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

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**TRANSCRIPT OF THE PROCEEDINGS**

Board Meeting  
January 27, 2022

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Ad Litem Reporting  
117 Arrowhead Drive  
Hendersonville, Tennessee 37075  
(615) 415-5556  
dl\_stacy@bellsouth.net  
Reported by: Tracy Wilkes, LCR

1 APPEARANCES:

2

Board Members:

3

Brian Morelock, Chair  
4 David Baughman, Member  
Jeffrey Henry, Member

5

6 Staff Member:

7

Michele Irion  
Board Secretary

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9

Thomas Herrod  
Assistant Commissioner  
Workplace Regulations & Compliance

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11

Daniel Bailey, Esquire  
Legal Counsel

12

13

Dewayne Scott  
Deputy Commissioner  
Department of Labor & Workforce Development

14

15

Kenneth Nealy  
Assistant Administrator  
Workplace Regulations & Compliance

16

17

Chris O'Guin (via video-conference)  
Chief Water Inspector

18

19

Mike Ryan (via video-conference)  
Assistant Chief Water Inspector

20

21

Jamie Diefenbach (via video-conference)  
Executive Administrative Assistant  
Workplace Regulations & Compliance

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Tia Xixis  
Liaison  
Department of Labor & Workforce Development

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- 1 Guest Appearances:
- 2 Matt Creager, Chief Inspector  
Valero Memphis Refinery
- 3 James Neville
- 4 Neville Engineering
- 5 Kevin Bishop  
University of Tennessee Health Science
- 6 Brandon Haynes, Engineer
- 7 Industrial Boiler & Mechanical
- 8 Bob Horton, Project Engineer  
Colonial Chemical
- 9 Josh Lofty, Plant Manager
- 10 Colonial Chemical
- 11 Jimmy Rigsby, Maintenance Manager  
Industrial Boiler & Mechanical
- 12 Ryan Hertter, Engineer
- 13 Innovative Engineering Services
- 14 Keith Brewton  
Combustion & Control Solutions
- 15 Dustin Wooten, DPO
- 16 Southern Tennessee Regional Medical Center
- 17 Noel Lopez  
Hyosung Hico
- 18 Bryan Marshall
- 19 Scott Baum
- 20 Hartford Steam Boiler
- 21 Lionel Dunnavant  
Combustion & Control Solutions
- 22 Martin Toth
- 23 ECS Consulting and Boisco Training Group
- 24 Kenneth Gibson, DPO  
Starr Regional Medical Center
- 25

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15	ANNOUNCEMENT OF NEXT MEETING - Unless the Board decides otherwise, the next regularly scheduled meeting of the Board of Boiler Rules will be held 9:00 a.m. on March 16, 2022, at the State of Tennessee Department of Labor and Workforce Development building located at 220 French Landing Drive, Nashville, Tennessee. Tentative dates for 2022 meeting of the Board of Boiler Rules: March 16, June 15, September 14, and December 14.	121
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1 CHAIR MORELOCK: Okay. I want to  
2 welcome everyone to this January meeting. Which is --  
3 this is the December meeting and January that we had to  
4 do to get a quorum and to get everyone here. So  
5 welcome.

6 There are agendas on the back table. A  
7 sign-in sheet as well. So have a record of your  
8 visiting with us today and presenting with us today.

9 So as we look at the agenda, I want to  
10 call the meeting to order.

11 And the next item on our agenda  
12 instructions and announcements. So I would like to  
13 start with our court reporter and then we'll go around  
14 the table and then we'll go through the visitors.

15 MR. HERROD: We have four virtual, too.

16 CHAIR MORELOCK: How will we recognize  
17 them?

18 MR. HERROD: At the end they can talk  
19 through here.

20 THE REPORTER: Tracy Wilkes, Court  
21 Reporter.

22 MS. IRION: Michele Irion, Board  
23 Secretary.

24 MR. HERROD: Tom Herrod, Assistant  
25 Commissioner for Workplace Regulations & Compliance.

1 MR. BAILEY: Dan Bailey, Legal Counsel.

2 MR. SCOTT: Dewayne Scott, Deputy  
3 Commissioner.

4 MEMBER HENRY: Jeff Henry, Board Member.

5 MR. NEALY: Kenneth Nealy, Assistant  
6 Administrator, WRC.

7 CHAIR MORELOCK: Brian Morelock.

8 MEMBER BAUGHMAN: Dave Baughman, Board  
9 Member.

10 MS. XIXIS: Tia Xixis, Liaison,  
11 Tennessee Department of Labor & Workforce Development.

12 MR. CREAGER: Matt Creager, Chief  
13 Inspector, Valero Memphis Refinery.

14 MR. NEVILLE: James Neville, Neville  
15 Engineering.

16 MR. BISHOP: Kevin Bishop, University of  
17 Tennessee Health Science.

18 MR. HAYNES: Brandon Haynes, Engineer  
19 with Industrial Boiler & Mechanical.

20 MR. HORTON: Bob Horton, Project  
21 Engineer with Colonial Chemical.

22 MR. LOFTY: Josh Lofty, Plant Manager  
23 with Colonial Chemical.

24 MR. RIGSBY: Jimmy Rigsby, Maintenance  
25 Manager with Industrial Boiler & Mechanical.

1 MR. HERTTER: Ryan Hertter, Innovative  
2 Engineering Services.

3 MR. BREWTON: Keith Brewton,  
4 Combustion & Control Solutions.

5 MR. WOOTEN: Dustin Wooten.

6 MR. LOPEZ: Noel Lopez with Hyosung  
7 Hico.

8 MR. MARSHALL: Bryan Marshall.

9 MR. BAUM: Scott Baum, Hartford Steam  
10 Boiler.

11 MR. DONOVAN: Lional Dunnivant.

12 MR. HERROD: We have four people online  
13 with us today. I'll start with Chris and have him  
14 introduce himself.

15 MR. O'GUIN: Chris O'Guin, Chief Water  
16 Inspector.

17 MR. RYAN: Mike Ryan, Assistant Chief  
18 Water Inspector.

19 MS. DIEFENBACH: Jamie Diefenbach,  
20 Executive Admin Assistant, WRC.

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

23 MR. HERROD: Thank you.

24 Just a couple things for the court  
25 reporter. If you are interested in speaking or saying



1 something, please either stand up over here and talk  
2 loudly, introduce yourself. For the rest of us, except  
3 for the Chairman, introduce yourselves so the court  
4 reporter will know who's speaking.

5 Thank you.

6 CHAIR MORELOCK: So the public podium up  
7 here is where -- when we get to your item on the agenda,  
8 you'll come up to the public podium, introduce yourself,  
9 and then you can present your item. Okay?

10 Did I leave anybody out?

11 MR. BAILEY: Mr. Chairman, if you put  
12 your mic closer, you're still very hard to hear.

13 CHAIR MORELOCK: Is that better?

14 MR. BAILEY: That's better.

15 CHAIR MORELOCK: Let's give Mr. Bowers a  
16 moment here.

17 Harold, do you want to officially  
18 introduce yourself for the record?

19 MR. BOWERS: Harold Bowers, previous  
20 board member.

21 CHAIR MORELOCK: Thank you.

22 All right. Our next item on the agenda  
23 is the adoption of the agenda. Like I said, they're on  
24 the back table if you don't have one.

25 So as we look over the agenda, we do

1 have a couple of changes that we're going to make.  
2 Primarily under "Rule Case & Interpretations." BI 21-02  
3 from ECS Consulting. That item will be tabled to the  
4 March 2022 meeting.

5                   And then under the agenda item "Open  
6 Discussion Items." Item 1 Dave Baughman, Tennessee Code  
7 Annotated 68-122-110, Inspection of Boilers. That is a  
8 discussion item. And that item will be tabled, as well,  
9 until the March 2022 agenda.

10                   Are there any other questions or  
11 concerns about the agenda?

12                   (Pause)

13                   CHAIR MORELOCK: Hearing none, all in  
14 favor of adopting the agenda say "aye."

15                   MEMBER HENRY: Aye.

16                   MEMBER BAUGHMAN: Aye.

17                   CHAIR MORELOCK: Aye.

18                   Opposed? Abstentions, not voting?

19                   (No opposition indicated.)

20                   CHAIR MORELOCK: We have an agenda.

21                   That takes us to the approval of the  
22 September 2021 meeting minutes. Hope you had an  
23 opportunity to read through those.

24                   Do I have a motion to accept the  
25 September 2021 meeting minutes?

1 MEMBER HENRY: So moved.

2 CHAIR MORELOCK: Is there a second?

3 MEMBER BAUGHMAN: I'll second.

4 CHAIR MORELOCK: Thank you for that  
5 second.

6 Any questions, concerns, changes to the  
7 September minutes?

8 (Pause)

9 CHAIR MORELOCK: Hearing none, I'll call  
10 the question. All those in favor say "aye."

11 MEMBER HENRY: Aye.

12 MEMBER BAUGHMAN: Aye.

13 CHAIR MORELOCK: Aye.

14 Opposed? Abstentions, not voting?

15 (No opposition indicated.)

16 CHAIR MORELOCK: The September minutes  
17 have been approved.

18 MR. HERROD: We have one more person  
19 joining us virtually.

20 You mind introducing yourself?

21 MR. GIBSON: Kenneth Gibson with Starr  
22 Regional Medical Center.

23 CHAIR MORELOCK: Thank you.

24 MR. GIBSON: Thank you for having me.

25 CHAIR MORELOCK: Okay. So that takes us

1 to the next item on the agenda. Which is the  
2 Chief Boiler Inspector's Report. I'll let Chief O'Guin  
3 speak to that.

4 MR. HERROD: Mr. Chairman, this is  
5 Tom Herrod, Assistant Commissioner. I'm going to try to  
6 do this in place Chief O'Guin since he's virtual. So  
7 I'll try to fill in for him and for Assistant Chief.

8 (Document displayed.)

9 MR. HERROD: The numbers I'll show you  
10 here are the current numbers through the fiscal year  
11 beginning July 1 of 2021 through today.

12 We have close to 44,000 -- I mean 74,000  
13 active registered vessels. We have a small number, 258,  
14 that are red tagged. And total vessel count, the latest  
15 census, of 73,991.

16 Inspections for the first two quarters.  
17 The State has performed almost 8,700 year-to-date;  
18 Insurance, non-State is close to 14,000. For a total  
19 State and non-State combined of 22,306.

20 Our delinquency rate. The State has  
21 618 delinquent inspections; Insurance is 1,335. For a  
22 total of 1,953. Our delinquent rate combined is  
23 2.6 percent.

24 This has been trending down slowly, but  
25 has been trending down over the last couple of years.

1 We've been doing a good job of trying to get the  
2 delinquency rate down. Both State and non-State.

3 We wanted to bring to your attention to  
4 the high-pressure vessels and the delinquency there.  
5 The State has responsibility for 390 high-pressure  
6 vessel inspections; insurance is 1,540. Total  
7 delinquents between the two, the State and non-State,  
8 is 270. The total delinquency rate of just the  
9 high-pressure vessels is 14 percent.

10 Here, again, that has been trending  
11 down. But we've been putting high emphasis on getting  
12 most delinquent high-pressures closer to 2021/'22 time  
13 frame. Both Chief O'Guin and the insurance companies  
14 are putting a lot of emphasis on that.

15 Variances at this time. We have 87  
16 active variances; 47 inactive. Over the past two  
17 quarters we've performed two inspections. Both passed.

18 We have 12 variances awaiting our  
19 inspection or the company contacting us and letting us  
20 know that they are ready for an inspection.

21 And that's the Chief and Assistant  
22 Chief's report today.

23 MS. IRION: I believe one more person  
24 joined us virtually.

25 MR. HERROD: We have one more person, I

1 think. Unless it's the same Ken Gibson.

2 Did someone join, via phone?

3 423-number?

4 (Pause)

5 MR. HERROD: We'll work that out later.

6 CHAIR MORELOCK: Are there any questions  
7 or comments about the Chief's report or the variance  
8 report?

9 (Pause)

10 CHAIR MORELOCK: All right. As we enter  
11 into old business, I did want to hold some information.  
12 As we -- because this pertains to old business.

13 Just to make you aware, last year STERIS  
14 came to the Board in March and in June seeking  
15 clearances to be -- clearances to be changed or reduced  
16 on their equipment. And the Board voted that down.

17 And so where we're at today with that  
18 particular item, there is a House Bill 1904 and a  
19 Senate Bill 1909 that STERIS is working with the House  
20 and the Senate to change the clearances for inspection.

21 That's all the information we have right  
22 now. I wanted to make you aware of that.

23 And also STERIS has filed an appeal on  
24 the Tennessee Board's ruling in June. Mr. Dan Bailey is  
25 following that.

1           And, Dan, if there's any information you  
2 wanted to add to that, I'll allow you to do that.

3           MR. BAILEY: Thank you, Mr. Chairman.

4           What has been filed is what is referred  
5 to as a petition for judicial review. What that is, is  
6 when a state agency takes some type of action or a state  
7 board has issued a final decision or final order, if you  
8 want to challenge that, the way to do that is to file a  
9 petition for judicial review.

10           And the review is limited. There's no  
11 new evidence that comes in. What happens is the  
12 administrative record is filed with the Court, which we  
13 have already done. And the petitioning party, which is  
14 STERIS, will file a brief. Which I think a date has  
15 been set for that about a month or two off.

16           Once they file their brief, then we will  
17 file a response brief. And then a date will be set for  
18 oral argument.

19           As I said, the review is limited. The  
20 Court -- you know, there's no new evidence. The Court  
21 basically looks at the record to see if there's any  
22 evidence that supports the Board's factual findings. If  
23 there is, whether or not the law was applied correctly.  
24 And so it's a very limited review.

25           If the Chancery Court upholds the

1 Board's decision, STERIS could then appeal that to the  
2 Court of Appeals. Which, again, would be a limited  
3 review. They would just review the records. Same as  
4 the Chancellor. I don't know if it'll go that far or  
5 not.

6 But, anyway, that's what's happening  
7 there. So we're just waiting for them to file their  
8 brief. And then we'll file ours.

9 CHAIR MORELOCK: Thank you, Mr. Bailey.

10 So that will take us on to our current  
11 old business item. Which is 21-05.

12 MR. BAILEY: Before I leave the STERIS  
13 issue.

14 CHAIR MORELOCK: Okay.

15 MR. BAILEY: You mentioned that there's  
16 been some legislation filed. And the legislation is  
17 worded in such a way that it would exempt  
18 STERIS's 600 -- I can't think of the full name of it.

19 CHAIR MORELOCK: AMSCO 600.

20 MR. BAILEY: Yes. From the Board's rule  
21 on clearance. And it's tailored specifically for that  
22 type of vessel.

23 And with any legislation, you know, the  
24 Department is looked at as to whether or not we, you  
25 know, support that legislation or whether we have no --



1 you know, we neither support it or oppose it. You know,  
2 we don't have an opinion on it or we oppose it.

3 I guess we would like to know the  
4 Board's opinion as to this proposed legislation.  
5 Whether or not the Board feels it's good legislation or  
6 bad legislation or has no opinion one way or the other,  
7 so that we can communicate that up the chain as this  
8 bill progresses.

9 CHAIR MORELOCK: Okay. So we need to  
10 make a motion then, correct?

11 MR. BAILEY: A motion or have some  
12 discussion and then a motion. However you want to do  
13 it.

14 CHAIR MORELOCK: Okay. I'm going to  
15 open the floor for the board members to provide comments  
16 on this legislation.

17 Do I have a motion to discuss?

18 MEMBER BAUGHMAN: So moved.

19 MEMBER HENRY: Second.

20 CHAIR MORELOCK: Thank you, Mr. Henry.

21 What comments does the Board have?

22 MEMBER BAUGHMAN: Well -- this is  
23 Dave Baughman, board member.

24 I do not agree with what's being  
25 proposed. So my viewpoint, as a board member, is to

1 deny this particular direction of exemption from  
2 clearance that they're proposing.

3 MEMBER HENRY: Yes. Jeff Henry, Board  
4 member.

5 I think there was really extensive  
6 discussion. And Mr. Baughman, in particular, gave a  
7 very clear definition of why he thought the clearance  
8 shouldn't be given. Sound technical information was the  
9 basis for that denial. And I completely support  
10 Mr. Baughman's position.

