

FOR THE CASE OF  
Board of Boiler Rules

TRANSCRIPT OF  
None  
December 16, 2015

*Stone & George*

COURT REPORTING

2020 Fieldstone Pkwy

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Franklin, TN 37069

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1. STATE OF TENNESSEE  
 2. DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT  
 3. BOILER UNIT DIVISION  
 4.  
 5.  
 6.  
 7.  
 8.  
 9. TRANSCRIPT OF PROCEEDINGS  
 10. OF  
 11. BOARD OF BOILER RULES  
 12. December 16, 2015  
 13. BEFORE: Brian Morelock, Commissioner  
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 15.  
 16.  
 17.  
 18.  
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 20.  
 21.  
 22. -----  
 23. DOMINIQUE A. DUBOIS, LCR# 686  
 STONE & GEORGE COURT REPORTING  
 2020 Fieldstone Parkway  
 Suite 900 - PMB 234  
 Franklin, Tennessee 37069  
 (615) 221-1089

1. APPEARANCES  
 2.  
 3. Commissioner Brian Morelock, Chairman  
 4. Commissioner Eugene Robinson, Insurance  
 Representative  
 5.  
 6. Commissioner David Baughman, Owner/User  
 Representative  
 7. Commissioner Dr. Glen E. Johnson, Ph.D., P.E.,  
 Mechanical Engineer Representative  
 8.  
 9. Sam Chapman, Assistant Chief Boiler Inspector  
 10. Kim Y. Jefferson, Esq., Administrator  
 11. Mark Finks, Assistant Administrator - WRC  
 12. Dan Bailey, Esq., Legal Counsel  
 13. Carlene T. Bennett, Board Secretary  
 14. Deborah Rhone, State of Tennessee  
 15. Neil Jackson, State of Tennessee  
 16. Richard Eng, Wacker Mechanical Integrity  
 17. James Neville, Neville Engineering  
 18. William Gram, Wacker Polysilicon  
 19. Blair Vanstone, Clover Bottom Developmental  
 20. Jeremy Gross, Valero Memphis Refinery  
 21. Keith Butler, Industrial Boiler & Mechanical Co.  
 Inc.  
 22. Prasad Joshi, Wacker Polysilicon  
 23. James Golden, TriStar Stonecrest Medical Center  
 24. Tim Holt, State of Tennessee  
 25. Del Hupf, State of Tennessee

1. The above-styled cause came on for  
 2. hearing on this the 16th day of December, 2015,  
 3. before Brian Morelock, Commissioner of Tennessee  
 4. Department of Labor and Workforce Development, at  
 5. 220 French Landing Drive, TOSHA Hearing Room, 1st  
 6. Floor, Nashville, Tennessee, when and where the  
 7. following proceedings were had, to wit:  
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 25.

1. Leanne Durm, Tennessee Department of Labor &  
 Workforce Development  
 2.  
 3. David L. Moss, State of Tennessee  
 4.  
 5. Jann Dower, Tennessee Department of Labor &  
 Workforce Development  
 6.  
 7.  
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 25.

<p style="text-align: right;">Page 5</p> <p>1. PROCEEDINGS</p> <p>2. CHAIRMAN MORELOCK: I want to welcome</p> <p>3. everybody this morning and hope everybody's got</p> <p>4. their Christmas shopping almost completed and</p> <p>5. getting ready to enjoy a time of maybe a little bit</p> <p>6. of vacation, relaxation with your families and</p> <p>7. friends and just kind of reflect on the year.</p> <p>8. So I do want to call the Tennessee</p> <p>9. Board of Boiler Rules meeting to order. And we do</p> <p>10. have agendas on the back table for our visitors,</p> <p>11. if you would like one. There are refreshments in</p> <p>12. the back room, as well.</p> <p>13. Just a couple of items before we do</p> <p>14. some announcements. From a safety item: In the</p> <p>15. event of an emergency or natural disaster, we do</p> <p>16. have security personnel in the building that will</p> <p>17. guide us to a safe place or direct us to exit the</p> <p>18. building on the Rosa Parks side. So just want to</p> <p>19. make you aware of that.</p> <p>20. As a courtesy item, I would ask that</p> <p>21. any cell phones be silenced so that it wouldn't</p> <p>22. interrupt any of the discussions that are about to</p> <p>23. occur. So please be courteous with that. And</p> <p>24. with that, I will also note that there is an</p> <p>25. attendance sheet going around. So please sign in</p>	<p style="text-align: right;">Page 7</p> <p>1. Extensions? Not voting? Okay. We have an agenda.</p> <p>2. Okay. Now that we have an agenda, I'd like to go</p> <p>3. around the room and let everybody introduce</p> <p>4. themselves and we'll start with our Court Reporter.</p> <p>5. THE REPORTER: Dominique Dubois,</p> <p>6. Stone &amp; George Court Reporting.</p> <p>7. MS. BENNETT: Carlene Bennett, Board</p> <p>8. Secretary.</p> <p>9. MR. CHAPMAN: Sam Chapman, Chief</p> <p>10. Boiler Inspector.</p> <p>11. MR. ROBINSON: Eugene Robinson, Board</p> <p>12. Member --</p> <p>13. CHAIRMAN MORELOCK: Brian Morelock,</p> <p>14. Board Member.</p> <p>15. MR. BAUGHMAN: Dave Baughman, Board</p> <p>16. Member.</p> <p>17. DR. JOHNSON: Glen Johnson, Board</p> <p>18. Member.</p> <p>19. MS. JEFFERSON: Kim Jefferson,</p> <p>20. Administrator.</p> <p>21. MR. FINKS: Mark Finks, Assistant</p> <p>22. Administrator.</p> <p>23. MR. BAILEY: Dan Bailey, Legal</p> <p>24. Counsel.</p> <p>25. MR. HOLT: Tim Holt, state inspector.</p>
<p style="text-align: right;">Page 6</p> <p>1. and we can record your attendance.</p> <p>2. We also -- the Board members have the</p> <p>3. annual conflict of interest policy that needs to</p> <p>4. be completed and given back to Carlene today. And</p> <p>5. so that will take us to adoption of the agenda.</p> <p>6. And you should have the agenda before you. So</p> <p>7. does anyone have --</p> <p>8. MR. ROBINSON: Motion made to adopt</p> <p>9. the agenda.</p> <p>10. CHAIRMAN MORELOCK: Okay. Motion</p> <p>11. made to adopt the agenda. Is there any additions to</p> <p>12. the agenda, any changes that need to be made? Time</p> <p>13. permitting, I do want to include a discussion item</p> <p>14. that Neil Jackson brought to my attention. And if</p> <p>15. we have time, we'll try to cover that today. And it</p> <p>16. is concerning the boiler attendant variance with</p> <p>17. questions about boiler blowdown, possible</p> <p>18. exceptions. And we'll add that to the agenda under</p> <p>19. "Discussion Items". Okay. Anything else? Okay.</p> <p>20. Hearing none, all in favor of adoption of the</p> <p>21. agenda?</p> <p>22. DR. JOHNSON: Aye.</p> <p>23. MR. BAUGHMAN: Aye.</p> <p>24. MR. ROBINSON: Aye.</p> <p>25. CHAIRMAN MORELOCK: Opposed?</p>	<p style="text-align: right;">Page 8</p> <p>1. MS. RHONE: Deborah Rhone, boiler</p> <p>2. office supervisor.</p> <p>3. MR. JACKSON: Neil Jackson,</p> <p>4. Consultant to the Board.</p> <p>5. MR. HUPF: Del Hupf, boiler</p> <p>6. inspector.</p> <p>7. MR. GROSS: Jeremy Gross, chief</p> <p>8. inspector for the Valero Memphis Refinery.</p> <p>9. MR. NEVILLE: James Neville, Neville</p> <p>10. Engineering.</p> <p>11. MR. GRAM: I'm Billy Gram. I'm the</p> <p>12. production manager of infrastructure at Wacker.</p> <p>13. MR. VANSTONE: Blair Vanstone, boiler</p> <p>14. operator supervisor.</p> <p>15. MR. MOSS: David Moss, facility</p> <p>16. supervisor. Codes advisor.</p> <p>17. CHAIRMAN MORELOCK: All right. Yes?</p> <p>18. MS. DURM: And Leanne Durm,</p> <p>19. Legislative Liaison for the Department.</p> <p>20. CHAIRMAN MORELOCK: Okay. Again, did</p> <p>21. I leave anybody out?</p> <p>22. MR. ENG: Richard Eng.</p> <p>23. CHAIRMAN MORELOCK: Sorry.</p> <p>24. MR. ENG: WPNA Mechanical Integrity.</p> <p>25. MR. JOSHI: Prasad Joshi, Wacker</p>

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1. Mechanical Integrity.  
2. CHAIRMAN MORELOCK: All right.  
3. MR. GOLDEN: All right.  
4. James Golden, TriStar StoneCrest Medical Center,  
5. facility's assistant manager.  
6. CHAIRMAN MORELOCK: Very good. I  
7. want to again welcome everyone.  
8. Okay. Our first item on the -- next  
9. on the agenda is the Chief Boiler Inspector's  
10. report. So -- okay.  
11. MR. CHAPMAN: How are you doing this  
12. morning? Thank you. Now, number of inspections  
13. from the State was 2,810. Insurance agent was  
14. 6,301, giving us a total of 9,111. Total number of  
15. delinquent from the State Inspector is 729.  
16. Insurance agent is 562, giving us a total of 1,291  
17. delinquent records. Number of code violations found  
18. was 35. Uncorrected was 10. QC review form was  
19. four and the Boiler of Variance Inspector was two --  
20. Inspection was two.  
21. The information update with -- we  
22. have Delton Hupf is in training for Davidson  
23. County and the surrounding area. We have one  
24. vacancy on the inspection for Knox County due to a  
25. retirement. And that's the Chief Report.

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1. CHAIRMAN MORELOCK: Okay. Anybody  
2. have any questions for Mr. Chapman? All right.  
3. Thank you.  
4. Moving on to Item 6, which is Old  
5. Business. We have Item 15-02, which is Wacker  
6. Polysilicon North America. They're going to come  
7. forward and discuss their RBI program.  
8. MR. GRAM: Good morning.  
9. CHAIRMAN MORELOCK: Good morning.  
10. MR. GRAM: It's good to be back  
11. again. This year, we have a bit more news than just  
12. an RBI proposal. I'd like to talk a bit about where  
13. we are today as to where the plant is, where we are  
14. today with the State of Tennessee on pressure vessel  
15. registration, and of course, where we are today with  
16. our RBI program.  
17. Just a quick overview: We are on  
18. startup status in Wacker in Charleston, Tennessee.  
19. We have been for several months, already. We plan  
20. on having production very soon, perhaps by  
21. Christmas, and if not by Christmas, soon after.  
22. We have multiple startup activities going on, but  
23. I don't know all the details. But that's  
24. basically an overview of where the plant is today.  
25. On the topic of registration of

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1. pressure vessels with the State of Tennessee, we  
2. have been doing these for a couple months already,  
3. predominantly with Thomas Spangler. He is  
4. visiting us every week, twice a week for many  
5. months now. Okay?  
6. We have approximately 450 vessels  
7. registered with the State of Tennessee with a T  
8. Number. We just registered another 15 to 20  
9. yesterday and 15 to 20 last week. So our  
10. composite as I know it today, once we update the  
11. database, is something pretty close to 500  
12. pressure vessels. We have many more to go. We  
13. will extend this program going out into January  
14. and February and perhaps into March as the plant  
15. continues to ramp up. So that's a quick overview  
16. of where the plant is at today.  
17. On the RBI program, we submitted an  
18. RBI proposal to the Board for voting last year and  
19. the Board accepted our methodology and our tools  
20. and our approach on how we intend to conduct  
21. ourselves on the inspection side. The timeline  
22. was that we will complete our RBI pressure vessel  
23. equipment by the end of this year. We are not  
24. quite there at the moment. We are approximately  
25. 70 percent complete.

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1. We will likely -- slipped a little  
2. bit in terms of our year-end commitment, but we  
3. certainly have no problems completing all of our  
4. vessels by the end of January. This coincides  
5. with our startup schedule, because our startup has  
6. slipped a little bit. We are right behind the  
7. startup schedule. Okay? I think everyone has a  
8. copy of our most recent document on where we are,  
9. our approach, and our timeline to complete the  
10. plant.  
11. The other item I want to bring to the  
12. Board's attention is our baseline readings for the  
13. site. We have always claimed that our process is  
14. noncorrosive and we want to technically  
15. demonstrate that our process is noncorrosive.  
16. Thus, one of the programs that we initiated was to  
17. obtain baseline readings on select areas in select  
18. portions of the plant. Our commitment to the  
19. Board was to have two readings within a two-year  
20. period; one at startup and one within the two-year  
21. window for startup.  
22. Phase one is the tank forming  
23. distillation. We have completed our baseline  
24. readings on those areas and select equipment  
25. throughout those two portions of the plant. Our

1. next area is HCL generation, CS reaction, HCL  
 2. recovery, and scrubber. That would constitute  
 3. phase two of baseline readings.  
 4. And then, of course, we're going to  
 5. phase three to finish the balance of the plant.  
 6. So we would have two data points in which we can  
 7. calculate an annual corrosion rate. And we would  
 8. submit those at the appropriate time next year.  
 9. What I'd like to do is maybe just to  
 10. open to the Board to talk about anything that may  
 11. come up on this manual rather than going into  
 12. details of all of the drawings that we submitted,  
 13. how we get our baseline readings, the methodology,  
 14. the coverage, and the NDT that we used to get our  
 15. readings. So I'm more open to what the Board may  
 16. have questions on on this particular package.  
 17. CHAIRMAN MORELOCK: Okay. Mr. Eng,  
 18. just for clarification, so your item today -- you're  
 19. seeking a voted action; is that correct?  
 20. MR. ENG: It's a --  
 21. MR. ROBINSON: Or --  
 22. MR. ENG: -- confirmation of our  
 23. method --  
 24. CHAIRMAN MORELOCK: Okay.  
 25. MR. ENG: -- and where we are today.

1. CHAIRMAN MORELOCK: Okay.  
 2. MR. ENG: Exactly.  
 3. CHAIRMAN MORELOCK: Okay. All right.  
 4. So with that said, we do have your item.  
 5. MR. ENG: Okay.  
 6. CHAIRMAN MORELOCK: And so I will  
 7. open the floor for a motion and then discussion.  
 8. MR. ROBINSON: Sir, regarding one of  
 9. your attachments, attachment four. You've got a  
 10. template of a check list of inspection report.  
 11. MR. ENG: Uh-huh.  
 12. MR. ROBINSON: Basically, this  
 13. report -- I see where you had the recommendation or  
 14. the ID asset number and then the mechanism of the  
 15. type of damage in inspection summary. If in the  
 16. event you do any type of rework to the specific  
 17. area, are you going to document it on an adjacent  
 18. report or are you going to try to expand this report  
 19. to cover?  
 20. MR. ENG: That would cover under  
 21. another, I would say, requirement for us. Any  
 22. repairs that we do, almost always R-type repair, we  
 23. will document that on an MOC, our internal program  
 24. to manage and document all changes to the site. Not  
 25. just repairs but changes in general.

1. CHAIRMAN MORELOCK: That's a process  
 2. safety management OSHA requirements, the MOC --  
 3. MR. ENG: That's correct.  
 4. CHAIRMAN MORELOCK: -- process.  
 5. Okay. So --  
 6. MR. ENG: We apply that plant-wide.  
 7. CHAIRMAN MORELOCK: Yes, yes.  
 8. MR. ROBINSON: Okay. Okay.  
 9. MR. BAUGHMAN: You mentioned,  
 10. Richard, you said "almost always".  
 11. MR. ENG: Okay.  
 12. MR. BAUGHMAN: That -- you need to  
 13. clarify that a bit more.  
 14. MR. ENG: "Almost always" means that  
 15. anything PSM required, we will always do that. In a  
 16. non-PSM situation, we may choose to do so but that's  
 17. not required.  
 18. MR. BAUGHMAN: Okay.  
 19. DR. JOHNSON: And as a practice for  
 20. us, everything is MOC independent of PSM or not.  
 21. And I think that's a common practice for many  
 22. facilities.  
 23. MR. BAUGHMAN: Thank you. Just want  
 24. to make --  
 25. CHAIRMAN MORELOCK: So --

1. DR. JOHNSON: So yes, in your side,  
 2. it's always.  
 3. MR. BAUGHMAN: Thank you for that.  
 4. CHAIRMAN MORELOCK: I just have a  
 5. couple of comments. In looking through your  
 6. manual -- in looking through the example you gave in  
 7. attachment two, your statement that your process is  
 8. noncorrosive lines up very well with the inspection  
 9. intervals that you're listing. Because in the  
 10. attachment two, your inspection intervals for  
 11. corrosion under insulation, external visual,  
 12. internal visual, those are all 10-year intervals.  
 13. So that would coincide with a vessel in  
 14. non-corrosive service.  
 15. And I guess I had a question, is --  
 16. you do have temperature limits for taking online  
 17. UT thickness measurements while the process is  
 18. operating even at fairly high temperatures, so  
 19. just make sure that your program does really  
 20. clearly address --  
 21. MR. ENG: Okay.  
 22. CHAIRMAN MORELOCK: -- that need.  
 23. Because a lot of the UT equipment, you know, it's  
 24. typically at 350 F or below. So if you're going to  
 25. go above that, just document that in your manual --

1. MR. ENG: Okay.

2. CHAIRMAN MORELOCK: -- very well.

3. And then based on your report that you just

4. provided -- so you're going to take base lines which

5. you're about to complete at the end of 2016, then

6. you're going to run for two years and take another

7. set of UT thicknesses to confirm your noncorrosive

8. service.

9. MR. ENG: That's correct.

10. CHAIRMAN MORELOCK: Is that correct?

11. MR. ENG: Uh-huh.

12. CHAIRMAN MORELOCK: And that will

13. coincide with the certificate inspection --

14. MR. ENG: Most likely, yeah.

15. CHAIRMAN MORELOCK: -- for continued

16. operation, correct?

17. MR. ENG: Because many of our

18. certificates are issued already several months ago.

19. CHAIRMAN MORELOCK: Okay.

20. MR. ENG: So we need to make sure we

21. are within that window.

22. CHAIRMAN MORELOCK: Okay. And I had

23. to do a little thinking, but if you'll notice, this

24. package does not include the methodology for

25. consequence of failure or likelihood of failure.

1. The reason being is in December of last year,

2. Richard came before the Board with Item 14-17 that

3. included all the API 580 methodology for his

4. program, so I wanted to clarify that on record.

5. MR. ENG: Okay.

6. CHAIRMAN MORELOCK: Because if you

7. look at the package, it's not in there. And the

8. reason it's not in there is that we voted that a

9. year ago. Okay? So that was more for the Board.

10. Let me see. So once the two-year

11. readings are taken, then will UT thicknesses fall

12. into your program of -- I think it's 10 years for

13. taking the -- well, you were going to take

14. continuous readings, but then that will confirm

15. your inspection intervals for your damage

16. mechanisms of 10 years or seven and a half years

17. depending on the --

18. MR. ENG: Depending on the

19. recommendations.

20. CHAIRMAN MORELOCK: Okay. Very good.

21. MR. ENG: Correct. Just another

22. comment, Mr. Chairman. I'm glad you picked up on

23. this 120 months recommendation on page three on

24. attachment two. That's an RBO recommendation from

25. the software. We felt that 10 years was quite long

1. for an external CUI.

2. CHAIRMAN MORELOCK: Yes.

3. MR. ENG: That is a software tool

4. that we have the option to modify, which we did.

5. CHAIRMAN MORELOCK: Okay.

6. MR. ENG: To decrease that from 10

7. years into five years.

8. CHAIRMAN MORELOCK: Okay.

9. MR. ENG: Okay. And that would be

10. throughout our facility.

11. CHAIRMAN MORELOCK: Okay.

12. MR. ENG: So when we do feel like the

13. interval that's been recommended based on the tool

14. is less stringent than what we feel, we will modify

15. the software to do so.

16. CHAIRMAN MORELOCK: Okay. Very good.

17. Very, very good. Another thing is in being --

18. having an RBI program at East Mechanical Company, we

19. are facing the same constraints that you are, as

20. well. The program that you're using defaults to API

21. 510 for pressure vessels.

22. MR. ENG: Correct.

23. CHAIRMAN MORELOCK: And when you look

24. at Tennessee rule and law, it's going to push you

25. for post-construction activities to the NBIC. So I

1. would just note in your program -- tie in the NBIC.

2. MR. ENG: Uh-huh.

3. CHAIRMAN MORELOCK: It's going to

4. have the same requirements as API 510, but API 510

5. is not mentioned in Tennessee rule and law. So you

6. want to --

7. MR. ENG: It's always NBIC.

8. CHAIRMAN MORELOCK: -- close that

9. loop. Yes, sir. You do. You want to close that

10. loop. So make sure that you tie all that to --

11. MR. ENG: Uh-huh.

12. CHAIRMAN MORELOCK: To the National

13. Board Inspection Code and the risk-based inspection

14. methods they offer there.

15. MR. ENG: Okay.

16. CHAIRMAN MORELOCK: And that's the

17. extent of my comments. Thank you. Any other

18. comments? Okay. Hearing none, what's the pleasure

19. of the Board? I need a motion.

