



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. (CT) SEPTEMBER 7, 2011
TOSHA HEARING ROOM - FIRST FLOOR
220 FRENCH LANDING DRIVE
NASHVILLE, TENNESSEE**

- I. CALL TO ORDER - (8) - Chairman Lunn called the meeting to order at 9:00 a.m. (CT).

- II. INTRODUCTIONS AND ANNOUNCEMENTS - (11) - Board members present: Eddie Lunn; Eugene Robinson; Ed Vance; Dr. Domenic Canonico; Brian Morelock; and Dr. Glen Johnson. Department of Labor & Workforce Development employees in attendance: Arthur Franklin; Gary Cookston; Sydné Ewell; Chad Bryan; Deborah Rhone; Sam Chapman; Neil Jackson; and Carlene T. Bennett. Guests present: John Twyman; David Lambert; Matt Storm; Chris Soper; James Neville; Jason Kramer; Larry Chapman; and Curtis Duncan.

(27) - Assistant Administrator Cookston announced that in the event of a natural disaster or emergency, building security personnel would direct attendees to a safe place inside the building or ask them to evacuate to the parking lot toward the Rosa Parks side of the building.

- III. CONFLICT OF INTEREST STATEMENTS - (32) - Conflict of interest statements were completed by Board members present. Chairman Lunn reminded Board members to verbally disclose conflicts of interest with agenda items prior to discussion.

- IV. APPROVAL OF THE MAY 25, 2011 QUARTERLY MEETING MINUTES - (35) - Dr. Canonico made a motion to approve the May 25, 2011 minutes as written. Ed Vance seconded the motion. The vote was taken and the motion carried.

V. CHIEF'S REPORT - (44) - Chief Bryan's report covered data from April-June 2011.

- Eight-thousand eight-hundred nineteen (8,819) inspections performed.
- Nine-thousand eighty (9,080) delinquents as of September 6, 2011
- Forty-five (45) violations
- Twenty-seven (27) uncorrected code violations
- Five (5) quality control reviews performed
- Zero (0) boiler variance inspections performed

VI. OLD BUSINESS - (65)

None

VII. NEW BUSINESS

11-07 - (67) - Review a request and documentation from Proctor & Gamble - Duracell Cleveland, 501 Mouse Creek Road Northwest, Cleveland, Tennessee for a variance to Boiler Attendant Rule, Paragraph 0800-03-03-.04(22). Chairman Lunn verbally expressed a conflict of interest with this agenda item. James Neville, Larry Chapman, and Jason Kramer presented this item to the Board. The request is for a variance *renewal* for the operation of power boiler(s) utilizing a microprocessor-based control system. A revised Systems Operation Manual was submitted for review. The major change in the system is the paging system. They are going from a pager notification to a Nextel cellphone system.

- Dr. Canonico was confused on whether the company is operating seven (7) days per week or on demand since page one (1) of the manual states that *"The plant is shut down during the weekend"* but further down the page it says *"The high pressure boilers are used for heating and process water heating and are operated on demand seven (7) days per week."* Also, on page eleven (11), item four (4) states: *"If a standby boiler must be started..."* Larry Chapman said their business fluctuates but as a general rule they are shut down on the weekend, however, production would continue over the weekends during times of peak demand.
- Dr. Canonico: Page five (5), item six (6) states: *"continuously manned remote station."* Since the remote station is manned by on-site security guards, how is that possible since they have other duties? Larry Chapman said there are currently two (2) guards on duty at all times.
- Dr. Canonico: Page eight (8), item six (6) states: *"Boiler Operator shall return to the boiler room each four (4) hours (middle shift)."* He asked if they go there at the beginning of the shift, the end of the shift and at four (4) hour intervals. Larry Chapman said the current practice is to go at the beginning of the shift, at the middle of the shift, and the next oncoming shift will start the process all over. Page eight (8), item one (1) says: *"shall report to the boiler room at the beginning of each shift."*

- Dr. Canonico: Page twelve (12) there is no boiler operator listed. If the Millwright is also the boiler operator and it would be helpful to somehow label him as the boiler operator too.
- Eugene Robinson: Page one (1), second paragraph says: "*Duracell operates two (2) high pressure boilers in accordance with the requirements of Chapter 0780-2-11, Boilers.*" The correct reference is Chapter 0800-03-03, Mr. Neville said that would be corrected.
- Eugene Robinson asked for clarification on who checked the boilers on the weekends. Larry Chapman said the Millwright/boiler operator was required to come in each day to check the boiler and then it is monitored by the on-site security guards.
- Eugene Robinson pointed out that in the Table of Contents the Remote monitoring system description is shown as being on page three (3) when actually it is on page four (4). Dr. Johnson said the manual starts out with two (2) pages one (1) which may be the problem, the pagination needs some work.
- Eugene Robinson said Rev. 9 of the Checklist for Attendant Variance Request should be used. Mr. Neville said it was not online at the time he completed the manual but he would submit Rev. 9 with the manual changes.
- Brian Morelock thanked them for the revised manual with changes redlined. He said the organizational chart on Appendix D-1 is different in the original manual and the revised manual. The original organizational chart clearly showed that the Security Officer is the Remote Attendant and the Millwright is the Boiler Operator. The organizational chart should clearly and accurately reflect what is being done everyday.

