

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

QUARTERLY MEETING OF THE
STATE OF TENNESSEE
BOARD OF BOILER RULES

March 13, 2024

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1 APPEARANCES:
2 David W. Baughman, Acting Chairman, Board Member
3 Melissa Owens, Legal
4 Chance Deason, Legal
5 Justin Miller, Chief Boiler Inspector
6 Jeffery Henry, Board Member, Board Member
7 Micah Lashley, Board Member
Insurance Representative
8 Richard Scott May, Board Member
9 Riley Collins, Board Member
10 Kenneth Nealy, Assistant Administrator
11 Dewayne Scott, Deputy Commissioner
12 Mia-Lyn Wiley, Board Secretary
13 Tia Xixis, Chief of Staff
14 Tennessee Department of Labor
15 Thomas Herrod, Assistant Commissioner
16 Mark Edwards, AXA XL, BPC
17 Erik Shumaker, Wood Group
Power Industrial Quality Manager
18 Jeff Long, Duracell Battery
19 Daniel Britt, Duracell Battery
20 Roger Sanford, Duracell Battery
21 Stephen Heald, Combustion & Control Solutions
22 Billie Cutillo, Demand Mechanical
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APPEARANCES:

Jamie Diefenbach, Executive Admin Assistant

Scott Baum, Chubb

Michelle Rosemore, Assistant to Melissa Owens

Marty Toth, ECS Consulting

Branden Matue, FM Global

Brian & Jane Morelock, Past Chairman

Stone & George Court Reporting

Deborah M. Fernau, LCR

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A G E N D A

- 1
- 2 I. Call Meeting to Order
- 3 II. Introductions and Announcements
- 4 III. Adoption of the Agenda
- 5 IV. Selection of a Chairman for the Board of Boiler
6 Rules
- 7 V. Approval of the Meeting Minutes and Transcript
8 for December 13, 2023
- 9 VI. Chief Boiler Inspector's Report
- 10 VII. Variance Report
- 11 VIII. Old Business - None
- 12 IX. New Business
- 13 (A) Variance Request
- 14 24-01 Duracell in Cleveland, TN
- 15 (B) Repair License Approval Requests
- 16 24-03 RMR Mechanical, LLC, in Cumming, GA
- 17 24-03 Wood Group USA in Hampton, NJ
- 18 X. Open Discussion Items - None
- 19 XI. Board Cases and Interpretations - None
- 20 XII. Upcoming 2024 Scheduled Quarterly Meetings
- 21 June 12, 2024
- 22 September 11, 2024
- 23 December 11, 2024
- 24 XII. Adjournment
- 25 *** Reporter's Note: All names are spelled
phonetically unless otherwise provided to the
Reporter by the parties

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CHAIRMAN BAUGHMAN: Good morning. It's 9:02. I want to welcome everybody to the March Quarterly Board of Boiler Rules Meeting. It's good to see people; although, this perspective is a little different for me, but it's good to see the faces that are out here. I appreciate everybody being here.

There are agendas at the back of the room for the meeting, located on the back table. And there's a sign-in sheet. So if you haven't signed in already, please do. It gives us a record of who is here and we're able to put those into the minutes as it is.

As a matter of courtesy, please silence your phones. We all appreciate that. I think that was a reminder to myself, but it applies to the group.

So before we start the meeting, as a safety protocol, that, in the event of any kind of situation, weather or any other event that would warrant us needing to leave this room, security personnel will take us to a safe location in the building or take us out to the Rosa Parks side of the building for assembly.

Okay. So at this time, I'm going to call

1 the Board of Boiler Rules Meeting to order.

2 So on the agenda, first off, we'll have
3 introductions. So if we would start around the room,
4 Melissa, you'll start here, and then we'll go through
5 and introduce who's in the audience.

6 MS. OWENS: Melissa Owens,
7 legal.

8 MR. DEASON: Chance Deason,
9 legal.

10 MR. HENRY: Jeff Henry, board
11 member.

12 MR. LASHLEY: Micah Lashley,
13 board member.

14 MR. BAUGHMAN: Dave Baughman,
15 board member.

16 MR. COLLINS: Riley Collins,
17 board member.

18 MR. MAY: Scott May, board
19 Member.

20 MS. CUTILLO: Billie Cutillo,
21 Demand Mechanical.

22 MS. XIXIS: Tia XiXis, chief of
23 staff, Department of Labor.

24 MR. MILLER: Justin Miller,
25 chief boiler inspector.

1 MR. HERROD: Tom Herrod,
2 assistant commissioner.

3 MS. WILEY: Mia-Lyn Wiley, board
4 secretary.

5 MS. DIEFENBACH: Jamie
6 Diefenbach, executive admin assistant.

7 MS. ROSEMORE: Michelle
8 Rosemore, assistant to Melissa Owens.

9 MR. NEALY: Kenneth Nealy,
10 assistant administrator.

11 MR. SCOTT: Dewayne Scott,
12 deputy commissioner.

13 MR. SHUMAKER: Erik Shumaker,
14 Wood Group, Power Industrial Quality Manager.

15 MR. MATUE: Branden Matue,
16 boiler inspector, FM Global.

17 MR. BAUM: Scott Baum, Chubb
18 Insurance.

19 MS. MORELOCK: Jane Morelock.

20 MR. MORELOCK: Brian Morelock.

21 MR. TOTH: Marty Toth, ECS
22 Consulting and Boisco Training Group.

23 MR. EDWARDS: Mark Edwards, AXA
24 XL.

25 MR. LONG: Jeff Long, Duracell

1 Battery, facility manager.

2 MR. HEALD: Stephen Heald,
3 Combustion & Control Solutions.

4 MR. SANFORD: Roger Sanford,
5 Duracell Batteries.

6 MR. BRITT: Daniel Britt, here
7 for Duracell.

8 CHAIRMAN BAUGHMAN: Thank you
9 very much. It's a pretty diverse group we've got out
10 here in the audience today. So I see some friends,
11 what I consider family along the way too. So I'm glad
12 that you-all are here.

13 So starting with that -- and thank you
14 for those introductions -- we'll have announcements at
15 this time.

16 And so Tia and legal, if you would be
17 able to speak with us on the announcements.

18 MS. XIXIS: Yes, sir. Good
19 morning, Chairman and board members. As you all know,
20 at the Tennessee General Assembly, all the legislative
21 and Governor's affairs fall in my side of the House,
22 and so there's recently been legislation when it comes
23 to public comment in allowing that folks have the
24 opportunity to participate in all meetings.

25 And so as a piece of that, the

1 administration is asking that all of our different
2 boards and commissions and agencies establish policies
3 that then become rules later as we begin to establish
4 some of our protocols about what that will look like
5 for our department.

6 I'm going to let Chance Deason, our
7 General Counsel, and then Melissa Owens, who is our
8 Deputy General Counsel, go over that policy so that
9 everybody understands.

10 You've all been provided a copy of that
11 today. And this is kind of going to be a living
12 document as we continue to see what works for us. And
13 so you guys are our guinea pigs a little bit today.
14 This is our first rollout of trying to go over this
15 with a group. And so if you'll just give us some
16 grace as we work through how that's going to look.

17 Again, there are some limitations that
18 you'll hear from our legal team. And the idea is that
19 everybody has the ability to speak on those
20 actionable items, if necessary, but we can require
21 notice.

22 Those folks that are on the agenda, you
23 know, have already given that notice, and that's
24 prearranged and stuff, so it's not going to limit
25 those components. But for audience participation and

1 things, just public comment, there is going to be a
2 requirement that those folks notify you as well.

3 MR. DEASON: Chance Deason,
4 Legal Counsel.

5 So we are -- we came up with the policy.
6 It's going to be agency-wide for all the boards. And
7 like Tia said, as Tia mentioned this is -- kind of
8 rolls out of legislation that was recently passed.

9 So we want to -- we need to give
10 everybody the right to comment, but we do have the
11 ability to limit it somewhat so that this doesn't
12 become a free-for-all. So we want to reserve 30
13 minutes at every board meeting, if necessary, if that
14 amount of time is necessary, to allow comment from the
15 public.

16 We want to limit it to ten people. The
17 Chair will have some discretion there. Dave, you'll
18 have some discretion. But we want to limit it to ten
19 people, no more than 30 minutes, and 3 minutes per
20 person.

21 Going forward, we would like -- or we're
22 going to require that people give at least ten days
23 notice prior to the scheduled board meeting of their
24 desire to make public comment. At that point, the ten
25 days prior, they should be the agenda available.

1 Comments should be limited to -- or will be limited to
2 actionable items on the agenda, things that we're
3 going to take a vote on.

4 Let's see, the notice of intent is
5 available online on our website, www.tn.gov/workforce.
6 And then you can navigate to that. And it will be a
7 fillable form at the Boards and Commissions tab to put
8 down what you want to -- your intent to, and I believe
9 what you wish to speak on.

10 MS. XIXIS: And this was an item
11 that you guys will see transitioning, because this is
12 a new piece for us working out and for the audience as
13 well, that they will see that go live probably in the
14 next week or so, that it will be on the Boards and
15 Commissions tab with all of our other components.
16 That it will have a piece at which, you know,
17 different board commission counsel that's housed here
18 with us, that they, you know, have an interest in
19 speaking at.

20 MR. DEASON: It's not -- the
21 mortar hasn't set yet. So like she said, we're going
22 to try to work through this and see what fits.

23 Like I said, we want to limit three
24 minutes per person so that everybody who needs to have
25 a say will have that opportunity.

1 We do want to limit it to actual items on
2 the agenda. And for everybody here, you know, that's
3 stuff that we're going to take a vote, that a vote
4 will be required on, not just whatever is on your mind
5 that day.

6 If someone wishes to bring a non-agenda
7 matter before the board for the board's future
8 consideration, you can do that. Someone can do that
9 but have to give at least 15 days notice prior to the
10 meeting, the board meeting, so that that can be placed
11 on the agenda. So there is provision for folks to
12 bring up something that's not already under
13 consideration if that needs to be.

14 And that's kind of the gist of it. If
15 there's any questions about it, any clarification, if
16 I'm capable, I will so clarify.

17 MR. LASHLEY: Is the 15-day
18 notice for non-agenda matters, is that also on the
19 tn.gov?

20 MS. XIXIS: It's not up there
21 yet. Like, for today's meeting, we will have the
22 sign-in sheet that Melissa has got that we'll place
23 here that we'll kind of do -- I guess, run our meeting
24 for today like they do our committees at the General
25 Assembly, that they allow the public to sign in that

1 day, so if there is somebody that wishes to express
2 some kind of concern. And we'll just have that here
3 with the legal team.

