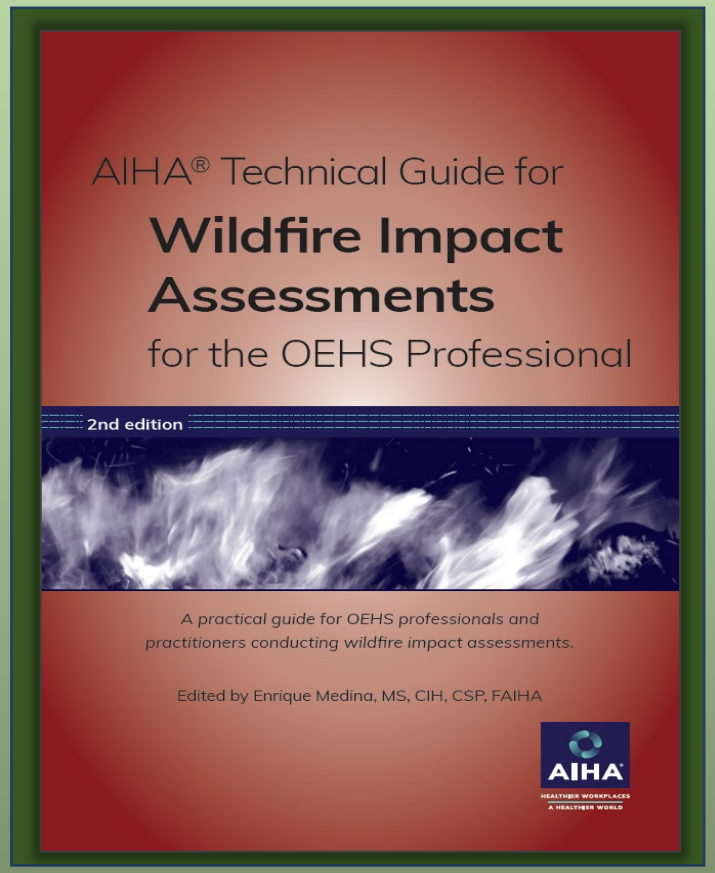
*"Research, guidance, and standard development related to **remediation of buildings affected by a** fire or **smoke event**."*

(Page 100)

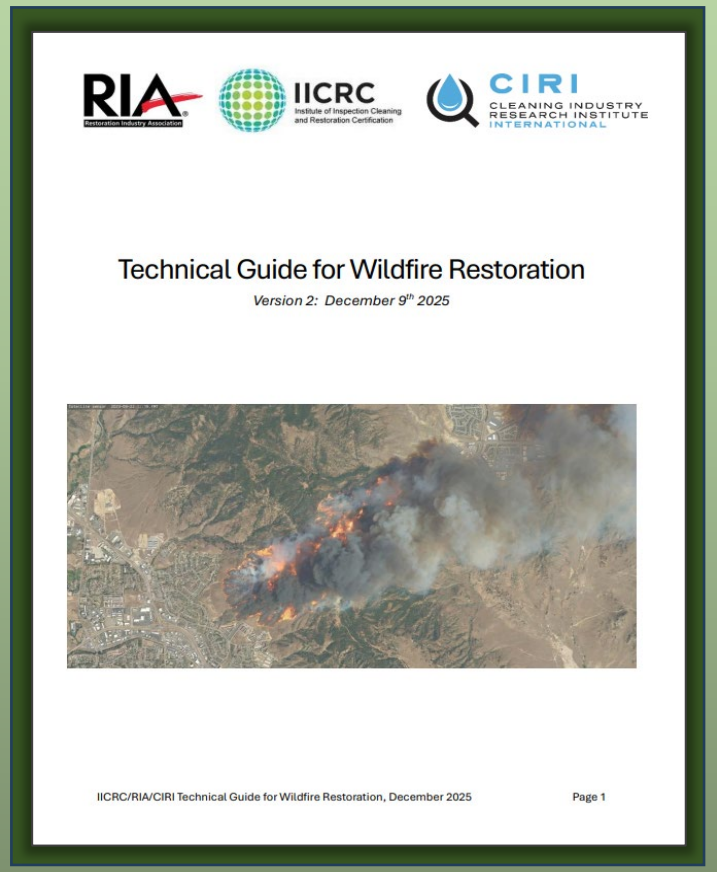
Photo source: DOI

Wildfire Smoke Testing and Remediation

New ‘Technical Guides’ released in 2025 are helpful resources to ensure greater consistency in claims handling



https://www.aiha.org/education/marketplace/wildfire-impact-assessments-for-the-oehs-professional



https://iicrc.org/wp-content/uploads/2025/12/IICRC.RIA_.CIRI-Technical-Guide-for-Wildfire-Restoration-V2-Final-2025-12.09.pdf

Coming Soon

IICRC Standard for Wildfire

Dec 2025—IIICRC announced the initiation of revision of the ANSI/IICRC **S700 Standard for Fire and Smoke Damage Restoration**.

