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

QUARTERLY MEETING OF THE
STATE OF TENNESSEE
BOARD OF BOILER RULES

June 10, 2020

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APPEARANCES:

Brian Morelock, Chairman
Owner-User Representative

David W. Baughman
Owner/User Representative
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Harold F. Bowers
Insurance Representative
Centerville, Tennessee

Terry Fox
Boilermaker Representative
Chattanooga, Tennessee

Dr. S. Keith Hargrove
Mechanical Engineer Representative
Goodlettsville, Tennessee

Jeff Henry
Board Member

Sam Chapman, Chief Boiler Inspector

Chris O'Guin, Assistant Chief Boiler Inspector

Thomas Herrod, Assistant Commissioner
State of Tennessee

Daniel Bailey, Esq., Legal Counsel
State of Tennessee

Carlene T. Bennett, Board Secretary
State of Tennessee Workplace Regulations &
Compliance Division
APPEARANCES CONTINUED:

Jamie Presson, Executive Administrative Assistant
State of Tennessee Workplace Regulations &
Compliance Division

Deborah Rhone, Boiler Office Supervisor
State of Tennessee

Deonne Bell, Boiler Staff Member
State of Tennessee

GUEST APPEARANCES:

James Neville, Neville Engineering

Marty Toth, ECS Consulting

Eugene Robinson, Cincinnati Insurance Company

Stephen McDermott, Carry Transit

Debbie Ward, Tyson Foods, Inc. - Loss Control

Nissan North America:
Wade Willatt
John Honea
Jon Holland
Steven Duong
Chris Goddard

Hearthside Foods:
Dave Reavis
Heath Henry
Wendy Levan (Boiler Supply Account Representative)
INDEX
19-23 Hearthside Food Solutions, LLC
20-01 Nissan North America Smyrna
20-02 Carry Transit

AGENDA
I. Call Meeting to Order
II. Introductions and Announcements
III. Adoption of the Agenda
IV. Annual Review of Conflict of Interest Policy and Completion of Policy Acknowledgment
V. Approval of Minutes from the Last Meeting (December 11, 2019)
VI. Chief Boiler Inspector's Report
VII. Variance Report
VIII. Old Business
19-23 Hearthside Good Solutions, LLC
IX. New Business
20-01 Nissan North America Smyrna
20-02 Carry Transit
X. Open Discussion Items
* Update on the Boiler Computer System and Jurisdiction Online
* Update on September 20 Boiler Safety Conference
XI. Announcement of Next Meeting
The next scheduled meeting of the Board of Boiler Rules will be held at 9:00 a.m. on Wednesday, June 17, 2020, via Zoom video conferencing.
XII. Adjournment

** Reporter's Note: All names are spelled phonetically unless otherwise provided to the Reporter by the parties.
MS. GEORGE: Good morning, everyone. I'm Nan George with Stone & George Court Reporting. I'll be the Zoom host today. Our court reporter is Cassandra Beiling, who is also with Stone & George.

Our job is to ensure that a verbatim transcript of the proceedings is produced. Please think about attending this video conference no differently than you would think about being in a conference in person with a group of people. Anything that you say or do can be seen and by everyone else on the Zoom if your microphone is not muted. So because of that and the number of attendees today, we will mute everyone until you're called on to speak. If you have something to say before you're called on, please use the raise hand function that's located in the participant's screen.

We want to make sure that everyone that's on this Zoom is set up properly prior to the meeting starting so that we don't have any issues with audio or video once the meeting begins. When everyone is set up efficiently, the hearing should pretty much mirror what happens
when we're all together in the hearing room.

So if you haven't done so, please go to the chat box now and enter your name and the company that you represent.

When you're called on, please unmute yourself and verbally state your name and your company.

Thank you-all very much.

And Brian?

CHAIRMAN MORELOCK: Well, good morning everyone. I'm going to call this Tennessee board meeting to order. I want to thank you all for your willingness to participate in these unprecedented times to continue the work of public safety for the State of Tennessee. And I appreciate all the efforts from everyone involved here today. And I wanted you to know that.

We do have an agenda. I hope that everybody has access to that agenda. And so with that, the first item is to begin with some introductions and announcements. And the way I want to do that is, since we're not meeting face to face, to go through introductions, that I will, if I can get my -- here we go. Let me start at the top and work down my list.
Nan George just introduced herself. 
I'm just going to go straight down the list. 
Mr. Willatt with Nissan, would you introduce yourself, please. 

MR. WILLATT: Yes. This is Wade Willatt with Nissan. And I'm in the room here with other members of Nissan. We'll go around and introduce ourselves. 

MR. HONEA: This is John Honea, Nissan. 

MR. HOLLAND: John Holland with Nissan. 

MR. GODDARD: Chris Goddard with Nissan. 

MR. DUONG: Steven Duong with Nissan. 

CHAIRMAN MORELOCK: Okay. And gentlemen, if you would, please, send a chat with all those names so that we can get those on the public record, please. 

Cassandra, if you'll introduce yourself. 

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

CHAIRMAN MORELOCK: Thank you.
Ms. Bell?

MS. BELL: Deonne Bell, Tennessee Boiler office staff member.

CHAIRMAN MORELOCK: Thank you, ma'am.

MS. BELL: You're welcome.

CHAIRMAN MORELOCK: Ms. Bennett?

MS. BENNETT: Carlene Bennett, board secretary.

CHAIRMAN MORELOCK: Mr. O'Guin?

MR. O'GUIN: Chris O'Guin, Tennessee Assistant Chief boiler inspector.

CHAIRMAN MORELOCK: Thank you.

Mr. Bailey?

MR. BAILEY: Dan Bailey, legal counsel.

CHAIRMAN MORELOCK: Mr. Baughman?

MR. BAUGHMAN: Dave Baughman, Allied Boiler and Supply, board member.

CHAIRMAN MORELOCK: Ms. Rhone?

MS. RHONE: Deborah Rhone, boiler office supervisor.

CHAIRMAN MORELOCK: Mr. Robinson, can you introduce yourself, please?

MR. ROBINSON: Eugene Robinson,
Cincinnati Insurance.

CHAIRMAN MORELOCK: Thank you.

Mr. Bowers?

MR. BOWERS: Harold Bowers, board member.

CHAIRMAN MORELOCK: Mr. Neville?

MR. NEVILLE: James Neville, Neville Engineering, representing Carry Transit.

CHAIRMAN MORELOCK: Ms. Presson?

MS. PRESSON: Jamie Presson, Executive Administrative Assistant for WRC.

CHAIRMAN MORELOCK: Thank you, Ma'am.

Mr. Henry?

MR. HENRY: Jeff Henry, board member.

CHAIRMAN MORELOCK: Mr. Toth?

MR. TOTH: Hi. This is Marty Toth with ECS Consulting and the Boisco Training Group. I have in the room with me three individuals. I will let them introduce themselves.

MR. REAVIS: David Reavis,

Hearthside Foods.

MR. HEATH HENRY: Heath Henry,

Hearthside Foods.
MS. LeVAN: Wendy LeVan, boiler supply account representative for Hearthside Foods.

CHAIRMAN MORELOCK: Thank you. And, also, please send -- I think you already have sent a chat to capture your name. I appreciate that.

Mr. Chapman?

MR. CHAPMAN: Sam Chapman, Chief Boiler Inspector.

CHAIRMAN MORELOCK: Mr. McDermott?

MR. McDERMOTT: (No verbal response.)

CHAIRMAN MORELOCK: Can you hear me to introduce yourself?

MR. McDERMOTT: (No verbal response.)

CHAIRMAN MORELOCK: Okay. I'll come back to that one.

Mr. Fox?

MR. FOX: Terry Fox, board member.

CHAIRMAN MORELOCK: Ms. Baker?

MS. BAKER: Tiffany Baker, State Boiler Unit.

CHAIRMAN MORELOCK: Mr. Herrod?
MR. HERROD: Tom Herrod, Assistant Commissioner for workplace regulations and compliance.

CHAIRMAN MORELOCK: Thank you.

Ms. Ward?


CHAIRMAN MORELOCK: Thank you.

Have I left anyone out?

MR. McDERMOTT: This is Steve McDermott again. Can you-all hear me?

CHAIRMAN MORELOCK: Yes. Thank you.

DR. HARGROVE: Keith Hargrove, board member.

CHAIRMAN MORELOCK: My apologies, Dr. Hargrove. I didn't see you as I was scrolling through my list.

DR. HARGROVE: It's a long list.

CHAIRMAN MORELOCK: Well, and as people make changes, it reshuffles it, so it's -- it'll be just fine.

All right. Have I left anyone else out?

(No verbal response.)
CHAIRMAN MORELOCK: All right. My name is Brian Morelock, and I work with Eastman Chemical, and I'm the chair of the Tennessee Board.

Does anybody have any announcements?

(No verbal response.)

CHAIRMAN MORELOCK: Okay. That will take us to Item 3 of the agenda which is adoption of the agenda. And I hope everyone has access to an agenda. Carlene sent those out, so I would like to have a motion to accept the March 10th agenda.

DR. HARGROVE: Motion to accept the March 10th agenda as printed. Keith Hargrove.

MR. BAILEY: Would that not be the June 10th?

CHAIRMAN MORELOCK: Yeah. What did I say?

MR. BAILEY: March 10th.


DR. HARGROVE: Correction. Motion to accept June 10th agenda as printed.

CHAIRMAN MORELOCK: Thank you.

MR. BAUGHMAN: Second.
CHAIRMAN MORELOCK: Thank you, Mr. Baughman, for that second.

So now what we will do is we will have a roll call vote for adoption of the agenda.

Mr. Baughman, how do you vote?

MR. BAUGHMAN: Aye.

CHAIRMAN MORELOCK: Okay.

Dr. Hargrove?

DR. HARGROVE: Aye.

CHAIRMAN MORELOCK: Mr. Fox.

MR. FOX: Aye.

CHAIRMAN MORELOCK: Mr. Bowers?

MR. BOWERS: Aye.

CHAIRMAN MORELOCK: Mr. Henry?

MR. HENRY: Aye.

CHAIRMAN MORELOCK: Okay. We have an agenda.

So the next item is Item 4. And this is the annual review of conflict of interest policy and completion of policy acknowledgment.

Carlene, have you received all of those from the board members?

MS. BENNETT: Yes, sir. I believe I have.

CHAIRMAN MORELOCK: Okay. Very
That will take us to Item 5, approval of the minutes from the last meeting, which was December 11th, 2019. So do I have a motion to approve the last board minutes at the December 11, 2019 meeting?

MR. BOWERS: I vote to approve the meeting.

CHAIRMAN MORELOCK: Okay.

Mr. Bowers, thank you.

Do I have a second?

MR. FOX: I second.

CHAIRMAN MORELOCK: Thank you, Mr. Fox.

We'll have a roll call vote for approval of the minutes.

Mr. Baughman?

MR. BAUGHMAN: Aye.

CHAIRMAN MORELOCK: Mr. Fox?

MR. FOX: Aye.

CHAIRMAN MORELOCK: Dr. Hargrove?

DR. HARGROVE: Aye.

CHAIRMAN MORELOCK: Mr. Bowers?