4 But in the future, once the agenda is
5 published -- so the agenda is going to have to be
6 published in advance of these time frames so that
7 everybody can see those actionable items. And so,
8 actually, it will benefit you-all to give you more
9 time, you know, to have everything in front of you and
10 as well for the public and just that continued
11 transparency.

12 CHAIRMAN BAUGHMAN: Okay. Thank
13 you.

14 Jeff.

15 MR. HENRY: Will this be limited
16 to in-person comments? In other words, do they have
17 to attend the meeting, or could they --

18 MR DEASON: Yes. We are --

19 MR. HENRY: -- dial in?

20 MR. DEASON: These are going to
21 be 100 percent in person. We have opted not to have
22 any virtual component to our boards, because there's
23 so much red tape around that it would cause --

24 MS. XIXIS: Yes. That's another
25 transparency component, just to, again, be fair to all

1 parties, that if we allow any kind of virtual option,
2 whether it's for you-all as members or the public or
3 someone who's not able to come for whatever action or
4 agenda item, we have to allow that as an option for
5 everyone.

6 And we have to give even different
7 notice. We have to record those meetings, and we have
8 to provide the recordings publicly within two days.
9 And so we, as an agency, have chosen not to use that
10 as an option. So our meetings will be held in person.

11 CHAIRMAN BAUGHMAN: Thank you.

12 Mr. Toth.

13 MR. TOTH: Yes. The public
14 opinions, will that be every action item before a vote
15 is taken?

16 MS. XIXIS: Yes, sir. It will
17 become their protocol that they'll ask. And we hope
18 to next time -- I've heard about transitioning and
19 changing, you may, again, be in a different space so
20 that we can seek legal with you-all so that they can
21 go through those folks that are on that sign-in sheet,
22 so that everybody knows when it comes that time that
23 they'll ask if there's any comments, if there's
24 anybody here that was not able to sign in, you know,
25 we'll consider those items.

1 CHAIRMAN BAUGHMAN: Thank you.
2 Your time is almost up.

3 MR. DEASON: No. We certainly
4 want people to be able to talk before the gavel falls
5 on the vote.

6 MS. XIXIS: Yes.

7 CHAIRMAN BAUGHMAN: So this is,
8 again, a fluid new proposition for us to work through.
9 I'm taking that, for myself, who gets involved
10 technically and can extend things out, legal will have
11 to keep up with time, just on my own end of things,
12 but understanding, too, that I believe that that limit
13 of three minutes can be extended; correct?

14 MS. XIXIS: Yes, sir.

15 MR. DEASON: At your discretion.

16 CHAIRMAN BAUGHMAN: Okay. At my
17 discretion. Okay.

18 So again, it is to really kind of keep
19 things from getting outside of the box, keeping things
20 on track. There's a method to this madness of what's
21 going on, it looks like to me on trying to keep things
22 rolling in a good manner.

23 Any other comments or questions on that?

24 MS. XIXIS: I have one comment. Just to
25 clarify, I want to make sure I understand and so that

1 the team knows. Are you expressing that once you get
2 to an agenda item and once the presentation has been
3 made that, as you go into your question and answer and
4 comment period, that you also want our timekeeper to
5 kind of time out for members as we go?

6 Because the plan is, logistically, that
7 everyone will be able to hear the timer go off, just
8 as that gentle reminder so that we're not having to
9 interrupt each other so that folks know to kind of
10 wrap things up, but you wish for them to also kind of
11 keep you-all in that three-minute window.

12 CHAIRMAN BAUGHMAN: I think that
13 that's fair. And, again, we've got the ability to
14 extend things as it is.

15 MS. XIXIS: Okay.

16 CHAIRMAN BAUGHMAN: I would
17 love just -- having a suggestion, for me, being
18 visual-oriented of being able to have a clock to be
19 able to refer to, if that's a possibility.

20 MS. XIXIS: Uh-huh.

21 CHAIRMAN BAUGHMAN: Just
22 throwing that out there.

23 MS. XIXIS: Yes, sir. We can
24 look at that.

25 CHAIRMAN BAUGHMAN: Anybody

1 else?

2 MS. XIXIS: If there are
3 individuals who wish to sign in for public comments
4 for today's meeting, we'll leave that sign-in sheet.
5 We'll give you an opportunity to do that today.

6 CHAIRMAN BAUGHMAN: All right.
7 Tia, thank you.

8 Chance, Melissa, thank you.

9 All right. Moving on to Item No. 3, the
10 adoption of the agenda. If everybody's got a copy of
11 it. Anybody got any questions? Additions?
12 Deletions?

13 (No verbal response.)

14 CHAIRMAN BAUGHMAN: Good. All
15 right.

16 So do I have a motion to adopt
17 the agenda?

18 MR. MAY: Aye.

19 MR. HENRY: Second.

20 CHAIRMAN BAUGHMAN: All in
21 favor, "aye."

22 IN UNISON: Aye.

23 CHAIRMAN BAUGHMAN: Objections?

24 (No verbal response.)

25 CHAIRMAN BAUGHMAN: We've got an

1 agenda.

2 MR. DEASON: Mr. Chairman?

3 CHAIRMAN BAUGHMAN: Sir.

4 MR. DEASON: I believe we do
5 have a quorum.

6 CHAIRMAN BAUGHMAN: Yes. And
7 thank you very much.

8 We do have a quorum with all of the board
9 members here this morning. Thank you.

10 So moving on to Item No. 4, the selection
11 of a Chairman for the Board of Boiler Rules. I've
12 been involved with other selections of the board
13 chairman. I've not been in a position of an acting
14 chairman to ask upon a vote or nominations, but it is
15 time, we'd ask for nominations for chairman of the
16 Board of Boiler Rules.

17 Being none.

18 MR. HENRY: I would nominate
19 Mr. Baughman.

20 MR. LASHLEY: I second that
21 nomination.

22 CHAIRMAN BAUGHMAN: Any other
23 comments? Nominations? Suggestions?

24 (No verbal response.)

25 CHAIRMAN BAUGHMAN: All right.

1 Well, with that, I'll call that to the vote.

2 All in favor say "aye."

3 IN UNISON: Aye.

4 CHAIRMAN BAUGHMAN: All those
5 opposed? Abstentions?

6 (No verbal response.)

7 CHAIRMAN BAUGHMAN: All right.

8 Well, folks, thank you very much. We have a new board
9 chairman. The fourth chairman in -- gosh, the long
10 term of people that I've worked with, I remember
11 Mr. Elliot, Mr. Lund; my good colleague, friend,
12 brother, Mr. Morelock; and then to be able to sit in
13 his seat and to fill those shoes are big shoes to
14 fill. But he's been a great mentor.

15 So thank you very much for your
16 confidence in that, and I appreciate it and hope to
17 serve you well. Thank you.

18 Moving on, No. 5 is the approval of the
19 meeting minutes and the transcript of the
20 December 13th meeting.

21 I hope everybody has had the review, for
22 one. I appreciate the transcript and how things are
23 laid out. It makes it much better for our board
24 members to be able to go in and review and look at
25 things concisely. But I appreciate the court

1 reporters and how they put things together.

2 So any comments on the minutes? Any
3 grammatical things for my English?

4 Mr. Henry, do you have anything?

5 MR. HENRY: So I don't have
6 anything, Mr. Chairman.

7 CHAIRMAN BAUGHMAN: That's
8 great. Thank you.

9 Mr. Lashley?

10 MR. LASHLEY: As I was absent
11 for the last meeting, I'm going to take everybody's
12 word for it.

13 CHAIRMAN BAUGHMAN: They do get
14 pretty lengthy at times, and it's a lot of information
15 to go through.

16 Mr. Riley Collins, who is our newest
17 board member, by the way, so just to make that
18 announcement and put that in at this time of the
19 approval of the minutes.

20 I'll let Riley speak a little bit more in
21 just a moment about who he is and where he's from, and
22 so thankful to have him on the board itself and
23 bringing that expertise. But do you have anything
24 comment-wise on the minutes?

25 MR. COLLINS: No comments.

1 CHAIRMAN BAUGHMAN: Scott?

2 MR. MAY: No comment. Make a
3 motion to approve.

4 CHAIRMAN BAUGHMAN: Very good.

5 MR. HENRY: Second.

6 CHAIRMAN BAUGHMAN: All right.

7 So call the vote, all in favor.

8 IN UNISON: Aye.

9 CHAIRMAN BAUGHMAN: All against?
10 Abstentions?

11 (No verbal response.)

12 CHAIRMAN BAUGHMAN: All right.

13 We have the approval of the minutes for the
14 December 13th meeting.

15 All right. Just really quickly, Riley,
16 if you don't mind telling us a little bit about
17 yourself and give us some insight on you.

18 MR. COLLINS: Of course.

19 So I'm Riley Collins. I went to college
20 at Tennessee Tech, graduated with a degree in
21 mechanical engineering and then immediately went to
22 Eastman Chemical Company to work.

23 I've been there for about seven and a
24 half years now. And the whole time I've been in the
25 vessel team group, so designing -- designing,

1 fabricating, re-rating pressure vessels, specifically
2 Section VII, Division 1.

3 So as Mr. Baughman has said, I was
4 recently -- this is my first meeting as a board
5 member, so excited to be here. So I'm interested in
6 being on the board and helping out and doing my best
7 to serve this board with the talents and the skills
8 that I have. Thank you.

9 CHAIRMAN BAUGHMAN: Very
10 thankful for Riley to be on the board and bringing
11 that expertise, along with what we talked about,
12 bringing on younger people in our industry, mentoring.

13 We've got a lot of people that have
14 exited our industry, i.e., the retired or died, the
15 old-timers. And it's important that we mentor new
16 people coming in to this industry.

17 And so I'm thankful that you're here and
18 thankful for your willingness to serve as well.

19 All right. No. 6, if we'll bring the
20 chief boiler inspectors report and combine this with
21 the variance report at this time, if that's okay.

22 MR. HERROD: Thank you.

23 Tom Herrod, assistant commissioner.

24 MR. MILLER: Justin Miller,
25 chief boiler inspector.

1 MR. HERROD: Board members, you
2 have with you some printouts here. I'm going to give
3 you the board performance for this past year and talk
4 about code violations and also the variances. So
5 we'll go through these printouts pretty quickly.

