

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

DEPOSITION OF BOARD OF BOILER RULES

Taken September 15, 2021



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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

SEPTEMBER 15, 2021

Lisa M. Finch, LCR #539
2651 Old Greenbrier Pike
Greenbrier, TN 37073
(615) 306-3301
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1 APPEARANCES:

2 Brian Morelock, Chairman
3 Owner-User Representative

4 David W. Baughman
5 Owner/User Representative
6 Allied Boiler & Supply, Inc.
7 4006 River Lane
8 Milton, TN 37118

9 Harold F. Bowers
10 Insurance Representative
11 Centerville, TN

12 Jeffery Henry, Board Member
13 Boiler Manufacturer Representative
14 ATC-CES, Chattanooga, TN

15 Chris O'Guin, Chief Boiler Inspector

16 Mike Ryan, Assistant Chief Boiler Inspector

17 Thomas Herrod
18 Assistant Commissioner, State of Tennessee

19 Daniel Bailey, Esquire
20 Legal Counsel, State of Tennessee

21 Kenneth Nealy, Board Member

22 Jamie Presson
23 Executive Admin. Assistant, State of Tennessee

24 Michelle Irion
25 Boiler Admin. Staff Supervisor, State of Tennessee

1 Guest Appearances:

2 COLONIAL CHEMICAL

3 Josh Lofty

4 Robert Horton

5 Jimmy Rigsby

6

7 A.O. SMITH CORPORATION

8 Greg Reynolds, Global Director of Certification and
9 Reliability

10

11 LOCHNIVAR, LLC

12 Jeff Kleiss, Senior Produce Engineer on behalf
13 of A.O. Smith Corporation

14

15 TENNOVA JEFFERSON MEMORIAL HOSPITAL

16 Douglas Davis

17 Joseph Adams

18

19 NEVILLE ENGINEERING

20 James Neville

21

22 INNOVATIVE ENGINEERING SERVICES

23 Ryan Hertter

24

25 BOISCO TRAINING GROUP

26 Marty Toth

27

28 VUMC

29 Travis Reasons

30

31 INDUSTRIAL BOILER AND MECHANICAL

32 Brandon Haynes

33 Micah Lashley

34 Matthew Grove

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A-G-E-N-D-A

- 1
- 2 * CALL MEETING TO ORDER
- 3 * INTRODUCTIONS AND ANNOUNCEMENTS
- 4 * ADOPTION OF AGENDA
- 5 * APPROVAL OF THE MARCH 10, 2021 MEETING MINUTES
- 6 * CHIEF BOILER INSPECTOR'S REPORT
- 7 * VARIANCE REPORT
- 8 * OLD BUSINESS
- 9 None
- 10 * NEW BUSINESS
- 11 * Item 21-04 - COLONIAL CHEMICAL requests variance
12 for boiler attendant requirement.
- 13 * Item 21-05 - HYOSUNG requests variance for boiler
14 attendant requirement.
- 15 * Item 21-06 - TENNOVA JEFFERSON MEMORIAL HOSPITAL
16 requests variance for boiler attendant requirement.
- 17 * Item 21-07 - TENNOVA TURKEY CREEK MEDICAL CENTER
18 requests variance for boiler attendant requirement.
- 19 * Item 21-08 - VANDERBILT WILSON COUNTY HOSPITAL
20 requests variance for boiler attendant requirement.
- 21 * Item 21-09 - TENNOVA CLEVELAND requests variance
22 for boiler attendant requirement.
- 23 * Item 21-10 - TENNOVA NEWPORT requests variance for
24 boiler attendant requirement
- 25 * Item 21-11 - Variance Guideline and Checklist
Revisions
- * RULE CASE INTERPRETATIONS
- * BI 21-02 ECS Consulting, LLC, requests an
interpretation on the requirements for manually operated
remote shutdown switches assigned to low-pressure
boilers installed and operated in the State of

1 Tennessee.

2 * BC 21-02 - A.O. Smith Corporation requests
3 reconsideration of a Boiler Board Interpretative ruling
4 regarding the clearance requirements for the
5 installation of gas-fired storage water heaters with
6 energy inputs less than 400,000 BTU/h.

7 * OPEN DISCUSSION ITEMS

8 * David Baughman - Tennessee Cod Annotated
9 68-12-110, Inspection of boilers, (a)(2): "Low pressure
10 boilers shall be inspected both internally and
11 externally biennially where construction will permit."
12

13 * ANNOUNCEMENT OF NEXT MEETING

14 The next regularly scheduled meeting of the
15 Board of Boiler Rules will be held on DECEMBER 15, 2021,
16 9:00 AM, at the State of Tennessee Department of Labor
17 and Workforce Development building located at 220 French
18 Landing Drive, Nashville, Tennessee.
19

20 * ADJOURNMENT
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1
2 CHAIRMAN MORELOCK: Calling the meeting
3 to order. I want to welcome everybody to the September
4 Tennessee Board Meeting. Let me go over just a few
5 things here, as I call the meeting to order; the safety
6 item is, if there's an emergency in the building, the
7 security services will come and take us to a safe place
8 in the building, if need be, and with the rain today, I
9 don't know that we would exit the building, but if we
10 did, we would exit on the Rosa Parks side of the
11 building, so.

12 I would ask everyone to silence your
13 cell phones out of respect for the presenters and the
14 conversations, so if you have not done that, please do.
15 And so, as you can tell, the masks are not required in
16 the Pearl Room, so just be mindful of where masks are
17 needed or where would we need to wear masks? Anywhere?
18 We're all good for the whole building, all right.

19 Okay, so -

20 MR. BAILEY: I would highly suggest that
21 we do wear one.

22 CHAIRMAN MORELOCK: Do what?

23 MR. BAILEY: I said, I would highly
24 suggest that we do wear one.

25 CHAIRMAN MORELOCK: Okay. So it's

1 optional.

2 MR. BAILEY: It's optional.

3 CHAIRMAN MORELOCK: So let me go on down
4 to "Introductions and Announcements," and so what I'm
5 going to do is start with Court reporter, Lisa Finch,
6 and we'll go around and get the Board Members to
7 introduce themselves, the State, and then we'll let all
8 the visitors introduce themselves. So, Lisa, we'll
9 start with you.

10 THE REPORTER: Lisa Finch, with Briggs &
11 Associates.

12 MR. HENRY: Jeffery Henry, Board Member,
13 Chattanooga, Tennessee

14 MR. MORELOCK: Brian Morelock, Board
15 Member.

16 MR. BOWERS: Harold Bowers, Board
17 Member.

18 MR. BAUGHMAN: David Baughman, Board
19 Member.

20 MR. BAILEY: Dan Bailey, Legal Counsel.

21 MR. HERROD: Thomas Herrod, Assistant
22 Commissioner for WRC.

23 CHIEF O'GUIN: Chris O'Guin, Chief
24 Inspector.

25 MR. RYAN: Mike Ryan, Assistant Chief.

1 MS. IRION: Michelle Irion, Board
2 Secretary.

3 MR. NEALY: Kenneth Nealy, Assistant
4 administrator WRC.

5 MR. LOFTY: Josh Lofty, Plant Manager,
6 Colonial Chemicals, South Pittsburg, Tennessee.

7 MR. RIGSBY: Jimmy Rigsby, Maintenance
8 Manager, Colonial Chemical, Chattanooga.

9 MR. HAYNES: Brandon Haynes, I'm an
10 Engineer at the Industrial Boiler Mechanical.

11 MR. HORTON: Bob Horton, Project
12 Engineer, Colonial Chemical.

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

15 MR. GROVE: Matthew Grove, Legislative
16 Liaison, Department of Labor and Workforce Development.

17 MR. LASHLEY: Micah Lashley, Chubb
18 Insurance.

19 MR. TOTH: Marty Toth, Boisco Training
20 Group and ECS Consulting.

21 MR. REASONS: Travis Reasons, Director
22 of Facilities, Vanderbilt Wilson County Hospital.

23 MR. KLEISS: Jeff Kleiss with Lockinvar
24 owned by A.O. Smith.

25 MR. REYNOLDS: I'm Greg Reynolds with

1 A. O. Smith.

2 MR. NEVILLE: James Neville, Neville
3 Engineering.

4 MR. BLAZER: Gary Blazer (phonetic) with
5 (unintelligible/inaudible).

6 MR. DAVIS: Doug Davis, Director of
7 Facilities, Tennova Health Cleveland.

8 MS. PRESSON: Jamie Presson, Executive
9 Admin Assistant, State of Tennessee.

10 CHAIRMAN MORELOCK: Thank you all. Are
11 there any other announcements?

12 MR. BOWERS: Hello, my name is Harold
13 Bowers, said in the introduction, I've had the
14 opportunity to serve on this Board through two governors
15 and I really appreciate it. I have recently retired
16 from (unintelligible) Global Insurance Company, and part
17 of the rule on the Board is you really need to be
18 working for an insurance company in some capacity, so I
19 decided, I have no plans of doing any of that right now,
20 so I'm going to kind of step down from my position on
21 the Board. I've really enjoyed working with all the
22 Board Members and the State, Chris and the rest of the
23 guys at the Board (unintelligible), and I really
24 appreciate everybody's work and I appreciate having
25 served the citizens of State of Tennessee and the great

