

OFFICE OF THE GENERAL COUNSEL
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
KATHRYN ROBERTS, State Bar No. 326693
Principal Deputy District Counsel
21865 Copley Drive
Diamond Bar, California 91765
TEL: 909.396.3400 • FAX: 909.396.2961
E-mail:KRoberts@aqmd.gov

Attorneys for Petitioner
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

BEFORE THE HEARING BOARD OF THE
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

In the Matter of

SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT,

Petitioner,

v.

LOS ANGELES COUNTY METROPOLITAN
TRANSPORTATION AUTHORITY
[Facility ID No. 43758],

Respondent.

CASE NO. 5874-2

**[PROPOSED] FINDINGS AND
DECISION FOR A MODIFIED
STIPULATED ORDER FOR
ABATEMENT**

Date: **July 28, 2026**
Time: 9:30 a.m.
Place: Hearing Board
South Coast AQMD
21865 Copley Drive
Diamond Bar, CA 91765

This status/modification hearing for a Stipulated Modified Order for Abatement was heard on July 28, 2026 pursuant to notice and in accordance with the provisions of California Health and Safety Code § 40823 and SCAQMD Rule 812. The following members of the Hearing Board were present: Micah Ali, Chair; Robert Pearman, Esq., Vice Chair; Cynthia Verdugo-Peralta; and Mohan Balagopalan. Petitioner, Executive Officer of the South Coast Air Quality Management District (“South Coast AQMD”), represented by Kathryn Roberts, Principal Deputy District Counsel, did not appear. Respondent, Los Angeles County Metropolitan Transportation Authority (“LA Metro”), represented by Ronald Stamm, Principal Deputy County Counsel, did not appear. The public was given an opportunity to testify. Evidence was received and the matter was submitted.

The Hearing Board finds and decides:

1 1. Petitioner is a body corporate and politic established and existing pursuant to
2 Health and Safety Code §§ 40000, *et seq.* and §§ 40400, *et seq.*, and is the sole and exclusive local
3 agency with the responsibility for comprehensive air pollution control in the South Coast Basin.

4 2. Respondent is a body corporate and politic existing pursuant to Public Utilities
5 Code §§ 130050.2, *et seq.*, which, *inter alia*, owns and operates heavy-duty vehicles for use and
6 provision of essential public services within the County of Los Angeles. Respondent's Non-
7 revenue Fleet Maintenance is a division within LA Metro which oversees the procurement,
8 maintenance, and allocation of heavy-duty vehicles to offices, departments and employees of LA
9 Metro for provision of public services. Respondent's fleet of heavy-duty vehicles includes
10 vehicles for use throughout Los Angeles County, within the jurisdiction of the South Coast
11 AQMD. Respondent's Headquarters Building is located at One Gateway Plaza, Los Angeles, CA
12 90012. Respondent's Non-revenue Fleet Maintenance division has administrative offices located
13 at 7878 Telegraph Rd., Downey, CA 90240.

14 3. Respondent operates more than 15 vehicles in its heavy-duty vehicle fleet. Among
15 its heavy-duty fleet, Respondent currently operates multiple vehicles which are diesel powered,
16 purchased on or after July 1, 2002 and were purchased without prior receipt of a Technical
17 Infeasibility Certification Request approval.

18 4. **South Coast AQMD Rule 1196(d)(1)** requires that beginning on July 1, 2002, for
19 public fleet operators that operate 15 or more heavy-duty vehicles, all new additions to an existing
20 fleet shall be by purchase or lease of: (1) alternative-fuel heavy-duty engine or vehicles; (2) dual-
21 fuel heavy-duty vehicles; (3) dedicated gasoline heavy-duty vehicles; or (4) Technical
22 Infeasibility Certification Request-approved diesel vehicles.

23 5. **The California Code of Regulations, 8 CCR § 8445(i)**, prohibits the use of
24 certain fuels, including gasoline and other solvents with a flash point of below 100°F, for vehicles
25 operating in tunnels as a safety measure.

