This transcript is intended for your law firm’s own use. If you wish to share this transcript with an outside law firm, log back in to your CasePlannerPro account and click the Share button.

For questions, call (615) 268-1244 or send an email to nangeorge@stoneandgeorge.com
The above-styled cause came on for hearing on this the 14th day of June, 2017, before the Board of Boiler Rules of Tennessee Department of Labor and Workforce Development, at 220 French Landing Drive, TOSHA Room, 1st Floor, Nashville, Tennessee, when and where the following proceedings were had, to wit:

---

Marty Toth, Boiler Supply Company and the Boisco Training Group
Byron K. Wade, Zurich North America
Richard Eng, Wacker Chemical
Terry Fox, Beltline Services
Kendal Rice, United Record Pressing
James Gamble, United Record Pressing
Erica Thompson, Guest
Debra Thompson, Guest
Jimmy Gore, Prince Erachem
Michael Beckman, Prince Erachem
Terry Letourneau, Jones Lang LaSalle
Todd Greer, Jones Lang LaSalle
Chris Thill, Mars Petcare
David Maddock, MC Ionic Solutions
Katsuhito Yamahara, MC Ionic Solutions
Yuki Ujihara, MC Ionic Solutions
---
I. Call Meeting to Order

II. Introductions and Announcements

III. Adoption of the Agenda

IV. Approval of the March 15, 2017 Meeting Minutes

V. Chief Boiler Inspector's Report

VI. Old Business

* None

VII. New Business

10. * 17-06
11. * 17-07
12. * 17-08
13. * 17-09

VIII. Open Discussion Items

15. * Status of any new recommendations for TN Board Member representing the boilermakers.
17. * Update on the Committee for Boiler Training
18. * Update on how the National Board Commissioning Exam is given

IX. Rule Cases and Interpretations

X. The next Board of Boiler Rules Meeting is scheduled for 9:00 a.m. (CT), Wednesday, September 20, 2017, at the Department of Labor & Workforce Development Office Building located at 220 French Landing Drive, Nashville, Tennessee.

XI. Adjournment

CHAIRMAN MORELOCK: Good morning everybody. We welcome you to the June 2017 Tennessee Board of Boiler Rules meeting. We're glad you're here. We've got an agenda that we want to adopt here in just a minute. And so as far as -- I'm going to call the meeting to order. And as far as introductions and announcements, I did want to share a safety item with you, that in the event of an emergency or natural disaster, we do have security personnel in the building that will either take us to a safe place inside or outside of the building. And if we are -- if we're directed outside the building, it'd be on the Rosa Parks side. So just keep that in mind.

As far as another announcement goes, it would be -- I'm sure most of us have cell phones and that's fine. If you would, please, for the presenters and for the discussion, would you put those on silent until we complete our meeting this morning. And are there any other announcements anybody would like to make? All right.

We do have agendas on the back table. If you don't have one, please make yourself available to that. And with that, do I have a motion to accept the agenda before us?

MR. PISHKE: So moved.

CHAIRMAN MORELOCK: I have a motion. Do I have a second?

MR. HARGROVE: Second.

CHAIRMAN MORELOCK: I have a second. Any discussion, comments? I will say that -- well, no. I'll handle that in a minute. So hearing none, I'll call the question, all in favor say "aye."

MR. PISHKE: Aye.

MR. BAUGHMAN: Aye.

MR. HARGROVE: Aye.

CHAIRMAN MORELOCK: Opposed? Abstentions? Not voting? We have an agenda.

Our next item is Item four, which is approval of the March 15, 2017 Tennessee Board of Boiler Rules minutes. We do have a correction on pages 35, 36, and 38. Mr. John Hogue. We corrected the spelling of his name. And we also asked that the National Board, which National Board of Boiler and Pressure Vessel Inspectors, that that be capitalized as far as -- in the minutes. So that has been taken care of.
1. Are there any other corrections, additions, changes to the March 15th minutes?
2. Okay. Good. Hearing none, do I have a motion to accept these minutes?
3. MR. HARGROVE: So moved.
4. CHAIRMAN MORELOCK: I have a motion.
5. Do I have a second?
6. MR. BAUGHMAN: Second.
7. CHAIRMAN MORELOCK: I have a second.
8. All in favor, say "aye."
9. Abstentions? Not voting? We do have approved minutes.
10. So before we go to Item five, what I would like to do now is just take a few minutes and let everybody introduce themselves. We do have an attendance sheet that will be passed around for you to sign in for the meeting to record your visit here with us today. And so I will begin with our Court Reporter.
11. THE REPORTER: Dominique Dubois with Stone & George Court Reporting.
12. MS. BENNETT: Carlene Bennett, Board secretary.
15. MR. PISHKE: Mike Pishke, Board member.
16. CHAIRMAN MORELOCK: Brian Morelock, Board member.
17. MR. HARGROVE: Good morning. Keith Hargrove, Board member.
18. MR. BAUGHMAN: Dave Baughman, Board member.
20. MR. SPANGLER: Thomas Spangler, Deputy Inspector.
22. MR. FOX: Terry Fox, Beltline.
23. THE REPORTER: I'm sorry, what was that?
24. MR. FOX: Belt -- I'm sorry.
25. THE REPORTER: No, you're -- what did...
CHAIRMAN MORELOCK: Okay.

MR. UJIHARA: Yuki Ujihara.

MR. YAMAHARA: Katsuhito Yamahara.

MR. MADDOCK: David Maddock.

CHAIRMAN MORELOCK: Okay.
1. to tattoo it on me or something. Is there a
3. MR. BAUGHMAN: Yes. Motion made
4. to --
5. CHAIRMAN MORELOCK: Accept the --
6. MR. BAUGHMAN: -- accept the
7. proposal.
8. CHAIRMAN MORELOCK: Okay. Do I have
9. a second?
10. MR. PISHKE: Second.
11. CHAIRMAN MORELOCK: All right. I'm
12. going to open the floor to discussion. What
13. comments are there concerning these three heat
14. exchangers?
15. Okay. Obviously, there's no
16. comments, but I wanted to open the floor anyway.
17. Okay? All right. So with that said, I'm going to
18. call the question. All in favor, say "aye."
20. MR. BAUGHMAN: Aye.
22. CHAIRMAN MORELOCK: Opposed?
23. MR. ROBINSON: I've got a question.
24. CHAIRMAN MORELOCK: Okay. So with that said, I'm going to
25. call the question. All in favor, say "aye."

1. through your proposal and on one of your equipment
2. list documents, I guess I've got it tabbed number
3. five. That -- is that the correct tag
4. identification for each vessel?
5. CHAIRMAN MORELOCK: What tab are you
6. at, Mr. Robinson?
7. MR. PISHKE: Number five.
8. CHAIRMAN MORELOCK: Number five?
9. MR. ROBINSON: E-801A, 03 -- 803A,
10. and 05.
11. MR. MADDOCK: So what's the -- I'm
12. sorry. Ask the question again.
13. MR. ROBINSON: The equipment tag
14. number. Is that the correct sheet?
15. MR. YAMAHARA: Oh, I'm sorry.
16. Actually, this should be E-801A, E-803A, and E-805A
17. as shown in the front page of this package.
18. MR. ROBINSON: I didn't get a chance
19. to --
20. MR. PISHKE: No. That's a good
21. catch.
22. CHAIRMAN MORELOCK: Yeah. It is a
23. good catch.
24. MR. PISHKE: Good eye.
25. MR. ROBINSON: On the drawings, yeah.
1. CHAIRMAN MORELOCK: Okay. Our next item is 17-08, Mars Petcare. Request a new variance for one boiler located at 4530 Columbia Pike, Thompson's Station, Tennessee. So gentlemen, if you’ll come forward and introduce yourselves and present your request for a variance.
2. MR. NEVILLE: My name is James Neville with Neville Engineering.
3. MR. GREER: Todd Greer with Jones Lang LaSalle.
4. MR. LETOURNEAU: Terry Letourneau with Jones Lang LaSalle.
5. MR. THILL: Chris Thill, Mars Petcare.
6. MR. NEVILLE: Today we’re asking for a variance for one pressure vessel. This is the -- one boiler. This is a -- we’ve documented this.
7. Mars Petcare is located in Thompson's Station, Tennessee. They’re operating one power boiler right now with the 20-minute rule, and we’re asking for a variance to monitor that remotely.
8. On page two, we list the site plan, and I’ll go over where they would like to monitor that from. Approximately 500 feet away from the boiler room is the Innovation Center, and they’d like to monitor from the security office there in the Innovation Center.
9. The individuals monitoring at the remote station are classified as -- on page five as the security officer. They will be monitoring from that security office, and that is a hardwired connection to the shutoff.
10. Those who will be attending the boiler, the boiler attendants, are classified as the Steam Plant Operator and the Steam Plant Operator Supervisor, and their job descriptions have been listed in Appendix G, as well.
11. If there are any questions from the Board, we can go over these questions about how we plan to monitor.
12. CHAIRMAN MORELOCK: Okay. Do I have a motion for this item? Oh. Do I have a conflict of interest for this item?
13. MR. BAUGHMAN: I’ve got a conflict.
14. CHAIRMAN MORELOCK: Okay.
15. MR. BAUGHMAN: It relates to the training. We’ve trained some of Mars' operating personnel.
16. CHAIRMAN MORELOCK: Okay. Any other conflicts? All right. So do I have a motion for this item?
17. MR. PISHKE: So moved.
18. CHAIRMAN MORELOCK: Okay. Second?
19. MR. HARGROVE: Second.
20. CHAIRMAN MORELOCK: Okay. So now we’ll have -- open the floor for discussion. What comments or questions do you have concerning this variance?
22. MR. NEVILLE: Yes.
23. MR. HARGROVE: One, could you elaborate a little bit more on personnel training and qualification that’s involved -- reviewing the boilers?
24. MR. NEVILLE: There is a specific boiler variance training that is done annually, and any new employees are trained. But as far as the boiler attendant training to qualify them, I can let --
25. MR. HARGROVE: Okay.
26. MR. NEVILLE: If you want to go over the specific training for those individuals --
27. MR. GREER: Our specific training actually is from a lot of years of past experience with two of our main personnel and myself, being the Chief Engineer, and my main boiler operator, Kenneth Godwin, who is presently stationed there now doing the 20-minute operation.
28. We have set up a training with Boiler Supply to increase and enhance our awareness of the boiler operation, water treatment, et cetera, just on the daily operations. I’ve been in this operating facility -- not this facility, but in the business for 37 years, so I bring that experience as well as Mars having this unit online.
29. This is a new system. I say new. It's been installed for three years. We’ve actually, truly, been in operation about a year and a half under production. So nightly, it’s turned off, but all day, every day when we are in operation, we’re -- myself and my main boiler operator are there in the present in the attendance of it, and we hope to enhance that training through Boiler Supply.
30. MR. HARGROVE: Okay. So within that...
| 1. | year and a half, those individuals have had any | 1. | have is pretty much going to be an annual sort -- |
| 2. | formal or informal training or basically on-the-job? | 2. | CHAIRMAN MORELOCK: Okay. |
| 3. | MR. GREER: No. It's actually | 3. | MR. GREER: -- I say, refresher. And |
| 4. | informal training and it's from the past experiences | 4. | unless we have a big change in personnel, which I |
| 5. | that we bring to the table, as far as past boiler | 5. | don't -- I mean, we're all happy there, so we're not |
| 6. | operations and other fields and other businesses | 6. | looking for other jobs. We're going to enhance that |
| 7. | where -- like, a 10-year here or a 10-year there. | 7. | on an annual basis, and if we bring someone in to |
| 8. | But I've brought in the experience necessary from | 8. | the fold, they'll be trained up to that snuff and |
| 9. | Lee Company and Aggreko and other -- they rent | 9. | probably go through this boiler training before we |
| 10. | boilers. So I've just brought that experience here. | 10. | let them go with any of the boiler operations. But |
| 11. | And it's sort of a trial and error | 11. | right now, there are two main operators here with |
| 12. | with trying to run the system, so we don't run it | 12. | the boiler at all times, and this right here would |
| 13. | a lot, but all of the basic boiler operations are | 13. | be, like, the first call, if something were to |
| 14. | just a standard operation. But to enhance and | 14. | happen, from other personnel who -- |
| 15. | bring our awareness up to speed, we brought in | 15. | CHAIRMAN MORELOCK: Well -- |
| 16. | Boiler Supply to bring that up to snuff, so we | 16. | MR. GREER: -- might monitor that. |
| 17. | stay on top of everything, moving all the | 17. | CHAIRMAN MORELOCK: Yeah. And not to |
| 18. | technology, so to speak, because it is a new | 18. | tell you how to do it, but you just may want to say |
| 19. | system. | 19. | who -- you've got a two-day training program or |
| 20. | CHAIRMAN MORELOCK: Mr. Toth? | 20. | something, just a little more detailed than what you |
| 21. | MR. TOTH: Mr. Chair, Marty Toth with | 21. | have. |
| 22. | Boiler Supply Company. Yes, just to elaborate on | 22. | MR. NEVILLE: I think we would like |
| 23. | what Mr. Greer is saying, we're in the process of | 23. | to add that to the job description. |
| 24. | developing a customized two-day training program for | 24. | CHAIRMAN MORELOCK: Okay. |
| 25. | Mars Petcare, which is going to incorporate a day of | 25. | MR. NEVILLE: We've got -- and we |

