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10 South Coast Air Quality Management District

11 **BEFORE THE HEARING BOARD OF THE**
12 **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

13 **In the Matter of**

14 THERMAL SOLUTIONS MANUFACTURING,
15 INC. [Facility ID No. 172808]

16 Petitioner.

17 vs.

18 SOUTH COAST AIR QUALITY
19 MANAGEMENT DISTRICT.

20 Respondent.

CASE NO. 6255-3

**DECLARATION OF BILL
WINCHESTER IN SUPPORT OF
REGULAR VARIANCE**

Hearing Date: July 9, 2024
Time: 9:30 a.m.
Place: Hearing Board
South Coast Air Quality
Management District
21865 Copley Drive
Diamond Bar, CA 91765

21 **I. DECLARATION OF BILL WINCHESTER**

22 I, Bill Winchester, declare as follows:

- 23 1. I am a consultant hired by Thermal Solutions Manufacturing to support the variance
24 process. I am employed by Montrose Environmental Solutions, Inc. and hold a valid
25 Certified Permitting Professional License. I either have first-hand knowledge of events or
26 have interviewed company staff or have reviewed information and data related to this
27 Regular Variance, and I am competent to testify to the facts set forth herein.
- 28 2. The facility manufactures radiator cores for commercial and industrial applications. It
produces approximately 15-20 radiator cores per operating day. To manufacture the

1 radiator cores, Thermal Solutions Manufacturing builds each unit by hand, heat-treats them
2 in an oven, and then seals the headers to the core using the Lead Pot Furnace. The Lead
3 Pot Furnace is subject to Rule 1420, *Emissions Standard for Lead*. Under the Rule the
4 furnace must be tested for lead emissions once every 24 to 48 months. Thermal Solutions
5 Manufacturing tested the furnace in 2019 and the results indicate the equipment complied
6 with the lead emission rate standard of 0.0003 pounds per hour in the Rule. The furnace
7 was tested again in early 2024 with the results showing an average lead emission rate of
8 0.00051 pounds per hour during the test.

9 3. Thermal Solutions Manufacturing cannot manufacture radiator cores without the use of the
10 Lead Pot Furnace. If it cannot manufacture radiator cores for any amount of time it would
11 potentially jeopardize its regional business and that could lead to a permanent closure of
12 the facility.

13 4. Immediately upon learning of the test results, Thermal Solutions Manufacturing contacted
14 a filter system vendor and requested a quote for new add-on air pollution controls for lead
15 emissions. The company also filed for a Variance.

16 5. An Interim Variance was granted to Thermal Solutions Manufacturing on May 23, 2024
17 allowing the facility to continue operating the Lead Pot Furnace for 90 days or until July 9,
18 2024, whichever comes first. To continue operating thereafter, Thermal Solutions
19 Manufacturing will require a Regular Variance.

20 6. Thermal Solutions Manufacturing has operated in accordance with all the Conditions set
21 forth in the Interim Variance Order since May 23, 2024.

22 a. Thermal Solutions Manufacturing submitted expedited permit applications in
23 accordance with Conditions #1, 3 and 4 on June 14, 2024. The application fees
24 were paid online and the applications were submitted to SCAQMD electronically to
25 permitservicesonline@aqmd.gov. The Clerk of the Board was notified that the
26 applications were submitted in accordance with the conditions of the variance on
27 the same day. These applications cover the new construction of a lead filter system
28 and the associated modifications to the lead pot furnace to add the filter system.

1 The modification application for the lead pot furnace also addresses the matter of
2 correcting the heating source listed on the permit, from combustion to electric.

3 b. On June 17, 2024, Ship & Shore Environmental supplied Thermal Solutions
4 Manufacturing with a revised turnkey quote to install the new filter system on the
5 existing lead pot. Thermal Solutions Manufacturing accepted the Ship & Shore
6 Environmental quote and provided a Purchase Order Number to the vendor on June
7 28, 2024. In accordance with Condition #2 of the variance, the proposed lead filter
8 system will be designed to allow the lead pot furnace to meet an outlet mass lead
9 emission rate of less than 0.0003 pounds per hour.

10 c. Since the variance start date, Thermal Solutions Manufacturing has limited material
11 charged into the lead pot furnace to no more than 54 pounds per day and 972
12 pounds per month in accordance with Condition #5. This material charge rate is
13 documented in a daily and monthly throughput log maintained by Thermal
14 Solutions Manufacturing. The log contains the date and hours of operation of the
15 lead pot furnace and the total quantity of material charged into the lead pot furnace
16 each day consistent with Condition #6 of the variance. In accordance with
17 Condition #6 requirements, Thermal Solutions Manufacturing has submitted a copy
18 of the log to its AQMD inspector, Kenneth Dudash, and their supervisor on the first
19 Tuesday of each month since the variance start date, including June 4, 2024 and
20 July 2, 2024.