26 6. LA Metro purchases and maintains a fleet of heavy-duty vehicles to provide
27 transportation-related public services throughout Los Angeles County. LA Metro is subject to
28 Rule 1196 when adding a fleet vehicle to its existing fleet and in maintenance of its heavy-duty

1 fleet because it exists and operates within the South Coast AQMD's jurisdiction, is a public entity,
2 and currently operates more than 15 vehicles in its heavy-duty fleet.

3 7. Since 2003, LA Metro has purchased, and continues to maintain within its fleet,
4 heavy-duty vehicles which do not meet the requirements set forth in South Coast AQMD Rule
5 1196(d)(1). At the time of adoption of the Order, LA Metro's heavy-duty fleet included at least
6 fifty-two (52) heavy-duty vehicles which violated South Coast AQMD Rule 1196 requirements,
7 as identified in **Attachment A**. Twenty-two (22) heavy-duty vehicles in LA Metro's heavy-duty
8 fleet are designated for HI-RAIL usage, and are deployed into tunnels and/or below ground. HI-
9 RAIL vehicles are subject to the fuel-type limitation in 8 CCR § 8445(i), in addition to Rule 1196,
10 including the Technical Infeasibility Certification Request procedures.

11 8. South Coast AQMD discovered the violations noted above when LA Metro
12 provided information on its heavy-duty fleet in 2020 in response to survey conducted by South
13 Coast AQMD.

14 9. South Coast AQMD and LA Metro engaged in active negotiation once the Rule
15 1196 violations were discovered by South Coast AQMD to determine appropriate actions for
16 Respondent to take to achieve compliance with Rule 1196 within as reasonable a period of time as
17 possible under the circumstances. In addition, South Coast AQMD and LA Metro have explored a
18 pilot demonstration project of an electric-powered heavy-duty vehicle for deployment to LA
19 Metro's HI RAIL usage which cannot employ alternative-fuels such as compressed natural gas
20 (CNG) or gasoline fuels due to safety regulations.

21 10. Each of LA Metro's heavy-duty vehicles which are non-compliant are used to
22 provide essential public transportation services throughout Los Angeles County. As a public
23 entity, LA Metro is constrained by the resources it can commit to replacing vehicles in its heavy-
24 duty fleet, and is subject to a publicly-adopted budget each fiscal year. The cost of replacing a
25 non-compliant heavy-duty fleet vehicle ranges from approximately \$89,532 to \$1,753,582,
26 depending on the model and purpose of the vehicle. In addition, many vehicles in LA Metro's
27 heavy-duty fleet require customization and or upfitting to meet LA Metro's requirements, which
28 increases the lead time for replacement vehicles.

11. LA Metro has committed to allocating the necessary funds to acquire heavy-duty vehicles that comply with Rule 1196, and the necessary funds to accelerate the turn-over schedule for the majority of its non-compliant heavy-duty vehicles. In addition, LA Metro has committed to undertaking an electric-powered heavy-duty HI RAIL vehicle demonstration project to assess the feasibility of zero-emission heavy-duty vehicles deployed in lieu of vehicles which would otherwise be required to be replaced with TICR-approved diesel powered vehicles to comply with in-tunnel safety regulations. If successful, the demonstration project will allow for consideration of electric-powered replacement vehicles for up to three additional heavy-duty HI RAIL vehicles, which would otherwise be replaced with diesel vehicles. The emission reduction achieved from replacement with the demonstration project electric-powered vehicle more than offsets the excess emissions from remaining vehicles on a non-accelerated replacement, with the potential to further increase emission reductions if the demonstration is successful and allows for additional electric-powered replacement vehicles for HI RAIL vehicles.

July 28, 2022 Status Modification Hearing

12. Between when the Order was issued and July 28, 2022, LA Metro took several steps to fulfill the schedule outlined in the July 29, 2021 Order for Abatement (“Order”). Specifically, by July 2021, LA Metro had removed from service the vehicles in Category 6. As of December 20, 2021, replacements for Category 7 vehicles had been obtained and placed into service. LA Metro was complying with all conditions included in the TICR approvals for each of these vehicles. Moreover, in accordance with the schedule in Attachment A of the Order, LA Metro released bids on October 21, 2021 for three CNG Tow Trucks; November 15, 2021 for three CNG vault trucks; and December 28, 2021 for four CNG tractors. In all, bids were released for 10 CNG powered replacement vehicles in Category 1. For cost efficiency, LA Metro included in this bid several vehicles in Category 2. For nine of these vehicles—3 Category 1 vehicles replaced with CNG and 6 Category 2 vehicles which are to be replaced with the cleanest vehicle available, which is diesel—bids were submitted and through LA Metro’s procurement process contracts executed for purchase of the replacement vehicles. These contracts specified the earliest replacement possible, which was July 2023 for the CNG and January 2024 for diesel. While the