---

| 1. | classroom training and a day of plant training. | 1. | want to separate boiler variance training to this |
| 2. | Actual operations, startup, shutdown, control and | 2. | manual -- |
| 3. | safety device testing. | 3. | CHAIRMAN MORELOCK: Okay. |
| 4. | And it actually is going to be a | 4. | MR. NEVILLE: -- and qualifying |
| 5. | training class that is tested. The -- all the | 5. | boiler attendant -- |
| 6. | attendees will have to take a final exam after the | 6. | CHAIRMAN MORELOCK: Okay. |
| 7. | training is done to receive their certificate of | 7. | MR. NEVILLE: -- training as two |
| 8. | completion throughout the class and to receive the | 8. | different things. So I think it'd be best to put |
| 9. | professional development honors based on that. | 9. | that under the job description so that that |
| 10. | CHAIRMAN MORELOCK: Okay. Now, my | 10. | individual knows that there is specific training |
| 11. | question to you, Mr. Greer, is, being a plant | 11. | to -- |
| 12. | engineer, you're responsible for the training? | 12. | CHAIRMAN MORELOCK: Right. |
| 15. | to keep records on that. So do you need to add a | 15. | Because -- |
| 16. | little more detail to your manual as to -- because | 16. | MR. NEVILLE: There is also annual |
| 17. | the training in here just says that the personnel | 17. | training to the variance that they must follow these |
| 18. | shall be familiarized with the emergency procedures | 18. | procedures. |
| 19. | through frequent actuation of alarm circuits for | 19. | CHAIRMAN MORELOCK: Right. And you |
| 20. | operating the boilers. And so -- | 20. | also talked about training on page seven for the |
| 22. | CHAIRMAN MORELOCK: -- will the | 22. | MR. NEVILLE: Yes. |
| 23. | Boiler Supply training -- will that be an ongoing or | 23. | CHAIRMAN MORELOCK: And it reads very |
| 24. | just a one-time? | 24. | similar to the training for the remote. So -- |
| 25. | MR. GREER: The in-house plan that I | 25. | MR. NEVILLE: Right. So -- |
1. CHAIRMAN MORELOCK: -- you may want
2. to touch that up --
3. MR. NEVILLE: Because that's variance
4. training, not necessarily qualifications --
5. CHAIRMAN MORELOCK: Right.
6. MR. NEVILLE: -- to run the --
7. CHAIRMAN MORELOCK: Okay.
8. MR. NEVILLE: And operate the boiler.
9. So --
10. CHAIRMAN MORELOCK: Okay.
11. MR. NEVILLE: -- I think --
12. CHAIRMAN MORELOCK: Mr. Pishke?
13. MR. PISHKE: Well, just to expand on
14. that, I didn't really see any criteria, you know,
15. training criteria, whether it be hours or a written
16. test, or what criteria do they have to meet in order
17. to be trained or qualified?
18. MR. NEVILLE: Sure.
19. MR. PISHKE: Some sort of a
20. qualification.
21. MR. NEVILLE: And we can add that to
22. the job descriptions form.
23. CHAIRMAN MORELOCK: Yes?
24. MR. TOTH: Let me ask, Mike, are you
25. saying the criteria to be qualified or the criteria

1. to successfully pass the class or the training?
2. MR. PISHKE: Both. I mean, both
3. basically. You know. To be qualified to perform
4. these duties, is there a minimum number of hours
5. on-the-job training versus -- and/or exam, whatever
6. that is.
7. MR. TOTH: And if I may ask you,
8. since you brought up the question, do you feel that
9. an individual that would be hired in that would go
10. through and successfully pass the final exam, would
11. that suffice or would you as the Board be looking
12. for time of experience on the job?
13. MR. PISHKE: I guess I can't define
14. that --
15. MR. TOTH: Right.
16. MR. PISHKE: -- from here, obviously,
17. because I don't know what the training program is
18. or --
19. MR. TOTH: Okay.
20. MR. PISHKE: -- what the testing is.
21. If it's a rigorous testing, you know, sure, but, you
22. know --
23. MR. TOTH: You've obviously never sat
24. through one of my -- no, I'm just kidding.
25. CHAIRMAN MORELOCK: Well, if I can

