



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) MARCH 7, 2012
TOSHA HEARING ROOM - FIRST FLOOR
220 FRENCH LANDING DRIVE
NASHVILLE, TENNESSEE**

- I. CALL TO ORDER – (1) – Chairman Lunn called the meeting to order at 9:00 a.m. (CT).

- II. INTRODUCTIONS AND ANNOUNCEMENTS – (6) – Board members present: Eddie Lunn; Eugene Robinson; Dr. Domenic Canonico; Brian Morelock; and Dr. Glen Johnson. Department of Labor & Workforce Development employees in attendance: Gary Cookson; Sydné Ewell; Chad Bryan; Sam Chapman; Deborah Rhone; and Carlene T. Bennett. Guests present: Chris Korson; Seth McKee; Anthony Dean; Sherman Meade; Robert (Bob) Fair; Stan Baxley; Kann Eden; Roger Eggleston; Marc Maynor; James Neville; and Leonard Vaughen.

(18) – 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.

- III. ADOPTION OF THE AGENDA – (27) – Domenic Canonico made a motion to adopt the agenda. Eugene Robinson seconded the motion. The vote was taken and the motion carried.

- IV. APPROVAL OF THE DECEMBER 7, 2011 QUARTERLY MEETING MINUTES – (32) – Brian Morelock made a motion to approve the December 7, 2011 minutes as written. The motion was seconded by Domenic Canonico. The vote was taken and the motion carried.

V. CHIEF'S REPORT – (39) – Chief Bryan's report covered data from September-December 2011.

- Eleven-thousand three-hundred sixty-two (11,362) inspections performed.
- Two-thousand nine-hundred twenty-seven (2,927) delinquents.
- Twenty-three (23) violations.
- Eight (8) uncorrected code violations.
- Seven (7) quality control reviews performed.
- Two (2) boiler variance inspections performed.
- The Boiler Section is working with Information Technology to hire a new contractor to write a better computer program to handle boiler inspection information.

VI. OLD BUSINESS – (78)

None

VII. NEW BUSINESS

12-01 – (80) - Colgate-Palmolive Co. (COLPAL), 200 Centennial Court, Morristown, Tennessee is requesting a variance renewal on two (2) 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 Chris Korson presented this item to the Board.

- Brian Morelock said that the Plant Engineer responsible for training is not shown on the organizational chart. Mr. Korson said that the chart had been updated since originally distributed and the title of Plant Engineer was changed to Engineering Manager. They would like to delete the name of Bart Fisher on page one (1) of the manual and just have it state that the Engineering Manager will be responsible for implementing the provisions of the variance. Also, on page seven (7), Item II, should state: "The Engineering Manager shall be responsible for training all incoming personnel assigned to boiler duties..."
- Eugene Robinson asked:
 - If boiler operators will be available twenty-four (24) hours per day, seven (7) days per week and Mr. Neville confirmed they will be.
 - If the alarm on the annunciation panel travelled plant wide or if it is independent of the annunciation panel. Mr. Neville said it is in the guard house and is independent. Eugene Robinson asked if it could be made plant wide and Mr. Neville replied: "sure".
 - That Appendix G clarify the job duties of the Boiler Attendant.
 - That the word "similar" be removed on page eight (8), Item six (6).
 - That on page three (3), Item I, subsection three (3), the word "nearby" be taken out.

- That on page eight (8), number three (3) under Emergency Duties, that the word “nearby” be taken out. He also asked if the remote panel was in the guard shack or adjacent to it. Mr. Neville said it was in the guard shack.
- If the “Duty List” referred to on page eleven (11) was a placard and Mr. Neville replied “yes”.
- The minimum of number of guards on duty during the period. Mr. Neville replied: two (2) and one (1) is always in the guard house.
- That the word “boiler” be placed before the word “system” in the last sentence of subsection two (2) at the top of page eight (8), which is a continuation from page seven (7), Item III, subsection two (2).
- Dr. Canonico stated his opinion that listing boiler monitoring as an afterthought such as in Appendix H-1, under Duties, Item six (6), seems to put the boiler into a second class position, which he disagrees with completely.

A motion was made by Dr. Canonico to approve the renewal contingent upon a physical inspection of the system by a Deputy Inspector. Brian Morelock seconded the motion. The vote was taken and the motion carried with Chairman Lunn abstaining.

12-02 – (377) - Pfizer, 501 5th Street, Bristol, Tennessee is requesting variances on two (2) high-pressure boilers that will operate under the requirements of Chapter 03-03-.04(22). Chairman Lunn verbally expressed a conflict of interest with this agenda item. James Neville and Seth McKee presented this item to the Board. The now Pfizer company was formerly King Pharmaceuticals.