1 Order required delivery for 10 Category 1 vehicles by the end of Q4 2022, this delivery timeline
2 was not possible for any suppliers. LA Metro inquired with multiple suppliers and learned that
3 then-ongoing, industry-wide supply chain issues and supply shortages extended vehicle delivery
4 timelines and the July 2023/January 2024 dates are the soonest reasonably possible to take
5 delivery of these vehicles.

6 13. LA Metro also initiated the replacement process for other vehicles pursuant to the
7 Order including by timely releasing bids for additional Category 2 vehicles. The initial bid release
8 received no bids. A second bid release was prepared and released on July 15, 2022, with a bid due
9 date of August 17, 2022.

10 14. Based on the infeasibility to secure replacement vehicles, the Parties met to discuss
11 revised timelines for the schedule included in the Order. The Parties, through investigation and
12 experience in procurement believed the revised deadlines to be the most expeditious replacement
13 timeline that can be met given the ongoing supply chain issues impacting the industry.

14 15. The original estimated excess emissions associated with the use of non-compliant
15 fleet vehicles during the pendency of the initial Order was approximately 1.961 ton of oxides of
16 nitrogen and 0.045 ton of particulate matter. South Coast AQMD calculated revised estimates of
17 excess emissions using the proposed modified delivery dates. The revised estimated excess
18 emissions associated the use of non-compliant fleet vehicles during the pendency of the proposed
19 Modified Order is approximately 3.314 tons of oxides of nitrogen and 0.067 ton of particulate
20 matter.

21 **July 27, 2023 Status Modification Hearing**

22 16. Since the Stipulated Modified Order for Abatement (“Modified Order”) was
23 issued, LA Metro has continued to take the necessary steps to fulfill the modified schedule as
24 required. Specifically, LA Metro released bids for a total of 14 Category 1 (CNG replacement)
25 vehicles and 8 Category 2 (cleanest available) vehicles required for bid release between Q4 2021
26 and Q2 2023. Although some of LA Metro’s bid releases did not receive responses, in those
27 instances LA Metro released additional bids in an effort to ensure a suitable OA-compliant
28 replacement vehicle was available for purchase.

1 17. For vehicles in Category 1, all bids were released timely and ten (10) are on track
2 for delivery within the time specified by the Order. However, due to supply chain delays across
3 the industry, four (4) vehicles (Unit Nos. 21-1114; 21-1121; 21-1122; 21-1126) are now expected
4 to be delivered by Q3 2024. The Parties jointly propose to modify the Attachment A to reflect this
5 timeline.

6 18. For vehicles in Category 2, six (6) vehicles had bids released timely and are on
7 track for delivery within the time specified by the Order. An additional two (2) vehicles did not
8 have bids released timely due to inadvertent error by Respondent. As a result of the late bid
9 release, delivery is not expected within the timeline originally specified in the Order. The Parties
10 jointly propose to modify Attachment A to reflect the best estimate of when these vehicles (Unit
11 Nos. 14-0033; and 14-0032) are expected.

12 19. For the vehicle in Category 3 (EV pilot replacement), Respondent initially
13 contracted with a vehicle manufacturer to serve as project manager to oversee the development
14 and build of an EV HI-RAIL vehicle. However, the manufacturer recently left the project, and
15 thus Respondent has been unable to complete the purchase and delivery of an EV to begin the
16 pilot study as required by the Modified Order. Respondent is working to prepare a new RFI to be
17 released in Q3 2023 to secure a new project manager to go forward with the pilot study. As a
18 result, the Parties jointly propose to modify Attachment A to reflect the best estimate of when this
19 vehicle (Unit No. 14-0038) could be replaced. Additionally, the Parties jointly propose to move
20 the bid release dates of all Category 4 vehicles, because the type of replacement for these vehicles
21 is dependent on the results of the EV pilot study pursuant to the Modified Order.