1. interject, Mr. Neville makes a good point. This is
2. for the variance. I agree.
3. MR. PISHKE: Yeah.
4. MR. NEVILLE: That is correct.
5. CHAIRMAN MORELOCK: And to speak to
6. what Mr. Toth is discussing and you, Mr. Pishke, the
7. boiler training is something that Mr. Baughman
8. and -- is currently leading an item -- it's a
9. discussion item right now on how we are going to
10. develop better boiler operator training. So I think
11. I agree with -- well, I know I agree with your
12. point, Mr. Neville.
13. MR. NEVILLE: Adding it to the --
14. CHAIRMAN MORELOCK: And so --
15. MR. NEVILLE: -- job description?
16. CHAIRMAN MORELOCK: Yeah. So we're
17. talking two different things here.
18. MR. TOTH: Yes.
19. CHAIRMAN MORELOCK: And -- but at the
20. same time, in the interest of the public safety, we
21. want to make sure your boiler operators are properly
22. trained. And Mr. Baughman has another item we're
23. going to talk about later, about what steps we're
24. taking to get there. So good point, Mr. Neville.
25. Thank you. Any other questions?
1. MR. CHAPMAN: Yes.
2. MR. ROBINSON: But a log indicating that, you know, when you went there, because it says --
3. MR. NEVILLE: Yes.
4. MR. ROBINSON: -- that you do a -- you will do a test, contact the remote station, and the remote station will call you back indicating that you have had a failure. In this case, it's a test of the low water cutoff.
5. MR. NEVILLE: Yes.
6. MR. GREER: Yes, sir.
7. MR. ROBINSON: Put a block in there. So in other words, if one of the inspectors comes in there and he looks to see that objective evidence of quality --
8. MR. NEVILLE: Yes.
9. MR. ROBINSON: -- he knows in his heart that you guys are doing the right thing. And also, on page five, under "normal duties" --
10. MR. NEVILLE: Yes.
11. MR. ROBINSON: Put a paragraph three in there that you are going to log this test at both stations.
12. CHAIRMAN MORELOCK: Good. Any other comments?
13. MR. BAUGHMAN: Yes.
14. CHAIRMAN MORELOCK: Go ahead, Mr. Baughman.
15. MR. BAUGHMAN: Under -- on page five, number one, the remote station personnel --
16. MR. NEVILLE: Yes.
17. MR. BAUGHMAN: -- the remote station will continuously be staffed by a security officer.
18. MR. GREER: That's when -- well, that's a basic operation. If they have a doubt, that's why that E-stop is there and then they respond to us directly by way of cell phone or radio during the operating A shift, which will -- there'll be two of us right there on site during that A shift. Any other time, they just need to stop it.
19. MR. BAUGHMAN: Okay.
20. MR. GREER: So that's going to be incorporated. And as we -- if this is approved, the height can be definitely raised and the bar can be raised for them, because they always have to be there. There is -- it's a big, secure site. So they're -- someone has to be looking at all those cameras at all times. And one -- we've got a dedicated screen just for the boiler.
21. MR. BAUGHMAN: Are there E-stops located anywhere else besides the security station?
22. MR. GREER: You have one right behind the security officer's station in the camera section. There are three in the boiler room at all the exits. There's one upstairs off of a mezzanine as you leave that area, as well. So a total of four, five, including the remote station at the operator. They're 500 feet away.
23. MR. BAUGHMAN: Okay. Good. Going under the boiler data sheet, Appendix A, page A-1, just identifying the equipment --
24. MR. NEVILLE: Yeah.
25. MR. BAUGHMAN: -- it shows the mod number as 1200475. That would not actually be a Hurst model number. I don't know what the actual model number is, but it'll be an identification. That's actually a job number. So just for a clarification standpoint.
26. All right. And then going down under the DA, I find no information other than the manufacturer being Hurst and it being a DA-1. I find everything else to be determined.
27. MR. NEVILLE: Right. We've got some additional information on an name plate, as well.
28. MR. BAUGHMAN: For the DA?
29. MR. NEVILLE: Correct. This is for the DA.
30. MR. BAUGHMAN: Okay.
31. MR. NEVILLE: So --
32. MR. BAUGHMAN: That'd be great --
33. MR. NEVILLE: Yeah. I can --
34. MR. BAUGHMAN: -- to be able to have that incorporated in there.
35. Provided by Stone & George Court Reporting (615) 268-1244
1. MR. NEVILLE: Okay. I will update that and all that information for the --
2. CHAIRMAN MORELOCK: Any other comments?
3. MR. BAUGHMAN: Is any of this control able to be remotely monitored on the control system?
4. In other words, we've got -- the controls are a Honeywell RM7800, and what is our other control mechanism for the system? What are we utilizing?
5. MR. GREER: The Honeywell 7800 has been tied into a Modbus communication with a Siemans sitewide system. We have a dedicated site -- we have a dedicated screen just for the boiler itself, so we know the operation from a standby to a run condition, along with the notifications that -- in all, I think there were, like, three pages of menu alarms. We have a sheet right there that will incorporate what the boiler is doing to live results on this dedicated screen for that above and beyond the HVAC and energy controls for the rest of the site.
6. MR. BAUGHMAN: Being that it's Modbus, one thing in particular, the 7800 handles flame safeguard annunciations.
7. MR. GREER: Yes, sir.
8. MR. BAUGHMAN: But what about low water? How is that tied in?
9. MR. GREER: Low water is just in a series circuit with all the safeties, and whenever they have an issue with that right there, that's their indicator that -- that's going to be the indicator for the safety shutdown or for the E-stop.
10. MR. BAUGHMAN: Okay. I'm just --
11. MR. NEVILLE: So there shouldn't --
12. MR. BAUGHMAN: -- wondering how that annunciates back. In other words, the Honeywell annunciates back with flame failure faults, but how is our low water alarms annunciated back?
13. MR. GREER: If I'm not mistaken, in this control, there is a water fault. It just -- like a gas fault or a water fault, so they don't know if it's high or low, but they know there's a water fault and that's an indicator for them to stop that boiler and meet it.
14. MR. BAUGHMAN: Good. I just want to make sure that was actually wired in. You can have that fault available --
15. MR. GREER: Yeah. There's a whole series --
16. MR. BAUGHMAN: -- but unless it's actually --
17. MR. GREER: It's the whole rail right up there on the right-hand side of it.
18. MR. BAUGHMAN: Okay.
19. MR. GREER: So by the time we go through all those series, they -- we're able to pull out those two and extract a gas failure -- a flame failure, a gas failure, high or low gas pressure, or the water, as well.
20. MR. BAUGHMAN: Great. And this is all hardwired?
21. MR. GREER: Yes, it is.
22. MR. BAUGHMAN: Okay. So nothing is via a web-based --
23. MR. GREER: We've got so many --
24. MR. BAUGHMAN: -- announcement at all?
25. MR. GREER: No, sir. There's so many firewalls. We can't even remote in from outside. We have to physically come to the site if something were to go on, but --
27. CHAIRMAN MORELOCK: All right.
28. MR. BAUGHMAN: That's all on my end. Thank you.
29. CHAIRMAN MORELOCK: Thank you.
30. MR. NEVILLE: Okay.
31. CHAIRMAN MORELOCK: Any other comments?
32. MR. BAUGHMAN: One --
33. CHAIRMAN MORELOCK: Go ahead.
34. MR. BAUGHMAN: -- other -- you're with Jones Lang LaSalle?
35. MR. GREER: Jones Lang LaSalle. JLL.
36. Yes, sir.
37. MR. BAUGHMAN: And how -- and that is part of Mars?
38. MR. GREER: Actually, we -- Mars brought us in as a sitewide facility-based management company. So we're helping them and it's a big team effort.
39. MR. BAUGHMAN: Okay. So you're not actually an employee of Mars itself. You're a --
40. MR. GREER: Contractor of.
41. MR. BAUGHMAN: Contractor of, although you're listed as the plant engineer.
42. MR. GREER: Yes.
43. MR. BAUGHMAN: Okay. Just wanted --
44. CHAIRMAN MORELOCK: Yeah.
45. MR. BAUGHMAN: -- clarification on
1. that.
2. MR. HARGROVE: But the other gentlemen are Mars -- official Mars employees, correct?
3. MR. GREER: Oh, yeah. That's correct.
4. MR. NEVILLE: Yes. Uh-huh.
5. MR. LETOURNEAU: I'm with Jones Lang LaSalle.
6. MR. HARGROVE: Oh, okay.
7. CHAIRMAN MORELOCK: Okay. You might just want to note that on your organizational chart for clarity.
8. MR. NEVILLE: Okay. Right.
10. CHAIRMAN MORELOCK: Yeah.
11. MR. PISHKE: Yeah.
12. CHAIRMAN MORELOCK: Right. And to build off that just a little bit, since we don't know your process, we're just reading your manual.
14. CHAIRMAN MORELOCK: Making sure that your job titles and all are consistent through the manual helps somebody that hasn't walked -- physically walked through the facility. So on page one, for example, the last paragraph, it states that, provisions of the variance and updating the manual is the chief engineer's responsibility, but really, it's the plant engineer.
15. MR. NEVILLE: Really, it's the plant engineer.
16. CHAIRMAN MORELOCK: So you just need to correct that. On page five --
17. MR. NEVILLE: Now, on the organizational chart on D-1 --
18. CHAIRMAN MORELOCK: Yes.
19. MR. NEVILLE: -- we did list the JLL employees in that.
20. CHAIRMAN MORELOCK: Okay. 
21. MR. NEVILLE: So --
22. CHAIRMAN MORELOCK: Yeah. Just make -- just clarify that.
23. MR. NEVILLE: But we can clarify that, as well.
24. CHAIRMAN MORELOCK: Okay. That'll be fine. On page five, again, just to be consistent with terminology, the -- under "Remote Station Personnel," the last sentence states, when the variance is in effect, if the remote station personnel must, for any reason, leave their post, a boiler operator must attend the boiler per 0800-3-3-.08(11), which is the 20-minute rule. But really, that's a boiler attendant, not a boiler operator. So again, make sure your terminology's correct, right?
25. MR. NEVILLE: That is correct.
26. CHAIRMAN MORELOCK: Because on page seven, you're going to call that person a boiler attendant. Let's see. Also, in Appendix G, you talk about a boiler attendant is a -- it's shown in Appendix G as a maintenance technician.
27. MR. NEVILLE: Well, G-3 would be the -- that would be the steam plant operator and the steam plant operator supervisor. So --
28. CHAIRMAN MORELOCK: And I agree. So why is the maintenance technician in the manual?
29. MR. NEVILLE: The maintenance technician should be taken out and the security officer should be put in. And that was a --
30. CHAIRMAN MORELOCK: Well, I mean, there is an item below 25 that says, when scheduled as a boiler attendant. But a maintenance technician operates and monitors the boiler per your manual. So I just want to make sure -- again --
31. MR. NEVILLE: Right. So --
32. CHAIRMAN MORELOCK: -- us not understanding your process, we want to make sure everything reads consistently.
33. MR. NEVILLE: Right. That's right.
34. The maintenance technician position, that was planned at one time and it was taken out.
35. CHAIRMAN MORELOCK: Okay.
36. MR. NEVILLE: So really, the maintenance technician should be replaced with the security officer at the remote station.
37. CHAIRMAN MORELOCK: As a remote --
38. MR. NEVILLE: Just at the remote station.
40. MR. NEVILLE: The new titles for monitoring the boilers was the steam plant operator and the steam plant operator supervisor.
41. CHAIRMAN MORELOCK: Okay.
42. MR. NEVILLE: Those are the only two that we're listing as --
43. CHAIRMAN MORELOCK: And --
44. MR. NEVILLE: -- boiler attendants.
Chairman Morelock: So in talking about G-3, 4, and 5 --

Mr. Neville: Yes.

Chairman Morelock: Again, help me understand, but what is the purpose of the boilers at the hospital?

Mr. Robinson: At Mars.

Mr. Neville: At Mars?

Chairman Morelock: At Mars. I'm sorry.

Mr. Neville: This is for processed -- they --

Chairman Morelock: I'm thinking ahead.

Mr. Neville: They batch process different animal food --

Chairman Morelock: -- I'm asking is when you look at this job description in G-3, 4, and 5, it says things like, a steam plant operator regulates the control of boilers, turbines, generators, auxiliary fluid cycles to generate electric power.

Mr. Neville: The -- in the -- why that is in there is because that's a JLL job description --

Chairman Morelock: Okay. The reason --

Mr. Neville: -- products.

Chairman Morelock: -- I'm asking is when you look at this job description in G-3, 4, and 5, it says things like, a steam plant operator regulates the control of boilers, turbines, generators, auxiliary fluid cycles to generate electric power.

Mr. Greer: That is the steam plant operator.

Mr. Neville: So --

Chairman Morelock: Okay. Well, like I said --

Mr. Neville: -- a JLL job description was used.

Chairman Morelock: -- help us out to understand the linkage.

Mr. Neville: So -- sure. Sure.

Chairman Morelock: Okay?

Mr. Neville: Sure.

Chairman Morelock: Okay. So --

Mr. Robinson: Now I'm confused.

