

STATE OF TENNESSEE
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
BOARD OF BOILER RULES

QUARTERLY MEETING OF THE
STATE OF TENNESSEE
BOARD OF BOILER RULES

March 12, 2025

ORIGINAL

CASSANDRA M. BEILING, LCR# 371
STONE & GEORGE COURT REPORTING
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Suite 900 - PMB 234
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1 APPEARANCES:

2 David W. Baughman, Chairman/Board Member

3 Micah Lashley, Board Member

4 Riley Collins, Board Member

5 Richard Scott May, Board Member

6 Jeffery Henry, Board Member (not present)

7 Thomas Herrod, Assistant Commissioner
8 Tennessee Department of Labor & Workforce
Development9 Melissa Owens, Esq., Legal Counsel
10 Tennessee Department of Labor & Workforce
Development11 Chance Deason, Esq., Legal Counsel
12 Tennessee Department of Labor & Workforce
Development13 Jimmy Watson, Acting Chief Boiler Inspector
14 Tennessee Department of Labor & Workforce
Development15 Alex Cass, Deputy Boiler Inspector
16 Tennessee Department of Labor17 Mia-Lyn Wiley, Boiler Board Secretary
18 Tennessee Department of Labor & Workforce
Development19 Jamie Diefenbach, Executive Admin Assistant
20 Tennessee Department of Labor & Workforce
Development

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1 ADDITIONAL Appearances:

2 Andrew Peterson
3 Director of Maintenance and Technology
4 Bridgetown Natural Foods

5 Terry Vinson
6 Engineering & Maintenance Manager
7 Domtar

8 Jerry Helmes
9 Reliability Engineer
10 Domtar

11 Aly Abbas
12 Manager Asset Integrity
13 Domtar

14 Brian Crowder
15 Tissue Machine Trainer
16 Domtar

17 Marty Toth
18 ECS Consulting and Boisco Training Group

19 Branden Matue
20 FM Global

21 Joe Morse
22 Supervisor
23 Jack Daniel's Distillery

24 Kristen Schmidt
25 Senior Operations Manager/By-products Department
26 Jack Daniel's Distillery

27 Megan Best
28 Automation Engineer
29 Jack Daniel's Distillery

30 STONE & GEORGE COURT REPORTING
31 Cassandra M. Beiling, LCR

32 ** Reporter's Note: All names are spelled
33 phonetically unless otherwise provided to the
34 Reporter by the parties.

A G E N D A

1. Call Meeting to Order
2. Introductions and Announcements
3. Adoption of the Agenda
4. Approval of the Meeting Minutes and Transcript for December 11, 2024
5. Chief Boiler Inspector's Report
6. Old Business
 - BC 24-02: Maximum of 180 Days for a Company with an Approved Variance to Notify the State of Inspection Readiness
 - BI 24-02: Walkways, Runways, and Platforms Across Adjoining Boilers & Pressure Vessels
7. New Business
 - A. Variance requests
 - *25-01 Bridgetown Natural Foods
 - *25-02 Cookeville Regional Medical Center
 - *25-03 Jack Daniel's Distillery
 - *25-04 Domtar Tissue Mill
 - B. Board Interpretations
 - *BI 25-01 Waiver for existing Boiler and Pressure Vessels to be compliant with NBIC and TN Board of Boiler Rules regarding Ladder and Runway Requirements

1 8. Open Discussion

2 9. Upcoming 2025 Scheduled Quarterly Meetings

3 *June 11, 2025

4 *September 10, 2025

5 *December 10, 2025

6 10. Adjournment

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2 CHAIRMAN BAUGHMAN: Let me call
3 the quarterly meeting of the Board of Boiler Rules
4 Board to order.

5 I want to thank you for all being
6 here. It's great to see new faces and some of
7 the -- well, I won't say old faces but some of the
8 familiar faces of people out here in the audience.

9 I'm going to go over a couple things
10 as we start. Silence your phones, please. I know
11 we talked about this the last meeting or meeting
12 before; one still went off, which was kind of
13 funny when we all point fingers at that person.
14 But please do silence your phones.

15 In a matter of security, if there's a
16 security issue, whatever that may be, security
17 personnel will come and direct us to the point of
18 exit that we need to marshal to, so just know that
19 that's the protocol. So with that, are there any
20 announcements that we want to start with?

21 (No verbal response.)

22 CHAIRMAN BAUGHMAN: None being
23 noted, Madam Secretary, will you perform a roll
24 call, please?

25 MS. WILEY: Mia-Lyn Wiley, Board

1 Secretary.

2 Chairman Dave Baughman?

3 CHAIRMAN BAUGHMAN: Here.

4 MS. WILEY: Riley Collins?

5 MR. COLLINS: Here.

6 MS. WILEY: Jeff Henry? He's
7 absent.

8 Micah Lashley?

9 MR. LASHLEY: Here.

10 MS. WILEY: And Richard Scott
11 May?

12 MR. MAY: Here.

13 CHAIRMAN BAUGHMAN: Madam
14 Secretary, do we have a quorum?

15 MS. WILEY: Yes, Chairman, we do
16 have a quorum.

17 CHAIRMAN BAUGHMAN: Very good.
18 Thank you.

19 Being that there's no announcements
20 and we've had our introductions, does everybody
21 here have an agenda?

22 (Affirmative response.)

23 CHAIRMAN BAUGHMAN: Yes? And do
24 we have a motion to approve the addenda?

25 MR. COLLINS: So moved.

1 CHAIRMAN BAUGHMAN: Second?

2 MR. LASHLEY: Second.

3 CHAIRMAN BAUGHMAN: All in favor
4 say "aye."

5 (Affirmative response.)

6 CHAIRMAN BAUGHMAN: With no
7 objections, we have an approved agenda.

8 Approval of the meeting minutes and
9 the transcript for the last meeting, December 11th
10 of '24. Any questions, additions, corrections to
11 those meeting minutes?

12 MR. LASHLEY: I think they've all
13 been addressed.

14 CHAIRMAN BAUGHMAN: I'm sorry.
15 Again?

16 MR. LASHLEY: I said I believe
17 they've all been addressed.

18 CHAIRMAN BAUGHMAN: Very good.
19 So do we have a motion to approve the minutes and
20 transcript for the December 11th, 2024 meeting?

21 MR. LASHLEY: Motion.

22 CHAIRMAN BAUGHMAN: Second?

23 MR. MAY: Second.

24 CHAIRMAN BAUGHMAN: All right.

25 All in favor, say "aye."

1 (Affirmative response.)

2 CHAIRMAN BAUGHMAN: We've got an
3 approval of those meeting minutes and transcript.

4 Chief Watson, will you present the
5 Chief Boiler Inspector's report, please, and
6 Assistant Chief Alexander Cass?

7 CHIEF WATSON: Good morning,
8 everybody. I would like to highlight we had two
9 new inspectors, one going to the Clarksville area
10 as soon as our -- Steve Perry, current Clarksville
11 area guy retires. Lincoln, Jr. will be taking
12 over most of the Chattanooga area and will be
13 given some more territory pretty soon. But they
14 have passed our apprenticeship program and passed
15 the exam first shot. So I would just like to
16 highlight them.

17 CHAIRMAN BAUGHMAN: Fantastic.

18 CHIEF WATSON: And on this next
19 slide is showing the count of inspections
20 performed by the State and AIAs, just a little
21 visual up there. The State's done over 10,000,
22 insurance company has done over 18,000.

23 Going on to the next slide, just kind
24 of a look at our progression from '23 to current.
25 2023, our inspection numbers were at 15,346. It

1 went down a little bit in 2014 to 14,525. And our
2 fiscal year 10,736. '25 annualized, we're at
3 15,951. 52-week summary of 15,981.

4 Our next slide, a graph of our
5 delinquents. We had a drop of inspections come on
6 us and took a little bit of a step back, so we
7 went up to around 7 or 8 percent. I can't
8 remember exactly the number right off. But we're
9 back down to 5.76, and insurance is at 1.11.

10 CHAIRMAN BAUGHMAN: Chief Watson?

11 CHIEF WATSON: Yes, sir.

12 CHAIRMAN BAUGHMAN: What do you
13 attribute that to, that large drop within
14 insurance in particular and trending down within
15 the state?

16 CHIEF WATSON: Now, with the
17 insurance, I'm not sure that drop would be from
18 just a JRS standpoint. I'm not exactly sure how
19 both of us inclined and declined at the same time
20 whenever most of theirs kind of dropped to us.

21 MR. HERROD: (Indicating.)

22 CHAIRMAN BAUGHMAN: I was just
23 curious.

24 Mr. Herrod?

25 MR. HERROD: Yeah. There was a

1 correction between the two systems that we're
2 having at this point in time, JO, that most
3 insurance companies use. We're using JRS and
4 we're trying to reconcile those locations and
5 those inspections.

6 So there was a correction middle of
7 January by JO to JRS. And so that hit us. We
8 have now 2,000 more vessels assigned to us that we
9 previously weren't aware of. And so we're
10 catching up with that at this point.

11 We had gotten down to almost
12 2 percent, around 2 percent delinquency bumped up
13 to 8 now. The Boiler Unit is knocking that down
14 once again. So I think by the middle of the year,
15 at the end of the fiscal year, middle of the
16 calendar year, we should be back down to 2 percent
17 or less.

18 CHAIRMAN BAUGHMAN: Thank you for
19 the explanation, Mr. Watson.

20 CHIEF WATSON: Yes, sir. So we
21 are trending in the right direction for that.

22 MR. LASHLEY: There's a lot of
23 policy changes per quarter as well as per the
24 insurance, so as the policy changes, you may pick
25 up some stuff that, you know, was kind of in limbo

1 for the period between binding an account and
2 actually getting out to see that it was overdue.

3 CHAIRMAN BAUGHMAN: Makes sense.
4 Thank you, Micah.

5 MR. LASHLEY: Yes, sir.

6 CHIEF WATSON: All right. And on
7 this next slide, just a visual of our counties
8 with the higher delinquent rates. And we have --
9 one of our new inspectors will be knocking down on
10 that Davidson County, so we're hoping to get that
11 down as quickly as possible.

12 And on our next slide, this is open and
13 closed violations by state and insurance. So we
14 had 767 open since July 1, '24; 697 of those
15 closed. The State opened 49% of those
16 inspections, and the State actually closed
17 57 percent of those inspections.

18 And on to the variances, I'm going to
19 pass it to Alex.

20 ASSISTANT CHIEF CASS: So on the
21 variance report, we have 87 active variances in
22 the state right now. The inspections that have
23 been performed since our last meeting were three,
24 and all three of those inspections passed. And
25 then if you look at the next slide... so Clover

1 Bottom Development Center, MARs Pet Care, and
2 Meharry Medical College all passed their
3 inspection.

4 And I did want to point out that
5 there were two variances that were not renewed
6 from last time and one of those, I believe, the
7 vessel, has been replaced and marked inactive and
8 replaced with hot water heaters instead of a steam
9 boiler, so it wouldn't require a variance. And
10 then the other one, I'm not sure what the reason
11 for not renewing their variance was.

12 CHAIRMAN BAUGHMAN: Very good.
13 Any questions regarding the Chief Inspector's
14 Report for Assistant Chief Cass and Chief Watson?

15 MR. LASHLEY: The three variance
16 inspections, were they -- these were all three
17 reinspections, correct?

18 CHIEF WATSON: Yes, sir.

19 ASSISTANT CHIEF CASS: Yes.

20 MR. LASHLEY: Okay.

21 CHAIRMAN BAUGHMAN: So those
22 three, did they go back over to the variance
23 report where it said inspections performed, were
24 those inspections performed, three -- are those
25 these three or are they three in addition to

1 these --

2 ASSISTANT CHIEF CASS: Those were
3 the three.

4 CHAIRMAN BAUGHMAN: Those were
5 the three. Very good. Thank you.

6 Any other questions?

7 (No verbal response.)

8 CHAIRMAN BAUGHMAN: No? Very
9 good report.

10 CHIEF WATSON: Thank you-all.

11 CHAIRMAN BAUGHMAN: Thank you.

12 I just want to note that both Chief
13 Watson and Assistant Chief Cass are doing an
14 excellent job, and I'm very thankful for both of
15 them.

16 CHIEF WATSON: Thank you, sir.

17 CHAIRMAN BAUGHMAN: All right.

18 Going on now to Item 6, Old Business. So Old
19 Business, we've got Board Case BC 24-02, Maximum
20 of 180 days for a company with an Approved
21 Variance to Notify the State of Inspection
22 Readiness.

23 So upon receiving Board approval for
24 a Boiler Attendant Variance Request, the
25 requesting company must notify the State within

1 180 days of its readiness for an inspection of its
2 boiler operation. Failure to do so within the
3 specified time will result in the cancellation of
4 the variance.

5 There's a caveat to that, being that
6 a request can be made to the Chief and the
7 Assistant Commissioner to extend that time to
8 another 180 days. So being that, the
9 recommendation is to approve this Board Case
10 24-02.

11 And is there any discussion regarding
12 this?

13 MR. COLLINS: This is, I guess,
14 just my lack of knowing how these board cases are
15 received and accepted and, I guess, incorporated
16 into these rules and procedures. But would it be
17 if that one-time extension is listed in the
18 recommendation but it's not listed in the reply,
19 would that be seen as the requester or the person
20 who is presenting this board case recommended this
21 wording and this one-time extension, but then our
22 reply does not include giving the -- does that
23 give the sense that we saw that in the
24 recommendation, but this is our reply instead? I
25 didn't know if it was necessary for that wording

1 to be in the reply as well.

2 CHAIRMAN BAUGHMAN: I will ask
3 Counsel Deason your thoughts on that, and Ms. Owen
4 also.

5 MR. DEASON: We were having a
6 side conversation. I only caught part of that.
7 I'm sorry, Mr. Collins. Could you...

8 MR. COLLINS: That's okay. I
9 guess, my question is, is the structure of a Board
10 Case -- are there, I guess, legal implications to
11 the specific fields, background, recommendation,
12 inquiry, and reply, that if there is wording in
13 the recommendation but the reply does not have
14 that wording, is the reply what is considered like
15 the actionable wording, whereas the recommendation
16 is more or less background or what is stated as,
17 as a recommendation?

18 MR. DEASON: The recommendation
19 is more informal in terms of how it would act as a
20 precedence. The reply is more of a formal action.
21 The wording in the reply is more -- I mean, that
22 needs to be more carefully crafted. I don't know
23 if I'm answering --

24 MR. COLLINS: Well, I guess, if
25 there -- let's say, okay, the one-time extension

1 is in the recommendation. Is any wording in the
2 recommendation able to be implied, enforced, used?

3 MR. DEASON: In the
4 recommendation?

5 CHAIRMAN BAUGHMAN: In other
6 words -- I'm sorry to interject. But what he's
7 asking is does the recommendation and the reply --
8 since the reply does not include that addition of
9 the addition of 180 days, do they need to match,
10 in other words? So does the reply need to include
11 that additional 180-day request to the Assistant
12 Commissioner and the Chief?

13 MR. DEASON: If you intend --
14 yes. If you intend to adopt the recommendation --
15 I see what you're saying -- the recommendation in
16 total as it is, yes, it needs to match.

17 CHAIRMAN BAUGHMAN: Okay.

18 MR. TOTH: (Indicating.)

19 CHAIRMAN BAUGHMAN: Mr. Toth?

20 MR. TOTH: Marty Toth, ECS
21 Consulting and Boisco Training Group.

22 I agree with Riley on this. My
23 recommendation to you, Mr. Chairman, would be to
24 do a separate inquiry and reply to where you
25 answer the first question on Inquiry Number 1, and

1 you can be very limited with that. And then
2 Inquiry Number 2 would ask the question, if -- is
3 there the ability to get an extension, and you
4 could answer that in Inquiry and Reply Number 2.
5 I think that that would be very -- it's what Riley
6 and I deal with in codes, and so that's kind of
7 why we recommend that.

8 CHAIRMAN BAUGHMAN: I appreciate
9 that and that input, because that makes sense, and
10 it really separates those two and gives clarity to
11 who's reading that.

12 Is that able to be changed here
13 during this meeting so that we can vote upon that?

14 MS. OWEN: You can vote --
15 because this is already on the agenda, you can
16 vote and you can make changes during your vote.
17 We'll note that on the record, and then we can
18 redraft. And when you make your vote, you will
19 state in your motion what changes are being made
20 and what the actual motion is.

21 CHAIRMAN BAUGHMAN: Very good.
22 Thank you very much for that.

23 MR. LASHLEY: Chairman?

24 CHAIRMAN BAUGHMAN: Yes, sir.

25 MR. LASHLEY: If we're editing,

1 we also need to add into the reply that previous
2 contingent variances have 180 days from the voting
3 on this as well.

4 CHAIRMAN BAUGHMAN: Just like
5 what it states in the --

6 MR. LASHLEY: Yes, sir.

7 CHAIRMAN BAUGHMAN: Very good.
8 And that's a good point, Micah.

9 So we need to get this wording
10 correct so that we can go ahead and put this to a
11 vote and get it adopted if in fact it's voted as
12 such. So how about some help with the wording of
13 it.

14 So Micah, you're pretty good with
15 wording on the documents. I would say that we
16 start with the reply, the way it states, and then
17 put in there the addition; for good cause shown,
18 the boiler inspector may grant a -- sorry, this is
19 going to be a separate inquiry.

20 So the first one stands like it is.
21 What is the maximum time allowable from approval
22 of a variance under the requesting company --
23 excuse me -- until the requesting company notifies
24 the State that it is ready for an inspection?

25 The reply to that inquiry is: The

1 Board of Boiler Rules believes that a 180-day
2 limit is reasonable for a company with a newly
3 approved variance to notify, parenthesis, via mail
4 and/or email, closed parenthesis, the State,
5 parenthesis, Chief Boiler Inspector, closed
6 parenthesis, that it is ready for an inspection.
7 If a company fails to notify the State of its
8 readiness for an inspection within the 180-day
9 time frame, the approved variance will be
10 canceled.

11 That will be Inquiry Number 1,
12 correct?

13 MR. LASHLEY: Well, we also --

14 CHAIRMAN BAUGHMAN: And then
15 we're -- I'm sorry. Go ahead.

16 MR. LASHLEY: Add: Furthermore,
17 any entity with a previous contingent variance
18 approval shall notify the Chief Boiler Inspector
19 of its readiness for an inspection of the boiler
20 operation within 100 days of the effective date of
21 the boiler case.

22 CHAIRMAN BAUGHMAN: And group
23 that together under that same reply. I like that.

24 MR. TOTH: I'm sorry, what...

25 CHAIRMAN BAUGHMAN: Mr. Toth?

1 MR. TOTH: I'm sorry, what are
2 you adding to that, about the 100 or 180 days?

3 CHAIRMAN BAUGHMAN: The
4 contingency of those variances that are already in
5 place or that have been voted on and approved. I
6 think that's good. Do we need --

7 MR. TOTH: (Indicating.)

8 CHAIRMAN BAUGHMAN: Yes,
9 Mr. Toth?

10 MR. TOTH: No. I -- just for
11 clarity in your recommendations and all the
12 background information, you're doing a great job
13 of explaining exactly what you're wanting to do.
14 For simplicity's sake -- and again, this goes back
15 to what we deal with with the NBIC and the ASME,
16 is to leave it very simplistic in your answer and
17 your reply. If you mention everything in the
18 recommendation in your reply, you say 180 days is
19 180 days. Everything that Micah just said, what
20 you just said is all in the body of the
21 recommendation. You keep it short and simple and
22 say 180 days, that should be sufficient.

23 That's just my opinion. Because you
24 start getting really wordy in your replies, and
25 people get confused.

1 CHAIRMAN BAUGHMAN: Thank you.

2 MR. DEASON: Mr. Chairman, we're
3 going to have to follow our public comment policy.

4 CHAIRMAN BAUGHMAN: Very good.
5 Thank you.

6 So what we've got is Inquiry
7 Number 1. I think under that same reply, we could
8 add that this is applicable to, as you worded
9 it -- and you may have to go over that wording
10 again so that we've got it again for the record
11 under that reply to Inquiry Number 1, if you don't
12 mind.

13 MR. LASHLEY: Furthermore, any
14 entity with a previous contingent variance
15 approval shall notify the Chief Boiler Inspector
16 of its readiness for inspection of the boiler
17 operation within 180 days of the effective date of
18 this Boiler Case.

19 Basically, taking the first sentence
20 and the second paragraph of the recommendation and
21 adding, Furthermore -- copy, paste.

22 CHAIRMAN BAUGHMAN: Very good.
23 Do we want to vote on the inquiries separately,
24 because we're going to be now adding a separate
25 inquiry?

1 MS. OWEN: Yes.

2 CHAIRMAN BAUGHMAN: Okay. Very
3 good. Thank you.

4 So for Inquiry Number 1, what is the
5 maximum time allowable for -- excuse me -- from
6 approval of a variance until the requesting
7 company notifies the State that it is ready for
8 inspection?

9 The reply is as stated: The Board of
10 Boiler Rules believes that a 180-day limit is
11 reasonable for a company with a newly approved
12 variance to notify via mail and/or email the State
13 Chief Boiler Inspector that it is ready for an
14 inspection. If a company fails to notify the
15 State of its readiness for an inspection within
16 the 180-day time frame, the approved variance will
17 be canceled.

18 And then as Micah worded -- would you
19 repeat that again?

20 MR. LASHLEY: Furthermore, any
21 entity with a previous contingent variance
22 approval shall notify the Chief Boiler Inspector
23 of its readiness for an inspection of the boiler
24 operation within 180 days of the effective date of
25 this Boiler Case.

1 CHAIRMAN BAUGHMAN: Very good.
2 So we've got that as the inquiry and reply. Any
3 more discussion on that?

4 (No verbal response.)

5 CHAIRMAN BAUGHMAN: Do I have a
6 motion to accept as we have documented?

7 MR. LASHLEY: Motion.

8 CHAIRMAN BAUGHMAN: Second?

9 MR. MAY: Second.

10 CHAIRMAN BAUGHMAN: Second, Mr.
11 May.

12 With that, I'll call the vote. All
13 in favor say "aye."

14 (Affirmative response.)

15 CHAIRMAN BAUGHMAN: Against?

16 (No verbal response.)

17 CHAIRMAN BAUGHMAN: All right.
18 We approve Inquiry Number 1 as documented. Thank
19 you.

20 Now we'll add Inquiry Number 2.

21 Is that correct, Ms. Owens?

22 MS. OWEN: Yes.

23 CHAIRMAN BAUGHMAN: Okay. And
24 Inquiry Number 2 will be the company may --

25 MR. COLLINS: (Indicating.)

1 CHAIRMAN BAUGHMAN: I'm sorry?

2 MR. COLLINS: I'll take a crack
3 at it.

4 CHAIRMAN BAUGHMAN: Yeah. Thank
5 you, Mr. Collins, very much.

6 MR. COLLINS: Inquiry Number 2,
7 this is the wording that I've just come up with:
8 But may a company request an extension of the
9 deadline for notification of inspection readiness.

10 CHAIRMAN BAUGHMAN: And to add to
11 that: For good cause shown, the Chief Inspector
12 may grant a one-time extension of such
13 notification, period. But it shall not exceed an
14 additional 180 days. That extension will be
15 requested to both the Assistant Commissioner and
16 the Chief Boiler Inspector.

17 MR. COLLINS: So what you just
18 stated would be the reply?

19 CHAIRMAN BAUGHMAN: Yes, sir.

20 MR. COLLINS: Okay.

21 CHAIRMAN BAUGHMAN: So
22 Mr. Collins, would you mind reading that back?
23 Thank you, Brother.

24 MR. LASHLEY: May a company
25 request an extension of the deadline for

1 notification of inspection readiness, is Inquiry
2 Number 2.

3 Reply Number 2, I'm going to hand
4 that off to you.

5 CHAIRMAN BAUGHMAN: Okay. That
6 for good cause shown, the request for extension --
7 excuse me -- the request for the extension of an
8 additional up to 180 days may be given to the
9 Chief Boiler Inspector and the Assistant
10 Commissioner who may grant this one-time
11 extension.

12 MR. DEASON: (Indicating.)

13 CHAIRMAN BAUGHMAN: Yes, sir,
14 Mr. Deason?

15 MR. DEASON: May I make a
16 suggestion?

17 CHAIRMAN BAUGHMAN: Yes,
18 absolutely.

19 MR. DEASON: I think if you would
20 consider that the request must be submitted to and
21 approved by both the Assistant Commissioner and
22 the Chief Boiler Inspector. I think that's what
23 we talked about before.

24 CHAIRMAN BAUGHMAN: I believe
25 that wording is very appropriate. So being as

1 such, I'd love to hear the wording of how -- we
2 know what our inquiry sounds like, but what our
3 specific reply to that is -- that reply is such
4 that yes, the company may submit a request to -- a
5 request for an extension of up to 180 days to both
6 the Chief Inspector and the Assistant Commissioner
7 for their approval.

8 And I don't know if any additional
9 wording needs to be such; as Mr. Toth stated, keep
10 it short and sweet.

11 MR. DEASON: Yeah. We don't want
12 to overly complicate it. We want to be clear
13 about who to send it to and who has to give
14 approval. And also, obviously, how long, up to
15 180 days.

16 So if you don't mind, I think -- and
17 I'm trying to read my writing. For good cause
18 shown, request for extension...

