



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) JUNE 6, 2012  
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; Dr. Domenic Canonico; Brian Morelock; Ed Vance; and Eugene Robinson. Department of Labor & Workforce Development employees in attendance: Arthur Franklin, Jr.; Gary W. Cookston; Sydné Ewell; Chad Bryan; Deborah Rhone; Neil Jackson; and Carlene T. Bennett. Guests present: Terry Tracy; Andy Shelton; David Fox; Romie Ruiz; Woody Troutman; Martin Toth; Rob Simpson; Karin Eden; Tom Dubois; Hargus Reed; Roger Shaw; Dennis Hayes; and James Neville.

(24) – Assistant Administrator Cookston announced that in the event of an emergency or natural disaster, security personnel would take attendees to a safe place in the building or direct them to exit the building on the Rosa Park side.

(67) – Chairman Lunn announced that Dr. Canonico had received a very prestigious honor from the National Board who recently met in Nashville. Dr. Canonico was awarded their safety award. Chairman Lunn expressed gratitude and appreciation especially since the Board of Boiler Rules is all about safety.

(1185) – Chairman Lunn announced that Dr. Glen Johnson, representing mechanical engineers had resigned from the Board. Gary Cookston stated that there were three (3) Board members whose term is up June 30<sup>th</sup>.

Recommendation letters have been sent to Commissioner Davis but the Governor's office has the final say on who is appointed.

(1268) – Dr. Canonico said he would like to see Tennessee require a license for Boiler Operators. Chairman Lunn said since Memphis required a license, perhaps the Board could get a copy of their requirements to review. Chief Bryan said he would get a copy.

III. ADOPTION OF THE AGENDA – (36) – Ed Vance made a motion to adopt the agenda. Dr. Domenic Canonico seconded the motion. The vote was taken and the motion carried.

IV. APPROVAL OF THE MARCH 7, 2012 QUARTERLY MEETING MINUTES – (45) Ed Vance made a motion to adopt the March 7, 2012 minutes as written. The motion was seconded by Brian Morelock. The vote was taken and the motion carried.

V. CHIEF'S REPORT – (89) – Chief Bryan's report covered data from January – March 2012.

- Eight-thousand seven-hundred and one (8, 701) total inspections performed.
- One-thousand nine-hundred thirty-five (1,935) delinquents.
- Seventeen (17) violations.
- Six (6) uncorrected code violations.
- Six (6) quality control reviews performed.
- There are two (2) Inspectors sitting for the NBIC exam today.
- There will be two (2) newly hired Inspectors sitting for the NBIC exam in September.

VI. OLD BUSINESS – (107)

None

VII. NEW BUSINESS

**12-07** – (108) - West Tennessee State Penitentiary (WTSP), 530 Green Chapel Road, Henning, Tennessee is requesting a variance renewal on four (4) high-pressure boilers that operate under the requirements of Chapter 0800-03-03-.04(22). Chairman Lunn verbally expressed a conflict of interest with this agenda item. James Neville and Dennis Hayes presented this item to the Board.

- Dr. Canonico said on page seven (7), "I. Personnel Type - 1. Clarification - The Boiler Attendant is a *trained qualified individual* who is designated to operate or monitor the boilers. The Boiler Attendant may be classified by West Tennessee State Penitentiary as: a. Boiler Supervisor; b. Boiler

Operator 2; c. Facilities Manager 3; d. Facilities Supervisor; e. Correctional Officer (see Appendices G).”

The Boiler Supervisor and the Boiler Operator 2 positions require boiler experience but no such experience is required of the other job classifications and yet they are classified as boiler attendants. Dr. Canonico said they may be boiler monitors but not boiler attendants. Brian Morelock said it appears that at the end of the job descriptions a sentence was added which reads: “Serves as Boiler Attendant to monitor and document safe boiler operations per the System Operation Manual.” in an attempt to justify the boiler attendant classification. Dr. Canonico said this error is repeated in the other Correctional Institute manuals on the agenda and needs clarification.