- Brian Morelock directed attention to page one (1) and Item eleven (11) of the Checklist for Attendant Variance Requests. Item eleven (11) states: “*Does this person have the responsibility of keeping the Manual current?*” and page one (1) of the manual states: “*The individual representing Pfizer who will be responsible for implementing the provisions of the variance is Seth McKee, Maintenance Manager.*” Mr. Morelock would like the wording added to page one (1) stating that Mr. McKee will be responsible for maintaining the manual as well as implementing the variance. He asked that the word “*similar*” be taken out on page eight (8), Item III, subsection (6).
- On Appendix A-1, Eugene Robinson asked that the letter “T” be inserted before the TENN. No. of both boiler numbers listed. That the unit of measurement be added to (MCSR) Max. Output and LBS/HR. He also asked whether the Max Input of 12,5000cfh was a typo. Mr. Neville said he believed it was and would check on it.
- Dr. Canonico asked the word “currently” be omitted from Item III on page four (4). Also, in Appendix G-1, Essential Duties and Responsibilities, the duties of the boiler attendant seemed to be added as an afterthought. On page eight (8), Item III, subsection six (6) he requested that “*other qualified individual*” be taken out.

- Chairman Lunn pointed out that Appendix B-1 makes reference to BCS7700 which is no longer manufactured. Mr. Neville said that is old data and he would remove it.

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

12-03 – (582) - Johnson Matthey, 1246 Airport Road, Sevierville, Tennessee is requesting a variance on one (1) high-pressure boiler that will operate under the requirements of Chapter 03-03-.04(22). Chairman Lunn verbally expressed a conflict of interest with this agenda item. Robert (Bob) Fair and Sherman Meade presented this item to the Board.

- Dr. Canonico asked if on page six (6), item “c” when it says: “*the remote system operator will push the emergency stop switch.*” if that is a manual shutdown or automatic shutdown. Mr. Fair said the boiler system has a series of automatic shutdown devices, however, in the event an abnormality is discovered at the remote station, they do have e-stops available at the annunciation panels which are remote from the boiler. Eugene Robinson confirmed that the boiler would lockout, that they have manual reset failsafe capabilities. Dr. Canonico pointed out that there are two (2) remote stations on the site plan. He asked how they knew who was in charge. Mr. Fair said if there is a problem with the boiler, whatever shows up on the panel in the boiler room, the identical panel shows up at both of these remote stations. The alarm is both visual and audible; the remote monitoring stations coordinate for continuous coverage.
- Eugene Robinson said he had a difficult time finding titles for responsibility. Starting with the cover page he asked that titles be added for clarity.
- Eugene Robinson and Brian Morelock ask that an emergency call list be added to the manual so that in the event the onsite boiler attendant does not respond to the alarm, the remote attendant can contact someone else.
- Eugene Robinson said page one (1) states an electronic copy of the manual is located in the EMS room. He asked that a hard copy of the system manual also be placed in both of the remote monitoring stations.
- At the top of page seven (7) Eugene Robinson asked that “b” under Selection Criteria be changed to an “a”.
- Eugene Robinson asked that AN exhibit page number be added to “c” on page seven (7) to clarify the “log” referenced. Also the same addition to the last sentence on page eight (8)
- Eugene Robinson asked that clarification be made to item twenty (20) of the Checklist for Attendant Variance Request to describe controls to prevent unauthorized access to the control panel. He asked what 100% access meant. Mr. Fair said that no outside access is possible and that because the company has a small number of employees, they would all be trained and

have access. He asked if the control panel was password protected and Mr. Fair responded: "yes". Brian Morelock confirmed that only the boiler attendant and remote attendant have the password.

- Eugene Robinson said the title of the person conducting the training should be listed in the manual.
- Eugene Robinson asked the emergency instruction page be a colored piece of paper or tabbed for quick access.
- Brian Morelock asked that the exhibits be clearly numbered at the bottom of the pages. Section H should be expanded to include information seen in the boiler monitoring system, a lot of that information is in Section C. Section G should show the wording that will actually be used in the placard that will be placed at the remote station.
- Chairman Lunn said the electronic copy of this manual should be accessible to the Deputy Inspector and it should be identical to the hard copy of the operating manual. This is an initial variance and in three (3) years there will be a review so it would probably be wise to have a revision page so it can be identified in three (3) years.

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

12-04 – (903 & 1225) - North Knoxville Medical Center, a part of Tennova Healthcare System, 7565 Dannaher Way, Powell, Tennessee request a renewal of a variance for two (2) high-pressure boilers that will operate under the requirements of Chapter 03-03-.04(22).

