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

QUARTERLY MEETING OF THE  
STATE OF TENNESSEE  
BOARD OF BOILER RULES

December 13, 2023



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1 APPEARANCES:

2 Brian Morelock, Chairman/Board Member

3 David W. Baughman, Board Member

4 Richard Scott May, Board Member

5 Justin Miller, Chief Boiler Inspector

6 Dewayne Scott, Deputy Commissioner

7 Thomas Herrod, Assistant Commissioner  
Tennessee Department of Labor

8 Dan Bailey, Esq., Legal Counsel  
9 Tennessee Department of Labor

10 Melissa Owens, Esq., Legal Counsel  
11 Tennessee Department of Labor

12 Chance Deason, Legal Counsel  
Tennessee Department of Labor

13 Kenneth Nealy, Assistant Administrator  
14 Tennessee Department of Labor

15 Mia-Lyn Wiley, Boiler Board Secretary  
Tennessee Department of Labor

16 Michelle Rosemore, Legal Assistant  
Tennessee Department of Labor

17 Matthew Grove, Legislative Liaison  
18 Tennessee Department of Labor

19 Tia Xixis  
20 Tennessee Department of Labor

21 Additional Appearances:

22 Marty Toth, ECS Consulting

23 Riley Collins, Eastman Chemical

24 Billie Cutillo, Account Executive, Head Mechanic

25

1 Appearances continued:  
2 Lewis Ethridge, Meharry Medical College.  
3 James Anderson, Ultium Cells, LLC  
4 Alex Barrera-Perez, Nissan  
5 Pratik Gundhi, Nissan  
6 Johnny Watson, Boiler Inspector Assistant  
7 Brittany Davis, BXM  
8 Chris Hays, BASF Corporation  
9 STONE & GEORGE COURT REPORTING  
10 Cassandra M. Beiling, LCR

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24 \*\* Reporter's Note: All names are spelled  
25 phonetically unless otherwise provided to the  
Reporter by the parties.

1 \* \* \* \* \*

2 CHAIRMAN MORELOCK: Good  
3 morning, everybody. I want to welcome you to  
4 the --

5 MR. HERROD: Get your  
6 microphone.

7 CHAIRMAN MORELOCK: Thank you.  
8 Dan, you've got one more time you can  
9 do that today, and then that's it.

10 I am going to call the meeting, the  
11 December 13, 2023 Tennessee board meeting to  
12 order.

13 If you have not, sign in at the back  
14 table, please. There's agendas there if you would  
15 like one.

16 As far as -- one of the things I want  
17 you to be aware of is please silence your cell  
18 phones and electronics so that won't interfere  
19 with the discussions during the meeting.

20 And as a safety topic, we talk a lot  
21 about different things as far as while we're here  
22 at the Department of Labor. But today I just  
23 wanted to take a moment to remember the folks that  
24 we've lost through the tornadoes and things that  
25 have touched down in Nashville. And let's just

1 remember the families that have been affected by  
2 that. So if I could just have a moment of silence  
3 for that, please.

4 Thank you. That will take us to  
5 Introductions and Announcements. And I will start  
6 with Mr. Baughman.

7 MR. BAUGHMAN: I'm Dave  
8 Baughman, board member with Allied Boiler & Supply  
9 in Murfreesboro.

10 CHAIRMAN MORELOCK: My name is  
11 Brian Morelock. I work for Eastman Chemical  
12 Company, and I'm the Chair.

13 And I do have an announcement today.  
14 I've worked for Eastman Chemical Company for  
15 35 years, and at the end of this year, I will be  
16 retiring. So I will be stepping away from the  
17 Board. And I've enjoyed my 20 years serving on  
18 the Board, and certainly have met some of the  
19 greatest people you will know and look forward to  
20 continuing -- maintaining those relationships over  
21 time. And thank you for this great opportunity,  
22 because I've really enjoyed it. Thank you.

23 MR. MAY: Scott May with the  
24 Boilermakers Local 454 in Chattanooga.

25 MS. WILEY: I'm Mia-Lyn Wiley,

1 Board Secretary.

2 MR. NEALY: I'm Ken Nealy,  
3 Assistant Administrator, WRC.

4 MR. MILLER: Justin Miller,  
5 Chief Boiler Inspector.

6 MR. HERROD: Tom Herrod,  
7 Assistant Commissioner, WRC.

8 MR. BAILEY: Dan Bailey, legal  
9 counsel.

10 MR. SCOTT: Dewayne Scott,  
11 Deputy Commissioner.

12 MS. OWENS: Melissa Owens,  
13 Deputy General Counsel.

14 MR. DEASON: Chance Deason,  
15 General Counsel.

16 CHAIRMAN MORELOCK: Go ahead.

17 MR. BARRERA-PEREZ: I'm Alex  
18 Barrera-Perez, facilities engineer for Nissan.

19 CHAIRMAN MORELOCK: Thank you.

20 MR. GUNDHI: Pratik Gundhi,  
21 Nissan. I'm working at Nissan as boiler engineer.

22 MS. CUTILLO: Billie Cutillo,  
23 account executive and boiler manager and head  
24 mechanic.

25 MR. COLLINS: Riley Collins,

1 Eastman Chemical.

2 MR. ETHRIDGE: Lewis Ethridge,  
3 Director of Facilities at Meharry Medical College.

4 MR. WATSON: Jimmy Watson,  
5 Boiler Inspector Assistant.

6 MR. TOTH: Marty Toth, ECS  
7 Consulting and the Boisco Training Group.

8 MR. ANDERSON: Jim Anderson,  
9 Ultium Cells.

10 MS. ROSEMORE: Michelle  
11 Rosemore, assistant to Melissa Owens.

12 MR. GROVE: Matthew Grove,  
13 Legislative Liaison for the Department.

14 MR. HAYS: Chris Hays, BASF  
15 Corporation.

16 MS. DAVIS: Brittany Davis, BXM.

17 CHAIRMAN MORELOCK: Okay. Thank  
18 you.

19 So now, do we have other  
20 announcements that need to be made?

21 MR. HERROD: Mr. Chairman, I do  
22 have three other announcements. You stole one of  
23 them. I was going to have four.

24 But I do want to say we do appreciate  
25 you so much as being the Chairman. Has it been



1 over 10 years as Chairman?

2 CHAIRMAN MORELOCK: It's been  
3 10 years as Chair, yes.

4 MR. HERROD: 10 years. And  
5 years before that on the Board. And I can just  
6 tell you, it's one of the best boards that we have  
7 in the state of Tennessee, and recognizing that  
8 for all the expertise all of you have brought to  
9 the Board. And we just appreciate your  
10 willingness to do this for so many years and hope  
11 you'll come back and visit us as a board member  
12 emeritus and sit over here close if you'd like.

13 CHAIRMAN MORELOCK: Well, I do  
14 want to maintain the relationships that I've had.  
15 And it's just been a fantastic opportunity for me,  
16 and I really -- I've very much enjoyed it. I  
17 really have.

18 MR. HERROD: Well, thank you.

19 I do have three other announcements.  
20 Mia-Lyn Wiley is our new board secretary. And  
21 she's been with the Boiler Unit for four years --  
22 is it about four years?

23 MS. WILEY: Two.

24 MR. HERROD: About two? Just  
25 two. Okay. Well, it seems longer, she said. She

1 told me it seemed longer than two. But she's  
2 stepped into the role of Board Secretary.

3           None of this happens without her  
4 being -- diligently following this for months and  
5 the setup, and getting the agenda together and  
6 getting the manuals together and getting this room  
7 organized. And so I appreciate her.

8           Also, Justin Miller is our new Chief  
9 Inspector. He had been serving as Assistant Chief  
10 for a short period of time, and now has become the  
11 Chief Inspector as of October the 26th, I guess.  
12 But we appreciate him stepping into the role.  
13 He's in East Tennessee. Something different for  
14 us but still a workable situation for us and  
15 appreciate him and his knowledge, of course, and  
16 look forward to his being a chief for a long time.

17           The next announcement, Dan Bailey,  
18 legal counsel here, is retiring after 20 years  
19 with the State. And his last day is Friday. He's  
20 going to beat your retirement by a couple of  
21 weeks. And he wanted to do that. And I  
22 appreciate him.

23           And we do have a card for you, Dan.  
24 I think there's money in it, a cashier's check.

25           We appreciate you, Dan. Anything you

1 would like to say now as you depart from this  
2 meeting?

3 MR. BAILEY: I would just say  
4 I've enjoyed working for this Board. I've learned  
5 a whole lot about boilers that I never knew before  
6 and respect the safety aspect of -- which you as a  
7 Board do. You do not rubber-stamp variance  
8 requests. You go through them meticulously and  
9 ask very relevant questions and get things where  
10 it should be, and I appreciate that, and so do the  
11 citizens of Tennessee, even though a lot of them  
12 may not know what you're doing. I do now. And I  
13 do appreciate it.

14 I appreciate your leadership,  
15 Mr. Chairman. It's been great.

16 And I want to introduce Melissa Owens  
17 to my left here, who will be taking my place. Her  
18 and Chance will do a lot of the WRC stuff. I've  
19 had the pleasure of working with her since March  
20 of this year, and she's very intelligent. She  
21 picks up on things very quickly, has good logical  
22 reasoning, which are all good things for an  
23 attorney. And it's just been a pleasure working  
24 with her, and I have no doubt she will do a great  
25 job. So thank you.

1 MR. DEASON: I'm not sure the  
2 two of us can fill Dan's shoes.

3 MS. OWENS: No, we can't.

4 MR. DEASON: Of course, he  
5 didn't say anything about my intelligence.

6 MR. BAILEY: I just thought I  
7 would let that sit.

8 MR. BAUGHMAN: Well, if I may, a  
9 round of applause.

10 MR. HERROD: I think we owe Dan  
11 Bailey a round of applause, too.

12 MR. BAUGHMAN: Yes, we do.

13 (Applause.)

14 MR. HERROD: I don't think  
15 anybody else is retiring. I'm thinking about it  
16 right now, but I'll hold off right now.

17 CHAIRMAN MORELOCK: All right.  
18 Our next item on the agenda is Adoption of the  
19 Agenda.

20 So do I have a motion to approve this  
21 agenda?

22 MR. MAY: So moved.

23 MR. BAUGHMAN: Second.

24 CHAIRMAN MORELOCK: All right.  
25 Any discussion? Any questions? Any things that

1 we need to adjust on the agenda?

2 (No verbal response.)

3 CHAIRMAN MORELOCK: Hearing  
4 none, do I have a motion to adopt?

5 MR. BAUGHMAN: So moved.

6 CHAIRMAN MORELOCK: Second?

7 MR. MAY: Second.

8 CHAIRMAN MORELOCK: All in favor  
9 say "aye."

10 (Affirmative response.)

11 CHAIRMAN MORELOCK: Opposed?

12 (No verbal response.)

13 CHAIRMAN MORELOCK: Abstentions,  
14 not voting?

15 (No verbal response.)

16 CHAIRMAN MORELOCK: We have an  
17 agenda.

18 So that will take us to Item IV.

19 MR. BAILEY: Mr. Chairman.

20 CHAIRMAN MORELOCK: Yes.

21 MR. BAILEY: Before we go on,  
22 just for the record, we determined that we do have  
23 a quorum today.

24 CHAIRMAN MORELOCK: Yes.

25 MR. BAILEY: There are six

1 allotted board positions, which five of them are  
2 currently filled. Three of you are here today.  
3 Two could not make it. And so we've got a  
4 majority of the filled positions here and half of  
5 the allotted positions. The statute and the rules  
6 do not address what is a quorum.

7 CHAIRMAN MORELOCK: Yeah.

8 MR. BAILEY: So in our opinion,  
9 this constitutes a quorum for this meeting. I  
10 just wanted to get that on the record.

11 CHAIRMAN MORELOCK: Thank you,  
12 Mr. Bailey. That's good. That's very, very good,  
13 to have that in the minutes. I appreciate that.

14 All right. So the next item we have  
15 is Item IV, approval of the meeting minutes for  
16 the September 13, 2023 meeting.

17 Do I have a motion to discuss?

18 MR. BAUGHMAN: So moved.

19 CHAIRMAN MORELOCK: Second?

20 MR. MAY: Second.

21 CHAIRMAN MORELOCK: Okay. Are  
22 there any questions or corrections that need to be  
23 made to the minutes?

24 (No verbal response.)

25 CHAIRMAN MORELOCK: Hearing

1 none, all in favor say "aye."

2 (Affirmative response.)

3 CHAIRMAN MORELOCK: Opposed?

4 (No verbal response.)

5 CHAIRMAN MORELOCK: Abstentions,  
6 not voting?

7 (No verbal response.)