- Eugene Robinson asked if there were three (3) or four (4) boilers. Mr. Neville said there were four (4) as shown in Appendix E-1 and E-2. One boiler has been decommissioned as shown in Appendix A-1 and E-1.

Page one (1), paragraph three (3), the site plan of the facility should be listed as being shown on Figure 1 instead of Figure J.

Page five (5), paragraph one (1), Appendix J should be Appendix G.

Page five (5), paragraph two (2) reads: “Personnel responsible for reacting to boiler alarms will be *instructed* about emergency procedures.” Change “instructed” to “trained”.

Page five (5), paragraph three (3), documentation log should be Appendix H instead of Appendix I.

Page seven (7), paragraph three (3), documentation log should be Appendix H instead of Appendix I.

- Brian Morelock said the organizational chart needs to clearly mirror the words in the manual. He couldn’t find the Training Specialist, Correctional Officers or Director of Facilities on the organizational chart.

The cover letter in Appendix N states that this is a renewal but I-1 indicates that this is a new request. Mr. Neville confirmed it is a renewal.

The variance request letter states that Thomas Robinson will be responsible for implementing the manual but page one (1) states that Terry Sellers, Facilities Manager, will be implementing the provisions of the variance. So those statements need to be reconciled.

- Neil Jackson asked if the job classifications listed on page eleven (11), Boiler Emergency Call List, are the boiler attendant or boiler operator. Brian

Morelock said the way he interpreted it, any of the five (5) positions listed on page seven (7) could be the boiler attendant. The Board asked for clarification between the boiler operator and the boiler monitor.

Brian Morelock made a motion to approve the variance renewal contingent upon the manual changes discussed being made and upon a satisfactory physical inspection of their boiler system by a Deputy Inspector. Eugene Robinson seconded the motion. The vote was taken and the motion carried with Dr. Canonico voting no and Chairman Lunn abstaining.

**12-08** – (401) - Tennessee Correction Academy (TCA), 1314 South Jackson Street, Tullahoma, Tennessee is requesting a variance renewal on two (2) high-pressure boilers that will operate under the requirements of Chapter 0800-03-03-.04(22). Chairman Lunn verbally expressed a conflict of interest with this agenda item. James Neville and Dennis Hayes presented this item to the Board.

- Dr. Canonico said as in agenda item 12-07, on page seven (7), there needs to be clarification on who will operate the boiler and who will monitor the boiler.
- Brian Morelock said his comments were similar to the ones expressed in agenda item 12-07. The variance request letter states that Thomas Robinson will be responsible for implementing the manual but page one (1) states that Reid Williams, Administrative Services Manager, will be implementing the provisions of the variance. So those statements need to be reconciled.

The organizational chart needs to clearly mirror the words in the manual. He couldn't find the Operations Supervisor on the organizational chart.

- Eugene Robinson said page five (5), paragraph two (2) reads: "Personnel responsible for reacting to boiler alarms will be *instructed* about emergency procedures." Change "instructed" to "trained".

Brian Morelock made a motion to approve the variance renewal contingent upon the manual changes discussed being made and upon a satisfactory physical inspection of their boiler system by a Deputy Inspector. Eugene Robinson seconded the motion. The vote was taken and the motion carried with Dr. Canonico voting no and Chairman Lunn abstaining.

**12-09** – (541) - Morgan County Correctional Complex, 541 Wayne Cotton Morgan Blvd., Wartburg, Tennessee is requesting a variance renewal on three (3) high-pressure boilers that will operate under the requirements of Chapter 0800-03-03-.04(22). Chairman Lunn verbally expressed a conflict of interest with this agenda item. James Neville and Dennis Hayes presented this item to the Board.

- Dr. Canonico said as in agenda item 12-07 and 12-08, on page seven (7), there needs to be clarification on who will operate the boiler and who will monitor the boiler. In his opinion these manuals should have to come back before the Board once they are corrected instead of putting the onus on the Deputy Inspector.
- Brian Morelock said this variance was last approved by the Board on March 5, 2008. He read the minutes from that meeting and the comments that were made then apply now, so the manual does need to be revised.

