



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

ANDREW JOHNSON TOWER, 3RD FLOOR  
710 JAMES ROBERTSON PARKWAY  
NASHVILLE, TENNESSEE 37243-0657  
(615) 741-2123

**MINUTES**

**QUARTERLY MEETING OF THE STATE OF TENNESSEE,  
BOARD OF BOILER RULES, 9:00 A.M., MARCH 8, 2006  
ANDREW JOHNSON TOWER, 2<sup>ND</sup> FLOOR HEARING ROOM  
710 JAMES ROBERTSON PARKWAY, NASHVILLE**

- I. CALL TO ORDER – (9) - Chairman Lunn called the meeting to order at 9:00 a.m.
- II. INTRODUCTIONS AND ANNOUNCEMENTS – (12) - Board members present: Eddie Lunn, Domenic Canonico, Glen E. Johnson, Wayne L. Hiter, Ed Vance, and Brian Morelock. Department staff present: Martin Toth, Arthur Franklin, Gary Cookston, Sydné Ewell, John Straub, Deborah Rhone, and Eslie Rogers. Guest present were: Brian Blair, Young Technical Services; Mike Davidson, Eastman Chemical Company; Blake Neville, Neville Engineering.
- III. CONFLICT OF INTEREST REPORTS – (36) - Conflict of interest statements were completed by Board members.
- IV. ADOPTION OF THE AGENDA – (44) - Chief Toth requested two changes to the agenda. First, a late entry which will be designated as Item 06-06. Second, request that the next Board of Boiler Rules meeting be held on May 31<sup>st</sup> because of the Elevator Safety Board meeting scheduled to be held in Chattanooga, Tennessee the week of the next regularly scheduled Board of Boiler Rules meeting. Dr. Canonico made a motion to approve the agenda with the proposed changes and Dr. Johnson seconded the motion. After voting, the agenda was adopted.
- V. APPROVAL OF THE MINUTES FOR THE MEETING OF DECEMBER 7, 2005 – (108) -Mr. Hiter made a motion to approve the minutes with Dr. Canonico seconding the motion. After voting, the minutes were approved as written.
- VI. CHIEF’S REPORT – (116) - Given by Chief Toth and attached to these minutes.
- VII. OLD BUSINESS

---

**Item 04-21 – (255) - Mr. Tony Norton, Eastman Chemical Company, will report on the status of the contingent approval for an alteration to a “Tennessee Special” layered pressure vessel (TN# 64340, TS6694) submitted by Eastman Chemical Company, Tennessee Operations, Kingsport, TN, at the September 22, 2004 Board of Boiler Rules meeting. Chief Toth suggested that this old agenda item be closed stating that if Eastman works on this project in the future they will bring it before the Board as a new agenda item. Dr. Canonico made a motion to close this agenda item. Dr. Johnson seconded the motion. The vote was taken and carried with Mr. Morelock abstaining.**

**Item 05-30 – (280) - Mr. Mike Davidson, Eastman Chemical Company, Kingsport, TN will present an update to the December 7<sup>th</sup> annual report of their accepted Evidence-**

Based Inspection (EBI) program to the Board concerning the organization of their inspection personnel. **January 23, 2006 Eastman's vessel inspectors were moved from reporting to Maintenance, to reporting through Plant Engineering to the Company Vice President. Effective April 17, 2006 their EBI program will report through Vessel Designer(s) to the Company Vice President.** Chief Toth reported that Eastman just went through their tri-annual review of their quality control systems for the ASME and National Board. Chief Toth was present as an observer of this review and the reporting structure was brought to the attention of Eastman. The Company proved to the Quality Control Team Leader that this organizational chart would fall in line with the requirements of the NBIC. Chief Toth stated he was satisfied, and the organizational chart as presented to the Board was accepted by the accreditation team. Dr. Canonico made a motion to accept the organizational chart as presented. The motion was seconded by Mr. Vance. The vote was taken and carried with Mr. Morelock abstaining.

**Item 05-35 - (798) - Review an application and documentation from Plaas Incorporated, Red Wing, MN, for a license to engage in erections, repairs and alterations on boilers and pressure vessels in Tennessee. Dr. Canonico made a motion to reject, with Mr. Hiter seconding the motion. Discussion on this item revealed that question nine on the application had not been completed. Chief Toth accepted responsibility for the oversight and reminded the Board that this was a late entry from the December, 2005 meeting at which time this item was tabled until inspectors could look at this project. Chief Toth said if the Board would approve this item, he would go back and get question nine completed. Chief Toth said that there had been some issues on this project but that the Company had corrected the repair and done it per the code. Dr. Canonico and Mr. Hiter withdrew their motion to reject. Dr. Canonico made a motion to approve contingent upon the satisfaction of the Chief Inspector. The motion was seconded by Mr. Hiter. The vote was taken and carried unanimously.**