6 The State inspections for this year, we
7 are on pace to do 14,000 inspections for the State
8 inspectors.

9 In looking at the draft there, you see
10 since 2018 we've increased that from about 10,000 a
11 year to about 14,000. So we're doing a better job of
12 inspecting these things.

13 And the reason it's down verses last
14 year, so far this year we've had two chief changes.
15 And Justin is our third chief serving in that
16 capacity.

17 We have 17 of 21 positions filled. These
18 are commissioned inspectors. We have two apprentices
19 that were soon to become commissioned inspectors. And
20 then we have two more apprentices who will be -- this
21 time next year, should be commissioned inspectors.

22 So we're rapidly filling these positions.
23 So we're producing our own talent, just so you know,
24 and hiring some along the way too. So hopefully we
25 can get these things filled and be ready for those

1 people who desire to retire and have somebody backfill
2 that.

3 Second page shows the non-State
4 inspections. They're on pace to do about 25,000
5 inspections this year. This includes all the
6 insurance companies that perform in the state of
7 Tennessee by 13 insurance companies (phonetic) and
8 Tennessee Eastman. So those are the non-State actors
9 in the state of Tennessee. And they seem to be doing
10 exactly what they've been doing in the past.

11 Third page here, you have code violations
12 that we have State and non-State listed here. For the
13 total, we've had 1,500 violations cited. We currently
14 have 955 open, 566 have cleared.

15 Now, I'm not an expert on these things.
16 Mr. Miller is if you have some questions about what
17 these are, and a variety of them, he'll be glad to
18 answer those questions for you.

19 CHAIRMAN BAUGHMAN: Chief
20 Miller, for what item period is this? Is this from
21 January to --

22 MR. HERROD: I'm sorry, the
23 fiscal year we break it down. But July 1st of last
24 year of 2023 through June 30th of this year.

25 CHAIRMAN BAUGHMAN: Very good.

1 MR. HERROD: We're doing fiscal
2 year.

3 CHAIRMAN BAUGHMAN: Thank you.

4 MR. HERROD: Uh-huh. This seems
5 to be on par with what we've done in the past. I
6 don't have the historical records on that, but it
7 seems typical of our -- understand a citation or a
8 violation comes in, a code violation, they have 30
9 days to clear it, and then they have another 15 days
10 on top of that; if not, those things get red-tagged at
11 that point.

12 I'm not sure, how many red tags did we
13 put on this year, Chief Miller? Do you know?

14 MR. MILLER: I think it was 70
15 or --

16 MR. HERROD: Several dozen.

17 MR. MILLER: Several dozen. I
18 know I've done several too.

19 MR. HERROD: Several dozen. And
20 so these are followed up, like I say, 45 days. After
21 45 days they have to be cleared or else they're shut
22 down completely.

23 CHAIRMAN BAUGHMAN: Okay. Any
24 comments on that, Mr. Henry?

25 MR. HENRY: Just a quick

1 question. So the open -- those items that remain open
2 are within that 30-to-45-day period?

3 MR. HERROD: Yes, sir.

4 MR. HENRY: Okay.

5 MR. MILLER: Yes, sir. That's
6 correct.

7 MR. LASHLEY: And do these --
8 these violations also include violations that were
9 issued at registration?

10 MR. MILLER: Yes.

11 MR. LASHLEY: Okay. So is
12 that --

13 MR. MILLER: It could be
14 clearance and --

15 MR. LASHLEY: Okay. So these
16 are -- you're issuing a State tag and immediately
17 opening up a violation?

18 MR. MILLER: Yes, sir.

19 MR. LASHLEY: Okay. Thank you.

20 MR. HERROD: Moving on to the
21 variance report. We have currently 100 active
22 variances. The ones that have been renewed this past
23 quarter -- I'm just going to talk the last three
24 months, since the last board meeting -- we've had 15
25 inspections performed. Now, you know, the renewal,

1 every three years comes around for renewal. We've had
2 15 inspections performed, 10 have passed, 5 have
3 failed.

4 You'll also see on the second page, the
5 ones that have failed -- or upcoming reinspection,
6 some of those are those ones that have failed and are
7 scheduled to be reinspected. And the upcoming ones
8 are -- the ones that passed are at the top of the
9 second page.

10 So we're doing exactly what is required,
11 as far as following up on these variances every three
12 years. And, of course, we can go in at any time and
13 double-check and make sure they're living up to their
14 requirements. And we will do more of that coming up,
15 just FYI. Okay.

16 CHAIRMAN BAUGHMAN: Yes. That's
17 great. We've had some discussions on that. What I'm
18 looking at, from the numbers, even though it's a small
19 number, it's roughly a third do not pass. And so it
20 behooves us to keep moving forward with inspecting
21 these. And I appreciate the efforts of the inspectors
22 to go out and be doing diligent inspections on these.

23 MR. HERROD: Right. At the
24 bottom of the first variance -- of the report,
25 variances, you'll see in green here, these are the

1 three that are waiting inspections. They've been
2 board approved, not inspected yet, awaiting a time.
3 Some of these are clearly months away from being ready
4 to inspect, so . . .

5 CHAIRMAN BAUGHMAN: Thank you.

6 MR. HENRY: Sir, could your
7 chief inspector comment, on the five that failed, what
8 was the reason?

9 MR. MILLER: So the ones that's
10 failed, I'll use Tennovoa, filing just one, because I
11 was on it. It failed because the back door on it had
12 collapsed on the boiler. So they're having to re-pull
13 that back door. And, also, the handholds on it is
14 leaking. I had them open it up, and it was -- the
15 metal was so thin you could break it off with your
16 finger. And top of that, they wasn't doing -- or
17 filing the logs right. They are doing eight-hour logs
18 instead of every four.

19 MR. HENRY: Well, let me follow
20 up on that. That's interesting. So you were there to
21 do the inspection as part of the confirmation of the
22 variance and you found that the boiler was, basically,
23 in an inoperable condition?

24 MR. MILLER: Yes, sir. SO they
25 failed. I had them open the boiler up the next day so

1 I could do the internal inspection on it, and --

2 MR. HERROD: I think you
3 red-tagged that one, too.

4 MR. MILLER: Yes, sir, I
5 red-tagged that one as well. And then the one at
6 the -- UPM Pharmaceuticals, I was on it too. They
7 bypassed the safeties on that boiler, that's why they
8 failed. They wanted to just test the little water
9 cutoff, kind of same thing. I said, Let's do a gas
10 test instead.

11 We did a gas test instead, because they
12 want to just test the water shutoff. You pull the
13 fire-off control, nothing happened. It wouldn't shut
14 off. No alarms. Looked in the cabinet and they had
15 bypassed the fire aisle in the cabinet.

16 MR. HENRY: And they knew you
17 were coming for an inspection?

18 MR. MILLER: No. They don't
19 know we're coming.

20 MR. HENRY: Well, this one, if
21 you were going to approve the variance, they must have
22 known that you -- somebody was going to be coming?

23 MR. MILLER: Yeah. I mean,
24 yeah, we don't let them know we're coming.

25 MR. HENRY: Yeah. I know you

1 don't know the day and everything else, so
2 that's . . .

3 MR. HERROD: Some others failed
4 because they don't have a manual available or the
5 people have moved on and the person taking maintenance
6 supervisor's place doesn't know what's going on there
7 or somebody doesn't respond to the alarm within a
8 15-minute time.

9 So there's a variety of things. And
10 that's what happens over a three-year period, unless
11 we stay on them, almost annually. And we're going to
12 try to start doing that. They missed a lot of things.

13 MR. HENRY: Let me, if I may, go
14 back to that one boiler, though, that you said was
15 paper thin, basically.

16 So they clearly had not been doing any
17 regular inspections on that boiler?

18 MR. MILLER: No. I got to
19 looking into it. The last time it was internally
20 inspected was last year. So they missed an internal
21 on it. And it was -- I can't remember the insurance
22 company that covers them.

23 MR. HENRY: I mean, that's --
24 under normal circumstances, that's not a condition
25 that develops over night.

1 MR. MILLER: Yeah. If you'd
2 have crawled under the boiler, you would have seen it
3 that thinning of the metal.

4 MR. HENRY: So the inspection
5 was done in the previous year was worthless.

6 MR. MILLER: Pretty much.

7 MR. HERROD: And that was an
8 insurance inspection, not a State inspector.

9 CHIEF INSPECTOR: Yes.

10 CHAIRMAN BAUGHMAN: How many of
11 the five are -- I don't know if you can share this,
12 but were -- failed on code violation and not on
13 variance violation? Is that -- is Tennevoa the only
14 one?

15 MR. MILLER: Tennevoa and the
16 pharmaceutical, UPM Pharmaceuticals' code on code
17 violation.

18 CHAIRMAN BAUGHMAN: Well, yeah,
19 did not pass.

20 MR. MILLER: Nuclear Fuel -- not
21 Nuclear Fuel Services. McKendree Village failed
22 because they weren't ready. I mean, they wasn't ready
23 for them to come and do the inspection. So they
24 wasn't prepared for it.

25 MR. LASHLEY: But isn't this

1 is -- I mean, this is a surprise visit.

2 MR. MILLER: Yes, sir.

3 MR. LASHLEY: So they just said,
4 Hey, we'll take the F, come back later?

5 MR. MILLER: Yes, sir.

6 MR. LASHLEY: Okay.

7 MR. MILLER: Which is kind of
8 surprising.

9 MR. LASHLEY: Didn't even want
10 to give it a try, huh?

11 MR. MILLER: Yeah.

12 CHAIRMAN BAUGHMAN: And I'll
13 just comment on that. McKendree was a renewal also,
14 was it not?

15 MR. MILLER: Yeah.

16 MR. HERROD: They didn't have a
17 manual. We had to supply them with the last manual
18 given us and help them start over again, so . . .

19 CHAIRMAN BAUGHMAN: All right.

20 Any other comments on the variance
21 report, the inspection report?

22 From Mr. Herrod? Mr. Miller?

23 (No verbal response.)

24 CHAIRMAN BAUGHMAN: I know we're
25 all concerned about some of the things that are in

1 this industry, and that's what we do, and that's why
2 we work together. We're here for one purpose and one
3 person only, and that's safety. So appreciate
4 everybody and the efforts.

5 And sometimes it's not -- it's the good,
6 the bad, and the ugly, I can just say that. We get it
7 all, and we try to work through them. And this board
8 is one that most people don't even know about, and
9 that's the way we want to keep it. We don't want to
10 be on the front page of the news. So this is a great
11 group to work with.

