DEPOSITION OF HEARING

Taken July 17, 2020
STATE OF TENNESSEE
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
BOARD OF BOILER RULES

QUARTERLY MEETING OF THE
STATE OF TENNESSEE
BOARD OF BOILER RULES
ZOOM VIDEOCONFERENCE
JULY 17, 2020

---------------------------------------------
Jennifer G. Haynie, LCR, 403
Stone & George Court Reporting
2020 Fieldstone Parkway
Suite 900 - PMB 234
Franklin, Tennessee 37069
615.221.1089

Stone & George Court Reporting
615.221.1089
APPEARANCES: (VIA ZOOM VIDEOCONFERENCE)

Brian R. Morelock, Board Member
Owner-User Representative

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

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

Harold Bowers, Board Member
Insurance Representative
Centerville, Tennessee

Jeffery Henry, Board Member

Terry Fox, Board Member
Boilermaker Representative
Chattanooga, Tennessee

Sam Chapman, Chief Boiler Inspector

Christopher OGuin, Assistant Chief Boiler Inspector

Thomas Herrod, Assistant Commissioner, WRC
State of Tennessee

Deborah Rhone, Boiler Office Supervisor
State of Tennessee

Jamie Presson, Executive Admin. Asst.
State of Tennessee

Daniel A. Bailey, Legal Counsel
State of Tennessee

Tiffany Baker, Boiler Office Staff
State of Tennessee

Deonne Bell, Boiler Office Staff
State of Tennessee
APPEARANCES CONTINUED

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

GUEST APPEARANCES:

James Neville, Neville Engineering
(Representing Superior Carriers)
Stephen McDermott, Terminal Manager for Superior
Carriers; Carry Transit/Superior Carriers

PERDUE FARMS:

Marty Toth, ECS Consulting & Boisco Training
Group
Dan Markey, Weston Foods, Maintenance Manager
Wendy LaVan, Boiler Supply Company
Greg Kelley, Boiler Supply Company
Del Robinson, Perdue Farms
Darrell Jackson, Perdue Farms
Drew Garrett, Perdue Farms

COURT REPORTING SERVICES AND ZOOM
VIDEOCONFERING:

Jennifer Haynie, LCR, Stone & George Court Reporting
Nan George, Stone & George Court Reporting
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AGENDA

I. CALL MEETING TO ORDER

II. INTRODUCTIONS AND ANNOUNCEMENTS

III. ADOPTION OF THE AGENDA

IV. CHIEF BOILER INSPECTOR’S REPORT

V. VARIANCE REPORT

VI. OLD BUSINESS

. NONE

VII. NEW BUSINESS

. 20-03 - Superior Carriers, Inc. Located at 1897 Harbor Avenue, Memphis, Tennessee 38106, is requesting a new variance for one (1) high-pressure boiler to operation under the requirements of Chapter 0800-03-03-.8(11).

. 20-04 - Weston Foods located at 105 Duke Drive, Lebanon, Tennessee 37090, is requesting a new variance for two (2) high-pressure boilers to operate under the requirements of Chapter 0800-03-03-.8(11).
20-05 – Perdue Farms located at 2300 Industrial Drive, Monterey, Tennessee 38574, is requesting a new variance for four (4) high-pressure boilers to operate under the requirements of Chapter 0800-03-03-.8(11).

VIII. OPEN DISCUSSION ITEMS
   None

IX. ANNOUNCEMENT OF NEXT MEETING

   The next regularly scheduled meeting of the Board of Boiler Rules will be held at 9:00 a.m. on Wednesday, June 24, 2020, via Zoom Video Conferencing.

X. ADJOURNMENT

MS. GEORGE: Good morning. I'm Nan George with Stone & George Court Reporting, and I'll be the Zoom host for today. Our Court Reporter is Jennifer Haynie -- if you see the box that says, "Jennifer." She's having issues with her video but she is comfortable to proceed, and she can see and hear everybody okay.

Our job is to ensure a verbatim transcript of the proceedings is produced, so please think about attending this videoconference 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 heard 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 everybody until you are 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 everybody on Zoom is set up properly prior to the hearing...
starting so that we don't have any issues with audio or video once the meeting begins. When everyone is set up efficiently, this hearing should pretty much mirror what happens when we're all in the hearing room together.

So if you haven't done so, please go to the chat box now and enter your name and the company you represent, and when you're called on, please unmute yourself and verbally state your name and your company.

So thank you all very much.

Mr. Chairman?

CHAIRMAN MORELOCK: Thank you, Nan. This is the June 17th, 2020, meeting of the Tennessee Board of Boiler Rules. I hope everyone has a copy of the agenda, and so looking at that agenda the first item is to call the meeting to order. So I am doing that now. I am calling this meeting to order.

Item II is introductions and announcements and so what we will do is we will begin with the Tennessee Board Members. They will introduce themselves and then we will have the visitors and presenters to introduce themselves.
So I am Brian Morelock and I'm with Eastman Chemicals and I'm the Chair of the Tennessee Board. So let's go to Mr. Baughman.

MR. BAUGHMAN: I'm Dave Baughman, I'm a Board Member. I'm with Allied Boiler & Supply.

CHAIRMAN MORELOCK: Thank you, Mr. Baughman. Mr. Bowers?

MR. BOWERS: I'm Harold Bowers, Board Member, and I'm with FM Global Insurance Company.

CHAIRMAN MORELOCK: Thank you, Mr. Bowers. Mr. Fox?

MR. FOX: Terry Fox, Board Member.

CHAIRMAN MORELOCK: Thank you, Mr. Fox. Mr. Henry?

MR. HENRY: Jeff Henry with ADC Chattanooga, Board Member.

CHAIRMAN MORELOCK: Thank you, Mr. Henry. Mr. Hargrove, Dr. Hargrove?

MR. HARGROVE: Keith is fine. Good morning, everyone. Keith Hargrove, from Tennessee State University, Board Member.

CHAIRMAN MORELOCK: Thank you. So now we will begin with the visitors -- well,
let's go to the State of Tennessee. Let them
make their introduction, and then we'll have the
visitors.

So, Mr. Herrod, we'll let you kick
that off.

MR. HARROD: My name is Tom Harrod,
Assistant Commissioner for the Workplace
Relations and Compliance.

CHAIRMAN MORELOCK: Chief Chapman?

MR. CHAPMAN: Sam Chapman, Chief
Boiler Inspector.

CHAIRMAN MORELOCK: Assistant Chief
OGuin?

MR. OGUIN: Chris OGuin, Assistant
Chief Boiler Inspector.

CHAIRMAN MORELOCK: Ms. Bennett?

MS. BENNETT: Carlene Bennett, Board
Secretary.

CHAIRMAN MORELOCK: Mr. Bailey?

MR. BAILEY: Dan Bailey, Legal
Counsel.

CHAIRMAN MORELOCK: Ms. Rhone?

MS. RHONE: Deborah Rhone, Boiler
Office Supervisor.

CHAIRMAN MORELOCK: And who have I
left out?

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

CHAIRMAN MORELOCK: So going down to our visitors and let me see. Mr. Neville?

MR. NEVILLE: (Inaudible).

CHAIRMAN MORELOCK: Mr. Neville, you are very hard to understand. I don't know if you have a bad connection or what, but we're going to have to see if you can get a better connection so we can understand you better.

MR. NEVILLE: Okay. James Neville, with Neville Engineering. Can you hear me now?

CHAIRMAN MORELOCK: Yes, that's much better.

MR. NEVILLE: Okay. Representing Superior Carriers.

CHAIRMAN MORELOCK: Okay.

Mr. McDermott?

MR. MCDERMOTT: Yes, Steve McDermott, Terminal Manager for Superior Carriers.

CHAIRMAN MORELOCK: Thank you, sir.

Mr. Toth?

MR. TOTH: Good morning. Marty
Toth, ECS Consulting & Boisco Training Group. I also have a number of individuals in the room with me. I will let them go ahead and introduce themselves, if you're okay with that, Mr. Chairman?

CHAIRMAN MORELOCK: Yes, please.

MS. LAVAN: Hi, I'm Wendy LaVan with Boiler Supply; I'm an account manager.

MR. MARKEY: Dan Markey with Weston Foods, Maintenance Manager.

MR. GARRETT: Drew Garrett, Perdue Farms.

MR. JACKSON: Darrell Jackson, Perdue Farms.

CHAIRMAN MORELOCK: Thank you, sir. Did everyone understand those names?

THE REPORTER: I didn't. I'm sorry.

MR. TOTH: I'll go ahead and re-announce those. Wendy LaVan with Boiler Supply Company, Dan Markey with Weston Foods. We have Drew Garrett with Perdue Farms, Del Robinson with Perdue Farms, and Darrell Jackson with Perdue Farms.

CHAIRMAN MORELOCK: Thank you, Mr. Toth. Bear with me. The names shuffle as
we introduce people. I'm not intentionally overlooking anybody. I'm looking at my list here. If I've left anyone out, please let me know now.

Is that all of our visitor?

MR. KELLEY: You have Greg Kelley with Boiler Supply.

CHAIRMAN MORELOCK: Thank you, sir. Is there any other visitors that we have not recognized? Okay. Thank you.

Item III of the agenda is the adoption of the agenda. I hope everyone has access to the agenda, and so now we will -- we will have the motion from the Tennessee Board to adopt the June 17th, 2020, agenda.

MR. HENRY: I adopt this motion.

CHAIRMAN MORELOCK: Thank you, Mr. Henry. I have a motion from Mr. Henry. Do I have a second?

MR. BAUGHMAN: Second.

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

So with this meeting being a virtual meeting, we will have a rollcall for all voted motions and actions. So I will now rollcall the
Board Members to vote.

So, Mr. Baughman, do you approve?

MR. BAUGHMAN: Aye.

CHAIRMAN MORELOCK: Thank you.

Mr. Bowers?

MR. BOWERS: Aye for me.

CHAIRMAN MORELOCK: Mr. Fox?

MR. FOX: Aye.

CHAIRMAN MORELOCK: Mr. Henry?

MR. HENRY: Aye.

CHAIRMAN MORELOCK: Dr. Hargrove?

DR. HARGROVE: Aye.

CHAIRMAN MORELOCK: Thank you. So we have an agenda. So that will take us to Item IV, the Chief Boiler Inspectors Report, and I will let Mr. Chapman, Chief Chapman, present that report.

MR. CHAPMAN: Okay. Our state inspection was 1,931. Insurance inspection -- sorry about that -- is 5,135; giving us a total of 7,063. And -- okay. Total delinquent inspections, we have a total of 72,610 vessels total. State inspection was 682.

