



Linda S. Adams
Secretary for
Environmental Protection

Air Resources Board

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Arnold Schwarzenegger
Governor

MEMORANDUM

TO: Craig Tarpinning, Staff Counsel
Office of Administrative Law

FROM: Amy Whiting /s/
Regulations Coordinator

DATE: December 2, 2008

SUBJECT: OAL Regulatory Action Number: **2008-1016-02S**

Pursuant to our discussions based on your review of the above-referenced Regulatory Action, the Air Resources Board hereby authorizes you to make the following changes in the regulatory text that was originally submitted to the Office of Administrative Law on October 16, 2008, prior to OAL approving the Regulatory Action and filing it with the Secretary of State.

The changes to the regulatory text are non-substantive and include:

1. On page 5 in subsection 95102(a)(28), add “former” before “Health and Safety Code” and replace “42900” with “42800” The original citation contained a typographical error and the sections have been repealed since the regulation was initially drafted.
2. On page 16 in subsection 95102(a)(149), replace “93116.2(28)” with “93116.2(a)(28).” The original citation contained a typographical error.
3. On page 18 in subsection 95102(a)(173), replace “public owned electric utility” with “local publicly owned electric utility” and replace the associated reference to “Public Resources Code section 9604” with “Public Utilities Code section 9604.”
4. On page 19 in subsection 95102(a)(174), insert the parenthetical date “(1981)” immediately before the final period of the subsection. ARB inadvertently failed to identify the referenced test method by date.
5. On page 33 in subsection 95109(c), replace “Rule 118” with “Rule 1118.” The original rule number contained a typographical error.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

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6. On page 106 in subsection 95132(b)(2)(A) and again on page 107 in subsection 95132(b)(4), delete "approved." ARB intends to use a contractor and provide all training directly to verifiers and this word might be interpreted to mean ARB would approve others to provide the training.
7. On page 110 in subsection 95133(d), replace "95132(b) and 95132(c)" with "95133." These citations were in error because they were not updated to reflect changes to the verification provisions.
8. On page 114 in section 95133(g)(5), delete "for any appropriate period of time."

We are also submitting with this memorandum the following enclosures, Please

1. Substitute the enclosed revised Table of Contents in the beginning of the rulemaking file, before Tab 1.
2. Substitute the enclosed revised and updated Certificate of Closure for the Rulemaking File at the beginning of the rulemaking file following the Table of Contents.
3. Add the enclosed Supplement to the Final Statement of Reasons to Tab 5 of the rulemaking file.
4. Substitute the enclosed complete Initial Statement of Reasons in Tab 9 of the rulemaking file.
5. Add the enclosed Certificate of Mailing in Tab 15 of the rulemaking file.
6. Add the enclosed attachments A through E which were inadvertently omitted from the file to the letter from WSPA dated 11/29/97 to Tab 12.

Thank you for your assistance in this matter. If you have any questions please feel free to contact me at (916) 322-6533.

Enclosures

cc: Stephen Adams, Senior Staff Counsel