12 Thank you. Appreciate your information.

13 So moving from Item 6 and 7, brings us
14 to 8, which is old business. Being that we have none,
15 or at least none on the agenda, we'll then move into
16 No. 9, new business. And that is a variance request.
17 This is Agenda No. 2401, variance request from
18 Duracell for the approval, the renewal of their
19 variance.

20 So if representatives from Duracell and
21 Combustion Controls will come to the podium so we can
22 talk to you. If you need another chair for you.

23 So before I open this up for discussion,
24 I'm just going to ask if there's any conflicts of
25 interest on this agenda item?

1 (No verbal response.)

2 CHAIRMAN BAUGHMAN: None? Okay.
3 Fellows, introduce yourselves and present your
4 request.

5 MR. LONG: I think I'm speaking
6 on behalf of the group. So my name is Jeff Long. I'm
7 a 41-year veteran of Duracell Battery in Cleveland,
8 Tennessee. But originally moved in as facility
9 manager, so I've had the responsibility for the two
10 boards that we operate.

11 So I think this is about the third time
12 that Duracell has been before the board to renew this
13 variance, so it's not new. But there's been a lot of
14 changes. So I have updated information about the plan
15 itself.

16 We went from a five-day operation, making
17 C and D batteries for Duracell for the whole world.
18 We now make AA components and ship them down to our
19 sister plant in LaGrange, Georgia. So we're stamping
20 out tins and making flat parts and molding plastic
21 parts as well. So we've now become a 24/7 operation.

22 The boilers that we have are a 1961
23 model, Cleaver-Brooks, and then a 1986 model. The
24 150-horse is the older one, and then 200-horse. And
25 we use them to warm up water for cleaning components

1 in our process.

2 So there's a steam coil inside a can wash
3 system to keep the water warm. So that's what they're
4 used for. They run at around 37 psi, is what we run
5 them at, so it's relatively low pressure.

6 We do have all -- our inspections are
7 performed by Combustion Control, which is why they're
8 here with us. And I think they've been before the
9 board on our behalf the last couple of times that
10 variances been renewed. Most of the changes you see
11 was related to the personnel changes that have
12 happened, contact information, and then I updated the
13 information about the plant itself.

14 Boiler one, we lost the Hawkins
15 controller that controlled the boiler. And it was an
16 obsolete electronic component, so we couldn't get a
17 new Hawkins controller to replace that with. So we
18 upgrade to a Siemens controller. Siemens seems to be
19 the going technology, electrically, for most of the
20 equipment that's coming into our plant. So we wanted
21 to get something more familiar to ourselves, our
22 electricians as well as Combustion Control's group.
23 So we upgraded it.

24 All the safety features, the devices that
25 are safety, monitoring the boiler itself didn't

1 MR. LONG: I did contact
2 somebody here at the State. I really don't remember
3 who I talked to. But they told me if you do start up
4 a 150-horse because changed your controller, you need
5 to do checks more often than what the variance
6 allowed; right?

7 So we did that. We set up a sheet for
8 that two-hour window. And we were doing a repair on
9 the condensate line on the other boiler we were
10 running. We started that one up and did checks every
11 hour on it to verify everything was working fine until
12 we got the other boiler repaired and started back up.
13 But other than that, it hadn't run. We was waiting on
14 this variance approval.

15 CHAIRMAN BAUGHMAN: Okay. Very
16 good. Thank you, Jeff.

17 So we've already asked for a conflict,
18 need a motion to discuss.

19 MR. HENRY: So moved.

20 CHAIRMAN BAUGHMAN: Second?

21 MR. MAY: Second.

22 CHAIRMAN BAUGHMAN: All right.

23 All in favor, "aye."

24 MR. MAY: Aye.

25 MR. HENRY: Aye.

1 CHAIRMAN BAUGHMAN: And no
2 abstentions?

3 (No verbal response.)

4 CHAIRMAN BAUGHMAN: All right.

5 So discussion.

6 I'll start off. Thank you, one, for
7 being here, all of you. So from a technical
8 standpoint, you just changed one controller and not
9 the other?

10 MR. SANFORD: Yes, sir.

11 CHAIRMAN BAUGHMAN: So you've
12 still got the Hawk on the one boiler --

13 MR. SANFORD: Yes.

14 CHAIRMAN BAUGHMAN: -- you've
15 changed the other one to the Siemens. Is there any --
16 moving forward, to changing the Hawk on the other
17 boiler?

18 MR. SANFORD: We would like to
19 do that proactively. Because if you do lose the
20 Hawkins controller, we can't get a replacement.

21 CHAIRMAN BAUGHMAN: Okay.

22 MR. SANFORD: So we are planning
23 it, probably not this year, but we're putting it in
24 our budgetary plans to go ahead and do that
25 changeover.

1 CHAIRMAN BAUGHMAN: Very good.
2 That'll be a hardware change, which, of course,
3 changes the variance also. Just, it's not editorial,
4 it's hardware, so just so you know that.

5 A technical question that I had: Is
6 everything on the boiler that can shut the boiler down
7 is enunciated back through the controls?

8 MR. HEALD: Yes.

9 CHAIRMAN BAUGHMAN: You've got
10 gas switches on the boilers that are manual reset?

11 MR. HEALD: Yes.

12 CHAIRMAN BAUGHMAN: Are they
13 tied back into the control?

14 MR. HEALD: Yes.

15 CHAIRMAN BAUGHMAN: Where?

16 MR. HEALD: The resets are on
17 the side where the gas line is, and it goes -- ties
18 back into the panel.

19 CHAIRMAN BAUGHMAN: Yes, sir.
20 But they do not enunciate.

21 MR. LONG: What do you mean by
22 "enunciate"?

23 CHAIRMAN BAUGHMAN: They don't
24 give a failure fault. In other words, knowing about
25 the boilers, for one, but also going through your

1 manual and looking at the fault list, nowhere does it
2 enunciate that the gas switches -- which are manual
3 resets by code -- enunciate that fault. And so they
4 will shut the boiler down.

5 They will shut the boiler down in a
6 manual reset configuration, but they're not
7 enunciated. And so I say that because we want to make
8 sure that if something is lacking, for your own safety
9 and protocol and operations, that that be addressed.

10 And that's something that combustion can
11 sure take care of. But I wanted to make note of it
12 for you in your own operations, that this is a manual
13 reset shutdown of the boiler that does not enunciate
14 back to the control panel, back to your programmers,
15 back to the remote station, anywhere; okay?

16 MR. HEALD: All right.

17 CHAIRMAN BAUGHMAN: Any
18 questions on that?

19 (No verbal response.)

20 CHAIRMAN BAUGHMAN: The
21 checklist that we had that was submitted was not the
22 current version of the checklist for the variance. It
23 was lacking Items 43, 44, and 45.

24 MR. HEALD: Oh, okay. It's the
25 pages 1 of 4, 2 of 4, and 3 of 4, and 4 of 4 that are

1 right behind the letter?

2 CHAIRMAN BAUGHMAN: Yes. But
3 you're missing Items No. 43, 44, and 45. What you
4 have here is the older version of the checklist, and
5 that checklist has been updated and published, just so
6 that you know.

7 MR. HEALD: Okay. We'll get
8 that taken care of.

9 CHAIRMAN BAUGHMAN: Item No. 36
10 on your checklist, B, in particular, is the boiler
11 water column test. It states -- it is referenced
12 under Section 4, page 21 and page 22. I'll give you
13 time to look at that page. Page 21 does not reference
14 this test, nor does page 22.

15 At this time I'll ask for others to
16 comment before I move on.

17 MR. COLLINS: While we're on
18 that page, you're asking for comment specifically on
19 what you brought up, or since --

20 CHAIRMAN BAUGHMAN: Yes -- well,
21 no, it can be any question.

22 MR. COLLINS: Okay. While we're
23 on that page, under "Emergency Duties," under Bullet
24 No. 2, it states that the "Operator will contact the
25 remote station to acknowledge the alarm within one

1 minute." And then later in the manual, let's see,
2 under the "Emergency Procedures," which I believe is
3 page 38, under Bullet 3, it says, "If the boiler
4 operator has not acknowledged the alarm within two
5 minutes."

6 And so I wanted to make sure that I'm,
7 you know, reading it correctly, that there's a
8 discrepancy between one minute and two minutes between
9 those two pages.

10 MR. LONG: Yep, I see it. I'll
11 make a note of it, and we'll make a change.

12 MR. COLLINS: What will you be
13 making it a change to?

14 MR. LONG: Whatever the
15 requirement is. I'll have to go back and look at
16 that. I'm not as familiar enough with the rules. But
17 what happens today is, as soon as an alarm condition
18 happens, the guard at the guard shack gets that
19 audible alarm. He shuts off a manual switch that
20 would prevent the boiler from being restarted. And
21 then he starts making phone calls.

22 And he will call his two technicians
23 first, and he goes down the list and get ahold of
24 them. He calls me. He calls our safety manager, so
25 the protocol of who he is supposed to get ahold of.

1 So it happens pretty quick.

2 I just -- this variance, I think, has
3 been updated so many times. And it's in a pdf format,
4 which is really hard to work with, so that's something
5 that we've overlooked.

6 CHAIRMAN BAUGHMAN: Mr. Collins,
7 you can keep your thoughts going.

8 Mr. Henry?

9 MR. HENRY: Yeah, just a
10 clarification. As I understand it, you said that
11 you've had to change the controller of one of the
12 boilers to a Siemens?

13 MR. SANFORD: Yes, sir.

14 MR. HENRY: And is that included
15 as part of the variance?

16 MR. SANFORD: Yes.

17 MR. HENRY: I may have an older
18 version of it.

19 MR. LASHLEY: And, everybody, go
20 ahead and turn to Appendix 1. I'm not sure if this is
21 necessarily my version or not, but as I was going
22 through the sample specifications of the LMV52
23 control, I noticed they are -- they're listed 1
24 through -- excuse me, 1 through 15, however 12 is
25 omitted.

1 I don't know if that has -- if that's
2 just a whole page that I'm missing or if there is no
3 12.

4 MR. BRITT: Let me check on
5 that. Because that may have been me, somewhere in my
6 cutting and pasting, just the actual 12 number. It
7 may be the body here, but I may have just somehow
8 missed the 12 on that. So I will double-check that
9 and correct that.

10 MR. LASHLEY: Thank you. It
11 says on page 9 that you've updated your hours from
12 24/5 to 24/7. What are the time frames of your
13 shifts?

