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For questions, call (615) 268-1244 or send an email to nangeorge@stoneandgeorge.com
The above-styled cause came on for hearing on this the 14th day of December, 2016, before the Board of Boiler Rules of Tennessee Department of Labor and Workforce Development, at 220 French Landing Drive, PEARL Room, 1st Floor, Nashville, Tennessee, when and where the following proceedings were had, to wit:

- None
- 16-15
- 16-16
- 16-17
- Proposed 2017 meeting dates
  - Wednesday, March 15th
  - Wednesday, June 14th
  - Wednesday, September 20th
  - Wednesday, December 13th
- Job description for Boiler Inspector 4 (Chief) position.
- Approved Role/Responsibility for Board Members.
- The National Board Synopsis, NB-370, needs to be updated for Tennessee.
- Editorial revision to the recently revised TN Rule 0800-03-03.
- Revision to T.C.A. 68-122-109(a) due to
1. changes in how the National Board Commissioning Exam is given.
2. IX. Rule Cases and Interpretations
   * Postpone until March 15, 2017 meeting
3. X. The next Board of Boiler Rules Meeting is scheduled for 9:00 a.m. (CT), Wednesday, March 15, 2017, at the Department of Labor & Workforce Development Office Building located at 220 French Landing Drive, Nashville, TN.
4. XI. Adjournment
5.  

PROCEEDINGS

CHAIRMAN MORELOCK: Good morning, everybody. Welcome to the December Tennessee Board of Boiler Rules meeting, and we're going to get started here. Just some housekeeping items before I go to the agenda. The Board members need to complete their conflict of interest documents and any expense reports and get those to Carlene. There will be an attendance sheet routing here momentarily, so everybody can sign in and record your attendance.

If you don't have an agenda, they're on the back table for our visitors. Please make yourself available to those. We have refreshments, as well.

And with that, I'm going to go ahead and call the meeting to order. And we'll start with just a short safety item. In the event of an emergency or natural disaster, security personnel will take attendees to a safe place in the building or direct them to exit the building on the Rosa Parks side. So then, as far as introductions go, I will begin with Dominique.

So --

THE REPORTER: Dominique Dubois,

1. MR. TOOTH: Marty Toth, Boiler Supply
2. Company and the Boisco Training Group.
3. MR. NEVILLE: James Neville, Neville Engineering.
4. MR. KINSEY: (Inaudible comment.)
5. THE REPORTER: I'm sorry, sir. Could you speak up? I can't -- I didn't -- I couldn't hear you.
6. MR. KINSEY: Oh, I'm sorry.
8. MR. FLOWERS: David Flowers, Combustion and Control Solutions.
9. MR. DUNNAVANT: Lional Dunnivant, Combustion and Control Solutions.
10. MR. HARTFORD: Christopher Hartford, Hartford Steam Boiler Inspection Insurance Company.
11. Mr. Swezy, Boiler Code Tech, LLC.
12. CHAIRMAN MORELOCK: Okay. Again, welcome everyone. We have an agenda before us. So --
13. MR. ROBINSON: Motion to adopt the agenda.
14. CHAIRMAN MORELOCK: Thank you. Do I
1. have a second?
2.  MR. BAUGHMAN: Second.
3.  CHAIRMAN MORELOCK: Are there any
4.  additions, corrections, changes to the agenda? All
5.  right. Hearing none, I'm going to call the
6.  question. All in favor, say "aye."
7.  MR. BAUGHMAN: Aye.
8.  MR. HARGROVE: Aye.
10. MR. ROBINSON: Aye.
11. CHAIRMAN MORELOCK: Opposed?
12. Abstentions? Not voting? We do have an approved
13. agenda.
14. One thing I would ask is if you do
15. have your cell phone, which I'm sure most of us
16. have, if you'd put that on silent, please, out of
17. respect for the presenters and the proceedings
18. today?
19. And Item four is conflict of
20. interest, and the Board members are working on
21. those and getting those to Carlene.
22. So that moves us to Item five, which
23. is the Chief Inspector's report, and I'll hand
24. that off to Mr. Chapman.
25. MR. CHAPMAN: Not yet.

1. CHAIRMAN MORELOCK: Not yet?
2. MR. CHAPMAN: You haven't given me my
3. folder back.
4. MS. RHONE: Here.
5. MR. HARGROVE: There we go.
6. MR. CHAPMAN: Thank you.
7. CHAIRMAN MORELOCK: Oh, okay. All
8. right.
9. MR. CHAPMAN: We found it.
10. MR. PISCHKE: We found it.
11. CHAIRMAN MORELOCK: Good.
12. MR. CHAPMAN: I'm sorry about that.
13. Okay. For the Chief's Report. All right.
14. Inspections performed by the State inspector is
15. 2,101. For the inspection -- insurance, it's 5,709
16. inspections, giving us a total of 7,810. Total
17. number of vessels from the State is 635 and 291.
18. Those are delinquent. Giving us a total of 926
19. vessels. That's on the delinquent list.
20. Okay. Number of code violations were
21. 15, and we have five that are uncorrected. Boiler
22. variance that was performed during this cycle was
23. four on that.
24. And I do have something else this
25. time. On a -- the boiler synopsis, we have made

1. changes to the National Board website. On the
2. laws passing, we did add the unfired pressure
3. vessel, which was dated in 1955. We added that to
4. it. And we -- for the CSD1, we added to the
5. current condition -- current addition. I'm having
6. trouble talking today.
7. Okay. Also on number six, under the
8. miscellaneous, we did add to where we do a set
9. routine repair. And that is the Chief's Report.
10. CHAIRMAN MORELOCK: Okay. Thank you.
11. Any questions, comments about the Chief's Report?
13. Moving on to Item six, which is old
14. business. There is no old business. Just moving
15. on to Item seven, which is new business, and so
16. everybody keeps me honest, I will ask on each item
17. if there is a conflict of interest, and so just
18. keep that in mind. And then for the presenters,
19. when your item comes up for discussion, please
20. come to the table up here, introduce yourself for
21. Dominique so she can record who you are. And then
22. present your item and then we'll discuss it and
23. take any action on that.
24. So with all that said, our first item
25. is 16-15, which is Wacker Polysilicon North

1. America, and they were going to make a
2. presentation on their RBI status. And in the
3. interest of fairness to them, I'm probably certain
4. they're stuck in traffic right now, so let's -- if
5. it's okay, I'd like to move their item down on the
6. agenda and give them time to get here. And so
7. we'll just table their item here and see if they
8. can arrive.
9. So I'm going to move on to Item
10. 16-16, which is Mayfield Dairy Farm, Athens,
11. Tennessee.
12. MR. FLOWERS: Good morning. I'm
14. With me is Rick Kinser who is the plant engineering
15. manager with Mayfield Dairy. With us also is
16. Lionel Dunnivant, our controls technician. He's
17. here to answer any technical questions regarding the
18. control scheme and the way we've got this proposed.
19. CHAIRMAN MORELOCK: Okay.
20. MR. FLOWERS: This is a request
21. for --
22. MR. PISCHKE: Hey, Brian, declare
23. conflict.
24. CHAIRMAN MORELOCK: Yes. Thank you.
25. Are there any conflicts of interest for this item?
1. CHAIRMAN MORELOCK: Yes.
2. MR. HARGROVE: I have a question. So on behalf of the Board, excellent description of your system that you have.
3. MR. FLOWERS: Thank you.
4. MR. HARGROVE: One of the issues that we as Board members have discussed with the emergence of IT and the use of remote monitoring systems is a developing issue of cyber vulnerability. In other words, the IT structure of these systems that are becoming more prevalent, are becoming more complex and require robust security measures to protect against potential threats.

1. CHAIRMAN MORELOCK: Okay. Do I have a motion for this item so we can discuss it?
2. MR. ROBINSON: Motion to discuss.
3. CHAIRMAN MORELOCK: Okay. Do I have a second?
4. MR. HARGROVE: Second.
5. CHAIRMAN MORELOCK: Okay. So the floor is open. Anybody have any questions or comments about this system operation manual for Mayfield?
6. MR. HARGROVE: Yeah.

1. MR. FLOWERS: This is a request for a new variance, as stated in our cover letter, for Mayfield Dairy. They have two boilers, one 300-horsepower Cleaver-Brooks, one 500-horsepower Cleaver-Brooks, uses a Fireye E110 flame safeguard.
2. CHAIRMAN MORELOCK: Okay. We do have one conflict of interest. All right. Thank you.
3. Proceed.
4. MR. FLOWERS: But I'll let Lional operate, the notification system, is over a cellular network. So --
5. MR. HARGROVE: Okay.
6. MR. FLOWERS: But I'll let Lional talk about the password protection, the
1. that would be a part of the variance or operating
2. under the emergency or normal operations would be
3. trained, as well.
4. **MR. HARGROVE:** Okay. Thank you, sir.
5. **MR. FLOWERS:** Yes, sir.
6. **CHAIRMAN MORELOCK:** Any other
7. questions, comments?
8. **MR. BAUGHMAN:** Yes. David, does the
9. DA get monitored in this proposition?
10. **MR. FLOWERS:** It does not. We have
11. that capability, but if that's something the Board
12. would like to see -- if I'm understanding correctly,
13. we can notify.
14. **MR. DUNNAVANT:** We can -- that's
15. something that was discussed. We've looked at the
16. possibility of adding that. That's why I have so
17. many options and inputs on that. At this time,
18. we're not going to do it, because we are
19. implementing pump shutdown in different situations
20. with the boiler like a normal flame safeguard would
21. do.
22. **MR. BAILEY:** Mr. Chairman, if he's
23. declared a conflict, I'm not so sure it's
24. appropriate for him to be part of the discussion.
25. **CHAIRMAN MORELOCK:** Well, Ms. Yule

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1. (phonetic) -- we've discussed this in the past.
2. With conflicts of interest, they can participate in
3. the discussion but no voting. They have to abstain
4. from voting. Now, if you want to change that --
5. **MR. BAILEY:** That was her opinion?
6. **CHAIRMAN MORELOCK:** That was her
7. opinion, yes.
8. **MR. BAILEY:** Well, I can see -- if
9. someone has a conflict and they're participating in
10. the discussion, that could be perceived as trying to
11. influence the decision in some way. And I think
12. that appears -- certainly has an appearance of a
13. conflict.
14. **CHAIRMAN MORELOCK:** Okay.
15. **MR. BAILEY:** And that's my opinion.
16. So I mean, lawyers can disagree, but I think there's
17. a problem with that, personally.
18. **CHAIRMAN MORELOCK:** Okay.
19. **MR. BAILEY:** But I mean --
20. **CHAIRMAN MORELOCK:** Well, and the
21. concern is --
22. **MR. BAILEY:** -- you're the chairman.
23. **MR. BAILEY:** I'm just --
24. **CHAIRMAN MORELOCK:** Well, and I
25. understand. But the concerns that the Board had

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1. expressed is that there's six subject matter experts
2. at the table. If we take one of those subject
3. matter experts out of the picture, we may lose part
4. of the content of the item. So -- but I do see your
5. point, as well. But ultimately, it's your decision,
6. Mr. Bailey.
7. **MR. BAILEY:** No. Ultimately, it's
8. your decision. I'm just -- all I can give is legal
9. advice --
10. **CHAIRMAN MORELOCK:** Okay.
11. **MR. BAILEY:** -- and counsel.
12. **CHAIRMAN MORELOCK:** Okay.
13. **MR. BAILEY:** And I'm not saying it's
14. absolutely forbidden. I just think it gives the
15. appearance.
16. **CHAIRMAN MORELOCK:** Well, initially
17. when Ms. Yule agreed with your current opinion, we
18. abided by that. We didn't -- if you declared a
19. conflict, you did not speak to the item. In my --
20. you know, we've got four people that are
21. boiler-related, one academia, and one pressure
22. vessel person. So if there's an item that comes
23. before the Board and it's pressure vessel-related
24. and I have a conflict of interest, then there is no
25. pressure vessel discussion coming from the Board,

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1. because I can't speak to it. So that's just --
2. that's what we've discussed.
3. **MR. BAILEY:** Okay.
4. **CHAIRMAN MORELOCK:** So --
5. **MR. BAILEY:** Well, I mean, if that's
6. been the practice, then, you know, I'm not saying
7. it's got to change, but --
8. **CHAIRMAN MORELOCK:** Okay. Okay. All
9. right.
10. **MR. BAUGHMAN:** Good. And thanks for
11. that, too, because we definitely want to stay within
12. the bounds of what we're doing. My end of it's from
13. the technical side, even though I'm not voting. My
14. interest in the question with the DA is that we've
15. been ongoing with this since the incident a few
16. years ago with the DA. So even though it's not part
17. of our variance, we've talked about making that an
18. inclusion at some point in time, but I'll leave that
19. within your own discretion to think about whether or
20. not in the best interest of safety for Mayfield that
21. the DA does, at least, get monitored in some
22. respect. But I'll leave that up to you guys on
23. whether to implement that or not.
24. **MR. FLOWERS:** Well, to your point, we
25. as a mechanical company and a boiler company, we
| 1.  | CHAIRMAN MORELOCK: Right. Right. |
| 2.  | MR. FLOWERS: -- vessel inspections, |
| 3.  | obviously, but I would say that from a -- |
| 4.  | MR. ROBINSON: It needs to be caught up. |
| 5.  | MR. FLOWERS: Yes. |
| 6.  | MR. ROBINSON: Very good. Okay. And you can do that. |
| 7.  | CHAIRMAN MORELOCK: And that's something they can follow up with their AI. |
| 8.  | MR. ROBINSON: AI. |
| 9.  | CHAIRMAN MORELOCK: Yeah. Yeah. So -- they -- yeah, that -- you can address that with your AI. It's not a Board item. So -- |
| 10. | MR. ROBINSON: I noticed your shift maintenance duties on page 37. Let's see. Number one really stood out as being responsible for the boiler. I read through, you know, the different titles, but I was looking for somebody that would -- he's the guy, and I didn't see that. |
| 11. | MR. FLOWERS: I believe it is stated there. |
| 12. | Mr. Robinson -- very good. Okay. And that's why, up. |
| 13. | Mr. Robinson -- again is because here's what you had. You had -- |
| 14. | several pressure vessels that were expired. Is there a reason for that as far as the State requirements? |
| 15. | MR. FLOWERS: At Mayfield Dairy? |
| 16. | MR. ROBINSON: Yes. |
| 17. | MR. FLOWERS: I'm not aware of that. |
| 18. | MR. ROBINSON: There are -- gosh, it must have been about 11. And it could have been from your refrigeration systems. |
| 19. | MR. KINSER: That's very likely that's where it's from. And it might have been just a thing that was in the mail and it got lost. And that part of it -- |
| 20. | MR. ROBINSON: I've seen where you had recent -- forgive me. I've seen where you had recent boiler inspections, but then, you know, as I scrolled down a little bit lower, I noted that you had several. So you definitely want to get that caught up. It more or less gave me an appearance of your maintenance program. When I've seen that, I said wow, why would you do the boilers and not the PVs? |
| 21. | MR. FLOWERS: Well, we as their -- to answer your question, we as their vendor don't get involved in all of their pressure -- |