If you don't mind, let me start over real quick on that.
CHAIRMAN MORELOCK: Perfectly fine.

MR. CHAPMAN: Okay. Member inspection from June -- July 1st through
June 15, 2019, a state inspection was a total of
7,478, insurance agency was 21,604, giving us a
total of 29,082 for the year of 2019.

For the year 2020 from July 1st,
2019, though June 15, 2020, the state inspection
was 8,060, insurance agency was 20,571, giving
us a total of 28,630 vessels right now. For a
total of 72,689 vessels throughout the State of
Tennessee.

Showing delinquent on just June 15,
2020, we have a total of 72,689 vessels
all-together, state inspection 1,300, insurance
agency 1,620. Those are the delinquents and
that gives us a total of 2,920. That gives us a
4 percent delinquency. Those are due to the
COVID 19. We're starting to -- starting our
inspection again, I'll call it "wrapping up,"
they're trying to get the delinquents down
again. We have one -- excuse me, 199
high-pressure vessels and both the state
inspection and the agency insurance is working
on those to get those down because the high
pressure is the most critical ones -- 108, unconnected is 47.

We have two inspectors that are up from Columbus, Ohio, as we speak, which is in two weeks, which is Mike McGee, Michael McGee, and Lincoln Williams. They should be back -- hopefully we should have two new inspectors by the 26th of June.

Various reports will be given by the Assistant Chief, Chris OGuin.

CHAIRMAN MORELOCK: Thank you, Mr. Chapman.

Are there any questions or comments on the Chief's report?

MR. BAUGHMAN: Yes, Dave Baughman, Board Member.

Chief, what areas are Mike McGee and Lincoln Williams going to be covering?

MR. CHAPMAN: Lincoln Williams will be taking over the Chattanooga area, because one of the inspectors down there, he's a replacement. Mike McGee is going to be taking over the Memphis area.

MR. BAUGHMAN: Very good. Thank you.
MR. CHAPMAN: You're welcome.

CHAIRMAN MORELOCK: Any other questions or comments for the Chief's report? Okay.

We will move onto Item V which is the variance report, and I will let Assistant Chief Chris OGuin present that.

MR. OGUIN: Thank you, Chairman.

As of today, we have 140 known variances, 8 requiring following-up inspection, 75 are active, 20 require reinspection, 37 no longer require the variances and in dormant. This quarter we completed 11 variance audits with 11 approved. Of those approved are Clover Bottom, West Tennessee Healthcare of Jackson, West Tennessee Healthcare of Dyersburg, Claiborne Medical, Fort Sanders Regional, Cumberland Medical, Poly One, Yoplait. That's all I have.

CHAIRMAN MORELOCK: Thank you.

Are there any questions or comments on the variance reports? All right. Hearing none.

Let's move onto our next item on the agenda which is Item VI which is old business
which we do not have any old business at this
time.

That will take us to Item VII on the
agenda for new business, and our first new
business item is Item 20-03 Superior Carriers,
located in Memphis, Tennessee, requesting a new
variance for one hot-pressure boiler to operate
under the requirements of Chapter 0800-03-03.

So if the presenters and the
representatives will introduce themselves and
present your item...

I will ask that if the Tennessee
Board Members, if there is a conflict of
interest on this item, please state that

Mr. Neville, are you going to
present this item?

MR. NEVILLE: Yes. How's my audio?

CHAIRMAN MORELOCK: It's pretty good
right now.

MR. NEVILLE: Yes. This is
James Neville with Neville Engineering
presenting a boiler variance request for
Superior Carriers. Our request is for one
boiler. This is a Hurst Boiler that will be --
that is currently installed; it's Tennessee Number T-116206.

On the call as well is Stephen McDermott.

Last week -- this is a sister company. It's a sister company but Carry Transit is his company as well as he works with Superior Carriers as well. Superior Carriers is the truck transport line; whereas Carry Transit was the rail line. This is the truck transport line, so they use the steam in the same method to clean their tanks and sanitize their tanks, and they also use it for heating steam in part of their building.

So these boilers are used nine hours per day, five days a week, and the site-plan on Figure 1, we show the distance from the remote station at the dispatch office to the boiler room was approximately 223 feet.

The individuals that will be monitoring the -- at the remote station, those will be Superior's operations supervisor and dispatch. The job description that they'll use for monitoring the boiler, will be the yard foreman and the yard maintenance foreman. Their
job descriptions are shown in Appendix G.

Now, the layout of the boiler room
is shown in Appendix B, and he, too, especially
has the layout. This is with Carry Transit,
they had it in a conic arrangement. This is in
a building with the appropriate clearances
around the boilers.

Is there any questions? We can take
any questions. Mr. McDermott I believe is on
the line as well.

MR. MCDERMOTT: Yeah, this is on
the -- just to clarify on the carrier side,
yeah, we did a rail and trucking run because
that's approved by Superior's sister company, I
believe the trucking in that comes from the
chemical division, and I get the fortunate task
of running them both.

MS. GEORGE: Excuse me. Could we
ask Mr. McDermott to state your name before you
speak? Thank you.

MR. MCDERMOTT: Not a problem.

CHAIRMAN MORELOCK: Thank you.

MR. BOWERS: I will go ahead and
have a motion to discuss.

CHAIRMAN MORELOCK: Thank you,
Mr. Bowers. Do I have a second?

MR. FOX: I will second that.

CHAIRMAN MORELOCK: Thank you, Mr. Fox.

What comments do you have on this variance?

MR. BAUGHMAN: Any conflicts?

MR. CHAIRMAN MORELOCK: We asked for conflicts.

MR. BAUGHMAN: We did?

CHAIRMAN MORELOCK: Thank you for reminding me, though.

MR. HENRY: Mr. Chairman, I would like to ask a quick question. On the initial page it says, Superior Carriers will install a -- basically a monitoring control system?

MR. BAILEY: Please state your name.

MR. HENRY: Jeff Henry, Board Member.

On the first page it indicates that "Superior Carriers will install the monitoring and control system." My question is simply: Has that system been installed at this time?

MR. MCDERMOTT: No, not yet. This is Steve with Superior.
No, not yet. We have plans to -- we had to go through the appropriate channels --

MR. NEVILLE: That system is a Hawk 1,000 system.

MR. BAILEY: Mr. Neville, you also need to state your name when you start speaking, please.

MR. MCDERMOTT: Again, this is Steve with Superior.

We've got to go through the proper channels to get everything approved through our corporate office.

MR. NEVILLE: As far as the Hawk 1,000 control...

CHAIRMAN MORELOCK: Mr. Neville, we're not hearing your audio at all.

MR. NEVILLE: James Neville. Was that clear? That Hawk 1,000 system will be installed. That is the proposed system.

MR. HENRY: Jeff Henry, Board Member. Just a clarification. this is --

MR. NEVILLE: Can you hear me now?

CHAIRMAN MORELOCK: Yes.

MR. BAILEY: Mr. Neville, can you hear when others are speaking? Mr. Neville, can
you hear when other people are speaking? Why I ask that is because he's interrupted two or three times here. So I'm thinking he cannot hear when Mr. McDermott is speaking --

   MR. NEVILLE: Yes, I can.
   MR. BAILEY: Yes, you can. Okay.
   MR. NEVILLE: This is James Neville. Yes, I can hear others speaking.
   MR. BAILEY: There was a couple of times that you spoke over someone; that's why I was asking.

   CHAIRMAN MORELOCK: Okay.
Mr. Neville and Mr. McDermott, you can proceed. I don't think the Board has clearly understood the remote monitoring equipment and the Hawk 1,000 system; this is in the process of being installed or not being installed? If you could update the Board the status of where this physical installation is, that would be helpful.

   MR. MCDERMOTT: This is Steve with Superior. We were in the middle of getting the approvals. We were recently purchased by a third-party investment group, so that got put on hold. We are still following through with getting everything installed, but we're still
waiting on the proper approvals which we should have very soon.

CHAIRMAN MORELOCK: Thank you.

What other questions does the Board Members have?

MR. BOWERS: Harold Bowers, Board Member.

I think the question we're looking at is: With the system they have of upgrading this system to the Hawk or not upgrading it, is it adequate to submit this to the Board right now for the approval of a variance or not? I think that's a question that we need to look at. During the process of doing stuff, should we be looking at approving a variance right now or not?

CHAIRMAN MORELOCK: That's a fair question, Mr. Bowers. Just for information, the Board is reviewing this request for a variance and this variance manual, under the expectations that all of the equipment listed in this variance manual is the actual equipment that is being installed for the variance, and even with contingent approval today, the variance would still the -- the physical location had to be
visited by the Boiler Unit and inspected and to make sure that it matches up with what is detailed in the variance manual before you can operate it under the variance, and so the Board Members need to be assured that even though this has not been installed yet, what is contained in this manual is the current plan for installation, and when the Boiler Unit makes a stop visit, the equipment listed in the manual, the physical equipment, they will see in the field when they make their visit.

So can, Mr. Neville, Mr. McDermott, please speak to that?

MR. MCDERMOTT: This is Steve with Superior. I guess we lost James. So you're saying it needs to be installed before we proceed or?

CHAIRMAN MORELOCK: No. What I'm stating is that what is contained in the manual as far as equipment, installation, the operation of it, the job descriptions of the personnel that will monitor and attend the boiler.

The Board can look at this today and vote on this today, but we need to understand once that variance is approved, any technical
change to the manual for equipment or the way
it's operated or any technical change to the
manual would require you to come back to the
Tennessee Board and ask for a revision to the
variance manual.

So I'm not saying that we can't vote
on this today, but what I am saying is that the
Board Members need to be assured in what we're
reviewing today is what you plan to install, and
if there's changes, then you'd have to come back
to the Boiler unit to get on the agenda for the
board meeting to revise your variance manual.

Does that make sense, Mr. McDermott,
Mr. Neville?

MR. MCDERMOTT: This is Steve with
Superior again, that makes sense.

MR. BOWERS: This is Harold Bowers,
Board Member. The only thought I have on
that -- and again, this is far-fetched -- you
know they're saying, well, we're going to put a
boiler in next month. We haven't got approval
for the boiler yet, but we want to submit
paperwork for a variance for a boiler we don't
even have yet.

Now, this is not a boiler we're just
talking about, equipment for the boiler, but it's something that -- it's like -- it looks like it's kind of undetermined of the subject being bought out or if they have funding or not funding or, you know, I guess it puts extra work on the Chief to setup, to inspect the equipment that's not even installed yet, and we could do that, but it's just kind of stretching our limits a little bit. Back to the Chairman.

MR. TOTH: Marty Toth, ECS Consulting. This is not unprecedented. There are various situations where companies choose to present to the Board prior to them placing the investment on additional equipment and installs up to and including installing boilers.