20. DR. JOHNSON: How do we word the

21. motion? Motion to -- motion to saying to -- that we

22. approve their --

23. CHAIRMAN MORELOCK: Yes.

24. DR. JOHNSON: -- request?

25. CHAIRMAN MORELOCK: Yes.

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1. DR. JOHNSON: I move that we approve  
2. their request.  
3. CHAIRMAN MORELOCK: Okay. So we have  
4. a motion to approve, really the balance now, the RBI  
5. program. This is the actual work part of it, how to  
6. implement the inspection processes, the inspection  
7. frequencies, the damage mechanisms, assessments, and  
8. all that. So this will complete the RBI program for  
9. Wacker. So I have a motion; do I have a second?  
10. MR. ROBINSON: Second.  
11. CHAIRMAN MORELOCK: Okay. Any  
12. further discussion?  
13. MR. ENG: Thank you.  
14. CHAIRMAN MORELOCK: Thank you.  
15. MR. ENG: I just want to have one  
16. piece of information forwarded to the Board.  
17. Recently, we have hired a senior manager, mechanical  
18. engineer. His name is --  
19. MR. JOSHI: Good morning.  
20. MR. ENG: -- Mr. Prasad Joshi.  
21. CHAIRMAN MORELOCK: Good morning.  
22. MR. ENG: And he is doing many of  
23. these technical evaluations, analyses, RBI  
24. assessments for the Wacker facility. As a result of  
25. his presence, I am more exclusively devoted to

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1. dealing with State of Tennessee pressure vessel  
2. inspection program. So I am at Mr. Sam Chapman's  
3. disposal 100 percent. Okay?  
4. MR. CHAPMAN: All right.  
5. MR. ENG: Because of the scope of  
6. work that we have to do, we need to expand our staff  
7. to accommodate some of these activities.  
8. CHAIRMAN MORELOCK: Okay. Thank you  
9. for that.  
10. MR. ENG: Okay.  
11. CHAIRMAN MORELOCK: And thank you,  
12. Carlene, for keeping me on point. I do need to ask  
13. if the Board -- any Board member has a conflict of  
14. interest with this item before we vote on it? Okay.  
15. Seeing none, all in favor, say "aye".  
16. DR. JOHNSON: Aye.  
17. MR. BAUGHMAN: Aye.  
18. MR. ROBINSON: Aye.  
19. CHAIRMAN MORELOCK: Opposed?  
20. Abstentions? Not voting? All right. You have an  
21. approved RBI program.  
22. MR. ENG: Thank you very much.  
23. CHAIRMAN MORELOCK: Thank you. And  
24. as a general note to anyone, you're welcome to stay  
25. as long as you want to, but once you complete your

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1. item, if you've got things you need to do, you can  
2. excuse yourself, as well. But you're certainly  
3. welcome to stay.  
4. Okay. Our next item on the agenda is  
5. going to be New Business. And we will start with  
6. Item 15-16, which again is Wacker. And this is  
7. for their request for a boiler and unfired  
8. pressure vessel rules variance request to Rule 22.  
9. So gentlemen, introduce yourselves and present  
10. your item.  
11. MR. NEVILLE: Good morning. I'm  
12. James Neville with -- pardon me -- Neville  
13. Engineering.  
14. MR. GRAM: And my name is Billy Gram.  
15. I'm the production manager of infrastructure at  
16. Wacker.  
17. MR. NEVILLE: We would like to  
18. request a boiler variance for three high-pressure  
19. boilers. They're operated 24 hours a day, seven  
20. days a week, and these boilers are furnishing  
21. high-pressure steam for heating and process. Wacker  
22. Polysilicon has presented other things before the  
23. Board, but they are in the photovoltaic and solar  
24. energy industry.  
25. The control system that will be put

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1. on these boilers is the Fireye Nexus system. All  
2. three boilers will have this system on it. The  
3. control and the remote station will be located  
4. approximately 2,000 feet away from the -- I'll  
5. reference the site plan on Figure 1. It's  
6. approximately 2,000 feet from the boiler area.  
7. There's not a defined boiler room, but it's a  
8. boiler area, and that's approximately 2,000 feet  
9. away in what's called the Control Center, and it's  
10. the D116 Control Center is how the facility is  
11. labeling that space.  
12. The individuals in the Control  
13. Center, the boiler monitors, are chemical  
14. operators and the chemical operator supervisor.  
15. They will be -- that will be staffed 24/7, and  
16. typically, there will be at least two individuals  
17. in the Control Room at any one time. At the --  
18. those actually attending the boiler would be  
19. chemical operators, as well. And they will attend  
20. the boilers at the beginning of the shift, and  
21. every four hours, monitoring the boilers and their  
22. operation.  
23. Now, as far as the facility  
24. qualifying those boiler attendants, they have a  
25. training program, and Mr. Gram can explain to you

1. as far as how they qualify those individuals and  
 2. give you some details on their --  
 3. MR. GRAM: Okay.  
 4. MR. NEVILLE: -- operators.  
 5. MR. GRAM: The boiler operators that  
 6. we have, or really, the chemical operators, all of  
 7. them have at a minimum a two-year Associate's degree  
 8. as a chemical operator. Currently, all of mine have  
 9. attended Chattanooga State's Wacker Institute, and  
 10. they all have a GPA at or above 3.0. And on top of  
 11. that, we have had every operator attend a training  
 12. class given by Ware Boiler Company. This was a  
 13. two-day class that started from A to Z on the  
 14. boilers. As part of that, we had our chemical  
 15. treatment vendor, that is ChemTreat, they were in  
 16. there showing what test we have to take on a daily  
 17. basis, how do we get the samples, why do we have a  
 18. boiler blowdown, things of that nature.  
 19. After we started the boilers, we  
 20. contracted with Industrial Boiler and Mechanical.  
 21. Mr. Bill Ross, he is a professional engineer,  
 22. spent three weeks with hands-on training on our  
 23. equipment; how do you properly blow it down; how  
 24. do you collect your samples; how do you run the DA  
 25. tank; number of pumps, things like that. So every

1. one of our operators has had that background. So  
 2. some of our operators had previous boiler  
 3. experience, some did not.  
 4. So right now, we are cross-training.  
 5. The ones with the most experience are teaching the  
 6. ones with the least experience. So we are getting  
 7. a good mix out there. So --  
 8. CHAIRMAN MORELOCK: Very good.  
 9. MR. BAUGHMAN: You say they were  
 10. trained by Ware on a two-day training program; where  
 11. was that held at?  
 12. MR. GRAM: That was held at our  
 13. facility in Charleston.  
 14. MR. BAUGHMAN: Super. So it was  
 15. on-the-job training.  
 16. MR. GRAM: It was on-the-job  
 17. training. I would say 75, 80 percent was in the  
 18. classroom and then they did take trips out to our  
 19. equipment to show them, this is a low-water cutoff,  
 20. things of that nature.  
 21. CHAIRMAN MORELOCK: Okay.  
 22. MR. BAUGHMAN: I notice in the  
 23. program, again, we've got a high-pressure DA that's  
 24. feeding the system, but I don't see it necessarily  
 25. listed along with -- and that's something that we've

1. had discussions with previously. And it's not part  
 2. of our variance --  
 3. MR. GRAM: Right.  
 4. MR. BAUGHMAN: -- but the DA's also  
 5. got a very high potential for destruction, and at  
 6. some point in time, looking at the application of  
 7. getting that into your logs and making sure that it  
 8. gets looked at would be --  
 9. MR. GRAM: Uh-huh.  
 10. MR. BAUGHMAN: -- a recommendation.  
 11. MR. GRAM: Okay.  
 12. MR. NEVILLE: We can add that  
 13. information to the Appendix A as far as what the  
 14. DA --  
 15. CHAIRMAN MORELOCK: Well, the DA's --  
 16. MR. NEVILLE: -- equipment.  
 17. CHAIRMAN MORELOCK: -- going to fall  
 18. under the Tennessee law for pressure vessel  
 19. inspections, as well. So --  
 20. MR. NEVILLE: Yes.  
 21. CHAIRMAN MORELOCK: -- it's  
 22. covered --  
 23. MR. NEVILLE: And --  
 24. CHAIRMAN MORELOCK: -- under State  
 25. law.

1. MR. NEVILLE: And we do show it in  
 2. the feed water diagrams --  
 3. MR. BAUGHMAN: Right. I saw it --  
 4. MR. NEVILLE: -- as well, so --  
 5. MR. BAUGHMAN: -- in the drawing  
 6. there. That's --  
 7. MR. NEVILLE: But we can add --  
 8. MR. BAUGHMAN: Uh-huh.  
 9. MR. NEVILLE: -- more information to  
 10. it --  
 11. CHAIRMAN MORELOCK: Okay.  
 12. MR. NEVILLE: -- in the appendix.  
 13. MR. BAUGHMAN: The other question I  
 14. had was you made the statement that the Nexus system  
 15. will be added. Is it not part of this system  
 16. originally?  
 17. MR. NEVILLE: Yeah, I think it is  
 18. installed.  
 19. MR. GRAM: Yes, sir. The Nexus --  
 20. MR. BAUGHMAN: Okay.  
 21. MR. GRAM: -- I think the NX6100 --  
 22. MR. BAUGHMAN: Okay.  
 23. MR. GRAM: -- is on all three  
 24. boilers.  
 25. MR. BAUGHMAN: Okay. So it is

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1. presently.
2. MR. GRAM: Yes, sir.
3. MR. BAUGHMAN: Okay. Very good.
4. CHAIRMAN MORELOCK: Okay.
5. MR. NEVILLE: So at the time we wrote
6. the variance, I believe it was being installed. So
7. that's -- yeah.
8. MR. BAUGHMAN: One wording was under
9. Restart Procedures, Item Number 2: If the boiler is
10. restarted before the cause of the alarm is
11. diagnosed -- if the boiler is restarted --
12. CHAIRMAN MORELOCK: What page is that
13. on?
14. MR. BAUGHMAN: No, this is correct.
15. MR. GRAM: That's page nine.
16. MR. BAUGHMAN: I made a notation on
17. there before and that's correct, isn't it? I'm
18. sorry.
19. CHAIRMAN MORELOCK: Okay.
20. MR. GRAM: Right. It's just -- the
21. boiler attendant has to be at the boiler until it's
22. been corrected.
23. MR. BAUGHMAN: Uh-huh.
24. CHAIRMAN MORELOCK: Okay.
25. MR. ROBINSON: Just a couple

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1. questions, sir. I applaud you for getting outside
2. training for your boiler operators. Thank you.
3. MR. GRAM: Uh-huh.
4. MR. ROBINSON: On page five,
5. paragraph 2, you mentioned a technical specialist is
6. responsible for training. But then on page seven,
7. paragraph 2, you also said a chemical operator. Are
8. they one and the same?
9. MR. GRAM: On page seven. The system
10. that we have right now, the technical specialist
11. that we have on staff, a full-time employee, he is
12. responsible for our training program for all of
13. infrastructure.
14. MR. ROBINSON: So he's going to sign
15. off annually for retrained and new hires, things
16. like that?
17. MR. GRAM: The technical specialist
18. will, yes, sir. That position will.
19. MR. ROBINSON: Okay. And the
20. chemical operator?
21. MR. GRAM: The chemical operator is
22. the people out in the field, so they are
23. cross-training each other. You know, the more
24. experienced ones are training -- are showing the
25. lesser experiences -- experienced ones.

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1. MR. ROBINSON: Could you --
2. MR. GRAM: But as far as the official
3. training, it it is performed by the -- by a
4. technical specialist.
5. MR. ROBINSON: Could you clean that
6. up on -- you see the -- you see --
7. MR. NEVILLE: Yes. I --
8. MR. ROBINSON: -- page seven --
9. MR. NEVILLE: Yes, sir.
10. MR. ROBINSON: -- and five?
11. CHAIRMAN MORELOCK: Yeah.
12. MR. NEVILLE: I -- yes, sir.
13. MR. ROBINSON: It's --
14. MR. NEVILLE: I will clarify that.
15. CHAIRMAN MORELOCK: Yeah.
16. MR. ROBINSON: Thanks. Okay.
17. Appendix D on your Org chart.
18. MR. NEVILLE: Yes.
19. MR. ROBINSON: You don't show the
20. boiler attendant anywhere.
21. MR. GRAM: Trying to find that.
22. CHAIRMAN MORELOCK: Well, I mean, you
23. show the chemical --
24. MR. NEVILLE: Well, this -- the
25. supervisor --

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1. CHAIRMAN MORELOCK: You show the
2. chemical operators --
3. MR. NEVILLE: -- and the chemical
4. operator.
5. MR. GRAM: The chemical operators are
6. the boiler operators also.
7. CHAIRMAN MORELOCK: You may just want
8. to note that they are boiler -- they serve as boiler
9. attendants.
10. MR. ROBINSON: Yeah.
11. MR. GRAM: Correct.
12. MR. NEVILLE: I can clarify that with
13. a --
14. CHAIRMAN MORELOCK: Yeah. Right.
15. Same for the remote monitor, as well, which includes
16. shift supervisors and chemical operators, so --
17. MR. ROBINSON: And that's what
18. brought that about.
19. CHAIRMAN MORELOCK: Yeah.
20. MR. NEVILLE: Okay. Okay.
21. MR. ROBINSON: Just a question for
22. clarity: Is the emergency stop button for the
23. boiler on the computer or on the wall?
24. MR. GRAM: In the control room, it is
25. on the computer.

1. MR. ROBINSON: Is there anything  
 2. separate of the computer that has an emergency stop?  
 3. MR. GRAM: We do at the boilers, but  
 4. as far as our control room, if we lose power, the  
 5. control room has an uninterruptible power supply  
 6. system --  
 7. MR. ROBINSON: A computer --  
 8. MR. GRAM: -- that will keep power to  
 9. our control room until the emergency diesel  
 10. generators are online.  
 11. MR. ROBINSON: It'll keep the boiler  
 12. operational, as well?  
 13. MR. GRAM: The boilers will shut  
 14. down.  
 15. MR. ROBINSON: Good. Very well.  
 16. Thank you.  
 17. CHAIRMAN MORELOCK: Okay.  
 18. MR. ROBINSON: That's all. Thank  
 19. you.  
 20. CHAIRMAN MORELOCK: Is that all you  
 21. got? All right. Any other questions or comments?  
 22. MR. BAUGHMAN: Boiler emergency call  
 23. list is three people.  
 24. MR. GRAM: Yes, sir.  
 25. MR. BAUGHMAN: We ever have the

1. chance to where any multiples could be out sick,  
 2. vacation, what have you, because our emergency  
 3. procedures say to call those that are on the  
 4. emergency call list and there's just three.  
 5. MR. GRAM: Okay. What we can add to  
 6. that is the on-call manager, because if these people  
 7. cannot be located -- well, number one, the shift  
 8. supervisor -- we will always have a shift supervisor  
 9. 24 hours a day, seven days a week.  
 10. MR. BAUGHMAN: Okay.  
 11. MR. GRAM: So they should be there  
 12. unless they get sick during the shift.  
 13. MR. CHAPMAN: Uh-huh.  
 14. MR. GRAM: And if that is the case,  
 15. the area manager -- all of them have Wacker cell  
 16. phones and we also have an on-call list for  
 17. infrastructure seven days a week. We rotate on a  
 18. weekly basis, and we have to be available by  
 19. telephone during that time.  
 20. MR. CHAPMAN: Uh-huh.  
 21. MR. GRAM: And also, we have to be,  
 22. at least, at the most, one hour away from the  
 23. facility during that time.  
 24. MR. BAUGHMAN: Yeah. My end is that  
 25. what we're looking is there's guards or personnel in

1. a station and they've got a protocol; they're going  
 2. to look at the emergency procedures.  
 3. MR. GRAM: Correct.  
 4. MR. BAUGHMAN: And it says, call the  
 5. people on this list. And I just want to make sure  
 6. that if there's additional people --  
 7. MR. GRAM: Yeah.  
 8. MR. BAUGHMAN: -- that need to be on  
 9. this list, that they be on there so that --  
 10. MR. GRAM: Okay.  
 11. MR. BAUGHMAN: -- they know exactly  
 12. what they --  
 13. MR. GRAM: Now --  
 14. MR. BAUGHMAN: -- and who they need  
 15. to be calling.  
 16. MR. GRAM: One option we could put on  
 17. there is other chemical operators, because there are  
 18. more than one chemical operator per shift. So you  
 19. have multiple individuals that could be that --  
 20. respond to a boiler alarm.  
 21. MR. BAUGHMAN: Sure. Well, just  
 22. putting yourself in a -- in the person's shoes that  
 23. are -- is going to be looking at a placard and  
 24. looking over it and they've got three people, I know  
 25. that they probably use common sense and go further

1. than that, but --  
 2. MR. GRAM: Okay.  
 3. MR. BAUGHMAN: -- you'd like to take  
 4. as much out of the question as possible and --  
 5. MR. GRAM: Okay.  
 6. MR. BAUGHMAN: -- have those  
 7. identified.  
 8. CHAIRMAN MORELOCK: Any other  
 9. questions or comments? I only just have a couple to  
 10. add to that.  
 11. MR. GRAM: Okay.  
 12. CHAIRMAN MORELOCK: And this is  
 13. nitpicky, but in Appendix K, the variance request  
 14. letter lists Mr. Gram as responsible for the  
 15. variance, and then on page one, you're listing  
 16. Mr. Ward as the person responsible for the variance.  
 17. So just close that loop; make sure it's consistent  
 18. so you don't have two people -- two different people  
 19. listed.  
 20. In Appendix G, page G-4, Item 20 is  
 21. for the requirements and remote under duties, but  
 22. there's not a similar item listed for the boiler  
 23. attendant, so you may want to list the duties of  
 24. the boiler attendant in Appendix G, as well. I  
 25. know they've got other duties, but you may just

1. want to call those out.
2. MR. GRAM: Okay.
3. CHAIRMAN MORELOCK: And that's all I
4. have. Any other questions or comments?
5. MR. BAUGHMAN: Is the DA sized to
6. operate all three boilers at the same time?
7. MR. GRAM: We can operate two and a
8. half of them at a time. Our environmental permit
9. will not allow us to operate all three boilers at
10. 100 percent firing rate.
11. MR. BAUGHMAN: How is that monitored
12. so that you don't get into that position?
13. MR. GRAM: We do have the natural gas
14. usage in our boiler room and it will alarm.
15. MR. BAUGHMAN: Very good.
16. CHAIRMAN MORELOCK: Anything else?
17. Okay. Do I have a motion?
18. MR. ROBINSON: Motion to accept
19. contingent on incorporating the Board comments.
20. CHAIRMAN MORELOCK: Okay. And we'd
21. also make that contingent -- it's based on a site
22. inspection by Deputy Inspector Neil Jackson, as
23. well. So do I have a second?
24. DR. JOHNSON: Second.
25. CHAIRMAN MORELOCK: Okay. Any other

1. comments, questions? Okay. All in favor, say
2. "aye".
3. MR. ROBINSON: Aye.
4. MR. BAUGHMAN: Aye.
5. DR. JOHNSON: Aye.
6. CHAIRMAN MORELOCK: Opposed?
7. Abstentions? Not voting? All right. Gentlemen,
8. you have a --
9. MR. GRAM: Thank you.
10. CHAIRMAN MORELOCK: -- an approved
11. variance contingent on the site inspection and the
12. State of Tennessee rules.
13. MR. GRAM: Thank you.
14. CHAIRMAN MORELOCK: Thank you.
15. MR. NEVILLE: Thank you.
16. CHAIRMAN MORELOCK: All right. Our
17. next item on the agenda is 15-17. This is the
18. Clover Bottom Developmental Center who is also
19. requesting a variance to the Boiler and Unfired
20. Pressure Vessel Rules and Regulations for Rule 22.
21. So if y'all would come forward and introduce
22. yourselves and present your item. And --
23. MR. BAUGHMAN: I would express a
24. conflict.
25. CHAIRMAN MORELOCK: Okay. You have a

1. conflict on this one. Okay. All right. So --
2. MR. NEVILLE: Again, I'm
3. James Neville with Neville Engineering presenting.
4. This is a modification to a variance. The original
5. variance was in December of 2007 and it was -- there
6. was a revision in April of 2009. The -- and I'll
7. let --
8. MR. VANSTONE: I'm Blair Vanstone.
9. I'm the boiler operator supervisor at the Clover
10. Bottom campus.
11. CHAIRMAN MORELOCK: Okay.
12. MR. NEVILLE: The changes to this
13. variance mainly include the relocation of the remote
14. stations. The remote station -- Clover Bottom has
15. had some changes to the -- to their campus as far as
16. how they're going to be servicing. They've closed
17. down parts of their facility and will be re -- I
18. guess, reassigning some responsibilities to other
19. departments. So that's in the works right now. I
20. believe that was announced in November, some of the
21. changes on that campus.
22. But they do have two high-pressure
23. boilers that we're requesting a variance on.
24. Those are operated on demand 24 hours a day, seven
25. days a week, and they furnish high-pressure steam

1. for space heating pot of hot water and
2. humidification.
3. In the site plan on Figure 1, we show
4. the location of the new remote station, which will
5. be in the Harold Jordan Center. That will be
6. manned by security guards at that location. And
7. their job descriptions are Security Guard 1 and
8. Security Guard 2. And we detail their job
9. descriptions in Appendix G.
10. The -- as far as the boiler
11. attendants, on page seven, we list the -- those
12. that would be boiler attendants. There are seven
13. different positions there. Each one of those
14. positions have had additional training, and I'll
15. let Blair talk briefly about the training that
16. they received off site and then the -- how they
17. qualify those individuals.
18. MR. VANSTONE: The staff -- the
19. Building Maintenance Workers 2, the Building
20. Maintenance Workers 3, Maintenance Carpenters 2,
21. Facilities Manager 3 were trained on site. They've
22. been there for eight, ten years, every one of them.
23. The security personnel, Security
24. Guard 1, Security Guard 2, we sent to Allied
25. Boiler Training Center in Murfreesboro to get them