19 MR. LASHLEY: May I give it a
20 shot?

21 CHAIRMAN BAUGHMAN: Yes, sir,
22 Mr. Lashley.

23 MR. LASHLEY: The company may
24 submit a request to the Assistant Commissioner and
25 Chief Boiler Inspector for an extension of

1 inspection readiness. For good cause shown, a
2 one-time extension of such notification period
3 shall be granted but shall not exceed an
4 additional 180 days.

5 CHAIRMAN BAUGHMAN: How about may
6 be granted upon their approval. Both of them need
7 to have an approval on it instead of putting in
8 the "shall," because it's not necessarily granted.
9 They've got to show good cause for it to be
10 approved.

11 MR. TOTH: (Indicating.)

12 CHAIRMAN BAUGHMAN: Mr. Toth,
13 yes, sir?

14 MR. TOTH: Yes. I was going to
15 ask that about the "may" and "shall," because I
16 agree with Micah. If good cause is shown, they
17 shall approve it. So if it's a "may," I would
18 like to get an understanding of what would cause
19 it not to be granted.

20 CHAIRMAN BAUGHMAN: Yes, sir.
21 Thank you.

22 MR. TOTH: So that's why "shall."

23 MR. DEASON: I don't like that --
24 if I may...

25 CHAIRMAN BAUGHMAN: Yes, sir.

1 MR. DEASON: I don't like that
2 language that kind of boxes us in, for good cause
3 shown, shall. I mean, I don't know and maybe you
4 guys, the members, might know. There may be good
5 cause, but there may be some other reason not to
6 grant it. I don't know if that could be possible.
7 But the "shall" boxes us in.

8 CHAIRMAN BAUGHMAN: I agree. And
9 that was somewhat my thinking. So it's got to
10 have good cause shown to both the Assistant
11 Commissioner and the Chief Boiler Inspector, and
12 then they can make the determination on whether
13 that's prudent or not.

14 MR. EDWARDS: (Indicating.)

15 CHAIRMAN BAUGHMAN: Yes, sir. If
16 you would introduce yourself.

17 MR. EDWARDS: Yes, sir. I am on
18 the agenda there for speaking.

19 Mark Edwards with XL. I believe the
20 reply had said that the entity may request.
21 Should that be that they must request if they're
22 wanting an extension, rather than "may"? If
23 you-all could look at that wording again.

24 CHAIRMAN BAUGHMAN: Thank you for
25 that.

1 MR. EDWARDS: I may be incorrect
2 on that.

3 CHAIRMAN BAUGHMAN: Thank you,
4 Mark. At any rate, that needs to be the way it's
5 worded, as it is. So we need to get a final
6 wording on this documented.

7 MR. ROBINSON: (Indicating.)

8 CHAIRMAN BAUGHMAN: Yes, sir?
9 I'm sorry, is that Eugene Robinson?

10 MR. ROBINSON: Eugene Robinson,
11 Cincinnati Insurance.

12 CHAIRMAN BAUGHMAN: I'm going to
13 add you to the list real quick, Mr. Robinson.

14 MR. ROBINSON: Very well.

15 CHAIRMAN BAUGHMAN: Yes, sir.

16 MR. ROBINSON: In my opinion, the
17 show cause is ambiguous. You could be direct.

18 CHAIRMAN BAUGHMAN: I guess,
19 I'm --

20 MS. OWEN: Chairman?

21 CHAIRMAN BAUGHMAN: Yes,
22 Ms. Owens?

23 MS. OWEN: So I want to speak to
24 two different things. We've talked about that
25 they may request or they must request. The

1 company may request. If they choose not to
2 request and they don't notify us in 180 days, the
3 variance is canceled. They don't have to file
4 that request, so it's not "must."

5 And for the -- I think if we just
6 take out "for good cause shown," they submit their
7 request to the Assistant Commissioner and the
8 Chief Boiler Inspector. They can then review that
9 request and whatever is in it, and then they grant
10 or deny that request.

11 CHAIRMAN BAUGHMAN: I think
12 that's good advice. So we can delete the "for
13 good cause shown." We'll word it that they may
14 request to the Assistant Commissioner and the
15 Chief Boiler Inspector an extension of the
16 deadline for notification of inspection readiness.
17 This extension application would be for such a
18 period not to exceed an additional 180 days.

19 MR. EDWARDS: (Indicating.)

20 CHAIRMAN BAUGHMAN: Yes, Mark?

21 MR. EDWARDS: The inquiry. Can
22 we talk about the inquiry first before referring
23 to the reply?

24 What was the inquiry? Because the
25 reply is determining the "may" or "must." So the

1 reply is based on the inquiry, right? So the
2 inquiry was asking about an extension being
3 considered. And so if we're replying to the
4 inquiry, the reply needs to determine whether they
5 may do it, if they're wanting the extension, or
6 whether they must do it. If they're wanting the
7 extension and the inquiry is asking, you know,
8 about the extension, I believe the may/must should
9 be the must in the reply.

10 CHAIRMAN BAUGHMAN: In other
11 words, being specific to that inquiry.

12 MR. EDWARDS: Depending on what
13 the inquiry was, yes, sir.

14 CHAIRMAN BAUGHMAN: Okay. Thank
15 you, Mark.

16 MR. EDWARDS: Yes, sir.

17 CHAIRMAN BAUGHMAN: So let's make
18 a specific Inquiry Number 2. And that is that may
19 an extension to the 180-day limit be applied
20 for...

21 MR. COLLINS: The inquiry, what I
22 originally stated, was fine as it was.

23 CHAIRMAN BAUGHMAN: Okay. And
24 that is, if you would...

25 MR. COLLINS: May a company

1 request an extension of the deadline for
2 notification of inspection readiness?

3 CHAIRMAN BAUGHMAN: Wonderful.
4 Good. And I like that. Very good. Thank you,
5 Mr. Collins.

6 And the reply to that is that...

7 MR. LASHLEY: The company may
8 submit a request to the Assistant Commissioner and
9 Chief Boiler Inspector for an extension for
10 notification of inspection readiness. A one-time
11 extension of no longer than 180 days may be
12 granted.

13 CHAIRMAN BAUGHMAN: Short and
14 sweet. Okay. I like that.

15 Cassandra you've got that? Of course
16 you do. You're good.

17 Very good. Any questions on that?

18 (No verbal response.)

19 CHAIRMAN BAUGHMAN: Thank you
20 very much for taking the time to discuss and get
21 wording appropriate on that.

22 So the Inquiry Number 2 has been set
23 forth and the reply set forth. Do I have a motion
24 to accept?

25 MR. MAY: Motion.

1 CHAIRMAN BAUGHMAN: Second?

2 MR. COLLINS: Second.

3 CHAIRMAN BAUGHMAN: All in favor
4 say "aye."

5 (Affirmative response.)

6 CHAIRMAN BAUGHMAN: No votes?
7 Abstentions? Mr. Henry.

8 We have got Inquiry Number 2 and the
9 reply to this Board Case 24-02 accepted.

10 Thank you. Thank you for the
11 discussion. Thank you for the input from those in
12 the gallery.

13 We'll move on, then. We are still
14 under Old Business.

15 We're under BI 24-02, Board
16 Interpretation: Walkways, runways, platforms
17 across adjoining boilers and pressure vessels.

18 Mr. Toth is at the public podium.

19 Mr. Toth will you present before we
20 jump into our discussion on it?

21 MR. TOTH: Sure. Thank you,
22 Mr. Chairman and Members of the Board. This is as
23 Chairman Baughman alluded to. This is a carryover
24 from the December meeting. Simply enough, what
25 we're asking is the requirement for runways,

1 walkways, and platforms across adjoining boilers,
2 if it's required or not.

3 I'm going to jump straight to the
4 Inquiry 1. In the state of Tennessee, is it
5 required that adjacent boilers and pressure
6 vessels have a runway or a walkway across and
7 between them to satisfy the requirements of 1.6.4.

8 In part 1, installation of the NBIC
9 and 800-03-03.0411 of the Tennessee Board of
10 Boiler Rules provided: All applicable size and
11 construction requirements stated with the NBIC are
12 met.

13 The recommended reply is no. I think
14 there was some confusion in reading the NBIC and
15 also the rules that assume that just because you
16 have two boilers or three or four or however many
17 pressure vessels that you have that are adjacent
18 that are above the eight foot off the operation
19 floor are required to have connecting runways and
20 platforms. That is not the case.

21 Each individual vessel or boiler is
22 able to have its own platform, runway, or ladder.

23 And so I submit.

24 CHAIRMAN BAUGHMAN: Thank you,
25 Mr. Toth.

1 So we need to make a motion to
2 discuss. So motion to discuss?

3 MR. COLLINS: So moved.

4 MR. MAY: Second.

5 MR. COLLINS: (Indicating.)

6 CHAIRMAN BAUGHMAN: Yes, sir?

7 MR. COLLINS: I agree with the
8 wording in the inquiry and the reply.

9 CHAIRMAN BAUGHMAN: Any other
10 discussion?

11 MR. LASHLEY: We're good.

12 CHAIRMAN BAUGHMAN: All right.
13 Well, with that, I'll call for the vote. All in
14 favor of BI 24-02 as stated in the inquiry and
15 reply, do I have a motion?

16 MR. COLLINS: Motion.

17 CHAIRMAN BAUGHMAN: Second?

18 MR. MAY: Second.

19 CHAIRMAN BAUGHMAN: Mr. May,
20 second.

21 All in favor say "aye."

22 (Affirmative response.).

23 CHAIRMAN BAUGHMAN: Opposed?

24 (No verbal response.)

25 CHAIRMAN BAUGHMAN: Not voting?

1 Mr. Henry.

2 (No verbal response.)

3 CHAIRMAN BAUGHMAN: Very good.

4 BI 24-02 is approved as such. Thank you.

5 MR. TOTH: Mr. Chairman, if I
6 may...

7 CHAIRMAN BAUGHMAN: Yes, sir.

8 MR. TOTH: Unfortunately, in
9 preparation of the books and the changes for the
10 next two items, I've got to take the blame for
11 this for not verifying it with my printer. They
12 did not separate the pages, the handouts, so some
13 of the revisions for the next two variances
14 have -- are printed and ready to be handed out to
15 the members; however, they are not sorted.

16 So either I can excuse and push my
17 next two items down the agenda and leave the room
18 and get those organized for the board members, or
19 if you feel that we can take a break and do that
20 or if you want to just move through them, and if
21 we have questions, I can then hand them out as we
22 go through it.

23 CHAIRMAN BAUGHMAN: I know what I
24 would prefer but I'll leave some input to others
25 on the Board.

1 MR. COLLINS: Are these changes
2 clerical?

3 MR. TOTH: There are some
4 clerical. There were some situations when the
5 information was not available. You probably have
6 noticed that in the manuals. That was to be
7 determined or left blank, and we were able to get
8 that information between the time of submission
9 and today that you're probably going to bring up.
10 And we just want -- I just want to make sure that
11 it flows cleanly for you.

12 I do apologize. Again, as I said, I
13 walked in the room, I opened them up and I looked
14 and I about had a heart attack, because I
15 specifically asked for separate packets to be
16 made, and they're just individual sheets.

17 CHAIRMAN BAUGHMAN: So Mr. Toth,
18 you do have the info here.

19 MR. TOTH: I do. I do. It's
20 here. It's actually -- I have stacks for the next
21 two variances in front of me. It's just passive
22 information.

23 CHAIRMAN BAUGHMAN: So that would
24 be for both Bridgetown and Cookeville.

25 MR. TOTH: Yes. And Bridgetown

1 has more because there was some additional
2 personnel that were put in so there was additional
3 job descriptions added to the manual. Therefore,
4 it changed the whole numbering sequence of the
5 manual moving forward. It was just a decision
6 that was made by Bridgetown to switch a location
7 for the remote station that I was going to bring
8 up to you. And that included adding individuals
9 in the production line.

10 CHAIRMAN BAUGHMAN: Okay. So I
11 personally, just my own personal end of it, would
12 like to have the info for review to be able to --

13 MR. TOTH: Absolutely.

14 CHAIRMAN BAUGHMAN: So however
15 that can be done, we can either get that
16 information now or give us time to be able to look
17 at it and develop any questions from there. Move
18 those on down in the agenda, if that's okay, but
19 I'd love to have time to review it.

20 MR. TOTH: Sure. Yeah,
21 absolutely. And as Riley alluded to, it's nothing
22 that's of great concern. It's maybe an example of
23 a boiler log, something like that. It's not
24 anything that's drastic change from what you've
25 been able to review over the last 45 days.

1 CHAIRMAN BAUGHMAN: You bet. I
2 would like to see that moving of the remote
3 station.

4 MR. TOTH: Absolutely.
5 Absolutely.

6 CHAIRMAN BAUGHMAN: But yes.
7 Thank you. So if that's okay with everybody, then
8 we'll move both Bridgetown Natural Foods and
9 Cookeville Regional, we'll move those down to
10 below Domtar's presentation.

11 MR. TOTH: Okay. I do appreciate
12 your understanding of that, and we'll get that put
13 together for you so it will move a lot smoother
14 when we get to it. We've got a long, full agenda.

15 CHAIRMAN BAUGHMAN: Thank you,
16 Mr. Toth.

17 MR. TOTH: Thank you.

18 CHAIRMAN BAUGHMAN: So we can
19 then move within our New Business, we can take
20 this down to 25-03, a variance request for Jack
21 Daniel's Distillery in Lynchburg, seeking an
22 attendance variance to operate its existing
23 high-pressure boiler.

24 If we've got anybody here to present,
25 if you'll come to the podium. In the meantime,

1 I'm going to ask for any conflicts of interest to
2 be declared.

3 Micah, are you sure you're good?

4 MR. LASHLEY: I'm good.

5 CHAIRMAN BAUGHMAN: Okay. But no
6 conflicts of interest noted?

7 (No verbal response.)

8 CHAIRMAN BAUGHMAN: Very good.
9 Thank you.

10 If you'll introduce yourselves.

11 MS. SCHMIDT: Hi. Kristen
12 Schmidt, Senior Operations Manager for Jack
13 Daniel's over the boiler and by-products
14 department.

15 MS. BEST: Megan Best, Automation
16 Engineer for Jack Daniel's.

17 CHAIRMAN BAUGHMAN: Thank you
18 both for being here. And if you would...

19 MS. SCHMIDT: So our variance
20 that we've submitted today is based off of a
21 similar variance that we have approved for two of
22 our existing boilers. This will add a fifth
23 boiler to our site. It is natural gas-fired only.
24 The specs are outlined in here. There are no
25 major changes to how we operate. Our remote

1 control station is existing, the same setup that
2 we have for our two existing boilers will be the
3 same response that we have for the new boiler
4 that's going in.

5 I believe the manual to be inclusive
6 of the checklist that is up on the website. Other
7 than that, I don't know how much further detail
8 you would like me to go into.

9 CHAIRMAN BAUGHMAN: Thank you for
10 that.

11 Motion to discuss?

12 MR. COLLINS: Motion.

13 CHAIRMAN BAUGHMAN: Second?

14 MR. MAY: Second.

15 CHAIRMAN BAUGHMAN: All right.
16 So, questions?

17 MR. COLLINS: I noticed the
18 Tennessee number is blank, so it's not installed
19 yet?

20 MS. SCHMIDT: It is in its
21 commissioning. It's installed now. I do have an
22 updated Tennessee number if you would like to have
23 that.

24 CHAIRMAN BAUGHMAN: Please.

25 MS. SCHMIDT: It is T160417 for

1 the boiler.

2 CHAIRMAN BAUGHMAN: Repeat again,
3 please.

4 MS. SCHMIDT: T160417. And then
5 we have an additional Tennessee number for the DA
6 tank as well as the pressure vessel, if you need
7 that.

8 CHAIRMAN BAUGHMAN: I would like
9 it, please, for the record.

10 MS. SCHMIDT: It is T160418.

11 CHAIRMAN BAUGHMAN: Kristen, who
12 was the inspector from the State?

13 CHIEF WATSON: Tim Holt.

14 MS. SCHMIDT: Tim Holt.

15 Thank you.

16 CHAIRMAN BAUGHMAN: Thank you,
17 Chief Watson.

18 MR. COLLINS: I just noticed on
19 the Table of Contents it just appears that maybe
20 there was a formatting --

21 MS. SCHMIDT: I think there was a
22 formatting issue, yes. I caught that after the
23 fact, unfortunately.

24 MR. COLLINS: And then one thing
25 is is that -- so I wanted to go ahead and cover

1 this one because it's probably one of the bigger
2 items, the emergency procedure.

3 So I know on the checklist, we
4 request -- well, we require for that to be on its
5 own section on a colored page, highlighted yellow
6 or green or red. And we prefer for it to be
7 tabbed as well. And so I noticed that the remote
8 monitoring station -- or like the remote -- or
9 emergency procedure was located on page 14, and it
10 looks like it didn't have any of those features.
11 So that would be something that would need to --

12 MS. SCHMIDT: So just on its own
13 page?

14 MR. COLLINS: Correct.

15 MS. SCHMIDT: Okay.

16 MR. COLLINS: On its own page, in
17 its own section, and then also, that page to be
18 colored, you know, whatever color would grab
19 attention.

20 MS. SCHMIDT: So make it stand
21 out?

22 MR. COLLINS: Correct.

23 MS. SCHMIDT: Understood.

24 MR. COLLINS: And, of course, the
25 intent is just so that you can easily flip to it.

1 MS. SCHMIDT: Got it.

2 CHAIRMAN BAUGHMAN: Kristen and
3 Megan, I'll just make a note. I've looked at the
4 previous manuals that have been submitted. In all
5 honesty, this didn't hold a patch to that previous
6 manual. The previous manual, for one, had a lot
7 more detail to it. The -- for one, the remote
8 variance checklist is not included in this manual
9 to give us any reference to those checklist items.
10 And in that boiler variance checklist, it gives
11 those items, for one, that need to be checked. It
12 gives a page reference so that we as board members
13 can go back to those pages and reference how those
14 checks are being made, and so forth and so on, and
15 whether or not they're even applicable or not.
16 But the checklist is not included in this manual.

17 Mr. Collins made note of the lack of
18 that highlighted placard and even notation being
19 in here. But I think that as we go back and look
20 at the previous manual, it will give you a good
21 reference to that. It's a great setup of what
22 you've got there, the whole operating control room
23 and the overseeing of the boilers. It's a good
24 setup, but this manual just isn't quite complete
25 in that regard, looking at the identification of

1 personnel, identification of hardware, what is
2 monitored and says the following parameters are
3 reported over the network.

4 Do we have a -- it says the control
5 room is equipped with an emergency shutdown
6 switch. This button is directly wired to the stop
7 circuit on the Mk8, which is the -- I take it the
8 Mk8 is a -- is that Autoflame or Fireye? Do you
9 know?

10 MS. BEST: It's Autoflame.

11 CHAIRMAN BAUGHMAN: Autoflame.
12 So Autoflame, being a proprietary controller, once
13 that control -- and the issue with these controls
14 is, too, is they become obsolete. There's a lot
15 of built-in obsolescence within our industry.

16 Your other boilers, unless they've
17 been upgraded, which I don't know if they have or
18 not, but once that hardware changes, it also
19 changes the variance, and that has to come back
20 before the Board for approval.

21 MS. SCHMIDT: Understood.

22 CHAIRMAN BAUGHMAN: So one of the
23 things is identifying each individual parameter
24 that causes a lockout. And I noted in here
25 somewhere that it just says that not all

1 parameters cause a lockout. I was trying to pick
2 up from where I read that. But there's just no
3 reference back to it specifically other than
4 what's here on B itself.

5 The hardware is such that we like to
6 look at, do we have capabilities being that this
7 is through a network of remote setpoint changes.
8 Can we do a remote setpoint through the network
9 itself of our steam pressures?

10 MS. BEST: That is addressed here
11 on the second paragraph of page 9.

12 CHAIRMAN BAUGHMAN: Thank you.

13 MS. BEST: Direct control of the
14 boiler is limited to controlling the overall steam
15 demand. Autoplay limits the amount parameters --
16 I'm sorry -- the amount of parameters that can be
17 changed to the following list. So these are the
18 only parameters which may be adjusted over the
19 network, and those may be adjusted over the
20 network.

21 Aside from that, everything present
22 is for reporting purposes only so that the
23 operators can keep an eye on effectively
24 everything they would see on the Autoflame screen
25 but from their remote monitoring station.

1 CHAIRMAN BAUGHMAN: Very good.
2 So if I'm understanding this right, Megan, you can
3 change the firing rate, the set load index?

4 MS. BEST: You can change the set
5 load index. Autoflame then interprets that on its
6 own controller side, on the Mk8, to determine
7 whether or not that's an acceptable -- it has
8 parameters on there that you can't exceed.

9 CHAIRMAN BAUGHMAN: Very good.

10 MS. BEST: So you can send it a
11 command, and if it says hey, this is not valid, it
12 won't accept it. But that's all kind of built in
13 to Mk8's proprietary information. So really, all
14 that we were trying to address here is that, you
15 know, they allow an interface to these parameters
16 and we have an interface to these parameters.

17 CHAIRMAN BAUGHMAN: And it does
18 state that it's password protected in the manual?

19 MS. BEST: Correct.

20 CHAIRMAN BAUGHMAN: Very good.

21 MR. COLLINS: I want to ask, on
22 page 13, part D, I just wanted to clarify. I
23 couldn't see it, but there is a boiler check every
24 four hours?

25 MS. SCHMIDT: Correct. Yes.

1 MR. COLLINS: Okay.

2 MS. SCHMIDT: And a reference to
3 that checklist is on page 16.

4 CHAIRMAN BAUGHMAN: Kristen or
5 Megan, can you give me the distance, just because
6 I can't see it, or you may reference it to me on
7 where it's located, the distance between the
8 boiler and the remote station?

9 MS. SCHMIDT: Yes. It is in
10 there. So the plat plan is on page 7.

11 CHAIRMAN BAUGHMAN: I see that.
12 I just can't read it real well. Thank you.

13 MS. SCHMIDT: I think we had
14 estimated it at 400 feet.

15 CHAIRMAN BAUGHMAN: Very good.

16 MS. SCHMIDT: And that's in the
17 description on page 6 just ahead of that plat
18 plan.

19 CHAIRMAN BAUGHMAN: Yes.
20 Mr. Riley just pointed that out for me. Thank
21 you.

22 Do you know what the maximum distance
23 is for the Mk8 as far as its wiring to a remote
24 station?

25 MS. BEST: So in this case, we're

1 okay because it goes over fiber. So in fiber,
2 that distance is going to exceed a mile.

3 CHAIRMAN BAUGHMAN: Repeat that
4 again for me. I'm sorry.

5 MS. BEST: The network
6 communication is over fiber, and the distance
7 would exceed a mile that it's capable of
8 transmitting data appropriately.

9 CHAIRMAN BAUGHMAN: Okay. So
10 this wiring, I think I read that the remote
11 shutdown switch from the control room is hardwired
12 directly to the Mk8.

13 MS. BEST: So it is hardwired but
14 it's hardwired over an approved safety relay that
15 transmits over fiber. So I'd say proprietary
16 safety relay that has a transmitter and a
17 receiver. The transmitter side sits in our
18 control room and accepts only a fiber connection
19 and that physical input. And then that physical
20 input drives the fiber connection on the outside,
21 on the other side, that drives that output to the
22 safety circuit. So it's wired into the distinct
23 safety matrix from that safety relay which is an
24 approved safety device over fiber.

25 CHAIRMAN BAUGHMAN: Okay. And

1 that's an approved safety device approved by who?

2 MS. BEST: I guess what I should
3 say is that I just looked up all the standards on
4 it for -- I'm blanking on the names. I'm going to
5 have to go back to my notes. I'm sorry.

6 CHAIRMAN BAUGHMAN: That's okay.
7 That's fine. So this has come up before, in
8 particular with a very well-known large
9 manufacturer that makes a great little snack cake,
10 not mentioning any names. Little Debbie. But
11 they were going over system -- in other words,
12 they weren't hardwired. And so the protocol there
13 is that, and it's part of our variance that this
14 has to be hardwired so that we don't have anything
15 that's going over fiber network, what have you.
16 So it's a requirement for that e-stop to be
17 hardwired between the boiler and the remote
18 monitoring station.

19 MS. BEST: So the fiber
20 connection that goes between them is a single run
21 hardwired fiber connection. There's no other
22 traffic on that network. It is a pair that goes
23 from our station to the remote location.

24 CHAIRMAN BAUGHMAN: So from a
25 definition standpoint, being that it's fiber, I

1 don't think -- and it's my own but I'll leave that
2 up to discussion -- that that would not meet the
3 criteria of hardwired as such. And it would also
4 set a precedent and change our variance
5 requirement in as such as that we would have to go
6 back and approve methods other than hardwired
7 itself. Just my input. Thank you, Megan, but...

8 MR. COLLINS: (Indicating.)

9 CHAIRMAN BAUGHMAN: Yes?

10 MR. COLLINS: I believe we do not
11 define -- we don't have a definition for
12 hardwired. I believe the interpretation is that
13 it has to be a physical wire, not a wireless
14 transmission of signals or anything like that, but
15 an actual physical wire cable.

16 CHAIRMAN BAUGHMAN: Okay.

17 MR. COLLINS: Which, fiber would
18 be. And of course, with -- nowadays, with fiber
19 being ever present and continuing to be prevalent
20 in the industry, I believe, in my opinion, that it
21 would be a case to accept.