In the past there's been information that's been provided to the Board on a specific boiler type, model, et cetera, and also additional equipment, control equipment, such as the Hawk System, steam systems, so on and so forth. It has been presented to the Board as Chairman Morelock alluded to. The Board votes on the proposed variance, and the inspection then follows thereafter. And as Chairman Morelock alluded to, if there were any changes
to the boiler types, models, controls, or processing, then it would have to come before the Board.

So I wanted to give you some background that I had.

CHAIRMAN MORELOCK: Thank you, Mr. Toth.

MR. BOWERS: Yeah, this is Harold Bowers, Board Member -- excuse me.

CHAIRMAN MORELOCK: Yeah, go ahead.

MR. BOWERS: Yeah, I understand what Marty was saying right now and I agree with that.

CHAIRMAN MORELOCK: What comments do the Board Members have on this proposed variance?

MR. BAUGHMAN: Mr. Chairman, I do. I have some questions. This is Dave Baughman, Board Member.

And I know we don't have or maybe we do have -- no, I don't see Mr. Neville back. But on Appendix A, page 1, there's no safety relief valve, set pressure, or capacity info listed. I always kind of like to see that in the equipment description. Under that same
appendix, boiler data sheet, it lists the model number, the Model 500, and that's actually the series number of the boiler. That's not the model number of the boiler, just for clarification purposes.

We've got the correct serial number, but the model number is not the Model 500.

Under Appendix E, the power piping diagram, feedwater diagram, Item 17 on our checklist, just asks for a simplified drawing of the power piping and the feedwater diagram. I see the simplified power piping, but I don't see a simplified feedwater diagram on this drawing.

CHAIRMAN MORELOCK: I agree with you, Mr. Baughman. I have the same content in Appendix E. The diagram needs a little more detail.

MR. BAUGHMAN: Yes, sir. The Appendix G, in the Table of Contents, shows it as being G 1 through 9, but I don't have G 1 through 9. I've got multiple G 1 through 3's, but I never go to a G 1 through 9 identification. The furthest I go is G 4, but I've got 1 through 3 multiple times.

But under G 3, yard maintenance
foreman, essential duties and responsibilities,
I don't know if that individual needs to be
listed as a boiler attendant. It just says
under those duties and responsibilities that
they monitor the boiling per the system manual.
So it doesn't really identify whether they're a
boiler attendant or a remote attendant. It just
says that they monitor per the manual, and I
didn't know if that needed some clarification in
those essential duties and responsibilities. I
didn't quite understand it.

   Mr. McDermott, you're the terminal
manager; is that correct?

   MR. MCDERMOTT: Yes.

   MR. NEVILLE: I'm back.

   MR. BAUGHMAN: Thank you, Steve.

   Let me speak about the two
facilities. So my question may even had been
asked previously with Carry, but for Superior,
in particular, your responsibilities include
training of this system and training of the
personnel; is that correct?

   MR. MCDERMOTT: Yes, sir, that's
correct.

   MR. BAUGHMAN: Okay. And at this
time since you don't have the system, you're not particularly familiar with the system to incorporate that training; is that correct?

MR. MCDERMOTT: Well, the boiler -- this is Steve again -- the boiler that Carry has is a system real similar to the Hawk System that are being installed at Superior. So, I mean, it's a big -- they obviously will provide us training on the system. But the boiler at Carry is actually a lot bigger, it's a newer system, and the attendants are there. There are going to be attendants there, the yardman. That's the same job description that was approved by Carry last week.

MR. BAUGHMAN: Very good. Has this boiler been -- I'm sorry. This is Dave Baughman, Board Member. Has this boiler had any operational issues?

MR. MCDERMOTT: This is Steve with Superior. No, it has not.

MR. BAUGHMAN: Very good.

MR. MCDERMOTT: It was just inspected here recently, just this past Saturday.
MR. BAUGHMAN: Very good. I noticed that the yard foreman and yard maintenance foreman are not listed on the emergency call list nor is dispatch, and there was an emergency call list that is in our manual, and there's kind of a flowchart of communication duties, but I did not notice the operations supervisor and dispatch are at the remote station. Boiler attendant and yard foreman and yard maintenance foreman but the yard foreman and yard maintenance foreman are not listed on the emergency call list nor is that of dispatch. Is that actually correct or do they need to be added in or what's -- I wanted to bring that up just for conversation.

MR. MCDERMOTT: That would more likely be added. That was more of just an oversight.

MR. BAUGHMAN: Very good. That's all I've got for now. Thank you.

CHAIRMAN MORELOCK: Thank you, Mr. Baughman. But this manual, since it is very similar to Carry Transit, one thing you'll notice is on appendix -- actually several appendixes, Appendix B and C, at the bottom of
the page, show "Carry Transit" and it should be "Superior Carriers."

As Mr. Baughman has noted, there are some page numbering issues that need to be corrected which is just typographical errors.

If you look at Appendix D, F, G, H, I, J, and K, most of the bottom of those pages also show "Carry Transit" instead of "Superior Carriers," and that needs to be corrected.

I think you addressed my concern on Appendix D. The scope of work that we, you know -- my question was: When will this be installed and Mr. McDermott has spoken to that. So the manual just needs -- not necessarily editorial -- some typographical errors fixed to make it a Superior manual instead of a Carry Transit, and so that's my comments.

What are the other comments of the Board Members?

MR. BAUGHMAN: This is Dave Baughman, Board Member.

I don't see an example of the remote station and I looked through it a couple of times to see if there was a picture. I know that in some other manuals that we are presented
with, we have pictures or diagrams of the remote
station. I just didn't know how that remote
station -- what it contains as far as an alarm,
a horn, what type of e-stop it has in it, and so
forth. I just don't see -- I just don't see
that in here, not that I even know that it's
mandated, but I know it's nice to look at it
because sometimes questions come up about that
remote station itself.

MR. MCDERMOTT: This is Steve with
Superior.

Those were part of the additional
items that will be added. There will be a
shutoff and alarm inside the remote station.
There is a diagram -- or a picture, aerial
picture, on page 2 that shows where the remote
station is.

CHAIRMAN MORELOCK: Any other
questions or comments from the Board?

MR. BAUGHMAN: Yes. Dave Baughman,
again. Regarding where the remote station is
at, it shows it on the site-plan and we show a
site-plan for the boiler room, but we don't
necessarily see the construction of the boiler
room to identify points of egress, size of the
boiler room, number of doors that have the
e-stops in particular, and with the remote
station, we see where it's identified on the
site-plan, but we don't know if that's inside of
a room. Is that room locked at any periods of
time, and so forth, accessibility into that the
room, and so forth? So it's just lacking a
little bit of information.

Concerning the boiler room and the
remote station installation itself.

CHAIRMAN MORELOCK: That's up for
comments.

MR. MCDERMOTT: This is Steve with
Superior. There's a door at the south side and
I guess the north side. I guess that's the best
way to explain it. And there's e-stops at each
exit and both doors are locked after hours and
both doors are opened during business hours.

CHAIRMAN MORELOCK: So are there any
other comments from the Board?

Yes, Dr. Hargrove?

DR. HARGROVE: I just want to make a
comment. I think it's our responsibility to
ensure that the quality of these variance
reports adhere to a format that allows the Board
Members to review the materials, and there are
an unlimited number of inconsistencies in terms
of the poor-managed structure of the report.

I'm sure you know, Neville
Engineering has done many of these reports in
the past, but I would argue that this particular
report should be redone and resubmitted.

That's just my own personal comment.

CHAIRMAN MORELOCK: Okay. Are there
any other comments from the Board?

MR. BOWERS: Yeah, this is Harold
Bowers, Board Member.

I agree with Dr. Hargrove. This
kind of thing is kind of just up in the air, and
we're not getting good communication from
Mr. Neville to explain a lot of this stuff.

So I think I agree with Dr. Hargrove
that this right here is kind of not put
together, I think, the way it needs to be put
together.

CHAIRMAN MORELOCK: Okay. So is
this a motion?

MR. BOWERS: Yes, I make a motion
that we let them come back for another board
meeting and redo this manual to make it a little
more presentable to the Board.

DR. HARGROVE: This is Keith Hargrove. Second.

CHAIRMAN MORELOCK: So I've got a motion in the second. Any other discussion?

I guess it would be if Mr. McDermott or Mr. Neville could let us know that possibly if they could get this manual corrected and back into our hands prior to the June 24th meeting, we could possibly add that to the June 24th agenda. I'll let Ms. Bennett confirm that that would not overload our June 24th agenda.

MS. BENNETT: Currently we only have two items on next week's agenda, so we could add it if you wanted to. But they would have to probably send the information electronically because I don't know that it would be time for them to revise it and get it to us in order for us to mail it to us guys. So...

CHAIRMAN MORELOCK: That's a fair statement.

MS. BENNETT: Yes, because it's one week from today.

CHAIRMAN MORELOCK: Yes. So, Mr. McDermott, what are your thoughts?
MR. MCDERMOTT: I'll get with James and go over the items. This is Steve again, I'm sorry. I'm open for the 24th.

CHAIRMAN MORELOCK: Okay. I missed a comment there. Repeat that time. Sorry.

MR. MCDERMOTT: Steve with Superior. I'm open for the 24th. I can discuss everything with James.

CHAIRMAN MORELOCK: Okay. It would have to be mailed to the Board Members or sent electronically like this week for the Board Members to have an opportunity...

So I do have a question. If this has not been installed, do you have a time frame of installation of this equipment?

MR. MCDERMOTT: Steve from Superior. No, I don't at this time. I will try to have that before the next call, though.

CHAIRMAN MORELOCK: I guess what I'm getting at is, you know, if we can't pull this together to get it back into the hands of the Board Members for the June 24th meeting, it could be moved to the September meeting and that would give you ample time to revise the manual, send the hardcopies to the Boiler Unit, and they
could distribute copies to the Board Members?
If that would create a hardship for you to get
this up and running, it would have to be at the
September boiler meeting.

MR. MCDERMOTT: Steve with Superior.
You mean we have to have everything installed by
the September meeting?

CHAIRMAN MORELOCK: Well, no, it
doesn't have to be installed. But if you don't
think it's going to be installed by September,
you could revise that manual and put that on the
September agenda and that way you can print
fresh copies and send them to the Boiler Unit
and have a corrected manual sent to the Board
Members.

MR. MCDERMOTT: This is Steve from
Superior.

I would hope we could have
everything corrected by next week or by the end
of this week, really.