1 opportunity. I've been in this business for almost 44
2 years now, and, you know, it's been a really, really
3 interesting, fantastic career and I just, I really love
4 it and people say, well, I got to the point where, you
5 know, at 68, 69, climbing ladders and climbing on top of
6 boilers, got a little tedious, so but I've had a great
7 opportunity, worked all over the Southeast, you know,
8 besides Tennessee, and some of big accounts, like Disney
9 Universal, you know, just the local area, Vanderbilt,
10 Nissan - Nissan, when we had coal burners. It's been a
11 fantastic career, it's been fantastic, for young people
12 getting into it, it's a great career. But I want to
13 appreciate the Board and having the opportunity to
14 serve, working with the great guys I got to work with.

15 MR. BAUGHMAN: Here, here.

16 (Applause)

17 MR. BOWERS: So what I'll do, today will
18 be my last official meeting, unless the Board -- I will
19 come back in December as a guest, if I'm welcome?

20 CHAIRMAN MORELOCK: You will be.

21 MR. BOWERS: If you need me to serve in
22 the last capacity in December, if the Governor hasn't
23 vetted a new one, I'm glad, but probably today will be
24 my last official meeting.

25 MR. MORELOCK: Harold, we certainly

1 thank you for your service and you will be missed. As
2 Harold has indicated, we are going to have a celebration
3 for his term here on the Board at the December meeting,
4 so I hope everybody will be able to come and enjoy that
5 time of fellowship with Harold and the Board, and so
6 we're looking forward to that, thank you.

7 Okay. Any other announcements? All
8 right.

9 Next item is adoption of the agenda,
10 hope everybody's got a copy of that. Do I have a motion
11 to accept the agenda?

12 MR. BAUGHMAN: So moved.

13 MR. HENRY: Second.

14 CHAIRMAN MORELOCK: Okay, got a motion to
15 second. Any discussion? Call to question, all in favor
16 say "aye."

17 (Affirmative response.)

18 CHAIRMAN MORELOCK: Opposed?

19 (No verbal response.)

20 CHAIRMAN MORELOCK: Abstentions, not voting?

21 (No verbal response.)

22 CHAIRMAN MORELOCK: We have an approved
23 agenda. That will take us on to the approval of the
24 June 2021 meeting minutes, hope you've had the
25 opportunity to read through those. And do I have a

1 motion to accept the June 21 meeting minutes.

2 MR. HENRY: So moved.

3 CHAIRMAN MORELOCK: Got a motion. Second?

4 MR. BAUGHMAN: Second.

5 CHAIRMAN MORELOCK: All right, any
6 corrections, additions, clarifications?

7 (No verbal response).

8 CHAIRMAN MORELOCK: Hearing none. Call to
9 question, all in favor, say "aye."

10 (Affirmative response.)

11 CHAIRMAN MORELOCK: Opposed?

12 (No verbal response.)

13 CHAIRMAN MORELOCK: Abstentions, not voting?

14 (No verbal response.)

15 CHAIRMAN MORELOCK: We have approved minutes
16 for June 2021 meeting. Before I go to the -- well no --
17 let's go on to the Chief Boiler Inspector's report.

18 CHIEF O'GUIN: Chris O'Guin, Chief
19 Inspector. Inspections from July 1, 2021 through
20 September 15, 2021, the State had 2,925 inspections,
21 insurance had 5,109. Delinquency totals with the rates
22 in the far right column, the State has 537 vessels
23 delinquent with a 0.7 percent delinquency rate.
24 Insurance has 1,521 with a 2.1 percent delinquent rate,
25 that's total of 2,058 delinquency vessels at 2.8

1 percent. High pressure vessel delinquent totals, State
2 has 49 delinquent, bring us to a 12 percent delinquent
3 rate. Insurance has 301 with a 20-percent delinquent
4 rate, totaling 350 vessels delinquent, 18 percent
5 overall delinquent. I will turn the variance report
6 over to Assistant Chief Mike Ryan.

7 MR. RYAN: Mike Ryan, Assistant Chief. The
8 last quarter we have 81 active variances out there. We
9 have seven passed inspection. We have 11 that are not
10 ready to train or equipment needs.

11 CHAIRMAN MORELOCK: Thank you gentlemen for
12 those reports.

13 MR. BAUGHMAN: Mike, I've got a question; we
14 had previously how many -- we've got 81 active now,
15 that's reduced from, what was it previously? We had
16 nearly a hundred and something before?

17 MR. RYAN: Just a second.

18 MR. BAUGHMAN: Thank you for taking the
19 time.

20 MR. RYAN: I'm going to have to come back on
21 that.

22 MR. BAUGHMAN: That's fine, I was just more
23 curious than anything about the reduction in active
24 variances. Yes, getting back is fine, thank you.

25 CHIEF O'GUIN: I believe it was 70 something

1 last meeting, but I'll go back and check it.

2 MR. BAUGHMAN: Okay, so maybe it increased
3 then?

4 CHIEF O'GUIN: It's increased a little bit.

5 MR. BAUGHMAN: Thank you.

6 CHIEF O'GUIN: And those numbers, active
7 variance numbers are not going to, you won't see it
8 fluctuate a whole lot because some of these inspections
9 performed in the past is going to be reinspections, it
10 actually won't come to the Board, so they won't be new.

11 CHAIRMAN MORELOCK: Thank you, Chief O'Guin
12 for that clarification. Any other questions about the
13 variance report or the Chief's report?

14 (No verbal response.)

15 MS. PRESSON: This is Jamie, I pulled up
16 Chris's June report to you all and there were 7 tea 5
17 active at that time. I forwarded to you.

18 MR. BAUGHMAN: Thank you Jamie thank you
19 Chief, Assistant Chief.

20 CHAIRMAN MORELOCK: All right, that takes us
21 to old business, to which we have none. So that take us
22 now to new business and what I want to, what I stopped
23 from saying, I'm going to say now, is we have a very
24 full agenda and it's going to take all day to get
25 through this agenda, so certainly present your items and

1 we'll certainly ask questions and vet those, but out of
2 respect for all the presenters, we've got seven variance
3 manuals, and if we take a 45 minutes for those, that's
4 going to fill up our day plus all the others, so just,
5 my request is be mindful of the time. I certainly want
6 to vet these manuals completely. I want all your
7 comments to be made, and so just bear that in mind as we
8 go through these manuals.

9 As these items are brought up, there's a
10 public forum table that you'll see right here, and if
11 you need more than couple of chairs, we've got extra
12 chairs over here so everybody can get around the table
13 to present these items, and so we'll present them and
14 discuss them and we'll vote, so I just wanted to make
15 you aware of that.

16 So, our first item is item 21-04
17 Colonial Chemical requests a variance for boiler
18 attendant requirement. While you all are getting
19 prepare, please introduce yourself and then present your
20 item. And are there any conflicts of the Board Members?

21 (No verbal response.)

22 CHAIRMAN MORELOCK: All right. No -- no
23 conflicts.

24 MR. HORTON: Bob Horton, I'm Project
25 Engineer of the Boiler Installation for Colonial

1 Chemical. I don't know the format. If you have
2 questions to ask, otherwise I can present a quick
3 summary on what we are and what we're all about, if
4 that's okay? We're a small speciality chemical plant,
5 batch operations, probably 25 physical reactors. The
6 main people we'll talk about today are chemical
7 operators in the plant, maintenance technicians in the
8 plant. We have a maintenance manager. I'll say that in
9 the manual you're going to see a reference to
10 "maintenance manager," "maintenance supervisor," those
11 are one in the same, we'll correct those to "maintenance
12 manager," and our shift supervisors.