1.  | would agree with that. And there are inputs available on this system if Mayfield elects to go forward with that in the future. But as you stated, that's not a part of the requirement for the variability, so it's not included in the manual. But we believe it's also good practice. |
| 2.  | CHAIRMAN MORELOCK: Yeah. |
| 3.  | MR. BAUGHMAN: Good. Thanks, David. |
| 4.  | CHAIRMAN MORELOCK: And I would echo that. I mean, it's -- the Board's not going to require you to do that, because it's not part of the variance process today. So if you choose to do it, that's your choice. |
| 5.  | MR. FLOWERS: Yeah. |
| 6.  | MR. DUNNAVANT: Okay. |
| 7.  | MR. DUNNAVANT: Thank you. |
| 8.  | CHAIRMAN MORELOCK: Any other questions or comments? |
| 9.  | MR. ROBINSON: Yes. I have a few. |
| 10. | MR. ROBINSON: Two. |
| 11. | MR. ROBINSON: Two? |
| 12. | MR. FLOWERS: Yes, sir. |
| 13. | MR. ROBINSON: I noted that you had several pressure vessels that were expired. Is there a reason for that as far as the State requirements? |
| 14. | MR. FLOWERS: At Mayfield Dairy? |
| 15. | MR. ROBINSON: Yes. |
| 16. | MR. FLOWERS: I'm not aware of that. |
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| 20. | MR. FLOWERS: Well, we as their -- to answer your question, we as their vendor don't get involved in all of their pressure --
1. ultimately responsible for the boilers themselves.
2. And I'm trying to locate that. I don't recall
3. exactly what --
4. CHAIRMAN MORELOCK: Yeah. To build
5. off Eugene's comment, your organizational chart
6. should show the different organizations, like you've
7. got, but also show who is serving as a boiler
8. attendant, who's serving as a remote monitor. So
9. it's clear to you, but it's not clear to us --
10. MR. FLOWERS: I understand.
11. CHAIRMAN MORELOCK: -- when we read
12. the manual.
13. MR. FLOWERS: Okay.
14. CHAIRMAN MORELOCK: And to build off
15. of that, on page 38, you do talk about normal duties
16. as far as the shift maintenance supervisor/shift
17. lead man shall contact maintenance personnel at the
18. remote monitoring station.
19. And then your emergency procedures on
20. page 43 adds a little more detail. It says,
21. remote monitoring station -- remote station shall
22. be continuously manned or monitored by plant
23. engineering manager, maintenance manager, shift
24. supervisor, security personnel who have been
25. trained in procedures.

1. And -- but what your job descriptions
2. and your organizational chart does not show is the
3. maintenance personnel, but they're a vital part of
4. this system. So you need to show them on the
5. organizational chart. And I would also -- to
6. Eugene's comment, you need to show what their
7. duties are as maintenance supervisor, shift --
8. which you have, but list specific job duties in
9. that job description for their remote monitoring
10. and boiler attendant duties, as well, so when
11. people read your manual, it's clear who's doing
12. what.
13. MR. FLOWERS: Okay.
14. MR. ROBINSON: Right. And that's
15. what I --
16. CHAIRMAN MORELOCK: Yeah.
17. MR. ROBINSON: That was the
18. primary -- I had a lot of difficulty trying to
19. relate who I was going to talk to --
20. CHAIRMAN MORELOCK: Yeah.
22. MR. ROBINSON: -- because I didn't
23. know.
24. MR. FLOWERS: Okay.
25. MR. ROBINSON: I could choose one of

1. four people, and you know what they could tell me?
2. They're not responsible.
3. MR. FLOWERS: Right. I understand.
4. CHAIRMAN MORELOCK: Yeah.
5. MR. FLOWERS: We'll be -- and I
6. understand. I get that. We'll be happy to clarify
7. that. I mean, like you said, it's clear in our
8. mind, but we didn't obviously --
9. CHAIRMAN MORELOCK: Right. Right.
10. MR. FLOWERS: -- convey that. So
11. I'll be happy to make that clarification.
12. CHAIRMAN MORELOCK: Yeah. Appreciate
13. that. Go ahead, Eugene.
14. MR. ROBINSON: Okay. I didn't have a
15. problem -- you're going to placard. Are you going
16. to put something next to your monitoring station?
17. MR. FLOWERS: Yes, sir.
18. MR. ROBINSON: Are you -- like this
19. emergency procedure?
20. MR. FLOWERS: Yes, sir.
22. we ask for is we try to get a colored sheet inside
23. the manual where you can easily identify it in the
24. case of an emergency. Now, I see this. Okay? I'm
25. okay with it. But at the same time, I would love to
26. see the colored sheet. Y'all want to maintain
27. consistency.
28. MR. FLOWERS: Okay.
29. MR. DUNNAVANT: Okay.
30. CHAIRMAN MORELOCK: Okay.
31. MR. ROBINSON: And --
32. MR. FLOWERS: By colored sheet, you
33. mean, like the whole sheet red or the whole --
34. MR. ROBINSON: Yeah. Yeah. Like --
35. yeah. A sheet that you could visibly turn and
36. then -- I'm nervous. I'm looking. I'm looking.
37. The boilers going kiddiwampus. Oh, the red sheet.
38. MR. FLOWERS: Okay. We can do that.
39. We'll be happy to do that.
40. MR. DUNNAVANT: And a lot of times,
41. too, we'll also have a placard made that's beside
42. the panel.
43. CHAIRMAN MORELOCK: Yes.
44. MR. ROBINSON: That's perfect.
45. CHAIRMAN MORELOCK: Yeah.
46. MR. DUNNAVANT: And it actually is
47. just like --
48. MR. ROBINSON: That's perfect.
49. MR. DUNNAVANT: -- you have on a
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<thead>
<tr>
<th>Page 29</th>
<th>Page 30</th>
<th>Page 31</th>
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<tbody>
<tr>
<td>1. defibrillator or anything else. You can go --</td>
<td>1. your hard controls associated with the boiler, but</td>
<td>1. now, you know, I think back to one of our</td>
</tr>
<tr>
<td>2. CHAIRMAN MORELOCK: Yes.</td>
<td>2. now, you know, I think back to one of our</td>
<td>3. predecessors, Mr. Lung (phonetic). He had made</td>
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<td>3. MR. ROBINSON: I'm just looking for</td>
<td>4. mention -- years ago, we had contacted somebody from</td>
<td>4. mention -- years ago, we had contacted somebody from</td>
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<td>5. MR. DUNNAVANT: Right. In a panic.</td>
<td>6. last name was. And Mr. Shiply explained to us that</td>
<td>7. last name was. And Mr. Shiply explained to us that</td>
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<td>6. CHAIRMAN MORELOCK: Yes.</td>
<td>7. there was vital threats at the time associated with</td>
<td>8. there was vital threats at the time associated with</td>
</tr>
<tr>
<td>7. MR. ROBINSON: Yeah.</td>
<td>8. the United States and possible Internet attacks on</td>
<td>9. the United States and possible Internet attacks on</td>
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<td>8. CHAIRMAN MORELOCK: Yes.</td>
<td>9. boilers. And this was about the time 9/11 occurred.</td>
<td>10. boilers. And this was about the time 9/11 occurred.</td>
</tr>
<tr>
<td>9. MR. DUNNAVANT: Okay. Okay.</td>
<td>11. And then Mr. Lung -- he had mentioned</td>
<td>11. And then Mr. Lung -- he had mentioned</td>
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<td>10. MR. ROBINSON: Yeah.</td>
<td>12. to us the fact that had that location been</td>
<td>12. to us the fact that had that location been</td>
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<td>11. MR. FLOWERS: We'll be happy to do</td>
<td>13. infiltrated, they could have brought down the</td>
<td>13. infiltrated, they could have brought down the</td>
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<td>12. that and submit that --</td>
<td>14. entire building, because I think they had five</td>
<td>14. entire building, because I think they had five</td>
</tr>
<tr>
<td>13. CHAIRMAN MORELOCK: Okay.</td>
<td>15. boilers in the basement, in the mechanical room,</td>
<td>15. boilers in the basement, in the mechanical room,</td>
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<tr>
<td>14. MR. FLOWERS: -- prior to inspection.</td>
<td>16. which now tells me that if you could go to your</td>
<td>16. which now tells me that if you could go to your</td>
</tr>
<tr>
<td>15. MR. ROBINSON: You guys have 24/7</td>
<td>17. hard controls, make changes to the hard controls,</td>
<td>17. hard controls, make changes to the hard controls,</td>
</tr>
<tr>
<td>16. security as well, right, around the building?</td>
<td>18. it could be catastrophic.</td>
<td>18. it could be catastrophic.</td>
</tr>
<tr>
<td>17. MR. KINSER: We have -- Securitas is</td>
<td>19. CHAIRMAN MORELOCK: Our boiler control</td>
<td>19. CHAIRMAN MORELOCK: Our boiler control</td>
</tr>
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<td>18. in there.</td>
<td>20. system is not actually connected to the ethernet.</td>
<td>20. system is not actually connected to the ethernet.</td>
</tr>
<tr>
<td>19. MR. ROBINSON: I'm sorry?</td>
<td>21. It's not a -- it's a system that's never been -- it</td>
<td>21. It's not a -- it's a system that's never been -- it</td>
</tr>
<tr>
<td>20. MR. KINSER: Currently, they're there</td>
<td>22. doesn't have the abilities to it and we have no</td>
<td>22. doesn't have the abilities to it and we have no</td>
</tr>
<tr>
<td>21. 24/7.</td>
<td>23. intention to go ahead and put that towards ethernet.</td>
<td>23. intention to go ahead and put that towards ethernet.</td>
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<td>22. MR. ROBINSON: I'm sorry, say that</td>
<td>24. MR. FLOWERS: Yeah. It's not tied to</td>
<td>24. MR. FLOWERS: Yeah. It's not tied to</td>
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<td>23. once -- secure what?</td>
<td>25. it -- with a building management system that's on a</td>
<td>25. it -- with a building management system that's on a</td>
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<tr>
<td>24. MR. KINSER: We have Securitas. It's</td>
<td>26. network anywhere. It's about as isolated as you can</td>
<td>26. network anywhere. It's about as isolated as you can</td>
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<td>25. a --</td>
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<td>1. get with the exception of this annunciation system</td>
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<td>2. that we're talking about.</td>
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<td>3. MR. DUNNAVANT: And the location of</td>
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<td>4. the boilers themselves is within a secure area.</td>
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<td>5. It's not like someone can walk in off the street and</td>
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<td>6. get in there to the hard controls.</td>
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<td>7. MR. ROBINSON: Very well.</td>
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<td>8. MR. DUNNAVANT: Not very easily. I'm</td>
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<td>9. not saying it can't happen --</td>
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<td>10. CHAIRMAN MORELOCK: Not very easily. I'm</td>
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<td>11. not saying it can't happen --</td>
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<td>12. anything could happen. But it's not --</td>
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<td>13. MR. ROBINSON: It's going to be</td>
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<td>14. difficult.</td>
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<td>15. MR. DUNNAVANT: -- something you</td>
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<td>16. typically see.</td>
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<td>17. MR. ROBINSON: You have a 500 and a</td>
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<td>19. MR. FLOWERS: A 500 and a 300.</td>
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<tr>
<td>20. MR. DUNNAVANT: 300.</td>
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<tr>
<td>21. MR. ROBINSON: Okay. 300.</td>
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<tr>
<td>22. MR. FLOWERS: Yes, sir.</td>
</tr>
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</table>
1. CHAIRMAN MORELOCK: No, I don't think so, but it's good to know. Make sure you're not overpressuring.
2. MR. ROBINSON: Could you put your safety valves --
3. MR. FLOWERS: I will.
4. MR. ROBINSON: -- and capacity --
5. MR. DUNNAVANT: Yes. We've got that.
6. MR. ROBINSON: -- on the data sheet?
7. MR. DUNNAVANT: I don't know that we have it here, but we do have that information.
8. MR. ROBINSON: -- on the data sheet?
9. MR. DUNNAVANT: I don't know that we have it here, but we do have that information.
10. MR. FLOWERS: We have that at our shop and I'll --
11. MR. ROBINSON: And, that gives the inspector an assurance to know that you're running one at 125 and the other one at 250.
12. MR. DUNNAVANT: Oh, no. Right.
13. MR. ROBINSON: You get my point?
14. MR. FLOWERS: Yes, sir.
15. MR. ROBINSON: Because now -- if you've got an imbalance, you're going to have difficulty. Okay. And the DA tank is open-to-atmosphere?
16. MR. FLOWERS: Yes, sir. It's a pressurized DA.
17. MR. ROBINSON: Is it?
18. MR. FLOWERS: Yes, sir.
19. MR. ROBINSON: List that, as well.
20. MR. FLOWERS: Okay.
21. MR. ROBINSON: Thank you. Okay. And no more questions.
22. CHAIRMAN MORELOCK: Okay. Any other comments?
23. MR. BAUGHMAN: Yes.
25. MR. BAUGHMAN: In reference to the security personnel, from what I understand, it doesn't sound like there's typically maintenance personnel on the weekends but just security personnel?
26. MR. FLOWERS: That is correct.
27. MR. BAUGHMAN: Okay. The security personnel are manning a security station?
28. MR. FLOWERS: No. They actually are constantly moving around the facility.
29. MR. BAUGHMAN: Okay. But yet the remote monitoring is located in an area where there might not be personnel located?
30. MR. FLOWERS: That is correct. On
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<tbody>
<tr>
<td>1. would be the max --</td>
<td>1. e-stop. A limit --</td>
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<td>2. MR. DUNNAVANT: Worst case.</td>
<td>2. MR. ROBINSON: So he has to -- so</td>
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<td>3. MR. FLOWERS: -- is what we're saying. Worst case.</td>
<td>3. once he gets the alarm, he has to physically go to a panel and push an e-stop.</td>
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<td>4. MR. DUNNAVANT: Yeah, and I don't think it --</td>
<td>5. MR. DUNNAVANT: No. He -- some --</td>
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<td>5. MR. FLOWERS: But they are in the facility. But the -- as we've seen, I know there are variances. You know, on the McKee Foods in Chattanooga or Ooltewah, brings up, you know, one case where they're using a very similar system where somebody is physically not at that remote station -- that's why we've chosen the communication system that we have that will actually alert multiple cell phones. Again, if it's on the weekends, a security personnel is on duty, as well as the maintenance managers.</td>
<td>6. MR. ROBINSON: And that could take up to five minutes.</td>
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<td>7. CHAIRMAN MORELOCK: Yeah, but McKee and them also -- they do have that, but they have -- their manual says &quot;continuously monitored,&quot; and your manual does not say &quot;continuously monitored.&quot; It says it's staffed but it's not continuously monitored, and we need to see continuously monitored.</td>
<td>8. MR. DUNNAVANT: No. Some personnel would have a secure password to e-stop remotely, but that's all they can do, is an e-stop. And that e-stop can only be activated if there is a current alarm. So no one could come in and just hit that remote and e-stop the boiler. You can't just cut it off, you know, a nuisance situation or something. It has to be an incident in which an e-stop would be required.</td>
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<td>9. MR. FLOWERS: Instantaneous.</td>
<td>9. MR. ROBINSON: And you have to have a password?</td>
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<td>10. CHAIRMAN MORELOCK: However you choose to do that. We're not going to tell you how to do that.</td>
<td>10. MR. ROBINSON: And how long?</td>
</tr>
<tr>
<td>11. MR. FLOWERS: Okay.</td>
<td>11. MR. DUNNAVANT: That could be instantaneous.</td>
</tr>
<tr>
<td>12. CHAIRMAN MORELOCK: That's not our job to tell you how to do it, but you need to accommodate that.</td>
<td>12. MR. FLOWERS: Instantaneous.</td>
</tr>
<tr>
<td>13. MR. ROBINSON: Five minutes is --</td>
<td>13. MR. DUNNAVANT: As quick as you could get a text. As quick as you could receive a text.</td>
</tr>
<tr>
<td>14. CHAIRMAN MORELOCK: That's too long.</td>
<td>14. MR. ROBINSON: And you have to have a password?</td>
</tr>
<tr>
<td>15. MR. ROBINSON: It's a lot. That's a lot.</td>
<td>15. MR. ROBINSON: And how long?</td>
</tr>
<tr>
<td>16. MR. FLOWERS: Well, I -- that's five minutes physically to the boiler room. As Lional said --</td>
<td>16. MR. DUNNAVANT: No. Some personnel would have a secure password to e-stop remotely, but that's all they can do, is an e-stop. And that e-stop can only be activated if there is a current alarm. So no one could come in and just hit that remote and e-stop the boiler. You can't just cut it off, you know, a nuisance situation or something. It has to be an incident in which an e-stop would be required.</td>
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<td>17. CHAIRMAN MORELOCK: Right.</td>
<td>17. MR. ROBINSON: And you have to have a password?</td>
</tr>
<tr>
<td>18. MR. FLOWERS: -- the communication system will let us hit an e-stop --</td>
<td>18. MR. DUNNAVANT: Yes.</td>
</tr>
<tr>
<td>19. MR. DUNNAVANT: Immediately.</td>
<td>19. MR. ROBINSON: And how long?</td>
</tr>
<tr>
<td>20. MR. FLOWERS: -- immediately, just as if we were there. I understand --</td>
<td>20. MR. DUNNAVANT: No. Some personnel would have a secure password to e-stop remotely, but that's all they can do, is an e-stop. And that e-stop can only be activated if there is a current alarm. So no one could come in and just hit that remote and e-stop the boiler. You can't just cut it off, you know, a nuisance situation or something. It has to be an incident in which an e-stop would be required.</td>
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<tr>
<td>21. MR. ROBINSON: Are you saying he has a remote; that once the alarm goes off, he could activate the remote and that kills the boiler?</td>
<td>21. CHAIRMAN MORELOCK: Well, I'm just going to maintain my statement. I'm going to leave it up to you. You need continuous monitoring -- remote monitoring of the boiler.</td>
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<td>22. MR. DUNNAVANT: No. The boiler's already down. The boiler is already down in an e-stop. A limit --</td>
<td>23. CHAIRMAN MORELOCK: Or the 20-minute rule. And I'm going to leave that up to you. Okay?</td>
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<td>23. CHAIRMAN MORELOCK: Uh-huh.</td>
<td>24. MR. FLOWERS: And when you say continuous monitoring of the boiler, you mean of the remote station?</td>
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<td>24. CHAIRMAN MORELOCK: Okay.</td>
<td>25. CHAIRMAN MORELOCK: Because with the</td>
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1. 20-minute rule, you've got your boiler attendant
2. checking it every 20 minutes with the remote, you've
3. got a continuously manned remote monitoring system
4. with the boiler attendant checking the boiler every
5. four hours. So you've got to satisfy those
6. requirements.
7. MR. FLOWERS: Okay.
8. CHAIRMAN MORELOCK: Okay?
9. MR. FLOWERS: Could that --
10. CHAIRMAN MORELOCK: I'll leave that
11. up to you. Yes?
12. MR. HARGROVE: Just for
13. clarification, when the alarm -- when there is an
14. alarm, I heard a statement said that a text is sent
15. to who to respond?
16. MR. FLOWERS: That would be the --
17. whoever has the responsibility for the boiler during
18. that time. During regular hours, production hours,
19. it is the maintenance staff, or on the weekends, it
20. is the security personnel.
21. MR. HARGROVE: So the alarm system
22. sends a text.
23. MR. DUNNAVANT: Yeah. It's many
24. forms of communication. It could be a text, an
25. e-mail; there's -- I mean, there's probably 10