11 CHAIR MORELOCK: Thank you.

12 I also support Mr. Baughman's position  
13 as well. I'm very proud that the State of Tennessee has  
14 a long-standing history of public safety. The reason  
15 that we have this Tennessee Board of Boiler Rules since  
16 1949 is public safety.

17 And we have subject matter experts that  
18 sit on this board who participate in American Society of  
19 Mechanical Engineers and National Board Inspection Code  
20 to develop common rules for the states and the provinces  
21 of Canada and now even worldwide. And those documents  
22 are being used primarily for the design, testing,  
23 inspection, and installation of pressure equipment for  
24 public safety. And we want to maintain our position on  
25 that.

1                   And that's the most succinct statement I  
2 can make.

3                   Thank you, Mr. Baughman.

4                   MR. BAILEY: Mr. Chairman, if I could?  
5 I don't want to put words in the Board's mouth. But,  
6 essentially, what I'm hearing is you feel that passing  
7 this legislation will compromise boiler safety. Is that  
8 fair?

9                   CHAIR MORELOCK: That's fair.

10                  MR. BAILEY: And also, as far as this  
11 particular clearance rule that we have here in  
12 Tennessee, is it an outlier, or is this a common rule  
13 amongst the states?

14                  CHAIR MORELOCK: It is a common rule  
15 amongst the states and the provinces of Canada.

16                  MR. BAILEY: Thank you.

17                  CHAIR MORELOCK: Thank you.

18                               Is that -- do we need to vote or  
19 anything?

20                  MR. BAILEY: If you-all want to vote to  
21 say the Board opposes it, feel free to do so.

22                  CHAIR MORELOCK: Okay. So we've  
23 supported Mr. Baughman's position. I'm going to call  
24 for a vote.

25                               So those who approve this say "aye."

1 MEMBER HENRY: We're approving our  
2 original position, basically?

3 CHAIR MORELOCK: Yes, our original  
4 position. Mr. Baughman's position.

5 MEMBER HENRY: Aye.

6 MEMBER BAUGHMAN: Aye.

7 CHAIR MORELOCK: Aye.

8 Opposed? Abstention, not voting?

9 (No opposition indicated.)

10 CHAIR MORELOCK: It's unanimous.

11 So, Mr. Bailey or Mr. Herrod, is there  
12 any other action the Board needs to take on this today?

13 MR. BAILEY: I don't think there's any  
14 action necessarily today. I would ask if a -- if a  
15 letter was drafted basically summarizing what the Board  
16 just said today regarding the position on this piece of  
17 legislation, would you, the chairman, and the board  
18 members be willing to sign such a letter?

19 CHAIR MORELOCK: Yes.

20 MEMBER BAUGHMAN: Yes.

21 MEMBER HENRY: Yes.

22 CHAIR MORELOCK: Any other discussion  
23 about that?

24 MR. BAILEY: No, sir.

25 CHAIR MORELOCK: Thank you.

1                   So that takes us to Item 21-05. Hyosung  
2 requests a new variance to be granted for a boiler room  
3 remote attendant variance.

4                   So if you will come to the public podium  
5 and introduce yourself. And while you're doing that,  
6 I'm going to ask if there's any conflicts of interest  
7 from the board members.

8                   (No conflicts indicated.)

9                   CHAIR MORELOCK: Okay. There are no  
10 conflicts of interest on this item.

11                   Gentlemen, you can proceed.

12                   MR. HERTTER: Ryan Hertter with  
13 Innovative Engineering Services.

14                   MR. LOPEZ: Noel Lopez with Hyosung  
15 Hico.

16                   CHAIR MORELOCK: Very good. Present  
17 your item.

18                   MR. HERTTER: Since the board meeting,  
19 we have gone through all of the concerns that the Board  
20 had. We have been able to make corrections on all of  
21 that. We've updated the manual with direction of the  
22 Board. We have implemented the personnel requirements  
23 that the Board had concerns with.

24                   Is there any specific questions that the  
25 Board has for us?

1 CHAIR MORELOCK: Do I have a motion to  
2 discuss?

3 MEMBER HENRY: So moved.

4 MEMBER BAUGHMAN: Second.

5 CHAIR MORELOCK: What questions or  
6 comments do you have about this proposed variance?

7 MEMBER BAUGHMAN: This is Dave Baughman,  
8 Board Member.

9 Thanks for being here again. Good to  
10 see you guys. I'll just start off. And this may not be  
11 in any order, so we may jump around in this bit of  
12 questioning.

13 Going to Page 3 of 4 of the checklist.  
14 In particular Item number 43. The checklist asks, "Does  
15 the manual include a training log that contains the  
16 date, name, instructor signature, and remarks?"

17 And then under "Manual References," it  
18 says, "Shelby County requires licensed operators with  
19 renewals."

20 Our training log isn't so much training  
21 of the boilers, as the Shelby County requirements would  
22 be for, as far as for an operator's license, as it is  
23 for the variance in regard also. But there's nothing  
24 that relates to that in the manual.

25 But to further that, the people that

1 were listed as operators, Bruce White, Jody Elem, and  
2 Garry Tuggers -- Pages 21, 23, and 24 -- their steam  
3 engineers' licenses are expired.

4 MR. HERTTER: We just noticed that.  
5 This process has taken a little longer than we had  
6 anticipated putting the manual together. We do have an  
7 updated license right now. We will have to continually  
8 put the renewals in the manual.

9 MEMBER BAUGHMAN: I noticed that Darren  
10 Black was the only one with an updated -- or a current  
11 renewal. And he is in the position of security guard.  
12 His firm or corporation name is not listed. He's just  
13 listed as an individual on the operator's license. He's  
14 not listed under Clarion Security or Hyosung. He's just  
15 listed as an individual. That would be on Page 22.

16 So I guess what I was getting at was  
17 that there's no training log as is asked for or checked  
18 off on Number 33. We refer back to Shelby County  
19 requires licensed operators, and therefore we don't have  
20 a training log identified.

21 And that's something that I don't think  
22 we just put to the side and say, well, Shelby County  
23 addresses this in their requirements for a steam  
24 operator's license. We're training specifically further  
25 to the variance itself. And that training is

1 incorporated in with the steam operator's license  
2 through Shelby County.

3           Anybody else have any input on that here  
4 on the Board?

5           CHAIR MORELOCK: The only comments I  
6 have is on Page 6, 12, and 13. Those sketches and  
7 drawings are still very faint. The ones that were  
8 provided as a handout at the last meeting were actually  
9 readable. Just make sure you've got good copies of  
10 those pages in there.

11           On Page 16, this is just a comment.  
12 It's not something that you are mandated to do. But  
13 you're listing proper names. And that's okay. But if  
14 you have personnel changes, that'll create a revision to  
15 your manual. You could put job titles in there, if  
16 you'd like. Like I said, that's just a recommendation.  
17 It's not mandatory.

18           On Page 9 -- 19 -- I'm sorry. Page 19.  
19 It shows a picture of the monitoring station. But I  
20 don't see a placard for what the remote should do during  
21 an emergency.

22           MR. HERTTER: Page 19?

23           CHAIR MORELOCK: Yes.

24           MEMBER BAUGHMAN: Chair Morelock, can I  
25 comment on that also?



1 CHAIR MORELOCK: Go ahead.

2 MEMBER BAUGHMAN: So the remote  
3 monitoring station shown on Page 19 is different than  
4 that shown on Page 40, which is referenced on Number 42  
5 of the checklist.

6 So if you look at Page 19 in the picture  
7 of the remote monitoring station, it shows the manual  
8 location: Shelf in maintenance area to the left of this  
9 computer.

10 And then if you go to Page 40 and look  
11 at the picture, those are two different --

12 MR. HERTTER: Yes, they are.

13 MEMBER BAUGHMAN: -- identities.

14 MR. HERTTER: There's actually four  
15 different shutoff locations. The remote shutoff  
16 location for the remote monitoring station is right  
17 beside it. Page 40 is just one of the doors entering  
18 the boiler room.

19 MEMBER BAUGHMAN: Well, I guess my  
20 concern was, is that on Number 42 of the checklist,  
21 Page 4 of 4, it says, "Is there a placard showing  
22 emergency procedures prominently displayed at the remote  
23 monitoring station?" The response is "Yes." Manual  
24 reference is Page 40.

25 Manual reference, Page 40, does not show

1 those emergency procedures. It gives "in case of boiler  
2 emergency please contact." I don't think that's quite  
3 the emergency procedure placard.

4 MR. LOPEZ: That should be Pages 18 and  
5 19.

6 MEMBER BAUGHMAN: If you'll make that  
7 correction. Thank you.

8 CHAIR MORELOCK: On Page 28, Boiler  
9 Checklist: Hourly, daily, weekly, monthly, semiannually  
10 and annually, you do have the requirements for the  
11 20-minute rule.

12 And then under that paragraph you state,  
13 "The variance four-hour check with every 20 minutes in  
14 the room." Did you mean that to say boiler room?

15 MR. HERTTER: No. That was a  
16 communication that someone needs to come by and  
17 physically check the remote monitoring station.

18 CHAIR MORELOCK: Okay. You may want to  
19 clarify that so it doesn't lead to confusion.

20 MEMBER BAUGHMAN: And for my own  
21 clarification, that's meaning that someone is going to  
22 come by every 20 minutes to check the remote monitoring  
23 station? Is that what you just said?

24 MR. HERTTER: That means, at a minimum,  
25 someone would be physically present at the remote

1 monitoring station within every 20 minutes.

2                   MEMBER BAUGHMAN: Okay. I thought  
3 further in the manual there's written discussion that  
4 the remote monitoring station is actually mobile,  
5 inasmuch that anywhere there's a cellular service it  
6 will enunciate, and that the whole purpose of this was  
7 to not have the availability -- or someone checking the  
8 remote station but being able to be more mobile within  
9 the facility. And these enunciations could go to a  
10 security guard, or so forth, without them having to  
11 actually go to a remote monitoring station.

12                   For that matter, if you're going to go  
13 check in every 20 minutes, they can go check the boiler  
14 room every 20 minutes.

15                   MR. HERTTER: That is accurate. That is  
16 what we wanted to do. My understanding, the Board likes  
17 that option. So we're actually -- Hyosung hired someone  
18 to physically be present at that remote monitoring  
19 station.

20                   MEMBER BAUGHMAN: Very good. Yes. I  
21 would prefer that that monitoring station be able to be  
22 monitored. And I guess that's where my question was  
23 going at, so I could get an understanding of how that  
24 monitoring station is being attended to.

25                   So there's someone that is going back

1 and looking at that. Nobody's there 100 percent of the  
2 time, but someone is coming in and at least being there  
3 at least every 20 minutes.

4 MR. HERTTER: Correct.

5 MR. LOPEZ: We hired someone to stay,  
6 you know, busy around the shop and take a look at the  
7 monitoring station every 20 minutes and record.

8 MEMBER BAUGHMAN: Thank you.

9 MR. HERTTER: That's not for the  
10 operator. That's just someone to look at the remote  
11 monitoring station.

12 CHAIR MORELOCK: Page 38. You list this  
13 in Section 5 as your emergency procedure. And you do  
14 highlight the text "Emergency Procedure" and "Remote  
15 Monitoring Station."

16 Just per the checklist, that needs to be  
17 a colored page or colored tab so in the event of an  
18 emergency somebody can find it quickly.

19 And so that would be my recommendation  
20 as to either highlight your tab or have it so that -- of  
21 course, there should be a placard. Which you have with  
22 the emergency procedures. But --

23 MR. HERTTER: That's our highlight.

24 CHAIR MORELOCK: So just make it easy to  
25 find. That's all the comments that I have.

1                   MEMBER BAUGHMAN: Thank you,  
2 Mr. Chairman. I'll continue.

3                   It states that the tracer system that's  
4 utilized for remote monitoring is Web-based. Is that  
5 correct?

6                   MR. HERTTER: Yes.

7                   MEMBER BAUGHMAN: Have any of you ever  
8 had the Internet go down?

9                   MR. LOPEZ: There's also at the  
10 facility -- this is backed up with cellular signal. So  
11 if the Internet goes down -- obviously, you know, every  
12 year we have an annual shutdown. So we're required to  
13 take the power down in the whole facility. But it's  
14 backed up with cellular signal.

15                   MEMBER BAUGHMAN: Then I'll further  
16 that. Have you ever had problems with cellular service  
17 in your life?

18                   MR. LOPEZ: Yes.

19                   MEMBER BAUGHMAN: Last Christmas with  
20 the AT&T incident we had severe interruptions of  
21 cellular service. So I have some reservations with both  
22 Web and cellular service being the means of the remote  
23 monitoring. But I just wanted to make sure that I  
24 clarified that for our own discussion and evaluation.

25                   Is there any time -- the remote

1 monitoring station is in a maintenance area, maintenance  
2 room?

3 MR. LOPEZ: That's correct.

4 MEMBER BAUGHMAN: With access in and  
5 out? And those doors have the availability of being  
6 locked?

7 MR. LOPEZ: Yes, they are. So on one  
8 side of the building is access to the door. And the  
9 rest of the doors have a lock.

10 MEMBER BAUGHMAN: Are they typically  
11 locked?

12 MR. LOPEZ: No. With the exception of  
13 back lock.

14 MEMBER BAUGHMAN: I note on Page 16 that  
15 it states that at all times a Class 1 operator is on the  
16 premises. Is that correct?

17 MR. LOPEZ: Yes, sir.

18 MEMBER BAUGHMAN: From what I've seen  
19 we've got four -- three or four Class 1 engineers,  
20 operators identified.

21 This is for operations around the clock.  
22 It says normal operating hours are 8:00 to 5:00, Monday  
23 through Friday. But the boiler operates 24/7, seven  
24 days a week. Correct?

25 MR. LOPEZ: That's correct.

1                   MEMBER BAUGHMAN:  If all we have is the  
2 numbers that are listed, it seems to me like we're a  
3 little short on personnel to actually have a Class 1  
4 operator on-site three shifts seven day a week.  
5 Wouldn't that be fair to say?

6                   MR. LOPEZ:  I would agree with that.  So  
7 the action we have to take, we have three more people  
8 going to class.  It started last -- first week of  
9 January.  They're going for preparation to take the exam  
10 in April of this year to be new -- or replacements or  
11 backups for the people that we have.

12                   Right now our Class 1 operators are  
13 working swing hours.  Morning to 12:00.  Sometimes  
14 doubling shifts, maybe.

15                   And the guards are in charge of the  
16 boiler station and the boiler monitoring.

17                   MEMBER BAUGHMAN:  To that extent, the  
18 only Clarion personnel that I saw that was listed that  
19 had a license was Mr. Darren Black.  So just going  
20 through the simple math, I did not see that we had  
21 enough personnel, as was stated as being the case on  
22 Page 16 that there was at all times a Class 1 operator  
23 on premises.

24                   And so as we stand today, that's not  
25 true.  But what we're looking at is in the future it

1 would be.

2 MR. LOPEZ: Yes, sir.

3 MEMBER BAUGHMAN: Okay. Thank you,  
4 Mr. Chairman.

5 CHAIR MORELOCK: Are there other  
6 comments or questions on this proposed variance?

7 MEMBER HENRY: Mr. Chairman, briefly.  
8 If I could ask Mr. Baughman?

9 Your point, Dave, in regards to the  
10 manual training log, you're suggesting that they have a  
11 manual training log?

12 MEMBER BAUGHMAN: Yes, sir. That would  
13 be my recommendation.

14 MEMBER HENRY: Thank you.

15 CHAIR MORELOCK: Any other questions or  
16 comments?

17 Do I have a motion for this variance?

18 MEMBER HENRY: So moved.

19 CHAIR MORELOCK: So I've got a motion  
20 from Mr. Henry.

21 MEMBER BAUGHMAN: Further discussion?

22 CHAIR MORELOCK: Yes.

23 MEMBER BAUGHMAN: To further that  
24 discussion, we've got a motion for this variance, but my  
25 reservations are, is that we're approving it with things



1 that aren't quite in place yet.

2                   We've addressed the log. The log's easy  
3 to take care of it.

4                   But the personnel are not in place  
5 presently to attend to this. We're approving a variance  
6 without those specifics being taken care of yet. And  
7 we're taking it on good faith that what Hyosung -- you,  
8 as the representative, are saying that we're going to  
9 have all these things in place and what have you.