Appendix G does not list the responsibilities of the boiler attendant. The job descriptions do not even have the previously used blurb: "Serves as Boiler Attendant to monitor and document safe boiler operations per the System Operation Manual." added to the end of each one which makes it impossible for the Board to determine who the boiler attendant is.

The variance request letter states that Thomas Robinson will be responsible for implementing the manual but page one (1) states that Marty LaRue will be implementing the provisions of the variance. So those statements need to be reconciled. Also, the manual does not give Mr. LaRue's job title.

In 2008 the Board asked for TENN. No. of the boilers to be listed but they are still showing as "Pending" in Appendix A.

On page four (4) the word Siemens is misspelled.

Brian Morelock made a motion to approve the variance renewal contingent upon the manual changes discussed being made and upon a satisfactory physical inspection of their boiler system by a Deputy Inspector. Eugene Robinson seconded the motion. The vote was taken and the motion carried with Dr. Canonico voting no and Chairman Lunn abstaining.

**12-10** – (656) - Mark Luttrell Correctional Center, 6000 State Road, Memphis, Tennessee is requesting a variance renewal on two (2) high-pressure boilers that will operate under the requirements of Chapter 0800-03-03-.04(22). Chairman Lunn verbally expressed a conflict of interest with this agenda item. James Neville and Dennis Hayes presented this item to the Board.

- Domenic Canonico said as in agenda item 12-07, 12-08 and 12-09, on page seven (7), there needs to be clarification on who will operate the boiler and who will monitor the boiler.

Dr. Canonico asked if there is a requirement that the boiler attendant be certified since the facility is located in Memphis. Chief Bryan said the requirement only applies if it is located in the city limits. Chief Bryan said he would verify whether or not the requirement applies to this facility.

- Brian Morelock said the variance request letter states that Thomas Robinson will be responsible for implementing the manual but page one (1) states that Blade Bernard Echols, Facility Manager 2 will be implementing the provisions of the variance. So those statements need to be reconciled.

On page three (3) first paragraph reads: “*has install*” and should read “*has installed*”.

On both pages five (5) and seven (7) under the heading of “*Training*” reference is made to Appendix I being a “documentation log” but Appendix I is the job duties for a Correctional Corporal. Page five (5) and seven (7) should reference Appendix K.

On Appendix A-1 where it lists the date the boilers were built it just says “76”, it should be changed to “1976”.

Brian Morelock made a motion to approve the variance renewal contingent upon the manual changes discussed being made and upon a satisfactory physical inspection of their boiler system by a Deputy Inspector. Eugene Robinson seconded the motion. The vote was taken and the motion carried with Dr. Canonico voting no and Chairman Lunn abstaining.

**12-11** – (794) - American Greetings, 101 American Road, Afton, Tennessee is requesting a variance renewal on one (1) high-pressure boiler that will operate under the requirements of Chapter 0800-03-03-.04(22). Chairman Lunn verbally expressed a conflict of interest with this agenda item. James Neville and Tom Dubois presented this item to the Board.

- Mr. Neville said the previous variance was for two (2) boilers but only one (1) boiler requires a variance renewal because one (1) boiler had been decommissioned.
- Eugene Robinson said he did not see a job description for the master mechanic or a maintenance mechanic/electrician A mentioned on page five (5). Brian Morelock said they should also be listed on the organizational chart.
- Eugene Robinson said Appendix H-1 and J-1 is the same document.
- Brian Morelock said many of the comments made today were made on January 11, 2008 but the comments didn’t make it to the revision of the manual.

Page five (5), first paragraph, says: “*...if the boiler attendant leaves the boiler room for more than 20 minutes, a master line mechanic or a maintenance*”

*mechanic/electrician A shall either attend the boiler or monitor the boiler...*

Mr. Morelock said that statement is a little vague. Mr. Dubois said both those two (2) positions work in the area where the boiler is located. The majority of the time they will be attending the boiler. If they are up front in the office area, they will be monitoring it at a remote monitoring station. Mr. Morelock said this goes back to Dr. Canonico's concern, if they are attending the boiler they are a boiler operator. If they are monitoring the boiler, they are a remote monitor. Mr. Dubois said those two (2) positions are trained to perform both functions but the security guard is the remote monitor.