1. different ways you could do it. It could actually
2. be an old-fashioned phone call explaining what limit
3. tripped and why the boiler was down. There's
4. several different ways they could be notified.
5. But it would be the responsible
6. person or personnel on duty at that time, because
7. there are swing shifts involved. That's why it's
8. difficult to say, okay, it's Bob -- you know, to
9. so-and-so to so-and-so, because there's going to
10. be a lot of training involved to make sure
11. everybody's on board.
12. MR. HARGROVE: Okay. All right.
13. Thank you, sir.
14. MR. FLOWERS: Yeah, and I do
15. understand your point. I would like to make one
16. comment that the way that we've got this system set
17. up actually reacts a little bit quicker than if
18. someone were implementing the 20-minute rule.
19. CHAIRMAN MORELOCK: Right.
20. MR. FLOWERS: So we feel like we've
21. met the criteria. We'll be glad to, I guess,
22. clarify that in the manual about how we will address
23. that issue.
24. CHAIRMAN MORELOCK: Well, I mean, I
25. understand your point. You're saying that this

1. notification is faster than 20 minutes, but when
2. you're using the variance, the 20-minute rule has
3. been set aside to have continuous monitoring.
4. MR. FLOWERS: That's correct.
5. CHAIRMAN MORELOCK: So -- because
6. with that logic, we could say, as long as the remote
7. monitor acts in 20 minutes, we're okay, and
8. that's --
9. MR. DUNNAVANT: Right.
10. MR. FLOWERS: No, no. No, no.
11. CHAIRMAN MORELOCK: -- not what we're
12. going to say.
13. MR. FLOWERS: No, and I don't mean --
14. I guess the question that I would have is, what
15. would you consider continuous monitoring? Because
16. we, I guess, sort of interpret this control system
17. that we're using with instant notification as
18. continuous monitoring.
19. CHAIRMAN MORELOCK: Well, the control
20. system is doing its job. No doubt about that. But
21. you have a remote monitoring station that's part of
22. that, and it has to be manned continuously in some
23. shape, form, or fashion so that when something
24. occurs, there's somebody to react to it. And, see,
25. their reaction then triggers something to the boiler

1. attendant that he's going to have anywhere from a
2. minute to three minutes to get to the boiler room.
3. So, you know, with a text or an
4. e-mail or something like that -- I mean, to me,
5. this guy would have to be walking around looking
6. at his phone all the time. I mean, because I get
7. texts and e-mails but sometimes I don't check them
8. for an hour later. You know? I mean, so I
9. understand what you're doing, but I think in the
10. interest of safety and maintaining the boiler, you
11. just need to -- however you want to show that, but
12. you need to show that somebody is continually
13. manning your remote monitoring station.
14. MR. DUNNAVANT: Well, that would
15. technically be part of his job.
16. CHAIRMAN MORELOCK: Yes.
17. MR. FLOWERS: Yeah. And that will be
18. a dedicated device.
19. CHAIRMAN MORELOCK: And that goes
20. back to -- right.
21. MR. FLOWERS: It won't be somebody's
22. cell phone.
23. CHAIRMAN MORELOCK: That goes back to
24. adding --
25. MR. FLOWERS: It's a dedicated
1. device --
2. CHAIRMAN MORELOCK: Yeah.
3. MR. FLOWERS: -- specifically for
4. this purpose.
5. CHAIRMAN MORELOCK: Yeah. Yeah. So
6. I mean, you could have -- you know, you can have
7. people rotate in and out of the monitoring
8. station --
9. MR. DUNNAVANT: Right.
10. MR. FLOWERS: Okay.
11. CHAIRMAN MORELOCK: -- but it's
12. continuously monitored throughout the day,
13. throughout the shift.
14. MR. FLOWERS: Okay. All right.
15. CHAIRMAN MORELOCK: And that's what
16. you see with -- McKee even has that. So again,
17. we're not going to tell you how to ride it, but
18. just -- we just want -- we're going to clarify
19. that and it's being captured in the minutes that
20. that's one of our comments about your manual. So --
22. CHAIRMAN MORELOCK: Okay? Yes?
23. MR. BAUGHMAN: Just thinking of a
24. scenario, Lional and David, yourself. And my only
25. issue's on the weekends, not so much during the

1. week. But on the weekends where there's security
2. personnel and not so much maintenance personnel
3. available, should there be an alarm or a -- any kind
4. of incident where something goes on with the boiler,
5. the security personnel have the ability and all to
6. shut things down. Who then, though, goes in and
7. identifies the problem? Because that boiler's not
8. supposed to come back on until the situation has
9. been identified and rectified, not so much just
10. reset, but figured out what's gone on. Who does
11. that during that period of time on the weekend?
12. MR. KINSER: That would be either the
13. supervisor or it might be the plant -- the manager,
14. the maintenance manager and/or anybody else that's
15. qualified to go in there. And in a lot of cases, we
16. have folks that are on call in the maintenance
17. department and we might have one or two that, you
18. know, they have to choose. If they couldn't get
19. ahold of this one, they go down the list and say, we
20. need somebody in here to come in.
21. And it's not uncommon that we have --
22. we have one new refrigeration system that has the
23. same type of thing where we have to have these
24. same people that walk around and make sure
25. everything's running the way it should be running.

1. and we -- basically, this same procedure we do
2. with that would be with the boilers (verbatim).
3. MR. BAUGHMAN: Got you.
4. MR. FLOWERS: Yeah, in no time would
5. security personnel ever be responsible for
6. restarting the boilers.
7. MR. DUNNAVANT: No.
8. MR. BAUGHMAN: You knew that's what
9. was coming. Okay.
10. MR. FLOWERS: Yeah. At no time --
11. MR. BAUGHMAN: All right.
12. MR. FLOWERS: They have one job.
14. MR. FLOWERS: That is to hit an
15. e-stop and then the normal maintenance folks step
16. in.
17. MR. BAUGHMAN: Good. Then my next
18. question would be, it sounds like at times there may
19. not be personnel on site, that they would be called
20. to come in from off site to then identify it.
21. During that period of time, that boiler would
22. operate under the 20-minute rule by somebody
23. qualified; is that correct?
24. MR. KINSER: That would be correct.
25. MR. FLOWERS: That is correct. Yeah.
1. the e-stop and know what that's all about? Because
2. I know, from my experience, subcontracted security
3. personnel rotate out quite often. And so how do
4. they -- how do you ensure their training?
5. MR. FLOWERS: We'll be working with
6. that vendor as Mayfield will, obviously to -- those
7. folks will go through the same exact training on the
8. variance that the employees do. And at no time
9. would any security personnel on site that is not
10. trained in the variance be responsible for it.
11. MR. FLOWERS: We've got a training
12. sheet in the back and we will document it there.
13. There's not a -- I'm aware of a certification. We
14. will do the training with Mayfield and with the
15. security company.
16. MR. PISCHKE: And that goes with new
17. employees, as well?
18. MR. FLOWERS: Yes, sir.
19. MR. ROBINSON: Yes, sir.
20. MR. FLOWERS: Absolutely. At no time
21. will anybody who has not been -- gone through this
22. training on this manual ever be in a position to
23. operate under the variance.
24. MR. PISCHKE: Okay. Thank you. That
25. should be clarified a little more.
26. MR. ROBINSON: Yeah. I was just
27. looking in your manual just to see exactly. I think
28. it's page 40 for your training program. It doesn't
29. say security.
30. MR. FLOWERS: Well, this is -- this
31. section pertains to the employees and their general
32. training, not the general training on the --
33. CHAIRMAN MORELOCK: That's the boiler
34. attendant. Page 41 would be the --
35. MR. FLOWERS: Not the variance
36. training.
37. CHAIRMAN MORELOCK: -- remote
38. monitoring.
39. MR. CHAPMAN: Oh, this is the
40. maintenance people.
41. MR. PISCHKE: That's why I was
42. wondering if --
43. MR. ROBINSON: Okay.
44. MR. PISCHKE: -- you could expand
45. on --
46. MR. ROBINSON: Yeah, that last
47. statement to that last paragraph, you've got,
1. CHAIRMAN MORELOCK: Okay. All right.
2. I've just got a few editorial comments to make.
3. With the issuance of our latest revision to Rule 0800-03-03, Rule 22 is now 0800-03-03-.08 11A instead of Rule 22. So you'll just need to update your manual to show the new --
4. MR. FLOWERS: Is that on page nine
5. we're talking about there?
6. CHAIRMAN MORELOCK: Yes. And in the cover letter and --
7. MR. DUNNAVANT: All of it.
8. CHAIRMAN MORELOCK: Yeah. All instances of that where it would occur. So you'll just need to update with the correct rule.
9. MR. FLOWERS: Okay.
10. CHAIRMAN MORELOCK: And that -- like I said, that just was -- went into effect in September, so I understand.
11. MR. FLOWERS: Well, we were working on this one for a while. So -- but I'll be glad to get that changed.
12. CHAIRMAN MORELOCK: Okay. As far as the checklist, Item 11, who has responsibility to keep the manual current, page nine and page 35 contradict each other as to who is going to be responsible. You've got Mr. Kinser being responsible and then you've also got --
13. MR. FLOWERS: Mike McGrew?
14. CHAIRMAN MORELOCK: Yeah. So --
15. MR. ROBINSON: That's on page 39?
16. CHAIRMAN MORELOCK: That's on page 39?
17. MR. FLOWERS: Okay. Just page nine and page 35. Just -- like I said, it's an editorial. You just make sure it's consistent on who's responsible. On your power piping sketch on page 21, it just needs to be labeled as a power piping system, feed system. The sketch is there.
18. It just doesn't have a title to it.
19. Let's see. You've addressed the training concerns, and we've already talked about all the other things. We want to make sure that the remote attendant cannot be called away. You have somebody there continuously. You need to add maintenance personnel to your organizational chart and to the job descriptions.
20. On page nine, you show the distance between the remote monitor and the boilers as 150 feet. Page 22 and 34 say it's 100 yards, so you -- again, you've got some inconsistency there.
21. MR. FLOWERS: And what may have happened there is we changed where that station was located.
22. CHAIRMAN MORELOCK: Okay. And what may have happened there is we changed where that station was located.
23. MR. ROBINSON: One request. Page 41.

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22. CHAIRMAN MORELOCK: Okay. And what may have happened there is we changed where that station was located.
23. MR. ROBINSON: One request. Page 41.
I see training should be conducted by Mr. Rick Kinser. Could you put in there the responsibility -- this training should be conducted and the responsibility of -- this ties the loophole between security.

MR. DUNNAVANT: Okay.

MR. ROBINSON: -- and whoever else comes in there because it's his responsibility.

MR. DUNNAVANT: Trained by and responsibility of.

MR. ROBINSON: So if it's not done --

MR. FLOWERS: Okay.

MR. ROBINSON: -- at least we know.

CHAIRMAN MORELOCK: Anything else?

MR. ROBINSON: Motion to vote?

CHAIRMAN MORELOCK: Yes, sir.

MR. PISCHKE: Second.