1. trained there, and then we'll train them in house  
 2. on our particular equipment that we have.  
 3. MR. ROBINSON: So each of one and two  
 4. have been to Allied?  
 5. MR. VANSTONE: Yes, sir.  
 6. MR. NEVILLE: So -- right. And  
 7. that's how they qualified those individuals to  
 8. monitor the boilers, you know, during their shift.  
 9. So they wanted to make sure they have been, you  
 10. know, fully trained. So that was part of their  
 11. process for that.  
 12. The controls on the boiler have not  
 13. changed. There is a program later on that will  
 14. change those boilers. But that's probably two  
 15. years out before those will be updated, so --  
 16. One question we do have is Clover  
 17. Bottom may change their name as far as -- it may  
 18. be Clover Bottom, you know --  
 19. MR. VANSTONE: Middle Tennessee  
 20. Regional --  
 21. MR. NEVILLE: Middle Tennessee  
 22. Regional.  
 23. MR. VANSTONE: -- Office Campus.  
 24. MR. NEVILLE: And I guess, as that  
 25. changes, how does -- do we need to come back before

1. the Board, or how can we address that change, I  
 2. guess?  
 3. CHAIRMAN MORELOCK: The Board only  
 4. needs to vote on technical changes to the manual.  
 5. MR. NEVILLE: Okay.  
 6. CHAIRMAN MORELOCK: Editorial  
 7. changes, which that would be an editorial as far as  
 8. a name change goes.  
 9. MR. NEVILLE: Okay.  
 10. CHAIRMAN MORELOCK: That can be  
 11. handled by the boiler units and the Chief --  
 12. MR. NEVILLE: Okay.  
 13. CHAIRMAN MORELOCK: -- Inspector for  
 14. State of Tennessee, so --  
 15. MR. NEVILLE: Okay.  
 16. CHAIRMAN MORELOCK: Okay.  
 17. MR. ROBINSON: Whereas you just  
 18. submit a revision.  
 19. CHAIRMAN MORELOCK: Yeah.  
 20. MR. ROBINSON: It goes -- cycles  
 21. through.  
 22. MR. NEVILLE: Right.  
 23. CHAIRMAN MORELOCK: Yeah.  
 24. MR. NEVILLE: Okay.  
 25. CHAIRMAN MORELOCK: Yeah. So --

1. okay. I'm going to open the floor for -- first of  
 2. all, we do -- we -- I'm going to make it official.  
 3. Are there -- a conflict of interest?  
 4. MR. BAUGHMAN: Yes.  
 5. CHAIRMAN MORELOCK: Okay. So we do  
 6. have one. All right. So what comments, questions  
 7. do you have for these gentlemen?  
 8. MR. ROBINSON: So Blair, first of  
 9. all, good morning. Welcome.  
 10. MR. VANSTONE: Good morning.  
 11. MR. ROBINSON: A question to you.  
 12. You said that the security guards were trained. Let  
 13. me ask you, I consider the security guard to be  
 14. sometimes replaceable.  
 15. MR. VANSTONE: Yes. If they are  
 16. replaced, the new ones will go through the same  
 17. training. They will be sent out to get an overview  
 18. of boilers that -- probably highlight; that seems  
 19. what the State likes, and then they'll be trained in  
 20. house.  
 21. MR. ROBINSON: Okay. So what if this  
 22. is an emergency situation and you can't get  
 23. somebody? Are you going to resend the --  
 24. MR. VANSTONE: Then they call us.  
 25. MR. ROBINSON: So you --

1. MR. VANSTONE: They call the on-call  
 2. list and we've, like I said, been there for 10  
 3. years; any of us can go in there and correct any of  
 4. the problems. The boiler will be shut down, so  
 5. it's --  
 6. MR. ROBINSON: Could you --  
 7. MR. VANSTONE: It'll be --  
 8. MR. ROBINSON: Could you just put  
 9. that in your manual and make it just clear that if  
 10. an event that, you know, you cannot have a -- in  
 11. this sense -- because I had a problem with a  
 12. security guard turning the boiler on.  
 13. MR. VANSTONE: Uh-huh.  
 14. MR. ROBINSON: Period.  
 15. MR. VANSTONE: Yeah.  
 16. MR. ROBINSON: And if it wasn't --  
 17. MR. VANSTONE: Well, we could have  
 18. them --  
 19. MR. ROBINSON: Especially if it  
 20. wasn't working correctly. And I saw that, and I  
 21. said, wow. And --  
 22. MR. VANSTONE: Yeah.  
 23. MR. ROBINSON: But with the training,  
 24. it gives me a little bit of comfort, you know. So  
 25. if you put that in there, I would be inclined to --

1. MR. VANSTONE: Okay.
2. MR. ROBINSON: -- to give it some
3. consideration.
4. MR. BAUGHMAN: I'd just comment on
5. that training, too.
6. MR. VANSTONE: Uh-huh.
7. MR. BAUGHMAN: For sending the
8. guards, which I'm thankful that they did. We've had
9. a number of companies send their security personnel
10. in for training, and what it does is it really opens
11. their eyes to the piece of equipment that they're
12. being charged with taking care of. And when they
13. get exposed to the information as far as being a
14. caretaker of this potential for causing death,
15. injury, or destruction, it gives them a whole
16. different appreciation for what it is they're
17. overseeing. So I'm thankful for that, and that's
18. being missed in so many of our installations.
19. From a technical standpoint, which
20. boilers do you typically operate? Because we've
21. got the two; one being an older boiler than the
22. other. And I'm noting that on one, the model
23. number and the serial number are not available on
24. Boiler Number 1.
25. MR. VANSTONE: Correct.

1. MR. BAUGHMAN: And serial number, by
2. all means, should be.
3. MR. VANSTONE: We've looked on
4. that -- on the steam header and we've looked and we
5. cannot identify a number.
6. MR. BAUGHMAN: Interesting. Okay.
7. Do we alternate the use of the boilers?
8. MR. VANSTONE: We have one -- Number
9. 1 Boiler is rated at 25,000 pounds per hour. We
10. generally run that in the summer. Number 2 is rated
11. at 50,000 pounds per hour. We generally run that in
12. the winter.
13. MR. BAUGHMAN: Okay. I'm showing the
14. rating at 41,500 for Number 2. It's actually 50?
15. MR. VANSTONE: It's actually 50.
16. MR. BAUGHMAN: Okay.
17. CHAIRMAN MORELOCK: Well, it's got an
18. asterisk. Calculated at 80 percent --
19. MR. NEVILLE: Yeah.
20. MR. BAUGHMAN: 80 percent.
21. CHAIRMAN MORELOCK: -- boiler
22. efficiency.
23. MR. NEVILLE: I will --
24. MR. BAUGHMAN: Okay. The DA feeds
25. both boilers.

1. MR. VANSTONE: Correct.
2. MR. BAUGHMAN: The DA's only rated at
3. 30.
4. MR. VANSTONE: The -- it runs about
5. 10 pounds. It's a low pressure. It's got a tag on
6. it.
7. MR. BAUGHMAN: Sure.
8. MR. VANSTONE: And we inspect it
9. semiannual -- it's biannual. I guess, every two
10. years.
11. MR. BAUGHMAN: But it does not have a
12. sufficient quantity --
13. MR. VANSTONE: To run both boilers.
14. MR. BAUGHMAN: -- to even supply the
15. other boiler at its rated 41,500.
16. MR. VANSTONE: We rarely run it that
17. high.
18. MR. BAUGHMAN: Okay.
19. MR. VANSTONE: For example, right
20. now, it's online and it's cycling.
21. MR. BAUGHMAN: Okay.
22. MR. VANSTONE: We don't envision
23. running both of them at the same time.
24. MR. BAUGHMAN: Sure.
25. MR. VANSTONE: We have -- if need be,

1. we have an auxilliary pump that we could pump soft
2. water into the boilers.
3. MR. BAUGHMAN: Uh-huh.
4. MR. VANSTONE: It's not going to be
5. heated, but in emergency situations, we keep the
6. boilers flooded.
7. MR. BAUGHMAN: Well, being a 260 psi
8. boiler operating at 100 psi, we sure wouldn't want
9. to feed --
10. MR. VANSTONE: Cold water.
11. MR. BAUGHMAN: -- cold water to it.
12. And that was my expression with the DA being
13. undersized was the possibility of not having
14. sufficient heated water, let alone, deaerated water.
15. But the cold water factor was what I was thinking of
16. with it.
17. MR. VANSTONE: Uh-huh.
18. MR. BAUGHMAN: Thank you.
19. MR. ROBINSON: What's the highest
20. safety valve on the --
21. MR. VANSTONE: The highest safety
22. value on the boiler is 150 pounds.
23. MR. ROBINSON: That's --
24. MR. VANSTONE: No, 155 pounds, and
25. that's on our Number 2 boiler.

1. MR. ROBINSON: And what's Number 1,  
 2. just out of curiosity?  
 3. MR. VANSTONE: 125.  
 4. MR. ROBINSON: Okay. Thank you.  
 5. MR. BAUGHMAN: How have the boilers  
 6. been operated since -- well, the last variance  
 7. approval was 2009. So it went out --  
 8. MR. NEVILLE: There was a revision in  
 9. 2009 in April. I don't have any -- I'm not sure if  
 10. that was just an organizational chart change. So --  
 11. MR. BAUGHMAN: But we've had no --  
 12. MR. NEVILLE: -- I don't have the  
 13. details.  
 14. MR. BAUGHMAN: -- reapproval or  
 15. anything since 2009?  
 16. MR. NEVILLE: That's my  
 17. understanding.  
 18. MR. VANSTONE: Correct.  
 19. MR. BAUGHMAN: And how long is the  
 20. variance good for?  
 21. MR. NEVILLE: Three years now.  
 22. CHAIRMAN MORELOCK: Yeah.  
 23. MR. BAUGHMAN: Three years.  
 24. MR. NEVILLE: In 2009. I'm not --  
 25. you know.

1. MR. VANSTONE: We weren't notified  
 2. that we needed to reapply.  
 3. MR. BAUGHMAN: Okay.  
 4. CHAIRMAN MORELOCK: Well, and that's  
 5. been the program here of -- within the last couple  
 6. years is Neil's worked with Sam Chapman and -- to  
 7. try to get all those variances caught up to date.  
 8. MR. BAUGHMAN: Okay.  
 9. CHAIRMAN MORELOCK: Because there's a  
 10. lot -- there were several that had been lapsed --  
 11. MR. BAUGHMAN: Gotcha.  
 12. CHAIRMAN MORELOCK: -- as far as out  
 13. of date, so --  
 14. MR. BAUGHMAN: Okay. Thank you.  
 15. CHAIRMAN MORELOCK: That's not on  
 16. them. That's on us.  
 17. MR. BAUGHMAN: Gotcha. Thank you.  
 18. CHAIRMAN MORELOCK: You're welcome.  
 19. Any other questions or comments? Mr. Chapman?  
 20. MR. JACKSON: Mr. Chairman?  
 21. CHAIRMAN MORELOCK: Yes?  
 22. MR. JACKSON: Are they operating the  
 23. boiler now with a variance?  
 24. MR. NEVILLE: Yes.  
 25. MR. JACKSON: What are they

1. requesting, a renewal or a new one?  
 2. MR. NEVILLE: This --  
 3. CHAIRMAN MORELOCK: This is renewal.  
 4. MR. NEVILLE: A modification.  
 5. CHAIRMAN MORELOCK: And modification.  
 6. MR. JACKSON: How long do we go on an  
 7. expired variance before it becomes they have to  
 8. issue a new one?  
 9. CHAIRMAN MORELOCK: There's not been  
 10. any wording stated on that. The plan that was put  
 11. into place several years ago was to get them caught  
 12. up.  
 13. MR. JACKSON: Theoretically, then,  
 14. they're operating outside the law.  
 15. CHAIRMAN MORELOCK: Theoretically,  
 16. that's true.  
 17. MR. JACKSON: They should be  
 18. operating under the 20-minute rule.  
 19. CHAIRMAN MORELOCK: That's correct.  
 20. But it wasn't until the revision nine of the  
 21. checklist that the renewal and the modification  
 22. check boxes were added. So --  
 23. MR. NEVILLE: Right.  
 24. CHAIRMAN MORELOCK: So in the state,  
 25. it's the Boiler Unit's work to get all those caught

1. up. And I'm sure there's still a few more that need  
 2. to be caught up. But as you well know from your own  
 3. site inspections, you walked on some plant sites in  
 4. the past three or four years where they didn't even  
 5. know -- they didn't even know they had a boiler  
 6. variance; is that correct?  
 7. MR. JACKSON: That is correct, but  
 8. they're not operating under a variance.  
 9. CHAIRMAN MORELOCK: Okay.  
 10. MR. JACKSON: They go to the  
 11. 20-minute rule, because -- like to say personnel  
 12. change and the one that was in charge is gone and so  
 13. on and so forth.  
 14. CHAIRMAN MORELOCK: Right.  
 15. MR. JACKSON: And they really don't  
 16. know what they have, so they don't want to mess with  
 17. it.  
 18. CHAIRMAN MORELOCK: Okay.  
 19. MR. JACKSON: If you don't -- if it  
 20. ain't broke, don't fix it.  
 21. CHAIRMAN MORELOCK: Right. But as of  
 22. today, yes, variances are renewed every three years  
 23. and that is enforced. So -- or as of a few years  
 24. ago. So that's correct.  
 25. Okay. The only other question or

1. comments that I have is one based on the checklist  
 2. that we just talked about, on line item nine,  
 3. since this is a modification and a renewal, I did  
 4. not see the -- a revision page for the revision.  
 5. So that needs to be added to the system operating  
 6. manual.  
 7. MR. NEVILLE: Okay.  
 8. CHAIRMAN MORELOCK: And so please add  
 9. that --  
 10. MR. NEVILLE: I will add that.  
 11. CHAIRMAN MORELOCK: -- with a summary  
 12. of changes. On page G-4 under "Job Duties", it  
 13. states -- four, it states that -- under R1, that you  
 14. walk through the boiler room and record readings  
 15. hourly. But then we go on to say where under the  
 16. variance, you're checking the boiler every four  
 17. hours. So are boiler readings being taken hourly?  
 18. MR. VANSTONE: Depending on the  
 19. weather conditions. If we have a really cold  
 20. weather event, then we have the operator or security  
 21. guard on site. And if they're on site, they take  
 22. hourly readings.  
 23. CHAIRMAN MORELOCK: Okay.  
 24. MR. VANSTONE: If everything's  
 25. running normal, mild temperatures, things like that,

1. we check it every four hours and --  
 2. CHAIRMAN MORELOCK: Okay.  
 3. MR. VANSTONE: -- record readings.  
 4. CHAIRMAN MORELOCK: Well, I mean, the  
 5. reason I'm asking is when you have a site visit by  
 6. Mr. Jackson and you say there's -- it just says  
 7. you're taking hourly readings, there's no -- well,  
 8. only during cold weather or something like that. So  
 9. he's going to hold you to that hourly check. So you  
 10. may want to look at your manual, how it's read,  
 11. because you want it to match exactly with the way  
 12. you're actually operating.  
 13. MR. VANSTONE: Okay.  
 14. CHAIRMAN MORELOCK: And the other --  
 15. MR. NEVILLE: So if we took out the  
 16. "hourly" --  
 17. CHAIRMAN MORELOCK: Huh?  
 18. MR. NEVILLE: If we took out --  
 19. CHAIRMAN MORELOCK: Yeah, you --  
 20. MR. NEVILLE: -- the "hourly" --  
 21. CHAIRMAN MORELOCK: You're right.  
 22. MR. NEVILLE: -- on that --  
 23. CHAIRMAN MORELOCK: That's right.  
 24. MR. NEVILLE: -- I think that  
 25. might --

1. CHAIRMAN MORELOCK: That's right.  
 2. MR. VANSTONE: Yeah.  
 3. CHAIRMAN MORELOCK: Yeah.  
 4. MR. NEVILLE: -- you know.  
 5. CHAIRMAN MORELOCK: I'm not going to  
 6. tell you how to do it, but just -- you can do it  
 7. later.  
 8. MR. VANSTONE: Okay.  
 9. CHAIRMAN MORELOCK: And then on page  
 10. seven, which Eugene kind of eluded to that a little  
 11. bit.  
 12. MR. NEVILLE: In --  
 13. CHAIRMAN MORELOCK: You're saying  
 14. that under the -- the boiler attendant must be on  
 15. site at all times. However, on page seven, you're  
 16. saying the security guards check the boiler every  
 17. four hours on weekends and holidays.  
 18. MR. VANSTONE: Yes, we're classifying  
 19. them as attendants.  
 20. CHAIRMAN MORELOCK: Okay.  
 21. MR. NEVILLE: Right. So we list  
 22. those as, you know, boiler attendants --  
 23. CHAIRMAN MORELOCK: Okay.  
 24. MR. NEVILLE: -- in -- on page seven.  
 25. CHAIRMAN MORELOCK: Okay.

1. MR. NEVILLE: And then we kind of  
 2. clarify in Item 2 on page seven -- what the security  
 3. guards perform. So --  
 4. CHAIRMAN MORELOCK: Right.  
 5. MR. NEVILLE: And there's -- that's  
 6. more of a monitoring task. If they --  
 7. CHAIRMAN MORELOCK: Okay.  
 8. MR. NEVILLE: We understand their  
 9. qualifications, and they have gone through some  
 10. training, but --  
 11. CHAIRMAN MORELOCK: Okay.  
 12. MR. NEVILLE: But they need to call  
 13. the boiler operator supervisor if there is an issue  
 14. and shut the boilers down, so --  
 15. CHAIRMAN MORELOCK: Okay. I just  
 16. wanted to clarify that.  
 17. Okay. And again, I've got one  
 18. nitpicky comment. In Item 40 on the checklist,  
 19. your emergency procedures should be highlighted  
 20. and it is, but it's --  
 21. MR. NEVILLE: Well --  
 22. CHAIRMAN MORELOCK: -- not that  
 23. great, so --  
 24. MR. NEVILLE: Yeah. That was a  
 25. printing error and we'll correct that on the final.

1. CHAIRMAN MORELOCK: Okay. All right.  
 2. That's all of my comments. Yes, sir?  
 3. MR. BAUGHMAN: More technical  
 4. questions.  
 5. MR. NEVILLE: Sure.  
 6. MR. VANSTONE: Okay.  
 7. MR. BAUGHMAN: What type of burner  
 8. controller is on here, because I notice under  
 9. "Equipment Description", it says "Burner  
 10. Controller", but it gives type. It gives 7800  
 11. 7840L, Fireye E110, CBs -- what have we got?  
 12. MR. VANSTONE: It's the Hawk CB right  
 13. now. We're looking at the Hawk 7600. We've got it  
 14. on capital projects list for two years from now.  
 15. MR. BAUGHMAN: Okay. And what's the  
 16. connection type between the controller and the  
 17. remote station?  
 18. MR. VANSTONE: It's hardwired now.  
 19. It will be hardwired before -- when we switch.  
 20. We've already got the cables run from the boiler  
 21. room to the Jordan Center. All it requires is to  
 22. dismantle the remote kill switch at the switchboard  
 23. operator at one cannon where it is now and  
 24. reposition it there and test it and make sure it  
 25. works right.

1. MR. BAUGHMAN: Do you know by chance  
 2. what the maximum distance is allowed by the  
 3. controller manufacturer since we're at 3,000 feet?  
 4. MR. VANSTONE: The electrician -- the  
 5. electrical company that did the work, gauged the  
 6. wire and transformers for that distance. And if it  
 7. doesn't work, then we don't use it. We'll just have  
 8. to --  
 9. MR. BAUGHMAN: I would.  
 10. MR. VANSTONE: -- get them to work  
 11. and we'll be on the 20-minute rule.  
 12. MR. BAUGHMAN: Okay. I would go back  
 13. and actually look at what that maximum distance is  
 14. from the Hawk system just to see since it's  
 15. hardwired. The equipment manufacturer dictates a  
 16. maximum distance that's allowed, and I would just  
 17. double check --  
 18. MR. VANSTONE: Okay.  
 19. MR. BAUGHMAN: -- just for, you  
 20. know --  
 21. MR. VANSTONE: Yeah.  
 22. MR. BAUGHMAN: It's not so matter --  
 23. not a matter of so much if it works or not is it --  
 24. it's got to conform to the manufacturer's  
 25. specifications.