MR. BOWERS: Aye.

CHAIRMAN MORELOCK: Mr. Henry?
MR. HENRY: Aye.

CHAIRMAN MORELOCK: Okay. We have approval of the minutes. That will take us to Item 6, the chief boiler inspector's report.

So Chief Chapman, I will hand that over to you.

MR. CHAPMAN: Thank you, Chairman.

Number of inspections, state inspections, is 1,931; insurance agencies, 5,135, giving us a total of 7,066.

Total delinquent inspections -- as you know, we're -- from this COVID-19, our delinquents went up a little bit. So the number of vessels is 72,610; state inspectors is 682; insurance agencies is 220, giving us a total of 902 delinquent inspections.

Number of code violations found was 46; uncorrected violations was 45.

The variance inspection report will be reported on by the assistant chief, Chris O'Guin. The reporting data period is from October to December of 2019.

That is the chief's report.

CHAIRMAN MORELOCK: Thank you, Chief Chapman.
If anyone has any questions or comments, would you please state your name and then either ask your question or make your comments.

MR. BAUGHMAN: This is Dave Baughman, board member. You said that report is current up through the end of 2019; is that correct?

MR. CHAPMAN: No. I said, what it is, the reporting period is up to December of 2019.

MR. BAUGHMAN: Thank you, Chief.

CHAIRMAN MORELOCK: Thank you. Any other questions or comments?

(No verbal response.)

CHAIRMAN MORELOCK: That will take us down to Item 7, which is the variance report. And I'll turn that over to Assistant Chief Chris O'Guin.

MR. O'GUIN: Thank you, Chairman.

As of to date, we have 140 known variances. Eight of those are requiring a follow-up inspection; 75 are active; 20 are requiring an inspection; and 37 are dormant.

This quarter we approved 11 variance
audits. Out of those 11, Clover Bottom; West Tennessee Healthcare of Jackson; West Tennessee Healthcare of Dyersburg; Claiborne Medical; Fort Sanders Regional; Cumberland Medical; Poly One; Yoplait; Lucite; Parkwest Medical; and Innophos.

That's all for the variance report.

CHAIRMAN MORELOCK: If there are any questions or comments to the variance report, please state your name and ask your question or make your comment.

(No verbal response.)

CHAIRMAN MORELOCK: All right.

Thank you very much. That will take us to Item 8, which is old business. And we are going to discuss Item 19-3, Hearthside Food Solutions, located in Nashville, Tennessee. And they are requesting a new variance for two high-pressure boilers to operate under the requirements of Chapter 0800-03-03.08.

So if you will state your names and proceed with your item.

MR. BAILEY: Mr. Chairman?

CHAIRMAN MORELOCK: Yes.

MR. BAILEY: When you called that off, you said 19-3; it's 19-23.
CHAIRMAN MORELOCK: Thank you. It is 19-23. I apologize.

MR. TOTH: Thank you, Mr. Chairman. Again, this is Marty Toth with ECS Consulting. I'll be representing Hearthside Foods in their application.

As mentioned, we have Dave Reavis with Hearthside and, also, Heath Henry with Hearthside Foods here.

I'll give you a little background. Hearthside Foods is at 715 Massman Drive here in Nashville, Tennessee. They operate two Cleaver-Brooks boiler 100 horsepower steam boilers that are providing steam for process and, also, heated potable water. They have a maximum allowable working pressure of 150 PSI; however, they operate in the range of 100 to 105 PSI. They are a 24/7 operation and manned accordingly.

Their boilers operate off natural gas. As the board recalls, there has been some revisions to the manual since it was initially submitted to the board. All board members should have received the copies of those revisions to the manual. Those are not technically a revision to the approved manual, so there is no revision page
information to that. They were just -- we had some additional equipment installed on the boilers since the initial submission. The Hearthside Foods has made tremendous efforts in updating their control equipment from Honeywell 7800 series controllers to Hawk 1000 integrated control system that has a Fireye CB-120E burner management system.

As I said, this is a 24/7 operation. It's very unique of a system. Most, for applicants, have one remote panel. Hearthside, to ensure complete coverage, we have installed three remote panels. The attendants, both remote attendant and boiler attendant responsibilities, are primarily served by the same individuals. We have the maintenance technicians, facility technicians that will be cross-qualified both as boiler attendant, slash, operator, and also serve the responsibility as the remote attendant.

We utilize radio communications throughout the plant. We also have a maintenance planner that is stationed from 7:00 a.m. in the morning until 3:30. Again, as I said, we have processes in place to ensure that we do have communication between all individuals that are
responsible for the boiler operations.

And I am welcome to any questions that any of the board members may have.

CHAIRMAN MORELOCK: Thank you, Mr. Toth.

I need to ask the board members, are there any conflicts of interest to any of the board members on this particular item?

(No verbal response.)

CHAIRMAN MORELOCK: All right. Hearing none, do I have a motion to discuss this item?

MR. BOWERS: A motion to discuss.

CHAIRMAN MORELOCK: Thank you, Mr. Bowers.

MR. BAUGHMAN: Second.

CHAIRMAN MORELOCK: I have a second from Mr. Baughman. So I will entertain any questions or comments from the board to Mr. Toth or the gentlemen from Hearthside at this time.

DR. HARGROVE: Keith Hargrove, board member. Mr. Toth, you mentioned that there are three remote access panels. Is the access protocol, as in passwords or whatever, how do they vary, or, certainly, are they different for the
three different remote access panels?

    MR. TOTH: Okay. Good question, Dr. Hargrove. When we talk about three remote panels, we are referring to the east-side panels that were at the remote station. What you may be alluding to, if I'm reading you correctly, is password protection in regards to the integrated control systems at the boilers.

    DR. HARGROVE: Yes, sir.

    MR. TOTH: The Hawk 1000 system has a password protection to ensure that there are no changes to any of the control settings. So there is a password at the boiler for the control systems, yes, sir, for both boilers.

    DR. HARGROVE: Mr. Henry and Mr. Reavis, those gentlemen, they have that information for access; is that correct? Are there any additional individuals that have access?

    MR. TOTH: I can answer that question for you. Mr. Henry is new to the company, so he is just learning the system. The previous plant manager went to -- excuse me, maintenance manager -- went to a different location. So the passwords for control settings are with the service company that handles the
maintenance on the boilers itself. So if there's any changes that need to be made to those settings, they will come, initially, through a third-party service contract.

DR. HARGROVE: All right. Thank you, sir.

CHAIRMAN MORELOCK: Any other questions or comments?

MR. BAUGHMAN: Yes. Dave Baughman, board member. Is Dan Markey still the facility manager engineering?

MR. TOTH: No, he is not. Dan Markey has left the company and went to another location. Mr. Henry has taken over that position and he is the responsible party.

MR. BAUGHMAN: Okay. Was Dan the person in charge of training, and so forth, within this system?

MR. TOTH: The position of facilities maintenance manager was responsible for that. Mr. Henry has taken over that responsibility. Hearthside Foods has contracted with BTG to provide all training for both the remote attendants and boiler attendants.

MR. BAUGHMAN: Is that addressed in
the manual?

MR. TOTH: What part of that?

MR. BAUGHMAN: The responsibility for training. Because as it stands now, it's within that facilities manager engineering, and what you're saying is, is that there's a change now to BTG; is that correct?

MR. TOTH: No. No, sir. If you'll read the manual again, the position in the manual is that of Mr. Henry's. Mr. Henry has that responsibility for training, or his designee. Hearthside foods has chosen to contract out the training responsibilities to BTG. But he does not give up the responsibility for authority of monitoring that training and the recordkeeping therefore.

MR. BAUGHMAN: Okay. Mr. Henry, how familiar are you with this system, presently?

MR. HENRY: I have been with Hearthside now for two months. I'm pretty familiar with the boiler system that is in place at Hearthside.

MR. BAUGHMAN: Okay. One of the items I noticed on the hardware, you mentioned that there has been a hardware upgrade or update
from what we actually have in the manual; is that correct?

MR. TOTH: No. You should have received the revised pages. In your manual, if you look under Appendix D, the revised pages were sent some weeks ago that, where we installed the Hawk 1000 system and, also, that has the Fireye. If you'll on page 16, you should find that information.

MR. BAUGHMAN: How were those revision pages sent, Marty?

MR. TOTH: I would have to go back and -- I can't look at it right now. That would have been some months ago. The reason that we went forward with the submitting of the manuals with the old equipment is because we were unsure of the timeline when we would have been able to get that equipment in and then present it to the board. We, as a company, wanted to make sure that we had the variance in place, which we could have received a variance under the previous equipment, the control equipment that was on the boiler. This was a plan all along, and it just happened to be that when we started coming up to COVID, we saw where we were able to get the new equipment in.
And that was sent in. Maybe Ms. Bennett can look on her computer and see, or I can get back to the board at a later date. But it was quite a few weeks back.

CHAIRMAN MORELOCK: Carlene sent those pages out on May the 7th as a PDF file. Now, if it would be helpful, I think I can share my screen if you want to see those pages. Would that be beneficial?

MR. TOTH: Are you referring to me, Mr. Chairman, or Mr. Baughman?

CHAIRMAN MORELOCK: Mr. Baughman, do you want me to share my screen so you can see those pages and the other board members can see those pages?

MR. BAUGHMAN: I just found it myself. I appreciate it. It actually went to a junk folder instead of coming up. So I apologize for that.

And, Marty, I'm sorry, but that's part of the issue, is sending information out. But I apologize. I did not get that in my inbox. It actually went to my junk mail.

MR. TOTH: And that came from Ms. Bennett, Mr. Baughman?
MR. BAUGHMAN: It did.

MR. TOTH: Okay. Thank you.

MR. BAUGHMAN: I'll carry on with my question, since I've got the unmute button going.

So again, we've upgraded to a Hawk system. And what other upgrades? Since I didn't download the PDF to go look at it, what was the other upgrade, Marty?

MR. TOTH: Well, it was just the Hawk 1000 system that utilizes the Fireye CB-120E boiler management system.

MR. BAUGHMAN: Okay. So we're still using one level master, and then the auxiliary float or the auxiliary probes that were already on the boiler? They haven't been changed?

MR. TOTH: They have not. We -- only Boiler Number 2 has as level master on it. So all of the other controls have remained the same. Obviously, going to the 1000, that changed the actuators.

MR. BAUGHMAN: So the question that I would have, then, is on the secondary low-water cutoff, is that the one that we've got the alarm wired into?
MR. TOTH: On the auxiliary cutoff?

MR. BAUGHMAN: Yes, sir.

MR. TOTH: In that case, I would have to double-check. I'm pretty certain that we do have an alarm on the auxiliary low-water cutoff that is going to send it to the e-stops.

Absolutely.

MR. BAUGHMAN: In the manual, it states that an alarm will trip the boiler controller. And I know within the level master it would, but I didn't know how the secondaries were wired in.

MR. TOTH: Yeah. So on Boiler Number 2, it is going to go through that level master. We have discussed the options of updating Boiler Number 1 in the past, just briefly. But yeah, it is going to go as a normal installation would be. That would go through that auxiliary low-water cutoff.