CHAIRMAN MORELOCK: Okay. So I need a motion. Or I need a little more detail than that.

MR. ROBINSON: Motion to vote based on discussion and contingency comments --

CHAIRMAN MORELOCK: To approve --

you're going to vote to approve?

1. you'll be good to go.
2. MR. FLOWERS: Absolutely. I'll have a copy of it beforehand.
3. CHAIRMAN MORELOCK: Okay. All right.
4. Thank you, gentlemen.
5. MR. FLOWERS: All right. Thank you.
6. MR. DUNNAVANT: Thank you.
7. CHAIRMAN MORELOCK: All right. Our next item is 16-17, Buckman Laboratories.
8. Mr. Swezy, you can come and present. Are there any conflicts of interest on this item? Okay. There are none. So Mr. Swezy, you're free to proceed.
9. MR. SWEZY: I have the member sign-in sheet. I don't know who that goes to.
10. MS. BENNETT: Thank you.
11. MR. SWEZY: Well, good morning, members of the Board. Thank you for allowing me to come before you this morning. My pleasure to reappear again after my visit last June.
12. THE REPORTER: Could you please state your name?
13. MR. SWEZY: John Swezy, and I'm president of Boiler Code Tech, LLC. And I'm here representing Buckman Laboratories in Memphis, Tennessee.
14. This particular appearance is to do a number of things, to, first of all, revise an existing variance that they have in place, and, second of all, to renew this variance. And let me just be real up front with you. Okay? This company recognized that this variance needed to be revised. They also recognized that it had not been renewed since the last time it was approved in 2008. And so there are two reapproval cycles that did not take place because of changes of management, organizational structure, and ownership of equipment that caused that to lapse and not be recognized as something that was necessary.
15. And so after making them aware of that, I told them that I'm going to have to plead a mea culpa when I appear before this Board and let you folks know that right up front. And they clearly recognized that was an oversight on their part and they are very much recognizing that it needs to be set right. And so that's part of what we're here to do today.
The other thing I will let you know up front is that in the process of preparing for this meeting, I reviewed the manual that was submitted and found some significant areas that needed to be addressed. And one of them is the addition of a power piping diagram that needs to appear in the manual. And so I've revised the manual to add that, and I'm going to hand out some copies to you all to refer to during this discussion.

And the second one is the fact that the checklist that's in Appendix H of this manual was an old version. It was Revision four, which is not up to date. And so I've prepared a new Revision nine version of that checklist. And so with your permission, I'd like to hand out those additions to the existing manual you have in front of you now.

And again, I apologize for bringing that material to you at this late date. The condition of this manual when I received it for updating was not good. So it was something that was overlooked and so we are addressing it now.

There are a couple of other minor revisions that I would like to read in for you to mark up the existing copy that you have. If you could please -- if you would turn to page five, on page five of the manual where it talks about training, the first sentence has been revised to be conducted on an annual basis. It's not currently part of the manual you have now. So if you would just annotate that that first sentence has been revised to require annual refresher training on this manual.

And then in Appendix A, the boiler data sheet, page A1, you'll see the boilers listed that are currently intended to be addressed by this variance. The third column on the -- I'm sorry. The fourth column on the far right where it says, Cleaver-Brooks Boiler National Board number 19304, I had incorrectly listed the Tennessee registration number as not having the letter T in front of it. And so if you would add the letter T in front of 107596, that would correct that page, as well.

And again, those are corrected in a revised copy of this manual, but rather than just hand you a whole new manual, well, I figured it was better to just read in those changes and then give you those pages that I just handed out.

Okay. So having said that, let me talk a little bit about what we're doing here. There are two existing boilers, a Foster Wheeler boiler and a Cleaver-Brooks 600-horsepower boiler, that have been installed and operating with remote operating stations under a previously approved variance that was last addressed by this Board in 2008. That system is still in place and still being operated.

And a new boiler was added to it within the last year, another Cleaver-Brooks, this one a 350-horsepower unit. And that boiler has been inspected for installation and approval by the State. It's been issued a Tennessee number and a licensing -- I'm sorry, an operating permit. And that boiler has since been tied into this remote operating system, as well, but it's currently not being operated pending approval of this variance with the remote operational requirements.

It's intended to be a backup boiler, and it was added for additional capacity in the event that the Foster Wheeler boiler has to go down because of its age. It would keep the 600-horsepower boiler from being overworked any more than necessary. And so this is a -- not only a contingent boiler, but it's also a boiler that might be used in the event of a need for expanded capacity at some point in the near future until other arrangements could be made.

And that boiler has since been tied into this operating system, as well, but it's currently not being operated pending approval of this variance with the remote operational requirements.

And so the intent, then, of this revised variance, then, is to add that boiler to the existing variance and to have that variance now be renewed properly at this point in time and then be subsequently renewed from this point forward on the three-year interval as specified by your law.

With that explanation, I guess the best thing for me to do at this point would be to throw it open for you to make comments, ask questions based upon the review of the manual that you were sent with the additions in the handout that I've passed around.

CHAIRMAN MORELOCK: Okay. Do I have a motion for discussion?
1. the boiler operator must be gone for more than 20
2. minutes, a security person who is stationed at the
3. boiler room has been trained to shut down the
4. boiler through an emergency stop system in the
5. event of an alarm condition. So the condition is,
6. in some ways, probably overly conservative, in
7. that it puts the boiler in a shutdown, safe
8. condition rather than trying to address
9. immediately the cause of the alarm condition,
10. because of the fact that there's not a boiler
11. operator present in the boiler room to do so at
12. all times --
13. MR. HARGROVE: Okay.
14. MR. SWEZY: -- unless we're under the
15. 20-minute rule. Okay? I don't -- I hope that
16. answered your question.
17. MR. HARGROVE: Yeah. It did. And
18. also, the personnel involved. I heard security
19. officer and the control monitor, as you --
20. MR. SWEZY: Right. The boiler
21. operators are first-class licensed operators.
22. MR. HARGROVE: First-class? Okay.
23. MR. SWEZY: And so even when we're
24. under the remote operating rule, one of those is on
25. shift at all times. And every four hours, as a

