

FOR THE CASE OF  
Board of Boiler Rules Meeting

TRANSCRIPT OF

**B**

September 3, 2014

*Stone & George*

COURT REPORTING

2020 Fieldstone Pkwy

Suite 900 - PMB 234

Franklin, TN 37069

(615) 268-1244

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

QUARTERLY MEETING OF THE  
STATE OF TENNESSEE  
BOARD OF BOILER RULES

September 3, 2014

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1 APPEARANCES:

2 Brian R. Morelock, Chairman  
Owner-User Representative  
3 235 Picadilly Lane  
Gray, Tennessee 37615

4  
5 Eugene Robinson, Board Member  
Insurance Representative  
6 1659 Eagle Trace Drive  
Mount Juliet, Tennessee 37122

7  
8 Dr. Domenic Canonico, Board Member  
Boiler Manufacturer  
9 1423 East Brow Road  
Signal Mountain, Tennessee 37377

10

11 David W. Baughman, Board Member  
Owner/User Representative  
12 Allied Boiler & Supply, Inc.  
4006 River Lane  
13 Milton, Tennessee 37118

14

Neil Jackson, Board Member

15

16 Sam Chapman, Assistant Chief Boiler Inspector

17

Kim Y. Jefferson, Esq.  
18 Administrator, State of Tennessee

19

Sydne Ewell, Esq.  
20 Legal Counsel, State of Tennessee

21

Carlene Bennett  
22 Board Secretary, State of Tennessee

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24

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## I N D E X

	PAGE
14-09 Vapor Power International	20
14-10 Engineering Services Group, Inc.	43
14-11 James B. Neville presenting for Vi-Jon Corporation	84

## A G E N D A

- I. Call to Order
- II. Introductions and Announcements
- III. Adoption of the Agenda
- IV. Interim Chief's Report
- V. Old Business (none)
- VI. New Business  
14-09, 14-10, 14-11
- VII. Open Discussion Items
  - \* Reorganization of Rule 0800-03-03 - Moving Code Requirements into Tennessee Rules/  
Realigning State rules for ease of use by  
Installers and Owners
  - \* Boiler Operator Legislation - Not feasible
- VIII. Rule cases & interpretations - There are no rule cases and interpretations.
- IX. The next Board of Boiler Rules Meeting is scheduled for 9:00 a.m. (CT), Wednesday, December 3, 2014, at the Department of Labor & Workforce Development office building located at 220 French Landing Drive, Nashville, TN.
- X. Adjournment

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CHAIRMAN MORELOCK: I have 9:22,  
and so I am calling the Tennessee Boiler Board  
meeting to order, the Board of Boiler Rules this  
morning.

I want to welcome everybody. Thank  
you for your patience. Life happens. One of our  
board members has got a car in a parking lot that  
won't start, so Eugene has gone to pick up  
Dr. Canonico, and hopefully they'll be here any  
minute and we'll get going with the votes items.

But I do want to welcome everybody.  
And so with that, I'll begin with an introduction.  
So, Cassandra, we'll start with you.

THE REPORTER: Cassandra Beiling,  
Stone & George Court Reporting.

MR. CHAPMAN: Sam Chapman,  
Assistant Chief Boiler Inspector.

MS. BENNETT: Carlene Bennett,  
Board Secretary.

CHAIRMAN MORELOCK: Brian Morelock,  
Eastern Chemical Company.

MR. BAUGHMAN: Dave Baughman with  
Allied Boiler and Supply.

MS. JEFFERSON: Kim Jefferson,

1 Administrator.

2 MR. FINKS: Mark Finks, Assistant  
3 Administrator.

4 MS. EWELL: Sydne Ewell, legal  
5 counsel.

6 MR. COTHERN: Clint Cothern,  
7 Facilities Maintenance Manager at Vi-Jon.

8 MR. BERKEBILE: Steven Berkebile,  
9 Director Asset Care, Vi-Jon.

10 THE REPORTER: If I could have  
11 you-all speak up.

12 CHAIRMAN MORELOCK: Speak up if you  
13 can.

14 MR. NEVILLE: James Neville,  
15 President of Neville Engineering.

16 MR. DUPUIS: Mark Dupuis, Vapor  
17 Power.

18 MR. BLAIN: Gerald Blain, Ware.

19 MR. GRISMORE: Greg Grismore,  
20 MediKote Corporation.

21 MR. BEARD: Jason Beard, Tennessee  
22 Department of Labor and Workforce Development.

23 MR. DEVERS: Steve Devers,  
24 Bridgestone in Clarksville.

25 MR. RANDOLPH: Reginald Randolph,

1 Bridgestone in Clarksville.

2 MR. HUDGINS: Ernest Hudgins,  
3 Engineering Services.

4 MR. BENSON: Jeff Benson, Director  
5 of Engineering for Covenant Health.

6 MR. ARTHOR: Allen Arthor,  
7 Combustion Control Solutions.

8 MR. FLOWERS: David Flowers,  
9 Combustion Control Solutions.

10 MS. VANCE: Sandra Vance, guest.

11 MR. VANCE: Ed Vance, International  
12 Brotherhood of Boilermakers, retired.

13 MS. RHONE: Deborah Rhone, Boiler  
14 Office Supervisor.

15 MR. JACKSON: Neil Jackson,  
16 Tennessee Department of Labor consultant.

17 MR. SHIPLEY: Bob Shipley, Ware.

18 MR. HEATER: Steve Heater, Oak  
19 Ridge National Lab.

20 MR. ROBINSON: Eugene Robinson,  
21 Board Member.

22 DR. CANONICO: Domenic Canonico,  
23 Board Member.

24 CHAIRMAN MORELOCK: Have we left  
25 anybody out?

1 (No verbal response.)

2 CHAIRMAN MORELOCK: Okay. As far  
3 as announcements, we're certainly very happy to  
4 have Carlene with us today. We weren't expecting  
5 that. So we're tickled that you could be with us  
6 this morning.

7 MS. BENNETT: Thank you.

8 CHAIRMAN MORELOCK: On a little bit  
9 less lighter note, we do want you to know that  
10 previous board member, Wayne Hiter, passed away on  
11 July the 15th. And so I don't know if you knew  
12 that or not, but we did just want to announce that  
13 to you. And if it's okay with everybody, I would  
14 just like a brief moment of silence in his memory.

15 (Pause in proceedings.)

16 CHAIRMAN MORELOCK: Thank you.

17 Also, previous board member and  
18 chairman, Bob Elliot, his wife, Vicki, also passed  
19 away July the 5th. So just remember Bob. I  
20 talked to him yesterday and he's doing very well  
21 despite the situation, but I just wanted you to  
22 know that as well.

23 Our next -- well, before I proceed, I  
24 need to also let you know that in the event of an  
25 emergency or natural disaster, the security

1 personnel in this building will take us, the  
2 attendees, either to a safe place within the  
3 building or direct us to a safe place outside the  
4 building, which would be on the Rosa Parks side of  
5 the building. So in that event, just so you would  
6 know that.

7 Are there any other announcements  
8 that I may have left out or introductions?

9 (No verbal response.)

10 CHAIRMAN MORELOCK: Okay. The  
11 adoption of the agenda. There's copies on the  
12 back table if you don't have an agenda. And I  
13 will open the floor now. Are there any items that  
14 we need to add to the agenda?

15 DR. CANONICO: (Indicating.)

16 CHAIRMAN MORELOCK: Yes, sir?

17 DR. CANONICO: How about  
18 membership? With Dr. Campbell -- we probably  
19 should talk about that.

20 CHAIRMAN MORELOCK: Okay. Do you  
21 mind if I add that as just an open discussion  
22 item? Would that be --

23 DR. CANONICO: Oh, not at all.

24 CHAIRMAN MORELOCK: Okay. We'll  
25 add that to the discussion items. Anything else?

1 (No verbal response.)

2 CHAIRMAN MORELOCK: All right. I  
3 have a very important agenda item to add this  
4 morning. I know it's really not a big surprise,  
5 but hopefully it's a little bit of a surprise.  
6 But I want to add to the agenda the next item,  
7 before the interim chief's report. I would like  
8 to add the recognition of Ed Vance as a previous  
9 Tennessee board member as we wish him well. So I  
10 would like to add that to in between the adoption  
11 of the agenda and chief's report. Any other  
12 items?

13 (No verbal response.)

14 CHAIRMAN MORELOCK: Do I have a  
15 motion to accept the agenda as amended.

16 MR. ROBINSON: So made. So made.

17 CHAIRMAN MORELOCK: Second?

18 MR. BAUGHMAN: Second.

19 CHAIRMAN MORELOCK: All in favor?

20 (Affirmative response.)

21 CHAIRMAN MORELOCK: Opposed?

22 (No verbal response.)

23 CHAIRMAN MORELOCK: Abstentions,  
24 not voting?

25 (No verbal response.)

1                   CHAIRMAN MORELOCK: All right. We  
2     have an agenda. So with that, Mr. Vance, if you  
3     would come forward, please.

4                   I've got a few stories. I'll let the  
5     rest of them tell the good ones.

6                   MR. VANCE: Oh, boy.

7                   CHAIRMAN MORELOCK: Ed joined the  
8     Board to replace Clyde Caldwell. Clyde retired in  
9     June of 2009 -- no, that's not right. It's been  
10    nine years -- 2005. I apologize. And I came on  
11    the Board in June and then Ed came on in  
12    September. That was his first official meeting,  
13    so he's been on the Board for nine years.

14                  We're excited for your retirement and  
15    we hate to lose you on the Board, but I'm going to  
16    let Kim Jefferson come forward and she's got some  
17    things she'd like to present to you and say some  
18    words. But it's been a pleasure.

19                  MR. VANCE: Thank you. It's my  
20    pleasure.

21                  CHAIRMAN MORELOCK: We don't have a  
22    Corvette for you in the parking lot. You'll have  
23    to go to Bowling Green for that, but  
24    congratulations and it's certainly been a  
25    privilege working with you.

1 MR. VANCE: Thank you. Thank you  
2 very much.

3 MS. JEFFERSON: Mr. Vance, I know  
4 this is our first time meeting today. I just want  
5 to shake your hand because I've heard so many good  
6 things about you.

7 MR. VANCE: Thank you.

8 MS. JEFFERSON: And on behalf of  
9 the Tennessee Department of Labor & Workforce  
10 Development, I just wanted to come to you on  
11 behalf of, also, the Division, Workplace  
12 Regulations and Compliance Division of the Boiler  
13 Unit, to honor you today. This is your special  
14 day. Just to let you know, we appreciate all the  
15 time, all the hard work, dedication, that you've  
16 made on behalf of the Board, everything that  
17 you've done for the unit. We really appreciate  
18 that.

19 And, Deborah, actually, I would like  
20 for you to come up as well, both you and Sam,  
21 Carlene, and Mark.

22 This is our boiler unit. And Deborah  
23 has worked with you, both her and Sam, and so if  
24 you will present that.

25 MS. RHONE: I have a plaque that

1 says this is from the Tennessee Department of  
2 Labor and Workforce Development, the Boiler  
3 Inspection Unit. This is presented to Edwin Vance  
4 in appreciation for his premier dedication and  
5 tireless efforts as a member of the Tennessee  
6 Board of Boiler Rules 2005 until 2014.

7 MR. VANCE: Thank you so much.  
8 Thank you.

9 (Applause.)

10 CHAIRMAN MORELOCK: Ed, we won't  
11 make you stay for the whole meeting. You're  
12 certainly welcome to stay with us.

13 (Whereupon, a discussion off the  
14 record occurred.)

15 CHAIRMAN MORELOCK: Ms. Jefferson  
16 has requested one more agenda item. Jason Beard  
17 is with us, and we're going to give him a moment  
18 to provide some update.

19 So Jason, you have the floor, sir.

20 MR. BEARD: Thank you, Mr. Chairman  
21 and board members. I wanted to go over a few  
22 things that affect this Board legislatively.  
23 Every so often, every department and every board  
24 or commission attached to a department has a  
25 sunset date. It's part of the legislative

1 oversight function. And this Board actually is  
2 scheduled to sunset June 30th, 2015.

3 Part of that process is that there is  
4 a sunset audit that the comptroller's office  
5 conducts. That should be completed at this point.  
6 And the results have not been released yet, so we  
7 don't know if there were any findings. We assume  
8 there would not be, but obviously that's always  
9 out there, and we'll be paying attention to that  
10 and keeping the Board in the loop as far as  
11 anything that comes from that.

12 Following those sunset audits, there  
13 are sunset hearings by the joint government  
14 operations committee. Those committee hearings  
15 basically go over the sunset audit findings, if  
16 any, and also provide the Board a chance to  
17 approach the committee and explain your function,  
18 what you do, the value that you bring to the state  
19 and its citizens.

20 Based upon that testimony of that  
21 hearing, the joint government operation  
22 subcommittee then makes a recommendation to  
23 reauthorize the Board, or not, for a period of  
24 years, whether it be one year if they aren't  
25 exactly thrilled with the information that they

1 get and they want to have a little tighter  
2 oversight, or up to, I believe, five years is the  
3 maximum if they feel very comfortable with what is  
4 taking place with the Board.

5           So that is going to be coming up. We  
6 have not received a date specific as to when the  
7 hearing, the sunset hearing for this Board will  
8 be. I do know that it will either be November  
9 18th at 1:30 p.m. or November 19th at 9:00 a.m.  
10 Or December 16th at 1:30 p.m. or December 17th at  
11 9:00 a.m. It will be one of those four dates. So  
12 as part of that, also, the board members might  
13 want to discuss one of you being available, to be  
14 present for that committee meeting, to appear  
15 before the committee.

16           Oftentimes -- a lot of times,  
17 sometimes, it ends up falling on the department, a  
18 representative from the department to show up;  
19 however, it tends to look like it's an entity  
20 worth supporting if the board members themselves  
21 deem it important enough to show up before the  
22 committee. So that's something to keep in mind.  
23 That's the sunset part.

24           Another part also before the  
25 government operations committee, they have rule

1 review. I know we'll be going over some proposed  
2 rules for the boiler unit today, as I understand.  
3 Part of that, after those rules are submitted with  
4 the Secretary of State's office, then they go  
5 before the government operations committee to  
6 either be approved or not, depending on whether  
7 they're controversial or raising red flags to the  
8 members. They could be put on the consent  
9 calendar, which means they pretty well pass  
10 through seamlessly, or they could be on the  
11 regular calendar, which means they would be open  
12 for discussion by the committee members.

13           Also, with rules, it's advised that a  
14 representative from the Board be there if  
15 possible. That one is not quite as important as  
16 showing up for the sunset hearings because the  
17 unit here within the department, within the  
18 workplace regulation compliance division,  
19 oftentimes have more than sufficient knowledge  
20 about the actual rule proposal than -- to be able  
21 to go before the Board and speak knowledgeably  
22 about it.

23           Either way, that would be coming up  
24 as a prerequisite before the rule going into  
25 effect. As part of that, just to let the Board

1 know, we work those rules in the same way that we  
2 would work legislation, sponsored by the  
3 department or the administration during a  
4 legislative session, meaning that we would meet  
5 with each of the committee members, explain the  
6 rule to them, what its effect would be on the  
7 department or the unit, what its effect would be  
8 on Tennessee businesses and so forth. So we would  
9 work that.

10 Each committee member would then work  
11 to be there, present, for the whole committee when  
12 they meet, and hopefully it would be approved and  
13 go on for passage.

14 I believe those are the only two  
15 items that I had to present. If there are any  
16 questions, I would be happy to address those.

17 MS. JEFFERSON: Jason, I have one  
18 question. So you said we need a contact person  
19 from the Board, so we'll have to provide that  
20 information to you. Is there a particular time  
21 that you want us -- do we have a time frame to  
22 provide that in preparation?

23 MR. BEARD: Usually, one week. The  
24 committee would like that information, who will be  
25 showing up, who will be speaking, at least one

1 week before the date that we are set to go before  
2 the committee.

3 MS. JEFFERSON: Okay. Also, as far  
4 as presentation, will we be expected to do a  
5 PowerPoint presentation, or how will that work?

6 MR. BEARD: Oftentimes -- and I  
7 believe I sent out an email yesterday that had a  
8 specific list of questions that may or may not  
9 apply to the function of this Board. However, one  
10 of the representatives on this committee has a  
11 specific set of questions that he likes to have  
12 answered for every sunset hearing. Ms. Jefferson  
13 can provide the Board with that. And if you-all  
14 have any thoughts as far as answers to those, it's  
15 basically on -- focused on performance indicators  
16 and measures.

17 I'm not real sure how to go into more  
18 detail on that. But they basically -- it would be  
19 part of any presentation. A PowerPoint is not  
20 necessary; however, this particular representative  
21 does like to see things charted out and graphs and  
22 colors and things of that sort. But that could be  
23 part of the presentation if the Board so deems.

24 CHAIRMAN MORELOCK: Okay. Any  
25 other questions or comments?

1 (No verbal response.)

2 CHAIRMAN MORELOCK: I will just  
3 say, as far as the potential meetings on November  
4 the 18th or 19th, Dr. Canonico and myself will be  
5 at ASME code week meetings during that time frame.  
6 That code week is November the 17th through the  
7 21st. So as soon as we know a definite date, we  
8 can poll the board members to see who can make the  
9 presentation, who can attend.

10 Are there any other conflicts with  
11 any of those four dates from any of the other  
12 board members at this time? And we don't have to  
13 know today, but we'll work on that.

14 MR. BEARD: As soon as the  
15 committee assigns a date to us, I'll be sure and  
16 get it out as soon as I have it.

17 CHAIRMAN MORELOCK: Okay. All  
18 right.

19 MR. BEARD: Legislatively, I don't  
20 know of any bills that are up that would affect  
21 the boiler unit this time around, but we didn't  
22 know that last year either, so we'll keep the  
23 Board informed as to any of those developments  
24 that come up.

25 CHAIRMAN MORELOCK: Anything else?

1 (No verbal response.)

2 CHAIRMAN MORELOCK: Jason, thank  
3 you.

4 MR. BEARD: Thank you.

5 CHAIRMAN MORELOCK: Moving on to  
6 our next agenda item. That would be the interim  
7 chief's report.

8 MR. CHAPMAN: All right. Thank  
9 you, Chairman. Number of inspections done was  
10 9,166; total delinquent for the state inspectors  
11 is 918; the insurance agency is 1,168, bringing  
12 our total of delinquent to 2,086.

13 Number of code violations was 36  
14 found; 8 of them was uncorrected.

15 QC review performed was two, and  
16 there was no boiler variance at this time.

17 And that concludes the interim  
18 chief's report.

19 CHAIRMAN MORELOCK: Thank you.

20 Any questions or comments?

21 (No verbal response.)

22 CHAIRMAN MORELOCK: Hearing none,  
23 Item V is Old Business. We have no old business  
24 on the agenda at this meeting.

25 Moving along to Item VI, New

1 Business -- as we go through the business items,  
2 any board member that would have a conflict of  
3 interest on each particular item, I'll ask for --  
4 I'll ask at the beginning of each item if there is  
5 a conflict of interest. Please so note that  
6 before we enter into the presentation and  
7 discussion of that item.

8 So moving along, our first item of  
9 new business is Item 14-09, Vapor Power  
10 International. And when you have an item, ladies  
11 and gentlemen, please come to the table. You'll  
12 have the floor. Introduce yourself again and then  
13 present your item, and then we'll bring it forward  
14 for action, discussion and all of that.

15 So Vapor Power International, you-all  
16 have the floor.

17 MR. DUPUIS: Thank you. First, I  
18 would like to thank the Board for the opportunity  
19 this morning. Our request is, I guess, to get  
20 clarification for the attendance requirement for  
21 our Circulatic product. Our Vapor Power  
22 Circulatic can be manufactured as a  
23 high-temperature hot-water boiler or a  
24 high-temperature fluid heater in similar fashion  
25 to another manufacturer's design that was reviewed

1 by the Board in case BC92-06. And as a result,  
2 Vapor Power would like to gain the same  
3 consideration for our Circulatic product in  
4 Tennessee as a unit that when properly constructed  
5 as an ASME Section I high-temperature hot-water  
6 boiler is not subject to the attendant Rule  
7 0800-3-3-.04(22).

8 So I had sent some information to  
9 Mr. Morelock in advance for -- with our request to  
10 be included with the agenda, and I would be happy  
11 to discuss any questions on that information and  
12 go through any further product information that  
13 may be useful.

14 CHAIRMAN MORELOCK: Could you  
15 present this to -- I mean, the need here is --  
16 could you present this to show the Board how your  
17 product satisfies the exemption that you would  
18 like to claim.

19 MR. DUPUIS: Okay. Well, the  
20 exemption, as I understand it, is that if the  
21 product is classified as a high-temperature fluid  
22 heater or a high-temperature hot-water boiler,  
23 then it's not subject to the attendant rule.

24 CHAIRMAN MORELOCK: Okay.

25 MR. DUPUIS: And so with that, our

1 product is one that -- the Circulatic product is  
2 manufactured as a -- can be manufactured as an  
3 ASME Section I high-temperature hot-water boiler  
4 with its unique manufacturer's data report. And  
5 then we would have a remote flash separator that  
6 also is its unique and individual component with a  
7 manufacturer's data report, as a master.

8           And the combined package is a skid  
9 package, as such, again, similar to the  
10 manufacturer. And the manufacturer is Clayton,  
11 their Model DZ, they advertise as a  
12 high-temperature fluid heater. We manufacture our  
13 Circulatic product similar in nature and function.

14           And I think probably the most  
15 important case, compared to a competitive  
16 situation, is the fact that ours were following  
17 the ASME Section I Code. We have the appropriate  
18 paperwork with the equipment for each component as  
19 a high-temperature hot-water boiler. So that's, I  
20 guess, the beginning of it.

21           So the information that I provided  
22 were a couple of drawings. One was a general-  
23 arrangement drawing that shows the physical  
24 appearance of that package, and then the second  
25 was a piping schematic that showed where those --

1 it showed the componentry on both fuel train and  
2 piping side. But within that piping diagram, it  
3 defines the code boundary with the appropriate  
4 isolation valves and the appropriate ASME  
5 Section I high-temperature hot-water service  
6 relief valve, water relieve valve. And then from  
7 there, there's piping up to the remote flash  
8 separator tank that also has its code-appropriate  
9 steam safety valve.

10 CHAIRMAN MORELOCK: Do I have a  
11 motion for this item so we can enter into  
12 discussions?

13 DR. CANONICO: So made.

14 CHAIRMAN MORELOCK: Okay. So I  
15 have a motion to approve this request. Do I have  
16 a second?

17 MR. ROBINSON: I second.

18 CHAIRMAN MORELOCK: Okay. I'm  
19 opening the floor now for discussion. What  
20 questions or comments do you have?

21 MR. BAUGHMAN: Sir, on the P3 Data  
22 Report, it's listed as a hot-water generator. And  
23 we're generating steam with this, correct?

24 MR. DUPUIS: We are not generating  
25 steam with the hot-water generator. The steam is

1 created after the code boundary of the hot-water  
2 generator in the remote flash separator tank.

3 MR. BAUGHMAN: Is that remote flash  
4 separator tank then identified as a particular  
5 vessel in itself that's separate from this  
6 generator? In other words, does it fall under its  
7 own code requirement as far as unfired vessel?

8 MR. DUPUIS: Yes. Yes. Yes. It  
9 has its own P3 manufacturer's data report. We've  
10 historically done it as a Section I separator  
11 tank. Technically, we could do it as a  
12 Section VIII, as an unfired pressure vessel. But  
13 it is definitely an unfired vessel.

14 MR. BAUGHMAN: So according to our  
15 code, it would be classified as an unfired steam  
16 boiler intended for operation at a pressure in  
17 excess of 15 PSI; is that correct?

18 MR. DUPUIS: The remote  
19 separator -- I mean --

20 MR. BAUGHMAN: Yes or no. Can it  
21 operate above 15 PSI?

22 MR. DUPUIS: Yes. Oh, yes. Yes,  
23 it definitely does.

24 MR. BAUGHMAN: Then it would be  
25 classified, then, as an unfired steam boiler,

1 would it not, according to our code and  
2 definition?

3 MR. DUPUIS: It would not be an  
4 unfired steam boiler, I guess. Well, I apologize  
5 for not having exact -- your code memorized, but  
6 per ASME code, it's an unfired pressure vessel.

7 MR. BAUGHMAN: Okay. Well, in our  
8 code, it states unfired steam boiler means an  
9 unfired pressure vessel or system of unfired  
10 pressure vessels intended for operation at a  
11 pressure in excess of 15 PSI steam for the purpose  
12 of producing and controlling an output of thermal  
13 energy. And it sounds like it falls within that  
14 definition.

15 MR. DUPUIS: I guess, yeah, not  
16 having it in front of me, I would have to review  
17 that in greater detail if I could.

18 MR. BAUGHMAN: I'm just trying to  
19 get an idea and clarification. If we've got a  
20 hot-water generator that is then flashing to steam  
21 and being collected into another vessel, which is  
22 an integral part of this particular device or  
23 system --

24 MR. DUPUIS: Well, it's part of the  
25 system. It doesn't have to be. We can provide a

1 high-temperature hot-water boiler for -- you know,  
2 without that remote vessel as well.

3 MR. BAUGHMAN: But for the purpose  
4 of collecting steam in whatever application it's  
5 being applied to, we'd have to have this  
6 particular accumulator or a flash tank or  
7 whatever.

8 MR. DUPUIS: In order to actually  
9 produce steam, yes, you would have to have this  
10 separate vessel for the flashing to occur.

11 MR. BAUGHMAN: Okay.

12 CHAIRMAN MORELOCK: Any other  
13 questions?

14 MR. ROBINSON: If there was an  
15 event, a catastrophic event, what would be some  
16 probable events that you would recognize  
17 immediately?

18 MR. DUPUIS: That's a real good  
19 question. And the answer to that is the physics  
20 behind the design of our Circulatic design is,  
21 one, that it's low-water volume. It's not  
22 possible to have a water side explosion event.  
23 There isn't enough stored energy in the design to  
24 have that occur. So if there is a failure in the  
25 pressure vessel itself, then the result is a small

1 steam leak as it hits atmosphere and a water leak  
2 on the floor. There isn't the stored energy in  
3 the design to have the boiler go through the wall.  
4 It's simply not there. The water content isn't  
5 there. And since you don't have the water content  
6 and you don't have the stored energy, a rupture,  
7 compared to a fire 2 boiler where the pressure  
8 vessel is the outer jacket, ours is a water tube  
9 design. The typical coil, the heat transfer coil  
10 diameter is roughly two inches on many of our  
11 products. It's a 2.125-inch OD with a .15-inch  
12 min wall.

13 If you have a rupture in one of those  
14 coils, then the size of that rupture is relatively  
15 small. And, again, without the stored energy and  
16 because of the low water volume, you can't have an  
17 explosive event. The energy is just not there.  
18 So it's an inherently safe design.

19 MR. ROBINSON: What protection  
20 devices would detect a small leak or possible ...

21 MR. DUPUIS: Another good question.  
22 We have -- each of the individual coils has  
23 thermocouple temperature protection. So if there  
24 is any -- if any of the individual coils exceed a  
25 preset temperature set point, then the unit will

1 go into an alarm condition that requires manual  
2 reset. And then the separator tank also has level  
3 controls, and then there is the safety valve, the  
4 water relief valve on the Circulatic product  
5 itself, and then the steam relief on the remote  
6 separator tank. And then, beyond that, the  
7 standard FM and CSD-1 with NFPA 85, if applicable  
8 to the size, all those common safeties would all  
9 be present on the fuel side.

10 MR. ROBINSON: So the burner -- let  
11 me just get -- 6,902 pounds of steam. So the  
12 burner is set under the controls of CSD-1 --

13 MR. DUPUIS: In that case, yes.

14 MR. ROBINSON: -- for that output.

15 MR. DUPUIS: Correct. We have a  
16 variety of sizes. Our smallest is 75 boiler  
17 horsepower. Our largest is 600 boiler horsepower.  
18 So roughly 2 million BTUs to 20 million BTUs in  
19 general size range and 2.5 million BTUs to  
20 20 million BTUs in general size range. So  
21 depending on the capacity of the unit, then the  
22 appropriate code would be followed for the fuel  
23 side safeties.

24 MR. ROBINSON: Final question:  
25 What kind of wear and tear would you be able to

1 detect, and would you be inclined to do a yearly  
2 inspection internally for that unit? Now, I know  
3 it's difficult because of tubing being  
4 approximately two inches in diameter. But there  
5 are methods out there that NBIC recognizes.

6 MR. DUPUIS: Oh, yeah. No. That's  
7 another good question. Our design is one that  
8 we've made it relatively easy to do a water side  
9 inspection with our design. Our individual coil  
10 connections are external to the body of the unit.  
11 So there are -- our coil inlet manifold and the  
12 piping that enters into the body has T's so you  
13 can remove the plug from those T's when it's in a  
14 cold condition, of course. And that way you  
15 can -- when you remove that plug, you can do the  
16 water side inspection very simply on the external  
17 body of the unit without having to go in and make  
18 a more intrusive inspection. So it's inherent to  
19 our design as well.

20 Fire side inspection is relatively  
21 simple. The burner can be removed from the front  
22 end of the unit. And, also, we have a back door  
23 on the back of the unit that can be removed for  
24 fire side inspection both on the internal coil  
25 surfaces and the external coil surfaces. So yes,

1 I would recommend a -- as a manufacturer, we do  
2 recommend an annual inspection on the equipment  
3 just for the general wellbeing of it.

4 CHAIRMAN MORELOCK: Any other  
5 questions or comments?

6 MR. BAUGHMAN: From a flow  
7 standpoint, I take it that the pump is a critical  
8 part of the component of this operation. What's  
9 the most common problem that you find on these  
10 coil-type units?

11 MR. DUPUIS: Well, you are correct  
12 that the pump is a critical component to the  
13 operation. And that's why we do have the coil  
14 temperature controls on each individual coil so  
15 that if we do sense a lack of flow or incorrect  
16 heat transfer, that we do have an alarm safety for  
17 that.

18 You know, I mean, as far as --  
19 it's -- the most common? It's hard to say  
20 exactly.

21 MR. BAUGHMAN: Coil failures from a  
22 flow standpoint or low water --

23 MR. DUPUIS: Coil failures are  
24 fairly rare for us just with our design. Our  
25 design is a little bit -- it's a -- granted, I

1 have a biased opinion, working for the  
2 manufacturer. But I believe we've got a better  
3 design and more robust design than the other  
4 manufacturer that's named in case BC92-06. We  
5 have a thicker-coil wall, as one example, and our  
6 pump flow rate is a different flow rate. Our flow  
7 is four times that of the steaming rate of the  
8 remote separator. The other design that has been  
9 granted the ruling, they designed their pump for  
10 about 1.25 or 1.3 times the evaporation. So I  
11 think with our design, we're getting a higher  
12 water flow.

13           You know, generally in the  
14 marketplace, lower water volume boilers are --  
15 some of them have a reputation for requiring  
16 perfect water treatment. Granted, we'd like  
17 perfect water treatment, but in reality, we don't  
18 often see that. And so, you know, ours is a more  
19 forgiving design with that since we have designed  
20 the pump for a four-time circulation rate.  
21 Therefore, the scale dropout is going to occur in  
22 that remote drum. So if there is any hardness in  
23 the boiler feed water, also, you know, that serves  
24 as the entry point for boiler feed water, so  
25 there's a better resistance to any oxygen

1 corrosion with our Circulatic design compared to  
2 other high-temperature hot-water boilers.

3 MR. BAUGHMAN: On the temperature  
4 control, since the temperature monitoring of that  
5 coil is very intricate to the safety of the  
6 system, they are manual reset, but knowing that  
7 that has been issues over the years, is there  
8 safety built into that system to where those  
9 temperature controls cannot be jumped out? In  
10 other words, does the system identify it to where  
11 if that temperature becomes a nuisance, in other  
12 words, and is locking out, is there a safety built  
13 into the system to recognize that that control is  
14 jumped out?

15 MR. DUPUIS: We do this commonly  
16 through a PLC. So the thermocouples will go into  
17 a thermocouple input card on our PLC, and the  
18 temperature set points can't be adjusted or  
19 defeated without having access to the PLC program.  
20 And as a manufacturer, we don't give out the PLC  
21 logic to our clients. Therefore, it makes it  
22 quite difficult to defeat those safety controls.

23 MR. BAUGHMAN: Good.

24 MR. ROBINSON: Where in proximity  
25 are those temperature indicators or sensors?

1                   MR. DUPUIS: Another good question.  
2           They are in the coil outlet piping. So it's in  
3           the high-temperature zone of the unit. So our  
4           coil design has a seven-layer concentric layer  
5           design, and the flow pattern goes from outside to  
6           inside through those seven concentric layers. And  
7           then the coils go up and out. And when it makes  
8           that turn out is where we have what we call our  
9           sensor pipe. And the thermocouple is embedded in  
10          that sensor pipe. So it's in the combustion zone.  
11          It's not external to the combustion area, so it is  
12          recognizing the hottest possible temperature for  
13          the exit of the unit. So we've determined that's  
14          the safest and most accurate temperature reading  
15          point for those safety controls.

16                   MR. ROBINSON: What is that  
17          temperature, might I ask? Just give me a number  
18          as far as what temperature are you seeking to  
19          allow to continue to operate.

20                   MR. DUPUIS: Typically it's going  
21          to be an exit temperature of around 400 degrees  
22          Fahrenheit, as an example. And in that case, our  
23          alarm set point will be 550 degrees Fahrenheit.

24                   CHAIRMAN MORELOCK: Any other --

25                   MR. ROBINSON: Let me ask you, have

1 you ever had any thermocouples to fail?

2 MR. DUPUIS: It's extremely rare  
3 for a thermocouple to fail.

4 MR. ROBINSON: But you --

5 MR. DUPUIS: But we do have them on  
6 each individual coil. The coils are connected in  
7 parallel, so --

8 MR. ROBINSON: Redundancy?

9 MR. DUPUIS: Yes. Yes. So --  
10 well, not truly redundancy, I guess. But you do  
11 have individual coil protection. So with the  
12 coils connected in parallel, it's generally  
13 assumed that -- and they're equal coils, too, I  
14 might add -- so you have the assumption of equal  
15 flow through each individual coil, and, therefore,  
16 the coil temperature results should be similar  
17 readings across the range of coils.

18 And so it's not redundancy in that  
19 there's a backup to each of them, but it is  
20 somewhat redundant because you've got -- you know,  
21 if you have four coils, you've got four  
22 temperature controls rather than just one  
23 temperature control with the assumption that the  
24 other three are in a similar condition. So that  
25 way if there is one of them that has any kind of

1 following for whatever the reason may be, then it  
2 will go into alarm for just that one.

3 MR. BAUGHMAN: We're talking about  
4 high-temperature fluid heaters. And in high-  
5 temperature fluid heaters, are we actually talking  
6 about thermal fluid heaters?

7 MR. DUPUIS: We do make thermal  
8 fluid heaters as well. That is a separate  
9 product. So our Circulatic product is the  
10 high-temperature hot-water boiler. We make, under  
11 our trade name, HI-R Temp, we make a thermal fluid  
12 heater as well.

13 MR. BAUGHMAN: Well, the reply in  
14 our Tennessee Boiler Rules cases was specific to  
15 the opinion of the Board that they were looking at  
16 a high-temperature fluid heater and not a -- and  
17 they were classifying the high-temperature fluid  
18 heater, i.e., a thermal fluid heater, as a  
19 high-temperature hot-water boiler, and it didn't  
20 fall under the Rule 22 attendance clause.

21 So in particular, that's where the  
22 opinion came out on this, from the way that I read  
23 it, is that it related to a thermal fluid or  
24 high-temperature fluid heater, not so much in  
25 taking a hot-water generator or a high-temperature

1 hot-water boiler. And so I'm wanting to make sure  
2 that there's a differentiation or that I'm  
3 understanding this right.

4 MR. DUPUIS: Yeah. I guess if I  
5 could -- I'm sorry. Go ahead and finish and then  
6 I'll --

7 MR. BAUGHMAN: No. I'm just  
8 needing a clarification in my own mind, because as  
9 I'm reading this, I'm getting high-temperature  
10 fluid heater as the reply and not so much -- we're  
11 not talking about a thermal fluid heater in your  
12 particular case.

13 MR. DUPUIS: We are not. And we're  
14 not talking about a thermal fluid heater in the  
15 case of the Clayton model DZ. That is not a  
16 thermal fluid heater. Their product literature --  
17 I mean, I know them from many, many years of  
18 experience there. Their product literature for  
19 the DZ fluid heater specifically says on the front  
20 cover page, ensure high quality steam, provide  
21 greater than 99.5 percent quality steam.

22 By the fact that we also manufacture  
23 thermal fluid heaters, I know my competitors quite  
24 well in the thermal fluid arena, and I know I've  
25 never competed against Clayton on a thermal fluid

1 heater. And I do on a very regular basis when  
2 we're talking about, you know, these -- they call  
3 it a fluid heater. I call it a high-temperature  
4 hot-water boiler.

5 MR. BAUGHMAN: Well, and I'm just  
6 saying that I'm wondering if this particular  
7 BC92-06 didn't relate to a thermal fluid heater,  
8 same thing as a Fulton or any of those that make a  
9 fluid heater --

10 MR. DUPUIS: Right.

11 MR. BAUGHMAN: -- if this case  
12 wasn't based around that so much as --

13 MR. DUPUIS: Well, I would say that  
14 it couldn't have been because Clayton never has  
15 manufactured a thermal fluid heater.

16 MR. BAUGHMAN: Got you.

17 MR. DUPUIS: So it was most  
18 certainly regarding a high-temperature hot-water  
19 boiler, as they called it, a fluid heater. But it  
20 definitely -- their intent never was and never has  
21 been to sell it as a thermal fluid heater.

22 MR. BAUGHMAN: True.

23 MR. DUPUIS: They've always sold  
24 their model DZ unit with the remote separator in a  
25 similar fashion.

1                   MR. BAUGHMAN: Sure. Well, let's  
2 take Clayton out of --

3                   MR. DUPUIS: Yeah. Sure. Sure.

4                   MR. BAUGHMAN: Let's take Clayton  
5 out of the equation --

6                   MR. DUPUIS: Yep.

7                   MR. BAUGHMAN: -- and just take it  
8 out separately. And I'm wanting to make sure that  
9 I understand it correctly that we're talking about  
10 hot water instead of a high-temperature fluid  
11 heater.

12                   CHAIRMAN MORELOCK: Okay. Just a  
13 couple of things and then I've got a comment.  
14 One, is there any conflict of interest with this  
15 item?

16                   (No verbal response.)

17                   CHAIRMAN MORELOCK: Hearing none,  
18 I'll say there is none.

19                   And, Mark, just for the record,  
20 because the court reporter is taking these  
21 minutes, will you formally introduce yourself,  
22 please?

23                   MR. DUPUIS: Yes. My name is Mark  
24 Dupuis. I am sales manager and part owner of  
25 Vapor Power International.

1                   CHAIRMAN MORELOCK: Thank you very  
2 much. Now, if I may have just a brief moment for  
3 some comments.

4                   Reading the Board's opinion from the  
5 BC92-06 item, it says at the end, in the opinion  
6 of the Board, that a high-temperature fluid  
7 heater, such as the Clayton model DZ, is  
8 classified as a high-temperature hot-water boiler  
9 and is not subject to Rule 22, just paraphrasing.

10                  And this is why I asked at the  
11 beginning of this item. If you go into ASME  
12 Section I, in the preamble, Footnote 4, as well as  
13 PG-2.2, states that in order to classify as a  
14 high- temperature hot-water boiler, it is intended  
15 for the operation at pressures in excess of 160  
16 PSIG and/or temperatures in excess of 250 degrees  
17 Fahrenheit. That is a classification that the  
18 ruling was made for the Clayton item.

19                  Now, in reviewing Vapor Power's  
20 literature and information, your coils operate  
21 certainly at temperatures exceeding 250 degrees  
22 Fahrenheit, and the pressures of those coils range  
23 from 1275 1000 PSIG pressure. So that would  
24 pretty much cement you into the definition of what  
25 we're seeking here. My only clarification is, is

1 in your schematic, Item 221A is listed as the  
2 boiler drum. Is that what you are considering to  
3 be the unfired pressure vessel that may or may not  
4 be part of your heater?

5 MR. DUPUIS: That's correct.

6 CHAIRMAN MORELOCK: Okay. So  
7 that's where you flash --

8 MR. DUPUIS: That is where the  
9 flashing and creation of steam takes place.

10 CHAIRMAN MORELOCK: Okay. And the  
11 reason I say that is because, being nitpicky, on  
12 your P3 and your P7, that vessel is limited to  
13 150 PSI, which falls out of the definition of the  
14 high-temperature hot-water boiler.

15 But with that said, I compared your  
16 literature to what was approved in this Ford case  
17 and the current Clayton model DZ, which is a model  
18 E204-DZ fluid heater 200 BHP, has very similar  
19 numbers to yours. So that's the closest I could  
20 find to compare to your unit. And so the State  
21 would declare that that would not fall under the  
22 variance rule -- or it wouldn't fall under Rule  
23 22. It would exempt it, and that's what you're  
24 seeking, correct?

25 MR. DUPUIS: Correct.

1                   CHAIRMAN MORELOCK:  Okay.

2                   MR. DUPUIS:  Correct.  And we could  
3   certainly in the future adjust our paperwork.  We  
4   have the -- obviously the coils are designed to  
5   1000 to 1275 PSI.  We can certainly fine tune our  
6   paperwork such that we more appropriately fall  
7   under the code definition.

8                   CHAIRMAN MORELOCK:  You know, these  
9   are "S" stamped, to answer your concern,  
10  Dr. Canonico.

11                  I just wanted to make those  
12  statements for clarification on your --

13                  MR. DUPUIS:  Thank you.

14                  MR. ROBINSON:  Any other  
15  discussion?

16                  (No verbal response.)

17                  CHAIRMAN MORELOCK:  Okay.  We have  
18  a motion on the floor to approve this item to be  
19  exempted from the attendant Rule 0800-3-3-.04(22)  
20  under the aspect of the fact that this is not a  
21  power boiler.  It doesn't require an attendant to  
22  check it every 20 minutes.  And this will be  
23  classified as a high-temperature hot-water boiler.

24                  So any other comments?

25                  MR. ROBINSON:  Motion made to move

1 with the addition that the unit still must receive  
2 a yearly or annual inspection, internal.

3 CHAIRMAN MORELOCK: Okay.

4 DR. CANONICO: Second.

5 CHAIRMAN MORELOCK: Amendment so  
6 noted. Any other comments?

7 (No verbal response.)

8 CHAIRMAN MORELOCK: I call for the  
9 question. All approved -- all in favor?

10 (Affirmative response.)

11 CHAIRMAN MORELOCK: Opposed?

12 (No verbal response.)

13 CHAIRMAN MORELOCK: Abstentions,  
14 not voting?

15 (No verbal response.)

16 CHAIRMAN MORELOCK: You have an  
17 approved item.

18 MR. DUPUIS: Thank you. Thank you  
19 all for the opportunity today. I appreciate it.

20 CHAIRMAN MORELOCK: Thank you.  
21 You're welcome to stay. You're welcome to go if  
22 you need to. So thank you for your time.

23 Our next item on the agenda is  
24 Item 14-10. Engineering Services Group requests a  
25 variance to operate two high-pressure boilers

1 under the requirement of Chapter 0800-03-03-  
2 .04(22), which also is the attendant rule. These  
3 boilers are located at the Morristown Hamblen  
4 medical center.

5 Gentlemen, if you'll come forward.

6 Are there any conflicts of interest  
7 on this item?

8 (No verbal response.)

9 CHAIRMAN MORELOCK: Hearing none.

10 Gentlemen, if you'll introduce  
11 yourselves and present your item.

12 MR. HUDGINS: I'm Ernest Hudgins  
13 with Engineering Services Group.

14 MR. BENSON: Jeff Benson with  
15 Covenant Health representing Morristown --

16 THE REPORTER: I'm sorry?

17 MR. BENSON: With Covenant Health.  
18 Morristown Hamblen is a hospital and I represent  
19 the organization.

20 MR. HUDGINS: As stated we're here  
21 requesting a variance to the boiler and unfired  
22 pressure vessel rules and regulations, Paragraph  
23 0800-3-3-.04(22).

24 Morristown Hamblen Hospital is a  
25 hospital located in Morristown, Tennessee. It's

1 approximately 400,000 square feet. It has two  
2 high-pressure boilers, one which was just recently  
3 installed and has been in operation since May of  
4 this year. The older boiler was installed in  
5 1982.

6 The hospital, under its previous  
7 ownership, had requested and obtained a variance  
8 back in, I guess, the early '90s for the -- for  
9 the 20-minute rule. Since the boiler was  
10 replaced, we understood that that variance was no  
11 longer in effect. Since the installation of the  
12 new boiler, the hospital has been operating under  
13 the 20-minute rule.

14 As a part of this manual, it's  
15 divided up into, I guess, three work categories.  
16 There's a boiler technician which is a trained  
17 individual that's responsible for the day-to-day  
18 maintenance, starting and stopping of the boiler.

19 The second is a boiler attendant, a  
20 person that is only trained to monitor the boiler.  
21 He is not qualified to make repairs of any sort.  
22 In the event of an upset condition, he can only  
23 shut the boiler down. He is not allowed to  
24 restart it under any circumstances. It's his  
25 responsibility to call in the boiler technician to

1 do that.

2           And then the PBX operators whose  
3 responsibility is to monitor the control panel  
4 located in the PBX. In the PBX there are other  
5 life safety items as well as the boiler panel,  
6 medical, gas, fire alarm system.

7           For this boiler variance, we are  
8 proposing to use the fire alarm system to transmit  
9 the signals from the boiler to the panel. It is a  
10 Honeywell fire alarm system. It is a hard-wired  
11 system, not wireless, and it is supervised, so if  
12 there's a break in the wire or communication or  
13 failure of the device, it will also alarm to  
14 ensure that it's functioning as it should.

15           Contained in the manual is the  
16 location of the boiler room in respect to the PBX.  
17 It's approximately 400 feet travel distance from  
18 the boiler room to the PBX. Also contained in the  
19 manual is a schematic showing the -- excuse me --  
20 showing the piping schematics and boiler plant  
21 layout.

22           Also contained in the manual, we've  
23 included for reference the operating -- the  
24 manufacturer's operating data for the flame  
25 control system. The new boiler utilizes a

1 Honeywell system. The existing boiler is an old  
2 Fireye system. But I have included that as part  
3 of the manual for reference. Also included in  
4 there are the manufacturer's stated alarm faults.  
5 We understand that some of those alarms will shut  
6 the boiler down, such as a bad light. So we  
7 understand that we will have more, I guess -- not  
8 really a false alarm, but a noncritical alarm that  
9 will cause the system to generate an alarm at the  
10 PBX, and the boiler will be shut down. Because,  
11 you know, you don't know what type of alarm is  
12 being generated until the boiler attendant on duty  
13 visits the site.

14           The boiler room is equipped with two  
15 emergency shut-down buttons. One is located  
16 inside the boiler room. That is located inside  
17 the boiler room because access to the boiler room  
18 is from a public corridor. We located it right  
19 inside the door to prevent patients' family from  
20 shutting down the boiler accidentally.

21           The second one is located at the main  
22 entrance to the boiler room from the outside.

23           Also included in the manual are the  
24 job descriptions for the boiler technicians,  
25 boiler attendants, and the PBX operators. Also

1 included is a checklist that we're proposing be  
2 filled out at the beginning of the shift and then  
3 every four hours. This hospital, they do  
4 eight-hour shifts.

5 CHAIRMAN MORELOCK: Before we get  
6 to the discussion, do I have a motion for this  
7 item?

8 MR. BAUGHMAN: So moved to pass.

9 CHAIRMAN MORELOCK: So we have a  
10 motion to approve this variance as we always do  
11 based on the caveat -- or a contingency based upon  
12 an acceptance inspection by the interim chief  
13 inspector or the deputy inspector once they make a  
14 site visit to make sure the manual and what's  
15 being performed in the field match. So I have a  
16 motion for that. Do I have a second?

17 MR. ROBINSON: Second.

18 CHAIRMAN MORELOCK: I do have a  
19 second. Now, I'm opening the floor for  
20 discussion. Who has comments?

21 MR. BAUGHMAN: You mentioned that  
22 this had a previous variance.

23 MR. HUDGINS: Yes.

24 MR. BAUGHMAN: Do we have a copy of  
25 that previous variance?

1                   MR. HUDGINS: I do not have one  
2 with me. It was provided on -- I don't know who  
3 provided it. It was only, like, a three- or  
4 four-page --

5                   MR. BENSON: The one that I --  
6 actually, I sent a cover sheet of it. It's old.

7                   MR. BAUGHMAN: Well, we get renewed  
8 every three on our variance, and so that's -- and  
9 you made a comment that this was issued back in  
10 the '90s.

11                  MR. HUDGINS: It may be late '80s,  
12 early '90s. I think it was one of the first ones.

13                  MR. BAUGHMAN: Okay. I would be  
14 interested in that documentation renewal had there  
15 been any -- did that renewal ever not get  
16 reapproved for any particular reasons. I would  
17 just be interested in that information. So I'm  
18 curious on that. But at the other end, on your  
19 drawing SD-1 titled Boiler Variance Site Plan A,  
20 in the boiler room drawing there, how many boilers  
21 do you see in that boiler room?