8 CHAIRMAN MORELOCK: We have  
9 approved the September 13, 2023 minutes.

10 That takes us to Item V. Item V is  
11 Approval of the Meeting Transcript for  
12 September 13, 2023.

13 Do I have a motion to discuss?

14 MR. BAUGHMAN: So moved.

15 MR. MAY: Second.

16 CHAIRMAN MORELOCK: Okay. What  
17 questions, corrections, comments need to be shared  
18 for this?

19 MR. BAUGHMAN: I like the format  
20 of having the concise summary of the minutes for  
21 us as board members. So I just want to say I  
22 appreciate that and I like that format.

23 CHAIRMAN MORELOCK: Any other  
24 questions or comments?

25 (No verbal response.)

1 CHAIRMAN MORELOCK: Hearing  
2 none, I'm going to call for the question. All in  
3 favor say "aye."

4 (Affirmative response.)

5 CHAIRMAN MORELOCK: Opposed?

6 (No verbal response.)

7 CHAIRMAN MORELOCK: Abstentions,  
8 not voting?

9 (No verbal response.)

10 CHAIRMAN MORELOCK: So we have  
11 an approved transcript for September the 13th.

12 That takes us to Item VI, the Chief  
13 Boiler Inspector's Report.

14 So, Chief Miller, would you present  
15 that?

16 MR. MILLER: We're doing the  
17 Chief's Report and the Variance Report together.

18 Active variances, we had 87.

19 Inactive, we had 47.

20 Inspections performed, passed is 31,  
21 total; awaiting initial inspection is 5; and  
22 failed, 2.

23 CHAIRMAN MORELOCK: Are there  
24 any questions of Chief Miller on his report?

25 MR. HERROD: One more slide.



1 CHAIRMAN MORELOCK: Oh, one more  
2 slide? Sorry. Getting ahead of myself.

3 MR. MILLER: Babynov is awaiting  
4 notification from the company. TAMKO is  
5 scheduled. International Paper is waiting. BWXT  
6 Nuclear is waiting and Tennova-Cleveland is  
7 waiting. Mersen and Hankook both failed on 8/24  
8 and 8/10 of 2023.

9 MR. TOTH: Mr. Chairman?

10 CHAIRMAN MORELOCK: Mr. Toth.

11 MR. TOTH: If I may speak to  
12 Mersen and Hankook, I think there was some  
13 miscommunication with those two. They were not  
14 actually ready for inspection at the time that the  
15 State arrived. And so -- they are actually both  
16 my clients. We're in the process, with both of  
17 those, to get them to the point where they are  
18 ready for their variance inspections. I just  
19 think that was a miscommunication. I was informed  
20 after the fact by both clients that they received  
21 a visit without invitation, but it happens. So I  
22 just wanted to make sure the Board understood the  
23 reasons for that.

24 CHAIRMAN MORELOCK: Thank you,  
25 Mr. Toth.

1 Any other questions or comments?

2 MR. BAUGHMAN: Dave Baughman,  
3 board member.

4 Am I correct in seeing Tennova as  
5 9/21?

6 MR. MILLER: Yes, sir.

7 MR. BAUGHMAN: Okay. So I know  
8 we discussed this in the previous September  
9 meeting as it came up in the report, of not having  
10 a time frame designated on -- from the time a  
11 variance is brought to the Board and approved to  
12 the time it comes up for inspection. And being  
13 that that's a -- more than two years out now, we  
14 just need to discuss that at some point in time,  
15 again, as we mentioned in the previous meeting, to  
16 bring this up for the future and maybe put it on  
17 the agenda coming up to see about how we can  
18 define a time period instead of having this  
19 open-ended.

20 The other that -- in listening to  
21 Mr. Toth, is the two that failed, he wasn't -- or  
22 somebody wasn't given an invitation. That's not  
23 necessarily a requirement, is it?

24 MR. TOTH: Yes.

25 MR. BAUGHMAN: To have the

1 invitation to come in. Once it passes the Board,  
2 it is then set up for inspection, or what's the  
3 protocol?

4 MR. HERROD: Well, the protocol  
5 is for us to wait for the company or Mr. Toth, or  
6 whoever the representative is, to tell us they're  
7 ready for an inspection.

8 Now, we have had so many movements in  
9 the Chief's position. I can't tell you what  
10 happened here. But apparently, we got  
11 notification from the company or somebody that  
12 this was ready for inspection. If that's not the  
13 case, I apologize. I'm just saying that that was  
14 what we -- so this may not be anybody's fault,  
15 just something that slipped through. But once  
16 they tell us they're ready, we do not announce  
17 when we're coming at that point.

18 MR. BAUGHMAN: Okay. And that's  
19 kind of what I was getting at, was just like  
20 Tennova, it's obviously not ready, so there's some  
21 communication on saying, yes, we are ready or not.

22 So the protocol is come before the  
23 Board, then the company says, we're ready. If  
24 that extends out -- there's no time frame now, so  
25 it can extend out, obviously, two years plus. So

1 what I wanted to address was at least that time  
2 frame to be able to move forward.

3 Does that make sense?

4 MR. TOTH: Mr. Chairman?

5 CHAIRMAN MORELOCK: Yes,  
6 Mr. Toth.

7 MR. TOTH: I agree 100 percent  
8 with what Mr. Baughman is saying. We run into a  
9 situation a lot of times where the clients are  
10 wanting to get that tentative approval from the  
11 Board before they commit that capital investment  
12 into the variance. I understand that. The Board  
13 understands that. However, we run into a lot of  
14 situations where companies are getting that  
15 tentative approval, putting it off to the side.

16 I continuously communicate. The  
17 Chief and his staff will communicate with me  
18 because they know I'm the representative for them.  
19 And I will call the client back and say, where are  
20 we at with this?

21 We have a number of these out there.  
22 I think it would be in the best interest that we  
23 do -- "we" being the Board, put something in place  
24 that people like myself or the Chief Inspector and  
25 his staff can then inform the end user that they

1 have a time frame that they need to get this put  
2 into place.

3           In the case of Tennova-Cleveland,  
4 I've been in communication with them. They've  
5 gone through training. BTG created a training  
6 program for them. My plan is to go down and visit  
7 them. I spoke with them. They have some turnover  
8 as well with personnel. They still do the hourly  
9 visits to the boiler room. I've ensured that.  
10 All of them have, and they're documenting that.  
11 However, if they want to move forward with this  
12 variance, we need to get it inspected and get it  
13 off the books.

14           Same thing goes with Mersen. Same  
15 thing goes with Hankook. And I don't blame the  
16 State whatsoever for -- because there has been  
17 quite a bit of turnover on this. As I said, I  
18 think there's been some miscommunication there,  
19 that the locations were not ready for an  
20 inspection. But every one of those clients of  
21 mine understand that they are under the 60-minute  
22 requirement that they are to attend to that  
23 boiler.

24           But if the Board can put a timeline  
25 on those tentative variances or tentative

1 approvals, I will be more welcoming to that.

2 Thank you.

3 CHAIRMAN MORELOCK: Thank you,  
4 Mr. Toth.

5 So your point, when we go through  
6 this process to review that and approve,  
7 tentatively approve that variance, they know that  
8 day, when they're here to present that and we pass  
9 it, then the clock's already -- it's ticking.  
10 It's contingent on them getting their site review  
11 by the Boiler Unit. And I don't know -- I mean,  
12 you would think if they're getting the variance,  
13 that they're going to implement it as quickly as  
14 they can.

15 So I guess the Board could consider  
16 putting some parameters on that. But I think we  
17 need to think about that before we put pen to  
18 paper on that and make sure. Work with the Boiler  
19 Unit to see what's the best way to put that  
20 constraint in there because there's no constraint  
21 right now.

22 Once we tentatively approve that  
23 variance, it's approved from the Board's position.  
24 Then it's up to the Boiler Unit to get that site  
25 visit and give them a clean bill of health to put

1 that into action.

2 So I guess what we can do is go back  
3 and -- as board members, we can discuss as a  
4 discussion item or something like that to  
5 determine what we think that time frame, should it  
6 have an expiration date on it or not, or what  
7 should we do with it.

8 MR. HERROD: Mr. Chairman,  
9 that's a good point. Without the Board's  
10 decision, concrete decision, we have assumed, an  
11 assumption here, once the Board approves it, they  
12 have a certain -- there should be a reasonable  
13 time when they say they're ready. However, if the  
14 three years comes up and they're still not, they  
15 will have to go through a renewal anyway.

16 CHAIRMAN MORELOCK: Yes.

17 MR. HERROD: At the least. So  
18 they're kind of in that area. So the time clock  
19 will time out after three years automatically, in  
20 my opinion.

21 CHAIRMAN MORELOCK: I agree with  
22 that. I mean, I just hadn't thought that we would  
23 have one that would go three years before they  
24 implemented it. It's an excellent point.

25 MR. BAUGHMAN: And to that

1 extent, if it comes up for renewal and they  
2 haven't made any changes, modifications, so forth,  
3 then it would just come up for renewal and it  
4 still hasn't been inspected. So there's a lot of  
5 moving parts. But ultimately, like Chairman said,  
6 it's worthy of discussion. And so we'll probably  
7 look at putting that as a discussion item on the  
8 next agenda, would be my recommendation.

9 MR. TOTH: Mr. Chairman, if I  
10 could make one final statement.

11 CHAIRMAN MORELOCK: Yes,  
12 Mr. Toth.

13 MR. TOTH: So as Mr. Herrod  
14 mentioned, the critical part is especially when  
15 they're new. Okay?

16 When they're renewals, they're going  
17 to go in -- we're going to make a recommendation  
18 or request for a renewal inspection. Mr. Herrod  
19 is absolutely right.

20 The issue that we run into is when  
21 they're a brand new application. When they're a  
22 new application, they don't have an expiration  
23 date yet. Their expiration date does not actually  
24 start until the Boiler Unit has done their  
25 inspection. So then it goes from three years



1 after that. That's the issue that we run into.

2 And that's why Mr. Herrod and myself  
3 and the rest of us are looking for some type of  
4 guidance so that we can inform those clients that  
5 they need to step up and get this taken care of.  
6 If not, maybe have to come back before the Board  
7 or at least request an extension of some sort.

8 CHAIRMAN MORELOCK: Okay. Any  
9 other comments or questions?

10 (No verbal response.)

11 CHAIRMAN MORELOCK: All right.  
12 We will put that as a discussion item at the next  
13 board member meeting.

14 MR. BAUGHMAN: Thank you, Chief.

15 CHAIRMAN MORELOCK: Okay. This  
16 takes us now to Item VIII, Old Business.

17 And our first item is 23-06. Meharry  
18 Medical College requests a variance to be granted  
19 for the operation of four high-pressure steam  
20 boilers located on the campus of Meharry Medical  
21 College.

22 And so those that are going to  
23 present this, please come to the public podium and  
24 introduce yourself and present your item.

25 And while you're getting ready to do

1 that, is there any conflict from any of the board  
2 members on this item?

3 MR. BAUGHMAN: Yes. I have  
4 declared a conflict.

5 CHAIRMAN MORELOCK: Okay. Duly  
6 noted, Mr. Baughman.

7 Any others?

8 MR. MAY: I don't have any.

9 CHAIRMAN MORELOCK: Okay. I  
10 don't have a conflict either.

11 MR. ETHRIDGE: Hello. I'm Lewis  
12 Ethridge. I'm Director of Facilities at Meharry  
13 Medical College, and we're trying to get the  
14 variance in place for our location to operate  
15 these four steam boilers we have.

16 You'll have to talk me through this.  
17 I've never been here before doing this.

18 CHAIRMAN MORELOCK: That's fine.  
19 So just present your manual here and cover some of  
20 the highlights that we need to discuss, and then  
21 we'll open the floor for comments from the Board.

22 MR. ETHRIDGE: Okay. So what  
23 we've got is the four steam boilers. We only run  
24 two at one time. We have redundant boilers, so we  
25 have two for our science building. We have

1 boilers that we use for sterilization. We only  
2 operate those on demand the days and the times  
3 that they're needing steam for their  
4 sterilization. The other two boilers are for  
5 Nashville General Hospital for their sterilization  
6 and other items they use steam for. They do not  
7 use it for heat. It's only for sterilization and  
8 other stuff, whatever they use the steam for.

9           And those run 24/7. They're located  
10 in the central plant of -- also where my office is  
11 located and our chillers and everything. That's  
12 where our main guys are at the facility. But we  
13 have redundancies. So there's two boilers in the  
14 science building and two boilers for the hospital.

15           So we've got 24/7 campus safety and  
16 security, and they have a dispatch there that  
17 monitors 24/7, that person, the boiler station  
18 attendant to oversee the alarm. And we also have  
19 a boiler attendant 24 hours a day. We run three  
20 shifts. During the day, we have two or three  
21 people. In the evenings and nights, we only have  
22 one person on staff for the campus. They tend to  
23 calls and monitor the equipment on campus.  
24 They're the boiler attendant, and they're the ones  
25 checking the boilers right now. So we're trying

1 to get this in place so we can put our four hours  
2 on checking the boilers.