22 20. LA Metro is in compliance with all other conditions of the Modified Order,
23 including submitting all notifications and the annual report to the South Coast AQMD as required
24 by Conditions 3 and 4.

25 21. To better allow additional oversight of the continued compliance of the Modified
26 Order, the Parties also jointly propose to modify Condition 4 to require status reports on a
27 quarterly basis rather than an annual basis. The Parties also agreed to submit reporting to an
28 expanded staff list at the South Coast AQMD.

August 7, 2024 Status Modification Hearing

22. Since the Stipulated Modified Order for Abatement (“Modified Order”) was issued, LA Metro has continued to take the necessary steps to fulfill the modified schedule as required. Specifically, LA Metro placed in service 3 new CNG tow trucks and removed from service 3 non-compliant tow trucks (Unit Nos. 21-1093; 21-1099; and 21-1102); received delivery of 6 clean diesel tow trucks in the 4th Quarter of FY24 and 1st Quarter of FY25; placed in service 4 CNG tractors and removed from service 2 non-compliant tractors in 2023 (Unit Nos. 21-1112; and 21-1113) and removed 2 non-compliant tractors (Unit Nos. 21-1124; and 21-1125) in the 4th Quarter of FY24; and placed in service 2 CNG dump trucks and removed from service 2 non-compliant dump trucks (Unit Nos. 21-1114; and 21-1122) in the 4th Quarter of FY24.

23. For the vehicle in Category 3 (EV pilot replacement), LA Metro collaborated with RWC Group, a local vendor, to develop a vehicle which would meet the specification for rail use, including a narrow rail curvature that made other commercially available vehicles unsuitable for LA Metro’s use. LA Metro and RWC Group completed the development of the vehicle specifications that could work on Metro rail curvature on July 2, 2024. LA Metro anticipates issuing a solicitation for procurement of the Category 3 vehicle by the end of Quarter 2 of Fiscal Year 2025 (end of December, Calendar Year 2024). Due to build lead time, the Parties jointly propose to modify the bid release date and delivery date deadlines in Attachment A for the Category 3 vehicle to Quarter 2 Fiscal year 2025 and Quarter 4 Fiscal Year 2026, respectively, as well as the Category 4 deadlines (which are dependent upon the completion of the Category 3 feasibility study) to Bid Release in Quarter 1, Fiscal Year 2027 and Delivery in Quarter 3 Fiscal Year 2028. Finally, to ensure full compliance, the Parties propose to modify Condition 9 to extend the Hearing Board’s jurisdiction over this matter to 6 months past the final replaced vehicle’s delivery date or December 31, 2028.

24. In addition, LA Metro altered the replacement engine type for two Category 1 (CNG) vehicles, LA Metro Code 21-1121 and 21-1126. Instead of CNG replacements, both vehicles were replaced with gasoline-powered vehicles because CNG bucket trucks with a

sufficiently large engine (7.3L V8 engine) were not available at the time of their procurement in 2022, and remain unavailable to date.

25. Finally, LA Metro has also requested a two-year delay for the delivery of several Category 2 vehicles (LA Metro Code 14-0033, 14-0032, 14-0041, 14-0051, 14-0052, 14-0053, 21-1115, 21-1116, 14-0058).

26. LA Metro is in compliance with all other conditions of the Modified Order, including submitting all notifications and the reports due to the South Coast AQMD as required by Conditions 3 and 4.

