

SUMMARY OF MINUTES

Quarterly Meeting of the State of Tennessee Board of Boiler Rules
June 12, 2024 - 9:00 a.m.

- I. Chairman and Board Member David Baughman called the meeting to order at 9:00 a.m. Board Members present: David Baughman, Jeffery Henry, Micah Lashley and Riley Collins.

Department Staff present: Tom Herrod, Dewayne Scott, Kenneth Nealy, Justin Miller, Melissa Owens, Chance Deason, Mia-Lyn Wiley, Tia Xixis and Jimmy Watson.

Guests were: Marty Toth, James Neville, Todd Telfer, Lionel Dunnivant, Kevin Squires, Phillip Corvin, Joseph Ledford, Eugene Robinson, Debbie Simpson, Stephen Heald, Scott Baum and Branden Matu

- II. INTRODUCTIONS AND ANNOUNCEMENTS:

Chance Deason announced a new department policy for guests who wish to speak, that they use the sign-up sheet for that prior to the meeting beginning. All comments will be limited to items on the agenda which will require a vote by the Board, and comments are limited to no more than 3 to 5 minutes a person unless the Chairman allows additional time.

- III. ADOPTION OF THE AGENDA: Mr. Lashley made a motion to adopt the Agenda. Mr. Henry seconded the motion. After voting, the Agenda was adopted.

- IV. APPROVAL OF THE MINUTES and TRANSCRIPT of the Meeting of March 13, 2023: Mr. Henry made a motion to approve. Mr. Lashley seconded the motion. After voting, the Minutes and Transcript were approved.

- V. BOILER UNIT REPORT - (attached):

Tom Herrod presented the boiler inspections and the averages of 15,000 per year for State devices and 26,000 for AIA; combined inspections being 41,000. He introduced new Chief Justin Miller and Assistant Chief Jimmy Watson. He also addressed delinquencies and filling vacant positions to lower the delinquency rate.

Chief Inspector Miller covered the violations.

Assistant Chief Watson covered the variances, passed and failed. Discussion followed with questions by Chairman Baughman, Mr. Lashley, Mr. Henry regarding repair and red-tagging.

- VI. OLD BUSINESS: None.

VII. NEW BUSINESS:

- **McKee Foods - 24-02 - Variance Renewal Request:**

Mr. Lionel Dunnivant with Combustion & Control Solutions announced the request for renewal variance for 9 boilers in Plant 2 and Plant 5 and ODMRC. He said there were no changes since the last variance renewal.

Mr. Collins asked for a revision page with personnel changes and updates.

Chairman Baughman commented that the manual states that all the boilers had RM7800 programmers but that wasn't true. The alarm system was discussed, and Chairman Baughman asked about enunciation back to the Allen-Bradley PLC.

Chairman Baughman addressed missing items on the checklist for the variance. Mr. Heald said that would be taken care of.

Chairman Baughman expressed concern that the electric boiler and the Columbia both tie into the same steam header and might need further evaluation. He also asked about e-stops, and Mr. Dunnivant and Mr. Squires were unsure about them.

Mr. Collins asked about unauthorized access and password protection on Plant 2. Mr. Dunnivant assured they were, being Miura series. Mr. Collins requested that be indicated on B-1.

The plant operations were discussed and when it was unoccupied, having security guards monitoring idling boilers. Chairman Baughman requested a variance inspection during those times.

Training of the security guards and how they would handle an emergency or mal-operation and e-stops was further discussed.

Chairman Baughman asked about the automatic blowdown valves and performance of blowdown. Mr. Dunnivant answered the question.

Mr. Lashley and Mr Henry asked for clarification on Page 6.

Chairman Baughman asked about water column tests. Power boiler vs. steam generator and the effect on the variance was discussed.

Mr. Toth covered the requirements for attendants. He quoted BC 9206 where the Board opined that a high-pressure steam generator that operates over 15 psi is a power boiler; therefore, the attendant rule applies, but that a high-temp fluid heater is classified as high-temp hot water boiler and does not require the attendant rule.

Chairman Baughman addressed hard wiring of the e-stops in Plant 2 and in the remote station. Radio communication was also discussed.

Chairman Baughman asked Mr. Dunnavant about Appendix I-4. He also asked about “normal daily duties” of boiler attendants and the low water level shutdown and alarm.

Further discussion ensued regarding the manual and that no training logs have been filled out. Mr. Dunnavant said no training has been done with current personnel.

Mr. Lashley recommended filling out and updating the training log.