3           So right now, the alarm is in place  
4 at the security office where the dispatcher is  
5 located. So the way this is supposed to work, the  
6 attendant, when he comes on shift -- like I said,  
7 we run three shifts -- he will contact the  
8 dispatcher -- or the -- I call it dispatcher, but  
9 it's the boiler monitor attendant. Let them know  
10 they will be tripping the boilers. And he will go  
11 to the boilers. The first one will be the -- most  
12 likely in the power plant, the ones that control  
13 the -- or supply steam to Nashville General  
14 Hospital.

15           He will open the low-down on the  
16 column, generate a low water alarm, and when that  
17 does, it will trigger the alarm to go off. The  
18 boiler attendant should acknowledge that the alarm  
19 has been triggered, and he will reset the boiler  
20 at that time.

21           In normal conditions when we're not  
22 doing that, if the alarm triggers, the boiler  
23 attendant will notify the -- I keep calling them  
24 dispatcher, but it's the boiler monitor attendant,  
25 will contact the person. We use two-way radios.

1 And also, they have cell numbers, so they can  
2 contact them. But mainly two-way radios.

3 They'll contact the attendant and let  
4 them know there's an alarm on the boiler, and the  
5 attendant will go and see what's causing the  
6 boiler to be in alarm and check it from there,  
7 investigate and see what the cause is and correct  
8 the issue then.

9 If they're able to get the boiler  
10 back in operation, they will have the attendant --  
11 the monitor reset the alarm so they can put it  
12 back in operation. If not, a lot of times we have  
13 to shut one boiler down and operate the redundant  
14 boiler. If it's like a blown tube. We lose tubes  
15 from time to time. So that will be the place.  
16 And they would have to, at that time, operate the  
17 second boiler and put it in operation.

18 If there's any questions -- but like  
19 I said, that's the way this is set to go.

20 CHAIRMAN MORELOCK: Do I have a  
21 motion to discuss this item?

22 MR. MAY: Motion.

23 CHAIRMAN MORELOCK: Motion.  
24 Second?

25 MR. BAUGHMAN: I second.

1                   Mr. Bailey?

2                   MR. BAILEY:   Yeah.   So what's  
3 the nature of your conflict?

4                   MR. BAUGHMAN:   We supply parts  
5 to Meharry.   We help them with the manual itself,  
6 in advising them on the context and going through  
7 the procedures and analyzing their particular  
8 personnel and how to set that up within the manual  
9 itself.

10                  MR. BAILEY:   And the way we've  
11 handled this before is if you have a particular  
12 conflict, you can be part of the discussion so  
13 long as your questions don't address any of the  
14 conflict, which I don't know how that's going to  
15 be.   And you cannot vote on the request.   But if  
16 you have any questions that don't hit right on  
17 your conflict, you can ask those, but otherwise,  
18 you'll have to sit this one out, basically.

19                  MR. BAUGHMAN:   Yes.   So if  
20 there's any questions that anybody has to ask,  
21 that I may assist on answering those questions  
22 instead of asking the questions, would I be  
23 allowed to participate in the answer of those  
24 questions?

25                  MR. BAILEY:   I think so.

1 MR. BAUGHMAN: Thank you, Dan.

2 MR. BAILEY: You're welcome.

3 CHAIRMAN MORELOCK: All right.

4 So what questions do the Board members have for  
5 this variance?

6 MR. BAUGHMAN: And to go back on  
7 that, Chairman, we made a motion to discuss.

8 CHAIRMAN MORELOCK: Yes.

9 MR. BAUGHMAN: And so I can --  
10 we voted on that.

11 MR. BAILEY: As a board member,  
12 you can second that motion as operation of the  
13 Board. Just actually voting on the actual item.

14 MR. BAUGHMAN: Very good.

15 CHAIRMAN MORELOCK: Have you  
16 provided us with a location of the e-stop in your  
17 variance?

18 MR. ETHRIDGE: I believe they're  
19 in here, yes, sir. They're at the entrance to the  
20 boiler rooms, for each. There's one in the  
21 science building, right next to the door as you  
22 enter. That will stop it. And the boiler room  
23 for the central plant is actually right as you  
24 enter, where the two steam boilers are located.

25 CHAIRMAN MORELOCK: Okay. Thank

1 you.

2 MR. MAY: How far apart are  
3 these?

4 MR. ETHRIDGE: The boilers?

5 MR. MAY: Yes.

6 MR. ETHRIDGE: I believe the  
7 ones from the science building are probably about  
8 300 feet, and security office is located right in  
9 the center. And the central plant is maybe  
10 250 feet or so up the hill from the -- from Campus  
11 Safety and Security. There's a map in the  
12 appendix.

13 MR. BAUGHMAN: Page 11.

14 MR. ETHRIDGE: Our attendant is  
15 normally after hours. Now, during the day,  
16 they're out and about on campus. They're also  
17 HVAC technicians, so they're out doing other  
18 service calls and all that. In the evenings, they  
19 mainly are in the central plant, where the two  
20 steam boilers for the hospital are located. The  
21 boilers are in the basement, and they're located  
22 in the cellar room, which is upstairs.

23 CHAIRMAN MORELOCK: On page 16,  
24 your organizational chart in Appendix D, you do  
25 show all of the organization. It would be also



1 noteworthy to also label on this organizational  
2 chart as to who are serving as remote monitors and  
3 who are serving as boiler attendants.

4 MR. ETHRIDGE: So you want a  
5 list of names?

6 CHAIRMAN MORELOCK: No, not  
7 names, just the, you know --

8 MR. ETHRIDGE: The position.

9 CHAIRMAN MORELOCK: The  
10 positions and what they do as --

11 MR. ETHRIDGE: I see what you're  
12 saying. Yes, sir. So the dispatcher would be  
13 listed.

14 CHAIRMAN MORELOCK: Yes.

15 MR. ETHRIDGE: Yes, sir. I  
16 understand.

17 CHAIRMAN MORELOCK: Yes. Thank  
18 you.

19 MR. BAILEY: Sir?

20 MR. ETHRIDGE: Yes.

21 MR. BAILEY: Let's try not to  
22 talk over each other. She can only record one  
23 person at a time. So when he's talking, wait  
24 until he's done. Then you talk.

25 MR. ETHRIDGE: Thank you.

1                   CHAIRMAN MORELOCK:  Item 20 on  
2 the checklist, it states that "Does the remote  
3 monitoring system prevent unauthorized access?"  
4 And how is that provided in this system?

5                   MR. ETHRIDGE:  The remote  
6 monitor?

7                   CHAIRMAN MORELOCK:  Yes.

8                   MR. ETHRIDGE:  It is located in  
9 the dispatch room.  Are you talking about the  
10 actual alarm?  Is that what you're referring to?  
11 I'm sorry.

12                   CHAIRMAN MORELOCK:  Well, and  
13 I'm also asking about the system that you're using  
14 to monitor the boiler.

15                   MR. ETHRIDGE:  Yes.

16                   CHAIRMAN MORELOCK:  How do you  
17 prevent unauthorized access to that software?  
18 Does it have a key and lock?

19                   MR. ETHRIDGE:  It's hardwired.

20                   CHAIRMAN MORELOCK:  Hardwired?

21                   MR. ETHRIDGE:  Relays and all  
22 that.  Yes, sir.  The system itself is all  
23 hardwired.

24                   CHAIRMAN MORELOCK:  Thank you.

25                                 In Item 40 of the checklist, it says

1 that your emergency procedures need to be a  
2 bright-colored page or a bright-colored tab so  
3 that the folks using this manual will be able to  
4 quickly get to the emergency plans. And in what  
5 you have sent with us, I couldn't find a red or a  
6 yellow tab or a whole page that's red or  
7 something.

8 MR. BAUGHMAN: Page 9.

9 CHAIRMAN MORELOCK: Is it on  
10 page 9?

11 MR. BAUGHMAN: Yes, sir.

12 CHAIRMAN MORELOCK: All right.  
13 Let me look. Sorry.

14 MR. BAUGHMAN: Section 5,  
15 page 9.

16 CHAIRMAN MORELOCK: Oh, yeah,  
17 okay.

18 I still would like to see a tab there  
19 so that they're not flipping pages. Just find  
20 that tab and get to it.

21 Thank you for that, though.

22 MR. BAUGHMAN: Yes, sir.

23 CHAIRMAN MORELOCK: That's all  
24 the questions that I have.

25 MR. MAY: I'm good.

1                   CHAIRMAN MORELOCK:  Are you  
2 satisfied?

3                   MR. MAY:  Yes.  You answered  
4 most of mine.

5                   CHAIRMAN MORELOCK:  All right.  
6 Since we don't have any more questions or  
7 comments, do I have a motion to approve?

8                   MR. MAY:  Motion.

9                   CHAIRMAN MORELOCK:  Okay.  I'll  
10 second that.

11                   I would also add to this motion that  
12 this is contingent upon a successful site visit  
13 from the Boiler Unit, and I would just add that to  
14 that motion.

15                   So any other questions or comments?

16                   (No verbal response.)

17                   CHAIRMAN MORELOCK:  All right.  
18 I'm going to call the question.  All in favor say  
19 "aye."

20                   MR. MAY:  Aye.

21                   CHAIRMAN MORELOCK:  Aye.

22                   Opposed?

23                   (No verbal response.)

24                   CHAIRMAN MORELOCK:  Abstentions,  
25 not voting?

1 MR. BAUGHMAN: No voting.

2 CHAIRMAN MORELOCK: And no  
3 voting.

4 So you have a contingently approved  
5 variance. You'll need to schedule a time with the  
6 Boiler Unit to come down, do an on-site review.  
7 Okay?

8 MR. ETHRIDGE: Thank you.

9 CHAIRMAN MORELOCK: Thank you.

10 All right. That takes us to Item IX,  
11 New Business.

12 Our first item of new business is  
13 23-07. WB Frozen US LLC in Lebanon, Tennessee  
14 requests a new issuance to be granted for the  
15 boiler remote attendant variance.

16 So, Mr. Toth, while you're preparing  
17 to present, are there any conflicts from the board  
18 members?

19 (No verbal response.)

20 CHAIRMAN MORELOCK: No conflicts  
21 by the board members.

22 MR. TOTH: Thank you,  
23 Mr. Chairman and Members of the Board.

24 I would like to thank Chairman  
25 Morelock for all his years of service, friendship,

1 and the opportunities that we have been able to  
2 spend together.

3 I hope you're not going to disappear  
4 on us and go work on race cars and stuff like  
5 that, right? Going to hang around some?

6 CHAIRMAN MORELOCK: Well, I've  
7 also got a one-year-old grandbaby.

8 MR. TOTH: That's right. Okay.  
9 Well, then, you get a pass.

10 CHAIRMAN MORELOCK: So I don't  
11 think you're going to trump that.

12 MR. TOTH: Mr. Chairman and  
13 Members of the Board, I'm here to present a  
14 variance request from WB Frozen. I'll give you a  
15 little back story on WB Frozen.

16 WB Frozen, the location in Lebanon is  
17 not new to this Board. The location previously  
18 had a variance under Weston Foods. It's the exact  
19 same location, exact same equipment, pretty much  
20 exact same personnel that are operating, and also  
21 the same training that they went through as Weston  
22 Foods. However, it was a complete sale of the  
23 company, and so now WB Frozen, under Wonder Brand,  
24 is requesting a variance on the preexisting  
25 equipment.

1           As you may see, there's really not a  
2 whole lot. It's more of a formality. But I am  
3 here to answer any questions you may have.

4           They operate two high-pressure  
5 watertube boilers at the location. They have a  
6 maintenance room directly next to the boiler room  
7 that has the remote panel. There is an attendant  
8 that is either in or in the vicinity of the remote  
9 station or in the boiler room at all times during  
10 operation. If, for some reason, they were to have  
11 to not be in that area for more than a 60-minute  
12 period, they would have to go back to the role  
13 where they would come and attend to the boiler  
14 once every 60 minutes.

15           Again, as I said, the company has  
16 continued with the remote attendant and boiler  
17 attendant training that they have -- that they  
18 possessed during their time as Weston Foods.

19           I'm very comfortable. I went to the  
20 location and ran them through a bank of tests to  
21 ensure that they are responding accordingly, and I  
22 was very satisfied with that. I think the Board  
23 and the Boiler Unit would be satisfied as well.

24           So I'm open to any questions that I  
25 may answer for you at this time.

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

3                   MR. MAY: Motion.

4                   MR. BAUGHMAN: Second.

5                   CHAIRMAN MORELOCK: I've got a  
6 motion and a second.

7                   What questions do the board members  
8 have for this variance?

9                   MR. MAY: Where it's talking  
10 about boiler attendant procedures, certified  
11 boiler attendant must be on the campus, how far  
12 away are they usually from the remote stops if  
13 they have to be away from them?