MR. BAUGHMAN: Which does not trip the programmer. It goes straight to the e-stop, correct?

MR. TOTH: It goes straight to the e-stop. Yeah, absolutely. Well -- and so what we're doing is if that auxiliary low-water cutoff
trips, what does it do? It's not going to trip the energy to the controller. It's going to float the master gas valves to the boiler, and the boiler is going to come offline.

MR. BAUGHMAN: Yeah. I'm more concerned about how it alarms in that low-water condition, more so than just shutting the boiler off. It's gone off on a device that should cause an alarm trip, not just cutting off the gas valves.

MR. TOTH: Right. It is going to -- absolutely. It sends the alarm. The alarm gets sent, goes out to the remote panels. You get an audible, visual -- just the standard practices of tripping that e-stop at the remote stations. Absolutely.

MR. BAUGHMAN: On the checklist, on page 37, Item Number 36.

MR. TOTH: I don't have 37. Page 37?

MR. BAUGHMAN: Correct.


MR. BAUGHMAN: It says it included the test of the water column, but there's two
water columns on the boiler. And I was just looking for where it actually stated that in the manual. I couldn't find it. So I was just going to ask you where you could point me to that.

MR. TOTH: Absolutely. When we start talking about the normal duties -- and this is something that you see on a regular basis within these manuals -- the operation -- and I guess this is where the board needs to maybe identify this a little bit clearer, is that if we're talking about normal operations testing -- or are we talking about how we're going to test the communication system?

The way that this system is set up, is that we're testing the communications of the boiler, not just the operations of the boiler. And if the board wants for it to be an operations test, then that needs to be specified. If we use a column blow-down to send an alarm, that's what the intent of 36 is for.

As you're aware, I was with the department during the construction of this checklist. So when you look at Part 4, even under part 3 of the manual, you will see that you have normal duties. And within the normal duties, it
can be performed by doing a boiler limit or a manual test of the alarm itself. There are various ways that we can actually send a signal to a remote station, as you're very aware of, so that they will receive that audible, and they can verify, yes, indeed, we did get that communication. Or what I usually do with my clients is we go through the process of training those individuals to do safety checks, to have that communication test. Such as flame failures, low-gas pressure tests, or we can do little water columns. And that's why that's indicated as yes.

MR. BAUGHMAN: And I appreciate that description, but from the best I can tell, as the question stands, it would change that answer from yes to no because it doesn't specifically identify the boiler water column; is that correct?

MR. TOTH: I would say that what you're stipulating is a yes-and-no answer. You're correct in that it doesn't spell out we are going to do a low-water column check, but if you look on Appendix F of the boiler log, there is a column indication there for low-water cutoff checks. And that is something that is put into our operational training and our processes; not necessarily the
variance itself, but in our operational training, we do and will stipulate daily low-water cutoff checks. Absolutely.

MR. BAUGHMAN: Then the reference in the checklist should change to the boiler log sheet, then, rather than the reference that's given for the manual presently, then.

MR. TOTH: If that's what you would like for us to put in there, we'll be more than happy to put that as no. Again, I reiterate, the manual itself is indicating that we have the opportunity by checking either a limit or doing a manual test. But by spelling out, are we doing a boiler water column test? No, we're catching all of those within the verbiage.

But if it pleases you, I will be more than happy to change that to a no. I don't see it affecting this variance at all. But if that's what you would like us to do, we'll be more than happy to change that checklist.

MR. BAUGHMAN: Well, the reason I bring it up is the checklist is specific and the question is specific and the answer is specific, and we're not talking in generalities. And so because of that, and being attention to detail as
we are, then that's why I address that, is that as we're going through this, we don't want to speak in generalities of checking limits. The checklist is very specific in what it's asking for. And so as long as we've got the correct reference to it, then I'm fine if we change that reference. Because the manual does include a test of that in your boiler log sheet.

MR. TOTH: And if I may add, Mr. Baughman, I agree with what you're saying. The checklist does specifically spell out the water column check, but it does not spell out such things as low-gas pressure check or flame failure check or anything of that nature.

So, again, when this checklist was created a number of years back, the intent was to spell out is there a way that you're checking it for the communication. But I will be more than happy to either look at adding it as an example within the normal duties, such as a parenthetical that states, you know, flame failure or water column. What I am not comfortable doing is putting it in the manual for a variance that says we will do a water column check that brings the boiler down to satisfy a communications check,
when they could use a flame failure or they can use a low-gas pressure switch or a high-gas pressure switch or a combustion air switch, whichever limit they wanted to. I'll be more than happy to put that in there as an example of one of those checks that they --

MR. BAUGHMAN: You bet. And I think the reason that I thought the water column check was there was because low-water conditions are one of the two leading causes of boiler failures each and every year. I thought that was why that was in the checklist, not so much as just checking the communications for a failure or an alarm signal for communications. I thought it was specifically addressing the low-water condition issue that exists in our industry.

MR. TOTH: And I couldn't agree with you more, that low-water conditions are right up there, if not the number one cause of malfunction of the low-water cutoff. That's the number one cause of accidents to boilers. So I agree. However, when we look at it, what is the purpose of the variance? What is the purpose -- the intent of the variance? Is it an operation process of operating the boiler, or is the remote
variance process where we have a remote attendant.

So when we start putting operation information in there, how do you operate your boiler; then we start looking at it saying, well, how often are we going to do that; are we going to trip that boiler every time. There are systems that are out there that are very sensitive to that, as we've talked about many times. And those systems, we need to customize how we're going to operate those boilers and how we're going to test those controls and safety devices per the standards of the industry.

But I'll be more than happy to list the different types of controls that we may use to test the communications if that would satisfy you.

MR. BAUGHMAN: No. I'm not, so much, looking for that, Marty, as I was, specifically, addressing the water column issue. I'm satisfied with the communications. I just wasn't so much with the water column. I'm glad it's in the boiler log, but that's really where I was addressing it from, was make making sure that the water column is addressed. And if we don't have -- we're using boiler remote personnel and different types of personnel in these situations,
and we're going back and checking the boilers periodically. We want to make sure that the boilers are operated in a safe manner and to address the water column is, for one, an important issue.

MR. TOTH: Absolutely.

MR. BAUGHMAN: But that's my two cents' worth.

CHAIRMAN MORELOCK: Well, the only thing I would add to that is, from a board position, we want to prescribe the safe operation of a boiler, but we're not going to tell people how they do that. So we want that low water checked, but we're going to leave it up to the operator to know how to do that. We're going to prescribe what we need to do, but we're not going to tell them how to do it. Does that make sense?

MR. TOTH: Are you speaking to me, Mr. Chairman?

CHAIRMAN MORELOCK: Well, just to the board and visitors and everybody. It's a general question.

MR. BAUGHMAN: Brian, I agree. We're not so much, specifically, telling them how to do it and so forth. But because it is that
leading cause or one of the two leading causes of boiler failures each year, it's an important part of this proposition. And because of that, it needs to be addressed definitively within the operations manual of the variance. So how we identify it in the manual, not only for ourselves to look at it, but, also, in how it's identified for other personnel that are being trained on the manual, I think it's important to delineate it very specifically. But there again, that's my own thoughts with it.

CHAIRMAN MORELOCK: Well, now, and I understand your point, but the board is not going to train an operator how to blow down a boiler. Does that make sense? We're going to tell them they need to blow it down, but we're not going to write a variance manual on how to blow it down. And so we need to put that in the checklist that that needs to be done, but we're going to leave it up to other codes and standards that will definitively tell them how to do that. Does that make sense?

MR. BAUGHMAN: It does. Exactly. And I don't think that's the direction that we're looking to go, as far as training them on how to
do it. We want to just be specific telling them that it needs to be done.

    CHAIRMAN MORELOCK: Yes.

    MR. TOTH: And that's why I think it's very important. I think we're -- you know, we're coming from the same side, which is boiler safety, to ensure that boilers are operated safely and efficiently. That's where my job comes in, is to help them on the efficiency side of it as well.

    And as can you see the log, I worked with Hearthside to create their log. One of the things that I stress to my clients is that I want to create a log not only for the operator themselves to be aware of the operation of that boiler, but also for management to be able to collect those logs at the end of the week or end of the day or look at it on a daily basis, whatever, and be able to see what operations we've been doing, and, also, to get Chief Chapman and his inspectors and also the insurance inspectors an idea of what operations are going on.

    So I do agree with both of you gentlemen on this, and I'll be more than happy to revise the manual any way you see fit.

    CHAIRMAN MORELOCK: Any other
questions or comments about this variance request?

(No verbal response.)

CHAIRMAN MORELOCK:  All right.

Hearing none, do I have a motion to approve this variance contingent on a successful site visit from the boiler unit and incorporation of board member comments during this meeting today?

MR. BOWERS:  I make that motion to approve that he has to update the comments, as we've talked about today, and, also, continue on a site visit from either the chief or assistant chief or one of his staff.

CHAIRMAN MORELOCK:  Thank you, Mr. Bowers.

So I do have a motion.  Do I have a second?

MR. FOX:  I will second that.

CHAIRMAN MORELOCK:  Okay, Mr. Fox.

I do have a second. Any other comments or questions?

(No verbal response.)

CHAIRMAN MORELOCK:  All right.

Hearing none, we're going to have a roll call vote.

So, Mr. Bowers?
MR. BOWERS: Aye.

CHAIRMAN MORELOCK: Mr. Fox?

MR. FOX: Aye.

CHAIRMAN MORELOCK: Mr. Baughman?

MR. BAUGHMAN: Aye.

CHAIRMAN MORELOCK: Mr. Henry?

MR. HENRY: Aye.

CHAIRMAN MORELOCK: Dr. Hargrove?

DR. HARGROVE: Aye.

CHAIRMAN MORELOCK: All right. So we have a unanimous approval of this variance. And thank you, gentlemen, for your time.

MR. TOTH: Thank you very much, Mr. Chairman. We appreciate you and the rest of the board.

CHAIRMAN MORELOCK: Okay. So that will take us to Item 9, new business. And our first item is 20-01. Nissan North America Smyrna is requesting a variance for three high-pressure boilers to operate under the requirements of 0800-03-.8.

And so if you will introduce yourselves and present your item. And while you're preparing to do that, is there a conflict of interest for this item on the board?
(No verbal response.)

CHAIRMAN MORELOCK: I'm hearing none. So you may proceed, gentlemen.

MR. WILLATT: Hello. Can you hear me now?

CHAIRMAN MORELOCK: I can hear you now.

MR. WILLATT: All right. Sorry about that. This is Wade Willatt with Nissan. I'll wave, as we're all required to wear masks inside our facility.

As many of you know, the Nissan plant in Smyrna makes vehicles. Right now, we make six models: The Altima, Maxima, Leaf, Pathfinder, Rogue, and QX60. And we're adding the Murano later this fall. And we have the largest automotive plant by volume in North America, and the plant is known as the first --

MR. BAILEY: Mr. Chairman?

MR. WILLATT: -- Nissan plant in --

MR. BAILEY: Excuse me. Excuse me, Mr. Chairman. The court reporter has her hand up.

CHAIRMAN MORELOCK: Oh, I'm sorry.