Chairman Baughman asked further about the alarm system and the requirements in case of low water in the boilers. Mr. Toth commented that he’s familiar with the units and they follow code.

Chairman Baughman asked for a motion on the request for renewal.

Mr. Lashley said there were too many revisions to vote to approve.

Mr Henry said there were not only revisions but changes to the system needed, as well, and suggested tabling 24-02 until it’s resubmitted.

Chairman Baughman made the motion to table the renewal request until the next meeting when questions regarding the Reimers and the electric boiler, model numbers of the Columbia and its input, operating parameters, hard-wiring the e-stop, etc. are answered.

Mr. Collins seconded it. After voting, the motion carried.

- **McKee Foods - 24-03 - Attendance Variance Approval Request:**

Mr. Dunnavant announced that it’s a new variance at a new boiler room at the P5 Energy Center for two Miura LX boilers and the 4-hour rule on the operators.

Chairman Baughman, Mr. Deason and Mr. Henry discussed their lack of knowledge of the protocol or statutes that required the presence of a representative of the company requesting the license.

Mr. Collins asked about differences in this manual and the manual for 24-02 and the revisions that are needed. The location where the two manuals are kept was discussed. Mr. Dunnavant advised there will be two locations for the manuals. Mr. Collins suggested going through and making further corrections of errors in the manual.

Chairman Baughman addressed the feed-water diagram. The existence of water heaters and carbon monoxide alarms was also discussed. Chairman Baughman asked about e-stop locations and exit doors and also future growth in the facility.

Mr. Lashley asked about the guards and unauthorized access and password protection of the controllers.

Mr. Henry asked about training of the boiler operators and the need for a list of qualified people.

Chairman Baughman asked about the time frame for inspection for the variance. Mr. Dunnavant suggested six months.

Chairman Baughman discussed security officer training with Mr. Corvin and Mr. Squires. Plant hours of operation were also discussed.

Mr. Lashley suggested tabling 24-03 with 24-02 because of similar revisions needed in the two manuals.

Chairman Baughman made the motion. Mr. Henry seconded it. After a vote, the motion carried.

- **Amaero International Ltd, 24-04 Tennessee Special Request:** Joe Ledford, represented MBI Companies, the architect engineer. Todd Telfer represented Amaero as a technical consultant specializing in vacuum furnaces. Mr. Telfer asked for Tennessee Special status for an electrode integral atomization system (EIGA) with three pressure vessels but only the gas heater is not designed for ASME. Chairman Baughman asked about the age and prior locations of the equipment, which was in Europe. Discussion ensued between Chairman Baughman, Mr. Henry, Mr. Telfer, Mr. Ledford and Mr. Collins regarding the pressures and the design of the very unique units.

The manual was presented and a diagram of the plant was discussed.

Further discussion ensued regarding operation and lifetime of the unit.

Mr. Henry asked about inspection procedures.

Chairman Baughman and Mr. Collins discussed fatigue requirements of Section VIII, Div 1 of AD2000, being a European guideline.

Chairman Baughman discussed the need to know requirements for reinspection, hydro test, etc. for a Tennessee Special. Mr. Henry suggested having an independent party review the static design calculations and fatigue analysis of the unit. Mr. Herrod suggested the costs for that be absorbed by Amaero to expedite that.

Mr. Deason suggesting tabling the decision for further consideration and education.

Mr. Ledford and Mr. Telfer discussed their urgent need for approval to have the unit on board for production.

Further discussion between Chairman Baughman, Mr. Henry and Collins ensued regarding the need to see ASME code calculations.

Mr. Eugene Robinson was recognized and discussed ASME requirements and criteria of the PED.

Ms. Wiley mentioned the size of the manual and materials presented. Chairman Baughman said the appropriate time had not been given for review.

Mr. Robinson and Mr. Henry discussed the requirement for a third-party inspector and dossier for review of all things concerned.

Further discussion ensued regarding tabling the decision until the next meeting and the impact that would have on the start-up of the company.

Mr. Toth stated that the ASME code states that approval of a Tennessee Special is required previous to construction of the unit but there may be a previous case with an exception. Mr. Robinson confirmed that there were past cases of recognition of vessels previously constructed. Mr. Matue cited a case from a year ago that was precedence.

Mr. Deason suggested holding a special public meeting and the 45-day notice requirement.

Inspection requirements were discussed by the Board, as well as the need for the Board to have all the pertinent information submitted for review.