Brian Morelock made a motion to approve the variance contingent upon the suggested changes to the manual and inspection by a Deputy Boiler Inspector. Eugene Robinson seconded the motion. The vote was taken and the motion carried with Chairman Lunn abstaining.

11-08 - (282) - Review a request and documentation from Innophos, Inc., 4600 Centennial Blvd., Nashville, Tennessee for a variance to Boiler Attendant Rule, Paragraph 0800-03-03-.04(22). Chairman Lunn verbally expressed a conflict of interest with this agenda item. David Lambert, John Twyman and Matt Storm presented this item to the Board. The facility operates two (2) boilers and manufactures phosphate based food additives and chemicals and it operates twenty-four (24) hours per day, three-hundred and sixty-five days (365) per year.

- Dr. Canonico: Their letter to Chief Bryan dated August 4th says: "*The facility operates 24 hours per day, 365 days per year.*" but on page twelve (12) of the manual, in item 3.1, it says: "*The Boiler Operator is present one shift per weekday...*" Dr. Canonico asked if the company was only operating one shift. Matt Storm, Maintenance Manager replied that the boilers are operated twenty-four (24) hours per day. The boiler operator works one day shift during the week and half a day on Saturday. He said shift mechanics which

act as boiler attendants are there around the clock. He said this was more union work rules than descriptive of the operation. The boiler operator is responsible for making sure the water softeners are full; does water quality test; does the blow-down; and the emergency test for the day. The shift mechanics are actually responsible for checking on the boiler during off shifts. Dr. Canonico said he found page fifteen (15) misleading when it says: "*When the Boiler Operator is not on site*". To him it sounds like there is no boiler operator there but from their explanation it sounds like there are other people there who act as boiler attendants. Dr. Canonico said that didn't come across loud and clear in the manual. Brian Morelock said they should describe in more detail the duties of the shift mechanic. They should make it clear that the shift mechanic performs the role of a boiler attendant and that the boiler is being attended every four (4) hours. Dr. Canonico asked if the boiler operator was on call twenty-four (24) hours per day, seven (7) days per week and the company representatives confirmed they were.

- Dr. Canonico: Page seventeen (17), bullet point two (2) lists a lot of responsibilities for the security guards. He asked if there was always someone at the security guard site and Matt Storm replied "yes", one (1) guard is always stationed there on duty. Dr. Canonico said bullet point two (2) reads: "*Maintains an alert eye at all times for unacceptable activities such as theft, violence and destruction of company property or infractions of other security or safety regulations.*" He asked if he could do all of this without leaving his post. Matt Storm said he has video surveillance cameras to assist him. Dr. Canonico asked if the guard saw someone stealing what would he do. Brian Morelock said bullet point two (2) also says: "*Cooperates with local law enforcement, fire and civil defense authorities on matters pertaining to plant security.*" Matt Storm said the guards do not intervene. They use the loud speaker if they need to call somebody or call police. They do not take an active role, their role is for communication and they are stationed there at all times.
- Brian Morelock: Typically there is a short paragraph in the manual that states if there is a condition that the boiler is put into that falls outside the variance, that the boiler needs to be attended per rule 0800-03-03 every twenty (20) minutes during that situation.
- Brian Morelock suggested that in the emergency procedures, item 4.4, the remote monitoring station have written guidelines for notifying the boiler operator/attendant. If the attendant doesn't receive a respond in a minute or so, then they should start down the emergency call list.
- Brian Morelock asked if the Emergency Procedure for the Remote Monitoring Station would be highlighted in the revised manual and company representatives said it would be.
- Brian Morelock: There are page numbering concerns that need correcting.
- Neil Jackson wanted to know if everyone listed on the (*unnumbered page*) Table A-1/Emergency Personnel Contact Information List received training. He asked for clarification of training in the manual as well as job descriptions for each job title.

Brian Morelock made a motion to approve the variance contingent upon the suggested changes to the manual and inspection by a Deputy Boiler Inspector. Ed Vance seconded the motion. The vote was taken and the motion carried with Chairman Lunn and Dr. Canonico abstaining.

VIII. RULE CASES & INTERPRETATIONS - (621) - THERE WERE NO RULE CASES AND INTERPRETATIONS.

IX. (623) - THE NEXT BOARD OF BOILER RULES MEETING IS SCHEDULED FOR 9:00 A.M. (CT), WEDNESDAY, DECEMBER 7, 2011 AT THE DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT OFFICE BUILDING LOCATED AT 220 FRENCH LANDING DRIVE, NASHVILLE, TN.

X. ADJOURNMENT - (628) - Ed Vance made a motion to adjourn. Brian Morelock seconded the motion. The vote was taken and the motion carried with the meeting adjourning at 9:41 a.m. (CT).