THE REPORTER: I'm so sorry. He is cutting out.
If you can slow down, Mr. Willatt, quite a bit, because it's cutting out, I might be able to catch it better.

MR. WILLATT: Okay. It's cutting out on our end as well. I will try to talk slower. Is that better?

THE REPORTER: That is better, yes. Thank you.

MR. WILLATT: All right. So at our plant in Smyrna, we use our steam to make hot water. Our steam is isolated to our central utilities plant, and then converted to hot water, which is then distributed around the plant for our paint processes, as well as seasonal heat for the perimeter, and then heating of our dual temp water circulation system.

We have three Cleaver-Brooks boilers that were installed in 2013. They replaced the three cold-fired boilers that were installed 1951. Each boiler has a Hawk 4000 control with a Hawk ICS master controller. And we also have a Eurotherm control system for our central utilities plant for chilled water and compressed air and the steam system, as well as the Honeywell building management system.
Our remote attendant location is 1,600 feet from the boiler room. And that's shown in Appendix A. And then on pages 7 through 10, we describe our boiler attendants and remote boiler attendants. Our boiler operators, which are boiler attendants, are 24/7 with a lead and an assistant. And then our HVAC NMAC operators, which serve as our remote attendants or will serve as our remote attendant, will be 24/7. And they have responsibilities for the HVAC of the plant, including all of our chilled water systems.

And Chris Goddard is our energy and environmental manager. He has responsibility over both of our maintenance teams, for both HVACs and the central utilities.

On page 11, you'll see our emergency procedure. Our remote e-stop is a push button with a cover on it to prevent accidental pressing.

And the reason for us applying for the variance at this time is we have made improvements to our control systems and, also, our IT infrastructure to allow us to communicate with the boiler house. In previous years, the boiler house or central utilities plant was isolated on its own network. Now we have communication, and
so now we have the ability to remotely monitor the system.

Was everyone able to hear everything?

CHAIRMAN MORELOCK: Yes. Are you ready for board comments and questions?

MR. WILLATT: Yes, sir, we are.

CHAIRMAN MORELOCK: Okay. Do I have a motion to discuss this item?

MR. BOWERS: Motion to discuss.

CHAIRMAN MORELOCK: Thank you, Mr. Bowers.

What questions/comments do you have on this request for a variance?

MR. BAILEY: Mr. Chairman, you need a second on the motion.

CHAIRMAN MORELOCK: Oh, I'm sorry. Thank you.

Do I have a second?


CHAIRMAN MORELOCK: Thank you, Dr. Hargrove.

All right. What questions or comments do you have?

MR. BOWERS: The question I have
is -- for Nissan is with a boiler room -- maybe I missed it -- are they still going to be manned as they have before for when they put this monitoring system in?

MR. WILLATT: Yes, sir, the central utilities plant will still be manned. Our objective is to be able to make better use of our labor resources. And so they will still be there, but they have other duties, you know, such as, like, sweeping and maintaining the compressed air and chilled water systems, that we would like to free them up and provide them additional time to support.

MR. BOWERS: So their normal work space will still be the boiler room. Am I correct?

MR. WILLATT: Yeah. The boiler attendants -- we will still have our boiler control room, which is located in our central utilities plant, roughly 200 feet from the boiler room. They will still be there, the leadman and the assistant. So like I said, this will free them up. Instead of checking every 20 minutes, being able to have them check it once every four hours will allow them to perform other duties.
MR. BOWERS: So the control room will be manned 24/7?

MR. WILLATT: That is correct.

MR. BOWERS: Okay.

CHAIRMAN MORELOCK: Other questions?

MR. BAUGHMAN: Yes. Dave Baughman, board member. Concerning our log sheets, for one, I don't quite see the log sheet in the manual. And I'm interested to know how the operators log their four-hour checks. But maybe I'm just overlooking the manual, the log sheet in particular. I thought it referenced "G" in your checklist.

MR. DUONG: This is Steven Duong with Nissan. As far as the log sheets for the physical checks, it will be -- so with the current 20-minute log sheets we have now, we can add that to the manual, if that is preferred by the board.

MR. BAUGHMAN: Well, I'll leave that, I guess, up to others, but it's not preferred. It is part of the checklist on having a boiler log sheet. And so that log sheet needs to be, in my mind, part of the manual. But I'll leave that up to discussion here in a minute.
I'm not seeing any technical data on the hardware. I see descriptions of what we're utilizing, but I see no technical data whatsoever. Can you refer to me anywhere to go for that?

MR. DUONG: As far as technical data --

THE REPORTER: Who is that speaking?

MR. DUONG: -- are you looking for --

THE REPORTER: Who is speaking?

MR. DUONG: -- boiler hardware, technical data or --

THE REPORTER: Who is speaking?

MR. BAILEY: Mr. Chairman, the court reporter is still having some issues with hearing.

THE REPORTER: If I don't see a mouth moving -- there's three people in that room and I don't know who's speaking. They'll have to introduce themselves each time.

MR. DUONG: Yes, ma'am. I apologize. So this is Steven Duong.

THE REPORTER: Thank you.

MR. DUONG: Mr. Bower, as far as
the hardware that you -- the technical
specifications that you are referring to, are you
meaning the boiler technical specifications, or
are you referring to the controller
specifications?

MR. BAUGHMAN: Well, our manual on
Item 19 on the checklist just says does the manual
include a description of the hardware, the
personnel, the computer monitoring station. And
so inasmuch as is -- the manual does include a
description of it. It's just that we usually
have, in the manual, the hardware itself to be
able to look over to try to identify if there's
any issues that we may have that comes up as far
as communications or remote accessibility,
security, so forth. And so I'll leave that up,
also, for some discussion.

CHAIRMAN MORELOCK: Well, I mean,
just a for instance, you list the boilers, but
there's no Tennessee numbers listed. There's no
national board numbers listed. Typically, we
have -- you know, as Mr. Baughman has alluded to,
there should be boiler data in this variance
manual.

MR. WILLATT: Yes, sir. And we can
add that where we describe the boiler, so -- that was listed on our cover page but we can certainly add that.

MR. BAILEY: State your name. Whoever is talking, state your name before speaking, please.

MR. WILLATT: Sorry. This is Wade Willatt.

So we can add the descriptions with the boiler number to page 5, where we would have the boilers.

CHAIRMAN MORELOCK: Okay.

MR. WILLATT: And we can also add Appendix H, which would be a sample of the log sheet and Appendix I, which would be the specifications for the hardware.

CHAIRMAN MORELOCK: That would be very helpful. I did not see an appendices for a fault list, as well. And I did not find any job descriptions listed in your manual for those that are going to act as boiler attendants or remote monitoring personnel. I did not see a training log for the training. And we've already talked about that you do need an example of the boiler log.
And what's interesting in the manual, and this may just be your internal, but you're showing this manual as Revision 1. And from a board standpoint, if you have a site visit and the board approves this as Revision 1 and then we go to the site, if you're doing an internal revision to your manual, and the review team that goes in from the State of Tennessee sees revision 2 or 3, they're going to ask why that revision hadn't been approved by the board before they do a site visit. So if you want to have an internal revision of your manual, that's fine, but we need to have a good, clean revision record for the manual that's sent to the State of Tennessee that will line up with the board meetings where those manuals have been either approved for initial installation or revisions during renewal of those manuals.

Does that make sense?

MR. WILLATT: This is Wade Willatt. Yes, that makes sense.

CHAIRMAN MORELOCK: Okay. Thank you.

MR. BOWERS: You know, Brian -- this is Harold speaking -- I'm thinking this manual, this submittal, lacks to the point where
it really needs to be resubmitted and they need to start probably back -- because there's so much lacking for the board members to -- that's my opinion -- so much lacking for the board members to look at, that they need to resubmit it and submit to go to the next meeting they can get on.

CHAIRMAN MORELOCK: Thank you, Mr. Bowers. Is that a motion or a comment?

MR. BOWERS: Just a comment for the other board members to discuss and see what they feel on it.

CHAIRMAN MORELOCK: Okay. So what do the other board members -- what is your comments to Mr. Bowers' statement?

MR. HENRY: This is Jeff Henry. I agree with Mr. Bowers.

CHAIRMAN MORELOCK: Thank you, Mr. Henry.

MR. BAUGHMAN: Mr. Chairman, I agree with Mr. Bowers. I would like to be able to submit, in whatever manner we need to, some specifics that would be good from a technical standpoint from my view point on what I would like to have, also, to analyze.

CHAIRMAN MORELOCK: Okay. Thank
you, Mr. Baughman. In fairness to Nissan, I think if the board is going to recommend taking the manual back, or if we vote to approve and it does not get approved, since they're here, virtually here, I think we ought to provide them with as many constructive comments as we can right now, regardless of whether the manual gets approved or disapproved. Do you-all agree?

   DR. HARGROVE: Agree.
   MR. BOWERS: Yes, I agree.
   MR. FOX: This is Terry Fox. I agree with that also.

   CHAIRMAN MORELOCK: Okay. Thank you, Mr. Fox.

   Dr. Hargrove, did you have a comment?

   DR. HARGROVE: No. I agree. We have approved variance submissions that have requested some modifications and additions. And so I think this submission fits that bill. I think it really comes down to the quantity of revisions or additions that are needed, and does it meet the needs of the variance request from the board.

   CHAIRMAN MORELOCK: Well, I'll tell you what. Let's collect all of your comments, and
then we'll make a motion and see what becomes of that motion. Fair enough?

MR. BAUGHMAN: Yes.

CHAIRMAN MORELOCK: So what other comments does the board have on this manual?

MR. WILLATT: Mr. Chairman, this is Wade Willatt with Nissan.

CHAIRMAN MORELOCK: Yes.

MR. WILLATT: While people are gathering their thoughts. I did have one clarification request regarding the job descriptions.

CHAIRMAN MORELOCK: Yes.

MR. WILLATT: On page 9, we list the duties and job functions of the boiler attendants and the remote attendants. Is that not detailed enough or lacking in some way?

CHAIRMAN MORELOCK: Well, what you want to identify in your manual is that -- I do see normal duties for the boiler attendants and the operators, but your -- I mean, is this all inclusive of what they do for operators and attendants and remote attendants as well as their other requirements of their job when they're not attending the boiler or not at the remote station?
MR. WILLATT: Yes, sir. Again, this is Wade Willatt. For the boiler attendants, their duties are monitoring the boilers and then physically checking the boilers. For the remote attendants, they monitor our building management system. So we have other technicians that are out in the field making repairs. We call them the NMAC operators. But our remote attendants are controlling our building management system, so making adjustments or responding to alarms in that building management system. That is the focus of their duty.

CHAIRMAN MORELOCK: Okay. Let me take a quick look at this just a little bit more. I want to give you a fair review. I mean, I see the normal duties. Because what we're trying to determine is if you have an attendant that's going to attend the boiler every four hours under this variance, we, being the board, wants to have a clear picture of what -- what are these employees doing -- once they check the boiler, what other equipment are they going to be required to maintain and operate as well as the boilers? We want to make sure that they don't get distracted and would miss that four-hour check, or if they're...
a remote monitor, could they be pulled away from
their 24/7 post at a time where there would be a
boiler alarm and the attendant or the remote
monitor would be busy with something else and
distracted. That's the intent of listing those
job duties in this variance manual and showing how
you are going to maintain that coverage as a
remote attendant and the coverage as a boiler
attendant.