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<td>1. MR. ROBINSON: Motion to discuss.</td>
<td>1. if necessary, for that system that you have?</td>
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<tr>
<td>2. CHAIRMAN MORELOCK: Second?</td>
<td>2. MR. HARGROVE: First question:</td>
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<tr>
<td>3. MR. BAUGHMAN: Second.</td>
<td>3. MR. HARGROVE: Second?</td>
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<tr>
<td>4. CHAIRMAN MORELOCK: Okay. The</td>
<td>4. MR. ROBINSON: Any conflicts?</td>
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<tr>
<td>5. floor's open.</td>
<td>5. MR. ROBINSON: Any -- we did</td>
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<tr>
<td>6. MR. ROBINSON: Any conflicts?</td>
<td>6. CHAIRMAN MORELOCK: Okay. The</td>
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<tr>
<td>7. CHAIRMAN MORELOCK: Any -- we did</td>
<td>7. floor's open.</td>
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<tr>
<td>8. that. I remembered. Any comments?</td>
<td>8. Mr. Swezy, could you, just for understanding and</td>
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<tr>
<td>9. MR. HARGROVE: First question:</td>
<td>9. clarification, describe the remote monitoring system</td>
</tr>
<tr>
<td>10. Mr. Swezy, could you, just for understanding and</td>
<td>10. in terms of its components and e-stop requirements,</td>
</tr>
<tr>
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<td>11. if necessary, for that system that you have?</td>
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<tr>
<td>12. in terms of its components and e-stop requirements,</td>
<td>12. MR. HARGROVE: Right. If you will look</td>
</tr>
<tr>
<td>13. if necessary, for that system that you have?</td>
<td>13. at Appendix B, it gives you a detailed description</td>
</tr>
<tr>
<td>14. MR. SWEZY: Right. If you will look</td>
<td>14. of the burner controllers, the communication</td>
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<tr>
<td>15. at Appendix B, it gives you a detailed description</td>
<td>15. systems, the UHF communications between the boiler</td>
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<td>16. of the burner controllers, the communication</td>
<td>16. operator and the remote operating station, and the</td>
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<tr>
<td>17. systems, the UHF communications between the boiler</td>
<td>17. integrated control system. And these are all fairly</td>
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<td>18. operator and the remote operating station, and the</td>
<td>18. common for Cleaver-Brooks boiler operations. The</td>
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<tr>
<td>19. integrated control system. And these are all fairly</td>
<td>19. Hawk system is well-known among Cleaver-Brooks</td>
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<td>20. common for Cleaver-Brooks</td>
<td>20. boiler operators.</td>
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<tr>
<td>21. Hawk system is well-known among Cleaver-Brooks</td>
<td>21. And again, in Appendix C, it gives</td>
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<td>22. boiler operators.</td>
<td>22. you a list of all of the faults that the Hawk</td>
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<td>23. And again, in Appendix C, it gives</td>
<td>23. system will identify and provide safety functions</td>
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<td>24. you a list of all of the faults that the Hawk</td>
<td>24. and annunciation to the remote operating station</td>
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<td>25. system will identify and provide safety functions</td>
<td>25. to let the remote operator know what's going on</td>
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<td>26. to let the remote operator know what's going on</td>
<td>26. with the boiler.</td>
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<td>27. with the boiler.</td>
<td>27. The way this system works is if an</td>
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<td>28. The way this system works is if an</td>
<td>28. alarm condition happens, the remote operator has</td>
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<tr>
<td>29. alarm condition happens, the remote operator has</td>
<td>29. been trained to shut the boiler down and contact</td>
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<td>30. been trained to shut the boiler down and contact</td>
<td>30. the boiler operator. And the boiler operator is</td>
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<td>31. the boiler operator. And the boiler operator is</td>
<td>31. then to dispatch himself to the boiler room to</td>
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<tr>
<td>32. then to dispatch himself to the boiler room to</td>
<td>32. identify the cause of the condition, clear the</td>
</tr>
<tr>
<td>33. identify the cause of the condition, clear the</td>
<td>33. cause, if possible, and then notify the remote</td>
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<td>34. cause, if possible, and then notify the remote</td>
<td>34. operating station to put a restart permissive</td>
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<tr>
<td>35. operating station to put a restart permissive</td>
<td>35. switch in position to allow the boiler to be</td>
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<tr>
<td>36. switch in position to allow the boiler to be</td>
<td>36. restarted by the operator in the boiler room.</td>
</tr>
<tr>
<td>37. restarted by the operator in the boiler room.</td>
<td>37. Okay?</td>
</tr>
<tr>
<td>38. Okay?</td>
<td>38. Now, if this fault condition, then,</td>
</tr>
<tr>
<td>39. Now, if this fault condition, then,</td>
<td>39. occurs and the boiler is shut down from the remote</td>
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<tr>
<td>40. occurs and the boiler is shut down from the remote</td>
<td>40. operating station, the boiler operator has one</td>
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<td>41. operating station, the boiler operator has one</td>
<td>41. minute to respond and get to the boiler operating</td>
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<tr>
<td>42. minute to respond and get to the boiler operating</td>
<td>42. room in order to address the situation at hand.</td>
</tr>
<tr>
<td>43. room in order to address the situation at hand.</td>
<td>43. Any time any of the boilers are operating, the</td>
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<tr>
<td>44. Any time any of the boilers are operating, the</td>
<td>44. remote station is always manned. If for some</td>
</tr>
<tr>
<td>45. remote station is always manned. If for some</td>
<td>45. reason it cannot be manned, then the 20-minute</td>
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<tr>
<td>46. reason it cannot be manned, then the 20-minute</td>
<td>46. rule applies and the boiler operator is in the</td>
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<tr>
<td>47. rule applies and the boiler operator is in the</td>
<td>47. operating room.</td>
</tr>
<tr>
<td>48. operating room.</td>
<td>48. If for some reason in that condition</td>
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<td>1. and annunciation to the remote operating station</td>
<td>1. minimum, we'll go to the boiler room and check</td>
</tr>
<tr>
<td>2. to let the remote operator know what's going on</td>
<td>2. everything, in addition to the continuous remote</td>
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<td>3. with the boiler.</td>
<td>3. operating taking place.</td>
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<tr>
<td>4. The way this system works is if an</td>
<td>4. If for some reason the communication</td>
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<td>5. alarm condition happens, the remote operator has</td>
<td>5. says remote operating center is not operative or</td>
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<td>6. been trained to shut the boiler down and contact</td>
<td>6. there's some other unusual situation where remote</td>
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<td>7. the boiler operator. And the boiler operator is</td>
<td>7. monitoring is not possible, then the boiler</td>
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<td>8. then to dispatch himself to the boiler room to</td>
<td>8. operator mans the boiler under the 20-minute rule.</td>
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<td>9. identify the cause of the condition, clear the</td>
<td>9. And if, for any reason, he cannot be back every 20</td>
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<td>10. cause, if possible, and then notify the remote</td>
<td>10. minutes to check, the security officer has a</td>
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<td>11. operating station to put a restart permissive</td>
<td>11. backup responsibility of initiating a shutdown in</td>
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<td>12. switch in position to allow the boiler to be</td>
<td>12. the case of a boiler alarm condition. But that's</td>
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<td>13. restarted by the operator in the boiler room.</td>
<td>13. his only trained function, is to put it in</td>
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<tr>
<td>14. Okay?</td>
<td>14. shutdown condition through the emergency stop</td>
</tr>
<tr>
<td>15. Okay?</td>
<td>15. system.</td>
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<tr>
<td>16. Now, if this fault condition, then,</td>
<td>16. MR. HARGROVE: And either of those</td>
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<td>17. occurs and the boiler is shut down from the remote</td>
<td>17. individuals, I see -- like you have described in</td>
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<tr>
<td>18. operating station, the boiler operator has one</td>
<td>18. Appendix B, they may have a portable radio or pager</td>
</tr>
<tr>
<td>19. minute to respond and get to the boiler operating</td>
<td>19. or communication?</td>
</tr>
<tr>
<td>20. room in order to address the situation at hand.</td>
<td>20. MR. SWEZY: Right. It's a direct</td>
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<tr>
<td>21. Any time any of the boilers are operating, the</td>
<td>21. communication system. It's not a cell phone. It's</td>
</tr>
<tr>
<td>22. remote station is always manned. If for some</td>
<td></td>
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<tr>
<td>23. reason it cannot be manned, then the 20-minute</td>
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<tr>
<td>24. rule applies and the boiler operator is in the</td>
<td></td>
</tr>
<tr>
<td>25. operating room.</td>
<td>25. MR. HARGROVE: Yes, sir. Thank you,</td>
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<td>Page 70</td>
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<td>---</td>
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<tr>
<td>1. sir.</td>
<td>1. system and verified that to be 100 percent accurate,</td>
</tr>
<tr>
<td>2. CHAIRMAN MORELOCK: Any other</td>
<td>2. but it's been the report of the owner that that is</td>
</tr>
<tr>
<td>3. comments?</td>
<td>3. the case.</td>
</tr>
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<td>5. of control -- for one -- I'll revise that. The last</td>
<td>5. brought this up in the first place?</td>
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<tr>
<td>6. variance was 2008?</td>
<td>6. MR. SWEZY: Well, when I came before</td>
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<td>7. MR. SWEZY: That's the last time that</td>
<td>7. you folks in June for a couple of State specials,</td>
</tr>
<tr>
<td>8. it was brought before this Board, because of their</td>
<td>8. when I reported back to the owner, he said, we've</td>
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<tr>
<td>9. revision to their variance that installed this</td>
<td>9. got another issue we've identified that we need to</td>
</tr>
<tr>
<td>10. system that we're now talking about.</td>
<td>10. deal with, and he began to tell me that they had</td>
</tr>
<tr>
<td>11. MR. BAUGHMAN: Sir, are we still</td>
<td>11. this variance that had been in place for a while.</td>
</tr>
<tr>
<td>12. talking about a revision to a variance? Or since</td>
<td>12. They had added a new boiler and connected it to the</td>
</tr>
<tr>
<td>13. this is eight years since it's been presented, are</td>
<td>13. system and he wanted to be able to operate it under</td>
</tr>
<tr>
<td>14. we needing to look at this as a new variance? How</td>
<td>14. the same variance conditions. And so I said, okay.</td>
</tr>
<tr>
<td>15. long does a variance go before we consider it new</td>
<td>15. Well, send me the information. Let me see what</td>
</tr>
<tr>
<td>16. instead of a --</td>
<td>16. you've got and let me see what we've got to do.</td>
</tr>
<tr>
<td>17. MR. HARGROVE: Revised.</td>
<td>17. So they sent me this manual that was</td>
</tr>
<tr>
<td>18. MR. BAUGHMAN: -- revised?</td>
<td>18. just a complete disaster. It just wasn't well put</td>
</tr>
<tr>
<td>19. CHAIRMAN MORELOCK: Well, based on</td>
<td>19. together. And in fact, the quality of the images</td>
</tr>
<tr>
<td>20. history, which is all I can give you, we have some</td>
<td>20. and the text and everything was just unbelievably</td>
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<td>21. variances that are very old, that the State has been</td>
<td>21. bad. So I went through the process of rewriting</td>
</tr>
<tr>
<td>22. giving them some grace to renew them without having</td>
<td>22. the manual based on my understanding of what was</td>
</tr>
<tr>
<td>23. to submit a new variance and a new manual if there's</td>
<td>23. in the original manual and sent it back to them</td>
</tr>
<tr>
<td>24. no technical changes. Any technical changes, any</td>
<td>24. for review and comment, and they said, yes, you've</td>
</tr>
<tr>
<td>25. updates have to come before the Board.</td>
<td>25. captured it accurately, including the new boiler</td>
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<tr>
<td>1. MR. BAUGHMAN: Technical changes</td>
<td>1. that we've added, and so we believe we're ready to</td>
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<tr>
<td>2. being equipment --</td>
<td>2. proceed.</td>
</tr>
<tr>
<td>3. CHAIRMAN MORELOCK: Controls.</td>
<td>3. And I said, so, okay, next question.</td>
</tr>
<tr>
<td>4. MR. BAUGHMAN: -- upgrades --</td>
<td>4. When was the last time this variance was renewed?</td>
</tr>
<tr>
<td>5. CHAIRMAN MORELOCK: Right.</td>
<td>5. And they said, well, we had just recently come to</td>
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<tr>
<td>6. MR. BAUGHMAN: Okay.</td>
<td>6. understand that it should have been renewed in</td>
</tr>
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<td>7. CHAIRMAN MORELOCK: Yes. Yeah.</td>
<td>7. 2011 and 2014, and it was not. And I said, well,</td>
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<tr>
<td>8. MR. BAUGHMAN: So then to that</td>
<td>8. thank you. Now I get to present that aspect to</td>
</tr>
<tr>
<td>9. followup, has there been any control changes? I.e.,</td>
<td>9. the Board, as well.</td>
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<tr>
<td>10. question on the Foster Wheeler: Given it's 1960 and</td>
<td>10. So, you know, I get to be the</td>
</tr>
<tr>
<td>11. it's still operational, what controls does it have</td>
<td>11. reluctantly martyred messenger, if you will, to</td>
</tr>
<tr>
<td>12. on it?</td>
<td>12. bring that fact to your attention. But your</td>
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<tr>
<td>13. MR. SWEZY: The same ones that were</td>
<td>13. question that you asked the Chair before was a</td>
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<td>14. identified in the 2008 variance that was approved.</td>
<td>14. very good one. It was my understanding that this</td>
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<tr>
<td>15. MR. BAUGHMAN: Okay. So no control</td>
<td>15. was only going to be a revision to an existing</td>
</tr>
<tr>
<td>16. changes have been made since 2008; no revisions, no</td>
<td>16. variance, but now it carries a different flavor</td>
</tr>
<tr>
<td>17. upgrades, parts being obsoleted, needing to be</td>
<td>17. because it has missed two renewal cycles. So it's</td>
</tr>
<tr>
<td>18. upgraded, so forth.</td>
<td>18. probably an appropriate question to ask: Is this</td>
</tr>
<tr>
<td>19. MR. SWEZY: That's my understanding.</td>
<td>19. a new variance or is this a revisal of an existing</td>
</tr>
<tr>
<td>20. yes, sir.</td>
<td>20. variance?</td>
</tr>
<tr>
<td>21. MR. BAUGHMAN: That's your</td>
<td>21. MR. BAUGHMAN: And you didn't --</td>
</tr>
<tr>
<td>22. understanding. Okay.</td>
<td>22. MR. SWEZY: And that's a question I'm</td>
</tr>
<tr>
<td>23. MR. SWEZY: Now, when I say, that's</td>
<td>23. not equipped to answer, to be honest with you.</td>
</tr>
<tr>
<td>24. my understanding, I'm saying that based on the fact</td>
<td>24. MR. BAUGHMAN: Excuse me. I didn't</td>
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<td>25. that I have not personally put my eyeball on the</td>
<td>25. mean to step on you there. You reviewed their</td>
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CHAIRMAN MORELOCK: Yeah. I've --
MR. SWEZY: Based upon the
CHAIRMAN MORELOCK: Okay.
MR. SWEZY: And you said it was --
CHAIRMAN MORELOCK: Yes.
MR. BAUGHMAN: Yes.
MR. SWEZY: All you said was --
CHAIRMAN MORELOCK: It was a mess because of
the legibility of the document and some of the
information in it was just -- the syntax of the
sentences and the formatting were just awful. And
it needed a lot of clean-up work. It had all the
right elements in it; it just did not present well.
MR. BAUGHMAN: Is this the manual that was approved in 2008?
MR. SWEZY: The copy of the manual that was approved in 2008. And that's the problem,
is that original manual, the one that they sent me,
was a very botched-up pdf. And so I had a lot of
work to do to get it in a functional manual to where
you've got in front of you right now.
MR. BAUGHMAN: Wow.
MR. SWEZY: And all the words were there, like I said. It just was not -- it wasn't pretty and it didn't read well, because it didn't flow very good.
MR. BAUGHMAN: I understand. And I got to say, I appreciate your candor in discussing this very much. That's somewhat bothersome to me, but it is what it is.
CHAIRMAN MORELOCK: Well, before we leave that, it would be interesting to know if the Board comments from 2008 were incorporated into the manual that you had given to you to do this addition of the boiler, because that's -- you know, the manuals come to us, go through this process, we make comments; approval is contingent upon a site visit. But just as we told Mayfield, they have to go back and revise that manual. Now, we don't go back and look at that revised manual. We leave that with the site inspection. So it could be that what they sent you was what they sent to us, and if you -- our minutes are public documents. You could go out and look at the 2008 minutes and see what our comments were on that 2008 manual.
MR. SWEZY: And to my understanding, those comments were implemented.
CHAIRMAN MORELOCK: Okay.
MR. SWEZY: Based upon the information that I was given.
CHAIRMAN MORELOCK: Yeah. I've --
MR. TOOTH: Mr. Chairman, when I was Chief, we used to keep an actual copy of the manual from the inspection. So it should be -- if that was still followed --
CHAIRMAN MORELOCK: Right.
MR. TOOTH: -- after I left in late 2007, there should be a copy of that inspection manual somewhere on the premises.
THE REPORTER: I'm sorry, what is your name?
MR. TOOTH: Oh, I'm sorry.
Marty Toth, T-O-T-H.
MR. SWEZY: And I had a copy that I could have presented along with the one that I did today, but I thought, what is the use to see this --
CHAIRMAN MORELOCK: Yeah.
MR. SWEZY: -- manual that just does not present well?
CHAIRMAN MORELOCK: Well, and just for public knowledge and public record, Sam and Deborah are -- they've developed a spreadsheet for the variances. They are doing a great job of getting all those caught up. And we have not written anything into the guidelines that tells you what happens if you don't renew your variance.
CHAIRMAN MORELOCK: Okay.
MR. SWEZY: -- 110(f), we do have a little more teeth in that now, because that makes a blanket statement about variances in 68-122-110(f), which was added last year.
So my -- I say all that to say this:
The Boiler Unit is getting this under control.
Moving forward, yes, variances need to be renewed every three years or you have to come back with a new variance. But we're giving some grace to some of these old variance holders to let them get their program up to date, get it to us, get it to the Boiler Unit, and then moving forward, everybody's on a level playing field on what the requirements are. And so that's kind of a status as to where we're at.
MR. SWEZY: Well -- and I appreciate that. And when I spoke with the contact at Buckman last week, I told him -- I said, I don't know what the outcome of this is going to be. You may be subjected to some kind of penalties or fines or whatever. I don't know, because I can't find anything in the boiler law that tells me that such a
1. process is in place.
2. CHAIRMAN MORELOCK: Well, and
3. again -- and, you know, to answer that is, the only
4. penalties and teeth in the law is if you operated a
5. pressure vessel or a boiler above its stamped MAWP
6. or you operate a boiler or an unfired pressure
7. vessel without a valid certificate of inspection.
8. Those are the only two offenses that bring fines and
9. penalties.
10. MR. SWEZY: Right.
11. CHAIRMAN MORELOCK: So --
12. MR. BAUGHMAN: I would like to follow
13. up, though, on that control end of it, because
14. they're not here to represent themselves. They're
15. leaving it upon yourself.
16. And so you've got, to the best of
17. your knowledge, bringing this to the table -- but
18. being that we've got a 1960, a 1993, and a 2015,
19. depending upon when those controls were installed,
20. they very well may have been upgraded, so forth,
21. or changed. And so in here, in our manual, we're
22. listing out the controls in a generic form for the
23. Hawk or the original CV Hawk. But just from that
24. technical standpoint, I'd like to go back and
25. confirm what controls may have been changed out

1. sufficient capacity to take on a new boiler, but I
2. just do not know.
3. MR. BAUGHMAN: Okay.
4. MR. SWEZY: I wasn't given that
5. information.
6. MR. BAUGHMAN: It would be
7. interesting to know just for my -- from a technical
8. standpoint. On page 11, the call list, the
9. emergency boiler call list, it gives staff functions
10. as far as utilities operator, maintenance
11. supervisor, and production supervisor. And then it
12. says, see call list. And it says, this call list
13. changes from time to time depending upon the
14. individuals available.
15. That would be a lot to keep up with
16. as far as the call list, and I don't know how to
17. address that. It's just that being the lack of
18. attention to detail so far, it leaves me somewhat
19. concerned that the call list itself may not be
20. kept up with to the degree that it needs to be.
21. MR. SWEZY: Well, your comment is
22. appreciated. And I will say that this is only
23. intended to be a template of the actual call list,
24. obviously.
25. MR. BAUGHMAN: Okay.

1. during that process.
2. MR. SWEZY: And I think that would be
3. an appropriate thing to do that I think would
4. probably be part of the site inspection.
5. CHAIRMAN MORELOCK: Yes.
6. MR. SWEZY: That would be done on the
7. part of the Chief and his people. But I didn't
8. know, you know, how the Board would view that.
9. MR. BAUGHMAN: Sure.
10. MR. SWEZY: To my knowledge and
11. understanding, the equipment listed here is the
12. equipment that was installed at the time that the
13. 2008 variance approval took place and that there
14. have been no significant changes since then other
15. than the addition of the new boiler to this
16. arrangement.
17. MR. BAUGHMAN: The DA tank for this
18. system -- since we've added a boiler, has the DA
19. changed in its size or did they change the DA
20. itself?
21. MR. SWEZY: I do not know.
22. MR. BAUGHMAN: Okay. Now that -- I
23. mean, it was originally for two boilers and now
24. we've added a third, I'm interested to know --
25. MR. SWEZY: And it may well have had

1. that call list
2. is updated and posted in the remote operating
3. station for that remote operator. Again, you may be
4. right. The one that's posted in the remote
5. operating station may not be as up to date as we'd
6. like for it to be, but I'd have no way of verifying
7. that.
8. CHAIRMAN MORELOCK: Well, and to add
9. to Mr. Baughman's comment, yes, they need to have an
10. updated call list. However, we have cautioned
11. companies that submit a variance request, if you put
12. specific information in this manual and you change
13. it, it's an editorial change and it has to be
14. approved by the Chief Inspector. So you want to be
15. careful what -- you know, list job titles moreso
16. than individual names, because if those individuals
17. change, you have to revise your manual and get it
18. approved by the State.
19. So this could be -- I'm not saying it
20. is. You know, maybe they should just list a
21. generic call list so we can see what it looks like
22. and put generic information on it, and then the
23. one in the field, like you said, would have the
24. pertinent information at that time.
25. MR. BAUGHMAN: And then my last
1. comment under H3, item number 32: Does the system
2. operating manual include a manual log listing all
3. the manual holders? And the answer was, NA.
4. MR. SWEZY: Yeah, because there are
5. no actual manual holders. There's one present in
6. the boiler operating room and there's one present in
7. the remote operating station. And that is described
8. on pages five and seven as annotated on page H-3 of
9. the new handout that I gave you. And it
10. specifically says those are the only two copies of
11. the manual that are present in the plant, is the one
12. in the operating room and the one in the remote
13. monitoring station.
14. MR. BAUGHMAN: One in the operating
15. room --
16. MR. SWEZY: And one in the remote --
17. MR. BAUGHMAN: -- and one at the
18. remote station --
19. MR. SWEZY: Right.
20. MR. BAUGHMAN: -- and that's it. No
21. other holders?
22. MR. SWEZY: No. Other than probably
23. the original who's in the hands of the
24. vice-president of operations, who is reasonable for
25. issuing this manual.