Mr. Morelock asked how Boiler Supply Co. will provide training and documentation for the annual as well as new employee training. He wanted to see more information on how that is going to be managed. Boiler Supply will provide the training but American Greetings needs to leverage employees to make sure they get and update their training.

Page eight (8) states "*boiler attendant*", G-2 states "*boiler operator*", and the organizational chart states "*boiler operator*" the terminology should be consistent.

On page nine (9) there is an extra number two (2) under the "*Restart Procedures*" that should be removed. Also on page nine (9), item one (1) under "*Restart Procedures*" there is no "*standby boiler*" since the other boiler has been decommissioned, so that needs to be removed.

Dr. Canonico made a motion to approve the variance renewal contingent upon the manual changes discussed being made and upon a satisfactory physical inspection of their boiler system by a Deputy Inspector. Brian Morelock seconded the motion. The vote was taken and the motion carried with Chairman Lunn voting no.

**12-12** – Kayser-Roth Corporation, 220 Broadway Street, Dayton, Tennessee is requesting variances on two (2) high-pressure boilers that will operate under the requirement of Chapter 0800-03-03-.04. Chairman Lunn verbally expressed a conflict of interest with this agenda item. James Neville and Hargus Reed presented this item to the Board.

- Page one (1) states that the company operates two (2) high-pressure boilers but the variance is for only one (1) boiler as stated in the first paragraph of page three (3).
- Update the job descriptions to show boiler responsibilities.
- Page seven (7) states that the Maintenance Technician will be the boiler attendant but that job title isn't reflected on the organization chart and there is no job description for the Maintenance Technician.

- Clarify on page five (5) who will be acting as Remote Station Personnel.
- Page five (5) under Normal Duties says: *“Once each shift the Boiler Attendant will contact the remote station.”* It should read: *“Once each shift the Boiler Attendant will contact the Remote Station Personnel.”*
- Page ten (10), #1, the word “turn” should be changed to “push”.
- Page seven (7), Training, #1: “familiarized” should be changed to “trained”.
- Page five (5), Training, #1 and page seven (7), Training, #2: Boiler Emergency Procedure instruction manual location should be the same.

Eugene Robinson made a motion to approve the variance renewal contingent upon the manual changes discussed being made and upon a satisfactory physical inspection of their boiler system by a Deputy Inspector. Brian Morelock seconded the motion. The vote was taken and the motion carried with Dr. Canonico voting no and Chairman Lunn abstaining.

**12-13** – Nucor Steel Memphis, Inc., 3601 Paul R. Lowry Road, Memphis, Tennessee is requesting a variance on one (1) high-pressure boiler that will operate under the requirement of Chapter 0800-03-03-.04. Chairman Lunn verbally expressed a conflict of interest with this agenda item. James Neville and Karin Eden presented this item to the Board.

- Page seven (7), Training, #1: Shelby County should be changed to City of Memphis. Make the same change on Appendix G, Qualifications.
- Appendix G-1: Remove duplicate *“Emergency Procedure – Boiler Low Water Condition”*.
- Page eleven (11): Add job title of *“Environmental Technician/Boiler Attendant”* to the second column.

Dr. Canonico made a motion to approve the variance renewal contingent upon the manual changes discussed being made and upon a satisfactory physical inspection of their boiler system by a Deputy Inspector. Eugene Robinson seconded the motion. The vote was taken and the motion carried with Chairman Lunn abstaining.

**12-14** – Mundet Tennessee, Inc., 170 Geiger Road, Surgoinsville, Tennessee is requesting variances on two (2) high-pressure boilers that will operate under the requirement of Chapter 0800-03-03-.04. Chairman Lunn verbally expressed a

conflict of interest with this agenda item. Woody Troutman presented this item to the Board.