13 Operators, we run about twelve operators
14 per shift. These operators run multiple pieces of
15 equipment at the time. Those are our key positions.
16 Operators are either A, B, C level qualification.
17 Maintenance Techs are either A or B, you can see
18 reference to those in job descriptions. What we were
19 trying to do is get a variance for remote monitoring, so
20 the first position to talk about is the remote monitor.
21 We're proposing that a group of our chemical operators
22 be, take the position as the remote monitors. The
23 boiler attendant, we'll get into a little bit more
24 detail on days when our maintenance crew is there, be
25 our maintenance men. In the book you can see there's a

1 schedule, we staff maintenance primarily on days and on
2 weekends, so if there's any work to be done on the
3 boilers, it's done by maintenance, okay, if they're not
4 available and it needs to be done, we hold down, there's
5 no one else qualified that's built into our model, we
6 set that down some.

7 Also, from a boiler attendant
8 standpoint, when the maintenance techs are not on site,
9 our supervisor will take on those responsibilities; if
10 he's unavailable, he'll designate that to the A
11 Operator, and our A Operators are highly qualified
12 operators.

13 If you skip to the back of the book,
14 about three from the back, there's a layout of our plan.
15 And if you can, it's this page, and if you look at it,
16 there's a dotted box and in that box are reactors, that
17 area is all the time staffed by at least a group of five
18 operators. It's in our standard operating procedures
19 that during the break shift change, lunches, there's
20 always someone assigned there, so what we're proposing
21 is to put our emergency shutdown box, the manual and the
22 instructions at the operator's desk in that box and it's
23 notated like "remote boiler panel," and just on the
24 upper side to the, it's south on the drawing, but you
25 see where our boiler room is, boiler room is brand new,

1 boiler room that we constructed, boilers are being
2 installed, the steel building has been delayed like many
3 things, so we'll construct that, and it's adjacent, tied
4 to our maintenance building.

5 So our goal is to hardwire the alarms off
6 the boilers to the alarm panel that'll be within that
7 work area, that's staffed all the time by at least one,
8 a group of five normally, chemical operators that are
9 operating different vessels, covering for each other at
10 breaks, shift changes, lunches, it's manned the whole
11 time per our SOP's.

12 Any other details you want me to flesh
13 out and go through? Our maintenance men at the
14 beginning of each shift will do the check on the alarm
15 system, radio check. I've got in here a list of people
16 that he will notify of this alarm, a remote monitor so
17 the primary is the maintenance tech, then do a radio
18 check. We'll also trigger an alarm to check that the
19 panel is activated at the beginning of the shift on
20 days. We're twelve-hour shifts, rotating shifts, 24/7,
21 we never shut down except for basically maintenance and
22 inspection on the boilers, still do the check on that
23 through the supervisor on second shift and our
24 maintenance tech on the dayshift that I can
25 (unintelligible) as boiler attendants.

1 THE COURT: Do I have a motion to discuss?

2 MR. BOWERS: Motion to discuss.

3 CHAIRMAN MORELOCK: Motion to second?

4 MR. HENRY: Second.

5 CHAIRMAN MORELOCK: All right. What
6 questions does the Board have for this variance?

7 MR. BOWERS: I noticed these boilers are
8 brand new boilers, how long has this plant been in
9 operation?

10 MR. HORTON: '95, since '95.

11 MR. BOWERS: Have you had boilers before?

12 MR. HORTON: Yes.

13 THE COURT: So these boilers are just
14 replacing the other boilers?

15 MR. HORTON: We have got a hundred.

16 (Court reporter having trouble hearing, asked
17 Presenter to speak up.)

18 MR. HORTON: Okay, we've got two boilers,
19 one we own, we'll move on, we got a rental boiler, we're
20 right at capacity on those, so as soon as we install our
21 new boilers, those will be taken out of service. We
22 needed the real estate, from a safety standpoint we want
23 to move them, so those will be removed from service.

24 MR. BOWERS: Presently you're going by the
25 20-minute rule? These are high-pressure boilers, right?

1 MR. HORTON: That's correct.

2 CHAIRMAN MORELOCK: Presently going by the
3 20-minute rule, correct?

4 MR. HORTON: Yes, sir.

5 MR. BOWERS: So what concerns me is when you
6 get a variance situation, you say well, we have chemical
7 operator/boiler attendant, training is very important,
8 then what is your priority? Was your priority the plant
9 chemical operation? I worked at a chemical plant 23
10 years, sometimes it's taking priorities. I got a line
11 for the boiler. I got a line for the plant. If I don't
12 take care of the plant, boiler (unintelligible) it. If
13 you don't take care of the boiler, the plant blows up.
14 There's some certainty on training and setting
15 priorities, to me, the boiler operator part is higher
16 than the operator part because you can blow the plant up
17 if the boiler operator is not properly trained.

18 MR. HORTON: Jimmy, can you comment on
19 what we do for maintenance guys in training?

20 MR. RIGSBY: Jimmy Rigsby. We sent our
21 maintenance techs, we send them to Ware University
22 through the Boiler Training. Any other, if we get
23 beyond -- our maintenance techs are multi-craft, so they
24 do everything in the plant, and they rank on their
25 knowledge who can do what, but if it's beyond our

1 control, as of this time, we're using Ware as our
2 technicians, Ware works on the boiler for us. But the
3 remote monitoring will be the, will be the E-Stop,
4 they'll shut it down, it'll automatically shut down and
5 they will not do anything with the boiler until the
6 maintenance tech is on site.

7 MR. BOWERS: Harold Bowers. Anybody who has
8 the responsibility of that boiler you're saying is going
9 to be properly trained?

10 MR. RIGSBY: Yes, sir.

11 MR. BOWERS: There was a situation years
12 ago, look up in the Internet, Dana Corporation up in
13 Paris, Tennessee where the main boiler operator would
14 have to be out, untrained operators with extra results,
15 half the boiler went in the parking lot, half the boiler
16 went through the plant, look it up on the Internet and
17 see, it's very important whoever has that responsibility
18 knows to have a bomb in that plant that could go off at
19 any time, that that is very important that he has a
20 responsibility to know that responsibility, and the guy
21 who has that responsibility knows how important it is.

22 CHAIRMAN MORELOCK: As far as your training
23 goes, what you just stated to us, is that in the manual,
24 how the training is done and how often it's done?

25 MR. RIGSBY: No, sir, I don't think.

1 MR. HORTON: Chris Smith, our Product
2 Technologist has been assigned the responsibility to do
3 all the training maintaining the record-keeping,
4 referencing the manual. And one thing I did pick up on,
5 I'll volunteer --

6 (Court Reporter asked the Presenter to speak up.)

7 MR. BAILEY: Please use the microphone.

8 MR. HORTON: Chris Smith is our Product
9 Technologist, he does all our operator training. He'll
10 pick up responsibilities during the training of our
11 remote monitors. I picked up on in your previous speed
12 notes, we will probably do some enhanced training on
13 some boiler awareness for the supervisor or the A
14 Operator that's assigned to it when the mechanics aren't
15 there, when the maintenance men mechanics aren't there
16 and reference somewhere in one of the meetings, I guess
17 someone ran for a fire extinguisher rather than doing
18 what they should have with the boiler, so I volunteer,
19 we'll do some enhanced training on the supervisor and A
20 Operator that will be monitoring it twelve hours a day.
21 They will not be the ones that will repair it, start it
22 up or anything like that, but they'll have increased
23 awareness of what they might be facing when they're
24 placed in the boiler room.

25 CHAIRMAN MORELOCK: So capture that in your

1 manual, because as we read the manual, we've not seen
2 your process, we've not seen how it works. So as far as
3 training, how do you train new hires? Is there a manual
4 annual refresher training? Is there a training log? I
5 couldn't find a training log in the manual where the
6 training's been documented. And just, you want to
7 detail your training program so it's clear how that's
8 being done for the remote, as well as is boiler
9 attendant.

