



STATE OF TENNESSEE
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
BOARD OF BOILER RULES
220 FRENCH LANDING DRIVE
NASHVILLE, TENNESSEE 37243
(615) 741-2123

MINUTES

**QUARTERLY MEETING OF THE STATE OF TENNESSEE
BOARD OF BOILER RULES, 9:00 A.M., JUNE 11, 2008
TOSHA CONFERENCE ROOM – FIRST FLOOR
220 FRENCH LANDING DRIVE, NASHVILLE**

- I. CALL TO ORDER – (14) – Chairman Lunn called the meeting to order at 9:08 a.m. (CST).

- II. INTRODUCTIONS AND ANNOUNCEMENTS – (17) – Board members present: Eddie Lunn; Domenic Canonico (joined the meeting before New Business agenda items were covered), Glen E. Johnson; Brian Morelock; Ed Vance; and Eugene Robinson. Department of Labor & Workforce Development staff present: Arthur Franklin; Gary W. Cookson; Dan Bailey; Sam Chapman; Carolyn Sherrod; and Deborah Rhone. Guests present: Don Tanner; Robert Bruce; Bob Carmon; Neil Jackson; Bruce Stiles; Greg Hamrick; Steve Kitchens; Blake Neville and Jeremy Christian.

(39) - Assistant Administrator Cookston informed meeting participants of emergency evacuation procedures for the building. He gave an update on (Interim) Chief Boiler Inspector Eslie Rogers who has been out of the office due to illness. Previously, some Board members expressed concern about fees being increased but Inspectors not receiving raises; Assistant Administrator Cookston announced all Inspectors had received raises.

(69) - Administrator Arthur Franklin announced that former General Counsel, Mike Fort, passed away suddenly on Friday, May 23, 2008 in Nashville.

- III. CONFLICT OF INTEREST REPORTS – (35) – Written conflict of interest statements were completed by Board members. Chairman Lunn asked Board members to verbally disclose any conflict of interest with agenda items prior to discussion.

IV. ADOPTION OF THE AGENDA – (75) – Chairman Lunn made a motion that agenda items 08-13 and 08-14 be moved ahead of item 08-05, making them the first two agenda items to be reviewed. In his opinion these items could be easily decided upon since the Board members had an opportunity to review the applications prior to the meeting. Moving these items would also allow additional time for Dr. Canonico to join the meeting since his input was needed on the remaining eight (8) items. The motion was seconded by Brian Morelock. The vote was taken and motion carried.

(100) Chairman Lunn made a motion that agenda item 08-09 be discussed after item 08-07 since both agenda items are from General Mills. This change will allow the Company presenters to address the Board without interruption which should streamline the process. The motion was seconded by Brian Morelock. The vote was taken and motion carried.

V. APPROVAL OF THE MINUTES FOR THE MEEING OF MARCH 5, 2008 – (118) - A motion to approve the minutes as written was made by Brian Morelock. The motion was seconded by Ed Vance. The vote was taken and motion carried.

VI. (INTERIM) ASSISTANT CHIEF'S REPORT – (125) – Given by (Interim) Assistant Chief Sam Chapman.

- NUMBER OF INSPECTIONS
 - 8,729 Total– 2,979 State Inspectors / 5,750 Insurance Co. Inspectors
- DELINQUENTS
 - 2,836 Total – 1,589 State Inspectors / 1,247 Insurance Co. Inspectors
- VIOLATIONS
 - 72 Total – 37 Uncorrected – 7 Quality Control – 1 Boiler Variance Inspection
- Currently there are eleven (11) State Inspectors and one (1) Quality Control Consultant.

VII. OLD BUSINESS – (152) - NONE

VIII. NEW BUSINESS

Item 08-05 – (217) - Review a request and documentation from Buckman Laboratories, Inc., 1256 North McLean Blvd, Memphis, TN, for a variance to Boiler Attendant Rule, Paragraph 0800-3-3-.04(22). Chairman Lunn verbally expressed a conflict of interest on this agenda item. Blake Neville, Neville Engineering and Jeremy Christian, Process Engineer, presented this item to the Board. Eugene Robinson asked if the Company had intentions of running the stand-by boiler more than four (4) hours at a time, if so, how they intended to address the attendant rule. Mr. Christian replied that occasionally it is run more than four (4) hours and that it would have the same control system as the previously approved variance and be monitored in the same way. Blake

Neville pointed out that the Board approved a variance for Buckner Laboratories in 1997 for that boiler and another one. The controls for the boiler that was demolished and removed will be applied to the old existing boiler so that it will have a redundant system. The controls are no longer made by the manufacturer so it will be beneficial for them to have spares.