22                  MR. BENSON: It's showing three  
23 locations. Or is that a DA?

24                  MR. HUDGINS: That's a DA.

25                  MR. BAUGHMAN: Okay. I just wanted

1 to make sure because it shows a steam header  
2 coming across it as if it would be possibly part  
3 of that.

4 In SD-3, I'm looking at the  
5 mechanical boiler room drawing, and you say that's  
6 a DA, but I don't see the DA. I do see where  
7 there's a 6-inch rental boiler connection coming  
8 across the top of the boiler. But I'm just a  
9 little -- the drawings don't quite match up to  
10 each other.

11 MR. HUDGINS: They don't. We'll  
12 take care of that. I don't know why they don't  
13 match up.

14 MR. BAUGHMAN: I don't either.  
15 That's why I was asking.

16 MR. BENSON: Is it the location of  
17 the DA tank?

18 MR. HUDGINS: I can't really tell  
19 from this. But there are just two boilers. The  
20 boiler B1 that's shown on SD-1 is the new boiler.

21 MR. BAUGHMAN: That's the Superior?

22 MR. HUDGINS: That's the Superior  
23 boiler.

24 MR. BAUGHMAN: And it was  
25 actually -- that's a 2013 that actually went into

1 service May of 2014.

2 MR. HUDGINS: Yes, sir. There was  
3 some delays in the air pollution permitting that  
4 by Tennessee law you cannot install the boiler  
5 until you have the permit approved, in your hand.

6 MR. BAUGHMAN: So this came under  
7 the LoNox requirements.

8 MR. HUDGINS: It came underneath  
9 the LoNox requirement. The DA tank, DA-1, was  
10 installed at the same time that the boiler of one  
11 was installed, and then B2 is the old 1982 ...

12 MR. BAUGHMAN: Okay. Is there any  
13 equipment description in here on the DA by chance?

14 MR. HUDGINS: No, sir, there's not.  
15 But we could include it.

16 MR. BAUGHMAN: Just interested.  
17 Since you've got a rental boiler connection there,  
18 was there a rental boiler previously connected in  
19 the service?

20 MR. HUDGINS: No, sir.

21 MR. BAUGHMAN: Okay.

22 MR. HUDGINS: It's just there for  
23 emergency preparedness.

24 MR. BAUGHMAN: Should a rental  
25 boiler go in, how is it going to be operated?

1           MR. HUDGINS: It would have to be  
2 operated under the 20-minute rule.

3           MR. BAUGHMAN: Is there any plan on  
4 upgrading since you've got one old E110 Fireye  
5 programmer on there and an RM7800 programmer on  
6 the new boiler? Since we've got two noncongruent  
7 programmers that enunciate differently, I'm  
8 wondering how -- since we enunciate differently on  
9 both of those programmers, how does the PBX  
10 separate that out and --

11           MR. HUDGINS: At the PBX there's a  
12 separate set of lights and alarms for the new  
13 boiler and a separate set of lights and alarms for  
14 the existing boiler.

15           MR. BAUGHMAN: Okay. And we're  
16 saying that not all alarms create a shutdown.

17           MR. HUDGINS: Correct. But it  
18 would --

19           MR. BAUGHMAN: Who --

20           MR. HUDGINS: But it would generate  
21 an alarm that would go to the PBX and then the PBX  
22 operator would shut that boiler down because they  
23 had gotten an alarm. And they are --

24           MR. BAUGHMAN: So regardless of the  
25 alarm that it enunciates, they're going to shut

1 the boiler down.

2 MR. HUDGINS: They're going to shut  
3 the boiler down.

4 MR. BAUGHMAN: Regardless.

5 MR. HUDGINS: Regardless. Because  
6 they do not know what the alarm is until the  
7 boiler attendant goes.

8 MR. BENSON: They're trained that  
9 it's an automatic manual shutdown if they have any  
10 alarm.

11 CHAIRMAN MORELOCK: Any other  
12 questions or comments?

13 Dr. Canonico?

14 DR. CANONICO: You say on page 4 --  
15 I believe I have the right one -- on page 4 in the  
16 training, you say the personnel will initially  
17 receive 16 hours of training on the operation of  
18 the monitoring of the boiler generator, et cetera.  
19 Who gives that training and how well are they  
20 trained?

21 MR. BENSON: Can I speak to that?

22 MR. HUDGINS: Yes.

23 MR. BENSON: The team leader and  
24 the manager of that hospital provide that  
25 training. And both of those, combined, have

1 probably 30 years experience in the hospital  
2 maintenance and engineering department and I feel  
3 are well trained in that.

4           And we've produced with those guys in  
5 what we've -- through the boiler company -- a  
6 manual for them to do their written work through.  
7 And they do a test with that. And then part of  
8 that 16 hours is training, but then just drilling  
9 them on the emergency response and what to do in  
10 those events.

11           Now, the part of the training that we  
12 also do is a DVD that we put together with one of  
13 the boiler companies where one of the boiler  
14 technicians working for one of the larger boiler  
15 companies here in Tennessee provided instruction,  
16 and we recorded that and utilized that also.

17           DR. CANONICO: I also notice on  
18 page 7, your boiler attendant is a trained,  
19 qualified individual. And the boiler attendant  
20 may be classified as one of the following: Boiler  
21 attendant, slash, security guard. I have  
22 trouble -- I've always had trouble with this idea  
23 that you could have a boiler attendant and the  
24 security guard who is expected to handle problems  
25 in the plant, fights, people breaking in, and yet

1 be available as a boiler attendant. I've always  
2 had problems with that. Not just with you, with  
3 others.

4 MR. BENSON: I think sometimes  
5 where we get -- and Ernie and I talked about this  
6 on the way here today -- is to remember that we've  
7 got the person -- the personnel that are at the  
8 PBX that we don't even qualify as an attendant are  
9 trained to shut that down when they hear an alarm.  
10 Just as they're trained to grab a fire  
11 extinguisher if they see a fire. That's an  
12 emergency response.

13 So we're not dependent upon that  
14 security personnel to be in the vicinity of that  
15 shutdown in the event of an alarm. Those folks  
16 that are 24/7 in that vicinity are the folks that  
17 know to hit that e-stop button when they hear that  
18 alarm. So there's no delay in their waiting for  
19 someone to respond.

20 CHAIRMAN MORELOCK: And your boiler  
21 tech is actually the trained boiler expert --

22 MR. BENSON: Right.

23 CHAIRMAN MORELOCK: -- that can  
24 start, stop --

25 MR. BENSON: That's the restart.

1                   CHAIRMAN MORELOCK:  -- maintain the  
2 boiler.  Not the attendant.

3                   MR. BENSON:  Right.

4                   MR. HUDGINS:  Now, in the event of  
5 a false alarm, we're going to get the alarm at the  
6 PBX, the PBX operator is going to hit the  
7 emergency stop button.  The boiler should shut  
8 down.  They're to call the boiler attendant and he  
9 has to go immediately and visit.  Now, he will  
10 shut down -- if for some reason the emergency stop  
11 button did not kill the boiler, he will shut the  
12 boiler down, but he cannot restart it.

13                  DR. CANONICO:  Again, back at the  
14 top of page 7, that I was looking at a minute ago,  
15 "The boiler attendant is a trained, qualified  
16 individual who is designated to monitor the  
17 boilers.  The boiler attendant may be classified  
18 by Morristown-Hamblen Healthcare Systems as one of  
19 the following:"

20                  And that's where you have it as a  
21 boiler attendant, slash, security guard.  And then  
22 in the next paragraph, if you will, "The boiler  
23 technician is a trained, qualified" -- et cetera.  
24 "The boiler tech may be classified by Morristown-  
25 Hamblen Healthcare System as one of the

1 following:"

2 MR. HUDGINS: The three people  
3 listed there at this specific hospital have  
4 training and experience to operate the boiler.  
5 They can start and stop it. The team leader --

6 MR. BENSON: Senior tech and a  
7 general tech.

8 MR. HUDGINS: Yeah. All are 20,  
9 30-year --

10 MR. BENSON: Oh, yeah. They do  
11 that. And, again, get training above and beyond  
12 what's in this manual.

13 DR. CANONICO: One is a boiler  
14 attendant and the other is a boiler technician.

15 MR. HUDGINS: The boiler attendant  
16 can be a lightbulb changer, you know, security  
17 personnel. All they can do -- all they know to do  
18 is to go into the boiler room and look at the  
19 marks on the gauges and see if they're in the  
20 normal operating, record it. Like I say, they are  
21 not to --

22 DR. CANONICO: Do they get the  
23 16 hours of training?

24 MR. HUDGINS: What, now?

25 DR. CANONICO: Do they get the

1 16 hours of training?

2 MR. BENSON: The attendants do have  
3 the 16 hours of training.

4 DR. CANONICO: That includes that  
5 security guard?

6 MR. BENSON: That's right.

7 MR. HUDGINS: On page 7, they  
8 receive the 16 hours of training to operate the  
9 boiler.

10 MR. ROBINSON: I struggle with that  
11 also.

12 MR. HUDGINS: What's that?

13 MR. ROBINSON: The terminology.

14 MR. HUDGINS: I'm sorry. I  
15 didn't --

16 MR. ROBINSON: I struggle with the  
17 terminology. You said boiler attendant. You had  
18 made a listing earlier in the manual where you had  
19 defined the boiler attendant. And then, out of  
20 nowhere, you started talking about the boiler  
21 tech.

22 MR. HUDGINS: Okay.

23 MR. ROBINSON: And I was able to  
24 find the difference between the two; however, then  
25 there was an issue with the security guard.

1 I think Dr. Canonico's -- to  
2 Dr. Canonico's point, if you clean up the  
3 terminology as far as "boiler attendant" as maybe  
4 a "boiler monitor" or something cleaner than that  
5 to where we would know that this guy does  
6 absolutely nothing to the boiler.

7 MR. HUDGINS: Okay.

8 MR. ROBINSON: And prior to that  
9 you had also made another statement where you had  
10 said that maintenance is performed by the boiler  
11 attendant.

12 MR. HUDGINS: If I do, I apologize  
13 for that.

14 MR. ROBINSON: No. It's okay.

15 MR. HUDGINS: I was hoping I had it  
16 plain that it was only the techs.

17 MR. ROBINSON: But then you go back  
18 and you look and it says -- well, what does he do?  
19 And then you say no, he doesn't work on a boiler.

20 MR. HUDGINS: No, he does not.

21 MR. ROBINSON: So if you clean that  
22 up, I think it will -- to Dr. Canonico's point --  
23 I'm sorry, I didn't mean to interrupt.

24 DR. CANONICO: You also have, under  
25 boiler attendant, slash, security guard, back

1 further in the report, you have provides security  
2 service such as escorts, lock and unlock of  
3 buildings, and things of that nature. I have  
4 trouble with that person being a boiler attendant  
5 and doing all these other -- having all these  
6 other responsibilities.

7 I mean, this isn't novel to you.  
8 Don't misunderstand me.

9 MR. HUDGINS: I understand.

10 DR. CANONICO: But it's something  
11 that's a burr under my saddle, among other places.

12 MR. BENSON: Would we have the  
13 liberty to come get a title, like -- I'm going to  
14 throw something -- emergency responder or whatever  
15 under that, or alarm response?

16 CHAIRMAN MORELOCK: Well, I guess  
17 my question is what is the difference between the  
18 dispatchers who are remote monitors and the boiler  
19 attendant? Because the boiler tech is pretty well  
20 defined. I'm like you. I started confusing the  
21 terms until I got them clarified.

22 But what is the difference -- because  
23 you've got the PBX man by emergency dispatchers,  
24 and they're the ones that hit the e-stop as well,  
25 so -- but then you also say that the boiler

1 attendant does nothing but monitor the boiler and  
2 hit the e-stop in the case of emergency. Then the  
3 boiler tech is the one who actually operates,  
4 maintains, and tests the boiler and all of that  
5 stuff. So I think that's what's leading to our  
6 conversation, is what are the main differences  
7 between the dispatchers that are doing the remote  
8 monitoring and the boiler attendant? It looks  
9 like they're almost doing the same thing.

10 DR. CANONICO: See, you have  
11 another one here, boiler attendant/security guard.  
12 And the security guard apparently carries a loaded  
13 firearm, fights fires at inception stage, and may  
14 have physical contact during crisis intervention.  
15 I find it hard to believe if that person is  
16 undergoing all that stress that the boiler is also  
17 key or top on his mind.

18 MR. BENSON: We're trying to  
19 maximize the number of people in that facility  
20 outside of -- that PBX operator cannot leave their  
21 location, where they are. So we're trying to  
22 maximize the number of people, 24/7, that can move  
23 to that boiler room upon alarm and see what's  
24 going on. So those security guys, we need them  
25 included for that along with those boiler

1 attendants. And maybe there's two boiler  
2 attendants on duty and they're tied up with a  
3 flood on the third floor or something when that  
4 alarm hits, and that security guy that's nearby  
5 can get there.

6 So that's what -- we're trying to  
7 build a bigger force of responders for those  
8 alarms.

9 CHAIRMAN MORELOCK: Okay.

10 MR. BENSON: But we do need to  
11 clarify that. I'll give you that.

12 CHAIRMAN MORELOCK: Okay. Any  
13 other comments?

14 MR. BAUGHMAN: Yes. Who's been  
15 attending the boiler so far? Who's the one that's  
16 been going back and looking at it under --

17 DR. CANONICO: The 20-minute rule?

18 MR. BAUGHMAN: Yes.

19 MR. BENSON: Those are our  
20 attendants and techs that are doing that.

21 MR. BAUGHMAN: Okay. And it's --  
22 the reason for going in with this variance, I'm  
23 still interested in past history. I don't know  
24 if -- I don't know what can be brought to the  
25 table in that respect. I don't want to beat it to

1 death. How many boiler techs have we got? I  
2 mean, just offhand, how many would know being at  
3 the facility?

4 MR. HUDGINS: I think there's three  
5 techs.

6 MR. BENSON: Three techs and maybe  
7 four or five attendants.

8 MR. BAUGHMAN: Okay. So we've got  
9 three techs and we're operating 24 hours a day.  
10 So we've got one per shift?

11 MR. BENSON: Yes.

12 MR. BAUGHMAN: I take it they take  
13 vacations at some point in time. I'm looking at  
14 the manpower. The logistics of the manpower shows  
15 me that if somebody becomes ill or is out, we're  
16 going to be short a tech to be able to respond to  
17 a reset. Because the attendant can't reset the  
18 boiler. It states that clearly in your manual.  
19 Boiler attendants are not permitted to restart the  
20 boiler. I'm just wondering, if we're short on  
21 personnel, if that won't actually happen.

22 MR. BENSON: In all of our  
23 facilities, we run an on-call schedule for these  
24 guys. So if there's the absence of someone that  
25 can restart a boiler, then there is someone that

1 can restart a boiler that's on call that's got to  
2 respond back to the hospital.

3 MR. BAUGHMAN: Which may not be a  
4 boiler tech.

5 MR. HUDGINS: No. It would be a  
6 boiler tech.

7 MR. BAUGHMAN: Okay. Because what  
8 I'm thinking of is I've got a very limited number  
9 of personnel, so, playing devil's advocate, it  
10 appears to me just with the personnel that are  
11 listed that that's a possibility that it could  
12 happen.

13 MR. BENSON: That team leader is  
14 responsible for the scheduling of those personnel,  
15 and that's part of his scheduling that he's got to  
16 do throughout the year. Because when these guys  
17 request vacation time or they call in sick, he's  
18 got to adjust so that he's got that covered.  
19 Another individual that we've got like that, be it  
20 somebody, you know, that -- usually it's the same  
21 kind of guys that are specialized in plumbing.  
22 He's going to want to make sure he's got one of  
23 those guys that's available, too, if somebody is  
24 on vacation or out that day.

25 MR. HUDGINS: And, you know, they

1 understand that if they have an upset condition  
2 that somebody may have to come in on call and they  
3 would be without a boiler until -- I think Robert  
4 said he's, like, 20 minutes away and another guy  
5 was --

6 MR. BENSON: If that.

7 MR. BAUGHMAN: But if we do by  
8 chance have to then operate under the 20-minute  
9 rule if there's personnel to go out and what have  
10 you, those personnel could be boiler attendants  
11 like security guards.

12 MR. HUDGINS: Under the 20-minute  
13 rule, that's correct.

14 MR. BAUGHMAN: Okay.

15 DR. CANONICO: And, also, under  
16 your senior facility services technician, there's  
17 no mention of boilers. The same is true for your  
18 senior facility services.

19 MR. BENSON: Is this in the job  
20 description?

21 DR. CANONICO: I thought I read  
22 earlier where they were also part of your boiler  
23 people.

24 MR. HUDGINS: At Morristown-  
25 Hamblen, yes.

1 DR. CANONICO: There's not a page  
2 number I can give you. I'm sorry.

3 CHAIRMAN MORELOCK: It's in  
4 Appendix G.

5 DR. CANONICO: Yeah, Appendix G.

6 MR. HUDGINS: Yeah.

7 CHAIRMAN MORELOCK: Any other  
8 comments?

9 MR. ROBINSON: Yes. What exactly  
10 is a PBX? What is that abbreviation?

11 MR. BENSON: It actually stands for  
12 private branch exchange. And originally that term  
13 was used for the phone system that tied in in a  
14 hospital or in an office building where that is.  
15 What it's coming to be known as is the central  
16 communications and alarm areas in a building like  
17 a hospital. It's incorrectly used but it's the  
18 term that everyone knows that's in the hospital  
19 business. The PBX is the communication center.

20 MR. ROBINSON: If you would be kind  
21 enough, you've got the abbreviation acronym. Give  
22 me something so I'll know. I saw "PBX" and I'm  
23 thinking a lot of different things.

24 MR. BENSON: I think we need to do  
25 a definition section at the very beginning --

1                   MR. ROBINSON: Well, just put it in  
2 the front. That way it will be -- and you just do  
3 it one time. You don't have to do it all over the  
4 book. That way we'll know. And then also -- and  
5 I think I started on page 2, the first paragraph,  
6 Bullet 3.

7                   MR. HUDGINS: Yes, sir.

8                   MR. ROBINSON: Have you had any  
9 past failures/problems with the boilers?

10                  MR. BENSON: Well, we have alarms  
11 and --

12                  MR. ROBINSON: I mean past problems  
13 that required repair.

14                  MR. BENSON: I'm sure that we have,  
15 but I can't -- I don't recall them right offhand  
16 with this particular location.

17                  MR. ROBINSON: How long have you  
18 been there? I'm just curious.

19                  MR. BENSON: We've had this  
20 hospital for two -- between two and three years.

21                  MR. HUDGINS: It's been three  
22 years. Under the covenant branch, this is, like,  
23 what, number four or five?

24                  MR. BENSON: Are you asking for  
25 variances or ...

1                   MR. HUDGINS: No. Total number of  
2 hospitals.

3                   MR. BENSON: Ten.

4                   MR. HUDGINS: And this is, like,  
5 the fourth or fifth variance. But at the other  
6 hospitals, there have been failures of the  
7 boilers.

8                   MR. ROBINSON: Any ideas -- failure  
9 modes?

10                  MR. HUDGINS: One of them was -- I  
11 think was -- this was at Lacon. It was stress  
12 fractures at the burner ring, and one boiler was  
13 down for an extended period of time while that was  
14 repaired. And the boilers are taken down, you  
15 know, annually to be -- for inspection.

16                  MR. ROBINSON: You've got a good  
17 water treatment program?

18                  MR. HUDGINS: Yes, sir.

19                  MR. ROBINSON: Can I get you to  
20 split up that boiler attendant, slash, boiler tech  
21 to make it clear?

22                  MR. BENSON: Absolutely.

23                  MR. ROBINSON: On your alarm codes,  
24 normally what we see at the Board, we see a  
25 variety of alarm codes preset by certain

1 manufacturers.

2 MR. BENSON: Correct.

3 MR. ROBINSON: And the thing is is  
4 the codes are so laborious to go through and  
5 identify each one to a pertinent fault, that  
6 sometimes just throwing it into the book makes it  
7 look good.

8 Now, just be aware that if this  
9 variance is approved, then those alarms, the  
10 pertinent ones are going to be verified. So know  
11 for clarity that those variances -- I'm sorry --  
12 that those codes are actual faults that would  
13 determine pass/fail.

14 MR. HUDGINS: Okay.

15 MR. ROBINSON: As I was looking  
16 through your location on your appendix for your  
17 boiler description, the 2013 Superior boiler was  
18 okay, meaning it's clear and it had been  
19 inspected. But the 1982 boiler -- well, let me  
20 get this right -- the numbers were wrong on the  
21 Tennessee serial numbers.

22 So my advice is to make a correction  
23 prior to being audited. And it's the second  
24 boiler. One is named a Cyclotherm on one piece of  
25 paper I had, and then on the other it was called

1 an Osweeo.

2 MR. HUDGINS: The boiler?

3 MR. ROBINSON: Yes. So maybe -- I

4 don't know if I just -- maybe I miscued a key.

5 But my thinking is that I didn't. So make sure

6 that that's correct. Also --

7 MR. HUDGINS: Are you saying that

8 on the Appendix A-1 --

9 MR. ROBINSON: Let me get the

10 drawing.

11 MR. HUDGINS: Like, Boiler 2 --

12 MR. ROBINSON: Yes.

13 MR. HUDGINS: -- is it the --

14 MR. ROBINSON: T92 -- and in fact,

15 if you look -- just use good logic. Tennessee

16 serial numbers are in succession. If you look at

17 Boiler Number 2, it's T92639, but it was built in

18 1982. That's impossible.

19 MR. HUDGINS: Okay.

20 MR. ROBINSON: Okay? It's wrong.

21 So just --

22 MR. HUDGINS: If there had been a

23 repair done on the boiler, would it have gotten a

24 new T number?

25 MR. ROBINSON: No, sir. If you

1 think that that's the correct number, my advice is  
2 to contact the chief and let him know that you've  
3 got a conflict. Okay? But I know that this is  
4 not right.

5 MR. HUDGINS: Okay. We'll go back  
6 and lay eyes on it again.

7 MR. ROBINSON: Okay. And in your  
8 site drawing Number 2, you show the location of  
9 the control room and it's showing as BX -- BSP.  
10 Is that correct?

11 MR. HUDGINS: What page?

12 MR. ROBINSON: SD-2 -- SD.2.

13 CHAIRMAN MORELOCK: Where the PBX  
14 is, it shows it as a BSP instead of a PBX -- I had  
15 that, too -- at the nurses station.

16 MR. HUDGINS: Yes, sir. The BSP is  
17 the boiler shutdown panel.

18 CHAIRMAN MORELOCK: Okay.

19 MR. ROBINSON: Got it. Okay. So  
20 that is the BSP.

21 MR. HUDGINS: That's where the  
22 boiler shutdown panel is located.

23 MR. ROBINSON: So you threw another  
24 term at us.

25 MR. HUDGINS: Okay.

1                   CHAIRMAN MORELOCK: Well, your  
2 manual says PBX, so could just maybe put location  
3 of PBX or something so that people will know  
4 that's what you mean.

5                   MR. BENSON: All right. I think we  
6 might want to gravitate away from PBX and go with  
7 boiler shutdown panel.

8                   MR. ROBINSON: It's okay.

9                   MR. BENSON: All right.

10                  MR. ROBINSON: I thought it was  
11 correct, but the thing is, it's just that I want  
12 to make it apples to apples.

13                  MR. BENSON: Okay.

14                  MR. ROBINSON: So if I'm reading  
15 this, I'm going to follow it. And that's okay.

16                         What kind of daily testing is  
17 performed on the boiler and by whom?

18                  MR. BENSON: Now, there's a -- as  
19 far as this is concerned, we identify what happens  
20 each day at the beginning of each shift. As far  
21 as testing on the boilers, the boiler technicians  
22 are the folks that are doing the regular boiler  
23 maintenance. And I'm not a boiler professional.  
24 So they're going in and they have routine  
25 preventative maintenance, blow-downs that they do.

1 They're checking their chemistry. And I know that  
2 that's taking place. They're also responsible for  
3 making sure when it's time to open the boilers for  
4 internal inspection. They've got all that  
5 repaired also.

6 MR. ROBINSON: Is that included on  
7 the logbook?

8 MR. BENSON: That should all be on  
9 the logbook.

10 MR. ROBINSON: So --

11 MR. BENSON: The chemistry may not.

12 MR. ROBINSON: Okay. But the test  
13 is. Is that incorporated in this manual, that  
14 log?

15 MR. HUDGINS: There's a log sheet  
16 to verify that someone has been in there every  
17 four hours and recorded, you know, the pressures  
18 and water levels on the site gauges.

19 MR. BENSON: Are you looking for  
20 the standing 20-minute log?

21 MR. ROBINSON: Is this the  
22 (indicating) --

23 MR. HUDGINS: There you go, yes.

24 MR. ROBINSON: This is the one?

25 MR. HUDGINS: That's the one.

1                   MR. ROBINSON: Okay. If you will  
2 be so kind as to revise that. Now, here is what  
3 you say, just going through it. Boiler on/boiler  
4 off. Water level in inches above/below mark. In  
5 reality, if it's below the site glass -- if the  
6 water level was so low that you can't see it --

7                   MR. HUDGINS: We've got a problem.

8                   MR. ROBINSON: -- you've got  
9 issues.

10                  MR. BAUGHMAN: Or if the site glass  
11 is plugged up.

12                  MR. ROBINSON: You've got issues.  
13 So my point being, is so you check off one, you  
14 check off two, and then you check off the DA Tank,  
15 and it's really -- it doesn't mean anything. So I  
16 would prefer seeing a daily test of something, at  
17 least with the water blow-down perhaps, and make  
18 it an item that you can visually touch, meaning I  
19 can visually look at it, say yes, he did an  
20 examination on the blow-down, as opposed to --  
21 because this is not -- this does nothing.

22                  MR. HUDGINS: Okay. It just  
23 verifies that he's been there and --

24                  MR. ROBINSON: Yes, sir. That's  
25 all. It does nothing for the safety of the

1 boiler. So revise that.

2 MR. HUDGINS: So if we added, like,  
3 another checklist, boiler on/boiler off, site  
4 glass blow-down.

5 MR. ROBINSON: Or just put in  
6 another column and --

7 MR. HUDGINS: Yeah, that's what I  
8 mean.

9 MR. ROBINSON: Yeah. Just put  
10 it --

11 MR. HUDGINS: If the boiler is off,  
12 he doesn't need to blow down the site glass. If  
13 the boiler is on, he needs to.

14 MR. ROBINSON: That's all I had.

15 CHAIRMAN MORELOCK: Any other  
16 comments?

17 MR. BAUGHMAN: Yes, sir. Under  
18 Appendix H, Boiler Variance Training Log, in the  
19 back -- it's listed as H-1 -- you say that  
20 everybody has been trained. And I know this is a  
21 training log, but it's blank. And I'm wondering  
22 if we already have a training log filled out. But  
23 we're granting a variance on a -- or proposing to  
24 grant a variance where we don't have anybody  
25 trained yet; is that correct?

1 MR. BENSON: Can I speak?

2 MR. HUDGINS: Yes.

3 MR. BENSON: When we did this in  
4 the past at Roane Hospital, for example, we  
5 provided that to the inspector when they came on  
6 the site. It was a list of everyone that had been  
7 trained, the training manual, and then we visited  
8 each of the locations on the site map, and he  
9 tested those folks on their knowledge. And if  
10 they had been trained, their name was included in  
11 the training sheet.

12 MR. BAUGHMAN: Very good. So this  
13 has been -- this has been -- we've had a variance  
14 in place before, so I take it we've already had an  
15 inspector involved with being out there from a  
16 variance standpoint; is that correct?

17 CHAIRMAN MORELOCK: At least  
18 initially, yes.

19 MR. BAUGHMAN: And that would be  
20 Mr. Jackson?

21 MR. JACKSON: Not at that time.

22 MR. BAUGHMAN: Not at that time?  
23 Okay.

24 MR. ROBINSON: We just implemented  
25 the three-year renewal program.

1 MR. BAUGHMAN: Okay.

2 MR. ROBINSON: What happens is when  
3 you pass --

4 MR. BAUGHMAN: So we don't know who  
5 that --

6 MR. ROBINSON: When you pass a  
7 certain point, it will be either renewed or  
8 dropped.

9 MR. BAUGHMAN: Okay. Got you.

10 MR. BENSON: And how long has that  
11 three-year renewal been in place?

12 CHAIRMAN MORELOCK: Since day one.  
13 It just wasn't enforced. So we've recently  
14 started enforcing it.

15 MR. BENSON: I've seen some of  
16 these -- I'll try to gather some of these for  
17 you -- these old variances that we've seen in the  
18 field and maybe get them to you-all. Because I  
19 can think of one in particular. We couldn't see  
20 any renewal stipulations, but it could have been  
21 page 2 that was gone from 15 years ago.

22 MR. ROBINSON: And it may show up  
23 on our Frequently Asked Questions on our website.

24 MR. BAUGHMAN: The other comment  
25 that I have is the DA is missing in this

1 proposition. We've talked about it before. It's  
2 not that it's a requirement of our variance at  
3 this particular point in time. But does it have a  
4 current certificate of inspection on it?

5 MR. HUDGINS: It does.

6 MR. BAUGHMAN: All right.

7 MR. HUDGINS: Would you like for me  
8 to include that under -- on that data sheet for  
9 the --

10 MR. BAUGHMAN: I would like the  
11 data sheet for it. And especially since it is an  
12 integral part of the system and it is a pressure  
13 vessel, I'm taking it it's a true DA and not an  
14 atmospheric unit.

15 MR. HUDGINS: It is.

16 MR. BAUGHMAN: I would like to have  
17 it included in that.

18 MR. HUDGINS: Okay.

19 MR. BAUGHMAN: So, yeah ...

20 MR. HUDGINS: So I guess under  
21 Appendix 1 where we have the serial number, model  
22 number, and the T number, just include a --

23 MR. BAUGHMAN: Yeah, the data  
24 information on that.

25 MR. HUDGINS: -- data information

1 for that date manufactured and so forth?

2 MR. BAUGHMAN: You bet.

3 CHAIRMAN MORELOCK: You would at  
4 least want it available for the inspection.

5 MR. HUDGINS: Okay.

6 CHAIRMAN MORELOCK: Because right  
7 now our checklist doesn't mandate that  
8 information, so we can't force you to do it.

9 MR. HUDGINS: It's a good idea.

10 CHAIRMAN MORELOCK: But it would be  
11 nice to have during the acceptance inspection.

12 Mr. Jackson?

13 MR. JACKSON: If a variance was  
14 issued, it stays essentially wherever -- you can  
15 change equipment on it. So is this a new variance  
16 or a renewal?

17 CHAIRMAN MORELOCK: Well, it's  
18 listed as a new variance because they're adding a  
19 boiler as well, correct?

20 MR. HUDGINS: We replaced a boiler.

21 CHAIRMAN MORELOCK: You replaced a  
22 boiler.

23 MR. JACKSON: Well, that's just a  
24 revision to the existing one, isn't it?

25 CHAIRMAN MORELOCK: If you're

1 using -- yes, it would be -- if the previous  
2 boiler had a variance on it, then it would be more  
3 correct to say it's a renewal. So do you want to  
4 make that a renewal or a new installation?

5 MR. JACKSON: Deborah printed me  
6 out a list of all the variances that have been  
7 issued in the state of Tennessee. This hospital  
8 is on that list, but, as you know, it shows that  
9 it's due for renewal.

10 CHAIRMAN MORELOCK: Right.

11 MR. JACKSON: So it's  
12 identifying -- the program is identifying that  
13 there's a variance for this location.

14 CHAIRMAN MORELOCK: And that would  
15 clarify if you --

16 MR. JACKSON: I don't have a copy  
17 of it, but I mean ...

18 MS. RHONE: I may have a copy.

19 CHAIRMAN MORELOCK: So I'll defer  
20 to you-all. I mean, you can do as you wish. You  
21 can renew it. You can say it's new.

22 MR. BENSON: I don't know that  
23 there's an advantage either way. We're going to  
24 do all this no matter what we call that. So let's  
25 just say it's a new variance.

1                   CHAIRMAN MORELOCK:   Okay.

2                   MR. JACKSON:   That it's what?

3                   CHAIRMAN MORELOCK:   They're going

4   to do it as new.

5                   MR. BENSON:   Applying for a new

6   variance.

7                   CHAIRMAN MORELOCK:   So the boiler

8   unit needs to look at the -- if there is still an

9   existing variance for this hospital on the books,

10   they can say that it's been superceded by this new

11   variance.

12                   Any other comments?

13                   (No verbal response.)

14                   CHAIRMAN MORELOCK:   I've just got a

15   few nitpicky -- most of them have been answered.

16   I know Mr. Laney is responsible for implementation

17   of the variance.   Will Mr. Laney also keep the

18   manual current?

19                   MR. HUDGINS:   He's the person on

20   site, yes.

21                   CHAIRMAN MORELOCK:   Okay.   We just

22   need to state that on page 1.

23                   Again, these are nitpicky, but the

24   Table of Contents and your section titles need to

25   match.   They're a little different.   On your call

1 list, as compared to your organizational chart,  
2 the names aren't spelled the same on both lists,  
3 so you'll want to just check those.

4 MR. HUDGINS: Okay.

5 CHAIRMAN MORELOCK: Appendix H is  
6 not just an appendices for Boiler Variance  
7 Training Log. It also includes the Boiler  
8 Variance Manual Log as well. So you'll want to  
9 correct that.

10 MR. HUDGINS: As far as who holds  
11 the variance?

12 CHAIRMAN MORELOCK: Well, just as  
13 far as the section titles and all. So when you're  
14 looking at the Table of Contents, you may not find  
15 the manual log because it doesn't say that it is.

16 And I can't find the facilities  
17 manager on the organizational chart, so you'll  
18 want to add that.

19 And make sure that the job titles on  
20 the organizational chart and the text are  
21 consistent, because we don't know your  
22 organizational structure. So we get in the manual  
23 and we see the same person with two different  
24 titles, potentially, we don't know -- it's  
25 confusing, a little bit. So just for clarity for

1 somebody that's outside your organization, it  
2 would help. And that's all I have.

3 Any other comments or questions?

4 MS. JEFFERSON: Well, there is  
5 quite a bit of information that you-all provided,  
6 and just to let you-all know, that's why we have  
7 our court reporter here. The information will be  
8 on the website in about two to three weeks. After  
9 we receive it from the reporter, we will place it  
10 on the website. That way you can see exactly what  
11 the board members' comments were.

12 CHAIRMAN MORELOCK: And that will  
13 benefit not only you but also the deputy inspector  
14 that makes your acceptance inspection, too. So  
15 that will benefit both of you.

16 MR. HUDGINS: And then what we  
17 started doing, too, is including, like, a revision  
18 sheet, so any revisions that we make -- like, I've  
19 got this called out as Rev. 0, so the revisions  
20 that you've all asked, I'll make it, like, a  
21 Rev. 1. And then when we make the changes in the  
22 manual, it will be, like, a different font size or  
23 a different -- or italics so when the inspector  
24 comes out --

25 CHAIRMAN MORELOCK: Well, we're

1 voting it with these changes, so you can leave it  
2 at Rev. 0.

3 MR. HUDGINS: Okay.

4 CHAIRMAN MORELOCK: Because what we  
5 vote will not only include what's in this book but  
6 what we've recommended as well.

7 MR. HUDGINS: Okay.

8 CHAIRMAN MORELOCK: You're already  
9 covered with the additions.

10 MR. HUDGINS: Okay. I was just  
11 going to do that so it will make it easier for  
12 Neil when he comes out, he can see, yeah, that was  
13 changed.

14 CHAIRMAN MORELOCK: That's fine.

15 Any other comments?

16 (No verbal response.)

17 CHAIRMAN MORELOCK: Okay. I'm  
18 going to call the question. All in favor?

19 (Affirmative response.)

20 CHAIRMAN MORELOCK: Opposed?

21 (No verbal response.)

22 CHAIRMAN MORELOCK: Abstentions,  
23 not voting?

24 (No verbal response.)

25 CHAIRMAN MORELOCK: Gentlemen, you

1 have a new variance.

2 MR. HUDGINS: Okay. Thank you very  
3 much.

4 MR. BENSON: Thank you.

5 CHAIRMAN MORELOCK: Thank you for  
6 your presentation.

7 We're going to take a 10-minute  
8 break. I've got 11:00. Be back at 11:10 and  
9 we'll finish our agenda.

10 (Recess observed.)

11 CHAIRMAN MORELOCK: Our next  
12 business item is Item 14-11. James Neville will  
13 present a variance request to operate three  
14 high-pressure boilers under the requirements of  
15 0800-03-03-.04. These boilers are located at  
16 Vi-Jon Corporation in Smyrna, Tennessee.

17 So, gentlemen, first of all, are  
18 there any conflicts of interest?

19 MR. BAUGHMAN: I want to declare a  
20 conflict of interest.

21 CHAIRMAN MORELOCK: Okay. So  
22 Mr. Baughman does have a conflict of interest on  
23 this item. Any others? Okay.

24 Gentlemen, if you will introduce  
25 yourselves and then present your item.

1                   MR. NEVILLE: I am James Neville  
2 with Neville Engineering.

3                   MR. BERKEBILE: Steve Berkebile,  
4 Director Asset Care of Vi-Jon.

5                   MR. COTHERN: Clay Cothorn,  
6 Facilities Maintenance Manager, Vi-Jon.

7                   MR. NEVILLE: We are here today to  
8 present a new variance for Vi-Jon. Vi-Jon is a  
9 manufacturer of health and beauty care products in  
10 Smyrna, Tennessee.

11                   Currently, they're operating three  
12 power boilers on demand 24/7, 7 days a week. The  
13 boilers are used for heat and process. In the  
14 site plan on Figure 1, the resolution was a little  
15 poor on this and I will update it to -- I guess  
16 when it was cut and pasted into the document it  
17 lost some resolution. But there are two boiler  
18 rooms at this location. One is approximately  
19 700 feet away from the remote station, and the  
20 other one is 941 feet away from the remote  
21 station.

22                   The remote station will be manned by  
23 the -- at the -- the main post security guard will  
24 be the personnel at the remote station. They will  
25 respond to the boiler alarms with a control panel

1 for each of the boilers with a remote shutdown.  
2 That is a hardwired control panel at the boilers.

3 The boiler attendants are listed as  
4 three different individuals: The facility  
5 maintenance foreman, the maintenance mechanic  
6 Level 1, and the maintenance -- or the mechanic  
7 Level 3.

8 Now, I would like Steve to tell you  
9 about the training of those boiler attendants, as  
10 far as how they qualify them at Vi-Jon.

11 MR. BERKEBILE: And just to get  
12 ahead of it, to start with, there are seven  
13 individuals that fill those different roles. They  
14 are maintenance foreman, mechanic Level 1 and  
15 mechanic Level 3. All seven of those are trained.  
16 Initial training was done by the company that  
17 installed the boilers, and that was a classroom  
18 theoretical training, a book training, and then  
19 followed on by practical training at the boilers  
20 with both walk-through and then demonstrate the  
21 ability to walk through and perform the  
22 operations. And that was observed by the  
23 management team and marked off as -- checked off  
24 and is documented.

25 There's an example of a training

1 sheet in here. It is not filled out. I do have a  
2 filled-out example here with us if you wish to see  
3 it, and it will be on file and available for  
4 inspection any time. For our ongoing, continuing  
5 program, we do have a continuing classroom  
6 training that goes with this for any new employee,  
7 and then also we have the annual refresher  
8 training for our employees.

9 MR. NEVILLE: As far as the control  
10 systems that are on these boilers, the Hawk 4000  
11 control system has been installed on each of these  
12 boilers. In Appendix A, we list the three  
13 boilers. They're identified as Boiler 1 and  
14 Boiler 2. And Boiler 1 and 2 are in a boiler  
15 room. And then Boiler 4 is the additional boiler  
16 in its own separate boiler room.

17 Are there any questions from the  
18 Board?

19 CHAIRMAN MORELOCK: Do I have a  
20 motion?

21 MR. ROBINSON: Motion to consider,  
22 yes.

23 CHAIRMAN MORELOCK: So I have a  
24 motion to approve the variance contingent on the  
25 acceptance inspection by the deputy inspector. Do

1 I have a second?

2 DR. CANONICO: Oh, I guess I'm it.

3 The only thing that bothers me, you know, if you,  
4 according to Robert's rules of order, if you've  
5 seconded something, you can't vote against it.

6 CHAIRMAN MORELOCK: Well, see,  
7 we've cleverly fixed that for you today.

8 DR. CANONICO: You're lucky.

9 CHAIRMAN MORELOCK: All right. Now  
10 I'm opening the floor for discussion.

11 MR. BAUGHMAN: James, we've got  
12 Boiler Number 1, Boiler Number 2, Boiler Number 4.

13 MR. NEVILLE: Correct.

14 MR. BERKEBILE: We just stayed with  
15 the old designations from their locations in the  
16 past. We had -- we originally had three in that  
17 room where there are now two. And the old one was  
18 always designated before. We did not change the  
19 designation, for purposes of familiarity and  
20 understanding location.

21 MR. BAUGHMAN: Who put the boiler  
22 data sheet, Appendix A, information together?

23 MR. NEVILLE: I did.

24 MR. BAUGHMAN: Then I would ask you  
25 under Boiler Number 4, the Cleaver Brooks

1 FLX700-400-150, you've got it designated as what  
2 type of boiler at the bottom?

3 MR. NEVILLE: That is incorrect.

4 It's -- yeah, fire tube.

5 MR. BAUGHMAN: And it should be  
6 what?

7 MR. NEVILLE: Water tube.

8 MR. BAUGHMAN: Correct. Now, under  
9 "input," you show an input of what on that boiler?

10 MR. NEVILLE: 4,000.

11 MR. BAUGHMAN: And what do you show  
12 as the output?

13 MR. NEVILLE: 13,800.

14 MR. BAUGHMAN: That's a very  
15 efficient boiler.

16 MR. NEVILLE: That will need to be  
17 updated.

18 MR. BERKEBILE: That's an incorrect  
19 table.

20 MR. BAUGHMAN: Well, and I guess  
21 what I get at is attention to detail.

22 MR. NEVILLE: Sure.

23 MR. BAUGHMAN: And if attention to  
24 detail is not given in this, how much detail is  
25 given in the rest? And that's kind of the point

1 that I get at.

2 MR. NEVILLE: Sure.

3 MR. BAUGHMAN: You know, we're  
4 dealing with a piece of equipment that there again  
5 can relocate the facility, and you want to make  
6 sure that all the data is there properly.

7 Now go under the deaerator data  
8 sheet. We've got an MB number, but what do we  
9 have for a Tennessee number?

10 MR. NEVILLE: That will need to be  
11 updated as well.

12 MR. BAUGHMAN: I would agree.

13 MR. NEVILLE: It's left blank as  
14 well.

15 MR. BAUGHMAN: Does it have a  
16 Tennessee number?

17 MR. COTHERN: It wasn't assigned  
18 one, and we're working with the boiler inspector  
19 now to correct that issue.

20 MR. BAUGHMAN: It does not have one  
21 presently?

22 MR. COTHERN: It's not -- there was  
23 an understanding that the old DA number would  
24 carry over. The tag has not been actually put on  
25 it, so we're working with --

1                   MR. BERKEBILE: There is no tag on  
2     it currently.

3                   MR. BAUGHMAN: Okay. So it is a  
4     new DA. It's an Atlantic --

5                   MR. BERKEBILE: It's brand-spanking  
6     new.

7                   MR. BAUGHMAN: So the old feedwater  
8     systems have been removed. We've got a new one in  
9     without a current tag. Interesting. Okay.

10                  CHAIRMAN MORELOCK: Any other  
11     comments?

12                  Have you got any comments,  
13     Dr. Canonico?

14                  (No verbal response.)

15                  CHAIRMAN MORELOCK: Okay. Just  
16     some quick additional comments. You've discussed  
17     the training and you-all discussed the annual  
18     renewal of that training, but we just need to make  
19     sure that's captured in the manual. It emphasized  
20     the new training, but there really wasn't a  
21     discussion. It said the initial training would be  
22     to read the manual, but I didn't know what the  
23     annual training would be.

24                  MR. BERKEBILE: I understand.

25                  CHAIRMAN MORELOCK: So just clarify

1 that. You're going to update the site plan so  
2 it's readable.

3 MR. BERKEBILE: Yes.

4 CHAIRMAN MORELOCK: Nitpicky, but  
5 on E-2 there's a typo on "Economizer," so that  
6 needs to be corrected. And, again, the Tennessee  
7 number for the deaerator, that carries  
8 ramifications. You don't want to be operating a  
9 vessel without a valid certificate of inspection  
10 as well as a Tennessee number on it.

11 On page 3 it says that the remote  
12 monitoring is in the manufacturing supervisor  
13 office, but then page 5 says that the remote  
14 monitoring is done at the main post security  
15 guard, so ...

16 MR. BERKEBILE: That's incorrect.

17 MR. NEVILLE: Right. It will be in  
18 the ...

19 MR. BERKEBILE: It is in the  
20 security office.

21 CHAIRMAN MORELOCK: Okay. I just  
22 wanted to clarify that. And in Appendix G, as far  
23 as the job requirements, I don't see any specific  
24 job knowledge experience, et cetera, for boiler  
25 attendants. It just mentions that they'll

1 respond, but it doesn't really --

2 MR. BERKEBILE: No. The only place  
3 it talks about what -- who is going to do it is in  
4 the job description. It just says that they have  
5 to be --

6 CHAIRMAN MORELOCK: Right.

7 MR. BERKEBILE: Right. And if you  
8 would like that added to here as, "These are the  
9 boiler attendants' knowledge level on skill  
10 requirements," we can put that in there.

11 CHAIRMAN MORELOCK: It's kind of  
12 like Dr. Canonico's ongoing concern of --

13 MR. BERKEBILE: I got that. That's  
14 good. More detail keeps it up.

15 CHAIRMAN MORELOCK: -- making sure  
16 that they understand the importance of the  
17 equipment that they're monitoring.

18 MR. BERKEBILE: We'll add that to  
19 the manual.

20 CHAIRMAN MORELOCK: Okay. That's  
21 all the comments I have.

22 MR. BERKEBILE: Knowledge and  
23 skills.

24 MR. BAUGHMAN: For Boiler Number 4,  
25 what type of feedwater system have we got? I take

1 it it's atmospheric instead of the DA?

2 MR. COTHERN: Correct.

3 MR. BAUGHMAN: Okay. I just didn't  
4 see it listed as a DA so I just thought I'd bring  
5 it out.

6 CHAIRMAN MORELOCK: Any other  
7 comments?

8 (No verbal response.)

9 CHAIRMAN MORELOCK: Okay. I'm  
10 going to call the question. All in favor say,  
11 "Aye."

12 (Affirmative response.)

13 CHAIRMAN MORELOCK: Opposed?

14 (No verbal response.)

15 CHAIRMAN MORELOCK: Abstentions?

16 MR. BAUGHMAN: (Indicating.)

17 CHAIRMAN MORELOCK: One abstention.

18 Nonvoting?

19 (No verbal response.)

20 CHAIRMAN MORELOCK: Okay. Item

21 carries.

22 DR. CANONICO: Is that an

23 abstention or a nonvote?

24 CHAIRMAN MORELOCK: Abstention.

25 MR. BERKEBILE: Thank you very much

1 for your time. Appreciate it.

2 CHAIRMAN MORELOCK: Thank you,  
3 gentlemen. That concludes all of our new  
4 business. Our next agenda item is open discussion  
5 items. And our first item is reorganization of  
6 Rule 0800-03-03.

7 And I want to begin this discussion  
8 thanking Sydne for all of her hard work to chase  
9 all the references down and assemble this into  
10 something that looks really good.

11 We can read and we can actually begin  
12 to move forward with this, so thank you for all of  
13 your hard work.

14 MS. EWELL: You're welcome.

15 CHAIRMAN MORELOCK: One of the  
16 things that we agreed to just recently is that  
17 this discussion item -- which is not a voted  
18 action today -- but this discussion item was for  
19 the reorganization of Rule 0800-03-03 to make it  
20 easier to use, make it more user friendly. And we  
21 feel like we've pretty much completed that aspect  
22 of it.

23 Some of the board members had some  
24 comments concerning making some revisions to the  
25 rule. And Sydne said that since we're in the

1 rule-making process, that would be acceptable. So  
2 what we're going to do for the next few minutes is  
3 I have a list of comments from the board members.  
4 Sydne and I have worked to put those comments into  
5 the draft, and we're basically going to discuss  
6 those comments and hope to have this item in good  
7 enough order to possibly vote in December. But  
8 we'll see what the discussion leads to today.

9           There are a few color copies up here  
10 on the table if you would like one. But we're  
11 just going to go through these comments.

12           MS. JEFFERSON: Can we ask Deborah  
13 and Neil to come up a little closer?

14           CHAIRMAN MORELOCK: Sure.

15           MR. BAUGHMAN: If any of you want  
16 any of those copies ...

17           MR. ENG: I'll come up.

18           CHAIRMAN MORELOCK: And,  
19 Mr. Jackson and Ms. Rhone, your presence has been  
20 requested up here so you can participate in the  
21 conversation.

22           And before you run off with all of  
23 that, there's a sheet of comments right here  
24 beside it. You'll need both.

25           MR. ENG: Oh, okay.

1                   CHAIRMAN MORELOCK: We're going to  
2 start with the little, short, small handout that's  
3 got the comments on it, so if you don't have one  
4 of those, we'll -- I think everybody's got it.