22 CHAIRMAN BAUGHMAN: Okay. I want
23 to make sure that we give good clarity to it for
24 future, because again, there's an assumption
25 that's been made in hardwiring, and we're also

1 talking about the addition of a relay. And so
2 we've got fiber connected to a relay, connected to
3 the switch. So we're going through a mechanical
4 means also instead of there being a clear
5 definition of point A to point B and it being
6 hardwired.

7 So we've got -- and this will be such
8 through your checks. But again, I don't have the
9 checklist, per se, on that -- in other words, in
10 that checklist, Megan, it allows us to go and it
11 says is there a check from a standpoint of e-stop
12 and so forth, and it gives us that page reference.
13 So it keeps us from having to go back and forth
14 through the manual to try to find that.

15 It gives very specific checks of the
16 low-water system. It's very specific and spells
17 it out. Does it identify a check of the water
18 level, the low-water cutoff, positive check, and
19 low water and so forth and so on?

20 Which in here, not all alarms are
21 emergency situations. Alarms can generate from
22 control system, boiler operations, input on a
23 faceplate and so forth.

24 So its minor alarms, the boiler
25 by-products operator will investigate the alarm,

1 make a decision on the course of alarm and
2 communicate any issues with the next shift. If
3 the alarm requires more attention, the operator
4 will investigate and troubleshoot.

5 What's the protocol and how is
6 this -- I know it enunciates different alarms, but
7 somebody is making a decision on the most critical
8 alarms. It doesn't necessarily differentiate
9 those alarms. It just says the most critical are
10 low-water, high steam. And I take it it's high
11 steam pressure.

12 But we could have low gas which could
13 be an emergency type situation. The boiler would
14 not be doing well. High gas could be an instant.
15 But it's just not clarified and identified real
16 well.

17 Mr. Lashley, do you have any
18 expansion?

19 MR. LASHLEY: Yes. I mean, I'm
20 looking through a checklist on another variance
21 just to kind of cross-reference and see. And I'm
22 not seeing anything as far as the test of the
23 boiler water column.

24 Can you direct me to where that is?

25 MS. SCHMIDT: Yeah. The boiler

1 low-water cutoff log, we do that per shift.

2 MR. COLLINS: It's on page 18.

3 MR. LASHLEY: Okay.

4 MS. BEST: Would you like me to
5 answer your questions regarding the alarms?

6 CHAIRMAN BAUGHMAN: Yes, ma'am.

7 MS. BEST: So it's my
8 understanding and after having read through these
9 manuals from Autoflame, that if you trust that the
10 Autoflame controller, that Mk8, does its job and
11 holds responsible to what it claims its going to
12 check, they verify that that's a fail safe system
13 in accordance with this BSEN 298 2012 standard.

14 So anything that it reports that
15 would shut down the boiler or cause an emergency
16 action is going to happen. The operators in the
17 control room are going to be notified of that.
18 But they don't have to make a decision of
19 interacting with those alarms.

20 At that point, you're saying that
21 whatever setpoints were commissioned and set up on
22 the boiler are going to function.

23 CHAIRMAN BAUGHMAN: So being
24 manmade, it's not perfect.

25 MS. BEST: Correct.

1 CHAIRMAN BAUGHMAN: And so let's
2 say that if by chance we've got -- and we're doing
3 a water -- boiler low-water cutoff log. You've
4 got both primary and secondary, which is
5 appropriate. But in our variance where we're
6 requiring this to be checked every four hours, is
7 there anything specific that's identifying that to
8 these personnel, and are there other checks to
9 make sure that that -- in other words, are they
10 putting other apparatus into an alarm to confirm
11 that that Mk8 is actually operating as it should?

12 MS. BEST: I've never known us to
13 verify the Mk8s.

14 MS. SCHMIDT: Yeah. So we're not
15 doing the checks on the low-water cutoffs at the
16 remote monitoring station. That is happening at
17 the boiler. So they have to manually interact
18 with the Mk8 to do those checks and to clear those
19 alarms.

20 CHAIRMAN BAUGHMAN: Is it
21 alarming back to the remote station, though?

22 MS. SCHMIDT: Yes.

23 MS. BEST: It lets you know at
24 the remote station that there's something that
25 they need to interact with.

1 MS. SCHMIDT: And in which case,
2 the remote monitor will either make a phone call
3 to our lead operator or our rover operator and
4 will go and respond to that at the boiler. If
5 they can't get ahold of them, then it's on that
6 remote monitoring person to then go to the boiler.

7 CHAIRMAN BAUGHMAN: How much time
8 is given from the time they get ahold of somebody
9 to the time somebody is in there to look at it?

10 MS. BEST: Within minutes.

11 MS. SCHMIDT: Within minutes.
12 Yeah, if they're not getting ahold of somebody,
13 they -- because they're a trained boiler operator
14 that's sitting in that station, they will go
15 respond.

16 MS. BEST: Right. So they're
17 calling and if someone says, yeah, I can be there,
18 I'm on my rounds, I'll be there in two minutes,
19 then it's like, okay, we're familiar with this
20 alarm. I mean, there's a very different
21 situation, you know, depending on the severity of
22 that.

23 If something is severe, I would
24 guarantee that they're calling those people as
25 they're running over to the boiler.

1 CHAIRMAN BAUGHMAN: So that leads
2 me into, is there a call list?

3 MS. SCHMIDT: There is not a
4 specifically identified call list, no. I mean,
5 our structure of the department is on page 24 that
6 shows who's on site, and we have -- the variance
7 says that we have a minimum of two people on site
8 for operations. Our team is typically four. And
9 the protocol for training to that is within our
10 step-up card.

11 MS. BEST: With all due respect,
12 we've been undergoing some personnel changes, so
13 it's a little hard to list specific call orders
14 and try to stay with a specific person when you're
15 not sure.

16 MR. COLLINS: And I believe, in
17 the past, we've accepted that in the --
18 specifically, too, in the emergency procedures
19 page, that it was the department or the position
20 to contact instead of an actual number because of
21 it being flexible with the manual and personnel
22 changes.

23 CHAIRMAN BAUGHMAN: I agree. I
24 just want to have a protocol for the remote
25 operator identified as such, especially if there's

1 changes of personnel to know -- under Emergency
2 Procedures on page 14, it's the --

3 So let me ask you this, either one of
4 you, Kristen or Megan: When you get an alarm back
5 to the remote station, is it quantifying what that
6 alarm is or is it just an alarm that somebody has
7 to investigate?

8 MS. BEST: So specific alarms
9 that we receive will be related to everything on
10 page 9. So where you see the full list of alarms
11 here where the feed water pumps, makeup water
12 pumps, steam pressure, all of those will come back
13 with the details as far as what their alarm is and
14 whether or not it's a high or low alarm, so what's
15 causing the alarm.

16 When you have the Mk8 controller
17 alarms, there are a subset of alarms in there that
18 they don't provide an explanation back to you.
19 They just say this is an alarm. And it could be
20 that you have, like, two input that are in
21 conflict with each other. So in that case, it
22 just tells you that there is a generic alarm that
23 they need to go and investigate.

24 But the ones that are -- you know,
25 that we would typically consider to be directly

1 pertaining to safety related to firing, water
2 pressure, steam pressure, flow, those come back
3 with notification as far as what's causing the
4 alarm.

5 CHAIRMAN BAUGHMAN: I just don't
6 want somebody to be making a determination on
7 what's critical or non-critical. I'd like to take
8 that out of the equation. If we've got alarms
9 that can be discretionary, and -- oh, I guess, in
10 the wording where it's talking about the --
11 depending on the severity and downtime the -- on
12 page 14 at the top -- the boiler may choose to
13 notify -- may choose to notify. It doesn't say
14 they shall notify, but they may choose. At the
15 time of the alarm, this action is left to the
16 discretion of the boiler by-products operator.
17 They've been trained to make judgment calls and
18 solve problems under pressure.

19 That's a little bothersome for me,
20 that somebody is making a choice on an alarm and
21 that it's discretionary in that alarm. And, you
22 know, Jim Bob may be trained and he's very
23 qualified, but when he leaves, you've got Billy
24 Joe. And Billy Joe may be a different cut. I
25 don't know.

1 But it leaves me a little bit of room
2 for pause in that particular regard.

3 MR. LASHLEY: To add on that, on
4 page 24, it appears that all 12 operators are
5 still trainees. Is that correct?

6 MS. SCHMIDT: No.

7 MR. LASHLEY: Just looking at the
8 chart where it's got trainer and trainee, blue and
9 gray, and then all 12 operators are shaded gray.

10 MS. SCHMIDT: Understood.
11 Meaning that the leads are our trainers, that
12 we're not using other operators to train
13 operators. Our lead operators are training
14 operators. But I understand your point on that.

15 MR. COLLINS: As far as the, I
16 guess, the remote switch, the remote e-stop, is
17 that -- just because, I guess, I'm trying to
18 figure out the details of it. Is that separate
19 from the system?

20 MS. BEST: Yes.

21 MR. COLLINS: Okay. So it's got
22 its own --

23 MS. BEST: It is independent so
24 it does not -- it talks -- like I said, it's over
25 a fiber network, but it is exclusively a fiber

1 pair that goes from Point A to Point B that's on a
2 relay that if it stops receiving power or if it
3 receives conflicting signals, it will fail safe
4 and shut down.

5 It is not tied into any kind of
6 communications network. It is a single pair that
7 runs directly from one transmitter to one receiver
8 so there's nothing else in there that can delay,
9 cause a problem with your traffic. If there was,
10 the fail safe in the receiving end would e-stop.

11 MR. COLLINS: And it has a light
12 and alarm to draw attention to the operator?

13 MS. BEST: It's got a button
14 right there that you push that, you know, lets
15 them trigger that alarm, and then what they'll get
16 is their e-stop trigger alarm on their remote
17 monitoring station. It will see that the Mk8
18 accepted and recorded that there was an e-stop.

19 They don't ever need to nor would I
20 want them interfacing with the relay or the fiber
21 connection. So no, they don't go and look at
22 that.

23 MR. COLLINS: Is there a placard
24 with emergency procedure instructions next to the
25 physical switch?

1 MS. BEST: There's the button
2 there at the physical switch station which is
3 right adjacent to their primary monitoring
4 station. And then we keep the emergency
5 procedures both in the desk there and filed on the
6 wall immediately by the door.

7 CHAIRMAN BAUGHMAN: So if I'm not
8 mistaken, the person at the remote station then
9 has to go to the door to read these?

10 MS. BEST: They do keep a copy in
11 the desk as well.

12 MS. SCHMIDT: It's at the desk
13 where they're stationed.

14 CHAIRMAN BAUGHMAN: So they have
15 to open the desk? And I don't mean to interrupt.
16 I'm sorry. Go ahead.

17 MS. SCHMIDT: Yes. I mean,
18 it's -- yes, it's at the desk.

19 CHAIRMAN BAUGHMAN: When you say
20 "at the desk," specifically, what does "at the
21 desk" mean? In the desk? On the desk?

22 I'm trying to picture this desk,
23 because that's why I'm --

24 MS. SCHMIDT: Okay. So --

25 CHAIRMAN BAUGHMAN: Typically, we

1 have a picture or at least a drawing of the remote
2 station, which is not in here.

3 MS. SCHMIDT: Okay.

4 CHAIRMAN BAUGHMAN: And
5 typically, we're going to have a light that
6 enunciates, of course, with the alarm which you
7 may have with the button. But I'm trying to
8 discern where the desk is located, the placard
9 information.

10 MR. COLLINS: It's next to the
11 second --

12 MR. MORSE: It's on the wall.

13 CHAIRMAN BAUGHMAN: It's on the
14 wall next to the door.

15 MR. MORSE: Five foot away from
16 the station.

17 CHAIRMAN BAUGHMAN: I'm sorry.
18 Again?

19 MR. MORSE: It's on a wall about
20 five foot away from the station.

21 I'm Joe Morse. I'm a supervisor.

22 CHAIRMAN BAUGHMAN: Joe, thank
23 you for that input.

24 So we got one. So I'm at the remote
25 station. It's over here. I can't read it without

1 getting up and going over to it and reading it.
2 But the other is in a desk or -- I'm trying to,
3 again, get clarification.

4 MS. SCHMIDT: I think we're
5 talking about the same person. So there's only
6 one person at that remote monitoring station.

7 CHAIRMAN BAUGHMAN: Okay.

8 MS. SCHMIDT: So if they're
9 needing to respond to the boiler, their first call
10 is to call the rover, who is out across the site,
11 and/or the lead, and then they will go respond.

12 Should that person need to get up to
13 implement the emergency procedure, yes, it's
14 attached to the wall out the door that they could
15 grab on their way to the boiler itself.

16 CHAIRMAN BAUGHMAN: Okay. And
17 this is the only boiler that's on this remote
18 station, correct?

19 MS. SCHMIDT: No.

20 MS. BEST: This will be the only
21 one on that remote station, because this variance
22 is for the new boiler. So yes, there's one boiler
23 on this particular variance. We do hold a
24 variance for the other two boilers which share one
25 safety circuit.

1 CHAIRMAN BAUGHMAN: Okay.

2 MS. SCHMIDT: And at the same
3 remote monitoring station, monitored by the same
4 person.

5 CHAIRMAN BAUGHMAN: Okay. So
6 this one person is monitoring all of them?

7 MS. SCHMIDT: The entire site,
8 yes.

9 CHAIRMAN BAUGHMAN: Okay. So
10 when this one person -- so in the protocol, and
11 typically, this is kind of spelled out in our
12 manual. When this one person who is working the
13 shift has to take a break for whatever means,
14 what's the protocol for somebody then to be
15 monitoring?

16 MR. MORSE: The lead operator
17 would take the responsibility.

18 CHAIRMAN BAUGHMAN: And so in
19 other words, that should be spelled out in the
20 manual itself.

21 MR. COLLINS: On page 13 it does
22 say one boiler by-products operator always remains
23 in the remote monitoring location.

24 It would indicate that if --

25 MS. BEST: Swap someone in.

1 MR. COLLINS: -- one does have to
2 leave, then another would take his or her place.

3 MR. DEASON: I need to interject
4 for a second. It makes this lady's job a lot
5 harder if we talk simultaneously. She needs to
6 record everything accurately, so try not to --
7 give a little pause when the other person stops
8 speaking. I understand but it's hard on her.
9 Thanks.

10 CHAIRMAN BAUGHMAN: I apologize,
11 Cassandra.

12 So we've got a definition of boiler
13 by-products operator who's assigned to the remote
14 monitoring station that utilizes their skills and
15 knowledge to decide on the course of action.

16 There's always a boiler products
17 operator at the remote station. But what I want
18 is to know and, also, they need to know the
19 protocol for when I've got to go, does this boiler
20 products rover operator have any other duties,
21 i.e., let's say that there's an accident and they
22 have to be called away in an emergency situation,
23 is there a protocol set in place to replace that
24 personnel, what it is and so forth, instead of
25 somebody all of a sudden reacting on we've got a

1 fire, in particular, or any other security issue
2 that may come up, knowing what that protocol is,
3 to address it to make sure that the boiler is
4 still attended on the remote station?

5 MS. SCHMIDT: Yeah. So we have
6 site security that would respond to any sort of
7 accident or incident. That would not be on the
8 responsibility of our boiler by-products operator.

9 CHAIRMAN BAUGHMAN: Wonderful.
10 Good. So the question is -- and it's usually
11 spelled out in the personnel duties. And in here,
12 we've got remote monitor personnel duties, but it
13 lists those duties for the boiler by-products
14 operator, but it also gives clarity when you have
15 anybody else that could possibly be qualified. In
16 other words, is there anyone else that would ever
17 step into that position, and even a 15-minute
18 period of time, that would need to be identified,
19 just to be able to sit in there while anything
20 else is going on?

21 MS. SCHMIDT: I'm sorry, what was
22 the question?

23 CHAIRMAN BAUGHMAN: Is there ever
24 anybody -- in other words, we have no definition,
25 other than page 13, the remote boiler personnels'

1 duties and responsibilities. But is there anybody
2 else that would sit in that place that would be
3 trained to perform his or her duties, besides just
4 this boiler -- identified as a boiler by-products
5 rover operator?

6 I get confused because we've got a
7 definition of boiler by-products rover operator,
8 but then we've got remote boiler personnel duties,
9 and I want to make sure that the boiler
10 by-products operator is the only one that's ever
11 going to be at the remote station.

12 MS. SCHMIDT: That is correct.
13 So we have one job description for all of -- for
14 that entire team. Our lead operators have
15 additional responsibilities. But they are
16 exclusively boiler and by-products operators. So
17 that seat is not occupied by anyone other than
18 those team members.

19 CHAIRMAN BAUGHMAN: Okay. So the
20 boiler by-product super would not qualify?

21 MS. SCHMIDT: To -- so the --

22 CHAIRMAN BAUGHMAN: I'm
23 looking -- I'm sorry. Go ahead.

24 MS. SCHMIDT: Yes. I mean, the
25 supervisor could.

1 CHAIRMAN BAUGHMAN: Well, then,
2 that's just added another personnel to it. So
3 that's what I'm getting at, is that we've got --
4 you're the boiler by-products manager. It comes
5 on down to other personnel. We're saying that
6 only the boiler by-products rover operator, is
7 what you stated previously, would be there in that
8 remote station. But then you just made the
9 statement that the boiler by-product super could
10 also be qualified to be there.

11 MS. SCHMIDT: Yes. So our
12 operators rotate positions throughout the course
13 of the day. So we operate 24/7. We have a shift
14 on for 12 hours out of the day and then the night
15 shift that's on for the other 12 hours of the day.

16 So they rotate into three positions
17 while they're on site for those 12 hours. So we
18 have an operator at that remote station for four
19 hours. They could then move to the rover station
20 for another four hours, and then we have inhouse
21 boiler monitoring for our JD2 distillery.

22 So they would also go operate that
23 station. But they're the only ones that sit in
24 those positions. And in the event of, you know, a
25 bathroom break or something of that sort, we've

1 got our lead operator, and then the supervisor
2 could fill in for a few minutes.

3 CHAIRMAN BAUGHMAN: Okay.

4 MS. BEST: Standard procedure, I
5 guess, is that, you know, somebody is their main
6 operator and they're taking, you know, their lunch
7 break or something. And that's always
8 coordinated, and somebody comes in from the rover
9 position and sits at that desk and fulfills that
10 duty. However, their job description -- I mean,
11 really, that's just kind of the name that we
12 assigned to the area that they're working in at
13 the time. It's not a change of their
14 responsibilities, because the same people can fill
15 any of these roles. It's just, you know, is your
16 job today primarily to sit at the computer or is
17 your job primarily to be, you know, doing some
18 site checks?

19 CHAIRMAN BAUGHMAN: I understand.
20 Thank you for that, Megan.

21 What I get at is in these manuals,
22 what it lists is a person that could be qualified
23 to be this boiler by-products rover operator. And
24 that falls under other job descriptions. In other
25 words, the super may also be able to be the

1 operator. The security could -- whatever the case
2 may be, but it gives us a clear definition of who
3 can sit in these positions and who is then trained
4 and qualified. And that's when we go back to a
5 training log and look at particular personnel, and
6 when we look at the training matrix, typically
7 what we're looking at is on the training log of
8 who has been trained; specifically, the person,
9 the date, who trained them, looking at the
10 qualifications of who trained them, who is
11 responsible for that training.

12 MR. COLLINS: (Indicating.)

13 CHAIRMAN BAUGHMAN: Yes,
14 Mr. Collins?

15 MR. COLLINS: The training matrix
16 does list the boiler by-products supervisor and
17 all the team leads.

18 CHAIRMAN BAUGHMAN: And thank you
19 for that. I saw that. What I'm looking for is
20 who is responsible for the ongoing training of the
21 personnel? Whose responsibility is that? And
22 then what I look at is when it identifies the
23 responsibility of the training of the personnel is
24 I look at their qualifications. And so I see the
25 training matrix. I just don't see necessarily the

1 identification of that responsibility.

2 MR. LASHLEY: As the trainer.

3 CHAIRMAN BAUGHMAN: As the
4 trainer, correct.

5 MS. BEST: So if I'm
6 understanding correctly, what you'd like to see in
7 here is that while we have our step-up card which
8 is where our operators have the ability to go from
9 one level to the next, that the person that we
10 clearly define who's allowed to deliver that task.
11 So you want to see the -- I mean, we know that for
12 our policy, only leads and supervisors are allowed
13 to administer this task; however, you would like
14 that spelled out in here?

15 CHAIRMAN BAUGHMAN: I would.

16 MS. BEST: Okay.

17 CHAIRMAN BAUGHMAN: And then the
18 other is we look at that and they may be a great
19 super, supervisor, superintendent, but what
20 qualifications do they have within that? That's
21 not spelled out and it's not required, but it
22 gives us an identification of a person to go back
23 to. And even when the Chief or the Assistant
24 Chief goes out to make their inspection, they've
25 got a point person to be able to talk to regarding

1 who's responsible for that training.

2 Where is it identified in the manual
3 where the manuals are kept and who's responsible
4 for those manuals?

5 MS. SCHMIDT: So page 12, we
6 have -- a copy of the systems operations manual is
7 retained at the boiler central control room and a
8 copy with the plant facility manager.

9 MR. COLLINS: (Indicating.)

10 CHAIRMAN BAUGHMAN: Yes, sir?

11 MR. COLLINS: And also on page 2.
12 It has the locations --

13 MS. SCHMIDT: Yes, it does.

14 CHAIRMAN BAUGHMAN: Thank you.

15 Again, that's where that checklist comes out very
16 handy --

17 MS. SCHMIDT: Understood.

18 CHAIRMAN BAUGHMAN: -- to go back
19 and reference instead of taking each one of these
20 questions individually and taking up additional
21 time.

22 MR. LASHLEY: Also, I noted on
23 both page 12 and 13, when you reference -- on
24 page 12, training organization manual, it states
25 the organization chart is on page 26. It's on

1 page 24.

2 MS. SCHMIDT: Understood.

3 MR. LASHLEY: And again, on your
4 remote boiler monitor personnel duties and
5 responsibilities, it references the operator job
6 description on page 22, and it's on 20.

7 MS. SCHMIDT: My apologies.

8 MR. LASHLEY: Are you missing two
9 pages maybe, or some amended from a previous
10 manual?

11 MS. BEST: Things get a little,
12 you know -- and when you use these documents, they
13 can get a little difficult as you're inserting
14 images and other things. So, you know, we bring
15 in like the job description from an outside
16 source. You're trying to bring it in and then get
17 the pages to -- you know how it goes.

18 MR. LASHLEY: Yes, ma'am.

19 CHAIRMAN BAUGHMAN: Do we have
20 what the minimum job qualification requirements
21 are for the boiler by-products operator?

22 MS. SCHMIDT: The job description
23 is on page 20.

24 CHAIRMAN BAUGHMAN: Very good.

25 Thank you.

1 When the low-water cut-off is being
2 performed, do you know if this is being
3 performed -- especially being that this is the
4 Mk8. A lot of times these systems have a shunt
5 that checks the alarm but doesn't actually put the
6 boiler into low water to check the alarm and the
7 low water. And being that this is the Johnson and
8 knowing the Johnson fire tube, which does it have?

9 MS. BEST: So you're asking me if
10 the -- when you do a low-water check, does it
11 actually put the system into a real low-water
12 situation and verify that all transmitters are
13 reporting low-water appropriately?

14 CHAIRMAN BAUGHMAN: Yes.

15 MS. BEST: That would be,
16 actually, a question for --

17 MR. MORSE: We use a shunt.

18 CHAIRMAN BAUGHMAN: I understand.

19 MR. MORSE: We test the e-stop
20 once a month.

21 CHAIRMAN BAUGHMAN: Okay. So the
22 e-stop is checked once a month. The e-stop really
23 has got to be checked any time the boiler goes
24 into alarm, which is virtually every day when the
25 shift is doing its check.

1 So the e-stop check should be during
2 the performance of the variance checks. In other
3 words, the boiler gets put into an alarm. That
4 alarm is going to warrant the shutting off of the
5 boiler itself, or at least going through the
6 protocol of somebody hitting the -- it's going to
7 trip the alarm at the remote station if it shuts
8 the boiler off. If you're checking a low-water
9 alarm, that low-water alarm is supposed to
10 enunciate back at your remote station. The only
11 way to make sure everything works properly as part
12 of your e-stop is to activate the e-stop.

13 But if all we're doing is checking
14 the circuitry through a shunt, that's not doing a
15 positive check of the low-water cut-off. That's
16 checking to make sure that your alarm goes off.
17 And that's one of your main safeties.

18 So I understand the impetuous behind
19 it is to check the alarm, but it's not doing a
20 functional check of a low-water cut-off itself.

21 Does that make sense?

22 MS. BEST: Yes. I understand
23 what you're -- I guess, what I -- the part that
24 does not necessarily make sense to me or that I
25 don't fully understand is that you expect us to

1 put the boiler into a legitimate low-water
2 situation every day, as a check?

3 CHAIRMAN BAUGHMAN: Periodically,
4 it's got to be.

5 MS. BEST: Every day, though?

6 CHAIRMAN BAUGHMAN: It wouldn't
7 necessarily -- it's to be on a consistent basis.
8 So in your manual under your checklist, it says,
9 "Is a check of the boiler water level column
10 performed?" It doesn't say, am I activating the
11 shunt? Am I checking my alarm circuit?