1. MR. VANSTONE: We've had a boiler  
 2. supplier looking at that, too, and they said the  
 3. system would work.  
 4. MR. BAUGHMAN: Yeah. They would  
 5. know. Good. Thank you.  
 6. CHAIRMAN MORELOCK: Any other  
 7. questions or comments? Okay. Do I have a motion?  
 8. DR. JOHNSON: Move to approve.  
 9. CHAIRMAN MORELOCK: Okay. I have a  
 10. motion to approve. And as always, it's contingent  
 11. on the Board comments being addressed and a site  
 12. inspection by the Deputy Inspector. Do I have a  
 13. second?  
 14. MR. ROBINSON: Second.  
 15. CHAIRMAN MORELOCK: Okay. Any other  
 16. questions or comments? All those in favor, say  
 17. "aye".  
 18. DR. JOHNSON: Aye.  
 19. MR. ROBINSON: Aye.  
 20. CHAIRMAN MORELOCK: Aye. Opposed?  
 21. Abstentions? We have one abstention. Not voting?  
 22. Gentlemen, you have an approved variance.  
 23. MR. NEVILLE: Thank you.  
 24. MR. VANSTONE: Thank you.  
 25. CHAIRMAN MORELOCK: That's contingent

1. on the corrections to the manual and the site visit.  
 2. MR. BAUGHMAN: Good job.  
 3. CHAIRMAN MORELOCK: Okay. Our next  
 4. item is 15-18 which is Valero's annual report on our  
 5. RBI program.  
 6. MR. GROSS: Good morning, Board,  
 7. guests. I'm Jeremy Gross. I'm the chief refinery  
 8. inspector at the Valero Memphis Refinery. I'm here  
 9. this morning to present our RBI program status  
 10. review report that we give annually. I appreciate  
 11. your time and attention.  
 12. The summary for our 2015 review, the  
 13. Risk Based Inspection program continues to be  
 14. active at the Valero Memphis Refinery. This  
 15. includes conducting inspections per the risk  
 16. assessments, Evergreen activities to keep the RBI  
 17. program current, adding any new commissioned  
 18. equipment to the RBI program and improvements in  
 19. the software used to maintain the RBI program.  
 20. Key activities related to the program  
 21. in 2015 are as follows: The Valero Memphis  
 22. Refinery continues to maintain an effective Risk  
 23. Based Inspection program utilizing good  
 24. engineering practices. Damage mechanism specific  
 25. inspections are planned and executed during

<p style="text-align: right;">Page 61</p> <p>1. routine maintenance or scheduled outages. Results  2. are documented and graded per the inspection  3. effectiveness tables within the RBI software.  4. Maintenance and inspection activities  5. executed during 2015 are listed below. The site's  6. currently pursuing the Voluntary Protection  7. Program certification. That assessment will take  8. place in the fall of 2016 with TOSHA, as well as  9. our corporate team. We do have turnaround  10. planning efforts in progress and scheduled for  11. outages of three process units in 2016. Bless  12. you.  13. MR. FINKS: Thank you.  14. MR. GROSS: For 2015, our inspection  15. types from an internal inspection, external, CUI,  16. and jurisdiction are as follows: Internal  17. inspections completed in 2015 were 67; external  18. inspections were 289; CUI inspections were 77; and  19. our jurisdictional inspections completed were 250.  20. Planned for 2016, we have 152  21. internal inspections scheduled, 165 external  22. inspections scheduled, 11 CUI, and 92  23. jurisdictional inspections.  24. Evergreen activities for the RBI  25. program include: reviewing the assigned damage</p>	<p style="text-align: right;">Page 63</p> <p>1. inspections based off of any degradation that is  2. either documented or potential based on our fluid  3. properties and our operating parameters.  4. There's a risk data and distribution  5. listed below based on our risk level and our count  6. of circuits. I won't read through that table as  7. it's a pretty lengthy table.  8. We did have some key inspection  9. results from our 2015 efforts. Overall, the 67  10. internals were completed to our 89 externals and  11. the 77 CUIs inspections were performed this year  12. in accordance with the RBI program. The  13. jurisdictional inspections are scheduled and  14. current but are handled separately from the RBI  15. program.  16. All equipment has a detailed  17. inspection plan with a risk ranking for each  18. damage mechanism. For each piece of equipment, a  19. unique inspection plan is built to address the  20. proper corrosion and damage mechanisms  21. anticipated.  22. Risk Based Inspection activities  23. completed this year reduced risk level on 39  24. circuits. And Valero is assembling the  25. multidiscipline procedures and required</p>
<p style="text-align: right;">Page 62</p> <p>1. mechanism and the executing of proper inspection  2. techniques, recording the inspection results and  3. grading per the respective effectiveness tables,  4. scheduling the next inspection per the RBI  5. methodology.  6. Nonintrusive inspection techniques  7. are executed and captured during external  8. inspections. Routine corrosion monitoring and  9. specialty nondestructive testing is performed when  10. required. Revalidation of our fluid properties  11. and operating conditions are ongoing and completed  12. on a five-year interval. That is consistent with  13. our PHA validations that we do on each one of our  14. refinery process units.  15. Our jurisdictional inspection  16. activities on registered equipment are maintained  17. with zero delinquencies. And our process  18. equipment is circuitized and risk ranked in the  19. RBI program.  20. Our data management software  21. integrates the design data, visual inspection  22. history, thickness monitoring data, assigned  23. damage mechanism inspection results, and  24. inspection scheduling that is integrated within  25. the RBI module. This helps us schedule our</p>	<p style="text-align: right;">Page 64</p> <p>1. information to pursue a variance for extension on  2. the boiler internal inspections frequency. We are  3. working to get that manual built possibly to  4. present in the first quarter or the second quarter  5. of 2016. So more to come on that.  6. CHAIRMAN MORELOCK: Okay.  7. MR. GROSS: Last page is our summary  8. of equipment and circuits that are in our RBI  9. program. This lists each piece -- fixed asset, as  10. well as the circuits that are associated with that  11. asset.  12. MR. ROBINSON: Can you give me a  13. brief description of the Voluntary Protection  14. Program?  15. MR. GROSS: Yes, sir. So the VPP  16. program is a program that is basically a site or  17. facility; we'll team up with OSHA to come in and  18. make sure that we are following and going above and  19. beyond all PSM and safety regulations. It is one  20. that Valero as a company -- it has the most  21. refineries within the United States that are in that  22. program. We are looking to join our site into that  23. number within our company currently, with our seven  24. Valero sites that are VPP certified.  25. And we have a VPP corporate team</p>

1. alone that will come in and do assessments on our  
 2. safety and our PSM program to identify, are we  
 3. ready; one, is our culture correct? Two, are our  
 4. policy and procedures -- are we doing as we say  
 5. and saying as we do? And then three, then we  
 6. schedule a meeting with TOSHA or whatever  
 7. organization from which state we have a facility  
 8. in to come in and do a team assessment. And then  
 9. we will shoot for the star at that point and make  
 10. sure that we are maintaining all of our safety and  
 11. commitments to process safety information.  
 12. MR. BAILEY: If they get VPP  
 13. certified, that takes them off of TOSHA's  
 14. comprehensive inspection list where they wouldn't --  
 15. TOSHA would not -- they would not have, like, a  
 16. random inspection anymore. Only if there is an  
 17. accident or a complaint would TOSHA come, do an  
 18. inspection at that facility once they're VPP  
 19. certified. Like, he's --  
 20. CHAIRMAN MORELOCK: Yeah.  
 21. MR. BAILEY: -- in the same  
 22. situation.  
 23. MR. GROSS: It's a three-year  
 24. interval --  
 25. MR. BAILEY: Yeah.

1. MR. GROSS: -- where you would have a  
 2. reassessment --  
 3. MR. BAILEY: Right.  
 4. MR. GROSS: -- come in.  
 5. CHAIRMAN MORELOCK: That's a nice  
 6. program.  
 7. MR. BAILEY: And they --  
 8. MR. ROBINSON: Every three years.  
 9. MR. BAILEY: They've hired --  
 10. MR. ROBINSON: It sounds good.  
 11. MR. BAILEY: They've hired away two  
 12. of our better inspectors from the Memphis office.  
 13. One safety inspector a few years ago and --  
 14. MR. GROSS: That's correct.  
 15. MR. BAILEY: -- more recently, an  
 16. industrial hygienist. So --  
 17. MR. GROSS: Absolutely.  
 18. MR. BAILEY: That should help you.  
 19. MR. GROSS: Yes, sir. And we're  
 20. making good progress there. We have a biweekly  
 21. meeting. We have also an assessment tool that's  
 22. utilized and a gap closure plan for that. And  
 23. currently, our plan shows us possibly being ready  
 24. the fall of 2016.  
 25. Of course, we want to make sure we're

1. ready internally, so we also have an internal team  
 2. that will come in the spring of '16 and do a trial  
 3. run on our program to assure that when TOSHA comes  
 4. in, we're ready.  
 5. CHAIRMAN MORELOCK: Very good.  
 6. MR. ROBINSON: What's your biggest  
 7. challenge?  
 8. MR. GROSS: Culture. That's our  
 9. biggest challenge. Culture of change, implementing  
 10. procedures, following procedures; the human factors  
 11. is probably the biggest issue that not just our  
 12. facility but any facility has. And we're working on  
 13. that. Instituting town hall meetings; we're  
 14. gathering teams to participate to promote that  
 15. culture.  
 16. MR. ROBINSON: Thank you.  
 17. MR. BAILEY: What kind of buy-in has  
 18. the union given you there?  
 19. MR. GROSS: So that's been one of our  
 20. struggles.  
 21. MR. BAILEY: Yeah.  
 22. MR. GROSS: But we have now got the  
 23. union representation that are basically taking over  
 24. sections of the refinery. And they are responsible  
 25. for those locations now at this point for buy-in, as

1. well as participation. That is -- seem to be making  
 2. our culture shift improve --  
 3. MR. BAILEY: Yeah.  
 4. MR. GROSS: -- and we'll continue in  
 5. that effort.  
 6. CHAIRMAN MORELOCK: Very good. Any  
 7. other questions or comments? All right. Do I have  
 8. a motion to accept this report for have Valero and  
 9. their continuance of their program?  
 10. MR. ROBINSON: Motion to accept.  
 11. CHAIRMAN MORELOCK: Okay.  
 12. DR. JOHNSON: Second.  
 13. CHAIRMAN MORELOCK: Huh?  
 14. MS. BENNETT: Conflict.  
 15. CHAIRMAN MORELOCK: Yeah, thank you.  
 16. Is there a conflict of interest? I'm having a hard  
 17. time with that today? I'm hearing no conflicts of  
 18. interest, so all right. I'm going to call for  
 19. question. All in favor, say "aye".  
 20. MR. ROBINSON: Aye.  
 21. MR. BAUGHMAN: Aye.  
 22. DR. JOHNSON: Aye.  
 23. CHAIRMAN MORELOCK: Opposed?  
 24. Abstentions? Not voting? Thank you, Jeremy. It's  
 25. a great report.

1. MR. GROSS: Thank you very much.  
 2. CHAIRMAN MORELOCK: Okay. Our next  
 3. item is 15-19, Industrial Boiler & Mechanical  
 4. Company on behalf of KordSa to designate one of  
 5. their vessels as a Tennessee Special.  
 6. MR. BUTLER: Hello. I'm --  
 7. CHAIRMAN MORELOCK: Good morning.  
 8. MR. BUTLER: -- Keith Butler with  
 9. Industrial Boiler & Mechanical, quality control  
 10. manager. Good to see you all again.  
 11. In June of last year, I presented  
 12. this vessel that their insurance inspector  
 13. discovered did not have a use stamp or a national  
 14. board number on. I presented also this complete  
 15. package that was supplied to us by the  
 16. manufacturer showing the data report that was  
 17. signed off by authorized inspector, as well as all  
 18. the stampings where he had witnessed everything.  
 19. The Board at that time asked that  
 20. when the vessel shut down, that a thickness  
 21. inspection be done on it to make sure that it was  
 22. still of good quality. We did that back in April  
 23. when they shut down for their five-year plant  
 24. run-through.  
 25. We found that the shell thicknesses

1. ran between .105 inches and .415 inches and .419  
 2. inches, which is above the nominal thickness of  
 3. the plate used at 10 millimeters, which is .34.  
 4. The heads were also above the nominal thicknesses  
 5. used. In their calculations, I reverified the  
 6. calculations, which are included in the package,  
 7. using the nominal thickness which were less than  
 8. the actual UT readings.  
 9. The UT readings were taken by  
 10. IveyCooper Services, which is a very reputable  
 11. team. They do a lot of inspection services for  
 12. TVA and B&W Boilers and such. So KordSa has asked  
 13. that in the event that they ever need to run this  
 14. thing above 15 pounds, if they could get a State  
 15. Special put on it. And that's what we're seeking  
 16. today.  
 17. CHAIRMAN MORELOCK: Okay. All right.  
 18. I'm going to open the floor for questions, comments.  
 19. While you're kind of thinking about that, let me  
 20. give you a little bit of history to catch you up.  
 21. We put Mr. Butler on the spot the  
 22. last time he was here, asking him questions about  
 23. operation of the pressure vessel, and thankfully,  
 24. we did find out it was operated at less than 15  
 25. pounds. So that relieved everybody. And they

1. have continued to do so and will continue to do so  
 2. until they get approval to go above 15 pounds.  
 3. This unit was built in 2006. Came under --  
 4. MR. BUTLER: 2005.  
 5. CHAIRMAN MORELOCK: -- a contract in  
 6. '05 and it was not put into operation until 2009.  
 7. So the other thing, too, Mr. Butler,  
 8. is the package that we got this time did not  
 9. include your calculations from the previous  
 10. meeting, so I did send that out to the Board  
 11. members so that --  
 12. MR. BUTLER: Okay.  
 13. CHAIRMAN MORELOCK: So we could see  
 14. that you did provide those calculations. And I  
 15. guess my comments are: It's a good package; it's a  
 16. very complete package. I did go ahead -- I did pull  
 17. SA-662 and Section 2A, as well as the allowable  
 18. stresses in Section 2 Part D. And just for  
 19. information, this would be -- 662 is the equivalent  
 20. ASME material to what this vessel is built from with  
 21. the European standards.  
 22. The chemicals and the mechanicals do  
 23. line up within the acceptable ranges. And I also  
 24. did a quick calculation myself, and compress, and  
 25. the vessel does check. The vessel is above its

1. nominal thicknesses. So there's been, as far as  
 2. we can tell, no corrosion, correct?  
 3. MR. BUTLER: No, sir. It's a  
 4. diatherm service.  
 5. CHAIRMAN MORELOCK: Right. So  
 6. it's --  
 7. MR. BUTLER: It's not corrosive.  
 8. CHAIRMAN MORELOCK: It's a  
 9. non-corrosive service. And I guess my only question  
 10. would be, so if you want to go above 15 pounds with  
 11. this Tennessee Special, are you going to maintain  
 12. the nameplate ratings that the original manufacturer  
 13. put on the vessel? Is that what you're seeking?  
 14. MR. BUTLER: Yes, sir. That's what  
 15. they're asking for.  
 16. CHAIRMAN MORELOCK: Okay. So the  
 17. maximum level working pressures, the maximum  
 18. allowable temperatures and all of that are --  
 19. they're on the manufacturer's nameplate. That's --  
 20. MR. BUTLER: That --  
 21. CHAIRMAN MORELOCK: -- what would be  
 22. listed for the Tennessee Special, correct?  
 23. MR. BUTLER: Yes, sir.  
 24. CHAIRMAN MORELOCK: Okay.  
 25. MR. ROBINSON: Brian, did you -- when

1. you did your calc, did you do it on 10 millimeters  
 2. or 12?  
 3. CHAIRMAN MORELOCK: I did it on 10.  
 4. MR. ROBINSON: Perhaps I'm looking at  
 5. this wrong. I don't know.  
 6. CHAIRMAN MORELOCK: I did the heads  
 7. on eight. Well, and if it's thicker, that's even  
 8. better, right?  
 9. MR. ROBINSON: Well, you did it on  
 10. 10.  
 11. CHAIRMAN MORELOCK: Right.  
 12. MR. ROBINSON: Okay.  
 13. CHAIRMAN MORELOCK: But it's a  
 14. cylinder, so --  
 15. MR. ROBINSON: Great, 394.  
 16. CHAIRMAN MORELOCK: Yeah.  
 17. MR. ROBINSON: Okay.  
 18. CHAIRMAN MORELOCK: Yeah.  
 19. MR. ROBINSON: Okay.  
 20. CHAIRMAN MORELOCK: Yeah.  
 21. MR. ROBINSON: Okay.  
 22. CHAIRMAN MORELOCK: So I mean,  
 23. it's -- and even the internal coil, which is a  
 24. five-inch coil, which by ASME rules would -- you  
 25. could call exempt, because it's less than six inches

1. in diameter. But it was included in all the  
 2. documentation. There are calculations for the coil,  
 3. as well.  
 4. MR. ROBINSON: I believe your calcs.  
 5. CHAIRMAN MORELOCK: And 4500 psi, so  
 6. it's --  
 7. MR. ROBINSON: It's good.  
 8. CHAIRMAN MORELOCK: It's good.  
 9. MR. ROBINSON: Okay.  
 10. MR. BUTLER: Right. It's actually a  
 11. pumped pressure.  
 12. CHAIRMAN MORELOCK: Yeah. Yeah. And  
 13. of course, you and KordSa both understand the -- you  
 14. know, the requirements of a Tennessee Special as far  
 15. as repairs and alterations.  
 16. MR. BUTLER: Correct.  
 17. CHAIRMAN MORELOCK: Okay. I'll have  
 18. to go through the Boiler Unit Chief Inspector. Any  
 19. alterations would have to come before the Board for  
 20. approval prior to implementing --  
 21. MR. BUTLER: Right.  
 22. CHAIRMAN MORELOCK: -- those  
 23. alterations. Okay. Any other questions or  
 24. comments?  
 25. MR. ROBINSON: No.

1. CHAIRMAN MORELOCK: Okay. Do I have  
 2. a motion to accept this vessel as a Tennessee  
 3. Special?  
 4. DR. JOHNSON: So moved.  
 5. CHAIRMAN MORELOCK: Okay. I have a  
 6. motion. I guess, a question for Mr. Chapman is:  
 7. The vessel is in operation at pressures under 15  
 8. psig, so prior to KordSa putting the vessel into  
 9. service at a higher pressure, the State would need  
 10. to -- you would -- you'd need to come to the State  
 11. and comply with any inspections or anything before  
 12. you would put that into higher pressure service, as  
 13. well as registration with the State of Tennessee, a  
 14. certificate inspection for operation and all that  
 15. and proper relief devices.  
 16. MR. BUTLER: All right.  
 17. CHAIRMAN MORELOCK: So just wanted to  
 18. make that clear. Okay.  
 19. MS. BENNETT: Did you ask about  
 20. conflict?  
 21. CHAIRMAN MORELOCK: Yes. And before  
 22. we vote, is there a conflict of interest on this  
 23. item? All right. So I'm going to call for the  
 24. question. All in favor, say "aye".  
 25. DR. JOHNSON: Aye.

1. MR. ROBINSON: Aye.  
 2. MR. BAUGHMAN: Aye.  
 3. CHAIRMAN MORELOCK: Opposed?  
 4. Abstentions? Not voting? All right. This vessel  
 5. will be classified as a Tennessee Special with the  
 6. State of Tennessee.  
 7. MR. BUTLER: Thank you.  
 8. CHAIRMAN MORELOCK: Thank you. Okay.  
 9. I have 10:14. So would everybody like just a  
 10. 10-minute break to stretch your legs? Because we're  
 11. getting ready to dive into Rule 800-03-03. So take  
 12. about 10 minutes and we'll reconvene at 10:25.  
 13. (Recess observed.)  
 14. CHAIRMAN MORELOCK: Alrighty. Our  
 15. next item is 15-20, and this item is for the  
 16. reorganization of Rule 0800-03-03. And I just want  
 17. to begin by thanking so many people who -- you know,  
 18. obviously, the Board, Carlene, Deborah, Sydne',  
 19. Mr. Bailey --  
 20. MR. ROBINSON: And Mark.  
 21. CHAIRMAN MORELOCK: There's Mark,  
 22. Mr. Finks, all those that commented. This has been  
 23. a pretty big effort to take our rules and actually  
 24. make them more user friendly and more informative.  
 25. And so I think we've got a -- almost a final

1. product. And our action here today is just to look  
 2. over this draft, provide two more comments, and seek  
 3. the Board's approval --  
 4. MR. ROBINSON: Correct.  
 5. CHAIRMAN MORELOCK: -- to pursue the  
 6. rulemaking process. So it's not -- you know, if we  
 7. vote for it today, it's not going to be on the  
 8. street tomorrow; it's still got to go through the  
 9. rulemaking process. So this is just to further that  
 10. on down the road.  
 11. So you should have a copy of the  
 12. October 27, 2015 draft of that. And on top of  
 13. that, you've got some review comments from  
 14. Mr. Bailey. And all the Board comments were  
 15. incorporated into this 10-27-2015 draft before it  
 16. was sent out. So we should have addressed all the  
 17. Board comments.  
 18. So to begin with Mr. Bailey's  
 19. comments from his October 29th e-mail, he had some  
 20. excellent comments, and I will just go through  
 21. those first. So Mr. Bailey's first comment on  
 22. page five, he stated there's a missing quotation  
 23. mark on "nonstandard boilers and pressure  
 24. vessels." And if you look on page five, those  
 25. first set of italics are missing. So I do agree

1. with that comment. And so we -- that's an  
 2. editorial change we can make.  
 3. On page 14, you see on Item -- or  
 4. paragraph -- subparagraph 8E, Mr. Bailey's comment  
 5. was, it looks to me like the word "providing"  
 6. should be "provided" to read correctly.  
 7. So if you read that, 8E, it says,  
 8. when the contents of the pressure vessel prohibit  
 9. contamination by any other medium or when a  
 10. pressure vessel test is not possible, other  
 11. testing media may be used provided the  
 12. precautionary requirements of the applicable  
 13. section of the NBIC are followed. So I do agree  
 14. with that editorial change.  
 15. On page 20, subparagraph 11a is a  
 16. typo and we just got too many S's in that  
 17. sentence. So the two SS's that -- they need to be  
 18. removed and stricken from the draft. And so I do  
 19. agree with that.  
 20. On page 26, subparagraph 1,  
 21. Mr. Bailey's comment was, it looks to me like the  
 22. word "stamped" should be "stamp" to read  
 23. correctly.  
 24. And when you read that, it says, for  
 25. standard boilers, the maximum allowable working