The revision will include the addition of principles, methods, and processes to clean and restore structures, materials, assemblies, and systems impacted by **wildfires**.

Federal Smoke Remediation Guidance

FEMA: Colorado Marshall Fire

https://www.fema.gov/sites/default/files/documents/fema_marshall-fire-mat-homeowners-guide-risk-reduction-remediation-residential-smoke-damage.pdf

Marshall Fire Mitigation Assessment Team: Homeowner's Guide to Risk Reduction and Remediation of Residential Smoke Damage

June 2023

FEMA

DR-4634

Table 1. Categories of Smoke, Soot and Ash Conditions and Smoke Remediation Recommendations

Category	Description of Smoke, Soot and Ash Conditions	Smoke Remediation Recommendation
None	No visible soot or ash on horizontal surfaces, no visible airborne particulate, and no noticeable smoke odor. Wipe test can be used to confirm no soot/ash.	No smoke remediation by homeowner is necessary.
Light	No visible soot or ash on horizontal surfaces and no airborne particulate, but noticeable smoke odor. Wipe test confirms no soot/ash. (No visible soot/ash on exterior siding or windows.)	Homeowner can undertake simple steps to clean the home
Moderate	Presence of light soot and ash on horizontal surfaces (see Figure 1), visible airborne particulate, and noticeable smoke odor. Soot Wipe test shows a light amount of soot/ash. (Soot/ash may be visible on exterior siding and/or windows.)	Homeowner can undertake detailed steps to clean the home if simple cleaning steps are unsuccessful.
Heavy	Presence of heavy soot and ash on horizontal surfaces and floors (see Figure 2), visible airborne particulate, and noticeable smoke odor. Wipe test shows a heavy amount of soot/ash. (Soot/ash likely visible on exterior siding and/or windows.)	Retain a professional cleaning/restoration service contractor if detailed steps to clean the home are unsuccessful.
Other	Visible fire damage to structural elements or contents.	Do not enter home until cleared by the fire department, then keep professional contractor(s) to address structural fire damage and smoke damage.

Photo source: DOI

Federal Smoke Remediation Guidance

AirNow

NM Hermits Peak/Calf Canyon Fire)

https://www.airnow.gov/sites/default/files/2021-07/protect-yourself-from-ash-factsheet.pdf

WILDFIRE SMOKE FACTSHEET

Protect Yourself from Ash

Protect yourself from harmful ash when you clean up after a wildfire. Cleanup work can expose you to ash and other products of the fire that may irritate your eyes, nose, or skin and cause coughing and other health effects. Ash inhaled deeply into lungs may cause asthma attacks and make it difficult to breathe.

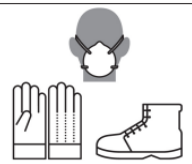
Ash is made up of larger and tiny particles (dust, dirt, and soot). Ash deposited on surfaces both indoors and outdoors can be inhaled if it becomes airborne when you clean up. Ash from burned structures is generally more hazardous than forest ash.

Avoid Ash Exposure

Avoid direct contact with ash. If you get ash on your skin, in your eyes, or in your mouth, wash it off as soon as you can.

People with heart or lung disease, including asthma, older adults, children, and pregnant women should use special caution around ash.

Children and pets: Children should not be nearby while you clean up ash. Do not allow children to play in ash. Clean ash off all children's toys before use. Clean ash off pets and other animals. Keep pets away from contaminated sites.



Use an N95 respirator and avoid skin contact with ash.

Protecting your lungs: Wear a tight-fitting respirator that filters ash particles from the air you breathe to help protect your lungs. Select a respirator that has been tested and approved by NIOSH and has the words "NIOSH" and either "N95" or "P100" printed on it. These have two straps and are available online, and at many hardware stores and pharmacies. Buy respirators in a size that can be tightened over your mouth and nose with a snug seal to your face. Surgical masks and one-strap dust masks will *not* protect your lungs. They are not designed to seal tightly to the face. If you have heart or lung disease talk to your doctor before using a respirator or working around ash.

Recommended Actions

Clothing: Wear gloves, long-sleeved shirts, long pants, shoes and socks to avoid skin contact. Goggles are also a good idea Contact with wet ash can cause chemical burns or skin irritation. Change your shoes and clothing before you leave the cleanup site to avoid tracking ash offsite, into your car, or other places.

Cleanup: Avoid stirring up or sifting through ash as much as you can. Avoid actions that kick ash particles up into the air, such as dry sweeping. Before sweeping indoor and outdoor hard surfaces, mist them with water to keep dust down. Follow with wet mopping. Use a damp cloth or wet mop on lightly dusted areas. When you wet down ash, use as little water as you can.