5                   We'll begin with Dr. Canonico's  
6 comments. And the first comment is Item 1. That  
7 will take us to page 3, Item 11(a).

8 Dr. Canonico's comment was asking a question,  
9 "What is meant by 'reasonable'" under (a)?

10                   And the way it reads under (a) is,  
11 "'Internal inspection' means an inspection that  
12 can reasonably be conducted on the internal and  
13 external surfaces of a boiler or pressure vessel  
14 while it is shut down and the manhole plates,  
15 handhole plates or other inspection opening  
16 closures are removed."

17                   So Dr. Canonico's comment and  
18 question is there. He asked what is meant by  
19 "reasonable."

20                   What is reasonable to you may not be  
21 to me. And so the Boiler Unit response to this  
22 comment was, "No, we do not think the word  
23 'reasonably' should be deleted. 'Reasonably be  
24 conducted' should be further clarified 'as  
25 assessed by the inspector according to the

1 inspection or review on the internal and external  
2 surfaces of a boiler or pressure vessel ...'"

3           So the way (a) would read as  
4 proposed -- and that's what you're going to see on  
5 page 4 in the box. And the purple text is what is  
6 being proposed, starting with item (a). It says,  
7 "'Internal inspection' means an inspection that  
8 can reasonably be conducted as assessed by the  
9 inspector according to the inspection or review on  
10 the internal and external surfaces of a boiler or  
11 pressure vessel while it is shut down and the  
12 manhole plates, handhole plates or other  
13 inspection opening closures are removed."

14           Comments on that? Is that  
15 acceptable? Unacceptable?

16           MR. BAUGHMAN: One of the comments  
17 I have -- and we've got some inspectors in here --  
18 is that, especially on low-pressure steam and  
19 hot-water boilers, there's a lot of them that we  
20 see in the field from the service standpoint that  
21 don't get inspected internally, especially with a  
22 hot-water system, because you have an introduction  
23 of air into the system when you fill it up. Once  
24 you drain it down and you fill it back up, you get  
25 a lot of air in the system. And that can be a

1 real pain to get rid of that air at the time of  
2 filling it back up. And so, therefore, a lot of  
3 times it doesn't get inspected. It should. It's  
4 required that it does, but it doesn't.

5 A low-pressure steam boiler, a lot of  
6 times, won't get inspected because it's  
7 low-pressure steam. And it doesn't necessarily  
8 have easy access ports to open up. It may have  
9 plugs in it that are hard to open up or what have  
10 you. So "reasonably," I think, needs to be  
11 defined as is it reasonable for the inspector to  
12 request it to be opened up? Is it reasonable for  
13 the customer to say, "Hey, it's too hard to open  
14 up"?

15 So, there again, reasonably is kind  
16 of still a term that I think the inspector needs  
17 to have a clear definition on.

18 CHAIRMAN MORELOCK: Okay. So if we  
19 add the responsibility to it basically saying "as  
20 assessed by the inspector," do you think it needs  
21 more than that?

22 MR. BAUGHMAN: I don't. I just was  
23 throwing that out there because some of you in the  
24 audience, too, have field experience and have  
25 stuff to add to that also in this discussion. But

1 I wanted to throw it out there because I know from  
2 the fact that there are a lot of boilers that  
3 don't get looked at internally because of either  
4 the boiler is not easy to open up or there's  
5 problems, and when it's opened and filled back up  
6 that it becomes an issue.

7 So who determines "reasonably" -- and  
8 that inspector -- really, I think it falls on the  
9 inspector's shoulders to say, "Hey, I understand  
10 these issues but we need to look at the vessel  
11 internally regardless of those issues."

12 CHAIRMAN MORELOCK: Well, now, a  
13 code term -- ASME and National Board both use the  
14 term "practicable," which means in practice is it  
15 possible. And so I don't know if you want to put  
16 "thermal inspection" means an inspection that is  
17 practicable or can be done as a practice or just  
18 leave it reasonable and then add a caveat to it.

19 Go ahead, Dr. Canonico.

20 DR. CANONICO: I like the change of  
21 adding the inspector. At least you've got  
22 somebody making a decision that is responsible.  
23 And that takes care of my concern of the word  
24 "reasonable." "Reasonable" is too open ended.

25 MR. ROBINSON: So how would it

1 read?

2 CHAIRMAN MORELOCK: Just like it is  
3 right here.

4 MR. ROBINSON: Good. Okay.

5 CHAIRMAN MORELOCK: So any other  
6 comments on that? If not, we're going to accept  
7 that and move to the next one. Everybody --

8 MR. ROBINSON: I'm just going to  
9 interject something.

10 CHAIRMAN MORELOCK: Go ahead.

11 MR. ROBINSON: In addition to that,  
12 just keep in mind that there are low-pressure  
13 boilers out there that really have limited access.  
14 Okay? And an internal inspection is worthless.  
15 For example, a Lochinvar, you've got a water box  
16 on one end, a water box on the opposite end, and  
17 if you open the ends of it, it means absolutely  
18 nothing. Point being, in certain instances, you  
19 need the inspector to make the call as to if he  
20 can actually see on the inside of the pressure  
21 vessel. That's my comment.

22 CHAIRMAN MORELOCK: Well, and by  
23 adding this, you are putting onus on the inspector  
24 to say this is reasonable or this is not  
25 reasonable. And when he fills out whatever forms

1 he fills out, whether it be an inspection or  
2 repair and alteration, he's putting his commission  
3 number and his signature on that line, so it falls  
4 back on him with ramifications of if he is not  
5 doing due diligence, he will lose his commission.

6 MR. ROBINSON: Absolutely.

7 CHAIRMAN MORELOCK: And there is a  
8 peer review process and all of that, so I think  
9 that would satisfy all of that.

10 MR. BAUGHMAN: One of the things  
11 that I find is that there's a need that the  
12 inspectors have a higher level of training on the  
13 boilers themselves because there's so many  
14 variations out there on, let's say, looking at a  
15 Wright or an Ajax boiler and it be in a water tube  
16 compared to -- and a steel water tube compared to  
17 a copper thin-tube type of boiler. And --

18 MR. ROBINSON: Or a Miura.

19 MR. BAUGHMAN: Yeah. Absolutely.  
20 So there's so many differentiations of boilers out  
21 there, and the inspector needs to be more versed  
22 on the types of boilers that he's looking at to  
23 know what needs to be looked at and what boilers  
24 can be opened up reasonably and what can't. And I  
25 would say that there would be support for that

1 higher technical training in however we could  
2 accomplish that. But I know that that's something  
3 that needs to have some attendance to.

4 MR. JACKSON: Now, we're not  
5 talking about just state inspectors. We're  
6 talking about the insurance inspectors, too.

7 MR. BAUGHMAN: Absolutely.

8 MR. JACKSON: We have no control  
9 over those people.

10 MR. BAUGHMAN: That's true.

11 MR. ROBINSON: Normally, the  
12 insurance guys -- you know, I've seen two  
13 entities -- they provide some level of assistance  
14 internally. Right now there's a real massive push  
15 to improve on mitigation of exposures --

16 MR. JACKSON: True.

17 MR. ROBINSON: -- in all areas.  
18 You wouldn't believe right now the rush to reduce  
19 exposures. And the reason why is because the  
20 market is becoming more competitive. So it's a  
21 price war, but at the same time, you don't want to  
22 see costs associated with that cause. So training  
23 has been enforced or training has went across the  
24 board.

25 Hartford Steam Boiler, they used to

1 have their independent training classes, and they  
2 encouraged their employees to continue. You know;  
3 you were an employee of Hartford. I know my  
4 company is also doing the same thing, and some of  
5 the other companies.

6 And we also have had outside training  
7 classes. And we have our internal meeting. And,  
8 you know, one of the venues that we're seeking,  
9 also, is the fall conference. And this is where  
10 we develop a lot of face-to-face recognition. We  
11 develop a lot of ideas as far as what's current in  
12 the market, and in failures that we're seeing.  
13 And some -- you could pull somebody to the side  
14 and say, "Hey, listen. You know, I've seen that  
15 Vi-Jon blower you had over there." And you get  
16 the new tell-tale things out, so ...

17 Fulton came out years ago. Fulton  
18 had a design that they were clogging up the feeder  
19 tube. Hartford traded off a little tech bulletin.  
20 The tech bulletin came by way of somebody to Dave  
21 Baughman and it ended up going throughout the  
22 whole fall conference. So everybody knew what to  
23 do with a 1969 Fulton. I mean, so it's -- it's  
24 still developing. It's not perfect.

25 CHAIRMAN MORELOCK: So are we good

1 with this revision?

2 (No verbal response.)

3 CHAIRMAN MORELOCK: Hearing no  
4 opposition, I'm going to call this one as we'll  
5 incorporate it.

6 Next one is on page 10, Item 1, which is  
7 the top of the page. "Should the request for  
8 'Permission to Install' come before the Board?  
9 Who makes decision concerning the fitness for  
10 service for a vessel that is to be reinstalled in  
11 Tennessee?"

12 And then you can see the text there for  
13 item (a) is for "Reinstallation of Boilers or  
14 Pressure Vessels."

15 Boiler Unit Response to that comment is,  
16 "No. Reinstalled permit applications are  
17 preapproved by the chief inspector or his designee  
18 with final approval by a deputy boiler inspector  
19 upon the inspection process. If these permits  
20 were to go before the Board, it would delay time  
21 for completion due to regularly scheduled Board of  
22 Boiler Rules meetings."

23 Dr. Canonico's follow-up email states on  
24 page 11, Item 2, "Permission to reinstall. I  
25 suggest we add a new (a) as follows:

1 'Reinstallation of any boiler or pressure vessel  
2 must be approved by the Tennessee Board of Boiler  
3 Rules,' reference letter the remainder."

4 Okay. So if you read the proposed text  
5 under Item 1, which is again as purple, that's  
6 just the question. So the Boiler Unit's position  
7 is to leave (a) as is. So any comments on that,  
8 to leave it as is?

9 DR. CANONICO: That's fine with me.

10 CHAIRMAN MORELOCK: All right.

11 Everybody good with that?

12 MR. ROBINSON: It stays the way --

13 CHAIRMAN MORELOCK: It's going to  
14 stay the way it is. So 1(a) will stay as in the  
15 rules now.

16 MR. BAUGHMAN: I was looking at  
17 1(a), but I was looking at that box and the (a)  
18 underneath it, which -- can I comment on that?

19 CHAIRMAN MORELOCK: Yes.

20 MR. BAUGHMAN: Since we're so close  
21 to it being under that box, "All installers of  
22 boilers or pressure vessels shall be knowledgeable  
23 in the proper installation of the boiler or  
24 pressure vessel they are requesting to install."

25 At some point in time, we'll address

1 that or see what the support is for taking that  
2 above the step of what is knowledgeable. Right  
3 now we have no criteria that determines who can  
4 install the boiler. It just says they shall be  
5 knowledgeable. That's a pretty open-ended  
6 statement.

7 MS. JEFFERSON: Sort of like  
8 reasonable.

9 MR. BAUGHMAN: Yeah, sort of like  
10 "reasonable." Only I think it's even further. If  
11 you're installing a boiler -- Kim, do you know  
12 something about boilers? A little bit?

13 MS. JEFFERSON: Yes. I've learned  
14 a lot.

15 MR. BAUGHMAN: Okay. Well, I think  
16 you're knowledgeable to install a boiler.

17 That's where we sit at with it, and I  
18 think that that's something that we'll address at  
19 some point in time. But I wanted to bring it up  
20 so that it's an item that we can give some future  
21 thought to as it comes about.

22 CHAIRMAN MORELOCK: Okay. Next  
23 comment is on Item 3. It's on page 13.

24 MS. JEFFERSON: Now, Chairman,  
25 before we move on, were you-all comfortable with

1 that response?

2 CHAIRMAN MORELOCK: Yes. I mean,  
3 nobody is objecting to it.

4 DR. CANONICO: I agree. In  
5 retrospect, if you wait for the Board, you're  
6 talking a minimum of three months or four months.  
7 And you can't get excited, but, I mean, if someone  
8 wants to reinstall something and they waited that  
9 long to reinstall it, they can wait another month  
10 or two. But I'll accept it. I have no problem  
11 with it.

12 CHAIRMAN MORELOCK: Okay. Page 13,  
13 Item 8(c).

14 DR. CANONICO: This is one I have a  
15 real hangup on.

16 CHAIRMAN MORELOCK: Okay. The  
17 comment from Dr. Canonico is, "What if the  
18 original manufacturer is no longer in business?  
19 If that is the case, should the boiler or pressure  
20 vessel be scrapped? If that is the case, then why  
21 don't we say so?"

22 And this is concerning restamping of  
23 boilers and pressure vessels, which is the  
24 heading -- if you go back to page 12, it's Item 8,  
25 Restamping of Boilers and Pressure Vessels.

1                   And if we read (c) -- I'm going to  
2                   read (c) the way the Boiler Unit is going to  
3                   respond to that. But let me go ahead and read  
4                   their response. The Boiler Unit response is, "No,  
5                   the vessel should not be scrapped."

6                   DR. CANONICO: Excuse me. "Should  
7                   be scrapped" is like a 2 by 4 to gain attention.

8                   CHAIRMAN MORELOCK: Okay. Well,  
9                   they're responding to your 2 by 4. "No, the  
10                  vessel should not be scrapped. The vessel history  
11                  is available and the replacement parts, if needed  
12                  by the owner, can be purchased from another  
13                  manufacturer. Also, the phrase 'Chief Inspector'  
14                  should also include 'or the Chief Inspector's  
15                  designee.'"

16                  Which all the green text that you see  
17                  is where we went through the whole body of  
18                  0800-03-03 and added that in every instance. I  
19                  think it was, like, 64 instances where we added  
20                  that.

21                  So to read 8(c) as proposed now, "The  
22                  ASME Certification Mark with Certification  
23                  Designator may be restamped only by the original  
24                  manufacturer of the boiler or pressure vessel in  
25                  the presence of an inspector of the Authorized

1 Inspection Agency who signed the Manufacturer's  
2 Data Report or a Deputy Inspector. The witnessing  
3 inspector shall file with the Chief Inspector or  
4 Chief Inspector's Designee the completed and  
5 signed 'Replacement of Stamped Data Form' with a  
6 facsimile of the stamping applied."

7 So to put that in perspective, ASME  
8 is going through the process now to where if the  
9 original manufacturer is still in business, they  
10 still have their stamps, they can actually restamp  
11 the mark on the nameplate. And then you have to  
12 have an inspector witness the application of it.

13 If that's not possible, Plan B, which  
14 is more prevalent, is you use the NBIC NB Form 136  
15 to stamp a replacement nameplate without the  
16 original stamping, and it says "Replacement" on  
17 it. And either one of those will allow the vessel  
18 to return to service.

19 DR. CANONICO: What if it's not  
20 registered with NBIC?

21 CHAIRMAN MORELOCK: Well, then your  
22 options are you've got to try to bring it through  
23 as a State Special. Because we've actually got a  
24 Board case out on the website right now that if a  
25 vessel loses its nameplate and you can't prove

1 what it is through previous registration with the  
2 State of Tennessee, or something like that, then  
3 it becomes a State Special if you want to register  
4 it with the State. I can't tell you the --

5 DR. CANONICO: But you can't  
6 restamp it?

7 CHAIRMAN MORELOCK: No.

8 DR. CANONICO: You can come back as  
9 a State Special?

10 CHAIRMAN MORELOCK: Yes.

11 DR. CANONICO: Which means that  
12 they have to have a lot of information.

13 CHAIRMAN MORELOCK: That's correct.  
14 Not only do you have to have a lot of information,  
15 if you jump that hurdle, all repairs have to be  
16 approved by Sam, and all alterations have to be  
17 approved by the Tennessee Board. So it's an  
18 arduous process. That's the 2 by 4 to make sure  
19 you don't lose your nameplate.

20 MR. JACKSON: But you have to buy  
21 another 2 by 4.

22 CHAIRMAN MORELOCK: So any comments  
23 on the proposed 8(c)?

24 (No verbal response.)

25 CHAIRMAN MORELOCK: Okay. I'm

1 assuming silence means everybody is okay with  
2 that. So we'll call that okay and we'll proceed  
3 with that.

4 Comment Number 4 is on page 17,  
5 Item 3(b).

6 DR. CANONICO: Yeah. I had trouble  
7 with degrees in experience.

8 CHAIRMAN MORELOCK: Okay. The  
9 comment is, "The three requirements under this  
10 area are not equivalent; i.e. a degree in  
11 mechanical engineering (3)(b)1 versus (3)(b)3 in  
12 my mind are not equivalent."

13 Boiler Unit response to this comment  
14 is, "Not sure if changing a high school education,  
15 or the equivalent, plus five years to six years is  
16 what the author is referring to. Further  
17 discussion and clarification is needed as to what  
18 requirements are needed to be consistent with the  
19 National Board's requirement. If referring to  
20 Part 3 above, the Boiler Unit suggests modifying 3  
21 above to require a high school education or the  
22 equivalent plus six years of experience."

23 Now, what is shown in the boxes in 1  
24 and 3 -- let's go back and kind of get the context  
25 of what we're asking for here. Item 3 is where

1 you take the commissioning exam. Okay? It's the  
2 examination for certificate of competency. And  
3 this outlines what you have to provide in order to  
4 apply for the exam.

5           And so 3(b) says, "An applicant for  
6 examination shall have education and experience  
7 equal to at least one of the following:" Not all  
8 three. You've got to satisfy one of the three  
9 requirements. Item 1 being "A degree from an  
10 accredited school in mechanical engineering, plus  
11 one year of experience in design, construction,  
12 operation or inspection of high-pressure boilers  
13 and pressure vessels."

14           Number 2 would be "A degree from an  
15 accredited school in a branch of engineering other  
16 than mechanical engineering or an associate degree  
17 in mechanical technology, plus two years of  
18 experience in design construction, operation or  
19 inspection of high-pressure boilers and pressure  
20 vessels; or Number 3, a high school education, or  
21 the equivalent, plus three years of experience in  
22 high-pressure boiler and pressure vessel  
23 construction or repair; or as an operating  
24 engineer in charge of high-pressure boiler  
25 operation; or as an inspector of high-pressure

1     boilers and pressure boiler operation."

2                     So those are the -- that's the  
3     proposed text.

4                     Now, NB369 is a document for  
5     requirements for an inspector. I agree that we  
6     need to make sure that our requirements match  
7     what's in the National Board document, so ...

8                     I don't have that document in front  
9     of me, though. So I guess my recommendation is,  
10    is that Sydne and I just need to verify that 1, 2,  
11    and 3 match NB369, is what we need to do. Is  
12    there any opposition to that, or should we -- is  
13    there something we would rather have?

14                    DR. CANONICO: Well, I still have a  
15    little bit of heartburn over Number 2, where an  
16    associate degree in mechanical engineering,  
17    mechanical technology, plus two years of  
18    experience. You have either a degree from an  
19    accredited school in a branch of engineering, plus  
20    two years of experience, or an associate's degree  
21    plus two years of experience.

22                    I mean, one is essentially getting a  
23    mechanical engineering degree, and the second one  
24    is a local trade school, if you will. I don't  
25    consider those as being equivalent.

1                   CHAIRMAN MORELOCK:  But I don't  
2    think all of our commission inspectors have  
3    mechanical engineering degrees.

4                   DR. CANONICO:  No.  Nor should  
5    they.  If we could go back to where everybody had  
6    experience on the ship with boilers, we'd all be  
7    happy.  That would take care of my heartburn with  
8    Neville and others.

9                   CHAIRMAN MORELOCK:  Now, doesn't 3  
10   really kind of cover the military experience, the  
11   navy?  Isn't that what Item 3 covers, the high  
12   school education and the three years of  
13   experience?  Those were to satisfy those  
14   requirements, I believe.

15                  DR. CANONICO:  Yes.

16                  CHAIRMAN MORELOCK:  So if --

17                  MR. JACKSON:  I don't know about  
18   Eugene's company, but most companies now that are  
19   hiring inspectors are looking at the nuclear  
20   industry.  Them fellows in the nuclear industry  
21   are far more trained than the old boiler  
22   inspectors, and they have an education equivalent  
23   to a mechanical engineer basically.

24                  For them to get their Dolphins and to  
25   get their other position they get, them guys are

1 sharp.

2 CHAIRMAN MORELOCK: Okay. So if we  
3 can confirm this matches NB369, will that be  
4 satisfactory?

5 DR. CANONICO: Yes.

6 CHAIRMAN MORELOCK: All right. I  
7 will follow up with that. I will check NB369 for  
8 that. And I will send that out to the board  
9 members via email with the paragraphs out of NB369  
10 as compared to this.

11 MS. JEFFERSON: Because it's true  
12 that we can't require more than what the national  
13 requires.

14 CHAIRMAN MORELOCK: Oh, you can.

15 MS. JEFFERSON: Well, we can, but  
16 we probably wouldn't want to do that. We probably  
17 want to be equivalent and consistent with what the  
18 national will require.

19 CHAIRMAN MORELOCK: Yes. Okay.

20 MR. JACKSON: You get too stringent  
21 and it takes your pool too small.

22 CHAIRMAN MORELOCK: It does. It  
23 certainly does.

24 So Item 5 is on page 19,  
25 0800-03-03-07(1). The second sentence is an

1 incomplete sentence. The Boiler Unit response is,  
2 "The above statement appears correct."

3 So if we read all of 1, "Repairs and  
4 alterations shall not be made without the  
5 permission of an inspector employed by an  
6 accredited Authorized Inspection Agency  
7 responsible for the in-service inspection of the  
8 subject boiler or pressure vessel," period.

9 Then the second sentence reads, "Such  
10 repairs and alterations shall be done in  
11 accordance with the NBIC." Instead of spelling  
12 that out, that acronym has been defined earlier in  
13 the rules, and so it will be referred to as "NBIC"  
14 afterward.

15 Then the last sentence says, "The  
16 inspector authorizing the repair or alterations  
17 shall sign the necessary NB" -- which is an  
18 acronym for National Board -- "NB-R form or  
19 forms," period. So is that okay?

20 (No verbal response.)

21 CHAIRMAN MORELOCK: Okay. So that  
22 one is okay.

23 Continuing on with Item 2 in the same  
24 Section VII, "Correct the last two lines; perhaps,  
25 Authorization for the use of, et cetera."

1           The Boiler Unit's response to this  
2     comment is, "The above statement appears to be  
3     correct. Need further clarification, discussion,  
4     or additional information in order to consider  
5     possible changes."

6           So reading 2, the person,  
7     corporation, partnership, or firm performing the  
8     repair or alteration shall have a valid license in  
9     accordance with Tennessee Code Annotated  
10    paragraphs 68-122-202.

11           MR. JACKSON: 01.

12           MS. EWELL: Correction. It should  
13    be TCA Section -- actually, there were two there  
14    previously. We need to cross out one of the  
15    section symbols. And the correct cite is  
16    68-122-202. The information in red is correct,  
17    not the entire section of the code.

18           CHAIRMAN MORELOCK: So we need to  
19    get rid of one of the section symbols, just have  
20    one?

21           MS. EWELL: Yes.

22           CHAIRMAN MORELOCK: Okay. And then  
23    68-122-202 is correct, right?

24           MS. EWELL: Right. I can't tell if  
25    there's a strike-through on here or not, but there

1 should be a strike-through.

2 CHAIRMAN MORELOCK: There's a  
3 strike-through on the 1 and then there's a red 2,  
4 but the --

5 MS. EWELL: I'm talking about the  
6 symbol.

7 CHAIRMAN MORELOCK: Yeah. I don't  
8 know if the symbol --

9 MS. RHONE: No, there's -- huh-uh.  
10 I can't see a strike-through right here.

11 CHAIRMAN MORELOCK: Okay. And  
12 then, "In order to qualify for such license, the  
13 applicant shall have a valid certificate of  
14 authorization from the NB for use of a repair code  
15 symbol stamp," period.

16 Again, the National Board has been  
17 defined as NB. So if we strike out that first  
18 section symbol that would be the only change. Is  
19 that okay?

20 (No verbal response.)

21 CHAIRMAN MORELOCK: All right.

22 Item 7 takes us to page 24. And this  
23 is going to be under Item 3, "Maximum Allowable  
24 Working Pressure for Nonstandard Boilers."

25 And this comment from Dr. Canonico

1 applies to basically Factor of Safety or  
2 definition of FS. His comment was, "Define 'FS,'  
3 Factor of Safety. That terminology is not used in  
4 the ASME Code. All of the requirements of the  
5 Code provide a level of safety. If the rules mean  
6 that the mechanical properties are divided by a  
7 number, we should identify what we mean by FS."

8 Boiler Unit response, "The FS, Factor  
9 of Safety, information shall be provided to the  
10 authorized inspector by the owner/user. Need  
11 further clarification, discussion, or additional  
12 information in order to consider possible changes.  
13 We defer to the Board on this question."

14 Dr. Canonico's follow-up email, "As I  
15 said in my comments, this is no 'FS' in Section I.  
16 Rather, I would reword the first sentence to read,  
17 "determined in accord with Section I, PG-21 and  
18 PG-27. Delete the rest of (3)(a)."

19 Okay. So what you see in the text  
20 now is Dr. Canonico's comments, which I've already  
21 read. And then the other comment would be, "In  
22 this day and age, we should not allow material  
23 that has no pedigree. This is an area that should  
24 be cleaned up."

25 So here is an area where we need to

1 decide -- how do we want this to read?

2 DR. CANONICO: Well, we

3 specifically got away from the words "Factor of

4 Safety" because the argument was that there are

5 many aspects of the Code that contribute to

6 safety. And when they're talking about Factor of

7 Safety, the way it's being used here is the

8 division of the tensile properties or yield

9 strength properties -- yield strength -- and

10 that's different than Factor of Safety.

11 I mean the equation is given in 21

12 and 27. So I just -- I think the words "Factor of

13 Safety" condones or kind of makes it sound like

14 got something going for you that you really don't

15 have. But is it all inclusive? I think this has

16 been there a long time.

17 CHAIRMAN MORELOCK: It has.

18 MR. JACKSON: It has.

19 DR. CANONICO: And it probably

20 dates back to the year one.

21 MR. JACKSON: Yeah, before me.

22 DR. CANONICO: When maybe at that

23 time, in 1914, they may have used the words like

24 Factor of Safety. I don't know. I have a copy.

25 CHAIRMAN MORELOCK: Would we want

1 to impose a code equation for a nonstandard  
2 boiler?

3 DR. CANONICO: Well, you do it all  
4 the time when you do a calculation.

5 CHAIRMAN MORELOCK: I do. I'm just  
6 asking a question.

7 DR. CANONICO: If somebody comes in  
8 and wants a State Special, you do all the  
9 analysis.

10 CHAIRMAN MORELOCK: I do.

11 DR. CANONICO: And I look at the  
12 materials but I'm not looking for a Factor of  
13 Safety in those materials.

14 CHAIRMAN MORELOCK: Right. You're  
15 looking for a design margin.

16 DR. CANONICO: I'm looking at that  
17 or is it a reasonable material to be used. You  
18 know, frequently they come in with foreign specs  
19 that don't make sense. But I just don't think  
20 Factor of Safety is the right terminology. But if  
21 everybody is happy with it ...

22 MR. JACKSON: Is this the only  
23 place it's used in the law?

24 CHAIRMAN MORELOCK: I think there  
25 was a similar equation for nonstandard pressure

1 vessels as well.

2 MR. JACKSON: Because I was going  
3 to say if it's identified elsewhere, its  
4 application may be different than the first one.

5 MS. EWELL: Look on page 25.

6 Dr. Canonico, is there any language  
7 in the section you cited, in Section I, PG-21 and  
8 PG-27, that we could use?

9 DR. CANONICO: I can look it up and  
10 I'll get back to you on that.

11 MR. JACKSON: Yeah. What I was  
12 thinking is what if we put a definition? And the  
13 definition puts Factor of Safety, and then as it  
14 applies to -- however the words would go.

15 DR. CANONICO: I'm trying to think.  
16 I may be wrong but I can't remember anywhere that  
17 it talks about a Factor of Safety anymore in the  
18 Code.

19 MR. JACKSON: No, it doesn't. I  
20 agree with you. But if we wanted to -- if we --  
21 shall I say if we mess too much with this --

22 DR. CANONICO: They're looking at  
23 that division factor for tensile properties.

24 MR. JACKSON: Yeah.

25 DR. CANONICO: You know, it went

1 from 5 before World War II, went to 4 during World  
2 War II to conserve material, went back to 5, and  
3 then shortly thereafter went to 4. And then about  
4 ten years ago we changed it to 3.5.

5 CHAIRMAN MORELOCK: That's correct.

6 DR. CANONICO: But that's a  
7 division factor, and it's given in, if I remember,  
8 Appendix 100 of Section I at least. And perhaps  
9 there's a similar one in Section VIII.

10 MR. ROBINSON: Where is it actually  
11 located for when you perform code counts? Because  
12 I know that when you perform code counts, there is  
13 a multiplier that you're supposed to include.

14 DR. CANONICO: It's already done  
15 for you in the allowable stresses.

16 CHAIRMAN MORELOCK: Section II(d),  
17 it's already been applied.

18 MR. JACKSON: You take the penalty  
19 there.

20 DR. CANONICO: What you call  
21 Factor -- I can bring it back next time, but what  
22 you call Factor of Safety is really a division  
23 factor in setting the allowable stresses.

24 MR. ROBINSON: Correct. Yes.

25 CHAIRMAN MORELOCK: That's why all

1 piping and tubing is considered a joint efficiency  
2 of one so you don't penalize it twice.

3 MR. ROBINSON: Exactly.

4 CHAIRMAN MORELOCK: Because it's  
5 already considered in a product form.

6 MR. ROBINSON: Hundred percent.

7 CHAIRMAN MORELOCK: On page 33 of  
8 our rules, we have the same issue for existing  
9 pressure vessels. We have a similar equation or  
10 an identical equation, actually. But there's a  
11 note at the bottom of it that says -- where TS is  
12 equal to the ultimate tensile strength of shell  
13 plate. But there's a note under it that says,  
14 "When the tensile strength is not known, assume  
15 55,000 psi for temperatures not exceeding  
16 650 degrees F. For other materials, use the  
17 lowest stress values for that material from ASME  
18 Code Section VIII," which would really be  
19 Section II part (d).

20 DR. CANONICO: Yes. That should be  
21 changed. And they picked 650 because that's below  
22 creep, even for carbon steels.

23 CHAIRMAN MORELOCK: So what do we  
24 want to do? I mean, we can include the Section I  
25 equation.

1 DR. CANONICO: And Section VIII

2 equation.

3 CHAIRMAN MORELOCK: And the Section

4 VIII --

5 DR. CANONICO: If we had to. If

6 they're different enough.

7 CHAIRMAN MORELOCK: Well, UG-27 and

8 PG-27 can be identical depending on what the

9 constants are in Section I. They can be

10 identical. But --

11 DR. CANONICO: Whatever is in

12 Section II, part (d), Table 1-A, as for both

13 Section VIII and Section I, the allowable

14 stresses. And they all have had the tensile

15 properties divided by 3.5.

16 CHAIRMAN MORELOCK: That's right.

17 So what is -- what do we want to do on page 24?

18 DR. CANONICO: My suggestion is we

19 take a look at it and use the equations that are

20 in the books. That would be the safest thing to

21 do.

22 MR. ROBINSON: I agree.

23 MR. JACKSON: Are you going to

24 address it at the other locations also?

25 DR. CANONICO: Excuse me?

1                   MR. JACKSON: In the manual -- I  
2     mean, in the --

3                   MR. ROBINSON: Yes.

4                   DR. CANONICO: Yeah.

5                   MR. ROBINSON: And make a change --

6                   DR. CANONICO: And the 55,000, that  
7     literally dates back to 1914.

8                   MR. ROBINSON: And change Section  
9     VIII to Section II, part (d).

10                  MR. JACKSON: Are we looking for  
11     the inspector to verify this?

12                  MR. ROBINSON: This is a  
13     nonstandard boiler, so this would be a case that  
14     would be given to the Board to decide, I would  
15     think.

16                  MS. JEFFERSON: I think that's a  
17     good idea.

18                  MR. ROBINSON: In some cases you've  
19     got historical boilers, too --

20                  MR. JACKSON: Yes.

21                  MR. ROBINSON: -- where it's  
22     operating on a yearly basis.

23                  CHAIRMAN MORELOCK: But they have a  
24     whole set of separate rules for those.

25                  MR. ROBINSON: Agreed. That's part

1 of it.

2 MR. JACKSON: You've got riveted  
3 boilers.

4 MR. ROBINSON: Yes.

5 CHAIRMAN MORELOCK: They have a  
6 whole set of rules for those.

7 MR. ROBINSON: I know, Sam, you get  
8 involved with -- you know, every time they have a  
9 show in Portland and Clarksville, you're there.

10 MR. CHAPMAN: Yes.

11 MR. ROBINSON: And then these guys,  
12 they also go for recertifications. And I'm not  
13 sure of the frequency, but ...

14 MR. CHAPMAN: It's still once a  
15 year.

16 DR. CANONICO: Well, you people  
17 should think about it because you're the ones that  
18 have to live with it. But the terminology is not  
19 correct -- that's the only point I'm making -- as  
20 used now. Whether you like having the equations  
21 in there is another question. We can take a look  
22 at that in the next couple of weeks.

23 CHAIRMAN MORELOCK: Right. Because  
24 this is just the discussion. So, I mean, another  
25 way of looking at that is you leave the equation

1 as is, you change FS to DM, or whatever you want  
2 to call it. You change Factor Safety to Design  
3 Margin. And then you put a note in there, if the  
4 material cannot be clearly identified, you must  
5 assume a Design Margin of 5. That would be the  
6 most restrictive Design Margin that you would have  
7 to use, or something like that.

8 DR. CANONICO: I was going to  
9 suggest that under "FS" there, you just put a  
10 number in like 3.5. It's really what --

11 CHAIRMAN MORELOCK: Well, but on  
12 your older materials, you would want it to be more  
13 than that. You wouldn't want to get away with RIM  
14 steel being 3.5. You would want 4 or 5 on it,  
15 wouldn't you?

16 DR. CANONICO: Yes.

17 CHAIRMAN MORELOCK: You don't want  
18 to let that 368 material slide through with a  
19 Design Margin of 3.5. And the reason being, we  
20 would be contradicting our own Board because we  
21 specifically put a Board case through in '98  
22 stating that you can't do a paper rerate on a  
23 vessel using the higher allowable stresses.

24 DR. CANONICO: Redesign it.

25 CHAIRMAN MORELOCK: Right. You

1 can't do that. So we would have to make it 4 or  
2 5. So do we want to work on that a little bit  
3 more?

4 MR. JACKSON: Yes.

5 DR. CANONICO: My thinking is yes.

6 CHAIRMAN MORELOCK: Okay. All  
7 right. We will work on this item some more, and  
8 we will converse through emails to hash it out.

9 (Whereupon, a discussion off the  
10 record occurred.)

11 CHAIRMAN MORELOCK: And as Eugene  
12 astutely reminded me, this is an open meeting, so  
13 if anybody has an opinion about that, please get  
14 it to us. You're welcome to express how you think  
15 this should read. This is why we have open  
16 meetings.

17 MR. JACKSON: That's why we  
18 referred it to the Board.

19 CHAIRMAN MORELOCK: That's right.  
20 So let us know what you think. Please do.

21 All right. I'm going to label that  
22 as "more work." So we're going to leave that one  
23 as an open item needing more work.

24 DR. CANONICO: That was page 24.  
25 Where was the other one?

1 CHAIRMAN MORELOCK: 33.

2 DR. CANONICO: Okay.

3 CHAIRMAN MORELOCK: Page 33 will be  
4 the same way. We actually didn't comment on it  
5 but this is going to need more work as well.

6 MR. FINKS: It's on page 34 on my  
7 copy, I believe.

8 CHAIRMAN MORELOCK: Okay. It does  
9 bleed over to 34. That's correct. It starts on  
10 33.

11 MR. JACKSON: What page was that,  
12 Mark?

13 MR. FINKS: Page 34.

14 DR. CANONICO: 34 and 35. It just  
15 flows over to the second page.

16 CHAIRMAN MORELOCK: Yes, it does.  
17 Right. Okay. So 24, 25 and 34, 35 both need more  
18 work.

19 DR. CANONICO: And I think that  
20 takes care of me.

21 CHAIRMAN MORELOCK: Okay. Now,  
22 going back, we're going to look at Mr. Baughman's  
23 comments. And we'll start on page 5 with his  
24 comments, Item 23. His question is, "What license  
25 is requested and where does the contractor obtain

1 such license as what is defined by 'Repair'?"

2 So on page 5, Item 23 reads,

3 "Licensed Boiler Erectors and Repairers Contractor  
4 means a person, corporation, partnership or firm  
5 authorized to engage in the repair or erection of  
6 steam boilers, steam kettles, pressure tanks, or  
7 steam generators."

8 And the Boiler Unit Response to this  
9 is, "The required licensure information is as  
10 follows: State of Tennessee Department of Labor  
11 and Workforce Development, State Board of Boiler  
12 and Pressure Vessel Rules for Licensing Boiler and  
13 Pressure Vessel Erector, and Boiler and Pressure  
14 Vessel Repair and/or Alteration Contractors."  
15 Parenthetical, "Repair license. Such license may  
16 be obtained from the Boiler Unit."

17 "Is this license actually required  
18 since the definition of 'Repair' does not  
19 specifically state repairs to the pressure vessel  
20 such as welding, et cetera?"

21 Boiler Unit Response, "Yes, the  
22 National Board, NBIC, requires licensure."

23 "According to the listed definition  
24 of 'Repair,' could this constitute repairs to the  
25 controls or burner, which in that case would not

1 require an 'R' stamp code repair from an  
2 authorized license boiler repair contractor?"

3 Boiler Unit Response, "The boiler  
4 rules identify the pressure boundary. These  
5 repairs relate to pressure."

6 MR. BAUGHMAN: And my question to  
7 that was the definition of "repair" in our rules  
8 under 38, it says, "Repair means the work  
9 necessary to restore a boiler or pressure vessel  
10 to a safe and satisfactory operating condition  
11 provided there's no deviation from the design."

12 Well, repair and -- we can assume  
13 that "Repair" means pressure vessel, but it's that  
14 assumption. And there's been questions brought up  
15 to me, "Do I need a license to repair the  
16 controls? Do I need a license to work on the  
17 boiler? Do I need a license to repair the control  
18 panel?" Whatever the case may be.

19 And under the definition of "Repair,"  
20 that's where I wanted to expand upon that, because  
21 NBIC gives definitions for licensing, but I wanted  
22 to make sure that we were clear on what repairs  
23 needed to have licensure for. And that would  
24 be -- and the Board says -- or at least the  
25 response from the Boiler Unit says that a license

1 is required. And it works within the pressure  
2 boundaries. The boiler rules identify the  
3 pressure boundaries. These repairs relate to  
4 pressure, but it doesn't really clarify that under  
5 our definition of "Repair," I believe.

6 So I just wanted to make sure that  
7 we're clear. If there's any room for  
8 interpretation, then we need to make sure that  
9 there is no room for interpretation; that it's a  
10 clear definition that "repair" is specific to the  
11 pressure vessel itself.

12 CHAIRMAN MORELOCK: Okay.

13 MR. JACKSON: What's your  
14 suggestion?

15 MR. BAUGHMAN: To open it up for  
16 discussion. I would identify that definition of  
17 "Repair" to identify it specifically. If we're  
18 correlating "Repair" in our definition to the  
19 requirement of licensing a boiler contractor that  
20 is engaged in repair, the repair needs to be  
21 clearly identified, since we're requesting that  
22 license, that it's repair to a pressure vessel.

23 MR. ROBINSON: That's a struggling  
24 problem. And I'm surprised Brian didn't jump in.  
25 CSD-1 and National Board have struggled for years

1 to talk to one another. The problem is is that  
2 they haven't come to any resolution.

3 Your point is well taken. The  
4 pressure boundary proper is what it is. It's  
5 pressure; face flange; first well. You've got it.  
6 All in the preamble.

7 CSD-1 says all gas control components  
8 or safety devices. NBIC doesn't -- they don't  
9 talk. They don't recognize one another.

10 So what had happened was years ago,  
11 CSD-1 -- well, it was NBIC -- came out and they  
12 said that we will adopt something and make it  
13 mandatory that you have to have a certification  
14 before you work on a gas train. Now, I can't  
15 remember if it was CSD-1 or National Board, but it  
16 never happened.

17 MR. BAUGHMAN: Well, and this is --  
18 to bring that conversation up -- this forces the  
19 issue with what we're identifying in our own rules  
20 within our state.

21 MR. ROBINSON: Right. That's the  
22 big question.

23 MR. BAUGHMAN: That's kind of why I  
24 let the cat out of the bag with it, is that --

25 MR. ROBINSON: Now, let me ask you,

1 as a service entity, you provide a service to  
2 everyone in Tennessee. When you come upon a gas  
3 train, you don't obviously have a license, because  
4 there's not.

5 MR. BAUGHMAN: That's true.

6 MR. ROBINSON: So the question  
7 would be, now, are we willing to impose a  
8 restriction to say that everyone who performs work  
9 on a CSD-1 configuration is licensed? Now --

10 MR. BAUGHMAN: Because we do  
11 testing for CSD-1, we do all the tests and we do  
12 everything to supply that information to the  
13 required agencies and so forth, what I would like  
14 for the "Repair" definition, and since our state  
15 requires a license for the repair, is that that  
16 license be identified for the pressure vessel  
17 repair, that it's separated out and just say --  
18 and that's really how our state is set up.

19 MR. ROBINSON: NBIC?

20 MR. BAUGHMAN: That's right. And  
21 that's how we're presently set up. But it doesn't  
22 necessarily say that. And so I would like that  
23 wording to be in there for more clarification for  
24 the pressure vessel side of the repair.

25 CHAIRMAN MORELOCK: I think it's

1 already in there.

2 MR. BAUGHMAN: No. Under 38

3 presently, it just says "Repair" under --

4 presently on page 5.

5 CHAIRMAN MORELOCK: Well, let me

6 get beyond the definitions here to -- yeah, see,

7 if you go to Construction Standards on page 8,

8 Item 1 says, "No boiler or unfired pressure vessel

9 shall be installed for operation in the state of

10 Tennessee, unless it's designed, constructed,

11 inspected, stamped, and installed for the desired

12 pressure and temperature according to the

13 provisions of this chapter, the applicable section

14 of ASME Code and other applicable law."

15 2 talks about National Board stamping

16 and registration. And then when you get over into

17 the repairs of a pressure vessel, it says thou

18 shalt do repairs to the pressure boundary per

19 NBIC, so ...

20 MR. BAUGHMAN: We just need to make

21 our definition match up. And that's what I'm

22 saying, in our present code book now, the "Repair"

23 definition doesn't match up pressure boundary.

24 MS. JEFFERSON: Pressure boundary.

25 Look on page 6, 38. So what will be changed

1       there?  Because it does include -- it says  
2       "restore a boiler or pressure vessel to a safe" --

3                       CHAIRMAN MORELOCK:  And see, what  
4       we've added to that from what's out on the website  
5       today is in red.  See NB NBIC part 3, Section III,  
6       Repairs and Alterations.  And that's clearly going  
7       to define that.  And you're not going to find any  
8       CSD.  Like Eugene said, there's no reference to  
9       controls in any of that text.

10                      MR. BAUGHMAN:  So in our rules book  
11       now, under where the definition for "Repair" will  
12       be, that will have a reference back to --

13                      CHAIRMAN MORELOCK:  Part 3.

14                      MR. BAUGHMAN:  Part 3.  Okay.

15                      CHAIRMAN MORELOCK:  It's not there  
16       today.

17                      MR. BAUGHMAN:  It's not there  
18       today.  Okay.  Cool.

19                      CHAIRMAN MORELOCK:  But it will be.  
20       I mean that's in red now.  So will that satisfy  
21       all of your concerns?

22                      MR. BAUGHMAN:  I think so.

23                      CHAIRMAN MORELOCK:  Well, but now  
24       what about -- so now what are you going to do  
25       about those repairs, those CSD-1 repairs?

1                   MR. BAUGHMAN: That comes along, I  
2 think, when we get to talking about -- that's  
3 probably down the road.

4                   MR. ROBINSON: At the National  
5 Board level, have you heard any discussion?  
6 Because I'm sure it's ongoing.

7                   CHAIRMAN MORELOCK: Yeah. That's  
8 just where it's at. It's ongoing.

9                   MR. JACKSON: Yeah. And will be  
10 ongoing.

11                   CHAIRMAN MORELOCK: And will be.  
12 Kind of like temper bead welding for Section VIII.

13                   MR. JACKSON: I don't feel the  
14 State of Tennessee wants to get into that, not at  
15 this time. It's too volatile and too up in the  
16 air. And there's no hard criteria other than the  
17 CSD-1 itself. And that jumps into some stuff that  
18 I don't think the State of Tennessee wants to get  
19 into.

20                   MR. ROBINSON: You know, I used to  
21 have in my little -- I call it a "ditty bag," it's  
22 all my little documents -- where I had a statement  
23 from Honeywell that disallowed anyone that didn't  
24 know what they were doing, so to speak, to work on  
25 their gas components, gas train components. And

1 I'll just resurrect that and see what it says as  
2 far as the verbiage, but this was dated eons ago,  
3 so it's probably not going to be relevant.

4 MR. BAUGHMAN: I'm sure it's like  
5 for us to get factory training with Siemens or  
6 Honeywell or Fireye, any of the systems that are  
7 out there, I think the thing that I would rather  
8 take on before any of that is the qualifications  
9 of the contractors putting stuff in,  
10 qualifications of people operating boilers. I  
11 think that's the fight that I would rather take  
12 before we prolong the other one.

13 MR. ROBINSON: Okay.

14 CHAIRMAN MORELOCK: Okay. So 23  
15 and 38 are okay the way they are in this draft --

16 MR. BAUGHMAN: Yes.

17 CHAIRMAN MORELOCK: -- with the  
18 changes in red.

19 MR. BAUGHMAN: Yes.

20 CHAIRMAN MORELOCK: Okay. So that  
21 will satisfy those. Now, let's go on down to 2.  
22 "How is a boiler designated if it's removed from  
23 its original setting, has changed location but not  
24 ownership?"

25 Boiler Unit response is stated on

1 pages 6 through 7, Item 37, "The rules reclassify  
2 this as a reinstallation because the ownership has  
3 not changed."

4 MR. BAUGHMAN: But the question is  
5 what if it's been removed from its original  
6 setting and it's changed location?

7 CHAIRMAN MORELOCK: Then it becomes  
8 secondhand.

9 MR. BAUGHMAN: Well, but secondhand  
10 says that it has to change both location and  
11 ownership. What if it hasn't changed ownership?  
12 It doesn't meet that criteria either. So the  
13 question being -- is if it's been removed from its  
14 original setting, has changed locations but  
15 changed -- and it has not changed ownership --

16 CHAIRMAN MORELOCK: But see, we,  
17 being Eastman, we deal with that all the time and  
18 we always call them secondhand.

19 MR. BAUGHMAN: I understand. But  
20 according to the definition of what we've got  
21 written, it doesn't meet it. Because right now it  
22 says, "A reinstalled boiler or pressure vessel  
23 means a boiler or pressure vessel removed from its  
24 original setting and reinstalled at the same  
25 location without change of ownership.

1                    "A secondhand boiler or pressure  
2 vessel means a boiler or pressure vessel which has  
3 changed both location and ownership.

4                    CHAIRMAN MORELOCK: Oh, so if we  
5 put "and/or ownership," would that satisfy it?

6                    MR. BAUGHMAN: That's why I brought  
7 it up.

8                    CHAIRMAN MORELOCK: Okay.

9                    MR. BAUGHMAN: The present  
10 definition is not correct to the extent of how  
11 it's written.

12                   CHAIRMAN MORELOCK: What we're  
13 stressing above what the words say is that we have  
14 glass-lined vessels that we routinely remove. We  
15 send them to Pennsylvania, we have them reglassed,  
16 we bring them back. Sam has to know every time  
17 that happens. And it happens a lot. So he gets a  
18 lot of requests to bring it back into the state.

19                   MR. BAUGHMAN: Sure.

20                   CHAIRMAN MORELOCK: If we move  
21 something from any of our 43 plant sites into  
22 Tennessee, we send him a request to bring that in  
23 as secondhand. But it's the same form for both.

24                   MR. BAUGHMAN: It's the same form.  
25 All we need to do is clarify the definition.

1                   CHAIRMAN MORELOCK: Okay.

2                   MR. BAUGHMAN: It's just semantics  
3 but it needs to be clarified because as it stands,  
4 it's not correct. It hasn't changed both location  
5 and ownership. So it's changed location, but  
6 you're still the owner.

7                   CHAIRMAN MORELOCK: So what if we  
8 just put if it changes location and take ownership  
9 out?

10                  MR. BAUGHMAN: Yeah, I think  
11 changing location is fine. I don't think  
12 ownership really plays into it.

13                  CHAIRMAN MORELOCK: Would that  
14 cause anybody heartburn if you just say if it  
15 changes location that it gets a secondhand?

16                  MR. JACKSON: At Eastman, you can  
17 change location right on site, can't you?

18                  CHAIRMAN MORELOCK: Well ...

19                  MR. JACKSON: You go over to the  
20 boiler unit or something. The last time I did  
21 your review you've got different locations --

22                  CHAIRMAN MORELOCK: I mean, we do,  
23 but there's one address for that big blob of ...

24                  MR. JACKSON: But there's an  
25 ownership you have --

1                   CHAIRMAN MORELOCK: I mean, this is  
2     the same argument that accreditation people get  
3     into with Certificate of Authorization. If they  
4     buy a shop two doors down, do they need two  
5     certificates or one? And then you get into this,  
6     well, how far can I go? And it's gone from one  
7     extreme to the other. They're still fighting  
8     that.