1. pressure of standard boilers shall in no case  
 2. exceed the pressure indicated by the  
 3. manufacturer's identification -- and actually,  
 4. believe it or not, "stamped" is the correct  
 5. word -- or cast onto the boiler or a plate secured  
 6. to it.  
 7. So Section 1 and Section 4 will allow  
 8. you to actually emboss or stamp. Instead of  
 9. having a plate, you can actually stamp it right  
 10. into the pressure boundary as long as it doesn't  
 11. create a stress riser or a problem with the  
 12. vessel. So the identification truly is "stamped"  
 13. into that. So that word will stay.  
 14. MR. ROBINSON: Mr. Chairman.  
 15. CHAIRMAN MORELOCK: Yes.  
 16. MR. ROBINSON: Question for you.  
 17. That word there --  
 18. CHAIRMAN MORELOCK: Yes. When you  
 19. get to "boiler," what you're seeing is if you  
 20. looked at it in color, that parentheses after  
 21. "boiler" was stricken out with a red strike-through,  
 22. so that does need to be removed from the draft. So  
 23. you're correct. So --  
 24. MR. BAUGHMAN: What is that again?  
 25. CHAIRMAN MORELOCK: So after "boiler"

1. in the third line, that comma needs to be removed.  
 2. MS. JEFFERSON: What page are you on  
 3. just to be sure?  
 4. MR. ROBINSON: Twenty-six.  
 5. CHAIRMAN MORELOCK: Page 26.  
 6. MR. BAILEY: Twenty-six.  
 7. CHAIRMAN MORELOCK: So that comma  
 8. between "boiler" and "or," that little black line  
 9. should be a red line where it was -- should be  
 10. stricken out. So that comma should be removed. So  
 11. that's -- that is correct. And honestly, if you --  
 12. there's a lot of cleanup like that.  
 13. MR. ROBINSON: Yeah.  
 14. CHAIRMAN MORELOCK: In paragraph  
 15. two --  
 16. MR. ROBINSON: Yeah.  
 17. CHAIRMAN MORELOCK: -- the fourth  
 18. line after 160 psig --  
 19. MR. ROBINSON: Psig.  
 20. CHAIRMAN MORELOCK: -- is the same  
 21. way. So -- and in Item --  
 22. MR. ROBINSON: 4A.  
 23. CHAIRMAN MORELOCK: -- three after 15  
 24. psig, should be the same way. And so there -- and  
 25. as you go on down through there, after all the psig,

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1. the periods have been removed. So in 4A, 4B, those  
2. need to be stricken, as well.  
3. And so -- so to capture all that, it  
4. would be the comma in one, the period in two after  
5. 160 psi, and three, the period after 15 psi. In  
6. 4A, a period after 15 psi and 30 psi.  
7. MR. ROBINSON: Yes.  
8. CHAIRMAN MORELOCK: And 4B, the  
9. period after 15 psi and 30 psi. So that would get  
10. all those.  
11. MR. BAUGHMAN: And at the top of the  
12. page also, starting from the top down.  
13. CHAIRMAN MORELOCK: Yes, at 100 psi.  
14. MR. BAUGHMAN: 100 psi under C and  
15. the same under D.  
16. CHAIRMAN MORELOCK: And D. So yeah.  
17. Okay. So I think that's got those cleaned up.  
18. Mr. Bailey's next comment is on page  
19. 29, subparagraph D looks misaligned.  
20. And it could be if you compare it to  
21. C above. So that's a formatting -- that's a  
22. formatting comment that we need to look at.  
23. And on page 31, another misalignment  
24. concern. However, on that one, for paragraph A,  
25. it is in a line with B, C, and D that you see at

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1. the top of the -- A, B, C, and D at the top of the  
2. page, so I think A is -- should be in the right  
3. place because it is indented from the numerical  
4. paragraphs.  
5. MR. FINKS: Could you repeat --  
6. MR. BAILEY: I'm talking about A at  
7. the top of the page.  
8. CHAIRMAN MORELOCK: Oh, A at the top  
9. of the page. Yeah, I agree with that one.  
10. MR. BAILEY: Yeah.  
11. CHAIRMAN MORELOCK: Yes.  
12. MR. FINKS: And could you --  
13. CHAIRMAN MORELOCK: I do agree with  
14. that.  
15. MR. FINKS: -- repeat those, please?  
16. MR. ROBINSON: Sir?  
17. MR. FINKS: Mr. Chairman, could you  
18. repeat those, please?  
19. CHAIRMAN MORELOCK: Yes. Okay. So  
20. on page 31, it is A at the top of the page that is  
21. indented too far. It needs to be brought back in  
22. line with B, C, and D. So yeah, you're correct.  
23. Okay. Then on page 33, Mr. Bailey  
24. has a suggested rewording of a sentence in 7C.  
25. And the sentence currently reads -- well, let's

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1. see, let's go to 7 -- paragraph -- A7 first:  
2. Change of ownership including the date the  
3. historic boiler changed hands and to whom.  
4. And Mr. Bailey's comment is to change  
5. the word "hands" to "ownership". And just for  
6. information, we have a form on the State -- on the  
7. Boiler Unit web page for what is called a  
8. secondhand boiler or pressure vessel. So  
9. "changing hands" is old words that have probably  
10. been in the -- in rule -- ever since it was  
11. written. So I don't have a problem with changing  
12. "hands" to "ownership". I think that's fine.  
13. And then the same as in paragraph 7C;  
14. the current wording is: In the event that the  
15. historic boiler changes hands, the new owner shall  
16. receive all original operational logs, initial and  
17. supplemental, from the previous owner.  
18. And Mr. Bailey's suggested revision  
19. is: In the event that ownership of the historic  
20. boiler changes, the new owner shall receive all  
21. original operational logs, initial and  
22. supplemental, from the previous owner.  
23. And I accept that change, as well.  
24. So does the Board accept those changes?  
25. MR. ROBINSON: Yes.

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1. CHAIRMAN MORELOCK: Okay.  
2. MR. ROBINSON: Yes.  
3. MR. BAUGHMAN: Yes.  
4. CHAIRMAN MORELOCK: All right.  
5. Now -- and that's the extent of Mr. Bailey's  
6. comments. So I think we've addressed those. Do you  
7. have any more, Mr. Bailey? Is that --  
8. MR. BAILEY: No, sir.  
9. CHAIRMAN MORELOCK: Okay. Good.  
10. MR. FINKS: Is there one on page 29?  
11. Did you -- going back, did you have one on page 29  
12. that -- a misalignment?  
13. MR. BAILEY: Yes.  
14. CHAIRMAN MORELOCK: Yes.  
15. MR. FINKS: Which one?  
16. CHAIRMAN MORELOCK: At the bottom,  
17. paragraph D.  
18. MR. FINKS: Okay.  
19. MR. BAILEY: It's a formatting --  
20. MR. FINKS: Oh, okay. Paragraph D on  
21. page 29.  
22. CHAIRMAN MORELOCK: Yes.  
23. MR. FINKS: Okay. Thank you.  
24. CHAIRMAN MORELOCK: You're very  
25. welcome.

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1. Okay. Now, with that said, I'm going  
2. to open the floor for -- now that you've had a  
3. chance to look at the draft, are there any other  
4. comments before we vote to --  
5. MR. ROBINSON: Page 32.  
6. CHAIRMAN MORELOCK: -- to send this  
7. on to the Boiler Unit really to finally -- to do  
8. some final cleanup and then pursue the rulemaking  
9. process. So Mr. Robinson, on page 32.  
10. MR. ROBINSON: Chief just pointed out  
11. to me, paragraph 3 --  
12. CHAIRMAN MORELOCK: Okay.  
13. MR. ROBINSON: -- that he --  
14. CHAIRMAN MORELOCK: Okay.  
15. MR. ROBINSON: Second sentence, "the  
16. calculations". Extra space.  
17. CHAIRMAN MORELOCK: Let's see.  
18. Three --  
19. MR. BAILEY: Thirty-two.  
20. CHAIRMAN MORELOCK: Page 32.  
21. MR. ROBINSON: Page 32, paragraph 3A.  
22. CHAIRMAN MORELOCK: 3A.  
23. MR. ROBINSON: The second sentence.  
24. The calculations and ultrasonic testing --  
25. CHAIRMAN MORELOCK: Oh, okay.

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1. Between "operate" and -- well, there's a big space  
2. between -- that might be for formatting, though.  
3. MR. ROBINSON: It is.  
4. CHAIRMAN MORELOCK: So there's an  
5. extra space between "the calculations", right?  
6. MR. ROBINSON: Yes, sir.  
7. CHAIRMAN MORELOCK: Okay. All right.  
8. MR. ROBINSON: And there's also one  
9. at paragraph 5. I'm sorry, yeah, 5A, second  
10. sentence, "nontraditional nonstandard" --  
11. CHAIRMAN MORELOCK: To be --  
12. MR. ROBINSON: A --  
13. CHAIRMAN MORELOCK: To be honest, I  
14. don't know, because you're --  
15. DR. JOHNSON: Since left and right --  
16. MR. ROBINSON: Sure.  
17. DR. JOHNSON: -- justified.  
18. CHAIRMAN MORELOCK: Right.  
19. DR. JOHNSON: So these are going to  
20. be variable.  
21. CHAIRMAN MORELOCK: It may not be an  
22. extra space. It may just be --  
23. DR. JOHNSON: I don't think it is.  
24. CHAIRMAN MORELOCK: -- the  
25. justification.

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1. DR. JOHNSON: These are just --  
2. CHAIRMAN MORELOCK: Yeah.  
3. DR. JOHNSON: -- because of  
4. justification.  
5. MR. ROBINSON: From the printing?  
6. CHAIRMAN MORELOCK: Yes.  
7. MR. ROBINSON: Very good. Okay.  
8. DR. JOHNSON: Yeah. Yeah.  
9. CHAIRMAN MORELOCK: Because it --  
10. because Dr. Johnson's correct. You've got left and  
11. right justification to have nice, clean margins on  
12. both sides.  
13. DR. JOHNSON: Yeah.  
14. MR. ROBINSON: Okay. That makes  
15. sense.  
16. DR. JOHNSON: That's what they've  
17. done.  
18. CHAIRMAN MORELOCK: So we'll leave  
19. that up to --  
20. DR. JOHNSON: The computer figures  
21. out where the --  
22. CHAIRMAN MORELOCK: Right.  
23. DR. JOHNSON: -- best place --  
24. CHAIRMAN MORELOCK: That's right.  
25. DR. JOHNSON: -- is to make the

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1. adjustment.  
2. CHAIRMAN MORELOCK: But still good  
3. comments. What else?  
4. MR. ROBINSON: That's all I have.  
5. CHAIRMAN MORELOCK: So what I  
6. perceive doing is, I will supply this to the Boiler  
7. Unit, the draft, and I believe I sent that out as a  
8. pdf; is that correct?  
9. DR. JOHNSON: I think so.  
10. MR. FINKS: It was a pdf.  
11. CHAIRMAN MORELOCK: Okay.  
12. MR. FINKS: Yes, sir.  
13. CHAIRMAN MORELOCK: So I will send a  
14. Word native file that can -- that the Boiler Unit  
15. can have to clean it up; I'll send that. And I'll  
16. send the -- I'll make these corrections and then  
17. I'll send it to the Boiler Unit.  
18. MR. FINKS: Do --  
19. CHAIRMAN MORELOCK: And then -- yes?  
20. MR. FINKS: Do you also have a red  
21. line draft with those? That would be helpful, too,  
22. if you do have --  
23. CHAIRMAN MORELOCK: Okay. Now, I do,  
24. but now the red line draft is the previous revision.  
25. This is one that Sydne' put together.

1. MR. FINKS: Right.  
 2. CHAIRMAN MORELOCK: And so -- yes.  
 3. We do have a red line draft. This shows all the  
 4. reorganization and the addition of the code  
 5. paragraphs. So yes, we do have that.  
 6. MR. FINKS: Okay.  
 7. MR. BAILEY: I don't think it's a  
 8. clean draft.  
 9. MR. FINKS: Right. Right.  
 10. MR. BAILEY: It's got comment  
 11. sections and stuff like that.  
 12. CHAIRMAN MORELOCK: It does. It  
 13. does.  
 14. MR. BAILEY: Yeah.  
 15. CHAIRMAN MORELOCK: So we can remove  
 16. the comments, but --  
 17. MR. BAILEY: If we could get a clean  
 18. red line draft, that would be very helpful.  
 19. CHAIRMAN MORELOCK: Okay.  
 20. MR. BAILEY: Yeah.  
 21. CHAIRMAN MORELOCK: Okay. I will --  
 22. I'm trying to think if I could -- if I've got time  
 23. to put that together.  
 24. MR. FINKS: Through the rule --  
 25. CHAIRMAN MORELOCK: I'll work on

1. that.  
 2. MR. FINKS: Through the rulemaking  
 3. process, we have to have a red line draft with all  
 4. of the changes --  
 5. CHAIRMAN MORELOCK: Okay.  
 6. MR. FINKS: -- that -- and all of the  
 7. rules that we -- and they can't be the track --  
 8. CHAIRMAN MORELOCK: Changes.  
 9. MR. FINKS: -- changes --  
 10. CHAIRMAN MORELOCK: Right.  
 11. MR. FINKS: -- because they don't use  
 12. the track changes function on the computer program.  
 13. It's just got to be a red line through what's marked  
 14. out in red and what's inserted in red. So anything  
 15. that you could do to provide -- help us with that.  
 16. CHAIRMAN MORELOCK: What I'll do is  
 17. I'll take Sydney's last revision and then I'll add  
 18. Mr. Bailey's comments and take out the discussion  
 19. and that should be -- I'll send that to you.  
 20. MR. FINKS: Okay. That'll be --  
 21. CHAIRMAN MORELOCK: Okay?  
 22. MR. FINKS: -- very have helpful.  
 23. Very, very helpful.  
 24. CHAIRMAN MORELOCK: Okay. I'll do  
 25. that. All right.

1. MR. BAUGHMAN: Another one.  
 2. CHAIRMAN MORELOCK: Yes.  
 3. MR. BAUGHMAN: On page eight at the  
 4. top, Section 5, Exemptions, it says "potable" and  
 5. then "hot water heaters." And it looks like "hot"  
 6. has got a --  
 7. CHAIRMAN MORELOCK: Right. And  
 8. that's -- that would have been a red strikethrough.  
 9. MR. BAUGHMAN: Okay.  
 10. CHAIRMAN MORELOCK: So actually, I  
 11. could leave that for the draft.  
 12. MR. BAUGHMAN: Yeah.  
 13. CHAIRMAN MORELOCK: For the red line  
 14. draft.  
 15. MR. BAUGHMAN: Okay.  
 16. CHAIRMAN MORELOCK: So I'll just need  
 17. to print a color copy of that or send you a color  
 18. version of it. But that's true. Okay. Anything  
 19. else?  
 20. MR. ROBINSON: Just one observation,  
 21. Mr. Chairman.  
 22. CHAIRMAN MORELOCK: Yes.  
 23. MR. ROBINSON: Deborah Rhone sent out  
 24. a memo regarding --  
 25. CHAIRMAN MORELOCK: But that doesn't

1. pertain to this draft at all. Because I -- Deborah  
 2. and I talked yesterday and that does not -- this is  
 3. not comments for this draft at all.  
 4. MR. ROBINSON: Okay.  
 5. CHAIRMAN MORELOCK: So -- because I  
 6. had the same question.  
 7. MR. ROBINSON: Very good.  
 8. CHAIRMAN MORELOCK: That's responses  
 9. that the Boiler Unit has made back to that office.  
 10. MR. ROBINSON: Very good. Okay.  
 11. CHAIRMAN MORELOCK: So we're good on  
 12. that.  
 13. MR. ROBINSON: Okay.  
 14. CHAIRMAN MORELOCK: Okay.  
 15. MR. BAUGHMAN: On paragraph (sic) 12  
 16. under Section 2, Frequency of Inspections, we don't  
 17. have to put any --  
 18. CHAIRMAN MORELOCK: What page?  
 19. MR. BAUGHMAN: I'm sorry, page 12.  
 20. CHAIRMAN MORELOCK: Okay.  
 21. MR. BAUGHMAN: All right. Two,  
 22. Frequency of Inspections. Do we need to make  
 23. notation of the possibility of a variance to that or  
 24. is that all encompassed under that Act since we now  
 25. have a variance in place that can be applied for?

1. CHAIRMAN MORELOCK: Well --  
 2. MR. BAUGHMAN: Does there need to  
 3. be --  
 4. CHAIRMAN MORELOCK: If you read  
 5. 68-122-110, it discusses the variances.  
 6. MR. BAUGHMAN: Okay. Very good.  
 7. CHAIRMAN MORELOCK: And that way, you  
 8. don't have that information in two different places.  
 9. MR. BAUGHMAN: Super.  
 10. CHAIRMAN MORELOCK: Yeah. Because  
 11. that was just updated with a recent Act for the  
 12. extension of the boiler internal inspection  
 13. variances.  
 14. MR. BAUGHMAN: Okay.  
 15. CHAIRMAN MORELOCK: And it's got a  
 16. blanket statement in that new paragraph. I believe  
 17. it's G, paragraph G.  
 18. MR. BAUGHMAN: Very good. Thank you.  
 19. CHAIRMAN MORELOCK: Okay. Anything  
 20. else? All right. Hearing none, do I have a motion  
 21. to accept this draft as noted with comments from the  
 22. Board and from Mr. Bailey to approve it for the --  
 23. for us to issue a red line copy and a clean copy to  
 24. the Boiler Unit so they can pursue the rulemaking  
 25. process?

1. MR. BAUGHMAN: So moved.  
 2. CHAIRMAN MORELOCK: Okay.  
 3. MR. ROBINSON: Second.  
 4. CHAIRMAN MORELOCK: Okay. Any other  
 5. questions, comments? Last chance.  
 6. DR. JOHNSON: Until next time, right?  
 7. CHAIRMAN MORELOCK: Until next time.  
 8. Okay. Hearing none, I'm going to call the question.  
 9. All in favor, say "aye".  
 10. MR. ROBINSON: Aye.  
 11. MR. BAUGHMAN: Aye.  
 12. DR. JOHNSON: Aye.  
 13. CHAIRMAN MORELOCK: Opposed?  
 14. Abstentions? Not voting? And so Ms. Carlene won't  
 15. get onto me, are there any conflicts of interest?  
 16. Okay. Very good. I will shoot to have that done  
 17. the first quarter of next year.  
 18. MR. BAUGHMAN: Good job, by the way.  
 19. CHAIRMAN MORELOCK: Well, it's not --  
 20. MR. BAUGHMAN: On your part.  
 21. CHAIRMAN MORELOCK: There's a ton of  
 22. people that worked on this.  
 23. MR. BAUGHMAN: Yeah.  
 24. CHAIRMAN MORELOCK: A lot of people  
 25. did some heavy lifting putting all this together,

1. Sydne' being a key, key player in putting that into  
 2. the correct format that Mr. Finks was talking about  
 3. for the rule making process. So she did every bit  
 4. of that. So it was just a great effort.  
 5. MR. BAUGHMAN: Good team effort.  
 6. CHAIRMAN MORELOCK: Okay. All right.  
 7. So moving along, that concludes all of our voted  
 8. actions. So moving into Item 8 for open discussion  
 9. items.  
 10. Our first item is we've got some  
 11. reappointments coming due in 2016, myself being  
 12. included in that, and I have submitted  
 13. application, resume and the Department of Labor  
 14. appointment application. I submitted that in June  
 15. of this year to the Boiler Unit. So they have  
 16. that. Dr. Canonico, I don't know what his status  
 17. is on that right now. I need to follow up with  
 18. him.  
 19. And Dr. Johnson is -- his expiration  
 20. date is also in 2016. So we will update the  
 21. Boiler Unit and the Board as to how all that's  
 22. coming together. Just remember, we need to get  
 23. that paperwork in as quickly as possible,  
 24. preferably. Now is the ideal time to give the  
 25. Governor's Office time to pull all that together.

1. But would a reasonable deadline be by the March  
 2. meeting? Is that something we -- is that too late  
 3. or --  
 4. MS. JEFFERSON: Well, I know that  
 5. they're going to be asking us periodically.  
 6. CHAIRMAN MORELOCK: Yeah.  
 7. MS. JEFFERSON: They ask us about  
 8. that on a monthly basis. That should be sufficient,  
 9. but like you said, the earlier --  
 10. CHAIRMAN MORELOCK: Uh-huh.  
 11. MS. JEFFERSON: -- we get it in, the  
 12. better off we are.  
 13. CHAIRMAN MORELOCK: Okay. All right.  
 14. So we'll work together to see what all that looks  
 15. like and we'll advise you as -- what we know when it  
 16. happens.  
 17. MS. JEFFERSON: And what we'll do,  
 18. Mr. Chairman, we'll send -- I know Carlene's been  
 19. really good at this. She'll send information to the  
 20. Board members letting them know what we need. So we  
 21. probably want to go back after this meeting, just  
 22. take a look at what we have outstanding and then  
 23. just follow up with everyone.  
 24. CHAIRMAN MORELOCK: Okay.  
 25. MS. JEFFERSON: Okay?