14 MR. SANFORD: That we're
15 running?

16 MR. LASHLEY: Yes.

17 MR. SANFORD: So what we have
18 is, our facility is broken up into several stations.
19 But the business that runs 24 hours a day, 7 days a
20 week is for the AA product supply.

21 MR. LASHLEY: Okay.

22 MR. SANFORD: It's a metal
23 stamping business and then a plastic injection molding
24 business. The only thing that they use steam for is
25 in the metal stamping in the can wash system that

1 heats the water.

2 MR. LASHLEY: Okay.

3 MR. SANFORD: The rest of the
4 plant operates on a 5-day-a-week. It starts on Sunday
5 night, third shift through Friday night, second shift.

6 MR. LASHLEY: Okay. And so
7 where does your day shift begin? Is that at 7 a.m.?

8 MR. SANFORD: 7 a.m.

9 MR. LASHLEY: Okay. I see
10 reference to beginning of day shift and beginning of
11 the shift, but, you know, I just wanted to make sure
12 that, you know, we're looking at that as, you know, is
13 it 7 a.m., or is it noon, or --

14 MR. SANFORD: Yeah. 7 a.m. for
15 day shift.

16 MR. LASHLEY: A little
17 clarification.

18 MR. BRITT: What page is that
19 on? I'm sorry.

20 MR. LASHLEY: We're looking at 9
21 is where it lists the 24/7 operation change. And then
22 21 and when 22, I believe, is with the references to
23 beginning of shift and beginning of day shift.

24 Also, if I may, on your updates
25 from 3/7/23, you list page 25 and 26 as having tables

1 for names and phone numbers; however, the table is
2 only on page 25.

3 MR. BRITT: Okay.

4 CHAIRMAN BAUGHMAN: And I'll
5 make a clarification, Mr. Lashley, you said the March?

6 MR. LASHLEY: March 7th of '23
7 revisions --

8 CHAIRMAN BAUGHMAN: Oh, the
9 revisions, I'm sorry.

10 MR. LASHLEY: -- on the revision
11 page.

12 CHAIRMAN BAUGHMAN: Gotcha.
13 Thank you.

14 MR. COLLINS: And since we're on
15 the topic of page numbering. I might be mistaken with
16 some of the different updates that we had received
17 with replacing pages.

18 Page 11 has the Siemens controller on it.
19 And I have a duplicate page 11 that has the Hawk
20 controller on it. And I wanted to make sure, I didn't
21 know what the final version of the manual, if both are
22 located in there.

23 MR. SANFORD: No. I've got an
24 11 on the final version I have here. I've got a
25 Cleaver-Brooks, the 150, on page 11 with the Siemens.

1 And then page 12, right behind it, I've got the
2 Cleaver-Brooks with CB Hawk.

3 MR. COLLINS: Okay. And then do
4 pages -- I have pages 12 through 14 that has the
5 default codes --

6 MR. SANFORD: That's now back in
7 the appendix.

8 MR. COLLINS: That's now --
9 okay. Okay. I think there was just a little
10 miscommunication on some of the shuffling of pages.

11 CHAIRMAN BAUGHMAN: I'll
12 continue in the interim of others thinking.

13 So there's a boiler operator on site
14 during the operations 24/7?

15 MR. SANFORD: Yes. There's
16 someone there that monitors the boards.

17 CHAIRMAN BAUGHMAN: Well, that
18 would be a remote monitor. But is there a boiler
19 operator/attendant on site?

20 MR. SANFORD: Yes.

21 CHAIRMAN BAUGHMAN: Okay. On
22 page 22, "A," Item 4, states that the "Boiler operator
23 shall not be more than 3 miles away from the job site
24 and continuously available via telephone communication
25 system."

1 MR. SANFORD: Yeah. We had that
2 in there because I think the last time our variance
3 was brought before you we operated a packaging
4 facility, which was less than 3 miles from our
5 manufacturing site. And that person would have to go
6 over there for responsibilities. We have now ceased
7 that action. It's been moved to Atlanta.

8 So we don't have that facility any
9 longer. It's currently being used as a warehouse
10 until this November, and then we'll be moving out of
11 it. So we still have responsibility currently, so
12 that's why I left it in there. Because we're
13 responsible for the warehouse building until we move
14 out of it in November. And then after that, we won't
15 have to leave the site any longer.

16 CHAIRMAN BAUGHMAN: Okay. So to
17 clarify, the original answer of the question was,
18 "Yes, we have personnel on site 2/47" --

19 MR. SANFORD: Yes.

20 CHAIRMAN BAUGHMAN: -- but the
21 follow-up to that is that, we will have somebody after
22 November. But at this particular time --

23 MR. SANFORD: They could be
24 called --

25 CHAIRMAN BAUGHMAN: They could

1 be called --

2 MR. SANFORD: -- from that
3 location and be within 3 miles of the plant.

4 CHAIRMAN BAUGHMAN: Okay. So my
5 concern with that is that, for one, there's not
6 somebody on site 24/7 presently, and that
7 communication is via the telephone communication
8 system.

9 Well, two weeks ago we had a major outage
10 with AT&T and T-Mobile. We had various outages at one
11 time, and we experienced it over Christmas that one
12 year with the unfortunate accident downtown -- or
13 incident downtown.

14 So my concern with it is, is that if we
15 were trying to communicate with somebody that's no
16 more than 3 miles away via telephone, and that would
17 be cell phone, what's our contingency should the cell
18 phone service be down?

19 MR. LONG: Contingency, we would
20 have to actually drive over there and get them.

21 CHAIRMAN BAUGHMAN: Okay. So
22 the response time would be extended, but . . .

23 Okay. Thank you for that honest answer.
24 I appreciate that.

25 The procedure that's described on

1 page 21, "B," as in "baker," 3, states, "When the
2 alarm condition is cleared, the boiler operator will
3 contact the remote station, the shutdown switch will
4 be reset and the boiler restarted by the boiler
5 operator."

6 There's no mention about troubleshooting
7 the cause of the alarm before restarting the boiler.
8 And so we don't want to arbitrarily go down, reset the
9 boiler, put it online without figuring out what in the
10 world has got this thing shutting off and
11 troubleshooting it.

12 Yes, sir, Mr. Collins.

13 MR. COLLINS: Is that discussed,
14 though, under the "Boiler Operator Duties" --

15 MR. SANFORD: Yes.

16 MR. COLLINS: -- and under their
17 emergency duties?

18 MR. SANFORD: No. 3 "Boiler
19 Operator."

20 MR. COLLINS: Number --

21 CHAIRMAN BAUGHMAN: It should
22 be -- I'm sorry. Go ahead.

23 MR. COLLINS: Yeah. No. 4,
24 "until the source of the alarm has been identified and
25 corrected."

1 CHAIRMAN BAUGHMAN: Very good.

2 MR. COLLINS: I didn't know if
3 that needed to be -- specifically fall on the remote
4 operator responsibilities.

5 CHAIRMAN BAUGHMAN: No. The
6 remote operator will have no responsibilities of
7 troubleshooting and so forth. But you're saying that
8 it does talk about the boiler operator identifying the
9 alarm?

10 MR. COLLINS: On page 23.

11 CHAIRMAN BAUGHMAN: Page 23.

12 MR. COLLINS: No. 4.

13 CHAIRMAN BAUGHMAN: No. 4. Very
14 good.

15 So what I would ask is that both
16 statements coincide with each other, or in agreement
17 with each other; that No. 4 is the correct verbiage,
18 versus what is on page 21, B-3, if that makes sense to
19 you?

20 Does that make sense to everybody else?

21 MR. HENRY: Page 21 only applies
22 to the remote station. So I'm not sure there's a
23 conflict there.

24 MR. COLLINS: Or it could have
25 that the alarm has been investigated by the boiler

1 operator.

2 MR. HENRY: Or you could even
3 say when the alarm condition is resolved, which
4 implies that they've identified and corrected the
5 problem.

6 CHAIRMAN BAUGHMAN: I would like
7 more clarity to the verbiage on it in whatever form
8 that would take.

9 Any suggestions on that specifically?

10 MR. LASHLEY: When the alarm
11 condition is identified and corrected?

12 CHAIRMAN BAUGHMAN: Are we good
13 with making that change?

14 MR. SANFORD: Yes, sir.

15 CHAIRMAN BAUGHMAN: Okay.

16 MR. LASHLEY: That holds true to
17 the verbiage in the "Emergency Duties," 4, where it
18 says the "Boiler operator shall not return to
19 scheduled duties until the alarm has been identified
20 and corrected." So if we add that into "Emergency
21 Duties" 4, for remote station personnel duties, I
22 believe that would -- that verbiage would flow.

23 MR. COLLINS: I'll add that to
24 No. 3 there.

25 MR. LASHLEY: Yes, sir. Sorry.

1 Correct. Yeah.

2 MR. COLLINS: Okay.

3 CHAIRMAN BAUGHMAN: Everybody
4 good with that?

5 MR. HENRY: Yep.

6 CHAIRMAN BAUGHMAN: Thank you,
7 Mr. Lashley.

8 MR. LASHLEY: Yes, sir.

9 CHAIRMAN BAUGHMAN: So I don't
10 know about everybody else's manual, but Item 40 in the
11 checklist asks if there's a highlighted section in the
12 manual for emergency procedure remote monitoring
13 station; that is in the manual, it's just that my
14 highlighted section is not a -- what I would consider
15 a truly highlighted section.

16 MR. LASHLEY: I agree.

17 CHAIRMAN BAUGHMAN: Yeah, it's
18 more of --

19 MR. COLLINS: Yeah. It's --

20 MR. BRITT: I didn't know at the
21 time, I think -- part of that out, how to do it. On
22 our --

23 Did you-all have the actual
24 yellow hard copy in the office, don't you?

25 MR. SANFORD: Yes.

1 MR. BRITT: It seems that you
2 did.

3 CHAIRMAN BAUGHMAN: But you
4 didn't know how to do it. That will not look good on
5 your résumé.

6 MR. BRITT: I know. I'll take a
7 class.

8 CHAIRMAN BAUGHMAN: Well, that
9 definitely needs to be changed and make that a
10 highlighted section.

11 MR. BRITT: Yeah. The ones that
12 they have in their boiler room, we'll make sure that
13 they should be the yellow highlight.

14 CHAIRMAN BAUGHMAN: Other note,
15 and this is related to the security personnel. Being
16 that they've got other duties, besides being in the
17 remote station, i.e., responsibilities of security and
18 checks and so forth, is there ever a time when that
19 station would not be manned for any short length of
20 time?