Mr. Greer: Well, the very duties of JLL covers a wide aspect and we were extracting --

Mr. Robinson: That --

Mr. Greer: -- for this particular site's specific operation --
1. If it's there, you pass.
2. MR. GREER: Okay.
3. MR. ROBINSON: If it's not there,
4. it's going to be a question. And you may not pass.
5. MR. GREER: Okay.
6. MR. ROBINSON: That's the reality.
7. CHAIRMAN MORELOCK: Well, just
8. clarify it. I mean --
9. MR. NEVILLE: We can edit this for
10. site -- this site specific.
11. CHAIRMAN MORELOCK: Well, I mean, you
12. could put --
13. MR. NEVILLE: So -- or --
14. CHAIRMAN MORELOCK: -- a statement in
15. there, this is a generic job description. This is
16. how it applies to, you know, Mars.
17. MR. NEVILLE: Okay.
18. CHAIRMAN MORELOCK: You know. Would
19. that be satisfactory?
20. MR. ROBINSON: That's satisfactory.
21. CHAIRMAN MORELOCK: Okay.
22. MR. NEVILLE: Okay.
23. MR. ROBINSON: That way, at least --
24. MR. GREER: You're not looking for
25. something that's not there.

1. MR. ROBINSON: We're not looking for
2. something --
3. CHAIRMAN MORELOCK: Right.
4. MR. ROBINSON: -- that's not there.
5. MR. GREER: Understand.
6. MR. ROBINSON: Your manual is like
7. the bible for your operation.
8. MR. BAUGHMAN: And we are going to
9. insert the job description for security?
10. CHAIRMAN MORELOCK: Yes.
11. MR. NEVILLE: That is correct.
12. MR. ROBINSON: Yes.
13. CHAIRMAN MORELOCK: Yes.
14. MR. ROBINSON: And --
15. MR. NEVILLE: And remove the --
16. MR. ROBINSON: Make sure --
17. MR. NEVILLE: -- maintenance tech.
18. MR. ROBINSON: -- that that's
19. well-defined, Mr. Neville, as far as with the
20. monitor. Because again --
21. MR. NEVILLE: Yes.
22. MR. ROBINSON: -- we don't want any
23. confusion as to if he has --
24. MR. NEVILLE: Yes.
25. MR. ROBINSON: -- to leave his post

1. and --
2. MR. NEVILLE: Understand.
3. MR. ROBINSON: -- change positions.
4. MR. BAILEY: Mr. Chairman?
5. CHAIRMAN MORELOCK: Yes, sir.
6. MR. BAILEY: Speaking of confusion,
7. I'd just like to remind everybody that this is being
8. transcribed and she can only record one person
9. speaking at one time.
10. MR. BAUGHMAN: Thanks.
11. MR. BAILEY: There's been a couple
12. times where we had three or four voices going on.
13. So you want a clean record. So let the person
14. finish, then the next person have their say so the
15. record prepared is clear. Thank you.
16. CHAIRMAN MORELOCK: Very good.
17. MR. ROBINSON: Very well.
18. CHAIRMAN MORELOCK: Okay. Yes, sir?
19. MR. HARGROVE: Yeah. One last
20. question. On page five, Item four -- it's listed --
21. it speaks of the boiler attendant who will check
22. their radio and mobile phone systems to verify a
23. communication from the remote station. What is that
24. protocol for their mobile phone system? I'm
25. assuming their cell phone?
MR. HARGROVE: This is a person-to-person mobile phone communication --
MR. NEVILLE: Correct.
MR. HARGROVE: -- protocol.
MR. NEVILLE: From the remote station.
MR. HARGROVE: From the remote station.
MR. NEVILLE: So a radio check and then a phone check to make sure that they can be conducted -- or contacted wherever they are on the campus.
MR. HARGROVE: Yes, sir.
MR. NEVILLE: Of Mars.
MR. HARGROVE: All right. Thank you.
CHAIRMAN MORELOCK: Okay. On page eight, under "normal daily duties," Item two, last -- the last part of the last sentence, it says -- the whole sentence, if the system is not functioning properly, a boiler attendant shall attend the boiler until the problem is corrected, you may want to say, attend the boiler per Tennessee Code of Administrative Rule 0800-03-08(11) to specifically call out the boiler emergency call list. And my concern would be if any of these personnel are on vacation, out sick, what have you, who the other personnel would be. Since this is on our placard for the emergency call list and it lists three individuals, that's a fairly short call list, in my mind.
MR. BAUGHMAN: Yes, please. Under the boiler emergency call list on page 11, it lists three individuals, steam plant operator, plant operator super, and the facility manager during A shift operations. So I take it A shift is what the steam plant operator is under. I'm just wondering the clarification of what A shift is since it's in quotations?
MR. NEVILLE: I believe that --
MR. BAUGHMAN: If that's first shift
MR. NEVILLE: One minute? Okay.
MR. NEVILLE: Correct.
CHAIRMAN MORELOCK: And that's all the comments --
MR. NEVILLE: We can update.
CHAIRMAN MORELOCK: That's all the comments that I have. Any other comments?
1. one -- you know, they may not be on duty at the
2. time --
3. MR. BAUGHMAN: Sure.
4. MR. NEVILLE: -- but they can be
5. contacted in case of an emergency.
6. MR. BAUGHMAN: Well, then those
7. numbers definitely need to be identified on the call
8. list instead of just the job title. Having those
9. numbers available --
10. MR. NEVILLE: Right.
11. MR. BAUGHMAN: -- so they're not
12. looking up --
13. MR. NEVILLE: Right.
14. MR. BAUGHMAN: -- any numbers.
15. MR. NEVILLE: At the remote station,
16. it would definitely list the job title and then each
17. individual that meets that title. So, you know,
18. there would be more than just three individuals --
19. MR. BAUGHMAN: Okay.
20. CHAIRMAN MORELOCK: Okay.
21. MR. NEVILLE: -- that could be
22. listed --
23. MR. BAUGHMAN: Good. Yeah. Because
24. all I see is the --
25. MR. NEVILLE: -- at the remote

1. station. I mean, we list --
2. MR. BAUGHMAN: Yeah.
3. MR. NEVILLE: -- the titles but --
4. CHAIRMAN MORELOCK: Yeah.
5. MR. NEVILLE: -- there are multiple,
6. you know, steam plant operators.
7. MR. BAUGHMAN: Getting back to alarm.
8. What is the alarm in the station? Is it a visual
9. alarm, a red light that comes on?
10. MR. GREER: (Nonverbal response.)
11. MR. BAUGHMAN: Okay.
12. MR. GREER: It's on the whole -- on
13. the dedicated screen for the boiler, it's a large,
14. flashing red bar across the top of the screen
15. that -- I think it's a five-second pulse every --
16. but the screen is actually -- it's been told not to
17. go to sleep so you always have that notification.
18. And they're incorporating the camera
19. view -- we're going to get a smaller monitor for
20. when that's installed. We'll put it right up
21. above that, whether we mount it on the wall, but
22. our operator for JLL is actually in the same
23. operating station as security. So the desk, the
24. monitor, that's why security can just turn to the
25. side and see the screen at all times. That's how

1. we get our HVAC alarms or pump or high temperature
2. alarms in all the other areas of the site, as
3. well.
4. MR. BAUGHMAN: Go through that one
5. screen?
6. MR. GREER: Well, no. There's
7. several screens for us, as well, that we --
8. MR. NEVILLE: Several.
9. MR. BAUGHMAN: Gotcha. But they're
10. all in the security --
11. MR. NEVILLE: There's two already for
12. the normal daily operations. Now that the boiler's
13. incorporated, we have an individual screen just for
14. the boiler.
15. MR. NEVILLE: Right. It's a
16. dedicated --
17. MR. GREER: It's a dedicated screen.
18. And when the camera comes into effect, now, security
19. has their own view of the boiler at all times.
20. MR. BAUGHMAN: Of the boiler or of
21. the screen?
22. MR. GREER: The actual boiler --
23. well, the screen's right here to your right --
24. MR. BAUGHMAN: Okay.
25. MR. GREER: -- and the boiler would

1. be up on your own individual camera when they get --
2. when they finish the wiring on it. I think the
3. camera's presently hung, but it's not wired in yet.
4. So they're doing that right now.
5. MR. BAUGHMAN: Interesting. Okay.
6. So there's no audio alarm, it's just totally visual?
7. MR. GREER: Yeah. Well, the SEMA
8. system --
9. MR. BAUGHMAN: Okay.
10. MR. GREER: -- that does have an
11. audible alarm.
12. MR. NEVILLE: It's an audible, yeah.
13. MR. GREER: It's a life -- it's a
14. fire life safety alarm that goes in. We have low,
15. medium, high, and then fire life safety is like the
16. sprinkler system or whatever.
17. MR. BAUGHMAN: Sure.
18. MR. GREER: So any of those alarms
19. are all audible alarms when it goes to fire life
20. safety. And we've had SEMA incorporate that --
21. MR. BAUGHMAN: Good.
22. MR. GREER: -- into the fire life
23. safety alarm screen.
24. MR. BAUGHMAN: You bet. Well, that's
25. why I was asking before if it was --
1. MR. NEVILLE: Yeah.
2. MR. BAUGHMAN: -- just the visual or
3. if it's audible along the way. So that's good that
4. it is audible also. Thank you.
5. CHAIRMAN MORELOCK: Okay.
6. Mr. Pishke?
7. MR. PISHKE: I just had a followup
8. question. Page 11. As far as the communication
9. devices, almost every factory I've ever worked in
10. had -- as far as cell phone, had dead spots due to
11. the structure and equipment and things like that.
12. Is that something that's been tested and --
13. MR. GREER: We're very blessed with
14. the cell phone service. The radio -- we have our
15. own on-site repeater so that's Conversion
16. (phonetic) -- or who does the -- I believe
17. Conversion takes care of all that. We've actually
18. communicated with both means of communication, which
19. is why the radio is kind of first priority. It's
20. instant. A cell phone would be, sort of, like, the
21. second measure, as a just-in-case.
22. MR. PISHKE: Okay. Thank you.
23. CHAIRMAN MORELOCK: Dr. Hargrove?
24. MR. HARGROVE: Yeah. Mr. Chairman,
25. I'd like the other two gentlemen -- if you don't

1. mind, could you explain your daily responsibilities
2. with JLL and as a Mars employee?
3. MR. LETOURNEAU: Sure. Sure. As a
4. facility manager, I have a team of three engineers,
5. a facility coordinator, and we are in -- we would
6. consider it a business partnership with Mars on a
7. day-to-day basis. So I oversee a group of
8. high-performing individuals.
9. MR. HARGROVE: Okay.
10. MR. THILL: Mine is the maintenance
11. manager for Mars Petcare. So I oversee the
12. equipment reliability --
13. MR. HARGROVE: Okay.
14. MR. THILL: -- on a day-to-day basis.
15. CHAIRMAN MORELOCK: Okay.
16. MR. HARGROVE: And that includes
17. boilers, all of -- that type of equipment?
18. MR. THILL: No. Nothing to do with
19. the -- with JLL. They're responsible for that.
20. MR. HARGROVE: Okay. Okay. All
21. right.
22. CHAIRMAN MORELOCK: Okay? Any other
23. questions or comments? Okay.
24. So just for clarity, we do have a
25. motion to approve your boiler attendant variance.