9                   MS. RHONE: What do you think?

10    Is --

11                  MR. CHAPMAN: If you tear down a  
12    building onto that and build a newer building, but  
13    you're going to put your boiler back into that ...

14                  CHAIRMAN MORELOCK: Yeah. It's the  
15    same location but it's a new building.

16                  MR. CHAPMAN: That's all it is.

17                  MR. BAUGHMAN: And you've got  
18    rental boilers that are being moved from one  
19    location to the other. We own the rental boiler,  
20    but it's going to a different location, but it  
21    hasn't changed ownership.

22                  CHAIRMAN MORELOCK: Right.

23                  MR. BAUGHMAN: So I would just  
24    say --

25                  MR. ROBINSON: But it's classified

1 as a rental boiler.

2 MR. BAUGHMAN: Yes. But --

3 MR. ROBINSON: That's the category.

4 CHAIRMAN MORELOCK: And it's also  
5 classified as a temporary installation.

6 MR. ROBINSON: But that's the  
7 caveat.

8 MR. BAUGHMAN: That's true.

9 MR. ROBINSON: That's the caveat.

10 MS. RHONE: And the installation  
11 application is applied for each time.

12 MR. BAUGHMAN: Let's say that they  
13 end up buying the boiler, what I'm looking at is  
14 that I think the part of knocking ownership out of  
15 the secondhand part of that definition works out  
16 well because it's just changed the location. It  
17 hasn't necessarily changed ownership.

18 MR. ROBINSON: Ownership. Agreed.

19 Sam?

20 MR. CHAPMAN: Yeah.

21 CHAIRMAN MORELOCK: So is that  
22 agreeable to everybody? I mean this a discussion,  
23 so if go home and think about it and don't like  
24 it, you can always change your mind.

25 MR. BAUGHMAN: Any other thoughts

1 on that from anybody?

2 CHAIRMAN MORELOCK: So for now  
3 we're going to -- for the moment we're going to  
4 take "and ownership" out. So 39 will read,  
5 "Secondhand boiler or pressure vessel means a  
6 boiler or pressure vessel which has changed  
7 locations since it was last used." Take the word  
8 "both" and take "and ownership" out.

9 Of course, then you're going to get  
10 the question, "What does 'location' mean?"

11 MR. BAUGHMAN: Well, a reinstalled  
12 boiler says moved from its original setting and  
13 reinstalled at the same location, so -- without  
14 change of ownership -- so I'm thinking actually,  
15 when you go through that process, you're going to  
16 be looking at a reinstalled boiler instead of a  
17 secondhand.

18 CHAIRMAN MORELOCK: Well, but the  
19 irony is it's the same form. It doesn't matter if  
20 it's 37 or --

21 MR. BAUGHMAN: I agree.  
22 Absolutely.

23 CHAIRMAN MORELOCK: It's the same  
24 form. So really, the best way to look at this is,  
25 to make it read well -- I'm not opposed to

1 changing the definition because it's going to boil  
2 down to the simple fact of whether it goes out and  
3 goes away or it goes out and it comes back, or it  
4 comes from somewhere else and then it comes in,  
5 Sam has to know. The Boiler Unit has to know  
6 what's coming in and out of the state.

7 MR. BAUGHMAN: I agree. It's not  
8 going to make a whole lot of difference. It's  
9 just cleaning it up.

10 CHAIRMAN MORELOCK: So 37 we'll  
11 leave alone, and 39 we'll take the word "both" out  
12 and "and ownership" out. And, like I said, for  
13 now, just think on that because we're just  
14 discussing it. But if you have other thoughts,  
15 we'll change it. If not, it could come back for  
16 approval that way.

17 So we've addressed 37 and 39. So  
18 Item 3 is page 22. So Rule 22 is going away and  
19 becoming Rule 11, which is a little irony, but ...

20 MR. BAUGHMAN: Which it was  
21 originally Rule Number -- but originally when you  
22 brought the code book from 1955, it was Rule 25 or  
23 27, something like that. So it's been changed  
24 once before to Rule 22.

25 CHAIRMAN MORELOCK: Okay. So this

1 is the attendant rule which we've spent the  
2 morning discussing variances for. The comment is,  
3 "The open ended, what constitutes checked and what  
4 defines qualified in the wording where it says  
5 that attendants for boilers, it has the wording  
6 that the boiler is being checked by an attendant  
7 who has been qualified by the owner and its  
8 operation."

9           Boiler Unit's response to that is,  
10 "Currently the words 'checked' and 'qualified' are  
11 defined by the owner/user of the vessel. Rules  
12 should be modified to say being checked pursuant  
13 to the National Board's recommendations, and  
14 legislation would be needed to define, clarify,  
15 and establish qualified, and pursuant to state  
16 guidelines."

17           And so what you see on page 22 under  
18 11(a), the proposed additional words are in  
19 orange. And so it would read, "A power boiler  
20 having a rating of either 5 horsepower or  
21 50 square feet of heat-absorbing surface or  
22 greater shall not be operated for periods of  
23 longer than 20 minutes without being checked  
24 pursuant to NB's recommendations by an attendant  
25 who had been qualified by the owner in its

1 operation regardless of whether the boiler is  
2 equipped with automatic feed water regulator, fuel  
3 or damper regulator, high and low water alarm or  
4 other form of automatic control."

5 MR. BAUGHMAN: Is there a reference  
6 for that pursuant to NB's recommendations?

7 CHAIRMAN MORELOCK: Nothing other  
8 than part 2.

9 MR. BAUGHMAN: Because if we're  
10 giving references for people to look at ...

11 CHAIRMAN MORELOCK: Or -- let's  
12 see -- part 1 is the installation. Part 2 is  
13 inspections.

14 MR. ROBINSON: Yes.

15 CHAIRMAN MORELOCK: So part 1 more  
16 than part 2. I mean, you're going to have to read  
17 the whole thing. It's just, you know ...

18 MR. BAUGHMAN: I understand. It  
19 still doesn't exactly go after what we're looking  
20 for. I would like to hear other thoughts on it.

21 MR. JACKSON: What are you looking  
22 for there, Dave? We're having a little problem  
23 understanding.

24 MR. BAUGHMAN: What I would like is  
25 that there be a definition of minimum checks that

1 need to be made on boilers. In other words, we  
2 talked today about there was a boiler check sheet,  
3 and they're going on to see, is the boiler on or  
4 off? Was there water in the sight glass that was  
5 below a mark, and -- I don't know, maybe something  
6 else -- were the lights on in the boiler room? I  
7 don't know.

8 But what I'm getting at is that right  
9 now -- I've been asked before, "Can we set up a  
10 video camera and check the boiler? Can we do that  
11 visually without having to set up or send somebody  
12 in the boiler room?"

13 It says it needs to be checked. So  
14 what's being checked? And so that's why the  
15 question is being brought over, because as us in  
16 the boiler industry, we know that that's totally  
17 open ended. And if we leave it open ended, if  
18 somebody comes to me and I say something in  
19 particular and then they go to Sam and he says  
20 something else, and -- everybody is on a different  
21 page. And what we need to do is have some clarity  
22 and definition as far as what is being checked by  
23 an operator or an attendant or a guard or whoever  
24 it may be, and qualifications by the owner. The  
25 question came up to me before as far as owner and

1 that the boiler was part of a leased facility.

2 And what actually defines "ownership"?

3 And when it comes down to that, that  
4 again is open ended, especially if it goes to  
5 court and you're sitting there in front of Bart  
6 Durham or whoever it may be and they're trying to  
7 get a definition of who is responsible, who is  
8 defined as the owner; what defines ownership. And  
9 so I bring that up because it's been brought up  
10 before and it's a question in my own mind. It's  
11 just worthy of discussion.

12 CHAIRMAN MORELOCK: Right. But  
13 what will also get you in trouble with litigation  
14 is that's why ASME will not define length of  
15 service. Because when you list in here anything  
16 that has to be checked and they check that and  
17 they still have a boiler failure and have property  
18 damage and loss of life, then you're still going  
19 to have litigation saying, well, we did all this,  
20 so it's not our fault that it blew up.

21 MR. BAUGHMAN: So if that's the  
22 case, would we be allowed to -- if a customer  
23 comes and says, "Dave, can we set up a camera and  
24 look at that boiler no longer than every  
25 20 minutes," how do I answer that?

1                   MR. JACKSON: One camera will not  
2 give you the information that you need.

3                   MR. BAUGHMAN: What information do  
4 I need?

5                   MR. JACKSON: What the NBIC  
6 requires, to do an in-service inspection.

7                   CHAIRMAN MORELOCK: Well, but an  
8 in-service inspection and checking the boiler  
9 every 20 minutes is two different things.

10                   From those that are in the boiler  
11 industry, what has to be checked to satisfy the  
12 20-minute rule? And the best way to do that would  
13 be to -- if you put a list in there, you could  
14 put, "Such as noninclusive" -- whatever, and then  
15 list what you want in there. So that way the  
16 reader understands that this is some suggestions  
17 that should be checked, but this is by all means  
18 not the end-all list of what has to be done.

19                   MR. BAUGHMAN: That's nothing  
20 presently.

21                   CHAIRMAN MORELOCK: Right.

22                   MR. BAUGHMAN: It's just nothing.  
23 And the question has been brought up, "Can I open  
24 the door and just say the boiler is there?"  
25 There's no definition of it, and that's where it

1 needs to have -- not inclusive, I agree -- but  
2 there needs to be at least some direction of  
3 checking.

4 The same thing with the cameras. All  
5 these variance rules and all of that being brought  
6 up and the cost involved with them, and then the  
7 question was, "Can I set up a video camera and  
8 have it there at my desk?" And how do I answer  
9 that? Because they're checking the boiler but  
10 there's no definition on what's being checked.  
11 And if we define some things that have to be  
12 checked, then we know that the boiler is actually  
13 being looked at. So that's why I brought it up  
14 for the discussion.

15 CHAIRMAN MORELOCK: Well, we just  
16 need some suggested words.

17 MR. ROBINSON: I think that would  
18 fulfill -- make a suggestion as far as the minimal  
19 suggested checks.

20 MR. JACKSON: I tell you, when I do  
21 the ASME reviews and they put them laundry lists  
22 in their manuals, I love them. I can bust their  
23 chops every time.

24 MR. BAUGHMAN: Well, from you guys  
25 in the industry, what do you think? You've got

1 three 1000-horse boilers. What do you think needs  
2 to be checked on the boilers?

3 MR. ENG: I'm not a boiler person,  
4 but I have some minor background in operating a  
5 boiler system. I'm a chemical engineer by trade,  
6 so I'm not even a mechanical guy. I apologize for  
7 that early on, obviously. We intend to have three  
8 1000-horse power boilers at Walker sometime next  
9 year. We have three because two will be  
10 operational. The third one will be on standby,  
11 whatever you want to call it. One will be on full  
12 fire and the other one will be on "on demand."  
13 That's the way we intend to operate those three  
14 boilers.

15 In my prior experience, what we do is  
16 that we will check whatever frequency separate  
17 from the requirements are, blowdown -- surface  
18 blowdown -- temperatures of the blowdown, the  
19 level switch visual. And that is probably once  
20 every hour if not more frequent because of  
21 regulation by New Jersey.

22 In Tennessee it's somewhat different.  
23 I hear the 20-minute rule all the time. For me,  
24 it's a difficult way to comply with an operation  
25 because we have so much interlocks and safety

1 devices in place already. One from the design,  
2 two from the manufacturer, three from our DCS, and  
3 four from other peripheral underwriter  
4 requirements. So we have backup after backup  
5 after backup.

6 The camera comment, perhaps it's  
7 nothing new for us. We intend to have some type  
8 of monitoring more than the DCS monitoring system  
9 that we have already.

10 So that's sort of my thinking of how  
11 we're going to operate the facility independent of  
12 the 20-minute requirement. Whatever it is, we'll  
13 comply, but that may not be enough for us.

14 MR. BAUGHMAN: But what you were  
15 saying was blow-downs, levels -- what I'm thinking  
16 is a water level. If it's a hot-water boiler it  
17 won't, but if the boiler is operating, maybe a  
18 stack temperature.

19 MR. ENG: Which had the make-up  
20 order, the deaerator, the pumps, if they're  
21 swinging back and forth or not, the sound, the  
22 sights, everything that we feel comfortable to  
23 ensure that not only is it safe, but is it  
24 efficient?

25 MR. BAUGHMAN: Well, what I'm --

1 and the reason I brought that up is it's specific  
2 to your installation. You go to the next  
3 installation, and they've got low-pressure steam  
4 boilers, and they've got a 50-horse low-pressure  
5 steam, and they've got a hot-water boiler. And so  
6 none of those are particularly applicable to that  
7 1000-horse high-pressure steam boiler, fire 2,  
8 water 2. I mean it's not a one size fits all.

9           So what I would like to see developed  
10 is some checklist that mandates that the boiler is  
11 being checked, and some specific checks so that it  
12 does get away from the camera. It does get away  
13 from just opening the door and saying, "Yes, I  
14 looked inside of it."

15           I want to have some criteria that the  
16 boiler is actually being checked in some form or  
17 fashion, whatever that may be.

18           MR. ROBINSON: Mr. Devers, what  
19 checks do you make on a daily basis?

20           MR. DEVERS: Just mainly water  
21 levels, temperatures of the boilers, just overall  
22 visual checks.

23           MR. ENG: We do walk-throughs,  
24 chemical analysis, just like he said, water  
25 treatments. Our DCS system is predominantly

1 monitoring 24/7, scan rates or whatever the scan  
2 rate that we choose.

3 CHAIRMAN MORELOCK: Well, but what  
4 if you -- because see, you're still -- you could  
5 paint yourself in a corner based on what type of  
6 boiler it is or what service it's in.

7 What if you said something like, "Per  
8 suggested guidelines in ASME Section VI and VII  
9 for the care and operation of power boilers," or  
10 whatever. There are some guidance documents out  
11 there. They're not mandatory.

12 MS. JEFFERSON: And I think that's  
13 better. That's probably better information for  
14 our website. As far as putting it in our rules,  
15 I'm kind of skeptical. And that's why we included  
16 that information here, to just, you know, let  
17 everybody know that legislation is needed for  
18 this. We can't just create these type of rules  
19 that the legislature hasn't spoken about.

20 CHAIRMAN MORELOCK: Right.

21 MS. JEFFERSON: But as far as  
22 including suggestions on our website, I think we  
23 can do that. We can come up with a checklist,  
24 suggested checklist, and start putting information  
25 together, compiling it, and then we can modify it

1 as needed. But it can be a suggestion, a  
2 recommendation. We can't mandate or require  
3 people to do this.

4 MR. ROBINSON: You bring up a very  
5 good point. Suggestions are also included in  
6 CSD-1 in the back.

7 MR. BAUGHMAN: It is. I was  
8 thinking of that when you made mention of the  
9 ASME --

10 MR. ROBINSON: In their daily,  
11 annual, weekly --

12 MR. BAUGHMAN: Absolutely.

13 MR. ROBINSON: That's a start.  
14 Very good.

15 MR. BAUGHMAN: Uh-huh.

16 MR. JACKSON: Mr. Heater was  
17 telling me that this morning at Oak Ridge, their  
18 inspection criteria depends upon which building is  
19 in charge of --

20 CHAIRMAN MORELOCK: Right.

21 MR. JACKSON: So there, again, it  
22 comes into what you've got.

23 "I want to check this."

24 "Well, I don't think you need to  
25 check it. She can check hers if she wants to."

1                   So when you start getting down to --  
2     like Kim was saying -- getting down to doing a  
3     list and so on and so forth, you're asking for  
4     problems.

5                   MR. BAUGHMAN: The list is out  
6     there in a suggested form. And I think if we make  
7     reference to that --

8                   MR. ROBINSON: Yeah, I think it  
9     would be worthwhile to review 61 and maybe add  
10    that in addition to.

11                  CHAIRMAN MORELOCK: Okay. So let's  
12    just put we're going to work on this item some  
13    more. And if you have suggestions --

14                  DR. CANONICO: You might want to  
15    look at Section VII.

16                  MR. JACKSON: Recommended rules?

17                  CHAIRMAN MORELOCK: Yeah.

18                  DR. CANONICO: I don't know how up  
19    to date it is, but ...

20                  MR. BAUGHMAN: That gets down to  
21    the owner part of that equation also.

22                  CHAIRMAN MORELOCK: So "In some  
23    installations, the owner cannot be identified.  
24    Owner of what? The building or facility, the  
25    boiler?"

1                   Okay.  So ...

2                   MR. BAUGHMAN:  When you read the  
3  Boiler Unit response --

4                   CHAIRMAN MORELOCK:  But isn't  
5  "owner/user" kind of a pretty well-understood  
6  term?  I don't think there's a lot of vagueness in  
7  that.

8                   MR. BAUGHMAN:  It doesn't say in  
9  the attendance -- under Rule 22, it doesn't say  
10 "owner" or "user."  It just says "owner," does it  
11 not?  It says that the boiler is being checked by  
12 an attendant who has been qualified by the owner,  
13 not by the owner/user but just by the owner.

14                  And so I would put down that it would  
15 be the owner and then add "user" rather than just  
16 leaving it as the owner of it.  Because the owner  
17 of the boiler, to me, was something that could be  
18 a bit vague also.  To me, user of the boiler is  
19 who it should be qualified by more so than even  
20 the owner.

21                  CHAIRMAN MORELOCK:  Okay.  So  
22 owner, slash, user?

23                  MR. BAUGHMAN:  That would be my  
24 thought.

25                  CHAIRMAN MORELOCK:  Okay.  We'll

1 make that change.

2 MR. BAUGHMAN: If that makes sense  
3 to everybody else.

4 CHAIRMAN MORELOCK: Okay. "We  
5 require operational log sheets for historic boiler  
6 be maintained, but have no such requirement listed  
7 for the operation of a power boiler under this  
8 rule, unless it falls under the attendant rule  
9 variance. It should be a requirement regardless  
10 of whether a variance is in place or not."

11 Boiler Unit response is, "The  
12 operation of a power boiler is automated, and an  
13 automated report can be generated to show that an  
14 attendant checked every 20 minutes. Therefore,  
15 there is no need for a separate log."

16 Comments on that?

17 MR. BAUGHMAN: I don't know if you  
18 want to hear my comment on that.

19 MR. JACKSON: Do you want to hear  
20 mine?

21 CHAIRMAN MORELOCK: Yes.

22 MR. JACKSON: No, go ahead. I'm  
23 waiting to see why he wants one.

24 MR. BAUGHMAN: As far as a log  
25 sheet? Well, there's liability in operating a

1 boiler. And because you've got a liability,  
2 you've got to have accountability for that  
3 liability. And even though a log sheet can be  
4 fudged, the log sheet is the one piece of  
5 accountability that shows that the boiler has had  
6 checks done to it.

7           We require those checks for both  
8 historic boilers and we require those to be  
9 logged. We require them if you have a boiler  
10 variance to where instead of checking the boiler  
11 every 20 minutes, you only check it once every  
12 four hours. We don't require it for the standard,  
13 everyday, normal operation. And the response is  
14 that the boiler is automated and an automated  
15 report could be generated. And I don't quite  
16 understand that response.

17           So in my mind, the only  
18 accountability is a log sheet. I don't quite  
19 understand the response of an automated report can  
20 be generated that shows an attendant checked it  
21 every 20 minutes, so I ...

22           MR. JACKSON: You've tied a  
23 variance in with operation without a variance by  
24 this question.

25           MR. BAUGHMAN: Yes.

1                   MR. JACKSON: And they're two  
2 separate issues.

3                   MR. BAUGHMAN: They are. One  
4 requires a log sheet and one does not.

5                   MR. JACKSON: That's correct.

6                   MR. BAUGHMAN: You're still  
7 operating the same boiler, so you've got one  
8 boiler, two different types of operation. One  
9 under Rule 22, one under a variance. One has to  
10 be checked every four hours and logged, one has to  
11 be checked with criteria that's going to be  
12 suggested on what has to be checked and doesn't  
13 have to be logged.

14                   My question is why does it not have  
15 to be logged and still has the same liabilities in  
16 operation? Nothing has changed. Steam pressure  
17 hasn't changed. Nothing has changed in its  
18 operation. And we have no mandate to record that  
19 that boiler is being checked in its operation. We  
20 don't require it ever. There's nothing that  
21 requires it.

22                   MR. JACKSON: There again, you're  
23 touching on Kim's comment. We don't want to get  
24 into some stuff, giving them a list of what you're  
25 going to do and so on and so forth.

1 MR. BAUGHMAN: I'm not asking for  
2 that.

3 MR. JACKSON: No. But if you have  
4 a list or a sheet, boiler log or what-have-you  
5 log --

6 MR. BAUGHMAN: We require it for  
7 the variance.

8 MR. JACKSON: Altogether different  
9 story.

10 MR. BAUGHMAN: And explain quite  
11 how.

12 MR. JACKSON: Because there is no  
13 attendant necessary. Everything is automated in  
14 that aspect.

15 MR. BAUGHMAN: Okay.

16 MR. JACKSON: You've got a screen  
17 somewhere that they can pull up anything they want  
18 on them boilers.

19 MR. ROBINSON: I think if we table  
20 this one, it would be wise only because it runs  
21 hand in hand with the requirements for being  
22 checked.

23 MR. JACKSON: Yes.

24 MR. ROBINSON: So once we establish  
25 the counter measures or suggested checks, once we

1 establish that, if we decide to, then we can move  
2 forward and create what we want checked.

3 MR. BAUGHMAN: I agree. What do  
4 you think about common sense, though, on -- what's  
5 the thought on a boiler being logged? What would  
6 your thoughts be on a log sheet needing to be --

7 MR. ROBINSON: I'm pro-log. But,  
8 also, I understand some of the logistics that may  
9 be involved. So I'm a little bit cautious on how  
10 I put it out there.

11 MR. BAUGHMAN: And I'm not  
12 necessarily saying I want it logged every  
13 20 minutes.

14 MR. ROBINSON: Right. No. No.  
15 But you asked it. I'm saying.

16 MR. BAUGHMAN: Sure.

17 MR. ROBINSON: So realistically,  
18 because of that, I know that in 1949 when these  
19 guys got together and created this Board, that in  
20 their infinite wisdom, they made a suggestion.  
21 They said, "Wow. If we do that every 20 minutes,  
22 somebody is going to be running back and forth in  
23 here. And every Ma and Pa station is going to  
24 have to sacrifice. And it's not either going to  
25 happen" -- so because of that, let's, again, table

1 it, go with the suggestions, make a determination  
2 based on what we find with CSD-1, with NBIC per  
3 certain rules, and move from that.

4 MS. RHONE: And I had a question,  
5 too. Where is the law going to be maintained?

6 MR. ROBINSON: It would be at that  
7 state -- well, it would be on the site. In other  
8 words, the inspector at this point, if he comes  
9 in, he would do just as Neil does, "Show me your  
10 log."

11 MS. RHONE: And is this  
12 information -- is he going to pull this up from  
13 the computer?

14 MR. ROBINSON: No. He would have a  
15 documented piece of evidence, or he could have a  
16 computer.

17 MR. JACKSON: They're fastly going  
18 to the computer.

19 MS. RHONE: Because I was going to  
20 say, because if it's a computer, then it's  
21 still -- they push the button and there it is.

22 MR. ROBINSON: There it is, yeah.  
23 But most likely, it's going to be like a check  
24 sheet, and you figure somebody is going to go in  
25 there and, in today's word, earlier, pencil whip

1 it if that's the case, because, again, you look at  
2 the logistics and back to Mr. Beard. He made the  
3 comment that, you know, some legislation may not  
4 be feasible at this time. So we've got to look at  
5 it optimistically, in my opinion.

6 MR. BAUGHMAN: And it's a good  
7 discussion to bring it up. I mean it's one of  
8 those things that has --

9 MR. JACKSON: Well, I agree with  
10 you. It would be beautiful if they did. I mean,  
11 it sure would be nice if everybody made them log  
12 out and we had a nice laundry list to it and all  
13 of that.

14 MS. RHONE: But if it's next to the  
15 equipment and something happens, there goes the  
16 log.

17 MR. JACKSON: Yeah, it burned up.

18 MR. BAUGHMAN: It's not a matter of  
19 if. It's a matter of when there's going to be  
20 something come up. And if we're proactive, if --  
21 that's why we're here, is safety. That's the  
22 whole point of why we're all sitting here. And if  
23 we can do something that enhances that, then we're  
24 doing our due diligence. But yeah, thanks.

25 CHAIRMAN MORELOCK: Okay. Ladies

1 and gentlemen, it's almost 1:00. So this is a  
2 discussion item. We have no other business to  
3 take care of. Unless there's objection, we'll  
4 take Eugene's comments in the December meeting.

5 Continue to read through the draft,  
6 and we will continue this discussion in December.

7 And we'll move the Boiler Operator  
8 Legislation and an update on the fall conference  
9 to the December agenda.

10 I know Dr. Canonico has got a wife  
11 that would like to be picked up at the hotel and  
12 taken home.

13 DR. CANONICO: I've got a sick car.

14 CHAIRMAN MORELOCK: And he's got a  
15 sick car, and so there's no rule cases or  
16 interpretations. Our next Board meeting will be  
17 Wednesday, December the 3rd here at the Department  
18 of Labor and Workforce Development in the TOSHA  
19 Room at 9:00 a.m.

20 And I hope everybody has a happy  
21 Halloween and a happy Thanksgiving before I see  
22 you in December.

23 And with that, do I have a motion to  
24 adjourn?

25 MR. ROBINSON: So made.

1                   CHAIRMAN MORELOCK:  Everybody vote  
2    by standing up.

3                   (Affirmative response.)

4

5                                   END OF THE PROCEEDINGS.

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C E R T I F I C A T E

STATE OF TENNESSEE )  
COUNTY OF WILLIAMSON )

I, Cassandra M. Beiling, a Notary Public  
in the State of Tennessee, do hereby certify:

That the within is a true and accurate  
transcript of the proceedings taken before the  
Board and the Chief Inspector or the Chief  
Inspector's Designee, Tennessee Department of  
Labor & Workforce Development, Division of  
Workplace Regulations and Compliance, Boiler Unit,  
on the 3rd day of September, 2014.

I further certify that I am not related to  
any of the parties to this action, by blood or  
marriage, and that I am in no way interested in  
the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my  
hand this 16th day of September, 2014.

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Cassandra M. Beiling, CCR, LCR# 371  
Notary Public State at Large  
My commission expires: 3/12/2016

<b>A</b>	<b>action</b> 20:14 95:18 170:16	<b>advocate</b> 63:9	55:5 55:5 59:15	<b>alone</b> 147:11
<b>abbreviation</b> 65:10 65:21	<b>actual</b> 15:20 68:12	<b>affect</b> 12:22 18:20	60:23 61:4 65:16	<b>along</b> 19:25 20:8 60:25 139:1
<b>ability</b> 86:21	<b>actually</b> 11:19 13:1 26:8 35:5 48:6	<b>affirmative</b> 9:20 42:10 83:19 94:12 169:3	67:23 67:25 149:3	<b>already</b> 74:22 75:14 83:8 120:20 124:14 124:17 125:5 137:1 155:1 155:9
<b>able</b> 15:20 28:25 57:23 62:16	49:25 49:25 54:21	<b>after</b> 15:3 24:1 82:8 149:19 155:4 155:5	<b>alarms</b> 46:5 51:12 51:13 51:16 61:8	<b>alteration</b> 102:2 118:8 132:14
<b>above</b> 24:21 56:11 73:4 107:2 112:20 112:21 117:2 118:2 142:13	60:3 62:21 65:11 90:24 95:11 101:20 110:10 110:23 118:13 124:10 125:10 131:4 132:17 146:14 151:2 153:12 156:16	<b>afterward</b> 117:14	66:10 68:9 85:25	<b>alterations</b> 111:16 117:4 117:10 117:16 138:6
<b>absence</b> 62:24	<b>add</b> 8:14 8:21 8:25 9:3 9:6 9:8 9:10 34:14 81:18 93:18 99:19 99:25 100:18 105:25 159:9 160:15	<b>again</b> 20:12 22:9 27:15 55:13 56:11 70:6 80:23 90:4 92:6 99:15 106:5 119:16 151:4 158:21 163:22 165:25 167:1	<b>all</b> 5:11 8:23 9:2 9:19 10:1 11:14 11:15 17:13 18:17 19:8 20:14 20:15 28:8 28:8 42:9 42:9 42:19 51:16 56:8 56:17 56:17 59:5 59:5 60:4 60:16 62:22 66:3 71:5 71:9 72:4 72:8 73:25 74:14 76:18 77:6 79:6 79:20 79:24 81:13 82:2 82:5 82:6 82:20 83:18 84:17 86:15 88:9 90:6 91:17 93:21 94:10 95:3 95:8 95:9 95:12 96:22 102:8 102:9 103:17 106:10 106:21 107:25 109:16 111:15 111:16 113:7 115:2 115:6 116:6 117:3 119:21 120:4 121:15 122:3 122:8 124:25 126:14 130:6 130:21 135:6 135:7 136:11 138:21 139:22 141:17 142:25 144:16 151:19 152:17 152:18 153:4 153:5 154:23 156:8 167:12 167:22	<b>altogether</b> 164:8
<b>absolutely</b> 58:6 67:22 101:17 102:6 102:19 103:7 146:22 158:12	<b>added</b> 74:2 93:8 109:18 109:19 138:4	<b>against</b> 36:25 88:5	<b>allied</b> 2:12 4:24	<b>always</b> 13:8 37:23 47:10 53:22 54:1 88:18 141:18 145:24
<b>absorbing</b> 148:21	<b>adding</b> 78:18 100:21 101:23	<b>age</b> 120:22	<b>allowed</b> 44:23 151:22	<b>amended</b> 9:15
<b>abstention</b> 94:17 94:23 94:24	<b>addition</b> 42:1 101:11 159:10	<b>agencies</b> 136:13	<b>almost</b> 60:9 168:1	<b>amendment</b> 42:5
<b>abstentions</b> 9:23 42:13 83:22 94:15	<b>additional</b> 87:15 91:16 118:4 120:11 148:18	<b>agency</b> 19:11 110:1 117:6		<b>among</b> 59:11
<b>accept</b> 9:15 101:6 108:10	<b>added</b> 74:2 93:8 109:18 109:19 138:4	<b>agenda</b> 3:10 8:11 8:12 8:14 9:3 9:6 9:11 9:15 10:2 12:16 19:6 19:24 21:10 42:23 84:9 95:4 168:9		<b>analysis</b> 122:9 156:24
<b>acceptable</b> 96:1 98:15	<b>adding</b> 78:18 100:21 101:23	<b>ago</b> 55:14 76:21 104:17 124:4 135:10 140:2		<b>annotated</b> 118:9
<b>acceptance</b> 47:12 78:11 82:14 87:25	<b>addition</b> 42:1 101:11 159:10	<b>agree</b> 90:12 108:4 114:5 123:20 126:22 146:21 147:7 153:1 165:3 167:9		<b>announce</b> 7:12
<b>access</b> 32:19 46:17 99:8 101:13	<b>additional</b> 87:15 91:16 118:4 120:11 148:18	<b>agreeable</b> 145:22		<b>announcements</b> 3:9 7:3 8:7
<b>accidentally</b> 46:20	<b>additions</b> 83:9	<b>agreed</b> 95:16 127:25 145:18		<b>annual</b> 30:2 42:2 87:7 91:17 91:23 158:11
<b>accomplish</b> 103:2	<b>address</b> 16:16 106:25 107:18 126:24 143:23	<b>ahead</b> 36:5 86:12 100:19 101:10 109:3 161:22		<b>annually</b> 67:15
<b>accord</b> 120:17	<b>addressed</b> 147:17	<b>air</b> 50:3 98:23 98:25 99:1 139:16		<b>another</b> 14:24 20:25 25:21 27:21 29:7 33:1 58:9 60:11 63:19 64:4 70:23 74:3 74:6 108:9 109:12 111:21 128:21 128:24 135:1 135:9
<b>accordance</b> 117:11 118:9	<b>adjourn</b> 168:24			<b>answer</b> 26:19 41:9 151:25 153:8
<b>according</b> 24:14 25:1 88:4 97:25 98:9 132:23 137:12 141:20	<b>adjournment</b> 3:24			<b>answered</b> 17:12 80:15
<b>accountability</b> 162:2 162:5 162:18	<b>adjust</b> 41:3 63:18			<b>answers</b> 17:14
<b>accreditation</b> 144:2	<b>adjusted</b> 32:18			<b>anybody</b> 6:25 74:24 130:13 143:14 146:1
<b>accredited</b> 113:10 113:15 114:19 117:6	<b>administration</b> 16:3			<b>anymore</b> 123:17
<b>accumulator</b> 26:6	<b>administrator</b> 2:18 5:1 5:3			<b>anyone</b> 139:23
<b>accurate</b> 33:14 170:7	<b>adopt</b> 135:12			<b>anything</b> 8:25 13:11 18:25 73:15 151:15
<b>acronym</b> 65:21 117:12 117:18	<b>adoption</b> 3:10 8:11 9:10			
<b>across</b> 34:17 49:2 49:8 103:23	<b>advance</b> 21:9			
	<b>advantage</b> 79:23			
	<b>advertise</b> 22:11			
	<b>advice</b> 68:22 70:1			
	<b>advised</b> 15:13			

164:17 <b>anywhere</b> 123:16 <b>apologize</b> 10:10 25:4 58:12 154:6 <b>apparently</b> 60:12 <b>appear</b> 14:14 <b>appearance</b> 22:24 <b>appearances</b> 2:1 <b>appears</b> 63:10 117:2 118:2 <b>appendices</b> 81:6 <b>appendix</b> 65:4 65:5 68:16 69:8 74:18 77:21 81:5 87:12 88:22 92:22 124:8 <b>applause</b> 12:9 <b>apples</b> 71:12 71:12 <b>applicable</b> 28:7 137:13 137:14 156:6 <b>applicant</b> 113:5 119:13 <b>application</b> 26:4 110:12 123:4 145:11 <b>applications</b> 105:16 <b>applied</b> 26:5 110:6 124:17 145:11 <b>applies</b> 120:1 123:14 <b>apply</b> 17:9 113:4 <b>applying</b> 80:5 <b>appreciate</b> 11:14 11:17 42:19 95:1 <b>appreciation</b> 12:4 <b>approach</b> 13:17 <b>appropriate</b> 22:17 23:3 23:4 23:8 28:22 <b>appropriately</b> 41:6 <b>approval</b> 105:18 147:16 <b>approve</b> 23:15 41:18 47:10 87:24 <b>approved</b> 15:6 16:12 40:16 42:9 42:17 50:5 68:9 106:2 111:16 111:17 <b>approximately</b> 29:4 44:1 45:17 85:18 <b>arduous</b> 111:18	<b>area</b> 33:11 112:10 120:23 120:25 <b>areas</b> 65:16 103:17 <b>aren</b> 13:24 81:2 <b>arena</b> 36:24 <b>argument</b> 121:4 144:2 <b>around</b> 18:21 33:21 37:12 <b>arrangement</b> 22:23 <b>arthor</b> 6:6 6:6 <b>ask</b> 20:3 20:4 33:17 33:25 88:24 96:12 135:25 <b>asked</b> 39:10 76:23 82:20 97:18 150:9 165:15 <b>asking</b> 49:15 66:24 97:8 112:25 122:6 159:3 164:1 <b>asme</b> 18:5 21:5 22:3 22:17 23:4 25:6 39:11 100:13 109:22 110:7 120:4 125:17 137:14 151:14 153:21 157:8 158:9 <b>aspect</b> 41:20 95:21 164:14 <b>aspects</b> 121:5 <b>assemble</b> 95:9 <b>assessed</b> 97:25 98:8 99:20 <b>asset</b> 5:9 85:4 <b>assigned</b> 90:17 <b>assigns</b> 18:15 <b>assistance</b> 103:13 <b>assistant</b> 2:16 4:18 5:2 <b>associate</b> 113:16 114:16 114:20 <b>associated</b> 103:22 <b>assume</b> 13:7 125:14 129:5 133:12 <b>assumed</b> 34:13 <b>assuming</b> 112:1 <b>assumption</b> 34:14 34:23 133:14 <b>astutely</b> 130:12 <b>atlantic</b> 91:4	<b>atmosphere</b> 27:1 <b>atmospheric</b> 77:14 94:1 <b>attached</b> 12:24 <b>attend</b> 18:9 <b>attendance</b> 20:20 35:20 103:3 160:9 <b>attendant</b> 21:6 21:23 41:19 41:21 43:2 44:19 46:12 52:7 53:18 53:19 53:21 53:23 54:1 54:8 55:2 55:8 55:15 55:17 55:21 56:14 56:15 57:17 57:19 58:3 58:11 58:25 59:4 59:19 60:1 60:8 60:11 62:17 67:20 148:1 148:6 148:24 150:23 160:12 161:8 161:14 162:20 164:13 <b>attendants</b> 46:25 57:2 61:1 61:2 61:20 62:7 62:19 64:10 86:3 86:9 92:25 93:9 148:5 <b>attendees</b> 8:2 <b>attending</b> 61:15 <b>attention</b> 13:9 89:21 89:23 109:7 <b>audience</b> 99:24 <b>audit</b> 13:4 13:15 <b>audited</b> 68:23 <b>audits</b> 13:12 <b>author</b> 112:16 <b>authorization</b> 117:25 119:14 144:3 <b>authorized</b> 109:25 117:6 120:10 132:5 133:2 <b>authorizing</b> 117:16 <b>automated</b> 161:12 161:13 162:14 162:14 162:19 164:13 <b>automatic</b> 52:9 149:2 149:4 <b>available</b> 14:13 54:1	63:23 78:4 87:3 109:11 <b>aware</b> 68:8 <b>away</b> 7:10 7:19 64:4 71:6 85:19 85:20 121:3 129:13 147:3 147:18 156:12 156:12 <b>aye</b> 94:11 <hr/> <b>B</b> <hr/> <b>b1</b> 49:20 <b>b2</b> 50:11 <b>back</b> 8:12 29:22 29:23 44:8 48:9 55:13 58:17 58:25 61:16 63:2 70:5 74:19 84:8 98:24 99:2 100:5 102:4 108:24 111:8 112:24 115:5 121:20 123:10 124:2 124:21 127:7 131:22 138:12 142:16 142:18 144:13 147:3 147:15 155:21 158:6 165:22 167:2 <b>background</b> 154:4 <b>backup</b> 34:19 155:4 155:4 155:5 <b>bad</b> 46:6 <b>bag</b> 135:24 139:21 <b>bart</b> 151:5 <b>based</b> 13:20 37:12 47:11 47:11 157:5 166:2 <b>basically</b> 13:15 17:15 17:18 96:5 99:19 115:23 120:1 <b>basis</b> 37:1 127:22 156:19 <b>baughman</b> 2:11 4:23 4:23 9:18 23:21 24:3 24:14 24:20 24:24 25:7 25:18 26:3 26:11 30:6 30:21 32:3 32:23 35:3 35:13 36:7 37:5 37:11 37:16	37:22 38:1 38:4 38:7 47:8 47:21 47:24 48:7 48:13 48:25 49:14 49:21 49:24 50:6 50:12 50:16 50:21 50:24 51:3 51:15 51:19 51:24 52:4 61:14 61:18 61:21 62:8 62:12 63:3 63:7 64:7 64:14 73:10 74:17 75:12 75:19 75:22 76:1 76:4 76:9 76:24 77:6 77:10 77:16 77:19 77:23 78:2 84:19 84:22 88:11 88:21 88:24 89:5 89:8 89:11 89:14 89:20 89:23 90:3 90:12 90:15 90:20 91:3 91:7 93:24 94:3 94:16 96:15 98:16 99:22 102:10 102:19 103:7 103:10 104:21 106:16 106:20 107:9 107:15 131:22 133:6 134:15 135:17 135:23 136:5 136:10 136:20 137:2 137:20 138:10 138:14 138:17 138:22 139:1 140:4 140:16 140:19 141:4 141:9 141:19 142:6 142:9 142:19 142:24 143:2 143:10 144:17 144:23 145:2 145:8 145:12 145:25 146:11 146:21 147:7 147:20 149:5 149:9 149:18 149:24 151:21 152:3 152:19 152:22 153:24 155:14 155:25 158:7 158:12 158:15
---	--	---	--	---

159:5 159:20 160:2 160:8 160:23 161:2 161:17 161:24 162:25 163:3 163:6 164:1 164:6 164:10 164:15 165:3 165:11 165:16 167:6 167:18 <b>bc92</b> 21:1 31:4 37:7 39:5 <b>bead</b> 139:12 <b>beard</b> 5:21 5:21 12:16 12:20 16:23 17:6 18:14 18:19 19:4 167:2 <b>beat</b> 61:25 <b>beautiful</b> 167:10 <b>beauty</b> 85:9 <b>becomes</b> 32:11 62:15 100:6 111:3 141:7 <b>becoming</b> 103:20 147:19 <b>been</b> 10:9 10:13 10:18 10:24 13:6 31:8 32:7 37:14 37:21 44:3 44:12 48:15 61:14 61:16 66:18 66:21 67:6 68:18 69:22 72:16 73:23 74:20 75:6 75:10 75:13 75:13 76:11 76:20 79:6 80:10 80:15 87:11 90:24 91:8 96:19 103:23 117:12 119:16 121:16 124:17 133:14 141:5 141:13 147:23 148:7 148:25 150:9 151:9 152:23 160:12 <b>before</b> 7:23 9:7 14:15 14:21 14:24 15:5 15:21 15:24 17:1 17:1 20:6 47:5 75:14 77:1 88:18 96:22 105:8 105:20 107:25 121:21 124:1 135:14 140:8 140:12 147:24	150:9 150:25 151:10 168:21 170:8 <b>begin</b> 4:13 95:7 95:11 97:5 <b>beginning</b> 20:4 22:20 39:11 47:2 65:25 71:20 <b>behalf</b> 11:8 11:11 11:16 <b>behind</b> 26:20 <b>beiling</b> 1:22 4:15 170:4 170:24 <b>being</b> 14:13 25:21 26:5 29:3 40:11 46:12 47:15 59:4 62:2 68:23 73:13 75:15 98:6 101:18 106:21 113:9 114:25 121:7 129:14 129:19 141:13 141:17 144:18 148:6 148:12 148:23 150:14 150:15 150:22 153:5 153:10 153:13 156:11 156:16 160:11 163:19 164:21 165:5 <b>believe</b> 14:2 16:14 17:7 31:2 52:15 60:15 103:18 115:14 131:7 134:5 <b>below</b> 73:4 73:5 125:21 150:5 <b>benefit</b> 82:13 82:15 <b>bennett</b> 2:21 4:19 4:19 7:7 <b>benson</b> 6:4 6:4 43:14 43:14 43:17 48:5 48:22 49:16 52:8 52:21 52:23 54:4 54:22 54:25 55:3 56:6 56:10 57:2 57:6 59:12 60:18 61:10 61:19 62:6 62:11 62:22 63:13 64:6 64:19 65:11 65:24 66:10 66:14	66:19 66:24 67:3 67:22 68:2 71:5 71:9 71:13 71:18 72:8 72:11 72:19 75:1 75:3 76:10 76:15 79:22 80:5 84:4 <b>berkebile</b> 5:8 5:8 85:3 85:3 86:11 88:14 89:18 91:1 91:5 91:24 92:3 92:16 92:19 93:2 93:7 93:13 93:18 93:22 94:25 <b>beside</b> 96:24 <b>best</b> 146:24 152:12 <b>bet</b> 78:2 <b>better</b> 31:2 31:25 157:13 157:13 <b>between</b> 9:10 57:24 59:17 60:7 66:20 <b>beyond</b> 28:6 56:11 137:6 <b>bhp</b> 40:18 <b>biased</b> 31:1 <b>big</b> 9:4 135:22 143:23 <b>bigger</b> 61:7 <b>bills</b> 18:20 <b>bit</b> 7:8 9:5 30:25 81:25 82:5 107:12 114:15 130:2 160:18 165:9 <b>blain</b> 5:18 5:18 <b>blank</b> 74:21 90:13 <b>bleed</b> 131:9 <b>blew</b> 151:20 <b>blob</b> 143:23 <b>blood</b> 170:16 <b>blow</b> 71:25 73:17 73:20 74:4 74:12 155:15 <b>blowdown</b> 154:17 154:18 154:18 <b>blower</b> 104:15 <b>board</b> 1:2 1:9 2:5 2:8 2:11 2:14 2:22 3:21 4:3 4:4 4:8 4:20 6:21 6:23 7:10 7:17 9:9 10:8 10:11	10:13 10:15 11:16 12:6 12:21 12:22 12:23 13:1 13:10 13:16 13:23 14:4 14:7 14:12 14:20 15:14 15:21 15:25 16:19 17:9 17:13 17:23 18:8 18:12 18:23 20:2 20:18 21:1 21:16 35:15 39:4 39:6 67:24 82:11 87:18 95:23 96:3 100:13 103:24 105:8 105:20 105:21 106:2 108:5 110:24 111:17 112:19 114:7 116:8 117:18 119:16 120:13 127:14 129:20 129:21 130:18 132:11 132:22 133:24 134:25 135:15 137:15 139:5 148:13 165:19 168:16 170:9 <b>bob</b> 6:17 7:18 7:19 <b>body</b> 29:10 29:12 29:17 109:17 <b>boil</b> 147:1 <b>boiler</b> 1:2 1:9 2:8 2:12 2:16 3:18 3:21 4:3 4:4 4:18 4:24 6:13 11:12 11:22 12:2 12:6 15:2 18:21 19:16 20:23 21:6 21:22 22:3 22:19 24:16 24:25 25:4 25:8 26:1 27:3 27:7 28:16 28:17 31:23 31:24 35:10 35:14 35:19 36:1 37:4 37:19 39:8 39:14 40:2 40:14 41:21 41:23 43:21 44:4 44:9 44:12 44:16 44:18 44:19 44:20 44:23 44:25 45:5 45:7 45:9 45:16 45:18 45:20 45:25 46:1 46:6	46:10 46:12 46:14 46:16 46:17 46:17 46:20 46:22 46:24 46:25 48:19 48:20 48:21 49:5 49:7 49:8 49:20 49:20 49:23 50:4 50:10 50:17 50:18 50:25 51:6 51:13 51:14 51:22 52:1 52:3 52:7 52:18 53:5 53:13 53:13 53:14 53:18 53:19 53:20 53:23 54:1 54:20 54:21 55:2 55:7 55:8 55:11 55:12 55:15 55:17 55:21 55:22 55:24 56:4 56:13 56:14 56:15 56:18 57:9 57:17 57:19 57:20 58:3 58:4 58:6 58:10 58:19 58:25 59:4 59:18 59:19 59:25 60:1 60:3 60:4 60:8 60:11 60:16 60:23 60:25 61:1 61:15 62:1 62:18 62:19 62:20 62:25 63:1 63:4 63:6 64:3 64:10 64:22 67:12 67:20 67:20 68:17 68:17 68:19 68:24 69:2 69:11 69:17 69:23 70:17 70:22 71:7 71:17 71:21 71:22 71:23 73:3 73:3 74:1 74:3 74:3 74:11 74:13 74:18 78:19 78:20 78:22 79:2 80:7 81:6 81:7 85:17 85:25 86:3 86:9 87:13 87:14 87:14 87:14 87:15 87:15 87:16 88:12 88:12 88:12 88:21 88:25 89:2 89:9 89:15 90:18 92:24 93:9 93:24 97:13 97:21 98:2 98:10 99:5 100:4 102:15
---	---	--	--	---