And if you feel like these pages give
a complete description of that, then I am -- I can
retract that comment. If this is all inclusive,
I'll retract my comment about the job
descriptions. You may want to put it into a
section called job descriptions so it's more
readily accessible. And make sure it's complete.

What other comments do the board
members have?

MR. BAUGHMAN: This is Dave
Baughman, board member. Wade, the comments that
I've just briefly wrote up were having the
technical data available on the hardware of the
system itself. Primarily, the remote monitoring
information on the Hawk 4000, and then also within
this Euro information -- Euro --
MR. WILLATT: The Eurotherm?

MR. BAUGHMAN: Yes, sir. I've got no information on the Eurotherm.

The other comment I have is the physical log sheet. I know we're talking about utilizing the log sheet, but having a physical log sheet available. It also mentions training logs. And those training logs are identified in your checklist. On Number 33 in the checklist states does the manual include a training log that contains the date, name, instructor's signatures and remarks. And it says not available. It's maintained electronically to be provided prior to the inspection. I would really like to see a sample of that training log, personally. I know it will be looked at during the time of inspection. But I would love to see a sample of that. And the reason for that is you're utilizing contract maintenance personnel. And I'm not quite sure to the extent of where we stand -- and you might just correct me. Is that correct, that we're using what's identified as CM personnel, contract maintenance?

MR. WILLATT: This is Wade Willatt with Nissan. That is correct. We use -- Yates
Services provides the labor support for both our boiler attendants and our remote attendants. For Yates Services, their training logs are all done the same way. They call it an ILU, Informed Learner and Understanding. And so the boiler variance and the requirements related to that will be added to the ILU training charts for both the remote attendants and boiler attendants; however, since we're not approved to have a remote attendant variance yet, we have not conducted the training.

MR. BAUGHMAN: When do you anticipate that training to be conducted? And I take it it's -- so it's an ongoing training because contract maintenance means, to me, temporary personnel. But Yates will probably be there for quite some time, but then again, if they're contract, they may come in and out.

MR. WILLATT: Again, this is Wade Willatt with Nissan. Our contract maintenance personnel, yes, they are technically contractors, but Yates Services provides a lot of the labor support for Nissan. And a lot of our Yates personnel has been here since the '80s. And so the Yates personnel are often looked at the same
way as a Nissan person. They're not considered
what we would call a contractor where, you know,
there may be concerns with training or leaving the
site. They are ingrained into the Nissan
facility.

MR. BAUGHMAN: Thank you. I see
where the contract maintenance supervisors are
responsible for staffing. Do we have the
identification of the names of who these
supervisors are within a flow chart or at least
identifying them -- well, they are. I see the
organizational chart now.

MR. WILLATT: Yes. So that's on
page 7. And again, this is Wade Willatt.
So we signified the Nissan personnel
with the red boxes and the Yates personnel with
the blue boxes. And as you can see, all of the
personnel reports up through Chris Goddard, who is
their responsible party.

MR. BAUGHMAN: Who is ultimately in
charge of training?

MR. WILLATT: In our manual, we
specify that Chris Goddard is responsible for the
training, and with the support of his energy
engineering team, which is in the room here, we
will be conducting and specifying the training.

MR. BAUGHMAN: Very good. Thank you, Wade.

MR. WILLATT: And on page 7, I would like to just point out an editorial note. Steve Davis, who is listed as the contract maintenance manager, he retired during our shutdown for the COVID-19. And so he's been replaced with Robert Green. And we will make sure that that revision is included in our resubmittal.

CHAIRMAN MORELOCK: So I've got a question. And, of course, it's a question that I hope you would never have to really answer. But if your contract labor walked and you had to go back to the 20-minute rule, would Nissan have a trained boiler attendant to attend that boiler every 20 minutes if you lost your personnel, to have the variance?

MR. WILLATT: Mr. Chairman, this is Wade Willatt with Nissan.

CHAIRMAN MORELOCK: Yes.

MR. WILLATT: We do not have any Nissan personnel that are trained boiler attendants. We rely solely on the Yates Service personnel to manage and maintain our central
utilities plant.

CHAIRMAN MORELOCK: Okay.

Are there any other questions or comments for this variance proposal?

MR. BAUGHMAN: So being that you -- this is Dave Baughman, board member. Being that you made that comment, Brian, where would that leave us?

CHAIRMAN MORELOCK: Well, I mean, it's a hypothetical situation, but it's kind of a Dr. Canonico question, right? And so, I mean, the reality, if that were to really happen, they would have to shut their boilers down because they would have no trained attendant to attend those boilers every 20 minutes.

MR. WILLATT: Mr. Chairman?

CHAIRMAN MORELOCK: Yes.

MR. WILLATT: This is Wade Willatt with Nissan. If Yates services walked, which supplies around 2,000 on-site personnel each day, the whole Nissan plant would be shut down, and so we would not need the boiler.

CHAIRMAN MORELOCK: Well, that's a good answer. But I don't think -- I don't know that all 2,000 would walk on you, but we just want
to make sure that you've got contingency plans to protect your pressure equipment. That's our role here today to make sure that Nissan can attend this boiler every four hours and have remote monitoring and boiler attendants to keep that equipment safe and keep the people that are making cars there safe. So that's why we're asking these questions.

I mean, if Nissan has got a contingency plan for that, to maintain contract labor, that can provide those services, that is your business. That's not our business. I understand that. But we do want to make sure that your facility is going to be operated safe. That's our main concern.

MR. WILLATT: Yes, sir.

MR. BAUGHMAN: One other question that I have. This is Dave Baughman, board member. I'm just looking through the boiler room layout diagram and so forth. I'm looking for the identification of where in the boiler room the emergency boiler shutoff switches are located. And then the other question is does a switch exist for each boiler, or does one switch kill all three boilers?
MR. WILLATT: This is Wade Willatt with Nissan. We have an e-stop located at each of the two doors inside the boiler room. We did not identify the walls of schematic in Appendix B. But they are identified in --

THE REPORTER: I didn't --

MR. WILLATT: But we can add the --

THE REPORTER: Can he repeat that?

MR. WILLATT: -- identification of -- I'm sorry.

THE REPORTER: I'm so sorry. I don't know whether you cut out or whether you weren't speaking. Just the last sentence. "We did not identify the walls..."

MR. WILLATT: On the schematics in Appendix B; however, we can identify the e-stops in Appendix F, which includes our room layout. We will highlight them. We have the electrical diagram, but it also shows the folders of the room.

MR. FOX: This is Terry Fox, board member. Dave, if you'll look at the floor plan power systems schematic, the red -- the e-stops are shown at that location. It's going to be on Drawing E-1 drawing number.
MR. BAUGHMAN: Yes. I see that where it says "red emergency stop switch with safety cover." So do we have an e-stop at each point of egress, or do we have one just at that one location?

MR. WILLATT: This is Wade Willatt with Nissan. Yes. We have one at each of the two methods of egress.

MR. BAILEY: Mr. Chairman?

CHAIRMAN MORELOCK: Yes, sir.

MR. BAILEY: I'll just point out that it's been beyond 90 minutes. Do you want to finish this variance request and then take a break, or do you want to take a break?

CHAIRMAN MORELOCK: If everybody can, I would like to finish this variance, if we could, and then we'll take a break. Any objections to that?

(No verbal response.)

CHAIRMAN MORELOCK: Okay.

MR. BAUGHMAN: The one question that I still had, Wade, was does one switch kill all three boilers?

MR. WILLATT: Yes, sir. Each of the two switches kills all three boilers.
MR. BAUGHMAN: Very good. Thank you.

CHAIRMAN MORELOCK: Any other questions or comments?

(No verbal response.)

CHAIRMAN MORELOCK: So gentlemen, I guess my concern with the manual is -- and the board members will have to vote this to see -- but is there enough information in this manual for the board to vote that they have a clear picture of how these boilers are controlled? Do they have a good enough equipment description? Do they have a fault list? And, I guess, that's just my concern. So are there any other questions or comments on this item?

MR. BAILEY: Mr. Chairman, if I could ask, if there was a motion to defer this, is there a possibility that if they are able to get the items corrected in the manual or updated or whatever, is there a possibility they could be put on next week's agenda so as not to hold them up?

CHAIRMAN MORELOCK: Certainly. Well, I mean, we've got next week and we've got the week after that, for that matter. I mean, yes. That's a true statement.
MR. BAILEY: So they wouldn't have to wait until September. That's what I was wanting to try to clear up.

CHAIRMAN MORELOCK: Does the board have any objection to that?

MR. BOWERS: No. I'll make a motion -- this is Harold Bowers, board member. I'll make a motion that we defer this until -- and they can either have next Wednesday or the following Wednesday to correct this manual. So I make a motion that we defer this until the next meeting.

CHAIRMAN MORELOCK: Okay.

Mr. Bowers has made a motion. Do I have a second?

DR. HARGROVE: Second.

CHAIRMAN MORELOCK: I've got a second from Dr. Hargrove. Any other comments about that?

DR. HARGROVE: That was Mr. Bowers.

CHAIRMAN MORELOCK: Sorry.

DR. HARGROVE: That's okay.

CHAIRMAN MORELOCK: Mr. Bowers made a motion and Dr. Hargrove seconded it. Any other comments?

MR. WILLATT: Mr. Chairman, this is
Wade Willatt with Nissan. We would prefer to be on the agenda for June 24th. That will give us one week to prepare the resubmission, and then another week for the board to review.

CHAIRMAN MORELOCK: Okay. So you would like to be placed on the June 24th meeting agenda?

MR. WILLATT: Yes, sir.

MS. BENNETT: Mr. Morelock?

CHAIRMAN MORELOCK: Yes.

MS. BENNETT: Just so that they get that in so that we can get it mailed out to you guys in time to review. So I just want to make that point because if they're going to take a week to revise it, and then we're going to have to receive it in our office and then mail it out to you guys, unless it's electronic.

CHAIRMAN MORELOCK: Right.

MS. BENNETT: So just to note.

CHAIRMAN MORELOCK: That's an important point.

So gentlemen, can you get that corrected manual to the State in the next few days to give them time to get it sent out to the board members?
MR. WILLATT: Mr. Chairman, yes, sir. And if it eases, during this virtual time, we can submit an electronic copy, if that's easier to distribute.

CHAIRMAN MORELOCK: Well, why don't you send a hard copy and send a PDF that the State can directly go ahead and forward to the board members while we're waiting on the hard copy.

MR. WILLATT: Yes, sir.

CHAIRMAN MORELOCK: Okay. So now, with all that said, does the original motioner agree to these changes? Mr. Bowers?

MR. BOWERS: Yes. I would change the motion to defer until the 24th, and Nissan can present their information.

CHAIRMAN MORELOCK: Dr. Hargrove, do you agree to that change to the motion as a second?


CHAIRMAN MORELOCK: Okay. Any more comments?

(No verbal response.)