1. Know that all the comments that we've made will
2. become part of the minutes, and that'll be a list
3. of things that you'll need to do to update your
4. manual based on the comments.
5. Approval by the Tennessee Board is
6. contingent upon a successful site visit from the
7. State of Tennessee, the Chief Inspector. And so
8. we will vote to approve today, but again, it will
9. be a contingent approval. Okay?
10. MR. GREER: Understood.
11. CHAIRMAN MORELOCK: All right.
12. Hearing no more questions or comments, I'm going to
13. call the question. All in favor, say "aye."
15. MR. PISHKE: Aye.
16. CHAIRMAN MORELOCK: Opposed?
17. Abstentions? One abstention. Not voting?
18. Gentlemen, you have an approved
19. variance.
20. MR. NEVILLE: Thank you.
21. CHAIRMAN MORELOCK: Contingent.
22. MR. GREER: Thank you very much.
23. CHAIRMAN MORELOCK: Thank you. All
24. right. Our next item is 17-09. Prince Erachem
25. requests a new variance for four boilers located at

1. 795 Foote Lane, New Johnsonville, Tennessee.
2. So gentlemen, if you'll come forward
3. and introduce yourselves and present your variance
4. request.
5. MR. BECKMAN: Michael Beckman,
7. MR. GORE: I'm Jimmy Gore. I'm the
8. area supervisor.
9. MR. NEVILLE: And James Neville,
10. Neville Engineering. We're here to --
11. CHAIRMAN MORELOCK: Okay. Do I have
12. a conflict? All right. Hearing none --
13. MR. HARGROVE: Good job.
15. MR. NEVILLE: We're here today to
16. request a variance for four power boilers. Those
17. boilers are listed in Appendix A. This plant is
18. located in New Johnsonville, Tennessee, and the
19. purpose of the plant is production of electrolytic
20. manganese dioxide that goes into batteries.
21. The -- on page two, we list the
22. boiler house and the location of the remote
23. station, which will be the filter building control
24. room, and it is approximately a 200-feet distance
25. from the boiler room to the remote station. In
1. the -- at the remote station -- will be staffed by certified chemical operators. These will be the same as the boiler attendants. So they are trained as far as to be at the remote station and to be at the -- in the boiler room. There are multiple individuals in that position, and we can go over that.

2. This facility, at one time, was -- had a variance of -- for these boilers. That was when they were Erachem. Since then -- we're presenting this as a new variance, because they've added control -- some new controls to this, the new Hawk 1000 controls.

3. If you turn to the Appendix A, we can go over the controls. On the three fire-tube boilers, boilers one, two, and three, the Hawk 1000 controller is being added to those boilers. On -- boiler number four is a Hawk ICS boiler. That is a watertube boiler. And so those are the updated controls on those four boilers.

4. As well, on this. And there are two. There's a north and a south, and those are shown in the -- in Appendix E, which is our feedwater and power piping diagram. And that shows the location of boilers one, two, three, and four.

5. CHAIRMAN MORELOCK: Okay.

6. MR. NEVILLE: If there are any questions, we --

7. CHAIRMAN MORELOCK: All right. Do I have a motion for contingent approval of this variance?

8. MR. BAUGHMAN: So moved.

9. CHAIRMAN MORELOCK: Okay. I've got a motion. Do I have a second?

10. MR. PISHKE: Second.

11. CHAIRMAN MORELOCK: I have a second.

12. Okay. So I'll open the floor for discussion. So what comments do you have?

13. MR. BAUGHMAN: I'll start.


15. MR. BAUGHMAN: How many boilers do you operate at one time at the facility?

16. MR. BECKMAN: At any given time, if we're operating number four boiler, which is a larger boiler, we're only operating it. It can generate the pressure that we need to run our process. If we take four offline for maintenance, for any other reason, we will -- to generate the pressure that we need, we have to run the three small ones at the same time. So at any given time,

17. you either have number four running or you have one, two, and three.

18. MR. BAUGHMAN: And you said number four boiler has the new Hawk ICS?

19. MR. NEVILLE: That is correct.

20. MR. BAUGHMAN: Okay.

21. MR. NEVILLE: It has the Hawk. Yeah.

22. MR. BAUGHMAN: Because it's just listed as "New Controller," so I just want to make a note of that.

23. MR. NEVILLE: I will clarify that in the --

24. MR. BAUGHMAN: Okay.

25. MR. NEVILLE: Yeah. That'll be good.

26. MR. BAUGHMAN: So the other three boilers have to operate and they're all 31,000 and some change pounds per hour on their capacities, the others being a 70,000. I note the DA, for those three boilers, is 50,000-pound capacity. You ever have any issues in operating the DA?

27. MR. BECKMAN: Well, we -- the --

28. those three boilers can operate off of this. We typically operate off of the south DA tank when we're running those three, too. Correct, Jimmy?

29. MR. GORE: Yeah. We run off either one.

30. MR. BECKMAN: I have to verify that. We run off either/or. And the south DA tank is our main DA tank. We'll only run the north DA tank if we're doing maintenance or there's an issue with the south DA tank.

31. MR. BAUGHMAN: All of these four boilers are tied into a common manifold?

32. MR. BECKMAN: Uh-huh. Yes, sir.

33. MR. BAUGHMAN: What would the relief valve settings -- since the one boiler is 260 pounds, number four, and the others are 150 pounds, do you know what the relief valve setting is on number four?