14                   MR. TOTH: Well, it's the plant  
15 location. When we say "campus," that's really a  
16 standard term, and that covers the  
17 responsibilities or the requirements of the State  
18 rules and regulations. They are in the vicinity,  
19 as I mentioned.

20                   The remote attendants are also  
21 certified within the company as a boiler  
22 attendant. So really, it's the same individual.  
23 And most situations, if there were to be an alarm  
24 at the remote panel, the same individual who would  
25 trip the e-stop at the panel would be the same



1 individual who would attend to the boiler.

2           They have a very unique remote panel.  
3 It was actually installed prior to me working with  
4 them. This particular panel, as you will see, has  
5 both switches and an e-stop. The emergency stop  
6 actually acts very similar to what the State  
7 requires for local e-stops in and around the  
8 boiler room, to where if an e-stop is pressed at  
9 the remote panel, it will secure both boilers. It  
10 does give the opportunity for the remote attendant  
11 to switch off independently the boiler that is in  
12 alarm, and they will do so if they feel  
13 appropriate.

14                   CHAIRMAN MORELOCK: Any other  
15 questions or comments from the Board?

16                   MR. BAUGHMAN: Mr. Toth, so this  
17 is really just a transfer from Weston to Wonder.  
18 Nothing has changed. And in reading through the  
19 previous manual that was presented, all the  
20 hardware is the same, procedure is the same. I  
21 went back to look at the previous comments from  
22 that presentation to this. The only thing is  
23 really personnel. They've had personnel change in  
24 that company transition.

25                   So the maintenance site leader, who

1 is not identified by name necessarily, but that  
2 person and Robert Newsome, the plant site leader,  
3 would be different than what we had in the  
4 previous manual. Those positions have changed.

5 MR. TOTH: I would say that that  
6 is accurate. As with any company, usually when  
7 you start getting into the supervisory management  
8 level, they have different titles. But they would  
9 serve the same role. When we talk about  
10 maintenance personnel or technicians, they tend to  
11 stay very similar.

12 And I believe that's exactly what  
13 you've noticed in this situation, is that it's the  
14 individual themselves may be the same individual,  
15 though their title may change. Or in this case, I  
16 know that they've gone through a number of  
17 maintenance manager types over the time that I've  
18 worked with them. And -- but what I've seen is  
19 that they've promoted from within.

20 MR. BAUGHMAN: And so to that  
21 extent, the training, and you're involved in --  
22 the training is paramount, and I'm glad that you  
23 go by to make the site visits. One of the things  
24 that I find in our business is site visits during  
25 the day can be totally different than site visits

1 in the evening.

2 MR. TOTH: Absolutely.

3 MR. BAUGHMAN: Not that that's a  
4 requirement, but it is -- you know, a site visit  
5 is a site visit. And then looking at how they're  
6 implementing their training. Ultimately, it gets  
7 approved with a site inspection and so forth.

8 But that's really the only thing that  
9 I noted. Otherwise, the manual is virtually --

10 MR. TOTH: Identical.

11 MR. BAUGHMAN: Almost verbatim.

12 One of the comments that I would make  
13 is -- as Chairman Morelock had presented before on  
14 the previous manual, was the highlighted section,  
15 which is in red, that is in there for the  
16 emergency procedures on page 4, under Section 2,  
17 does not have a tab on it.

18 MR. TOTH: That's the tab that  
19 you see there, the red tab.

20 MR. BAUGHMAN: I understand.  
21 This red tab is not a highlighted item.

22 MR. TOTH: I disagree with you,  
23 sir.

24 MR. BAUGHMAN: Okay. So what  
25 we're looking at is the tab. What I would suggest

1 is having the red placard, which is the  
2 requirement for being in the boiler room itself or  
3 in a remote station, as being under this red tab  
4 also.

5 MR. TOTH: Sir, I can assure  
6 you -- I see where you're going because you  
7 assisted Meharry with theirs, and Mr. Morelock  
8 brought that up. However, since ECS Consulting  
9 has submitted manuals, we've submitted those  
10 manuals under a red tab that has never been  
11 brought under consideration.

12 We provide the illustration of the  
13 placard under Section 2. So the illustration, to  
14 show the Board what the actual placard would look  
15 like, if we were to remove said illustration of  
16 the placard in Section 2, we would still be under  
17 the requirements of the guidelines.

18 So what I'm trying to say is, is if  
19 we were starting out and that would be brought up,  
20 that would be fine. But from what you're saying,  
21 I would have to go back through every client that  
22 I have and change their manual to have a  
23 highlighted tab. Because yourself has passed  
24 numerous manuals that are constructed just like  
25 that, sir.

1 MR. BAUGHMAN: Thank you for  
2 your input on that.

3 CHAIRMAN MORELOCK: Any other  
4 questions or comments?

5 (No verbal response.)

6 CHAIRMAN MORELOCK: Do I have a  
7 motion?

8 MR. MAY: So moved.

9 CHAIRMAN MORELOCK: So I have a  
10 motion to contingently approve this variance based  
11 on a successful site visit from the Boiler Unit.  
12 So all in favor --

13 MR. BAUGHMAN: He moved.

14 Did you make a motion?

15 MR. MAY: Uh-huh.

16 CHAIRMAN MORELOCK: Okay. I  
17 moved.

18 MR. BAUGHMAN: Do I have to  
19 second it?

20 (No verbal response.)

21 MR. BAUGHMAN: Second.

22 CHAIRMAN MORELOCK: All right.  
23 So all in favor say "aye."

24 (Affirmative response.)

25 CHAIRMAN MORELOCK: Opposed?

1 (No verbal response.)

2 CHAIRMAN MORELOCK: Abstentions,  
3 not voting?

4 (No verbal response.)

5 CHAIRMAN MORELOCK: You have a  
6 contingently approved variance.

7 MR. TOTH: Thank you,  
8 Mr. Chairman.

9 CHAIRMAN MORELOCK: You're  
10 welcome.

11 MR. TOTH: Members of the Board.

12 CHAIRMAN MORELOCK: All right.  
13 That takes us to Item 23-08. Nuclear Fuel  
14 Services requests an issuance to be granted for a  
15 boiler remote attendant variance. So --

16 MR. TOTH: It's me.

17 CHAIRMAN MORELOCK: It's all  
18 you?

19 MR. TOTH: That's me.

20 CHAIRMAN MORELOCK: It's all  
21 you.

22 MR. TOTH: Yes, sir.

23 Thank you, Mr. Chairman and Members  
24 of the Board. As with the previous measure, this  
25 is really just a -- I would say would be a

1 formality. The reason is, is if you look at  
2 Nuclear Fuel Service and you look at the cover  
3 page, you'll see that this is under Edition 10.  
4 They have had a variance for quite a while.

5           As you recall, I presented to the  
6 Board some time ago, last year I do believe, for  
7 the request for Nuclear Fuel Service to add a  
8 second remote station. We went through the  
9 process. I consulted and advised the client of  
10 the opportunities if they choose to do away with  
11 their original station, remote station, which was  
12 in the Guard Shack 5 on the plant.

13           For those that are aware, Nuclear  
14 Fuel Services is a highly, highly secured  
15 location. I've been in federal prisons, not  
16 actually as a prisoner, but I've been in federal  
17 prisons that had less security than this location.

18           Their guards are walking around with  
19 assault weapons and have a lot of responsibility.  
20 The thought was we need to take that  
21 responsibility away from the guard station, the  
22 Guard Station 5, and put it in a new location.  
23 That new location was the operations center, which  
24 was a newly constructed operations center.

25           At the time that we went through the

1 revisions, I discussed with them the potential of  
2 not having the guards be a remote attendant  
3 anymore. They wanted to keep it the way that they  
4 had it. Okay. No problem. They went through the  
5 capital investment to finish off the operations  
6 center, to do all the hardwiring, to put  
7 everything in.

8           And at that time is when they came  
9 back and said, okay, now we want to take away the  
10 remote station for Station 5. And I said, as I  
11 advised last year, we've got to go back in front  
12 of the Board to get that.

13           So that's what we're doing today, is  
14 getting that approval to where we are removing  
15 Guard Station 5, which is actually right outside  
16 of the boiler plant itself. And the sole  
17 responsibility for remote attendant is going to go  
18 to the operation center where they have people  
19 there 24/7, monitoring not only operations in the  
20 plant, but actually the remote station as well.

21           And again, we're in the process of  
22 finalizing -- through BTG, finalizing the training  
23 program for them. The schedule is for early  
24 January -- or mid-January, excuse me, to have that  
25 training conducted for not only the new remote



1 attendants, but also for boiler attendants.  
2 They've gone in and requested a whole packet on  
3 that. So we will be going through that in  
4 January, and then we will be requesting for a  
5 reinspection.

6           At this current time, their remote  
7 station at the operation center is disconnected.  
8 So they will not receive alarms at that nor will  
9 they act upon those alarms at that operation  
10 center. They still would act upon alarms from the  
11 guard shack.

12           And again, I can go over -- they  
13 operate two high-pressure boilers utilizing Hawk  
14 systems with Honeywell controllers. It's really  
15 the entire same system that they had when I  
16 presented a year ago, and we're just requesting to  
17 deactivate one of the remote stations.

18           And I'm open to any questions you may  
19 have.

20                   CHAIRMAN MORELOCK: What  
21 questions do the board members have?

22                   MR. BAUGHMAN: Mr. Toth, is  
23 distance added now that the operations center is  
24 going to be in place? Is that additional  
25 distance? I didn't look at the previous manual.

1 But is that added distance?

2 MR. TOTH: Not from Revision 1,  
3 not from addition to Revision 1. What we're doing  
4 is it's the same location that was proposed last  
5 year for the operation center. All we're doing is  
6 removing the remote station that's right outside  
7 the boiler room at the guard shack.

8 MR. BAUGHMAN: Got you. Thank  
9 you.

10 One of my concerns is it shows  
11 1200 feet. And I know we've had this discussion  
12 before, but the maximum limitation that Honeywell  
13 gives for either the CB780, which these boilers  
14 have for their enunciation is at 1,000 feet. And  
15 I know that you have said, well, it operates fine;  
16 we've had plenty of installation. But I want to  
17 know exactly how that's wired in.

18 MR. TOTH: That's a great  
19 question. We actually use local power for the  
20 remote panel with relays inside the remote panel.

21 MR. BAUGHMAN: There you go.  
22 That's exactly how it should be. So thank you for  
23 that. Appreciate that because not everybody  
24 addresses it in that form or fashion.

25 One other item of note, in comparing

1 back to the previous manual to the present, is --  
2 and it's not a requirement of our variance, but it  
3 is something to be noted, is the DA Data Sheet.  
4 And it's the same DA that was in there previously  
5 and it still showed a Tennessee number of TBD.  
6 And so do you have a number to assign to this now?

7 MR. TOTH: We do not. When I  
8 made my visit, I asked that same question. I  
9 said, I do not see a Tennessee tag. I know that  
10 there's remained communication through the  
11 insurance company, through the State. It was  
12 outside of my hands.

13 I do know that I advised them, we do  
14 need to have this deaerator registered. I asked  
15 for that information. They do not have it. The  
16 individuals that I spoke with were not privy to  
17 it. I told them, we need to get on top of this.  
18 That would be something that Chief Miller and his  
19 staff may need to bring to their attention  
20 whenever the time comes for that inspection.

21 Obviously, as you alluded to, it's  
22 not technically part of the variance, but it is  
23 part of their boiler system. And I agree with  
24 you, it's something that was brought up a year  
25 ago. Why has it not been taken care of? And I

1 will -- when I speak to the client after this  
2 meeting, I will bring that up, that it's been  
3 brought up again. So I appreciate you mentioning  
4 that.

5 MR. BAUGHMAN: Well, duly noted  
6 for the minutes.

7 Going back to the Boiler Unit and the  
8 Chief and what have you for follow-up also on  
9 that, but that was just one of the items that I  
10 noted going through and, again, kind of verifies  
11 that we go through these things with a pretty  
12 fine-tooth comb and analyses.

13 So that's all my questions.

14 CHAIRMAN MORELOCK: Okay.

15 MR. BAILEY: Mr. Chairman?

16 CHAIRMAN MORELOCK: Yes.

17 MR. BAILEY: I don't want to get  
18 too technical and I didn't want to interrupt the  
19 flow, but I don't think you ever had a motion to  
20 discuss. And Cassandra might could correct me on  
21 that.