CHAIRMAN MORELOCK: All right. I have --
MR. BAUGHMAN: Brian, I would have one. Dave Baughman, board member.

CHAIRMAN MORELOCK: Okay.

MR. BAUGHMAN: Is that -- if we do send it electronically, I don't know if, at least, having a read receipt maybe attached so if something goes to my junk mail that it gets identified, if you don't get a read receipt back. I'm guilty of not checking my junk mail on a regular basis as I should. So anyway, just if they're submitting electronically, I just want to have a way to confirm to the board members that we actually received it.

CHAIRMAN MORELOCK: All right. We can email you when we got ours and see if you've got yours.

DR. HARGROVE: Mr. Chairman, Keith Hargrove. In fairness to Nissan, we should also share the information for corrections that we're requesting from the board.

CHAIRMAN MORELOCK: I agree with that. But I want Cassandra's comments on what's the most efficient way to get those comments to Nissan.

THE REPORTER: I can go back and
look at this particular excerpt. Until I look back over it, I'm not sure exactly how long that's going to take me to get it to you. I mean, I could tell you within a day or so how long that would take me.

CHAIRMAN MORELOCK: Well, I don't want to unnecessarily put you in a bind. It's either that or the board members agree to email all of our comments to the State, and then the State forward those comments to Nissan. So what is preferred?

DR. HARGROVE: Keith Hargrove, board member. I recommend that the board members submit their items or comments to expedite and give Nissan the opportunity to respond as quickly as possible.

CHAIRMAN MORELOCK: Okay. So Chief Chapman and Deborah and Carlene, to make sure we're following -- and Mr. Bailey, for that matter, to make sure that we're following proper protocol, if we were to do that, would we send those to Deborah and Carlene so that they could forward those to Nissan? Is that the proper way to do that?

MS. RHONE: This is Deborah Rhone.
Yes. I think if you would send that to Chief Sam Chapman and then just cc Carlene and myself, and we'll make certain that it gets to them. Yes.

MS. BENNETT: Yeah. I don't have a problem with it, but if they have technical questions, then Sam would need to be involved about what they're submitting. I don't mind forwarding it at all, but if they have questions, I won't be able to help them.

MS. RHONE: Right.

CHAIRMAN MORELOCK: Is that okay with you, Deborah?

MS. RHONE: Yes. That's fine with me. Thank you, Carlene.

CHAIRMAN MORELOCK: So all the board members will submit your comments from today's meeting to Chief Chapman, and they will forward it to Nissan. And let's say that those comments need to be submitted no later than Friday. Okay?

(No verbal response.)

CHAIRMAN MORELOCK: All right. So that's how we'll handle sending the comments. I've got a motion and I've got a second. Are there any more comments?
(No verbal comment.)

CHAIRMAN MORELOCK: Hearing none, I'm going to call for the vote here.

So Mr. Bowers?

MR. BOWERS: Aye.

CHAIRMAN MORELOCK: Mr. Baughman?

MR. BAUGHMAN: Aye.

CHAIRMAN MORELOCK: Mr. Henry?

MR. HENRY: Aye.

CHAIRMAN MORELOCK: Dr. Hargrove?

DR. HARGROVE: Aye.

CHAIRMAN MORELOCK: And Mr. Fox?

MR. FOX: Aye.

CHAIRMAN MORELOCK: All right.

It's unanimous. We will send our comments to the State, and they'll forward those to Nissan. And then, gentlemen, if you'll connect with us on the 24th, we'll hopefully have everything resolved and you can update your manual accordingly.

MR. WILLATT: Thank you, Mr. Chairman.

MS. BENNETT: And Mr. Willatt, if you need Zoom information for the 24th, just let me know and I'll be happy to email it to you.

CHAIRMAN MORELOCK: All right.
Thank you very much for the conversation. And let's take a break, and let's resume at 11:00 a.m.

(Recess observed.)

CHAIRMAN MORELOCK: We'll reconvene, and we are now at Item Number 20-20. Carry Transit is requesting a variance for one high-pressure boiler, and we have Mr. McDermott and Mr. Neville.

So before y'all start your presentation, are there any conflicts of interest for the board on this item?

MR. BAILEY: Mr. Chairman that's Item Number 20-02. You said 20-20.

CHAIRMAN MORELOCK: Oh, okay. 20-02. Yes, you are correct. It's always good to keep me honest. All right.

If you guys are ready to present, you can present your item.

MR. NEVILLE: This is James Neville with Neville Engineering. We're presenting a variance for the request for Carry Transit out of Memphis, Tennessee. If Mr. McDermott's audio is working, I can let him describe what they do at Carry Transit.

MR. McDERMOTT: We actually
transload products from rail cars, liquid or dry cars, to trailers. We do everything from food grade to chemical. And we operate from 8:00 to 5:00, Monday through Friday, using the boiler only during business hours. That's it in a nutshell. It's a small operation.

MR. NEVILLE: Right. So the boiler that is operated nine hours a day, five days a week, that steam is used to clean and sanitize the rail cars that they use to transport.

Now, we've listed in our site plan, and I'm not sure if it's best to actually share a screen or not, but on page 2 of our site plan, it shows the distance from the boiler room. And this is a boiler that's located in a Conex shipping container approximately 45 feet from the dispatch office where they will be monitoring that boiler from.

The individuals that will be monitoring the boiler at the remote station is defined as the -- on page 5 -- as the operation supervisor and the dispatch. The boiler attendants are identified as the yard foreman and the rail yard maintenance foreman. And those job descriptions are shown in Appendix G.
Going to Appendix A, we list the boiler. This is a Cleaver-Brooks CBLE 700. This is a gas-fired boiler with Tennessee Number T90352. The controls on this boiler are the CB780E. We defined those in Appendix B with the specs on that controller.

Appendix E shows the Conex showing the boiler and the boiler feed system. Appendix F shows our boiler log sheet. And that does include a system test. And in the previous variance, we had talked about a low-water cutoff test. And we do define that in our variance on page -- that would be page 8. Item 1, we show that a boiler water column test for low-water shutoff and alarm will be checked.

We would be a glad to take any questions that you have regarding our variance.

CHAIRMAN MORELOCK: Thank you, Mr. Neville. What questions do you have concerning this variance?

MR. BOWERS: Brian, I make a motion to open discussion on this subject here.

CHAIRMAN MORELOCK: Thank you, Mr. Bowers.

Do I have a second?
MR. FOX: I will second that.

Terry Fox.

CHAIRMAN MORELOCK: Thank you, Mr. Fox. Okay.

MR. BAUGHMAN: Conflicts?

CHAIRMAN MORELOCK: Is there a conflict on this particular item from the board?

MR. BAILEY: You already asked that, Mr. Chairman.

CHAIRMAN MORELOCK: I thought so.

MR. BAUGHMAN: I'm sorry.

CHAIRMAN MORELOCK: That's okay.

MR. BAUGHMAN: Not only was my computer muted, but my ears were muted.

CHAIRMAN MORELOCK: What questions do you have for this variance request?

MR. FOX: This is Terry Fox, board member. I do have a couple of questions, Mr. Neville.

MR. NEVILLE: Yes, sir.

MR. FOX: On your table of contents, you've got your Appendix B. It says B and then it says -- it looks like dash 1 dash 6. I'm only showing three pages.

MR. NEVILLE: That should be-- it's
possible that we condensed that to three pages, but let me check.

MR. FOX: Okay.

MR. NEVILLE: Yes. I believe that we did revise that. So that should be 1 through 3 instead of 1 through 6.

MR. FOX: Okay. And I guess you did the same thing on, I believe it's C and E, and G, for that matter, or 1 through 9. And I'm not seeing that in G also.

MR. NEVILLE: Okay. I will revise that table of contents. It looks like the numbers there needed to be revised on the number of pages.

MR. FOX: Okay. And you say this boiler is kept in a Conex.

MR. NEVILLE: Yes. I can share a picture of that if you would like to see.

MR. FOX: I saw a description of it here.

MR. NEVILLE: Yes.

MR. FOX: Does that Conex have an e-stop?

MR. NEVILLE: Yes, it does. And I can show a picture of it. I believe we show it -- if you look at the exit door, this is -- to that,
there's an "S" where we denote that as an emergency stop.

    MR. FOX: Okay. Yeah. I'm seeing the "S." I just didn't see -- I just didn't see it noted as an e-stop.

    MR. NEVILLE: Okay. Yes. We can add that note to that drawing. But that's the location of it.

    MR. FOX: All right. That's all I've got for right now.

    CHAIRMAN MORELOCK: Thank you, Mr. Fox.

What other comments do you have?

    MR. BOWERS: A question about that Conex. Does it have more than -- I'm trying to find it here -- more than one means of egress on that thing?

    MR. NEVILLE: There are doors on both ends, and then there's a door in the center.

    MR. BOWERS: So for emergency exit, a person could get out either of those doors on the end?

    MR. McDERMOTT: That is correct.

    MR. BOWERS: That is correct. So if a person -- say a fire caught in there and the
boiler operator is in there, he can -- the Conex doors, are they not locked -- are they locked from the outside or are they locked from the inside?

Can a person get out of those doors on each end?

MR. McDERMOTT: There's one, the man door. It looks from the inside. And there's double doors on the end that actually locks from the outside. But we normally keep those cracked during business hours. That's only closed after hours.

MR. BOWERS: But I think, according to code, they have to have a means -- they can't -- a person has to have two means of egress to get out of that boiler room. So those doors can't be locked. If that boiler is operating and the boiler operator is in there -- and correct me if I'm wrong -- those doors have to be where a person can get out one of those doors if that regular man door is closed.

MR. McDERMOTT: No. The man door stays open.

MR. BOWERS: But I'm saying let's say he can't get to the man door, the state law says -- I think the rules say you have to have two means of egress.
MR. McDERMOTT: Right.

MR. BOWERS: So he has to have a way, if he gets trapped in there, those doors, when he's in there, can't be locked from the outside. He has to be where he can get out. Now, correct me if I'm wrong, other board members, but I think that's the law. You have to have two means of egress.

MR. TOTH: Mr. Chairman, this is Marty Toth. Can I ask a question, sir?

CHAIRMAN MORELOCK: Mr. Toth, you'll have to speak up just a little bit.

MR. TOTH: Okay. I usually don't get accused of that. But the question I have is how big, square-footage-wise is the boiler room?

MR. McDERMOTT: I haven't measured that. I don't know the exact square footage.

MR. TOTH: Is it over 500 square feet?

MR. McDERMOTT: What's that? I'm sorry?

MR. TOTH: Is it over 500 square feet? Because that's when you're required to have multiple means of egress. And I was just trying to assist with that. If it's over 500 square
feet, you are required to have multiple means of egress at separate locations of the boiler room. If it's below that, you're only required to have one.

So, Mr. Bowers, hopefully, that helped you with that.

MR. McDERMOTT: It's a 45-foot container, so, I mean, it's going to be probably right around 400 to 500. But we do have an exit at each end, or one in the manway and then the other end of the boiler, that both doors stay either cracked or open, completely open. But they're -- and when I say they're cracked, I mean the doors you just push open.