Vacuum: Use a high-efficiency particulate air (HEPA)-type vacuum to clean dusty surfaces. Don't use a typical household vacuum or a shop vacuum. They will send the collected dust or ash out into the air. Don't use leaf blowers or do anything else that will put ash into the air.

Food and Water: Wash any home-grown fruits or vegetables from trees or gardens where ash has fallen. Avoid bringing food or eating at the affected site, unless you keep the food in a sealed container. Wash your hands well before eating. Check with your drinking water provider to be sure your water is safe to drink.

Disposal: Collected ash may be disposed of in the regular trash. Ash should be stored in plastic bags or other containers to prevent it from being stirred up. If you suspect hazardous waste, including asbestos, is present, contact your local hazardous waste authorities regarding appropriate disposal. Avoid washing ash into storm drains.

U.S. Environmental Protection Agency • EPA- 452/F-18-004

FEMA

(NM Hermits Peak/Calf Canyon Fire)

https://www.fema.gov/fact-sheet/smoke-and-ash-damage-claims

Smoke and Ash Damage Claims

English Español

Release Date: March 14, 2024

If your property had smoke and ash damage due to the Hermit's Peak/Calf Canyon Fire, you may be eligible for compensation to cover costs of cleaning and repair. This includes smoke and ash damages to structures, personal property, automobiles, etc. If you were treated for medical issues due to the smoke and ash, you may also be eligible for compensation. Individuals and businesses may file a claim with the Claims Office to seek compensation for smoke and ash damages suffered from the fire by submitting a Notice of Loss.

Examples of Smoke and Ash Damage

- Surface discoloration: Soot and ash can discolor walls, ceilings, floors, and surfaces, leaving behind unsightly black marks.
- Structural damage: If left untreated, smoke damage may lead to structural damage.
- Corrosion: Soot and ash can corrode metal surfaces and electrical components, leading to further damage and safety hazards.
- Health hazards: Smoke and ash may contain chemicals and particles that may be harmful to your health if not properly removed.
- Content damage: Smoke and ash can penetrate and damage personal property, clothing, furniture and other contents within your home.
- Odor: Smoke damage often leaves an unpleasant odor that can be difficult to remove without proper cleaning and deodorization.