12 So at some point in time, if the low
13 water is not actuated physically, it's going to
14 check itself. And by checking the alarm, that
15 doesn't say that the low water is functional. It
16 doesn't say our floats have dropped or our probes
17 haven't grabbed it out, what have you. We could
18 still functionally go into low water, and all
19 we've done is performed a test of the alarm
20 circuit.

21 And so being a boiler man, I have
22 reservations about that test being preformed
23 instead of it being a functional actual low water.

24 What has to be done is some
25 consistency. You've got to be able to show that

1 that has functionally worked in a true low-water
2 case, whether that's once a day, once a month.
3 You definitely don't want to go once a year and be
4 checking this. But there has to be some
5 consistency to it.

6 MR. MORSE: Can I interject? Our
7 first shift low-water test, we use a shunt just to
8 keep the boiler running. We're actually dropping
9 water out of the column and off the probes.
10 That's where the alarm comes from. It's not -- is
11 that not --

12 CHAIRMAN BAUGHMAN: So explain
13 that to me again, Joe.

14 MR. MORSE: So we have ball
15 valves or valves we open up and actually drop the
16 water out of the column to test the low water. So
17 the probes are losing water, functioning as they
18 should. The shunt is just keeping the boiler
19 running, just bypassing that alarm for that
20 30 seconds or 60 seconds we're doing the test.

21 CHAIRMAN BAUGHMAN: I got you.
22 So a lot of times, instead of pushing that shunt
23 in, to where it doesn't -- so what you're saying
24 is, to clarify, you're pushing the shunt in,
25 dropping it off of the probes. But it's not going

1 into an alarm.

2 MR. MORSE: It goes into alarm.
3 It just does not shut the boiler off.

4 CHAIRMAN BAUGHMAN: It does not
5 shut the boiler off. So when do we ever check to
6 make sure that it actually shuts the boiler off?

7 MR. MORSE: I mean, once a month
8 when we do the e-stop, but I don't -- I mean, it's
9 dropping water off the probes. The probes are
10 functioning.

11 CHAIRMAN BAUGHMAN: I understand.
12 But we have bypassed the relay that cuts the
13 boiler off.

14 MR. MORSE: Right.

15 CHAIRMAN BAUGHMAN: That shunt
16 connects to a relay.

17 MR. MORSE: That's all it's
18 doing.

19 CHAIRMAN BAUGHMAN: So how do we
20 know without not pushing that shunt in that
21 dropping it off the probes actually shuts the
22 boiler off?

23 MR. MORSE: Fair.

24 CHAIRMAN BAUGHMAN: Exactly. We
25 don't. So again, checking alarm circuits, great.

1 Keeping the boiler running, that's what's
2 important because we've got to produce product.
3 But at some point in time, we have to check to
4 make sure that we've got what's called a positive
5 check of the low-water cut-off, that that
6 low-water actuation shuts the burner off. We've
7 got to do that.

8 MR. MORSE: Okay.

9 CHAIRMAN BAUGHMAN: Now, how
10 that's -- how that's in your manuals, how the
11 Chief and Assistant Chief goes in and checks it,
12 that's one thing. But I would love input from
13 other --

14 MR. LASHLEY: And just knowing
15 that there is a shunt, you know, you've got to
16 make sure that shunt hasn't stuck somewhere. You
17 know that's -- if that's something you're
18 constantly operating, you know, that's another
19 fail point.

20 CHAIRMAN BAUGHMAN: I'd like that
21 to be addressed somewhere through your protocol
22 and how you decide to add it into your checks and
23 systems. But again, it needs to be checked in
24 some form or fashion, whether that's at a low time
25 of production or that you could, you know, get it

1 worked out, whatever the protocol is. But we've
2 got to do a positive check of the low-water
3 cut-off at some point in time on a consistent
4 basis.

5 MR. MORSE: How would you like to
6 see that? I mean, weekly? Monthly?

7 CHAIRMAN BAUGHMAN: Well, I've
8 got personal preference. I would do it probably
9 no less than weekly.

10 Again -- and Joe, what we looked at
11 on any of these checks is this is a moment in
12 time. And so that device can fail 15 minutes down
13 the road. Again, man made it and it's not
14 perfect. So all we've got to do is you've got to
15 be able to prove there's no negligence of
16 attendants or maintenance of that boiler, so you
17 have to have some consistency in what the check
18 is. And being that the low water, most boilers
19 melt instead of blowing up, that makes sense to
20 check it on a consistent basis.

21 So my preference would be no less
22 than once a week. And if you ever have any
23 questions on that, there's -- you know, you guys
24 are working through, I'm sure, IB&M on the
25 Johnston. And there's other boiler companies,

1 others of us in the industry you can always bounce
2 stuff around us. But to me, that's one of the
3 most, if not the most critical device besides the
4 pressure relief valve that needs to be attended
5 to.

6 MR. LASHLEY: And that should be
7 noted. Your time frame should be noted in here,
8 whatever you decide, whether it's twice a week or
9 whatever.

10 CHAIRMAN BAUGHMAN: All right.
11 We've --

12 MR. ROBINSON: (Indicating.)

13 CHAIRMAN BAUGHMAN: Mr. Robinson?

14 MR. ROBINSON: I'm just going to
15 interject this statement: Two things are
16 occurring when you do the low-water check. One,
17 you're checking the functionality of the actual
18 low-water cut-off for the primary side. The
19 second is if it's a McDonnell Miller, you're
20 cleaning out the float. The float has a tendency
21 to clog up with scale and all types of gunk which
22 will prevent the ball from dropping down, again,
23 limiting your fail-safe mechanism. Sorry.

24 CHAIRMAN BAUGHMAN: No. That's
25 okay. We talk -- so we get into the technical

1 side of things. We get called in on
2 investigations where the low-water probe has
3 grounded out. And you drop the water off the
4 probe, but you haven't physically checked the low
5 waters, and it doesn't shut the water off.

6 We've had failures of both primary
7 and secondary. Your secondary may be a probe. On
8 that size boiler, you've probably got a high-water
9 probe in it also. So you've got all these
10 different mechanisms that are on the boiler that
11 at some point in time have to be checked.

12 And then the DA, although the DA is
13 not part of this variance, the DA has every
14 potential to relocate the personnel and the
15 building. And so there's all different kinds of
16 things that we attend to in our industry.

17 We have really gone over this to a
18 high degree. You both have been very good in
19 explaining things and sharing the information.

20 At this point, is there anything else
21 that we need to bring to the table to discuss?

22 MR. COLLINS: I just had one
23 quick question. You mentioned that there's a
24 total of three boilers that are monitored in that
25 station. And each of them have their own e-stop?

1 MS. BEST: No. So on the remote
2 side, boilers 8 and 15 are adjacent to each other,
3 and the thought is that if there is something
4 significant going on that you need to get in there
5 and investigate it, you want to shut both of those
6 down. So that is one e-stop that is tied to both
7 of those boilers. The new boiler, being in its
8 own building, has its own e-stop.

9 MR. COLLINS: Thank you.

10 MS. BEST: And then the buttons
11 are labeled and adjacent to the station
12 immediately.

13 CHAIRMAN BAUGHMAN: Is there any
14 revisions, particularly to the manual that we want
15 to address? In all honesty, both of you -- I feel
16 like there's revisions that need to be made to
17 give some clarity to it, albeit -- I'd just like
18 some input from others on the Board on what their
19 thoughts are.

20 MR. LASHLEY: Well, a checklist
21 is one that would need to be added for sure. The
22 water column testing is another. And just a
23 couple of the other notes that we've made.

24 MR. COLLINS: The emergency
25 procedure.

1 CHAIRMAN BAUGHMAN: Placard.

2 MR. LASHLEY: The emergency
3 procedure on its own identifiable page.

4 CHAIRMAN BAUGHMAN: Personnel.

5 MR. LASHLEY: Personnel roles,
6 yeah. Updated personnel roles for supervisor.

7 CHAIRMAN BAUGHMAN: Anybody
8 that's going to be qualified to attend the boiler.

9 MR. LASHLEY: Right.

10 CHAIRMAN BAUGHMAN: A lot of
11 times we'll identify that remote station
12 operator -- remote station attendant as a remote
13 station attendant, and then a boiler operator as a
14 boiler operator.

15 And in this case, we're -- and then
16 anybody that qualifies as a remote station
17 attendant would have that under their job
18 description also qualified as a remote station
19 attendant.

20 So it gives a little bit of clarity
21 in the definitions of who's doing what and
22 qualified for what. Does that make sense?

23 MS. SCHMIDT: Understood.

24 CHAIRMAN BAUGHMAN: Okay. So do
25 we want to approve the manual as it is? Do we

1 have thoughts on tabling and bringing it back with
2 revisions?

3 MR. LASHLEY: Tabling and
4 bringing it back would be my preference.

5 MS. SCHMIDT: May I ask a
6 question?

7 CHAIRMAN BAUGHMAN: Yes, ma'am.

8 MS. SCHMIDT: So we have an
9 existing variance approved for 8 and 15. While we
10 did make some modifications, it is very similar to
11 those existing variance -- or that one existing
12 variance, since they're housed in the same
13 building. Will that also need to be revised or
14 will that happen when it needs to be renewed?

15 CHAIRMAN BAUGHMAN: It will
16 happen when it comes up for renewal.

17 MS. SCHMIDT: Understood.

18 CHAIRMAN BAUGHMAN: Good
19 question.

20 MR. LASHLEY: Get them all the
21 say way.

22 CHAIRMAN BAUGHMAN: Yeah. And I
23 don't know when it comes up for renewal. I
24 briefly looked at the previous variance for those
25 boilers, and I've taken it that you've seen those

1 manuals also and know what some of the differences
2 are between the two manuals. But yeah, it will
3 stand on its own.

4 MS. SCHMIDT: Okay.

5 CHAIRMAN BAUGHMAN: So do we want
6 to have a motion to table this, have those
7 revisions presented to us? It's not a denial.

8 MS. SCHMIDT: Understood.

9 CHAIRMAN BAUGHMAN: It's much
10 better to table than go ahead and vote on what's
11 here presently.

12 But do I have a motion for tabling
13 this to the next board meeting, which would be in
14 June?

15 MR. LASHLEY: I'll make the
16 motion.

17 CHAIRMAN BAUGHMAN: Okay. So we
18 have a motion to table this action item, bringing
19 back the revisions as noted and presenting them
20 for the June meeting.

21 MR. COLLINS: Second.

22 CHAIRMAN BAUGHMAN: Okay. We
23 have a second. All right. We'll take the vote.

24 All in favor say "aye."

25 (Affirmative response.)

1 CHAIRMAN BAUGHMAN: All those
2 opposed?

3 (No verbal response.)

4 CHAIRMAN BAUGHMAN: Abstentions?
5 Mr. Henry.

6 So if you would, bring this back for
7 the June meeting. And any questions at all
8 between now and then, bounce them off of Chief
9 Watson, Assistant Chief Cass, really anybody,
10 we're glad to help in any regard that we can.

11 MS. SCHMIDT: Thank you.
12 Appreciate it.

13 CHAIRMAN BAUGHMAN: Thank you.

14 Let's take about a five-minute break.

15 (Recess observed.)

16 MR. DEASON: If you're not
17 recognized by the Chair -- I mean, ideally we want
18 you to sign up for the public comments but
19 absolutely if you're not recognized by the Chair,
20 don't just start speaking. He has to allow you to
21 speak.

22 CHAIRMAN BAUGHMAN: Thank you,
23 Mr. Deason.

24 Again, that was good discussion
25 previously. So what we're going to do now is for

1 one -- there you go. Terry is at the podium.

2 Your name again?

3 MR. ABBAS: Aly.

4 CHAIRMAN BAUGHMAN: Aly?

5 MR. ABBAS: Yeah.

6 CHAIRMAN BAUGHMAN: Great. And
7 let me just share and congratulate that Terry just
8 had his first grandson absolutely minutes ago. So
9 we have brought Domtar up on the agenda so that he
10 can get off to Savannah, Georgia and enjoy this
11 miracle of God that's been brought into this
12 world.

13 MR. VINSON: Yeah. Very happy
14 news, yeah. And thanks for letting me cut the
15 line. I appreciate it.

16 CHAIRMAN BAUGHMAN: Yeah. No
17 kidding. I need to deny your variance request
18 now, but anyway, go ahead. Just kidding. Thanks,
19 guys, for being here, very much.

20 If you'll go ahead and discuss what
21 it is you're wanting to.

22 MR. VINSON: Yeah. I'm Terry
23 Vinson. I'm the engineering maintenance manager
24 for the site. I have Aly Abbas here, who is our
25 Asset Integrity Engineer. He works in our

1 corporate offices supporting us.

2 We also have Brian Crowder here.

3 He's our trainer for that area of the plant which
4 involves the boilers, plus he's our union
5 president, so we get that little bonus there
6 bringing him here. And J.T. Helmes is our
7 Reliability Engineer. He has a lot of years'
8 experience with boilers.

9 THE REPORTER: What is Aly's last
10 name?

11 MR. ABBAS: Abbas, A-B-B-A-S.

12 MR. VINSON: Okay. So I'll kick
13 things off and then I'm going to kick -- put it
14 over to our experts here.

15 So we're asking for 18 months
16 external inspection variance, going from 12 months
17 to 18 months. We are Domtar. Prior to that, we
18 were Resolute Forest Products. And prior to that,
19 if you go back far enough, we were Bowater. So
20 we're the old paper mill right outside Cleveland,
21 Tennessee.

22 About two or three years ago, we
23 idled our pulp and paper side of the business, so
24 we're only running our tissue business now. And
25 so we have one boiler now. The rest of the

1 boilers are -- our bigger boilers are -- our
2 recovery boilers are idled and have been idled for
3 a couple years now, several years now.

4 So we have -- the variance request is
5 for the one boiler. It's an 83,000 pounds per
6 hour boiler, small by our standards. A natural
7 gas boiler. The reason we're asking for this is
8 so it aligns with our other major maintenance
9 work. A paper mill having an outage is a huge
10 ordeal. We've made a lot of reliability
11 improvements to the rest of our site, and to align
12 those and have one outage, the last key component
13 of that is our boiler outage for internal
14 inspection.

15 However, we wouldn't ask this if we
16 didn't feel it was safe, so -- and we can go
17 through that. As of right now, our tube life is
18 projected at 42 years. That's after the last
19 couple of years' inspections. That's one of the
20 reasons that we're asking for this. We do supply
21 our boiler with an RO unit. And our RO unit is
22 supplied with a water softener.

23 That's the basics and just a quick
24 introduction of who we are and what we're asking
25 for.

1 CHAIRMAN BAUGHMAN: First of all,
2 I'll ask if there's a conflict of interest on this
3 action item.

4 (No verbal response.)

5 CHAIRMAN BAUGHMAN: None? Okay.
6 So a motion to discuss?

7 MR. COLLINS: So moved.

8 MR. LASHLEY: Second.

9 CHAIRMAN BAUGHMAN: Second? All
10 right.

11 MR. COLLINS: I wanted to ask a
12 question.

13 MR. VINSON: Yes.

14 MR. COLLINS: You indicated
15 18-month external variance?

16 MR. VINSON: Internal.

17 MR. HELMES: External is every
18 six months.

19 THE REPORTER: What's your name?

20 MR. HELMES: J.T. Helmes.

21 THE REPORTER: Okay.

22 MR. HELMES: I apologize.

23 MR. COLLINS: And then also, I
24 wanted to ask, I think in a couple places,
25 including on the very first page and then also on

1 the checklist, it is indicated that this would be
2 a renewal of an inspection variance. However, the
3 boiler, as it indicates on 1.1, was installed May
4 of 2022.

5 MR. ABBAS: Yes.

6 MR. HELMES: That is correct.

7 MR. ABBAS: This is a new
8 variance. It's not a renewal. The thing that I'd
9 just want to add, like, I know that it might be,
10 like, confusing a bit, but, like, after the
11 five years, we said that we're going to renew
12 again after -- if the variance is accepted. This
13 is where the confusion comes from.

14 CHAIRMAN BAUGHMAN: So this unit
15 was originally trailer mounted?

16 MR. ABBAS: Yes, sir.

17 CHAIRMAN BAUGHMAN: So it was set
18 up as a rental originally and then sold to Domtar?

19 MR. ABBAS: Resolute at the time.

20 CHAIRMAN BAUGHMAN: Resolute at
21 the time?

22 MR. ABBAS: Yes.

23 CHAIRMAN BAUGHMAN: They took it
24 off the trailer, took it from portable to
25 stationary?

1 MR. ABBAS: Exactly.

2 CHAIRMAN BAUGHMAN: Very good.

3 So in some places, I see this identified as an
4 Indeck boiler, and in others, I see it -- and this
5 is on the MDRs under Boiler Records, in
6 particular, 3.9 and then 3.12. Under the P-3
7 manufacturer's data report for watertube boilers,
8 it says manufactured by Trenergy in Ontario,
9 Canada. And then on 3.2 on the P-7 report, it
10 says boiler manufactured by Indeck boiler with a
11 different address in Canada.

12 I don't know why the MDRs don't quite
13 match up or if I'm missing something.

14 MR. ABBAS: So Indeck is the
15 entity in the U.S. that belongs to Trenergy. So
16 the manufacturers was in Quebec Canada. And then
17 the company supervised is in Ontario. But then
18 the cell of the boiler was done through Indeck,
19 which is in Chicago, Illinois.

20 CHAIRMAN BAUGHMAN: Just to
21 expand upon that, I don't see -- I see one of the
22 manufacturers in Quebec on 3.12 under the P-7.
23 And then on 3.9 under the P-3, I see Trenergy
24 under Ontario, Canada, two different -- of course,
25 two different providences. So I just was a little

1 confused on the paperwork.

2 MR. COLLINS: You indicated that
3 the P-7 on 3.12 and -- what was the other you were
4 talking about?

5 CHAIRMAN BAUGHMAN: On 3.9, the
6 P-3.

7 MR. ABBAS: So if you can go to
8 3.7, you're going to see that there is an engineer
9 and contractor and the purchaser. So the
10 purchaser is under Indeck Power Equipment. And
11 the engineering contractor is, as well, in that
12 boiler.

13 CHAIRMAN BAUGHMAN: Yes. I
14 understand that. That's the contractor data.

15 MR. ABBAS: Yes.

16 CHAIRMAN BAUGHMAN: But that
17 would be, again, contrary to the P-3, then, which
18 on 3.9 would be Trenergy in Ontario Canada. So
19 you've got an entity, Indeck, which is listed for
20 Quebec; you've got Trenergy, which is listed in
21 Ontario Canada. And then the P-7 itself matches
22 up to the engineering contractor data report but
23 not the manufacturer's data report as such.

24 MR. ABBAS: So as in the 3.9,
25 you're going to see that it's manufactured by

1 Trenergy and manufactured for Indeck.

2 CHAIRMAN BAUGHMAN: Oh, I
3 understand. I'm just saying the entities of
4 Ontario versus Quebec, two different locations.
5 So if you'll look at the top, manufactured by --
6 and this is on 3.9, manufactured by Trenergy for
7 Indeck. I get that. But look at the end of it
8 where it says Ontario Canada.

9 MR. ABBAS: Yes.

10 CHAIRMAN BAUGHMAN: And then go
11 to your P-7 on 3.12, manufactured by Indeck which,
12 you know, was manufactured by Trenergy for Indeck.
13 It wasn't manufactured by Indeck. But that was
14 with the address of Quebec instead of Ontario, so
15 I'm a little confused.

16 MR. ABBAS: So 3.12, it's only
17 for the pressure relief valves.

18 CHAIRMAN BAUGHMAN: Okay. So
19 that's just the addendum --

20 MR. ABBAS: Yes.

21 CHAIRMAN BAUGHMAN: -- albeit the
22 boiler manufactured by -- I understand the P-7 is
23 for the relief valves, but the manufactured by is
24 still conflicting with the manufactured by on 3.9.

25 So we have a P-3, and a P-7 is going

1 to be that addendum that goes with the P-3 for the
2 relief valve. But the information should
3 corroborate between the two. And it doesn't.

4 3.16, I can't read at the very top.
5 This is our S stamp, and I'm assuming this is for
6 the boiler?

7 MR. ABBAS: Yes, sir.

8 CHAIRMAN BAUGHMAN: Okay. And I
9 can't quite see what it says at the very top, nor
10 the second one. But year built is 2019. And if
11 this is for the boiler, the boiler was built in
12 2016.

13 MR. COLLINS: I believe that that
14 nameplate is referring to the Economizer.

15 CHAIRMAN BAUGHMAN: Okay. Well,
16 it didn't quite -- I didn't quite see a
17 nomenclature for it, so I was a little confused
18 with that.

19 MR. COLLINS: Nomenclature in
20 regard to labeling it in the manual?

21 CHAIRMAN BAUGHMAN: Well, what it
22 applies to.

23 MR. COLLINS: The serial number
24 matches with the -- on page 313.

25 CHAIRMAN BAUGHMAN: Okay. I just

1 didn't know exactly what it was without going back
2 and forth, and so I appreciate that, Mr. Collins.
3 Answers my question.

4 So you're asking for every five
5 years.

6 MR. LASHLEY: Every 18 months for
7 5 years.

8 CHAIRMAN BAUGHMAN: For 5 years
9 per 18-month extension. So this would go out --
10 if we approved it, you're asking for it to go out
11 for five years?

12 MR. ABBAS: Yes. So if I may,
13 the reasoning behind that is that --

14 CHAIRMAN BAUGHMAN: Yes, sir.
15 Thank you.

16 MR. ABBAS: Within the cycle of
17 the outage was like a year and a half. We're
18 going to have three cycles. And then after the
19 third, we're going to have time, if the variance
20 is approved, to reapply for the renewal. So we're
21 going to have six months in between outages at the
22 end of the cycle, so we're going to have some
23 buffer time so we can get a new packet and do the
24 submittal for the Board.

25 CHAIRMAN BAUGHMAN: Very good.

1 If anything should happen between now and then,
2 i.e., we've got two failures, we've got anything
3 whatsoever --

4 MR. HELMES: We start back at
5 zero.

6 MR. ABBAS: Yes, we start at
7 zero.

8 CHAIRMAN BAUGHMAN: Okay. And
9 that gets reported back to -- in other words, when
10 we say we start at zero, what's going to be the
11 protocol?

12 MR. ABBAS: The protocol at this
13 time is going to be as soon as -- like, we're
14 going to have the six-month external inspection.
15 And within time, if we have any outages or
16 anything happen, then the protocol, we're going to
17 go back to a yearly basis as we were before, as
18 is.

19 CHAIRMAN BAUGHMAN: Okay.

20 MR. ABBAS: So it's going to be
21 every twelve months.

22 CHAIRMAN BAUGHMAN: Okay. So at
23 that time, we're going to rely upon Domtar to make
24 that report back to --

25 MR. ABBAS: FM Global first and

1 the Chief Inspector as well.

2 CHAIRMAN BAUGHMAN: Very good.

3 MR. ABBAS: Yes.

4 CHAIRMAN BAUGHMAN: Is that
5 identified in the manual?

6 MR. VINSON: This is Terry.

7 The FM Global recommendation letter
8 lays that out.

9 MR. COLLINS: Also, it does
10 say -- it doesn't address the specific -- if
11 there's an incident that causes a plant shutdown
12 but it does say -- up on the very first page, it
13 says, "Upon receiving the variance approval, the
14 mill shall continue the six-month experimental
15 inspection frequency, and upon failure to pass the
16 external inspection, the boiler shall be inspected
17 internally at that moment. And as soon as it
18 fails external, it's brought down and inspected
19 internally, and the variance shall be rescinded."

20 CHAIRMAN BAUGHMAN: So we have no
21 present RBI in place, any risk-based inspection
22 assessment?

23 MR. ABBAS: No. What we do is
24 all the inspections that can be done while doing
25 the inspections internally are being conducted.

1 The UT measurements, the cleaning, the economizer,
2 the pressure safety valves. Everything is done
3 without any lack of any other types of inspection
4 for the boiler, for the pressure vessel.

5 So when we said let's go to the
6 18-month, we're going to remain to keep the same
7 UT measurement, the cycles, the cleaning that we
8 have as is.

9 CHAIRMAN BAUGHMAN: And that
10 company, are you utilizing -- I think I've
11 identified Industrial Boiler --

12 MR. ABBAS: Yes.

13 CHAIRMAN BAUGHMAN: -- to be
14 doing those checks?

15 MR. ABBAS: Yes. So Industrial
16 Boiler, we have them on the yearly basis. They
17 come and they do the UT measurements, and at the
18 same time, we have Solenis, which is a water
19 treatment company. They do the borescope for the
20 water wall tubes as well.

21 CHAIRMAN BAUGHMAN: And during
22 their inspection, they're taking three
23 measurements?

24 MR. ABBAS: Yes, sir.

25 CHAIRMAN BAUGHMAN: Okay.

1 MR. ABBAS: Top, middle, and
2 bottom.

3 MR. COLLINS: Does FM Global, do
4 they review and approve your risk base -- the
5 risk-based inspection components of your program?

6 MR. ABBAS: Yes, sir.

7 CHAIRMAN BAUGHMAN: Aly, I'm
8 looking at page 3.45, the report from Industrial
9 Boiler & Mechanical. And under Rear Wall Tubes,
10 where it states the readings were taken, you just
11 stated they take three readings, but yet this
12 states, "We took two readings on each tube."

