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October 14, 2004

To All California Air Pollution Control Officers:

Enclosed is a guidance document prepared by the Air Resources Board's legal staff regarding implementation of Senate Bill 288, the "*Protect California Air Act of 2003*." As you know, SB 288 restricts changes that California air pollution control districts may make to their existing New Source Review (NSR) rules. SB 288 also requires the ARB to formally approve any NSR rule changes made by local districts. Finally, if a district makes any NSR rule changes that ARB finds, after a public hearing, are less stringent than those that existed on December 30, 2002, the bill directs the ARB to promptly adopt the rules necessary to restore equivalent NSR obligations.

The enclosed guidance document is intended to highlight the central provisions of SB 288 and outline how ARB intends to oversee its implementation. Since each district's circumstances are unique, we highly recommend that districts who wish to modify their New Source Review rules contact ARB staff in the early stages so that we can work together to ensure a smooth process. We are also available to meet with individual air districts or with CAPCOA at any time to discuss the enclosed guidance document.

If you have any questions or would like to arrange a meeting to discuss this guidance document further, please feel free to contact me at (916) 445-4383 or Ms. Diane Johnston, Chief Counsel, Office of Legal Affairs, at (916) 323-9606.

Sincerely,

/s/

Catherine Witherspoon
Executive Officer

Enclosure

cc: Ms. Diane Johnston, Chief Counsel
Office of Legal Affairs

Mr. Peter Venturini, Chief
Stationary Source Division

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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