10 MR. HORTON: We've got a reference on page
11 9, training.

12 CHAIRMAN MORELOCK: Yes, I was looking on
13 page seven. So again, refresher training, you know, is
14 that annually? Is it, you know, you need to put a
15 frequency in there for your production technologist.

16 MR. LOFTY: I'm Josh Lofty, Plant Manager at
17 Colonial. That's something we have edited in here that
18 we want to change on that is create a quarterly, have it
19 quarterly at least starting out to get everybody because
20 this is, you know, very important, like James said, it's
21 very important, so we know that. As management group of
22 Colonial, right now I've been there 18 years, three
23 years as Plant Manager, and we've always pushed, you
24 know, production is always, as you said, you got to take
25 your priorities, if something's unsafe or we don't know

1 how to run something as a management group, we shut it
2 down, we don't accept any kind of loss of life or
3 equipment. If it's not safe, we're not going to run it,
4 we've shut down shifts multiple times for multiple
5 reasons for safety, so.

6 MR. BOWERS: It's pretty vague in here, it
7 says "training," you know, we'd like to have more
8 specific, what is the training? How often do you repeat
9 training? You might be gone tomorrow as plant manager
10 to a different plant. Well he talked about training,
11 what kind of training, what kind of training do we do,
12 we need specifics on what the training talks about and
13 how often the training when the new hire gets hired and
14 you do an annually refresher training.

15 CHAIRMAN MORELOCK: Other questions,
16 comments? While you're thinking, your manual needs to
17 have a page that's either a bright color or a bright
18 colored tab, has your emergency procedures. And you do
19 have procedures in here, but you want to make sure that
20 page, if you have an emergency, they immediately see
21 that emergency page, they don't have to go flipping for
22 it, so you want to be able to find it quickly.

23 And then your tests, if you look on the
24 checklist, item 36, you need to make sure your manual
25 includes a test of a system, the low-water column and

1 remote monitoring, I just -- I didn't see that clearly
2 shown in the various sections of your manual as to what
3 that test is going to look like and how you will log
4 that test as well.

5 MR. HAYNES: I'm Brandon Haynes with
6 Industrial Boiler. So there is, in the duties and
7 responsibilities, we (unintelligible) want to tie it to
8 setting off one alarm, but -- in tab number three, I
9 believe, that would be page seven, we do have remote
10 station personnel duties. We do have in there to
11 perform a daily, a daily check of the alarm, to initiate
12 an alarm on the boiler and verify that it does alarm at
13 the remote panel. I did not designate which alarm
14 primarily we'd want to do a low-water cutoff
15 (inaudible/trailed off) initiate it that way. So we can
16 update that to make that a specific alarm.

17 CHAIRMAN MORELOCK: Well, it's your manual,
18 it's not ours, so you can make it as specific or you
19 could list what the test would be, not paint yourself in
20 the corner of only doing that one specific test. The
21 important part is the testing of the system.

22 MR. HAYNES: Yes, sir.

23 CHAIRMAN MORELOCK: Other questions?

24 MR. HENRY: Jeff Henry. Just curiosity,
25 what is your products at this plant?

1 MR. RIGSBY: I didn't -- I didn't hear you,
2 I'm sorry.

3 MR. HENRY: What products do you produce at
4 this plant?

5 MR. RIGSBY: We have a lot of different kind
6 of chemicals that go into a basic solution whose
7 specialty chemicals were in oil fields, it's kind of
8 multi-base, it's different kind of --

9 MR. HORTON: Over 400 different products,
10 probably just as many customers, the largest customers,
11 a small percent of that, but probably six or seven
12 different industrial sectors, personal care, household
13 cleaning, oil field drilling, machine oils.

14 MR. HENRY: Okay, so nothing highly toxic or
15 explosive?

16 MR. HORTON: No.

17 MR. HENRY: Then the only other thing is, as
18 you're going through your manual to edit, you allude to
19 figures in there, but unless I missed something, the
20 figures themselves are not identified. You can figure
21 out which one is which, but it would be nice to have a
22 figure number on the page so there's no confusion.

23 MR. HAYNES: Could you say that again, sir?

24 MR. HENRY: In the checklist, you reference
25 figures, but again, unless I missed them on the figures

1 themselves, they're not listed for the figures, if we
2 just indicate which figure one, two, three, four are,
3 that would be helpful to avoid any confusion. It's
4 obvious once you get through it, but.

5 MR. HAYNES: Okay.

6 CHAIRMAN MORELOCK: And so, in Appendix G,
7 do you specifically call out the manual duties as far as
8 boiler attendant or remote monitoring station in the job
9 descriptions that you have in Appendix G?

10 MR. HAYNES: These currently right now are
11 their current qualifications and duties, so the answer
12 is no as of right now.

13 CHAIRMAN MORELOCK: Does this list of job
14 duties include the boiler attendant? It stated
15 previously in the manual, but not on that Appendix G or
16 F.

17 MR. HORTON: The only thing it does point
18 out for our maintenance guy, boiler responsibilities,
19 that's referenced on the new job responsibilities.

20 CHAIRMAN MORELOCK: So chemical operator A,
21 page 25, where, where is his duties to be the remote
22 monitor?

23 MR. HAYNES: So they're not specifically
24 listed here in Appendix G, but they are in previous
25 parts of the manual, so that is their current duties as

1 stands today with the manual not being approved. It can
2 certainly be added.

3 CHAIRMAN MORELOCK: Yes, because, I mean,
4 the desire here is to get you an approved manual.

5 MR. HORTON: Yes, sir.

6 CHAIRMAN MORELOCK: So you can show all
7 (unintelligible) remote monitor as well as boiler
8 attendant. What other questions?

9 MR. BAUGHMAN: David Baughman. First of
10 all, thanks again for everybody being here presenting
11 this. On page three, third paragraph says the "Colonial
12 is building a new boiler room." Are the old boilers
13 still in service presently today?

14 MR. HORTON: We're still building, the
15 boilers aren't functioning at the new ones, in progress.

16 MR. BAUGHMAN: Gotcha. So boilers are not
17 presently installed, but they're going to be?

18 MR. HORTON: I'll clarify, they're on site,
19 we're piping them up, piping as well as you could with
20 boundaries of the steel building, it's been delayed and
21 we're actually supposed to get that steel supposedly
22 about a week, we'll continue on construction. The
23 outside pipe ranges for our utilities and services to it
24 in a steel building, and steel buildings are hard to
25 get.

1 MR. BAUGHMAN: Sure. So we've got to not
2 only put the boilers in, but do the wiring to the remote
3 station, do the training, do everything to be ready for
4 inspection?

5 MR. HORTON: Yes.

6 MR. BAUGHMAN: So, on page six it shows the
7 schedule and the number, the days Monday through Sunday,
8 the number of technicians for each day, and there's --
9 so the plant operates 24/7, the boilers don't shut off
10 in the evenings, they run through the shift. Saturday
11 and Sunday, we've got one person listed as a technician,
12 and I've heard that if the boilers go down, and it's
13 mentioned in here, "Colonial recognizes, if the boilers
14 go down, the delay could negatively impact production,
15 potential delay troubleshooting restarting the boiler
16 does not present any safety issues." I understand that
17 to a degree until somebody starts hollering for
18 production, but I take it as it's written that that's
19 the way it's being intended. But how is the remote
20 station continuously monitored if we only have one
21 person available Saturdays and Sundays during the hours
22 of 7:30 and 4 o'clock?

23 MR. HORTON: Most stations are being
24 monitored by a chemical operator, which again, this
25 would be for private one time then that defined area,

1 and this schedule is for the maintenance technicians, so
2 on weekends we'll have one maintenance technician. The
3 remote station is being monitored by that same group
4 24/7, runs through the holiday, we only shut down for
5 further inspection or repair.

6 MR. BAUGHMAN: Is it required to have ear
7 protection?

8 MR. HORTON: Not at this time.

9 MR. BAUGHMAN: Not at this time?

10 MR. HORTON: We'll have to look at that. A
11 lot of the maintenance guys will be passing through this
12 building to get into the maintenance building because
13 we're tying it right on to it, we have talked about what
14 to do (trailed off).

15 MR. BAUGHMAN: I was interested to know if
16 the chemical operators have to wear hearing protection
17 for their job requirements?