1. CHAIRMAN MORELOCK: Okay.  
 2. MS. BENNETT: Yes, because actually,  
 3. I think that they would like to have it the first  
 4. week of January.  
 5. CHAIRMAN MORELOCK: Okay.  
 6. MS. BENNETT: And so I've sent out  
 7. some e-mails requesting it be returned no later than  
 8. the end of December --  
 9. CHAIRMAN MORELOCK: Okay.  
 10. MS. BENNETT: -- to me.  
 11. CHAIRMAN MORELOCK: Okay.  
 12. MS. BENNETT: So -- and I did send  
 13. Dr. Canonico one --  
 14. CHAIRMAN MORELOCK: Okay.  
 15. MS. BENNETT: -- for sure.  
 16. CHAIRMAN MORELOCK: Very good.  
 17. MS. BENNETT: And of course, we have  
 18. yours.  
 19. CHAIRMAN MORELOCK: Right.  
 20. MS. BENNETT: And Mr. Johnson's here,  
 21. so --  
 22. MS. JEFFERSON: Can I --  
 23. MS. BENNETT: -- we'll take care of  
 24. it.  
 25. CHAIRMAN MORELOCK: Okay. All right.

1. Very good. Okay. So that's our report on that.  
 2. Our next item is also pertaining to Board.  
 3. Recommendations for the Vacant Position of  
 4. Representative Boiler -- of the Boilermakers or  
 5. Practical Steam Engineer -- Operating Engineers.  
 6. Per Tennessee law, we need to have someone to fill  
 7. that vacancy. Ed Vance had recommended  
 8. Robert Lunsford, Jr., and so that has been  
 9. submitted. But the Governor's Office wants three  
 10. candidates to choose from. And so we are still  
 11. lacking two candidates for that position.  
 12. So if you have names, please provide  
 13. them to me and I'll provide them to the Boiler  
 14. Unit and to Ms. Jefferson so that we'll have some  
 15. names. But once we get the names, then we got to  
 16. ask them, well, do you really want to do this?  
 17. And if they do, then they need to fill out all the  
 18. paperwork, so --  
 19. MS. JEFFERSON: Right. And as  
 20. Carlene was saying, if we need that by January at  
 21. least, we need to be able to let the Governor's  
 22. Office know whether or not we're going to be able to  
 23. provide two --  
 24. CHAIRMAN MORELOCK: Right.  
 25. MS. JEFFERSON: -- additional ones.

1. CHAIRMAN MORELOCK: Right.  
 2. MS. JEFFERSON: Otherwise, they'll  
 3. have to provide. So I think that a reasonable time  
 4. would probably be the end of this month.  
 5. CHAIRMAN MORELOCK: Okay.  
 6. MS. JEFFERSON: And if we don't have  
 7. anyone, that's fine. Just let us know and we'll  
 8. just let the Governor's Office know that we don't --  
 9. we only have one --  
 10. CHAIRMAN MORELOCK: Yeah.  
 11. MS. JEFFERSON: -- candidate to  
 12. submit.  
 13. CHAIRMAN MORELOCK: Well, and I know  
 14. amongst the Board members, we've been asking for at  
 15. least six months to come up with two more names, and  
 16. we just don't have those two names right now. So  
 17. we'll --  
 18. MS. JEFFERSON: Okay.  
 19. CHAIRMAN MORELOCK: We've got a  
 20. couple weeks, so we'll just see what happens. Okay?  
 21. All right. Our next item is the Fall Conference  
 22. Update.  
 23. MS. RHONE: Okay. Regarding the 2016  
 24. Boiler Conference Update, with the demand of the  
 25. safety conference, the boiler safety conference,

1. we're going to seek an events planner. We're in the  
 2. process now to seeing if there is a State-approved  
 3. event planner.  
 4. However, we're also -- have been  
 5. instructed if there is not one, we could, you  
 6. know, go online or we could pursue trying to  
 7. research and find an events planner. And of  
 8. course, they'd have to submit all the appropriate  
 9. paperwork to get approved by the State of  
 10. Tennessee. We're going to make initial contact  
 11. with some of the event planners.  
 12. We've set a tentative date.  
 13. Normally, what we do is we have that training for  
 14. the entire week, so we tentatively set the 19th --  
 15. September 19th through the 23rd where the actual  
 16. three-day conference would be September 20th  
 17. through the 22nd. That's where we would have the  
 18. full conference participations.  
 19. And we are just waiting on the final  
 20. approval as to whether or not the State has the  
 21. event planner, and we'll proceed after that.  
 22. CHAIRMAN MORELOCK: Okay. Very good.  
 23. MS. RHONE: So --  
 24. CHAIRMAN MORELOCK: So you have  
 25. reported in the past as far as getting account set

1. up and stuff for sponsorship and how's that coming
2. along?
3. MS. RHONE: Well, we're going to find
4. out if that's services that the --
5. CHAIRMAN MORELOCK: Okay.
6. MS. RHONE: -- event planner --
7. CHAIRMAN MORELOCK: Okay.
8. MS. RHONE: -- will provide --
9. CHAIRMAN MORELOCK: Okay.
10. MS. RHONE: -- and we'll go that --
11. CHAIRMAN MORELOCK: Okay.
12. MS. RHONE: -- route.
13. CHAIRMAN MORELOCK: Very good. Any
14. other questions?
15. MR. BAUGHMAN: Do we have an idea on
16. the venue yet or is that still to be determined --
17. MS. RHONE: That --
18. MR. BAUGHMAN: -- where it will be
19. at?
20. MS. RHONE: In the Nashville area.
21. MR. BAUGHMAN: Okay.
22. MS. RHONE: Yeah. We're definitely
23. looking for Nashville.
24. CHAIRMAN MORELOCK: Okay. Anything
25. else?

1. MS. RHONE: Anything else?
2. CHAIRMAN MORELOCK: Deborah, thank
3. you for all --
4. MS. RHONE: All right.
5. CHAIRMAN MORELOCK: -- this hard
6. work.
7. MS. RHONE: Thank you.
8. CHAIRMAN MORELOCK: Okay. Our next
9. item is Boiler Operator Training and Certification
10. Program.
11. MR. BAUGHMAN: I'll just address that
12. on what update I can bring to the table. And that
13. was good to hear that through Clover Bottom's
14. discussion, too, as far as just even attending to
15. the training of security personnel, which they've
16. got such responsibility and yet it's been lacking in
17. this whole training process. So it's even neat that
18. they've got -- discussing it and sending any of the
19. security personnel to training.
20. But what I've been doing presently is
21. going to all the different states that have
22. certification of boiler operators to one extent or
23. another. Some are to a higher degree; Class 1,
24. Class 2, Class 3 operators, some less so.
25. But I wanted to get an overview of

1. all the different programs that were out there
2. within the various states so that we didn't
3. necessarily have to reinvent the whole wheel. But
4. I wanted to get an overview of what these states
5. look like and then also get responses back from
6. the booths on the ground; in other words, the
7. inspectors, different people within the industry,
8. to get their feedback on what they think can be
9. brought to the table so that we can put a program
10. together that, number one, will enhance safety
11. within our boiler operations but will also make it
12. to where it's not a burden within the State of
13. Tennessee or within the operators themselves and
14. so that we can present this and make it a viable
15. inclusion into our state's boiler operations.
16. In talking to different industries,
17. one of the concerns is, is this going to be a
18. hindrance to any industry? Are they going to view
19. this as being an added burden? And 100 percent of
20. the people that I've talked to in the industry
21. have felt that it would be an enhancement; that
22. they understand what the power of the boiler has
23. to it and because of that, they think it's great
24. that we would have a program that would enhance
25. the training of any personnel. And that in

1. itself's good to bring to the table and to be able
2. to get that feedback. So that's kind of where I'm
3. presently with it.
4. I don't think it's going to -- this
5. whole process isn't going to be something that
6. we're doing to present in a very quick manner.
7. It's going to be well-thought of and have a lot of
8. input into it by the time it makes its
9. presentation to the Board and to others for
10. comment.
11. CHAIRMAN MORELOCK: Okay. Any
12. questions? All right. Thank you for that progress
13. report.
14. Okay. The next item is 2016
15. Tennessee Board meetings. And we'd originally set
16. some tentative dates. And working with
17. Deborah Rhone, we're going to alter a couple of
18. those dates in June and September.
19. So our current proposed meeting dates
20. for 2016 are March the 9th, which is what we
21. originally planned.
22. MR. BAILEY: I have a conflict with
23. March the 9th.
24. CHAIRMAN MORELOCK: Okay.
25. MR. BAILEY: I don't know.

1. CHAIRMAN MORELOCK: What would you
2. propose? Because what we're trying to do is not
3. have all the boards meeting the same week.
4. MR. BAILEY: I mean, the following
5. week, the 16th, is wide open or the very next day,
6. the 10th, which would be the Thursday.
7. CHAIRMAN MORELOCK: Well, one of the
8. things I'm seeing, too, I don't know if you all are
9. seeing it, but I'm getting calls from people saying,
10. I'm going to come to the Board meeting, and I'm
11. like, well, it's not the first Wednesday. And so
12. there's a lot of people that are showing up on the
13. wrong days. So we've got to be really consistent
14. about what we're going to do about our meeting.
15. If we're changing it a lot -- which I
16. know we do need to make some changes. We just
17. need to be good stewards to the citizens of
18. Tennessee that -- when we say it's the second
19. Wednesday of the quarter, we're going to own up to
20. it, so --
21. MS. BENNETT: And Brian, for the
22. Elevator and Amusement Device Safety Board as well
23. as the Boiler Board, I'm putting these tentative
24. dates whenever you go onto our website --
25. CHAIRMAN MORELOCK: Uh-huh.

1. MS. BENNETT: -- and you initially
2. log on, it's going to give those tentative dates.
3. CHAIRMAN MORELOCK: Okay. Good.
4. MS. BENNETT: Whatever --
5. CHAIRMAN MORELOCK: Good.
6. MS. BENNETT: So that way, we'll have
7. it throughout the year and anybody who visits our
8. site can see those.
9. CHAIRMAN MORELOCK: Okay.
10. MS. BENNETT: So that may help.
11. CHAIRMAN MORELOCK: It will. Okay.
12. So you're thinking March the 10th or March the 16th,
13. right? Okay.
14. MR. BAILEY: Right. Yeah.
15. CHAIRMAN MORELOCK: So --
16. MR. BAUGHMAN: Yeah. I guess, I
17. mean, we could. It's the week of the 14th.
18. CHAIRMAN MORELOCK: Right. So it
19. looks like our only available -- would we want to
20. move it out to Thursday, March the 10th?
21. MS. JEFFERSON: What is the 8th?
22. MS. BENNETT: The 8th, which is
23. Tuesday, the 8th. And that's one of the reasons why
24. we're moving this, because it's Wednesday, the 9th,
25. which is the day after the Elevators.

1. MS. JEFFERSON: Uh-huh.
2. MS. BENNETT: Which we might -- could
3. see if Elevators would be able to move.
4. MS. JEFFERSON: They've already --
5. MS. BENNETT: They're --
6. MS. JEFFERSON: Their date's already
7. solidified.
8. MS. BENNETT: Yeah. Okay.
9. MS. JEFFERSON: Okay.
10. MS. BENNETT: Yeah.
11. MS. JEFFERSON: Okay. Their date's
12. already solidified. So what we're trying to do is
13. to move it to a different week? Is that what we
14. were originally trying to do?
15. MS. BENNETT: Uh-huh.
16. MS. JEFFERSON: So instead of the
17. March the 9th week, what about the following week?
18. MS. BENNETT: He's saying that's in
19. the C week?
20. MR. BAUGHMAN: ASME week.
21. MS. BENNETT: ASME --
22. MR. CHAPMAN: Yeah.
23. MS. BENNETT: ASME week.
24. CHAIRMAN MORELOCK: Now, what --
25. what's meeting that week?

1. MR. BAUGHMAN: I've just got wrote
2. down in here that's the ASME code week, so that was
3. going down and I --
4. MS. JEFFERSON: Okay. Well, since
5. Mr. Bailey --
6. MR. BAILEY: Yeah, Mr. Chairman, I
7. mean, you all can meet --
8. CHAIRMAN MORELOCK: Okay. Well --
9. MR. BAILEY: -- without me being
10. here.
11. CHAIRMAN MORELOCK: -- we want to try
12. to accommodate, though. We don't want to --
13. MR. BAILEY: I was just pointing it
14. out.
15. CHAIRMAN MORELOCK: Let's see.
16. MS. BENNETT: How about March the
17. 2nd?
18. CHAIRMAN MORELOCK: Now, I think
19. ASME -- the ASME Boiler and Pressure Vessel
20. Committee meeting is in February; it's not March,
21. so --
22. MR. FINKS: Carlene, are you sure
23. that the Elevator meeting is not March the -- not
24. the first week of March? I thought that Anita had
25. told me that it was the first --

1. MS. BENNETT: It's --  
 2. MR. FINKS: -- week in March.  
 3. MR. BAILEY: I got it marked as March  
 4. the 1st.  
 5. MR. FINKS: That's what Anita had  
 6. told me.  
 7. MS. BENNETT: I can double check.  
 8. It's at my desk, but I'm pretty sure it's the 8th.  
 9. We looked at it yesterday.  
 10. CHAIRMAN MORELOCK: Okay.  
 11. MR. FINKS: We --  
 12. CHAIRMAN MORELOCK: March the 16th as  
 13. far as ASME code week is available -- it's  
 14. available.  
 15. MS. BENNETT: Okay.  
 16. CHAIRMAN MORELOCK: Okay. So we  
 17. could -- unless there's a conflict with anybody  
 18. else, we could move it to the 16th. Is that okay?  
 19. Is there any other -- is there another board meeting  
 20. that week?  
 21. MS. JEFFERSON: No.  
 22. MS. BENNETT: Not that I know of.  
 23. CHAIRMAN MORELOCK: Okay. So we want  
 24. to go with March 16th?  
 25. MS. JEFFERSON: Thank you.

1. CHAIRMAN MORELOCK: Okay. So we'll  
 2. go March 16th. And then June the 15th, we're going  
 3. to move that from June the 8th to June the 15th.  
 4. And then to coincide with the tentative Boiler  
 5. Conference, we would move the Board meeting to  
 6. September the 21st and then December the 14th.  
 7. DR. JOHNSON: What was the June -- I  
 8. didn't hear you.  
 9. CHAIRMAN MORELOCK: The June --  
 10. DR. JOHNSON: The June from the 8th  
 11. to the 15th?  
 12. MR. BAUGHMAN: Uh-huh.  
 13. CHAIRMAN MORELOCK: Yeah. That was a  
 14. request from the Boiler Unit. Okay?  
 15. MR. ROBINSON: And December what?  
 16. CHAIRMAN MORELOCK: Fourteenth.  
 17. MR. CHAPMAN: Fourteenth.  
 18. MS. JEFFERSON: There are no other  
 19. conflicts with Elevator.  
 20. MR. BAUGHMAN: And September 21st?  
 21. MR. ROBINSON: Yes.  
 22. CHAIRMAN MORELOCK: So is that good  
 23. with everybody? March 16th, June 15th,  
 24. September 21st, and December 14th.  
 25. MS. JEFFERSON: As long as there are

1. no other conflicts.  
 2. CHAIRMAN MORELOCK: Okay.  
 3. MS. JEFFERSON: Those days are great.  
 4. CHAIRMAN MORELOCK: Okay. All right.  
 5. So that'll be our tentative dates for 2016. All  
 6. right. I think we've got a little bit of time.  
 7. So at the beginning of the meeting, I  
 8. did add a discussion item for Mr. Neil Jackson.  
 9. So Neil, if you would like to come up and discuss  
 10. your item concerning boiler blowdowns, we'll hear  
 11. it.  
 12. MR. JACKSON: That's the problem,  
 13. boiler blowdowns. In my auditing, I use that  
 14. terminology of the application of the variances that  
 15. are issued from the Board to possible candidates.  
 16. I'm finding probably over 50 to 60  
 17. percent of them I'm turning down, because they're  
 18. not following what they got in the manual. They  
 19. have somebody writing their manual for them and  
 20. saying, here's your manual, and they never read  
 21. it. And of course, we can't make anybody read  
 22. anything if they don't want to. But I'm finding  
 23. they don't even know what's in their manual as far  
 24. as a --  
 25. Main thing, and all of you have heard

1. me say it many times, is the trip identifications.  
 2. The manuals have a terminology in them that says,  
 3. all items identified or all trip numbers  
 4. identified in subsequent paragraph -- I mean,  
 5. Section C will trip the boiler. That's not true.  
 6. I ask them if they know what it is and they don't  
 7. even know what it is.  
 8. Normally -- and it brings up to me.  
 9. Normally, it's a Foster Wheeler situation. Foster  
 10. Wheeler installs these units and system for them,  
 11. and when I ask them about the item in the check  
 12. list, about who has the password protection --  
 13. authorization, password protection, nobody at the  
 14. location has that; it's Foster Wheeler that has  
 15. it.  
 16. And that brings up my question. So  
 17. in this situation, should Foster Wheeler be on the  
 18. organizational chart? Because they have the  
 19. thing.  
 20. A particular one I was just at that  
 21. the technician was there, and it was from IBM and  
 22. he had the password and the company did not have  
 23. the password. So I don't know what we can do  
 24. about that.  
 25. My situation that I brought to your

1. attention and to also Sam's is that I have had  
 2. several -- I'm going to say five or six different  
 3. locations of variances. Mainly hospitals, rest  
 4. homes, large utilities or what have you that they  
 5. only have one boiler.  
 6.       Everybody's expecting a bad winter,  
 7. and the facilities that they are having the  
 8. variance question presented to me is, do we have  
 9. to blow it down every time the shift changes?  
 10. Because if we do, what happens if the boiler  
 11. doesn't come back up and we have to have a  
 12. technician come in? And most of them are probably  
 13. an hour and a half to two hours away from a boiler  
 14. facility to come and to correct them. In the  
 15. meantime, they're without heat, they're without  
 16. steam, they're without power and the situation of  
 17. where they need the boilers.  
 18.       What they're requesting or asking:  
 19. Is there a way that they can waive -- I won't say  
 20. extend or what have you -- waive the request for  
 21. blowing down the boiler in inclement weather or in  
 22. the middle of the night where it's real cold and  
 23. all like that to where they can delay it -- shall  
 24. I use that terminology -- delay it till there's a  
 25. proper time where they could notify a repair

1. company to come in?  
 2.       So that's mainly what they're asking.  
 3. And if it is a -- if the Board is in agreement  
 4. with it or understand it, I don't know if it needs  
 5. to be in writing in their variance program or  
 6. where, but I presented it to Sam and Sam said,  
 7. well, that's something we got to talk about.  
 8.       CHAIRMAN MORELOCK: Okay.  
 9.       MR. JACKSON: And while I'm here, I'd  
 10. like to express my feelings about the variance  
 11. program. The Boiler Board does an excellent job in  
 12. reviewing these things and presenting the questions  
 13. that they do and get a good forum to it. And after  
 14. that, when you accept it, the Board's out of the  
 15. picture. You've done your job and done an excellent  
 16. job. It then falls upon the Boiler Division to  
 17. enforce. And I am finding and as I pointed out  
 18. earlier when this thing going on today is that the  
 19. variance program is lacking greatly in enforcement,  
 20. shall I say.  
 21.       I've talked with the Chairman,  
 22. Mr. Chairman, during the break, and we need some  
 23. teeth somewhere on these variances that are one,  
 24. two, three, four, five years out of date. And  
 25. what can we do about it? They know -- some of

1. them know that they got to notify the Board.  
 2.       Deborah combined a listing of what we  
 3. know there were variances issued to companies  
 4. within the state whether they still have them,  
 5. whether they're still in business or not or under  
 6. their current name, we don't know.  
 7.       I would like to see, if possible,  
 8. through the Boiler Board -- and I know they have a  
 9. lot to do, very -- not the Board, but the  
 10. Division, I know they have a lot to do. But in my  
 11. personal observation of where the variance program  
 12. is, I think we need to do some extra checking and  
 13. verification that these boilers are still under  
 14. the variance program.  
 15.       And if they are operating under the  
 16. variance program and they're four or five years  
 17. out of date, then they ought to go up  
 18. automatically to the 20 minute rule and submit --  
 19. resubmit to the Board.  
 20.       So with that, like I said, I got on  
 21. my soap box and I believe the variance program  
 22. needs some work.  
 23.       CHAIRMAN MORELOCK: In the  
 24. enforcement.  
 25.       MR. JACKSON: In enforcement, yes.

1.       CHAIRMAN MORELOCK: Okay.  
 2.       MR. JACKSON: Correct.  
 3.       CHAIRMAN MORELOCK: All right. Well,  
 4. I guess my thoughts -- well, Mr. Jackson and I have  
 5. talked about the boiler blowdown portion of that.  
 6. It's -- my initial comments to Mr. Jackson was,  
 7. certainly, the State of Tennessee is promoting  
 8. public safety; that's the primary goal of the law  
 9. and the rules and the Boiler Division -- Boiler Unit  
 10. and all that.  
 11.       So my first question back to Neil  
 12. was: Has there been an instance where they've  
 13. blown a boiler down, not being able to restart it  
 14. and suffered a plant outage or hardship that  
 15. caused them to lose business or have a safety  
 16. problem or have damage to their equipment or  
 17. something like that?  
 18.       And so, you know, if -- I think if  
 19. these variance holders have a hardship, they  
 20. should submit that with documentation to the  
 21. Boiler Unit. And then if there's -- if it's a  
 22. real hardship, then the Boiler Unit has its option  
 23. to address it or come to the Board for technical  
 24. support to make revisions to the boiler variance  
 25. for the attendant rule or something like that.