22 THE REPORTER: That's correct.

23 MR. BAILEY: That's correct.

24 Okay.

25 CHAIRMAN MORELOCK: Okay. So do

1 I have a motion to discuss?

2 MR. BAUGHMAN: So moved.

3 MR. MAY: Second.

4 CHAIRMAN MORELOCK: Okay. Thank  
5 you.

6 MR. TOTH: So, Mr. Chairman and  
7 Dan, do I need to repeat everything I said?

8 Tom, are you sure you don't want to  
9 hear me talk more?

10 MR. HERROD: I'm sure.

11 MR. TOTH: Okay.

12 CHAIRMAN MORELOCK: Thank you.  
13 Thank you, Mr. Bailey. That's good.

14 All right. Any other -- okay. No  
15 more comments?

16 Do I have a motion?

17 MR. BAUGHMAN: Motion to approve  
18 contingent upon site visit inspection.

19 CHAIRMAN MORELOCK: Okay.  
20 Second?

21 MR. MAY: Second.

22 CHAIRMAN MORELOCK: Any more  
23 comments?

24 (No verbal response.)

25 CHAIRMAN MORELOCK: All right.

1 All in favor say "aye."

2 (Affirmative response.)

3 CHAIRMAN MORELOCK: Opposed,  
4 abstentions, not voting?

5 (No verbal response.)

6 CHAIRMAN MORELOCK: You have a  
7 conditionally approved variance.

8 So let's take a 10, 15 minute break,  
9 and we'll come back and finish this up.

10 (Recess observed.)

11 CHAIRMAN MORELOCK: Let's  
12 reconvene.

13 We are in Section 9 for New Business,  
14 and our next item of business is Item 23-09.

15 Ultium Cells requests installation permits for  
16 thermal fluid heaters utilizing stop isolation  
17 valves in the relief path.

18 So if you'll prepare to present your  
19 item.

20 While you're doing that, are there  
21 any conflicts from the board members?

22 (No verbal response.)

23 CHAIRMAN MORELOCK: No  
24 conflicts.

25 MR. TOTH: Thank you,

1 Mr. Chairman, Members of the Board. Again, Marty  
2 Toth of ECS Consulting. Here with Jim Anderson,  
3 who is Facilities Manager from Ultium Cell. And  
4 we are requesting approval against Board Case  
5 23-01, which is allowing relief path isolation  
6 valves on their thermal fluid heaters.

7 As the Board recalls, just recently,  
8 the Board passed BC 23-01 with the stipulation  
9 that -- from the original submission that the  
10 Board be brought into the approval process for the  
11 submission or the permitting of said vessels.

12 What you see before you is the actual  
13 submission package. Part of BC 23-01 stipulates  
14 that there has to be a written procedure that will  
15 outline the -- to ensure that the vessels are  
16 being continuously prevented or protected against  
17 overpressure of the vessel itself.

18 As we go through the actual  
19 presentation, past the cover page and the Revision  
20 Page, as you can see, very familiar with what you  
21 see from ECS in regards to a Revision Page, this  
22 document will be living, breathing as any  
23 revisions are made to it over the course of time.  
24 If we're so honored to be approved by the Board,  
25 we will make revisions to this document and

1 present it or submit it back to the Chief  
2 Inspector.

3           The letter -- as you see here,  
4 Mr. Anderson requested to the Board for us to be  
5 able to operate our eight thermal fluid heaters at  
6 the Ultium Cells location in Spring Hill,  
7 Tennessee. And they're all constructed to  
8 Section I of the ASME code. You're very familiar;  
9 you received quite a bit of documentation on  
10 those.

11           This is some additional documentation  
12 that you would see. One, we've created another  
13 installation permit, as stipulated in BC 23-01,  
14 providing the necessary information that the  
15 Boiler Unit would need.

16           If I'm not mistaken, I believe some  
17 permits had already been issued by the State for  
18 the installations of the -- oh, thank you. It's  
19 on the screen. Permits had previously been issued  
20 for these units. This would, in essence, mirror  
21 that and also provide some additional information.  
22 You'll see that on page 6 of -- if you're going to  
23 present it on the board, page 6 of the submittal.

24           On page 7 of the submittal is when we  
25 start getting into the procedures that are



1 outlined in the requirements for the operation of  
2 these units with stop valves in the relief path.  
3 I assume the Board has had an opportunity to  
4 peruse those.

5           Starting on page 10 and 11, you will  
6 have additional information on the actual relief  
7 valves that are utilized since these are thermal  
8 fluid heaters. Those are relief valves versus  
9 safety valves.

10           On page 11 is what is used by Kunkle,  
11 the vessel manufacturer, to identify the  
12 information in -- and that is stamped on the  
13 relief valves to identify what their usage is.

14           One of the most important things is  
15 to understand that these are the 929 relief  
16 valves. 929 relief valve is specifically designed  
17 and constructed by Kunkle to be utilized in  
18 thermal fluid operations.

19           Starting on page 12 of the submittal,  
20 what the Board has been looking for, for quite  
21 some time, we provided one of the MDRs,  
22 Manufacturer's Data Report. Obviously, we have  
23 all of the Manufacturer's Data Reports.

24           One thing of note, if you look at the  
25 top right, you will notice that we have a very

1 recent date, September 22nd of 2023. The reason  
2 is as we were going through the process, it was  
3 noted that the Manufacturer's Data Report lacked  
4 the required information that is stipulated in  
5 Section I of the ASME code.

6 In doing so, I advised my client, who  
7 is Ultium Cells, to get with the vessel  
8 manufacturer and have revisions and corrected  
9 copies made and then resubmitted back to the  
10 National Board per the requirements of the  
11 National Board. And as you can see, this is an  
12 example of how they went through that process.

13 The identifying information that was  
14 absent on the original can be found on page 13  
15 midway through the document, under Line Item 15,  
16 Remarks. And if you look, you will see from  
17 page -- from Number 6 on is the information that  
18 was missing, such as the manufacturer of the oil  
19 and maximum temperatures as well as the heater  
20 capacity information. And so that was added to  
21 the Manufacturer's Data Reports.

22 On page 15 is a supplemental sheet  
23 that's supplemental to the Manufacturer's Data  
24 Report. And it is also corrected with vessel  
25 information -- or excuse me. It's with the actual

1 information having to do with the valves that are  
2 put onto the unit. That would be P-7 on page 16.

3           And so when we went through the  
4 process of updating and correcting the  
5 Manufacturer's Data Reports, they would go  
6 through. So if you were to request this  
7 Manufacturer's Data Report from the National  
8 Board, you would receive not only the P-3 form for  
9 the vessel itself, you would receive the P-6 form  
10 for supplemental and also the P-7 form that  
11 identified the pressure relief valves.

12           Under page 18, this is the  
13 information for the gate valves, as stipulated in  
14 BC 23-01. The stipulation of a rising stem gate  
15 valve that would not restrict flow. That is what  
16 we were showing you here.

17           Page 19 gives you specific  
18 information of the actual valves themselves with  
19 an illustration of where they would be located.

20           Page 20 is from the manufacturer's  
21 information on -- page 20 and 21 is schematics of  
22 the actual heaters themselves and also the piping.

23           As you can see on page 20, I've  
24 indicated where the pressure relief valves are  
25 located.

1           And then I've given you an  
2 illustration on page 21 and circled it, where  
3 isolation valves would be located, also coming off  
4 of the headers itself. Okay? That would be to --  
5 supplying to and from the heater to the headers.

6           Page 22, gentlemen, you will see the  
7 locking device that is being prescribed for the  
8 gate valves. One thing that has been changed in  
9 the request from Ultium Cells is that instead of  
10 having redundant -- in the way of the relief  
11 valves, having two sets or have -- the idea is  
12 that we will have one set of relief valves. Okay?

13          And primarily, what we're looking for is the  
14 vessel will be turned off. Okay? It will not  
15 continue to operate while we are changing over the  
16 safety valves.

17           Initially, the idea was to have two  
18 separate sets of relief valves, and one set would  
19 be in operation with the shut-off valves locked in  
20 the open position. And the second set, we would  
21 be able to close those shut-off valves so that we  
22 could shut off those safety valves just for  
23 convenience sake.

24           The thought was that what we would do  
25 is the vessel would be turned off. We would then

1 be able to unlock the shut-off valves, isolate  
2 those relief valves, both inlet and outlet, take  
3 off the relief valve, do whatever maintenance  
4 needs to be done to it to switch it out, reinstall  
5 the relief valves, and then open up the isolation  
6 valves.

7           Again, the main reason for this is  
8 the location of the relief valves on these units.  
9 As we're very aware of, where we normally see  
10 relief valves on pressure vessels is primarily at  
11 the highest point of the vessels.

12           The design of these vessels, the  
13 relief valves are actually below the top of the  
14 vessel. Therefore, we have the potential of  
15 materials being released, and we want to keep that  
16 from happening. And then also, keep from having  
17 to drain the entire system out or at least drain  
18 the system for that particular heater, which is  
19 quite a bit of oil that is subject to degradation  
20 if exposed to air.

21           So, gentlemen, we are open to any  
22 questions that you may have concerning this.

23           Again, we have eight of these units.  
24 If this is approved, we're looking for the  
25 approval to carry over all eight units. And the

1 procedure would cover all eight units, and the  
2 training will be part of the training that Boisco  
3 Training Group is doing for Ultium Cell that's in  
4 development at this point, that will be a section  
5 within that training that will cover the  
6 procedures for the opening and closing of these  
7 valves.

8 MR. BAILEY: Mr. Toth, could you  
9 introduce the gentleman that joined you at the  
10 table, please.

11 MR. TOTH: I had already,  
12 Mr. Bailey. But this is Mr. Jim Anderson with  
13 Ultium Cells.

14 MR. BAILEY: Thank you.

15 MR. TOTH: Sorry about that,  
16 sir.

17 CHAIRMAN MORELOCK: Do I have a  
18 motion to discuss?

19 MR. BAUGHMAN: So moved.

20 CHAIRMAN MORELOCK: Okay.

21 MR. MAY: Second.

22 CHAIRMAN MORELOCK: Second.

23 What questions do the board members  
24 have?

25 MR. BAUGHMAN: Mr. Toth, thank

1 you for this presentation, and Mr. Anderson, for  
2 being here.

3           One of the questions I've got, and it  
4 goes back to the minutes of our discussion in  
5 September in regard to BC 23-01 and discussing  
6 adding some more guidelines and so forth into it,  
7 I haven't seen 23-01 -- excuse me, BC 23-01  
8 published. So we don't have a reference to  
9 BC 23-01 that has been given to us as the board  
10 members.

11           We do have minutes of the discussion,  
12 but we do not have 23-01 Board Case to be able to  
13 review so that we could make sure that the  
14 verbiage in the minutes matched up with the actual  
15 board case. Nor has that BC 23-01 been put on the  
16 website under those interpretations and board  
17 cases. So I wanted to make note of that. We are  
18 not in receipt of BC 23-01.

19           MR. TOTH: As with all board  
20 cases and interpretations, once they are passed by  
21 the Board, the responsibility of publication goes  
22 back to the Boiler Unit. So I don't know. You  
23 would have to ask the Boiler Unit about that. But  
24 as precedence has been set in the past, once a  
25 board case or interpretation has been passed by

1 the board, it becomes active at that particular  
2 time.

3 MR. BAUGHMAN: I understand  
4 that. My concern is, is that we made  
5 modifications to that BC 23-01 in the September  
6 meeting, and that has not been put into a written  
7 form for not only ourselves in our review, but it  
8 hasn't been put out for the public either.

9 MR. TOTH: Okay. The -- from my  
10 recollection, and somebody may be able to correct  
11 me, the only addition would be what I mentioned at  
12 my introduction, which was the addition of  
13 presenting the application for installation and  
14 the procedure to the Board for your acceptance.  
15 And if that's the case and that's all we're  
16 missing, that should be a very easy fix. And just  
17 to add that to the document, and then if it needs  
18 to be published, again, that would be the -- to  
19 the Boiler Unit's responsibility.

20 MR. BAUGHMAN: Sure. Because  
21 what we're voting on, this is also something for  
22 others in the industry to view.

23 MR. TOTH: Absolutely.

24 MR. BAUGHMAN: And we need to be  
25 able to have that document, not only for the



1 general public, but for ourselves as board members  
2 and the Boiler Unit.

3 I don't know, Chief, if you have seen  
4 BC 23-01. I looked for it personally in my  
5 records and could not find it.

6 So I'm interested to see and actually  
7 review it. And that's my concern with it, is  
8 going back and actually being able to review that  
9 board case.

10 MR. TOTH: Mr. Baughman, let me  
11 ask the question. So you were looking in your  
12 records for the submission of BC 23-01, and you  
13 can't find it? You're not saying that you looked  
14 on the website and can't find it.