13 MR. ABBAS: Yeah. Sorry. So for
14 the rear wall, it's top and bottom. But for the
15 others, are top, middle, and bottom. Yeah. The
16 front wall tubes and the left side and the right
17 side. Yes.

18 CHAIRMAN BAUGHMAN: So front wall
19 on 3.46 shows two readings.

20 MR. ABBAS: Yes. The left side
21 has the three readings and the right side has the
22 three readings.

23 CHAIRMAN BAUGHMAN: Yes. So I'm
24 just clarifying because the statement was made,
25 which sounded kind of carte blanche they'll take

1 three readings, which is not incorrect, but it's
2 not --

3 MR. ABBAS: Yes.

4 CHAIRMAN BAUGHMAN: -- three
5 readings on all the tubes.

6 MR. COLLINS: (Indicating.)

7 CHAIRMAN BAUGHMAN: Yes, sir?

8 MR. COLLINS: On 2.1, on
9 bullet -- I guess the numbering might be
10 incorrect, but 3.1.3, it says -- the language in
11 that bullet point might need to be cleaned up
12 because it says, "UT for thickness measurements on
13 a yearly basis, each measured tube has three
14 readings, top, center, bottom readings, walls and
15 percentage and Borescope inspection."

16 So I don't know. It's a little
17 jumbled there. And also, kind of splitting it
18 out -- and I know it goes into details, rear wall
19 tubes, a hundred percent -- okay. A hundred
20 percent of the quantity of the tubes.

21 MR. ABBAS: Yes, exactly.

22 MR. COLLINS: Okay. So that
23 might need to be cleaned up, just in a sense of
24 making sure it's clear. Quantity of tubes, how
25 many readings, you know, that quantity of readings

1 for what specific tube and the locations in that
2 boiler.

3 CHAIRMAN BAUGHMAN: That's a good
4 point, Mr. Collins. Because the way that that's
5 worded is -- again, it kind of throws a broad
6 brush stroke on it. But I'm saying that there's
7 three readings; top, center, and bottom, which is
8 true for some of the tubes.

9 MR. COLLINS: And then also,
10 while we're on that page, it mentions up at the
11 very top, FM Global, Annex 1 for the request for
12 the email. And I'm assuming that's the annex that
13 we received that was here.

14 MR. ABBAS: Yes. Yes, exactly.

15 MR. COLLINS: And then it also
16 mentions right after the statement that I had
17 pointed out as far as UT readings, it says
18 Annex 2.

19 Is that in reference to...

20 MR. ABBAS: That's in reference
21 to boiler machinery, the UT and the inspection
22 reports that they have.

23 MR. COLLINS: Is that located...

24 MR. ABBAS: Yes. This is the one
25 for -- starting 3.45.

1 MR. COLLINS: Okay. So maybe,
2 instead of Annex 2, point out that section.

3 MR. ABBAS: Absolutely.

4 CHAIRMAN BAUGHMAN: When did the
5 name change from Resolute Forest Products to
6 Domtar?

7 MR. ABBAS: It happened in
8 December of 2024.

9 CHAIRMAN BAUGHMAN: The reason
10 being, again, IB&M has referenced Resolute Forest
11 Products in their testing report. And I just
12 wanted to make sure it was all together.

13 Branden Matue, I'd like to address
14 the FM Global inspector in the back. Do you know
15 the inspector there or will that be yourself or --

16 MR. MATUE: No, I'm not their
17 inspector. I know who the inspector is but I'm
18 not the inspector.

19 CHAIRMAN BAUGHMAN: Okay.

20 MR. MATUE: I'm not involved in
21 this.

22 CHAIRMAN BAUGHMAN: Okay. Thank
23 you.

24 MR. COLLINS: And the inspector
25 is listed on the front page. If that is still

1 updated and correct, it's Fred Allison.

2 MR. MATUE: Yes, sir.

3 CHAIRMAN BAUGHMAN: Good ole
4 Fred. He's a good inspector.

5 Thank you, Riley.

6 Is there a copy of FM Global's
7 inspection that's in the manual? I know that
8 we've got something in here that addresses they're
9 on board with it. But is there any inspection
10 report from them itself?

11 MR. ABBAS: Well, at the end of
12 each visit when they come, he hands GT, like, the
13 checks that he made and then he keeps it with it.
14 But in this manual, we don't have it since, like,
15 it wasn't, like, part of the checklist. So it's
16 not included in here. But we have the records.

17 CHAIRMAN BAUGHMAN: So what I was
18 interested in, if it was in here, I'm always
19 looking at what writeups they had, the
20 recommendations, notations, so forth. And being
21 that there's nothing addressed, I'm making a thing
22 that we do as human beings as an assumption that
23 everything was okay. But I'm always interested in
24 getting the input from the inspector themselves.
25 And knowing Mr. Allison, I could always reach out

1 to Fred and --

2 MR. HELMES: He would let us
3 know. Believe me.

4 CHAIRMAN BAUGHMAN: Yes.

5 MR. HELMES: Fred's a good guy
6 but he -- he definitely will let us know if
7 there's an issue.

8 CHAIRMAN BAUGHMAN: Yes.

9 MR. ABBAS: So for the time
10 being, we don't have any recommendation or any
11 outstanding action related to the boiler from FM
12 Global.

13 CHAIRMAN BAUGHMAN: And again,
14 this MDE is being performed how often?

15 MR. ABBAS: On a yearly basis.

16 CHAIRMAN BAUGHMAN: So the boiler
17 has to be shut down, as it is, yearly. All we're
18 doing is just not draining the water down out of
19 it, or are you...

20 MR. ABBAS: The boiler is
21 completely drained. We open the steam drum, the
22 mud drum. We do the borescope with Solenis, and
23 then the staff from Boiler Machinery, they go
24 inside the boiler. They clean, and then they take
25 the UT measurements.

1 CHAIRMAN BAUGHMAN: Okay. So why
2 would we be extending the inspection length of
3 time if we're already taking the boiler down and
4 doing a borescope and NDE and so forth?

5 MR. VINSON: So that's the
6 request, right, is to go from a 12 month to an
7 18 month. So when we take our boiler down, it
8 shuts our whole -- you know, that whole -- our
9 whole tissue machine down.

10 And currently, we've made so many
11 other reliability improvements and a lot of money
12 and time and effort. And the boiler is the one
13 thing remaining so we can take our whole tissue
14 machine operation and move it out to 18 months
15 instead of 12 months.

16 CHAIRMAN BAUGHMAN: Okay.

17 MR. VINSON: We're anticipating
18 that's over a million dollar savings for us. And
19 last year, we were not profitable, so it's huge
20 for us.

21 CHAIRMAN BAUGHMAN: Absolutely.

22 MR. VINSON: But again, we would
23 not ask if we weren't a hundred percent
24 comfortable with it. Domtar and Resolute before
25 that has a very deep safety culture. I mean, if

1 somebody gets a scratch on them, literally,
2 there's a report done and it's sent out to all the
3 other plants and an investigation done. It's
4 world class safety.

5 MR. COLLINS: (Indicating.)

6 CHAIRMAN BAUGHMAN: Yes,
7 Mr. Collins?

8 MR. COLLINS: So -- and correct
9 me if I'm wrong -- the manual needs to be written
10 not of the current practices that are currently in
11 place but what will be in place with the manual.

12 So, I mean, going back to the
13 statement I had pointed out about the UT
14 thicknesses on page 2.1, it does say you get
15 thickness measurements on a yearly basis. I'm
16 assuming that is now going to be on an 18-month
17 basis.

18 MR. ABBAS: Yes. Exactly.

19 MR. COLLINS: So, of course, I
20 haven't gone through and looked at all of those
21 references, but it needs -- the manual needs to
22 reflect what the variance will be -- like, what
23 will be implemented with the variance in place.

24 You can allude to, you know, you
25 intended that this is currently what's -- you

1 know, it's currently being inspected on the
2 yearly, but we're requesting a variance to be
3 extended to 18 months. But then the rest of the
4 details in the manual needs to reflect that.

5 I also wanted to ask, on page 3.42,
6 there is, it looks like, performance data of some
7 projected -- different scenarios of what the
8 boiler can perform at. I didn't know if one of
9 those columns was the actual operating.

10 MR. ABBAS: The actual one is the
11 first one, the one with the 75,000 with the steam
12 output.

13 MR. COLLINS: And so indicated --
14 let's see. Temperature of FGR, I believe it's
15 573 degrees Fahrenheit. I'm assuming that is the
16 temperature of the -- that is the feed water?

17 MR. ABBAS: Yes.

18 MR. COLLINS: Okay.

19 CHAIRMAN BAUGHMAN: So
20 temperature of FGR would not be the feed water.

21 MR. ABBAS: It's the flue gas.

22 MR. HELMES: Yeah, it's the flue
23 gas.

24 CHAIRMAN BAUGHMAN: Okay. I just
25 wanted to clarify that.

1 MR. HELMES: It's the flue gas.
2 Yes, sir.

3 CHAIRMAN BAUGHMAN: Okay. And
4 I'm sure it's identified somewhere in here, J.T.
5 and Aly, but on 3.36, we've got the repair
6 certificate of the pressure vessel repair that was
7 performed on May 2nd of '22. What was that repair
8 for?

9 MR. HELMES: So that was on the
10 flanges to the economizer. They were a different
11 size. And so this economizer, when we installed
12 it, it had to have different style flanges. So
13 that R stamp was just for those flanges, changing
14 those out to the correct size.

15 CHAIRMAN BAUGHMAN: Was the
16 economizer installed at a later date, i.e., '22,
17 or was it just missing --

18 MR. HELMES: No, sir. Came at
19 the same time. It was all a package, if you will.

20 CHAIRMAN BAUGHMAN: But it had
21 the wrong size flanges on it, so --

22 MR. HELMES: It did.

23 CHAIRMAN BAUGHMAN: -- it was --

24 MR. HELMES: Obviously, it was
25 not to that particular boiler, but that's right.

1 We purchased it as a package, and then we go to
2 install, all of the engineering done, all of the
3 engineering and labor, going through setting it
4 all up, we realized it was a different size
5 flange.

6 MR. COLLINS: I wanted to point
7 out on, as far as -- on page 1.1, it says
8 operating temperatures. I'm assuming that is
9 operating temperatures being the outlet steam?

10 MR. HELMES: Yes. That's the
11 temperature of the steam.

12 MR. COLLINS: And then on
13 page 1.6, on the readout of the info, just of that
14 snapshot or time stamp, it says temperature
15 582 Fahrenheit.

16 I didn't know if that was correct.
17 The first reading on --

18 MR. HELMES: Okay. I see it.
19 Right. Yeah. So that's -- if you look where it's
20 pointing, that is actually pointing to the stack.

21 MR. COLLINS: I lost that gray
22 line in the gray background.

23 MR. HELMES: Yeah. Sorry about
24 that. But yes, sir, that's what it is.

25 CHAIRMAN BAUGHMAN: Do we have an

1 NBE thickness testing reading for all the walls
2 for 2024? I'm finding 2023's, but I do not see
3 2024's for reference. I'm looking from 3.53
4 through 4 through 55.

5 MR. ABBAS: So on page 3.45 at
6 the top, you're going to see eight boiler
7 inspection records, 2024 UTN inspection report.
8 And then, starting on page 3.49, this is the 2023
9 UT inspection report from Industrial Boiler.

10 CHAIRMAN BAUGHMAN: Thank you.
11 So not only are we affecting the boiler with this
12 proposed extension of operation and inspection,
13 but it also affects the deaerator, does it not?

14 MR. HELMES: Yes.

15 MR. ABBAS: (Nods head.)

16 CHAIRMAN BAUGHMAN: So this
17 inspection is for the package boiler extension.
18 Are we making an assumption that it naturally
19 extends to the deaerator?

20 MR. HELMES: Yes, sir. It had a
21 full inspection this year with going UT in the
22 well tubes -- I mean, the well lines, well seams
23 all the way through. I think it's '24 report.

24 CHAIRMAN BAUGHMAN: I was
25 seeing -- yes. I was seeing the pictures on 3.52

1 of the DA tank. It didn't necessarily identify
2 what year, although that picture is date-stamped
3 2023. I was curious that we're taking a pressure
4 vessel, i.e., the boiler, and extending its
5 inspection time out. But because the DA supplies
6 the boiler -- it's a separate pressure vessel in
7 itself and a separate inspection. And so I don't
8 necessarily feel comfortable in grouping the two
9 together. But we're obviously looking at doing
10 that by proxy on it. And I just wanted to bring
11 that up, for the record, you know, because we do
12 have issues with DAs in the marketplace.

13 MR. LASHLEY: (Indicating.)

14 CHAIRMAN BAUGHMAN: Yes,
15 Mr. Lashley?

16 MR. LASHLEY: It's a different
17 inspection cycle.

18 CHAIRMAN BAUGHMAN: Yes.
19 Exactly. But being that it's still online, I
20 didn't know how it was going to coincide and how
21 that NDE on the DA is presently set up for its
22 every five years, where that falls in this cycle.
23 So I was just curious with that --

24 MR. ABBAS: (Indicating.)

25 CHAIRMAN BAUGHMAN: Yes, sir?

1 MR. ABBAS: If I may, you can go
2 to page number 1. You're going to see that we
3 have included the safety relief valve testing
4 frequency if the variance is approved. So when
5 you go to page 1, you're going to see that the DA
6 tank UT inspection interval of five years per NBIC
7 part 2, article 2.3.6.1, if variance is approved,
8 the frequency will be every 4.5 years.

9 CHAIRMAN BAUGHMAN: And again,
10 reference on that, you said page 1 under
11 section 1, I take it.

12 MR. ABBAS: Yes.

13 MR. HELMES: Yes, sir.

14 CHAIRMAN BAUGHMAN: Very good.
15 Thank you. I went to the very front and it's
16 actually not numbered.

17 MR. COLLINS: Is the DA tank, is
18 it a registered vessel with the State?

19 MR. ABBAS: Yes.

20 MR. COLLINS: And I'm assuming it
21 would have internal inspection every 18 months?

22 MR. ABBAS: For the DA tank?

23 MR. COLLINS: The DA tank as for
24 the NBIC, we do the UT tests every five years, but
25 if the variance is approved, it's going to be

1 every 4.5 years. However, we open up the DA every
2 outage to do a visual inspection.

3 MR. HELMES: That would be on the
4 18-month. Yes, sir.

5 CHAIRMAN BAUGHMAN: I think my
6 question was getting -- where in that 5-year or
7 now what we're talking about 4.5, where in the
8 cycle is it sitting right now?

9 MR. ABBAS: So the cycle sitting
10 right now is that by the end of this variance,
11 it's going to be the UT inspection for the
12 deaerator, the UT inspection. The visual is done
13 every 12 months, and if the variance approval is
14 going to be every 18 months with every shutdown,
15 but with this frequency, we're going to open it at
16 the last cycle or at the last outage from this
17 guidance.

18 CHAIRMAN BAUGHMAN: When you say
19 open, it's going to be opened already -- you're
20 talking about the UT --

21 MR. ABBAS: Yeah, exactly, the
22 UT.

23 CHAIRMAN BAUGHMAN: Okay. I just
24 wanted to clarify that I knew what you were going
25 for.

1 Do we have any thickness data
2 presently on the DA listed in here?

3 MR. ABBAS: We don't have it.

4 MR. HELMES: I don't think it is.

5 MR. ABBAS: No.

6 CHAIRMAN BAUGHMAN: And do you
7 know why I'm asking?

8 MR. HELMES: Yes.

9 CHAIRMAN BAUGHMAN: Just to give
10 a reference.

11 MR. ABBAS: Yes.

12 CHAIRMAN BAUGHMAN: It's going
13 hand in hand with the boiler. So I would love to
14 see data.

15 MR. HELMES: Got you.

16 MR. ABBAS: So in 2024, we did
17 already the MT and UT testing for the deaerator.
18 We did the UT and MT testing for the shelf of the
19 welding seams on this outage, the one in the 2024.
20 So we have the report for this one.

21 CHAIRMAN BAUGHMAN: Right. Well,
22 I saw the picture that was from 2023.

23 MR. LASHLEY: That was the
24 visual.

25 CHAIRMAN BAUGHMAN: That was

1 the -- well, on the internals it showed it, so I'm
2 just curious to have some reference back since it,
3 again, is going hand in hand on there.

4 MR. ABBAS: We do have the
5 reference. Unfortunately, like, we didn't pull it
6 because it's not, like, as per the checklist. But
7 we do have the inspection report from 2024.

8 CHAIRMAN BAUGHMAN: Yes. Well,
9 and boilers -- because it's not on the checklist,
10 that may be something that we communicate further
11 about for the future. Because you might have an
12 atmospheric feedwater system, albeit a boiler this
13 size would typically have a DA. But being that
14 it's a pressure vessel and it's being part of this
15 variance request and extension, I think it's
16 worthy of at least looking at for the future.
17 Again, Mr. Allison, if he saw anything, he would
18 address it as it is. But I'm just looking at --
19 as we get looking at down the road as this comes
20 to us again, we're going to be looking at
21 thicknesses, where we're at on the minimums and so
22 forth.

23 MR. COLLINS: One thing I wanted
24 to point out is that I noticed on the checklist it
25 does say that there is not an attendant variance,

1 that it's fully attended. Having that stated
2 somewhere in here would be helpful.

3 MR. HELMES: Okay.

4 MR. COLLINS: Unless it already
5 is and I missed it.

6 MR. ABBAS: I don't think it's in
7 here. We just added it to the checklist.

8 CHAIRMAN BAUGHMAN: And again,
9 what was the impetus behind wanting this on a
10 five-year instead of putting it on a three-year?

11 MR. VINSON: Nothing specific
12 other than just the effort it took to put in this.
13 If you-all wanted to approve it as a three-year,
14 we would still walk away very happy.

15 CHAIRMAN BAUGHMAN: Okay. Well,
16 that's a fair answer, Terry.

17 MR. VINSON: Yeah.

18 CHAIRMAN BAUGHMAN: Yeah. I
19 appreciate it. I was trying to get it in my mind.
20 I know the economic side of it and I understand
21 that, but I was just looking from the technical
22 side if there was something.

23 From the technical side, for me, I
24 feel more comfortable in revisiting it at that
25 three-year period, and then bringing it back for a

1 possible longer extension than looking at it on
2 the longer end up front. That's just me. I'm not
3 saying that that's what we're making a motion on.
4 But it's just the way I look at it.

5 MR. VINSON: I think, timing
6 wise, three and a half might be better. We'd like
7 to go through two cycles, so we'll go through one
8 in April of next -- if approved, we'll go through
9 one in April of next year, and then another
10 18 months and 6 months tacked onto that to get a
11 request in. I don't know the timing on how to do
12 the math on that.

13 CHAIRMAN BAUGHMAN: That makes
14 sense.

15 MR. COLLINS: (Indicating.)

16 CHAIRMAN BAUGHMAN: Yes, sir?

17 MR. COLLINS: I had a question.
18 I know it lists on here, Does the program clearly
19 describe the control systems and normal boiler
20 operations?

21 And this is just a point of
22 clarification for me. Is that normal boiler
23 operations in reference to a control system or
24 just the boiler in general? And I guess I'm
25 asking this: Is that what we are requesting? And

1 then is that what was provided?

2 CHAIRMAN BAUGHMAN: Well, that's
3 a good question. We hate to make assumptions but
4 how would you describe it, Aly?

5 MR. ABBAS: So you're making the
6 reference to which page exactly or which --

7 MR. LASHLEY: The checklist.

8 MR. COLLINS: The checklist. And
9 it's specifically Item 17, and it makes reference
10 to page 1.2. And on 1.2 it lists a number of
11 settings but I'm not sure if that adequately
12 addresses normal boiler operations. And again, it
13 also depends on if that is in reference to the
14 control system specifically.

15 MR. ABBAS: Yes. Exactly.
16 That's only for the control system specifically.

17 MR. COLLINS: Another thing I
18 wanted to ask, on 2.1 for the wall thickness check
19 on the tubes. So I know it says, "Maximum
20 Allowable Stress Value at the max temperature of
21 447F."

22 Although, in this case, it has the
23 allowable stress listed and then the subtext is
24 700F. And I'm assuming that's because that's the
25 minimum temperature that you can --

1 MR. ABBAS: Yeah. So basically,
2 what we did, when you go to the code, anything
3 that's fabricated after 2015, you take that TN and
4 the T saturated and then you divide it by two.
5 But then when you go back to the ASME one, it's
6 always good to go with the S700, which is the
7 worse case scenario that can happen.

8 So when you take this worse case
9 scenario, you're going to add some factor 50, and
10 then when you add the mill safety factor which is
11 like two mills per year for the corrosion rate, so
12 you negate yourself far away from any failure that
13 can happen, and it always makes you more
14 proactive.

15 So this is being really on the safe
16 side for the calculation sake.

17 MR. COLLINS: I couldn't remember
18 if it was 700 or 750 but...

19 MR. ABBAS: I do remember that's
20 like Table 1A. It's 700.

21 MR. COLLINS: Good. Okay.

22 I also wanted to ask, on page 2.2 in
23 the damage type for creep, the creep damage type,
24 the mitigation measure is water treatment
25 parameters. And I was just curious what the

1 thought process was surrounding that.

2 MR. ABBAS: So for the water
3 treatment parameters, when you have the creep, the
4 creep is going to be because of any hydrogen or
5 any oxygen in the water treatment system. So this
6 is better to make sure that the water parameters
7 are being followed closely. Like, we have the
8 daily checks with the operators, and so long as
9 they come on site on a weekly basis. So this
10 needs to be followed up in case that there is
11 anything happen and then take the corrective
12 measures for it.

13 MR. COLLINS: So when those
14 parameters are out of line, there is a risk of a
15 high temperature?

16 MR. ABBAS: Yes.

17 MR. COLLINS: And also, too, on
18 weld failure, it says the mitigation, visual
19 inspection every internal outage and PT. So is
20 that -- you're only going to do PT for locations
21 that fail a VT?

22 MR. ABBAS: It depends the visual
23 inspection. If the visual inspection is going to
24 see any cracks or anything, then we need to go
25 with another layer, which is the PT to make sure

1 that we visualize the fault or the defect, and
2 then we can take the corrective maintenance
3 actions that we need to do.

4 So it begins, like, with a visual.
5 Like, this is aside from the UT. You go from the
6 visual, and then from the visual, if you see
7 anything, then you go to the PT.

8 MR. COLLINS: Okay. Good deal.
9 I was making sure you weren't -- or I was making
10 sure you didn't mean that you were PT-ing all of
11 the ones.

12 MR. ABBAS: No.

13 CHAIRMAN BAUGHMAN: Only I'm a
14 little confused under "oxygen pitting" on 2.2. It
15 says likelihood, 10 percent; consequence, leakage.
16 But then it says mitigation, combustion
17 parameters. And I'm taking the oxygen pitting,
18 for me, is typically on the water side. Erosion?

19 MR. ABBAS: Yes.

20 CHAIRMAN BAUGHMAN: You could get
21 that on the fire side, but oxygen pitting.

22 MR. ABBAS: The oxygen pitting,
23 it can lead to erosion from the surface at the
24 fire side, not only water side. Like, water side,
25 that's like a hundred percent or 90 percent of it,

1 but the oxygen pitting can lead to erosion because
2 you're going to have like a blanket. So it's
3 going to act as an insulator for the heat
4 transfer, and this might cause erosion for the
5 tubes.

6 CHAIRMAN BAUGHMAN: I understand
7 the erosion, and that's addressed under erosion.
8 But under oxygen pitting, I'm not familiar with
9 oxygen pitting and the mitigation being
10 combustion. So I'm a little confused on that end
11 of it. So if you can explain to me a bit more how
12 oxygen pitting is produced under the combustion
13 process on natural gas.

14 MR. ABBAS: Yeah. Let's say, for
15 example, that the firing rate itself, you can have
16 excess oxygen coming into -- or like from the
17 burner. This excess oxygen can cause erosion and
18 oxygen pitting at the outer surface of the tube.
19 So it depends on the combustion parameters because
20 of the excess O2 that can happen if any fault for
21 the burner parameters happen.

22 CHAIRMAN BAUGHMAN: Interesting.
23 Well, as you and I both know on FGR, we're running
24 oxygen down at 3 percent below. So I'm just very
25 unaware of oxygen pitting, and when we put

1 likelihood of 10 percent, that's fairly high.

2 I can understand erosion, but the
3 oxygen pitting and being a combustion person
4 myself, I'm just a little -- I just don't know.
5 I'm just a little confused with that, so I'll just
6 leave it at that.

7 MR. ABBAS: I understand.

8 CHAIRMAN BAUGHMAN: That leads me
9 to also -- or do we have any combustion reports in
10 this? We've looked at --

11 MR. HELMES: Right. I didn't
12 include this in this but it's done on a yearly
13 basis.

14 CHAIRMAN BAUGHMAN: Boiler runs
15 year around?

16 MR. HELMES: Yes.

17 CHAIRMAN BAUGHMAN: Okay.
18 Recommendation is always twice a year; once in
19 summer, once in winter.

20 MR. HELMES: Okay. We were doing
21 it on a yearly --

22 CHAIRMAN BAUGHMAN: But being
23 that in this mechanism it showed a 10 percent
24 likelihood, that would direct me even further to
25 have a combustion check.