February 24, 2026 Status Modification Hearing

27. Since the Stipulated Modified Order for Abatement (“Modified Order”) was issued, LA Metro has continued to take the necessary steps to fulfill the modified schedule as required. Specifically, LA Metro With regard to the replacement of five High-Rail Inspection Trucks (category 2 vehicles), one bid was received for a single truck in response to the most recent solicitation, but no bids were submitted for the remaining four trucks. A market survey conducted by LA Metro staff revealed that vendors were unable to provide complete hi-rail truck configurations due to limited availability of qualified sub-vendors for specialized hi-rail equipment. Metro reissued the solicitation in the first quarter of FY2026 to expand industry outreach and improve bid participation, The third round of solicitation of bids is scheduled to close on February 20, 2026. LA Metro awarded a contract on November 11, 2025 for the manufacture of one hi-rail truck to replace Vehicle Code 14-0058. A Notice of Intent to Award for this one truck was issued to the vendor in the second quarter of FY2026. Due to the lack of viable responses to replace all five vehicles, the anticipated delivery date for the trucks will be delayed beyond the original planned fourth quarter of FY2026.

28. For the vehicle in Category 3 (EV pilot replacement), LA Metro collaborated with RWC Group, a local vendor, to develop a vehicle which would meet the specification for rail use. Unfortunately, LA Metro’s initial RFP using these specifications did not result in any bids. LA Metro has since begun working on a sole-source procurement process with RWC Group. That RFP process is expected to close in Q3 of fiscal year 2026. At this time, LA Metro anticipates this

1 procurement will result in qualified bids but will require a revision to the deadlines in the Order.
2 However, to ensure sufficient time for verification post final delivery of all vehicles, the Parties
3 propose to modify Condition 9 to extend the Hearing Board's jurisdiction over this matter to
4 December 31, 2029.

5 **July 28, 2026 Status/Modification Hearing**

6 29. Since the issuance of the Modified Stipulated Order, LA Metro has taken
7 additional steps to procure an Electric Hi-Rail Truck Pilot. RWC was officially awarded the
8 contract to manufacture the Electric Hi-Rail Truck during Q4 of FY2026. RWC estimates the
9 truck manufacturing and assembly will be completed in 11 to 12 months, placing the estimated
10 completion window in Q1 or Q2 of FY2028.

11 30. Additionally, for four Hi-Rail trucks, following LA Metro's bid for vehicles 14-
12 0032, 14-0033, 21-1115, and 21-1116, all Hi-Rail Bucket trucks, the selected vendor originally
13 notified LA Metro that delivery was scheduled for Q4 of FY 2026. However, recently the vendor
14 notified LA Metro of a delay in the delivery of these trucks due to an error in the chassis order.
15 The vehicles are required to meet specific tunnel clearance requirements. Accordingly, LA Metro
16 has requested, and South Coast AQMD agreed, to revise the delivery dates to a new estimated
17 timeline of Q2 of FY of 2027.

18 31. Finally, with regard to LA Metro's procurement of two Aerial Trucks, the
19 Invitation for Bids for vehicle 14-0048 is scheduled to close in Q1 of FY2027, and in Q2 of
20 FY2027 for vehicle 14-0049. If everything stays on track, LA Metro anticipates delivery of the
21 vehicles in Q2 of FY2028.

22 32. The Parties further propose setting a further status hearing for July 28, 2027.

23 33. Excess emissions under this Modified Stipulated Order for Abatement are expected
24 to be 4.02 tons of NOx and 0.09 tons of PM.

26 **CONCLUSIONS**

1 1. The Parties have stipulated to the issuance of this Modified Order for Abatement
2 pursuant to Health and Safety Code Section 42451(b) and South Coast AQMD Rule
3 806(b).

4 2. This Modified Order for Abatement (Stipulated) is not intended to be, nor will it
5 act as, a variance. Nothing herein, however, shall be deemed or construed to limit the authority of
6 the South Coast AQMD to issue Notices of Violation, to seek civil penalties or injunctive relief, or
7 to other administrative or legal relief for violation of South Coast AQMD Rules.

8 3. The Findings of Fact are based on evidence presented by Petitioner and
9 Respondent as of the date hereof.