21 d. Thermal Solutions Manufacturing has maintained the lead pot furnace and has kept
22 the equipment in good operating condition during the variance in compliance with
23 Condition #8. The facility continues to operate the equipment in good working
24 order and maintains its maintenance log for the lead pot furnace. Maintenance on
25 the lead pot furnace continues to be conducted weekly.

26 e. The Clerk of the Hearing Board has not yet notified Thermal Solutions
27 Manufacturing of any excess emissions fees due. In accordance with Condition #9
28 of the variance, Thermal Solutions Manufacturing will pay such fees from the Clerk

1 of the Board within fifteen days upon notification in writing that such fees are due.

2 f. Condition #10 of the variance requires Thermal Solutions Manufacturing to clean
3 its rooftop area once per calendar month using approved methods. The facility
4 cleaned the roof top with a HEPA vacuum on May 27, 2024, and June 13, 2024.
5 The cleaning is scheduled to be conducted again in July 2024, in compliance with
6 the variance condition. The cleaning events are documented in the facility's
7 maintenance log.

- 8 7. Thermal Solutions Manufacturing removed the rain cap from the Lead Pot Furnace exhaust
9 stack.
- 10 8. The SCAQMD Rule 1401 Risk Assessment Calculator Tool was fixed and Tier 2 HRA
11 results were calculated for residential and worker receptors. The nearest residential
12 receptor to the stack location is 439 meters south. The nearest worker receptor is 25 meters
13 away at an adjacent commercial property. Based on an hourly mass emission rate for Lead
14 (Pb) of 0.00051 lbs/hour, an operating schedule of 9 hours per day, 4 days per week, and 52
15 weeks per year, the Tier 2 risk assessment was run for a point source using a stack height of
16 35 feet. A 30-year project duration was also used. Results of the Tier 2 assessment show
17 that the potential maximum individual cancer risk (MICR) for a residential receptor is
18 1.25E-08. The MICR for an off-site worker receptor is 5.87E-07. There are no reference
19 exposure levels established for Lead for acute or non-cancer chronic exposures. Because
20 the MICR is below 1.00E-06, there is no cancer burden.
- 21 9. Thermal Solutions Manufacturing issued a Purchase Order to Ship & Shore Environmental
22 on June 28, 2024, to procure the lead filter system for the Lead Pot Furnace exhaust, further
23 showing its commitment to comply with Rules 203 and 1420.
- 24 10. Based on estimates from the vendor it may take approximately 90 days to manufacture and
25 install the filter system.
- 26 11. The Lead Pot Furnace will need to be source tested again to demonstrate compliance with
27 Rule 1420 lead emission standards after the new filter system is installed. The source test
28 will be conducted using a SCAQMD LAP-approved third-party testing company and it will

1 be conducted in accordance with the test protocol approved earlier this year. Once the
2 filter system is installed, it may take 30 to 45 days to complete the source test, depending
3 on the testing company's schedule. Results of the test will be submitted to SCAQMD with
4 a request for expedited review. It is estimated that SCAQMD may need up to 180 days to
5 certify the test results, and that a request for expedited review will reduce the amount of
6 time needed; however, Thermal Solutions Manufacturing has no control over this
7 certification process.

8 12. To facilitate the proposed path to compliance, Thermal Solutions Manufacturing is
9 requesting a Regular Variance. Without a Regular Variance, the facility will be in
10 violation of SCAQMD rules on or after July 9, 2024. Thermal Solutions Manufacturing
11 respectfully requests that the SCAQMD Hearing Board grants its request for a Regular
12 Variance to bring the facility into compliance with SCAQMD Rules.

13 13. Based on the timeline presented herein, Thermal Solutions Manufacturing will need the
14 Regular Variance to last for approximately 315 days. If the Regular Variance is granted on
15 July 9, 2024, then the final compliance date will be May 20, 2025.

16
17 I declare under penalty of perjury under the laws of the State of California that the forgoing is
18 true and correct, and that this declaration was executed on July 1, 2024, in Florissant, Missouri.

19
20 DATED: July 1, 2024

By:  _____

21 Bill Winchester, C.P.P.
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