- Page four (4), Item 3.1: Expand information on boilers.
- Page seven (7), Item 5.1, second bullet point should be divided so it reads:
  - *“Monitor water level inside boiler-low level alarm”*
  - *“High level alarm will shut water supply off”*
- Page nine (9), Item 6.6: Facility operates 24 hours per day, 7 days per week but boilers are operated as needed or required.
- Page nine (9), Item 7.2: Last sentence should read: *“The training will be conducted by a qualified and recognized boiler controls instructor annually.”* A paragraph should then be added describing the annual training.
- Page ten (10), Item 7.3.4: Define who exactly performs boiler attendant duties and outline their job duties. Also list/label positions on the organizational chart in Appendix E.
- Appendix K: Should use Rev. 9 of Checklist for Attendant Variance Request.
- Item eight (8) on the Checklist for Attendant Variance Requests says Item 6.3, Remote Monitoring Personnel (page eight (8) and nine (9)) describes the training program for remote monitors. It should describe in more detail how the training will be handled; provide a training log; and who will maintain the log.
- Item twenty (20) on the Checklist for Attendant Variance Requests refers to the unauthorized access to the remote monitoring system. The remote monitoring system should be password protected and elaborated on in Appendix A, B or C.
- Page eleven (11), Emergency Procedure-Remote Monitoring System: Should be printed on a colored sheet of paper so it can be readily located in the event of an emergency.

Dr. Canonico made a motion to approve the variance renewal contingent upon the manual changes discussed being made and upon a satisfactory physical inspection of their boiler system by a Deputy Inspector. Eugene Robinson seconded the motion. The vote was taken and the motion carried with Chairman Lunn voting abstaining.

**12-15** – (965) - Mueller, Co., 1401 Mueller Avenue, Chattanooga, Tennessee is requesting a variance on one (1) high-pressure boiler that will operate under the requirement of Chapter 0800-03-03-.04. Chairman Lunn verbally expressed a

conflict of interest with this agenda item. David Fox and Terry Tracy presented this item to the Board. David Fox and Terry Tracey presented this item to the Board.

- Brian Morelock made the following comments:

The cover letter says Larry Kisor will be responsible for implementing the variance but on the "*Current System Description*" page says Roger Hackett and Ken Cross will be responsible. The manual should clearly state who will be responsible for the variance.

The Maintenance Technician is listed as the boiler attendant in section two (2) but is not listed on the Organization Chart. Add a Maintenance Technician classification to the organizational chart with "*boiler attendant*" listed under the title. Do the same for Security Officer and put "*remote monitor*" under that job title.

It would be helpful if the manual pages were numbered.

Appendix G does not list any remote monitoring requirements for the Security Officer.

In section three (3) in the "*Remote Station Emergency Duties*" it states to allow ten (10) minutes for the Maintenance Technician/Boiler Attendant to acknowledge an alarm. In the boiler world, that is an awful long time. Section six (6), "*Emergency Procedures*" states one (1) minute for a response, which is more appropriate. The statements should be consistent.

There is not an example of a training log in the manual. There is no log of manual holders in the system manual.

How is the remote monitoring system protected from unauthorized access? The system should be password protected.

The "*Emergency Procedures*" should be on colored paper so it can be easily located. The manual should state that there will be placards placed at the remote station and at the boiler to assist in an emergency.

Dr. Canonico made a motion to approve the variance renewal contingent upon the manual changes discussed being made and upon a satisfactory physical inspection of their boiler system by a Deputy Inspector. Ed Vance seconded the motion. The vote was taken and the motion carried with Chairman Lunn abstaining.

VIII. RULE CASES & INTERPRETATIONS – (1163) – There were no rule cases and interpretations.

- IX. (1165) – The next Board of Boiler Rules meeting is scheduled for 9:00 a.m. (CT), Wednesday, September 12, 2012 at the Department of Labor & Workforce Development office building located at 220 French Landing Drive, Nashville, Tennessee.
  
- X. ADJOURNMENT – (1436) – Ed Vance made a motion to adjourn the meeting. Eugene Robinson seconded the meeting. The vote was taken and carried with the meeting adjourning at 11:07 a.m. (CT).