102:17 103:25	84:14 84:15 85:12	<b>bridgestone</b> 5:24 6:1		120:20 121:2
105:15 105:18	85:13 86:1 86:2	<b>brief</b> 7:14 39:2	<b>C</b>	121:19 121:22
105:22 106:1 106:2	86:17 86:19 87:10	<b>bring</b> 13:18 20:13	<b>calculation</b> 122:4	122:3 122:7 122:11
106:6 106:23 107:4	87:12 87:13 98:19	94:4 107:19 110:22	<b>caldwell</b> 10:8	122:16 123:6 123:9
107:11 107:16	100:2 101:13	124:21 135:18	<b>calendar</b> 15:9 15:11	123:15 123:22
108:19 109:2 109:4	102:13 102:20	142:16 142:18	<b>call</b> 3:8 33:8 37:2	123:25 124:6
109:24 112:13	102:22 102:23	142:22 151:9 158:4	37:3 42:8 44:25	124:14 124:20
112:20 113:22	105:13 106:22	167:7	55:8 62:23 63:1	125:20 126:1 126:5
113:24 114:1	107:12 108:23	<b>bringing</b> 19:11	63:17 64:2 79:24	126:11 126:18
115:21 117:1 117:8	108:25 113:12	<b>brooks</b> 88:25	80:25 83:18 94:10	126:25 127:4 127:6
118:1 120:8 122:2	113:19 114:1 115:6	<b>brotherhood</b> 6:12	101:19 105:4 112:2	128:16 129:8
127:13 132:3 132:8	119:24 127:19	<b>brought</b> 61:24	124:20 124:22	129:16 129:24
132:11 132:12	128:3 132:6 140:10	133:14 142:6	129:2 139:21	130:5 130:24 131:2
132:13 132:16	144:18 148:5 150:1	147:22 150:15	141:18 154:11	131:14 131:19
132:21 133:2 133:3	154:1 154:2 154:8	151:9 152:23 153:5	<b>called</b> 37:19 68:25	159:14 159:18
133:3 133:9 133:17	154:14 156:4	153:13 156:1	82:19	168:10 168:13
133:25 134:2	156:21 157:9 162:8	<b>brow</b> 2:9	<b>calling</b> 4:3	<b>capacity</b> 28:21
134:19 137:8 138:2	164:18	<b>bsp</b> 70:9 70:14 70:16	<b>came</b> 10:10 10:11	<b>captured</b> 91:19
140:22 140:25	<b>book</b> 66:4 68:6 83:5	70:20	35:22 50:6 50:8	<b>car</b> 4:8 168:13
141:22 141:23	86:18 137:22	<b>btus</b> 28:18 28:18	75:5 104:17 104:20	168:15
142:1 142:2 143:20	138:10 147:22	28:19 28:20	135:11 150:25	<b>carbon</b> 125:22
144:13 144:19	<b>books</b> 80:9 126:20	<b>build</b> 61:7 144:12	<b>camera</b> 150:10	<b>card</b> 32:17
145:1 145:13 146:5	<b>both</b> 11:20 11:23	<b>building</b> 3:22 8:1 8:3	151:23 152:1 153:7	<b>care</b> 5:9 49:12 85:4
146:6 146:12	23:1 29:24 51:9	8:4 8:5 65:14 65:16	155:6 156:12	85:9 100:23 115:7
146:16 147:5 148:6	52:25 81:2 82:15	144:12 144:12	<b>cameras</b> 153:4	131:20 157:9 168:3
148:9 148:19 149:1	86:20 96:24 100:13	144:15 158:18	<b>campbell</b> 8:18	<b>carlene</b> 2:21 4:19 7:4
150:2 150:3 150:6	126:12 131:17	159:24	<b>cannot</b> 32:9 50:4	11:21
150:10 150:12	141:10 142:3	<b>buildings</b> 59:3	55:12 60:20 129:4	<b>carries</b> 60:12 92:7
150:16 151:1	142:23 143:4 146:8	<b>built</b> 32:8 32:12	159:23	94:21
151:17 151:24	147:11 162:7	69:17	<b>canonico</b> 2:8 4:10	<b>carry</b> 90:24
152:8 152:10	<b>bothers</b> 88:3	<b>bullet</b> 66:6	6:22 6:22 8:15 8:17	<b>case</b> 21:1 22:15
152:24 153:9	<b>bottom</b> 89:2 125:11	<b>bulletin</b> 104:19	8:23 18:4 23:13	28:13 31:4 33:22
153:12 154:3 154:5	<b>boundaries</b> 134:2	104:20	41:10 42:4 52:13	36:12 36:15 37:11
155:16 155:17	134:3	<b>burned</b> 167:17	52:14 53:17 55:13	40:16 60:2 108:19
156:5 156:7 156:10	<b>boundary</b> 23:3 24:1	<b>burner</b> 28:10 28:12	56:13 56:22 56:25	108:20 110:24
156:16 157:6	133:4 135:4 137:18	29:21 67:12 132:25	57:4 58:1 58:2	127:13 129:21
159:25 160:3	137:23 137:24	<b>burr</b> 59:11	58:22 58:24 59:10	132:25 133:18
160:11 160:17	<b>bowling</b> 10:23	<b>business</b> 3:12 3:13	60:10 61:17 64:15	151:22 167:1
160:18 161:5 161:7	<b>box</b> 98:5 101:15	19:23 19:23 20:1	64:21 65:1 65:5	<b>cases</b> 3:19 3:20 35:14
161:11 161:12	101:16 106:17	20:1 20:9 65:19	88:2 88:8 91:13	127:18 168:15
162:1 162:5 162:9	106:21	84:12 95:4 108:18	93:12 94:22 97:5	<b>cassandra</b> 1:22 4:14
162:10 162:14	<b>boxes</b> 112:23	110:9 168:2	97:8 97:17 100:19	4:15 170:4 170:24
163:7 163:8 163:19	<b>boy</b> 10:6	<b>businesses</b> 16:8	100:20 105:23	<b>cat</b> 135:24
164:4 165:5 168:7	<b>branch</b> 65:12 66:22	<b>bust</b> 153:22	106:9 108:4 108:14	<b>catastrophic</b> 26:15
170:12	113:15 114:19	<b>button</b> 54:17 55:7	108:17 109:6	<b>categories</b> 44:15
<b>boilermakers</b> 6:12	<b>brand</b> 91:5	55:11 166:21	110:19 111:5 111:8	<b>category</b> 145:3
<b>boilers</b> 31:14 32:2	<b>break</b> 45:12 84:8	<b>buttons</b> 46:15	111:11 112:6	<b>cause</b> 46:9 103:22
42:25 43:3 44:2	<b>breaking</b> 53:25	<b>buy</b> 111:20 144:4	114:14 115:4	143:14
48:20 49:19 55:17	<b>brian</b> 2:2 4:21	<b>buying</b> 145:13	115:15 116:5	<b>cautious</b> 165:9
64:17 66:9 67:7	134:24	<b>bx</b> 70:9	119:25 120:14	<b>caveat</b> 47:11 100:18
67:14 71:21 72:3				

<p>145:7 145:9  <b>ccr</b> 1:22 170:24  <b>cement</b> 39:24  <b>center</b> 43:4 65:19  <b>central</b> 65:15  <b>certain</b> 67:25 76:7  101:18 166:3  <b>certainly</b> 7:3 10:24  12:12 37:18 39:21  41:3 41:5 116:23  <b>certificate</b> 77:4 92:9  113:2 119:13 144:3  <b>certificates</b> 144:5  <b>certification</b> 109:22  109:22 135:13  <b>certify</b> 170:5 170:15  <b>cetera</b> 52:18 55:23  92:24 117:25  132:20  <b>chairman</b> 2:2 4:2  4:21 5:12 6:24 7:2  7:8 7:16 7:18 8:10  8:16 8:20 8:24 9:2  9:14 9:17 9:19 9:21  9:23 10:1 10:7  10:21 12:10 12:15  12:20 17:24 18:2  18:17 18:25 19:2  19:5 19:9 19:19  19:22 21:14 21:24  23:10 23:14 23:18  26:12 30:4 33:24  38:12 38:17 39:1  40:6 40:10 41:1  41:8 41:17 42:3  42:5 42:8 42:11  42:13 42:16 42:20  43:9 47:5 47:9  47:18 52:11 54:20  54:23 55:1 59:16  61:9 61:12 65:3  65:7 70:13 70:18  71:1 74:15 75:17  76:12 78:3 78:6  78:10 78:17 78:21  78:25 79:10 79:14  79:19 80:1 80:3  80:7 80:14 80:21  81:5 81:12 82:12  82:25 83:4 83:8</p>	<p>83:14 83:17 83:20  83:22 83:25 84:5  84:11 84:21 87:19  87:23 88:6 88:9  91:10 91:15 91:25  92:4 92:21 93:6  93:11 93:15 93:20  94:6 94:9 94:13  94:15 94:17 94:20  94:24 95:2 95:15  96:14 96:18 97:1  99:18 100:12 101:2  101:5 101:10  101:22 102:7  104:25 105:3  106:10 106:13  106:19 107:22  107:24 108:2  108:12 108:16  109:8 110:21 111:7  111:10 111:13  111:22 111:25  112:8 115:1 115:9  115:16 116:2 116:6  116:14 116:19  116:22 117:21  118:18 118:22  119:2 119:7 119:11  119:21 121:17  121:25 122:5  122:10 122:14  122:24 124:5  124:16 124:25  125:4 125:7 125:23  126:3 126:7 126:16  127:23 128:5  128:23 129:11  129:17 129:25  130:6 130:11  130:19 131:1 131:3  131:8 131:16  131:21 134:12  136:25 137:5 138:3  138:13 138:15  138:19 138:23  139:7 139:11  140:14 140:17  140:20 141:7  141:16 142:4 142:8  142:12 142:20  143:1 143:7 143:13</p>	<p>143:18 143:22  144:1 144:14  144:22 145:4  145:21 146:2  146:18 146:23  147:10 147:25  149:7 149:11  149:15 151:12  152:7 152:21  153:15 157:3  157:20 158:20  159:11 159:17  159:22 160:4  160:21 160:25  161:4 161:21  167:25 168:14  169:1  <b>chance</b> 13:16 50:13  64:8  <b>change</b> 78:15 88:18  100:20 119:18  127:5 127:8 129:1  129:2 141:10  141:25 143:17  145:24 146:14  147:15 161:1  <b>changed</b> 83:13 124:4  125:21 137:25  140:23 141:3 141:6  141:11 141:14  141:15 141:15  142:3 143:4 143:5  144:21 145:16  145:17 146:6  147:23 163:16  163:17 163:17  <b>changer</b> 56:16  <b>changes</b> 82:21 83:1  118:5 120:12  140:18 143:8  143:15  <b>changing</b> 112:14  143:11 147:1  <b>chapman</b> 2:16 4:17  4:17 19:8 128:10  128:14 144:11  144:16 145:20  <b>chapter</b> 43:1 137:13  <b>charge</b> 113:24  158:19</p>	<p><b>chart</b> 81:1 81:17  81:20  <b>charted</b> 17:21  <b>chase</b> 95:8  <b>check</b> 41:22 73:13  73:14 73:14 81:3  116:7 150:2 150:10  151:16 154:16  158:23 158:25  158:25 162:11  166:23  <b>checked</b> 86:23 148:3  148:6 148:10  148:12 148:23  150:13 150:14  150:22 151:16  152:11 152:17  153:10 153:12  154:2 156:11  156:16 160:11  161:14 162:20  163:10 163:11  163:12 163:19  164:22 165:2  <b>checking</b> 72:1 152:8  153:3 153:9 162:10  <b>checklist</b> 47:1 74:3  78:7 156:10 157:23  157:24  <b>checks</b> 149:25  153:19 156:11  156:19 156:22  162:6 162:7 164:25  <b>chemical</b> 4:22 154:5  156:24  <b>chemistry</b> 72:1 72:11  <b>chief</b> 2:16 3:11 4:18  9:7 9:11 19:7 19:18  47:12 70:2 105:17  109:13 109:14  110:3 110:4 170:9  170:9  <b>choose</b> 157:2  <b>chops</b> 153:23  <b>circulatic</b> 20:21  20:22 21:3 22:1  22:13 26:20 28:4  32:1 35:9  <b>circulation</b> 31:20  <b>circumstances</b> 44:24</p>	<p><b>cite</b> 118:15  <b>cited</b> 123:7  <b>citizens</b> 13:19  <b>claim</b> 21:18  <b>clarification</b> 20:20  25:19 36:8 39:25  41:12 112:17 118:3  120:11 136:23  <b>clarified</b> 59:21 97:24  143:3  <b>clarify</b> 61:11 79:15  91:25 92:22 134:4  142:25 148:14  <b>clarity</b> 68:11 81:25  150:21  <b>clarksville</b> 5:24 6:1  128:9  <b>classes</b> 104:1 104:7  <b>classification</b> 39:17  <b>classified</b> 21:21  24:15 24:25 39:8  41:23 53:20 55:17  55:24 144:25 145:5  <b>classify</b> 39:13  <b>classifying</b> 35:17  <b>classroom</b> 86:17 87:5  <b>clause</b> 35:20  <b>clay</b> 85:5  <b>clayton</b> 22:10 36:15  36:25 37:14 38:2  38:4 39:7 39:18  40:17  <b>clean</b> 58:2 58:21  <b>cleaned</b> 120:24  <b>cleaner</b> 58:4  <b>cleaning</b> 147:9  <b>clear</b> 67:21 68:18  99:17 133:22 134:7  134:10  <b>clearly</b> 62:18 129:4  134:21 138:6  <b>cleaver</b> 88:25  <b>cleverly</b> 88:7  <b>clients</b> 32:21  <b>clint</b> 5:6  <b>clogging</b> 104:18  <b>close</b> 106:20  <b>closer</b> 96:13  <b>closest</b> 40:19  <b>closures</b> 97:16 98:13</p>
---	--	--	--	---

<p><b>clyde</b> 10:8 10:8</p> <p><b>code</b> 3:16 18:5 18:6 19:13 22:17 23:3 23:8 24:1 24:7 24:15 25:1 25:5 25:6 25:8 28:22 41:7 100:13 118:9 118:17 119:14 120:4 120:5 121:5 122:1 123:18 124:11 124:12 125:18 133:1 137:14 137:22 147:22</p> <p><b>codes</b> 67:23 67:25 68:4 68:12</p> <p><b>coil</b> 27:9 27:9 29:9 29:11 29:24 29:25 30:10 30:13 30:14 30:21 30:23 31:5 32:5 33:2 33:4 34:6 34:11 34:15 34:16</p> <p><b>coils</b> 27:14 27:22 27:24 33:7 34:6 34:12 34:13 34:17 34:21 39:20 39:22 41:4</p> <p><b>cold</b> 29:14</p> <p><b>collected</b> 25:21</p> <p><b>collecting</b> 26:4</p> <p><b>color</b> 96:9</p> <p><b>colors</b> 17:22</p> <p><b>column</b> 74:6</p> <p><b>combined</b> 22:8 52:25</p> <p><b>combustion</b> 6:7 6:9 33:10 33:11</p> <p><b>comes</b> 13:11 82:24 83:12 107:21 122:7 139:1 147:3 147:4 147:4 150:18 151:3 151:23 158:22 166:8</p> <p><b>comfortable</b> 14:3 107:25 155:22</p> <p><b>coming</b> 14:5 15:23 49:2 49:7 65:15 147:6</p> <p><b>comment</b> 38:13 48:9 76:24 97:6 97:8 97:17 97:22 101:21</p>	<p>105:15 106:18 107:23 108:17 112:4 112:9 112:13 118:2 119:25 120:2 120:21 131:4 148:2 155:6 161:18 163:23 167:3</p> <p><b>comments</b> 17:25 19:20 23:20 30:5 39:3 41:24 42:6 47:20 52:12 61:13 65:8 74:16 80:12 82:3 82:11 83:15 91:11 91:12 91:16 93:21 94:7 95:24 96:3 96:4 96:6 96:11 96:23 97:3 97:6 98:14 98:16 101:6 106:7 111:22 120:15 120:20 131:23 131:24 161:16 168:4</p> <p><b>commission</b> 12:24 102:2 102:5 115:2 170:25</p> <p><b>commissioning</b> 113:1</p> <p><b>committee</b> 13:14 13:14 13:17 14:14 14:15 14:22 14:25 15:5 15:12 16:5 16:10 16:11 16:24 17:2 17:10 18:15</p> <p><b>common</b> 28:8 30:9 30:19 165:4</p> <p><b>commonly</b> 32:15</p> <p><b>communication</b> 45:12 65:19</p> <p><b>communications</b> 65:16</p> <p><b>companies</b> 53:13 53:15 104:5 115:18</p> <p><b>company</b> 4:22 53:5 86:16 104:4 115:18</p> <p><b>compare</b> 40:20</p> <p><b>compared</b> 22:15 27:7 32:1 40:15 81:1 102:16 102:16 116:10</p> <p><b>competed</b> 36:25</p>	<p><b>competency</b> 113:2</p> <p><b>competitive</b> 22:15 103:20</p> <p><b>competitors</b> 36:23</p> <p><b>compiling</b> 157:25</p> <p><b>completed</b> 13:5 95:21 110:4</p> <p><b>completion</b> 105:21</p> <p><b>compliance</b> 11:12 15:18 170:12</p> <p><b>comply</b> 154:24 155:13</p> <p><b>component</b> 22:6 22:18 30:8 30:12</p> <p><b>componentry</b> 23:1</p> <p><b>components</b> 135:7 139:25 139:25</p> <p><b>comptroller</b> 13:4</p> <p><b>computer</b> 166:13 166:16 166:18 166:20</p> <p><b>concentric</b> 33:4 33:6</p> <p><b>concern</b> 41:9 93:12 100:23</p> <p><b>concerned</b> 71:19</p> <p><b>concerning</b> 95:24 105:9 108:22</p> <p><b>concerns</b> 138:21</p> <p><b>concludes</b> 19:17 95:3</p> <p><b>condition</b> 28:1 29:14 34:24 44:22 64:1 133:10</p> <p><b>condones</b> 121:13</p> <p><b>conducted</b> 97:12 97:24 98:8</p> <p><b>conducts</b> 13:5</p> <p><b>conference</b> 104:9 104:22 168:8</p> <p><b>configuration</b> 136:9</p> <p><b>confirm</b> 116:3</p> <p><b>conflict</b> 20:2 20:5 38:14 70:3 84:20 84:22</p> <p><b>conflicts</b> 18:10 43:6 84:18</p> <p><b>confusing</b> 59:20 81:25</p> <p><b>congratulations</b> 10:24</p> <p><b>connected</b> 34:6 34:12</p>	<p>50:18</p> <p><b>connection</b> 49:7 50:17</p> <p><b>connections</b> 29:10</p> <p><b>consent</b> 15:8</p> <p><b>conserve</b> 124:2</p> <p><b>consider</b> 87:21 114:25 118:4 120:12</p> <p><b>consideration</b> 21:3</p> <p><b>considered</b> 125:1 125:5</p> <p><b>considering</b> 40:2</p> <p><b>consistent</b> 81:21 112:18 116:17</p> <p><b>constants</b> 126:9</p> <p><b>constitute</b> 132:24</p> <p><b>constitutes</b> 148:3</p> <p><b>constructed</b> 21:4 137:10</p> <p><b>construction</b> 113:11 113:18 113:23 137:7</p> <p><b>consultant</b> 6:16</p> <p><b>contact</b> 16:18 60:14 70:2</p> <p><b>contained</b> 45:15 45:18 45:22</p> <p><b>content</b> 27:4 27:5</p> <p><b>contents</b> 80:24 81:14</p> <p><b>context</b> 112:24</p> <p><b>contingency</b> 47:11</p> <p><b>contingent</b> 87:24</p> <p><b>continue</b> 33:19 104:2 168:5 168:6</p> <p><b>continuing</b> 87:4 87:5 117:23</p> <p><b>contractor</b> 131:25 132:3 133:2 134:19</p> <p><b>contractors</b> 132:14 140:9</p> <p><b>contradicting</b> 129:20</p> <p><b>contribute</b> 121:5</p> <p><b>control</b> 6:7 6:9 32:4 32:13 34:23 45:3 45:25 70:9 85:25 86:2 87:9 87:11 103:8 133:17 135:7 149:4</p> <p><b>controlling</b> 25:12</p>	<p><b>controls</b> 28:3 28:12 30:14 32:9 32:22 33:15 34:22 132:25 133:16 138:9</p> <p><b>controversial</b> 15:7</p> <p><b>conversation</b> 60:6 96:21 135:18</p> <p><b>converse</b> 130:8</p> <p><b>cool</b> 138:18</p> <p><b>copies</b> 8:11 96:9 96:16</p> <p><b>copper</b> 102:17</p> <p><b>copy</b> 47:24 79:16 79:18 121:24 131:7</p> <p><b>corner</b> 157:5</p> <p><b>corporation</b> 3:5 5:20 84:16 118:7 132:4</p> <p><b>correct</b> 23:23 24:17 28:15 30:11 40:5 40:24 40:25 41:2 51:17 64:13 68:2 69:6 70:1 70:10 71:11 74:25 75:16 78:19 79:3 81:9 88:13 89:8 90:19 94:2 111:13 117:2 117:24 118:3 118:15 118:16 118:23 124:5 124:24 128:19 131:9 142:10 143:4 163:5</p> <p><b>corrected</b> 92:6</p> <p><b>correction</b> 68:22 118:12</p> <p><b>correctly</b> 38:9</p> <p><b>correlating</b> 134:18</p> <p><b>corridor</b> 46:18</p> <p><b>corrosion</b> 32:1</p> <p><b>corvette</b> 10:22</p> <p><b>cost</b> 153:6</p> <p><b>costs</b> 103:22</p> <p><b>cothern</b> 5:6 5:6 85:5 85:5 90:17 90:22 94:2</p> <p><b>couldn</b> 37:14 76:19</p> <p><b>counsel</b> 2:20 5:5</p> <p><b>counter</b> 164:25</p> <p><b>counts</b> 124:11 124:12</p>
--	---	--	--	--

<b>county</b> 170:3	<b>data</b> 22:4 22:7 23:21 24:9 45:24 77:8 77:11 77:23 77:25 88:22 90:6 90:7 110:2 110:5	148:11 151:8	87:25 105:18 110:2	<b>device</b> 25:22 45:13
<b>couple</b> 22:22 38:13 128:22	<b>date</b> 12:25 14:6 17:1 18:7 18:15 78:1 159:19	<b>defines</b> 23:3 148:4 151:2 151:8	<b>description</b> 50:13 64:20 68:17 93:4	<b>devices</b> 27:20 135:8 155:1
<b>course</b> 29:14 146:9	<b>dated</b> 140:2	<b>definite</b> 18:7	<b>descriptions</b> 46:24	<b>devil</b> 63:9
<b>court</b> 1:23 4:16 38:20 82:7 151:5	<b>dates</b> 14:11 18:11 121:20 127:7	<b>definitely</b> 24:13 24:23 37:20	<b>design</b> 20:25 26:20 26:20 26:23 27:3 27:9 27:18 29:7 29:9 29:19 30:24 30:25 31:3 31:3 31:8 31:11 31:19 32:1 33:4 33:5 104:18 113:11 113:18 122:15 129:2 129:5 129:6 129:19 133:11 155:1	<b>diagram</b> 23:2
<b>covenant</b> 6:5 43:15 43:17 66:22	<b>dave</b> 4:23 104:20 149:22 151:23	<b>definition</b> 25:2 25:14 39:24 40:13 41:7 65:25 99:17 120:2 123:12 123:13 132:18 132:23 133:7 133:19 134:5 134:10 134:16 134:18 136:14 137:21 137:23 138:11 141:20 142:10 142:25 145:15 147:1 149:25 150:22 151:7 152:25 153:10	<b>designator</b> 109:23	<b>diameter</b> 27:10 29:4
<b>cover</b> 36:20 48:6 115:10	<b>david</b> 2:11 6:8	<b>definitions</b> 133:21 137:6	<b>designed</b> 31:9 31:19 41:4 137:10	<b>didn</b> 18:21 35:19 37:7 57:15 58:23 69:5 91:22 94:3 131:4 134:24 139:23
<b>covered</b> 63:18 83:9	<b>day</b> 11:14 44:17 44:17 62:9 63:24 71:20 76:12 120:22 170:13 170:21	<b>degree</b> 112:10 113:9 113:14 113:16 114:16 114:18 114:20 114:23	<b>designated</b> 55:16 88:18 89:1 140:22	<b>difference</b> 57:24 59:17 59:22 147:8
<b>covers</b> 115:11	<b>days</b> 85:12	<b>degrees</b> 33:21 33:23 39:16 39:21 112:7 115:3 125:16	<b>designation</b> 88:19	<b>differences</b> 60:6
<b>create</b> 51:16 157:18 165:2	<b>dcs</b> 155:2 155:8 156:25	<b>delay</b> 54:18 105:20	<b>designations</b> 88:15	<b>different</b> 31:6 65:23 80:25 81:23 82:22 82:23 86:4 86:13 121:10 123:4 126:6 143:21 144:20 150:20 152:9 154:22 163:8 164:8
<b>created</b> 24:1 165:19	<b>deerator</b> 90:7 92:7 155:20	<b>delays</b> 50:3	<b>designator</b> 109:23	<b>differentiation</b> 36:2
<b>creation</b> 40:9	<b>deal</b> 141:17	<b>delete</b> 120:18	<b>designed</b> 31:9 31:19 41:4 137:10	<b>differentiations</b> 102:20
<b>creep</b> 125:22	<b>dealing</b> 90:4	<b>deleted</b> 97:23	<b>desinee</b> 105:17 109:15 110:4 170:10	<b>differently</b> 51:7 51:8
<b>crisis</b> 60:14	<b>death</b> 62:1	<b>delinquent</b> 19:10 19:12	<b>desired</b> 137:11	<b>difficult</b> 29:3 32:22 154:24
<b>criteria</b> 107:3 139:16 141:12 156:15 158:18 163:11	<b>deborah</b> 6:13 11:19 11:22 79:5 96:12	<b>demand</b> 85:12 154:12	<b>desk</b> 153:8	<b>diligence</b> 102:5 167:24
<b>critical</b> 30:7 30:12	<b>december</b> 3:22 14:10 14:10 96:7 168:4 168:6 168:9 168:17 168:22	<b>department</b> 1:1 3:22 5:22 6:16 11:9 12:1 12:23 12:24 14:17 14:18 15:17 16:3 16:7 53:2 132:10 168:17 170:10	<b>detail</b> 17:18 25:17 89:21 89:24 89:24 93:14	<b>direct</b> 8:3
<b>cross</b> 118:14	<b>decide</b> 121:1 127:14 165:1	<b>depend</b> 54:13	<b>desire</b> 137:11	<b>direction</b> 153:2
<b>csd</b> 28:7 28:12 134:25 135:7 135:11 135:15 136:9 136:11 138:8 138:25 139:17 158:6 166:2	<b>decision</b> 100:22 105:9	<b>depending</b> 15:6 28:21 126:8	<b>desks</b> 153:8	<b>director</b> 5:9 6:4 85:4
<b>ct</b> 3:21	<b>declare</b> 40:21 84:19	<b>deputy</b> 47:13 82:13	<b>detail</b> 17:18 25:17 89:21 89:24 89:24 93:14	<b>disallowed</b> 139:23
<b>curious</b> 48:18 66:18	<b>dedication</b> 11:15 12:4		<b>detect</b> 27:20 29:1	<b>disaster</b> 7:25
<b>current</b> 40:17 77:4 80:18 91:9 104:11	<b>deem</b> 14:21		<b>determination</b> 166:1	<b>discuss</b> 14:13 21:11 96:5
<b>currently</b> 85:11 91:2 148:10	<b>deems</b> 17:23		<b>determine</b> 68:13	<b>discussed</b> 91:16 91:17
<b>customer</b> 99:13 151:22	<b>defeat</b> 32:22		<b>determined</b> 33:13 120:17	<b>discussing</b> 147:14 148:2
<b>cut</b> 85:16	<b>defeated</b> 32:19		<b>determines</b> 100:7 107:3	<b>discussion</b> 3:15 8:21 8:25 12:13 15:12 20:7 20:14 23:19 41:15 47:6 47:20 88:10 91:21 95:4 95:7 95:17 95:18 96:8 99:25 112:17 118:3 120:11 128:24 130:9 134:16 139:5
<b>cyclotherm</b> 68:24	<b>defer</b> 79:19 120:13		<b>develop</b> 104:10 104:11	
<b>D</b>	<b>define</b> 120:2 138:7 148:14 151:14 153:11		<b>developed</b> 156:9	
<b>da</b> 48:23 48:24 49:6 49:6 49:17 50:9 50:9 50:13 73:14 76:25 77:13 90:23 91:4 94:1 94:4	<b>defined</b> 57:19 59:20 99:11 117:12 119:17 132:1		<b>developing</b> 104:24	
<b>daily</b> 71:16 73:16 156:19 158:10			<b>development</b> 1:1 3:22 5:22 11:10 12:2 132:11 168:18 170:11	
<b>damage</b> 151:18			<b>developments</b> 18:23	
<b>damper</b> 149:3			<b>devers</b> 5:23 5:23 156:18 156:20	
			<b>deviation</b> 133:11	

145:22 151:11 153:14 167:7 168:2 168:6 <b>discussions</b> 23:12 <b>dispatchers</b> 59:18 59:23 60:7 <b>distance</b> 45:17 <b>ditty</b> 139:21 <b>divided</b> 44:15 120:6 126:15 <b>division</b> 11:11 11:12 15:18 121:8 123:23 124:7 124:22 170:11 <b>dm</b> 129:1 <b>document</b> 85:16 114:4 114:7 114:8 <b>documentation</b> 48:14 <b>documented</b> 86:24 166:15 <b>documents</b> 139:22 157:10 <b>doesn't</b> 25:25 41:21 58:19 73:15 74:12 78:7 81:15 93:1 99:3 99:4 99:7 115:9 123:19 134:4 135:8 136:21 137:23 141:12 141:21 146:19 149:19 160:8 160:9 163:12 <b>doing</b> 7:20 59:5 60:7 60:9 61:20 71:22 82:17 102:5 104:4 139:24 159:2 167:24 <b>dolphins</b> 115:24 <b>domenic</b> 2:8 6:22 <b>don</b> 7:11 8:12 10:21 13:7 18:12 18:19 27:5 27:6 31:17 32:20 46:11 48:2 49:6 49:9 49:11 49:12 49:12 49:14 54:8 59:8 61:23 61:24 61:25 66:3 66:15 69:4 74:24 76:4 79:16 79:22	81:21 81:24 92:8 92:23 97:3 98:21 99:22 100:3 100:15 103:21 108:21 111:19 114:8 114:24 115:1 115:17 119:7 121:14 121:24 122:19 122:19 125:2 129:17 135:8 135:9 136:3 139:13 139:18 143:11 145:23 150:5 150:7 158:24 159:18 160:6 161:17 162:12 162:15 162:18 163:20 163:23 <b>done</b> 11:17 19:9 24:10 69:23 86:16 92:14 100:17 117:10 124:14 152:18 162:6 <b>door</b> 29:22 46:19 152:24 156:13 <b>doors</b> 144:4 <b>down</b> 44:23 46:6 46:10 46:15 46:20 51:22 52:1 52:3 54:9 55:8 55:10 55:12 67:13 67:14 73:17 73:20 74:4 74:12 95:9 97:14 98:11 98:24 139:3 140:21 144:4 144:11 147:2 151:3 159:1 159:2 159:20 160:14 <b>downs</b> 71:25 155:15 <b>dr</b> 2:8 4:10 6:22 8:15 8:17 8:18 8:23 18:4 23:13 41:10 42:4 52:13 52:14 53:17 55:13 56:13 56:22 56:25 57:4 58:1 58:2 58:22 58:24 59:10 60:10 61:17 64:15 64:21 65:1 65:5 88:2 88:8 91:13 93:12 94:22 97:5 97:8 97:17	100:19 100:20 105:23 106:9 108:4 108:14 108:17 109:6 110:19 111:5 111:8 111:11 112:6 114:14 115:4 115:15 116:5 119:25 120:14 120:20 121:2 121:19 121:22 122:3 122:7 122:11 122:16 123:6 123:9 123:15 123:22 123:25 124:6 124:14 124:20 125:20 126:1 126:5 126:11 126:18 126:25 127:4 127:6 128:16 129:8 129:16 129:24 130:5 130:24 131:2 131:14 131:19 159:14 159:18 168:10 168:13 <b>draft</b> 96:5 140:15 168:5 <b>drain</b> 98:24 <b>drawing</b> 22:23 48:19 48:20 49:5 69:10 70:8 <b>drawings</b> 22:22 49:9 <b>drilling</b> 53:8 <b>drive</b> 2:6 3:23 <b>dropout</b> 31:21 <b>dropped</b> 76:8 <b>drum</b> 31:22 40:2 <b>due</b> 79:9 102:5 105:21 167:24 <b>dupuis</b> 5:16 5:16 20:17 21:19 21:25 23:24 24:8 24:18 24:22 25:3 25:15 25:24 26:8 26:18 27:21 28:13 28:15 29:6 30:11 30:23 32:15 33:1 33:20 34:2 34:5 34:9 35:7 36:4 36:13 37:10 37:13 37:17 37:23 38:3 38:6 38:23	38:24 40:5 40:8 40:25 41:2 41:13 42:18 <b>durham</b> 151:6 <b>during</b> 16:3 18:5 60:14 78:11 124:1 <b>duty</b> 46:12 61:2 <b>dvd</b> 53:12 <b>dz</b> 22:11 36:15 36:19 37:24 39:7 40:17 40:18 <hr/> <b>E</b> <hr/> <b>e110</b> 51:4 <b>e204</b> 40:18 <b>each</b> 16:5 16:10 20:3 20:4 22:18 27:22 30:14 34:6 34:15 34:19 49:10 68:5 71:20 71:20 75:8 86:1 87:11 145:11 <b>eagle</b> 2:6 <b>earlier</b> 57:18 64:22 117:12 166:25 <b>early</b> 44:8 48:12 154:7 <b>ease</b> 3:17 <b>easier</b> 83:11 95:20 <b>east</b> 2:9 <b>eastern</b> 4:22 <b>eastman</b> 141:17 143:16 <b>easy</b> 29:8 99:8 100:4 <b>economizer</b> 92:5 <b>ed</b> 6:11 9:8 10:7 10:11 12:10 <b>education</b> 112:14 112:21 113:6 113:20 115:12 115:22 <b>edwin</b> 12:3 <b>effect</b> 15:25 16:6 16:7 44:11 <b>efficiency</b> 125:1 <b>efficient</b> 89:15 155:24 <b>efforts</b> 12:5 <b>eight</b> 47:4 <b>either</b> 8:2 14:8 15:6 15:23 18:22 49:14	76:7 79:23 100:3 110:17 114:18 141:12 148:20 165:24 <b>elliott</b> 7:18 <b>else</b> 8:25 18:25 147:4 150:6 150:20 161:3 <b>elsewhere</b> 123:3 <b>email</b> 17:7 105:23 116:9 120:14 <b>emails</b> 130:8 <b>embedded</b> 33:9 <b>emergency</b> 7:25 46:15 50:23 53:9 54:12 55:7 55:10 59:14 59:23 60:2 <b>emphasized</b> 91:19 <b>employed</b> 117:5 <b>employee</b> 87:6 104:3 <b>employees</b> 87:8 104:2 <b>encouraged</b> 104:2 <b>end</b> 29:22 39:5 48:18 101:16 101:16 145:13 152:18 169:5 <b>ended</b> 100:24 104:21 107:5 148:3 150:17 150:17 151:4 <b>ends</b> 14:17 101:17 <b>energy</b> 25:13 26:23 27:2 27:6 27:15 27:17 <b>enforced</b> 76:13 103:23 <b>enforcing</b> 76:14 <b>eng</b> 96:17 96:25 154:3 155:19 156:23 <b>engage</b> 132:5 <b>engaged</b> 134:20 <b>engineer</b> 113:24 115:23 154:5 <b>engineering</b> 3:4 5:15 6:3 6:5 42:24 43:13 53:2 85:2 112:11 113:10 113:15 113:16 114:16 114:19 114:23 115:3
--	--	--	---	--

<b>enhances</b> 167:23	<b>eugene</b> 2:5 4:9 6:20	<b>example</b> 31:5 33:22	<b>F</b>	<b>fashion</b> 20:24 37:25
<b>enough</b> 14:21 26:23	115:18 130:11	75:4 86:25 87:2	<b>face</b> 104:10 104:10	156:17
65:21 96:7 126:6	138:8 168:4	101:15	135:5	<b>fastly</b> 166:17
155:13	<b>evaporation</b> 31:10	<b>exceed</b> 27:24	<b>facilities</b> 5:7 62:23	<b>fault</b> 68:5 151:20
<b>ensure</b> 36:20 45:14	<b>even</b> 54:8 107:10	<b>exceeding</b> 39:21	81:16 85:6	<b>faults</b> 46:4 68:12
155:23	125:22 154:6	125:15	<b>facility</b> 60:19 62:3	<b>favor</b> 9:19 42:9 83:18
<b>enter</b> 20:6 23:11	160:19 162:3	<b>excess</b> 24:17 25:11	64:16 64:18 86:4	94:10
<b>enters</b> 29:12	<b>event</b> 7:24 8:5 26:15	39:15 39:16	90:5 151:1 155:11	<b>feasible</b> 3:18 167:4
<b>entire</b> 118:17	26:15 26:22 27:17	<b>exchange</b> 65:12	159:24	<b>feed</b> 31:23 31:24
<b>entities</b> 103:13	44:22 54:15 55:4	<b>excited</b> 10:14 108:7	<b>facsimile</b> 110:6	149:2
<b>entity</b> 14:19 136:1	<b>events</b> 26:16 53:10	<b>excuse</b> 45:19 109:6	<b>fact</b> 22:16 36:22	<b>feeder</b> 104:18
<b>entrance</b> 46:22	<b>ever</b> 34:1 48:15	126:25	41:20 69:14 100:2	<b>feedwater</b> 91:7 93:25
<b>entry</b> 31:24	163:20	<b>exempt</b> 40:23	147:2	<b>feel</b> 14:3 53:2 95:21
<b>enunciate</b> 51:7 51:8	<b>every</b> 12:23 12:23	<b>exempted</b> 41:19	<b>factor</b> 120:1 120:3	139:13 155:22
<b>enunciates</b> 51:25	12:23 17:12 41:22	<b>exemption</b> 21:17	120:8 121:3 121:6	<b>feet</b> 44:1 45:17 85:19
<b>eons</b> 140:2	47:3 48:8 72:16	21:20	121:10 121:12	85:20 148:21
<b>equal</b> 34:13 34:14	109:18 128:8	<b>existing</b> 46:1 51:14	121:24 122:12	<b>fellows</b> 115:20
113:7 125:12	142:16 151:24	78:24 80:9 125:8	122:20 123:13	<b>few</b> 10:4 12:21 80:15
<b>equation</b> 38:5 121:11	152:9 153:23	<b>exit</b> 33:13 33:21	123:17 123:23	96:2 96:9
122:1 122:25 125:9	154:20 161:14	<b>expand</b> 133:20	124:7 124:21	<b>field</b> 47:15 76:18
125:10 125:25	162:11 162:11	<b>expected</b> 17:4 53:24	124:22 124:23	98:20 99:24
126:2 128:25	162:21 163:10	<b>expecting</b> 7:4	129:2	<b>fieldstone</b> 1:23
159:21	165:12 165:21	<b>experience</b> 36:18	<b>factory</b> 140:5	<b>fifth</b> 67:5
<b>equations</b> 126:19	165:23	53:1 56:4 92:24	<b>fahrenheit</b> 33:22	<b>fight</b> 140:11
128:20	<b>everybody</b> 4:6 4:12	99:24 112:7 112:22	33:23 39:17 39:22	<b>fighting</b> 144:7
<b>equipment</b> 22:18	7:13 74:20 97:4	113:6 113:11	<b>fail</b> 34:1 34:3 68:13	<b>fight</b> 53:25 60:13
30:2 50:13 78:15	101:7 104:22	113:18 113:21	<b>failure</b> 26:24 45:13	<b>figure</b> 85:14 166:24
90:4 93:17 167:15	106:11 112:1 115:5	114:18 114:20	67:8 151:17	<b>file</b> 87:3 110:3
<b>equipped</b> 46:14	122:21 145:22	114:21 115:6	<b>failures</b> 30:21 30:23	<b>fill</b> 86:13 98:23 98:24
149:2	150:20 157:17	115:10 115:13	66:9 67:6 104:12	<b>filled</b> 47:2 74:22 87:1
<b>equivalent</b> 112:10	161:3 167:11	154:15	<b>fairly</b> 30:24	87:2 100:5
112:12 112:15	168:20 169:1	<b>expert</b> 54:21	<b>fall</b> 24:6 35:20 40:21	<b>filling</b> 99:2
112:22 113:21	<b>everyday</b> 162:13	<b>expires</b> 170:25	40:22 41:6 104:9	<b>fills</b> 101:25 102:1
114:25 115:22	<b>everyone</b> 65:18 75:6	<b>explain</b> 13:17 16:5	104:22 168:8	<b>final</b> 28:24 105:18
116:17	136:2 136:8	164:10	<b>falling</b> 14:17	<b>find</b> 30:9 40:20 57:24
<b>erection</b> 132:5	<b>everything</b> 11:16	<b>explosion</b> 26:22	<b>falls</b> 25:13 40:13	60:15 81:14 81:16
<b>erector</b> 132:13	136:12 155:22	<b>explosive</b> 27:17	100:8 102:3 161:8	102:11 138:7 166:2
<b>erectors</b> 132:3	164:13	<b>exposures</b> 103:15	<b>false</b> 46:8 55:5	<b>findings</b> 13:7 13:15
<b>ernest</b> 6:2 43:12	<b>evidence</b> 166:15	103:19	<b>familiarity</b> 88:19	<b>fine</b> 41:5 83:14 106:9
<b>ernie</b> 54:5	<b>ewell</b> 2:19 5:4 5:4	<b>express</b> 130:14	<b>family</b> 46:19	143:11
<b>escorts</b> 59:2	95:14 118:12	<b>extended</b> 67:13	<b>far</b> 7:2 13:10 17:3	<b>finish</b> 36:5 84:9
<b>especially</b> 77:11	118:21 118:24	<b>extent</b> 142:10	17:14 18:3 24:7	<b>finks</b> 5:2 5:2 131:6
98:18 98:21 151:4	119:5 123:5	<b>external</b> 29:10 29:16	30:18 33:18 58:3	131:13
<b>esq</b> 2:17 2:19	<b>exact</b> 25:5	29:25 33:11 97:13	61:15 71:19 71:20	<b>fire</b> 27:7 29:20 29:24
<b>essentially</b> 78:14	<b>exactly</b> 13:25 30:20	98:1 98:10	81:10 81:13 86:10	45:6 45:8 45:10
114:22	65:9 82:10 125:3	<b>extinguisher</b> 54:11	87:9 92:22 104:11	54:10 54:11 89:4
<b>establish</b> 148:15	149:19	<b>extreme</b> 144:7	115:21 140:2 144:6	154:12 156:7
164:24 165:1	<b>exam</b> 113:1 113:4	<b>extremely</b> 34:2	150:22 150:25	<b>firearm</b> 60:13
<b>et</b> 52:18 55:23 92:24	<b>examination</b> 73:20	<b>eyes</b> 70:6	153:18 157:14	<b>fires</b> 60:13
117:25 132:20	113:2 113:6		157:21 161:24	<b>fireye</b> 46:2 51:4

140:6 <b>firm</b> 118:7 132:4 <b>first</b> 10:12 11:4 20:8 20:17 48:12 66:5 84:17 95:5 97:6 119:17 120:16 123:4 135:5 <b>fitness</b> 105:9 <b>fits</b> 156:8 <b>five</b> 14:2 62:7 66:23 112:15 <b>fixed</b> 88:7 <b>flags</b> 15:7 <b>flame</b> 45:24 <b>flange</b> 135:5 <b>flash</b> 22:5 23:7 24:2 24:3 26:6 40:7 <b>flashing</b> 25:20 26:10 40:9 <b>flood</b> 61:3 <b>floor</b> 8:13 12:19 20:12 20:16 23:19 27:2 41:18 47:19 61:3 88:10 <b>flow</b> 30:6 30:15 30:22 31:6 31:6 31:6 31:12 33:5 34:15 <b>flowers</b> 6:8 6:8 <b>flows</b> 131:15 <b>fluid</b> 20:24 21:21 22:12 35:4 35:5 35:6 35:8 35:11 35:16 35:17 35:18 35:23 35:24 36:10 36:11 36:14 36:16 36:19 36:23 36:24 36:25 37:3 37:7 37:9 37:15 37:19 37:21 38:10 39:6 40:18 <b>flx700</b> 89:1 <b>fm</b> 28:7 <b>focused</b> 17:15 <b>folks</b> 54:15 54:16 71:22 75:9 <b>follow</b> 71:15 105:23 116:7 120:14 <b>followed</b> 28:22 86:19 <b>following</b> 13:12	22:16 35:1 53:20 55:19 56:1 113:7 <b>follows</b> 105:25 132:10 <b>font</b> 82:22 <b>footnote</b> 39:12 <b>force</b> 61:7 78:8 <b>forces</b> 135:18 <b>ford</b> 40:16 <b>foreign</b> 122:18 <b>foreman</b> 86:5 86:14 <b>forgiving</b> 31:19 <b>form</b> 110:5 110:14 117:18 125:5 142:23 142:24 146:19 146:24 149:4 156:16 159:6 <b>formally</b> 38:21 <b>forms</b> 101:25 117:19 <b>forth</b> 16:8 78:1 136:13 155:21 159:3 163:25 165:22 <b>forward</b> 10:3 10:16 20:13 43:5 95:12 165:2 <b>found</b> 19:14 <b>four</b> 14:11 18:11 31:7 31:20 34:21 34:21 47:3 48:4 62:7 66:23 72:17 108:6 155:3 162:12 163:10 <b>fourth</b> 67:5 <b>fractures</b> 67:12 <b>frame</b> 16:21 18:5 <b>franklin</b> 1:24 <b>french</b> 3:23 <b>frequency</b> 128:13 154:16 <b>frequent</b> 154:20 <b>frequently</b> 76:23 122:18 <b>friendly</b> 95:20 <b>front</b> 25:16 29:21 36:19 66:2 114:8 151:5 <b>fs</b> 120:2 120:2 120:7 120:8 120:15 129:1 129:9	<b>fudged</b> 162:4 <b>fuel</b> 23:1 28:9 28:22 149:2 <b>fulfill</b> 153:18 <b>full</b> 154:11 <b>fulton</b> 37:8 104:17 104:17 104:23 <b>function</b> 13:1 13:17 17:9 22:13 <b>functioning</b> 45:14 <b>further</b> 21:12 59:1 97:24 107:10 112:16 118:3 120:11 170:15 <b>future</b> 41:3 107:20 <hr/> <b>G</b> <hr/> <b>gain</b> 21:2 109:7 <b>gas</b> 45:6 135:7 135:14 136:2 139:25 139:25 <b>gather</b> 76:16 <b>gauges</b> 56:19 72:18 <b>general</b> 22:22 28:19 28:20 30:3 56:7 <b>generally</b> 31:13 34:12 <b>generate</b> 46:9 51:20 <b>generated</b> 46:12 161:13 162:15 162:20 <b>generating</b> 23:23 23:24 <b>generator</b> 23:22 23:25 24:2 24:6 25:20 35:25 52:18 <b>generators</b> 132:7 <b>gentlemen</b> 20:11 43:5 43:10 83:25 84:17 84:24 95:3 168:1 <b>george</b> 1:23 4:16 <b>gerald</b> 5:18 <b>get</b> 4:11 14:1 18:16 20:19 25:19 28:11 47:5 48:7 48:15 54:5 55:5 56:11 56:22 56:25 59:13 61:5 67:19 68:20 69:9 76:18 81:22	86:11 89:21 90:1 98:21 98:24 99:1 99:3 99:6 100:3 104:15 108:7 112:24 115:24 115:25 115:25 116:20 118:19 123:10 128:7 129:13 130:13 137:6 137:16 139:2 139:14 139:18 140:5 144:2 144:5 146:9 151:7 151:13 156:12 156:12 163:23 <b>gets</b> 142:17 143:15 159:20 <b>getting</b> 31:11 36:9 114:22 150:8 159:1 159:2 <b>give</b> 12:17 32:20 33:17 61:11 65:2 65:21 107:20 152:2 <b>given</b> 89:24 89:25 121:11 124:7 127:14 <b>gives</b> 52:19 133:21 <b>giving</b> 149:10 163:24 <b>glass</b> 73:5 73:10 74:4 74:12 142:14 150:4 <b>go</b> 10:23 12:21 13:15 15:4 15:21 16:13 17:1 17:17 20:1 21:12 27:3 28:1 29:17 32:16 33:7 35:2 36:5 39:11 42:21 50:25 51:21 55:9 56:18 58:17 64:9 68:4 70:5 71:6 72:23 90:7 96:11 100:19 101:10 105:20 108:24 109:3 112:24 115:5 123:14 128:12 137:7 140:21 143:19 144:6 145:23 146:15 149:19 150:19 156:2 161:22 166:1 166:24 <b>goes</b> 33:5 52:7 87:6	147:2 147:3 147:3 151:4 167:15 <b>going</b> 4:11 10:15 12:17 14:5 15:1 15:24 31:21 33:20 50:25 51:25 52:2 55:5 55:6 59:13 60:24 61:16 61:22 62:16 63:22 68:10 71:15 71:24 73:3 79:23 80:3 83:11 83:18 84:7 92:1 93:3 94:10 96:2 96:5 96:11 97:1 98:4 101:6 101:8 104:21 105:4 106:13 109:1 109:2 110:8 119:23 121:14 123:2 126:23 129:8 130:21 130:22 131:5 131:22 131:22 138:6 138:7 138:24 140:3 144:13 144:20 146:3 146:3 146:9 146:15 147:1 147:8 147:18 149:16 150:3 151:18 155:11 159:12 163:11 163:25 165:22 165:23 165:24 166:5 166:12 166:17 166:19 166:23 166:24 167:19 <b>gone</b> 4:9 76:21 144:6 <b>good</b> 10:5 11:5 26:18 27:21 29:7 32:23 33:1 67:16 68:7 69:15 75:12 78:9 93:14 95:10 96:6 101:4 104:25 106:11 127:17 158:5 158:14 167:6 <b>got</b> 4:8 10:4 10:16 25:19 31:2 34:20 34:21 37:16 38:13 50:17 51:4 51:6 54:7 59:21 59:23 62:1 62:8 62:10
--	---	--	---	--