34. MR. BECKMAN: Oh, Lord. I'd have to look it up.

35. MR. GORE: I don't know off the top of my head.

36. MR. BECKMAN: I don't know right off the top of my head. We can get the information.

37. MR. NEVILLE: We can add that information to it.

38. MR. BECKMAN: Yeah.
1. MR. BAUGHMAN: Okay. I noticed just
under "equipment" on number four, the input --
2. maximum input rating is not listed. The output is
3. listed for it. The output on the other three -- the
4. input's listed but not the output.
5. MR. NEVILLE: We can update that
6. information.
7. MR. BAUGHMAN: Okay. On this control
8. system that you've got, being that one of them or
9. all three of them are the Hawk 1000 and the other is
10. the Hawk ICS, do any of those have the capabilities
11. of remote setpoint changes?
12. MR. BECKMAN: I do not -- 100 percent
13. sure.
14. MR. GORE: If they do, we don't use
15. them. I'll put it that way.
16. MR. BAUGHMAN: I understand. Well --
17. and I just want to -- it showed on page I-4
18. (verbatim), section one, under "General," "Hawk 1000
19. system features," it says remote modulation by
20. communications (ethernet), remote setpoint by
21. communications (ethernet).
22. MR. TOTH: They're not set up that
23. way.
24. MR. BAUGHMAN: Well, I understand
25. that --
27. MR. BAUGHMAN: -- but they have the
28. capabilities to. Okay.
29. MR. NEVILLE: That is something --
30. yeah.
31. MR. BAUGHMAN: And that's just
32. something that, even though it's not set up that
33. way, it's got the capabilities of being set up that
34. way. And having remote setpoint change
35. capabilities, especially via any type of web-based
36. or Internet connection, would not be a good thing.
37. MR. BECKMAN: All right.
38. MR. NEVILLE: Right.
39. MR. BAUGHMAN: Okay.
40. MR. NEVILLE: That's all of my --
41. CHAIRMAN MORELOCK: Okay. What other
42. comments?
43. MR. ROBINSON: Question.
44. CHAIRMAN MORELOCK: Yes.
45. MR. ROBINSON: Question on what Dave
46. was talking about. Is your controller password
47. protected?
48. MR. BECKMAN: It is.
49. CHAIRMAN MORELOCK: Yeah.
50. MR. TOTH: It is.
51. MR. NEVILLE: Yes.
52. MR. ROBINSON: On the units?
53. MR. NEVILLE: It is at the units. In
54. B-1, we list that on each of the controllers. Those
55. are password protected.
56. MR. ROBINSON: Okay. Thank you.
57. MR. BAUGHMAN: Good question.
58. MR. HARGROVE: Question. And who are
59. the individuals who know the password and have
60. access? Operations manager? Boiler attendant? Is
61. that correct?
62. MR. BECKMAN: This is on the burner
63. controller.
64. MR. NEVILLE: On the burner
65. controller, so yeah. I mean --
66. MR. BECKMAN: The operators would not
67. have --
68. MR. NEVILLE: The operators would not
69. have --
70. MR. BECKMAN: -- the password
71. protections on that. That would be the maintenance
72. manager and the company who services our boilers.
73. MR. NEVILLE: Yeah.
74. MR. BECKMAN: Boiler Supply.
75. MR. ROBINSON: Question.
76. CHAIRMAN MORELOCK: Yes.
77. MR. ROBINSON: Question on what Dave
78. was talking about. Is your controller password
79. protected?
80. MR. BECKMAN: It is.
81. CHAIRMAN MORELOCK: Yeah.
82. CHAIRMAN MORELOCK: Any other
83. comments? I've -- you've got something?
84. MR. PISHKE: Go ahead.
85. CHAIRMAN MORELOCK: I've got just a
86. few. On page five, it discusses that manual
87. holders -- it also discusses who has a copy of the
88. manual in Appendix J. And in Appendix J, it lists
89. some folks there, the boiler room, the remote
90. station, and then Justin Raus. But if Mr. Beckman
91. is responsible for updating the manual, shouldn't he
92. have a copy of it, as well?
93. MR. BECKMAN: Which I do, but --
94. CHAIRMAN MORELOCK: Okay.
95. MR. BECKMAN: -- we'll have to add
96. that.
97. CHAIRMAN MORELOCK: You may want to
1. just --
2. MR. NEVILLE: We can add that.
3. CHAIRMAN MORELOCK: -- put that in there. Also, on page five, it states that -- under "normal duties," item one, it states that once each day, the boiler attendant will contact the remote station. But then, as you read through the rest of the manual, page eight, item seven, Appendix F, all those documents say that you're going to test once per shift.
4. MR. NEVILLE: Yes. That really should be shift.
5. CHAIRMAN MORELOCK: Okay.
6. MR. NEVILLE: I mean, we should change from day to shift. But --
7. CHAIRMAN MORELOCK: Okay. Just -- like I said, I'm just reading through, so I'm not --
8. MR. NEVILLE: Right.
9. CHAIRMAN MORELOCK: -- walking the floor with you. So I'll change that to shift.
10. A similar comment on -- that we had on the other manual is on page eight, item seven. Again, at the end of the shift, Boiler Attendant shall report to boiler room to verify normal boiler operation.
11. MR. NEVILLE: Would you like a log --
12. CHAIRMAN MORELOCK: That --
13. MR. NEVILLE: -- reference there?
14. CHAIRMAN MORELOCK: Yes.
15. MR. BECKMAN: If I can comment on that?
16. CHAIRMAN MORELOCK: Oh, go right ahead.
17. MR. BECKMAN: Actually, on Appendix F, which is our boiler log sheet --
18. CHAIRMAN MORELOCK: Yes.
19. MR. BECKMAN: -- it actually -- 5:40 a.m./p.m. is actually the end of their shift.
20. CHAIRMAN MORELOCK: Okay.
21. MR. BECKMAN: So that's the log -- we don't actually -- this log is collected by the supervisor, and we don't actually have the log in the boiler house. Should we have a separate log in there to say, yes, I was here, or would this be sufficient?
22. CHAIRMAN MORELOCK: Well, I mean, I'm assuming what's in the manual is just a representative sheet of what your --
23. MR. NEVILLE: Yes.
24. CHAIRMAN MORELOCK: -- log really is.
25. MR. BECKMAN: Correct.
26. CHAIRMAN MORELOCK: Your manuals state how you keep it --
27. MR. BECKMAN: Okay.
28. CHAIRMAN MORELOCK: We're not going to tell you how to do that. We're just --
29. MR. BECKMAN: Right. All right.
30. CHAIRMAN MORELOCK: You just need to do it.
31. MR. BECKMAN: All right.
32. MR. NEVILLE: So -- right. So what I'll do is I'll reference log -- or the Appendix F log --
33. CHAIRMAN MORELOCK: Yeah.
34. MR. BECKMAN: Okay.
35. CHAIRMAN MORELOCK: Okay.
36. MR. BECKMAN: -- in that so that it's clear.
37. CHAIRMAN MORELOCK: Okay. The -- at the top of the page on page eight, it says, if the system is not functioning properly, a boiler attendant shall attend the boiler until the problem is corrected. Again, I would reference Rule 0800-03-03-.08(11), which is the 20-minute rule. And I think -- the rest of my questions have already been addressed by other comments. So that's all I have. Anything else?
38. MR. PISHKE: I was just going to go through, you know, some of the training requirements again.
39. MR. PISHKE: Under page five, two, everyone is -- all the assigned personnel will be required to read and be familiar with these procedures. Is that all that the training encompasses? Is that it?
40. MR. BECKMAN: No. The training -- our -- all our SOPs are on, what, our document control software, Qualtrics, so they have to go through, review the SOPs, sign off on the fact, and check that they've read and understand SOPs, but there's also a four-to-six-week on-the-job with a certified operator. And then at the end of that training period, they have to pass a written test prior to them operating it on their own, prior to them running the circuit on their own.
1. MR. PISHKE: Okay. I would elaborate
2. on that if -- in the manual --
3. MR. NEVILLE: Okay.
4. MR. PISHKE: -- because that's good
5. stuff.
7. CHAIRMAN MORELOCK: Well, and that
8. goes back to -- that's boiler attendant -- operator
9. training, which is, again, a little different
10. than --
11. MR. BECKMAN: Yeah.
12. CHAIRMAN MORELOCK: -- your variance.
13. So --
14. MR. PISHKE: Well --
15. MR. BECKMAN: Well, we do have the
16. variance training.
17. CHAIRMAN MORELOCK: It's good to note
18. it. I'm not opposed to that.
19. MR. BECKMAN: We do have the variance
20. training, and we have a written test that they have
21. to take at the end of that that is also logged into
22. Qualtrics.
23. CHAIRMAN MORELOCK: Okay.
24. MR. BECKMAN: And we're notified when
25. that date comes up that they're due to -- for review

1. or those that are -- haven't done it. So --
2. CHAIRMAN MORELOCK: Okay. Okay.
3. MR. BECKMAN: But there is a written
4. test for the variance training also.
5. CHAIRMAN MORELOCK: Well --
6. MR. PISHKE: That's specifically what
7. I'm --
8. CHAIRMAN MORELOCK: Yeah.
9. MR. PISHKE: -- asking about --
10. MR. BECKMAN: Oh, okay.
11. CHAIRMAN MORELOCK: No, that --
13. MR. PISHKE: -- is the variance.
14. CHAIRMAN MORELOCK: That would be
15. good to have in there.
16. MR. NEVILLE: Right. And G-1, I
17. believe, lists some of that training as far as the
18. boiler attendant and remote personnel. Kind of the
19. last sentence there --
20. MR. BECKMAN: Yeah.
21. MR. NEVILLE: -- about the annual --
22. CHAIRMAN MORELOCK: Yeah.
23. MR. NEVILLE: -- training, as well.
24. CHAIRMAN MORELOCK: Yeah.
25. MR. NEVILLE: So we list that in the
CHAIRMAN MORELOCK: Okay.

MR. BAUGHMAN: Yeah. Somewhat.

CHAIRMAN MORELOCK: Okay.

1. our balance of representation on the Board. And
2. recently, Eugene left that career and has begun a
3. new career here with the State of Tennessee.
4. So we want to just take a moment to
5. recognize Eugene for his faithful, hard work and
6. service and present you with a couple things.
7. First off -- let me get the cardboard out of the
8. way. That doesn't look good in the picture, does
9. it? We want to represent you -- present you with
10. this from the State of Tennessee as a certificate
11. of appreciation for your hard work --
12. Mr. Baughman?
13. CHAIRMAN MORELOCK: -- and service.
14. (Applause.)
15. MR. HARGROVE: Well deserved.
16. MS. BENNETT: Yes.
17. MR. HARGROVE: Well deserved.
18. CHAIRMAN MORELOCK: And -- I have no
19. idea what this looks like. I don't want to break it
20. right out of the box, either. So here you have a
21. plaque, also, from the State. Again, these are just
22. small tokens of your tireless efforts to support --
23. (Applause.)
24. CHAIRMAN MORELOCK: We thank you for
25. your -- I'll let you all tell him what you'd like to

1. MR. CHAPMAN: I just want to say
2. thank you so much for all your service.
3. MR. PISHKE: Speech.
4. MR. ROBINSON: Speechless.
5. CHAIRMAN MORELOCK: All right. We
6. need a speech.
7. MR. ROBINSON: I'm speechless.
8. MR. HARGROVE: We don't believe
9. that's possible.
10. CHAIRMAN MORELOCK: All right.
11. MR. HARGROVE: All right.
12. CHAIRMAN MORELOCK: We have cake. So
13. now's a good time to take a break and just come by
14. and shake Eugene's hand for a job well done, and
15. we're looking forward to great things at the State.
16. So --
17. (Recess observed.)
18. CHAIRMAN MORELOCK: Okay. We are on
19. Item eight, which is Open Discussion Items. And the
20. only item that I really have to discuss is do we
21. have an update on the Committee for Boiler Training,
22. Mr. Baughman?
24. CHAIRMAN MORELOCK: Okay.

1. MR. BAUGHMAN: What we've been doing
2. is researching out, trying not so much to reinvent
3. the wheel, because there's a lot of other states
4. that are in the U.S. that have training, so we've
5. probably been -- we've been trying to be diligent in
6. communicating with these department of labors, fire
7. marshals, boiler divisions to get an idea about how
8. their states are set up so that we can then mold and
9. adapt for what we think will be applicable to bring
10. to the table for a presentation. So this has just
11. been taking quite a bit of time for communication
12. and conversation.
13. It's kind of interesting that, as
14. we've been communicating, that there's a movement
15. towards -- and this goes across the country -- a
16. movement towards the thought process of making a
17. national standard for minimum levels of boiler
18. training. And I just thought that that was kind
19. of interesting, that that's come up in the
20. conversation, so that one state wouldn't vary
21. greatly from what the other one does.
22. But that's where we're at. Still in
23. the means of getting the information together so
24. we can continue with this process.
25. CHAIRMAN MORELOCK: Okay. Any
1. consensus, maybe it would be something that we would
2. want to present going forward possibly for the
3. legislation to consider.
4. CHAIRMAN MORELOCK: Okay.
5. MR. PISHKE: But once we get the
6. buy-in from all those particular parties -- well,
7. what we thought about was empowering everybody else,
8. which would make acceptance a little bit easier.
9. MR. BAILEY: True.
10. CHAIRMAN MORELOCK: Well, and, you
11. know, the Board voted last September to have Dave
12. and Jessie Smith to head up this item. And so
13. certainly, to bring your work into it, Martin, to
14. provide input, obviously, we'll do this as a
15. discussion item until we get something ready. And
16. if it goes to the point of legislation, then
17. obviously we would provide input to you to work with
18. Mr. Bailey in the legislative process to make that
19. part of the law.
20. But as for now, I guess my feelings
21. are, proceed with you and Jessie and Martin and
22. then you all collaborate. Once you get something
23. ready for us to put on the agenda as a discussion
24. item, we can review that in advance of the meeting
25. and then we can have the discussion and then move

1. forward. Is that in agreement?
2. MR. ROBINSON: Yes. In the next --
3. soon -- well, as soon as I can get to the computer
4. and get a little bit of time, the draft will go out
5. to the participants.
6. CHAIRMAN MORELOCK: Okay. All right.
7. Good.
8. MR. ROBINSON: It's already completed
9. and sitting idle.
10. CHAIRMAN MORELOCK: All right. Good
11. report.
12. I don't have anything to announce,
13. but I do have some updates on filling our empty
14. slots on the Board. That's in progress, which is
15. very good news, and we hope to have something soon
16. with names and all that. But right now, it is
17. moving forward and I just wanted to give you an
18. update on that.
19. The last thing I have is -- it really
20. ties into Item nine, but we had talked about a
21. Board item, a Board interpretation item, that
22. arose from the fact that when we revised Rule
23. 0800-03-03, we got everything up to date, but in
24. the process of doing so, that created a
25. discrepancy between rule 0800-03-03 and