10                   But if they're not in place at the time  
11 of the inspection, as this variance manual is written,  
12 then it should be disapproved at that time.

13                   So my end of it -- or recommendation  
14 would be that these items need to be attended to. The  
15 personnel need to be attended to. You're saying that's  
16 going to happen in April. And if this inspection  
17 happens before April, then it should be disapproved at  
18 the time of inspection. I want to make sure that you  
19 understand that.

20                   And maybe saying, hey, we need to wait  
21 and bring it back until we got all our ducks in a row or  
22 we're going to have this. But during this time of  
23 COVID, if you've got personnel that are out, if you're  
24 saying these hires are replacing some, that's a  
25 one-for-one trade.

1           But I want you to be aware that I've got  
2 concerns on the personnel end of it, how it's written in  
3 the manual for Class 1 operators versus what you've got  
4 presently and what you're asking for.

5           Does that make sense?

6           CHAIR MORELOCK: Yes. To Mr. Baughman's  
7 point, when the Board approves a variance, an attendant  
8 variance, we go through your manual, we have this  
9 meeting, and we provide comments.

10           And just so you know, as a point of  
11 order, if the Board approves it, it's a contingent  
12 approval on a couple things: One, your manual will be  
13 revised per the comments that you get during this  
14 review; and, two, it must pass a successful site visit  
15 from the Boiler Unit.

16           And so Mr. Baughman is correct in the  
17 fact that you've got things that need to be done to  
18 comply. And you want to -- you want to use this  
19 variance in April. You know, all we'll do today is  
20 contingently approve the manual. And it will be  
21 contingent on, like I said, the revisions to be made  
22 from this meeting and also a successful site visit from  
23 the Boiler Unit.

24           So just bear that in mind as you tell  
25 the Board what you want to do. Okay?

1 MR. HERTTER: If we can back up a  
2 little bit? Is it a requirement that we have a Class 1  
3 operator on-site at all times?

4 MEMBER BAUGHMAN: I don't believe  
5 there's a requirement in the state of Tennessee. You  
6 may have a requirement through Shelby County for that  
7 aspect for boiler operator. But the state of Tennessee  
8 does not require that.

9 Your manual written states that you'll  
10 have one. And if you didn't, then you would need to go  
11 back to the training. Because you have utilized  
12 Shelby County requirements as your training requirements  
13 for this implementation of the variance. So you've got  
14 two things that you're weighing.

15 MR. HERTTER: That was for my own  
16 clarification. We do currently have someone on-site.  
17 We just have to -- they're being stretched at this time  
18 of personnel shortages, COVID, and other things.  
19 They're working long hours. And we're trying to correct  
20 that. It's not that we absolutely don't have that.  
21 It's more of they're being stretched and that needs to  
22 be corrected.

23 MR. LOPEZ: Not to mention, all this  
24 time has been tough for everybody. We actually lost one  
25 person last year due to COVID. And that took a big hit

1 on us. We all were sick. The measurements we took to  
2 counteract that is hire more guards to monitor the areas  
3 and the boilers.

4                   So I understand your concerns.  
5 Obviously, what we all need and we all want is to be  
6 safe. Right?

7                   I will -- my best solution at this point  
8 is that I can immediately look at Clarion Security and  
9 ask them to provide me probably two more guards that  
10 will be Class 1 until we get our people going through  
11 the training and certification to be a Class 1 in April.

12                   MEMBER HENRY: I just have a brief  
13 clarification in that regard.

14                   I think Mr. Baughman pointed out you  
15 have in your manual that you will have a Class 1  
16 operator on-site at all times. Now, if you satisfy all  
17 the points that have been made here and you are granted  
18 a variance, would the understanding be that if at any  
19 time after the variance is granted you did not -- for  
20 whatever reason, there wasn't a Class 1 operator on-site  
21 that you wouldn't then take advantage of the variance  
22 and revert back to the normal rule?

23                   MR. HERTTER: Right.

24                   Well, I guess I need to go back and  
25 check with Shelby County and see the requirements on

1 that to make sure that Class 3 can maintain those  
2 checks.

3 Do you know?

4 MEMBER BAUGHMAN: If I'm not mistaken,  
5 Class 3 requires a Class 1 operator also to be on-site.  
6 And I think that's actually identified in one of the  
7 statements where you identified for Shelby -- it's  
8 actually in your manual, I thought, of the Class 1, 2, 3  
9 station engineer, stationary operator requirements. I  
10 thought I read that in your manual, if I'm not mistaken.

11 If not, it may have been while I was  
12 researching last night. I guess that's what we do is  
13 read up on things.

14 MR. HERTTER: If that's the case, we'll  
15 get a Class 1 operator.

16 MR. HERROD: Chief O'Guin has a comment  
17 he'd like to make.

18 CHAIR MORELOCK: Okay.

19 MR. O'GUIN: Chairman, I want to be sure  
20 I follow the motion. You-all are going to approve this  
21 variance without a remote monitoring station being  
22 monitored continuously, correct? Or there was a motion  
23 on the table.

24 CHAIR MORELOCK: Well, we've not made a  
25 motion. We've just described to these gentlemen what

1 the process is to get contingent approval and setting up  
2 a successful site visit.

3                   So to put that back to your question,  
4 when you make a site visit, they would have to have the  
5 remote monitoring station operational like it's stated  
6 in the manual. Correct?

7                   MR. O'GUIN: Yes. The inspection that  
8 they failed before I sent them back to the Board, the  
9 remote station was not monitored. And we did advise  
10 them to move it to a location where someone is always  
11 at.

12                   MR. HERTTER: Right. That's why they  
13 hired someone in the shop to continuously be there at  
14 that monitoring station.

15                   MEMBER HENRY: So they are there  
16 continuously?

17                   MR. HERTTER: They are there, not  
18 necessarily sitting in front of that computer. But in  
19 that shop looking at that -- available to look at it any  
20 time. I'm not going to say they're going to sit there  
21 and stare at the screen.

22                   MR. LOPEZ: That's their main  
23 responsibility, is to sit there and monitor that  
24 station.

25                   MEMBER HENRY: Okay. So the comment in

1 your manual where you state that they have to be -- they  
2 have to check in every 20 minutes, what does that mean?  
3 Now I'm confused.

4 MR. HERTTER: That's a minimum. Because  
5 the ruling at the last board meeting was that someone  
6 has to physically check that station. So I put the  
7 minimum.

8 MEMBER BAUGHMAN: So for further  
9 discussion on this, looking at the remote monitoring  
10 station that's on Page 19 and the same -- which is just  
11 an E-Stop, on Page 40. I don't see a remote -- I don't  
12 see an actual remote panel. I see a boiler E-Stop. I  
13 don't see a light. I don't see an alarm, a horn, a  
14 buzzer. All I see is the computer screen and the  
15 E-Stop.

16 And then on Page 40, just the E-Stop  
17 itself. So if someone's just looking at a screen -- and  
18 from the way your manual states, it's every 20 minutes  
19 is what they're checking the remote station. How is  
20 this enunciating at the remote station if there is an  
21 alarm?

22 And I understand we're using cellular.  
23 So we're anticipating that it's alarming to someone's  
24 phone.

25 MR. HERTTER: It goes directly to this

1 computer at the station. It would alarm right there.  
2 And it will also send out signals to all the people  
3 listed with that alarm.

4 MEMBER BAUGHMAN: And that alarm is in  
5 the form of what?

6 MR. LOPEZ: It's a beeping on the  
7 screen. It's kind of like your laptop. The speaker  
8 would sound an alarm.

9 On the boiler, on Page 40, that is  
10 actually in the boiler room. So it's pretty obvious you  
11 have the signals on the boiler itself that will  
12 enunciate an alarm.

13 MEMBER HENRY: To go back to your  
14 earlier point. You said they wouldn't necessarily be  
15 sitting in front of the computer all the time, but they  
16 would be in the general area. Am I to understand, then,  
17 they would be in the general area so if there was an  
18 alarm they would be able to hear it?

19 MR. HERTTER: Yes.

20 MEMBER HENRY: And that would be  
21 continuous?

22 MR. HERTTER: Yes.

23 MEMBER BAUGHMAN: I know we made a  
24 revision on our checklist. But we now ask about the  
25 carbon monoxide and whether that is being alarmed back



1 to the remote station. And I don't see it addressed in  
2 this checklist.

3 But I was curious to know if, in fact,  
4 we've got carbon monoxide alarms in the boiler rooms and  
5 whether those are enunciated back to the remote station.

6 MR. HERTTER: I did not look for that,  
7 so I don't know the answer to that.

8 MEMBER BAUGHMAN: And the next question  
9 I would have is, is there an E-Stop available either --  
10 when this is texted out to a phone, do they have the  
11 availability of stopping the boiler? Hitting an E-Stop,  
12 via the phone, and shutting the boiler off remotely that  
13 way?

14 MR. HERTTER: I believe there is that  
15 capability. But the Board has said in no uncertain  
16 terms that they wanted a physical stop.

17 MEMBER BAUGHMAN: Not to be a trick  
18 question, but that's why I was asking.

19 MR. LOPEZ: It would be the same as, you  
20 know, you're relying on cellular signal to stop the  
21 boiler instead of hardwires.

22 MEMBER BAUGHMAN: Yes. I'm more -- and  
23 thank you for that answer and clarification.

24 I'm more concerned at the enunciation at  
25 the remote monitoring station, that even though someone

1 is in that room, someone that's in that room has to take  
2 a break. They have possibly other duties. And I don't  
3 see their duties necessarily listed in here as a remote  
4 monitoring attendant.

5                   So that's an identification of personnel  
6 that we would need to have identified if their duty is  
7 to be in that maintenance room as a remote monitoring  
8 attendant.

9                   MR. HERTTER: This has just been created  
10 just to monitor this. So there's -- I have to kind of  
11 figure out if there are some other things they can do  
12 while they're monitoring the station.

13                   MEMBER BAUGHMAN: What would the  
14 protocol be if that person has to leave due to an  
15 emergency, due to illness, due to what have you? What  
16 then is the protocol if that remote monitoring attendant  
17 has to leave unexpectedly?

18                   MR. LOPEZ: So, just to clarify, we  
19 haven't had that happen yet.

20                   But while this person goes to break, I  
21 take care of the monitoring station. When he goes to  
22 lunch, I take care of the monitoring station. My office  
23 is right next to the monitoring station. And most of  
24 the time, you know, we interact with each other.

25                   And just a little brief, we requested

1 four people to come in. And out of the four, two showed  
2 up.

3 So my goal is to have four people around  
4 just to do different things in the shop, but also have  
5 one person designated to monitor the station. And one  
6 backup just in case. So this happened not too long ago.

7 MEMBER BAUGHMAN: Good.

8 Again, there needs to be a clarification  
9 of the remote monitoring attendant's duties. And can  
10 his duties distract from that job?

11 And I understand you're there, but  
12 you're not there three shifts a day, seven days a week.

13 MR. LOPEZ: Right.

14 MEMBER BAUGHMAN: So my concern more is  
15 second and third shift. What happens when, again,  
16 they've got to take a break or they become ill or  
17 there's an emergency that they have to attend to?  
18 What's the protocol?

19 And that's not listed in the manual  
20 itself.

21 MR. LOPEZ: We are also working on a --  
22 being able to completely monitor the station from a cell  
23 phone. There's some trouble in the firewall that  
24 doesn't allow us to actually look at the station itself.  
25 But we receive alarms and e-mails through the BMS system

1 from Trane. And we are working with the IT Department  
2 to make us have complete access to the actual monitoring  
3 station. So if that person leaves or we -- well, if we  
4 are required to look at our boilers on the cell phone or  
5 laptop, we should be able to.

6 MEMBER BAUGHMAN: And that may be  
7 something for our further discussion. Because I don't  
8 think we presently allow remote monitoring from a remote  
9 standpoint. In other words, we can't remotely monitor  
10 the remote monitor.

11 MR. HERTTER: No. That would be for an  
12 emergency situation where someone all of a sudden left  
13 or they didn't realize that person was gone. They can  
14 still look at it until they can get someone in there.

15 MEMBER BAUGHMAN: I understand the  
16 thought-process behind it. It's just not approved.

17 MR. HERTTER: Understood.

18 MEMBER BAUGHMAN: But I do appreciate  
19 that.

20 CHAIR MORELOCK: That's been a  
21 longstanding concern, especially if a security guard is  
22 a remote monitor. What if something happens that pulls  
23 him away.

24 And anything that would pull a person  
25 away from that remote station you would revert back to

1 the 20-minute rule. Because you're not in the variance  
2 then. You've lost your remote monitor.

3 MEMBER BAUGHMAN: So just to be, you  
4 know, up front, I still think this is premature. I  
5 think that there's items that are just not yet in place.  
6 But if we approve this, then it's contingent upon the  
7 inspector.

8 And if the inspector goes out on second  
9 or third shift, potentially -- and it's their  
10 prerogative whenever they go out to do the inspection --  
11 and it doesn't pass, then you're in a position of having  
12 to operate under the 20-minute rule and the  
13 ramifications of how we go further with moving the  
14 variance in place.

15 So I'll just -- I've still got my  
16 reservations on approving it just as it stands today.  
17 Just so you know.

18 MEMBER HENRY: If I can just make a  
19 clarification? In the past we have approved these with  
20 the contingency that whatever deficiencies we may have  
21 identified in the manual would have to be corrected.  
22 And that was certainly the intent of my motion.

23 CHAIR MORELOCK: Okay.

24 MEMBER BAUGHMAN: My concern to that,  
25 Mr. Henry, is we don't have the personnel in place. And

1 those personnel are being identified as being in place  
2 in April. I just want to make sure if we do vote and  
3 approve it, then I want to make sure that they're  
4 understanding that if the inspector goes out and denies  
5 this, that we've addressed that. It's been up front and  
6 what have you.

7                   So I'm kind of leaving it up to them,  
8 too, and saying, you know, we are going to have these  
9 mechanisms in place and understand the ramifications if  
10 they're not when the inspector comes.

11                   MR. HERTTER: Okay. I mean, if you're  
12 hesitant to approve that until the other four people  
13 completed the class, then I would suggest -- I don't see  
14 the need to come before the Board again. We can  
15 possibly delay that inspection until class -- or the  
16 personnel have gone through the class. Is that a  
17 possibility?

18                   CHAIR MORELOCK: So just know if you  
19 take that route you'll be on the 20-minute rule until  
20 you get all those deficiencies corrected and a site  
21 visit. So you've got that option. Or you've got an  
22 option to pull this back and put it on the next upcoming  
23 board meeting, which will be March. And --

24                   MR. HERTTER: We're on the 20-minute  
25 rule now.

1 CHAIR MORELOCK: But you're not going to  
2 have all your personnel in place until April. I mean,  
3 would you come in June with everything in place to get  
4 this variance? What's your plan?

5 MR. HERTTER: I mean, we've already got  
6 personnel. It's just extra personnel, is kind of my  
7 position. We're just adding personnel.

8 CHAIR MORELOCK: It's up to you. We've  
9 got a motion. We can act on that motion. But I think  
10 everyone here understands you've got some deficiencies  
11 to fix. Right?

12 MR. HERTTER: Yes, sir.

13 CHAIR MORELOCK: So do you want us to  
14 proceed and vote? Or do you want to work on this manual  
15 and come back?

16 MR. HERTTER: Give us just a minute.

17 (Pause)

18 CHAIR MORELOCK: Okay. Gentlemen, do  
19 you have a path forward, or do we postpone?

20 MR. HERTTER: We're trying to figure out  
21 when the -- when the tests are for the operators.  
22 We're relying on that. I'm not sure when that is.

23 MR. LOPEZ: It's in April. So the next  
24 test for certification is in April. That's when the  
25 guys will go and take the test.

1 MR. HERTTER: But the next board meeting  
2 is?

3 CHAIR MORELOCK: June. June would suit  
4 your needs well if you get everything ready by April.

5 MR. HERTTER: We'll wait for the June.

6 MR. LOPEZ: This gives us the time to  
7 correct issues and whatever you guys are asking for.

8 CHAIR MORELOCK: Yes. Go ahead and make  
9 the corrections that we made today. And then get all  
10 your training and personnel and send us a clean manual  
11 based on the comments. Put it on the June agenda. Is  
12 that the path forward you want to take?