10 ORDER

11 THEREFORE, subject to and based on the aforesaid Findings of Fact, Conclusions, and additional
12 evidence and testimony, and good cause appearing, this Board orders Respondent to refrain from
13 any operation of heavy-duty vehicles except as in compliance with South Coast AQMD Rule
14 1196, or in the alternative comply with the conditions as set forth below:

15
16 1. Respondent shall comply with the heavy-duty vehicle replacement schedule
17 outlined in **Attachment A** as follows:

- 18 a. “Bid Release Date” means that the Respondent shall, pursuant to its internal bid
19 process, publicly release the bid for a replacement vehicle and begin accepting
20 bids for such replacement by the end of the calendar month listed;
- 21 b. “Delivery Date” means that Respondent shall complete the applicable
22 procurement process, including any aftermarket up-fitting, to ensure delivery of
23 the replacement vehicle by the end of the calendar month listed;
- 24 c. Vehicles in Category 1 shall be replaced with compressed natural gas (“CNG”)
25 heavy-duty vehicles within the designated Bid Release Date and Delivery Date
26 times listed in Attachment A;
- 27 d. Vehicles in Category 2 shall be replaced following an investigation into
28 available vehicle engine and chassis configurations to determine the feasible

1 fuel types for replacement. Where no gasoline or alternative fuel powered
2 vehicle is available, Respondent shall replace the vehicles in Category 2 with
3 the cleanest diesel engine available for the particular usage. Respondent shall
4 include a summary of its research and determination of the cleanest diesel
5 vehicle available in the next report prepared pursuant to Condition 4, and shall
6 replace the vehicles according to the Bid Release Date and Delivery Date
7 specified in Attachment A;

8 e. Vehicle in Category 3, shall be replaced with an electric-powered zero emission
9 vehicle. Respondent shall consult with South Coast AQMD Fleet Rules staff
10 (Planning and Rules Manager, Eugene Kang, attn: ekang@aqmd.gov) prior to
11 finalizing and publicly releasing the bid for the procurement of the electric-
12 powered vehicle. Respondent shall meet the Bid Release Date and Delivery
13 Date times as listed in Attachment A. Following the Delivery Date, Respondent
14 shall carry out the demonstration project consistent with Condition 2;

15 f. Vehicles in Category 4 shall be replaced according to the designated Bid
16 Release Date and Delivery Date times listed in Attachment A provided that the
17 Bid Release Date is later than the date Respondent finalizes the report
18 determining the feasibility of electric-powered vehicles in the HI RAIL
19 application. If Respondent in the finalized report issued pursuant to Condition 2
20 has determined that electric vehicles are feasible, such vehicles shall be
21 included in Respondent's bid process. If Respondent in the finalized report
22 issued pursuant to Condition 2 determines that electric-powered vehicles are
23 not feasible, Respondent shall follow the investigation and procurement process
24 listed in Condition 1(d) for Category 2 vehicles for determining the cleanest
25 diesel available;

26 g. Vehicles in Category 5 shall not be subject to an accelerated replacement
27 schedule, and shall be replaced as Respondent determines. Respondent shall
28 comply with Rule 1196, including the TICR process as applicable, in the

1 replacement of vehicles in this category;

2 h. Vehicles in Category 6 shall be removed from service without replacement as of
3 the date of this Order;

4 i. Vehicles in Category 7 have undergone the procurement process for Rule 1196
5 compliant vehicles, including the TICR approval process, during the pendency
6 of this Abatement Order proceeding. Respondent shall comply with all
7 conditions included in the TICR approval for each vehicle in this category;

8 j. For all vehicle categories, Respondent shall, within 30 days of the Delivery
9 Date of a replacement vehicle, remove the non-compliant vehicle from its Fleet,
10 and thereafter cease to use the non-compliant vehicle as part of its heavy-duty
11 fleet.

12
13 2. Following the procurement and delivery of the Category 3 vehicle replacement with
14 an electric-powered vehicle, Respondent shall evaluate the replacement electric-powered vehicle
15 as a demonstration of the suitability of electric vehicles for use in Respondent's HI RAIL
16 deployment, for a period of not less than 6 months (the "Demonstration Period"). Respondent
17 shall, within 60 days of the conclusion of the Demonstration Period, provide to the South Coast
18 AQMD (attn: Eugene Kang, attn: ekang@aqmd.gov; Brian Choe, bchoe@aqmd.gov) a report
19 detailing the results of the Demonstration Period, and including a proposed determination of the
20 feasibility of whether electric-powered heavy-duty vehicles can be used in Respondent's HI RAIL
21 application.