63:1 63:8 63:15 63:18 63:18 63:19 63:22 65:21 67:16 70:3 70:19 72:4 73:7 73:8 73:12 76:9 80:14 82:19 84:8 88:11 89:1 90:8 91:8 91:12 93:13 93:25 97:3 97:4 98:17 100:21 101:15 110:22 110:23 113:8 121:3 121:14 127:19 128:2 135:5 141:20 143:21 144:17 153:25 156:3 156:4 156:5 158:22 162:1 162:2 163:7 164:16 165:19 167:4 168:10 168:13 168:14 <b>gotten</b> 51:23 69:23 <b>government</b> 13:13 13:21 14:25 15:5 <b>grab</b> 54:10 <b>grant</b> 74:24 <b>granted</b> 30:25 31:9 31:16 <b>granting</b> 74:23 <b>graphs</b> 17:21 <b>gravitate</b> 71:6 <b>gray</b> 2:3 <b>greater</b> 25:17 36:21 148:22 <b>green</b> 10:23 109:16 <b>greg</b> 5:19 <b>grismore</b> 5:19 5:19 <b>group</b> 3:4 42:24 43:13 <b>guard</b> 53:21 53:24 55:21 57:5 57:25 58:25 60:11 60:12 85:23 92:15 150:23 <b>guards</b> 64:11 <b>guess</b> 20:19 22:20 25:4 25:15 34:10 36:4 44:8 44:15 46:7 59:16 77:20 85:15 88:2 89:20 114:9	<b>guest</b> 6:10 <b>guidance</b> 157:10 <b>guidelines</b> 148:16 157:8 <b>guy</b> 58:5 61:4 64:4 154:6 <b>guys</b> 53:4 60:24 62:24 63:16 63:21 63:23 103:12 115:25 128:11 153:24 165:19 <hr/> <b>H</b> <hr/> <b>halloween</b> 168:21 <b>hamblen</b> 43:3 43:18 43:24 55:18 55:25 64:25 <b>hand</b> 11:5 50:5 164:21 164:21 170:21 <b>handhole</b> 97:15 98:12 <b>handle</b> 53:24 <b>handout</b> 97:2 <b>hangup</b> 108:15 <b>happen</b> 62:21 63:12 165:25 <b>happened</b> 135:10 135:16 <b>happens</b> 4:7 71:19 76:2 142:17 142:17 167:15 <b>happy</b> 7:3 16:16 21:10 115:7 122:21 168:20 168:21 <b>hard</b> 11:15 30:19 45:10 60:15 95:8 95:13 99:9 99:13 139:16 <b>hardness</b> 31:22 <b>hardwired</b> 86:2 <b>hartford</b> 103:25 104:3 104:19 <b>hash</b> 130:8 <b>hasn</b> 141:11 143:4 144:21 145:17 157:19 163:17 <b>hate</b> 10:15 <b>haven</b> 135:2 <b>having</b> 25:5 25:16	29:17 32:19 59:5 128:20 148:20 149:22 150:11 <b>hawk</b> 87:10 <b>header</b> 49:1 <b>heading</b> 108:24 <b>health</b> 6:5 43:15 43:17 85:9 <b>healthcare</b> 55:18 55:25 <b>hear</b> 54:9 54:17 149:20 154:23 161:18 161:19 <b>heard</b> 11:5 139:5 <b>hearing</b> 13:21 14:7 14:7 17:12 19:22 38:17 43:9 105:3 <b>hearings</b> 13:13 13:14 15:16 <b>heartburn</b> 114:15 115:7 143:14 <b>heat</b> 27:9 30:16 85:13 148:21 <b>heater</b> 6:18 6:18 20:24 21:22 22:12 35:12 35:16 35:18 35:18 35:24 36:10 36:11 36:14 36:16 36:19 37:1 37:3 37:7 37:9 37:15 37:19 37:21 38:11 39:7 40:4 40:18 158:16 <b>heaters</b> 35:4 35:5 35:6 35:8 36:23 <b>help</b> 82:2 <b>hereby</b> 170:5 <b>hereunto</b> 170:20 <b>hers</b> 158:25 <b>hey</b> 99:13 100:9 104:14 <b>hi</b> 35:11 <b>high</b> 20:23 20:24 21:5 21:21 21:22 22:3 22:12 22:19 23:5 26:1 32:2 33:3 35:4 35:4 35:10 35:16 35:17 35:19 35:24 35:25 36:9 36:20 37:3 37:18	38:10 39:6 39:8 39:14 40:14 41:23 42:25 44:2 84:14 112:14 112:21 113:12 113:19 113:20 113:22 113:24 113:25 115:11 149:3 156:7 <b>higher</b> 31:11 102:12 103:1 129:23 <b>hiring</b> 115:19 <b>historic</b> 161:5 162:8 <b>historical</b> 127:19 <b>historically</b> 24:10 <b>history</b> 61:23 109:10 <b>hit</b> 54:17 55:6 59:24 60:2 <b>hiter</b> 7:10 <b>hits</b> 27:1 61:4 <b>holds</b> 81:10 <b>home</b> 145:23 168:12 <b>honeywell</b> 45:10 46:1 139:23 140:6 <b>honor</b> 11:13 <b>hope</b> 96:6 168:20 <b>hopefully</b> 4:10 9:5 16:12 <b>hoping</b> 58:15 <b>horse</b> 154:1 154:8 156:4 156:7 <b>horsepower</b> 28:17 28:17 148:20 <b>hospital</b> 43:18 43:24 43:25 44:6 44:12 47:3 52:24 53:1 56:3 63:2 65:14 65:17 65:18 66:20 75:4 79:7 80:9 <b>hospitals</b> 67:2 67:6 <b>hot</b> 20:23 21:5 21:22 22:3 22:19 23:5 23:22 23:25 24:1 25:20 26:1 32:2 35:10 35:19 35:25 36:1 37:4 37:18 38:10 39:8 39:14 40:14 41:23 98:19 98:22 155:16 156:5 <b>hotel</b> 168:11 <b>hottest</b> 33:12	<b>hour</b> 47:4 154:20 <b>hours</b> 47:3 52:17 53:8 56:23 57:1 57:3 57:8 62:9 72:17 162:12 163:10 <b>how</b> 8:17 17:5 17:17 21:16 48:20 50:25 51:8 51:9 52:19 62:1 62:2 66:17 76:10 86:10 89:24 100:25 121:1 130:14 136:18 136:21 140:22 142:10 144:6 151:25 153:8 155:10 159:18 164:11 165:9 <b>however</b> 14:19 17:9 17:20 57:24 103:1 123:14 <b>hudgins</b> 6:2 6:2 43:12 43:12 43:20 47:23 48:1 48:11 48:24 49:11 49:18 49:22 50:2 50:8 50:14 50:20 50:22 51:1 51:11 51:17 51:20 52:2 52:5 52:22 55:4 56:2 56:8 56:15 56:24 57:7 57:12 57:14 57:22 58:7 58:12 58:15 58:20 59:9 62:4 63:5 63:25 64:12 64:24 65:6 66:7 66:21 67:1 67:4 67:10 67:18 68:14 69:2 69:7 69:11 69:13 69:19 69:22 70:5 70:11 70:16 70:21 70:25 72:15 72:23 72:25 73:7 73:22 74:2 74:7 74:11 75:2 77:5 77:7 77:15 77:18 77:20 77:25 78:5 78:9 78:20 80:19 81:4 81:10 82:16 83:3 83:7 83:10 84:2
--	---	--	---	--

<p><b>hundred</b> 125:6</p> <p><b>hurdle</b> 111:15</p> <hr/> <p style="text-align: center;"><b>I</b></p> <hr/> <p><b>idea</b> 25:19 53:22 78:9 127:17</p> <p><b>ideas</b> 67:8 104:11</p> <p><b>identical</b> 125:10 126:8 126:10</p> <p><b>identified</b> 24:4 87:13 123:3 129:4 134:21 136:16 159:23</p> <p><b>identify</b> 32:10 68:5 71:19 120:7 133:4 134:2 134:16 134:17</p> <p><b>identifying</b> 79:12 79:12 135:19</p> <p><b>ii</b> 3:9 124:1 124:2 124:16 125:19 126:12 127:9</p> <p><b>iii</b> 3:10 138:5</p> <p><b>ill</b> 62:15</p> <p><b>immediately</b> 26:17 55:9</p> <p><b>implementation</b> 80:16</p> <p><b>implemented</b> 75:24</p> <p><b>importance</b> 93:16</p> <p><b>important</b> 9:3 14:21 15:15 22:15</p> <p><b>impose</b> 122:1 136:7</p> <p><b>impossible</b> 69:18</p> <p><b>improve</b> 103:15</p> <p><b>inc</b> 2:12 3:4</p> <p><b>inception</b> 60:13</p> <p><b>inch</b> 27:11 27:11 49:7</p> <p><b>inches</b> 27:10 29:4 73:4</p> <p><b>inclined</b> 29:1</p> <p><b>include</b> 50:15 77:8 77:22 83:5 109:14 124:13 125:24 138:1</p> <p><b>included</b> 21:10 45:23 46:2 46:3 46:23 47:1 60:25 72:6 75:10 77:17 157:15 158:5</p>	<p><b>includes</b> 57:4 81:7</p> <p><b>including</b> 82:17 157:22</p> <p><b>inclusive</b> 121:15 153:1</p> <p><b>incomplete</b> 117:1</p> <p><b>incorporate</b> 105:5</p> <p><b>incorporated</b> 72:13</p> <p><b>incorrect</b> 30:15 89:3 89:18 92:16</p> <p><b>incorrectly</b> 65:17</p> <p><b>independent</b> 104:1 155:11</p> <p><b>indicating</b> 8:15 72:22 94:16</p> <p><b>indicators</b> 17:15 32:25</p> <p><b>individual</b> 22:6 27:22 27:24 29:9 30:14 34:6 34:11 34:15 44:17 53:19 55:16 63:19</p> <p><b>individuals</b> 86:4 86:13</p> <p><b>industry</b> 115:20 115:20 150:16 152:11 153:25</p> <p><b>infinite</b> 165:20</p> <p><b>information</b> 13:25 16:20 16:24 21:8 21:11 21:12 22:21 39:20 48:17 77:24 77:25 78:8 82:5 82:7 88:22 111:12 111:14 118:4 118:16 120:9 120:12 132:9 136:12 152:2 152:3 157:13 157:16 157:24 166:12</p> <p><b>informed</b> 18:23</p> <p><b>inherent</b> 29:18</p> <p><b>inherently</b> 27:18</p> <p><b>initial</b> 86:16 91:21</p> <p><b>initially</b> 52:16 75:18</p> <p><b>inlet</b> 29:11</p> <p><b>input</b> 32:17 89:9 89:9</p> <p><b>inside</b> 33:6 46:16 46:16 46:19 101:20</p>	<p>156:14</p> <p><b>inspected</b> 68:19 98:21 99:3 99:6 137:11</p> <p><b>inspection</b> 12:3 29:2 29:9 29:16 29:18 29:20 29:24 30:2 42:2 47:12 67:15 72:4 77:4 78:4 78:11 82:14 87:4 87:25 92:9 97:11 97:11 97:15 98:1 98:7 98:7 98:9 98:13 100:16 100:16 101:14 102:1 105:19 110:1 113:12 113:19 117:6 117:7 152:6 152:8 158:18</p> <p><b>inspections</b> 19:9 149:13</p> <p><b>inspector</b> 2:16 4:18 47:13 47:13 75:5 75:15 82:13 82:23 87:25 90:18 97:25 98:9 99:11 99:16 99:20 100:8 100:9 100:21 101:19 101:23 102:21 105:17 105:18 109:13 109:14 109:25 110:2 110:3 110:3 110:4 110:12 113:25 114:5 117:5 117:16 120:10 127:11 166:8 170:9 170:10</p> <p><b>inspectors</b> 19:10 98:17 102:12 103:5 103:6 115:2 115:19 115:22</p> <p><b>install</b> 50:4 105:8 106:24 107:4 107:16</p> <p><b>installation</b> 44:11 79:4 106:23 145:5 145:10 149:12 156:2 156:3</p> <p><b>installations</b> 159:23</p> <p><b>installed</b> 44:3 44:4</p>	<p>50:10 50:11 86:17 87:11 137:9 137:11</p> <p><b>installers</b> 3:17 106:21</p> <p><b>installing</b> 107:11</p> <p><b>instance</b> 109:18</p> <p><b>instances</b> 101:18 109:19</p> <p><b>instead</b> 38:10 70:14 94:1 117:11 146:16 162:10</p> <p><b>instruction</b> 53:15</p> <p><b>insurance</b> 2:5 19:11 103:6 103:12</p> <p><b>integral</b> 25:22 77:12</p> <p><b>intend</b> 154:7 154:13 155:7</p> <p><b>intended</b> 24:16 25:10 39:14</p> <p><b>intent</b> 37:20</p> <p><b>interest</b> 20:3 20:5 38:14 43:6 84:18 84:20 84:22</p> <p><b>interested</b> 48:14 48:17 50:16 61:23 170:17</p> <p><b>interesting</b> 91:9</p> <p><b>interim</b> 3:11 9:7 19:6 19:17 47:12</p> <p><b>interject</b> 101:9</p> <p><b>interlocks</b> 154:25</p> <p><b>internal</b> 29:24 42:2 72:4 97:11 97:12 98:1 98:7 98:10 101:14 104:7</p> <p><b>internally</b> 29:2 98:21 100:3 100:11 103:14</p> <p><b>international</b> 3:3 6:11 20:10 20:15 38:25</p> <p><b>interpretation</b> 134:8 134:9</p> <p><b>interpretations</b> 3:19 3:20 168:16</p> <p><b>interrupt</b> 58:23</p> <p><b>intervention</b> 60:14</p> <p><b>intricate</b> 32:5</p> <p><b>introduce</b> 20:12 38:21 43:10 84:24</p>	<p><b>introduction</b> 4:13 98:22</p> <p><b>introductions</b> 3:9 8:8</p> <p><b>intrusive</b> 29:18</p> <p><b>involved</b> 75:15 128:8 153:6 165:9</p> <p><b>irony</b> 146:19 147:19</p> <p><b>isn</b> 26:23 27:2 27:4 59:7 78:24 115:11 160:4</p> <p><b>isolation</b> 23:4</p> <p><b>issue</b> 57:25 90:19 100:6 125:8 135:19</p> <p><b>issued</b> 48:9 78:14 79:7</p> <p><b>issues</b> 32:7 73:9 73:12 100:10 100:11 163:2</p> <p><b>italics</b> 82:23</p> <p><b>item</b> 8:22 9:3 9:6 12:16 19:6 19:23 19:25 20:3 20:4 20:7 20:8 20:9 20:10 20:13 23:11 38:15 39:5 39:11 39:18 40:1 41:18 42:17 42:23 42:24 43:7 43:11 47:7 73:18 84:12 84:12 84:23 84:25 94:20 95:4 95:5 95:17 95:18 96:6 97:6 97:7 98:6 105:6 105:13 105:24 106:5 107:20 107:23 108:13 108:24 112:5 112:25 113:9 115:11 116:24 117:23 119:22 119:23 130:7 130:23 131:24 132:2 137:8 141:1 147:18 159:12 168:2</p> <p><b>items</b> 3:15 4:11 8:13 8:25 9:12 16:15 20:1 45:5 95:5</p> <p><b>itself</b> 24:5 26:25 28:5 134:11 139:17</p>
--	---	--	--	---

<b>iv</b> 3:11	<b>joined</b> 10:7	147:13 149:17	91:22 100:1 100:15	<b>laundry</b> 153:21
<b>ix</b> 3:21	<b>joint</b> 13:13 13:21	151:11 152:22	102:23 103:2	167:12
<hr/> <b>J</b> <hr/>	125:1	152:24 153:15	103:12 104:2 104:3	<b>law</b> 50:4 122:23
<b>jacket</b> 27:8	<b>jon</b> 3:5 5:7 5:9 84:16	156:13 156:20	104:8 104:14	137:14 166:5
<b>jackson</b> 2:14 6:15	85:4 85:6 85:8 85:8	156:21 156:24	107:11 115:17	<b>lay</b> 70:6
6:15 75:20 75:21	86:10 104:15	157:16 157:18	119:8 121:24	<b>layer</b> 33:4 33:4
78:12 78:13 78:23	<b>juliet</b> 2:6	159:12 160:10	122:18 123:25	<b>layers</b> 33:6
79:5 79:11 79:16	<b>july</b> 7:11 7:19	160:13 160:15	124:12 128:7 128:8	<b>layout</b> 45:21
80:2 96:19 103:4	<b>jump</b> 111:15 134:24	166:9	130:20 139:20	<b>lcr</b> 1:22 170:24
103:8 103:16	<b>jumped</b> 32:9 32:14	<hr/> <b>K</b> <hr/>	139:24 142:16	<b>leader</b> 52:23 56:5
111:20 115:17	<b>jumps</b> 139:17	<b>keep</b> 14:22 18:22	147:5 147:5 149:17	63:13
116:20 118:11	<b>june</b> 10:9 10:11 13:2	80:17 101:12	150:5 150:7 150:16	<b>leading</b> 60:5
121:18 121:21	<b>just</b> 7:12 7:14 7:19	<b>keeping</b> 13:10	153:12 157:16	<b>leads</b> 96:8
122:22 123:2	7:21 8:5 8:21 11:4	<b>keeps</b> 93:14	157:17 159:18	<b>leak</b> 27:1 27:1 27:20
123:11 123:19	11:10 11:14 15:25	<b>kettles</b> 132:6	161:17 165:18	<b>learned</b> 107:13
123:24 124:18	18:2 25:18 27:17	<b>key</b> 60:17 69:4	167:3 168:10	<b>leased</b> 151:1
126:23 127:1	28:11 30:3 30:24	<b>kill</b> 55:11	<b>knowing</b> 32:6	<b>least</b> 16:25 73:17
127:10 127:20	33:17 34:22 35:2	<b>kim</b> 2:17 4:25 10:16	<b>knowledge</b> 15:19	75:17 78:4 100:21
128:2 130:4 130:17	36:7 37:5 38:7	107:11 159:2	75:9 92:24 93:9	113:7 124:8 133:24
131:11 134:13	38:12 38:19 39:2	163:23	93:22	153:2
139:9 139:13	39:9 41:11 44:2	<b>kind</b> 28:25 34:25	<b>knowledgeable</b>	<b>leave</b> 60:20 83:1
143:16 143:19	48:17 48:25 49:8	63:21 65:20 71:16	106:22 107:2 107:5	100:18 106:7 106:8
143:24 149:21	49:19 50:16 50:22	73:2 89:25 93:11	107:16	128:25 130:22
152:1 152:5 153:20	53:8 54:2 54:10	99:15 112:24	<b>knowledgeably</b>	147:11 150:17
158:16 158:21	62:2 62:20 63:10	115:10 121:13	15:21	<b>leaving</b> 160:16
159:16 161:19	66:1 66:2 66:18	135:23 139:12	<b>known</b> 65:15 125:14	<b>left</b> 6:24 8:8 90:13
161:22 162:22	68:6 68:8 69:4	157:15 160:5	<b>knows</b> 65:18	<b>legal</b> 2:20 5:4
163:1 163:5 163:22	69:15 69:21 71:2	<b>knew</b> 7:11 104:22	<hr/> <b>L</b> <hr/>	<b>legislation</b> 3:18 16:2
164:3 164:8 164:12	71:11 73:3 73:22	<b>knocking</b> 145:14	<b>lab</b> 6:19	148:14 157:17
164:16 164:23	74:5 74:9 75:24	<b>know</b> 7:9 7:11 7:22	<b>label</b> 130:21	167:3 168:8
166:17 167:9	76:13 77:22 78:23	7:24 8:6 9:4 11:3	<b>labor</b> 1:1 3:22 5:22	<b>legislative</b> 12:25 16:4
167:17	79:25 80:14 80:21	11:14 13:7 14:8	6:16 11:9 12:2	<b>legislatively</b> 12:22
<b>james</b> 3:5 5:14 84:12	81:3 81:6 81:12	15:1 16:1 18:7	132:10 168:18	18:19
85:1 88:11	81:25 82:6 83:10	18:13 18:20 18:22	170:11	<b>legislature</b> 157:19
<b>jason</b> 5:21 12:16	86:11 88:14 91:15	26:1 29:2 30:18	<b>laborious</b> 68:4	<b>length</b> 151:14
12:19 16:17 19:2	91:18 91:25 92:21	31:13 31:18 31:23	<b>lack</b> 30:15	<b>less</b> 7:9
<b>jeff</b> 6:4 43:14	92:25 93:4 94:3	34:20 36:17 36:23	<b>lacon</b> 67:11	<b>let</b> 7:24 10:4 10:16
<b>jefferson</b> 2:17 4:25	94:4 95:16 96:11	36:24 37:2 41:8	<b>ladies</b> 20:10 167:25	11:14 15:25 28:10
4:25 10:16 11:3	99:22 100:17 101:2	46:11 46:11 48:2	<b>landing</b> 3:23	33:25 38:1 38:4
11:8 12:15 16:17	101:8 101:12 103:5	49:12 52:6 54:17	<b>lane</b> 2:3 2:12	68:19 69:9 70:2
17:3 17:12 82:4	106:6 107:4 114:10	56:16 56:17 58:5	<b>laney</b> 80:16 80:17	79:24 82:6 102:14
96:12 107:7 107:13	118:19 121:12	61:23 61:24 62:2	<b>language</b> 123:6	109:3 112:24
107:24 116:11	122:5 122:19	63:20 63:25 65:22	<b>large</b> 170:24	129:18 130:20
116:15 127:16	128:24 129:9	66:4 67:15 68:10	<b>larger</b> 53:14	135:24 135:25
137:24 157:12	131:14 134:6	69:4 70:2 70:3 71:3	<b>largest</b> 28:17	137:5 140:21
157:21	136:17 137:3	72:1 72:17 74:20	<b>last</b> 18:22 117:15	145:12 149:11
<b>jersey</b> 154:21	137:20 139:8 140:1	76:4 79:8 79:22	117:24 143:20	157:16 159:11
<b>job</b> 46:24 64:19	143:2 143:8 143:14	80:16 81:21 81:24	146:7	165:25
81:19 92:23 92:24	144:23 145:16	82:6 88:3 90:3	<b>late</b> 48:11	<b>letter</b> 106:3
93:4	147:9 147:13			<b>level</b> 28:2 73:4 73:6

86:6 86:7 86:14 86:15 93:9 102:12 103:13 120:5 139:5 154:19 155:16 <b>levels</b> 72:18 155:15 156:21 <b>liabilities</b> 163:15 <b>liability</b> 161:25 162:1 162:3 <b>liberty</b> 59:13 <b>license</b> 118:8 119:12 131:24 132:1 132:15 132:15 132:17 133:2 133:15 133:16 133:17 133:25 134:22 136:3 136:15 136:16 <b>licensed</b> 132:3 136:9 <b>licensing</b> 132:12 133:21 134:19 <b>licensure</b> 132:9 132:22 133:23 <b>life</b> 4:7 45:5 151:18 <b>light</b> 46:6 <b>lightbulb</b> 56:16 <b>lighter</b> 7:9 <b>lights</b> 51:12 51:13 150:6 <b>like</b> 7:14 9:7 9:10 10:17 11:19 14:19 16:24 17:21 20:18 21:2 21:18 25:13 31:16 48:3 56:20 59:13 59:20 60:9 63:19 64:4 64:11 65:16 66:22 67:4 69:11 74:2 77:7 77:10 77:16 82:17 82:18 82:20 82:22 86:8 93:8 93:12 95:21 96:10 100:20 101:2 107:7 107:9 109:7 109:19 111:2 121:13 121:23 128:20 129:7 129:10 136:13 136:22 138:8 139:12 140:4 145:23 147:12	147:23 149:20 149:24 156:9 156:24 157:7 159:2 166:23 168:11 <b>likely</b> 166:23 <b>likes</b> 17:11 <b>limited</b> 40:12 63:8 101:13 <b>line</b> 102:3 <b>lined</b> 142:14 <b>lines</b> 117:24 <b>list</b> 17:8 75:6 79:6 79:8 81:1 87:12 96:3 151:15 152:13 152:15 152:18 159:3 159:5 163:24 164:4 167:12 <b>listed</b> 23:22 40:1 56:3 63:11 74:19 78:18 86:3 94:4 132:23 161:6 <b>listen</b> 104:14 <b>listing</b> 57:18 <b>lists</b> 81:2 153:21 <b>literally</b> 127:7 <b>literature</b> 36:16 36:18 39:20 40:16 <b>litigation</b> 151:13 151:19 <b>little</b> 7:8 9:5 14:1 30:25 49:9 80:25 81:25 85:14 96:13 97:2 104:19 107:12 114:15 130:2 139:21 139:22 147:19 149:22 165:9 <b>live</b> 128:18 <b>ll</b> 4:10 4:11 4:13 4:14 8:24 10:4 10:22 13:9 15:1 16:19 18:13 18:15 18:22 20:3 20:4 20:11 20:13 36:6 38:18 43:5 43:10 49:11 61:11 65:22 66:4 70:5 76:16 79:19 81:3 81:8 81:17 82:20 84:9 92:25 93:18 96:8 96:17	96:24 97:4 97:5 105:4 106:25 107:18 108:10 112:2 112:2 123:10 131:23 140:1 147:10 147:11 147:15 155:12 160:25 168:3 168:7 <b>loaded</b> 60:12 <b>local</b> 114:24 <b>located</b> 3:23 43:3 43:25 45:4 46:15 46:16 46:18 46:21 70:22 84:15 124:11 <b>location</b> 45:16 49:16 60:21 66:16 68:16 70:8 71:2 79:13 85:18 88:20 140:23 141:6 141:10 141:25 142:3 143:4 143:5 143:8 143:11 143:15 143:17 144:15 144:19 144:20 145:16 146:10 146:13 <b>locations</b> 48:23 75:8 88:15 126:24 141:14 143:21 146:7 <b>lochivar</b> 101:15 <b>lock</b> 59:2 <b>locking</b> 32:12 <b>log</b> 72:14 72:15 72:20 74:18 74:21 74:22 81:7 81:8 81:15 161:5 161:15 161:24 162:3 162:4 162:18 163:4 164:4 164:5 165:6 165:7 166:10 167:11 167:16 <b>logbook</b> 72:7 72:9 <b>logged</b> 162:9 163:10 163:13 163:15 165:5 165:12 <b>logic</b> 32:21 69:15 <b>logistics</b> 62:14 165:8 167:2 <b>long</b> 66:17 76:10 108:9 121:16	<b>longer</b> 44:11 108:18 148:23 151:24 <b>lonox</b> 50:7 50:9 <b>look</b> 14:19 56:18 58:18 68:7 69:15 69:16 73:19 80:8 100:10 122:11 123:5 123:9 126:19 128:21 131:22 137:25 146:24 149:10 151:24 159:15 167:1 167:4 <b>looked</b> 100:3 102:23 153:13 156:14 <b>looking</b> 35:15 49:4 55:14 61:16 62:13 68:15 72:19 81:14 102:14 102:22 106:16 106:17 115:19 122:12 122:15 122:16 123:22 127:10 128:25 145:13 146:16 149:19 149:21 <b>looks</b> 60:8 95:10 <b>loop</b> 13:10 <b>lose</b> 10:15 102:5 111:19 <b>loses</b> 110:25 <b>loss</b> 151:18 <b>lost</b> 85:17 <b>lot</b> 4:8 10:22 14:16 65:23 98:19 98:25 99:2 99:5 100:2 104:10 104:11 107:14 111:12 111:14 142:17 142:18 147:8 160:6 <b>love</b> 153:22 <b>low</b> 26:21 27:16 30:22 73:6 98:18 99:5 99:7 101:12 149:3 156:3 156:4 <b>lower</b> 31:14 <b>lowest</b> 125:17 <b>lucky</b> 88:8 <hr/> <b>M</b> <hr/> <b>ma</b> 165:23	<b>made</b> 9:16 9:16 11:16 23:13 29:8 39:18 41:25 48:9 57:18 58:9 117:4 150:1 158:8 165:20 167:2 167:11 168:25 <b>main</b> 46:21 60:6 85:23 92:14 <b>mainly</b> 156:20 <b>maintain</b> 55:1 <b>maintained</b> 161:6 166:5 <b>maintains</b> 60:4 <b>maintenance</b> 5:7 44:18 53:2 58:10 71:23 71:25 85:6 86:5 86:5 86:6 86:14 <b>make</b> 12:11 18:8 29:17 35:7 35:10 35:11 36:1 37:8 38:8 41:11 44:21 47:13 47:14 49:1 63:22 67:21 68:22 69:5 71:12 73:17 79:4 81:19 82:18 82:20 82:21 83:11 90:5 91:18 95:19 95:20 101:19 111:18 114:6 122:19 127:5 130:1 133:22 134:6 134:8 135:12 137:20 146:25 147:8 153:18 155:19 156:19 159:6 161:1 166:1 <b>makes</b> 13:22 32:21 33:7 68:6 82:14 105:9 121:13 161:2 <b>making</b> 72:3 93:15 95:24 96:1 100:22 128:19 <b>man</b> 59:23 <b>management</b> 86:23 <b>manager</b> 5:7 38:24 52:24 81:17 85:6 <b>mandate</b> 78:7 158:2 163:18
--	---	--	--	--

<b>mandates</b> 156:10	<b>marriage</b> 170:17	150:18 150:25	7:17 9:9 12:5 16:10	<b>modes</b> 67:9
<b>mandatory</b> 135:13	<b>massive</b> 103:14	154:23 156:17	20:2	<b>modified</b> 148:12
157:11	<b>master</b> 22:7	158:17 160:17	<b>members</b> 4:8 12:21	<b>modify</b> 157:25
<b>manhole</b> 97:14 98:12	<b>match</b> 47:15 49:9	160:18 166:9	14:12 14:20 15:8	<b>modifying</b> 112:20
<b>manifold</b> 29:11	49:13 80:25 114:6	<b>mean</b> 21:15 24:19	15:12 16:5 18:8	<b>moment</b> 7:14 12:17
<b>manned</b> 85:22	114:11 137:21	30:18 36:17 58:23	18:12 82:11 95:23	39:2 146:3
<b>manpower</b> 62:14	137:23	59:7 62:2 66:12	96:3 116:9	<b>monitor</b> 44:20 45:3
62:14	<b>matches</b> 116:3	71:4 73:15 74:8	<b>membership</b> 8:18	55:16 58:4 60:1
<b>manual</b> 28:1 32:6	<b>material</b> 120:22	79:17 79:20 104:23	<b>memorized</b> 25:5	<b>monitoring</b> 32:4
44:14 45:15 45:19	122:17 124:2	108:2 108:7 114:22	<b>memory</b> 7:14	52:18 60:8 92:12
45:22 46:3 46:23	125:17 129:4	120:5 120:7 121:11	<b>mention</b> 64:17 158:8	92:14 93:17 155:8
47:14 52:9 53:6	129:18	125:24 127:2	<b>mentioned</b> 47:21	155:8 157:1
56:12 57:18 62:18	<b>materials</b> 122:12	128:24 138:20	<b>mentions</b> 92:25	<b>monitors</b> 59:18
71:2 72:13 75:7	122:13 125:16	143:22 144:1	<b>mess</b> 123:21	<b>month</b> 108:9
80:18 81:8 81:15	129:12	145:22 146:10	<b>methods</b> 29:5	<b>months</b> 108:6 108:6
81:22 82:22 91:19	<b>matter</b> 79:24 146:19	149:16 156:8 167:7	<b>might</b> 14:12 33:17	<b>more</b> 12:16 15:19
91:22 93:19 127:1	167:18 167:19	167:10	34:14 71:6 159:14	17:17 29:18 31:3
<b>manuals</b> 153:22	170:18	<b>meaning</b> 16:4 68:18	<b>military</b> 115:10	31:18 41:6 46:7
<b>manufacture</b> 22:12	<b>maximize</b> 60:19	73:18	<b>million</b> 28:18 28:18	79:2 93:14 95:20
36:22	60:22	<b>means</b> 15:9 15:11	28:19 28:20	99:21 102:21
<b>manufactured</b> 20:22	<b>maximum</b> 14:3	25:8 97:11 98:7	<b>milton</b> 2:13	103:20 110:14
22:2 22:2 37:15	119:23	100:14 100:16	<b>min</b> 27:12	115:21 116:12
78:1	<b>may</b> 8:8 17:8 17:8	101:17 111:11	<b>mind</b> 8:21 14:22 36:8	129:12 130:3 130:7
<b>manufacturer</b> 2:8	21:13 35:1 39:2	112:1 132:4 133:8	60:17 101:12	130:22 130:23
20:25 22:4 22:7	40:3 40:3 44:3	133:13 141:23	112:12 145:24	131:5 131:17
22:10 22:10 24:9	48:11 50:1 53:20	142:2 146:5 152:17	151:10 162:17	136:23 149:15
30:1 31:2 31:4	55:17 55:24 60:13	<b>meant</b> 97:9 97:18	<b>mine</b> 161:20	154:20 155:8
32:20 45:24 46:4	63:3 64:2 72:11	<b>measures</b> 17:16	<b>minimal</b> 153:18	159:13 160:19
85:9 108:18 109:13	76:22 79:18 81:14	164:25	<b>minimum</b> 108:6	<b>morelock</b> 2:2 4:2
109:24 110:1 110:9	97:20 99:8 109:23	86:14 86:15	149:25	4:21 4:21 5:12 6:24
155:2	121:23 123:4	<b>mechanic</b> 86:5 86:6	<b>minor</b> 154:4	7:2 7:8 7:16 8:10
<b>manufacturers</b> 68:1	123:16 132:15	86:14 86:15	<b>minute</b> 4:11 44:9	8:16 8:20 8:24 9:2
<b>manufacturing</b>	133:18 150:24	<b>mechanical</b> 49:5	44:13 51:2 55:14	9:14 9:17 9:19 9:21
92:12	151:6 155:13	112:11 113:10	61:17 64:8 64:12	9:23 10:1 10:7
<b>many</b> 11:5 27:10	156:17 165:8 167:3	113:16 113:17	72:20 84:7 152:12	10:21 12:10 12:15
36:17 36:17 48:20	<b>maybe</b> 58:3 61:1	114:16 114:17	154:23 155:12	17:24 18:2 18:17
62:1 62:2 102:13	62:6 69:3 69:4 71:2	114:23 115:3	<b>minutes</b> 38:21 41:22	18:25 19:2 19:5
102:20 121:5	76:18 121:22 150:5	115:23 120:6 154:6	64:4 96:2 148:23	19:19 19:22 21:9
<b>map</b> 75:8	155:17 159:9	<b>medical</b> 43:4 45:6	151:25 152:9	21:14 21:24 23:10
<b>margin</b> 122:15 129:3	<b>mb</b> 90:8	<b>medikote</b> 5:20	161:14 162:11	23:14 23:18 26:12
129:5 129:6 129:19	<b>me</b> 25:16 28:11	<b>meet</b> 16:4 16:12	162:21 165:13	30:4 33:24 38:12
<b>mark</b> 5:2 5:16 11:21	33:17 33:25 45:19	141:12 141:21	165:21	38:17 39:1 40:6
38:19 38:23 73:4	48:2 59:8 62:15	<b>meeting</b> 1:8 3:21 4:4	<b>miscued</b> 69:4	40:10 41:1 41:8
109:22 110:11	63:10 65:22 68:19	10:12 11:4 12:11	<b>missing</b> 76:25	41:17 42:3 42:5
131:12 150:5	69:9 77:7 79:5 88:3	14:14 19:24 104:7	<b>misunderstand</b> 59:8	42:8 42:11 42:13
<b>marked</b> 86:23	97:21 106:9 109:3	130:12 168:4	<b>mitigation</b> 103:15	42:16 42:20 43:9
<b>market</b> 103:20	109:6 114:9 121:21	168:16	<b>miura</b> 102:18	47:5 47:9 47:18
104:12	126:25 130:12	<b>meetings</b> 18:3 18:5	<b>model</b> 22:11 36:15	52:11 54:20 54:23
<b>marketplace</b> 31:14	131:20 133:15	105:22 130:16	37:24 39:7 40:17	55:1 59:16 61:9
<b>marks</b> 56:19	135:25 137:5	<b>member</b> 2:5 2:8 2:11	40:17 77:21	61:12 65:3 65:7
		2:14 6:21 6:23 7:10		

70:13 70:18 71:1	138:13 138:15	<b>mr</b> 4:17 4:23 5:2 5:6	52:22 52:23 54:4	77:6 77:7 77:10
74:15 75:17 76:12	138:19 138:23	5:8 5:14 5:16 5:18	54:22 54:25 55:3	77:15 77:16 77:18
78:3 78:6 78:10	139:7 139:11	5:19 5:21 5:23 5:25	55:4 56:2 56:6 56:8	77:19 77:20 77:23
78:17 78:21 78:25	140:14 140:17	6:2 6:4 6:6 6:8 6:11	56:10 56:15 56:24	77:25 78:2 78:5
79:10 79:14 79:19	140:20 141:7	6:15 6:17 6:18 6:20	57:2 57:6 57:7	78:9 78:12 78:13
80:1 80:3 80:7	141:16 142:4 142:8	9:16 9:18 10:2 10:6	57:10 57:12 57:13	78:20 78:23 79:5
80:14 80:21 81:5	142:12 142:20	10:19 11:1 11:3	57:14 57:16 57:22	79:11 79:16 79:22
81:12 82:12 82:25	143:1 143:7 143:13	11:7 12:7 12:20	57:23 58:7 58:8	80:2 80:5 80:16
83:4 83:8 83:14	143:18 143:22	12:20 16:23 17:6	58:12 58:14 58:15	80:17 80:19 81:4
83:17 83:20 83:22	144:1 144:14	18:14 18:19 19:4	58:17 58:20 58:21	81:10 82:16 83:3
83:25 84:5 84:11	144:22 145:4	19:8 20:17 21:9	59:9 59:12 60:18	83:7 83:10 84:2
84:21 87:19 87:23	145:21 146:2	21:19 21:25 23:17	61:10 61:14 61:18	84:4 84:19 84:22
88:6 88:9 91:10	146:18 146:23	23:21 23:24 24:3	61:19 61:21 62:4	85:1 85:3 85:5 85:7
91:15 91:25 92:4	147:10 147:25	24:8 24:14 24:18	62:6 62:8 62:11	86:11 87:9 87:21
92:21 93:6 93:11	149:7 149:11	24:20 24:22 24:24	62:12 62:22 63:3	88:11 88:13 88:14
93:15 93:20 94:6	149:15 151:12	25:3 25:7 25:15	63:5 63:7 63:13	88:21 88:23 88:24
94:9 94:13 94:15	152:7 152:21	25:18 25:24 26:3	63:25 64:6 64:7	89:3 89:5 89:7 89:8
94:17 94:20 94:24	153:15 157:3	26:8 26:11 26:14	64:12 64:14 64:19	89:10 89:11 89:13
95:2 95:15 96:14	157:20 158:20	26:18 27:19 27:21	64:24 65:6 65:9	89:14 89:16 89:18
96:18 97:1 99:18	159:11 159:17	28:10 28:13 28:14	65:11 65:20 65:24	89:20 89:22 89:23
100:12 101:2 101:5	159:22 160:4	28:15 28:24 29:6	66:1 66:7 66:8	90:2 90:3 90:10
101:10 101:22	160:21 160:25	30:6 30:11 30:21	66:10 66:12 66:14	90:12 90:13 90:15
102:7 104:25 105:3	161:4 161:21	30:23 32:3 32:15	66:17 66:19 66:21	90:17 90:20 90:22
106:10 106:13	167:25 168:14	32:23 32:24 33:1	66:24 67:1 67:3	91:1 91:3 91:5 91:7
106:19 107:22	169:1	33:16 33:20 33:25	67:4 67:8 67:10	91:24 92:3 92:16
108:2 108:12	<b>morning</b> 4:5 7:6 9:4	34:2 34:4 34:5 34:8	67:16 67:18 67:19	92:17 92:19 93:2
108:16 109:8	20:19 148:2 158:17	34:9 35:3 35:7	67:22 67:23 68:2	93:7 93:13 93:18
110:21 111:7	<b>morrystown</b> 43:3	35:13 36:4 36:7	68:3 68:14 68:15	93:22 93:24 94:2
111:10 111:13	43:15 43:18 43:24	36:13 37:5 37:10	69:2 69:3 69:7 69:9	94:3 94:16 94:25
111:22 111:25	43:25 55:18 55:24	37:11 37:13 37:16	69:11 69:12 69:13	96:15 96:17 96:19
112:8 115:1 115:9	64:24	37:17 37:22 37:23	69:14 69:19 69:20	96:25 98:16 99:22
115:16 116:2 116:6	<b>most</b> 22:14 30:9	38:1 38:3 38:4 38:6	69:22 69:25 70:5	100:25 101:4 101:8
116:14 116:19	30:19 33:14 37:17	38:7 38:23 40:5	70:7 70:11 70:12	101:11 102:6
116:22 117:21	80:15 115:18 129:6	40:8 40:25 41:2	70:16 70:19 70:21	102:10 102:18
118:18 118:22	166:23	41:13 41:14 41:25	70:23 70:25 71:5	102:19 103:4 103:7
119:2 119:7 119:11	<b>motion</b> 9:15 23:11	42:18 43:12 43:14	71:8 71:9 71:10	103:8 103:10
119:21 121:17	23:15 41:18 41:25	43:17 43:20 47:8	71:13 71:14 71:18	103:11 103:16
121:25 122:5	47:6 47:10 47:16	47:17 47:21 47:23	72:6 72:8 72:10	103:17 106:12
122:10 122:14	87:20 87:21 87:24	47:24 48:1 48:5	72:11 72:12 72:15	106:16 106:20
122:24 124:5	168:23	48:7 48:11 48:13	72:19 72:21 72:23	107:9 107:15
124:16 124:25	<b>mount</b> 2:6	48:22 48:24 48:25	72:24 72:25 73:1	111:20 115:17
125:4 125:7 125:23	<b>mountain</b> 2:9	49:11 49:14 49:16	73:7 73:8 73:10	116:20 118:11
126:3 126:7 126:16	<b>move</b> 41:25 60:22	49:18 49:21 49:22	73:12 73:22 73:24	121:18 121:21
127:23 128:5	95:12 101:7 107:25	49:24 50:2 50:6	74:2 74:5 74:7 74:9	122:22 123:2
128:23 129:11	142:20 165:1 166:3	50:8 50:12 50:14	74:11 74:14 74:17	123:11 123:19
129:17 129:25	168:7	50:16 50:20 50:21	75:1 75:2 75:3	123:24 124:10
130:6 130:11	<b>moved</b> 47:8 144:18	50:22 50:24 51:1	75:12 75:19 75:20	124:18 124:24
130:19 131:1 131:3	146:12	51:3 51:11 51:15	75:21 75:22 75:24	125:3 125:6 126:22
131:8 131:16	<b>moving</b> 3:16 19:5	51:17 51:19 51:20	76:1 76:2 76:4 76:6	126:23 127:1 127:3
131:21 134:12	19:25 20:8	51:24 52:2 52:4	76:9 76:10 76:15	127:5 127:8 127:10
136:25 137:5 138:3		52:5 52:8 52:21	76:22 76:24 77:5	127:12 127:18

127:20 127:21 127:25 128:2 128:4 128:7 128:10 128:11 128:14 130:4 130:17 131:6 131:11 131:13 131:22 133:6 134:13 134:15 134:23 135:17 135:21 135:23 135:25 136:5 136:6 136:10 136:19 136:20 137:2 137:20 138:10 138:14 138:17 138:22 139:1 139:4 139:9 139:13 139:20 140:4 140:13 140:16 140:19 141:4 141:9 141:19 142:6 142:9 142:19 142:24 143:2 143:10 143:16 143:19 143:24 144:11 144:16 144:17 144:23 144:25 145:2 145:3 145:6 145:8 145:9 145:12 145:18 145:20 145:25 146:11 146:21 147:7 147:20 149:5 149:9 149:14 149:18 149:21 149:24 151:21 152:1 152:3 152:5 152:19 152:22 153:17 153:20 153:24 154:3 155:14 155:19 155:25 156:18 156:18 156:20 156:23 158:4 158:7 158:10 158:12 158:13 158:15 158:16 158:16 158:21 159:5 159:8 159:16 159:20 160:2 160:8 160:23 161:2 161:17 161:19	161:22 161:24 162:22 162:25 163:1 163:3 163:5 163:6 163:22 164:1 164:3 164:6 164:8 164:10 164:12 164:15 164:16 164:19 164:23 164:24 165:3 165:7 165:11 165:14 165:16 165:17 166:6 166:14 166:17 166:22 167:2 167:6 167:9 167:17 167:18 168:25 <b>ms</b> 4:19 4:25 5:4 6:10 6:13 7:7 11:3 11:8 11:25 12:15 16:17 17:3 17:12 79:18 82:4 95:14 96:12 96:19 107:7 107:13 107:24 116:11 116:15 118:12 118:21 118:24 119:5 119:9 123:5 127:16 137:24 144:9 145:10 157:12 157:21 166:4 166:11 166:19 167:14 <b>much</b> 11:2 12:7 35:24 36:10 37:12 39:2 39:24 84:3 89:24 94:25 95:21 123:21 154:25 <b>multiplier</b> 124:13 <b>must</b> 42:1 106:2 129:4 <b>my</b> 10:19 36:8 36:23 38:23 39:25 59:11 59:17 68:22 69:5 70:1 73:13 100:23 101:21 104:3 112:12 114:9 115:7 120:15 126:18 130:5 131:6 133:6 139:21 139:22 151:10 153:8 154:15 155:10	160:23 161:18 162:17 163:14 167:5 170:20 170:25 <b>myself</b> 18:4 <hr/> <b>N</b> <hr/> <b>name</b> 35:11 38:23 75:10 <b>named</b> 31:4 68:24 <b>nameplate</b> 110:11 110:15 110:25 111:19 <b>names</b> 81:2 <b>nashville</b> 3:23 <b>national</b> 6:19 100:13 112:19 114:7 116:12 116:18 117:18 119:16 132:22 134:25 135:15 137:15 139:4 148:13 <b>natural</b> 7:25 <b>nature</b> 22:13 59:3 <b>navy</b> 115:11 <b>nb</b> 110:14 117:17 117:18 119:14 119:17 138:5 148:24 149:6 <b>nb369</b> 114:4 114:11 116:3 116:7 116:9 <b>nbic</b> 29:5 110:14 110:20 117:11 117:13 132:22 133:21 135:8 135:11 136:19 137:19 138:5 152:5 166:2 <b>nearby</b> 61:4 <b>necessarily</b> 99:7 136:22 145:17 165:12 <b>necessary</b> 17:20 117:17 133:9 164:13 <b>need</b> 7:24 8:14 16:18 21:15 42:22 60:24 61:10 65:24 74:12 80:22 80:24 89:16 90:10 91:18 96:24	100:10 101:19 102:11 114:6 114:10 114:11 118:3 118:14 118:18 120:10 120:25 131:5 131:17 133:15 133:16 133:17 134:8 137:20 142:25 144:4 150:1 150:21 152:2 152:4 153:16 158:24 161:15 <b>needed</b> 109:11 112:17 112:18 133:23 148:14 157:17 158:1 <b>needing</b> 36:8 130:23 165:6 <b>needs</b> 74:13 80:8 92:6 99:10 99:16 99:20 102:21 102:23 103:3 134:20 143:3 150:13 153:1 153:2 154:1 <b>neil</b> 2:14 6:15 83:12 96:13 166:9 <b>never</b> 36:25 37:14 37:20 37:20 135:16 <b>neville</b> 3:5 5:14 5:14 5:15 84:12 85:1 85:1 85:2 85:7 87:9 88:13 88:23 89:3 89:7 89:10 89:13 89:16 89:22 90:2 90:10 90:13 92:17 115:8 <b>new</b> 3:13 19:25 20:9 44:12 45:25 49:20 51:6 51:12 69:24 78:15 78:18 79:4 79:21 79:25 80:4 80:5 80:10 84:1 85:8 87:6 91:4 91:6 91:8 91:20 95:3 104:16 105:25 144:15 154:21 155:7 <b>newer</b> 144:12 <b>next</b> 3:21 7:23 9:6	19:6 42:23 55:22 84:11 95:4 96:2 101:7 105:6 107:22 124:21 128:22 154:8 156:2 167:14 168:16 <b>nfpa</b> 28:7 <b>nice</b> 78:11 167:11 167:12 <b>nine</b> 10:10 10:13 <b>nitpicky</b> 40:11 80:15 80:23 92:4 <b>nobody</b> 108:3 <b>noncongruent</b> 51:6 <b>noncritical</b> 46:8 <b>none</b> 3:12 19:22 38:17 38:18 43:9 156:6 <b>noninclusive</b> 152:14 <b>nonstandard</b> 119:24 122:1 122:25 127:13 <b>nonvote</b> 94:23 <b>nonvoting</b> 94:18 <b>nor</b> 115:4 <b>normal</b> 56:20 162:13 <b>normally</b> 67:24 103:11 <b>notary</b> 170:4 170:24 <b>note</b> 7:9 20:5 125:11 125:13 129:3 <b>noted</b> 42:6 <b>nothing</b> 58:6 60:1 73:21 73:25 101:18 149:7 152:19 152:22 155:7 163:16 163:17 163:20 <b>notice</b> 53:17 <b>novel</b> 59:7 <b>november</b> 14:8 14:9 18:3 18:6 <b>now</b> 8:13 23:19 29:2 39:2 39:19 47:19 53:11 55:4 55:9 56:24 68:8 71:18 73:2 78:7 86:8 88:9 88:17 89:8 90:7 90:19 100:12 103:4 103:14 103:18
---	---	--	--	--