13 MR. LOPEZ: I think that's best.

14 CHAIR MORELOCK: Okay. So we will table  
15 this item for revision of the manual and process work  
16 that they're going to do with personnel. And we will  
17 put this on the June agenda.

18 Thank you.

19 MEMBER BAUGHMAN: Let me say thank you  
20 guys very much. That was a good back-and-forth. But  
21 you gave very open candid replies. We appreciate that.

22 CHAIR MORELOCK: What I want to do is,  
23 and I know everybody's probably getting ready for a  
24 break, so if you'll give me five minutes, I'll give you  
25 a ten-minute break. How's that?



1                   So, Mr. Bowers, if you'll come forward.  
2 We want to take just a minute and let everyone see your  
3 smiling face.

4                   (Mr. Bowers comes forward.)

5                   CHAIR MORELOCK: We want to honor you  
6 for your time on the Board of Boiler Rules by presenting  
7 you with this plaque for your dedicated service and  
8 expertise that you brought to the Tennessee Board of  
9 Boiler Rules.

10                   We thank you for your service and  
11 congratulation on retirement.

12                   MR. BOWERS: I've enjoyed it.

13                   (Applause)

14                   CHAIR MORELOCK: Okay. Let's take a  
15 ten-minute break.

16                   (Break in the proceedings.)

17                   CHAIR MORELOCK: Okay. Let's get to our  
18 next item, please.

19                   Okay. We are now at "New Business."

20 And the first item of new business is Item 21-12.

21 Colonial Chemical requests consideration for approval of  
22 a variance to boiler attendant requirement.

23                   Come forward to the public podium and  
24 introduce yourselves and present your variance manual,  
25 please.

1 (Representatives approach podium.)

2 CHAIR MORELOCK: While these gentlemen  
3 are doing that, are there any conflicts of interest from  
4 the board members?

5 (No conflicts indicated.)

6 CHAIR MORELOCK: Okay. No conflicts of  
7 interest.

8 MR. HORTON: Bob Horton, Project  
9 Engineer with Colonial Chemical.

10 MR. LOFTY: Josh Lofty, Plant Manager  
11 with Colonial Chemical.

12 MR. HAYNES: Brandon Haynes, Engineer  
13 with Industrial Boiler & Mechanical Company.

14 MR. RIGSBY: Jimmy Rigsby, Maintenance  
15 Manager with Industrial Boiler & Mechanical Company.

16 MR. HORTON: We're seeking approval for  
17 a variance to the boiler attendant requirement.

18 Just briefly, Colonial Chemical is a  
19 small chemical manufacturer -- specialty chemical  
20 manufacturer. We utilize steam in our plan to  
21 indirectly heat our mixers and reactors. We currently  
22 are at capacity.

23 We've got 100-horsepower boiler. We've  
24 got a 60-horsepower rental. So we're -- actually, we  
25 just completed construction on two 200-horsepower

1 boilers from Industrial Boiler.

2           We actually, at this point, have gone  
3 through -- construction is complete. We're working with  
4 these gentlemen on commissioning electrical checkout,  
5 alarm checkout. We were scheduled for an inspection  
6 today, but it got canceled. So we'll pick up on it next  
7 week and go down that path.

8           Basically, we have a remote panel about  
9 125 feet from the boiler room in our main operating  
10 area. The alarm panel has lights and a horn.

11           We have our chemical operators -- A, B,  
12 and C chemical operators. They will be the monitors.  
13 It is a requirement in SOPs that near the production  
14 desk in that area that that be staffed continuously.

15           We run 24/7, 365 days a year. Our  
16 procedures call for that area to be manned by at least  
17 one operator: A, B, or C operator the entire time.

18           We're happy -- we did test the horn the  
19 other day. The horn can be heard throughout the plant.  
20 There's no issue hearing it in that general area, in the  
21 offices, and everywhere.

22           Our boiler attendant will be our  
23 maintenance technicians. Jimmy Riggsby manages  
24 maintenance. We've got four maintenance technicians.  
25 They will be the monitors that will respond to the

1 alarms. They will be the people that start, stop, and  
2 maintain the boiler.

3           We've also named our supervisors and our  
4 "A" operators -- "A" being the highest level of  
5 operators -- as the attendants off shifts. Our  
6 maintenance crew -- it's in the book. They work only  
7 days and limited on weekends.

8           So, like we talked about before, if  
9 there's an alarm and the boiler shuts down, we will hold  
10 it down. If we need to call in a maintenance man to  
11 repair that, we hold it down and wait. We do it now.  
12 It's part of our business model.

13           Since we were here last we have put in  
14 details on our training. We've -- along with our  
15 project technology training -- I sat with them. We've  
16 now trained all our remote monitors.

17           We also -- with Brandon, he's given  
18 eight-hour sessions to our supervisors and "A" operators  
19 to give them additional knowledge to be a boiler  
20 attendant, but not to start it, stop it, or anything  
21 like that. They'll be taking the readings off shift.  
22 And we wanted to increase the familiarity with the  
23 boilers for those gentlemen.

24           We do have -- I know it was brought up  
25 before. I've got placards hanging at the alarm panel.

1 This is the emergency procedure. I won't blow it up.

2 We've been using this in our training.

3 CHAIR MORELOCK: Do I have a motion to  
4 discuss?

5 MEMBER HENRY: So moved.

6 MEMBER BAUGHMAN: Second.

7 CHAIR MORELOCK: Okay. What questions  
8 or comments do you have from the Board?

9 MEMBER BAUGHMAN: Mr. Horton, good to  
10 see you here again. The rest of you guys, thank you for  
11 coming back and presenting this.

12 In the manual that -- so the 100-horse  
13 and the 60-horse are still operational?

14 MR. HORTON: Yes, sir.

15 MEMBER BAUGHMAN: And I noticed in the  
16 previous manual it said once the new boilers are online  
17 both those boilers would be removed from their  
18 locations. That's still the plan?

19 MR. HORTON: That still is. Yes.

20 MEMBER BAUGHMAN: The wording was  
21 changed in this manual, so I just wanted to clarify  
22 that.

23 MR. HORTON: They'll be gone. Can't be  
24 gone quick enough.

25 MEMBER BAUGHMAN: So on Page 4 -- and,

1 again, I may jump around as I made my notes.

2                   Page 4, I'm looking to see where it  
3 states the controller also continuously monitors safe  
4 water level. And that is referred to in Appendix B.

5                   Oh, yes, Page 4. Under "Some of the  
6 Features of the Controller."

7                   "The microprocessor-based Fireye  
8 controller (Appendix B) will control flame monitoring  
9 for the boiler. The controller will also continuously  
10 monitor safe water level, steam pressure, and status of  
11 all safeties."

12                   And it refers to Appendix B. But in  
13 Appendix B I don't see the description of where it  
14 monitors safe water level. And so my question to that  
15 is, how is the primary and secondary low-water alarms  
16 being enunciated back to the remote panel if they don't  
17 go back through the enunciation on the YB-110 Fireye?

18                   MR. HAYNES: Right. I apologize for  
19 the -- not having that clarified correctly.

20                   So the factory wiring, best I recall,  
21 the primary and secondary water alarms do -- you know,  
22 do shut down the boiler.

23                   The Fireye does -- let's see. How do I  
24 explain this? I'm sorry. Because I don't do the actual  
25 wiring for the actual panel. We do have the panel set

1 up that anything that shuts down the boiler locally does  
2 alarm remotely on the panel that you see.

3                   I guess I misspoke that the Fireeye  
4 monitors water level. You know, the floats are not  
5 necessarily in that control circuit. But the -- there  
6 is a primary and a secondary low-water cutoff,  
7 obviously, on these boilers. And there is an alarm  
8 circuit to kill combustion in that. And we just simply  
9 take that local horn and light signal and we display  
10 that remotely.

11                   So we're taking the factory alarm and  
12 shutdown capability of the Johnston boiler with the  
13 Fireeye. And we're hardwiring that to another location  
14 to let you know what happens. So maybe that doesn't  
15 actually occur in the Fireeye flame safeguard, but we're  
16 just remotely showing what the factory safeties are  
17 doing on the boiler via hardwire connection.

18                   MEMBER BAUGHMAN: Okay. And I  
19 appreciate that.

20                   And so what we've got is a factory-wired  
21 alarm that is enunciating what the YB-110 Fireeye is  
22 enunciating. Whatever that fault may be, flame,  
23 failure -- what have you.

24                   MR. HAYNES: Yes.

25                   MEMBER BAUGHMAN: But the factory wiring

1 does include, through that same alarm, the low waters?

2 MR. HAYNES: So it should -- the safety  
3 circuits there with the Fireye. I believe the primary  
4 would shut off the demand. So it's an automatic  
5 recycling limit.

6 And the secondary low-water cutoff would  
7 actually open -- I believe the way that works is it  
8 would actually open the safety circuit and initiate a  
9 lockout on the flame safeguard.

10 MEMBER BAUGHMAN: Okay. So it's not --  
11 that's not how it's typically wired.

12 MR. HAYNES: Sorry.

13 MEMBER BAUGHMAN: And that's okay. I  
14 understand it's put in the position of different  
15 technical expertise. I understand. The low waters in  
16 the control circuit -- so whenever low water opens, it  
17 will shut off.

18 My questioning is because it's -- as you  
19 know, there's more waters that melt than they do blow  
20 up. So low water is one of the prime alarms that we  
21 want enunciated back to a remote panel.

22 MR. HAYNES: Yes, sir.

23 MEMBER BAUGHMAN: Furthering that.  
24 Sometimes it's the secondary alarm that gets enunciated  
25 back because it's on a manual reset by our State of



1 Tennessee Codes.

2 MR. HAYNES: Yes, sir.

3 MEMBER BAUGHMAN: But a lot of times the  
4 primary isn't enunciated, even though it's got an alarm  
5 circuit. The secondary gets sent because it's got to be  
6 manually reset. To me, the low waters primary and  
7 secondary need to be on alarm circuit and sent back to  
8 the remote panel.

9 They aren't always wired in from the  
10 factory that way through boiler manufacturers. A lot of  
11 times the boiler manufacturer hardwires the YB-110 alarm  
12 circuit. It'll do that through the Fireye. But the  
13 Fireye in no way is going to differentiate what is being  
14 alarmed out or what safety circuit has opened up. It's  
15 just looking at that control circuit loop.

16 MR. HAYNES: Yes.

17 MEMBER BAUGHMAN: So I guess where I'm  
18 going is I want to make sure -- and this is part of your  
19 manual, too, because you're doing your boiler water  
20 level checks and blowing down the water column. When  
21 you blow that water column down, not only is it a  
22 positive check for low-water cutoff, shutting the burner  
23 off, but it needs to enunciate the alarm back to the  
24 remote panel. And that's all we can ask for. And  
25 that's part of your checklist.

1 I was more curious to know how it was  
2 wired up to make sure that when they come out to do  
3 their inspection they're going to check that and see if  
4 it enunciates both the primary and the secondary.

5 MR. HAYNES: We set it up to  
6 enunciate -- anything that alarms locally at the boiler  
7 which anything that causes that horn which if you look  
8 at the factory wiring which -- if you wanted that as an  
9 appendix I wasn't aware.

10 But the low waters are -- they do cause  
11 a light and alarm in the factory panel. We simply take  
12 that signal and display that in another room. We  
13 duplicate that. So we, in no way, have altered the  
14 factory shutdown capabilities and alarm of the boiler.  
15 And we display that also.

16 MEMBER BAUGHMAN: Not every factory  
17 wires up everything. Every one can be different, so  
18 that's why I ask questions.

19 Do these boilers have a high-water  
20 alarm, also? Or are they just primary/secondary low  
21 water?

22 MR. HAYNES: They do have a high-water  
23 probe. Yes, sir.

24 MEMBER BAUGHMAN: Is it in the safety  
25 circuit, or is it alarmed? How is it wired in?

1 MR. HAYNES: Right now, I believe it's  
2 just an alarm. And so we would get that -- it's set to  
3 alarm locally with a light and a horn. So if we get  
4 that, we also get it at our remote panel.

5 MEMBER BAUGHMAN: Alarm only? Or does  
6 that also shut the boiler off and safety circuit?

7 MR. HAYNES: I'm not positive of that  
8 right now, sir. Because I didn't focus on it because I  
9 don't believe a high-water is required. That was an  
10 option that they chose, right?

11 It does alarm. I would have to verify  
12 whether or not it shuts the boiler off.

13 MEMBER BAUGHMAN: So if it alarms, the  
14 remote panel attendant is going to hit an E-Stop because  
15 he's gotten an alarm. Although the boiler hasn't  
16 necessarily tripped out because it's just alarming. So  
17 it doesn't actually cause a safety shutdown. All it's  
18 doing is causing an alarm.

19 And so that's one circuit that's -- it's  
20 alarming without it being a --

21 MR. HAYNES: A shutdown?

22 MEMBER BAUGHMAN: -- shutdown at the  
23 boiler itself.

24 MR. HAYNES: Right.

25 And I don't know if I can speak for

1 these guys. But I would prefer that a high-water would  
2 prompt a response anyway.

3 Like I said, I don't believe it's a  
4 requirement like low-water is. But we're going to do a  
5 remote attendant and a remote monitor that would shut  
6 the boiler down until local eyes can get on it.

7 MEMBER BAUGHMAN: The wires we wire  
8 in -- since it is putting out an alarm, we wire that  
9 into the control loop and shut the boiler off. It's  
10 alarming. Someone has got to turn it off anyway with an  
11 E-Stop. Might as well put it in the control circuit and  
12 have it shut the boiler off.

13 MR. HAYNES: And it may very well shut  
14 it off already from the factory. I just don't have that  
15 information.

16 MEMBER BAUGHMAN: Thank you very much  
17 for that.

18 What's the procedure, Mr. Horton, for  
19 when the chemical operators are acting as the remote  
20 panel attendants? They're visually within a line of  
21 sight to the remote panel, so what's the protocol for  
22 when they have to take a break or if there's anything,  
23 from an emergency standpoint? What's the procedure for  
24 that?

25 MR. HORTON: I'll let Josh Lofty address

1 that. He can speak to that.

2 MR. LOFTY: So we -- in the area where  
3 the remote panel is going to be we have anywhere from  
4 five to six operators, at any given time, in that area.  
5 They stagger their lunches throughout the 24 hours --  
6 you know, the two 12-hour shifts. They stagger their  
7 lunches so that we have three to four operators in that  
8 area at all times. So they are staggered.

9 And we've done that prior to this  
10 variance. That's always been a standard that we've had.

11 Obviously, the number has increased, of  
12 operators on the floor, since we're growing and we're  
13 adding new people. So it used to be just two people in  
14 production. But, as we've grown, we're able to put four  
15 to five people there. We're at least four people on the  
16 floor at all times.

17 MR. HORTON: We're covered through shift  
18 change, too.

19 MR. LOFTY: We're covered through shift  
20 change. We have an operator relief that comes in, so  
21 the operator -- any operator on the floor, he cannot  
22 leave the floor until the oncoming shift operator comes  
23 in and relieves that person.

24 And that goes for all positions that we  
25 have there. The chemical operator, material handler

1 doesn't leave the floor, or production operator. So we  
2 have a very good relief program.

3 MEMBER BAUGHMAN: That's very good. I  
4 feel good with that.

5 Lastly that I've got on your checklist,  
6 Page 4 of 4, Item number 36, Item "B." It says, "Does  
7 the manual include a test of, (a), the systems; (b),  
8 boiler water column; (c), remote monitoring; (d) other.

9 And it says, Page 11 -- see Page 11  
10 under "Duties." And I cannot find the boiler water  
11 column test on Page 11 under "Duties." You may clarify  
12 that for me on where I might find that.

13 MR. HAYNES: All right. I've got to  
14 double check this real quick because I do know that we  
15 had a step in there to initiate an alarm every day and  
16 verify that that worked.

17 I actually have this listed on --  
18 technically, it's on Page 7, under "Remote Monitor  
19 Duties." I do generally lay out how they're supposed to  
20 contact each other and initiate an alarm daily and  
21 confirm that that system is working. And so that would  
22 be on Page 7, Section (A) there, under "Normal Duties."

23 So I misstated -- for one, I misstated  
24 on the checklist the page and section that it was in.  
25 And what we've got here is we generally said "to

1 initiate an alarm." We can certainly modify that to  
2 make it specifically "a low-water alarm." We can do  
3 that very easily.