1 MR. HELMES: Okay. It's tune
2 checked on a yearly basis.

3 CHAIRMAN BAUGHMAN: That's just a
4 recommendation on my end. That doesn't mean you
5 have to do it. That's just kind of what we would
6 recommend.

7 MR. COLLINS: As far as the
8 training and continuing education on page 3.57, I
9 wanted to doublecheck some things. So these
10 example training logs are only for the boiler
11 operators; is that correct?

12 MR. CROWDER: Yes.

13 THE REPORTER: Who's that?

14 MR. CROWDER: Brian Crowder. I'm
15 the trainer for the area, over all the training.
16 Sorry.

17 CHAIRMAN BAUGHMAN: Thank you,
18 Brian.

19 MR. COLLINS: And is there any
20 addressing of the training included in continuing
21 education for the boiler water treatment system?

22 MR. CROWDER: We actually do not
23 do the training for the water treatment system.
24 Solenis, our chemical supplier, actually comes in,
25 does all the hands-on training with the guys or

1 gals that are doing the water training. It's all
2 from -- all that training on the water system is
3 from an outside source.

4 MR. COLLINS: And if that could
5 be stated either in the boiler water treatment
6 system or the system records just indicating that
7 that training and continuing education is
8 conducted and prescribed by the water treatment
9 company or entity.

10 Also, on that topic, in similar
11 fashion, because you could state it, as far as
12 minimum qualifications and education, and the
13 duties of the personnel responsible for the water
14 treatment system, you could include -- I think
15 it's bullet point number 11 on the checklist, just
16 indicating that all of those responsibilities and
17 requirements are all taken care of by the water
18 treatment system company.

19 CHAIRMAN BAUGHMAN: We may have
20 already addressed this in a previous conversation,
21 but on 2.2 where it's proposing at the bottom, the
22 internal inspection every 18 months shall consist
23 of -- and it says the Borescope inspection of the
24 tubes can continue as usual, conduct yearly.

25 I just want to make sure that we're

1 not implicating that we're still looking to
2 conduct it yearly, that we're just specifying that
3 they were previously conducted.

4 MR. ABBAS: Exactly.

5 CHAIRMAN BAUGHMAN: And so I
6 didn't want there to be any misinterpretation of
7 that being the status quo. We're going to
8 change -- we've got regular inspection of the
9 boiler will be every 18 months. Burner system
10 calibration, that may go back to your twice a
11 year. So you might take that and put it as a
12 separate line item, Number 4; burner system
13 calibration and combustion will be checked twice a
14 year.

15 MR. ABBAS: Perfect.

16 CHAIRMAN BAUGHMAN: And you might
17 just note once in the summer months and once in
18 the winter months.

19 MR. ABBAS: Sure.

20 MR. COLLINS: I also wanted to, I
21 guess, ask for a point of clarification on the
22 water treatment system. It says to describe the
23 equipment and control system, which I think was
24 adequately done. But it says the alarm
25 notification process. And I'm not sure if that

1 was -- I know it indicates a daily water testing,
2 and it -- like from the snapshot of the Excel
3 table, it might have some cells that are flagged.

4 I didn't know if there was an
5 official alarm system or if it's simply when
6 values are entered in or reported that they are
7 flagged in some sort of way.

8 MR. CROWDER: The attendants that
9 are doing the water test, they have a range on
10 each value that they're given. And they have
11 parameters, whether it be high, low, whatever, and
12 what adjustments to make. And then the frequency
13 of retesting until it came back into parameter.

14 MR. COLLINS: So they're actively
15 entering or seeing these values?

16 MR. CROWDER: Yes.

17 MR. COLLINS: Okay. So it's not
18 necessarily an automated system that requires some
19 sort of an alarm.

20 MR. CROWDER: No.

21 MR. COLLINS: Okay.

22 CHAIRMAN BAUGHMAN: So one other
23 question, and it's going to get back to a repair
24 mechanism. I see the controls in here, Fireye
25 Burnerlogix system. None of this applies to a

1 variance -- an attendance variance because that's
2 not what we're asking for. But should we have a
3 tube crack or if we have a refractory issue, any
4 issue with the boiler, what will quantify when we
5 go back and have to put this on a yearly
6 inspection? In other words, what's got to happen
7 before we do that? Is it a simple weld repair?
8 We've got a cracked tube and we go in and repair
9 it? A refractory issue that has to be repaired?

10 What I'm looking at is where do we
11 draw the line that this has to be addressed back
12 to changing our variance?

13 MR. ABBAS: Okay. So we have two
14 layers. The first one is going to be the
15 six-month external inspection. If anything
16 happened to it, then we go back to the yearly
17 basis.

18 Meanwhile, if we have any crack, if
19 we have any leakage inside the boiler, this means
20 that something happened either by the perimeters
21 of the operation of the boiler or for the water
22 treatment.

23 Then we're going to do the repairs,
24 assess the risk, and inform FM Global as well,
25 this happened. And then FM Global are going to

1 guide us through this one, if it's going to be
2 rescinded or not and also in contact with the
3 Chief Inspector.

4 So depending on what happens to the
5 boiler, then we're going to act. This boiler is
6 fairly new. It's working with natural gas. So
7 the likelihood of this happening with all the UT
8 measurements that, like, we're taking and
9 everything, I think the likelihood is very low.
10 But however, if anything happened, a problem with
11 the leakage or -- well, even depending on the type
12 of the repair. If the type of the repair is going
13 to be we need to do a dutchman, then we need to go
14 back to the yearly basis.

15 CHAIRMAN BAUGHMAN: So what we're
16 saying is is that -- and I just want to make sure
17 I know the protocol. So FM Global, because
18 FM Global wants your business -- we understand
19 it's an economic -- FM Global says, nah, you're
20 good. Chief says -- or Assistant Chief goes,
21 maybe not so much.

22 So what I'm looking at is where the
23 line gets drawn in what repair then -- or what
24 instance would come up to quantify whether or not
25 this gets rescinded.

1 I understand FM Global and Fred may
2 go, yeah, I think we're good. But when it comes
3 down to the mechanism of this, may need to step
4 back and punt. So I'm just wanting to get -- I
5 wanted to get some clarity on that.

6 MR. ABBAS: Yeah. So for the
7 communication, how it goes, we go in and first
8 inform FM Global that something happened. And
9 regardless of what they're going to say, we're
10 going to be in communication with the Chief
11 Inspector. And whatever the Chief Inspector
12 says -- we're going to present what happened, what
13 are the measures that we took to address this
14 issue. And then we'll go and share this with the
15 Chief Inspector. Even then, the final call is
16 going to be his call.

17 Even if FM Global are good and say,
18 no, we're good with this, we can present to the
19 Chief Inspector, okay, this is what FM Global --
20 at the end of the day, the call is not ours. It's
21 not for FM Global. It's for the Chief Inspector.

22 CHAIRMAN BAUGHMAN: Is that
23 addressed in writing?

24 MR. ABBAS: In here? No.

25 CHAIRMAN BAUGHMAN: I just want

1 to make sure that we're all clear on that and that
2 there is a protocol in place, that there's a
3 written protocol that works out real well. If
4 it's more of an assumption or, you know, something
5 verbal -- so at any rate, that's just my own
6 thoughts.

7 MR. LASHLEY: (Indicating.)

8 CHAIRMAN BAUGHMAN: Yes?

9 MR. LASHLEY: And I would go so
10 far as to say that it needs to be in agreeance of
11 FM Global and the Chief. If FM Global says it's
12 good and the Chief says it's not good, you know,
13 it's not good. And if the Chief says it's good
14 but FM says it's not good, also not good.

15 MR. ABBAS: Yes. Okay.

16 MR. LASHLEY: It would need a two
17 vote.

18 MR. ABBAS: Two vote, yeah.

19 CHAIRMAN BAUGHMAN: Thank you.
20 And if we could put that in writing somewhere,
21 then that would be super.

22 MR. ABBAS: Yes.

23 CHAIRMAN BAUGHMAN: And what I'm
24 going to ask is that all this revision and
25 discussion that we've had, asking for these

1 revisions to be put together into a clean manual
2 and then be able to be sent so that we've got
3 copies of it.

4 MR. ABBAS: Sure. Absolutely.

5 CHAIRMAN BAUGHMAN: That would be
6 good.

7 Anything else?

8 CHIEF WATSON: (Indicating.)

9 CHAIRMAN BAUGHMAN: Yes, sir,
10 Mr. Watson?

11 CHIEF WATSON: I have one thing
12 that might put a contingency on it also.

13 Looking at the T number in our
14 system, it looks like there is not a valid
15 certificate of operation at the moment.

16 CHAIRMAN BAUGHMAN: I'm sorry,
17 for the boiler or for the DA?

18 CHIEF WATSON: For the boiler.

19 CHAIRMAN BAUGHMAN: Okay. Thank
20 you.

21 CHIEF WATSON: So just need a
22 valid operation certificate.

23 CHAIRMAN BAUGHMAN: And so let me
24 back that up. Is it the certificate or is it the
25 inspection that hasn't been performed?

1 CHIEF WATSON: The inspection has
2 been performed on October 3rd, 2023 for that
3 internal for a certificate.

4 MS. DIEFENBACH: There was one in
5 '24 also, but the '23 invoice remains unpaid.

6 CHIEF WATSON: '23 invoice is
7 what's holding up the certificate.

8 MR. HELMES: (Indicating.)

9 CHAIRMAN BAUGHMAN: Go ahead,
10 J.T.

11 MR. HELMES: So the operating
12 certificate, would that have come when we
13 installed the boiler? Is that what you're talking
14 about?

15 CHIEF WATSON: It would be once
16 we do the inspection, we'll send you an invoice.
17 The invoice actually had a late fee on it. The
18 invoice -- the certificate fee was paid; the late
19 fee was not.

20 CHAIRMAN BAUGHMAN: Branden, did
21 you have a question?

22 MR. MATUE: It's up to date on
23 all of its inspections. I'm looking at the record
24 history of the boiler right now. It's up to date
25 with everything. It's just this is just a fee

1 with the State, permitting fee, not inspections.

2 CHAIRMAN BAUGHMAN: Okay. Very
3 good. Thank you for that, Mr. Watson.

4 Thank you, Branden.

5 Any other input?

6 MR. COLLINS: I have one other
7 thing I wanted to ask. I know I asked as far as
8 the risk-based inspection program components that
9 are reviewed. Does FM Global review those in
10 conjunction with the requirements of ASME and NBIC
11 requirements?

12 MR. ABBAS: Yes. We do have the
13 inspection matrix that we share with FM Global.
14 So we, like, present to them which pressure part
15 are going to be tested at which frequency and what
16 type of inspection.

17 MR. COLLINS: So you have a
18 risk-based program. It's just not an officially
19 approved --

20 MR. ABBAS: Let's call it -- it's
21 like the yearly frequency that we have for all the
22 pressure parts. But to have something that's
23 going to be risk-based, it means that you're going
24 to take some elements from it and extend the
25 frequency.

1 But what we do is we follow the rules
2 from FM Global, also ASME and NBIC, relating to
3 everything that happens through the inspection,
4 either the visual inspection or for the UT
5 inspection.

6 MR. COLLINS: Okay.

7 CHAIRMAN BAUGHMAN: Mr. Lashley,
8 do you have anything else?

9 MR. LASHLEY: I think I'm good at
10 the moment.

11 CHAIRMAN BAUGHMAN: Mr. Collins?

12 MR. COLLINS: (No verbal
13 response.)

14 CHAIRMAN BAUGHMAN: Mr. May?

15 MR. MAY: (No verbal response.)

16 CHAIRMAN BAUGHMAN: It's been a
17 great discussion.

18 I would like to make a motion. And
19 that is -- and we discussed this just a little bit
20 ago. Terry, I appreciate your input. But instead
21 of approving on a five-year cycle, I would like to
22 make a motion to approve this on a three-year
23 cycle to begin with. That will get us through two
24 sessions.

25 MR. VINSON: (Indicating.)

1 CHAIRMAN BAUGHMAN: Yes, Terry?

2 MR. VINSON: Could I request that
3 we make it, at least this cycle, three and a half
4 years? That will get us through two 18-month
5 shutdowns. Because we're scheduled -- we would --
6 if it's extended, we would have a shutdown in
7 April, would be our next one. And that will catch
8 one and give us just a little bit of room to
9 reapply. So that would cover two cycles.

10 MR. LASHLEY: So we could
11 possibly do it for a two-cycle period.

12 CHAIRMAN BAUGHMAN: I think that
13 that's reasonable. And I think, functionally,
14 that works well from a safety standpoint and gives
15 us a basis to start moving forward rather than the
16 five years.

17 So we're going to take this on --
18 I'll revise the motion to take it on a
19 three-and-a-half, 3.5, year inspection cycle.

20 MR. ABBAS: (Indicating.)

21 CHAIRMAN BAUGHMAN: Yes, sir?

22 MR. ABBAS: Is it going to be
23 starting from the latest internal inspection?

24 CHAIRMAN BAUGHMAN: That's a good
25 question. I would assume.

1 MR. VINSON: Oh, I thought it
2 would start from now.

3 CHAIRMAN BAUGHMAN: So our last
4 inspection was in October of '24, so that would
5 put us out -- if we started now on three and a
6 half, that would put us out a bit too far. So I
7 would say that it would start from the October
8 cycle, which would make sense to me. But
9 otherwise, we're looking at taking it on almost a
10 four-year cycle, and I'd rather base it on the
11 three and a half, starting, if that's okay.

12 MR. HELMES: That'll get us two
13 cycles. Thank you.

14 CHAIRMAN BAUGHMAN: You're
15 welcome. Thank you.

16 MR. LASHLEY: So would it be just
17 easier to do it on a two 18-month inspection
18 cycle, just to make sure that they -- you don't
19 want to have, you know, like an immediate cut-off
20 date, and it's scheduled for the day after the
21 immediate cut-off date.

22 CHAIRMAN BAUGHMAN: Yeah. And I
23 think we could approve it as such and then work
24 out the inspection itself back through Fred and
25 other entities.

1 And again, the State has always got
2 the opportunity to be in there at the same time,
3 albeit you're through FM Global. But we've got
4 that opportunity to also begin to kind of
5 corroborate what's going on.

6 But if that's okay. We can take it
7 on those two 18-month cycles and work it in to
8 that.

9 MR. VINSON: Thank you.

10 CHAIRMAN BAUGHMAN: You're
11 welcome. Thank you.

12 Mr. Collins, thoughts? I see the
13 wheels going.

14 MR. COLLINS: (No verbal
15 response.)

16 CHAIRMAN BAUGHMAN: Okay. So
17 we've got a motion. Do we have a motion to
18 accept?

19 MR. MAY: I'll accept.

20 CHAIRMAN BAUGHMAN: Second?

21 MR. LASHLEY: I'll second.

22 CHAIRMAN BAUGHMAN: All right.
23 All in favor, aye?

24 (Affirmative response.)

25 CHAIRMAN BAUGHMAN: Against?

1 (No verbal response.)

2 CHAIRMAN BAUGHMAN: Abstentions,
3 no votes? Jeff Henry.

4 All right. Fellows, very good
5 presentation. Thank you.

6 MR. ABBAS: Thank you.

7 CHAIRMAN BAUGHMAN: Enjoy and
8 congratulations again, Terry.

9 (Recess observed.)

10 CHAIRMAN BAUGHMAN: Thank you for
11 the quick break.

12 And Mr. Toth, thank you for moving
13 your items back and bringing that additional
14 information to the table for us.

15 So at this time, we'll present 25-01,
16 Bridgetown Natural Foods. So if you would, make
17 your presentation and introduction of your cohort.

18 MR. TOTH: Okay. Again, my name
19 is Marty Toth. I'm with ECS Consulting and the
20 Boisco Training Group. It's my honor to be here
21 to represent Bridgetown Natural Foods. Also, I'm
22 honored to have with us Andrew Peterson, who is
23 the Director of Maintenance and Technology for
24 Bridgetown Natural Foods.

25 And we would like to present for the

1 approval of a new variance on their high-pressure
2 boiler. Bridgetown is a new facility located in
3 Mount Juliet. In Section 1, you've probably noted
4 some of the information pertaining to the company
5 and what they produce.

6 Bridgetown was originated -- the
7 original location is out of Oregon. That's where
8 Mr. Peterson actually moved to, God's country,
9 from Oregon to help get this client up and
10 running.

11 A little bit of information about the
12 boiler is it's a Cleaver-Brooks XE, 125
13 horsepower, 200 psi MAWP boiler. It's a lone
14 boiler, a steam boiler. There's not any other
15 boilers that are associated with it in the steam
16 system.

17 If the Chair would allow, as you alluded
18 to, I handed out some revisions that were made in
19 between submission of the original. And if you
20 would like, I would be more than happy to briefly
21 go through those and highlight where the changes
22 occurred.

23 CHAIRMAN BAUGHMAN: Would you
24 guys like that? Or just in the sense of --

25 MR. TOTH: I can do a very quick

1 summary. Sorry, sir.

2 CHAIRMAN BAUGHMAN: Very quick
3 would be great.

4 MR. TOTH: Yeah, very quick.

5 CHAIRMAN BAUGHMAN: Thank you.

6 MR. TOTH: So simply enough, if
7 we look through this, obviously, the Table of
8 Contents was revised due to additional pages being
9 added to the manual itself.

10 Page 3, Section 2 of the manual,
11 simply enough, what we did was we went through the
12 process and looked and found a better location for
13 terminal 2 remote panel, so we added that into
14 Section 3A, as you'll see at the bottom of page 3,
15 where we took out line 61 and -- for terminal 2
16 and injected the QA workstation pod for
17 terminal 3. You will see that later on in the
18 actual site plan dictating that.

19 It was just more conducive for the
20 operations. Also, that pod is manned continuously
21 by multiple individuals, and we will speak to that
22 briefly.

23 Page 6 was -- what we did was we
24 actually -- in changing that remote station, we
25 then added the production lead and the QA

1 technician to work alongside the production
2 operators that were initially going to be the only
3 remote attendants. And so that's where we added
4 that information to Section 3 which covered over
5 page 6 and page 7.

6 Then we move on to the change where
7 we moved the terminal or the remote panel on the
8 site plan, as you can see. And you can compare
9 that to the original. It's all in kind of the
10 same location or same line area but just further
11 down where we're going to be involved with
12 packaging.

13 Terminal 1 still remained in line 62
14 as a designated panel and direct access to the
15 boiler rooms if necessary. Even though it's -- we
16 have the mechanics, maintenance mechanics, that
17 serve as your boiler attendant, but just for
18 simplicity's sake, we're showing you the distance
19 between the remote panels and the boiler room
20 itself.

21 Then we moved on to Appendix D,
22 page 19, just updated in the org chart to include
23 those additional individuals. Mr. Peterson did a
24 really good job putting this org chart together,
25 and as you can see, it identifies who the remote

1 attendants are, who the boiler attendants are and
2 just gives all the titles.

3 Page 21, we went to Appendix F.
4 Appendix F was putting together an operation log
5 that covers this boiler. I call it the boiler
6 trinity. We're looking at the steam pressure,
7 stack temp, water level, and then we go into some
8 others, including as you will note, the
9 intermittent and also operations testing such as
10 blowdowns but also the low-water cut-off test and
11 the communications test to the remote stations are
12 on that log.

13 If for some reason we were to
14 discontinue the variance for any short period of
15 time, this log would be able to continue and have
16 the hourly readings logged into it. That's why we
17 have the time slots available and also areas for
18 comments to be made.

19 Simply enough, Appendix G is just the
20 addition of the job descriptions for those
21 additional remote attendants, as you can see.

22 Training log, there was no change to
23 the training log. The only difference -- the only
24 issue that we had was with the additional pages,
25 we had to renumber.

1 The Glossary of Terms. With the
2 Glossary of Terms, Appendix I, what we did was
3 revise the definitions for remote attendants,
4 remote station, and also the shifts of operation.
5 We were a bit more clear on that of who works what
6 times of the day.

7 And with that, just any additional
8 information, we're utilizing the CB/Honeywell 7800
9 series controller with the Hawk 1000 integrated
10 control system. At the current time, the remote
11 state panels are not installed. Mr. Peterson is
12 very aware of -- he's been made aware of the Board
13 Case that was brought forth today that -- being
14 serious about that now. And I appreciate the
15 Board making those steps. And so we are aware of
16 that timeline and will act upon it.

17 And I'm up for any questions you may
18 have.

19 CHAIRMAN BAUGHMAN: Thank you for
20 the revisions. Thank you for the presentation.

21 Any conflict of interest?

22 MR. LASHLEY: Not that I'm aware
23 of.

24 CHAIRMAN BAUGHMAN: None? All
25 right. Motion to discuss?

1 MR. MAY: Motion.

2 CHAIRMAN BAUGHMAN: Second?

3 MR. COLLINS: Second.

4 CHAIRMAN BAUGHMAN: So we have
5 not gone through -- or have we gone through -- let
6 me revise that. Is the boiler online presently or
7 no?

8 MR. TOTH: No.

9 CHAIRMAN BAUGHMAN: Okay. So
10 we're still awaiting an inspection from the State
11 to get the numbers?

12 MR. TOTH: Correct.

13 CHAIRMAN BAUGHMAN: Okay.

14 MR. COLLINS: I had a question.

15 MR. TOTH: Sure.

16 MR. COLLINS: As far as the
17 production lines go and looking at page 12 with
18 the map, how loud is it in that --

19 MR. TOTH: That's a very good
20 question. And I know where you're going with that
21 with the alarms. We have discussed that, and I've
22 made Mr. Peterson aware that, at a minimum, we
23 need to have 100-decibel alarms built into the
24 panels. And then to also go even further, as we
25 have seen, the Board has seen in other locations

1 that are food locations very similar to this, to
2 where we may have to even put a louder horn. And
3 that's going to be determined at the point of as
4 they go through start up of the boiler, of the
5 processing line, taking readings to make sure
6 those alarms -- I think that's a really good
7 question, Mr. Collins, and we have already
8 addressed that.

9 CHAIRMAN BAUGHMAN: So hearing
10 protection is required, I take it, in the
11 production facility.

12 MR. PETERSON: Not as of now.
13 There are certain areas that will be required. We
14 have to do audio testing to determine that. Not
15 as of yet. We haven't turned this location on, so
16 we haven't tested that out.

17 CHAIRMAN BAUGHMAN: Okay.

18 MR. TOTH: If I may,
19 Mr. Chairman, I went by the location this week and
20 walked through because they had started putting in
21 the lines and started putting in where the panels
22 will be located.

23 And that was one of my biggest
24 concerns, is to make sure, even though those
25 individuals, the QA technician and the production

1 lead, are all going to be in that area, where
2 there could actually be up to six people in that
3 particular area working because there's multiple
4 lines there, it still needs to be loud enough that
5 just in case somebody walks 20, 30 feet away, it's
6 amazing that you cannot hear an 80 decibel alarm
7 going off. So we're making arrangements for that
8 when we have the opportunity to go through the
9 noise testing.

10 MR. LASHLEY: What is your
11 anticipated start-up date?

12 MR. PETERSON: The end of May.

13 CHAIRMAN BAUGHMAN: Do we have a
14 DA in this system?

15 MR. TOTH: We do not.

16 CHAIRMAN BAUGHMAN: Atmospheric
17 feed water?

18 MR. TOTH: We have atmospheric
19 feed water that is supplied with a sparge tube for
20 heating, but no DA.

21 CHAIRMAN BAUGHMAN: Very good.

22 MR. COLLINS: And going back to
23 just, I guess, proximity to the terminals, I mean,
24 is it -- I'm assuming that there's always going to
25 be manned stations in this area, staggered lunch

1 shifts.

2 MR. PETERSON: Yes. They do the
3 QA test in the area operated on an hourly rotation
4 basis, so they work out of there and then they go
5 out once an hour and go do their checks on the
6 line and come back.

7 And there's three production lines
8 working in this area, so they'll have three leads
9 and three quality technicians.

10 MR. TOTH: If I could add, it was
11 probably before you came on the Board -- the other
12 board members probably remember. There's very
13 similar -- it was amazing when I walked into the
14 plant, it was very similar to another location
15 that we did out of Red Boiling Springs.

16 How it's set up, a lot of these food
17 processing plants are very much set up the same
18 way in that there's always somebody on the line,
19 even though if the line shuts down, all three of
20 them would have to shut down. So then that
21 responsibility would go over to the other panel.
22 That's why we have multiple panels.

23 And there's also an understanding in
24 the manual itself. If none one of those -- if
25 neither one of those locations are manned

1 appropriately, we go back to what we call the
2 60-minute rule now. They are aware of that. And
3 even if a schedule does not allow for seven days a
4 week, they understand that they're going to shut
5 the boiler down. The boiler is not going to
6 remain online unless there is a Bridgetown
7 certified boiler attendant on the facility.

8 MR. COLLINS: Is that stated? I
9 know it says it operates 24 hours per day 7 days a
10 week as production dictates. Is it stated
11 somewhere as far as backup contingency plan in
12 case --

13 MR. TOTH: Absolutely. So if you
14 were to look on Section 3 for the remote attendant
15 and Section 4 for the boiler attendant, you will
16 see that it will not operate for any longer than
17 60 minutes. And then if not, it's going to revert
18 back to the requirement.