18 MR. HORTON: Depends on the area. We've
19 looked at that and we don't have any required at the
20 plant now, right?

21 MR. RIGSBY: No, we've actually had TOSHA
22 out at the plant and did a sound study, and we are
23 (unintelligible) in on getting to the limit where we
24 will have to require hearing protection.

25 MR. HORTON: And if we could, we will look

1 at hearing protection.

2 MR. BAUGHMAN: Very good. So, on page
3 seven, under "normal duties," which again was under
4 Appendix G, but I'm looking at A, "normal duties," at
5 the beginning of each shift, the maintenance tech
6 responsible for the boiler and the chemical operator, so
7 to make contact, if there's not a maintenance tech
8 responsible for the boiler during the beginning of the
9 shift, and I take it, what are the shifts? Are there
10 just two shifts?

11 MR. HORTON: Two shifts, yes. Eight to
12 eight. Maintenance guy comes in early and then on the
13 next shift it would be a supervisor that would fill in
14 as the boiler attendant.

15 MR. HAYNES: I think I can answer your
16 question what you're getting at. If you go to page
17 five, Colonial's goal here is, so we recognize that they
18 do not staff a nightshift maintenance technician, I
19 think that's what you're getting at. So, on page five,
20 second paragraph, what they'd like to do is to qualify
21 the job title Production Shift Supervisor, like to
22 qualify him as the Boiler Attendant, just as the
23 maintenance technician would be, that production shift
24 supervisor is a 24/7 manned -- manned position.

25 MR. BAUGHMAN: Excuse me, where is he,

1 manned at, where is his position located?

2 MR. HAYNES: His duty would be primarily on
3 the production floor, which is near that remote
4 operating station, but as we state in there, he would
5 have the four-hour check duties. It's not a large
6 plant, he would always be within very close distance to
7 be able to do the four-hour round, so their goal is to
8 qualify him just as the maintenance technician, boiler
9 attendant. Okay.

10 MR. HORTON: Let me clarify just to help a
11 little bit. We're a very manual plant. We have no DCS
12 control. We're just entering the PLC world, a lot of it
13 is very, very manual. The supervisors are out and about
14 on the floor most of the time. They don't sit in a cozy
15 office, he's got a desk right out on the floor. We're
16 exposed (unintelligible) element most of the time, under
17 the roof, no walls. He's out there working with the
18 guys. Josh can elaborate on the rounds. He has to keep
19 up with what's going on within each reactor during the
20 shift.

21 MR. LOFTY: Supervisors are required to, at
22 the end of the shift he makes four different rounds
23 throughout the plant and gets updates on each batch
24 that's running, so he's constantly in this area where
25 the panel is going to be and in other areas at the same

1 time, which is fine (inaudible).

2 MR. BAUGHMAN: You're good. Is this
3 described in the manual?

4 MR. HAYNES: It is on page five that the
5 production shift supervisor -- that the production shift
6 supervisor would have the boiler attendant.

7 MR. BAUGHMAN: Is it listed under any job
8 descriptions for the production shift supervisor?

9 MR. HAYNES: It is on the work chart, but as
10 of right now, that's the only place that we noted that
11 that dual qualification or that handoff on certain
12 shifts, so kind of an odd request.

13 MR. BAUGHMAN: And it needs to be just to
14 identified for protocol so that all these little things
15 are identified so that everybody knows whose
16 responsibility and so forth does what. Thank you for
17 that description very much.

18 So on page eight, number four -- well,
19 actually let's go to number three, "on receipt of an
20 alarm, the maintenance technician should contact the
21 chemical operator." I'm not thrilled with "should."
22 How about "shall?" Just my thoughts on it. And then,
23 number four, I just had a question, "When the alarm
24 condition is cleared, maintenance supervisor or tech
25 should contact chemical operator," so forth, so on, "and

1 chemical operator shall reset the boiler system at the
2 operator station." Are we -- so is operator station and
3 remote station being spoke about in the same context?

4 (Court Reporter asked Presenter Horton to
5 speak up.)

6 MR. BAILEY: Chairman, if I could, I
7 should have said this at the beginning of the meeting;
8 please keep in mind that this is being transcribed, so
9 always speak into the microphone so she can hear you
10 clearly. Some of you guys aren't doing it either. And
11 do not talk over each other, she can only record one
12 person at a time, so be mindful of that, everybody that
13 presents, okay, thank you.

14 MR. HORTON: The emergency panel will be
15 located right over the production operator's desk, which
16 that's referenced in the operator's station.

17 MR. BAUGHMAN: There's nowhere else that I
18 saw operator's station referenced, so hence for my need
19 for clarification on "operator's station" versus "remote
20 station." I would suggest that we make it all the way
21 through being "remote station"

22 CHAIRMAN MORELOCK: So on that same page, if
23 you're going to give the chemical operator ten minutes
24 to acknowledge, is that going to cause you any process
25 problems or boiler concerns for letting it go ten

1 minutes?

2 MR. LOFTY: Process-wise within our batch is
3 we'll accept any downtime within that ten minutes that
4 happens or what happens when the batch is up. Most time
5 if we lose steam, batch is going to cool down and there
6 won't be in quality issues or safety issues with that
7 and we fully accept that.

8 CHAIRMAN MORELOCK: Any other questions?

9 MR. HORTON: We use steam to basically heat
10 reactors, and I thought it through, there's other
11 applications where we lost steam here, you're using
12 backup things like that, there may be issues. There are
13 no issues there, just the loss of steam.

14 CHAIRMAN MORELOCK: Thank you. Any other
15 questions or comments?

16 MR. BAUGHMAN: Yes, I'll continue.

17 CHAIRMAN MORELOCK: Okay.

18 MR. BAUGHMAN: So, on page ten, the
19 statement is made kind of broad, it's one through eight
20 on the attendant procedures, again, it's particular
21 number four where the "maintenance tech shall not leave
22 company property during the shift without first
23 reporting to the manager. In the event the maintenance
24 technician must leave, the maintenance manager shall
25 assign duties to another technician, and the maintenance

1 manager shall contact the chemical operator to inform of
2 such changes." It gets back to referencing the protocol
3 and they're not being a -- who those personnel are, in
4 other words, we went from maintenance tech to a
5 maintenance manager assigning duties to another
6 technician, but we don't have another technician
7 available on say second shift during Saturday and
8 Sunday, so I just need all of that tied in as far as the
9 actual protocol because the maintenance technician
10 attendant procedures just aren't quite clear to me in
11 that regard.

12 How familiar is the production person with
13 the boilers? I know we got training coming up, so
14 that's kind of a tough thing to ask, but I just wanting
15 to, how familiar are we with the boilers and operations?

16 MR. LOFTY: The operation staff, the
17 chemical operators, they know of the boiler, they know
18 we have some training on it and they know how to reset
19 the boiler and that's all they do. If they don't get it
20 reset the first time, they don't do anything else after
21 that, they contact maintenance after that.

22 MR. BAUGHMAN: Perfect. So these boilers
23 have not been inspected yet, so accordingly on page
24 fourteen we've got Tennessee numbers that are to be
25 determined. And then, under Appendix B, the equipment

1 description, so the alarm, the boiler goes off on alarm
2 on the fire (unintelligible) YV 110, and those alarms
3 are what's being annunciated out to the remote station,
4 is that correct?

5 MR. HAYNES: Yes, that's correct. It's just
6 a general alarm, I mean, I think that's pretty normal,
7 general alarm on the remote panel, one for each, one set
8 of lights for each boiler.

9 MR. BAUGHMAN: So that's tying into the mod
10 bust on this program or just enunciating the alarm when
11 that programmer goes into alarm, it then --

12 MR. HAYNES: Given the short distance, we've
13 not planned to use mod bust. We were actually going to
14 put it in (trailed off).

15 MR. BAUGHMAN: You said it's going to be put
16 into what, I'm sorry?

17 MR. HAYNES: We can put it into the safety
18 circuit on that. It's a very short distance.

19 MR. HORTON: I can run hardwire on for each
20 alarm. We're not going to share any conduit.

21 MR. BAUGHMAN: So some alarms don't
22 necessarily enunciate. I'm getting at the high limit
23 manual reset, the high gas switch and so forth doesn't
24 throw an alarm, but it shuts the boiler off into a mode
25 that has to be manually reset, so are those being tied

1 in? And my next question is, are you tying in both the
2 primary and secondary low-waters because those
3 themselves again will get hardwired and not run through
4 the programming itself?