4 MEMBER BAUGHMAN: Yes. And since it is  
5 specific boiler water column, and your "Normal Duties"  
6 on Page 7 does not identify the boiler water column, I  
7 would ask that that be included.

8 I wouldn't make the boiler water  
9 column -- and actually, in the new checklist that we've  
10 got identifies out positive check of low-water cutoff.  
11 So we want to do more than just initiate an alarm. Some  
12 boilers, as you know, have a shunt that will not shut  
13 the boiler off. But you just push the button to  
14 initiate an alarm. That's not a positive check.

15 MR. HAYNES: Right.

16 MEMBER BAUGHMAN: What we're looking for  
17 is that that water column be blown down, shut the boiler  
18 off, and -- but I don't want to give the impression that  
19 that's the alarm that you always want to initiate. It's  
20 part of what you're doing, but you want to initiate  
21 other alarms to make sure those systems are operational.  
22 So, at any rate, thank you very much.

23 MR. HAYNES: Thank you.

24 CHAIR MORELOCK: Any other comments or  
25 questions from the Board?

1 (Pause)

2 CHAIR MORELOCK: I only had one comment.  
3 It's just an editorial.

4 On Page 7 you show "Emergency Duties."  
5 You also have an emergency procedure with the same  
6 procedure. And my only comment would be you might want  
7 to make those the same, especially if you're training  
8 people. So as they go through the manual, both  
9 emergency procedures should be identical. Right?  
10 That's the only comment I had.

11 MR. HAYNES: Okay.

12 CHAIR MORELOCK: Thank you. Any other  
13 questions or comments?

14 MEMBER HENRY: I'm good.

15 CHAIR MORELOCK: Do I have a motion or  
16 contingent approval of this variance based upon  
17 revisions to the manual based on the comments from the  
18 board meeting today, as well as a successful site visit?

19 MEMBER HENRY: So moved.

20 MEMBER BAUGHMAN: Second.

21 CHAIR MORELOCK: Any other questions or  
22 comments?

23 (Pause)

24 CHAIR MORELOCK: Hearing none, we'll  
25 call the question.



1 All in favor say "aye."

2 MEMBER HENRY: Aye.

3 MEMBER BAUGHMAN: Aye.

4 CHAIR MORELOCK: Aye.

5 Opposed? Abstentions, not voting?

6 (No opposition indicated.)

7 CHAIR MORELOCK: Gentlemen, you have a  
8 contingently approved variance.

9 MR. HORTON: Thank you.

10 CHAIR MORELOCK: So that would take us  
11 to Item 21-13. Valero Memphis requests to present their  
12 annual RBI program update.

13 Come forward and present that, please.

14 MR. CREAGER: Morning. Matt Creager  
15 with Valero Memphis Refinery. I'm here to present the  
16 Risk Based Program Review for 2021 for the refinery.  
17 Hopefully, you-all got a copy in front of you. I'll go  
18 through the summary.

19 "The Risk Based Inspection Program  
20 continues to be active at the Valero Memphis Refinery.  
21 The refinery continues to maintain scheduled damage  
22 mechanism, specific inspections planned and executed  
23 on-stream during routine maintenance and major  
24 maintenance outages.

25 "The key activities related to the RBI

1 program in 2021 are as follows:

2                   "The refinery executed maintenance  
3 outages on equipment in several process units. There  
4 were damage mechanism specific inspection activities and  
5 preventive maintenance work scopes conducted on all  
6 affected pressure vessels. All work scope was assessed  
7 using Risk Based Work Selection process (RBWS). Major  
8 maintenance activities for internal inspections and  
9 preventative maintenance were completed on the Flare Gas  
10 Recovery process unit to validate RBI classification on  
11 all fixed equipment.

12                   "The site is also presented and received  
13 approval for a renewal request for the existing approved  
14 Boiler Operating, Inspection, and Maintenance Program  
15 Procedure Variance allowing 24-month internal inspection  
16 frequency.

17                   "The site also underwent a corporate  
18 environmental excellence and risk assessment audit in  
19 the second quarter. This evaluation is completed on a  
20 three-year interval. The survey team consisted of  
21 Valero Corporate Regulatory Affairs and TriCore  
22 Environmental personnel. There were no mechanical  
23 integrity program findings identified to put into a gap  
24 closure plan.

25                   "Planning efforts are on-going for our

1 scheduled 2022 and 2023 maintenance outages. We are  
2 scheduled to remove five process units from service in  
3 2022 and two process units from service in 2023 for  
4 planned major maintenance and inspection activities.

5 "The site also sought and gained  
6 approval for TOSHA VPP Star Program Re-validation. The  
7 Valero Memphis Refinery has been a TOSHA VPP Star site  
8 since 2017."

9 Table "A," at the top of your second  
10 page, has the numbers relating to inspections performed  
11 in 2021 and planned for 2022 based on inspection type.

12 In 2021 we completed 108 internal  
13 inspections, 239 external inspections, one CUI  
14 inspection, 18 nonintrusive inspections, and 197  
15 jurisdictional inspections.

16 For 2022 we have 278 internal  
17 inspections planned, 330 external inspections, 18 CUI  
18 inspections, 21 nonintrusive inspections, and 532  
19 jurisdictional inspections.

20 Evergreen activities for the RBI program  
21 include: Reviewing the assigned damage mechanisms and  
22 executing proper inspection techniques; recording  
23 inspection results and grading them per the respective  
24 effectiveness tables; scheduling the next inspection per  
25 RBI methodology.

1 Nonintrusive inspection techniques are  
2 executed during external inspections. Routine corrosion  
3 monitoring and specialty non-destructive testing is  
4 performed when required.

5 Revalidation of fluid properties and  
6 operating conditions are ongoing and completed on a  
7 five-year interval.

8 Jurisdictional inspection activities on  
9 registered equipment are maintained with zero  
10 delinquencies currently.

11 Process equipment is circuitized and  
12 risk ranked in the RBI program. Our data management  
13 software integrates design data, visual inspection  
14 history, thickness monitoring data, assigned damage  
15 mechanism inspection results, and inspection scheduling  
16 that is integrated within the RBI module.

17 There's a summary of our risk data and  
18 distribution at the bottom of this page with circuit  
19 counts. I won't go through all of these numbers unless  
20 someone has questions.

21 Last, key inspection results from 2021  
22 include overall 108 internal, 239 external, and one  
23 corrosion under insulation inspection were performed.

24 Last year, and according to the RBI  
25 program, jurisdictional inspections are scheduled and

1 current, but are handled separately from the RBI  
2 program. We execute insulation and fireproofing repairs  
3 based on the CUI and external visual inspection  
4 recommendations.

5 A full summary of our equipment and  
6 circuits currently included in our RBI program are also  
7 included at the bottom of this page.

8 CHAIR MORELOCK: Thank you.

9 Motion to discuss?

10 MEMBER HENRY: So moved.

11 CHAIR MORELOCK: Thank you.

12 MEMBER BAUGHMAN: Second.

13 CHAIR MORELOCK: Any questions or  
14 comments?

15 CHAIR MORELOCK: Good report.

16 MR. CREAGER: Thank you.

17 MEMBER BAUGHMAN: Yes. As always, it  
18 seems like Valero is on top of their game. That's  
19 appreciated by those that work there. And those of us  
20 that sit here and evaluate these.

21 MR. CREAGER: I'll certainly pass that  
22 along. Appreciate that.

23 CHAIR MORELOCK: Thank you.

24 All right. That takes us to Item 3.

25 Item 21-14. The University of Tennessee Health Science

1 Center requests a new issuance be granted for a boiler  
2 remote attendance variance.

3 Come forward and introduce yourselves.

4 While you're doing that, are there any  
5 conflicts from the Board?

6 (No conflicts indicated.)

7 CHAIR MORELOCK: There are none.

8 MEMBER BAUGHMAN: I'm a Vanderbilt fan.

9 MR. NEVILLE: I'm James Neville with  
10 Neville Engineering.

11 MR. BISHOP: Kevin Bishop representing  
12 University of Tennessee Health Sciences.

13 MR. NEVILLE: Today we're here to  
14 request a variance for a new building that was purchased  
15 by University of Tennessee Health Science Center.

16 On Page 2 of the manual we list the  
17 15 boilers that are currently in the system. The one  
18 that we're presenting -- or requesting today is in the  
19 TriMetis Building. And that's 45 South Dudley Street.  
20 And we list the Tennessee boiler number on Page 2.

21 If I could have you turn over to Page 1.  
22 We do have one personnel change. Mr. Kevin Bishop  
23 here (indicating) is replacing Jesse Johnson. So that  
24 is a personnel change that we need to update.

25 Turning to the site plan on Page 2, to

1 give an update of where that TriMetis Building is  
2 located. It's approximately K-7 on the -- and that's  
3 approximately 450 feet from the control.

4           The boiler for TriMetis is defined in  
5 A-7. That's a Bryan Flexible Water Tube Boiler with  
6 Honeywell RM7800 controls.

7           The personnel that will be monitoring  
8 those boilers is the same as with the previous  
9 variances. At the remote station the senior power plant  
10 operators, the boiler operations supervisor, and the  
11 HVAC operations supervisor is who is listed right now.

12           On the -- as far as the boiler  
13 attendant, Page 7, we list the senior power plant  
14 operator as the boiler attendant.

15           This is located in Memphis, so they do  
16 have to have a first class operator's license as well.  
17 So we identified that in Appendix G, under their job  
18 title.

19           As far as the -- on Page C-2 we list  
20 some of the Metasys information for that boiler. And  
21 one of the last items on that list, it does show the  
22 carbon monoxide detector that will be reporting back  
23 from the boiler room.

24           On C-24 we do list more detailed  
25 reporting of the alarms for that boiler. So it just

1 gives a more comprehensive list.

2                   Then as far as the power piping and feed  
3 water diagram, we do show that. That's on -- that  
4 should be E-14, I think, is the sheet on that. That's  
5 specific for the TriMetis.

6                   MEMBER BAUGHMAN: What was that --

7                   MR. NEVILLE: E-14 is the page number  
8 for that.

9                   We do have the location now of the  
10 carbon monoxide detector. I can update that. It's  
11 located beside the boiler. So I will update that.

12                   MEMBER BAUGHMAN: James, I don't see an  
13 E-14 in my book. I see E-13. I'm assuming the next  
14 page is E-14.

15                   MR. NEVILLE: Yes. Does yours have  
16 TriMetis as the --

17                   MEMBER BAUGHMAN: Yes, sir. It does.

18                   MR. NEVILLE: TriMetis is the -- should  
19 be the project identification on that.

20                   MEMBER BAUGHMAN: It just refers to  
21 E-14.

22                   MR. NEVILLE: I'll make sure it was on  
23 there.

24                   And one other clarification on that, as  
25 well. We're showing a deaerator. But that is a boiler



1 feed tank, not a deaerator.

2                   And that's our presentation so far. If  
3 you have any questions, we can field any questions.

4                   CHAIR MORELOCK: Thank you.

5                   Do I have a motion to discuss?

6                   MEMBER HENRY: So moved.

7                   MEMBER BAUGHMAN: Second.

8                   CHAIR MORELOCK: What questions or  
9 comments does the Board have?

10                   MEMBER BAUGHMAN: I'll just make one  
11 comment, off the top of my head.

12                   Mr. Neville, this manual was fairly  
13 confusing to me being that this is for the analyzation  
14 consideration for one new variance. It's not for any of  
15 the other 14 boilers.

16                   Is that correct?

17                   MR. NEVILLE: That is correct. I mean,  
18 they're on a variance --

19                   MEMBER BAUGHMAN: I understand. But  
20 they're not part of this particular manual. And because  
21 of that, there was so much information in here to weed  
22 through in trying to analyze this one TriMetis boiler.

23                   And so there's some nomenclature that's  
24 C-7. And then you would have the same nomenclature  
25 later on that may be the same. I'm trying to go back

1 and forth. There's a lot of information that's not  
2 specific to this TriMetis variance itself. It included  
3 a lot of other information.

4 MR. NEVILLE: Right. When -- when we  
5 have a campus like this with 15 boilers, would the Board  
6 like us to just present the -- a variance for that  
7 specific building?

8 The problem there, I guess, is the --  
9 having one manual for -- because these operators are  
10 monitoring those -- you know, all 15 boilers. Having  
11 individual manuals for each building becomes -- you  
12 know, it does become complex presenting it.

13 But I guess, for the simplicity for the  
14 facility, when they're training an individual, you know,  
15 having one manual is the best case for them.

16 MEMBER BAUGHMAN: My knee-jerk to that  
17 is that would be okay if you had all the same boilers,  
18 all the same equipment. But you've got everything from  
19 Cleaver to Bryan to Sussman. You've got an electric in  
20 here.

21 MR. NEVILLE: That's --

22 MEMBER BAUGHMAN: You've got just a  
23 variable amount of equipment. And the enunciation  
24 points are different for one boiler than they are for  
25 another. Hawk versus the TriMetis and so forth.

1                   And so, you know, for me, trying to weed  
2 through this, it's got to be the same thing for  
3 personnel at the jobsite. They've got to be looking at  
4 this, and they've got to go through other buildings to  
5 get to what it is that they're looking for.

6                   But that's just my own point of view.  
7 Is it mandated by us? I don't think it is. Is it  
8 easier for me if I went to the jobsite or an inspector  
9 or whoever? That's a call.

10                   I'm just making an observation from my  
11 end of it in. Reviewing this was a little difficult for  
12 me.

13                   And what it does, is it brings up  
14 questions for me on some of these other boilers, as I'm  
15 going through and reviewing them. All of a sudden I've  
16 got questions that are popping on the renewals. And  
17 it's not part of this.

18                   So I had to figure out what it was we  
19 were actually doing here and the way that it was worded.  
20 You know, we've got one new variance. And we've got  
21 14 renewals. What is it that we're actually doing.

22                   MR. NEVILLE: Okay.

23                   MEMBER BAUGHMAN: I'm good with that  
24 now. I just wanted to let you know this was somewhat  
25 confusing to me as I was reading it.

1 MR. NEVILLE: Okay. That's fair.

2 CHAIR MORELOCK: Really, what might have  
3 been helpful, since you're adding one boiler, then it  
4 could have been presented as an appendix that would go  
5 into -- with the other 14. Once approved.

6 And then, like Dave said, you know, the  
7 only thing we're going to vote on is the one boiler, not  
8 the 15 boilers. Right?

9 MR. NEVILLE: That's right.

10 CHAIR MORELOCK: So anything that you  
11 can do to make it easier to show what is being  
12 considered, what's changed. And then everything else is  
13 being renewed by the Boiler Unit. You know?

14 MR. NEVILLE: Right.

15 And one of the thoughts with putting it  
16 all in one manual was that the renewal would come -- you  
17 know, part -- if we had 15 different boilers and the  
18 renewal point was scheduled all over the map, then they  
19 would be continually doing a renewal process.

20 So they wanted to be able to have  
21 renewals every three years and do them all at once. So  
22 that was the original thought.

23 CHAIR MORELOCK: It's your manual. Just  
24 make it easy for us to navigate what you want us to  
25 review.

1                   MEMBER BAUGHMAN: So when do those  
2 renewals come into play? Because if that's the case,  
3 we're not voting on the renewals today. So you're still  
4 out of sequence if we're putting the new variance in  
5 place now.

6                   And I don't know when the renewals are  
7 scheduled. But it still seems like it would --

8                   CHAIR MORELOCK: Well, the renewals, if  
9 there's no technical changes, there's no board review.

10                  MEMBER BAUGHMAN: True. But I'm just  
11 talking about as far as the sequencing.

12                  CHAIR MORELOCK: Sure.

13                  MEMBER BAUGHMAN: But in the checklist  
14 on Appendix "I," on Number 9, it says, "Is this a new,  
15 modified, or renewal variance request?" And you've got  
16 checked "New" and "Renewal."

17                  And so that's where some of my confusion  
18 was at. Because what are we supposed to look at?  
19 Henceforth, my confusion.

20                  MR. NEVILLE: So the new portion is  
21 that. And once that is added to the variance when I  
22 send it to the chief boiler inspector, it will be that  
23 new, plus -- since it's all one manual, you know, the  
24 request would be for him to do a renewal on the 14 that  
25 are not the new one.