Brian Morelock said the manual read well but it should be clarified by stating only the new boiler will have the new microprocessor-based control systems. He asked if the Company planned on leaving the old Foster Wheeler boiler on the old variance and Mr. Neville replied "yes". Mr. Morelock suggested that a provision might be added indicating the procedure for how the boiler will be attended if the remote monitor personnel leaves for more than twenty (20) minutes. As far as the responsibility of keeping the manual current, the manual states who will implement the variance not that they will be responsible for updates to the manual and he suggested that text be added. In Appendix G on pages G-6; G-11; G-16 and G-21 it states the Work Profile is only good for fifteen months and the date on the Profile is 2004, the Profile date should be changed. Mr. Morelock also pointed out a typographical error in the Table of Contents; it says Emergency Procedures are located on page nine (9) when in fact they are on page ten (10).

Dr. Canonico directed attention to page five (5) under the heading of "Normal Duties", it states: "Once each day the Boiler Attendant will contact the remote station". He asked if that is once per shift and Mr. Neville replied "no", once per day is correct. Dr. Johnson said the frequency isn't the concern as much as which shift will perform it. Unless it is specifically delegated there could be some confusion as to who is responsible for performing it. Mr. Christian said typically it occurs on the day shift when the primary boiler attendant is working. Mr. Johnson said that should be documented in the manual.

Mr. Neville said the plant shuts down on holidays and every other weekend. At that time, it is desirable to have the security officer on site be responsible for monitoring the boiler. This individual is not licensed per the requirements of Shelby County but fulfills all the obligations and responsibilities set by the Board. Chairman Lunn pointed out that Shelby County is the only county that has their own licensing requirements. Brian Morelock made a motion to approve the variance. Dr. Canonico seconded the motion. The vote was taken and carried with Chairman Lunn abstaining. Chairman Lunn reminded everyone that Board approval is contingent upon the Inspector's final inspection.

Item 08-06 – (373) - Review a request and documentation from Johns Manville, 2235 Highway 411 North, Etowah, TN, for a variance to Boiler Attendant Rule, Paragraph 0800-3-3-.04(22). Chairman Lunn verbally expressed a conflict of interest on this agenda item. Bob Carmon, Plant Engineer and Blake Neville, Neville Engineering presented this item to the

Board. The Johns Manville plant operates one (1) high-pressure boiler on demand twenty-four (24) hours per day, seven (7) days per week. Dr. Canonico asked if the boiler runs one-hundred percent (100%) of the time such as on holidays and weekends. Mr. Carmon replied “yes”. Dr. Canonico asked if someone would be there one-hundred (100%) percent of the time and Mr. Carmon said “yes” because those people are there for other reasons as well. Mr. Morelock pointed out that on page three (3), paragraph one (1), item three (3) it says: “Allow the boiler to be continually monitored by the staff in the nearby station”. The person who performs this is the Furnace Chief and that should be stated instead of just saying “staff”. Also, on pages six (6) and eight (8) time frame from Emergency Procedures on page ten (10) should be added since there are none listed in the Emergency Duties for the remote station and the boiler attendant. He commented that Appendix E looked more like a flow chart than a piping diagram and that some additional detail should be added. The manual does not contain a manual holder log outlining where the manuals will be kept although it is stated in the text. A clear copy of the form in Appendix F needs to be inserted. Mr. Morelock asked why the Junior Facilities Attendant is listed as a boiler attendant but is not included on the emergency call list. Mr. Carmon said the Junior Facilities Operator is a day shift operator but on the evening shift the primary call person is the shift electrician who is there all the time. Eugene Robinson asked if the shift electrical boiler operator and the mechanical boiler operator are on site twenty-four (24) hours a day, seven (7) days a week and Mr. Carmon replied “yes”. Dr. Canonico made a motion to approve the variance. Brian Morelock seconded the motion. The vote was taken and carried with Chairman Lunn abstaining.

