

SUMMARY OF MINUTES

Quarterly Meeting of the State of Tennessee Board of Boiler Rules

December 11, 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, Riley Collins, Richard Scott May and Micah Lashley.

Department Staff present: Tom Herrod, Dewayne Scott, Melissa Owens, Chance Deason, Mia-Lyn Wiley, Jimmy Watson, and Alex Cass.

Guests were: James Fred Allison, Lional Dunnevant, Brian Cavin, Travis Wilson, Marty Toth, Lori Reeves, Scott Baum, John Hayes, and Marvin Rose.

- II. INTRODUCTIONS AND ANNOUNCEMENTS:

All present announced themselves. Mr. Deason reiterated the protocol for public comments.

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

- IV. APPROVAL OF THE MINUTES and TRANSCRIPT of the Meeting of September 11, 2024: Mr. May made a motion to approve. Mr. Collins seconded the motion. After voting, the Minutes and Transcript were approved.

- V. BOILER UNIT REPORT: Chief Boiler Inspector Jimmy Watson announced the annualized state inspections for 2024 to date. He also reported the delinquency rates. The state code violations and active variances were also reported. Southern Hills Medical, Carlex Glass, and Clover Bottom Developmental Center were reported for upcoming inspections.

An incident at Strawberry Plains and attempts to destroy animal fats in two boilers was discussed.

Chairman Baughman suggested that insurance data be reported.

Chairman Baughman and Mr. Watson discussed the operation of the alarms on three boilers at Southern Hills and concern of violation regarding their log sheets. A third variance is scheduled.

Mr. Watson reported that Carlex Glass had new staff and was untrained.

VI. OLD BUSINESS: None.

VII. NEW BUSINESS:

Variance Request 24-04 McKee Foods:

McKee seeks attendants variance approval for 10 boilers.

No conflicts were announced.

Lional Dunnivant represented Combustion & Control Solutions and Brian Cavin represented McKee Foods.

Mr. Dunnivant explained the issue with the existing variance was that the e-stops were not hardwired. He explained in detail the procedure his company will use to fix the old radio alarm system.

Chairman Baughman and Mr. Dunnivant discussed the variance system.

Mr. Collins and Mr. Dunnivant discussed the two stations and the manuals located at both. Typos and corrections were pointed out, and Mr. Dunnivant agreed to make several changes in the manual. Chairman Baughman suggested adding a revisions page.

Mr. Lashley inquired about the duty list in the emergency manual. Mr. Dunnivant explained that it could change with shift changes.

Mr. Lashley made a motion to approve the variance contingent upon inspection by the Chief or Assistant Chief and contingent upon changes made to the manual. Mr. May seconded the motion. After a vote, the motion carried.

Repair License Approval Wilson Boiler Service:

Travis Wilson representing Wilson Boiler Service is seeking a repair license approval to engage in the erection, repair and/or alteration of boilers in Tennessee.

Mr. Wilson discussed their Chattanooga customer's need for routine repairs and the possibility of other customers' needs.

Chairman Baughman asked about mechanical contractor's license

requirement for jobs over \$25,000. He also asked about Wilson's business license.

Mr. Collins inquired about language in the quality manual.

Chairman Baughman called for a motion to approve Wilson's license application contingent upon it having a business license for the state of Tennessee and also a mechanical contractor's license for jobs over \$25,000. Mr. Collins made the motion. Mr. Lashley seconded it. After a vote, the motion carried.

VIII. BOARD CASES and INTERPRETATIONS:

*** BC 24-02 Maximum of 180 days for a company with an approved variance to notify the State of Inspection Readiness:**

Chief Inspector Watson presented the background being there's no maximum time limit for inspection before an approved variance expires. The recommendation is that upon receiving approval for variance, the company notify the State with 180 days of readiness for inspection of its boiler; failure to comply resulting in cancellation of the variance.

Mr. Toth recommended a one-year time limit.

Mr. Deason discussed allowing an extension of the 180 days if needed. Further discussion was had by the Board regarding allowing an extension past 180 days, if requested, and concerns regarding the wording of that. Ms. Owens pointed out the contradictory nature of the language. Chairman Baughman agreed the language needs to be rewritten. The Board Case was tabled.

*** BI 24-01 Electric Power Boilers & Steam Generators rated at 49.0 KW and above to adhere to TDLWD Rule 0800-03-.08(11) Attendants for Power Boilers:**

Mr. Toth addressed the confusion when converting 5 horsepower to an electric unit and the attendant's variance requirements.

After much discussion, Chairman Baughman called for a motion to approve that BI 24-01 governs the requirements of 5 horsepower and above power boilers to be under the one-hour rule and variance attendant's requirements.

Mr. Collins made the motion. Mr. May seconded. After a vote, the motion carried.

*** BI 24-02 Walkways, Runways, and Platforms across Adjoining Boilers & Pressure Vessels:**

Mr. Toth addressed the fact that ECS had previously submitted a BI because platforms and runways were not being enforced. The requirement in the NBIC to have adjacent boilers was discussed. Mr. Toth pointed out that in the state of Tennessee it is not a requirement that adjacent boilers and pressure vessels have a runway or walkway between them.

Much discussion was had between Board members regarding BI 22-01. Mr. Collins asked about how the process for a rule change works, and Mr. Deason explained it in detail.

Discussion was had regarding the difference between runways, platforms, and walkways and what the NBIC states. The definition of the “top of the boiler” was also discussed. Mr. Deason pointed out that the Board can not make an interpretation that’s contrary to what’s in the rule.

Mr. Toth read Rule .04(11). Ms. Owens suggested scheduling a working session for this matter. Mr. Allison suggested a black-and-white rule for the field.

Chairman Baughman tabled the discussion, without opposition, and suggested a working session be scheduled.

*** BI 24-03 Mobile Rolling Platforms:**

Mr. Toth was asked to read BI 24-03 and its inquiry and reply. After reading, Mr. Toth stated the answer was yes. Discussion ensued regarding locations of platforms and their convenience, efficiency and safety.

Mr. Toth mentioned that NBIC states nothing about permanent ladders, only the treads. He also stated that the code has no restrictions on mobile platforms.

Mr. Collins said the only place in the code that mentions permanent is that there shall be at least two permanent installed means of exit if six foot or more in length.

The difference between ladders and stairways was also discussed, and Mr. Toth said it was the responsibility of the Board to define that.

Mr. Rose expressed concern about OSHA regulations regarding manufacturer of the equipment. Mr Deason stated it’s up to the boiler inspector to determine what’s required is installed.

After extensive discussion regarding mobile platforms, ladders, and their

use in inspections, Mr. Collins made a motion to approve BI 24-03 as currently worded. Mr. Lashley seconded the motion. After a vote, the motion carried.

- IX. OPEN DISCUSSION: Chairman Baughman thanked Mr. Hayes for being there to learn some of the process.

- X. UPCOMING SCHEDULED QUARTERLY MEETINGS:

March 12, 2025

June 11, 2025

September 10, 2025

December 10, 2025

- X. ADJOURNMENT: Mr. Collins moved for adjournment. Mr. Lashley seconded the motion. After the vote, the meeting was adjourned at 11:33 a.m.