21 MR. SANFORD: It would be a
22 short length of time, restroom breaks. That's about
23 the only time that they actually leave the guard
24 shack.

25 CHAIRMAN BAUGHMAN: Okay. I

1 know they've got responsibilities to react to
2 anything, i.e., fire, personnel issues, so forth. Is
3 there anything in place that would address them
4 leaving and having to contact personnel to operate the
5 boilers under the one-hour rule, or is there a
6 protocol in place for that?

7 It's not in the manual, so I'm just
8 asking.

9 MR. SANFORD: I know with any
10 emergency response that they would be involved in, we
11 also have an emergency response team in the plant,
12 which is pulling people from operations to respond to
13 whatever that emergency happens to be. So that
14 protocol is not defined. But I don't think we have it
15 specifically about the -- monitoring that station for
16 the boilers. So I'd have to clarify that in our
17 operation to make sure we get that documented.

18 CHAIRMAN BAUGHMAN: Yes. I
19 think that's a good thought, so that there is a
20 protocol in place should there be an incident come up
21 that that's addressed.

22 MR. SANFORD: Just, I mean, I
23 try to be as open and honest with you guys as I can.

24 CHAIRMAN BAUGHMAN: Yeah.

25 MR. SANFORD: But if the guard

1 has to leave that station whenever monitoring happens,
2 we can send an ERT person to that station to continue
3 monitoring. So I'll cover that. And we'll add that
4 to our protocol.

5 CHAIRMAN BAUGHMAN: "ERT" being?

6 MR. SANFORD: Emergency response
7 team.

8 CHAIRMAN BAUGHMAN: Okay. Would
9 they be documented as a trained personnel training --

10 MR. SANFORD: We would have to
11 get them on the list, yes, sir.

12 CHAIRMAN BAUGHMAN: Very good.
13 You knew where I was headed.

14 MR. SANFORD: Yes, sir.

15 CHAIRMAN BAUGHMAN: Okay. Thank
16 you.

17 This is the last that I'll address and
18 leave my colleagues to other questions. But this is a
19 renewal, and this has been multiple -- this is not the
20 first renewal we've been through.

21 MR. SANFORD: Right.

22 CHAIRMAN BAUGHMAN: And in doing
23 so, we've got variance training log sheets and boiler
24 log sheets in the manual but no entries. And so I'm
25 curious as to why we're looking at a renewal that

1 should have entries on the variance log sheets and the
2 boiler log sheets, but we're being presented with a
3 blank log sheet. I could understand the impetus
4 behind it, being that this is a sample --

5 MR. SANFORD: An example.

6 CHAIRMAN BAUGHMAN: -- but I'm
7 always curious. And the inspectors will look at this
8 during their approval process.

9 MR. SANFORD: Yes, sir.

10 CHAIRMAN BAUGHMAN: But it's
11 always good as we're looking at log sheets to see that
12 they're actually --

13 MR. SANFORD: I brought an
14 example of one that's been filled out. And this is
15 the one where we had to start up the Boiler 1 with the
16 new Siemens controller. And we did hourly checks
17 until that repair was made, and we ran it for two
18 hours. But that's just an example of what a completed
19 sheet looks like.

20 And what we're doing with these, just
21 this year we started -- our company has transitioned
22 to SharePoint. It's an electronic world now. So in
23 addition to putting these in notebook, we're scanning
24 these and putting them electronically so they'll be
25 saved for future reference.

1 CHAIRMAN BAUGHMAN: Appreciate
2 that. Thank you for bringing those.

3 And to bring up the point on -- for
4 future reference, how long are you keeping log sheets?

5 MR. SANFORD: We usually keep
6 one year plus current, current year.

7 CHAIRMAN BAUGHMAN: Okay. So
8 being that this variance is in place for three years,
9 I think that the variance log sheets would be
10 appropriate to keep for a three-year period of time.

11 That's not in writing. That's something
12 we're discussing and we'll have here for future
13 discussion. But it makes sense, if you're on a
14 three-year variance, keep log sheets for a three-year
15 period, not --

16 MR. SANFORD: That'll be easy
17 for us now that we're putting them electronically,
18 because they'll be there forever. You know what I
19 mean? It's easier to keep up with an electronic
20 version than a notebook.

21 CHAIRMAN BAUGHMAN: Yes, sir.

22 MR. HEALD: Now, I do have
23 back -- I don't remember what month. I started back
24 in 2022, I do have both log sheets from Boiler 1 and 2
25 in my desk drawer. So they are -- we do have the

1 paper records.

2 CHAIRMAN BAUGHMAN: Wonderful.
3 Which just brings to the point of, we had a customer
4 that had a ransomware attack. It ate their data, and
5 no data no longer available. And so in this day and
6 age of where we're living in computers, that's just
7 the what-ifs you've got to contend with. All right.
8 Thank you.

9 Any other comments?

10 MR. COLLINS: I wanted to go
11 back to page 17. And this is just making sure that
12 those pages 12 through 14 -- or 11 through 14 were
13 updated correctly on this page.

14 On Bullet No. 1, it says "See page 11,"
15 and I think that's for the Hawk. I wanted to make
16 sure that was updated correctly. I think you said it
17 was on 12 or . . .

18 MR. HEALD: Yeah. I've got
19 the -- page 11 is going to be the Siemens, and page 12
20 going to be Hawk.

21 MR. COLLINS: Okay. And for
22 Bullet No. 1, which one is that one referring to?

23 MR. HEALD: That's a good
24 question.

25 MR. COLLINS: Or is it referring

1 to both?

2 MR. HEALD: It should refer to
3 both, since it's got pages 11 and 12, yeah. Should be
4 for both boilers.

5 MR. COLLINS: Okay. And then a
6 similar question on Bullet No. 4. It says "See
7 pages" -- mine says "See pages 12 through 14," I
8 didn't know if that's been --

9 MR. HEALD: I've got an appendix
10 on this one.

11 MR. COLLINS: Okay. Thank you.

12 MR. HEALD: I'll make sure it's
13 Appendix 1 and 2.

14 MR. LASHLEY: And I know you
15 touched on this earlier, but when are you looking to
16 change the other Hawk to a Siemens?

17 MR. SANFORD: I have to put it
18 in the capital project planning, so it'd probably be
19 2025 before we get a chance to do that. I just want
20 to try to do it before we lose the other controller
21 because it's so hard to find a . . .

22 MR. COLLINS: And then on
23 page 22, on Bullet No. 3, I wanted to make sure that,
24 "Boiler operator shall contact the remote station each
25 day shift," should that say "at the beginning of each

1 day shift"?

2 MR. SANFORD: Yes, sir. That's
3 how we do it.

4 MR. COLLINS: Okay.

5 CHAIRMAN BAUGHMAN: Anybody
6 else?

7 Mr. Henry, any comment?

8 MR. HENRY: No, I'm good.

9 CHAIRMAN BAUGHMAN: Mr. Lashley?

10 MR. LASHLEY: I am good.

11 CHAIRMAN BAUGHMAN: Mr. Collins?

12 MR. COLLINS: I'm good.

13 CHAIRMAN BAUGHMAN: Mr. May?

14 MR. MAY: Good.

15 CHAIRMAN BAUGHMAN: Good.

16 All right. So with that -- and we've got
17 all the revisions, I would love to see a clean copy be
18 able to be tossed over the wall to us. But with that,
19 I'll call for a motion.

20 MR. COLLINS: So moved.

21 CHAIRMAN BAUGHMAN: And that
22 motion is to accept the renewal, the wording I'm going
23 to --

24 MR. HENRY: Contingent upon
25 receipt of an updated version based on the comments

1 given here, yeah.

2 CHAIRMAN BAUGHMAN: And upon
3 inspection.

4 MR. HENRY: And upon inspection
5 as well, yes.

6 CHAIRMAN BAUGHMAN: All right.
7 Everybody good with that?

8 MR. SANFORD: Can I ask a
9 question?

10 CHAIRMAN BAUGHMAN: No. Your
11 time's up. Yes.

12 MR. SANFORD: Since our Boiler 2
13 has not had any changes at all since the previous
14 variance, I'm hoping I understand correctly that we
15 would be able to continue operating that one as we
16 have been, and Boiler 1 being contingent on
17 inspection. Is that what you're getting ready to make
18 a motion on?

19 CHAIRMAN BAUGHMAN: No, sir.
20 Both of them would need to come -- since this variance
21 is covering both boilers; am I correct?

22 MR. SANFORD: Yes. Yes.

23 CHAIRMAN BAUGHMAN: Yeah. Then
24 both boilers would have to be inspected.

25 MR. SANFORD: Oh, yeah, I'm good

1 with the inspection. I just -- the hourly checks, the
2 variance that allows the hourly checks is what
3 we're -- I'm questioning. Boiler 2, we can continue
4 doing what we have been?

5 MR. HENRY: The one with the
6 original control.

7 MR. SANFORD: Because the person
8 I talked to here at the State told me since we've
9 changed the controller on Boiler 1, we have to revert
10 back to hourly checks on that boiler if it operates.

11 CHAIRMAN BAUGHMAN: Well, and
12 that's in your new variance approval here for your
13 request. And that covers that hardware for that new
14 controller being changed.

15 MR. SANFORD: Okay. I'm just
16 trying to clarify. It's not contingent upon the
17 inspection, so I wondered if you --

18 CHAIRMAN BAUGHMAN: Well, it's
19 still contingent upon the inspection. Even though --
20 I mean, the hardware has been changed, but the renewal
21 process isn't carte blanche of us saying, "Hey, we've
22 approved the new manual." Because we've had a lot of
23 changes and comments on this, so it still has to go
24 through its reinspection.

25 MR. SANFORD: Yes, I'm good with

1 that.

2 CHAIRMAN BAUGHMAN: Okay.

3 MR. SANFORD: I think I'm not
4 explaining myself well.

5 Are we okay to operate Boiler 1 with the
6 variance before the inspection? What happens between
7 now and the inspection that happens?

8 CHAIRMAN BAUGHMAN: Was the
9 inspection -- is the variance current?

10 MR. SANFORD: Yes.

11 MR. HEALD: Yes.

12 CHAIRMAN BAUGHMAN: Okay. But
13 is it part of this renewal?

14 MR. SANFORD: Yes. I mean,
15 that's what you're looking at, this variance renewal.
16 I'm just kind of making sure I'm clear in my head.