5 MR. HAYNES: It was our intention right now
6 just to have the manual reset alarms that are in the
7 safety circuit, if we need to expand that, then
8 obviously we will, but the goal was to get anything that
9 shuts the boiler down in that fierized safety circuit to
10 a enunciate remotely.

11 MR. BAUGHMAN: So along those lines, the low
12 waters don't enunciate through the YV 110?

13 MR. HAYNES: Right, it's automatic
14 recycling.

15 MR. BAUGHMAN: One would be manual reset.
16 The primary is recycling, both of those have alarms in
17 them, but they don't alarm back through the YV 110
18 programmer, so being that that's one of our main things.

19 MR. HORTON: Sure.

20 MR. BAUGHMAN: And in your test, on page 36,
21 it describes the water column that's part of it too.

22 MR. HAYNES: Well that would catch it.

23 MR. BAUGHMAN: It would catch the primary,
24 yes.

25 MR. HAYNES: The panel wouldn't pass the

1 test, right, so we couldn't use that panel, right?

2 MR. BAUGHMAN: That is correct. Well that's
3 what I'm getting at was wired into it, because presently
4 you're just saying what's wired was in YV 110 and the
5 others are not, so that's why I was wanting to make sure
6 that those would get hardwired in.

7 MR. HAYNES: Okay.

8 CHIEF O'GUIN: Oh, I see where the
9 maintenance supervisor or the shift supervisor will fill
10 the role of boiler attendant from 4:00 p.m. to 8:00 a.m.
11 or a Level A chemical operator, I didn't hear y'all
12 cover earlier where a Level A chemical operator will be
13 trained as a boiler attendant. I see where they were
14 trained as a boiler monitor, but not attendant.

15 MR. HORTON: What page?

16 CHIEF O'GUIN: Well I'm referencing page
17 five, you talked about the Level A Chemical Operator.
18 Page ten, Operation Shift Supervisor and the designated
19 Level A chemical operator will fill this role from 4:00
20 p.m. to 8:00 a.m. seven days a week, but I don't see
21 anywhere where you train a Level A Chemical Operator and
22 a Boiler Attendant.

23 MR. HORTON: You're right, I picked up on
24 that when I read one of your previous reports, and when
25 I started this, I prefaced that we would have to provide

1 some additional training for our supervisor and our
2 level An operator, we'll do that.

3 CHIEF O'GUIN: I just wanted to make sure
4 that was covered. Thanks Chairman.

5 CHAIRMAN MORELOCK: Any other questions? I
6 will say this, in your organizational chart, it's real
7 helpful to add the remote station attendant, the boiler
8 attendant titles so when somebody looks at your work
9 chart they'll say they can see real quickly who is
10 attending the boilers and who's going to be responsible
11 for the monitoring, that'll help as well.

12 MR. BAUGHMAN: Dave Baughman again. So
13 we've got E-Stops that are in the boiler room itself and
14 I don't see offhand on whether it's, looks like it's the
15 site plan layout, boiler room and the remote operator
16 station, but I take it that we've got E-Stops at each
17 point of egress?

18 MR. HORTON: We will.

19 MR. BAUGHMAN: That E-Stop will shut off
20 both boilers with one E-Stop?

21 MR. HAYNES: Yes, I know the requirement in
22 the room is one E-Stop for both boilers, yes, but if we
23 need to note the points of egress on our plan, we'll do
24 that.

25 MR. BAUGHMAN: Thank you.

1 CHAIRMAN MORELOCK: On figure two it would
2 also be good to have a distance from the remote panel to
3 the boiler room.

4 MR. HORTON: I'll put it on there to
5 probably 150 feet. That box is about 50 by a hundred,
6 and then -- a hundred, 150 feet out.

7 CHAIRMAN MORELOCK: Thank you.

8 MR. BOWERS: Harold Bowers. I would also
9 like to add, I didn't see it on the drawing, but where
10 Mr. Ryan, (unintelligible) that requires the
11 (unintelligible) good nature of (inaudible.)

12 CHAIRMAN MORELOCK: Any other questions or
13 comments?

14 (No verbal response.)

15 CHAIRMAN MORELOCK: All right. Hearing
16 none -- oh, go ahead.

17 MR. HAYNES: Mr. Bowers, does the carbon
18 monoxide detection, does that need to be noted in this
19 manual? I mean, I know it's going to be inspected.

20 MR. BOWERS: (Nodded affirmative).

21 MR. HAYNES: Okay.

22 CHAIRMAN MORELOCK: Do I have a motion for
23 this proposed variance?

24 MR. BOWERS: I make a motion that it's
25 continued on the changes we have to make, addressing the

1 changes of the training needs to be added, plus the
2 yellow page, then whenever -- you think that's too many
3 changes that you have to make or do they need to come
4 back?

5 CHAIRMAN MORELOCK: So, so, you know, if a
6 variance is approved on any of these manuals today, just
7 for information, all these approvals will be contingent
8 on the manuals being revised based on comments during
9 this meeting and a successful site visit from the Boiler
10 Unit, so, you know, if you get an approved variance,
11 it's contingent on those two things happening.

12 MR. BOWERS: I make a motion in that all
13 these changes have to be made, so when the State
14 Inspector shows up, he's going to look at the manual for
15 those, if those changes aren't made, he's not going to
16 go through the process of going through everything else
17 because your manual is not going to be what he expects,
18 right, Mr. O'Guin?

19 CHIEF O'GUIN: Yes. They submit the manual
20 to my office prior to any inspection. We go through and
21 verify all the Board recommendations are met and that is
22 when they verify they're ready, then we'll schedule
23 inspection.

24 MR. HORTON: I don't know if it's protocol
25 for me to comment on it, I can make these changes fairly

1 quickly, and I would volunteer and can submit that
2 protocol ahead of time, it's pretty straightforward
3 stuff.

4 CHAIRMAN MORELOCK: Yea, that's what you
5 would do is submit it to the Board with the revisions,
6 then they will set up a site visit to come to your site
7 and take the manual and walk through the manual and make
8 sure what you're doing matches the manual, that's the
9 key part of that, so.

10 MR. BAUGHMAN: I would add to that,
11 Mr. Chairman, that we're looking at approving a manual
12 that is lacking in quite a bit of information that we're
13 relying upon it being resubmitted to the Chief and the
14 Boiler Unit and we don't have, we've got a manual that
15 we're looking at on boilers that are not yet installed,
16 the system is not yet installed with revisions and
17 corrections to administrative and both hardware, and so
18 my end of it is, are we putting the cart before the
19 horse a little bit in evaluating this manual for
20 approval? We won't see the final result, it'll end up
21 going to the Chief, but we don't won't have a final
22 result for our ourselves (sic), and just looking at that
23 and the protocol for anything that's being proposed to
24 be installed, but not yet quite set up, and there's a
25 number of changes that are in this particular manual

1 that we've gone through that I don't feel quite
2 comfortable in where it stands presently. So, I
3 understand Mr. Bowers' motion and we can -- we can vote
4 on that or we can propose the possibility of making the
5 revision since the equipment is not installed yet, that
6 they can bring back those revisions for the December
7 meeting.

8 MR. BOWERS: So my motion has not been
9 seconded, so.

10 CHAIRMAN MORELOCK: Correct, it's not been
11 seconded.

12 MR. BOWERS: So he can make another motion?

13 CHAIRMAN MORELOCK: Absolutely.

14 MR. BOWERS: You can make another motion, my
15 motion has not been seconded, so.

16 MR. BAUGHMAN: So I would make a counter
17 motion.

18 CHAIRMAN MORELOCK: Well you're just going
19 to make another motion.

20 MR. BAUGHMAN: I'll make another motion,
21 thank you, that we make the revisions of the manual
22 according to the description of what we've described
23 during this discussion that you bring that manual back
24 in, then we've got good accurate information to be able
25 to take it, walk right through it and be able to put our

1 vote on it at that time.

2 MR. BAILEY: I think what would be proper
3 is, I mean, this is a variance request that's before
4 you, would be, if you don't feel comfortable approving
5 it at this time, then you deny it and tell them that,
6 you know, "make the changes, come back and we'll
7 consider it at December Board Meeting."