1. 68-122-109(a) as to how the State provides the
2. Commissioning Exam.
3. And so what I have done is I have
4. created a request for rule interpretation simply
5. to make that clarification so that the State has
6. the freedom to provide the Commissioning Exam per
7. the current methods available. Does that make
8. sense?
9. So with that said, I have put a
10. request for rule interpretation together. We're
11. not going to act on it today. I'll just briefly
12. read this to you, we'll talk about it, and get
13. some comments. That's what I'm seeking today.
14. But this request for rule
15. interpretation begins by stating, the purpose of
16. this request is for the Board to give an
17. interpretation on the administration of the
18. National Board Commissioning Exam as discussed in
19. Tennessee Code Annotated 68-122-109(a) and
20. Tennessee Rule 0800-03-03-.06, Inspector
21. Qualifications, paragraph (3), Examination for
22. Certificate of Competency.
23. Inquiry number one is, are the
24. examination requirements for the Certificate of
25. Competency in Tennessee Rule 0800-03-03-.06,
1. Mr. Bailey: Yeah. Well, rules can be revised, really, at any time. I mean, it's just the process of -- time of year doesn't really have an effect on it too much other than, like, if it's a fee increase or there's a provision involving fee increases. But for -- to revise legislation, you know, that really needs to be put in the Commissioner's legislative package usually, like, July or August.

2. Chairman Morelock: Okay.

3. Mr. Bailey: I mean, it's got -- they start putting that together pretty early. And then if it is in the Commissioner's package, then that's presented to the Governor's Office and hopefully it gets in the Governor's proposals. But I know the legislative liaison, Leann Durm, has said numerous times, if you've got revised legislation that you want to -- for you know, to be considered, you need to get it to me, you know, by, like, July or August at the latest --


5. Mr. Bailey: -- is usually what she says. So I mean, if you're going to try to get this into the Commissioner's legislative package for next session, it needs to be done pretty quick, is basically what I'm saying.

6. Chairman Morelock: Well, in fairness to the Board, I'm not giving them opportunity to review this. I don't know that it would be fair to create a voted action today for them. However, if we pass this interpretation, then that would suffice till we can get the legislative work done. Would you agree?

7. Mr. Bailey: I'm not completely in agreement with that.

8. Chairman Morelock: Okay.

9. Mr. Bailey: I really don't know.

10. Chairman Morelock: Okay.

11. Mr. Bailey: Because statute trumps a rule or a policy.

12. Chairman Morelock: Okay.

13. Mr. Bailey: Always. I've never known a situation where the statute didn't overrule a rule. So I don't know why this would, I guess. You know. I mean, the statute's the statute and if a rule conflicts with it, the statute wins out all the time.


15. Mr. Bailey: Every time I've seen.

16. Mr. Toth: Mr. Chair?
1. exists --
2. CHAIRMAN MORELOCK: Yes.
3. MR. TOTH: -- again?
4. CHAIRMAN MORELOCK: Yes.
5. MR. TOTH: Thank you.
6. CHAIRMAN MORELOCK: I can do that.
7. What 68-122-109 says today --
8. MR. TOTH: And is this the revision to the existing --
9. CHAIRMAN MORELOCK: No. This is what it says today.
10. MR. TOTH: This is what it's always been?
11. MR. HARGROVE: This is current.
12. CHAIRMAN MORELOCK: Let me -- okay. Here we go. Okay. This is what it says today.
13. Examinations for chief deputy or special inspectors shall be in writing and shall be held by the Board or by at least two members of the Board. Period.
14. Such examination shall be confined to questions, the answer to which will aid in determining the fitness and competency of the applicant for the intended service. Period. In case an applicant for an inspector's appointment or commission fails to pass the examination, the applicant may appeal to the Board for another examination, which shall be given by the Board within 90 days. Period. The record of an applicant's examination shall be accessible to the applicant and the applicant's employer.
15. MR. TOTH: Is there a paragraph (b) to that that you have access to?
16. CHAIRMAN MORELOCK: That's correct. MR. TOTH: So when you talk about whatever the statute calls for is actually -- can be something additional to the National Board Commission and not just the National Board Commission. Am I making sense?
17. CHAIRMAN MORELOCK: Well --
18. MR. TOTH: The rule that you have spells out that you will take a National Board Commission Exam.
19. CHAIRMAN MORELOCK: Yes.
20. MR. TOTH: Which this body has authority over. So we're talking -- you could possibly be talking about two different things.
21. CHAIRMAN MORELOCK: So what else would this apply to?
22. MR. TOTH: That would apply to an individual exam that could be given by the chief inspector to speak solely about Tennessee rules and regulations.
23. CHAIRMAN MORELOCK: Well, but see, that's the thing. It says specifically it's given by the Board, not the chief inspector.
24. MR. TOTH: Okay.
25. CHAIRMAN MORELOCK: Or by two Board members, at a minimum.
26. MR. TOTH: And that'd be fine. I understand what you're saying, because --
27. CHAIRMAN MORELOCK: Yeah.
28. MR. TOTH: -- the situation that you have going now is the remote testing locations, correct?
29. CHAIRMAN MORELOCK: Yes.
30. MR. TOTH: Okay.
31. CHAIRMAN MORELOCK: And electronic exams.
32. MR. TOTH: And electronic exams. The situation that you have right now is given by the Board for another examination, which shall be given by the Board within 90 days. Period. The record of an applicant's examination shall be accessible to the applicant and the applicant's employer. MR. BAILEY: I've got it right here. MR. TOTH: Mr. Bailey does. MR. HARGROVE: As in a B --
33. MR. BAILEY: There is a B. It says, a commission may be suspended or revoked --
34. MR. TOTH: Okay.
35. MR. BAILEY: -- after due investigation. Do you want to read the whole thing?
36. MR. ROBINSON: It doesn't pertain --
37. CHAIRMAN MORELOCK: No.
38. MR. TOTH: No, that's fine.
39. CHAIRMAN MORELOCK: It doesn't pertain to how the exam is given. Yes?
1. Board Commissioning Exam?

MR. TOTH: Yes. It wasn't intended for that when it was first drafted. It just had -- over time, had taken place of the local exam in the State of Tennessee, whereas --

CHAIRMAN MORELOCK: For a state commission?

MR. TOTH: For a state commission.

Because as you all recall, each inspector holds a National Board Commission --

CHAIRMAN MORELOCK: Yes.

MR. TOTH: -- but they also hold a state commission.

CHAIRMANMORELOCK: Yes.

MR. TOTH: How it's been handled in the past, if you passed the National Board Commission, you were automatically granted a state commission.

CHAIRMAN MORELOCK: Yes.

MR. TOTH: I hope that helps --

CHAIRMAN MORELOCK: I took mine in 2000 and that's exactly what happened. So --

MR. TOTH: Right.

CHAIRMAN MORELOCK: So what you're saying is if we ignore this and go with rule

1. 0800-03-03, there's no conflict. Is that what you're saying?

MR. TOTH: I wouldn't necessarily use the word "ignore."

MR. BAILEY: Are you sure you don't have a law degree?

MR. TOTH: I worked with you for a long time, Mr. Bailey. I'm good. Is that I would state you could put a process in place that would satisfy the statute.

CHAIRMAN MORELOCK: But that's revising the statute.

MR. TOTH: Not necessarily. You could offer a state commission -- written state commission exam, however long or short, for the individuals to be able to obtain their Tennessee commission.

CHAIRMAN MORELOCK: Yeah. That's a slippery slope right there.

MR. TOTH: Well, the -- like I said, the Commonwealth of Virginia and Kentucky both do that.

MR. CHAPMAN: And Washington.

MR. TOTH: And I'm just adding a little bit of --

MR. CHAPMAN: Washington state.

MR. TOTH: -- advice there, free.

You don't have to pay for --

MR. PISHKE: I can speak to Virginia.

I was on their board prior to this.

MR. ROBINSON: Go ahead.

MR. PISHKE: I don't recall any instance where we did that.

MR. TOTH: Where you offered an individual exam?

MR. PISHKE: Yeah.

MR. TOTH: Okay.

MR. PISHKE: Now, that was only since the early 2000s, probably. But during that tenure there, I don't remember ever doing it that way. It was always through the National Board Commission.

MR. TOTH: But they do a National Board Commission exam also.

MR. PISHKE: Yeah.

MR. TOTH: And it could have changed.

I do know that when I was involved -- which have been a few moons ago -- the Commonwealth of Kentucky definitely did, because they wanted to make sure that the inspectors were familiar with their state laws.
1. MR. ROBINSON: Now, what I've --
2. excuse me. What I've been acquainted with -- just
3. recently, I was tasked to do a help-out in
4. Seattle, Washington, November of last year. During
5. that period, when I arrived, I met with Tony Oda,
6. Chief of Washington, who sat -- he and his assistant
7. chief sat with me and had given me an examination on
8. their regulations. Okay? Now, he still required me
9. to have a commission.