Item 08-07 – (511) - Review a request and documentation from General Mills-Yoplait, Houston, 2695 Stephenson Drive, Murfreesboro, TN, for a variance to Boiler Attendant Rule, Paragraph 0800-3-3-.04(22). Chairman Lunn verbally expressed a conflict of interest on this agenda item. Joe Harrud, Maintenance Manager at the facility and Blake Neville, Neville Engineering presented this item to the Board. The plant operates three (3) high-pressure boilers on demand twenty-four (24) hours per day, seven (7) days per week, furnishing high-pressure steam for cleaning, space heating and potable water heating. Dr. Canonico noted that Figure one (1) mentioned on page one (1) of the manual was missing. Mr. Neville said he would see that Figure One (1), Site Plan of the facility, be included in the manual. Dr. Canonico asked if “on demand” twenty-four (24) hours per day, seven (7) days per week meant there were times when the boilers were not in use. Mr. Neville said the boilers do not run constantly, they cycle on and off with the production load. Dr. Canonico asked how it would be handled if the guard monitoring the boiler is called away in performance of other duties. Mr. Harrud said there are typically two (2) guards; one is stationary while the other makes rounds. Mr. Neville added that the guards are posted at the entrance access to the facility so it is typically manned at all times. Brian Morelock said on pages six (6)

and eight (8) time frame from Emergency Procedures on page ten (10) should be added since there are none listed in the Emergency Duties for the remote station and the boiler attendant. There was a discrepancy on the cover letter and page one (1) on who exactly is responsible for implementing variance criteria which needs to be clarified. The cover letter says the Assistant Plant Technical Manger and page one (1) says the Maintenance Manager, the organizational chart points back to the Maintenance Manager. Appendix G should clearly define the additional responsibility of the boiler attendant or remote operator. In Appendix D job titles on the organization diagram should match the job titles used in the text of the manual. Ed Vance made a motion to approve the variance. Brian Morelock seconded the motion. The vote was taken and carried with Chairman Lunn abstaining.

Item 08-08 – (765) - Review a request and documentation from American Greetings, 101 American Road, Afton, TN, for a variance to Boiler Attendant Rule, Paragraph 0800-3-3-.04(22). Chairman Lunn verbally expressed a conflict of interest on this agenda item. Blake Neville, Neville Engineering presented this item to the Board. The plant operates two (2) high pressure steam boilers in operation twenty-four (24) hours per day, seven (7) days per week for high pressure steam for process and space heating. Brian Morelock said that the company should work with (Interim) Assistant Chief Chapman on assignment of TN numbers and for making application for installation permits for the boilers. There is a discrepancy on the cover letter and page one (1) on who exactly is responsible for implementing variance criteria which needs to be clarified. The cover letter says the Industrial Engineer and page one (1) says the Plant Manager. Appendix D, Organizational Diagram, should show the Master Line Mechanic-Press and Maintenance Mechanic/Electrician A. Brian Morelock made a motion to approve the variance. Ed Vance seconded the motion. The vote was taken and carried with Chairman Lunn and Dr. Canonico abstaining.

Item 08-09 – (688) - Review a request and documentation from General Mills-Pillsbury, 200 Butler Road, Murfreesboro, TN, for a variance to Boiler Attendant Rule, Paragraph 0800-3-3-.04(22). Chairman Lunn verbally expressed a conflict of interest on this agenda item. Joe Harrud, Maintenance Manager at the facility and Blake Neville, Neville Engineering presented this item to the Board. The plant operates one (1) high-pressure boiler on demand twenty-four (24) hours per day, seven (7) days per week, furnishing high-pressure steam for proofer, auto clave, sparger and other process loads and potable water heating. The boiler will not be operated during periods of time when the plant is shut down such as holidays and pesticide fogging events. The guard station is approximately 220 feet from the boiler. A qualified boiler attendant will be on site at all times while the boiler is being operated. Brian Morelock said on pages six (6) and eight (8) time frame from Emergency Procedures on page ten (10) should be added since there are none listed in the Emergency Duties for the remote station

and the boiler attendant. There is a discrepancy on the cover letter and page one (1) on who exactly is responsible for implementing variance criteria which needs to be clarified. The cover letter says the Plant Technical Manger and page one (1) says the Maintenance Manager. Appendix G should clearly define the additional responsibility of the boiler attendant and remote operator. In Appendix D job titles on the organization diagram should match the job titles used in the text of the manual. Brian Morelock made a motion to approve the variance. Dr. Johnson seconded the motion. The vote was taken and carried with Chairman Lunn abstaining.