1. MR. BAUGHMAN: Interesting.
2. CHAIRMAN MORELOCK: Well -- and so
3. you could include a log just saying, boiler room,
4. remote station, as a log for --
5. MR. SWEZY: Yeah. If there was more
6. than just the two copies, there would probably be a
7. log showing who was in charge of those manuals and
8. had them. I frankly actually liked the fact that
9. there's only two manuals in there in the places
10. where they're the most needed.
11. CHAIRMAN MORELOCK: Yeah.
12. MR. SWEZY: Because I've been
13. involved in quality control systems where there's 15
14. manual holders and making sure all 15 of those
15. manual holders have the latest and greatest
16. up-to-date manual and don't have an obsolete version
17. rat-holed away somewhere that you don't know
18. anything about --
19. MR. BAUGHMAN: Sure.
20. MR. SWEZY: -- can be a real problem.
21. And as a quality control manager, one of the things
22. I've done in situations like that is to go and make
23. sure that I remove and destroy the old copies so
24. that that doesn't happen --
25. MR. BAUGHMAN: Right.
1. opinion, are so simple that it should not require
2. them to have to constantly refer to the manual again
3. and again.
4. MR. ROBINSON: Okay.
5. MR. SWEZY: And the emergency
6. procedures themselves, like it's stated in this
7. manual, are placarded in the remote operating -- or
8. monitoring station. I will -- for the remote
9. operator to be able to know exactly what needs to be
10. done without having to go fishing around for the
11. manual.
12. I don't know how many of you have
13. been in one of these operating stations in a plant
14. like this, but, you know, generally this guy is
15. sitting at a desk and watching this panel and he
16. has all kinds of crap on his desk, if you will.
17. Okay? And especially a manual like this that
18. doesn't normally get referred to on a daily basis,
19. it tends to find its way to the bottom of the
20. pile.
21. So if this operator had to take
22. action based on something going awry with the
23. boiler, I'd much rather him depend on that placard
24. being on that wall rather than having to fish down
25. a manual and find the, you know, highlighted tab

1. for him to grab and turn the page to -- it's right
2. there on the placard. He takes the action, gets
3. the boiler under safe condition, and then we worry
4. about what we've got to do to light it off again
5. later.
6. You know, it -- we had an old saying
7. in the submarine community when I was in the Navy,
8. let's blow and go and talk about it on the
9. surface. You know, if the boat gets in trouble,
10. we'll get to the surface and then we'll figure out
11. how to make things right. But take action to make
12. things safe and then we go about dealing with
13. anything else afterwards.
14. So that's kind of a great way of
15. looking at it and dealing with it, in my opinion,
16. is the placard keeps that confusion and the time
17. of panic if the operator who's in the remote
18. monitoring station is trained to look at the
19. placard, respond to the steps in the placard, get
20. the boiler in set condition. Everything else can
21. be sorted out with plenty of time.
22. CHAIRMAN MORELOCK: Any other
23. questions? Comments?
24. MR. BAUGHMAN: Who is your utilities
25. operator or who is Buckman Laboratories' utilities

1. interested to know if you intimately knew who that
2. person was, and I was interested to know what his
3. background was or his level of training or if he's
4. administrative or so forth.
5. MR. SWEZY: Yeah. It's my
6. understanding that he is a fairly recent addition to
7. Buckman Chemical -- or Buckman Laboratories, and as
8. a result, he's the one taking all the actions that's
9. trying to make things right. And I give him a lot
10. of credit for that.
11. MR. BAUGHMAN: Good. So there would
12. have been a personnel change from the previous
13. 2008 -- that person would no longer be there and be
14. in the --
15. MR. SWEZY: That is correct.
16. MR. BAUGHMAN: Okay.
17. MR. SWEZY: And in fact, in 2008,
18. this presentation was made by a professional
19. engineer whose last name was Neville, I believe. He
20. had actually stamped and certified the cover page of
21. the original manual. And I believe he has since
22. retired and not even working any longer. So --
23. MR. ROBINSON: His son is behind you.
24. CHAIRMAN MORELOCK: Yeah.
25. MR. SWEZY: Huh?
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<td>1. CHAIRMAN MORELOCK: His son is behind you.</td>
<td>1. MR. SWEZY: -- and that others would not be given ready access to the panels where that could be done. Again, I don't believe there's 2. CHAIRMAN MORELOCK: Right. Right. 3. actual physical padlocks on those panels, but --</td>
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<td>3. MR. SWEZY: Oh, is he?</td>
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<td>4. CHAIRMAN MORELOCK: Yeah.</td>
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<td>5. MR. SWEZY: Oh, okay. I guess he may be not retired, then. I thought he was retired, but there you go.</td>
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<td>6. CHAIRMAN MORELOCK: Okay.</td>
<td>7. But they just need to be where people couldn't alter the software.</td>
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<td>7. MR. BAUGHMAN: Very good. Thank you.</td>
<td>8.</td>
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<td>8. That's all that I've got.</td>
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<td>9. CHAIRMAN MORELOCK: Okay. I've just got a few comments right quick. I think we've talked about most of them. Again, you know, editorial, but the rule needs to be changed to 0800-03-03-.081 A as the new 20-minute rule location. The rule itself has not changed. It's just been reorganized.</td>
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<td>10. MR. SWEZY: Yeah. It's my understanding that this is a wholly self-contained, independent communication and operating system. It does not interface with the Internet, to my understanding.</td>
<td>11.</td>
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<td>11. CHAIRMAN MORELOCK: Okay. I've just got a few comments right quick. I think we've talked about most of them. Again, you know, editorial, but the rule needs to be changed to 0800-03-03-.081 A as the new 20-minute rule location. The rule itself has not changed. It's just been reorganized.</td>
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<td>12. MR. ROBINSON: -- in the copier. I like it was cropped off.</td>
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<td>13. CHAIRMAN MORELOCK: Yeas. It looks like it was cropped -- on, Brian?</td>
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<td>14. MR. SWEZY: What page is this you're serving as remote monitor, who's serving as a boiler attendant.</td>
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<td>15. MR. SWEZY: Okay.</td>
<td>16.</td>
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<td>16. CHAIRMAN MORELOCK: And I think --</td>
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<td>17. MR. SWEZY: I think that's appropriate.</td>
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<td>19. As far as preventing unauthorized access, I believe that the control and connection panels are located in the boiler operating station and in the remote monitoring station. And so unless somebody was, you know, locked out by a padlock from getting into those panels, I don’t know that they would have that kind of access control, but they do have security personnel in both places to keep that from being something that somebody could do without being noticed.</td>
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<td>20. CHAIRMAN MORELOCK: Well, and more to the point is the electronic/computerized control system itself, is it password protected where it prevents anybody from getting into that system, changing parameters, fault codes? We just need -- you know, typically we'll see something in the manufacturer's documentation that's usually an appendices in the manual. It'll say that this is password protected to prevent unauthorized access so people can't go in and alter the computer control program for the boilers.</td>
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<td>21. MR. SWEZY: Yeah. I would think those changes would only be made by the maintenance personnel --</td>
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<td>22. CHAIRMAN MORELOCK: Right.</td>
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MR. SWEZY: I think it's just clarification.
CHAIRMAN MORELOCK: Yeah. I just wanted to --
MR. ROBINSON: Paragraph three. It's under some of the features of the microprocessor.
MR. SWEZY: Okay.
MR. ROBINSON: The controller shall shut down any boiler that exceeds safety limits or programmed operating limits. For example, the controller will shut the boiler down on any other conditions listed in Appendix C. When you go to Appendix C, you've got a lot of things in there that'll shut the boiler off.
MR. SWEZY: Yeah. I think it's obvious that not every one of these things in Appendix C --
MR. ROBINSON: Keep in mind.
CHAIRMAN MORELOCK: Yeah.
MR. SWEZY: -- is a boiler shutdown.
I mean, obviously it's not going to shut down on flame detected, for example, and I think that clarification --
MR. ROBINSON: I know that.
MR. SWEZY: -- is an appropriate comment.
MR. ROBINSON: I know that. But the thing is, is just KIS.

The controller shall shut down on any other conditions listed in Appendix C. When you go to Appendix C, you've got a lot of things in there that'll shut the boiler off.

And I do agree with you. I like the placard right there on the remote monitoring station so the remote monitoring person can see it, but one of the requirements in our checklist is that your emergency procedures in this manual should be highlighted or easy to find, and you just need to put a tab or a bright-colored page for your emergency procedures and that will take care of that checklist requirement. And that's all my comments. So Eugene, you had some.

And I do agree with you. I like the placard right there on the remote monitoring station so the remote monitoring person can see it, but one of the requirements in our checklist is that your emergency procedures in this manual should be highlighted or easy to find, and you just need to put a tab or a bright-colored page for your emergency procedures and that will take care of that checklist requirement. And that's all my comments. So Eugene, you had some.

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1. MR. SWEZY: Yeah.
2. MR. ROBINSON: Keep it simple and just move on. Make -- you know, do what you say, say what you do.
3. CHAIRMAN MORELOCK: Yeah.
4. MR. SWEZY: I agree.
5. MR. ROBINSON: I agree with that org chart. You do need some clarity to the org chart. You've got the general operators, the remote station, and just make it clearly defined.
6. MR. SWEZY: Right. I made that annotation. We'll take care of that.
7. MR. ROBINSON: Safety valves on the --
8. MR. SWEZY: Appendix A?
9. MR. ROBINSON: -- equipment -- yeah, equipment sheet.
10. MR. SWEZY: Yeah. I made a note of that, as well.
11. MR. ROBINSON: With capacity. I would review it. You do have some typos. Yeah, I've got a lot of -- you've got a lot of typos.
12. Page 10, for example, right at the top, emergency procedures together. You've got a period somewhere on the first sentence, and it makes it incomplete.
13. And back to Mr. Baughman's comments, update the manual holders. I would like to see something there. And the reason --
14. MR. SWEZY: Say that --
15. MR. ROBINSON: The manual holders. I would like to see something there. And the reason why is because you've got to put it in the monitoring station. That's obvious.
16. MR. SWEZY: Right.
17. MR. ROBINSON: If they don't have it, you know, they don't know what to do. And you want to have it in the maintenance shop, I guess, and actually list, I guess, the precedent, who's responsible for the manual.
18. MR. SWEZY: Yup.
19. MR. ROBINSON: That's all I have, sir.
20. MR. BAUGHMAN: I've got a little more.
21. CHAIRMAN MORELOCK: Yeah, on B-1 there's some typos, too, under that last paragraph. So I'll let you ferret those out. But they're in there, too, so go ahead.
22. MR. BAUGHMAN: Yes, sir. Thank you, sir.
23. CHAIRMAN MORELOCK: Mr. Baughman.
24. MR. BAUGHMAN: When we were talking about the fault codes and how many there were and -- you just made the mention about flame detected, that wouldn't be a --
25. MR. SWEZY: Yeah. That's not an trip function, obviously.
26. MR. BAUGHMAN: No. Obviously it is.
27. And the reason --
28. MR. SWEZY: Well, if it goes out, obviously, but I mean, the fact that there is a flame is not going to cause a drip.
29. MR. BAUGHMAN: In the standby position, it would.
30. MR. SWEZY: Right.
31. MR. BAUGHMAN: And that's very critical.
32. MR. SWEZY: Right.
33. MR. BAUGHMAN: So a flame detected during the standby is -- yeah. It's a big issue.
34. So just to -- wanted to clarify upon that. And that leads me over to page nine, restart procedures. The -- and just going --
35. the first paragraph of that same page right in two, when the alarm condition is cleared, the boiler attendant, who could possibly be the security officer, will contact the remote station, the shutdown switch shall be reset and the boiler restarted by the boiler attendant. If the boiler is restarted before the cause of the alarm is diagnosed and corrected -- is the problem that I've got.
36. The boiler should not be restarted until the alarm is diagnosed and corrected. So let's take into consideration that we had that flame detected fault code, whatever it was, 18, and you've got somebody that's not familiar with it and they go in and restart it and it was flame detected because of a gas valve leaking. We've restarted a boiler without it being diagnosed and corrected.
37. And I've just got an issue with that particular statement, is that the boiler should not be restarted until the fault is diagnosed and corrected.
38. And I'm inclined to agree, but I would tell you that I think the intent of this particular paragraph is to describe a situation where maybe multiple fault conditions...
1. caused the trip of the boiler and when the operator
2. gets to the boiler room, he cannot see anything
3. obviously wrong and the faults have all reset
4. themselves. And it's possible that they may need to
5. restart to see if they can figure out, by watching
6. the boiler as they're restarting it, what the true
7. underlying fault is that tripped the boiler off and
8. then be able to address it at that point in time.
9. Kind of like when you take your car
10. into the shop to be repaired because something's
11. acting hinky and the service tech can't replicate
12. the problem that you're finding. You know. That
13. kind of a situation. And I think that's what this
14. is intended to address.
15. MR. BAUGHMAN: No. And I disagree
16. with it in as much as if there's multiple fault
17. codes, there's obviously something going on to an
18. extent that needs to be addressed rather than just
19. having everything reset. And that's -- that gives
20. me concern in that we've got a fault, it's just
21. reset. In other words, a security officer, although
22. he is supposed to be qualified under Shelby County's
23. requirements for boiler operators, but that somebody
24. would just go in and reset this without necessarily
25. going through and having it diagnosed and corrected
26. before it's being restarted.
27. MR. SWEZY: Yes. And I do not
28. believe it was the intention for the security
29. officer to be the one that would restart the boiler.
30. MR. BAUGHMAN: No.
31. MR. SWEZY: It would be --
32. MR. BAUGHMAN: But the way this is
33. worded --
34. MR. SWEZY: It could be.
35. MR. BAUGHMAN: -- it could be.
36. Absolutely.
37. MR. SWEZY: I agree. And so I'll
38. make --
39. MR. BAUGHMAN: And to sign off on
40. something like that, I just disagree with that
41. particular --
42. MR. SWEZY: Well, and another
43. scenario just came to mind while you were talking.
44. In the event that the alarm annunciation circuits to
45. the remote station were somehow disrupted, let's say
46. due to something going on on-site that --
47. communication cable between a boiler room and a
48. remote operating -- monitoring station was ruptured
49. and they could not operate it, then that would be a
50. condition where the boiler operator could restart
51. the boiler but he would be required to be in
52. attendance at the boiler, because that is where the
53. 20-minute rule, then, would kick in.
54. So, you know, I think that there are
55. a number of scenarios that they were trying to
56. address with this paragraph that they've obviously
57. not done so very well, and we can correct that.
58. But I think that that's what -- the
59. kind of thing that they're trying to describe is
60. that, you know, if the guy in the remote
61. operating -- or monitoring station can't put the
62. thing back into reset position to allow the boiler
63. to be restarted because the system is not
64. functioning properly, then the boiler operator in
65. the boiler room could do so but he would be
66. required to be in attendance at the boiler. He
67. wouldn't go back to the four-hour-check rule.
68. He'd be under the 20-minute rule.
69. MR. BAUGHMAN: Should this -- and I
70. bring this up for discussion, because I've just got
71. an issue with a situation being reset and the boiler
72. operating without it being diagnosed and corrected,
1. the boiler?
2. MR. ROBINSON: Right now the way it's written does not.
3. MR. BAUGHMAN: Okay. Okay. So I would ask that this particular item under restart procedures be revised.
4. CHAIRMAN MORELOCK: Right. And that's what you do. Just like with Mayfield, we --
5. MR. SWEZY: And I will do so. I agree --
6. CHAIRMAN MORELOCK: Yeah.
7. MR. SWEZY: -- it's not worded very well.
8. CHAIRMAN MORELOCK: Yeah.
9. MR. SWEZY: It could be misinterpreted greatly.
10. CHAIRMAN MORELOCK: Yeah.
11. MR. SWEZY: -- another example that comes to mind -- and then being a plant operator in my past, you know, there have been times where, for example, on the submarine I was on, you know, we'd be operating all ahead flank and for some reason, we'd get a low water alarm in the steam generators. And so our first action is to shut down the throttles and reduce power to try to figure out why we got a low water alarm. Well, the function of shrink and swell in a steam generator is such that when you go from a full bell down to a one-third to try to figure out what's going on, the water level's going to creep back up again on you and you're going to look at it and say, well, the water level's fine. What's the problem? You know? And really, the problem is that the plant transient was so rapid that the feed pumps didn't correct and the fact that you dropped pressure and you got more steaming and less water, it all kind of interacts in a way that it would give you an alarm. But if you're understanding it the way the transient took place, it's really not an alarm condition. It's a condition where the system is just responding more slowly than you want it to. And so you've just got to kind of tamper your response a little.
12. MR. BAUGHMAN: That's the level of training difference, though, between a Navy sub personnel and a security officer.
14. And that's why this security officer's only function is going to be to shut it down in a bad situation --
15. CHAIRMAN MORELOCK: Anything else?
16. MR. ROBINSON: Right.
17. MR. BAUGHMAN: Right. But under this wording, it could be --
18. CHAIRMAN MORELOCK: Right. So --
19. MR. BAUGHMAN: -- that he restarts.
20. CHAIRMAN MORELOCK: Yeah. So --
21. MR. SWEZY: Absolutely. I agree and that does need to be changed.
22. CHAIRMAN MORELOCK: Yeah. But the wording needs to be revised and --
23. MR. SWEZY: Yeah.
24. MR. ROBINSON: Right.
25. CHAIRMAN MORELOCK: That's what -- that's the comment that needs to be captured. That's true.
26. MR. ROBINSON: Absolutely.
27. MR. BAUGHMAN: Thank you, Brian.
28. MR. ROBINSON: Agreed.
29. CHAIRMAN MORELOCK: Anything else?
30. MR. PISCHKE: So moved with the corrections captured, noted.
31. CHAIRMAN MORELOCK: You're going to move with corrections to the manual --
32. MR. HARGROVE: And site visit.
33. CHAIRMAN MORELOCK: -- and contingent on the site visit, correct?
34. MR. PISCHKE: That's correct.
35. CHAIRMAN MORELOCK: Do I have a second?
36. MR. ROBINSON: Second.
37. CHAIRMAN MORELOCK: All right. Do I have a motion?
38. MR. PISCHKE: Yes.
40. MR. HARGROVE: Aye.
41. MR. ROBINSON: Aye.
42. CHAIRMAN MORELOCK: Aye.
43. CHAIRMAN MORELOCK: Opposed?
44. Abstentions? Not voting? Mr. Swezy, you have a contingently approved variance manual with --
45. subject to a revision of the manual and the site visit.
46. MR. SWEZY: Thank you very much. I
| 1. | Board meeting got delayed a week, so y'all's -- you |
| 2. | know, it's delayed a week. So -- |
| 3. | CHAIRMAN MORELOCK: Okay. All right, |
| 4. | then. So be it. Our next item is the job |
| 5. | description for boiler inspector four, which is the |
| 6. | chief boiler inspector position. And I guess what |
| 7. | I'd like to do with this since we've not had time to |
| 8. | read it is -- I guess I'd like for the Board members |
| 9. | to read it, and could we leave this as a discussion |
| 10. | item for the March meeting and bring any comments |
| 11. | back at that time, unless you want us sitting here |
| 12. | till, you know, reading it. |
| 13. | I will say I'm thankful to see it and |
| 14. | it looks pretty good. The only thing I picked up |
| 15. | pretty quick is on -- when you get into page two, |
| 16. | the National Boiler Board, it really would be the |
| 17. | National Board of Boiler and Pressure Vessel |
| 18. | Inspectors. That's the agency. |
| 19. | MS. JEFFERSON: Yes. |
| 20. | CHAIRMAN MORELOCK: So -- and I'll |
| 21. | send you that. So -- |
| 22. | MS. JEFFERSON: Yes, thank you. |
| 23. | CHAIRMAN MORELOCK: -- that's the |
| 24. | only thing that I saw right off the bat. |
| 25. | MS. JEFFERSON: Okay. |