15 MR. BAUGHMAN: Both. I looked  
16 on the website and within my own -- and going back  
17 through our own discussions, originally back  
18 through this year, as 23-01 came up this year,  
19 going back through those presentations,  
20 discussions, and so forth. So --

21 MR. HERROD: Mr. Chairman,  
22 excuse me.

23 CHAIRMAN MORELOCK: Yes.

24 MR. HERROD: Give us time  
25 between now and the next meeting to get all of

1 that edited correctly, sent to you. We can put it  
2 on the website as an unapproved board case and  
3 just -- for the fact that we published. Then we  
4 can talk about it through emails and fine-tune the  
5 language and bring it up at the next meeting as a  
6 discussion item on the case. Okay?

7 MR. BAUGHMAN: Yes. And I  
8 appreciate that. I guess my point is, is that I  
9 wish 23-01 was available presently at this meeting  
10 to be able to look at also.

11 MR. TOTH: And I understand  
12 that. But -- so are we saying that we're not able  
13 to move forward with putting this into practice?  
14 Is that what you're saying?

15 MR. BAUGHMAN: I'm not making a  
16 motion on that. What I'm putting out there is  
17 discussion on this item, to make note that  
18 BC 23-01 is not in hand to be able to review.  
19 Since we are discussing and voting on an item in  
20 23-01, we don't have that to refer to. So --

21 MR. TOTH: But that was -- okay.  
22 And I get that. I object to the fact that my  
23 client is going to have to -- if the Board so  
24 chooses to accept, is going to have to wait an  
25 additional three months because of something that

1 was outside of his control.

2 MR. BAUGHMAN: And I appreciate  
3 that.

4 MR. BAILEY: Can I interject  
5 here? I'm sorry. If I can interject. As far as  
6 BC 23-01 being in effect, it became effective when  
7 you voted on it in September. It just hasn't been  
8 published, apparently. But the discussion should  
9 be in the minutes, September minutes that you  
10 approved earlier.

11 So if that's critical to your action  
12 today, you may want to take a minute to look at  
13 those minutes again, about that discussion, to see  
14 if what he's proposing matches BC 23-01 so that it  
15 would not cause an extra delay. I would suggest  
16 that you might consider doing that.

17 MR. BAUGHMAN: And I appreciate  
18 that input, Mr. Bailey. I did look back over the  
19 minutes to go over those discussions. What I did  
20 was also went back to previous meeting minutes in  
21 the discussion of 23-01 and -- so all of that is  
22 in the minutes, the discussion.

23 My concern is, is that what we  
24 discussed and what gets put in needs to be  
25 verified, that all the verbiage is what we had

1 discussed. And we're making an assumption that it  
2 is. And I would make that assumption. I'm just  
3 saying, as far as -- and we discussed in our  
4 minutes, crossing t's, dotting i's, and dotting  
5 that lowercase j. But this is just a part of  
6 that. But it is in the minutes.

7                   So to further that discussion, let's  
8 get off of BC 23-01. But part of that discussion  
9 in the minutes was bringing the MDRs to the plate,  
10 correct?

11                   MR. TOTH: Uh-huh.

12                   MR. BAUGHMAN: Okay. So being  
13 that we had to -- and we agreed upon bringing the  
14 Manufacturer's Data Reports, which we kind of  
15 bantered back and forth, but we said a corrected  
16 report was going to be in place, which it is, for  
17 one vessel.

18                   MR. TOTH: I will be more than  
19 happy to provide you the other seven. And if the  
20 Board so chooses for us to provide all seven  
21 copies to this document, we would be more than  
22 happy to add the additional 42 pages to this  
23 document.

24                   MR. BAUGHMAN: And what I would  
25 extend to that is that, for one, it is a

1 requirement of BC 23-01, and that it's also a  
2 requirement of your Master Installation Permit  
3 that states, "When applying for multiple  
4 installations at one location, an application is  
5 required for each boiler," for thermal fluid  
6 heater being installed. We've got one permit and  
7 one MDR.

8 MR. TOTH: That is fine.

9 MR. BAUGHMAN: And because of  
10 that, we're able to then analyze one unit out of  
11 eight, and that's what I wanted to bring up.

12 MR. TOTH: If I may,  
13 Mr. Chairman.

14 I agree with what you're saying,  
15 Mr. Baughman; however, recognizing the application  
16 for permit to install is submitted to the Chief  
17 Boiler Inspector. What we are submitting right  
18 now is analyzation of the procedures that are  
19 going to be put into place to take care of what we  
20 are applying for. Once we get to the point of,  
21 yes, they're installed, yes, they're ready to be  
22 inspected, we'll be more than happy to. It was  
23 not clear, okay, that at this meeting, every  
24 single one needs to be printed out.

25 As Mr. Bailey alluded to, you need to

1 take time to review 23-01. I can take the same  
2 time to print up the extra 42 pages of MDRs that  
3 are going to look exactly like this one. Okay?

4 And obviously, I've worked with this  
5 Board a long time, and I believe that I've earned  
6 the trust of this Board that says that these  
7 documents are identical. But if you feel that we  
8 need to print out those extra 42 pages of  
9 documents, I'll be more than happy to have that  
10 done, and then we can reconvene.

11 MR. BAUGHMAN: And the reason I  
12 would ask for that is because, for one, we're  
13 looking at documents that had to be resubmitted  
14 and corrected. We don't like to make assumptions  
15 that everything is correct. These units are not  
16 all identical, from what I understand. They're  
17 different BTUs; is that correct?

18 MR. ANDERSON: They're all the  
19 same.

20 MR. TOTH: They're all the same.

21 MR. BAUGHMAN: They're all the  
22 same. So they're all -- the BTU, same input. All  
23 the data is the same.

24 MR. ANDERSON: Uh-huh.

25 MR. BAUGHMAN: Okay. I was

1 thinking there was a difference of BTUs with some  
2 of the units and some of the first information we  
3 were analyzing.

4 MR. ANDERSON: No. The only  
5 difference we have is -- sorry. The only  
6 difference is we run four of them at 40 degrees  
7 Fahrenheit lower than the other four. Other than  
8 that, they're identical units.

9 MR. BAUGHMAN: Very good.  
10 I'm always interested in looking  
11 at -- and, of course, the permitting and approval  
12 is back through the State Boiler Unit, Chief,  
13 designees, and so forth.

14 But one of those attention to details  
15 is going back through, looking at the units, the  
16 MDRs, the relief valves, the type of gate valves  
17 that you put on, which I noted are conventional  
18 port, not full port valves. They don't show a  
19 Cv -- any valve is going to have some restriction.  
20 It's not going to have no restriction. It's going  
21 to have some restriction. And so because of that,  
22 I'm always interested in the technical side of  
23 what the Cv is on it, what the pressure drop is,  
24 and so forth.

25 And I've noted that these are both

1 one-inch and half-inch conventional port. But no  
2 information as far as on the Cv or the restriction  
3 on those. So that's a point of concern for me. I  
4 don't like to take information and just carte  
5 blanche put a rubber stamp, say okay, we're good.  
6 I want to be on the technical side. So I make  
7 note of that.

8                   But going back through, I feel that  
9 even though they're all the same vessel, that it  
10 is a requirement that those documents be submitted  
11 and we lay that out for review. Again, that's  
12 just my input in on it.

13                   I'll rest my mouth here for just a  
14 little bit and let others ask some questions.

15                   CHAIRMAN MORELOCK: So what both  
16 of you has presented is correct. You have to have  
17 all of those records when that installation is  
18 completed, correct?

19                   MR. TOTH: (Nods head.)

20                   CHAIRMAN MORELOCK: So this is  
21 an opinion. So what is the schedule to have this  
22 complete -- installation to be completed and ready  
23 for operation?

24                   MR. ANDERSON: Currently we're  
25 waiting on this meeting and we have the valves



1 ready to go. We have not installed them,  
2 obviously, until we have this answer.

3           That being said, we're in the end of  
4 January by the time we get them installed and  
5 flushed and ready to fire up for inspection. And  
6 we're trying to do that for our remaining boilers.  
7 Currently we have only two of the eight that have  
8 been inspected. So we're in the -- we would start  
9 today, literally. That was our plan. But it  
10 would be January or February before we would call  
11 for inspection.

12           CHAIRMAN MORELOCK: So again,  
13 this is just an opinion here. I'm not making a  
14 motion. But if the Board provides a contingent  
15 approval based on the fact that you get all the  
16 documentation put together and you get the  
17 installation completed, and then a site visit will  
18 satisfy Mr. -- your concerns about the  
19 documentation, because they will have it when that  
20 is completed. And that's part of the site visit.  
21 And then if all of that is satisfactory, then  
22 they're ready to go and it doesn't hold them up.  
23 And if there is a problem, then it's on them.  
24 It's not on us holding up production.

25           MR. BAUGHMAN: And I see that,

1 and we don't want to impede commerce or --

2 CHAIRMAN MORELOCK: Yes.

3 MR. BAUGHMAN: -- the facility  
4 in any regard versus making sure that we follow  
5 the protocol on what we set here.

6 Each individual -- What we agreed  
7 upon was that this would come to the Board on an  
8 installation-by-installation basis. So the next  
9 customer, we can analyze the same, albeit  
10 everything we do sets a precedent, and there's  
11 always a precedent set in whatever decisions we're  
12 making. So always being thoughtful of that with  
13 other installations, I'm not one that -- I have no  
14 desire to impede the company getting up and in  
15 production.

16 Quick question was you said one of  
17 these or two of these have already been inspected?

18 MR. ANDERSON: Yes.

19 MR. BAUGHMAN: And both of those  
20 inspections passed?

21 MR. ANDERSON: That's correct.  
22 They passed with -- we had to add an e-stop at the  
23 door. But yes, they both passed.

24 MR. BAUGHMAN: Were the two  
25 units operational?

1 MR. ANDERSON: Are they?

2 MR. BAUGHMAN: Were those two  
3 units operational?

4 MR. ANDERSON: They had been  
5 test-fired, but we hadn't used them until after  
6 the inspection. But they are operational.

7 MR. BAUGHMAN: At the time of  
8 inspection, they were able to run?

9 MR. ANDERSON: Yes.

10 MR. BAUGHMAN: So these units  
11 are in a process -- they're going to have to be  
12 flushed as it is. But to go back in and install  
13 these valves, you're going to have to drain the  
14 fluid as it is, correct?

15 MR. ANDERSON: We have not  
16 filled them. We've got four units that we haven't  
17 filled because we're waiting on -- we don't want  
18 to fill them just to empty them again.

19 MR. BAUGHMAN: Sure. I'm  
20 addressing the two that have already been passed  
21 and inspected.

22 MR. ANDERSON: Yes. Those will  
23 need to be drained. We'll need to fire up some of  
24 the new boilers so that we can relieve those.  
25 Shut them down, drain them to make the change,

1 adding the isolation valves back in.

2 MR. BAUGHMAN: Who was the  
3 inspector?

4 MR. ANDERSON: It was Craig --  
5 Greg. Greg Strickland.

6 MR. BAUGHMAN: Yes, sir.

7 I know and we've talked about the  
8 amount of training within our unit, with  
9 inspectors on not only hot water boilers, steam  
10 boilers, but on thermal fluid heaters.

11 And, Chief, you may add to this.

12 The need for additional training,  
13 especially on the thermal fluid side of the  
14 business, I had conversation with Inspector  
15 Strickland, myself, and we talked about levels of  
16 expertise and so forth. And there's just concerns  
17 with his end of it, of going, I really don't know  
18 anything about thermal fluid systems.

19 And I bring that up because that's  
20 what this Board is here for, is totally about  
21 safety, addressing any issues that need to be.  
22 And I wanted to bring that up so that we can, for  
23 one, address the need for further training within  
24 the FT -- thermal fluid industry.

25 But I want to make sure that when

1 these inspections are done, that they're very  
2 versed on BC 23-01 and what it is they're looking  
3 at and so forth also. So I just wanted to bring  
4 that up for comment.

5           Again, Chairman Morelock brought up  
6 maybe taking this and making the others contingent  
7 upon site visits. I would be interested to know  
8 and speak with Mr. Strickland at the time of his  
9 site visit if the MDRs were given to him at that  
10 time for his review in this inspection. I already  
11 somewhat know, but I wanted to address that.

12           MR. TOTH: Are you talking about  
13 the two that were put online and passed?

14           MR. BAUGHMAN: Have they been  
15 put online?

16           MR. TOTH: Or are you talking  
17 about the two that were tagged?

18           MR. BAUGHMAN: Yeah. I'm  
19 talking about the two that have been inspected.

20           MR. TOTH: Okay. With regards  
21 to that, I would doubt that the MDRs were given to  
22 him because those had been done previously to this  
23 being submitted.

24           Just to understand, that the shut-off  
25 valves, if you're aware or not, have been removed

1 on those two units. So those in a -- the service  
2 that they would be put in on, okay, do not have  
3 any isolation valves on them. So when we bring  
4 those down, okay, at that time, if we're issued  
5 this approval, they would have the isolation  
6 valves reinstalled.