1. But that's just my thoughts on that.  
 2. As far as people not reading the  
 3. manual, you know, the Board can't control that.  
 4. MR. JACKSON: Humans are humans.  
 5. CHAIRMAN MORELOCK: The Boiler Unit  
 6. can't control that. I mean --  
 7. MR. JACKSON: That's right.  
 8. CHAIRMAN MORELOCK: -- you know, I  
 9. mean, federal law mandates we have seatbelts in our  
 10. cars; that doesn't mean that you have to wear them  
 11. unless -- and each jurisdiction it's -- you know,  
 12. we've got click it or ticket here in Tennessee. So  
 13. if they catch you without it, you're going to be  
 14. fined. But you know, I don't know how -- I don't  
 15. know that we can force somebody to read their  
 16. variance manual --  
 17. MR. JACKSON: Well --  
 18. CHAIRMAN MORELOCK: -- because they  
 19. came seeking it.  
 20. MR. JACKSON: -- I utilize that point  
 21. just to bring attention to the fact that our  
 22. variance program is a good program and the Board  
 23. does a good job, but the enforcement of it from the  
 24. variance holders themselves is very lacking.  
 25. CHAIRMAN MORELOCK: Okay.

1. MR. JACKSON: As I told you earlier,  
 2. you go through the review of the program and you  
 3. accept the variance, and the individual or the  
 4. company representation, they go home and I never  
 5. hear from them.  
 6. CHAIRMAN MORELOCK: Yeah.  
 7. MR. JACKSON: They enforce their  
 8. program, they set it up and they put it in use and a  
 9. lot of times, they use the variance program and just  
 10. go on their merry way. Hey, I got approval from the  
 11. Board; I got a good variance program.  
 12. CHAIRMAN MORELOCK: Well, let me ask  
 13. a question. The State of Tennessee says that if you  
 14. operate a boiler in the State of Tennessee that's  
 15. regulated by the State of Tennessee, that boiler has  
 16. to have an internal inspection annually.  
 17. MR. JACKSON: Uh-huh.  
 18. CHAIRMAN MORELOCK: So what if the  
 19. variance -- you had a variance audit as part of that  
 20. annual internal inspection of the boiler?  
 21. MR. JACKSON: Okay. I'd be doing it  
 22. for Travelers, I'd be doing it for --  
 23. CHAIRMAN MORELOCK: I'm anxious --  
 24. MR. JACKSON: -- OneBeacon. I'd  
 25. be --

1. CHAIRMAN MORELOCK: I'm just --  
 2. MR. JACKSON: -- doing it for  
 3. Hartford, I be doing it for the State, I'd be doing  
 4. it for everybody.  
 5. CHAIRMAN MORELOCK: But -- or, you  
 6. know, I mean, the thing about that is, though, if we  
 7. change 68-122, we know what that's like.  
 8. MR. JACKSON: Uh-huh.  
 9. CHAIRMAN MORELOCK: That takes  
 10. legislative action. What can we do even within the  
 11. confines of 0800-03-03 or through the variance  
 12. itself? Because we can update the variance. That's  
 13. the easiest thing to do. But I guess we would --  
 14. the Board would need recommendations on -- what  
 15. would you propose to fix that?  
 16. MR. JACKSON: Currently, my  
 17. recommendation is to find out where in the state the  
 18. variances are at.  
 19. CHAIRMAN MORELOCK: Okay.  
 20. MR. JACKSON: And when they were  
 21. issued. And then if a letter of question --  
 22. CHAIRMAN MORELOCK: Uh-huh.  
 23. MR. JACKSON: -- is to the fact, do  
 24. you still utilize this variance? Is it enforced?  
 25. And has it been accepted by an inspection and what

1. have you within the timeframe?  
 2. CHAIRMAN MORELOCK: Okay.  
 3. MR. JACKSON: And then request a  
 4. response, of course, and then from there, we'll find  
 5. out where they're at, what's going on with them, and  
 6. then enforce.  
 7. CHAIRMAN MORELOCK: Okay. Deborah?  
 8. MS. RHONE: And I have a suggestion,  
 9. then. What we could do is, based on the report, the  
 10. list of active variances, we could send out a letter  
 11. letting them know that their variance has expired  
 12. and if they wish for it to be renewed, then they  
 13. need to submit the appropriate paperwork.  
 14. MS. JEFFERSON: Okay. And just for  
 15. clarification, I know I spoke with both Deborah and  
 16. Sam during the break. I was told that there is  
 17. already a letter. Could you explain what's in the  
 18. current letter --  
 19. MS. RHONE: Right.  
 20. MS. JEFFERSON: -- that was sent out?  
 21. MS. RHONE: There is a letter that's  
 22. sent out to each variance holder, and it does  
 23. specify that their variance is valid for three  
 24. years.  
 25. CHAIRMAN MORELOCK: Uh-huh.

1. MS. RHONE: Within that timeframe, if
2. they -- prior to it expiring, they are to submit the
3. appropriate paperwork to the Chief Boiler Inspector
4. for renewal process.
5. CHAIRMAN MORELOCK: Uh-huh.
6. MS. RHONE: It also states in the
7. letter that they are subject to a surprise -- or
8. "unannounced" is how it's in the letter. They're
9. subject to an unannounced visit, and if there are no
10. infractions or violations found, then there -- they
11. would not incur a fee. If there are violations or
12. infractions, then the company would be charged a fee
13. for that inspection.
14. MS. JEFFERSON: What about the
15. 20-minute rule that you all referred to?
16. MR. CHAPMAN: Then it reverts back to
17. the 20-minute rules if they're of noncompliance.
18. MS. JEFFERSON: Does it automatically
19. revert back?
20. MR. CHAPMAN: It's supposed to. Yes.
21. MS. JEFFERSON: Okay. So there seems
22. to be -- based on the way that the letter is already
23. constructed, it seems as if it covers those areas.
24. However, I would suggest that we take a look at
25. that, because that seems to be --

1. CHAIRMAN MORELOCK: Uh-huh.
2. MS. JEFFERSON: -- a policy issue.
3. And I need to be involved in that any time there's a
4. policy issue. And so we'll need to put our heads
5. together to decide what we're going to do as far the
6. Boiler Unit is concerned. And then we can bring
7. that back to the Board once we've --
8. CHAIRMAN MORELOCK: Yeah.
9. MS. JEFFERSON: -- discussed it as a
10. group.
11. CHAIRMAN MORELOCK: I agree
12. wholeheartedly --
13. MR. JACKSON: That --
14. CHAIRMAN MORELOCK: -- with that.
15. MR. JACKSON: -- letter that
16. Deborah's referring to is sent out after a -- my
17. inspection.
18. CHAIRMAN MORELOCK: Okay.
19. MR. JACKSON: It does not cover the
20. ones that are not inspected or even have a variance,
21. are in business anymore, or what have you. That
22. only --
23. MS. JEFFERSON: Well, we'll --
24. MR. JACKSON: -- comes out.
25. MS. JEFFERSON: That's policy,

1. though. We'll need --
2. MR. JACKSON: Yeah.
3. MS. JEFFERSON: -- to take a look at
4. that --
5. MR. JACKSON: Uh-huh.
6. MS. JEFFERSON: -- as a unit and
7. decide what we'd need to do.
8. CHAIRMAN MORELOCK: Well, and we
9. had -- you know, when the checklist was revised,
10. like I said, revision nine was issues that's been
11. two, three, four years ago. I can't remember
12. exactly when, but that was the desire to send the
13. letter out that Deborah's talking about to let those
14. variance holders know that, you know, you have a
15. variance and you need to take some action. And that
16. action -- those options are listed in that letter.
17. It might not be a bad idea just to
18. have a current list of active variances, because
19. you can even use it for planning of the Board
20. meetings --
21. MR. BAUGHMAN: Uh-huh.
22. CHAIRMAN MORELOCK: -- from a
23. standpoint of if, you know, we pass X number of
24. variances throughout the year this year, so in 2018,
25. we should be seeing those renewals coming through.

1. You know.
2. MS. JEFFERSON: Exactly. That's a
3. good idea.
4. CHAIRMAN MORELOCK: So -- so in --
5. MR. BAILEY: The three --
6. CHAIRMAN MORELOCK: Huh?
7. MR. JACKSON: The three or four years
8. ago that you're pointing out that the letter was
9. sent, what kind of response was it?
10. CHAIRMAN MORELOCK: Well, I don't
11. know. I mean, we wouldn't have gotten those.
12. That --
13. MR. JACKSON: I know. I mean --
14. CHAIRMAN MORELOCK: Yeah.
15. MR. JACKSON: -- the Boiler Board.
16. MR. CHAPMAN: I'm not exactly sure.
17. MR. BAILEY: I seriously doubt that
18. it was very much. Because a lot of times, if you
19. don't send it to an individual within the company --
20. if it goes to a facility manager or to an address,
21. that's as far as it goes. And of course, nobody can
22. control that. I know, but I mean --
23. CHAIRMAN MORELOCK: Right. But your
24. teeth would be, unless you make more policy change,
25. the teeth would be -- is if you're operating under a

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1. non-approved variance, you're in violation of the  
2. 20-minute rule.  
3. MR. JACKSON: That's correct.  
4. CHAIRMAN MORELOCK: And that's pretty  
5. serious.  
6. MR. JACKSON: Yes. Yes.  
7. CHAIRMAN MORELOCK: You know, I mean,  
8. so you've got teeth in place, it just has to be  
9. enforced, you know. And so --  
10. MR. ROBINSON: Have you ran across  
11. any nonresponsive variance holders that, I guess --  
12. MR. JACKSON: What do you mean,  
13. nonresponsive?  
14. MR. ROBINSON: Well, just totally  
15. noncompliant to the --  
16. MR. JACKSON: Oh, yes. All --  
17. MR. BAUGHMAN: From a --  
18. MR. JACKSON: -- the time.  
19. MR. BAUGHMAN: From a percentage  
20. standpoint, Neil, just kind of laying cards on the  
21. table, what do you feel that you see from a  
22. noncompliant standpoint?  
23. MR. JACKSON: I'm not following  
24. your --  
25. MR. BAUGHMAN: Well, from when you're

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1. out there, the number of places that you go in that  
2. have the remote variance law, how many places do you  
3. feel are not compliant when you go out to inspect  
4. them?  
5. MR. JACKSON: Fifty, sixty percent of  
6. them.  
7. MR. BAUGHMAN: Okay. That's --  
8. MR. JACKSON: What I do, as everybody  
9. knows, I take their manual that's been approved by  
10. the Board and I just start at page one and go  
11. through the last page. And if it says to do  
12. whatever, then they're noncompliant.  
13. MR. BAUGHMAN: Yeah. And I think  
14. that should be a red flag --  
15. MR. JACKSON: And the --  
16. MR. BAUGHMAN: -- to everybody.  
17. MR. JACKSON: And a lot of that's in  
18. training, also. I got that noted.  
19. MR. BAUGHMAN: Yeah.  
20. MR. JACKSON: They say they got  
21. qualified boiler operators. Well, if they're  
22. qualified, where is the proof?  
23. MR. BAUGHMAN: Uh-huh.  
24. MR. JACKSON: And -- well, we had  
25. somebody come in, and the maintenance guy done a

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1. little training on them. And also, their training,  
2. they think it's just on the variance program itself.  
3. MR. BAUGHMAN: Yeah.  
4. MR. JACKSON: They all read the  
5. manual and they know what the manual says. You  
6. know, that type of thing.  
7. MR. BAUGHMAN: Uh-huh.  
8. MR. JACKSON: Now, as far as an  
9. incident where I had the boiler shut down or tripped  
10. because of low gas pressure and, of course, it  
11. tripped, it does what it did and it showed on the  
12. monitor what it was. But when they went to come  
13. back up, it wouldn't come back up, because something  
14. else was wrong with it. So they fixed that or  
15. cleared that and it didn't come up again so they  
16. found another one. And fortunately, the IBM  
17. technician was there and he had the password. But  
18. as far as the company was concerned, they had no  
19. idea how to start it back up or troubleshoot it,  
20. so --  
21. MR. BAUGHMAN: And I got to say, my  
22. experience with it is -- it kind of mirrors that,  
23. being on the -- getting in and out of the boiler  
24. rooms on the service end --  
25. MR. JACKSON: Uh-huh.

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1. MR. BAUGHMAN: -- we see that within  
2. a lot of the places that we work. But I was wanting  
3. your input in on it to --  
4. MR. JACKSON: Uh-huh.  
5. MR. BAUGHMAN: -- to know what you  
6. thought with it.  
7. MR. JACKSON: Uh-huh.  
8. MR. BAUGHMAN: On the blowdown end of  
9. it, just to address that --  
10. MR. JACKSON: Uh-huh.  
11. MR. BAUGHMAN: If they go and blow  
12. the boiler down and the boiler doesn't restart, say  
13. blow it down and the low water cutoff doesn't reset.  
14. MR. JACKSON: It might not reset for  
15. some other reason.  
16. MR. BAUGHMAN: Well -- and that's a  
17. safety issue.  
18. MR. JACKSON: Yes.  
19. MR. ROBINSON: Correct.  
20. MR. BAUGHMAN: And really, if it goes  
21. down on low water and they've tested it and it won't  
22. reset, the boiler doesn't need to be running.  
23. DR. JOHNSON: Yeah.  
24. MR. BAUGHMAN: They needed to have  
25. tested it to begin with. Or if there's an issue

1. that causes the boiler to go down and not come back
2. up, that's a safety issue, in my mind.
3. MR. JACKSON: Uh-huh.
4. MR. BAUGHMAN: And whether it causes
5. downtime or discomfort or what have you, it may also
6. be the indicator of being able to save them of
7. relocating the facility. So in my mind, I would
8. still have the low water checks in place, the
9. blowdowns in particular, and not discard them out of
10. the equation.
11. MR. ROBINSON: I agree.
12. CHAIRMAN MORELOCK: Well, and that
13. plays back to -- I mean, give us some evidence that
14. that's been a true hardship. I don't see any
15. evidence of that right now.
16. MR. ROBINSON: And keep in mind, if
17. it's going to go down when you blow it down, it's
18. going to go down as it's running anyway.
19. CHAIRMAN MORELOCK: Right.
20. MR. ROBINSON: Because it's -- it
21. needs feedwater.
22. MR. BAUGHMAN: We had an incident
23. years ago, a long time ago, in a school where the
24. low water had failed and it was on a Friday, a late
25. Friday. And instead of addressing it and replacing

1. the part, they jumped the low water, the boiler
2. ultimately went down over the weekend and melted and
3. had to be replaced. It didn't explode, but it did
4. melt and had to be replaced. And I asked them --
5. this was all going through their insurance. But I
6. asked them, I said, so why didn't you just replace
7. it? And he said, it was late Friday. And he said,
8. I didn't think it'd go down on low water. And then
9. ultimately it did.
10. And that's the case that -- you still
11. got human beings involved. And if man made it,
12. man maintains it, and it's not perfect. So the
13. point that I wanted to make, though, was is that,
14. if you test something and it does test bad and
15. doesn't come back up, it needs to be addressed.
16. And then it's up to personnel to address it in the
17. right fashion.
18. DR. JOHNSON: That's right.
19. MR. JACKSON: I -- the question that
20. I'm presenting that was -- as presented to me by the
21. variance holders is coming from Knoxville East, and
22. they're just, shall I use the terminology, afraid
23. that if something was going to happen in the middle
24. of night and they can't get somebody up into
25. Kingsport or --

1. DR. JOHNSON: Why don't they get a
2. second boiler?
3. MR. JACKSON: -- Savannah or anywhere
4. else?
5. DR. JOHNSON: Why don't they get a
6. second boiler if they're that concerned? Why don't
7. they build some redundancy into their system?
8. MR. JACKSON: They don't --
9. DR. JOHNSON: Seriously.
10. MR. JACKSON: -- have the money for
11. a --
12. DR. JOHNSON: Well, I'm -- you know.
13. MR. JACKSON: -- two or three hundred
14. thousand dollar --
15. DR. JOHNSON: But if -- will they
16. have the money to do that when it fails? You know.
17. MR. ROBINSON: And they're supposed
18. to have somebody to operate the boiler there, at
19. least.
20. DR. JOHNSON: It doesn't make --
21. MR. ROBINSON: For recall.
22. DR. JOHNSON: -- any sense to be
23. discussing that, I don't think.
24. MS. JEFFERSON: Exactly.
25. MR. ROBINSON: Let me ask you,

1. Neil --
2. MR. JACKSON: Well, if the boiler
3. goes down on low water, that's one thing, but
4. purposely tripping it is the question. Do they have
5. to trip it every eight hours.
6. MR. ROBINSON: Well, again, I'll go
7. back with what Dave said. If --
8. MR. JACKSON: Uh-huh.
9. MR. ROBINSON: I mean, if it -- if
10. you're going to test a boiler and it stays off, it's
11. the same as basic operation. As the boiler runs --
12. MR. JACKSON: Uh-huh.
13. MR. ROBINSON: -- it's going to
14. eventually shut off.
15. MR. JACKSON: Uh-huh.
16. MR. ROBINSON: And it won't come back
17. up if that's the case.
18. MR. JACKSON: Uh-huh.
19. MR. ROBINSON: Now or later. It
20. doesn't really make -- I mean, it's logical.
21. MR. JACKSON: I agree with you what
22. you're saying.
23. MR. ROBINSON: Now, if they don't
24. have anybody there that could --
25. MR. JACKSON: Work on it? They got

1. a --

2. MR. ROBINSON: That's a manual issue.

3. MR. JACKSON: They got a security

4. guard that goes through and looks --

5. MR. ROBINSON: That's a manual issue.

6. MR. JACKSON: -- at things and so on

7. and so forth.

8. MR. ROBINSON: The boiler should be

9. shut down and the 20-minute rule applies. Period.

10. That's the teeth.

11. MR. JACKSON: No problem.

12. MS. JEFFERSON: Right.

13. MR. ROBINSON: The question is -- I

14. guess, the big question is moreso, at what point do

15. we say that the variance is revoked?

16. CHAIRMAN MORELOCK: Well, it'll be

17. revoked --

18. MR. JACKSON: Well, that's a

19. situation --

20. CHAIRMAN MORELOCK: -- if they're --

21. MR. JACKSON: -- right there --

22. CHAIRMAN MORELOCK: -- violate --

23. MR. JACKSON: -- that that's another

24. question.

25. MR. ROBINSON: And see, that's the

1. teeth. That's it right there. And perhaps maybe we

2. didn't really give you -- and I reflect back to the

3. Board. Perhaps maybe we didn't give you the

4. criteria to measure a critical event or a major

5. event or a minor event, as a opposed to how to --

6. and when to execute --

7. CHAIRMAN MORELOCK: Well --

8. MR. JACKSON: I don't know when the

9. variance expires. There's no certificate. There's

10. nothing -- there may have been a letter issued

11. somewhere, as Deborah is pointing it out, that I

12. made my inspection. Is it three years from my

13. inspection date? And I don't remember whether Sam

14. Jones Donut Company -- I went there three years ago

15. or two years ago or what have you, so --

16. CHAIRMAN MORELOCK: Well, but Eugene

17. just said something that made me have a thought

18. since we're -- this is a discussion item. Okay.

19. Let's say this company doesn't want to shut their --

20. trip their boiler at midnight because they have

21. limited people on plant site, because they're

22. running off of a variance.

23. MR. JACKSON: And it's a hospital,

24. say.

25. CHAIRMAN MORELOCK: And it's zero

1. degrees outside and they're concerned it may not

2. come back up and they're -- you know, they can't get

3. ahold of their boiler repair shop or whatever to

4. come out at my midnight and do it. Well, Eugene had

5. us a possible solution. You can go to them and say,

6. you come off your variance and you have somebody

7. babysit that boiler all through the night. Every 20

8. minutes, check it, and then at 8:00 a.m., trip it

9. when there's people around to fix it.

10. DR. JOHNSON: Yeah.

11. MR. BAUGHMAN: Uh-huh.

12. DR. JOHNSON: Yeah.

13. CHAIRMAN MORELOCK: You know. And

14. then --

15. DR. JOHNSON: That's what I'd do.

16. MR. ROBINSON: That's correct.

17. CHAIRMAN MORELOCK: Right? So, I

18. mean, they can either babysit the boiler all night

19. and then do a blowdown at 8:00 a.m. when they can

20. get some help if it doesn't start back up.

21. DR. JOHNSON: Yeah. Yeah.

22. CHAIRMAN MORELOCK: But --

23. DR. JOHNSON: That's correct.

24. CHAIRMAN MORELOCK: -- going back to

25. what these guys have said, if the boiler's got a

1. problem anyway and they're babysitting it, it's

2. going to go down.

3. MR. BAUGHMAN: Uh-huh. And they're

4. in the same boat.

5. CHAIRMAN MORELOCK: It's going to die

6. by natural causes instead of tripping it, so --

7. MR. JACKSON: Well, there again,

8. normally, what I'm finding is it doesn't fault on

9. what I request them to do --

10. CHAIRMAN MORELOCK: Yeah.

11. MR. JACKSON: -- it faults from

12. something else.

13. CHAIRMAN MORELOCK: Yeah. But it

14. goes back to, we need evidence that this has been a

15. hardship, and I just -- until we have that, we don't

16. know if there's a problem or not.

17. MR. JACKSON: Okay. I addressed it

18. to these individuals at the location. What kind of

19. evidence do you want?