(903) - Chairman Lunn verbally expressed a conflict of interest with this agenda item. Dr. Canonico made a motion to drop this item from the agenda for lack of representation. Brian Morelock seconded the motion. The vote was taken and the motion carried with Chairman Lunn abstaining.

(1225) - Chairman Lunn verbally expressed a conflict of interest with this agenda item. Brian Morelock made a motion to add this item back to the agenda. Eugene Robinson seconded the motion. The vote was taken and the motion carried with Chairman Lunn abstaining. Leonard Vaughen presented this item to the Board.

- Brian Morelock said he had the 2006 manual and the changes outlined in the revision page are correct.
- Dr. Canonico said item twenty (20) on page two (2) of four (4) of the Checklist for Attendance Variance Request asks: "*Does the remote monitoring system prevent unauthorized access?*" and the answer to that questions is "no". Mr. Vaughen said there is no security code for the boilers but the room is locked so only authorized personnel with a key would be in the boiler room and the remote monitoring station.

- Dr. Canonico said at the bottom of A-13 it says: “See Appendix A-1 and A-2 for more information.” He asked where A-1 and A-2 was located. Mr. Vaughen said an appendix list could be found behind tab “E”.
- Dr. Canonico asked who served as the boiler attendant. Mr. Vaughen said three categories of employees share the responsibility: Security Officers; Senior Maintenance Mechanics; and Senior Maintenance Technicians. Dr. Canonico asked if all of them were trained. Mr. Vaughen said right now the engineering staff is trained. The Security Officers duties are as remote attendants only. Eugene Robinson asked that on page C-36-1, paragraph (1), the Security Officer category be removed since they are a monitor and not an attendant. The Board requested the manual content be changed to reflect that distinction.
- Eugene Robinson asked that on appendix A-1 and A-2 the BTU Input be corrected to reflect 3.00 instead of 3.000.
- Eugene Robinson asked that on the site plan A-15 linear distances be shown (example: 500 feet).
- Eugene Robinson asked that the following notation be made on page C-25-1: “Staffed at all times when the variance is in effect.”

A motion was made by Eugene Robinson to approve the renewal contingent upon a physical inspection of the system by a Deputy Inspector. Brian Morelock seconded the motion. The vote was taken and the motion carried with Chairman Lunn abstaining.

12-05 – (950 & 1552) - Turkey Creek Medical Center, a part of Tennova Healthcare System, 10820 Parkside Drive, Knoxville, Tennessee request a renewal of a variance for two (2) high-pressure boilers that will operate under the requirements of Chapter 03-03-.04(22).

(950) - Chairman Lunn verbally expressed a conflict of interest with this agenda item. Eugene Robinson made a motion to drop this item from the agenda for lack of representation. Dr. Canonico seconded the motion. The vote was taken and the motion carried with Chairman Lunn abstaining.

(1552) - Chairman Lunn verbally expressed a conflict of interest with this agenda item. Eugene Robinson made a motion to add this item back to the agenda. Dr. Canonico seconded the motion. The vote was taken and the motion carried with Chairman Lunn abstaining. Leonard Vaughen presented this item to the Board.

- Brian Morelock said there is a typo on the “Current System Description” page in the second paragraph. It references an incorrect Rule, it says: “Chapter 0900-3-3” when it should say, “Chapter 0800-03-03”.
- Brian Morelock said this is a variance renewal but on appendix A-1 there are no TENN No’s assigned to the boilers; he asked that the numbers be provided.

- Chairman Lunn verified that the prior name of this facility was Mercy Medical Center West (dated: 11-02-09) before the acquisition by Health Management Associates.
- Dr. Canonico said item twenty (20) on page two (2) of four (4) of the Checklist for Attendance Variance Request asks: *“Does the remote monitoring system prevent unauthorized access?”* and the answer to that questions is “no”. Mr. Vaughen said there is no security code for the boilers but the room is locked so only authorized personnel with a key would be in the boiler room and the remote monitoring station.
- Dr. Canonico said on Figure 1a he found the remote station but had trouble locating the boilers. Also, what is the distance between those two (2) locations? Mr. Vaughen said you had to go up the stairwell to the second floor to the roof area.
- Dr. Canonico pointed out on page three (3), paragraph two (2), it says: *“The location of the remote station is at the Emergency Room Registration Office.”* He wanted to know if there could be a serious emergency where no one would be paying attention to the boilers. Mr. Vaughen said they had talked about the importance of it being continuously monitored. He said most emergencies are handled through the ambulance bay, they don’t go through registration, they bypass all paperwork. Brian Morelock asked if as long as the variance had been in place, had there ever been a report of the boiler being unattended. Mr. Vaughen replied: “not to my knowledge”.
- Dr. Canonico said on E-1 it says *“Baptist Health Systems West”*. Mr. Vaughen said this is the original drawing from when the building was built in 2003; he said he could update the title of the drawing. The Board agreed that would be a good idea.
- Dr. Canonico said on I-2, Healthcare Access Associate job description, under “M” it says they escort patients to the proper location which means they will need to leave the remote monitoring station. Mr. Vaughen said there are usually two (2) people, a supervisor and a person at the front desk. He said he could ask for clarification, he was not prepared to answer the question.
- Eugene Robinson asked that the following notation be made on page four (4): *“Staffed at all times when the variance is in effect.”*
- Eugene Robinson asked that they separate the duties of the Security Office from the normal duties of the boiler attendant.