7           Again, the communication at that  
8 September meeting of what did this proposal need  
9 to look like, you mention this is the Master  
10 Installation Permit. Okay? You called this the  
11 Master Installation Permit because it's an  
12 illustration of the information on the permit  
13 itself, or should be.

14           When you look at the permit, you will  
15 see that there is a disclaimer that states each  
16 individual vessel must have its own permit  
17 application. Okay? So just like with the MDRs,  
18 their illustration, so too is this permit.

19           So when we submit the permit, okay,  
20 based on the approval from this Board, we will  
21 submit a second permit. That second permit would  
22 have the appropriate MDR, representing the boiler  
23 that we're applying for. At that time, the  
24 requirements will be that permit and that  
25 supplemental information should, okay, and would

1 be provided to the inspector. And at that time of  
2 those final inspections, they will have that  
3 information at hand.

4 MR. BAUGHMAN: So the issue I've  
5 got is kind of the protocol. We've had an  
6 inspection on two units. Those two units passed.  
7 We're agreeing that the MDRs were not supplied at  
8 that time to the inspector, albeit that is the  
9 protocol. So right off the bat, it doesn't matter  
10 if they're thermal fluid heaters or if they're  
11 Section I.

12 MR. TOTH: That's right.

13 MR. BAUGHMAN: That's a  
14 requirement, as per our installation permits and  
15 for our BC 23-01.

16 So what I'm getting at is that  
17 everything isn't following the path that it should  
18 be from a paperwork standpoint.

19 MR. TOTH: Well, but -- and I  
20 agree with that in this case here, but you've been  
21 in this business and in this state a long time,  
22 and there's been boilers that your company has  
23 installed that I can pretty much bet that didn't  
24 have the MDR at hand when that boiler was  
25 inspected, just like vessels that I inspected for

1 many years.

2                   Now, with that said, does that make  
3 it okay? No, it does not make it okay. However,  
4 sir -- however, the MDR in this responsibility had  
5 an inspector. So let's not throw the inspector  
6 under the bus, that he put a tag on that boiler  
7 because there was not an MDR on hand. That was  
8 before we went through the process and before I  
9 became involved, and Mr. Anderson can assure you  
10 that there are individuals at this boiler  
11 manufacturer company that will not be sending me a  
12 Christmas card. Okay?

13                   So I do understand and I agree  
14 100 percent. Let's not get to a point where we're  
15 going to penalize for stuff that happened before  
16 when we're trying to make it right now.

17                   MR. BAUGHMAN: All I'm getting  
18 at is that the procedure, as we're discussing and  
19 being looked at to vote on, has already not been  
20 followed.

21                   And the other end, as I'll make  
22 clarification, that Allied Boiler & Supply  
23 Incorporated does not install boilers. So I just  
24 wanted to clarify that, as you made the statement  
25 of boilers that we installed. We do not install



1 boilers.

2           So again, that -- you know, going  
3 through information, analyzing it, looking at  
4 relief valves, these vessels are -- so are --  
5 relief valves are set at 145.

6           MR. TOTH: 145, 149.

7           MR. BAUGHMAN: And 148. Maximum  
8 allowable pressure on a vessel is 145.03 and so  
9 forth. So by code, it's okay.

10          MR. TOTH: It's right on.

11          MR. BAUGHMAN: We're right on  
12 it.

13                 But going back through and analyzing  
14 these things, that's why it's important for us, as  
15 data, that for me -- or if we approve for the  
16 field inspector to analyze. But what we're  
17 talking about now is the field inspector didn't  
18 have the information. Not to throw the inspector  
19 under the bus, but it wasn't looked at, analyzed  
20 to the degree it was supposed to. So, how do we  
21 carry that forward?

22                 MR. TOTH: And how we carry that  
23 forward is upon approval of this procedure, is  
24 what we're looking for, we will go back; we will  
25 take this Master Installation Permit; we will

1 individualize it to each of the eight units,  
2 provide the documentation, very similar to what  
3 you see in this procedure, and send that with the  
4 MDRs to the Boiler Unit, and requesting for  
5 inspection once we have had the opportunity to go  
6 back and install both the isolation valves and the  
7 relief valves per our proposal.

8 MR. BAUGHMAN: And I think that  
9 that's great. I still have an issue, going back  
10 on the technical side, with those valves being  
11 conventional port and the data not being supplied  
12 to show that.

13 So I would not -- personally, if it  
14 was myself, whether I'm looking at it from a  
15 mechanical standpoint approval and what have you,  
16 I wouldn't put a stamp of approval without having  
17 that additional data for those particular valves  
18 that you're going to install or looking to  
19 procure. So that in itself is crucial.

20 As we all know in the industry, we  
21 want to look at restriction of any flow. And that  
22 data is not present. So how we incorporate that  
23 into this is something, but to me is a vital part  
24 since we're putting valves before and after a  
25 relief valve device on a pressure vessel that's

1 Section I. We're making a jurisdictional vote of  
2 making this accepted, and we want to make sure  
3 that we're not making a decision that could have  
4 adverse effects.

5 MR. TOTH: I agree. I agree.  
6 So what data are you looking for in regards to the  
7 isolation valves? And is that acceptable at point  
8 of inspection?

9 MR. BAUGHMAN: Again, not to  
10 throw any inspector under the bus, but it's a  
11 matter of making sure that these items that we're  
12 discussing, i.e., MDRs, valves, specs, and what  
13 have you, are addressed.

14 One of the things I would look at is  
15 does the inspector know what he's looking at on  
16 the valve side? The inspector typically would not  
17 have a background or knowledge of the valve.  
18 Looking at this, I don't think that they would  
19 have any question about it. Whereas somebody  
20 technical, like us, brings those things to the  
21 table.

22 So it's something to be incorporated  
23 somewhere. Whether that information goes to the  
24 Chief, whether it gets disseminated back somewhere  
25 or another, I don't know. I just know that I

1 wouldn't want to put a stamp on this, especially  
2 being that it's listed as a conventional port and  
3 not full port. And it's described in our  
4 procedures documents, minutes, that the valve  
5 would have little restriction. And "little" is  
6 something that needs to be looked at.

7 MR. TOTH: Minimal, yeah.  
8 Minimal.

9 MR. BAUGHMAN: So just food for  
10 thought. Again, I don't have the answers to it,  
11 but I know it's something that needs to be  
12 addressed in whatever form we can decide that  
13 needs to happen in.

14 MR. TOTH: Thank you.

15 MR. BAUGHMAN: Thank you.

16 One other point, just to go back to  
17 our previous minutes and what Mr. Henry had talked  
18 about, was presenting this as a code case to  
19 Section I. And you had said that you would follow  
20 up on that. I'm interested to know if there's  
21 been any more conversation, follow-up, so forth,  
22 so that this can be addressed on a different level  
23 through a different source.

24 MR. TOTH: There has not been  
25 any more discussion as a code case. We have --

1 the NBIC meetings are coming up in January. And I  
2 do know that a counterpart that I have, that we  
3 serve on committees together, she and I have a  
4 note to have additional conversations about this,  
5 leading forward. But I have not heard of any  
6 official code case within ASME come about yet.

7 MR. BAUGHMAN: Thank you.

8 CHAIRMAN MORELOCK: Any other  
9 comments or questions?

10 (No verbal response.)

11 CHAIRMAN MORELOCK: Do we have a  
12 motion?

13 MR. BAUGHMAN: Chairman, what  
14 would that motion look like since as it's  
15 presented in their cover letter, is that they're  
16 applying for approval on their eight units. I'm  
17 curious to know what that motion would look like.

18 CHAIRMAN MORELOCK: Mr. Toth.

19 MR. TOTH: Mr. Chairman, if I  
20 may, the approval on the eight units is approval  
21 under BC 23-01, which would be a tentative  
22 approval based on the final inspection by the  
23 Boiler Unit.

24 If it so pleases the Board that those  
25 applications plus supporting documentation such as

1 the MDRs and data for the actual valves being  
2 submitted -- I do agree with Mr. Baughman. The  
3 concern that can be had from a conventional port  
4 versus a full port, I don't feel that a  
5 conventional port is going to cause issue. But  
6 that's my feelings.

7           We need to supply some information on  
8 that and would be happy to supply it and make it  
9 in a form that would be very obvious to the  
10 inspector, that they can feel comfortable that  
11 there would be no -- any backflow restrictions  
12 that would hamper these units or cause excessive  
13 pressure.

14           I feel that the capacity allowances  
15 of these relief valves are such that any type of  
16 restrictions would still be overcome by the  
17 ability to relieve these units without causing any  
18 additional back pressure. However, I do see  
19 Mr. Baughman's point with that.

20           So I think it behooves us to provide  
21 that information to the inspector that's going to  
22 be perfectly clear as to no issues of back  
23 pressure on these units. And we'll be more than  
24 happy to have that information supplied to the  
25 Boiler Unit so the Boiler Unit and the Chief

1 Inspector can provide that to their inspector.

2 MR. BAUGHMAN: I'm just curious,  
3 in this discussion, if moving forward beyond this  
4 vote, if there's any way to have additional  
5 oversight on these types of critical installations  
6 whereas we're installing isolation valves on the  
7 relief valves, what kind of additional oversight  
8 could we have above and beyond putting that weight  
9 on an inspector's shoulders that may not have all  
10 the training or knowledge that needs to be in such  
11 a critical installation. That's just kind of a  
12 thought that runs off the top of my head.

13 And whether that oversight could be  
14 through someone like yourself, myself, anybody in  
15 the industry that would have expertise within that  
16 that could actually be of help to an inspector  
17 that I know personally does not presently have a  
18 lot of knowledge within thermal fluid.

19 What's your thoughts on that?

20 MR. TOTH: I agree  
21 wholeheartedly. Inspector Strickland actually  
22 called me up when he was at the plant. It was a  
23 very good discussion. I get those calls on a  
24 regular basis from inspectors or the Chief  
25 Inspector or assistant. I think that's wonderful.

1 And that's something that I didn't grow in the  
2 industry with my predecessors that necessarily did  
3 that. It's a position of vulnerability. But I  
4 really like the fact that they do call and ask  
5 these questions.

6 I think that Chief Miller has the  
7 experience to see when permits do come in that are  
8 not your cut-and-dry installation, he has the  
9 opportunity to -- and he is the best judge of the  
10 abilities of his deputy inspectors, and maybe to  
11 the point where he puts it upon himself to  
12 actually go be a part of that. I think that that  
13 would be -- that's a great resource.

14 I think something like this, if they  
15 came across Chief Miller's desk blindly, he's  
16 probably going to pay it a little bit more  
17 attention than just rubber-stamping it and sending  
18 it on to an inspector. And if he's not  
19 comfortable with that, I know Chief Miller and his  
20 predecessors before him have a nice Rolodex of  
21 numbers that he would be able to call.

22 So I agree with you. The department  
23 knows -- they have me on speed dial anytime they  
24 need me. Obviously, I'm going to give them my  
25 opinions and give them what expertise I can



1 provide. And yourself and Mr. Morelock, we're all  
2 there for them. So I agree with that.

3 I don't know how you put that in  
4 stone. I think it just really has to become a  
5 judgment call from Chief Miller. And with his  
6 experience with it, he's going to take the right  
7 steps.

8 MR. BAUGHMAN: And I thank you  
9 for that input. Again, it gets back to some of  
10 the technical stuff, and I know we're making --  
11 we'll take this manual, take the comments that  
12 were made about the valves, getting information  
13 back. But there's a lot of follow-up to what goes  
14 on here and is discussed and is in the minutes  
15 that then go back to Chief Miller, his  
16 dissemination back to the deputies that are  
17 involved on the inspections.

18 Once it leaves our table, it's up to  
19 the industry to follow through on that. And  
20 that's something that we just want to make sure  
21 that -- in this particular case, because of it  
22 being the most -- I can't even remember a case  
23 coming before the Board asking for isolation  
24 valves in front of and behind the relief valves.

25 And I know, as you do as we work with

1 boilers in the industry, that's always been, can  
2 we put a valve in the relief valve path? No. Can  
3 we put valves in our equalizing lines? We want to  
4 do the same thing.

5           So valving has always been and is  
6 part of Section I. Again, if this was a  
7 Section VIII direct-fired unit, we wouldn't be  
8 having the discussion.

9           MR. TOTH: We would not.

10           MR. BAUGHMAN: But it is  
11 constructed to Section I for whatever reason, was  
12 decided. And because of that, we're having to go  
13 through this jurisdictional vote.

14           So again, I voice my concerns on  
15 where it's at. We approved, through the minutes,  
16 making the changes to BC 23-01. I'm still -- I  
17 haven't seen 23-01, by chance, come up on the  
18 board. I was interested to look at that.