19 MR. COLLINS: I only ask because
20 of earlier discussions today, making sure that
21 it's even attended for a few minutes, and --

22 MR. TOTH: Well, I'm glad you
23 bring that up. I'm sorry. I interrupted you. Go
24 ahead.

25 MR. COLLINS: No. I'm just

1 pointing out -- and also, you know, we were
2 pointing out proximity even five feet away from
3 the switch. Just mentioning that, as far as
4 aware. And it sounds like it's being covered.

5 MR. TOTH: Well, I don't want to
6 get off a subject too far. I know we've got a lot
7 to go through. One of the concerns in hearing
8 that previous presentation was the conception that
9 the remote station technically has to have
10 somebody there 24/7.

11 The manning of it, such as -- an
12 example would be a security guard leaving the
13 remote station to go check in a truck. The sole
14 purpose of it, especially back when we were under
15 the 20-minute rule, was the understanding that the
16 remote attendant leaving the remote station could
17 not leave for any longer than 20 minutes at a
18 time. Now it's 60 minutes at a time.

19 It would be no different than someone
20 that did not have a variance and the boiler
21 attendant or boiler operator left the boiler room
22 for 60 minutes. And so I didn't mention it during
23 it. It was not my place to mention it during the
24 previous one. But I would mention it now that
25 there is an opportunity -- not in this case,

1 because there are so many -- there are going to be
2 so many certified remote attendants in the area
3 that there would be no time that someone would not
4 be in the direct vicinity of the panel.

5 Other operations that are out there,
6 I would probably go into greater detail and
7 explain how they would do it here. They're going
8 to be there.

9 CHAIRMAN BAUGHMAN: I appreciate
10 you bringing that up. But again, yeah, it's
11 something to discuss.

12 MR. COLLINS: (Indicating.)

13 CHAIRMAN BAUGHMAN: Go ahead.

14 MR. COLLINS: And of course,
15 there's going to be lights on the panel.

16 MR. TOTH: Uh-huh.

17 MR. COLLINS: Would there be
18 lights also elsewhere in the production line?

19 MR. TOTH: I highly recommend
20 when we go about building the panel, the panel
21 will have the lights as recommended. That's my
22 recommendation.

23 Bridgetown will be contracting that
24 with a third party at the present time to build
25 it. And usually, they'll build it based off of my

1 recommendations.

2 In their situation, my recommendation
3 is going to include the -- a strobe, just because
4 it's something that I have seen and represented
5 other locations that we'd done the same thing, is
6 to -- because there are so many different machines
7 that are around that have their own indication
8 lights, so on and so forth, is that the
9 individuals will be trained appropriately and just
10 say, okay, we see this strobe and it's located in
11 this area; we know what it is.

12 And so that's going to be my
13 recommendation, is to include a strobe. And also,
14 an additional horn if we find that the decibel
15 levels are too high in that area.

16 MR. COLLINS: Good deal.

17 CHAIRMAN BAUGHMAN: Do you mind
18 me asking who's building the panels?

19 MR. TOTH: I believe it's Boiler
20 Supply Company.

21 CHAIRMAN BAUGHMAN: Okay. So one
22 of the criterias coming up that we've had
23 discussions on recent times, especially with the
24 electrical inspector that I got to talking to was
25 the inspection of the panels themselves, as panels

1 are going out, and the UL 508A certification. And
2 that came up as a panel went out -- we're a
3 UL 508A shop, but there was a panel that went out
4 that didn't have its certification. And the
5 electrical inspector in a new facility was going
6 around checking all the different equipment, came
7 to that panel and goes, we don't have a UL 508A in
8 it. And I said, well, I didn't realize that was a
9 requirement.

10 And he said, have you got relay in
11 here?

12 Yeah.

13 And he said, there we go. And what
14 is it doing?

15 And I said, well, it's connected to
16 the boiler.

17 And he goes, we've got to have
18 certification.

19 I'm putting that out there so that we
20 can look at that in the future.

21 MR. TOTH: Okay.

22 CHAIRMAN BAUGHMAN: But again,
23 just for what it's worth, that may get addressed.
24 You may pass that on to Boiler Supply that they
25 may need to have a UL 508A sticker put on it.

1 Pain in the rear, but...

2 MR. TOTH: That's a good point,
3 Mr. Chairman, because I know that that used to be
4 the component within, so I appreciate that and I
5 will investigate that when I get back to the
6 office.

7 CHAIRMAN BAUGHMAN: And the other
8 is, and we discussed it previously, being that
9 this is a Hawk system, great system, are we using
10 a shunt in it also for the alarm?

11 MR. TOTH: For the alarm, are you
12 talking about for the blow down?

13 CHAIRMAN BAUGHMAN: Low water.
14 No, for the low water.

15 MR. TOTH: Oh, that's what I
16 meant. I'm sorry. Yeah. No shunt.

17 CHAIRMAN BAUGHMAN: No. shunt.

18 MR. TOTH: No shunt.

19 CHAIRMAN BAUGHMAN: Don't have to
20 discuss that. Great.

21 MR. TOTH: That have a probe for
22 the auxillary and a float, a modulating float for
23 the main, and no bypass.

24 CHAIRMAN BAUGHMAN: Okay. So
25 it's not using the Cleaver-Brooks Level Master.

1 MR. TOTH: Level Master? No
2 Level Master.

3 CHAIRMAN BAUGHMAN: Very good.
4 All right. Thank you.

5 Micah, do you have anything else to
6 address?

7 MR. LASHLEY: I don't believe so,
8 sir.

9 CHAIRMAN BAUGHMAN: Okay.
10 Mr. Scott?

11 MR. MAY: I'm good.

12 CHAIRMAN BAUGHMAN: Horrible
13 manual, but I think we can work with it.

14 If there's nothing else to address,
15 do we have a motion to accept the manual as
16 presented? Any revisions that we needed to add to
17 that, Riley, that...

18 MR. COLLINS: No.

19 CHAIRMAN BAUGHMAN: You know I'm
20 joking. It's a very good manual.

21 MR. TOTH: Well, thank you very
22 much, Mr. Chairman.

23 MR. LASHLEY: Contingent upon
24 passing initial inspection?

25 CHAIRMAN BAUGHMAN: Very good.

1 Contingent upon inspection by our very highly
2 qualified Chief and Assistant Chief.

3 So we'll make the motion to approve
4 the variance, the attendant variance as proposed.

5 MR. EDWARDS: So moved.

6 CHAIRMAN BAUGHMAN: Second?

7 MR. COLLINS: Second.

8 CHAIRMAN BAUGHMAN: All right.

9 All in favor say, "Aye."

10 (Affirmative response.)

11 CHAIRMAN BAUGHMAN: Opposed?

12 (No verbal response.)

13 CHAIRMAN BAUGHMAN: Not voting?

14 (No verbal response.)

15 MR. TOTH: Thank you,

16 Mr. Chairman.

17 CHAIRMAN BAUGHMAN: You've got a
18 contingently approved variance.

19 MR. PETERSON: Thanks.

20 CHAIRMAN BAUGHMAN: Thanks for
21 being here. Thank you, Andrew.

22 MR. PETERSON: Thank you.

23 CHAIRMAN BAUGHMAN: And welcome
24 to Tennessee.

25 All right. Moving on to our next

1 item, which is 25-02. Who is making this
2 presentation? Oh, Mr. Toth.

3 This is Cookeville Regional Medical
4 Center seeking an attendant variance approval.
5 It's a new system but is it a renewal or a --

6 MR. TOTH: (Nods head.)

7 CHAIRMAN BAUGHMAN: Yeah. So it
8 got a -- presently -- they presently have a
9 variance in place but they've made a modification
10 of the boilers, i.e., hardware, new burners being
11 installed or have been installed, and so
12 henceforth the reintroduction of their need for a
13 variance.

14 So Mr. Toth, if you would make the
15 presentation.

16 MR. TOTH: Thank you very much,
17 Mr. Chairman.

18 Again, for the record, I'm Marty Toth
19 of ECS Consulting and the Boisco Training Group.
20 Again, I'm honored to be able to represent
21 Cookeville Regional Medical Center.

22 I do apologize. Their plant
23 director/facilities director just got off of
24 medical leave, and he was hoping that he would be
25 able to attend. But seeing that it is just a

1 revision to or a modification of their existing
2 variance that they have in place, I let him know
3 that I would be more than happy to cover the
4 changes that we have.

5 With that being said, just as with
6 the previous variance, there were a couple pages
7 of editorial changes that were made. And I'll
8 briefly go through those, if I may, sir.

9 CHAIRMAN BAUGHMAN: Yes, sir.

10 MR. TOTH: What we noticed when
11 we did a rewrite of their manual, based on their
12 original procedures, I noted that they did not
13 have or indicate their deaerator. I'm aware that
14 the deaerator is not technically part of the
15 variance, but it's good information to provide.
16 So I've provided that information on page 12 of
17 the variance.

18 Just to give a little bit more
19 information, what we have is we have two sister
20 boilers. They're superior high-pressure boilers
21 that were built in 2007 and have been registered.
22 They operate primarily off of natural gas with
23 their alternate fuel being number two fuel oil.
24 MAWP of 150 psi. Their operating range is going
25 to be somewhere between 80 and 100 psi. I think

1 they really like living around that 85 psi range.

2 Currently, they had outdated control
3 systems that when you notice in the photo that we
4 have in Appendix A, those are not the new burners.
5 Those are the older burners. And the reason why,
6 those are in the delivery chain as we speak. They
7 are to be installed upon arrival.

8 Cleaver-Brooks is providing those.
9 Those are going to be the ProFire D type burners.
10 And also, with that, they're updating the
11 integrated control systems to the Hawk 4000 that
12 are much more efficient operation and work in
13 harmony with those ProFire burners very well.

14 The issue that they have currently,
15 and I have mentioned it to them, is that they do
16 have a variance. That variance still needs to be
17 inspected. It is -- if I'm not mistaken, it's
18 actually expired in February. I told them -- I
19 instructed them that they need to go back onto
20 their 60-minute rule until such time as they've
21 been reinspected, or go through the case of having
22 the State come out, do an inspection and then have
23 them come back out whenever their revisions are
24 made. That's a possibility.

25 This was brought to my attention

1 prior to the cut-off for submission of the
2 information to the Board. At that time, I did
3 notify them of the possibility that they would
4 have to go back to the 60-minute rule.

5 I did visit them this past week or --
6 excuse me, two weeks ago when I was up and was
7 able to express that to them again.

8 They are a well-operated system.
9 They have very qualified individuals operating as
10 their boiler attendants. They utilize the PBX as
11 the remote station, and they're going to continue
12 to do so.

13 We are in discussion on the training
14 site, BTG, to go into another direction on their
15 training for the remote attendants and also their
16 boiler attendants.

17 The training log that you see in the
18 manual now is just an example of the training log.
19 They -- I do have -- unfortunately, I must have
20 left it on my desk. I had printed out a copy of
21 what their current training has been. I do have
22 that. I'll be more than happy to provide that to
23 the Chief Inspector, and he can then forward that
24 on to each member if they would like to have that.

25 I explained to them the importance --

1 that a lot of good things have changed in regards
2 to variance over the past two decades. And one of
3 those are, let's have a robust training program
4 and data recordkeeping.

5 So the only other thing that we had was
6 changes -- I provided a little diagram for the
7 piping. The one that they had in their original
8 manual was your typical one that you get off of
9 prints that really, it's hard to read. So we like
10 shapes and colors, so I provided that.

11 And then I know that the Board has been
12 looking for, especially with renewals and
13 modifications, is to put in a true example of a
14 boiler log with readings of how they were took.
15 And so that's what we did, is we kind of pulled
16 one out at that particular -- the last time that I
17 was there and took that and made a copy of it and
18 put that in.

19 And so there's a lot of good information
20 on there. Again, with working -- working with
21 them, the importance of training their individuals
22 and the importance of writing down all the
23 information that they see when they do the
24 readings is very important. And I'm asking them
25 to continue to do a good job of that.

1 CHAIRMAN BAUGHMAN: Very good.

2 MR. TOTH: And that's pretty much
3 all I have, Mr. Chairman, and I'm welcome to any
4 questions.

5 CHAIRMAN BAUGHMAN: Thank you,
6 Mr. Toth.

7 I'll just ask the question: Any
8 conflicts of interest?

9 (No verbal response.)

10 CHAIRMAN BAUGHMAN: No? Okay.
11 Motion to discuss?

12 MR. COLLINS: So moved.

13 CHAIRMAN BAUGHMAN: Second?

14 MR. MAY: Second.

15 CHAIRMAN BAUGHMAN: All right.
16 Let's discuss.

17 So when are the burners anticipated
18 to be on site?

19 MR. TOTH: The last I heard, it
20 was between now and May. And we know how that
21 goes. And hopefully, April is how we hear that.
22 And I expressed to them again, as we said with the
23 previous, that there's some changes coming, and we
24 know that when we do that, we've got -- the time
25 is going to be starting.

1 CHAIRMAN BAUGHMAN: When does
2 their present variance expire?

3 MR. TOTH: February. It's
4 already expired.

5 CHAIRMAN BAUGHMAN: It's already
6 expired.

7 MR. TOTH: It's already expired.

8 CHAIRMAN BAUGHMAN: Okay.

9 MR. TOTH: Yeah. That was --

10 CHAIRMAN BAUGHMAN: So they're on
11 the 60-minute rule.

12 MR. TOTH: That's right. That's
13 right. And I informed them of that --

14 CHAIRMAN BAUGHMAN: When you
15 visited -- I'm sorry. Go ahead.

16 MR. TOTH: No. I -- yes. I
17 informed them of that when I took the contract to
18 put this together, and then also when I visited
19 them.

20 Joe was not there, I spoke to his
21 right-hand man, Jeff, and informed him. And after
22 whatever the decision by the Board is today, I'm
23 going to get back on the phone with them and
24 reiterate it to them.

25 CHAIRMAN BAUGHMAN: Very good.

1 So their new log, as I'm looking at the example
2 log, is January 25th. They've expired in
3 February, so their new log is every four hours or
4 every 60 minutes?

5 MR. TOTH: It should be every --
6 yes. It should be every 60 minutes.

7 CHAIRMAN BAUGHMAN: Okay. I
8 didn't know if you'd looked at that just to
9 reiterate that they were under the --

10 MR. TOTH: I have not.

11 CHAIRMAN BAUGHMAN: Just curious.
12 That's fine.

13 MR. TOTH: And I was hoping to go
14 visit them yesterday; however, Joe wasn't there,
15 and I didn't make that trip. As a matter of fact,
16 I still have their revised manuals sitting with
17 me.

18 CHAIRMAN BAUGHMAN: Okay. Very
19 good.

20 So I'm noticing on a picture for the
21 two sister boilers, they've got the old Power
22 Flame CMAX burners on them.

23 MR. TOTH: Yes.

24 CHAIRMAN BAUGHMAN: But I also
25 noticed they've got FGR which is not hooked up.

1 I'm taking it that the new burners are FGR.

2 MR. TOTH: Oh, you're asking that
3 as a question?

4 CHAIRMAN BAUGHMAN: Yeah. That's
5 a question.

6 MR. TOTH: I would have to look.
7 I didn't look closely on those.

8 CHAIRMAN BAUGHMAN: So the other
9 question is going to be since these fall under the
10 requirements of the air quality requirements, so
11 they'll need to have the air permitting, which I
12 take it they didn't for the 2007 since they don't
13 have the FGR, and the CMAX doesn't make low enough
14 NOX to meet the 30PPM, that I'm taking that these
15 new burners will have that up and done. And then
16 when the reinspection comes about, they can look
17 at that paperwork.

18 MR. TOTH: Right. And I'm glad
19 that you brought that up, Mr. Chairman, because
20 that was another discussion that I did have with
21 them outside of this, was making sure that they
22 understood their responsibilities for applying to
23 TDEC. And unless they contract with ECS,
24 that's --

25 CHAIRMAN BAUGHMAN: That's on

1 them.

2 MR. TOTH: That's on them.

3 CHAIRMAN BAUGHMAN: Yes, sir. I
4 agree. And being the consultant, you've done your
5 job on letting them know.

6 MR. TOTH: I did my part.

7 CHAIRMAN BAUGHMAN: But again,
8 when the inspectors go in, if that paperwork is
9 not in place --

10 MR. TOTH: That's right.

11 CHAIRMAN BAUGHMAN: -- then
12 that's not a good issue. But those are good
13 burners, and I'm glad they're changing those Power
14 Flame CMAXs out.

15 MR. LASHLEY: Yeah. I inspected
16 these years ago. And at the time, the tech on
17 site had nothing but bad things to say about these
18 burners.

19 CHAIRMAN BAUGHMAN: They're a
20 fairly unstable burner.

21 So any other questions to address?

22 MR. COLLINS: I had a question on
23 the checklist. On line item 44, it says carbon
24 monoxide monitor alarm at remote station, and it's
25 checked no. That alarm -- it's not a monitor,

1 it's an alarm. Is that indicated --

2 MR. TOTH: Huh-uh.

3 MR. COLLINS: Okay.

4 MR. TOTH: No. There's not an
5 alarm. If -- there's nothing currently now that
6 stipulates if there's a carbon monoxide alarm in
7 the boiler room, that it has to signal out at the
8 plant.

9 Now, that could change on the NBIC
10 level and the State of Tennessee level, but at the
11 current time, there is not.

12 CHAIRMAN BAUGHMAN: That would be
13 a good discussion for the future, because we've
14 all got our own thoughts on more deaths and
15 injuries each year attributed to carbon monoxide
16 poisoning than there are pressure vessel
17 accidents. And we're not tying that alarm in.
18 We're looking at operational alarms, but here's
19 something that can put you to sleep that we're not
20 integrating back or mandating that it be
21 integrated back to the remote station.

22 Any other questions?

23 (No verbal response.)

24 CHAIRMAN BAUGHMAN: Micah, are
25 you good?

1 MR. LASHLEY: I'm good.

2 CHAIRMAN BAUGHMAN: Scott?

3 MR. MAY: (Indicating.)

4 CHAIRMAN BAUGHMAN: I've got
5 thumbs up all the way around. We're good to go.

6 MR. HERROD: (Indicating.)

7 CHAIRMAN BAUGHMAN: Yes, sir?

8 MR. HERROD: Since the current
9 variance is expired and we can't verify at this
10 point whether the 60-minute rule is being
11 followed, I'm not sure our boiler unit ought to
12 be -- or let's just say letting this variance go
13 through approved unless it's a contingent variance
14 on the fact that currently, they're on the
15 60-minute rule. This variance that they have let
16 expire is either going to be renewed or just done
17 away with. I don't know.

18 CHAIRMAN BAUGHMAN: Yes, sir.
19 And so this would be contingent upon inspection.
20 The other is, being that it's expired, is this now
21 considered new? It's kind of a technical thing,
22 but to me, if one is expired and you're bringing
23 it back to the table, I would change it to new,
24 personally.

25 MR. TOTH: Sure.

1 CHAIRMAN BAUGHMAN: And it's new
2 equipment, albeit it's not a new boiler, but new
3 very integral part of the boiler, but I would
4 change it to new. But I would make it, since they
5 are on the 60-minute rule, of making it contingent
6 upon the inspection.

7 They're going to be 60 minutes up
8 until April or May or whenever that installation
9 may be.

10 MR. TOTH: (Indicating.)

11 CHAIRMAN BAUGHMAN: Yes, sir?

12 MR. TOTH: Yeah. And that's a
13 valid point. I do believe -- and I think it's
14 crazy because it happened so close to each other.
15 I don't know what their mindset was of, hey, we're
16 just going to hold off on this. And then
17 everything got pushed forward.

18 I think they probably assumed that it
19 was going to -- they were going to get their
20 burners and controls in in 2024. And then when I
21 was brought into the mix in January, it was like,
22 you guys do realize --

23 And so I think that's probably
24 something that happened there. And that's when I
25 advised them of a couple ways they can to it,

1 which is go ahead, invite the State to come in,
2 take your manual, do whatever with it. Invite the
3 State to come in. Do a renewal inspection like
4 they would normally do, and then to through the
5 process of, hey, we'll meet at the March meeting
6 for the Board. It's going to cost you more, so
7 whatever.

8 But they chose to go this route,
9 which is fine. And that route is you're going to
10 go to a 60-minute, even though this is a
11 modification to an existing, as we talked about.
12 It can be treated as a new. And it really
13 doesn't -- it doesn't do anything different with
14 approval or not. It's -- because they're going to
15 stay on 60-minute. Unless they turn around and
16 say, hey, State, come in and do it.

17 Now, I don't know what the State's
18 policy is now. For those that have expired, there
19 is a grace period of bringing them in or not. I
20 don't know if you-all have changed that. But
21 they're going to have to be on 60-minute until
22 they get their new burners in and get your
23 inspection --

24 CHAIRMAN BAUGHMAN: So what I
25 would ask is that for one, because this last log

1 shows January 25th, very recently, I would ask
2 that Chief or the Assistant Chief make a visit to
3 make sure that they are making 24 checks a day and
4 that this is being handled the way it's supposed
5 to be up until the time that the inspection gets
6 produced for the variance.

7 I would hope that they're not -- all
8 we can do is look at it. We always hope that
9 they're not still doing the four-hour, but I want
10 to make sure they're on the same page.

11 MR. TOTH: Unfortunately, I think
12 that with the plant facility director going out on
13 HMLA and -- I think it kind of fell through the
14 cracks there for a little bit, and things weren't,
15 you know -- but I think that's a good idea,
16 Mr. Chairman. And I'm going to be on the phone
17 with them and communicating the concerns, but that
18 they're going to have to stay that way until they
19 get their new equipment in.

20 CHAIRMAN BAUGHMAN: Okay. So
21 again, they've got 180 days if we approve this.

22 Moving forward, do we have a motion
23 to approve the variance with any discussion,
24 revisions, anything? We didn't really have
25 anything in particular. But do we make this

1 approved upon, contingent upon a successful site
2 inspection within the 180 days? Of course, we've
3 got the caveat of adding to that.

4 Do we have a motion?

5 MR. COLLINS: I'll make a motion.

6 MR. LASHLEY: Second.

7 MR. MAY: I second.

8 CHAIRMAN BAUGHMAN: Two seconds.

9 All right. We've got the motion; got it seconded.
10 All in favor say "aye."

11 (Affirmative response.)

12 CHAIRMAN BAUGHMAN: Opposed?

13 (No verbal response.)

14 CHAIRMAN BAUGHMAN: No votes?

15 (No verbal response.)

16 CHAIRMAN BAUGHMAN: All right.

17 We've got a contingently approved variance and you
18 can communicate that and, yeah, I look forward to
19 seeing how it all comes about. Looking forward to
20 seeing if the permit has been filed and where
21 things stand with them.

22 Thank you very much, Mr. Toth. Good
23 job.

24 MR. TOTH: Thank you.

25 CHAIRMAN BAUGHMAN: All right.

1 Moving on, last item. Board Interpretations.
2 Last item. BI 21-01 Waiver for existing boiler
3 and pressure vessels to be compliant with NBIC and
4 Tennessee Board of Boiler rules regarding ladder
5 and runway requirements.

6 Riley, would you mind reading what
7 info we've got on that, offhand on that BI? Is
8 there a --

9 MR. TOTH: Would you like for me
10 to do that, Mr. Chairman?

11 CHAIRMAN BAUGHMAN: I'm sorry.
12 Again?

13 MS. WILEY: Do you have your copy
14 of that?

15 CHAIRMAN BAUGHMAN: Yeah, I
16 should.

17 I've got the adjoining platforms
18 which we already discussed. And I'm sure, Mia,
19 that you gave that to me.

20 MR. TOTH: It's on the back page.
21 If you have the agenda stapled together, it should
22 be...

23 CHAIRMAN BAUGHMAN: The agenda
24 states, Waiver for existing boiler and pressure
25 vessels to be compliant -- okay. I'm on the same

1 page. I had both the one that we talked about
2 before for the adjoining platforms --

3 All right. So I'll just read this
4 right quick: Ladder and runway requirements for
5 existing installation. ECS Consulting, LLC
6 requested the Board of Boiler Rules interpret the
7 requirement for walkways, runways, and platforms
8 to preexisting boilers or pressure vessels to
9 satisfy the National Board Inspection Code, NBIC,
10 installation requirements and the Tennessee Boiler
11 rules.

12 Background, there are situations
13 where boilers and pressure vessels installed years
14 and even decades ago in the state of Tennessee
15 that are more than eight feet above the operating
16 floor, that received installation inspections and
17 operating certificates, but did not adhere to the
18 ladders and runway requirements in sections
19 outlined in part one, installation, of the
20 National Board Inspection Code and
21 0800-03-03-.04(11) of the State of Tennessee Board
22 of Boiler Rules.

23 Some owners and users believe that
24 since it was not noted at the initial inspection,
25 they are exempt, i.e., grandfathered. The request

1 is intended to provide clarity to the owner or
2 user, inspectors, and service providers.

3 Inquiry Number 1: Are preexisting
4 boilers or pressure vessels that did not have
5 ladders and runways installed at the time of
6 initial inspection have maintained their operating
7 certificate but are more than eight feet above the
8 operating floor still required to satisfy the
9 requirements of 1.6.4 in part 1, installation, of
10 the National Board Inspection Code and
11 0800-03-03-.04(11) of the State of Tennessee Board
12 of Boiler Rules?

13 Reply: Yes.

14 Inquiry Number 2: Can the owner or
15 user of the preexisting boiler or pressure vessel
16 outlined in Inquiry 1 apply for a site-specific
17 waiver due to hardship from the requirements?