MR. BAUGHMAN: Dave Baughman, board member. One other note to that 500 square foot is it also goes by the BTUs. And so it's a 500-square-foot or above a BTU element also. So the other, if we qualify this as needing two access, then that second access door would need to have an e-stop also.

MR. NEVILLE: And we can definitely add that e-stop if -- we can check the square footage as well, but we could definitely add an e-stop to the second exit.
On Appendix E, if you look at the plan south, I guess, the south end, the bottom of the page, that's the exit that would be open during operations. So we could definitely have an e-stop assigned to that exit as well.

MR. BAUGHMAN: Okay. And yeah, again, regardless, somebody needs to look up our code on that reference of needing two means of egress on if it actually addresses BTUs also, in conjunction with the square footage.

But I've got a -- since I'm talking, I've got a question to bounce off of you. This is considered a stationary installation, which has clearance requirements, both from the sides, the front, the back, and overhead. And this boiler does have a manway. Typically, a boiler like this would be in a nonstationary rental type of installation where it's mobile and not a stationary installation. But being that it is stationary, it looks, to me, being the size of this boiler being a 200 horse, and a 45-foot Conex, that it doesn't actually meet the requirements for clearances. Would that be correct by anybody to confirm?

MR. NEVILLE: I mean, we can check
those clearances. I don't have those clearance
numbers in front of me.

MR. BAUGHMAN: Right. Well, anybody else want to interject on that?

MR. TOTH: Mr. Chairman, this is Marty Toth. Can I ask a question? Maybe I can assist.

When was this boiler put into place?

MR. McDERMOTT: I want to say eight years ago. It's somewhere in that ballpark. I started with the company six years ago, and it was before I actually started with the company.

MR. TOTH: There's two things with this. Number one, just to concur with Mr. Baughman, there is a stipulation in the code that does require the 500 square feet or any boilers that exceed 1 million BTUs, or if you have multiple boilers and the total is over 1 million BTUs, it's required to have two means of exit. So that answers that question.

The next one is -- and Chief Chapman, he was not the chief at the time, but I would assume when this boiler was put into place, there was an installation permit that was submitted. That installation permit, if they received a
waiver for the clearance requirements, that usually comes along with the ability to do inspections or have access from the sides of the container to be able to inspect manways, things of that nature. So you may want to look in that direction.

MR. BAUGHMAN: Terry -- again, this is Dave Baughman. Terry. Do you know what the width of that 200 horse is?

MR. FOX: Most likely, it's a 60-inch shell.

MR. BAUGHMAN: So we know, just through our experience, that a boiler put in there doesn't have a lot of clearance to go down either side. And Mr. McDermott probably knows how accessible that boiler is to getting around the sides of it.

And thank you, James, for sharing that.

MR. NEVILLE: There's a picture of that boiler, so...

MR. BAUGHMAN: So on the right-hand side, you've got clearance to go down, but on the left-hand side, you've probably got less than a foot. It looks like, maybe, six to eight inches,
which means that it's very difficult to get in and
do any work except through the sides of the Conex,
but -- and so I would look at both carbon
monoxide -- I know that that's something we've
talked about recently, but having a carbon
monoxide alarm in that room is extremely
important. But having those means of egress,
especially if you're in the back of the boiler,
that rear door. But there again, clearance over
the top. You've got a manway that an inspector
has to get up and look at. I just want a -- I
would be interested to look at the installation
permit. Because being a rental boiler, it's very
typical. Being a stationary boiler, it's not.

MR. TOTH: Chairman, this is Marty
Toth. Can I ask another question?

CHAIRMAN MORELOCK: Yes.

MR. TOTH: James, if we're looking
at the side of the boiler, do you have access to
be able to see things like the hand hole at the
steam line, is that what I see on the left there?

MR. McDERMOTT: Yes. The access?

MR. TOTH: Right. And just to kind
of back this up, you know, it's been quite a few
years since I was chief inspector, but these, as
you say, Mr. Baughman, are not very common for
permanent installations, but they are common. And
especially in this day and age, I work with a lot
of different clients, and a number of service
companies that provide these type of units, and
these are becoming very commonplace. But when the
installation permits were created some years ago,
it was taken into account to ensure that before
the boiler was put into place, that the chief
inspector and his designees were able to verify
that they would be able to do a satisfactory
inspection. And if these are accesses to do those
inspections, that's why it's passed. And
obviously, it's gone through the board. The
board, at the time, gave that authorization to the
chief inspector to provide waivers. As you say,
they're not variances; they're waivers for
installation. And that is written within the
rules and regulations. Thank you.

CHAIRMAN MORELOCK: Thank you.

MR. O'GUIN: Chairman, this is
Chris O'Guin, may I speak for a minute?

(No verbal response.)

MR. O'GUIN: Dave and Harold, I
emailed you the code on the exit. And, also,
looking at this boiler, the certificate expired April of 2020. Just an FYI.

MR. McDERMOTT: Yeah. We --

actually, our boilers, due to COVID-19, we've not been able to get the inspections completed. He's actually going to be inspecting the boiler this Saturday, as a matter of fact.

MR. TOTH: Mr. Chairman, this is Marty Toth again. Just to help with the reference, the clearance requirements you're going to find in 800-3-3.08 of paragraph 4B, is going to give you the -- it does read variance, but I know that we utilized the words as waivers in the past. But that's where it's stipulated, if that helps at all.

CHAIRMAN MORELOCK: Thank you, Mr. Toth.

What other questions do the board members have?

MR. BAUGHMAN: James or Mr. McDermott, this is Dave Baughman.

MR. NEVILLE: Yes.

MR. BAUGHMAN: What type of low-water equipment is on here? I see the equipment description for the CB780, but I don't
see a description as far as what we've got for low water. I'm just interested in...

    MR. NEVILLE: If I can add that information. I don't have that in front of me. Perhaps Mr. McDermott has it.

    MR. McDERMOTT: Well, we've got the -- my mind just went blank. Bear with me just a second.

    THE REPORTER: If at any point we don't need to share the screen anymore, it would help me to be able to see more people. Thank you.

    MR. McDERMOTT: I can't think of the name of it right off the top of my head.

    MR. BAUGHMAN: Does it enunciate back to the remote station? Or does it just shut the boiler off?

    MR. McDERMOTT: It shuts the boiler down whenever we have a low-water alarm.

    MR. BAUGHMAN: Does it enunciate back to the remote station, or does it just shut the boiler off?

    MR. McDERMOTT: We have the -- it just gives an alert on the boiler control, you know, the low-water alarm.

    MR. BAUGHMAN: Does it alarm back
to the remote station, is what I was asking?

    MR. McDERMOTT: Oh, no, not yet.

We don't have those controls in place, but we're working on that. We ran into a little bit of resistance when COVID-19 kicked in.

    MR. BAUGHMAN: Okay. Will they enunciate back at the remote station?

    MR. NEVILLE: The alarms will enunciate, but, I mean, it will not be -- I mean, that will just be an e-stop at the remote station panel.

    MR. BAUGHMAN: And that's fine. I just wanted to make sure. You knew what I was getting at, was making sure that the low waters themselves, the alarms would actually enunciate back to the remote panel and give an alarm status when they would hit an e-stop instead of just shutting the boilers off. Thank you.

    CHAIRMAN MORELOCK: Thank you, Mr. Baughman. To add to Mr. Toth's comment, pulling up Rule 803-3-3.08, Item 4 does discuss clearance requirements in the rules. But 4B provides a variance. It says a variance from the requirements of the subparagraph A of this rule may be issued to the chief inspector or the chief
inspector's designee for the installation of steam heating, hot water heating, hot water supply, or unfired steam boilers or unfired pressure vessels, and the requests must be submitted to the chief inspector or the chief inspector's designee prior to installation.

So I'm assuming that there's a variance that's been filed for that to cover the clearance concerns on this particular boiler. But we've duly noted that now in the minutes.

MR. BAUGHMAN: Brian?

CHAIRMAN MORELOCK: Yes.

MR. BAUGHMAN: This is Dave Baughman. In that description of those boilers -- I missed it -- but I heard unfired and hot water and so forth. But did it list power boilers?

CHAIRMAN MORELOCK: It just says for the installation of steam heating, hot water heating, hot water supply, or unfired steam boilers, or unfired pressure vessels.

MR. BAUGHMAN: Okay. So in that definition, none of those definitions apply to power boilers of high-pressure steam. They apply to steam heating, which is typically low pressure, hot water unfired vessels, but it didn't sound
like that definition applied to Section 1, power
boilers. Am I missing it or --

CHAIRMAN MORELOCK: Well, and I
don't have it in front of me, but I do remember
many years ago an interpretation was brought to
the board concerning clearances. And we currently
have a couple of companies wanting to make
presentations concerning clearances for the small
instantaneous water heaters as well. So I
don't -- I'll see if I can find that
interpretation real quick, but if not --

MR. NEVILLE: If we don't have a
variance on file for the clearance requirements in
this, we apply for that as well, or does that need
to be a separate...

CHAIRMAN MORELOCK: Yeah. I think
that was something you just need to take up with
the chief inspector.

MR. NEVILLE: Okay.

CHAIRMAN MORELOCK: Because the
State issues that operating certificate,
certificate of inspection.

MR. NEVILLE: Okay.

MR. BOWERS: Yeah. The question I
have on that is as we change to different chiefs
over the years, is that kept -- that documentation kept to -- because someone along the line said, well, how did you do this. Well, I was told that I could do this. But where is your paperwork that says you can do this?

I know this is beyond what we're talking about, staying the variance, but it's just an interesting subject that how did the boiler go in there with that tight a fit, and he said well, it got approved. Well, where is the proof, you know? That's kind of the question. And as long as there's a documentation trail, how they approved the boiler being installed like that.

MR. BAUGHMAN: Dave Baughman here. And it was my understanding, over the years, that within a power boiler Section 1 you could have the waiver for a portable boiler, a rental boiler. But once it became stationary, then, because it was this high-pressure Section 1 power boiler, it had to meet the clearance code requirements.

But there again, it's just something that -- it was my understanding. And there again, Chairman Morelock reading the definitions of those boilers that have a waiver, unless there's an interpretation that I would be very interested in
seeing, then the installation itself doesn't meet
the current clearance criteria.

So there again, it's just something
for others within the department to look into and
find out that information.

CHAIRMAN MORELOCK: I think due to
the age of the installation, I'm confident that
the State of Tennessee has got the documents for
this, so I'm not worried about that. But we just
need to address is this a safe installation; does
this variance manual cover the requirements for
safe operation with the remote monitor and boiler
attendant.

So what other questions do you have?

MR. BAUGHMAN: I thought the
manual -- I'm sorry, Keith.

DR. HARGROVE: Keith Hargrove.
Mr. Chairman, did we identify a specific date or
year of the installation of the boilers? Was
there a response on that?

MR. O'GUIN: Dr. Hargrove, this is
Chris O'Guin. 2013 is what EC message is showing,
which is our state system for the installation.