17 CHAIRMAN BAUGHMAN: Yeah. And I
18 see where you're going.

19 So let's open that up for discussion,
20 because that's a good point.

21 Mr. Toth, please comment.

22 MR. TOTH: I'm a little
23 confused. So the boiler that has the old controls on
24 it, is it being operated on a four-hour basis now?

25 MR. SANFORD: Yes, sir.

1 MR. TOTH: And you have a
2 current variance --

3 MR. SANFORD: Yes.

4 MR. TOTH: -- or when does it
5 expire?

6 MR. SANFORD: June.

7 MR. TOTH: June. So therefore
8 they're able to operate that particular boiler under
9 the current variance. But then when there's the
10 reinspection, that one will become void, the new
11 variance will go into effect.

12 CHAIRMAN BAUGHMAN: Okay. And
13 so I'll just comment on this, too, Mr. Toth. This
14 variance -- variance renewal covers both boilers.

15 Yes, ma'am.

16 MS. OWENS: I want to make sure,
17 have you signed in for public comment?

18 MR. TOTH: I'll sit down.

19 MR. SANFORD: So I guess what
20 I'm asking is, if we -- because summer months are
21 coming up, if we wanted to change to Boiler 1, should
22 we wait until after the inspection?

23 We can do that. I just want to know what
24 the intent of the board is.

25 MR. HENRY: I guess my -- I

1 would have a question, not on the technical aspects,
2 because I would think on a technical basis, yeah, you
3 should be able to operate under the different
4 variance.

5 My question is from a legal standpoint,
6 since they changed the controller on the one and both
7 boilers are covered by that variance, are they
8 automatically required to go back on both boilers to
9 the -- to the standard boiler?

10 I don't know what the answer to that is.

11 MR. LASHLEY: That's going to be
12 a legal.

13 CHAIRMAN BAUGHMAN: I do not.
14 And that's a good point. And I don't have the answer
15 for that either.

16 MR. SANFORD: We could continue
17 to operate Boiler 2 even into the summer months if we
18 need to and wait until the inspection happens on
19 Boiler 1. We could get it, I think, the level that
20 the Siemens controller is doing what it's supposed to
21 do. We can do that. That's not a problem.

22 CHAIRMAN BAUGHMAN: Well, we do
23 have changes on both boilers tying into those gas
24 switches, as it is also.

25 MR. SANFORD: Yes, sir.

1 CHAIRMAN BAUGHMAN: So that may
2 be prudent moving forward.

3 MR. SANFORD: We should have
4 been able to have that done before the inspection. It
5 shouldn't take long.

6 CHAIRMAN BAUGHMAN: Okay. We
7 good with that?

8 MR. HENRY: Yes.

9 MR. LASHLEY: And, you know,
10 just to kind of tack on, because you will be changing
11 the 1986 Hawk to a Siemens, you know, in the future,
12 there will be another --

13 MR. HEALD: Yes, in the future
14 there will be another -- yeah. And I know this time
15 we'll need to, you know, make sure everything is in
16 order. And we'll have all of this ready, too,
17 so . . .

18 CHAIRMAN BAUGHMAN: Very good.
19 All right. So the motion is to approve the variance
20 renewal --

21 MR. HENRY: Based on --

22 CHAIRMAN BAUGHMAN: -- requests,
23 based on the revisions and the comments.

24 MR. LASHLEY: And inspection.

25 CHAIRMAN BAUGHMAN: And

1 inspection. The revised manual will be sent to us for
2 the review.

3 MR. HENRY: Good.

4 CHAIRMAN BAUGHMAN: All right.

5 So with that, I'll call for the vote.

6 All in favor?

7 MR. HENRY: Aye.

8 MR. LASHLEY: Aye.

9 CHAIRMAN BAUGHMAN: All those
10 opposed? Abstentions?

11 (No verbal response.)

12 CHAIRMAN BAUGHMAN: We've got a
13 variance renewal.

14 MR. SANFORD: Thank you sir.

15 CHAIRMAN BAUGHMAN: Based upon
16 inspection.

17 MR. SANFORD: I put my name down
18 for public comment. Can I just go ahead and use my
19 three minutes now?

20 MS. OWENS: It's on this item?

21 MR. SANFORD: It's pertaining to
22 that.

23 MS. OWENS: That's up to you,
24 Chairman.

25 CHAIRMAN BAUGHMAN: Yes. Yes.

1 Go ahead.

2 MR. SANFORD: In the electronics
3 we've got, I'm having a hard item trying to get a
4 paper check written to the State to cover the permit,
5 and I just wondered -- I know the Elevator division of
6 the State will accept credit cards. And I can go
7 online and use a credit card to pay the invoice for
8 the permit. But for the board division, it still
9 requires a paper check, and I'm having a hard time
10 getting that done.

11 MR. LASHLEY: As a commissioned
12 inspector with the State of Tennessee, I feel your
13 pain.

14 MR. SANFORD: I didn't know if
15 there was anything in the future coming up that would
16 make it a little easier to get payments made.

17 CHAIRMAN BAUGHMAN: Mr. Herrod.

18 MR. HERROD: We don't have that
19 capability at this time, but in the next few months,
20 when our system gets fully updated, you'll be able to
21 submit credit card payments. I can't tell you when,
22 but within the next few months.

23 MR. SANFORD: Okay. I also have
24 a question about permitted stuff.

25 Tom, are you the right person to talk to

1 about that?

2 MR. HERROD: Yes, we can talk
3 after the meeting.

4 MR. SANFORD: All right.
5 That'll work. Thank you, sir.

6 CHAIRMAN BAUGHMAN: Very good.
7 Thank you, fellows, very much.

8 All right. Everybody good?

9 All right. Me too.

10 So moving on to New Business. B, "Repair
11 License Approval Requests," Agenda No. 24-03 RMR
12 Mechanical, LLC, Cumming, Georgia, seeking approval of
13 a license to engage in the erection, repair, and/or
14 alteration of boilers and pressure vessels in the
15 state of Tennessee. Representative from RMR.

16 MS. WILEY: They don't have a
17 representative here.

18 CHAIRMAN BAUGHMAN: No
19 representative here.

20 Okay. So in our review of application
21 for new license, this comes before the Boiler Rules
22 Board. Renewals don't have to come before the board,
23 but new applications for license, for repair and/or
24 erection, alterations, so forth, comes before the
25 Board of Boiler Rules.

1 So being that, is there a conflict of
2 interest?

3 MR. HENRY: No.

4 MR. LASHLEY: Not that I can
5 see.

6 MR. COLLINS: None.

7 CHAIRMAN BAUGHMAN: Okay.

8 Motion to discuss?

9 MR. HENRY: Just a
10 clarification. First, aren't they required to have
11 somebody here?

12 CHAIRMAN BAUGHMAN: That is a
13 good question. So how about we do that under our
14 discussion.

15 MR. HENRY: Okay.

16 CHAIRMAN BAUGHMAN: If we want
17 to make a motion to discuss?

18 MR. MAY: Motion to discuss.

19 CHAIRMAN BAUGHMAN: Second.

20 MR. HENRY: I second.

21 CHAIRMAN BAUGHMAN: All right.

22 In favor say "aye."

23 IN UNISON: Aye.

24 CHAIRMAN BAUGHMAN: No?

25 Abstentions?

1 (No verbal response.)

2 CHAIRMAN BAUGHMAN: All right.
3 We can discuss. So discussion here.

4 MR. LASHLEY: They don't have
5 anybody to discuss with.

6 CHAIRMAN BAUGHMAN: Nobody to
7 discuss with.

8 Do you have some questions, Mr. Henry,
9 that would warrant discussion with personnel?

10 MR. HENRY: No. But it's just
11 as a point of principle --

12 CHAIRMAN BAUGHMAN: Protocol.

13 MR. HENRY: -- or protocol,
14 right.

15 CHAIRMAN BAUGHMAN: Sure. All
16 right. And that's excellent, because I do not
17 personally know what that protocol is within that
18 licensing procedure.

19 Mr. Miller or Mr. Herrod --

20 MS. WILEY: That was my
21 question.

22 CHAIRMAN BAUGHMAN: All right.

23 MS. WILEY: Mia-Lyn, board
24 secretary.

25 CHAIRMAN BAUGHMAN: Thank you,

1 Mia-Lyn.

2 MS. WILEY: They did reach back
3 out to me by email. So they are out of town today.
4 And I told them that I would ask the board if they'd
5 need to have someone here, we could move it to the
6 June meeting. So if we need to have a representative
7 for election -- a motion or anything that needs to
8 happen. Because these are still kind of new, per the
9 last session.

10 CHAIRMAN BAUGHMAN: Very good.
11 And so the question still stands in: Do we have to
12 have a representative? If information is submitted to
13 us and through our review of that information it is
14 good and there are no questions, then can we vote?

15 In other words, is there a protocol set
16 in place, or is there actual verbiage that states that
17 a representative has to be there? I do not know the
18 answer to that, so I can't comment.

19 Does anybody else know the answer to
20 that?

21 MR. HENRY: The only reason I
22 asked the question is because I seem -- and I can't
23 cite it right now, but I thought I had written
24 something that had required a representative to be
25 present when the item was being presented to the

1 board.

2 CHAIRMAN BAUGHMAN: Okay.

3 MR. HENRY: But, again, I can't
4 cite the reference, unfortunately.

5 CHAIRMAN BAUGHMAN: That's okay.

6 MR. DEASON: I'm not aware of
7 anything in the rules or statute that require that.

8 MR. HENRY: Okay.

9 CHAIRMAN BAUGHMAN: Yeah. We
10 definitely don't want to step above and beyond our
11 bounds of what is laid out or what we've required
12 others in the past to do.

13 MR. HENRY: I think from a
14 practical matter -- I mean, I have no comments, if
15 nobody else has comments, then maybe we go ahead. But
16 at least one comment then that should be it. Kill it.

17 CHAIRMAN BAUGHMAN: Agreed.

18 Mr. Deason?

19 MR. DEASON: Yes, sir. I didn't
20 mean to suggest that that meant that the statute or
21 the rules don't speak to it. If that would be within
22 your purview, your discretion, if you need comment, if
23 you need information, obviously you can't -- you know,
24 you couldn't grant the application. So that's up to
25 you. I'm just saying, I don't know of any authority

1 that says one way or the other.

2 CHAIRMAN BAUGHMAN: Yeah. Very
3 good. Nothing in writing, so to speak, or a reference
4 and such.

5 And I think that that holds true. If, in
6 fact, we had a comment to address, one comment at all
7 that would need a representative here, then we would
8 move that to move on. But, in fact, if there are no
9 things to address in this particular manual, then I
10 think that we can move on and vote on it.