A motion was made by Eugene Robinson to approve the renewal contingent upon a physical inspection of the system by a Deputy Inspector. Dr. Canonico seconded the motion. The vote was taken and the motion carried with Chairman Lunn abstaining.

12-06 – (966) - Daramic, LLC, 596 Industrial Park Road, Piney Flats, Tennessee is requesting that four (4) distillation pressure vessels be designated as “Tennessee Specials”. Roger Eggleston presented this item to the Board.

- Brian Morelock asked if since the vessels were built in 2000 if there had been any repairs performed on these four (4) vessels. Mr. Eggleston replied: “not that we are aware of”. Dr. Canonico asked him to answer yes or no and he replied “no”.
- Brian Morelock asked if they had any periodic inspection reports on these vessels. Mr. Eggleston replied: “no”.
- Brian Morelock said he had done some research and was able to verify through ASME the company that manufactured these vessels currently holds a valid U-stamp.
- Brian Morelock said some of the calculations on these four (4) vessels were performed in November 2011. A couple of these vessels were done in January 2012. The calculations of the Win_Shell software that was utilized for the ones completed in 2011 was with version 2.73 and the ones completed in 2012 was completed with version 2.76 because as of January 1, 2012 it is required to use not just the 2010 Edition of the ASME Code but also the 2011 addenda of ASME Section VIII, Division 1. He stated that there isn’t a safety issue with these vessels. The company has an ASME U-stamp and all the documentation on these vessels. He is fully satisfied these vessels are safe with the exception, as Dr. Canonico mentioned, the present owners have not been with these vessels since they were born. The company needs to make sure through an inspection whether there are any repairs or alterations that have been overlooked or missed. There also needs to be an inspection of the vessels to make sure that there aren’t any corrosion mechanisms or damage mechanisms that would put these vessels below their minimum thicknesses and either cause them to be inoperable or require more repair or alterations.
- Dr. Canonico directed everyone to page one (1), paragraph three (3) where it says: “Section VIII, Division I, was prepared by the manufacturer, signed by the manufacturer and sent to their authorized inspector (AI) of choice...” He asked whether the AI witnessed the hydro test. Mr. Eggleston said they could not say one way or the other.
- Dr. Canonico asked what was known about the operating history of these vessels. The vessels have been operating illegally for ten (10) or twelve (12) years. Has anyone kept a record of how they have been operating? Brian Morelock said he had the same concern but all the Board could do is to treat them similar to an instance where any company was buying some used equipment. The rules say that they must come before the Board to get them approved as a Tennessee Special but once that approval takes place, Chief Bryan would send his Deputy Inspector out to perform an inspection on that vessel prior to it being put into service. That is why he is asking that an internal and external inspection. Also they are about to go through the repair process so they can accomplish that. Dr. Canonico said he was reluctant to call these Tennessee Specials without better information. Mr. Morelock said if the vessels were to pass an inspection to prove the integrity of the vessel and if they satisfy the State of Tennessee, he would be willing to grant them

to be a Tennessee Special. Chief Bryan said it would be the responsibility of the company to provide non destructive testing (NDT) of the vessel.

Brian Morelock made a motion to designate these vessels as Tennessee Specials contingent upon an inspection of the vessels with a report sent to Chief Bryan and his satisfaction of that report. Eugene Robinson seconded the motion. The vote was taken and the motion carried with Chairman Lunn voting "no".

VIII. INTERPRETATIONS – (1800) – There were no rule cases and interpretations.

IX. (1802) – The next Board of Boiler Rules meeting is scheduled for 9:00 a.m. (CT), Wednesday, June 6, 2012 at the Department of Labor & Workforce Development office building located at 220 French Landing Drive, Nashville, Tennessee.

X. ADJOURNMENT – (1807) – The meeting adjourned at 10:45 a.m. (CT).