Chairman Baughman suggested a motion to table the decision and set up a special meeting for a vote for Tennessee Special.

Mr. Herrod suggested August 7th as the first available date for the meeting. Mr. Ledford offered to furnish printed copies with any other information the Board needed as soon as possible.

Chairman Baughman moved to set August 7th for the special meeting and tabling the matter until then. Mr. Henry seconded the motion. After a vote, the motion carried.

VIII. BOARD CASES AND INTERPRETATIONS:

BC24.01 - Transition to JRS for Inspection Reporting by all AIA's and adoption of NBIC Forms NB-6 and NB-7.

Mr. Herrod discussed the dire need for Authorized Inspection Agencies to input their reports directly into the Jurisdictional Reporting System (JRS). He discussed the history of reporting and the transition to JRS resulting in a 4,000 inspection entry backlog, thus the need to mandate the AIA's to record their inspections into the JRS and adopt NBIC forms NB-6 and NB-7 starting July 1, 2024.

Mr. Lashley advised of his conflict of interest and that it wouldn't affect the quorum.

Further discussion ensued regarding the logistics of the JRS that was developed by the National Boiler Board and Tennessee being the first jurisdiction to use it. Mr. Herrod spoke of the significant delay in issuing companies operating permits because of the delay in reporting.

Mr. Lashley advised that his company was on the Jurisdictional Online system and that being required to "dual" report would create a significant production and financial impact.

Mr. Herrod discussed the fact that JOL and JRS are set to develop an interface and this being a fix for the problem but the time frame is unknown.

Mr. Simpson from Central Square, the company that funds JOL, advised that over 30 states in at least 14 jurisdictions are participating.

Mr. Lashley reiterated the financial hit of dual reporting, to his company.

Mr. Brandon Matue, Inspector for FM Global, advised that his company uses JRS and JOL now and the problem with them not communicating and creating the need for his company to dual report.

Mr. Toth expressed his concern about the disadvantage that Mr. Herrod and his staff are at and that he's seen an increase in delinquencies because of the delay in reporting. He stated that the solution is to mandate an API.

Ms. Wiley confirmed having to manually enter the insurance files and the need for help.

Discussion ensued regarding adopting the NBIC forms in their current edition and any revisions that are made.

Chairman Baughman suggested that the reply to inquiry number 1 of this board case be that the Board of Boiler Rules believes that it should be mandatory for AIAs to record their inspections into the JRS. Mr. Henry so moved. Mr. Collins seconded the motion. After a vote, the motion carried.

Further discussion ensued regarding the language to use in approving the NBIC forms.

Chairman Baughman suggested revising the inquiry to: Does the Board of Boiler Rules agree to adopt the NBIC forms NB-6 and NB-7 in their most current and latest edition?

Mr. Henry made the motion to adopt. Mr. Collins seconded the motion. After a vote, the motion carried.

IX. OPEN DISCUSSION ITEMS:

*** Should the State of Tennessee enforce requirements for boiler operator training and licensing similar to what is required in Shelby County?**

Discussion ensued by the Board regarding no current requirement for boiler operator training in Tennessee other than Shelby County. Mr. Toth discussed the history of the state regarding boiler inspection, etc.

Further discussion ensued regarding safety being priority. Ms. Xixis inquired about the origination of the question.

Chairman Baughman discussed the desire for training and licensing in the industry. Ms. Xixis stated the discussion should include the economic impact to employers.

Chairman Baughman mentioned accidents and lawsuits, as well as insurance, etc. Ms. Owens suggested the Board has no authority to create new legislation. Chairman reiterated it was for discussion purposes only. Ms. Xixis advised that the Board is an advocate to educate the public.

*** What is the time frame for a company to pass an initial inspection of an approved variance request before it is no longer valid?**

Mr. Lashley said there needs to be a timeline and suggested six months.

Mr. Watson and Mr. Miller agreed and suggested six to nine months because of current delays due to turnover changes.

Mr. Toth suggested giving 12 months.

Ms. Xixis agreed and suggested that the timeline be set out clearly as part of the variance approval process

Mr. Lashley suggested when there's a tentative approval, a time frame be given.

Further discussion ensued regarding changes that potentially take place between approval and inspection.

Chairman Baughman thanked the Board and meeting attendees for the discussion in the interest of public safety.

X. UPCOMING SCHEDULED QUARTERLY MEETINGS:

September 11, 2024

December 11, 2024

XI. ADJOURNMENT: The meeting adjourned at 1:45 p.m.