1                   MEMBER BAUGHMAN: So this request, then,  
2 is actually for the one new variance and the 14 renewals  
3 based upon there being no changes. Is that correct?

4                   MR. NEVILLE: That's correct.

5                   MEMBER BAUGHMAN: Do we have a revision  
6 page that's in here?

7                   MR. NEVILLE: Yes.

8                   MEMBER BAUGHMAN: Well, I've got my own  
9 questions on the actual renewals based upon technical  
10 questions, if that's the case. Because as I was going  
11 through this, I was not only looking at the new  
12 variance, but I've got questions on some of those that  
13 would be up for renewal. Technical questions that came  
14 up as I was reading them.

15                   So I don't know how we would address  
16 that. Even though there may be no changes other than  
17 editorial, I've got technical questions that I think are  
18 worthy of discussion.

19                   CHAIR MORELOCK: Well, that would be  
20 taken to the Boiler Unit, if you just see something that  
21 concerns you. But those 14 have been voted on. They're  
22 in. And so, obviously, you know, he can probably run it  
23 through the Board several different times and get  
24 similar comments.

25                   But unless there's a technical change on

1 the 14, the chief inspector will take care of those.

2 We're looking at this one new one.

3                   MEMBER BAUGHMAN: When we brought this  
4 before the Board for the original variance, I know there  
5 was a question about one of the farthest boilers  
6 connecting to a hardwired E-Stop. And they said that  
7 was prohibitive because of the distance, and so forth,  
8 to it.

9                   And I don't know how that ever got  
10 rectified. Because from what I understand, everything  
11 got approved. I take it that the inspector went out and  
12 approved it. But as a technical boilerman, I don't know  
13 how that actually got taken care of.

14                   And then as I got reading technical  
15 information on the controllers, the controllers didn't  
16 have approval for remote E-Stops further than a thousand  
17 feet away. Henceforth, some of my technical questions  
18 that arose because of that. How we address them,  
19 someone can advise me. But I'm just saying that those  
20 were things that I noticed as I was going through.

21                   And, again, I was somewhat confused on  
22 whether we were looking at one variance and 14 renewals  
23 or just one new variance.

24                   At any rate, I bring that up to address  
25 the questions and concerns I had.

1 MR. HERROD: Chief O'Guin has a comment.

2 CHAIR MORELOCK: Go ahead.

3 MR. O'GUIN: Mr. Baughman, this should  
4 cover your questions. Since it's all one manual, we'll  
5 perform the inspection on all the boilers in the manual.

6 And also your second question that the  
7 E-Stop being remotely on the one boiler, we will check  
8 that on-site with the inspection to verify that they do  
9 shut down before we approve it.

10 MEMBER BAUGHMAN: Thank you, Chief.

11 One of the questions I would have, then,  
12 is, being in the manual on the technical side of the  
13 controls it addresses that a thousand feet is the  
14 maximum limit of hardwiring for the E-Stop. And if  
15 we've got them wired past that maximum limit, how would  
16 we address that?

17 MR. O'GUIN: I will definitely look at  
18 it when we're on-site, and I'll kind of see how to go  
19 about handling it.

20 MEMBER BAUGHMAN: Thank you.

21 MR. O'GUIN: I have not been to the  
22 location.

23 MR. NEVILLE: In Appendix B-1 we show  
24 the control panel. This is the boiler shutdown control  
25 panel. And down at the bottom of that where it says



1 TriMetis, that's the TriMetis boiler shutoff.

2                   Now, TriMetis is only 450 feet from that  
3 panel.

4                   MEMBER BAUGHMAN: Right. And I did  
5 notice that distance.

6                   My concern, again, came with the  
7 renewals. For the ones that were past a thousand feet.  
8 Which, I think, there are maybe three that are out past  
9 a thousand feet. They go to 1,185 on out. Yes. They  
10 start at 1,185 and further.

11                   I don't have a problem with the TriMetis  
12 distance, but the others.

13                   CHAIR MORELOCK: So you'll work with the  
14 Boiler Unit on that.

15                   MEMBER BAUGHMAN: Thank you,  
16 Mr. Neville.

17                   Thank you, Kevin.

18                   CHAIR MORELOCK: Any other questions or  
19 comments?

20                   (Pause)

21                   CHAIR MORELOCK: Hearing none, do I have  
22 a motion to contingently approve this variance based  
23 upon the comments made by the Tennessee board meeting  
24 today and then a successful site visit by the Boiler  
25 Unit?

1 MEMBER HENRY: So moved.  
2 MEMBER BAUGHMAN: Second.  
3 CHAIR MORELOCK: Okay. More discussion?  
4 (Pause)  
5 CHAIR MORELOCK: Hearing none, all in  
6 favor say "aye."  
7 MEMBER HENRY: Aye.  
8 MEMBER BAUGHMAN: Aye.  
9 MEMBER MORELOCK: Aye.  
10 Opposed? Abstentions, not voting?  
11 (No opposition indicated.)  
12 MEMBER MORELOCK: Gentlemen, you have a  
13 contingently approved variance.  
14 MR. NEVILLE: Thank you.  
15 MR. BISHOP: Thank you.  
16 CHAIR MORELOCK: That takes us to  
17 Item 21-15. Starr Regional Health & Rehabilitation  
18 requests a new issuance be granted for a boiler remote  
19 attendance variance.  
20 If you'll come forward and introduce  
21 yourselves.  
22 While you're doing that, are there any  
23 conflicts of interest?  
24 (No conflicts indicated.)  
25 CHAIR MORELOCK: No conflicts of

1 interest.

2 MR. BREWTON: Good Morning. I'm  
3 Keith Brewton with Combustion & Control Solutions out of  
4 Chattanooga, Tennessee.

5 And this is Lionel Dunnivant.

6 MR. DONOVAN: Lionel Dunnivant with  
7 Combustion & Control.

8 MR. BREWTON: And we're also here with  
9 Kenneth Gibson, who is virtual. He couldn't be with us,  
10 but he's here.

11 Ken, if you would please introduce  
12 yourself?

13 MR. GIBSON: Good morning, Chairman and  
14 Board. My name is Kenneth Gibson. I'm the DPO at both  
15 the Starr Regional Medical Center in Athens and Etowah  
16 for the rehabilitation.

17 CHAIR MORELOCK: Thank you.

18 MR. BREWTON: Gentlemen, we'd like to  
19 thank you for letting us come before the board and  
20 committee this morning. What we're here for is to apply  
21 with a new boiler variance for this facility.

22 Currently they have two 200-horsepower  
23 boilers with Fireeyes on both. No equipment has been  
24 installed at this point, just in case there was a change  
25 order based on this review.

1           The plan is to install equipment that  
2 once a boiler has shut down, that's when it's notified  
3 at the panel. So at that point the boiler is already  
4 down and we have to have personnel go to the equipment  
5 room. The location for the remote panel will be  
6 approximately 185 feet away.

7           One thing we did notice upon review, and  
8 I'd like to bring it to the Board before we get started,  
9 I found two discrepancies in my notes. They were just  
10 minor typos.

11           These would be on Page 5. Item 22.  
12 That one was marked incorrectly. That one should be  
13 "not applicable."

14           Then Item 30(b) was marked incorrectly.  
15 That should be "no."

16           And if you would turn to next page.  
17 Page 6. Item number 39. That one was left blank. That  
18 would be "yes."

19           MEMBER BAUGHMAN: Could you go back? I  
20 just got to 30(b), which is a "no."

21           MR. BREWTON: Yes.

22           MEMBER BAUGHMAN: And the next was?

23           MR. BREWTON: Page 6, Item number 39.  
24 That one I actually left blank. I'd like to make that  
25 one a "yes" statement.

1           Those are just some minor things that I  
2 had seen during my review the other night.

3           Oh, I'm sorry. Lionel just brought  
4 another one to my attention. On Page 3. Item number 2.  
5 That one should also be "no."

6           And I do apologize for that.

7           MEMBER BAUGHMAN: Page 3, Item 2?

8           MR. BREWTON: Yes, sir.

9           CHAIR MORELOCK: Do I have a motion to  
10 discuss?

11          MEMBER HENRY: So moved.

12          MEMBER BAUGHMAN: Second.

13          CHAIR MORELOCK: Thank you. What  
14 questions or comments do you have?

15          MEMBER BAUGHMAN: Mr. Brewton,  
16 Mr. Dunnivant, good to see you guys.

17                 You mentioned that these all have Fireye  
18 controls?

19          MR. BREWTON: Yes, sir. These are the  
20 E110s on both of these units.

21          MEMBER BAUGHMAN: I did not see the  
22 E110s listed. Maybe I'm looking at the wrong manual.

23          MR. BREWTON: Oh, I'm sorry. Since  
24 we're here for Kenneth Gibson, he actually has two  
25 facilities. One is for the Athens, Tennessee, location.

1 And one is for the Etowah. Which one are we --

2 MEMBER BAUGHMAN: I was on the Etowah.

3 MR. BREWTON: Okay. Those corrections  
4 would be the same on those pages, too. So we'll go to  
5 the Etowah.

6 MR. DUNNAVANT: Etowah has 7800s.

7 MEMBER BAUGHMAN: Which one are we  
8 reviewing?

9 MR. BREWTON: We can go to Etowah.

10 MEMBER BAUGHMAN: That's why I was  
11 looking.

12 MR. BREWTON: Those are actually two  
13 100-horsepower with 7800 controls.

14 MEMBER BAUGHMAN: Very good. Thank you.  
15 I'll start with my questions.

16 So these boilers are listed as -- under  
17 the equipment description, as natural gas only?

18 MR. BREWTON: Yes, sir. I believe that  
19 is correct.

20 MR. GIBSON: Yes, sir.

21 MEMBER BAUGHMAN: The burners are  
22 gas/oil combination. Do we have the oil disconnected or  
23 removed?

24 MR. GIBSON: Yes. It is disconnected.

25 MEMBER BAUGHMAN: Very good. Is this a

1 surgical facility?

2 MR. GIBSON: This is a rehab. It has an  
3 emergency room, and then it's like a long-term care  
4 center.

5 MEMBER BAUGHMAN: Very good. Thank you,  
6 Mr. Gibson.

7 MR. GIBSON: The boilers are completely  
8 locked.

9 MEMBER BAUGHMAN: Very good. Well, that  
10 was my question about removing the Number 2 Oil and what  
11 that requirement was for surgical facilities.

12 On Page 36, Item 9 -- and first I want  
13 to say thank you. The numbering on this is very concise  
14 and easy to go back and forth to.

15 On Page 36, Item 9. The control panel  
16 located in the boiler room, which consists of one  
17 hardwired E-Stop for each boiler, and so forth, what  
18 we've discussed is having one E-Stop that shuts off both  
19 boilers, not having a separate E-Stop.

20 MR. BREWTON: Okay.

21 MEMBER BAUGHMAN: So I just wanted to  
22 make mention of that. I know we've had discussions on  
23 E-Stops and so forth. But I just wanted to identify  
24 that in itself.

25 MR. GIBSON: Sir, when we run our

1 boilers, we only have one boiler online at the time. So  
2 that E-Stop will shut down the operating boiler. The  
3 other one will be shut down already.

4 MEMBER BAUGHMAN: Thank you for that  
5 clarification.

6 Should there, by chance, be a time of  
7 ever warming one up where two were online, there's  
8 always the possibility of having two boilers online. I  
9 know we say we only have one or the other. But we may  
10 be warming one boiler up or whatever the case may be.

11 Operations change. So there may be a  
12 time that we run two boilers. Henceforth, that.

13 MR. GIBSON: I'll do that, sir.

14 MEMBER BAUGHMAN: Thank you.

15 I'll make a note that the plot plan on  
16 37, which is the only page I don't have besides 38 -- 37  
17 and 38 are not numbered in my manual and are  
18 difficult -- and so I would ask that 37 and 38 be  
19 numbered since they're referred to.

20 MR. BREWTON: It must have been when I  
21 had the third-party assist. Because you should also  
22 have a yellow page in the back for the emergency page.  
23 And I'm not sure that came through either.

24 CHAIR MORELOCK: Yes.

25 MR. BREWTON: So you-all should have had



1 this (indicating). I apologize.

2 MEMBER BAUGHMAN: Oh, attentions to  
3 detail.

4 But the plot plan is difficult to read.  
5 I just made a note of that. I tried to decipher as best  
6 I could and get an idea. But it was a little difficult.

7 Lionel, do you think it's difficult?

8 MR. DUNNAVANT: Yes. I actually had an  
9 E-sized drawing that I worked from, so it was not quite  
10 as difficult.

11 MEMBER BAUGHMAN: Page 34. We asked for  
12 a simplified piping plan. Just wanted to note that this  
13 is a very simplified piping plan. I see one point of  
14 egress.

15 One of the things I don't see in this  
16 layout is the points of egress or doors in and out of  
17 the boiler room to identify how many doors we have,  
18 points of E-Stop locations, so forth. So it didn't give  
19 me enough information to actually analyze and give any  
20 input on.

21 So how many exits are there?

22 MR. GIBSON: There are two, sir. And  
23 they lead to outside.

24 MEMBER BAUGHMAN: Is there an E-Stop at  
25 each door?

1 MR. GIBSON: Yes, sir.

2 MEMBER BAUGHMAN: Very good.

3 Are they inside the boiler room?

4 MR. GIBSON: Yes, sir. They're right at  
5 the exit.

6 MEMBER BAUGHMAN: Did you mention before  
7 that the boiler room is locked?

8 MR. GIBSON: That is correct. It is  
9 actually on a badge reader.

10 MEMBER BAUGHMAN: So someone would have  
11 to enter the boiler room in order to activate the  
12 E-Stops. They'd have to do that through a badge reader.  
13 So the only access -- my next question would be who all  
14 has a badge reader?

15 MR. GIBSON: So that would be like  
16 your -- all your engineering folks, your security folks.  
17 The nursing supervisor has access to it. That's about  
18 it.

19 MEMBER BAUGHMAN: Very good.

20 How are the primary and secondary low  
21 waters enunciated back to the control panel?

22 MR. DUNNIVANT: The primary typically is  
23 in operating circuit. My feelings about variances, any  
24 system I do it is changed and moved into the limit  
25 circuit. So if they get a low-water enunciation, it

1 shuts the boiler down and has to be addressed by a  
2 boiler attendant. So it would be an E-Stoppable event.

3 MEMBER BAUGHMAN: So the primary is  
4 enunciating?

5 MR. DUNNIVANT: Yes.

6 MEMBER BAUGHMAN: In addition to the  
7 secondary?

8 MR. DUNNIVANT: In addition to the  
9 secondary.

10 We also use a firestop relay so we don't  
11 have to make extremely long runs. The actual limit  
12 circuit never leaves the boiler room. It's in the main  
13 variance panel in the boiler room and the firestop relay  
14 is what's controlled by the remote station. It shuts  
15 the boilers down. It takes three steps to restart.

16 MEMBER BAUGHMAN: And the remote panel  
17 is actually located -- and it's continuously monitored  
18 by laboratory technicians. Is that correct?

19 MR. DUNNIVANT: Yes, sir.

20 MEMBER BAUGHMAN: So my next question  
21 is --

22 MR. GIBSON: Yes.

23 MEMBER BAUGHMAN: I'm sorry?

24 MR. GIBSON: I was just responding.

25 MEMBER BAUGHMAN: Thank you.

1 My next comment to that is, on Page 39,  
2 "Personnel Responsible for Remote Monitoring System." It  
3 says, "The remote station will be continuously manned by  
4 laboratory technicians who have demonstrated experience  
5 with operating telephone communications and so forth."

6 And it says, "See Pages 30 to 35 for job  
7 descriptions."

8 It's actually 45 to 47.

9 MR. BREWTON: Oh, yeah.

10 MEMBER BAUGHMAN: And the laboratory  
11 technician. I do not see a job description listing that  
12 personnel as a remote monitoring attendant. I just  
13 didn't find it. You may have to point me in the right  
14 direction.

15 MR. DUNNIVANT: I'm looking now.

16 MEMBER BAUGHMAN: Nor do I see the  
17 person on the organizational chart.

18 MR. DUNNIVANT: I don't either. We'll  
19 amend that to include them.

20 And you said it wasn't in the position  
21 description as well?

22 MEMBER BAUGHMAN: I didn't see the job  
23 duties for the laboratory technician listed along with  
24 the other duties from -- you know, you've got security  
25 officer. You've got VPO. You've got individual

1 position description, boiler operator. But there's no  
2 description for the laboratory technician to identify  
3 that their responsibility is also remote station  
4 monitoring.