## VIII. NEW BUSINESS

---

**Item 06-01 - (409) - Chief Toth will briefly outline the upcoming implemented installation permit program, and present the division's "Boiler Installation Permit Application" to the Board for their review and acceptance. Chief Toth outlined the Permit Application for the Board. The permit application will be posted on the Boiler website and will become a requirement once governing rules are in force. This application will give the office staff and inspectors needed information on the installation of high and low pressure boilers and those unfired pressure vessels stamped lethal service. This permit application will include new installations, reinstallations, and second hand installations. Once a permit has been approved it will be scanned and stored on the computer for future reference. (986) A motion was made by Dr. Canonico on the acceptance of the Boiler Installation Permit Application, which was seconded by Mr. Vance. The vote was taken and carried unanimously.**

**Item 06-02 - (885) - Review an application and documentation from The Newman Group, LLC, Brownsville, TN, for a license to engage in repairs and alterations on boilers and pressure vessels in Tennessee. During discussion of this item, Dr. Canonico said he had trouble with the way the Company presented its experience. His suggestion was that this be approved contingent upon the satisfaction of the Chief Inspector. Chief Toth said that the key players in Newman Group, LLC, previously had a company under the name of Maintenance Industrial Service that did hold National Board Certificate Authorization for repairs and also a repair license through the Board. The old business closed and a new business was opened. As the Newman Group, LLC, the new owner is listed as George Newman who is the son of Dary Newman, identified as a consultant. When the Company**

received their Certificate of Authorization under the Newman Group, LLC, they failed to apply for their State repair license thinking they were still licensed under Maintenance Industrial Service. It was brought to their attention that they did not have a license at which time they contacted Chief Toth. Chief Toth expressed to the Company his concern about it being in business for as long as it had, which is where the 15 years of experience listed comes into play, and the claim that they didn't understand licensing procedures. Apologies were received and the Company is now applying for their license as the Newman Group, LLC. This clarified the statements made regarding experience; no years of experience as the Newman Group but, 15 years as Maintenance Industrial Service. Mr. Morelock made a motion to approve with Mr. Vance seconding the motion. After discussion, the motion carried unanimously.

**Item 06-03** – (1003) - The Division is requesting revisions be made to the Board's current Guidelines for Computerized Remote Monitoring of Boiler Systems (March 8, 2005). Chief Toth will make a brief presentation of the proposed changes. **Chief Toth said at the next meeting he would like to submit a draft of revisions to the guidelines. The draft would include better definitions; making sure verbiage in guidelines is in line with rules and regulations; and updating the checklist on the backside of the guidelines. Chief Toth asked for approval to develop a working group within the Division with special assistance coming from other outside individuals. The working group will look at making clear distinction between material changes and equipment changes on existing variances to eliminate any confusion on what the Board will allow the Chief Inspector to authorize. This agenda item was mainly to inform the Board of the creation of a working group, their goals, and timeframe. No vote was requested or taken by the Board.**

**Item 06-04** – (1096) - Discussion of the Board approval of adoption concerning the 2005 addenda to the National Board Inspection Code (NBIC), that was issued December 31, 2005, and will become mandatory July 1, 2006. **Board members were given a handout outlining proposed changes. Chief Toth recommended that everyone be given a chance to review these changes and that a vote be taken after discussion at the next scheduled Board meeting to be held on May 31, 2006. The Board agreed and this item was tabled.**

**Item 06-06** – (964) – Application and documentation from Welding Technologies, Inc. in Gainesville, Georgia for a license to engage in repairs and alterations on boilers and pressure vessels in the State of Tennessee. **After reviewing the information, Dr. Johnson made a motion to approve which was seconded by Dr. Canonico. A vote was taken and the motion carried unanimously.**

---

IX. RULE CASES & INTERPRETATIONS

---

**Item 06-05** – (1188) - Eastman Chemical Company, Kingsport, TN has submitted Rule Interpretation BI06-05 requesting the Board to give an interpretation on the exemption of low flash point water service vessels built prior to the 1979 edition of the ASME Code from the registration and inspection requirements of 0800-3-3. **Chief Toth reminded the Board that at the December meeting Eastman proposed 21 vessels categorized as water service, installed before the code, be exempt from the rules and requirements. In December the Board felt that they should be exempt and it is now requested that the Board's opinion be covered through an interpretation. Dr. Johnson made a motion to approve as written, which was seconded by Mr. Vance. The vote was taken and carried with Dr. Canonico and Mr. Morelock abstaining. Chief Toth said he would submit a letter to the Company and this item will be added to the case and interpretation index.**

---

X. THE NEXT BOILER BOARD MEETING IS SCHEDULED FOR May 31, 2006 IN NASHVILLE, TN. - (1323)

**XI. ADJOURNMENT - (1325) - **The meeting adjourned at 10:55 a.m.****