8 CHAIRMAN MORELOCK: That can be done as
9 well, so what is the Board's pleasure?

10 MR. BOWERS: I made the motion, it wasn't
11 seconded, how do we proceed on that if no one -- we vote
12 down if it's not seconded?

13 MR. BAILEY: Then there's no motion, so
14 either you need to make a motion to approve it and it
15 will be passed or make a motion to reject the variance
16 request at this time.

17 MR. TOTH: Mr. Chairman, can you just not
18 make a -- can you make a motion to call for the vote to
19 approve?

20 CHAIRMAN MORELOCK: You can. You can, but
21 we have to second his motions to vote it, and if it's
22 voted down, you've not accomplished anything because we
23 don't have any path forward for these gentlemen to get
24 something done. So my advice is what motion we make
25 needs to help these gentlemen get where they want to be.

1 If they need to come back with the revised manual in
2 December, and that's voted, that's fine. There are a
3 lot of changes to the manual, but all of those changes
4 are captured in the minutes, and so, it's strictly up to
5 the pleasure of the Board; what motion does the Board
6 want to make?

7 MR. HENRY: Mr. Chairman?

8 CHAIRMAN MORELOCK: Yes.

9 MR. HENRY: As I understood it,
10 Mr. Baughman's motion is exactly what you were
11 suggesting is that we would not approve the variance at
12 this particular time; we would request that all the
13 additional information be provided before, and then it
14 would have to be brought back to the Board for approval,
15 so I think Mr. Baughman's motion accomplishes what you
16 just indicated to be the appropriate action, and on that
17 basis, I would second Mr. Baughman's motion.

18 CHAIRMAN MORELOCK: So Mr. Baughman's motion
19 has been seconded that this that approval be rejected,
20 so the manual can come back with changes in December for
21 another vote, and we have a second on that. Anymore
22 discussion?

23 (No verbal response.)

24 CHAIRMAN MORELOCK: Hearing none. I'm going
25 to call all in favor, say "aye."

1 (Affirmative response.)

2 CHAIRMAN MORELOCK: Opposed? Abstentions,
3 not voting?

4 (No verbal response.)

5 CHAIRMAN MORELOCK: So your current manual
6 has failed, it's just got a lot of changes you need to
7 make to it, bring it back to the December meeting. The
8 minutes will be published. You can go out to the
9 website TN.gov for the Boiler Unit and you can get those
10 transcripts and use that as a checklist of what you need
11 to do to update your manual, okay?

12 MS. PRESSON: If I'm not mistaken, they do
13 not get posted until after you all approve them, so they
14 would not be out.

15 CHAIRMAN MORELOCK: That's true, that's a
16 true statement, so could we send a unapproved copy? Can
17 we send them something so they know what changes to make
18 this manual?

19 MS. PRESSON: I know Steris approved -- got
20 a request, so I'll leave that to Tom and the rest to
21 decide, I just remember Steris got one shortly after one
22 of the meetings that hadn't gotten approved yet, so.

23 CHAIRMAN MORELOCK: Do you feel like you've
24 captured all of the comments that we've made?

25 MR. HAYNES: Yes, sir, I do.

1 CHAIRMAN MORELOCK: So you want to stand on
2 that?

3 MR. HORTON: Yes.

4 CHAIRMAN MORELOCK: That's your prerogative,
5 so.

6 MR. HORTON: I feel good, yes.

7 CHAIRMAN MORELOCK: Okay. So -- so then
8 that meets all the requirements then. So take the Board
9 comments today, revise your manual, get it back on the
10 agenda 45 days before the December meeting and we'll
11 meet again.

12 MR. HORTON: Yes, sir, thank you all.

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2 CHAIRMAN MORELOCK: So, that takes up to
3 item number 21-05 Hyosung requests of variance for
4 boiler attendant requirements. So whoever, yes, there
5 you are, if you'll introduce yourself.

6 MR. HERTTER: Ryan Hertter with Innovative
7 Engineering Services. I apologize, a representative
8 from Hyosung is not here. Their department has been
9 ravaged by COVID. The person that was supposed to be
10 here is hopefully recovering, his supervisor is God for
11 now. We've actually had somebody in the department
12 passed away, so it's a struggle a bit right now.

13 CHAIRMAN MORELOCK: Are there any conflicts
14 on the Board?

15 (No verbal response.)

16 CHAIRMAN MORELOCK: No conflicts. Okay.
17 So, if you'll present your manual.

18 MR. HERTTER: If I can give you just a
19 little bit of background; there was a variance for this
20 facility before, I guess about eight years ago, and it
21 was since then bought by Hyosung. They did not even
22 realize they had a variance, so they have been on a
23 20-minute rule for the past six or seven years, I think,
24 so this is a, they're trying to renew that and they
25 realize that that is possible.

1 I also apologize, in the manual there was
2 some figures that did not show up clearly, did everybody
3 get a copy of that? One of the major changes from the
4 previous manual is that they don't use nearly the same
5 amount of steam, some of those processes changed. So
6 really the steam system is really only used to heat up
7 the oils as opposed to natural process, so they only use
8 one boiler now, and it's a fairly low capacity, it does
9 still have pressure.

10 CHAIRMAN MORELOCK: Okay. What questions
11 does the Board have? I have one immediately just from
12 what you said. Oh sorry, thank you, thank you. I need
13 a motion to discuss.

14 MR. BOWERS: I make that motion to discuss.

15 MR. HENRY: Second.

16 CHAIRMAN MORELOCK: Thank you. So you're
17 saying you're primarily running on one boiler?

18 MR. HERTTER: Yes.

19 CHAIRMAN MORELOCK: But you're going to have
20 a variance for two boilers?

21 MR. HERTTER: Yes.

22 CHAIRMAN MORELOCK: Okay, thank you. What
23 other questions do you have?

24 CHIEF O'GUIN: Chairman, I have a question.

25 CHAIRMAN MORELOCK: Yes.

1 CHIEF O'GUIN: The remote station, have
2 y'all changed that remote station? I thought under the
3 last discussion we had, they were moving the remote
4 station, but it's showing in this manual, I'm showing
5 the same location, it was the unmanned location?

6 MR. HERTTER: We had discussed that, and due
7 to their staffing, they have not yet done it, but that
8 is going to be done, yes.

9 CHIEF O'GUIN: So they do plan on moving
10 from this unmanned location to another location?

11 MR. HERTTER: Well it'll still be in the
12 maintenance department, they're planning on putting the
13 E-Stop right there by the station so that the
14 maintenance crew, five or six people in the maintenance
15 per shift, and they are in that area, so it is not --
16 there's not somebody sitting there at a certain time.

17 CHIEF O'GUIN: When we went by for a visit
18 just to kind of look at this issue, there was no one in
19 this office. This was an unmanned, which I'm aware
20 they're not active right now, but they're not going to
21 be sitting in this space, so if no one's in here, what's
22 their -- what's their plan?

23 MR. HERTTER: So they have a full control
24 system, so basically anywhere that they have a phone,
25 they have the ability to have a remote station.

1 CHIEF O'GUIN: Thank you.

2 CHAIRMAN MORELOCK: If you look on the cover
3 letter, which is page right after the title page, the
4 rule that is being referenced is incorrect, Rule 0800
5 was revised in 2016, and so that rule number now is
6 0800-03-03-08 parenthetical 11.

7 And on page 19, organizational chart does
8 not label anybody as a remote monitor. You need to show
9 the Hyosung plant personnel who are remote monitors
10 during normal operating hours and show Clarion Security
11 as remote monitors after hours and weekends on the
12 organizational chart.

13 On page nine, it's Hyosung now, so you don't
14 want to the, part of the first sentence, no, second
15 sentence, under section two, it's no longer Mitsubishi
16 so MEPPI acronym should reflect Hyosung, typo.

17 And this is not a requirement, this is just
18 a suggestion, it's okay to use proper names in your
19 manual, but if you use the job title, when that person
20 changes, you don't have to revise your manual. So just,
21 that's just some advice, that's not a requirement.

22 When you get down to the bottom of that
23 first paragraph, it's talking about training, tells your
24 services and says "TIS software analytics and
25 knowledgeable technical specialists filter imperative

1 information," but we don't know who those knowledgeable
2 technical specialists are.

3 Thank you for the clarification on the
4 drawings. That's all I have for the moment. What other
5 questions does the Board have?