5 MR. DUNNIVANT: We can definitely add  
6 that in because we actually, in this case and the next  
7 case we've listened to alarms in -- ones in the lab and  
8 one in the emergency room to make sure the alarm was  
9 easily differentiated from other alarms going off in  
10 there. So we talked about it, but we failed to put it  
11 in the manual.

12 MR. BREWTON: And these will all be  
13 visual and audio. That way we can differentiate between  
14 what they've got going on with the other panels that  
15 Lionel has addressed.

16 MR. DUNNIVANT: We'll add the job  
17 description.

18 MEMBER BAUGHMAN: That gets to my point  
19 of does that person at the remote monitoring station do  
20 other jobs. And because there is no job description to  
21 show what their responsibilities are. I can't say there  
22 aren't responsibilities they may have, i.e., responding  
23 to a code situation, or whatever the case may be that  
24 can take them away from the remote station.

25 I mean, I understand alarms. But, there

1 again, in hospitals we have all kinds of alarms going  
2 off.

3 MR. BREWTON: Kenneth, can you elaborate  
4 on that for us and let us know what their duties are,  
5 briefly, please?

6 MR. GIBSON: So the lab doesn't have  
7 alarms inside of the lab in there.

8 And the personnel in there is the  
9 standard laboratory duty. What their daily normal is.  
10 But they don't have any other alarms to respond to;  
11 i.e., they don't respond to the fire alarm unless it's  
12 in their area.

13 MEMBER BAUGHMAN: Very good.

14 How many lab technicians are in this  
15 location at any time?

16 MR GIBSON: Four. They switch out.

17 It's mainly because they take your blood  
18 sample, and they can't wait to get that done. So there  
19 always has to be a lab tech there to take care of  
20 whatever comes in.

21 But since they only have one alarm in  
22 there, that would be the variance alarm, the monitoring  
23 station.

24 MEMBER BAUGHMAN: Is there ever a time  
25 that the lab technicians would be out of that room

1 attending to other duties, i.e., attending to questions;  
2 talking to doctors, nurses; so forth?

3 MR. GIBSON: No, sir. They're always in  
4 there. There's always one lab tech at a minimum in  
5 there.

6 When they eat lunch, they do -- one will  
7 go and the other one will stay, and so on and so forth.  
8 And that's because if something comes down that has to  
9 be tested right away, they can't be gone and not test  
10 it.

11 And that's why it was a great choice of  
12 a place for them to monitor because everyone is always  
13 there. It's never nobody in that room.

14 MEMBER BAUGHMAN: Very good. Thank you,  
15 sir.

16 I -- I'm sorry. Go ahead.

17 MR. GIBSON: I said you're welcome, sir.

18 MEMBER BAUGHMAN: Yes, sir.

19 On Page 43. Under "Boiler Operator's  
20 Duties," (A), "Normal Duties." It says that the boiler  
21 operator shall be no more than 3 miles away from the  
22 site.

23 MR. GIBSON: Yes, sir.

24 MEMBER BAUGHMAN: And so -- and that  
25 holds true, as I was reading the other manuals, it says

1 the same thing.

2 I was actually interested to know where  
3 these operators -- how far they were. We're taking  
4 that, that personnel are within this 3-mile radius.

5 But there's times when they've got other  
6 things to do: grocery shop, Christmas shop, or whatever  
7 the instance may be. I just find it hard to believe  
8 that the boiler operator --

9 MR. GIBSON: Can I expand, sir?

10 MEMBER BAUGHMAN: Absolutely. Thank  
11 you.

12 MR. GIBSON: So what you have going on  
13 here is, I have a -- during our schedule we have a  
14 7:00-to-7:00 person. They come in at 7:00, and they  
15 don't leave until 7:00 at night. So our boiler operator  
16 is there until 7:00 at night.

17 Myself and my supervisor both live  
18 within that radius. And then we have an on-call  
19 personnel that when we need someone -- everyone, the  
20 nursing supervisor, now the lab will be calling them,  
21 the front desk will call them, I can call them. And  
22 then we can all respond at one time to anything that  
23 goes on at the plant.

24 MEMBER BAUGHMAN: Very good. Thank you.

25 On Page 40. And this may wrap it up for



1 my questions.

2                   Security Remote Attendant is on the  
3 organizational chart. But under "Security Officer  
4 Position Description" I see where it describes job  
5 function. Monitors alarms, i.e., boiler, fire,  
6 disaster, so forth. But it doesn't list specifically  
7 the duty of Remote Attendant.

8                   And so from a clarification standpoint,  
9 I would just make sure that that is identified as the  
10 duties. Which, you know, maybe the assumption is  
11 monitors alarms.

12                   MR. DUNNIVANT: I think that's what  
13 happened.

14                   MEMBER BAUGHMAN: But it does  
15 specifically identify "Remote Attendant." And he's  
16 not -- or I say "he." That person is not necessarily  
17 identified as a remote attendant.

18                   It says shut down respective boiler from  
19 the remote panel as trained, and so forth. But just the  
20 nomenclature of such.

21                   MR. DUNNIVANT: Okay. We'll make that  
22 amendment.

23                   MEMBER BAUGHMAN: That's all I've got.

24                   CHAIR MORELOCK: Other questions or  
25 comments that the Board has?

1 MEMBER HENRY: Just a couple of -- one  
2 quick question.

3 The lab attendants, where do they fit  
4 into the organization? Who do they report to?

5 MR. DUNNIVANT: On the organizational  
6 chart?

7 MEMBER HENRY: Yes.

8 MR. DUNNIVANT: They would have to be  
9 added in there as part of the monitoring.

10 MEMBER HENRY: Who do they report to?

11 MR. BREWTON: Kenneth, can you  
12 elaborate, please?

13 MR. GIBSON: Are you asking who the lab  
14 personnel report to?

15 MEMBER HENRY: Yes.

16 MEMBER HENRY: While we're waiting, the  
17 only other thing is on Page 47. Under "Security Guard."  
18 It identifies the facility as the Athens facility.  
19 Should this be the Etowah facility?

20 MR. BREWTON: Yes, sir, that should. I  
21 appreciate that.

22 MR. GIBSON: What's the question?

23 MR. BREWTON: He was wanting to find out  
24 who the lab technicians would be reporting to on a  
25 normal day duties, a callout, or alarm.

1 MR. GIBSON: So the lab tech reports to  
2 the lab manager. I, along with the facility supervisor,  
3 and nursing supervisor, that is the main people there.

4 MEMBER HENRY: And does the lab  
5 supervisor then report to the facility supervisor?

6 MR. GIBSON: No. So what would happen  
7 is, if the alarm went off, the lab would contact me  
8 personally and probably the nursing supervisor. We'd be  
9 responding straight to it.

10 MEMBER HENRY: Thank you.

11 MR. GIBSON: Yes, sir.

12 CHAIR MORELOCK: The organizational  
13 chart will note that as well?

14 MR. BREWTON: Yes.

15 CHAIR MORELOCK: Other comments?

16 (Pause)

17 CHAIR MORELOCK: Most of mine have been  
18 answered.

19 Maybe this one has, too, and I just  
20 missed it.

21 "Emergency Procedures" on 51 and 52.  
22 They should be highlighted or tabbed so you can find  
23 them easy.

24 MR. DUNNIVANT: It's actually a placard  
25 that will be beside it.

1 MR. BREWTON: Yes. I was hoping you-all  
2 had this (indicating).

3 CHAIR MORELOCK: Yes. That looks good  
4 in yours. Excellent. Thank you.

5 MR. DUNNIVANT: This will be a placard  
6 at the panel.

7 CHAIR MORELOCK: Thank you very much. I  
8 think that's about it.

9 Any other comments or questions?

10 (Pause)

11 CHAIR MORELOCK: All right. Hearing  
12 none, do I have a motion?

13 MEMBER BAUGHMAN: Motion to approve  
14 contingent upon comments and a successful site  
15 inspection.

16 MEMBER HENRY: Second.

17 CHAIR MORELOCK: Any further discussion  
18 or comments?

19 (Pause)

20 CHAIR MORELOCK: Hearing none, I'll call  
21 the question.

22 All in favor say "aye."

23 MEMBER HENRY: Aye.

24 MEMBER BAUGHMAN: Aye.

25 CHAIR MORELOCK: Aye.

1                   Opposed? Abstentions, not voting?

2                   (No opposition indicated.)

3                   CHAIR MORELOCK: You have a contingently  
4 approved variance.

5                   MR. GIBSON: Thank you, sir.

6                   CHAIR MORELOCK: That'll take us to  
7 Item 21-16. Starr Regional Medical Center requests a  
8 new issuance be granted for a boiler remote attendance  
9 variance.

10                   So, again, come forth and introduce  
11 yourself. You're there.

12                   Are there any conflicts of interest on  
13 this one?

14                   (No conflicts indicated.)

15                   CHAIR MORELOCK: Okay. None.

16                   MEMBER BAUGHMAN: This is for Athens?

17                   MR. BREWTON: Correct. Yes.

18                   MR. GIBSON: It's for Athens, sir.

19                   MR. BREWTON: I'm Keith Brewton with  
20 Combustion & Control Solutions on behalf of the new  
21 variance for Starr Regional in Athens, Tennessee.

22                   MR. DUNNIVANT: Lionel Dunnivant with  
23 Combustion & Control Solutions.

24                   MR. GIBSON: Kenneth Gibson. I'm the  
25 DPO at Athens and Etowah.

1 Thank you for allowing us to be here.

2 MR. BREWTON: Gentlemen, I would like to  
3 go ahead and address the same amendments that I made in  
4 the initial.

5 On Page 3, Item number 2. That should  
6 be noted as "no."

7 Page 5, Item number 22. It should be  
8 noted as "not applicable." Item 30(b) should be noted  
9 as "no," in lieu of "yes."

10 And then on Page 6. Item number 39  
11 should have had a "yes" response in there.

12 CHAIR MORELOCK: Do I have a motion to  
13 discuss?

14 MEMBER HENRY: So moved.

15 MEMBER BAUGHMAN: Second.

16 CHAIR MORELOCK: What questions or  
17 comments do you have?

18 MR. BREWTON: Currently at this facility  
19 we have two 200-horsepower boilers. Both are 150 PSI  
20 design. There is no equipment installed at this point  
21 until approval and a change order in case that is  
22 required.

23 At this time they have two Fireeyes. One  
24 on each boiler unit. The equipment will show that the  
25 equipment is shut down in the boiler room at that point.

1 It will not just be a warning. It will already be shut  
2 down. At that point it will cause someone to go to the  
3 boiler room to actually inspect and restart the boiler  
4 personally.

5 This unit will also have a visual and  
6 audio alarm on it also. So we can differentiate.

7 MEMBER BAUGHMAN: So what you're saying  
8 is, the equipment is not presently installed?

9 MR. BREWTON: That's correct.

10 MEMBER BAUGHMAN: And what was that  
11 about a change order?

12 MR. BREWTON: In case after this board  
13 review, if you-all found discrepancies or you asked us  
14 to change something, we did not want the customer to go  
15 through the heartache of putting in stuff and us having  
16 to come back and change it on them. So.

17 MEMBER BAUGHMAN: Would the hardware  
18 possibly be different than what it's in the manual?

19 MR. DUNNIVANT: No. No. This is  
20 concerning E-Stops.

21 MEMBER BAUGHMAN: Procedures?

22 MR. DUNNIVANT: Right.

23 MEMBER BAUGHMAN: Very good. I wanted  
24 to make sure it wasn't hardware related.

25 MR. BREWTON: No. No. This is what

1 we're presenting to you. And if it's passed, then we're  
2 going to proceed on with this one.

3 This remote panel will be approximately  
4 185 feet away from the boiler room and equipment.

5 MEMBER BAUGHMAN: Question, again, these  
6 are Classic III good ole Kewanee boilers.

7 And I note, again, same thing, as with  
8 Etowah previously, was that these were initially set up  
9 for gas/oil combination firing. They're set up for  
10 natural gas now?

11 MR. BREWTON: Yes, sir.

12 MEMBER BAUGHMAN: Very good.

13 Do these have the old Kewanee burners on  
14 them?

15 MR. DUNNIVANT: I don't remember. I  
16 hope not.

17 MR. GIBSON: Yes, sir.

18 MEMBER BAUGHMAN: Very good.

19 That's something Combustion & Control  
20 can address down the road.

21 MR. GIBSON: Old boiler don't mean we  
22 have to get rid of her.

23 MEMBER BAUGHMAN: Kind of the same thing  
24 with the old boilerman.

25 MR. GIBSON: I'm an old DP from the



1 Navy.

2 MEMBER BAUGHMAN: That's good to hear.  
3 I'll let my colleagues comment because  
4 my comments were very much the same as what I had with  
5 Etowah.

6 CHAIR MORELOCK: Same for me. You've  
7 addressed my comments.

8 MR. GIBSON: The only thing that's a  
9 little bit different here than Etowah is our plant is on  
10 the second floor. We have two exits coming out of the  
11 plant, and that's where our variance panel will be  
12 located.

13 MEMBER BAUGHMAN: So to clarify that,  
14 the variance remote panels are monitored the same as  
15 before. So I'm taking it that that is where your  
16 laboratory technician is located?

17 MR. GIBSON: No. She's on the first  
18 floor kind of middle of the building in the lab.

19 MEMBER BAUGHMAN: But does the  
20 laboratory technician monitor the remote station?

21 MR. GIBSON: Yes, sir.

22 MEMBER BAUGHMAN: I guess I'm a little  
23 confused.

24 MR. BREWTON: The boilers are on the  
25 second floor.

1                   MEMBER BAUGHMAN: Boilers are on the  
2 second floor. Lab is on the first floor. And that's  
3 where the lab technician and the remote panel is  
4 located?

5                   MR. BREWTON: Yes.

6                   MEMBER BAUGHMAN: Okay. Very good.

7                   MR. GIBSON: Yes. Sorry. I'm confusing  
8 you.

9                   MEMBER BAUGHMAN: I confuse myself a  
10 lot.

11                   On Page 31. And this is more fun stuff  
12 on typos.

13                   Number 4, "If the standby boiler is  
14 started." You might want to put a space in there and  
15 make it "he shall." And might even change that to "they  
16 shall," being it's not gender related.

17                   Page 29. If you'll go do the same  
18 thing. Under (A). "Normal Duties" under Number 1.  
19 "The boiler operator on duty will contact the remote."  
20 Just space that out.

21                   Same thing below under "B" on Number 3.  
22 Space "the remote" instead of "theremote."

23                   MR. DUNNIVANT: And we also need to add  
24 the lab technicians and the duty personnel.

25                   MEMBER BAUGHMAN: It was those same

1 comments and the same thing as the job descriptions on  
2 Page 35 that Chairman Morelock brought up. So I really  
3 didn't have -- and even going back to Pages 27 and 26.  
4 I didn't have the nomenclature for those, and I couldn't  
5 read those as well.

6 MR. DUNNIVANT: Right.

7 MEMBER BAUGHMAN: Same comments. I  
8 didn't really find a whole heck of a lot difference.

9 CHAIR MORELOCK: Any other questions or  
10 comments?

11 MEMBER HENRY: One quick question.  
12 The -- are these comparable-sized facilities, as far as  
13 manpower?

14 MR. BREWTON: Kenneth, can you  
15 elaborate, please?

16 MR. GIBSON: What's that? I didn't hear  
17 that. I'm sorry.

18 MR. BREWTON: As far as manpower at both  
19 facilities, are they pretty much comparable to each  
20 other?

21 MR. GIBSON: Yes, sir.

22 MEMBER HENRY: The only reason I ask is  
23 the one Kenneth was explaining, he mentioned "she" as  
24 the lab technician. As if there's only one. If these  
25 are continuously operating boilers, I assume there's

1 more than one tech?

2 MR. BREWTON: Yes. That's correct, sir.

3 CHAIR MORELOCK: Any other comments?

4 MEMBER BAUGHMAN: So who -- for my own  
5 clarification, again, who do we classify as a boiler  
6 operator?

7 MR. GIBSON: So our boiler operators are  
8 our maintenance technicians. We have senior operators  
9 that have been around, one for 30-something years and a  
10 couple of the other ones for ten-plus years.