10. MR. TOTH: Uh-huh. National Board
12. MR. ROBINSON: Absolutely. So the
13. test was administered, basically, on his rules and
14. regulations.
15. MR. TOTH: Uh-huh.
16. MR. ROBINSON: Now, I was also tasked
17. to go to Maryland to help out. During that period
18. of time, I was also supposed to meet with the Chief
19. and take another exam, still using my commission.
20. So I don't think -- you know, this
21. test is outside the scope of the National Board,
22. and at the same instance, I would -- I don't --
23. and I speak back to the chairman -- the National
24. Board will still recognize the creation of an NB-6
25. report from an inspector based on being

1. commissioned by the jurisdiction.
2. In other words, when an inspection is
3. complete, if Chief gives a commission exam --
4. well, jurisdictional examination -- let's call it
5. what it is -- to anyone, they would be required to
6. perhaps fill out an NB-6 report, which again,
7. would now be record based on National Board
8. standards.
9. So I don't think that's the case. I
10. think you would have to have a National Board
12. MR. TOTH: Well, absolutely.
13. MR. ROBINSON: And this --
14. MR. TOTH: But when you --
15. MR. ROBINSON: -- is not --
16. MR. TOTH: Go ahead. I'm sorry.
17. MR. ROBINSON: This doesn't -- in
18. other words, this would be -- it would be a
19. prerequisite for a jurisdictional requirement if it
20. was left as it is.
22. CHAIRMAN MORELOCK: Well --
23. MR. ROBINSON: Which would be
24. meaningless.
25. CHAIRMAN MORELOCK: Well, and my

1. thoughts are, our rules and our law should reflect
2. what is actually being done in the State of
3. Tennessee.
4. MR. TOTH: Uh-huh.
5. CHAIRMAN MORELOCK: And the State of
6. Tennessee is giving the National Board Commissioning
7. exam. You get the National Commission, then they'll
8. also accept that for the special inspector or
9. inspector commission or deputy inspector or chief,
10. as well.
11. MR. TOTH: Absolutely. No, I agree
12. 100 hundred percent with you.
13. CHAIRMAN MORELOCK: Yeah.
14. MR. TOTH: I'm just kind of --
15. CHAIRMAN MORELOCK: And --
16. MR. TOTH: I'm giving you some
17. history.
18. CHAIRMAN MORELOCK: And I appreciate
19. that.
20. MR. TOTH: And I'm --
22. MR. TOTH: Yeah. Okay.
23. CHAIRMAN MORELOCK: I do. Because
24. that's -- it's good to know. I mean -- but, you
25. know, based on -- I guess based on my experience

1. over the past 17 years, you take the National Board
2. Commissioning Exam and then you submit the paperwork
3. to the State of Tennessee and you get your
4. commission card.
5. MR. TOTH: Absolutely. Absolutely.
6. CHAIRMAN MORELOCK: So, you know, to
7. play both sides of that, if we were to do what you
8. said, then we would be -- it would be an additional
9. exam that we've not given ever.
10. MR. TOTH: Ever. Well, ever --
11. CHAIRMAN MORELOCK: Well --
12. MR. TOTH: -- since we've been
13. involved.
14. CHAIRMAN MORELOCK: Okay. Let's just
15. say in the past 20 years, then.
16. MR. TOTH: 20 --
17. CHAIRMAN MORELOCK: Yeah.
18. MR. TOTH: It's gone by fast.
19. CHAIRMAN MORELOCK: Okay? All right.
20. MR. TOTH: But yes, I agree with you.
21. I agree with you.
22. CHAIRMAN MORELOCK: Yeah.
23. MR. TOTH: My question would be, what
24. do you do in the meantime until the legislation has
25. been changed?
<table>
<thead>
<tr>
<th>Page 105</th>
<th>Page 107</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. CHAIRMAN MORELOCK: I think -- well, 1. for folks to come in and just -- we need to know</td>
<td></td>
</tr>
<tr>
<td>2. I would have to work with Mr. Bailey and -- 2. what your concerns are. And so this is a spot in</td>
<td></td>
</tr>
<tr>
<td>3. MR. ROBINSON: Ms. Jefferson. 3. our agenda where you ever have a discussion item,</td>
<td></td>
</tr>
<tr>
<td>4. CHAIRMAN MORELOCK: -- Ms. Jefferson 4. let Sam and Eugene, Carlene know. We'll get you on</td>
<td></td>
</tr>
<tr>
<td>5. to do what he just described and that -- you know, 5. the agenda, because I mean, we want feedback. We</td>
<td></td>
</tr>
<tr>
<td>6. and say, we're cleaning up the legislation to 6. want to know what's going on and what your concerns</td>
<td></td>
</tr>
<tr>
<td>7. continue to do what we've always done. 7. are. So -- and a lot of these develop -- end up</td>
<td></td>
</tr>
<tr>
<td>8. MR. TOTH: Right. 8. Board items. So it's a good process.</td>
<td></td>
</tr>
<tr>
<td>9. CHAIRMAN MORELOCK: So now, with that 9. So everybody good? Are we going to</td>
<td></td>
</tr>
<tr>
<td>10. said, I mean, what is the Board's pleasure on this? 10. proceed with Ms. Jefferson and Mr. Bailey handling</td>
<td></td>
</tr>
<tr>
<td>11. It's not what I want or Mr. Toth wants. 11. this?</td>
<td></td>
</tr>
<tr>
<td>13. want. 13.</td>
<td></td>
</tr>
<tr>
<td>15. you know. And I mean, any commission inspector in 15.</td>
<td></td>
</tr>
<tr>
<td>16. the state of Tennessee, that would be something 16.</td>
<td></td>
</tr>
<tr>
<td>17. they've never seen before if we were -- 17.</td>
<td></td>
</tr>
<tr>
<td>18. MR. TOTH: Right. 18.</td>
<td></td>
</tr>
<tr>
<td>19. CHAIRMAN MORELOCK: -- to enact that. 19.</td>
<td></td>
</tr>
<tr>
<td>21. MR. PISHKE: I think we take 21.</td>
<td></td>
</tr>
<tr>
<td>22. Mr. Bailey's advice in proceeding -- 22.</td>
<td></td>
</tr>
<tr>
<td>23. CHAIRMAN MORELOCK: And according to 23.</td>
<td></td>
</tr>
<tr>
<td>24. his explanation, we've taken our action, so it would 24.</td>
<td></td>
</tr>
<tr>
<td>25. be on the State to take action to correct the 25.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Page 106</th>
<th>Page 108</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. discrepancy. 1. Workforce Development and their inspectors this</td>
<td></td>
</tr>
<tr>
<td>2. MR. BAILEY: Now, just so I'm clear, 2. year.</td>
<td></td>
</tr>
<tr>
<td>3. so the proposed revision of -- that's what you would 3. Board members, they're working out</td>
<td></td>
</tr>
<tr>
<td>4. like -- that's how you'd like -- 4. details on what portion they would like for us to</td>
<td></td>
</tr>
<tr>
<td>5. CHAIRMAN MORELOCK: Yes. 5. play in that. We can schedule a Board meeting</td>
<td></td>
</tr>
<tr>
<td>6. MR. BAILEY: -- to see it written? 6. during that training. But also, they're going to</td>
<td></td>
</tr>
<tr>
<td>7. CHAIRMAN MORELOCK: Yeah. 7. give me a schedule on maybe some forums they would</td>
<td></td>
</tr>
<tr>
<td>8. MR. BAILEY: Okay. 8. like for us to be present, because one of the</td>
<td></td>
</tr>
<tr>
<td>9. CHAIRMAN MORELOCK: And that -- and 9. things we learned last year is it was very much</td>
<td></td>
</tr>
<tr>
<td>10. so -- we discussed this at the March meeting and 10. appreciated for the inspectors to have access to</td>
<td></td>
</tr>
<tr>
<td>11. went over that. We can certainly -- be happy to 11. ask us questions and discuss things, and we want</td>
<td></td>
</tr>
<tr>
<td>12. read over it again. I think everybody's got a copy 12. to continue to do that.</td>
<td></td>
</tr>
<tr>
<td>13. of the proposed revision, the Board members do 13. So that's what I have on the fall</td>
<td></td>
</tr>
<tr>
<td>14. anyway. And it's -- and for the visitors, I'll be 14. conference for this year. It will not be opened</td>
<td></td>
</tr>
<tr>
<td>15. happy to read through that, if you'd like. Yes? 15. up at least this year. We'll look at 2018 to see</td>
<td></td>
</tr>
<tr>
<td>16. No? No? I'm seeing more of this (shaking head from 16. how we can grow this. But for this year, we've</td>
<td></td>
</tr>
<tr>
<td>17. side to side) than this (nodding head up and down). 17. been asked just to hold it just for the State of</td>
<td></td>
</tr>
<tr>
<td>18. So okay. But basically, it's going to clarify 18. Tennessee inspectors. Okay?</td>
<td></td>
</tr>
<tr>
<td>19. what's in -- it's going to be the same words that's 19. Okay. That's all of our discussion</td>
<td></td>
</tr>
<tr>
<td>20. in Rule 0800-03-03, to be consistent. So -- 20. items. As far as rule cases and interpretations,</td>
<td></td>
</tr>
<tr>
<td>21. MR. BAUGHMAN: I agree with Mike. 21. we just discussed that.</td>
<td></td>
</tr>
<tr>
<td>22. CHAIRMAN MORELOCK: So are there any 22. Item 10 is the next Board of Boiler</td>
<td></td>
</tr>
<tr>
<td>23. other comments? Because I mean, this is why I'm 23. Rules Meeting is scheduled for 9:00 a.m. Central</td>
<td></td>
</tr>
<tr>
<td>24. glad we added this -- we added discussion items a 24. Time, Wednesday, September the 20th at the</td>
<td></td>
</tr>
<tr>
<td>25. few years back and this is good -- an opportunity 25. Department of Labor and Workforce Development</td>
<td></td>
</tr>
</tbody>
</table>
Office Building right here.

Does anybody have anything else?

MR. BAILEY: Mr. Chairman, I'd like for the Board to consider giving Chief Boiler Inspector, Mr. Chapman, a new placard, because it still says Assistant Chief Boiler Inspector.

MR. PISHKE: Just cross it out.

MR. BAILEY: I think he's way beyond that now.

MR. CHAPMAN: We'll just kill it.

CHAIRMAN MORELOCK: Hey, somebody give me a Sharpie. I can fix that right now.

MR. CHAPMAN: I haven't even paid any attention to that.

CHAIRMAN MORELOCK: All right, y'all.

Thank you for coming. I really mean that, because you're giving up your time and it's important.

Thank you for your input and your comments.

Everybody travel safe, and we are adjourned.

END OF PROCEEDINGS.

---

CERTIFICATE

STATE OF TENNESSEE )
COUNTY OF WILLIAMSON )

I, Dominique A. Dubois LCR# 686, Notary Public and Court Reporter, do hereby certify that I have recorded to the best of my skill and ability by machine shorthand all the proceedings in the foregoing transcript, and that said transcript is a true, accurate, and complete transcript to the best of my ability.

I further certify that I am not an attorney or counsel of any of the parties, nor a relative or employee of any attorney or counsel connected with the action, nor financially interested in the action.

SIGNED this 24th day of July, 2017.

Dominique A. Dubois, LCR# 686
Notary Public State at Large

My commission expires: 8/9/2018
803a 16:4 18:9
805a 16:4
871 13:8

9

90 94:2
900 1:24
923 14:3