CHAIRMAN MORELOCK: Okay. Well, if
you are in agreement that you can get that to
the Board Members this week in an electronic
format, we can add it to the December --
January -- June 24th meeting. Sorry.
MS. BENNETT: And, Mr. Morelock, if they can funnel that through the Boiler Unit, to Sam or myself.

CHAIRMAN MORELOCK: They are to send an electronic copy and you'll forward it to the Board Members?

MS. BENNETT: Yes. We need to look at them prior to sending them out and ensuring that they get to everyone.

CHAIRMAN MORELOCK: That will be simple for them as well.

MS. BENNETT: Right.

MR. BAILEY: Yeah, Dan Bailey. I just want the transcript to be clear. The motion is that to defer this item to a future board meeting?

CHAIRMAN MORELOCK: Yeah, that's what we agreed to do. We'll have the motion -- the second and a motion are to revise the motion. But, yes, thank you for that point of order.

So, Mr. Bowers, are you in agreement since you made the motion?

MR. BOWERS: Yes, I still make the motion to defer it, and then we can -- the
motion is to defer to -- not saying it's going
to be deferred to next week, but deferred to a
future meeting, and I guess if they have all the
material ready, then they can present it.

But during the motion, it's just to
defer it to a future meeting.

CHAIRMAN MORELOCK: Your motion is
to defer to a future meeting.

Dr. Hargrove, you're the second
vote. Are you in agreement with that?

DR. HARGROVE: I agree with that for
that deferment.

CHAIRMAN MORELOCK: So, Mr. Bailey,
if we just take that statement to defer it to a
future meeting and they are successful in
getting the information to the Boiler Unit this
week, then deferring it to June 24th would be
acceptable, correct?

MR. BAILEY: That's correct,
Mr. Chairman.

CHAIRMAN MORELOCK: Just for
clarification. Thank you. So I've got a motion
in the second. Are there any other discussions
before we vote?

Okay. So this will be a rollcall
vote. And so, Mr. Baughman?

MR. BAUGHMAN: Aye.

CHAIRMAN MORELOCK: Mr. Bowers?

MR. BOWERS: Aye.

CHAIRMAN MORELOCK: Mr. Fox?

MR. FOX: Aye.

CHAIRMAN MORELOCK: Mr. Henry?

MR. HENRY: Aye.

CHAIRMAN MORELOCK: Dr. Hargrove?

DR. HARGROVE: Aye.

CHAIRMAN MORELOCK: Okay. The motion passes for deferment, and we will let Mr. McDermott and Mr. Neville work on getting that to the Boiler Unit. So thank you.

Our next item of new business is 20-04 Weston Foods, located in Lebanon, Tennessee, requesting a new variance for two high-pressure boilers to operate under the requirements of Chapter 0800-0-3.

So, if you will, introduce yourselves and present your item, and are there any Board Member conflicts of interest with this item? Okay. I'm hearing none.

MR. TOTH: Good morning, Board Members. This is Marty Toth with ECS Consulting
& Boisco Training Group, and I'm representing Weston Foods today. With me I have Mr. Dan Markey. He is the maintenance manager, newly appointed maintenance manager, at Weston Foods.

What we have today, as you mentioned, Mr. Chairman, we have two high-pressure boilers. They are flex tube watertube boilers that are operated at 1105 Duke Drive, in Lebanon, Tennessee. Both of these boilers are pretty much system boilers that are exactly alike. They both operate at a maximum of 108 boiler horsepower.

As you will see on the site-plan on page 13, the proximity of the boiler room to the remote station which is the maintenance room is virtually through one door within 50 feet, however, the variance is necessary. I might also add that this particular variance being put in as a new variance, actually Maple Hurst Bakeries was the previous name of this establishment. Maple Hurst is under the family of Weston Foods, but it's new name, it's also a new location of the remote panel from the previous manual.

So we took the position that we
wanted to apply as a new variance versus a revised, for various reasons in manpower changes and just the structure of the variance itself. The remote station of the maintenance room is manned by either a maintenance technician or a maintenance team leader at all times during the operation of the variance. There is also a control panel, a master panel there in the maintenance room that also shows the operation of the boilers. These boilers have the Honeywell RM7800s, boiler controls, with Hawk Systems. It's a very safe operation. They do not possess a DA -- if you have a water from the storage tank that has sarcitic in it for preheating the water but it's not under pressure. Again, this is operated 24 hours a day, seven days a week on demand. At all times there are multiple boiler attendants that are also going to be qualified and as the remote attendants. All training is contracted through Boiler Room Training Group, and those processes are in place or will be in place prior to inspection.

At this current time the variance is
or the past variance is inactive, and they are on the 20-minute rule, as we speak.

And I'm open for any questions that you have for myself or Mr. Markey.

CHAIRMAN MORELOCK: Thank you, Mr. Toth.

Do I have a motion to discuss?

MR. FOX: Terry Fox, Board Member. I make a motion to discuss.

CHAIRMAN MORELOCK: Thank you, Mr. Fox.

Do I have a second?

(Multiple responses.)

CHAIRMAN MORELOCK: Multiple seconds. Thank you, Mr. Bowers.

What are your comments?

DR. HARGROVE: Keith Hargrove.

Mr. Toth, I always look forward to reviewing your reports especially in terms of the quality of the graphics, but I would like to -- and this is just a comment -- I would like to request Appendix E, the boiler layout diagram. If you can provide a more detailed or readable diagram, that would be -- that would be great. That's my only comment.
MR. TOTH: This is Marty Toth. We can absolutely do that, sir. We could do that.

Just to make the Board aware, these are watertube boilers that do not have manways for the access; therefore, they are not going to have the requirements for the non-return valves, but we will definitely go back in and revise this as you've seen in the past. Thank you, sir.

MR. CHAIRMAN MORELOCK: Thank you, Mr. Toth.

Comments from the Board?

MR. BAUGHMAN: Dave Baughman, Board Member.

Good morning, Mr. Toth and Mr. Markey. Under the introduction letter of November 14th, 2019, the letter states that there's been some operation and management (as said) changes as well as the name change; therefore, the submission shall be treated as a new issuance. For ease of going through, could you identify what those operation and maintenance (as said) changes are, so we don't have to go through the manual and try to dig them up as difficult as that may be.
MR. TOTH: Absolutely. This Marty Toth.

I'll go ahead and speak to that since Mr. Markey came in in the middle of putting this together, this manual.

When we talk about the operational changes, per se, includes to the variance itself, mostly it was who was the monitor of the variance and also where the location of the e-stop was located.

Also, in looking through the previous manual, we just noticed some inconsistencies that we felt needed to be addressed to not only answer whatever questions the Board may have but was to simplify the operations there at the plant itself, making sure that individuals were better aware of their responsibilities, and also that's in communication of in regards to testing of the unit and also answering any alarms that would come up.

MR. BAUGHMAN: Very good. Thank you, Mr. Toth. So the cover letter --

Let me just ask: Mr. Markey, are you the -- your title is maintenance manager?
MR. MARKEY: Yes, this is Dan Markey, with Weston Foods.

Yes, that is my position.

MR. BAUGHMAN: Very good. Are you responsible for the training?

MR. MARKEY: I have contracted through Marty's company to provide that training.

MR. BAUGHMAN: The cover letter states that Jay Coon was the facility manager. Is Jay Coon still the facility manager there?

MR. MARKEY: Jay Coon is the facility manager. He is my manager.

MR. BAUGHMAN: Very good. It states that the facility manager is the responsible party and so on page 1 it states the maintenance manager. I just want to get clarification to know if it goes through the maintenance manager or the facility manager; which is it?

MR. TOTH: If I may answer that, Mr. Baughman.

As you're aware, the ultimate responsibility of any operation is going to fall on whoever the top man is on the totem pole, if you would. And in this case, it is Mr. Coon who...
is the plant manager. The plant manager then applies down through his authority to assign his designee. That designee for the systems operations manual is Mr. Markey, which is listed on page 1, as you alluded to. Mr. Markey then has the responsibility to then enforce the requirements within the system of the operational manual, also to assign in any training responsibilities, and he also has the authorization to assign a designee for any of the responsibilities within the manual itself. Ultimately, he's the one who has to answer the questions to the systems operational manual and the variance. Then answers to those up through his chain of command, which would be to Mr. Coon.

MR. BAUGHMAN: Thank you. Good clarification, Mr. Toth.

The next question I have is in regard to the local e-stop in the boiling room itself. Does that local e-stop shutoff both boilers?

MR. TOTH: Yes, it does. It absolutely does.

MR. BAUGHMAN: Very good, thank you.
And the remote panel on page 3, so we got the one e-stop on the remote panel and I'm taking it it shuts off both boilers also then?

MR. TOTH: Yes. As you can see, this remote panel is a pre-existing panel which was in the previous locations. Since Mr. Markey has come onboard when we had discussion options in the future in regards to the panel, as the board has seen in the past, a lot of the panels that I propose to my clientele are a little bit more informative as to the operations. I think Mr. Markey who has come from previous locations that have had variances or in the works for variances, he understands the importance of that. So we're looking in the future as to maybe looking into replacing those.

But in regards to your question, Mr. Baughman, you're correct. The main e-stop that's in the middle of the panel, will shutoff both boilers as well with the local e-stops. If the remote attendant chooses, he or she may be able to independently turnoff each boiler by the switch beneath the actual boiler audible-visual alarm. So there are two opportunities to that that. And if you look in the process of the
alarm sequence that you will find in Section 3
and Section 4, it allows for that remote
attendant to do either function. It's they know
that it's an individual boiler, they can shut it
off or if they choose to, they can shutoff both
boilers.

MR. BAUGHMAN: Thank you. One other
question that just pertains to the maintenance
room in the diagram where the e-stop -- I'm
trying to --

MR. TOTH: This is Marty Toth. Page 21, sir?

MR. BAUGHMAN: Thank you, though.
Actually I was looking at not page 21 so much as
I was where the other diagram that was shown
where the maintenance room is on the other side
of the boiler room, which is what I was looking
for.

MR. FOX: This is Terry Fox. Page 13.

MR. BAUGHMAN: Page 13. Thank you, Terry. My pages were kind of stuck together.
On this maintenance room, I believe
my question is: Is there ever a time when the
doors to that maintenance room -- and I know it
looks like there's stairs located -- is there any time that that maintenance room itself is locked?

MR. TOTH: Let me ask you this question. You say that you see stairs. The maintenance room where the e-stop is located and the boiler room are on the same level. You have the pedestrian door that leads directly from the boiler room to the maintenance room, and I will let -- I will ask Mr. Markey to answer any questions concerning access to the maintenance room from other locations.

Now, let me ask you this question before I hand it over to Mr. Markey. Are you referring to the access as in from outside or from the boiler room to the maintenance room because that's a push-door easy access?