18 The reply: Yes. The owner must
19 submit a written request to appear before the
20 Tennessee Board of Boiler Rules, accompanied by
21 supporting documentation to the Chief Inspector
22 45 days before the next scheduled meeting of the
23 Board.

24 I take it we don't need a motion to
25 discuss the interpretation, or do we? But I would

1 say, motion to discuss?

2 MR. COLLINS: So moved.

3 CHAIRMAN BAUGHMAN: Yes. Good.
4 Let's discuss.

5 And I take it there's no conflict of
6 interest in discussing this Board Interpretation.
7 But let's take the, Are the preexisting boilers or
8 pressure vessels that didn't have the ladders or
9 runways, are they still required to satisfy the
10 requirements in 1.6.4, Part 1 installation?

11 The reply is yes.

12 Any discussion on that?

13 MR. COLLINS: Yes. So, I mean,
14 other requirements in part 1 is if you need a
15 safety relief valve on that unit. And I don't
16 think there's -- I guess, I don't think there's
17 any question that you have to follow all of the
18 requirements of part 1. So I guess what I'm
19 trying to say is I understand what you're saying,
20 that some people are indicating that, well, this
21 wasn't caught. Even though it's required in NBIC
22 and the State mandates that state-regulated
23 vessels have to follow NBIC, hey, it wasn't caught
24 on the initial inspections, so we don't have to
25 follow it.

1 I guess, I don't see the need for
2 even having an inquiry. It needs to be followed.

3 MR. TOTH: Okay. If I may answer
4 that now.

5 Mr. Collins, you and I serve on NBIC
6 together, and you understand that when you read
7 codes and rules, some people read them
8 differently. And so to say, why do we even have
9 an inquiry, because it's been brought up. And as
10 you see, I agree 100 percent. Just because it
11 wasn't caught at the initial inspection, then yes,
12 it's very frustrating. But that does not exempt
13 you from the rules and the Code.

14 So by doing this, what that
15 alleviates and who it assists is the state
16 inspectors, the insurance inspectors, the Chief,
17 the Assistant Chief, anybody that gets blowback
18 whenever they put -- they come into a location
19 that does not have these requirements and say,
20 hey, it's required. They say, yeah, well, that
21 thing has been there for 20 years.

22 This is to say it's still required,
23 but there is an opportunity. And that opportunity
24 is to say we'll put together a proposal with
25 evidence and showing the situation that we're in,

1 and present that to the Board to get a waiver from
2 this; whereas, this body has the opportunity to
3 take in all that information and give
4 recommendations and can walk them away and say,
5 no, I'm sorry. You have to do this or give
6 recommendations of how to do it.

7 Because there are certain situations
8 where if upon initial inspection -- and I never
9 want to throw an inspector under the bus because I
10 was one for a lot of years -- is to say if they
11 missed it, it's a burden. Especially if there was
12 additional, you know, piping put up.

13 I had a situation where a client,
14 they had ran an additional piece of equipment, and
15 they had very large conduit that ran across the
16 top of the boiler. But it was at, you know,
17 three, four feet. And to put a platform up there
18 was not going to be realistic. So we had to --
19 you know, I told them we had to go in a different
20 direction and so on and so forth. Though the
21 inspector wanted to say, no, you have to have a
22 platform.

23 So we were able to resolve that
24 outside of coming to the Board, but I think
25 there's opportunities where if somebody wants to

1 go through that, they should have the opportunity,
2 especially if that boiler has been installed for a
3 number of years, and then we educate the
4 inspectors to make sure when they're doing that
5 initial inspection, that they are looking for
6 that, or even the permit that the State currently
7 has can add a space inside of that permit to ask
8 that question. So then that helps to catch it
9 beforehand to say, look, you said this was eight
10 foot off the ground and you need to have a
11 platform.

12 CHAIRMAN BAUGHMAN: Sure. So
13 moving forward, that's good for new installations.

14 MR. TOTH: Yes.

15 CHAIRMAN BAUGHMAN: For giving
16 clarity to the old installations it is part of the
17 Code.

18 The other end is that we're taking a
19 piecemeal out, giving clarity to it as far as
20 grandfathering clause into a part of the Code,
21 where we got other things that are in the Code
22 that aren't adhered to. You know, you could take
23 this out quite a bit. A lot of it has to do with
24 further training of the inspectors to know what to
25 look for.

1 Anything -- in particular, we're
2 talking about the ladders. So I understand the
3 need for addressing it, giving clarity. But to
4 address this one particular item for giving
5 hardship, what I look at is blowdown piping that's
6 not installed properly. They don't have the forge
7 steel fittings that they're supposed to on
8 100 pounds and above.

9 How far do we give clarity on stuff
10 that's grandfathered in to explain each and every
11 code and the hardship for it or such? But I
12 understand the impetus behind it. I just don't
13 want to again go down and -- the whole point of
14 being grandfathered in is what needs to be
15 addressed. And that's where nothing is
16 grandfathered in. And so, you know, do we make it
17 as such with that? I just don't want something
18 else to come back that's not per Part 1
19 installation and go through that discussion again,
20 coming before the Board.

21 MR. TOTH: Yeah, I agree
22 100 percent. I use the word "grandfather" because
23 that's what the people use. They say, "We're
24 grandfathered." There's no such animal as
25 grandfathered.

1 So we wanted it because -- and
2 correct me if I'm wrong -- any rule that we have,
3 any code that we adopt as a state, has the
4 opportunity for an individual to appear before
5 this body to ask for whatever. They may not get
6 it or whatever, but they still have that
7 opportunity. If they come here and they just say
8 "because," you guys are going to tell them to
9 walk -- you know, put in some platforms.

10 You know, a concern I have and, you
11 know, I just got a letter about it, the main
12 committee for the NBIC, that they struck the
13 requirement for e-stops on the existing locations.
14 And I bounced back at them and said, why are you
15 guys removing that? You know, it's like we need
16 to have that because then you're going to have
17 people that don't adhere to it whenever, say,
18 Tennessee says you have to. Well, the NBIC does.

19 Well, I don't want that to happen in
20 this case here. I don't want people to get into
21 arguments with inspectors when all the inspector
22 is doing is trying to enforce the code. And so
23 that's why I submit these and that's my position
24 on it.

25 If you want to strike Inquiry

1 Number 2 and just yes and be done with it, that's
2 fine by me. I just think it's an opportunity to
3 show some clarity.

4 CHAIRMAN BAUGHMAN: Okay. Thank
5 you, Mr. Toth.

6 MR. COLLINS: Well, and I guess,
7 the only reason I was bringing it up, as far as
8 the necessity of Inquiry Number 1, is because in
9 the rules it says the required minimum standard
10 for a construction, installation, operation, and
11 maintenance and repair, so on and so forth, and it
12 has NBIC listed, and I didn't know, like -- I feel
13 like that is succinct and clear, and that would be
14 justification enough for an inspector to say, you
15 know, per Tennessee rules, it has to meet all
16 requirements of NBIC, and we're just reiterating
17 that.

18 Again, I understand what you're
19 saying, having something specific, but then it's a
20 matter of do we have to start doing that on
21 everything in the NBIC?

22 MR. TOTH: Well, and I appreciate
23 that. And the knee-jerk answer is yeah. We do it
24 all the time in the other codes. The thing is, is
25 that when we talk about it and we say, hey, we're

1 not grandfathered, we're not so on and so forth,
2 we don't know -- well, we do, the ones who have
3 been doing it for 30 years -- where the NBIC may
4 have changed, or where the rules and regulations
5 may have changed. When did that requirement come
6 into place?

7 You know, those are situations that
8 you run into. It's like if somebody has a boiler,
9 like I said, that was 20 years ago, now we've got
10 to go back to what were the codes during that
11 time.

12 And this gives an opportunity for
13 somebody to come in and say, you know, they do
14 their due diligence and research and find that the
15 code didn't require that back then, you know, or
16 something like that. That's the only reason.

17 MR. COLLINS: That is a good
18 point of at the time of installation, it might not
19 have been an NBIC requirement. So it might not --
20 it might truly be grandfathered in.

21 MR. TOTH: We don't buy that
22 here. I'm sorry I kind of mumbled that. I should
23 have said yeah, but we don't -- the State of
24 Tennessee has never really looked at a true
25 grandfather as saying, hey, it's grandfathered in,

1 because we are a safety unit. I keep saying "we,"
2 but I feel like, you know, I'm part of it. If
3 it's going to better safety, then we're going to
4 change it. That's why I made the comment about
5 the e-stops. I think that's silly for us to
6 remove that from the code.

7 But with that being said, it just
8 gives an opportunity for those people to say,
9 yeah, you've got to have these. And then you have
10 an opportunity to appear before this body. And I
11 believe, legal may or may not agree with that,
12 that anything that their rules have, you can
13 appear before this body.

14 It just gives an opportunity -- but
15 I'm good either way. I'm going to stop talking
16 about it because, you know, it's -- any way it
17 goes, I'm fine.

18 CHAIRMAN BAUGHMAN: Yeah. We're
19 good. I think we understand it. I think that
20 from a Code standpoint, we understand what's in
21 the Code. The NBIC, the requirements, it's really
22 up to the enforcement, the education of the
23 inspectors, to be able to get that information
24 out.

25 We in the boiler business of passing

1 that same information back along, same thing with
2 the inspectors and the insurance entities, so
3 really, clarity comes from our conversations and
4 going, here's NBIC part 1 and so forth and so on.
5 And any part of the codes, we've got to be able to
6 have those code references back to them.

7 I think to bring it up and identify
8 it individually is somewhat of a duplication. But
9 again, that's just my own thought with it. So
10 whether we want to put it in as a BI and open it
11 to where they can come specifically to talk about
12 this, I would rather not. If anything, strike
13 Inquiry Number 2 from it. But again, it kind of
14 speaks for itself on where our codes are that we
15 adhere to the code requirement.

16 Any other thoughts with that?

17 MR. COLLINS: I mean, I think if
18 we're thinking about striking Inquiry Number 2, I
19 think we need to give -- I would think that we
20 would need to define what "preexisting" means in
21 Inquiry Number 1. Because I believe that at the
22 time of installation, if it existed in the NBIC,
23 then it would be enforced.

24 CHAIRMAN BAUGHMAN: Well, I'll
25 counter that.

1 MR. TOTH: No. I'm fine. As I
2 said, gentlemen, I'm fine with pulling this out.
3 If you feel that this would not be beneficial of
4 something that your inspectors could take whenever
5 they get into this brawling situation that
6 happens, butting heads with clients, and be able
7 to hand this to them or be able to direct it to
8 them -- and we see that in quite a few of the
9 cases and interpretations. But if you want me to
10 pull this back and say everything is fine, I don't
11 have a problem with that.

12 MR. COLLINS: (Indicating.)

13 CHAIRMAN BAUGHMAN: Go ahead,
14 Riley.

15 MR. COLLINS: Well, I guess, one
16 thing I was wondering, I mean, are -- and I guess,
17 I should probably know this, but, I mean, are we
18 expecting new Tennessee rules to be retroactive to
19 all?

20 ASSISTANT CHIEF CASS:

21 (Indicating.)

22 CHAIRMAN BAUGHMAN: Alexander?

23 ASSISTANT CHIEF CASS: So I could
24 be wrong but the way I understood it is once
25 something goes into effect, customers have

1 12 months to come up to code. Is that --

2 CHAIRMAN BAUGHMAN: Well, and
3 that was my interpretation. Now, I'll also say
4 that say if we've got a boiler that was installed
5 in 1920 and it's got all these archaic controls on
6 it, and that was before CSD-1 -- that was before a
7 lot of these requirements -- we're not going to
8 say, well, it passed back then and those are the
9 old requirements.

10 What I've always interpreted was, we
11 operate things to the code of the day. When you
12 have a repair to the boiler, you always bring it
13 up to the code of the day. You've got 12 months,
14 from the time it's identified, to bring it up to
15 the code of the day. And that way we're not
16 operating archaic, unsafe pieces of equipment that
17 albeit they've passed the code of the day back
18 then, they don't meet the requirements of today.

19 So my interpretation was that, all
20 code requirements are retroactive back to all
21 boilers but you had 12 months to bring them up to
22 the code.

23 MR. LASHLEY: But that's an
24 installation code. Would it not be based on when
25 the boiler was installed?

1 CHAIRMAN BAUGHMAN: So let's say
2 that the boiler was installed in 1920 or 1930. Do
3 we grandfather that in to that old code of the
4 day?

5 MR. LASHLEY: For an installation
6 requirement?

7 CHAIRMAN BAUGHMAN: Yeah.

8 MR. LASHLEY: I would have to
9 defer, you know, to the legal definition of it.

10 CHAIRMAN BAUGHMAN: I've
11 always -- and so again, I've always interpreted --
12 I can't make an interpretation but I'll leave it
13 to the Chief and Assistant that we have always
14 wanted to operate boilers to the safest, most
15 stringent code possible.

16 MR. COLLINS: (Indicating.)

17 CHAIRMAN BAUGHMAN: Mr. Collins?

18 MR. COLLINS: Well, I mean, you
19 have a chemical plant full of equipment and they
20 changed the factor of safety back in 1998. Does
21 that mean you have to go through and rerate every
22 single piece of equipment because now it's...

23 CHAIRMAN BAUGHMAN: Well, did
24 they make that requirement stricter or less
25 strict?

1 MR. COLLINS: Less strict.

2 CHAIRMAN BAUGHMAN: Yeah. So if
3 that's the case, you wouldn't necessarily need to
4 go back if it's less strict. But if what we're
5 looking at is the installation requirements being
6 stricter, then we're going to move in that
7 direction of being stricter. Just my thoughts.

8 MR. COLLINS: Is that stated --

9 CHAIRMAN BAUGHMAN: Go ahead,
10 Mr. Collins.

11 MR. COLLINS: Is that stated
12 anywhere in our rules that, like, when the new
13 code is published, it's retroactive and all
14 existing equipment has to --

15 CHAIRMAN BAUGHMAN: Great
16 question.

17 Mr. Watson?

18 Mr. Cass.

19 CHIEF WATSON: I believe it is
20 stated. I've got to go back and try to look into
21 the code myself. But I have read that you have
22 12 months with a new code release to fall in line
23 with new code.

24 CHAIRMAN BAUGHMAN: Very good.
25 We'd love to probably bring that to all of our

1 attention.

2 MR. TOTH: (Indicating.)

3 CHAIRMAN BAUGHMAN: Mr. Toth?

4 MR. TOTH: Are we talking code or
5 are you talking the rules?

6 CHIEF WATSON: I believe it's in
7 the rules, actually.

8 MR. TOTH: Okay. Rules. Because
9 code works a little bit different. Code works
10 different than the rules. I can just say this.
11 And I'm sorry. I thought this was going to be
12 clean and easy. I do apologize.

13 There has been precedent set. There
14 are case interpretations out there where -- such
15 as means of egress and things like that for
16 preexisting buildings. So it's not something that
17 we haven't done before as a unit or a department
18 or a division back in the day.

19 It's just -- you know, I thought --
20 when I was doing this, I thought, we're going to
21 make this easy. I'm going to help the inspector
22 out here. I'm going to put this forward. They're
23 not going to get so much grief, and they're going
24 to be able to take this piece of paper, print it
25 like other interpretations that I've submitted

1 over the years that they can take and just give it
2 to their client. The user would say, here it is
3 guys.

4 That's the only reason why I did
5 this, because this has been coming up. And why
6 we've seen a lot of these with the runways. And I
7 do apologize.

8 CHAIRMAN BAUGHMAN: It's all
9 right.

10 MR. TOTH: I didn't -- the intent
11 of this was not to get them away from doing it.
12 It was here is what you have to do and here's a
13 path. If you so choose to appear before the
14 Board, the Board is going to test you on this.
15 That's what my intent was for this.

16 CHAIRMAN BAUGHMAN: I understand.
17 And it was a good intent by all means. I just
18 think it opens up kind of a little bit of can of
19 worms in some other directions that we didn't --
20 I'm sure didn't think about as we proposed it.

21 MR. DEASON: Can I --

22 CHAIRMAN BAUGHMAN: Yes,
23 Mr. Deason?

24 MR. DEASON: If I could
25 interject, looking at the wording -- and this is

1 just like from an interpretation standpoint.

2 Ladders and runways: When necessary for safety,
3 there shall be a steel runway. There shall be
4 this, that, and the other.

5 And then it goes on to say -- well, I
6 wish I hadn't just done that. Well, it doesn't
7 say that. I said that. Hold on. I'm sorry.
8 Okay. I'm sorry about that.

9 When necessary for safety, there
10 shall be -- okay? And then its says down here,
11 talking about these ladders and walkways,
12 platforms, some other convenient level.

13 So there's -- this is not an
14 absolute. I think this -- you know, this is open
15 to interpretation. An inspector can go in there,
16 it says, when necessary for safety. And you go in
17 there and, like, well, you have one that wasn't.
18 It was built in 1927, maybe someplace in my
19 hometown of Kingsport, Tennessee, which I believe
20 was open in the '20s.

21 And you see it. Is it unsafe? Does
22 the inspector determine it's unsafe? Well, then,
23 you've got to put them up. Is it not unsafe?
24 Maybe not.

25 CHAIRMAN BAUGHMAN: Well, and

1 then it gets determined by the inspector. One
2 inspector may come in and go, it's required. One
3 could come in and go -- and so if one determines
4 you don't have to have it and then they change
5 inspectors, and the next inspector says you've got
6 to have it, and he's going to go, hey, John said I
7 didn't need it. It's -- again, that's an
8 interpretation on what's --

9 MR. DEASON: If you're talking
10 about absolutely uniform equipment, true. But, I
11 mean, you have inspectors going out -- I mean,
12 there's a certain amount of judgment call. You
13 have to enforce the code and the standards that
14 you're bound by, bound to enforce. But, I mean,
15 you know, people are going to look at it. They're
16 going to take the situation and -- I mean, it's
17 not going to be completely uniform because there's
18 human beings involved.

19 I'm just saying -- and I'm not
20 suggesting the Board should go one way or the
21 other. I'm just saying that for purposes of the
22 way the language is, I don't think it's going --
23 this is going -- a decision would impose an
24 absolute if you say this absolutely has to be one
25 way or another because of the way it's written

1 when necessary for safety. And it also gives some
2 leeway on where the ladders and runways would be.

3 CHAIRMAN BAUGHMAN: Okay. Very
4 good, Mr. Deason. Thank you.

5 ASSISTANT CHIEF CASS:

6 (Indicating.)

7 CHAIRMAN BAUGHMAN: Mr. Cass?

8 ASSISTANT CHIEF CASS: And I
9 believe safety is also in the NBIC where it says
10 that the inspector, the owner, and operator have
11 to be in agreement on safety. So that is a
12 conversation. So if one of those people feel
13 unsafe, then at that point, the requirement would
14 be a conversation.

15 CHAIRMAN BAUGHMAN: Okay.

16 ASSISTANT CHIEF CASS: And also,
17 you know, access is also defined in the NBIC, so
18 you would have to have safe access, so...

19 CHAIRMAN BAUGHMAN: Very good.

20 ASSISTANT CHIEF CASS: If you can
21 have safe access without a platform or ladder or
22 runway, then that safe access is a conversation
23 between the operator, the owner, and the
24 inspector.

25 CHAIRMAN BAUGHMAN: Very good.

1 MS. OWEN: (Indicating.)

2 CHAIRMAN BAUGHMAN: Ms. Owen?

3 MS. OWEN: So I do want to
4 clarify, too. What Chance just read is from the
5 business rules which are different from code.
6 Code is enforceable and people have to follow the
7 code. When the code does not speak, then the
8 business rules come into play.

9 CHAIRMAN BAUGHMAN: Interesting.

10 MS. OWEN: So we're talking about
11 two different sets of things here. And I do want
12 to make that clarification, that the code, people
13 are going to have to follow. The business rules,
14 one, have an effective date of when they become
15 effective. And they come into play when the code
16 is silent.

17 CHAIRMAN BAUGHMAN: Very good.

18 MR. DEASON: The TCA would trump
19 the rules.

20 CHAIRMAN BAUGHMAN: Okay.

21 MR. DEASON: But we were
22 specifically talking about the interpretation of
23 this rule. And I don't believe, looking at the
24 code, that there's anything that's determinative
25 on this issue.

1 CHAIRMAN BAUGHMAN: Very good.

2 MR. MATUE: (Indicating.)

3 CHAIRMAN BAUGHMAN: Mr. Matue?

4 MR. MATUE: There's an
5 interpretation done in 2022 where it spells out
6 that, for the inspectors, over eight feet, they
7 have to have catwalks or et cetera. So it doesn't
8 talk anything about safety. It talks about eight
9 feet on the ruling.

10 It's -- I don't have my glasses with
11 me. I can't read that well on my phone, but it's
12 BI 22-01.

13 MR. TOTH: If I may add, that's
14 where all this started from, is -- yeah. We've
15 been talking about it for a couple of years now.

16 CHAIRMAN BAUGHMAN: Mr. Watson,
17 did you find anything to give clarity to that
18 12-months...

19 CHIEF WATSON: No. It's going to
20 be --

21 CHAIRMAN BAUGHMAN: That's okay.
22 When you do, we would love to have it passed along
23 just so we can have it for information.

24 MR. TOTH: (Indicating.)

25 CHAIRMAN BAUGHMAN: Yes,

1 Mr. Toth?

2 MR. TOTH: If it would please the
3 Board, I would be more than happy to pull this
4 back.

5 CHAIRMAN BAUGHMAN: I understand.

6 MR. TOTH: And let's -- yeah.
7 But pull it back and kind of -- and look at some
8 of the precedents and bring it back.

9 CHAIRMAN BAUGHMAN: Is that what
10 you'd like to do?

11 MR. TOTH: Yeah. I think so.
12 Because there's -- there's obviously a lot of
13 concern about it. But if the Board feels -- if
14 the members feel like it doesn't matter what we
15 do, we're not going to do an interpretation, I'll
16 just pull it and just trash it.

17 CHAIRMAN BAUGHMAN: Okay.

18 MR. TOTH: It's up to you.

19 CHAIRMAN BAUGHMAN: So for -- so
20 if that's your pleasure, we will take that agenda
21 item, BI 25-01, and just rescind it.

22 Do we then make that 25-01 available
23 for the future or do we leave that in here?

24 MR. TOTH: Well, it all depends
25 if the Board would like for me to work it, bring

1 some more information and have it as old business.
2 If you want to just do away with it, then that
3 item dies with the agenda.

4 CHAIRMAN BAUGHMAN: Okay.

5 MR. TOTH: So it's really --
6 I'm at whatever your pleasure is. If you think
7 it's something that's necessary, I don't mind
8 putting the hours into it. Because then, see
9 what we did on old business this morning. I
10 mean, we had a lot of discussion on that item.
11 We looked at it, we came back, and it was
12 through quickly. So that -- I mean, that could
13 be --

14 CHAIRMAN BAUGHMAN: So how about
15 we just delete it for now and bring it back,
16 circle back around when it comes time, when you
17 have the time. I know it's asking --

18 MR. TOTH: No. It's fine. It's
19 not a big deal.

20 CHAIRMAN BAUGHMAN: Yeah, I know.
21 You're a good man. And I said that for the
22 record, too.

23 But if we go ahead and rescind it
24 for right now, we can bring it back in the future
25 at a time when -- whether it's the next board

1 meting or down the road or what have you, if
2 that's okay.

3 MR. TOTH: So you don't want to
4 table it. You just want to rescind it?

5 CHAIRMAN BAUGHMAN: Yeah. For
6 now.

7 MR. TOTH: Okay.

8 CHAIRMAN BAUGHMAN: Is that okay?
9 Do we have to vote on that or -- that's coming
10 from the presenter.

11 MR. TOTH: Okay.

12 CHAIRMAN BAUGHMAN: Very good.
13 Super. Thank you very much, Mr. Toth.

14 MR. TOTH: No problem.

15 CHAIRMAN BAUGHMAN: So being that
16 that finishes up our Board Interpretation, it
17 brings us to Number 8, open discussion.

18 (No verbal response.)

19 CHAIRMAN BAUGHMAN: No open
20 discussion items.

21 Number 9, upcoming 2025 scheduled
22 quarterly meetings; June the 11th, September the
23 10th, December the 10th.

24 Any other items that would like to be
25 brought up while we're here?

1 (No verbal response.)

2 CHAIRMAN BAUGHMAN: With that,
3 make a motion to adjourn.

4 MR. LASHLEY: Motion.

5 CHAIRMAN BAUGHMAN: Second?

6 MR. MAY: Second.

7 CHAIRMAN BAUGHMAN: All in favor
8 say "aye."

9 (Affirmative response.)

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11 END OF THE PROCEEDINGS.

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C E R T I F I C A T E

STATE OF TENNESSEE)

COUNTY OF WILLIAMSON)

I, Cassandra M. Beiling, a Notary Public
in the State of Tennessee, do hereby certify:

That the within is a true and accurate
transcript of the proceedings taken before the
Board and the Chief Inspector or the Chief
Inspector's Designee, Tennessee Department of
Labor & Workforce Development, State of Tennessee
Board of Boiler Rules, on the 12th day of March,
2025.

I further certify that I am not related to
any of the parties to this action, by blood or
marriage, and that I am in no way interested in
the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my
hand this 2nd day of May, 2025.



Cassandra M. Beiling, LCR# 371
Notary Public State at Large
My commission expires: 3/4/2028