106:15 107:3 107:24 109:21 110:8 110:24 112:23 114:4 115:9 115:18 120:20 128:20 131:21 135:14 135:25 136:7 136:9 137:22 138:11 138:20 138:23 138:24 140:21 141:21 146:2 147:13 150:9 <b>nowhere</b> 57:20 <b>nuclear</b> 115:19 115:20 <b>nuisance</b> 32:11 <b>number</b> 19:9 19:13 33:17 60:19 60:22 63:8 65:2 66:23 67:1 69:17 69:24 70:1 70:8 77:21 77:22 77:22 88:12 88:12 88:12 88:25 90:8 90:9 90:16 90:23 92:7 92:10 93:24 102:3 112:4 113:14 113:20 114:15 120:7 129:10 147:21 <b>numbers</b> 40:19 68:20 68:21 69:16 <b>nurses</b> 70:15	74:11 86:23 86:23 96:22 104:19 130:9 150:4 <b>offhand</b> 62:2 66:15 <b>office</b> 3:22 6:14 13:4 15:4 65:14 92:13 92:20 <b>official</b> 10:12 <b>often</b> 12:23 31:18 <b>oftentimes</b> 14:16 15:19 17:6 <b>old</b> 3:12 19:23 19:23 46:1 48:6 50:11 51:4 76:17 88:15 88:17 90:23 91:7 115:21 <b>older</b> 44:4 129:12 <b>once</b> 47:13 98:23 128:14 147:24 154:19 162:11 164:24 164:25 <b>one</b> 4:7 12:16 13:24 14:11 14:13 15:15 16:17 16:23 16:25 17:9 22:1 22:22 26:21 27:13 29:7 31:5 34:22 34:25 35:2 38:14 44:2 46:15 46:21 48:1 48:5 48:12 50:10 51:4 52:15 53:12 53:13 53:14 53:20 55:18 55:25 56:13 60:3 60:11 61:15 62:10 63:22 66:3 67:10 67:12 68:5 68:24 68:24 72:24 72:25 73:13 76:12 76:19 78:24 85:18 85:20 88:17 90:18 90:20 91:8 94:17 95:15 96:10 97:3 98:16 101:7 101:16 102:10 104:8 105:4 105:6 108:14 110:17 113:7 113:8 113:11 114:22 114:23 117:22 118:14 118:19 118:20 121:20	123:4 124:9 125:2 130:22 130:25 135:1 135:9 140:12 143:23 144:5 144:6 144:18 152:1 154:10 154:11 154:12 155:1 156:8 161:23 162:4 163:3 163:4 163:7 163:8 163:9 163:9 163:10 164:20 167:7 <b>ones</b> 10:5 48:12 59:24 68:10 128:17 <b>ongoing</b> 87:4 93:12 139:6 139:8 139:10 <b>onus</b> 101:23 <b>open</b> 3:15 8:13 8:21 15:11 72:3 95:4 99:8 99:9 99:13 100:4 100:24 101:17 107:5 130:12 130:15 130:23 134:15 148:3 150:17 150:17 151:4 152:23 <b>opened</b> 99:12 100:5 102:24 <b>opening</b> 23:19 47:19 88:10 97:15 98:13 156:13 <b>operate</b> 24:21 33:19 39:20 42:25 56:4 57:8 64:8 84:13 154:13 155:11 <b>operated</b> 50:25 51:2 148:22 <b>operates</b> 60:3 <b>operating</b> 44:12 45:23 45:24 56:20 62:9 85:11 92:8 113:23 127:22 133:10 140:10 154:4 155:17 161:25 163:7 <b>operation</b> 13:21 24:16 25:10 30:8 30:13 39:15 44:3 52:17 113:12 113:18 113:25	114:1 137:9 148:8 149:1 154:24 157:9 161:7 161:12 162:13 162:23 163:8 163:16 163:18 163:19 <b>operational</b> 154:10 161:5 <b>operations</b> 13:14 14:25 15:5 86:22 <b>operator</b> 3:18 51:22 55:6 60:20 150:23 168:7 <b>operators</b> 45:2 46:25 <b>opinion</b> 31:1 35:15 35:22 39:4 39:5 130:13 167:5 <b>opportunity</b> 20:18 42:19 <b>opposed</b> 9:21 42:11 73:20 83:20 94:13 146:25 <b>opposite</b> 101:16 <b>opposition</b> 105:4 114:12 <b>optimistically</b> 167:5 <b>options</b> 110:22 <b>orange</b> 148:19 <b>order</b> 3:8 4:4 26:8 39:13 88:4 96:7 113:3 118:4 119:12 120:12 155:20 <b>organization</b> 43:19 82:1 <b>organizational</b> 81:1 81:17 81:20 81:22 <b>original</b> 108:18 109:23 110:9 110:16 140:23 141:5 141:14 141:24 146:12 <b>originally</b> 65:12 88:16 147:21 147:21 <b>osweeo</b> 69:1 <b>others</b> 54:3 84:23 115:8 <b>ours</b> 22:16 27:8 31:18 <b>out</b> 6:25 8:8 13:9	17:7 17:21 18:16 29:5 32:9 32:12 32:14 32:20 33:7 33:8 35:22 38:2 38:5 38:8 40:13 47:2 51:10 57:19 62:15 63:24 64:9 74:22 75:15 79:6 82:19 82:24 83:12 87:1 87:2 94:5 99:23 100:1 101:13 101:25 102:1 102:14 102:20 104:16 104:17 110:24 116:8 116:9 117:12 118:14 119:17 130:8 135:11 135:24 136:17 138:4 140:7 143:9 145:14 145:15 146:4 146:8 147:2 147:3 147:6 147:11 147:12 157:10 159:5 165:10 167:12 <b>outcome</b> 170:18 <b>outer</b> 27:8 <b>outlet</b> 33:2 <b>outlines</b> 113:3 <b>output</b> 25:12 28:14 89:12 <b>outside</b> 8:3 33:5 46:22 60:20 82:1 104:6 <b>over</b> 12:21 13:15 15:1 32:7 66:3 90:24 103:9 104:15 114:15 131:9 131:15 137:16 143:19 150:15 <b>overall</b> 156:21 <b>oversight</b> 13:1 14:2 <b>own</b> 24:7 24:9 36:8 87:16 129:20 135:19 144:19 151:10 <b>owner</b> 2:2 2:11 38:24 109:12 120:10 143:6 148:7 148:11 148:25 150:24
<b>O</b>				
<b>oak</b> 6:18 158:17 <b>objecting</b> 108:3 <b>objection</b> 168:3 <b>observed</b> 84:10 86:22 <b>obtain</b> 131:25 <b>obtained</b> 44:7 132:16 <b>obviously</b> 13:8 41:4 136:3 154:7 <b>occur</b> 26:10 26:24 31:21 <b>occurred</b> 12:14 130:10 <b>od</b> 27:11 <b>off</b> 12:13 73:4 73:13 73:14 73:14 74:3				

150:25 151:8 159:21 159:23 159:24 160:5 160:10 160:10 160:12 160:13 160:13 160:15 160:16 160:16 160:20 160:22 <b>owners</b> 3:17 <b>ownership</b> 44:7 140:24 141:2 141:11 141:11 141:15 141:25 142:3 142:5 143:5 143:8 143:12 143:25 144:21 145:14 145:17 145:18 146:4 146:8 146:14 147:12 151:2 151:8 <b>oxygen</b> 31:25	85:25 86:2 133:18 <b>paper</b> 68:25 129:22 <b>paperwork</b> 22:18 41:3 41:6 <b>paragraph</b> 43:22 55:22 66:5 <b>paragraphs</b> 116:9 118:10 <b>parallel</b> 34:7 34:12 <b>paraphrasing</b> 39:9 <b>parenthetical</b> 132:15 <b>parking</b> 4:8 10:22 <b>parks</b> 8:4 <b>parkway</b> 1:23 <b>part</b> 12:25 13:3 14:12 14:23 14:24 15:3 15:25 17:19 17:23 25:22 25:24 30:8 38:24 40:4 44:14 46:2 49:2 53:7 53:11 63:15 64:22 77:12 112:20 125:19 126:12 127:9 127:25 138:5 138:13 138:14 145:14 145:15 149:8 149:12 149:12 149:15 149:16 151:1 159:21 <b>participate</b> 96:20 <b>particular</b> 16:20 17:20 20:3 24:4 25:22 26:6 35:21 36:12 37:6 48:16 66:16 76:19 77:3 150:19 <b>particularly</b> 156:6 <b>parties</b> 170:16 <b>partnership</b> 118:7 132:4 <b>parts</b> 109:11 <b>pass</b> 15:9 47:8 68:13 76:3 76:6 <b>passage</b> 16:13 <b>passed</b> 7:10 7:18 <b>past</b> 61:23 66:9 66:12 75:4 88:16 <b>pasted</b> 85:16 <b>patience</b> 4:7	<b>patients</b> 46:19 <b>pattern</b> 33:5 <b>pause</b> 7:15 <b>paying</b> 13:9 <b>pbx</b> 45:2 45:4 45:4 45:16 45:18 46:10 46:25 51:9 51:11 51:21 51:21 54:8 55:6 55:6 59:23 60:20 65:10 65:19 65:22 70:13 70:14 71:2 71:3 71:6 <b>pedigree</b> 120:23 <b>peer</b> 102:8 <b>penalize</b> 125:2 <b>penalty</b> 124:18 <b>pencil</b> 166:25 <b>pennsylvania</b> 142:15 <b>people</b> 53:25 56:2 60:19 60:22 64:23 71:3 103:9 128:16 140:10 144:2 149:10 158:3 <b>per</b> 25:6 62:10 137:18 157:7 166:2 <b>percent</b> 36:21 125:6 <b>perfect</b> 31:16 31:17 104:24 <b>perform</b> 86:21 124:11 124:12 <b>performance</b> 17:15 <b>performed</b> 19:15 47:15 58:10 71:17 <b>performing</b> 118:7 <b>performs</b> 136:8 <b>perhaps</b> 73:17 117:24 124:8 155:6 <b>period</b> 13:23 67:13 117:8 117:19 119:15 <b>periods</b> 148:22 <b>peripheral</b> 155:3 <b>permission</b> 105:8 105:24 117:5 <b>permit</b> 50:5 105:16 <b>permits</b> 105:19 <b>permitted</b> 62:19 <b>permitting</b> 50:3 <b>person</b> 16:18 44:20 54:7 59:4 60:15	80:19 81:23 118:6 132:4 154:3 <b>personnel</b> 8:1 52:16 54:7 54:14 56:17 62:21 63:9 63:10 63:14 64:9 64:10 85:24 <b>perspective</b> 110:7 <b>pertinent</b> 68:5 68:10 <b>pg</b> 39:13 120:17 120:18 123:7 123:8 126:8 <b>phone</b> 65:13 <b>phrase</b> 109:13 <b>physical</b> 22:23 60:14 <b>physics</b> 26:19 <b>picadilly</b> 2:3 <b>pick</b> 4:9 <b>picked</b> 125:21 168:11 <b>piece</b> 68:24 90:4 162:4 166:15 <b>pipe</b> 33:9 33:10 <b>pipng</b> 22:25 23:2 23:2 23:7 29:12 33:2 45:20 125:1 <b>place</b> 8:2 8:3 14:4 40:9 72:2 75:14 76:11 82:9 93:2 122:23 155:1 161:10 <b>places</b> 59:11 <b>plain</b> 58:16 <b>plan</b> 48:19 51:3 85:14 92:1 110:13 <b>plant</b> 45:20 53:25 142:21 <b>plaque</b> 11:25 <b>plate</b> 125:13 <b>plates</b> 97:14 97:15 98:12 98:12 <b>playing</b> 63:9 <b>plays</b> 143:12 <b>plc</b> 32:16 32:17 32:19 32:20 <b>please</b> 10:3 20:5 20:11 38:22 130:13 130:20 <b>pleasure</b> 10:18 10:20 <b>plug</b> 29:13 29:15	<b>plugged</b> 73:11 <b>plugs</b> 99:9 <b>plumbing</b> 63:21 <b>plus</b> 112:15 112:22 113:10 113:17 113:21 114:17 114:19 114:21 <b>pmb</b> 1:24 <b>point</b> 13:5 27:25 31:24 33:15 33:23 58:2 58:22 62:13 73:13 76:7 77:3 89:25 101:18 106:25 107:19 128:19 135:3 158:5 166:8 167:22 <b>points</b> 32:18 <b>poll</b> 18:8 <b>pollution</b> 50:3 <b>pool</b> 116:21 <b>poor</b> 85:15 <b>portland</b> 128:9 <b>ports</b> 99:8 <b>position</b> 106:6 115:25 <b>possibility</b> 63:11 <b>possible</b> 15:15 26:22 27:20 33:12 100:15 110:13 118:5 120:12 <b>possibly</b> 49:2 96:7 <b>post</b> 85:23 92:14 <b>potential</b> 18:3 <b>potentially</b> 81:24 <b>pounds</b> 28:11 <b>power</b> 3:3 5:17 20:9 20:15 20:21 21:2 38:25 39:19 41:21 85:12 148:19 154:8 157:9 161:7 161:12 <b>powerpoint</b> 17:5 17:19 <b>practicable</b> 100:14 100:17 <b>practical</b> 86:19 <b>practice</b> 100:14 100:17 <b>preamble</b> 39:12 135:6 <b>preapproved</b> 105:17
<b>P</b>				
<b>p3</b> 23:21 24:9 40:12 <b>p7</b> 40:12 <b>pa</b> 165:23 <b>package</b> 22:8 22:9 22:24 <b>page</b> 3:2 36:20 48:4 52:14 52:15 53:18 55:14 57:7 65:1 66:5 70:11 76:21 80:22 92:11 92:13 97:7 98:5 105:6 105:7 105:24 107:23 108:12 108:24 112:4 116:24 119:22 123:5 125:7 126:17 130:24 131:3 131:6 131:11 131:13 131:15 131:23 132:2 137:4 137:7 137:25 147:18 148:17 150:21 <b>pages</b> 141:1 <b>pain</b> 99:1 <b>paint</b> 157:5 <b>panel</b> 45:3 45:5 45:9 70:17 70:22 71:7				

<b>predominantly</b> 156:25	137:8 137:12 137:17 137:18	21:12 21:17 21:21 22:1 22:1 22:13	<b>pumps</b> 155:20	<b>questions</b> 16:16 17:8 17:11 17:25 19:20
<b>prefer</b> 73:16	137:23 137:24	28:4 35:9 35:9	<b>purchased</b> 109:12	21:11 23:20 26:13
<b>premier</b> 12:4	138:2 141:22	36:16 36:18 125:5	<b>purple</b> 98:5 106:5	30:5 52:12 76:23
<b>preparation</b> 16:22	141:23 142:1 142:2	<b>products</b> 27:11 85:9	<b>purpose</b> 25:11 26:3	82:3 87:17 133:14
<b>preparedness</b> 50:23	146:5 146:6 156:3	<b>professional</b> 71:23	<b>purposes</b> 88:19	<b>quick</b> 91:16
<b>prerequisite</b> 15:24	156:4 156:7 163:16	<b>program</b> 32:19 67:17	<b>pursuant</b> 148:12	<b>quite</b> 15:15 32:22
<b>presence</b> 96:19	<b>pressures</b> 39:15	75:25 79:12 87:5	148:15 148:24	36:23 49:9 82:5
109:25	39:22 72:17	<b>programmer</b> 51:5	149:6	162:15 162:18
<b>present</b> 10:17 11:24	<b>pretty</b> 15:9 39:24	51:5	<b>push</b> 103:14 166:21	164:10
14:14 16:11 16:15	59:19 95:21 107:5	<b>programmers</b> 51:7	<b>put</b> 15:8 53:12 66:1	
20:13 21:15 21:16	160:5	51:9	71:2 74:5 74:9	<b>R</b>
28:9 43:11 84:13	<b>prevalent</b> 110:14	<b>prolong</b> 140:12	88:21 90:24 93:10	<b>raising</b> 15:7
84:25 85:8 137:22	<b>prevent</b> 46:19	<b>proper</b> 106:23 135:4	96:4 100:15 110:7	<b>ramifications</b> 92:8
142:9	<b>preventative</b> 71:25	<b>properly</b> 21:4 90:6	123:12 129:3 129:9	102:4
<b>presentation</b> 17:4	<b>previous</b> 7:10 7:17	<b>properties</b> 120:6	129:21 142:5 143:8	<b>randolph</b> 5:25 5:25
17:5 17:19 17:23	9:8 44:6 47:22	121:8 121:9 123:23	144:13 152:13	<b>range</b> 28:19 28:20
18:9 20:6 84:6	47:25 79:1 111:1	126:15	152:14 153:21	34:17 39:22
<b>presented</b> 12:3	<b>previously</b> 50:18	<b>property</b> 151:17	159:12 160:14	<b>rare</b> 30:24 34:2
<b>presenting</b> 3:5	118:14	<b>proposal</b> 15:20	165:10	<b>rate</b> 31:6 31:6 31:7
<b>presently</b> 90:21	<b>price</b> 103:21	<b>proposed</b> 15:1 98:4	<b>puts</b> 123:13	31:20 157:2
136:21 137:3 137:4	<b>printed</b> 79:5	98:6 106:4 109:21	<b>putting</b> 101:23 102:2	<b>rates</b> 157:1
152:20	<b>prior</b> 58:8 68:23	111:23 114:3	140:9 157:14	<b>rather</b> 34:22 114:13
<b>preset</b> 27:25 67:25	154:15	148:18	157:24	120:16 140:7
<b>president</b> 5:15	<b>private</b> 65:12	<b>proposing</b> 45:8 47:1	<b>Q</b>	140:11 160:15
<b>pressure</b> 24:12 24:16	<b>privilege</b> 10:25	74:23	<b>qc</b> 19:15	<b>rating</b> 148:20
25:6 25:9 25:10	<b>pro</b> 165:7	<b>proposition</b> 77:1	<b>qualifications</b> 140:8	<b>re</b> 7:3 7:5 10:14
25:11 26:25 27:7	<b>proactive</b> 167:20	<b>protection</b> 27:19	140:10 150:24	12:11 12:17 15:7
39:23 40:3 42:25	<b>probable</b> 26:16	27:23 34:11	<b>qualified</b> 44:21 53:19	23:23 31:11 34:13
43:22 44:2 77:12	<b>probably</b> 8:18 22:14	<b>prove</b> 110:25	55:15 55:23 148:4	35:3 36:10 36:13
84:14 97:13 98:2	53:1 116:16 116:16	<b>provide</b> 12:18 13:16	148:7 148:10	37:2 38:9 39:25
98:11 98:18 99:5	121:19 139:3 140:3	16:19 16:22 17:13	148:15 148:25	40:23 42:21 42:21
99:7 101:12 101:20	154:19 157:13	25:25 36:20 52:24	160:12 160:19	43:20 47:1 51:15
105:14 106:1	<b>problem</b> 30:9 73:7	103:13 113:3 120:5	<b>qualify</b> 54:8 86:10	51:25 52:2 52:8
106:22 106:24	108:10 134:24	136:1	119:12	54:10 54:13 55:5
108:19 108:23	135:1 149:22	<b>provided</b> 22:21 48:2	<b>quality</b> 36:20 36:21	55:8 56:19 59:24
108:25 109:24	<b>problems</b> 53:24 54:2	48:3 53:15 75:5	<b>quarterly</b> 1:8	60:9 60:18 60:21
113:12 113:13	66:9 66:12 100:5	82:5 120:9 133:11	<b>question</b> 16:18 26:19	61:2 61:6 62:9
113:19 113:19	159:4	<b>provides</b> 59:1	27:21 28:24 29:7	62:15 62:20 71:24
113:22 113:22	<b>proceed</b> 7:23 112:2	<b>provisions</b> 137:13	33:1 42:9 59:17	72:1 72:2 74:23
113:24 113:25	<b>proceedings</b> 7:15	<b>proximity</b> 32:24	83:18 94:10 97:8	78:18 78:25 79:23
114:1 117:8 119:24	169:5 170:8	<b>psi</b> 24:17 24:21 25:11	97:18 106:6 120:13	80:3 80:25 81:13
122:25 125:9 132:6	<b>process</b> 13:3 85:13	40:13 41:5 125:15	122:6 128:21	82:25 83:8 84:7
132:12 132:13	96:1 102:8 105:19	<b>psig</b> 39:16 39:23	131:24 133:6	85:11 87:13 88:8
132:13 132:19	110:8 111:18	<b>public</b> 46:18 170:4	135:22 136:6 141:4	90:3 90:18 90:25
133:4 133:5 133:9	146:15	170:24	141:13 146:10	92:1 93:17 95:14
133:13 134:1 134:3	<b>produce</b> 26:9	<b>pull</b> 104:13 164:17	150:15 150:25	95:25 96:2 96:5
134:4 134:11	<b>produced</b> 53:4	166:12	151:10 152:23	96:10 97:1 98:4
134:22 135:4 135:5	<b>producing</b> 25:12	<b>pump</b> 30:7 30:12	153:7 162:24	101:6 103:4 103:5
136:16 136:24	<b>product</b> 20:21 21:3	31:6 31:9 31:20	163:14 166:4	104:8 104:12

106:20 107:11 107:16 108:5 109:9 112:25 121:6 122:14 123:22 124:13 126:6 128:9 128:17 130:14 130:22 131:22 134:7 134:17 134:21 135:19 136:21 138:7 142:12 143:6 144:7 144:13 146:3 146:3 146:9 146:15 147:13 149:9 149:16 149:19 149:22 150:3 151:5 151:6 151:18 153:9 155:11 155:20 157:4 157:11 159:3 159:12 163:1 163:6 163:22 163:24 166:17 167:20 167:21 167:22 167:23 <b>read</b> 35:22 64:21 91:22 95:11 98:3 101:1 106:4 109:1 109:2 109:3 109:21 117:3 120:16 120:21 121:1 130:15 146:4 146:25 148:19 149:16 160:2 168:5 <b>readable</b> 92:2 <b>reader</b> 152:16 <b>reading</b> 33:14 36:9 39:4 71:14 118:6 <b>readings</b> 34:17 <b>reads</b> 97:10 117:9 132:2 <b>real</b> 17:17 26:18 99:1 103:14 108:15 <b>realigning</b> 3:17 <b>realistically</b> 165:17 <b>reality</b> 31:17 73:5 <b>reapproved</b> 48:16 <b>reason</b> 35:1 40:11 55:10 61:22 103:19 129:19 156:1 <b>reasonable</b> 97:9	97:19 97:20 99:11 99:12 100:18 100:24 100:24 101:24 101:25 107:8 107:10 122:17 <b>reasonably</b> 97:12 97:23 97:23 98:8 99:10 99:15 100:7 102:24 <b>reasons</b> 48:16 <b>reauthorize</b> 13:23 <b>recall</b> 66:15 <b>receive</b> 42:1 52:17 57:8 82:9 <b>received</b> 14:6 <b>recently</b> 44:2 76:13 95:16 <b>recertifications</b> 128:12 <b>recess</b> 84:10 <b>reclassify</b> 141:1 <b>recognition</b> 9:8 104:10 <b>recognize</b> 26:16 32:13 135:9 <b>recognizes</b> 29:5 <b>recognizing</b> 33:12 <b>recommend</b> 30:1 30:2 <b>recommendation</b> 13:22 114:9 158:2 <b>recommendations</b> 148:13 148:24 149:6 <b>recommended</b> 83:6 159:16 <b>record</b> 12:14 38:19 56:20 130:10 163:18 <b>recorded</b> 53:16 72:17 <b>red</b> 15:7 118:16 119:3 138:5 138:20 140:18 <b>redesign</b> 129:24 <b>reduce</b> 103:18 <b>redundancy</b> 34:8 34:10 34:18 <b>redundant</b> 34:20	<b>reference</b> 45:23 46:3 106:3 138:8 138:12 149:5 159:7 <b>references</b> 95:9 149:10 <b>referred</b> 117:13 130:18 <b>referring</b> 112:16 112:19 <b>refresher</b> 87:7 <b>regarding</b> 37:18 <b>regardless</b> 51:24 52:4 52:5 100:11 149:1 161:9 <b>reginald</b> 5:25 <b>register</b> 111:3 <b>registered</b> 110:20 <b>registration</b> 111:1 137:16 <b>reglassed</b> 142:15 <b>regular</b> 15:11 37:1 71:22 <b>regularly</b> 105:21 <b>regulation</b> 15:18 154:21 <b>regulations</b> 11:12 43:22 170:12 <b>regulator</b> 149:2 149:3 <b>reinstall</b> 105:24 108:8 108:9 <b>reinstallation</b> 105:13 106:1 141:2 <b>reinstalled</b> 105:10 105:16 141:22 141:24 146:11 146:13 146:16 <b>relate</b> 37:7 133:5 134:3 <b>related</b> 35:23 170:15 <b>relatively</b> 27:14 29:8 29:20 <b>released</b> 13:6 <b>relevant</b> 140:3 <b>relief</b> 23:6 28:4 28:5 <b>relieve</b> 23:6 <b>relocate</b> 90:5 <b>remainder</b> 106:3 <b>remember</b> 7:19 54:6 123:16 124:7	135:15 <b>reminded</b> 130:12 <b>remote</b> 22:5 23:7 24:2 24:3 24:18 26:2 28:5 31:8 31:22 37:24 59:18 60:7 85:19 85:20 85:22 85:24 86:1 92:11 92:13 <b>remove</b> 29:13 29:15 142:14 <b>removed</b> 29:21 29:23 91:8 97:16 98:13 140:22 141:5 141:13 141:23 <b>renew</b> 79:21 <b>renewal</b> 48:14 48:15 75:25 76:11 76:20 78:16 79:3 79:4 79:9 91:18 <b>renewed</b> 48:7 76:7 <b>rental</b> 49:7 50:17 50:18 50:24 144:18 144:19 145:1 <b>reorganization</b> 3:16 95:5 95:19 <b>repair</b> 66:13 69:23 102:2 113:23 117:16 118:8 119:14 132:1 132:5 132:14 132:15 132:18 132:24 133:1 133:2 133:7 133:8 133:12 133:13 133:15 133:17 133:19 134:5 134:10 134:17 134:18 134:20 134:20 134:22 136:14 136:15 136:17 136:24 137:3 137:22 138:11 <b>repaired</b> 67:14 72:5 <b>repairers</b> 132:3 <b>repairs</b> 44:21 111:15 117:3 117:10 132:19 132:24 133:5 133:22 134:3 137:17 137:18	138:6 138:25 138:25 <b>replace</b> 10:8 <b>replaced</b> 44:10 78:20 78:21 <b>replacement</b> 109:11 110:5 110:15 110:16 <b>reply</b> 35:13 36:10 <b>report</b> 3:11 9:7 9:11 19:7 19:18 22:4 22:7 23:22 24:9 59:1 110:2 161:13 162:15 162:19 <b>reporter</b> 4:15 5:10 38:20 43:16 82:7 82:9 <b>reporting</b> 1:23 4:16 <b>represent</b> 43:18 <b>representative</b> 2:2 2:5 2:11 14:18 15:14 17:20 <b>representatives</b> 17:10 <b>representing</b> 43:15 <b>reputation</b> 31:15 <b>request</b> 20:19 21:9 23:15 63:17 84:13 99:12 105:7 142:22 <b>requested</b> 12:16 44:7 96:20 131:25 <b>requesting</b> 43:21 106:24 134:21 <b>requests</b> 42:24 142:18 <b>require</b> 41:21 112:21 116:12 116:18 133:1 158:2 161:5 162:7 162:8 162:9 162:12 163:20 164:6 <b>required</b> 66:13 99:4 132:9 132:17 134:1 136:13 <b>requirement</b> 20:20 24:7 43:1 50:9 77:2 112:19 134:19 155:12 161:6 161:9 <b>requirements</b> 3:16 50:7 84:14 92:23
--	---	---	--	---

93:10 112:9 112:18 113:9 114:5 114:6 115:14 120:4 154:17 155:4 164:21 <b>requires</b> 28:1 116:13 132:22 136:15 152:6 163:4 163:21 <b>requiring</b> 31:15 <b>rerate</b> 129:22 <b>reset</b> 28:2 32:6 62:17 62:17 <b>resistance</b> 31:25 <b>resolution</b> 85:14 85:17 135:2 <b>respect</b> 45:16 61:25 <b>respond</b> 54:19 62:16 63:2 85:25 93:1 109:3 <b>responder</b> 59:14 <b>responders</b> 61:7 <b>responding</b> 109:9 <b>response</b> 7:1 8:9 9:1 9:13 9:20 9:22 9:25 18:1 19:1 19:21 38:16 41:16 42:7 42:10 42:12 42:15 43:8 53:9 54:12 59:15 80:13 83:16 83:19 83:21 83:24 91:14 94:8 94:12 94:14 94:19 97:21 105:2 105:15 108:1 109:4 109:4 111:24 112:13 117:1 117:20 118:1 119:20 120:8 132:8 132:21 133:3 133:25 140:25 148:9 160:3 161:11 162:13 162:16 162:19 169:3 <b>responsibilities</b> 59:6 <b>responsibility</b> 44:25 45:3 99:19 <b>responsible</b> 44:17 63:14 72:2 80:16 100:22 117:7 151:7 <b>rest</b> 10:5 89:25 120:18	<b>restamp</b> 110:10 111:6 <b>restamped</b> 109:23 <b>restamping</b> 108:22 108:25 <b>restart</b> 44:24 54:25 55:12 62:19 62:25 63:1 <b>restore</b> 133:9 138:2 <b>restriction</b> 136:8 <b>restrictive</b> 129:6 <b>result</b> 21:1 26:25 <b>results</b> 13:6 34:16 <b>resurrect</b> 140:1 <b>retired</b> 6:12 10:8 <b>retirement</b> 10:14 <b>retrospect</b> 108:5 <b>return</b> 110:18 <b>rev</b> 82:19 82:21 83:2 <b>review</b> 15:1 19:15 25:16 98:1 98:9 102:8 143:21 159:9 <b>reviewed</b> 20:25 <b>reviewing</b> 39:19 <b>reviews</b> 153:21 <b>revise</b> 73:2 74:1 <b>revision</b> 78:24 82:17 105:1 <b>revisions</b> 82:18 82:19 95:24 <b>reword</b> 120:16 <b>rhone</b> 6:13 6:13 11:25 79:18 96:19 119:9 144:9 145:10 166:4 166:11 166:19 167:14 <b>rid</b> 99:1 118:19 <b>ridge</b> 6:19 158:17 <b>right</b> 9:2 10:1 10:9 18:18 19:8 36:3 37:10 46:18 52:15 54:22 55:3 57:6 66:15 68:20 70:4 71:5 71:9 77:6 78:6 79:10 88:9 92:17 93:6 93:7 96:23 101:3 103:14 103:18 106:10 107:2 110:24 116:6 118:23 118:24	119:10 119:21 122:14 122:20 126:16 128:23 129:25 130:7 130:19 130:21 131:17 135:21 136:20 141:21 143:17 144:22 150:8 151:12 152:21 157:20 158:20 165:14 <b>rim</b> 129:13 <b>ring</b> 67:12 <b>river</b> 2:12 <b>riveted</b> 128:2 <b>rm7800</b> 51:5 <b>road</b> 2:9 139:3 <b>roane</b> 75:4 <b>robert</b> 64:3 88:4 <b>robinson</b> 2:5 6:20 6:20 9:16 23:17 26:14 27:19 28:10 28:14 28:24 32:24 33:16 33:25 34:4 34:8 41:14 41:25 47:17 57:10 57:13 57:16 57:23 58:8 58:14 58:17 58:21 65:9 65:20 66:1 66:8 66:12 66:17 67:8 67:16 67:19 67:23 68:3 68:15 69:3 69:9 69:12 69:14 69:20 69:25 70:7 70:12 70:19 70:23 71:8 71:10 71:14 72:6 72:10 72:12 72:21 72:24 73:1 73:8 73:12 73:24 74:5 74:9 74:14 75:24 76:2 76:6 76:22 87:21 100:25 101:4 101:8 101:11 102:6 102:18 103:11 103:17 106:12 124:10 124:24 125:3 125:6 126:22 127:3 127:5 127:8 127:12 127:18	127:21 127:25 128:4 128:7 128:11 134:23 135:21 135:25 136:6 136:19 139:4 139:20 140:13 144:25 145:3 145:6 145:9 145:18 149:14 153:17 156:18 158:4 158:10 158:13 159:8 164:19 164:24 165:7 165:14 165:17 166:6 166:14 166:22 168:25 <b>robust</b> 31:3 <b>roles</b> 86:13 <b>room</b> 45:16 45:18 46:14 46:16 46:17 46:17 46:22 48:20 48:21 49:5 56:18 60:23 70:9 87:15 87:16 88:17 134:7 134:9 150:6 150:12 168:19 <b>rooms</b> 85:18 <b>rosa</b> 8:4 <b>roughly</b> 27:10 28:18 <b>routine</b> 71:24 <b>routinely</b> 142:14 <b>rule</b> 3:16 3:19 3:20 14:25 15:20 15:24 16:6 21:6 21:23 35:20 39:9 40:22 40:22 41:19 43:2 44:9 44:13 51:2 61:17 64:9 64:13 95:6 95:19 95:25 96:1 147:18 147:19 147:21 147:22 147:24 148:1 152:12 154:23 160:9 161:8 161:8 163:9 168:15 <b>rules</b> 1:2 1:9 3:16 3:17 3:21 4:4 12:6 15:2 15:3 15:13 16:1 35:14 43:22 88:4 105:22 106:3	106:15 117:13 120:5 125:8 127:24 128:6 132:12 133:4 133:7 134:2 135:19 138:10 141:1 148:11 153:5 157:14 157:18 159:16 166:3 <b>ruling</b> 31:9 39:18 <b>run</b> 62:23 96:22 <b>running</b> 165:22 <b>runs</b> 164:20 <b>rupture</b> 27:6 27:13 27:14 <b>rush</b> 103:18 <hr/> <b>S</b> <hr/> <b>sacrifice</b> 165:24 <b>saddle</b> 59:11 <b>safe</b> 8:2 8:3 27:18 133:10 138:2 155:23 <b>safest</b> 33:14 126:20 <b>safeties</b> 28:8 28:23 <b>safety</b> 23:9 28:3 30:16 32:5 32:8 32:12 32:22 33:15 45:5 73:25 120:1 120:3 120:5 120:9 121:4 121:6 121:7 121:10 121:13 121:24 122:13 122:20 123:13 123:17 124:22 129:2 135:8 154:25 167:21 <b>said</b> 16:18 40:15 57:17 58:10 64:4 91:21 95:25 120:15 135:12 138:8 147:12 156:24 157:7 165:21 <b>sales</b> 38:24 <b>sam</b> 2:16 4:17 11:20 11:23 111:16 128:7 142:16 145:19 147:5 150:19 <b>same</b> 16:1 21:2 37:8 50:10 60:9 63:20 64:17 81:2 81:23
---	--	---	--	---

103:21 104:4 117:23 125:8 131:4 141:24 142:23 142:24 144:2 144:15 146:13 146:19 146:23 153:4 163:7 163:15 <b>sandra</b> 6:10 <b>satisfactory</b> 116:4 133:10 <b>satisfies</b> 21:17 <b>satisfy</b> 102:9 113:8 115:13 138:20 140:21 142:5 152:11 <b>saw</b> 65:22 <b>say</b> 10:17 18:3 30:19 37:13 38:18 40:11 49:5 52:14 52:16 56:20 58:19 59:25 73:3 73:19 74:19 79:3 79:21 79:25 80:10 81:15 94:10 99:13 100:9 101:24 102:14 102:25 104:14 108:21 123:3 123:21 136:8 136:17 136:22 142:13 143:14 144:24 145:12 148:12 150:18 152:24 160:8 160:9 166:20 <b>saying</b> 37:6 51:16 69:7 99:19 137:22 151:19 155:15 156:13 159:2 165:12 165:15 <b>says</b> 12:1 36:19 39:5 58:18 71:2 92:11 92:13 93:4 98:6 107:4 110:16 113:5 117:15 125:11 125:13 133:8 133:24 133:25 135:7 137:3 137:8 137:17 138:1 140:1 141:10 141:22 146:12 148:4 150:13 150:19 151:23 160:10	160:11 <b>scale</b> 31:21 <b>scan</b> 157:1 157:1 <b>schedule</b> 62:23 <b>scheduled</b> 3:21 13:2 105:21 <b>scheduling</b> 63:14 63:15 <b>schematic</b> 22:25 40:1 45:19 <b>schematics</b> 45:20 <b>school</b> 112:14 112:21 113:10 113:15 113:20 114:19 114:24 115:12 <b>scrapped</b> 108:20 109:5 109:7 109:10 <b>screen</b> 164:16 <b>sd</b> 48:19 49:4 49:20 70:12 70:12 <b>seamlessly</b> 15:10 <b>second</b> 9:17 9:18 22:24 23:16 23:17 42:4 44:19 46:21 47:16 47:17 47:19 68:23 88:1 114:23 116:25 117:9 131:15 <b>seconded</b> 88:5 <b>secondhand</b> 141:8 141:9 141:18 142:1 142:23 143:15 145:15 146:5 146:17 <b>secretary</b> 2:22 4:20 15:4 <b>section</b> 21:5 22:3 22:17 23:5 24:10 24:12 39:12 65:25 80:24 81:13 117:24 118:13 118:15 118:17 118:19 119:18 120:15 120:17 123:7 123:7 124:8 124:9 124:16 125:18 125:19 125:24 126:1 126:3 126:9 126:12 126:13 126:13 127:8 127:9 137:13	138:5 139:12 157:8 159:15 <b>security</b> 7:25 53:21 53:24 54:14 55:21 56:16 57:5 57:25 58:25 59:1 60:11 60:12 60:24 61:4 64:11 85:23 92:14 92:20 <b>see</b> 17:21 18:8 31:18 48:21 49:6 49:6 54:11 56:19 60:10 60:23 67:24 67:24 73:6 76:19 81:23 82:10 83:12 87:2 88:6 92:23 94:4 96:8 98:4 98:20 101:20 103:22 105:12 107:1 109:16 119:10 120:19 137:6 138:3 138:5 140:1 141:16 148:17 149:12 150:3 156:9 157:4 161:23 168:21 <b>seeing</b> 73:16 104:12 <b>seeking</b> 33:18 39:25 40:24 104:8 <b>seen</b> 76:15 76:17 103:12 104:14 <b>sell</b> 37:21 <b>semantics</b> 143:2 <b>send</b> 116:8 142:15 142:22 150:11 <b>senior</b> 56:6 64:16 64:18 <b>sense</b> 30:15 122:19 161:2 165:4 <b>sensor</b> 33:9 33:10 <b>sensors</b> 32:25 <b>sent</b> 17:7 21:8 48:6 <b>sentence</b> 116:25 117:1 117:9 117:15 120:16 <b>separate</b> 24:5 26:10 35:8 51:10 51:12 51:13 87:16 127:24 154:16 161:15 163:2 <b>separated</b> 136:17	<b>separately</b> 38:8 <b>separator</b> 22:5 23:8 24:2 24:4 24:10 24:19 28:2 28:6 31:8 37:24 <b>september</b> 1:10 10:12 170:13 170:21 <b>serial</b> 68:21 69:16 77:21 <b>serves</b> 31:23 <b>service</b> 23:5 50:1 50:19 59:2 98:20 105:10 110:18 117:7 136:1 136:1 151:15 152:6 152:8 157:6 <b>services</b> 3:4 6:3 42:24 43:13 64:16 64:18 <b>session</b> 16:4 <b>set</b> 17:1 17:11 27:25 28:12 32:18 33:23 51:12 51:13 127:24 128:6 136:18 136:21 150:9 150:11 151:23 153:7 170:20 <b>setting</b> 124:23 140:23 141:6 141:14 141:24 146:12 <b>seven</b> 33:4 33:6 86:12 86:15 <b>shake</b> 11:5 <b>shall</b> 106:22 107:4 110:3 113:6 117:4 117:10 117:17 118:8 119:13 120:9 123:21 137:9 148:22 <b>shalt</b> 137:18 <b>sharp</b> 116:1 <b>sheet</b> 48:6 72:15 75:11 77:8 77:11 82:18 87:1 88:22 90:8 96:23 150:2 161:25 162:3 162:4 162:18 163:4 164:4 165:6 166:24	<b>sheets</b> 161:5 <b>shell</b> 125:12 <b>shift</b> 47:2 62:10 71:20 <b>shifts</b> 47:4 <b>ship</b> 115:6 <b>shipley</b> 6:17 6:17 <b>shop</b> 144:4 <b>short</b> 62:16 62:20 97:2 <b>shortly</b> 124:3 <b>shoulders</b> 100:9 <b>show</b> 14:18 14:21 21:16 70:8 76:22 89:9 89:11 128:9 161:13 166:9 <b>showed</b> 22:25 23:1 <b>showing</b> 15:16 16:25 45:19 45:20 48:22 70:9 <b>shown</b> 49:20 112:23 <b>shows</b> 22:23 49:1 62:14 70:14 79:8 162:5 162:20 <b>shut</b> 44:23 46:5 46:10 46:15 51:22 51:25 52:2 54:9 55:7 55:10 55:11 97:14 98:11 <b>shutdown</b> 51:16 52:9 54:15 70:17 70:22 71:7 86:1 <b>shutting</b> 46:20 <b>sick</b> 63:17 168:13 168:15 <b>side</b> 8:4 23:2 26:22 28:9 28:23 29:8 29:16 29:20 29:24 104:13 136:24 <b>siemens</b> 140:5 <b>sight</b> 150:4 <b>sights</b> 155:22 <b>sign</b> 117:17 <b>signal</b> 2:9 <b>signals</b> 45:9 <b>signature</b> 102:3 <b>signed</b> 110:1 110:5 <b>silence</b> 7:14 112:1 <b>similar</b> 20:24 22:9 22:13 34:16 34:24
--	---	---	---	---

37:25 40:18 122:25 124:9 125:9 <b>simple</b> 29:21 147:2 <b>simply</b> 27:4 29:16 <b>since</b> 27:5 31:19 32:4 44:3 44:9 44:11 50:17 51:4 51:6 51:8 76:12 77:11 95:25 106:20 132:18 134:21 136:14 146:7 <b>sir</b> 8:16 12:19 23:21 50:2 50:14 50:20 66:7 67:18 69:25 70:16 73:24 74:17 <b>sit</b> 107:17 <b>site</b> 46:13 47:14 48:19 70:8 72:18 73:5 73:10 74:3 74:12 75:6 75:8 80:20 85:14 92:1 143:17 166:7 <b>sites</b> 142:21 <b>sitting</b> 151:5 167:22 <b>situation</b> 7:21 22:16 <b>six</b> 112:15 112:22 <b>size</b> 27:14 28:8 28:19 28:20 82:22 156:8 <b>sizes</b> 28:16 <b>skeptical</b> 157:15 <b>skid</b> 22:8 <b>skill</b> 93:9 <b>skills</b> 93:23 <b>slash</b> 53:21 55:21 58:25 67:20 160:22 <b>slide</b> 129:18 <b>small</b> 26:25 27:15 27:20 97:2 116:21 <b>smallest</b> 28:16 <b>smyrna</b> 84:16 85:10 <b>sold</b> 37:23 <b>solutions</b> 6:7 6:9 <b>somebody</b> 62:15 63:20 63:23 64:2 82:1 100:22 104:13 104:20 122:7 150:11 150:18 165:22 166:24 <b>someone</b> 54:19 62:24 62:25 72:16 108:7	<b>something</b> 14:22 58:4 59:10 59:14 61:3 65:22 71:3 73:16 88:5 95:10 101:9 103:2 107:12 107:18 108:8 111:2 114:13 121:14 129:7 135:12 142:21 143:20 147:23 150:5 150:18 150:20 157:7 160:17 167:15 167:20 167:23 <b>sometime</b> 154:8 <b>sometimes</b> 14:17 54:4 68:6 <b>somewhat</b> 34:20 154:22 <b>somewhere</b> 147:4 164:17 <b>soon</b> 18:7 18:14 18:16 <b>sorry</b> 36:5 43:16 57:14 58:23 65:2 68:11 <b>sort</b> 17:22 44:21 107:7 107:9 155:10 <b>sound</b> 121:13 155:21 <b>sounds</b> 25:13 <b>spanking</b> 91:5 <b>speak</b> 5:11 5:12 15:21 52:21 75:1 139:24 <b>speaking</b> 16:25 <b>special</b> 11:13 110:23 111:3 111:9 122:8 <b>specialized</b> 63:21 <b>specific</b> 14:6 17:8 17:11 35:14 56:3 92:23 134:10 156:1 156:11 <b>specifically</b> 36:19 121:3 129:21 132:19 134:17 <b>specs</b> 122:18 <b>spelled</b> 81:2 <b>spelling</b> 117:11 <b>spent</b> 148:1 <b>split</b> 67:20	<b>spoken</b> 157:19 <b>sponsored</b> 16:2 <b>square</b> 44:1 148:21 <b>stack</b> 155:18 <b>stage</b> 60:13 <b>stamp</b> 110:15 119:15 133:1 <b>stamped</b> 41:9 110:5 137:11 <b>stamping</b> 110:6 110:16 137:15 <b>stamps</b> 110:10 <b>standard</b> 28:7 162:12 <b>standards</b> 137:7 <b>standby</b> 154:10 <b>standing</b> 72:20 169:2 <b>standpoint</b> 30:7 30:22 75:16 98:20 <b>stands</b> 65:11 143:3 <b>start</b> 4:9 4:14 54:24 56:5 86:12 97:2 131:23 157:24 158:13 159:1 <b>started</b> 57:20 59:20 66:5 76:14 82:17 <b>starting</b> 44:18 98:6 <b>starts</b> 131:9 <b>state</b> 1:1 1:8 2:18 2:20 2:22 3:17 13:18 15:4 19:10 40:20 79:7 80:22 103:5 110:23 111:2 111:3 111:4 111:9 122:8 132:10 132:11 132:19 135:20 136:14 136:18 137:9 139:14 139:18 142:18 147:6 148:15 166:7 170:2 170:5 170:24 <b>stated</b> 43:20 46:4 140:25 <b>statement</b> 58:9 107:6 117:2 118:2 139:22 <b>statements</b> 41:12 <b>states</b> 25:8 39:13 62:18 105:23 <b>stating</b> 129:22	<b>station</b> 70:15 85:19 85:21 85:22 85:24 165:23 <b>stay</b> 12:11 12:12 42:21 106:14 106:14 <b>stayed</b> 88:14 <b>stays</b> 78:14 106:12 <b>steam</b> 23:9 23:23 23:25 23:25 24:15 24:25 25:4 25:8 25:11 25:20 26:4 26:9 27:1 28:5 28:11 36:20 36:21 40:9 49:1 98:18 99:5 99:7 103:25 132:6 132:6 132:7 156:3 156:5 156:7 163:16 <b>steaming</b> 31:7 <b>steel</b> 102:16 129:14 <b>steels</b> 125:22 <b>step</b> 107:2 <b>steve</b> 5:23 6:18 85:3 86:8 <b>steven</b> 5:8 <b>still</b> 42:1 61:23 80:8 99:16 104:24 110:9 110:10 114:14 128:14 143:6 144:7 149:19 151:17 151:18 157:4 163:6 163:15 166:21 <b>stipulations</b> 76:20 <b>stone</b> 1:23 4:16 <b>stop</b> 54:17 54:24 55:7 55:10 56:5 59:24 60:2 <b>stopping</b> 44:18 <b>stored</b> 26:23 27:2 27:6 27:15 <b>stories</b> 10:4 <b>story</b> 164:9 <b>strength</b> 121:9 121:9 125:12 125:14 <b>stress</b> 60:16 67:11 125:17 <b>stresses</b> 124:15 124:23 126:14 129:23	<b>stressing</b> 142:13 <b>strike</b> 118:25 119:1 119:3 119:10 119:17 <b>stringent</b> 116:20 <b>structure</b> 81:22 <b>struggle</b> 57:10 57:16 <b>struggled</b> 134:25 <b>struggling</b> 134:23 <b>stuff</b> 60:5 99:25 139:17 140:9 163:24 <b>subcommittee</b> 13:22 <b>subject</b> 21:6 21:23 39:9 117:8 <b>submitted</b> 15:3 <b>succession</b> 69:16 <b>sufficient</b> 15:19 <b>suggest</b> 105:25 129:9 <b>suggested</b> 153:16 153:19 157:8 157:24 159:6 163:12 164:25 <b>suggestion</b> 126:18 134:14 153:18 158:1 165:20 <b>suggestions</b> 152:16 157:22 158:5 159:13 166:1 <b>suggests</b> 112:20 <b>suite</b> 1:24 <b>sunset</b> 12:25 13:2 13:4 13:12 13:13 13:15 14:7 14:23 15:16 17:12 <b>superceded</b> 80:10 <b>superior</b> 49:21 49:22 68:17 <b>supervised</b> 45:11 <b>supervisor</b> 6:14 92:12 <b>supply</b> 2:12 4:24 136:12 <b>support</b> 102:25 107:1 <b>supporting</b> 14:20 <b>supposed</b> 124:13 <b>sure</b> 17:17 18:15 36:1 38:1 38:3 38:3 38:8 47:14 49:1
---	---	---	--	---