| 1. | appreciate the Board's indulgence and gracious |
| 2. | acceptance of the unusual circumstances that I've |
| 3. | been given. Thank you. |
| 4. | CHAIRMAN MORELOCK: All right. It's |
| 5. | 10:45. I think we need to take a 10-minute break. |
| 6. | Let everybody get up for a minute, and let's resume |
| 7. | at 10:55, if we can. We've still got quite a few |
| 8. | discussion items to cover, and I'd like to get |
| 9. | everybody finished by noon, if possible. |
| 10. | (Recess observed.) |
| 11. | CHAIRMAN MORELOCK: Okay. I'm still |
| 12. | going to hold out hope for Wacker. We'll still |
| 13. | leave them on the agenda, but let's move to Item |
| 14. | eight, which is Open Discussion Items. And the |
| 15. | first discussion item is our proposed 2017 meeting |
| 16. | dates. And the proposed dates for 2017 are March |
| 17. | the 15th, June the 14th, September the 20th, and |
| 18. | December the 13th. Does that pose any conflicts for |
| 19. | the Board members? |
| 20. | Now, the -- I guess this -- will the |
| 21. | September 20th date -- will that coincide? Are we |
| 22. | going to hopefully have a 2017 Fall conference? |
| 23. | MS. JEFFERSON: We hope to. Yes. |
| 24. | CHAIRMAN MORELOCK: Okay. Excellent. |
| 25. | So that will coincide with that. |

| 1. | okay. I'm not hearing any conflicts. |
| 2. | Mr. BAUGHMAN: It's good with me, |
| 4. | CHAIRMAN MORELOCK: Speak now or |
| 5. | forever wish you had. Everybody good? |
| 6. | MR. PISCHKE: I think so. |
| 7. | CHAIRMAN MORELOCK: All right. It's |
| 8. | not a voted action, so if you're good -- |
| 9. | MS. BENNETT: And we'll post it on |
| 10. | the website. |
| 11. | CHAIRMAN MORELOCK: Okay. |
| 12. | MR. BAUGHMAN: And it'll -- it's a |
| 13. | possibility it might change for some unforeseen |
| 14. | reason, but it worked pretty well last year having |
| 15. | something we can work around. So -- |
| 16. | CHAIRMAN MORELOCK: Yes. I agree. I |
| 17. | agree. And, well, for so long we've been used to |
| 18. | the first Wednesday of the month. So we need -- we |
| 19. | do need to get the dates out to let people know that |
| 20. | it's not the first Wednesday of the month anymore. |
| 22. | CHAIRMAN MORELOCK: So -- or the |
| 23. | quarter. |
| 24. | MS. BENNETT: And September obviously |
| 25. | is later because of Labor Day. You know, our first |

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1. MS. JEFFERSON: -- get those recommendations --

2. CHAIRMAN MORELOCK: And it may just be just editorial like the National Board stuff. So all right. And doing a survey of jurisdictions, you do see experience ranges from five to 10 years. So that's in line with what most jurisdictions have.

3. So okay. All right.

4. Next item is approved roles and responsibilities for Tennessee Board members, and you did get that in advance, so I hope you've had a chance to review that.

5. MS. BENNETT: It's also in the notebooks, too, I think. Yeah.

6. CHAIRMAN MORELOCK: Right. So are there any comments on that?

7. MR. BAUGHMAN: I thought this was well defined, Brian.

8. CHAIRMAN MORELOCK: Okay.

9. MR. ROBINSON: This is going to be published where?

10. MS. JEFFERSON: Actually, that's just for --

11. CHAIRMAN MORELOCK: Just for --

12. MS. JEFFERSON: -- you all.

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1. CHAIRMAN MORELOCK: Okay.

2. MR. ROBINSON: Okay.

3. MS. JEFFERSON: Just for your own records.

4. CHAIRMAN MORELOCK: Okay.

5. MS. JEFFERSON: We actually provided one -- we're providing one for each board and commission that we have.

6. CHAIRMAN MORELOCK: Okay. All right.

7. MS. JEFFERSON: And that's just to help to clarify duties, rules, and responsibilities.

8. CHAIRMAN MORELOCK: Okay.

9. MS. JEFFERSON: We may decide to delete some of those, because we're not doing them.

10. CHAIRMAN MORELOCK: Okay. All right.

11. Hearing no comments, I think we're good to go with that, then. All right.

12. Our next item is update of the National Board Synopsis NB-370, and Mr. Chapman covered that in his Chief's Report. So are there any comments to that? Basically, just cleaning up. We used to not permit routine repairs and Mr. Toth was successful in getting that Board interpretation, board case revised, so we do now accept routine repairs. So we need to let the world know that. So -- and update some of our other information for our jurisdictions. So I don't have any comments. Anybody else have any comments?

13. MR. ROBINSON: I thought it was a good job.

14. CHAIRMAN MORELOCK: Yeah. It is a good job.

15. MR. ROBINSON: Thank you.

16. MR. CHAPMAN: Thank you.

17. CHAIRMAN MORELOCK: Okay. So thank you for doing that. All right.

18. MR. BAUGHMAN: How does that information get disseminated out to the industry?

19. CHAIRMAN MORELOCK: It gets published. And when you go up to the National Board website and you click on the jurisdictions, this little paragraph will pop up, and it just gives you an overview of what each jurisdiction -- what they do as far as what they require and things like that.

20. MR. BAUGHMAN: So it's up to the individual company doing repairs, or what have you, those who are stamp holders in the State of Tennessee to check on that --

21. CHAIRMAN MORELOCK: Yes.

22. MR. BAUGHMAN: -- themselves.

23. MR. ROBINSON: And the National Board used to publish a book of all the -- our stamp holders and approval in various jurisdictions. I
1. don't know if they -- do they still do that?
2. CHAIRMAN MORELOCK: I think you can look them up.
3. MR. ROBINSON: It's online.
4. MR. CHAPMAN: Yeah. You can -- that's a different case.
5. CHAIRMAN MORELOCK: I think you can look them up.
6. MR. ROBINSON: It's online.
7. MR. CHAPMAN: Yeah. You can -- that's a different case.
8. CHAIRMAN MORELOCK: Yes.
9. MR. TOTH: I can answer that. The National Board does -- the National Board website does have the ability to go and look up our stamp holders. Now, when you're talking about the Synopsis, the Synopsis is intended to communicate all the requirements within the individual jurisdictions.
10. MR. ROBINSON: Right. Well, you remember years ago, there used to be a -- MR. TOTH: There used to be a book. If I'm not mistaken, if my memory -- MR. ROBINSON: I haven't seen it in years.
11. MR. TOTH: Yeah. It's -- I believe it's published electronically.
13. MR. TOTH: And I believe you can receive that -- you can find that on the National Board website.
14. CHAIRMAN MORELOCK: Yeah. You can.
15. MR. ROBINSON: Okay.
16. CHAIRMAN MORELOCK: You just have to go look for it. Yeah.
17. MR. TOTH: And the National Board actually took it over from whoever was publishing that Synopsis before. I forget who it was. It wasn't them.
18. CHAIRMAN MORELOCK: Right. Right.
19. MR. TOTH: And Mr. Chairman, you are correct. It was 2012 based on the Board case number, which references --
20. CHAIRMAN MORELOCK: Right. Right.
21. MR. TOTH: -- the year and the item number within the minutes.
22. CHAIRMAN MORELOCK: Okay. Good. Any other comments on that? Alrighty.
23. Next item is editorial revision to the recently revised Rule 0800-03-03. Yes. I let it slip by. I apologize for that. But if you're doing a Section eight, Division one pressure vessel calculation, you're not going to find PG 27, but you will find UG 27. So how do we get that fixed?
24. MS. RHONE: Oh, I'm sorry. I didn't -- I'm sorry.
25. CHAIRMAN MORELOCK: No. Just the word -- the typo in 0800-03-12. Existing Pressure Vessels to determine maximum allowable working pressure of a nonstandard pressure vessel shall be determined in accordance with ASME code Section eight, Division one. It should be UG 27 instead of PG 27.
26. MR. BAILEY: So it's a typo.
27. CHAIRMAN MORELOCK: It's a typo. I don't think it'd have to go through the rulemaking process.
28. MR. BAILEY: It may have to.
29. CHAIRMAN MORELOCK: Really?
30. MR. BAILEY: It may.
32. MR. BAILEY: I'll have to check with the Secretary of State's --
33. CHAIRMAN MORELOCK: Okay.
34. MR. BAILEY: -- Office to see if we can correct a typo without going through the whole process.
35. CHAIRMAN MORELOCK: Okay. So you can let us know that in March, maybe?
36. MR. BAILEY: Yeah.
37. CHAIRMAN MORELOCK: Okay. Thank you for that.
38. MR. PISCHKE: Would that -- is that considered errata or is it considered a Boiler -- I mean --
39. CHAIRMAN MORELOCK: Well, I mean, it was approved, you know, all the way through the rulemaking process. It's just -- it's a typographical error. So just didn't catch it in the review process. So Mr. Bailey will find out what path we have to take to get that corrected. And we'll leave that on the list for March, as well.
40. Our next item is revision to Tennessee Code Annotated 68-122-109(a) due to changes in how the National Board Commissioning Exam is given. This exam is no longer only provided by the jurisdiction but also provided on demand at AMP locations -- which is capital A-M-P -- locations and also administered by the National Board on the last day of the National
1. Board Inservice Commissioning Exam two-week course.
2. So this is just a proposed wording.
3. I guess I see two options. We could change the law, but if that's going to be an arduous process, we could do it as a Board case. And that might be a more streamlined approach to get that completed.
4. So I'll look to our Administrator and Mr. Bailey to advise the Board on what would be the best route to take for that. But the revised words would just simply state that it's no longer only administered by the jurisdiction. And this has been in place for five or six years. So --

MR. ROBINSON: Question.

CHAIRMAN MORELOCK: I just want to update -- I want to clarify what we're really doing.

MR. ROBINSON: Question.

CHAIRMAN MORELOCK: Yes, sir.

MR. ROBINSON: What's the chances of AMP locations --

CHAIRMAN MORELOCK: Changing?

MR. ROBINSON: Right.

CHAIRMAN MORELOCK: Well, if you look in what I proposed, I didn't actually put AMP in the proposal. I put -- where did I put it?

MR. PISCHKE: Approved designated locations.

CHAIRMAN MORELOCK: The editorial change would be on the fourth line from the bottom of our agenda where it says, the last day of the National Board, just strike out Inservice Commission (IS) two-week, and just leave the last day of the National Board course.

MR. BAILEY: Okay.

MR. ROBINSON: Cool.

MR. HARGROVE: Mr. Chairman.

CHAIRMAN MORELOCK: Yes, sir.

MR. HARGROVE: You stated the National Board Inservice Commission exam in your statement --

CHAIRMAN MORELOCK: Well --

MR. HARGROVE: -- but it's written differently. So --

CHAIRMAN MORELOCK: -- and we can strike that, as well.

MR. HARGROVE: Okay.

CHAIRMAN MORELOCK: So we need to put that -- yeah. We need to -- up in the bullet point, we would say, National Board, and then strike out Inservice Commission -- or no, we leave Commission.

MR. BAILEY: So you take out the "-ing" on Commissioning, take out the word "Exam," and insert the word "course" instead?

CHAIRMAN MORELOCK: Well, I'm looking at the bullet point where it says, revision to Tennessee Code Annotated --

MR. BAILEY: Yeah. That's where I'm looking at.