11 Does that answer your question, sir?

12 MEMBER BAUGHMAN: Yes. The reason I'm  
13 asking is because of the question, again, going back to  
14 the there will always be a boiler operator no more than  
15 3 miles away. And I just wanted to get a clarification  
16 on even through the job duties --

17 MR. GIBSON: So the boiler operators  
18 will be the -- at the Athens Campus it will be me. I  
19 live within 3 miles of there. And my supervisor lives  
20 within 3 miles of the Etowah campus. And we're both  
21 senior operators for many years.

22 MEMBER BAUGHMAN: Yes. I see in the job  
23 description of DPO, being your job description, you've  
24 got an in-depth knowledge of the facilities equipment.  
25 But I don't necessarily see the listing under job

1 description as boiler operator, nor for your supervisor.  
2 And so, henceforth, it's not a question of capabilities.

3           But just for clarification purposes on  
4 our identification under our positions and job duties, I  
5 would ask that that be included in that manual.

6           MR. GIBSON: I got it, sir. I'm a  
7 20-year retired Navy vet boiler technician. That's  
8 where I kind of pull all my experience with operating  
9 boilers.

10           MEMBER BAUGHMAN: Well, you're in good  
11 company. I know how much I don't know after almost  
12 45 years. So we're always in a position of learning  
13 every day. That's kind of what feeds us.

14           Thank you for your reply to that.

15           MR. BREWTON: I'd like to elaborate on  
16 that. These two facilities are literally down the road  
17 from each other. So with these two operators living  
18 close by, they're literally -- they're within driving  
19 distance, a few minutes.

20           MEMBER BAUGHMAN: I don't have -- and  
21 knowing Athens and Etowah and that area, I put two and  
22 two together with that. I just wanted to make  
23 clarification for our manuals. But, thank you, for  
24 that.

25           MR. BREWTON: You're welcome.

1 MR. GIBSON: I'm also -- if I had to go  
2 to Etowah, I'm basically 15 minutes from Etowah. If I  
3 had to go. So -- but Rodney is within 3 miles, and I'm  
4 within 3 miles of Athens.

5 CHAIR MORELOCK: Very good.

6 Any more questions or comments?

7 (Pause)

8 CHAIR MORELOCK: Hearing none, do I have  
9 a motion on this variance?

10 MEMBER BAUGHMAN: Motion to approve  
11 contingent upon changes to the manual and successful  
12 site inspection by the inspector.

13 MEMBER HENRY: Second.

14 CHAIR MORELOCK: Hearing no more  
15 questions or comments, I'll call the question.

16 All in favor say "aye."

17 MEMBER HENRY: Aye.

18 MEMBER BAUGHMAN: Aye.

19 CHAIR MORELOCK: Aye.

20 Opposed? Abstentions, not voting?

21 (No opposition indicated.)

22 CHAIR MORELOCK: You have a contingently  
23 approved variance.

24 Thank you.

25 MR. GIBSON: Thank you, Chairman and

1 board, for your time.

2 CHAIR MORELOCK: Thank you.

3 So our last -- well, our next item is  
4 21-17. Southern Tennessee Regional Health Systems  
5 requests a new issuance be granted for a boiler remote  
6 attendance variance.

7 Are there any board conflicts of  
8 interest on this?

9 (No conflicts indicated.)

10 CHAIR MORELOCK: Okay. No conflicts.

11 MR. WOOTEN: Dustin Wooten, DPO at  
12 Southern Tennessee Medical Center.

13 MR. BREWTON: Keith Brewton with  
14 Combustion & Control Solutions out of Chattanooga,  
15 Tennessee.

16 MR. DUNNIVANT: Lionel Dunnivant with  
17 Combustion & Control Solutions.

18 MEMBER BAUGHMAN: I'm sorry. I didn't  
19 catch your name, sir.

20 MR. WOOTEN: Dustin Wooten.

21 MR. BREWTON: CCS is present on behalf  
22 of Starr Regional in Winchester, Tennessee, to apply for  
23 a new boiler variance.

24 Currently there's no equipment installed  
25 for the boiler variance, dependent upon this review.

1 And then we'll move forward with approval.

2                   They currently have two Cleaver-Brooks  
3 boilers, 150-horsepower. One has a Honeywell 7800  
4 Series controller. The other has a Hawk ICS.

5                   The boiler variance panel will be  
6 approximately 285 feet away from the boiler room and  
7 equipment. This unit will also only show that the  
8 equipment has already shut down upon an alarm. It will  
9 not just be a notification. It will be an alarm saying  
10 that the equipment is down and personnel will have to go  
11 to the equipment room.

12                   There are some amendments that I need to  
13 address on this one as well. These are on Page 2 in the  
14 second paragraph Southern Tennessee Regional Health  
15 Systems. I call out two Hurst boilers, and it should be  
16 two Cleaver-Brooks boilers. That's a typo on my behalf.

17                   The second change would be on Page 5.  
18 Item number 22 should be "N/A." Item number 30(b)  
19 should be "no."

20                   And then if you'll turn to Page 6. Item  
21 number 39 should also state "yes." That was left out.

22                   And, gentlemen if you'll turn back to  
23 Page 3. Item number 2, that should be marked "no,"  
24 please.

25                   CHAIR MORELOCK: Do I have a motion to



1 discuss?

2 MEMBER HENRY: So moved.

3 CHAIR MORELOCK: Thank you.

4 MEMBER BAUGHMAN: Second.

5 CHAIR MORELOCK: Thank you.

6 What questions or comments do you have?

7 CHAIR MORELOCK: On Page 9 it talks

8 about the distance from the boilers. It says

9 "138 feet." Does it say they should be 285?

10 MR. BREWTON: Yes, sir.

11 MEMBER BAUGHMAN: Good eye.

12 MEMBER BAUGHMAN: Just a quick notation  
13 on Page 10. Boiler System Information Sheet. Under the  
14 model number, I believe for those Flex 2 Cleavers, that  
15 should be FLX instead of FIX.

16 MR. BREWTON: Yes, sir.

17 MEMBER BAUGHMAN: Pretty nitpicky,

18 but --

19 MR. DUNNIVANT: That's correct.

20 MEMBER BAUGHMAN: -- that lets you know  
21 we do read these.

22 Next one to address is on Page 11.

23 Under the CB Hawk ICS with the 7800 Series Flame

24 Safeguard. I'm taking it that this Hawk also

25 incorporates the 7800.

1 MR. DUNNIVANT: This is the first Hawk.  
2 It's the old system.

3 MEMBER BAUGHMAN: It's the old obsolete  
4 Hawk system.

5 MR. DUNNIVANT: Exactly. It had the  
6 external flame safeguard.

7 MEMBER BAUGHMAN: My concern is  
8 "remotely programmable via communications interface."

9 MR. DUNNIVANT: That communications  
10 interface is a long cable that you have to plug into the  
11 module. It's not like it's hooked to a phone line. The  
12 programming is accessible.

13 MEMBER BAUGHMAN: You knew where I was  
14 going.

15 CHAIR MORELOCK: On Page 49 for your  
16 personnel responsible for remote monitoring system. It  
17 references Pages 52 to 54 for job descriptions. I think  
18 that should be Page 57.

19 MR. DUNNIVANT: Yes. You had a problem  
20 with page numbering.

21 MR. BREWTON: I did.

22 MEMBER BAUGHMAN: Lionel, from a  
23 technical standpoint, and I should have asked this on  
24 all the others also. I'm assuming that all of these  
25 alarms are hardwired from the boiler to the remote

1 panel.

2 MR. DUNNIVANT: Yes, sir. That's  
3 another reason we're using the fire safety relay. We  
4 don't put any additional amp draw on the controller  
5 itself. It's all a separate system. It is hardwired.

6 MEMBER BAUGHMAN: Describe to me again.  
7 So I missed the FRS. Explain that again how this is  
8 enunciated back to the relay.

9 MR. DUNNIVANT: The safety relay is  
10 actually in the panel --

11 MR. BAILEY: Excuse me. Can you tell us  
12 what FRS stands for, please?

13 MR. DUNNIVANT: Fire safety relay. It's  
14 a relay system that requires three steps to reinitiate  
15 operation of the boiler.

16 So once there is an alarm -- all of the  
17 circuitry is actually in the boiler room, and it goes  
18 through the fire safety relay. In the event of an  
19 alarm, the remote panel gets enunciation of light and  
20 audible sound. They would initiate an E-Stop.

21 That's when the safety protocols start.  
22 They call their supervisor and contact someone. Someone  
23 goes to the boiler room, identifies the problem, and  
24 corrects the problem. Then they will call the remote  
25 station or their supervisor. Whoever the hierarchy is.

1           The remote station has to reset. And  
2 then the person in the boiler room has two steps: They  
3 have to reset the boiler -- that clears the safety  
4 relay; and then they have to reset the flame safety  
5 relay.

6           MEMBER BAUGHMAN: So my question is the  
7 flame safety relay or fire safety relay -- however we're  
8 identifying it -- is an -- I don't see that relay in the  
9 hardware here. My concern is what happens when the  
10 relay fails?

11           I mean, man made it. It's not perfect.  
12 It will fail. So instead of being straight hardwired,  
13 we've got a relay now that's part of this --

14           MR. DUNNIVANT: If the relay fails, the  
15 boilers will shut down and put the system into an alarm.

16           MEMBER BAUGHMAN: So that -- I just want  
17 to make sure. You know, I'm visualizing relays. Which  
18 you and I see a lot of different relays.

19           MR. DUNNIVANT: Right.

20           MEMBER BAUGHMAN: Whether it's  
21 mechanical, contact, whatever it is. And I'm thinking  
22 about the failure mode of that relay of whether it's  
23 opened or closed or what have you.

24           MR. DUNNIVANT: It's wired very similar  
25 to a time-delay relay. Technically, it's powered all

1 the time. And the circuitry is what holds it in based  
2 on conditions of other inputs. That's why it doesn't  
3 add any additional amp load through the controller.  
4 It's just looking for contacts.

5           And then, of course, it sends out  
6 enunciation signals as well. So if it goes down, it's  
7 going to enunciate an alarm.

8           MEMBER BAUGHMAN: If it goes down, the  
9 boilers are down.

10          MR. DUNNIVANT: Yes.

11          MEMBER BAUGHMAN: So you would have a  
12 replacement available because it will shut the whole  
13 system down.

14          MR. DUNNIVANT: Yes.

15          MEMBER BAUGHMAN: Thank you.

16          MR. DUNNIVANT: You're welcome.

17          CHAIR MORELOCK: On Page 57. It talks  
18 about the remote monitoring technician/PBX operator.  
19 Does the security guard also play that role as well?

20          MR. WOOTEN: Do they play the role as  
21 communications?

22          CHAIR MORELOCK: I didn't see -- and  
23 maybe where I've -- I've got the manual running  
24 together. But under job process, PBX operator/remote  
25 operating tech. Does the security guard play that role

1 at all or not?

2 MR. WOOTEN: They do not play the role  
3 as PBX communications. But if the PBX operator has to  
4 go to the restroom or whatever, they will radio security  
5 to come and sit and monitor the alarms.

6 Because there's generator alarms.  
7 There's blood bank alarm. So they monitor those alarms.

8 They do not -- they transfer the calls  
9 to the ER. So they do all the communications. If  
10 there's a code, they'll call it overhead from the ER.

11 CHAIR MORELOCK: Thank you.

12 MR. BREWTON: Gentlemen, would you like  
13 that added to the flow organizational chart?

14 CHAIR MORELOCK: If it's part of your  
15 process, yes.

16 MR. WOOTEN: I don't think the  
17 communication piece is going to be -- wouldn't apply.  
18 Just because answering the phones is going to be all  
19 that function is being passed on. The alarm function  
20 would be the security officer sitting in the room with  
21 the alarms. If that makes sense?

22 CHAIR MORELOCK: Make sure it's clear.  
23 That's why it's good for us to read them because we  
24 don't know it like you know it.

25 MR. DUNNIVANT: And when you tend to

1 look at something over and over, you tend to miss the  
2 mistakes, too. I know what you mean.

3 CHAIR MORELOCK: That's all I have.  
4 Gentlemen, any other questions or  
5 comments?

6 MEMBER HENRY: Mr. Wooten, you are the  
7 DPO?

8 MR. WOOTEN: Yes, sir.

9 MEMBER HENRY: What is your primary  
10 responsibility for the overall operation of the boilers  
11 at the facility?

12 MR. WOOTEN: As my primary role? I  
13 oversee the scheduling, the planning. And if there's a  
14 problem with the boilers themselves, I get involved with  
15 the contractor or with my boiler operators themselves.

16 MEMBER HENRY: But you're not a boiler  
17 operator?

18 MR. WOOTEN: I wouldn't consider  
19 myself -- it depends what you call -- I worked with  
20 boilers for five years as a technician. So I know my  
21 way around them. I'm not nearly as smart as these past  
22 two fellows that talked about it. But I know my way  
23 around them.

24 MEMBER HENRY: What I was getting at,  
25 you wouldn't be expected to come in and serve --

1 function as a boiler operator as part of your duties.

2 MR. WOOTEN: There would be a technician  
3 there. I would come in as supplemental, as a support.

4 MEMBER HENRY: Thank you.

5 CHAIR MORELOCK: Any other questions or  
6 comments?

7 (Pause)

8 CHAIR MORELOCK: Hearing none, do I have  
9 a motion?

10 MEMBER BAUGHMAN: I put the motion out  
11 to approve contingent upon changes to the manual and  
12 site inspection by the inspector.

13 MEMBER HENRY: Second.

14 CHAIR MORELOCK: Any more discussion?

15 (Pause)

16 CHAIR MORELOCK: Call the question. All  
17 in favor say "aye."

18 MEMBER HENRY: Aye.

19 MEMBER BAUGHMAN: Aye.

20 CHAIR MORELOCK: Aye.

21 Opposed? Abstentions, not voting?

22 (No opposition indicated.)

23 CHAIR MORELOCK: You have a contingently  
24 approved variance.

25 Thank you.



1           Okay. So based on our amended agenda,  
2 Rule Case & Interpretations have been tabled until the  
3 March 2022 meeting.

4           Also, the Open Discussion Item has been  
5 moved to the March 2022 meeting.

6           So the next meeting of the Board of --  
7 Boiler Board will be March 16, 2022, here at the State  
8 of Tennessee Department of Labor and Workforce  
9 Development building.

10           And the last item we have is  
11 Adjournment. So --

12           MR. BAILEY: Mr. Chairman, briefly, when  
13 we were talking about the petition for review earlier  
14 involving STERIS.

15           CHAIR MORELOCK: Yes.

16           MR. BAILEY: I do have the dates when  
17 briefs are done, and I failed to state it at that time.

18           STERIS's brief is due July 22nd of this  
19 year.

20           Our response brief to that is due  
21 September 9, 2022.

22           And then STERIS's reply brief, if they  
23 file one, will be due September 30 of 2022.

24           And the hearing for oral argument is set  
25 for October 11th of this year at 10:00.

1 CHAIR MORELOCK: Okay. So September 22  
2 and October 11 are the dates.

3 MR. BAILEY: Well, September 9th is when  
4 we file our response brief. And then they can file a  
5 reply to that if they wish. They have to file it by  
6 September 30th.

7 Then the hearing for oral is set for  
8 October 11th.

9 CHAIR MORELOCK: Thank you.  
10 Any other announcements or anything?

11 (Pause)

12 CHAIR MORELOCK: Hearing none, I say we  
13 are adjourned.

14 (End of the proceedings.)  
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REPORTER'S CERTIFICATE

STATE OF TENNESSEE )  
COUNTY OF MONTGOMERY )

I, Tracy Wilkes, licensed court reporter  
and notary public in the state of Tennessee,

DO HEREBY CERTIFY that the foregoing  
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I FURTHER CERTIFY that I am not related to  
any of the parties named herein, nor their counsel, and  
have no interest, financial or otherwise, in the outcome  
of events of this action.

IN WITNESS WHEREOF, I have hereunto affixed  
my official signature and seal of office, this the 28th  
day of February, 2022.

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Tracy Wilkes  
Licensed Court Reporter  
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My License Expires: June 30, 2022.  
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