11 Is everybody in agreement on that?

12 MR. MAY: Yeah. Agreed.

13 MR. HENRY: Agreed.

14 CHAIRMAN BAUGHMAN: Okay. So
15 being that such, and we've got a motion to discuss, is
16 there anything that's in our RMR Mechanical, LLC's
17 manual that stood out for questions, comments, so
18 forth?

19 Mr. Collins?

20 Mr. May? Good?

21 MR. COLLINS: No.

22 MR. MAY: No.

23 MR. HENRY: Nothing.

24 CHAIRMAN BAUGHMAN: Okay. Being
25 that we've got none and I've got none either, the

1 manual kind of stands on its own for the stance that
2 they have. They've already got the requirements met,
3 as far as their code requirements for licensing in the
4 state of Tennessee.

5 So with that, do I have a motion to
6 approve their license?

7 MR. HENRY: So moved.

8 MR. LASHLEY: Second.

9 CHAIRMAN BAUGHMAN: All right.
10 Then I'll call for the vote.

11 All in favor say "aye."

12 IN UNISON: Aye.

13 CHAIRMAN BAUGHMAN: Against?
14 Abstentions?

15 (No verbal response.)

16 CHAIRMAN BAUGHMAN: All right.
17 RMR Mechanical, LLC, has a license in the state of
18 Tennessee to erect, repair, and alter boilers.

19 Very good. Thank you.

20 Moving on to the next item on the agenda,
21 24-03, Wood Group USA in Hampton, New Jersey, is here
22 to present, if you would, please. Thank you.

23 MR. SHUMAKER: Erik Shumaker,
24 the quality manager from Wood Group, Power Industrial.

25 CHAIRMAN BAUGHMAN: All right.

1 I'll call if there are any conflicts of interest on
2 this item?

3 MR. MAY: No.

4 MR. COLLINS: None known.

5 CHAIRMAN BAUGHMAN: No.

6 MR. HENRY: (Moves head side to
7 side.)

8 CHAIRMAN BAUGHMAN: Motion to
9 discuss.

10 MR. HENRY: So moved.

11 MR. LASHLEY: Second.

12 CHAIRMAN BAUGHMAN: All right.

13 All in favor say "aye."

14 MR. MAY: Aye.

15 CHAIRMAN BAUGHMAN: No
16 abstentions?

17 (No verbal response.)

18 CHAIRMAN BAUGHMAN: All right.

19 Let's discuss. Thank you, Mr. Wood -- or
20 Mr. Shumaker, I'm sorry.

21 MR. LASHLEY: Piggybacking on
22 the last discussion. I don't have any discussions on
23 this either. Everything seems to be in place.

24 MR. COLLINS: I have no comment.

25 MR. MAY: I'm good with it.

1 CHAIRMAN BAUGHMAN: Everything
2 seems to be in order.

3 MR. MAY: I'd rather -- at least
4 he is here.

5 CHAIRMAN BAUGHMAN: I'm thankful
6 you're here. I appreciate you taking the time to be
7 here. It's nice when we look at manuals and all the
8 information is available and especially being that
9 this is not the first rodeo for this company.

10 MR. SHUMAKER: No.

11 CHAIRMAN BAUGHMAN: You've got
12 other areas that you're doing business in. We
13 appreciate you wanting to do business in the state of
14 Tennessee.

15 All the criteria was there that needed to
16 be. You crossed T's and dotted I's, and you dotted
17 that lower case J. And everything that I saw was
18 appropriate.

19 MR. SHUMAKER: Okay.

20 CHAIRMAN BAUGHMAN: Yes, sir.

21 MR. COLLINS: I'll elaborate on
22 that. You know, I checked through and made sure with
23 the latest quality system review checklist, made sure
24 you're including all the new times that were added to
25 that list in response to different code changes, and

1 everything checked out on my end.

2 CHAIRMAN BAUGHMAN: Any other
3 comments?

4 MR. LASHLEY: Did you sign up
5 for your three minutes?

6 MR. SHUMAKER: When I got here.

7 MS. OWENS: Just to clarify, if
8 they are an agenda item, they are not required to sign
9 up.

10 CHAIRMAN BAUGHMAN: Very good.
11 Thank you for that clarification. That was a
12 question.

13 So do you have any questions for the
14 board?

15 MR. SHUMAKER: At this time I
16 don't. Thank you for your time, and I appreciate it.

17 CHAIRMAN BAUGHMAN: Okay. Well,
18 with that I will --

19 MR. MAY: Motion to approve.

20 MR. HENRY: Second.

21 CHAIRMAN BAUGHMAN: -- call for
22 the vote. All in favor.

23 IN UNISON: Aye.

24 CHAIRMAN BAUGHMAN: All those
25 against? Abstentions?

1 (No verbal response.)

2 CHAIRMAN BAUGHMAN: Brother, you
3 have got a license to engage in erection, repair,
4 and/or alterations of boilers and pressure vessels in
5 the state of Tennessee.

6 MR. SHUMAKER: Thank you.

7 CHAIRMAN BAUGHMAN: Thank you
8 for taking the time to come down. And hope you enjoy
9 you time here.

10 MR. SHUMAKER: Another hour and
11 a half.

12 CHAIRMAN BAUGHMAN: Very good.

13 MR. SHUMAKER: Thank you very
14 much.

15 CHAIRMAN BAUGHMAN: Thank you.

16 All right. Moving on to Item 10, "Open
17 Discussion Items." We have none on the agenda. At
18 that point, just to know, this open discussion item,
19 if you want to have things presented for discussion,
20 I've got -- I don't know how many pages, and I have to
21 be prudent in culling those down for times and
22 appropriate times for discussion of those items. But
23 if we have none, then we'll move to Item No. 11,
24 "Board Cases and Interpretations." And we have none
25 to present or discuss at this time.

1 No. 12, the "Upcoming 2024 Scheduled
2 Quarterly Meetings," presently June 12th,
3 September 11th, December 11th.

4 And so before I adjourn this meeting of
5 the Quarterly Board of Boiler Rules Board, I'd like to
6 ask Brian and Janie to come up if you would.

7 Oh, yes, Janie, I'm sorry, that -- either
8 you've got a twitch in your neck -- that's a yes. I
9 called Janie because she's an integral part of Brian
10 coming up and being away from the family for all of
11 these years that Brian has served on this board for
12 the better part of 20 years. And to think about being
13 on this board and serving in the regards of what he
14 has, it takes a lot.

15 So, Mr. Herrod.

16 MR. HERROD: Well, I mean, I
17 need you, Mr. Baughman, to come up here. And, Brian,
18 good to see you. Nice to meet you.

19 Brian, we want to make a presentation to
20 you. We understand you've been on the board for 19
21 years and retired at the end of December, both from
22 Eastman and from the board.

23 MR. MORELOCK: That's correct.

24 CHAIRMAN BAUGHMAN: That's
25 correct. And it's 11 years as the board chairman.

1 MR. MORELOCK: 13.

2 CHAIRMAN BAUGHMAN: 13, well,
3 it's going to say 11 on here. We're not going to --
4 that's the information I had. So you can -- we
5 appreciate your dedication to the safety in the state
6 of Tennessee in shaping really the culture of the
7 safety in Tennessee around boilers. Okay.

8 And the members on the board and you and
9 those before you had that same attitude and we
10 appreciate everything you've done, and for recruiting
11 Riley to take your place. You didn't just retire, you
12 replaced yourself, so that's good. So we want to make
13 a presentation to you and appreciate -- we have a --
14 our photographer is not here.

15 UNIDENTIFIED FEMALE: I'm taking
16 his place.

17 MR. HERROD: Okay.

18 CHAIRMAN BAUGHMAN: I'll just
19 say, too, while we're waiting for the picture, you
20 know, he has sharpened me. And as iron sharpens iron,
21 man sharpens man. And it's just been such a blessing
22 to have this brother who we started off being brothers
23 on boiler stuff and then became brothers in other
24 regards. So I'm just very thankful for that.

25 MR. MORELOCK: Thank you.

1 (Applause.)

2 MR. MORELOCK: I would like to,
3 first of all, thank my wonderful wife for the hours
4 that I have spent reading manuals and looking up stuff
5 in codes, and I couldn't have done it without her.
6 And so she's an integral part of this.

7 To allow me -- I want to thank the
8 Department of Labor and the boiler community and this
9 committee to have this opportunity to serve on this
10 board. It's meant a lot to me as far as shaping me,
11 sharpening me to be good as a mechanical engineer in
12 the pressure vessel arena and boilers.

13 And time flies when you're having fun.
14 And so it's hard to believe it's been that long, but
15 it is. And so it's been a great opportunity for me,
16 and I'm really excited for Riley as he begins his
17 journey as well.

18 And, you know, the only thing I would add
19 is, one of the things that I was pleasantly pleased to
20 hear is we would have companies come into this -- this
21 room to present their variances, and most of them
22 would leave saying, "You know, we just really thought
23 this was going to be a rubber stamp, and then we'd
24 walk out. We didn't know other technical expertise
25 that sits on this board." And it still sits on this

1 board. And I want it continue to do that. So thank
2 you very much for the opportunity.

3 (Applause.)

4 CHAIRMAN BAUGHMAN: Well, you'll
5 be missed. We'll think about you. We will -- during
6 our meetings, there's many times -- there was a board
7 member, a colleague of ours, Dr. Dominic Canonico.
8 And we would say during that time, channeling our
9 inner Dominic, our inner Dr. Canonico. And I think
10 now that we've added one to that channeling, that
11 there's times when, I know myself, sitting up front,
12 that I'll be trying to channel my inner Brian
13 Morelock. So, yeah, we'll add to that.

14 (Photograph taken.)

15 CHAIRMAN BAUGHMAN: Thank you.
16 So with that, I will call this Boiler Meeting
17 adjourned. Thank you.

18 END OF PROCEEDINGS.

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C E R T I F I C A T E

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

I, Deborah M. Fernau, a Notary Public in the State of Tennessee, do hereby certify:

That the within is a true and accurate transcript of the proceedings taken before the Tennessee Department of Labor & Workforce Development, State of Tennessee Board of Boiler Rules on the March 13, 2024.

I further certify that I am not related to any of the parties to this action, by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of April, 2024.

Deborah M. Fernau, LCR No. 306
Expiration Date: 06/30/2024