19           MR. TOTH: I can send it to  
20 someone. I have it right here. I can send it to  
21 someone. And it should be in --

22           MR. BAILEY: He had it up there  
23 at one time.

24           MR. TOTH: Yeah. It was up  
25 there a minute ago, I thought.

1 MR. HERROD: Give me a second.

2 MR. MAY: There it is.

3 MR. HERROD: There we go.

4 MR. TOTH: There we go. That's  
5 it.

6 MR. HERROD: Where do you want  
7 to be?

8 MR. BAUGHMAN: BC 23-01, just  
9 peruse it real quick, going from the top, looking  
10 down. Stop right there.

11 "Before installation and/or  
12 implementation, the owner/user must apply by  
13 permit requesting acceptance by the Boiler  
14 Inspection Unit. A copy" -- and this is before  
15 installation or implementation. "A copy of the  
16 Manufacturer's Data Report and specifications data  
17 sheet shall accompany the permit or at the time of  
18 installation as the permit states."

19 Again, there's 40-some odd pages of  
20 extra documents that you're going to provide  
21 anyway that will be provided at the time of  
22 installation.

23 "The user, at the time of  
24 application, must provide a written administrative  
25 control outlining procedures."

1           That's what we've got in the document  
2 that you've provided.

3           If you can scroll down some more,  
4 Mr. Herrod. Thank you for pulling that up, by the  
5 way.

6           "The heater must be provided with  
7 redundant pressure relief valves."

8           You've attended to that because  
9 you're not operating the boiler at the time that  
10 the heater is being addressed. So that's a great  
11 point because that would have been a point of  
12 contention in this discussion.

13          Scroll on down, please, if you would.

14          So "the construction must be of the  
15 gate valve type designed for thermal fluid, open,  
16 close, be in a rising stem gate valve. The stop  
17 valve's flow resistance, pressure drop in the full  
18 open position does not reduce the relieving  
19 capacity below that required by the heater code of  
20 construction."

21          And that was the only point that I  
22 had any concern about. And so by going with a  
23 full port, we're going to be able to address that.  
24 Or even if the conventional port would suffice to  
25 that. My issue is that's a half-inch valve

1 conventional port, and a half-inch conventional  
2 port could possibly give us more restriction. A  
3 larger valve won't have so much issue on, but  
4 we're dealing with very small valve sizes to begin  
5 with.

6 MR. TOTH: I think the port size  
7 is going to be like 0.4, something like that. So  
8 that's where I mention -- I think that's a really  
9 good point, and how this was written was  
10 requirements of the heater's original code of  
11 construction, and it all comes down to the  
12 accumulation or the capacity of the unit. And the  
13 capacity of the relief valves are such that it  
14 gives quite a bit of wiggle room.

15 I would definitely be concerned if we  
16 asked for a certain amount by the vessel  
17 manufacturer, you've got to relieve this much  
18 capacity and that's all we're getting. I would  
19 definitely be concerned. I'm not as concerned,  
20 but I do agree with you, that we could provide  
21 some backup information to ensure the inspector  
22 that we are within the allowances.

23 MR. BAUGHMAN: Very good.

24 Is there any more to that,  
25 Mr. Herrod, below that? So that ends BC 23-01.

1 Thank you so much for bringing that up.

2           So to move forward in this, I think  
3 that that's all -- we've discussed it to a great  
4 degree, and I'm thankful for that. And so to move  
5 forward within this, and you presented -- or we've  
6 discussed about a motion. And again, how would  
7 you verbalize that motion now?

8           MR. TOTH: Move to tentatively  
9 approve the procedure under BC 23-01, contingent  
10 upon appropriate application and required  
11 submitted documentation to the Boiler Unit, and  
12 then we can go on to say to include the  
13 Manufacturer's Data Report and supporting  
14 information concerning the isolation valves, the  
15 potential of restriction in the isolation valves.

16           MR. BAUGHMAN: One question,  
17 going back to the other documents that are to be  
18 supplied at the time of installation.

19           At the bottom of page 5, it says,  
20 "Have all additional state/local installation  
21 permits been obtained? Attach copy. Yes, Not  
22 Available, or Additional State/Local Permits  
23 Supplied at Time of Installation."

24           Does the inspector know what  
25 additional permits, both state and local, are to

1 be provided or is that kind of a -- again, a carte  
2 blanche, open-ended thing?

3 MR. TOTH: Yes, sir. Just a  
4 little history of this. This -- as you're very  
5 aware, this document was created during my tenure.  
6 And we had a committee. We created a committee to  
7 put this together. And one of things we wanted to  
8 make sure of was that the owner/user knew that  
9 there may or may not be additional requirements  
10 beyond the State requirements. And so this is  
11 really for their sake, of stating, do we have  
12 additional jurisdictional requirements like city  
13 codes and things of that nature.

14 And what we would say is this puts it  
15 back off on to -- back off the back of the deputy  
16 inspector's responsibility such that if something  
17 came down the line, let's say a City official  
18 showed up because there was not a gas permit  
19 pulled, so on, so forth. It's not the deputy  
20 boiler inspector's responsibility to ensure that a  
21 gas permit was pulled, or electrical permit, so  
22 on, so forth.

23 And if for some reason the owner/user  
24 did not have the opportunity to come back on and  
25 says, hey, well, the State Boiler Inspector passed

1 this, well, yes, the State Boiler Inspector did  
2 their responsibility of checking the boiler, not  
3 necessarily all the requirements.

4           That's why I put that actual  
5 statement in there, is to say, are we going to  
6 supply some additional State requirements? Yes.  
7 There are no other requirements, N/A, or we will  
8 provide additional documents at time of the  
9 inspection. And so if there are any other  
10 additional documents, such as -- why am I getting  
11 that look?

12                   MR. BAUGHMAN: Well, I'm  
13 wondering why that's even in there if it's not  
14 being followed up on. If it's just a CYA type of  
15 statement, why is that even in there?

16                   MR. TOTH: I can re-explain why  
17 we put that in there some years ago, was for that  
18 very factor, is to ensure that the owner is  
19 aware -- or the installer is aware that there may  
20 be other City or State requirements in permits.

21                   It's not for the inspector to go out  
22 and ask, do you have other documents to provide?  
23 It's to make sure that the installer, as the  
24 representative of the owner/user, knows there may  
25 be and we may ask for them. Okay? Such as an EPA



1 permit for exhaust. Okay. Boiler inspector is  
2 not going to look for that, nor should they.

3 Okay?

4 But just because they passed the  
5 boiler inspection does not mean that they're okay  
6 with other departments in state and federal  
7 government. That's what that means.

8 MR. BAUGHMAN: And I understand  
9 that. I guess my issue is that it says these are  
10 supplied at the time of inspection. Well, the  
11 inspector is there inspecting it. Again, it's up  
12 to the owner/user to go, yeah, we've supplied  
13 them; it's being inspected; we've got them. It's  
14 just kind of a statement of who are they being  
15 supplied to and who is overseeing them.

16 MR. TOTH: I'm on this side of  
17 the table now, so that's no longer my document.  
18 So you can look over on this side. If they would  
19 like to change that permit application, that's who  
20 we need to speak with. Thank you.

21 MR. BAUGHMAN: You bet.

22 And to further that, as you know, on  
23 these units, we do have state air requirements for  
24 these size units to fall under the NOx  
25 requirements. So we do have an NOx requirement.

1 That air permit will get filed back to the State.  
2 Not that it's part of this. It's part of that  
3 little check at the bottom. But there are those  
4 additional permits that have to be supplied and  
5 followed up on by whoever.

6 MR. BAILEY: We call it the code  
7 document.

8 MR. TOTH: I've been called  
9 worse.

10 MR. MILLER: We were just  
11 discussing that, supplied at inspection. We want  
12 to take that out. It should be supplied to us  
13 directly when they submit the permits to us. That  
14 should have never been an option, to be on that  
15 report.

16 MR. BAUGHMAN: I appreciate  
17 that, and I think that's good information. And  
18 now that Mr. Toth is in a different position --

19 MR. TOTH: You can do whatever  
20 you want. We didn't even have an installation  
21 permit before we put this into place. So I think  
22 it's served itself well for the past few decades.  
23 But I agree. If you feel like all documents need  
24 to be submitted at time of permit, so be it. Good  
25 luck with that.

1 MR. BAUGHMAN: Good. Worthy of  
2 further discussion.

3 Thank you, Chief Miller.

4 Thank you, Mr. Toth.

5 CHAIRMAN MORELOCK: So what's  
6 the pleasure of the Board?

7 MR. BAUGHMAN: Again, what is  
8 the definitive motion?

9 Just to reiterate the definitive  
10 motion, Mr. Toth? Thank you.

11 MR. TOTH: Sure. The motion is  
12 to approve the request of installation of the  
13 eight fluid -- thermal fluid heaters at Ultium  
14 Cells, okay, tentative to reapplication of each  
15 heater with the supplemental documentation to  
16 include the Manufacturer's Data Report data  
17 information on the isolation valves, and that's  
18 it.

19 MR. BAILEY: Subject to an  
20 inspection.

21 MR. TOTH: Subject to an  
22 inspection by the Boiler Unit.

23 MR. BAUGHMAN: Other than that,  
24 I would just ask your input, Chief Miller, if we  
25 could add to that those additional state and local

1 permits since we're moving in that direction, that  
2 they be applied in the future at the time of  
3 application for installation. Would it be okay to  
4 ask for that at this point?

5 MR. MILLER: Yes, to ask for  
6 that now with the new permits? Yes.

7 MR. BAUGHMAN: Could we add that  
8 into the motion, Mr. Toth?

9 MR. TOTH: You're wanting to add  
10 that we're going to provide additional permit  
11 documentation?

12 MR. BAUGHMAN: State, local.

13 MR. TOTH: Give us that laundry  
14 list, and we'll make sure and provide it.

15 MR. BAUGHMAN: Thank you.

16 MR. TOTH: Okay. If you can  
17 provide that laundry list of what you want, okay,  
18 the end user will be more than happy to provide  
19 it. But we need to know what you want as in other  
20 documentation.

21 MR. BAUGHMAN: Very good. Thank  
22 you.

23 MR. TOTH: Okay? Thank you.

24 CHAIRMAN MORELOCK: Is that a  
25 motion?

1 MR. BAUGHMAN: Sounds like a  
2 motion.

3 CHAIRMAN MORELOCK: Sounds like  
4 a motion. Do I have a second?

5 MR. MAY: Second.

6 CHAIRMAN MORELOCK: Do I dare to  
7 ask for any more comments?

8 I'm going to call the question. All  
9 in favor say "aye."

10 (Affirmative response.)

11 CHAIRMAN MORELOCK: Opposed?

12 MR. BAUGHMAN: Aye.

13 CHAIRMAN MORELOCK: Are you a  
14 no?

15 MR. BAUGHMAN: No. I voted aye.

16 CHAIRMAN MORELOCK: Okay. All  
17 right. It's unanimous.

18 MR. TOTH: Thank you, gentlemen.

19 CHAIRMAN MORELOCK: Thank you.

20 All right. So that takes us to  
21 Item X, Open Discussion Items. There are none.

22 MR. BAUGHMAN: Are we sure about  
23 that?

24 CHAIRMAN MORELOCK: I'm  
25 positive. It's not on my agenda, and we voted

1 this agenda and this is the one we're going with.

2 MR. BAUGHMAN: I would reiterate  
3 a comment that I just heard; groovy.

4 CHAIRMAN MORELOCK: Item XI is  
5 Board Cases and Interpretations. There is none.

6 Item XII is Upcoming 2024 Scheduled  
7 Quarterly Meetings. It's going to be March the  
8 13th, June the 12th, September the 11th, and  
9 December the 11th.

10 And then Item XIII is Adjournment.

11 Thank you-all for your diligence and  
12 your participation. It helps us make a really  
13 good set of rules and requirements in the state of  
14 Tennessee. Thank you-all.

15 We are dismissed and adjourned.

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17 END OF THE PROCEEDINGS.

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## 1 C E R T I F I C A T E

2 STATE OF TENNESSEE )

3 COUNTY OF WILLIAMSON )

4 I, Cassandra M. Beiling, a Notary Public  
5 in the State of Tennessee, do hereby certify:

6

7 That the within is a true and accurate  
8 transcript of the proceedings taken before the  
9 Board and the Chief Inspector or the Chief  
10 Inspector's Designee, Tennessee Department of  
11 Labor & Workforce Development, Division of  
12 Workplace Regulations and Compliance, Boiler Unit,  
13 on the 13th day of December, 2023.

14

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

19

20 IN WITNESS WHEREOF, I have hereunto set my  
21 hand this 2nd day of January, 2024.

22

23

24

25

-----  
Cassandra M. Beiling, LCR# 371  
Notary Public State at Large  
My commission expires: 3/10/2024