MR. BAUGHMAN: No. I'm relating to the outside of the maintenance room itself, not including the boiler room.

MR. MARKEY: This is Dan Markey with Weston Foods.

So we have two main entrances into the maintenance department: One is from a hallway and that is not locked; and then there's
another entrance into the maintenance area for
reduction and that room is not locked.

MR. BAUGHMAN: Very good. So
neither are locked at any time, correct?

MR. MARKEY: Neither are locked at
any time.

MR. BAUGHMAN: And I don't want to
assume but to follow-up on the door, then, from
the maintenance room to the boiling room, is
that door ever locked?

MR. MARKEY: Yes.

MR. BAUGHMAN: Any other doors that
give access -- I noticed that there's a
double-door from outside leading into the boiler
room; is that door ever locked?

MR. MARKEY: Yes, that door is
locked.

CHAIRMAN MORELOCK: So if we have an
incident in the boiler room itself, we have the
remote panel which has an e-stop but we have an
e-stop inside the boiler room and where that
egress door is, and I noticed there's another
door with an e-stop that goes to -- I don't know
what location -- and is that door also locked?

MR. MARKEY: So are you referring to
the boiler room, sir?

MR. BAUGHMAN: Yes, sir.

MR. MARKEY: There is a double-door that egresses out of the boiler room into a production area; that door is always locked.

MR. TOTH: If I may add, that door per their life plan, that door is not an exit. It's marked as not an exit. That door is primarily used for maintenance purposes to moving equipment in and out and so on and so forth. It is clearly marked as not an exit, whereas the pedestrian exits are marked as exits.

MR. MARKEY: So where is the second one?

MR. BAUGHMAN: Top, right-hand corner of the drawing shows the e-stop which looks like a door also.

MR. TOTH: That goes outside of the building. That is an outside exit.

MR. BAUGHMAN: So all these doors can be locked which raises some concern made from a safety standpoint. Thereagain, I'm not an operations manager or/and privy to why we would have especially the door locked between
the maintenance room and the boiler room, but it just raises some concern for me. It doesn't change the variance by any means, but it definitely gives me some concern if anybody is incapacity in that room with doors locked and not being able to communicate.

MR. TOTH: Mr. Baughman, if I may add to that and then Mr. Markey can back this up, that the main purpose is definitely security going from outside into the boiler room and from the maintenance room into the boiler room. There is foot traffic that does exist from the hallway through the maintenance room into production from time to time. That door only locks from the outside. If somebody were inside that room looking for an exit, it's a clear exit. I do understand your concerns absolutely. The concerns of the operation which is more for the security of the boiler room was taken into account with an understanding of, you know, anything can happen, if you would. But they're taking into account in making sure the boiler rooms are staying secure within the equipment of that boiler room.

MR. MARKEY: This is Dan Markey with
Perdue Farms.

So there are two doors: One's going directly outside of the facility and one that leads into the main shop that are -- one's an egress. So if there was any issue within that area, they were to take the, as marked, the boiler room exit.

As Marty said, we have the guard, you know, so we do have production people and sanitation people who are walking, though. We do not want them to walk into the boiler room.

MR. BAUGHMAN: Thank you, Mr. Markey.
Thank you, Mr. Toth.

Any other questions or comments about this proposed variance? I just have a -- it's kind of nit-picky comment. It's not that we have any technical process, but in Appendix G, there's acronyms that are in there that aren't defined, at least once. Like I said, just a small issue, but for someone reading your manual that doesn't -- is not familiar with your day-in and day-out operation, just, if you could, spell out what those acronyms are one time, that would be much appreciated.

MR. TOTH: Could you -- sorry. This
is Marty.

Mr. Chairman, can you kind of let me know which acronyms you're referring to, sir?

CHAIRMAN MORELOCK: Yes. If you'll look on page 25, 24; and on page 24, the bottom bullet, I don't know what an MRR is. On page 25, I've got a vague idea of what GMP is because we've got CGMP -- if you could spell that out.

And then the knowledge of the WCM strategies...

MR. TOTH: Okay. So pretty much, Mr. Chairman, any, as we would like to call them --

CHAIRMAN MORELOCK: The acronyms.

MR. TOTH: -- the TLA, the three-letter acronyms, let's go ahead and spell those at least one time. Is that what you're requesting?

CHAIRMAN MORELOCK: Some of them aren't. If you go down in the same paragraph, you've got computer-based work order system, WMS. Perfect.

MR. TOTH: Absolutely, we can take care of that, sir.

CHAIRMAN MORELOCK: All right.

Thank you. Any other comments or questions?
Hearing none.

Do I have a motion for this proposed variance?

MR. FOX: This is Terry Fox, Board Member. I make a motion to accept.

CHAIRMAN MORELOCK: All right.

Thank you, Mr. Fox.

MR. BAUGHMAN: Dave Baughman, second.

CHAIRMAN MORELOCK: Thank you, Mr. Baughman, for that second. And, now, Gentlemen, just for clarity, an approval motion here is always contingent on a successful site-visit by the Boiler Unit and revising your manual to address the comments that were presented to you during this meeting. So that is the motion. Let me do --

Any last comments before I call for the vote? Okay. Hearing none.

Mr. Baughman?

MR. BAUGHMAN: Aye.

CHAIRMAN MORELOCK: Mr. Bowers?

MR. BOWERS: Aye.

CHAIRMAN MORELOCK: Mr. Fox?

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

MR. HENRY: Aye.

CHAIRMAN MORELOCK: Dr. Hargrove?

DR. HARGROVE: Aye.

CHAIRMAN MORELOCK: Thank you, Gentlemen. You have a contingently approved variance, again, based upon a successful visit of the Boiler Unit and revising your manual and based on the comments provided to you at this meeting. Thank you.

MR. TOTH: Thank you.

MR. MARKEY: Thank you.

MR. CHAIRMAN MORELOCK: All right. Now, we've been going now for 80 minutes, close to 80 minutes. So I'll tell you what, let's take a short break for everybody, and we'll reconvene at 10:30 and continue on with our agenda. Thank you.

(Brief break was observed off the record.)

MR. CHAIRMAN MORELOCK: Okay. Thank you all. I hope this was a nice break. Sometimes we get long-winded. Thank you for keeping me honest and giving me a break, too.

So getting back to our agenda on new
business, our next item is 20-05 Perdue Farms, located in Monterey, Tennessee; requesting a variance for high-power, high-pressure boilers; and while these gentlemen are preparing to present their item, are there any conflicts of interest with the Board Members? Okay. I'm hearing none.

So, Mr. Toth, you all can present your variance manual.

MR. TOTH: Thank you, Mr. Chairman, Members of the Board. Again this is Marty Toth with ECS Consulting & Boisco Training Group. I'm honored to represent Perdue Farms in their request for a variance to the Board.

Just to give a little bit of background information and if, I may, before we start, just to do a little bit of housecleaning. There were, when meeting with Perdue earlier this week, we noticed a couple of editorials that I would like to point out to the members before I get started. It is on page 1, under Section 1 in the second paragraph, the phone number needs to be revised to (931) 839-5073. And then if we turn to page 4, there's been a change to the communication procedure during the
emergency procedures: Instead of contacting via the mobile phone under Number 3 on the placard and also under Section 5 on page 11, we are going to utilize the plant-wide PA system. Everything else will remain the same.

Initial communication will be by the two-way radio system. Secondary communication will be by the plant-wide PA system. Third would be directly to the refrigeration manual.

So moving forward, that's it.

That's all the editorials that I have.

So moving forward, Perdue Farms is located at 2300 Industrial Drive, in Monterey, Tennessee. We operate four-high pressure boilers three of which are firetube boilers. The fourth is a watertube design. The three firetube boilers are Cleaver-Brooks. One's 150 horsepower, a 200 horsepower, and a 300 horsepower. The watertube boiler is the Madeira. The watertube boiler that operates at 300 horsepower. All four boilers have a primary fuel source of natural gas only.

We also have two operating deaerators. DA Number 1 is inoperative as a deaerator. DA Number 2 supplies boilers 1
through 3. DA Number 3 supplies the Madeira which is Boiler Number 4.

The remote station at Perdue Farms is located at the west guard shack, which is monitored 24 hours a day, seven days a week. The proximity, as you can see from the site-plan that is located on page 12, the proximity from the west guard shack to Boilers 1 through 3 is approximately 900 feet, directly down through the drive around the back of the building. Boiler Number 4 is approximately 150 feet from the west guard shack.

The operations that we have consists of the responsibilities of boilers: The boiler operation under the refrigeration department which is, in turn, under the maintenance department. As mentioned before, Mr. Del is currently the refrigeration manager. He reports directly to the maintenance manager. The refrigeration technicians that serve as the qualified boiler attendants report to Mr. Del.

I open up for any questions that you may have of us. We would be happy to answer those at this time.

CHAIRMAN MORELOCK: Do I have a
motion to discuss this variance manual?

DR. HARGROVE: Keith Hargrove. I make a motion to discuss.

CHAIRMAN MORELOCK: Thank you, Mr. Hargrove.

Do I have a second?

MR. FOX: Second.

CHAIRMAN MORELOCK: Thank you, Mr. Fox.

What questions do you have pertaining to this, the request for a variance?

MR. BAUGHMAN: This is Dave Baughman, Board Member.

Who have you got in attendance with you today from Perdue Farms?

MR. TOTH: Yes. I have Mr. Del Robinson who is the refrigeration manager, and we also have Mr. Darrell Jackson, refrigeration technician, and they're the local boiler gurus.

MR. BAUGHMAN: Thank you.

MR. TOTH: Oh, yes, and I apologize. We also have Mr. Drew Garrett, yes, in-house. Mr. Garrett is currently a maintenance supervisor with the company with the plans of
moving over to the refrigeration department in
the near future.

MR. BAUGHMAN: Very good. Is
Mr. Beckman still the plant manager?

MR. TOTH: Yes, he is.

MR. BAUGHMAN: Thank you.

MR. TOTH: If I may add, just in
case it is asked, the responsibility of training
of all boiler attendants and remote attendants
is the responsibility of the refrigeration
manager. Perdue Farms is contracted with
Boisco Training Group to provide all training
for their remote attendants and also additional
training for the boiler attendants.

I'm happy to announce that Perdue
Farms takes their boiler operation very
seriously. They have sent their individuals to
various boiler classes in the past.

The boiler class that they will get
through BTG will be customized to their plant
itself; so that will be above and beyond what
they've already received.

MR. BAUGHMAN: Very good. Dave
Baughman, Board Member.

This question is for any of the
operations' folks. The Clever Brooks' boilers, the three CB boilers, do they all operate at the same time?