63:22 66:14 69:5 72:3 81:19 89:22 90:2 90:6 91:19 93:15 96:14 111:18 112:14 114:6 128:13 133:22 134:6 134:8 139:6 140:4 142:19 165:16 167:11 <b>surface</b> 148:21 154:17 <b>surfaces</b> 29:25 29:25 97:13 98:2 98:10 <b>surprise</b> 9:4 9:5 <b>surprised</b> 134:24 <b>swinging</b> 155:21 <b>switch</b> 154:19 <b>sydne</b> 2:19 5:4 95:8 95:25 96:4 114:10 <b>symbol</b> 119:6 119:8 119:15 119:18 <b>symbols</b> 118:15 118:19 <b>system</b> 25:9 25:23 25:25 32:6 32:8 32:10 32:13 45:6 45:8 45:10 45:11 45:25 46:1 46:2 46:9 55:25 65:13 77:12 87:11 93:25 98:22 98:23 98:25 154:5 155:8 156:25 <b>systems</b> 55:18 87:10 91:8 140:6	146:4 146:7 146:8 147:11 168:3 168:4 <b>taken</b> 67:14 135:3 168:12 170:8 <b>takes</b> 40:9 100:23 116:21 119:22 131:20 <b>taking</b> 14:4 35:25 38:20 72:2 77:13 107:1 <b>tale</b> 104:16 <b>talk</b> 8:19 135:1 135:9 <b>talked</b> 7:20 54:5 77:1 150:2 <b>talking</b> 35:3 35:5 36:11 36:14 37:2 38:9 57:20 103:5 103:6 108:6 119:5 121:6 139:2 <b>talks</b> 93:3 123:17 137:15 <b>tank</b> 23:8 24:2 24:4 24:11 26:6 28:2 28:6 49:17 50:9 73:14 <b>tanks</b> 132:6 <b>tca</b> 118:13 <b>team</b> 52:23 56:5 63:13 86:23 <b>tear</b> 28:25 144:11 <b>tech</b> 54:21 55:24 56:6 56:7 57:21 59:19 60:3 62:16 63:4 63:6 67:20 104:19 104:20 <b>technical</b> 103:1 <b>technically</b> 24:11 <b>technician</b> 44:16 44:25 55:23 56:14 64:16 <b>technicians</b> 46:24 53:14 71:21 <b>technology</b> 113:17 114:17 <b>techs</b> 58:16 61:20 62:1 62:5 62:6 62:9 <b>tell</b> 10:5 49:18 86:8 104:16 111:4 118:24 153:20 <b>telling</b> 158:17	<b>temp</b> 35:11 <b>temper</b> 139:12 <b>temperature</b> 20:23 20:24 21:5 21:21 21:22 22:3 22:12 22:19 23:5 26:1 27:23 27:25 30:14 32:2 32:3 32:4 32:9 32:11 32:18 32:25 33:3 33:12 33:14 33:17 33:18 33:21 34:16 34:22 34:23 35:4 35:5 35:10 35:16 35:17 35:19 35:24 35:25 36:9 37:3 37:18 38:10 39:6 39:8 39:14 40:14 41:23 137:12 155:18 <b>temperatures</b> 39:16 39:21 125:15 154:18 156:21 <b>temporary</b> 145:5 <b>ten</b> 67:3 124:4 <b>tends</b> 14:19 <b>tennessee</b> 1:1 1:8 1:24 2:3 2:6 2:9 2:13 2:18 2:20 2:22 3:16 4:3 5:21 6:16 9:9 11:9 12:1 12:5 16:8 21:4 35:14 43:25 50:4 53:15 68:21 69:15 79:7 84:16 85:10 90:9 90:16 92:6 92:10 105:11 106:2 111:2 111:17 118:9 132:10 136:2 137:10 139:14 139:18 142:22 154:22 170:2 170:5 170:10 <b>tensile</b> 121:8 123:23 125:12 125:14 126:14 <b>term</b> 65:12 65:18 70:24 99:16 100:13 100:14 160:6 <b>terminology</b> 57:13 57:17 58:3 120:3	122:20 128:18 <b>terms</b> 59:21 <b>test</b> 53:7 72:12 73:16 <b>tested</b> 75:9 <b>testimony</b> 13:20 <b>testing</b> 71:16 71:21 136:11 <b>tests</b> 60:4 136:11 <b>text</b> 81:20 98:5 105:12 106:4 109:16 114:3 120:19 138:9 <b>thank</b> 4:6 7:7 7:16 10:19 11:1 11:1 11:7 12:7 12:8 12:20 19:2 19:4 19:8 19:19 20:17 20:18 39:1 41:13 42:18 42:18 42:20 42:22 84:2 84:4 84:5 94:25 95:2 95:12 <b>thanking</b> 95:8 <b>thanks</b> 167:24 <b>thanksgiving</b> 168:21 <b>their</b> 22:11 31:9 36:16 36:18 37:20 37:24 53:6 54:18 60:20 72:1 75:9 75:10 88:15 104:1 104:2 109:4 110:10 115:24 115:25 139:25 153:22 153:22 158:10 158:17 165:20 <b>them</b> 10:5 16:6 19:14 31:15 34:5 34:19 34:25 36:17 53:6 53:9 59:21 60:24 66:15 67:10 76:18 80:15 86:10 98:19 115:20 115:24 115:25 141:18 142:15 142:15 142:16 153:6 153:21 153:22 162:9 163:24 164:18 167:11 <b>themselves</b> 14:20 102:13	<b>theoretical</b> 86:18 <b>thereafter</b> 124:3 <b>therefore</b> 31:21 32:21 34:15 99:2 161:14 <b>thermal</b> 25:12 35:6 35:7 35:11 35:18 35:23 36:11 36:14 36:16 36:23 36:24 36:25 37:7 37:15 37:21 100:16 <b>thermocouple</b> 27:23 32:17 33:9 34:3 <b>thermocouples</b> 32:16 34:1 <b>they</b> 4:10 13:24 13:25 14:1 14:3 14:25 15:4 15:7 15:8 15:9 15:10 15:11 16:12 17:18 22:11 31:9 32:6 33:2 34:13 35:15 35:17 37:2 37:19 37:23 47:3 47:13 49:11 49:12 51:22 51:23 51:25 52:2 52:6 52:8 52:9 52:19 53:7 54:9 54:10 54:11 54:17 55:8 56:5 56:10 56:17 56:17 56:19 56:20 56:22 56:25 57:7 59:24 60:9 60:21 61:2 62:12 63:17 63:25 64:1 64:2 64:22 71:24 71:24 71:25 72:1 72:2 72:4 75:5 75:10 78:18 80:3 80:10 80:25 85:11 85:24 86:10 86:13 87:13 92:25 93:4 93:16 93:17 103:13 103:25 104:1 104:18 106:24 107:4 108:8 108:9 109:9 110:9 110:10 111:12 115:5 115:22 115:25 121:6 121:23 122:18 123:22
<b>T</b>				
<b>t92</b> 69:14 <b>t92639</b> 69:17 <b>table</b> 8:12 20:11 61:25 80:24 81:14 89:19 96:10 126:12 164:19 165:25 <b>tag</b> 90:24 91:1 91:9 <b>take</b> 8:1 30:7 38:2 38:4 38:7 49:12 62:12 62:12 75:14 84:7 93:25 97:7 113:1 115:7 124:18 126:19 128:21 140:8 140:11 143:8				

125:21 126:6 126:9 126:14 127:23 128:5 128:8 128:12 135:2 135:8 135:9 135:11 139:24 140:15 144:3 144:4 144:7 145:12 150:3 150:19 151:6 151:16 151:17 153:9 153:21 155:20 156:3 156:4 156:5 157:11 163:1 163:3 164:17 164:17 165:20 165:21 166:17 166:21 167:10 <b>thicker</b> 31:5 <b>thin</b> 102:17 <b>thing</b> 37:8 60:9 68:3 71:11 88:3 104:4 126:20 140:7 149:17 153:4 <b>things</b> 10:17 11:6 12:22 17:21 17:22 38:13 59:3 65:23 95:16 102:10 104:16 152:9 153:11 167:8 <b>think</b> 22:14 31:11 48:12 54:4 58:1 58:22 60:5 62:4 64:3 65:24 66:5 67:11 70:1 71:5 76:19 97:4 97:22 99:10 99:16 99:20 100:8 102:8 107:10 107:15 107:18 109:19 115:2 121:12 121:15 122:19 122:24 123:15 127:15 127:16 128:17 130:14 130:20 131:19 136:25 138:22 139:2 139:18 140:7 140:11 143:10 143:11 144:9 145:14 145:23 147:13 153:17 153:25 154:1	157:12 157:22 158:24 159:6 159:8 160:6 164:19 165:4 <b>thinking</b> 63:8 65:23 69:5 123:12 130:5 146:14 155:10 155:15 158:8 <b>third</b> 61:3 154:10 <b>thou</b> 137:17 <b>thought</b> 64:21 71:10 94:4 107:21 160:24 165:5 <b>thoughts</b> 17:14 145:25 147:14 149:20 165:6 <b>three</b> 34:24 44:15 48:3 48:8 48:22 56:2 62:4 62:6 62:9 66:20 66:21 75:25 76:11 82:8 84:13 85:11 86:4 87:12 88:16 108:6 112:9 113:8 113:8 113:21 115:12 154:1 154:7 154:9 154:13 155:2 <b>threw</b> 70:23 <b>thrilled</b> 13:25 <b>through</b> 15:10 18:6 20:1 21:12 27:3 32:16 33:6 34:15 53:5 53:6 68:4 68:16 73:3 86:20 86:21 96:11 109:17 110:8 110:22 111:1 118:25 119:1 119:3 119:10 129:18 129:21 130:8 141:1 146:15 168:5 <b>throughout</b> 63:16 104:21 <b>throughs</b> 156:23 <b>throw</b> 59:14 100:1 <b>throwing</b> 68:6 99:23 <b>tickled</b> 7:5 <b>tied</b> 61:2 65:13 162:22 <b>tighter</b> 14:1 <b>time</b> 11:4 11:15 16:20 16:21 18:5 18:12 18:21 19:16	31:20 42:22 50:10 62:13 63:17 66:3 67:13 72:3 75:21 75:22 77:3 87:4 95:1 99:1 103:21 105:20 106:25 107:19 121:16 121:23 122:4 124:21 128:8 139:15 141:17 142:16 143:20 145:11 153:23 154:23 167:4 <b>times</b> 14:16 31:7 31:10 99:3 99:6 <b>tireless</b> 12:5 <b>title</b> 59:13 <b>titled</b> 48:19 <b>titles</b> 80:24 81:13 81:19 81:24 <b>tn</b> 3:23 <b>today</b> 7:4 11:4 11:13 15:2 18:13 42:19 54:6 85:7 88:7 95:18 96:8 138:5 138:16 138:18 150:2 166:25 <b>together</b> 53:12 88:22 157:25 165:19 <b>top</b> 49:8 55:14 60:17 105:7 <b>tosha</b> 168:18 <b>total</b> 19:10 19:12 67:1 <b>totally</b> 150:16 <b>touch</b> 73:18 <b>touching</b> 163:23 <b>trace</b> 2:6 <b>trade</b> 35:11 114:24 154:5 <b>traded</b> 104:19 <b>train</b> 23:1 135:14 136:3 139:25 <b>trained</b> 44:16 44:20 52:8 52:20 53:3 53:18 54:9 54:10 54:21 55:15 55:23 74:20 74:25 75:7 75:10 86:15 115:21 <b>training</b> 52:16 52:17	52:19 52:25 53:8 53:11 56:4 56:11 56:23 57:1 57:3 57:8 74:18 74:21 74:22 75:7 75:11 81:7 86:9 86:16 86:18 86:18 86:19 86:25 87:6 87:8 91:17 91:18 91:20 91:21 91:23 102:12 103:1 103:22 103:23 104:1 104:6 140:5 <b>transcript</b> 170:8 <b>transfer</b> 27:9 30:16 <b>transmit</b> 45:8 <b>travel</b> 45:17 <b>treatment</b> 31:16 31:17 67:17 <b>treatments</b> 156:25 <b>trouble</b> 53:22 53:22 59:4 112:6 151:13 <b>true</b> 37:22 64:17 77:13 103:10 103:16 116:11 136:5 145:8 170:7 <b>truly</b> 34:10 <b>try</b> 76:16 110:22 <b>trying</b> 25:18 60:18 60:21 61:6 123:15 151:6 <b>ts</b> 125:11 <b>tube</b> 27:8 89:4 89:7 102:15 102:16 102:17 104:19 <b>tubing</b> 29:3 125:1 <b>tune</b> 41:5 <b>turn</b> 33:8 <b>twice</b> 125:2 <b>two</b> 16:14 19:15 27:10 29:4 42:25 44:1 46:14 49:19 51:6 57:24 61:1 66:20 66:20 73:14 81:23 82:8 85:17 88:17 103:12 108:10 113:17 114:17 114:20 114:21 117:24 118:13 144:4 144:4	152:9 154:9 155:2 163:1 163:8 <b>type</b> 30:10 46:11 89:2 93:25 102:17 155:7 157:5 157:18 <b>types</b> 102:22 163:8 <b>typical</b> 27:9 <b>typically</b> 33:20 <b>typo</b> 92:5 <hr/> <b>U</b> <hr/> <b>ug</b> 126:7 <b>ultimate</b> 125:12 <b>unacceptable</b> 98:15 <b>uncorrected</b> 19:14 <b>under</b> 24:6 28:12 35:10 35:20 40:21 40:22 41:7 41:20 43:1 44:6 44:12 44:24 50:6 51:2 58:24 59:11 59:15 61:16 64:8 64:12 64:15 66:22 74:17 77:8 77:20 84:14 88:25 89:8 90:7 97:9 97:10 106:5 106:21 112:9 119:23 125:13 129:9 133:8 133:19 134:4 137:2 137:3 138:11 148:17 160:9 161:7 161:8 163:9 163:9 <b>undergoing</b> 60:16 <b>underneath</b> 50:8 106:18 <b>understand</b> 15:2 21:20 38:9 46:5 46:7 59:9 64:1 91:24 93:16 100:9 141:19 149:18 162:16 162:19 165:8 <b>understanding</b> 36:3 88:20 90:23 149:23 <b>understands</b> 152:16 <b>understood</b> 44:10 160:5 <b>underwriter</b> 155:3 <b>unfired</b> 24:7 24:12
---	---	---	--	--

24:13 24:15 24:25 25:4 25:6 25:8 25:9 25:9 40:3 43:21 137:8 <b>unique</b> 22:4 22:6 <b>unit</b> 11:13 11:17 11:22 12:3 15:2 15:17 16:7 18:21 21:4 27:25 28:21 29:2 29:10 29:17 29:22 29:23 33:3 33:13 37:24 40:20 42:1 77:14 80:8 97:21 105:15 106:6 109:2 109:4 112:13 112:20 117:1 118:1 120:8 132:8 132:16 132:21 133:3 133:25 140:25 143:20 147:5 148:9 160:3 161:11 170:12 <b>units</b> 30:10 <b>unless</b> 137:10 161:8 168:3 <b>unlock</b> 59:2 <b>until</b> 12:6 46:12 50:5 52:6 59:21 64:3 <b>up</b> 4:9 5:11 5:12 11:20 14:2 14:5 14:17 14:18 14:21 15:16 15:23 16:25 18:20 18:24 23:7 33:7 44:15 49:9 49:13 58:2 58:22 61:2 67:20 73:11 76:22 93:14 96:9 96:13 96:17 96:20 98:23 98:24 99:2 99:8 99:9 99:12 99:14 100:4 100:5 102:24 104:18 104:21 105:23 107:19 116:7 120:14 120:24 123:9 133:14 134:15 135:18 136:18 136:21 137:21 137:23 139:15 142:7 145:13 147:9 150:9	150:11 150:25 151:9 151:9 151:20 151:23 152:23 153:6 153:7 153:13 155:19 156:1 157:23 158:4 159:18 164:17 166:12 167:7 167:17 167:20 168:11 169:2 <b>update</b> 12:18 85:15 92:1 168:8 <b>updated</b> 89:17 90:11 <b>upgrading</b> 51:4 <b>upon</b> 13:20 47:11 54:13 60:23 105:19 133:20 136:2 158:18 <b>upset</b> 44:22 64:1 <b>us</b> 7:4 7:5 8:1 8:3 12:12 12:17 16:21 18:15 30:24 70:24 87:2 97:7 119:22 130:14 130:20 140:5 150:15 155:7 155:13 <b>use</b> 3:17 45:8 69:15 95:20 100:13 110:14 117:25 119:14 123:8 125:16 126:19 129:7 <b>used</b> 65:13 65:17 85:13 103:25 120:3 121:7 121:23 122:17 122:23 128:20 139:20 146:7 <b>useful</b> 21:13 <b>user</b> 2:2 2:11 95:20 120:10 148:11 160:5 160:10 160:13 160:15 160:18 160:22 <b>using</b> 79:1 129:23 <b>usually</b> 16:23 63:20 <b>utilized</b> 53:16 <b>utilizes</b> 45:25	<b>vacation</b> 63:17 63:24 <b>vacations</b> 62:13 <b>vague</b> 160:18 <b>vagueness</b> 160:6 <b>valid</b> 92:9 118:8 119:13 <b>value</b> 13:18 <b>values</b> 125:17 <b>valve</b> 23:6 23:6 23:9 28:3 28:4 <b>valves</b> 23:4 <b>vance</b> 6:10 6:10 6:11 6:11 9:8 10:2 10:6 10:19 11:1 11:3 11:7 12:3 12:7 <b>vapor</b> 3:3 5:16 20:9 20:15 20:21 21:2 38:25 39:19 <b>variance</b> 19:16 40:22 42:25 43:21 44:7 44:10 45:7 47:10 47:22 47:25 48:8 48:19 61:22 67:5 68:9 74:18 74:23 74:24 75:13 75:16 77:2 78:13 78:15 78:18 79:2 79:13 79:25 80:6 80:9 80:11 80:17 81:6 81:8 81:11 84:1 84:13 85:8 87:24 153:5 161:9 161:10 162:10 162:23 162:23 163:9 164:7 <b>variances</b> 66:25 68:11 76:17 79:6 148:2 <b>variations</b> 102:14 <b>variety</b> 28:16 67:25 <b>ve</b> 10:4 11:5 11:15 11:17 24:9 25:19 29:8 31:2 33:13 34:20 34:21 36:24 37:23 38:13 45:22 50:17 51:4 51:6 53:4 53:5 53:22 54:1 54:6 59:23 62:8 62:10 63:8 63:19 65:21 66:19 67:16 70:2 72:4	73:7 73:8 73:12 75:13 75:14 76:13 76:15 76:17 77:1 80:14 82:18 82:20 83:6 84:8 88:4 88:7 88:11 89:1 90:8 91:8 91:16 95:21 98:17 100:21 101:15 103:12 104:14 107:13 110:22 110:23 113:8 120:20 127:18 128:2 135:5 138:4 141:20 143:21 144:17 147:17 148:1 150:9 153:25 156:3 156:4 156:5 158:22 162:1 162:2 162:22 163:7 164:16 167:4 168:13 <b>venues</b> 104:8 <b>verbal</b> 7:1 8:9 9:1 9:13 9:22 9:25 18:1 19:1 19:21 38:16 41:16 42:7 42:12 42:15 43:8 80:13 83:16 83:21 83:24 91:14 94:8 94:14 94:19 105:2 111:24 117:20 119:20 <b>verbiage</b> 140:2 <b>verified</b> 68:10 <b>verifies</b> 73:23 <b>verify</b> 72:16 114:10 127:11 <b>versed</b> 102:21 <b>versus</b> 112:11 <b>vessel</b> 24:5 24:7 24:12 24:13 25:6 25:9 25:21 26:2 26:10 26:25 27:8 40:3 40:12 43:22 77:13 92:9 97:13 98:2 98:11 100:10 101:21 105:10 106:1 106:24 108:20 109:5 109:10 109:10 109:24 110:17	110:25 113:22 117:8 129:23 132:12 132:13 132:14 132:19 133:9 133:13 134:11 134:22 136:16 136:24 137:8 137:17 138:2 141:22 141:23 142:2 142:2 146:5 146:6 148:11 <b>vessels</b> 25:10 105:14 106:22 108:23 108:25 113:13 113:20 123:1 125:9 142:14 <b>vi</b> 3:5 3:13 5:7 5:9 19:25 84:16 85:4 85:6 85:8 85:8 86:10 104:15 157:8 <b>via</b> 116:9 <b>vicinity</b> 54:14 54:16 <b>vicki</b> 7:18 <b>video</b> 150:10 153:7 <b>vii</b> 3:15 117:24 157:8 159:15 <b>viii</b> 3:19 24:12 124:9 125:18 126:1 126:4 126:13 127:9 139:12 <b>violations</b> 19:13 <b>visit</b> 47:14 55:9 <b>visited</b> 75:7 <b>visits</b> 46:13 <b>visual</b> 154:19 156:22 <b>visually</b> 73:18 73:19 150:11 <b>volatile</b> 139:15 <b>volume</b> 26:21 27:16 31:14 <b>vote</b> 83:5 88:5 96:7 169:1 <b>voted</b> 95:17 <b>votes</b> 4:11 <b>voting</b> 9:24 42:14 83:1 83:23
	<b>V</b>			<b>W</b>
				<b>wait</b> 108:5 108:9 <b>waited</b> 108:8

<p><b>waiting</b> 54:18 161:23  <b>walk</b> 86:20 86:21  156:23  <b>walker</b> 154:8  <b>wall</b> 27:3 27:12 31:5  <b>want</b> 4:6 4:12 7:9  7:12 9:6 11:4 14:1  14:13 16:21 61:25  63:22 71:6 71:11  78:4 79:3 81:3 81:8  81:18 84:19 90:5  92:8 95:7 96:15  100:15 103:21  111:3 116:16  116:17 121:1  121:25 125:24  126:17 129:1  129:12 129:13  129:14 129:17  130:2 152:15  154:11 156:15  158:23 159:14  161:18 161:19  163:23 164:17  165:2 165:12  <b>wanted</b> 7:21 11:10  12:21 41:11 48:25  92:22 100:1 107:19  123:20 133:20  133:21 134:6  <b>wanting</b> 36:1 38:8  <b>wants</b> 108:8 122:8  139:14 139:18  158:25 161:23  <b>war</b> 103:21 124:1  124:2  <b>ware</b> 5:18 6:17  <b>wasn</b> 37:12 76:13  90:17 91:20  <b>water</b> 20:23 21:5  21:22 22:3 22:19  23:5 23:6 23:22  23:25 24:1 25:20  26:1 26:21 26:22  27:1 27:4 27:5 27:8  27:16 28:4 29:8  29:16 30:22 31:12  31:14 31:16 31:17  31:23 31:24 32:2  35:10 35:19 35:25</p>	<p>36:1 37:4 37:18  38:10 39:8 39:14  40:14 41:23 67:17  72:18 73:4 73:6  73:17 89:7 98:19  98:22 101:15  101:16 102:15  102:16 149:2 149:3  150:4 155:16  155:16 156:5 156:8  156:20 156:24  <b>way</b> 15:23 16:1 29:14  34:25 35:22 54:6  66:2 66:4 79:23  82:10 97:10 98:3  104:20 106:12  106:14 109:2 121:7  128:25 131:4  140:15 146:24  147:16 152:12  152:15 154:13  154:24 170:17  <b>wayne</b> 7:10  <b>wear</b> 28:25  <b>website</b> 76:23 82:8  82:10 110:24 138:4  157:14 157:22  <b>wednesday</b> 3:21  168:17  <b>week</b> 16:23 17:1 18:5  18:6 85:12  <b>weekly</b> 158:11  <b>weeks</b> 82:8 128:22  <b>welcome</b> 4:6 4:12  12:12 42:21 42:21  95:14 130:14  <b>welding</b> 132:20  139:12  <b>wellbeing</b> 30:3  <b>went</b> 49:25 103:23  109:17 123:25  124:1 124:2 124:3  <b>weren</b> 7:4  <b>whatever</b> 26:4 26:7  35:1 59:14 101:25  126:11 129:1  133:18 152:14  154:11 154:16  155:12 156:17  157:1 157:10</p>	<p><b>when</b> 14:6 16:11  20:10 21:4 29:13  29:15 33:7 37:1  54:9 54:17 61:3  63:16 72:3 75:3  75:5 76:2 76:6  81:13 82:21 82:23  83:12 85:16 98:23  100:5 101:25 121:6  121:22 122:4  124:11 124:12  125:14 136:2  137:16 139:2  146:15 147:21  151:3 151:15  153:20 158:8 159:1  160:2 165:18  167:19  <b>where</b> 22:25 27:7  32:8 32:10 32:24  33:8 35:21 40:7  40:8 49:6 53:13  54:5 55:20 57:18  58:5 58:9 60:21  64:22 65:14 70:13  70:21 74:24 77:21  88:17 104:9 107:17  109:17 109:19  110:8 112:25  114:15 115:5  120:25 124:10  125:11 127:21  130:25 131:25  133:20 138:11  139:8 139:22 148:4  152:25 162:10  166:5  <b>whereof</b> 170:20  <b>whereupon</b> 12:13  130:9  <b>wherever</b> 78:14  <b>whether</b> 13:24 15:6  102:1 128:20 147:2  149:1 161:10  <b>whip</b> 166:25  <b>who</b> 16:24 16:25  18:8 18:9 47:20  48:2 51:19 52:19  53:24 55:16 59:18  60:3 61:14 61:15  76:4 81:10 88:21</p>	<p>93:3 100:7 105:9  107:3 110:1 136:8  148:7 148:25 151:7  151:7 160:12  160:19  <b>whoever</b> 150:23  151:6  <b>whole</b> 12:11 16:11  104:22 109:17  127:24 128:6 147:8  149:17 167:22  <b>whom</b> 71:17  <b>whose</b> 45:2  <b>why</b> 30:13 39:10  49:12 49:15 82:6  103:19 108:20  124:25 130:15  130:17 135:23  142:6 150:14  151:14 153:13  157:15 161:23  163:14 167:21  167:22  <b>wife</b> 7:18 168:10  <b>will</b> 8:1 8:13 11:24  14:7 14:8 14:11  16:24 16:25 17:4  17:5 18:2 18:4  27:25 32:16 33:23  35:2 38:21 41:22  45:13 46:5 46:7  46:9 46:10 52:16  55:9 55:11 55:22  58:22 66:2 71:3  73:1 76:7 80:17  82:7 82:9 82:12  82:15 82:22 83:5  83:11 84:12 84:24  85:15 85:22 85:23  85:24 87:3 89:16  90:10 92:17 97:7  102:5 106:14  110:17 114:24  116:3 116:7 116:7  116:8 116:18  117:13 130:7 130:8  131:3 135:12  137:25 138:11  138:12 138:19  138:20 139:9  139:11 140:21</p>	<p>146:4 151:13  151:14 152:1 154:9  154:10 154:11  154:12 154:16  168:6 168:16  <b>williamson</b> 170:3  <b>willing</b> 136:7  <b>wire</b> 45:12  <b>wired</b> 45:10  <b>wireless</b> 45:11  <b>wisdom</b> 165:20  <b>wise</b> 164:20  <b>wish</b> 9:9 79:20 87:2  <b>within</b> 8:2 15:17  15:17 23:2 25:13  134:1 135:20 170:7  <b>witness</b> 110:12  170:20  <b>witnessing</b> 110:2  <b>won</b> 4:9 12:10 62:21  99:6 155:17  <b>wondering</b> 37:6 51:8  62:20 74:21  <b>word</b> 97:22 100:23  146:7 147:11  166:25  <b>wording</b> 136:23  148:4 148:5  <b>words</b> 10:18 24:6  32:10 32:12 121:3  121:12 121:23  123:14 142:13  148:10 148:18  150:1 153:16 166:8  <b>work</b> 11:15 16:1 16:2  16:9 16:10 17:5  18:13 44:15 53:6  58:19 95:8 95:13  130:2 130:7 130:22  130:23 131:5  131:18 133:8  133:16 135:14  136:8 139:24  159:12  <b>worked</b> 11:23 96:4  <b>workforce</b> 1:1 3:22  5:22 11:9 12:2  132:11 168:18  170:11  <b>working</b> 10:25 31:1</p>
--	--	---	--	--

53:14 90:18 90:25 119:24 <b>workplace</b> 11:11 15:18 170:12 <b>works</b> 134:1 145:15 <b>world</b> 124:1 124:1 <b>worth</b> 14:20 <b>worthless</b> 101:14 <b>worthwhile</b> 159:9 <b>worthy</b> 151:11 <b>wouldn</b> 40:22 103:18 116:16 129:13 129:15 <b>wow</b> 165:21 <b>wright</b> 102:15 <b>written</b> 53:6 141:21 142:11 <b>wrong</b> 68:20 69:20 123:16	134:25 135:10 <b>yep</b> 38:6 <b>yesterday</b> 7:20 17:7 <b>yield</b> 121:8 121:9 <b>yours</b> 40:19 <b>yourselves</b> 43:11 84:25	<b>13</b> 89:13 107:23 108:12 <b>136</b> 110:14 <b>14</b> 3:3 3:4 3:5 3:14 3:14 3:14 20:9 42:24 84:12 <b>1423</b> 2:9 <b>15</b> 24:17 24:21 25:11 27:11 76:21 <b>150</b> 40:13 89:1 <b>15th</b> 7:11 <b>16</b> 52:17 53:8 56:23 57:1 57:3 57:8 <b>160</b> 39:15 <b>1659</b> 2:6 <b>166</b> 19:10 <b>168</b> 19:11 <b>16th</b> 14:10 170:21 <b>17</b> 112:4 <b>17th</b> 14:10 18:6 <b>18th</b> 14:9 18:4 <b>19</b> 116:24 <b>1914</b> 121:23 127:7 <b>1949</b> 165:18 <b>1955</b> 147:22 <b>1969</b> 104:23 <b>1982</b> 44:5 50:11 68:19 69:18 <b>19th</b> 14:9 18:4	118:23 <b>2020</b> 1:23 <b>21</b> 120:17 121:11 123:7 <b>21st</b> 18:7 <b>22</b> 4:2 21:7 35:20 39:9 40:23 41:19 43:2 43:23 147:18 147:18 147:24 148:17 160:9 163:9 <b>220</b> 3:23 <b>221</b> 1:25 <b>221a</b> 40:1 <b>23</b> 131:24 132:2 140:14 <b>234</b> 1:24 <b>235</b> 2:3 <b>24</b> 54:16 60:22 62:9 85:12 119:22 126:17 130:24 131:17 157:1 <b>25</b> 31:10 123:5 131:17 147:22 <b>250</b> 39:16 39:21 <b>27</b> 120:18 121:12 123:8 126:7 126:8 147:23	<b>39</b> 146:4 147:11 147:17 <b>3rd</b> 168:17 170:13
<hr/> <b>Y</b> <hr/>	<hr/> <b>Z</b> <hr/>	<hr/> <b>2</b> <hr/>	<hr/> <b>3</b> <hr/>	<hr/> <b>4</b> <hr/>
<b>yeah</b> 25:15 29:6 36:4 38:3 56:8 56:10 65:5 65:6 74:7 74:9 77:19 77:23 83:12 89:4 102:19 107:9 112:6 119:7 121:21 123:11 123:24 127:4 137:6 139:7 139:9 143:10 144:14 145:20 159:8 159:17 166:22 167:17 167:24 <b>year</b> 13:24 18:22 44:4 56:9 63:16 75:25 76:11 113:11 121:20 128:15 154:9 <b>yearly</b> 29:1 42:2 127:22 <b>years</b> 10:10 10:13 13:24 14:2 32:7 36:17 53:1 66:20 66:22 76:21 104:17 112:15 112:15 112:22 113:17 113:21 114:17 114:20 114:21 115:12 124:4	<b>0</b> <hr/> <b>00</b> 3:21 14:9 14:11 84:8 168:1 168:19 <b>000</b> 44:1 89:10 125:15 127:6 <b>01</b> 118:11 <b>03</b> 3:16 3:16 43:1 43:1 84:15 84:15 95:6 95:6 95:19 95:19 109:18 109:18 116:25 116:25 <b>04</b> 21:7 41:19 43:2 43:23 84:15 <b>06</b> 21:1 31:4 37:7 39:5 <b>07</b> 116:25 <b>0800</b> 3:16 21:7 41:19 43:1 43:23 84:15 95:6 95:19 109:18 116:25 <b>086</b> 19:12 <b>09</b> 3:3 3:14 20:9	<b>20</b> 3:3 28:18 28:20 41:22 44:9 44:13 51:2 56:8 61:17 64:4 64:8 64:12 72:20 148:23 151:25 152:9 152:12 154:23 155:12 161:14 162:11 162:21 165:13 165:21 <b>200</b> 40:18 <b>2005</b> 10:10 12:6 <b>2009</b> 10:9 <b>2013</b> 49:25 68:17 <b>2014</b> 1:10 3:22 12:6 50:1 170:13 170:21 <b>2015</b> 13:2 <b>2016</b> 170:25 <b>202</b> 118:10 118:16	<b>220</b> 3:23 <b>221</b> 1:25 <b>221a</b> 40:1 <b>23</b> 131:24 132:2 140:14 <b>234</b> 1:24 <b>235</b> 2:3 <b>24</b> 54:16 60:22 62:9 85:12 119:22 126:17 130:24 131:17 157:1 <b>25</b> 31:10 123:5 131:17 147:22 <b>250</b> 39:16 39:21 <b>27</b> 120:18 121:12 123:8 126:7 126:8 147:23	<b>400</b> 33:21 44:1 45:17 89:1 <b>4000</b> 87:10 <b>4006</b> 2:12 <b>43</b> 3:4 142:21
<hr/> <b>1</b> <hr/>	<hr/> <b>0</b> <hr/>	<hr/> <b>2</b> <hr/>	<hr/> <b>3</b> <hr/>	<hr/> <b>5</b> <hr/>
<b>10</b> 3:4 3:14 42:24 84:7 84:8 105:6 <b>100</b> 124:8 <b>1000</b> 39:23 41:5 154:1 154:8 156:7 <b>1089</b> 1:25 <b>11</b> 3:5 3:14 84:8 84:8 84:12 97:7 105:24 147:19 148:18 <b>12</b> 108:24 170:25 <b>122</b> 118:10 118:16 118:23 <b>125</b> 27:11 <b>1275</b> 39:23 41:5	<b>10</b> 3:4 3:14 42:24 84:7 84:8 105:6 <b>100</b> 124:8 <b>1000</b> 39:23 41:5 154:1 154:8 156:7 <b>1089</b> 1:25 <b>11</b> 3:5 3:14 84:8 84:8 84:12 97:7 105:24 147:19 148:18 <b>12</b> 108:24 170:25 <b>122</b> 118:10 118:16 118:23 <b>125</b> 27:11 <b>1275</b> 39:23 41:5	<b>20</b> 3:3 28:18 28:20 41:22 44:9 44:13 51:2 56:8 61:17 64:4 64:8 64:12 72:20 148:23 151:25 152:9 152:12 154:23 155:12 161:14 162:11 162:21 165:13 165:21 <b>200</b> 40:18 <b>2005</b> 10:10 12:6 <b>2009</b> 10:9 <b>2013</b> 49:25 68:17 <b>2014</b> 1:10 3:22 12:6 50:1 170:13 170:21 <b>2015</b> 13:2 <b>2016</b> 170:25 <b>202</b> 118:10 118:16	<b>30</b> 14:9 14:10 53:1 56:9 <b>30th</b> 13:2 <b>33</b> 125:7 131:1 131:3 131:10 <b>34</b> 131:6 131:9 131:13 131:14 131:17 <b>35</b> 131:14 131:17 <b>36</b> 19:13 <b>368</b> 129:18 <b>37</b> 141:1 146:20 147:10 147:17 <b>37069</b> 1:24 <b>371</b> 1:22 170:24 <b>37118</b> 2:13 <b>37122</b> 2:6 <b>37377</b> 2:9 <b>37615</b> 2:3 <b>38</b> 133:8 137:2 137:25 140:15	<b>50</b> 148:21 156:4 <b>55</b> 125:15 127:6 <b>550</b> 33:23 <b>5th</b> 7:19
<hr/> <b>2</b> <hr/>	<hr/> <b>1</b> <hr/>	<hr/> <b>2</b> <hr/>	<hr/> <b>3</b> <hr/>	<hr/> <b>6</b> <hr/>
<b>700</b> 85:19 <b>75</b> 28:16	<b>10</b> 3:4 3:14 42:24 84:7 84:8 105:6 <b>100</b> 124:8 <b>1000</b> 39:23 41:5 154:1 154:8 156:7 <b>1089</b> 1:25 <b>11</b> 3:5 3:14 84:8 84:8 84:12 97:7 105:24 147:19 148:18 <b>12</b> 108:24 170:25 <b>122</b> 118:10 118:16 118:23 <b>125</b> 27:11 <b>1275</b> 39:23 41:5	<b>20</b> 3:3 28:18 28:20 41:22 44:9 44:13 51:2 56:8 61:17 64:4 64:8 64:12 72:20 148:23 151:25 152:9 152:12 154:23 155:12 161:14 162:11 162:21 165:13 165:21 <b>200</b> 40:18 <b>2005</b> 10:10 12:6 <b>2009</b> 10:9 <b>2013</b> 49:25 68:17 <b>2014</b> 1:10 3:22 12:6 50:1 170:13 170:21 <b>2015</b> 13:2 <b>2016</b> 170:25 <b>202</b> 118:10 118:16	<b>30</b> 14:9 14:10 53:1 56:9 <b>30th</b> 13:2 <b>33</b> 125:7 131:1 131:3 131:10 <b>34</b> 131:6 131:9 131:13 131:14 131:17 <b>35</b> 131:14 131:17 <b>36</b> 19:13 <b>368</b> 129:18 <b>37</b> 141:1 146:20 147:10 147:17 <b>37069</b> 1:24 <b>371</b> 1:22 170:24 <b>37118</b> 2:13 <b>37122</b> 2:6 <b>37377</b> 2:9 <b>37615</b> 2:3 <b>38</b> 133:8 137:2 137:25 140:15	<b>600</b> 28:17 <b>61</b> 159:9 <b>615</b> 1:25 <b>64</b> 109:19 <b>650</b> 125:16 125:21 <b>68</b> 118:10 118:16 118:23
<hr/> <b>3</b> <hr/>	<hr/> <b>1</b> <hr/>	<hr/> <b>2</b> <hr/>	<hr/> <b>3</b> <hr/>	<hr/> <b>7</b> <hr/>
<b>700</b> 85:19 <b>75</b> 28:16	<b>10</b> 3:4 3:14 42:24 84:7 84:8 105:6 <b>100</b> 124:8 <b>1000</b> 39:23 41:5 154:1 154:8 156:7 <b>1089</b> 1:25 <b>11</b> 3:5 3:14 84:8 84:8 84:12 97:7 105:24 147:19 148:18 <b>12</b> 108:24 170:25 <b>122</b> 118:10 118:16 118:23 <b>125</b> 27:11 <b>1275</b> 39:23 41:5	<b>20</b> 3:3 28:18 28:20 41:22 44:9 44:13 51:2 56:8 61:17 64:4 64:8 64:12 72:20 148:23 151:25 152:9 152:12 154:23 155:12 161:14 162:11 162:21 165:13 165:21 <b>200</b> 40:18 <b>2005</b> 10:10 12:6 <b>2009</b> 10:9 <b>2013</b> 49:25 68:17 <b>2014</b> 1:10 3:22 12:6 50:1 170:13 170:21 <b>2015</b> 13:2 <b>2016</b> 170:25 <b>202</b> 118:10 118:16	<b>30</b> 14:9 14:10 53:1 56:9 <b>30th</b> 13:2 <b>33</b> 125:7 131:1 131:3 131:10 <b>34</b> 131:6 131:9 131:13 131:14 131:17 <b>35</b> 131:14 131:17 <b>36</b> 19:13 <b>368</b> 129:18 <b>37</b> 141:1 146:20 147:10 147:17 <b>37069</b> 1:24 <b>371</b> 1:22 170:24 <b>37118</b> 2:13 <b>37122</b> 2:6 <b>37377</b> 2:9 <b>37615</b> 2:3 <b>38</b> 133:8 137:2 137:25 140:15	<b>700</b> 85:19 <b>75</b> 28:16
<hr/> <b>4</b> <hr/>	<hr/> <b>1</b> <hr/>	<hr/> <b>2</b> <hr/>	<hr/> <b>3</b> <hr/>	<hr/> <b>8</b> <hr/>
<b>700</b> 85:19 <b>75</b> 28:16	<b>10</b> 3:4 3:14 42:24 84:7 84:8 105:6 <b>100</b> 124:8 <b>1000</b> 39:23 41:5 154:1 154:8 156:7 <b>1089</b> 1:25 <b>11</b> 3:5 3:14 84:8 84:8 84:12 97:7 105:24 147:19 148:18 <b>12</b> 108:24 170:25 <b>122</b> 118:10 118:16 118:23 <b>125</b> 27:11 <b>1275</b> 39:23 41:5	<b>20</b> 3:3 28:18 28:20 41:22 44:9 44:13 51:2 56:8 61:17 64:4 64:8 64:12 72:20 148:23 151:25 152:9 152:12 154:23 155:12 161:14 162:11 162:21 165:13 165:21 <b>200</b> 40:18 <b>2005</b> 10:10 12:6 <b>2009</b> 10:9 <b>2013</b> 49:25 68:17 <b>2014</b> 1:10 3:22 12:6 50:1 170:13 170:21 <b>2015</b> 13:2 <b>2016</b> 170:25 <b>202</b> 118:10 118:16	<b>30</b> 14:9 14:10 53:1 56:9 <b>30th</b> 13:2 <b>33</b> 125:7 131:1 131:3 131:10 <b>34</b> 131:6 131:9 131:13 131:14 131:17 <b>35</b> 131:14 131:17 <b>36</b> 19:13 <b>368</b> 129:18 <b>37</b> 141:1 146:20 147:10 147:17 <b>37069</b> 1:24 <b>371</b> 1:22 170:24 <b>37118</b> 2:13 <b>37122</b> 2:6 <b>37377</b> 2:9 <b>37615</b> 2:3 <b>38</b> 133:8 137:2 137:25 140:15	<b>700</b> 85:19 <b>75</b> 28:16
<hr/> <b>5</b> <hr/>	<hr/> <b>1</b> <hr/>	<hr/> <b>2</b> <hr/>	<hr/> <b>3</b> <hr/>	<hr/> <b>9</b> <hr/>
<b>700</b> 85:19 <b>75</b> 28:16	<b>10</b> 3:4 3:14 42:24 84:7 84:8 105:6 <b>100</b> 124:8 <b>1000</b> 39:23 41:5 154:1 154:8 156:7 <b>1089</b> 1:25 <b>11</b> 3:5 3:14 84:8 84:8 84:12 97:7 105:24 147:19 148:18 <b>12</b> 108:24 170:25 <b>122</b> 118:10 118:16 118:23 <b>125</b> 27:11 <b>1275</b> 39:23 41:5	<b>20</b> 3:3 28:18 28:20 41:22 44:9 44:13 51:2 56:8 61:17 64:4 64:8 64:12 72:20 148:23 151:25 152:9 152:12 154:23 155:12 161:14 162:11 162:21 165:13 165:21 <b>200</b> 40:18 <b>2005</b> 10:10 12:6 <b>2009</b> 10:9 <b>2013</b> 49:25 68:17 <b>2014</b> 1:10 3:22 12:6 50:1 170:13 170:21 <b>2015</b> 13:2 <b>2016</b> 170:25 <b>202</b> 118:10 118:16	<b>30</b> 14:9 14:10 53:1 56:9 <b>30th</b> 13:2 <b>33</b> 125:7 131:1 131:3 131:10 <b>34</b> 131:6 131:9 131:13 131:14 131:17 <b>35</b> 131:14 131:17 <b>36</b> 19:13 <b>368</b> 129:18 <b>37</b> 141:1 146:20 147:10 147:17 <b>37069</b> 1:24 <b>371</b> 1:22 170:24 <b>37118</b> 2:13 <b>37122</b> 2:6 <b>37377</b> 2:9 <b>37615</b> 2:3 <b>38</b> 133:8 137:2 137:25 140:15	<b>700</b> 85:19 <b>75</b> 28:16
<hr/> <b>6</b> <hr/>	<hr/> <b>1</b> <hr/>	<hr/> <b>2</b> <hr/>	<hr/> <b>3</b> <hr/>	<hr/> <b>9</b> <hr/>
<b>700</b> 85:19 <b>75</b> 28:16	<b>10</b> 3:4 3:14 42:24 84:7 84:8 105:6 <b>100</b> 124:8 <b>1000</b> 39:23 41:5 154:1 154:8 156:7 <b>1089</b> 1:25 <b>11</b> 3:5 3:14 84:8 84:8 84:12 97:7 105:24 147:19 148:18 <b>12</b> 108:24 170:25 <b>122</b> 118:10 118:16 118:23 <b>125</b> 27:11 <b>1275</b> 39:23 41:5	<b>20</b> 3:3 28:18 28:20 41:22 44:9 44:13 51:2 56:8 61:17 64:4 64:8 64:12 72:20 148:23 151:25 152:9 152:12 154:23 155:12 161:14 162:11 162:21 165:13 165:21 <b>200</b> 40:18 <b>2005</b> 10:10 12:6 <b>2009</b> 10:9 <b>2013</b> 49:25 68:17 <b>2014</b> 1:10 3:22 12:6 50:1 170:13 170:21 <b>2015</b> 13:2 <b>2016</b> 170:25 <b>202</b> 118:10 118:16	<b>30</b> 14:9 14:10 53:1 56:9 <b>30th</b> 13:2 <b>33</b> 125:7 131:1 131:3 131:10 <b>34</b> 131:6 131:9 131:13 131:14 131:17 <b>35</b> 131:14 131:17 <b>36</b> 19:13 <b>368</b> 129:18 <b>37</b> 141:1 146:20 147:10 147:17 <b>37069</b> 1:24 <b>371</b> 1:22 170:24 <b>37118</b> 2:13 <b>37122</b> 2:6 <b>37377</b> 2:9 <b>37615</b> 2:3 <b>38</b> 133:8 137:2 137:25 140:15	<b>700</b> 85:19 <b>75</b> 28:16
<hr/> <b>7</b> <hr/>	<hr/> <b>1</b> <hr/>	<hr/> <b>2</b> <hr/>	<hr/> <b>3</b> <hr/>	<hr/> <b>9</b> <hr/>
<b>700</b> 85:19 <b>75</b> 28:16	<b>10</b> 3:4 3:14 42:24 84:7 84:8 105:6 <b>100</b> 124:8 <b>1000</b> 39:23 41:5 154:1 154:8 156:7 <b>1089</b> 1:25 <b>11</b> 3:5 3:14 84:8 84:8 84:12 97:7 105:24 147:19 148:18 <b>12</b> 108:24 170:25 <b>122</b> 118:10 118:16 118:23 <b>125</b> 27:11 <b>1275</b> 39:23 41:5	<b>20</b> 3:3 28:18 28:20 41:22 44:9 44:13 51:2 56:8 61:17 64:4 64:8 64:12 72:20 148:23 151:25 152:9 152:12 154:23 155:12 161:14 162:11 162:21 165:13 165:21 <b>200</b> 40:18 <b>2005</b> 10:10 12:6 <b>2009</b> 10:9 <b>2013</b> 49:25 68:17 <b>2014</b> 1:10 3:22 12:6 50:1 170:13 170:21 <b>2015</b> 13:2 <b>2016</b> 170:25 <b>202</b> 118:10 118:16	<b>30</b> 14:9 14:10 53:1 56:9 <b>30th</b> 13:2 <b>33</b> 125:7 131:1 131:3 131:10 <b>34</b> 131:6 131:9 131:13 131:14 131:17 <b>35</b> 131:14 131:17 <b>36</b> 19:13 <b>368</b> 129:18 <b>37</b> 141:1 146:20 147:10 147:17 <b>37069</b> 1:24 <b>371</b> 1:22 170:24 <b>37118</b> 2:13 <b>37122</b> 2:6 <b>37377</b> 2:9 <b>37615</b> 2:3 <b>38</b> 133:8 137:2 137:25 140:15	<b>700</b> 85:19 <b>75</b> 28:16
<hr/> <b>8</b> <hr/>	<hr/> <b>1</b> <hr/>	<hr/> <b>2</b> <hr/>	<hr/> <b>3</b> <hr/>	<hr/> <b>9</b> <hr/>
<b>700</b> 85:19 <b>75</b> 28:16	<b>10</b> 3:4 3:14 42:24 84:7 84:8 105:6 <b>100</b> 124:8 <b>1000</b> 39:23 41:5 154:1 154:8 156:7 <b>1089</b> 1:25 <b>11</b> 3:5 3:14 84:8 84:8 84:12 97:7 105:24 147:19 148:18 <b>12</b> 108:24 170:25 <b>122</b> 118:10 118:16 118:23 <b>125</b> 27:11 <b>1275</b> 39:23 41:5	<b>20</b> 3:3 28:18 28:20 41:22 44:9 44:13 51:2 56:8 61:17 64:4 64:8 64:12 72:20 148:23 151:25 152:9 152:12 154:23 155:12 161:14 162:11 162:21 165:13 165:21 <b>200</b> 40:18 <b>2005</b> 10:10 12:6 <b>2009</b> 10:9 <b>2013</b> 49:25 68:17 <b>2014</b> 1:10 3:22 12:6 50:1 170:13 170:21 <b>2015</b> 13:2 <b>2016</b> 170:25 <b>202</b> 118:10 118:16	<b>30</b> 14:9 14:10 53:1 56:9 <b>30th</b> 13:2 <b>33</b> 125:7 131:	