22 a. Respondent's proposed determination shall be subject to review and approval
23 by South Coast AQMD. Respondent shall finalize its report, including
24 feasibility determination upon approval of South Coast AQMD.
25

26 3. Within 10 days of any one of the following events, Respondent shall submit notice
27 by email to South Coast AQMD Planning and Rules Manager, Eugene Kang, attn:
28 ekang@aqmd.gov):

- a. Purchase of a compliant vehicle replacing a non-compliant fleet vehicle; and
- b. Delivery of a compliant vehicle replacing a non-compliant fleet vehicle.

4. Respondent shall submit progress reports on a quarterly basis, beginning January 31, 2024 reporting on the immediately preceding quarter (e.g. Q4 2023) via email to South Coast AQMD (attn: Eugene Kang, ekang@aqmd.gov; Brian Choe, bchoe@aqmd.gov; Kathryn Roberts, kroberts@aqmd.gov). Thereafter, Respondent shall prepare and submit subsequent quarterly reports not later than the end of the calendar month that begins the next quarter. Each written report shall present evidence of ongoing compliance with this Order, including summarizing actions and dates relating to purchase and/or delivery of compliant heavy-duty vehicles, and liquidation, decommissioning and/or retirement of noncompliant heavy-duty vehicles.

5. Respondent shall appear at a status hearing before the Hearing Board on July 28, 2027, with additional status hearings being scheduled thereafter at intervals determined to be necessary by the Hearing Board until final compliance is achieved.

6. Respondent shall notify South Coast AQMD Planning and Rules Manager, Eugene Kang, attn: ekang@aqmd.gov), when final compliance is achieved, including the Vehicle Identification Numbers for each compliant vehicle acquired and the dates of purchase and delivery.

7. The Hearing Board may modify this Order for Abatement without the stipulation of the parties upon a showing of good cause therefore, and upon making the findings required Health and Safety Code Section 42451(a) and South Coast AQMD Rule 806(a). Such modification of the Order shall be made only at a public hearing held upon 10 days published notice and appropriate written notice to the Respondent and the South Coast AQMD.

8. This Modified Order for Abatement (Stipulated) is not intended to be, nor will it act as, a variance. Respondent is subject to all rules and regulations of the South Coast AQMD and to

1 all applicable provisions of California law. Nothing herein, however, shall be deemed or construed
2 to limit the authority of the South Coast AQMD to issue Notices of Violation, to seek civil penalties
3 or injunctive relief, or to other administrative or legal relief for violation of South Coast AQMD
4 rules. Moreover, nothing herein shall be construed to waive Respondent's obligations to comply
5 with all applicable provisions of California law, including but not limited to, compliance with the
6 California Air Resources Board's Advanced Clean Fleet Regulations.

7 9. The Hearing Board shall retain jurisdiction over this matter until December 31,
8 2029.

9 10. Respondent shall notify the Clerk of the Hearing Board in writing when final
10 compliance is achieved.