MR. JACKSON: Darrell Jackson with Perdue Farms.

Yes. At times they do, yes.

MR. BAUGHMAN: Very good. Well, my question leads in particular to the DA. One of them's doormat, but DA Number 2, on page 15, supplies these three boilers, and if all three boilers run their capacity, total capacity at 650 horsepower, which is 22,425 pounds per hour -- the DA only has a capacity of 15,000 pounds per hour and the DA maximum horsepower would be 435 according to the CB's data published on the SMT 15260-2E DA. But we have a total horsepower that's 650 being undersized by 33.

So my question is: Is there any issues that are related to the DA with these three boilers, in other words, not keeping up with enough hot water, loads, so forth? And in particular, the question gets to somewhat back to the simplified drawing of the piping for both the boilers and the feedwaters, and I know it's
simplified piping. But it shows one pump coming out of the DA for the three boilers and in particular, just for this DA Number 2 -- and again, I understand it's simplified, but I just wanted to kind of clarify, in my own mind from an operational standpoint, are we using one boiler or two modulated feedwater or three? Are we using one pump for three boilers out of that DA, and had we had any issues associated with the operations?

MR. TOTH: Mr. Baughman, if I may jump in and, just to be aware, DA Tank Number 1, though is not a functioning DA, it is used as a water storage tank. Does that make sense? It feeds the water, and I'll let Mr. Jackson allude to that.

As for the pumps, as you've seen in various manuals that I've created and submitted, the pump itself is a representative of that it has a pump; not the quantity of pumps that we have at the location. If the Board chooses to have a list of all of the pumps, that definitely can be done. But we need to have some guidelines to that.

So I'll let Mr. Jackson actually
communicate the purposes of the feedwater tank
versus the deaerator that is in operation.
Thank you.

MR. JACKSON: Darrell Jackson from
Perdue Farms.

The feedwater tanks for Boiler 1 and
Boiler 2, are 150 horse from the 200 horse,
okay. That DA tank is -- we turned it into a
hot water tank now that feeds the water between
the boilers. The boilers are offline at this
moment because of the amount of steam we don't
need in our plant no more. They're just sitting
doormat, open, and, you know, stuff, draining.
But there is times that we have to restart them
and run them. So then we use that tank with hot
water to feed the boilers.

MR. TOTH: So to kind of allude on
that, Mr. Baughman, if I may, is: They have, in
essence, backup boilers. They utilize Boiler
Number 1 and Boiler Number 2 as backup boilers
for when they have to bring down Boiler Number 3
and or Boiler Number 4. Does that make sense,
sir?

MR. BAUGHMAN: It does.

MR. TOTH: I'm sorry. If I may
finish.

So when Mr. Jackson says, yes, they run all at the same time, they could -- in reality, I don't want to speak for him -- in reality it was they can but they run independent of each other based on demand, inspections.

MR. BAUGHMAN: Demand at this particular time which may change down the road and with production requirements and so forth, but that gives me somewhat of a clarification. On looking at the capacity requirements, they weren't quite adding up. And not that we're attention to detail on this Board by any stretch, but we're attention to detail on this Board. So that was one of the items that I wanted to look at and address.

And I'll start back up on the top of my notes and thank you for letting me take the time to address these with you individually.

On page 3, under section -- let's see. well, I just wrote down page 3, but it has to do with the testing of the controls; in other words, when we want to test the limits, which we talked about in previous meetings, but in particular one thing that stood out to me was an
alarm -- oh, this is not an e-stop. The alarm silence button. I'm sorry.

So it is on page 3 for the alarm panel. By hitting that alarm silence button, does that silence the alarm but it does not trip anything else; in other words, can we silence the alarm without shutting the boiler off?

MR. TOTH: Let me repeat that. Can we silence the alarm without shutting the boiler off?

MR. BAUGHMAN: Correct.

MR. TOTH: The answer to that question is, yes, and it's not uncommon. The reason for the alarm silence -- and again, this is not unprecedented -- the reason for the alarm silence is to allow for communication between the remote station and the boiler attendant without the alarm in the background. It's hard enough to hear. Again, this is not something uncommon. The proper procedures and training specifically stipulate and will stipulate the course of action of what the remote attendant is responsible for.

As we see under page 4 and also page 11 that highlight the activities of the remote
attendants, their first and number one responsibility when they get an alarm, they don't deceive what that alarm is. They hear the alarm. They hit the appropriate e-stop. If the alarm's still sounding, they have the opportunity to hit that silence button and make that communication back to the boiler attendant.

MR. BAUGHMAN: Very good and I appreciate that clarification, Mr. Toth. One of the issues that we've seen in the industry is getting nuisance alarms, and in some installations, they understand there's a nuisance -- there's a water bounce, there's whatever, and they'll just go and hit the alarm silenced and carry on. So that's why I wanted clarification for possible future discussion, but I appreciate that clarification on here.

The remote annunciation is mentioned on page 2, Part B: The controller shall be equipped with a remote annunciation system that will automatically signal the remote station, but I see no description of that in the hardware.

What type of annunciation system are we utilizing?
MR. TOTH: That's a very -- that is a very good question. Again, this is Marty Toth. That's a very good question because in the industry, we understand annunciators. We understand the terminology of pieces of equipment that are annunciators that actually specifically highlight what the alarm was versus just saying we have a standard signal alarm.

In variance manuals, they're mentioned as this annunciating, which we are going to announce an alarm to the remote station.

It's not specifically talking about an annunciator, per se. That's in quite a few of the manuals that you'll read that comes from ECS.

If we do have a separate annunciator that's attached to the Burner Management System, it would be highlighted. I'm glad you did bring that up because one point of interest that I failed to list that I know the Board likes to see above and beyond, the Burner Management System, is any additional low water controls that are in place. I'm happy to announce that Boilers 1, 2, and 3 all have a level-master
system in place. My plan is to add those into our equipment of this manual just so it gives an even clear detail of additional safety features that are on these boilers above and beyond what's required for the Burner Management System.

But other than that, the annunciation is a termination of just the communication, the hardwire between the boiler alarm and the remote station.

And I hope that answers your questions.

MR. BAUGHMAN: Yes. It's always good to have as much hardware information as possible to analyze this. We somewhat take it for granted if it's a Honeywell Programer, it's going to be a S 7800 annunciation, keyboard with a pause button and so forth but that's not always the case, and we've seen that with some previous manuals that had some annunciators that were quite interesting. And part of the other thing that we look at is the communications capabilities from a security standpoint, which we've discussed many times. Even though things are password protected, I think Sony and some
others could elaborate some on their password protections on these systems.

MR. TOTH: All of these boiler -- if I may add, Mr. Baughman -- all of these boilers are going to be a stand-alone system. They don't -- they are not on any network connection. I did -- again, I apologize. That was my oversight on the level-masters. I found my error on my site-visit on Monday and then looked over the manual and realized that I needed to add that in there and I will.

MR. BAUGHMAN: Very good. I'm interested on page 14 for Boiler Number 4, the Mera. I take it it has the same -- it's an RN7895 programmer, which is now obsolete, but I take it it has the same annunciation.

But I'm interested to know why there's plastic over the top of the boiler?

MR. TOTH: Steve, you know what -- and that's funny that you mention that -- Mr. Baughman, we added those pretty photos and it raised all kinds of good questions.

At the time of that meeting, there was a pipe leak above, and the maintenance department was trying to protect and make sure
That there were no controls that had any water
or that can be introduced to any water that's
leaking from that pipe. That's reason for that.

MR. BAUGHMAN: Very good. Just
curious and I appreciate that explanation.

Are all four of these boilers
connected to the same steam manifold?

MR. JACKSON: Yes.

MR. BAUGHMAN: So does the local
e-stop for the three boilers kill all three
boilers? I know you're just operating one at a
time, but in the setup do you kill all three?

MR. JACKSON: Yes.

MR. BAUGHMAN: Very good.

MR. TOTH: And that was Mr. Jackson, by the way, who answered that.

MR. BAUGHMAN: So what type of low
water cutoffs are on the Mera? We mentioned
that there's level-masters on the CBs. What
control mechanism is on the Meras?

MR. TOTH: It's the ProSystem that
comes with the major boiler pros.

MR. BAUGHMAN: Very good.

MR. TOTH: For maintenance and
auxiliary.
MR. BAUGHMAN: I have one question for now and thank you for letting me go over my notes. On page 27, under the security guard, who is the person identified as manning the guard station 24/7, under his job duties it lists quite a few of his duties, but some of those seem to be on the take-away or have the capacity of taking away from the station itself; in other words, he has to make property rounds and so forth.

So are there multiple guards that if this security guard leaves his station, there's more than one guard at that station?

MR. TOTH: This is Marty.

Yes, there are, sir.

MR. BAUGHMAN: Very good. Thank you.

DR. HARGROVE: Mr. Chairman, as I may have a follow-up to Mr. Baughman's question.

CHAIRMAN MORELOCK: Yes.

DR. HARGROVE: One, do you know the quantity of those security guards on station? And then, secondly, for clarification and maybe for my own basic knowledge, what distinguished the training for the security guard as a remote
attendant versus a boiler attendant?

MR. TOTH: That's a very good question, Dr. Hargrove. As for the security guards, there are multiple -- multiple guard shacks. We have the e-stop guard shack which is, in essence, the main guard shack. The west guard shack is your shipping-and-receiving guard shack, and then we have a roaming security guard. So, if, at anytime any of those guard shacks have to be exited for any extended period of time, they will get a replacement from the rover who would replace that guard shack; does that satisfy your question, sir?

DR. HARGROVE: So I heard the quantity is three?

MR. TOTH: Three, yes, sir. Yes, sir. And, if you would, your second part of your question was?

DR. HARGROVE: Yeah, that's just for clarification on my own basic knowledge.

What distinguishes the level of training for the security guard who is classified as a remote attendant versus a boiler attendant?

MR. TOTH: The training for the
boiler attendant is definitely more robust. You're looking at more operational testing, information that is provided to them, more internal information concerning the boiler, the equipment, so if we can visualize that individual as a boiler expert, if you would, or someone who is working towards the title as being a boiler expert, that would be the boiler attendant.

The remote attendant who is an individual that is trained in the responsibilities of the remote attendant during the emergency and testing of the systems operations manual, in other words, the variance itself. They are given a brief understanding in of what boilers and the equipment itself.

So as an educator, it's always good to teach above and beyond what those duties are going to be, so that if they're responsible for hitting an e-stop, they understand what that e-stop is connected to. They are not -- unless they're trained as a boiler attendant, they are not going to have that additional information for operations.

DR. HARGROVE: Okay. Thank you,
CHAIRMAN MORELOCK: Are there any other questions?