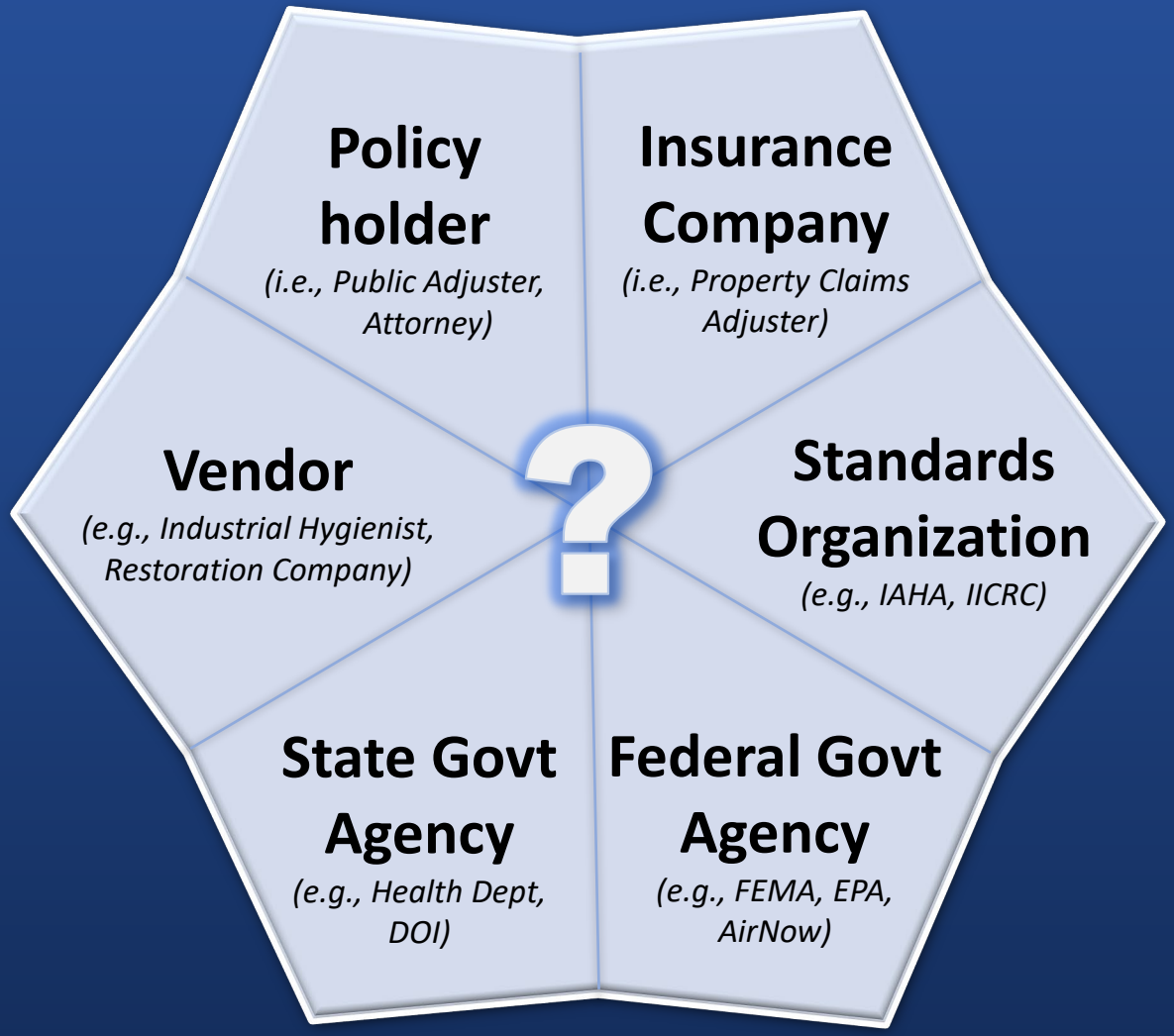
Examples of Damaged Property

- The home you own or rent
- Garages, carports, barns, sheds and outbuildings
- Retail and commercial businesses, schools and universities, hospitals, churches and state and local government buildings
- Property contents

The Claims Office is using standard tools to estimate damages and costs for cleaning and does not require a site visit in most cases. Anyone with smoke damages is encouraged to submit a claim along with any photos, estimates, or invoices they have available. The Claims Office can estimate a rate by square footage designed to include compensation for home repairs such as replacing carpet, insulation, home furnishings, and cleaning interior and exterior surfaces. Amount of compensation is related to the distance your property is to the burn scar.

Photo source: DOI

Who is the appropriate AUTHORITY to assess the contamination level and determine appropriate remediation?



- Insurers support a science-based approach.
- Detection alone does not equate to risk or damage, and testing for "peace of mind" or future research is outside the scope of property insurance. Coverage is meant for physical damage to structures or contents—not individual health sensitivities—and expanding it to address speculative and subjective health risks would effectively turn property insurance into a health insurance product, undermining its core purpose and pricing structure.
- Regulatory compliance for smoke claims testing and remediation must be grounded in relevant and scientifically credible studies and regulatory standards that determine whether contaminants pose a risk to inhabitants, how much risk there is, and most importantly a threshold to safely restore property to.
- Deviation may pose significant regulatory and legal risks (for insurers and regulatory/governing bodies), in addition to added costs and operational challenges for insurers that could have consequential impacts on coverage access and cost for consumers.

Potential Approaches for the Task Force

- **Lab Certification & Training:** Statewide certification for fire-contaminant labs, including mandatory training, proficiency testing, and audits.
- **Inter-Lab Calibration:** Regular calibration exercises to align methodologies and reduce measurement discrepancies.
- **Leverage Archived Samples:** Use existing lab samples for retrospective analysis to establish baselines and inform standards, reducing costs and unnecessary new testing.
- **Tiered Testing Protocols:** Implement risk-based tiers (trace, moderate, severe) with clear thresholds and escalation steps, starting with visual inspections and advancing to lab analysis as needed.
- **Vendor Licensing & Oversight:** Require licensing and minimum standards for remediation vendors to ensure quality and protect policyholders.
- **Stakeholder Engagement:** Formal process for stakeholder input and independent peer review before adopting standards or protocols.

Photo source: Mercury News

Potential Approaches for the Task Force

- **Discourage Moral Hazard:** Implement safeguards to prevent exaggerated or fraudulent claims, including limits on solicitation practices, standardized disclosures, and reasonable fee caps for public adjusters and contractors. These measures help deter abuse, protect consumers, and maintain integrity in the claims process.
- **Enhance Consumer Education:**
  - Develop clear, standardized materials or an online resource with FAQs to inform policyholders about the typical claims process for smoke remediation, including an overview of testing and remediation that may occur.
  - These resources, developed in partnership with public health agencies, should also provide clear, science-based public health guidance on potential smoke exposure and practical steps for mitigation to help counteract fear-driven narratives and inconsistent information in media and public forums.

Photo source: Mercury News

THANK YOU

Karen Collins

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Photo source: The Wire

Disclaimer

This presentation was prepared by the *American Property Casualty Insurance Association* for the use of the CDI Smoke Claims and Remediation Task Force.

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