20. CHAIRMAN MORELOCK: Well, I mean --

21. MR. JACKSON: Do you want it in a

22. letter or --

23. CHAIRMAN MORELOCK: Show us the

24. boiler log where it went down and --

25. MR. JACKSON: Okay.

1. CHAIRMAN MORELOCK: -- they couldn't  
 2. get it started back up. I mean, you want --  
 3. MR. JACKSON: Okay.  
 4. CHAIRMAN MORELOCK: You've got boiler  
 5. logs, you've got, I don't know, work orders or  
 6. whatever that they needed to put into place to get  
 7. boiler repairs done.  
 8. MR. ROBINSON: Yeah.  
 9. CHAIRMAN MORELOCK: We just need --  
 10. you know, we need a paper trail that they went --  
 11. MR. JACKSON: Okay.  
 12. CHAIRMAN MORELOCK: -- down and  
 13. couldn't come back up.  
 14. DR. JOHNSON: And the truth is, it's  
 15. not going to matter.  
 16. CHAIRMAN MORELOCK: It's not.  
 17. DR. JOHNSON: Because if it went  
 18. down, it was going to go down anyway.  
 19. CHAIRMAN MORELOCK: Exactly.  
 20. Exactly.  
 21. DR. JOHNSON: And so the whole thing  
 22. is, you know --  
 23. MR. ROBINSON: It's -- but --  
 24. DR. JOHNSON: -- not really a --  
 25. CHAIRMAN MORELOCK: Well, I know

1. but --  
 2. MR. JACKSON: I don't --  
 3. DR. JOHNSON: -- for my protection.  
 4. MR. BAILEY: But to give the owner  
 5. the option --  
 6. DR. JOHNSON: Yeah.  
 7. MR. ROBINSON: Yeah.  
 8. CHAIRMAN MORELOCK: If they're afraid  
 9. to blow it down, then babysit it all night --  
 10. DR. JOHNSON: Yeah. And --  
 11. CHAIRMAN MORELOCK: -- on the  
 12. 20-minute rule and take it down when they can.  
 13. DR. JOHNSON: Yeah, yeah.  
 14. CHAIRMAN MORELOCK: You know.  
 15. DR. JOHNSON: I agree with that.  
 16. CHAIRMAN MORELOCK: Yeah.  
 17. DR. JOHNSON: But if it's going to  
 18. fail, it's --  
 19. CHAIRMAN MORELOCK: Right.  
 20. MR. ROBINSON: It's going to fail.  
 21. DR. JOHNSON: But that's  
 22. circumstance --  
 23. CHAIRMAN MORELOCK: Right.  
 24. DR. JOHNSON: -- to us.  
 25. MR. ROBINSON: It's a moot point.

1. MR. JACKSON: I don't --  
 2. DR. JOHNSON: Now --  
 3. MR. JACKSON: -- follow that logic --  
 4. DR. JOHNSON: It's a moot point.  
 5. MR. JACKSON: -- what you're saying  
 6. that it's going to go down anyway.  
 7. CHAIRMAN MORELOCK: Well, but -- I  
 8. guess what I'm thinking, and I might be thinking  
 9. wrong --  
 10. MR. JACKSON: It's not going to go  
 11. down anyway, but --  
 12. CHAIRMAN MORELOCK: -- but if you  
 13. trip that boiler for low water --  
 14. MR. ROBINSON: Right.  
 15. MR. JACKSON: Uh-huh.  
 16. CHAIRMAN MORELOCK: -- and it goes  
 17. down --  
 18. MR. JACKSON: Uh-huh.  
 19. CHAIRMAN MORELOCK: -- and it won't  
 20. come back up because of something else --  
 21. MR. ROBINSON: Feed pumps, feed  
 22. pumps, feed pumps --  
 23. CHAIRMAN MORELOCK: Yeah.  
 24. MR. JACKSON: Yeah.  
 25. MR. ROBINSON: Feed pumps are

1. blocked, clogged, don't work, whatever. Okay. You  
 2. blow it down, all the water comes out of the vessel,  
 3. safety devices go off, locks the boiler out. Or  
 4. automatic --  
 5. MR. JACKSON: Uh-huh.  
 6. MR. ROBINSON: Take your pick. If it  
 7. doesn't come back on because of those switches, it  
 8. was going down anyway because --  
 9. MS. RHONE: Uh-huh.  
 10. MR. ROBINSON: -- the boiler's  
 11. burning.  
 12. MS. RHONE: Uh-huh.  
 13. MR. ROBINSON: It's depleting -- it's  
 14. making steam. It's going to empty out anyway,  
 15. blowing it down or not. It's going to fail. That's  
 16. it.  
 17. MR. JACKSON: I follow what you're  
 18. saying, but I still don't follow -- I don't agree  
 19. with your logic.  
 20. MR. ROBINSON: It doesn't really have  
 21. any --  
 22. MR. JACKSON: I mean, it's not for me  
 23. to say. I'm just --  
 24. CHAIRMAN MORELOCK: Right.  
 25. MR. JACKSON: -- presenting to you --

1. MR. ROBINSON: It's --  
 2. MR. JACKSON: -- what the people --  
 3. MR. ROBINSON: It's not about --  
 4. MR. JACKSON: -- are asking me.  
 5. CHAIRMAN MORELOCK: Yeah.  
 6. MR. ROBINSON: It's not a point of  
 7. each individual failure --  
 8. MR. JACKSON: Uh-huh.  
 9. MR. ROBINSON: -- mode.  
 10. MR. JACKSON: Uh-huh.  
 11. MR. ROBINSON: It's a point that that  
 12. particular failure is going to relate to those other  
 13. pieces of equipment to turn on. And if it doesn't,  
 14. it's not going to work.  
 15. MR. JACKSON: Yeah. True.  
 16. MR. ROBINSON: It's --  
 17. MR. JACKSON: I agree.  
 18. MR. ROBINSON: It's almost like cause  
 19. and effect.  
 20. MR. JACKSON: But if you don't mess  
 21. with that feed pump, it's going to keep going.  
 22. MR. ROBINSON: Absolutely.  
 23. MR. JACKSON: But if you trip the  
 24. boiler and you don't need the feed pump because I  
 25. trip it from a gas -- a low gas pressure, or

1. something like that --  
 2. MR. ROBINSON: Gas failure?  
 3. MR. JACKSON: And it don't come back  
 4. up, that doesn't mean that the --  
 5. MR. ROBINSON: No.  
 6. MR. JACKSON: -- situation is --  
 7. MR. ROBINSON: No. I was using --  
 8. MR. JACKSON: Yeah.  
 9. MR. ROBINSON: I was using a  
 10. blowdown. If it's a --  
 11. MR. JACKSON: Yeah.  
 12. MR. ROBINSON: -- low gas situation  
 13. or a high gas situation, you've got a manual reset  
 14. lockout there --  
 15. MR. JACKSON: Yeah.  
 16. MR. ROBINSON: -- it's going to prove  
 17. its point.  
 18. MR. JACKSON: That's correct.  
 19. MR. ROBINSON: And you've got to push  
 20. the button. That's really my -- you know, I'm pro  
 21. manual, as opposed to pro computer. This --  
 22. MR. BAUGHMAN: Uh-huh.  
 23. MR. ROBINSON: The Hawk systems  
 24. and -- I'm not really -- I'm the advocate of having  
 25. those particular pieces of equipments a separate

1. entity.  
 2. MR. JACKSON: Uh-huh.  
 3. MR. ROBINSON: Because that tells me  
 4. that someone's going to have to go out there and  
 5. physically push a button to make that unit do  
 6. something once it locks out.  
 7. MR. JACKSON: Yup. I agree.  
 8. MR. ROBINSON: That theory, I can --  
 9. I love that theory.  
 10. MR. JACKSON: I just had these  
 11. discussions with these locations exactly what we're  
 12. talking about now. And they're just afraid of the  
 13. future it's going to happen. And they're just  
 14. asking, is there a way that the State will let them  
 15. delay that blowdown of the boiler or trip of the  
 16. boiler until the next morning or something like  
 17. that? They're not wanting to do away with it  
 18. completely; they just don't want to trip it in the  
 19. middle of the night.  
 20. MR. ROBINSON: I just thought of  
 21. something else Mr. Chairman had mentioned. He said  
 22. it's in -- back to the 20 minute rule. Have them  
 23. revise the manual and bring it back in for review.  
 24. That's an option.  
 25. MR. JACKSON: Do what now?

1. MR. ROBINSON: Have them to revise  
 2. the manual.  
 3. MR. JACKSON: To say what?  
 4. MR. ROBINSON: To say that they don't  
 5. want to trip the boiler at midnight or they don't  
 6. want to trip it --  
 7. MR. JACKSON: Okay.  
 8. MR. ROBINSON: -- but once a day --  
 9. MR. JACKSON: Okay.  
 10. MR. ROBINSON: -- or once a week.  
 11. CHAIRMAN MORELOCK: Well --  
 12. MR. JACKSON: No, they don't want  
 13. that.  
 14. CHAIRMAN MORELOCK: Well, but the --  
 15. some of the manuals already say that. There's --  
 16. you know, the manuals already says, if there's some  
 17. reason that, you know, you can't run with the  
 18. variance, then you've got to go back to Rule 22 --  
 19. MR. JACKSON: That's correct.  
 20. CHAIRMAN MORELOCK: -- anyway. So  
 21. it's already written into the manual.  
 22. MR. JACKSON: Yeah.  
 23. CHAIRMAN MORELOCK: And, you know, if  
 24. they want to revert -- just because they have a  
 25. variance doesn't mean they have to stay on that

1. variance. If they want to revert back to 20-minute  
 2. rule, they can. I mean, we're not going to be  
 3. opposed to that. And I understand their concerns,  
 4. but again, prove to us --  
 5. MR. JACKSON: Uh-huh.  
 6. CHAIRMAN MORELOCK: -- it's a  
 7. problem. Really, I --  
 8. MR. JACKSON: Okay.  
 9. CHAIRMAN MORELOCK: You know, that or  
 10. if they're worried about that blowdown, then run on  
 11. 20-minute rule through the night if they're afraid  
 12. to blow it down at night or something.  
 13. MR. JACKSON: Okay.  
 14. CHAIRMAN MORELOCK: Because any of  
 15. that would satisfy the law and the rule. I mean,  
 16. nobody's going to have a problem with that.  
 17. MR. JACKSON: Well, that's the way  
 18. that I'll address it to these concerned --  
 19. CHAIRMAN MORELOCK: Yeah.  
 20. MR. JACKSON: -- as a position of the  
 21. State of Tennessee.  
 22. CHAIRMAN MORELOCK: Yeah.  
 23. MS. JEFFERSON: Excuse me. Before --  
 24. MR. JACKSON: Go ahead.  
 25. MS. JEFFERSON: Before -- yes.

1. Before we address the State of Tennessee, we do need  
 2. to kind of talk about this.  
 3. MR. JACKSON: Uh-huh.  
 4. MS. JEFFERSON: And just to --  
 5. because I'd like to -- since we're addressing on  
 6. behalf of the State of Tennessee, we definitely want  
 7. to make sure this is the direction that the  
 8. administration wants to go in.  
 9. MR. JACKSON: I agree.  
 10. MS. JEFFERSON: So we need to have a  
 11. meeting, as I said before --  
 12. MR. JACKSON: Uh-huh.  
 13. MS. JEFFERSON: -- just to make sure  
 14. everybody's on the same page. And then we can come  
 15. back before the Board, if you all the would allow  
 16. that.  
 17. CHAIRMAN MORELOCK: Sure. Well, we  
 18. could move this from a discussion item to an action  
 19. item for March.  
 20. MR. ROBINSON: Yes.  
 21. MS. JEFFERSON: Yes.  
 22. CHAIRMAN MORELOCK: I have no problem  
 23. with that.  
 24. MR. JACKSON: Is it a Board's  
 25. position, because as you and I talked about

1. earlier --  
 2. CHAIRMAN MORELOCK: No, it's really  
 3. not. I mean, we're --  
 4. DR. JOHNSON: I think we're making --  
 5. CHAIRMAN MORELOCK: All we're doing  
 6. is --  
 7. DR. JOHNSON: -- it a Board position.  
 8. MR. JACKSON: You agree --  
 9. CHAIRMAN MORELOCK: -- promulgating  
 10. the rules.  
 11. MR. JACKSON: -- that they got a  
 12. variance and --  
 13. CHAIRMAN MORELOCK: Yeah.  
 14. MR. JACKSON: -- it meets the  
 15. requirement.  
 16. CHAIRMAN MORELOCK: Yeah.  
 17. MR. JACKSON: You're done.  
 18. CHAIRMAN MORELOCK: We are. We are  
 19. done.  
 20. MR. JACKSON: It falls back to Sam.  
 21. CHAIRMAN MORELOCK: It does. But if  
 22. the Boiler Unit needs technical support from the  
 23. Board, we'll certainly --  
 24. MR. JACKSON: Oh, okay.  
 25. CHAIRMAN MORELOCK: -- provide it.

1. MR. JACKSON: I follow. Okay. Yes.  
 2. CHAIRMAN MORELOCK: Yes. I mean,  
 3. that is our role to provide --  
 4. MS. JEFFERSON: Uh-huh.  
 5. MR. JACKSON: Yes.  
 6. CHAIRMAN MORELOCK: -- the technical  
 7. support. But he's the enforcer. If you need  
 8. enforcement, he's the enforcer.  
 9. MR. JACKSON: Yes.  
 10. MR. BAUGHMAN: I'm always in  
 11. wondering of the enforcement or the actual -- when  
 12. these situations come up of how many actually go and  
 13. operate under the 20-minute rule when their -- let's  
 14. say, in fact, this comes up -- midnight comes up and  
 15. they say, well, we'll operate under the 20-minute  
 16. rule or whatever the situation may be. If our  
 17. remote station's not working, how many actually put  
 18. these things in place. And I know that there's no  
 19. mechanism in place of being able to find out if this  
 20. is happening.  
 21. But I'm curious if there's ever a way  
 22. of coming up with any kind of a verification of  
 23. this. We leave it strictly up to the entities,  
 24. and I don't know. But I've got an idea that a lot  
 25. of them probably don't operate under the auspices

1. of how they actually should.  
 2. MR. JACKSON: Knowing human nature,  
 3. I'd agree with you.  
 4. MR. BAUGHMAN: Just -- yeah.  
 5. CHAIRMAN MORELOCK: So did we discuss  
 6. all your concerns? Is there anything --  
 7. MR. JACKSON: Yeah.  
 8. CHAIRMAN MORELOCK: Okay.  
 9. MR. JACKSON: Yes. Yes.  
 10. MR. BAILEY: I got one comment on  
 11. the -- about the part where he was talking about the  
 12. people getting the variances didn't -- the people  
 13. that have to operate it don't know what the variance  
 14. says, basically.  
 15. CHAIRMAN MORELOCK: Well, that's a  
 16. concern, but --  
 17. MR. BAILEY: Well, what I was -- my  
 18. comment I was thinking about is just a suggestion is  
 19. that when variances are approved by the Board --  
 20. CHAIRMAN MORELOCK: Uh-huh.  
 21. MR. BAILEY: -- that it be  
 22. conditioned upon -- that, you know, that they  
 23. conduct initial training and annual refresher  
 24. training and document it.  
 25. CHAIRMAN MORELOCK: It's in the

1. their manual. It is our job and enforcing the thing  
 2. to -- for them to be compliant.  
 3. CHAIRMAN MORELOCK: Right.  
 4. MR. JACKSON: And --  
 5. CHAIRMAN MORELOCK: That's right.  
 6. MR. JACKSON: -- they don't know what  
 7. they're supposed to be compliant to.  
 8. CHAIRMAN MORELOCK: Well, our  
 9. collective job is to make sure that they operate  
 10. that boiler safely.  
 11. MR. JACKSON: That's correct.  
 12. CHAIRMAN MORELOCK: That's the --  
 13. MR. JACKSON: That's the --  
 14. CHAIRMAN MORELOCK: -- ultimate job.  
 15. MR. JACKSON: -- reason that we have  
 16. the variance manual --  
 17. CHAIRMAN MORELOCK: Right.  
 18. MR. JACKSON: -- to insure that.  
 19. CHAIRMAN MORELOCK: Right.  
 20. MR. JACKSON: That's all I got.  
 21. CHAIRMAN MORELOCK: Okay. So --  
 22. MR. BAUGHMAN: Thanks for bringing it  
 23. up.  
 24. CHAIRMAN MORELOCK: So what's the  
 25. fast forward?

1. manual now with the training log.  
 2. MR. BAILEY: Okay.  
 3. CHAIRMAN MORELOCK: You know. And  
 4. Neil's site inspection is an on-site inspection for  
 5. them to prove to him that their manual and their  
 6. process matches and they know what they're doing.  
 7. MR. BAILEY: Okay.  
 8. CHAIRMAN MORELOCK: And that's his  
 9. frustration.  
 10. MR. JACKSON: Mr. Neville does an  
 11. excellent job in writing the manual. But I don't  
 12. know if he's going to stand there and watch them  
 13. read it --  
 14. CHAIRMAN MORELOCK: That's right.  
 15. MR. JACKSON: -- is the situation --  
 16. CHAIRMAN MORELOCK: Right.  
 17. MR. JACKSON: -- that we're running  
 18. into.  
 19. CHAIRMAN MORELOCK: Well, and  
 20. that's -- it's not his job to make them read it.  
 21. MR. JACKSON: No, that's not his job.  
 22. CHAIRMAN MORELOCK: You know. He's  
 23. providing a service to them.  
 24. MR. JACKSON: It's not, in a sense of  
 25. the word, anybody's job to make sure they've read

1. MR. JACKSON: To what, sir?  
 2. CHAIRMAN MORELOCK: How we're going  
 3. to --  
 4. MR. JACKSON: Oh.  
 5. CHAIRMAN MORELOCK: -- discuss them  
 6. under the Boiler Unit, and we're going to add an  
 7. item to the agenda for March.  
 8. MS. JEFFERSON: Yes.  
 9. CHAIRMAN MORELOCK: Okay. And  
 10. that'll be a -- is it going to be a voted action or  
 11. discussion item?  
 12. MS. JEFFERSON: Let's start with a  
 13. discussion item.  
 14. CHAIRMAN MORELOCK: Okay.  
 15. MS. JEFFERSON: As to what we talked  
 16. about.  
 17. CHAIRMAN MORELOCK: Okay. All right.  
 18. We'll leave it on the agenda.  
 19. MR. JACKSON: So what do I need to  
 20. do, Kim, for evidence?  
 21. MS. JEFFERSON: We'll talk about  
 22. that --  
 23. MR. JACKSON: Okay.  
 24. MS. JEFFERSON: -- once we get  
 25. together as a group.

- 1. MR. JACKSON: Okay.
- 2. MS. JEFFERSON: Okay?
- 3. MR. JACKSON: All right.
- 4. CHAIRMAN MORELOCK: Okay. Very good.
- 5. MR. JACKSON: Thank you.
- 6. CHAIRMAN MORELOCK: All right. Thank
- 7. you. Good discussion. Really good discussion.
- 8. Okay. Item 9. There are no rule cases or
- 9. interpretations today. Item 10, the next Board of
- 10. Boiler Rules meeting is now scheduled for Wednesday,
- 11. March the 16th at 9 a.m. here at the Department of
- 12. Labor.
- 13. And Item 11 is adjournment. So
- 14. unless there is any objections to adjourning, I
- 15. consider this meeting adjourned, and I hope
- 16. everybody has a wonderful holiday, Merry
- 17. Christmas, Happy New Year and --
- 18. DR. JOHNSON: Merry Christmas.
- 19. MR. BAUGHMAN: Merry Christmas to
- 20. everyone.
- 21. MS. JEFFERSON: Merry Christmas.
- 22. CHAIRMAN MORELOCK: Thank you.
- 23. END OF PROCEEDINGS.
- 24.
- 25.

- 1. CERTIFICATE
- 2.
- 3. STATE OF TENNESSEE )
- 4.
- 5. COUNTY OF WILLIAMSON )
- 6.
- 7. I, Dominique A. Dubois LCR# 686, Notary
- 8. Public and Court Reporter, do hereby certify that I
- 9. have recorded to the best of my skill and ability
- 10. by machine shorthand all the proceedings in the
- 11. foregoing transcript, and that said transcript is a
- 12. true, accurate, and complete transcript to the best
- 13. of my ability.
- 14. I further certify that I am not an attorney
- 15. or counsel of any of the parties, nor a relative or
- 16. employee of any attorney or counsel connected with
- 17. the action, nor financially interested in the
- 18. action.
- 19. SIGNED this 27th day of January.
- 20.
- 21. \_\_\_\_\_
- 22. Dominique A. Dubois, LCR# 686
- 23. Notary Public State at Large
- 24. My commission expires: 8/9/2018
- 25.

<p style="text-align: center;"><b>A</b></p> <p><b>a7</b> 83:1</p> <p><b>ability</b> 154:8 154:12</p> <p><b>able</b> 98:21 98:22 104:1 107:3 116:13 129:6 148:19</p> <p><b>above</b> 2:1 16:25 25:10 64:18 70:2 70:4 70:14 71:2 71:25 72:10 81:21</p> <p><b>absolutely</b> 66:17 141:22</p> <p><b>abstention</b> 59:21</p> <p><b>abstentions</b> 22:20 38:7 59:21 68:24 76:4 94:14</p> <p><b>accept</b> 37:18 68:8 68:10 75:2 83:23 83:24 93:21 114:14 118:3</p> <p><b>acceptable</b> 71:23</p> <p><b>accepted</b> 11:19 119:25</p> <p><b>accident</b> 65:17</p> <p><b>accommodate</b> 22:7 108:12</p> <p><b>accordance</b> 63:12</p> <p><b>account</b> 100:25</p> <p><b>accurate</b> 154:11</p> <p><b>across</b> 125:10</p> <p><b>act</b> 92:24 93:11</p> <p><b>action</b> 13:19 77:1 119:10 123:15 123:16 146:18 152:10 154:16 154:17</p> <p><b>actions</b> 95:8</p> <p><b>active</b> 60:14 120:10 123:18</p> <p><b>activities</b> 10:22 19:25 22:7 60:16 60:20 61:4 61:24 62:16 63:22</p> <p><b>actual</b> 21:5 70:8 100:15 148:11</p> 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