Chris,

Please consider clarifying that the exception in 15300.2(e) applies to sites with active hazardous materials and does not apply to sites that have been cleaned and closed by the Department of Toxic Substance Control (DTSC) or the Regional Water Quality Control Board (RWQCB). As currently written, it is ambiguous whether cleaned sites are ineligible for a categorical exemption because they may remain on a list kept by DTSC or the RWQCB as “closed.” Many of these sites are urban infill lots where development should be encouraged, which the proposed clarification would do.

Sincerely,

Linda