Item 08-10 – (878) - Review a request and documentation from University of Tennessee Memphis, Regional Biological Laboratory, 917 Monroe, Memphis, TN, for a variance to Boiler Attendant Rule, Paragraph 0800-3-3-.04(22). Chairman Lunn verbally expressed a conflict of interest on this agenda item. Bruce Stiles, Director of Facilities presented this agenda item. The facility is installing three (3) boilers operated on demand twenty-four (24) hours per day, seven (7) days per week and will be located in the Boiler Room at the Regional Biological Laboratory. The high-pressure steam is used for sterilization, washing, lab use, domestic water heating and space heating. Dr. Canonico confirmed that there will be two (2) trained and qualified boiler operators on site twenty-four (24) hours per day, seven (7) days per week. Brian Morelock said rule reference on cover page should be 0800-3-3-04(22), Tennessee Code Annotated, Title 68, Chapter 122, Part 1. On page five (5), Item three (3) under Normal Duties the rule reference should be added to the second sentence so that it reads: “If the system is not function properly, the Boiler Attendant Shall attend the boiler per 0800-3-3-04(22) or until the problem is corrected”. The company should work with (Interim) Assistant Chief Chapman on assignment of TN numbers and for making application for installation permits. Dr. Canonico made a motion to approve the variance. Eugene Robinson seconded the motion. The vote was taken and carried with Chairman Lunn abstaining.

Item 08-11 – (985) - Review a request and documentation from Sumner Regional Medical Center, 555 Hartsville Pike, Gallatin, TN, for a variance to Boiler Attendant Rule, Paragraph 0800-3-3-.04(22). Chairman Lunn and Eugene Robinson verbally expressed a conflict of interest on this agenda item. Steve Kitchens, Facility Engineer presented this agenda item to the Board. The facility operates two (2) fire-tube steam boilers which provide steam for building heat, water, humidification, domestic hot water and sterilization. Greg Hamrick, Johnson Controls Inc. who will provide the computerized remote monitoring system for the boilers was present to answer the Board’s questions. Dr. Canonico complimented Johnson Controls, Inc. on the proposed sixteen (16) hour training program for all Powerhouse personnel mentioned on page four (4) and the visual inspection of the boiler’s operating systems every four (4) hours as mentioned on page five (5) of the manual. Brian Morelock requested the manual be revised: to clearly delineate the

normal and emergency duties of the Remote Monitoring Personnel and the Boiler Attendant; reflect that the system, policy and procedures training will be for both the Remote Monitoring Personnel and the Boiler Attendant; specifically address who will maintain the training log; add a tabbed page or colored paper for ease in accessing emergency procedures; and state in the body of the manual that there will be placards posted for emergency situations. Dr. Canonico made a motion to approve the variance. Brian Morelock seconded the motion. The vote was taken and carried with Chairman Lunn and Eugene Robinson abstaining. Chairman Lunn reminded everyone that Board approval is contingent upon the Inspector's final inspection.

Item 08-12 – (1119) - Review a request and documentation from R R Donnelley, 801 Steam Plant Road, Gallatin, TN, for a variance to Boiler Attendant Rule, Paragraph 0800-3-3-.04(22). Chairman Lunn verbally expressed a conflict of interest on this agenda item. Dr. Canonico made a motion to postpone the agenda item until such time as a Company representative can be present. Ed Vance seconded the motion. The vote was taken and carried with Chairman Lunn abstaining.

Item 08-13 – (153) - Review an application and documentation from Repcon, Inc., Corpus Christi, TX, for a license to engage in the repair of boilers and pressure vessels in Tennessee. No Board member expressed a conflict of interest with this agenda item. Dr. Johnson made a motion to approve. Ed Vance seconded the motion. The vote was taken and motion carried.

Item 08-14 – (177) - Review an application and documentation from REF-CHEM LLC, Pasadena, TX, for a license to engage in the repair of boilers and pressure vessels in Tennessee. No Board member expressed a conflict of interest with this agenda item. Ed Vance made a motion to approve. Brian Morelock seconded the motion. The vote was taken and motion carried.

- IX. RULE CASES & INTERPRETATIONS – (1189) - THERE WERE NO RULE CASE & INTERPRETATIONS
- X. (1192) - THERE WERE NO APPLICANTS SITTING FOR THE NATIONAL BOARD COMMISSION EXAMINATION
- XI. (1194) - THE NEXT BOILER BOARD MEETING IS SCHEDULED FOR WEDNESDAY, SEPTEMBER 10, 2008 IN CONJUNCTION WITH THE BOILER SAFETY FALL CONFERENCE WHICH WILL BE HELD AT THE MILLENNIUM MAXWELL HOUSE HOTEL IN NASHVILLE, TN.
- XII. ADJOURNMENT – (1205) – Brian Morelock made a motion to adjourn. The motion was seconded by Dr. Canonico. The vote was taken and carried.

