

SOUTH COAST AQMD  
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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**

CASE NO. 6255-2

14 SOUTH COAST AIR QUALITY  
15 MANAGEMENT DISTRICT,

**PETITION FOR [STIPULATED]  
ORDER FOR ABATEMENT**

Petitioner,

District Rule 1420

vs.

16 THERMAL SOLUTIONS  
17 MANUFACTURING, INC.,

Hearing Date: May 23, 2024  
Time: 9:30 a.m.  
Place: Hearing Board  
South Coast Air Quality  
Management District  
21865 Copley Drive  
Diamond Bar, CA 91765

[Facility ID No. 172808]

Respondent.

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20  
21 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (hereinafter referred to as  
22 "District" or "Petitioner") petitions the South Coast AQMD Hearing Board for an Order for  
23 Abatement directed to Respondent THERMAL SOLUTIONS MANUFACTURING, INC.  
24 ("THERMAL SOLUTIONS").

25 1. Petitioner is a body corporate and politic established and existing pursuant to Health  
26 and Safety Code §40000, *et seq.* and §40400, *et seq.*, and is the sole and exclusive local agency  
27 with the responsibility for comprehensive air pollution control in the South Coast Basin.  
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1           2.       Respondent THERMAL SOLUTIONS MANUFACTURING, INC. (“THERMAL  
2 SOLUTIONS” or “Respondent”) operates THERMAL SOLUTIONS, a Facility subject to the  
3 jurisdiction of the District. THERMAL SOLUTIONS manufactures radiator cores at its San  
4 Bernardino facility, located at 1390 S. Tippecanoe Ave., Suite B San Bernardino, CA 92408. Its  
5 Facility ID Number is 172808.

6           3.       Respondent manufactures radiator cores, which are built by hand, go through a flux  
7 bath and a heat-treating furnace (oven), and then are finished in the lead pot furnace (PO G26164)  
8 (“Lead Pot”).

9           4.       District Rule 1420(f)(1) requires any operator of a metal melting facility or lead  
10 processing facility that processes lead-containing materials meet an outlet mass lead emission rate  
11 of less than 0.0003 pounds per hour or reduce lead emissions by a minimum of 99%.

12          5.       Respondent conducted a source test in early March 2024 to demonstrate compliance  
13 with the requirements of Rule 1420. Preliminary source test results suggest that the Lead Pot is  
14 emitting lead at an average rate of approximately 0.00051 lb/hr, which is above the emission  
15 standard, and the device is currently not equipped with an add-on control device.

16          6.       Based on the results of the last test in 2019, no add-on controls were required, the  
17 Lead Pot emissions met the standard required by Rule 1420, and the Facility met the eligibility  
18 requirements to extend the source testing frequency to 48 months.

19          7.       Based on the preliminary source test results, continued operation of the Lead Pot by  
20 Respondent is a violation of Rule 1420 until Respondent can demonstrate compliance with the lead  
21 emission limits.

22          8.       The District, by this petition, seeks an Order for Abatement to require Respondent to  
23 cease violating District rules, or comply with such other relief as this Hearing Board deems  
24 appropriate.

25          9.       The issuance of an Order for Abatement upon a fully noticed hearing would not  
26 constitute a taking of property without due process of law.

27          10.       This Order for Abatement is not intended to be, nor does it act as a variance.  
28

1           11.     The issuance of the petitioned for Order for Abatement is not expected to result in  
2 the closing or elimination of an otherwise lawful business, but if it does result in such closure or  
3 elimination, it would not be without a corresponding benefit in reducing air contaminants.

4           12.     The District is in discussions with Respondent and anticipates reaching a stipulation  
5 regarding this Order for Abatement. It is the District's intention to file proposed Findings and  
6 Decision a few days in advance of the hearing.

7           WHEREFORE, the District prays for an Order for Abatement as follows:

8           1.     That this Hearing Board issue an Order for Abatement requiring Respondent to cease  
9 and desist from operating its facilities in a manner which violates District Rule 1420 by complying  
10 with increments of progress and conditions as the Board deems appropriate.

11          2.     For such other and further relief that this Board deems just and proper.

12          3.

13 Dated: April 26, 2024

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
OFFICE OF THE DISTRICT COUNSEL  
Mary Reichert, Senior Deputy District Counsel

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By:   
Mary Reichert  
Attorney for Petitioner

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