11 Good cause appearing, it is so ordered.

12
13 **FOR THE BOARD:** _____

14 **DATE SIGNED:** _____
15

16 Attachment – Attachment A: Vehicle Replacement Schedule
17
18
19
20
21
22
23
24
25
26
27
28

Attachment A - Vehicle Replacement Schedule

LA Metro Code	Mfg. Model Yr.	Replacement Fuel Type	Est. Replacement Cost	Vehicle Category	Bid Release Date	Delivery Date
21-1099	2003	CNG	\$323,000	1	Q1/22	Received
21-1102	2003	CNG	\$323,000	1	Q1/22	Received
21-1093	2003	CNG	\$323,000	1	Q1/22	Received
21-1113	2007	CNG	\$139,618	1	Q3/22	Received
21-1125	2016	CNG	\$119,555	1	Q3/22	Received
21-1127	2018	CNG	\$258,738	1	Q3/22	Received
21-1124	2016	CNG	\$119,555	1	Q1/22	Received
21-1112	2007	CNG	\$139,618	1	Q1/22	Received
21-1129	2019	CNG	\$258,738	1	Q3/22	Received
21-1128	2019	CNG	\$258,738	1	Q1/22	Received
14-0038	2006	EV	\$161,302	3	Q3/FY26	Q3/FY27
21-1114	2009	CNG	\$89,532	1	Q1/23	Received
21-1121	2012	CNG	\$105,311	1	Q1/23	Received
21-1122	2015	CNG	\$101,735	1	Q1/23	Received
21-1126	2016	CNG	\$114,561	1	Q1/23	Received
21-1095	2003	Cleanest Vehicle Available	\$323,000	2	Q1/FY23	Received
21-1105	2003	Cleanest Vehicle Available	\$323,000	2	Q1/FY23	Received
14-0033	2006	Cleanest Vehicle Available	\$262,248	2	Q1/FY25	Q2/FY27
14-0032	2006	Cleanest Vehicle Available	\$262,248	2	Q1/FY25	Q2/FY27
21-1100	2003	Cleanest Vehicle Available	\$323,000	2	Q1/FY23	Received
21-1096	2003	Cleanest Vehicle Available	\$323,000	2	Q1/FY23	Received
21-1101	2003	Cleanest Vehicle Available	\$323,000	2	Q1/FY23	Received
21-1092	2003	Cleanest Vehicle Available	\$323,000	2	Q1/FY23	Received
14-0034	2006	Cleanest Vehicle Available	\$161,302	4	Q2/FY27	Q4/FY28
14-0036	2006	Cleanest Vehicle Available	\$161,302	4	Q2/FY27	Q4/FY28
14-0035	2006	Cleanest Vehicle Available	\$161,302	4	Q2/FY27	Q4/FY28

Attachment A - Vehicle Replacement Schedule

LA Metro Code	Mfg. Model Yr.	Replacement Fuel Type	Est. Replacement Cost	Vehicle Category	Bid Release Date	Delivery Date
14-0041	2009	Cleanest Vehicle Available	\$247,038	2	Q3/FY26	Q4/FY28
14-0051	2006	Cleanest Vehicle Available	\$192,248	2	Q3/FY26	Q4/FY28
14-0052	2007	Cleanest Vehicle Available	\$186,215	2	Q3/FY26	Q4/FY28
14-0053	2008	Cleanest Vehicle Available	\$181,055	2	Q3/FY26	Q4/FY28
21-1115	2009	Cleanest Vehicle Available	\$157,824	2	Q1/FY25	Q2/FY27
21-1116	2009	Cleanest Vehicle Available	\$157,824	2	Q1/FY25	Q2/FY27
14-0058	2014	Cleanest Vehicle Available	\$110,018	2	Q1/FY26	Q2/FY27
40-0001	2014	CNG	\$993,861	1	Q1/FY25	Q4/FY25
14-0048	2010	Cleanest Vehicle Available	\$1,753,582	2	Q3/FY26	Q2/FY28
14-0049	2010	Cleanest Vehicle Available	\$1,020,013	2	Q3/FY26	Q2/FY28
14-0068	2018	N/A	\$786,608	5	N/A	N/A
14-0069	2018	N/A	\$779,578	5	N/A	N/A
14-0074	2019	N/A	\$207,985	5	N/A	N/A
21-1123	2016	N/A	\$145,008	5	N/A	N/A
14-0059	2015	N/A	\$1,423,427	5	N/A	N/A
14-0070	2019	N/A	\$1,270,114	5	N/A	N/A
14-0047	2010	N/A	\$953,034	5	N/A	N/A
14-0075	2019	N/A	\$1,348,494	5	N/A	N/A
21-1104	2003	N/A	N/A	6	N/A	N/A
21-1117	2010	N/A	N/A	6	N/A	N/A
21-1110	2006	N/A	N/A	6	N/A	N/A
21-1111	2006	N/A	N/A	6	N/A	N/A
21-1098	2003	Clean Diesel	\$323,000	7	N/A	N/A
21-1094	2003	Clean Diesel	\$323,000	7	November 2020	July 2021
21-1097	2003	Clean Diesel	\$323,000	7	November 2020	July 2021
21-1103	2003	Clean Diesel	\$323,000	7	November 2020	July 2021