CHAIRMAN MORELOCK: Yeah. And so the National Board Commissioning Exam, that sentence is fine. And then the last part of the sentence says, also administered by the National Board on the last day of the National Board Commission course. And strike out Inservice, parenthetical IS, and two-week.
1. MR. HARTFORD: Well, I have a question.
2. CHAIRMAN MORELOCK: Yes.
3. MR. HARTFORD: I'm sorry. Christopher Hartford, Hartford Steam Boiler. They provide multiple courses, so if you don't say which course you're looking for, that could kind of go against you. You can go to National Board. They have, I think, four or five different courses you can take.
4. CHAIRMAN MORELOCK: For a Commission?
5. MR. HARTFORD: Well, you can be Commissioned. You can be --
6. MR. TOTH: That's not a commission.
7. MR. HARTFORD: -- commissioned. IS Commission.
8. MR. TOTH: That's not a commission. That's an endorsement.
9. CHAIRMAN MORELOCK: Endorsement.
10. MR. ROBINSON: Endorsement.
11. CHAIRMAN MORELOCK: Right.
12. MR. ROBINSON: Right. Right.
13. CHAIRMAN MORELOCK: Right. But you still have to -- all of those get the IS first, right? But if you just say, you have to take a National...
1. could do a board case, get it in the book now, and
2. then when legislative action -- you submit that
3. and it gets written into -- or revised into the
4. law, we could annul that board case. So is
5. that -- yes?
6. MR. TOTH: Mr. Chairman, just from
7. experience, the Board cases were started to be able
8. to have Board cases and interpretations based off
9. the rules and regulations. In this case here, being
10. Title 68-122, that's a statute. It really would not
11. apply. However, within 0800-03-03, you do have the
12. mention of as Commission.

CHAIRMAN MORELOCK: You do.

MR. TOTH: And within the commission,
and it explains what that is, how that would be --
who that would be given by. So therefore, you are
correct. You could do either a Board interpretation
or a Board case based off of your rule, not the
statute.

CHAIRMAN MORELOCK: Okay.

MR. TOTH: Okay.

CHAIRMAN MORELOCK: Okay. Well, our
concern was, is that it says that the Board -- us,
not the Chief Inspector -- proctors the exam.

1. MR. TOTH: Okay. And --
2. CHAIRMAN MORELOCK: And we don't do
3. that.
4. MR. TOTH: And I can give you a
5. little bit of background history on that, because
6. most jurisdictions -- and some still do this --
7. require their own individual exam for their state
8. but then follow that up with a commission exam
9. through the National Board. So they may do their
10. own exam that has specific rules and requirements
11. and laws. That's where that came from.
12. CHAIRMAN MORELOCK: Okay.
13. MR. TOTH: Okay?
14. CHAIRMAN MORELOCK: Okay.
15. MR. TOTH: And so now it was carried
16. over into the rules, which then brought in the
17. commissioning of the -- through the National Board,
18. which is a governing body.
19. CHAIRMAN MORELOCK: Okay. We just
20. wanted to clarify a contradiction in --
21. MR. TOTH: Yes.
22. CHAIRMAN MORELOCK: -- Tennessee Code
23. Annotated with actually what we're doing.
24. MR. TOTH: Yeah. Yes.
25. CHAIRMAN MORELOCK: Yeah.

1. you to do inservice inspections, you know, before
2. you get a commission, but --
3. MR. ROBINSON: Okay. Thank you.
4. CHAIRMAN MORELOCK: Good.
5. MR. HARTFORD: I'm commissioned in
6. New York State and New Hampshire and Vermont. They
7. all have that. But they all -- you have to be an IS
8. inspector first. That -- like, you take the test
9. through the AMP usually, and then once you have that
10. and you have your National Board card, you go and
11. you can take the test, the physical test, at the
12. location. Or some of them have reciprocity or
13. whatever, but --
14. CHAIRMAN MORELOCK: Right.
15. MR. HARTFORD: -- if it's your first
16. one, you actually go take the test with your card.
17. And that's --
18. MR. TOTH: For an --
19. MR. HARTFORD: For the state
20. commission.
21. MR. TOTH: For the state.
22. MR. HARTFORD: Right. So you have to
23. already be an IS, but you're an IS who's not allowed
24. to do any inspections, and then you can get your
25. state commission.
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<tr>
<td>1. <strong>CHAIRMAN MORELOCK</strong>: Okay. All right.</td>
<td>1. and the Board members and the Boiler Unit. And so</td>
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<td>2. So we're just trying to clean that up a little bit.</td>
<td>2. the Boiler Unit is working on development of</td>
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<td>3. So with all that said, then the path forward looks</td>
<td>3. several Board cases and Board interpretations. We</td>
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<td>4. like we could write a Board case or interpretation</td>
<td>4. just couldn't get them all ready for this meeting.</td>
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<td>5. off of 0800-03-03, then you all could add this to</td>
<td>5. So you'll see those come up in March, June</td>
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<td>6. your legislative actions for August, September of</td>
<td>6. timeframe. And we'll start working through those.</td>
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<td>7. 2017, and then if 68-122-109 is revised, we could</td>
<td>7. So I just wanted all the -- everybody</td>
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<td>8. leave that Board case or annul it.</td>
<td>8. to know it was -- all that didn't fall on deaf</td>
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<tr>
<td>9. <strong>MR. ROBINSON</strong>: Annul it.</td>
<td>9. ears. We're acting on that. So look for some</td>
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<td>10. <strong>MR. BAILEY</strong>: I mean, I think we could</td>
<td>10. good stuff coming from that. So now go ahead.</td>
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<td>11. check to see if this could get on this year's</td>
<td>11. <strong>MR. HARTFORD</strong>: Okay. I was wondering</td>
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<td>12. agenda, but I kind of doubt it.</td>
<td>12. about the progress of the committees towards their</td>
</tr>
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<td>13. <strong>CHAIRMAN MORELOCK</strong>: Well, it's</td>
<td>13. goals. Specifically, during the last meeting, there</td>
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<td>14. December, so I understand.</td>
<td>14. was a committee formed for -- to develop</td>
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<td>15. <strong>MR. BAILEY</strong>: Well, you can always</td>
<td>15. high-pressure operator training, and nobody has</td>
</tr>
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<td>16. ask.</td>
<td>16. talked about it. And I was wondering if we could</td>
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<td>17. <strong>CHAIRMAN MORELOCK</strong>: Okay.</td>
<td>17. have a status of that mentioned during Board</td>
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<td>18. <strong>MR. BAILEY</strong>: But I think they're</td>
<td>18. meetings.</td>
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<td>19. going to say no.</td>
<td>19. <strong>CHAIRMAN MORELOCK</strong>: Okay. Who set</td>
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<td>20. <strong>CHAIRMAN MORELOCK</strong>: Okay. We'll let</td>
<td>20. that committee up?</td>
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<td>21. you check on that, but we'll plan on it maybe being</td>
<td>21. <strong>MR. HARTFORD</strong>: The State inspector.</td>
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<td>22. late next year, and we'll develop a Board case and</td>
<td>22. I don't know his name.</td>
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<td>23. try to have a draft of that ready in March. I've</td>
<td>23. <strong>MR. BAUGHMAN</strong>: It's Jesse (phonetic).</td>
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<td>24. got it pretty much done so I'll just finish it up</td>
<td>24. <strong>MR. ROBINSON</strong>: Jesse.</td>
</tr>
<tr>
<td>25. and submit it to the Boiler Unit. Okay?</td>
<td>25. <strong>CHAIRMAN MORELOCK</strong>: Jesse?</td>
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<tr>
<td>1. All right. Let's see. Okay. So</td>
<td>1. <strong>MR. HARTFORD</strong>: He was over on the</td>
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<td>2. that takes us to Item nine, which is rule cases</td>
<td>2. left side of the room.</td>
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<td>3. and interpretations. We are going to -- just for</td>
<td>3. <strong>CHAIRMAN MORELOCK</strong>: Okay.</td>
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<td>4. information, I do want to say a big thank you,</td>
<td>4. <strong>MR. BAUGHMAN</strong>: I'll address that</td>
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<td>5. again, for the Fall conference. It was very</td>
<td>5. some. I've been in some communication with Jesse.</td>
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<td>6. successful.</td>
<td>6. Both -- this time of year has been pretty nuts for</td>
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<td>7. <strong>MR. BAUGHMAN</strong>: Amen.</td>
<td>7. all of us in the boiler business. So Jesse and I</td>
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<td>8. <strong>CHAIRMAN MORELOCK</strong>: In the length of</td>
<td>8. have had some very limited conversation in that</td>
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<td>9. time that you had to pull that off, it was actually</td>
<td>9. direction, and it's not that we've tabled it, it's</td>
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<td>10. astronomically fantastic, because it was done in a</td>
<td>10. just that with all that's been going on between work</td>
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<td>11. very short time. Yes, sir?</td>
<td>11. and family and church and life that it hasn't</td>
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<td>12. <strong>MR. HARTFORD</strong>: Mr. Chairman, I had</td>
<td>12. proceeded forward to putting the gas on it real</td>
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<td>13. something -- I guess it's still under the</td>
<td>13. hard. So --</td>
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<td>14. discussions -- that I wanted to bring up. It's not</td>
<td>14. <strong>MR. HARTFORD</strong>: Okay.</td>
</tr>
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<td>15. related to these. It's new business before we move</td>
<td>15. <strong>MR. BAUGHMAN</strong>: -- that's about as</td>
</tr>
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<td>16. on to --</td>
<td>16. vague of an answer as what I can give you, Chris.</td>
</tr>
<tr>
<td>17. <strong>CHAIRMAN MORELOCK</strong>: Sure.</td>
<td>17. <strong>MR. HARTFORD</strong>: Okay. We were kind of</td>
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<td>18. <strong>MR. HARTFORD</strong>: -- nine, ten.</td>
<td>18. wondering who was even forming -- who was -- this</td>
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<td>19. <strong>CHAIRMAN MORELOCK</strong>: Yeah. Let me</td>
<td>19. committee was composed of. Like, I know nobody from</td>
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<td>20. finish this and we'll --</td>
<td>20. our company got even contacted about any inputs.</td>
</tr>
<tr>
<td>21. <strong>MR. HARTFORD</strong>: Okay.</td>
<td>21. <strong>MR. BAUGHMAN</strong>: That's what Jesse and</td>
</tr>
<tr>
<td>22. <strong>CHAIRMAN MORELOCK</strong>: -- let you speak</td>
<td>22. I have started talking about.</td>
</tr>
<tr>
<td>23. to that.</td>
<td>23. <strong>MR. HARTFORD</strong>: Okay.</td>
</tr>
<tr>
<td>24. But what I wanted to say is there was</td>
<td>24. <strong>MR. BAUGHMAN</strong>: He brought it up. We</td>
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<td>25. a lot of good discussion between the inspectors</td>
<td></td>
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*Provided by Stone & George Court Reporting (615) 268-1244*
Board meeting? Mr. Chairman?

MR. TOTH: -- at the last Boiler Board meeting --

MR. HARTFORD: Yes.

MR. TOTH: -- at the last Boiler Board meeting. And then --

MR. HARTFORD: So it was formed by this body --

MR. TOTH: Yes.

MR. TOTH: -- at the last Boiler Board meeting? Mr. Chairman?

1. present here, but we talked about who to get on board with it and who's interested. And if there's an interest in getting somebody from both the insurance side and the boiler inspector side, we don't want to overload this committee by any extent, but we do want to have enough of a good input across a wide variable of people to bring things to the table.

9. So yeah, I would say if there's an interest, identify it with both myself and/or Jesse and we'll proceed forward with that. But hopefully, we'll have more communication to bring in March to be able to give some more traction to it and have some more information.

15. MR. ROBINSON: This was specifically for boiler qualification?

17. MR. BAUGHMAN: Well, it was specifically addressing training in multiple facets.

18. That is, we talked about setting up some minimum training requirements, not so much certifications, but minimum training requirements for people operating boilers. And it wouldn't necessarily be just defined to high pressure. So we didn't want to limit it to that, but then the further discussion went, as discussions sometimes do within boiler.

8. guys, is that it went off to those companies that are installing boilers, the qualifications or lack of qualifications that exist presently, and then also extending that over to the training of boiler inspectors and being able to have all these facets, the people that are installing the boilers, the people that are operating the boilers, and those people that are inspecting the boilers. So trying to get these facets together but not taking off such a big bite right on the front end. But when we talk about training, it encompasses so much within our industry. So we wanted to kind of narrow that down and take boiler operators first. So --

14. MR. HARTFORD: Sure.

15. CHAIRMAN MORELOCK: Yes, sir.

16. MR. TOTH: Who would be the governing body of this so-called committee and who authorized this committee to be formed?

17. MR. HARTFORD: It was formed last

20. Boiler Board meeting. And then --

21. MR. TOTH: So it was formed by this body --

23. MR. HARTFORD: Yes.

24. MR. TOTH: -- at the last Boiler Board meeting?

25. Board meeting? Mr. Chairman?
1. want to spin our wheels and say, hey, we really
2. think that boiler training is needed in our
3. industry. Although, we think it is. We bring --
4. some of us bring blinders to the table. And so we
5. want to make sure that everybody's in accord with
6. it.
7. CHAIRMAN MORELOCK: Are you good with
8. that?
9. MR. HARTFORD: Yes.
11. Just want to make sure. All right. Any more
12. comments about that? All right. Anything -- any
13. other discussion items we've not addressed? Okay.
14. All right. Moving on to -- the next
15. Board of Boiler Rules Meeting is scheduled for
16. March the 15th, located here, and my next item is
17. 11, which is adjournment. So before I adjourn, I
18. want to wish everybody a Merry Christmas. Happy
19. New Year. I do want to thank the Boiler Unit and
20. I want to thank our administrator and Dan for his
21. legal advice and Deborah for all the things that
22. she did for the Fall conference and Carlene for
23. putting up with all of our questions and requests
24. for copies and agendas and all that stuff. And
25. just, it means a lot to -- we've all worked really

1. well together in 2016, and I hope we continue that
2. in 2017.
3. And so with that, do I have a motion
4. to adjourn?
5. MR. PISCHKE: So moved.
6. CHAIRMAN MORELOCK: All right.
7. Second?
8. MR. BAUGHMAN: Second.
9. CHAIRMAN MORELOCK: All right.
10. Everybody vote by -- with their feet. You can stand
11. up and leave.
12. END OF PROCEEDINGS.

1. CERTIFICATE
2. STATE OF TENNESSEE  
3. COUNTY OF WILLIAMSON  
4. 
5. I, Dominique A. Dubois LCR# 686, Notary
6. Public and Court Reporter, do hereby certify that I
7. have recorded to the best of my skill and ability
8. by machine shorthand all the proceedings in the
9. foregoing transcript, and that said transcript is a
10. true, accurate, and complete transcript to the best
11. of my ability.
12. I further certify that I am not an attorney
13. or counsel of any of the parties, nor a relative or
14. employee of any attorney or counsel connected with
15. the action, nor financially interested in the
16. action.
17. SIGNED this 20th day of January, 2017.
18. 
19. ___________________________________
20. Dominique A. Dubois, LCR# 686
   Notary Public State at Large
21. My commission expires: 8/9/2018
22. 
23. 
24. 
25.