DR. HARGROVE: All right. Thank
you, sir.
MR. BAUGHMAN: This is Dave Baughman. I think the manual, as presented, is very good with the changes that Mr. Fox indicated within those pages that were condensed. Mr. Neville, you always make a very concise, thorough manual, and we appreciate that. And I don't have any concerns on the equipment, other than the -- addressing the points of egress and having an operable door for egress purposes, having the addition of an e-stop. And then we can make this contingent upon whether the boiler is actually installed within a proper boiler room. Because since it is permanent, it's within the requirements for a permanent boiler room. So then again, we could have a motion according to that.

CHAIRMAN MORELOCK: I agree with Mr. Baughman. The business before us today is this variance, and so we've been asked to review the variance. There may be some concerns about the installation, but those concerns can be addressed by the boiler unit, unless the board would need to hear something in the future. But as of right now, the boiler unit can address the installation concern, and we need to look at the variance manual and see if it meets the
requirements of the checklist and Tennessee law and rule.

Any other comments or questions?

MR. McDERMOTT: I can probably help him with that. I mean, the reason why we wanted it in this container is because we're going to be doing an expansion at some point, and this will have to be at a different location. At that point, it will more than likely be put in a permanent location.

But from my understanding, before I was hired on, they were looking at the possibility of expanding, so that's why they kept it in this container.

CHAIRMAN MORELOCK: Well, thank you, Mr. McDermott.

And with that said, still, it had to be approved by the State of Tennessee to give you a certificate of inspection. So...

MR. BOWERS: Yeah. The only question is, Brian, without the documentation, it might have been put in -- you know how things slip by and say, well, it's going to be a temporary operation. And they say okay, we'll approve it as a temporary operation. Now, as a boiler
inspector, myself, I would have a hard time reapproving it unless I'd seen some documentation that states that, no, this is fine. Because it might have been a -- back then they said okay, it's only going to be a year or two and we'll let it go, but -- and actually, it kept carrying on because it has been installed like that, and they just assumed that, hey, this is a forever thing. But it may not have been intended to be a forever thing. It might have been a temporary thing.

CHAIRMAN MORELOCK: I agree, Mr. Bowers, but again, the item on our agenda today is for a variance request. And we'll need to let the State of Tennessee handle the installation concerns.

MR. BOWERS: Yeah. I agree a hundred percent. This has nothing to do with the variance.

CHAIRMAN MORELOCK: Yes. Yes. It's a great conversation, though. I mean, it's good to have all that out there and be able to look at it and have comments on that, so...

So are there any other concerns about the variance manual? Questions, comments, concerns? And if not, do I have a motion for this
variance request for Carry Transit?

MR. BAUGHMAN: Motion to approve.

MR. BOWERS: Second.

CHAIRMAN MORELOCK: Okay. I've got a motion from Mr. Baughman and I've got a second from Mr. Bowers to approve this variance contingent on a successful site visit from the boiler unit and any revisions to the manual based on comments from the Tennessee board meeting today. All right. So --

MR. HENRY: Mr. Chairman, this is --

CHAIRMAN MORELOCK: Yes, Mr. Bailey.

MR. HENRY: This is Jeff Henry.

CHAIRMAN MORELOCK: Oh, I'm sorry. Mr. Henry --

MR. HENRY: That's all right. I just have a clarification from -- I think Mr. Bowman made the motion. Are you going to add the contingency in regard to the placement of the e-stop at the second point of egress?

CHAIRMAN MORELOCK: Have we decided that it's necessary? And if we have decided it's necessary, then yes, it would need to be placed.
MR. BAUGHMAN: Dave Baughman here. So two things with that. For one, making sure that we've got an operable point of egress. A Conex door and the way it operates and opens and closes, I don't know if we want to classify that as an operable door, but I'll kind of leave that up to the powers that be. But by the code that we discussed and some of the information that was just sent over, that it is a requirement that we have the two points of egress, and, therefore, we'd need to have another e-stop also.

CHAIRMAN MORELOCK: Thank you, Mr. Baughman. And Mr. Neville has already stated that there would be no problem to add that second e-stop.

MR. NEVILLE: We can definitely add that.

CHAIRMAN MORELOCK: Okay. So we've got agreement on that. Are there any other concerns about this motion?

(No verbal response.)

CHAIRMAN MORELOCK: All right. Hearing none, I'm going to do a roll call.

So Mr. Baughman?

MR. BAUGHMAN: Aye.
CHAIRMAN MORELOCK: Mr. Bowers?
MR. BOWERS: Aye.

CHAIRMAN MORELOCK: Mr. Fox?
MR. FOX: Aye.

CHAIRMAN MORELOCK: Dr. Hargrove?
DR. HARGROVE: Aye.

CHAIRMAN MORELOCK: Mr. Henry?
MR. HENRY: Aye.

CHAIRMAN MORELOCK: All right.

Gentlemen, you have a contingently approved variance for Carry Transit for this one boiler, again, contingent on a successful site visit from the boiler unit and corrections to the manual based on comments from the Tennessee board today.

MR. McDERMOTT: Thank you.

CHAIRMAN MORELOCK: Thank you.

MR. TOTH: Mr. Chairman, this is Marty Toth. Can I make a statement real quick?

CHAIRMAN MORELOCK: Yes, please.

MR. TOTH: Okay. On that last one, since you passed it, just to be clear, the means of exit -- Mr. Baughman and I were talking about this -- the 500 square feet and the 1 million BTUs, that's an "and" statement.

CHAIRMAN MORELOCK: It's what?
MR. TOTH: It's an "and" statement. It's not an "or" statement, meaning that --

CHAIRMAN MORELOCK: Okay.

MR. TOTH: -- it has to have -- if it's over 500 square feet of -- not heating surface but the room size is over 500 square feet and it has a unit that is 1 million BTU or greater for multiple units, that the sum is 1 million BTU or greater, it's required to have multiple means of egress. Does that make sense?

And if you would like, I would be more than happy to give you that reference and you can read it yourself. I just wanted to make that clear, that the need for a second means of egress, in this case, unless that unit, unless that storage unit is over 500 square feet, it's not necessary per the rules and regulations and, also, NBIC code.

CHAIRMAN MORELOCK: Okay. That's a grade comment and it's been duly noted and it will be in the minutes. So thank you for that information.

MR. BAUGHMAN: This is Dave Baughman. I'll make an additional comment to that. And that's true, the code states exactly...
what Mr. Toth says. The issue I have is the accessibility and the lack of clearance within that boiler room. We've got one very good side door. But if you're trapped in the back of that boiler, you've got no means of exit.

And so by the code, the 500 square feet and containing one or more boilers is true, but this installation is nontypical. And from a safety standpoint, if I was looking at it and advising the customer, Carry, I would be advising them on a second means of egress at the back of that boiler. So just my particular comments on it from a safety standpoint.

MR. TOTH: And if I may add, Mr. Chairman -- Marty Toth again -- I agree 100 percent. I think -- I'm speaking strictly from rules and regulations and codes and what is required versus what is best practices. I also would recommend to cover the issues that are being brought up concerning the clearances, that that could be something that would be put into an interpretation for a rule change that comes in concerning the clearances that Mr. Baughman has brought to everyone's attention.

CHAIRMAN MORELOCK: Thank you,
Mr. Toth. And thank you, Mr. Baughman. And the good thing about all this information is this will help the boiler unit make a very informed decision as they help Carry Transit work through that.

And like I said, I'll have to do some digging, but I know that it's been many years ago there was either a board case or a board interpretation concerning boiler clearances. And so I'll try to go out and look at that after this meeting and we'll see what we can find. I'll send it to boiler unit when I find it.

All right. So we do have a unanimous vote on 20-02 for Carry Transit.

That finishes all of our new business. That will take us to Item Number 10, which is open discussion items. And the first item is an update on the boiler computer system and Jurisdiction Online update.

MS. PRESSON: This is Jamie with Workplace Regulations and Compliance. After much consideration, we have decided not to move forward with putting the boiler unit into Jurisdiction Online. Our experience so far with Jurisdiction Online has not been very positive. We've had several issues that are open tickets that are
still open since last year, that they have not
bothered making the changes or updates that we
need, so we cannot see putting boilers in this
situation with as many vessels as they have.

We are currently in talks with our
internal IT department to have the current system
rewritten, eCMATS. We feel that enhancing eCMATS
will be more beneficial to our staff and to
insurance carriers because we plan on having a
piece built in for them so they can go and enter
their information in directly, instead of having
to provide information to us.

Also, we're working with our IT to
have a payment portal built that will allow
customers to pay via credit card or eCheck. At
this time, there's no date of completion that's
been set, but we're hoping that this will be ready
to roll out by the end of the year.

CHAIRMAN MORELOCK: Thank you for
that report.

Any questions about that? Comments?
(No verbal response.)

CHAIRMAN MORELOCK: Okay. Well,
thank you. That's very good information.

Our next open discussion item is an
update on the September 2020 boiler safety conference.

MS. RHONE: Yes. This is Deborah Rhone, the boiler office supervisor. The 2020 boiler inspector safety conference has been canceled. The conference was originally scheduled for September 14th through the 18th in Memphis. We would definitely like to thank Valero Memphis Refinery for agreeing to provide co-sponsorship. We really want to thank them. And future year conferences are anticipated. Thank you.

CHAIRMAN MORELOCK: Thank you, Deborah. We all are going to miss it, but we fully understand. It's been pretty amazing with the pandemic that there's been so many events that people look forward to annually that are not going to happen right now. And we understand why. But thank you for that update. We look forward to what 2021 brings.

MS. RHONE: Yes.

CHAIRMAN MORELOCK: Okay. Moving on to Item 11, which is announcement of the next meeting. And the next scheduled meeting of the board of boiler rules will be held on Wednesday, June the 17th at 9:00 a.m. Central Standard Time,
via Zoom video conferencing.

And so before I adjourn, I just want to thank you-all for your patience and being so helpful to make this virtual meeting work smoothly, even though I look at words and say the opposite, but thank you for helping me through that.

But it's been very successful to be able to help people with variances and questions, and so I look forward to our meeting next week. And last chance for any comments from anybody before we adjourn.

DR. HARGROVE: (Indicating.)

CHAIRMAN MORELOCK: Dr. Hargrove?

DR. HARGROVE: I was just showing an applause for us getting through this first virtual meeting. And many thanks to those that helped put this together. I'm sure we'll get better over time.

CHAIRMAN MORELOCK: Yeah, I think so. And we do give thanks to Nan George and Cassandra Beiling and just all the boiler unit folks and everybody for pulling all this together. Just a normal meeting takes a lot of work, Carlene and Deborah and everybody sending out information
and books. Chief Chapman and Assistant Chief O'Guin are pulling information together for reports. So it's a lot of work to put one of these meetings together, and Mr. Bailey keeping us legally correct and we appreciate that. And so I thank you-all and the board members for taking your time to read through this material and provide your expertise and information to us to make an informed decision.

And for our visitors that have still hung on, I thank you-all for hanging on and participating, and we'll do it again next week.

So if there's nothing else, I wish you-all a really productive week, and thank you again.

MS. GEORGE: Thanks, everyone.

END OF THE PROCEEDINGS.
CERTIFICATE

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 10th day of June, 2020.

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 1st day of July, 2020.

___________________________________
Cassandra M. Beiling, LCR# 371
Notary Public State at Large
My commission expires: 3/10/2024