MR. BOWERS: Yes. Harold Bowers, Board Member.

On the brief understanding, Marty, where you talked about brief understanding of the boiler operations, does that include maybe training in turning the boiler on or off or to what extent is that brief understanding of the remote operator?

MR. TOTH: Just to give you an example, a remote attendant training -- again, turning on and off of the boilers is an operations standpoint.

We're talking about a brief understanding of the equipment itself. It's an introduction to the equipment. The type of equipment it is, is it a firetube boiler, a watertube boiler, what the size of it is, what steam is represented, things of that nature. It's really the first part of their training is a basic introductions to a piece of equipment that that e-stop is connected to.

So instead of just pointing to the
e-stop and saying, when you hear this buzzard go
off, you hit this button...

We go into greater detail without
getting that person -- because it may not be
somebody that serves that role that has the
mechanical knowledge as of Mr. Jackson is. And
so we don't want to overwhelm them but we always
want to reintroduce them to what's being
operated.

So to answer your question, it has
nothing to do with turning on and off the boiler
at the boiler itself. It has nothing to do with
low-water checks or bottom-blow downs or testing
of the safety and control devices.

All it is is an introduction to the
boilers and the responsibilities that go about
in regards to hitting the e-stop, resetting the
e-stop, and communications.

We also go through an understanding
of you gentlemen in what your responsibility is
as a board, that is something that is serious,
that safety is at the forefront of what we're
trying to do, and that's how we educate.

MR. BOWERS: So he understands --
this is Harold Bowers again -- he understands if
a situation doesn't look right, cages don't look right, water class doesn't look right, he needs to shut the boiler down, correct?

MR. TOTH: Well, this is Marty.

Mr. Bowers, we're talking about remote attendants. We're talking about somebody sitting in the guard shack. We've talking about visiting of the boiler room is the responsibility of the boiler room attendant, i.e., the refrigeration technician that's on-site 24/7 as those boilers are operated. That's their responsibility.

MR. BOWERS: One further question on page 12, we look at the emergency e-stops. I noticed that near Boiler 4 there is an e-stop and I noticed near Boiler 1, 2, and 3 there's a door to the e-stop and a remote e-stop. Am I to assume that the e-stop near Boiler 4 only shuts down 4, and the e-stops near Boiler 1, 2, and 3 only shutdown 1, 2, and 3; is that correct?

MR. TOTH: That is correct. They're, as you can see from the distance of that, the e-stops that we have are coming into the boiler refrigeration area, we have an e-stop, and on the rear of the building, we have
e-stops.

MR. BOWERS: Okay. Very good.

MR. TOTH: For Boilers 1 through 3 and one boiler room. Again, from this diagram, it looks like it's complete open space but it's actually not. As you can see when we go to the piping, there's actually a smaller boiler room for that.

MR. BOWERS: Now, I think a question by Dr. Hargrove is: All four boilers are hooked to a common header; is that correct?

MR. TOTH: Yes.

MR. BOWERS: So you can actually shutdown four in an emergency situation, the headers still could be high-pressure headers from 1 or 2 or 3?

MR. TOTH: Absolutely.

MR. BOWERS: No more further questions from me.

CHAIRMAN MORELOCK: Thank you, Mr. Bowers.

Any other questions from the Board for this proposed variance?

MR. BAUGHMAN: Dave Baughman, Board Member. Good to see you again. I've got a
couple other small notes to go over. I take it
the CBs have manways but the Mera does not. So
the CBs -- I don't know if everything has
non-returns or there's not a non-return on the
Mera which wouldn't be mandated since there's no
manway? This is for my own education if there
was non-returns on it or not.

MR. TOTH: Yes, there are
non-returns on Boilers one through 3 at the
moment. We did not have any on the Madeira
boiler.

MR. BAUGHMAN: Okay. So the other
notes I've got on page 6, Number 3, under normal
duties on A, I know we just talked about it
briefly at the very beginning on communications
and there would be a change, but I didn't know
if those communications between the boiler
attendants, remote attendants, are over two-way
radio, mobile phone, or by the PA system?

MR. TOTH: That's a very good
question. The communications between -- the
number one line of communication is going to be
through a two-way radio. If, for some reason,
there is the ability for a boiler attendant to
call the security guard shack for any type of
test -- again, these are just -- we're going to
do the communication test, we're going to send
an alarm. Did you receive the alarm? Yes.
Verify that the alarm has been received. That's
going to be over the radio.

But if there's for some reason they
choose to call, they can do so as well.

MR. BAUGHMAN: So that would not be
over the PA --

MR. TOTH: No.

MR. BAUGHMAN: -- it will be just as
stated?

MR. TOTH: No.

MR. BAUGHMAN: Okay. Very good.
The next item I've got is just below that on B,
and it's the second sentence of that B
statement. It says, The test there would be
a -- the boiler attendant will initiate an alarm
on the boiler. The test may be performed by
either a test of the boiler limits or a manual
test of the remote alarm switch without shutting
the boiler off. The RN 7800 programmers don't
have that switch capacity. So I was interested
to know where that's located and how that's
wired in and to make sure that that's not the
protocol for always checking the alarm system
that we want to check a limit, if at all
possible, by not using the remote as the
standard?

MR. TOTH: Well, that's a good
question in when you say, it doesn't have a
switch. Are you referring to it doesn't have
the ability to press the e-stop to send an
alarm?

MR. BAUGHMAN: The e-stop would shut
the boiler off.

MR. TOTH: No. I'm sorry. Let me
say it again and I misspoke.

Are you saying that by pressing
the reset button, it wouldn't send an alarm? On
the 7800 series, if you press the reset bottom
for three seconds, it will cycle the boiler down
and send an alarm.

MR. BAUGHMAN: Well, and if that's
the case, then you misspoke because it says,
"without shutting the boiler off." So that's
just why I was wanting clarification.

MR. TOTH: So when we talk about not
shutting the boiler off, the intent of that
statement is not tripping the boiler. What
we're doing is cycling down the boiler.

Okay. Now, let's recognize the difference between cycling down the boiler and tripping the emergency trip or a limit trip of the boiler versus pressing the reset bottom which causes the boiler to cycle down, okay, and then as soon as you release that reset bottom that boiler cycles back up without the need to reset any emergency stops.

I could see where you'd find this confusing. It's not an unprecedented comment. Every variance obviously stands on its own. If that's a confusing statement, then I probably need to change that hence forward because I use that same type of verbiage in testing the systems throughout all of my variances.

MR. BAUGHMAN: And I've noticed that and it's something I wanted to address because we do have --

MR. TOTH: And now is a good time as any if you feel that that is a confusing statement. I will be more than happy to revisit that moving forward. And also on this manual, to stipulate that it doesn't trip the boiler, it just cycles the boiler down until that is
released. And again, I want to be perfectly clear that there are some situations with some clients that have the same type of system; yet they choose not to want to open up the control panel. So we, in essence, we put alarm switches on the side of the panel where the individual -- they just press the button. It then goes through the alarm circuit without actually bringing the boiler down. So it sends an audible signal through to the remote station.

So that statement that I'm not putting in there is very broad-stroked and then specific to the individual application.

MR. BAUGHMAN: Sure, and I appreciate that reply, and again, it's more information for moving forward because if the standard protocol is just to test the alarm without ever testing the limit on the boiler, then that's not a good scenario.

Terry, can elaborate any further on how that programmer does when you just push in the reset?

MR. FOX: Terry Fox, Board Member. Like Marty said, if you push the reset button on a 7800 control, it will cycle the boiler and it
will cycle it down and bring it directly back
online. You really -- I guess it's just my
opinion -- you're just checking your alarm
system, you know, your remote alarm system
anyways, but we're not checking -- I mean, just
my preference -- I like to see something trip
such a low water control or something like that
so we actually know or, you know, lower control,
gas valve, gas pressure switch, I like to see
something trip that we actually know that the
alarm system is working, and it will default not
just the electronics that are working, just to
give an audible alarm.

MR. TOTH: And, Mr. Fox, if I may,
this is Marty Toth, with ECS.

Mr. Fox, I absolutely agree with
you. In that testing controls such as flame
failures, low water, low gas pressure, high gas
pressure, those are great; those are all
operational. Okay. We're not doing complete
operational tests here.

What we're wanting to ensure through
this variance is that we have a line of
communication. I advise all of my clients I've
trained, all of the boiler attendants that I've
trained that we have plain maintenance programs in place in-house that individuals will do these particular tests on a daily, weekly, monthly, quarterly basis.

In regards to our variance, what we're wanting to do is ensure that we have a straight line of communication from the alarm signal coming from the boiler to the remote station. That's what we're achieving within this manual. But I do agree with you; however, we need to separate the distance, the difference -- I mean, operational tasks and variance communication tasks, and that's my opinion.

MR. BAUGHMAN: Terry, thank you for your comments and thank you, Marty.

When we say it cycles the boiler down, so it just -- on a full modulation burner, it just takes it to low fire and let's it cycle back up?

MR. TOTH: It doesn't take it necessarily the low fire. It takes it through the sequence of operation. So once we hit that bottom, it's no different than us meeting the steams demand. The boiler will cycle down. It
will go into -- once it does, it will then
transfer into the free-purposes position and
start bringing the boiler back up again because
the controls that are in place is looking for
steam, and so if that boiler was operating at
the time that we pressed that bottom, than it
was needing steam or wanting steam, and as long
as we're below those start points within the
pressure controls, that boiler will start right
back up.

MR. BAUGHMAN: So it's as if we trip
the limit, in other words, the boiler is going
to cycle down and cycle back up and as soon as
that's reset?

MR. TOTH: Yeah, it is, and so
that's where your comments do -- are valid, that
if we're communicating, what are we actually
doing? Again, with this particular company --
and maybe that's something I need to look at in
the future -- is instead of doing the broad
stroke, saying we're just going to do a manual
to bring it down, maybe I need to be more
specific to say exactly what we're doing, so
then it's a lot clearer.

But, in essence, all we're doing is
wanting to send that alarm to the guard shack,
and if we can do that without actually bringing
the boiler down, we have satisfied the
requirements of verifying the alarm system.

MR. BAUGHMAN: And that's something
for future discussion because the one thing that
we don't want to do is make it protocol that we
don't shut the boiler off on a limit and that
the attendant is utilizing the remote switch.
All the remote switch does is energize the
alarm. It doesn't check -- we can have alarms
work and the limits don't work.

So, just again, something for future
discussion. But thank you for the clarification
and, Terry, thank you, for your input, too.

MR. FOX: Well, this is Terry Fox,
Board Member.

Just to add to that, Marty, I'll let
Sam kind of elaborate on how they actually test
these systems when they go out to approve them.

Sam, do you want to step in?

MR. CHAPMAN: Normally what we do is
we go out and -- once we get there, we go
through the -- I say plant or the boiler room,
check out all of the things into that. Then we
go sit at a remote station. We normally go in pairs: We have one going to the boiler room and one going to the remote station.

The one in the boiler room will have the operator or whatever the tech is, to give some kind of fault to the boiler. Most of the time we ask to see if it's going to interrupt anything. That way if the boiler -- we take the boiler down, it doesn't interrupt anything.

Okay. Once -- it will send an alarm to the remote station and there we follow-up to see how the remote station personnel is going to respond to it. So it's like, you know, if, "if," it's going to interfere with their product, we will not take the boiler room down, and that's normally the way we go through it as far as testing it.

Does that answer your question, Terry?

MR. FOX: Yes. Thank you, Sam.

MR. BAUGHMAN: This is Dave Baughman. I just had my two-cents' worth on that. Through the procedure when the alarm is received at the remote station, what is the first thing the remote station attendant is
supposed to do?

From what the manual says, it's to hit the e-stop --

MR. FOX: E-stop, yup.

MR. BAUGHMAN: -- which is going to shut the boiler off anyway. So we're checking the alarm system but the protocol through the manual is that we're going to shut the boiler off anyway; is that not true?

MR. CHAPMAN: That is true.

MR. TOTH: This is Marty Toth from ECS. Can I interject a little bit?

CHAIRMAN MORELOCK: You can.

MR. TOTH: Obviously just to defend what Chief Chapman mentioned. Here, it's taken into account by the Chief and his staff when they have gone on out and done these inspections, is to ensure that if there is a process in place that can be affected by turning off the boiler, they take that into account. That's on a rare occasion obviously, but what the Chief that I've experienced in my past and also have witnessed by Chief Chapman and his staff is that they were verifying the process that individuals have gone through the process
and they are doing what they're supposed to be doing.

In most cases they are indeed tripping the boiler, Mr. Baughman. They are going through the process. Chief Chapman will call up flame failure, is a good one. They'll call up the flame failure. Won't tell the remote station. The remote station is responsible for going through the procedure to press the e-stop and get his communications.

So during his inspections, there has only been one occasion where there wasn't an allowance for not actually physically hitting the e-stop because it was a volatile chemical facility in Memphis, Tennessee. However, the Chief required for the personnel to go through their steps and stop them short of actually hitting the e-stop, if that makes perfect sense.

Now, testing the e-stops is a planned maintenance process that is built into the company's operational schedule, and he was satisfied with that because they have records of that information.

So I hope that helps to enlighten a little bit about how it actually happens out in
the field. And.

I would highly -- you know, I may be stepping out a little bit much -- but I would highly -- and I see you smiling up there, Dave -- I would highly recommend that Board Members from time to time go with the Chief while he does an inspection, so you might get a better understanding of exactly what happens during the inspection process. Just not one of my clients. Just kidding. Thank you, sir.

MR. BAUGHMAN: Thank you very much, Mr. Toth. And just to add to that, so these variances come up for renewal once every three years, and my problem with the remote switch not shutting the boiler off or actually the remote station attendant not hitting the e-stop is, we have had failures of the e-stops, and that's a concern to me that if that's not tested on a regular basis that we can have problems, and maybe Assistant Chief OGuin can chime in on whether or not that's actually true or if we found any e-stops that were not operational?

MR. CHAPMAN: Well, this is your Chief, Mr. Baughman. We did find one like that when we went to a place and we tested it, and
they hit the e-stop and nothing happened, you
know, it did not shut the boiler down or
anything. And, you know -- but they didn't have
any records of it saying that they was testing
it. So that was one of the things that I try to
recommend, you know, at least quarterly, to test
it. You know, if you've taken the boiler down,
for whatever the reason is, test the e-stop, and
that's what we normally do under that.

CHAIRMAN MORELOCK: Mr. Baughman,
you're muted.

MR. BAUGHMAN: Thank you,
Mr. Chairman. Thank you, Chief Chapman. That's
kind of to my point is that all these components
are man-made, they're installed by man, they're
maintained by man, and if a man's involved with
it, it's not perfect. So then it's reliant upon
us being diligent and checking these systems,
and we've already found -- and I take it that
this was not only a new variance but this was
already possibly a variance that was already in
place; I don't know.

But the thing with it is, is that we
want to be on the forefront of how we're
checking these systems and making sure our
recommendations and protocols are with safety first.

So thanks for everybody's input on that.

CHAIRMAN MORELOCK: Good conversation.

MR. TOTH: Mr. Chairman, just one last thing. I agree with all of that. I highly recommend that the Board look at that a little closer in their checklists and their guidelines for the variance, and if that's the consensus of the Board, go ahead and put it in there and say that we're going to, you know, every shift when we go to check that system, it's not just a communications test, it's actually testing the e-stop at that remote station. If that's the intent of what the Board wants, I highly recommend you spell that out, and we'll all follow it.

CHAIRMAN MORELOCK: Well, Mr. Toth, I agree with that, and I would also speak on behalf of the Board that we don't want the variance manual process to be the only check of the e-stop. We want the owners and users of that equipment to have their own protocols to
routinely check all the equipment, including the e-stops, would you not agree?

DR. HARGROVE: Bear the responsibility.

CHAIRMAN MORELOCK: Yes.

MR. BOWERS: Harold Bowers, Board Member.

You know, as with insurance companies and also inspectors, we highly recommend that that's the owner-user's responsibility. You know, we can't, as a state entity, baby-sit everybody all the time, and it's actually their responsibility to take care of their equipment and we check to make sure and we recommend that they have certain procedures and they do what they're supposed to do.

But it is the owner-user's responsibility to run their equipment and to take care of it.

CHAIRMAN MORELOCK: Thank you, Mr. Bowers.

Are there any other comments concerning this variance proposal? Hearing none. Do I have a motion for this variance?

MR. BOWERS: I make a motion that we
approve this variance contingent on any updates
and the inspection by the Chief and his staff
for approval.

CHAIRMAN MORELOCK: Thank you,
Mr. Bowers.

Do I have a second?
MR. BAUGHMAN: Second.
CHAIRMAN MORELOCK: Thank you,
Mr. Baughman.

Any other comments before we vote?
All right. Hearing none.
Mr. Baughman?
MR. BAUGHMAN: Aye.
CHAIRMAN MORELOCK: Mr. Bowers?
MR. BOWERS: Aye.
CHAIRMAN MORELOCK: Mr. Fox?
MR. FOX: Aye.
CHAIRMAN MORELOCK: Mr. Henry?
MR. HENRY: Aye.
CHAIRMAN MORELOCK: Dr. Hargrove?
DR. HARGROVE: Aye.
CHAIRMAN MORELOCK: Thank you.

Gentlemen, you have contingently approved the
variance.

Mr. Toth, thank you for the great
discussion and presentation, and just remember that this is contingent on updating your manual based on comments discussed here today and a successful site-visit by the Boiler Unit. Thank you for your time.

MR. TOTH: Thank you, Mr. Chairman, Members of the Board.

CHAIRMAN MORELOCK: That completes all of our new business for today. Our next agenda item is Section 8: Open discussion items, which we don't have any on the agenda for today.

That takes us to Agenda Item 9, which is an announcement of the next meeting. The next regularly scheduled meeting of the boiler rules will be held at 9:00 a.m., central time, on Wednesday, June 24, 2020, via Zoom videoconferencing.

Are there any other comments that anybody would like to make before I adjourn?

MR. TOTH: Mr. Chairman, Marty Toth, ECS Consulting.

I do have a question and I did ask this of the Boiler Unit and I just want to verify. Is there any plans to -- for the Board
to handle any formal interpretation request or
requests that have been either made at prior
meetings that were tabled forward? I know there
are a couple that are out there that we have not
nailed down that were brought up in past
meetings, and I'm just curious about that
because I've had some clients ask particular
questions on those submissions that were made
prior.

What is the plan to handle more
cases and interpretations moving forward?

CHAIRMAN MORELOCK: Mr. Toth, that's
an excellent question. Considering the
situation that we're doing these virtual
meetings, and as you can tell with three items
on the agenda, it's taken much longer to do that
via Zoom in a virtual situation than if it was a
face-to-face meeting. So the Board agreed that
in the interest of public safety, we wanted to
take the variance manuals, the Tennessee special
requests, the technical items that people need
to keep their operations running safely, and
that we would take presentations, board cases,
board interpretations, we would put them on the
agenda when we actually have a face-to-face
meeting. Hopefully that will be in September and December, but as of right now with these Zoom meetings, we're only taking the items that people need to stay in operation.

Does that make sense?

MR. TOTH: That's a perfect answer, Mr. Chairman. Thank you so much for the clarification.

CHAIRMAN MORELOCK: You're very, very welcome.

MR. BOWERS: It was also a matter -- excuse me, Harold Bowers, Board Member.

It was also a matter of public access, too. We don't want to get into anything that could question us later on. Like the fee changes and stuff that people didn't have access to, public access, I mean, they do have public access but it's very limited. So we don't want to do anything that or ever have a question about that we did something in the dead of night that people didn't have a chance to participate in.

CHAIRMAN MORELOCK: That's an excellent addition to that. You're wholeheartedly correct on that.
We did check with Mr. Bailey in legal that these Zooms are public meetings. We are satisfying Tennessee rules and laws for that.

But to your point, you're exactly right, Mr. Bowers, is that we're seeing people who don't have access to Zoom and equipment such as that. So, again, all of these things will be discussed in an open meeting in a face-to-face manner. So that's why we're doing the agendas the way we have them now.

So excellent questions and comments. If there's nothing else, I do want to take just a very short amount of time and thank you all in that these virtual meetings are not easy, by any stretch, and I appreciate the presenters and the companies and the Boiler Unit and Nan George and the Court Reporters and just everybody that pulls this off. I think it's been a very productive meeting, and I appreciate all the work, and we will see you all next week, same time, same place, and with that, I'm going to adjourn this meeting.

(Proceedings adjourned at 11:30.)
REPORTER'S CERTIFICATE

I certify that foregoing Transcript was taken at the time and place therein named; that the testimony of said witnesses was reported by me, a Shorthand Reporter and Notary Public of the State of Tennessee authorized to administer oaths and affirmations, and said testimony, pages 6 through 101 was thereafter transcribed into typewriting.

I further certify that I am not counsel or attorney for either or any of the parties to said deposition, nor in any way interested in the outcome of the cause named in said deposition.

IN WITNESS WHEREOF, I have hereunto set my hand the 22nd Day of July, 2020.

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