6 MR. BAUGHMAN: Dave Baughman. Just one
7 note, I'm looking for the placard that would describe
8 the procedures. I see the emergency procedure and on
9 page 39, which is section five, but that doesn't give a
10 good description of the actual emergency procedures that
11 would be placarded in the remote monitoring station, and
12 it gives an overall view as far as kind of what's
13 happening, but doesn't quite give a point-to-point
14 description on the emergency procedure.

15 MR. HERTTER: I think the main intent is for
16 them to call these people so that they can make the
17 determination. There's a list of numbers at each one of
18 the E-Stops.

19 MR. BAUGHMAN: I understand. Understanding
20 that these are personnel that are not, even this doesn't
21 necessarily specify what the protocol is, it says "all
22 maintenance personnel have the authority to push the
23 shutdown button in case of an emergency," but it doesn't
24 actually list out "In the event of an alarm, this is
25 what happens, step one, step two; if somebody doesn't

1 answer within one minute, step three, and so forth," so
2 we don't really have a clearcut emergency procedure the
3 way that I perceive this.

4 I was looking at just the emergency shutoff
5 location and posted information on page 41, again, it
6 looks like it gives names, office extensions and so
7 forth, it has the emergency shutoff switch down there
8 with a cover to keep anything from bumping into it, but
9 it's not clearly marked on the outside emergency boiler
10 shutoff switch. So unless so indicated in red letters,
11 somebody may not actually know that that's the emergency
12 boiler shutoff switch, and I wanted to make sure that
13 that was at each point of egress, pedestrian egress in
14 that boiler room, which you may direct me to the boiler
15 room drawing.

16 MR. HERTTER: The very first page shows the
17 layout of the plant back in the utility boiler room, in
18 the middle, on page two. I don't think it's in the
19 manual itself --

20 MR. BAUGHMAN: Page two, you said?

21 MR. HERTTER: Yea.

22 MR. BAUGHMAN: It's on showing the boiler
23 room in reference to the maintenance office remote
24 monitoring, so what I would look at is just making sure
25 that E-Stops are properly located and that they do shut

1 off both boilers in case of being annunciated.

2 MR. HERTTER: And we do have an E-Stop at
3 all three boilers, we can add that placard. We're going
4 to add one more E-Stop over the new remote station,
5 which is near the maintenance department, so between the
6 boiler room and maintenance room.

7 MR. BAUGHMAN: Again, distances are good
8 just to lay out on the drawings themselves, I know it's
9 in close proximity, but being able to have that.

10 I'm curious about the previous, this is a
11 renewal, I wasn't privy to having the previous manual to
12 go over, but --

13 CHAIRMAN MORELOCK: Mr. Baughman, the cover
14 letter states that this is a new variance, not a
15 renewal.

16 MR. HERTTER: Due to the time that it's
17 being, it's being presented as a new variance.

18 MR. BAUGHMAN: The checklist on item nine
19 indicates that it's renewal, so I had a bit of a
20 discrepancy on when the checklist and the cover letter.
21 Okay. So we may have asked this previously, but is the
22 maintenance office staffed 24/7?

23 MR. HERTTER: So they have a regular staff,
24 two shifts and they have a night patrol, the boiler
25 operators that do the nightly patrol, so that's what

1 they've got, nights and weekends they have a service
2 that (inaudible.)

3 MR. BAUGHMAN: What does patrol entail?
4 Does that patrol the grounds?

5 MR. HERTTER: It does the entire facility,
6 yes.

7 MR. BAUGHMAN: So I takes it this is a
8 fairly good sized facility that takes more than 20
9 minutes?

10 MR. HERTTER: It does not. You can get from
11 one end -- so they're in a vehicle, so they can get from
12 one end of the plant to the other in four to five
13 minutes.

14 MR. BAUGHMAN: Okay. And do their checks,
15 patrols? I mean, we're just trying to be honest with
16 it, actually going out, running five minutes, going out
17 looking at something, getting back or they've got other
18 duties is what I'm getting at, that's the whole point of
19 them doing a patrol is to patrol it competently in
20 looking at the area and checking other equipment and so
21 forth?

22 MR. HERTTER: Yes, but their duties are
23 primarily exterior, except for the boiler that they have
24 to check every 20 minutes.

25 MR. BAUGHMAN: So, is that described in

1 our manual that when they leave that the boiler could
2 possibly be put on the 20-minute rule?

3 MR. HERTTER: Well we still would like the
4 have the variance during that time. Page 29 is where
5 the --

6 CHAIRMAN MORELOCK: So you're correct on
7 page 29, but it doesn't list the four-hour checks with
8 the variance. It's got 20-minute dated weekly, monthly,
9 semi-annual and annual, but it doesn't have the
10 four-hour if you're into the variance, you don't have a
11 paragraph describing what that would look like.

12 MR. HERTTER: That is true, I did not add
13 something to include the variance.

14 MR. BAUGHMAN: So what I was kind of
15 alluding to was the protocol of should somebody leave
16 the station and have to go patrol and then maybe have to
17 take care of other things that we sometimes have to take
18 care of, if in fact they're gone, that protocol, I
19 understand they want to keep it on the variance, but the
20 variance is such that if that remote station is not
21 continuously manned or if personnel are going to be away
22 that it falls back to the 20-minute rule, is that
23 correct?

24 CHAIRMAN MORELOCK: Yes.

25 MR. BAUGHMAN: So that needs to be

1 identified in the manual itself.

2 MR. HERTTER: Okay.

3 MR. BAUGHMAN: Does that make sense?

4 MR. HERTTER: Sort of. Well, I guess my
5 question is, so is the purpose of the variance to have
6 somebody at a, at the E-Stops so that they can hit the
7 button or to be notified, because they're still in a
8 place where they can be notified on the phone for any
9 type of alarm that comes up?

10 MR. BAUGHMAN: To that point, who would be
11 around if there isn't somebody at that remote station?
12 They're out doing their patrols, who would be there to
13 let them know that the boiler is in alarm?

14 MR. HERTTER: It goes to their phone.
15 That's what I'm saying, anytime, it is with them all the
16 time instead of being tied to a specific location,
17 they're notified anytime there's an alarm, directly all
18 the time on their phone.

19 CHAIRMAN MORELOCK: So to Mr. Baughman's
20 comment, if you look on page 21, it shows a photo of the
21 manual location and it's on the shelf in the maintenance
22 area, but it should also, under the heading of "remote
23 monitoring station," so you're showing a picture of the
24 remote monitoring station, and it's, this area is the
25 facility's maintenance office next to the boiler room,

1 correct?

2 MR. HERTTER: That's correct.

3 CHAIRMAN MORELOCK: So that needs to be
4 manned, and your manual has, should have a statement in
5 it, there should be a placard at that remote station so
6 if there is an alarm, the remote monitor doesn't have to
7 go digging for the emergency procedures that are up
8 there on the wall or somewhere where they properly
9 address that alarm with the boiler.

10 MR. BAUGHMAN: From what Ryan's telling me
11 and what I'm kind of getting a feel of is that they're
12 looking to utilize the variance rule to be able to free
13 up personnel, and if the boiler goes into an alarm, it's
14 going to go to a phone and let them know that the
15 boiler's got an alarm, but that's not the intent of
16 variance rule, otherwise we'd set up all these alarms
17 just on phones and not have to set up remote station
18 continuously monitored and so forth. So I want to be
19 clear that this remote monitoring station has to be a
20 manned or at least in close proximity where they can
21 hear the alarm, see the alarms and what have you, more
22 so than just sending the alarm to a phone to personnel
23 that may be somewhere else that they can respond to, but
24 it's not the intent of the variance itself to be able to
25 utilize that, that means of alarm enunciation. It

1 helps, it's nice to have an alarm annunciating to
2 personnel, I'm all for that, but there still needs to be
3 somebody at the remote station, am I correct?

4 MR. BOWERS: Harold Bowers.

5 (Unintelligible) brought up, not only be posted, but it
6 also has to be in the manual that (unintelligible) paper
7 manuals, so when you look at the manual you can see
8 (unintelligible), and cell phones don't always work and
9 that's one thing with the remote station has to be
10 hardwired. So, if it's hardwired to a location that
11 nobody goes to, that kind of defeats the purpose of
12 being hardwired. It has to be at the remote location
13 where people would be at to, people will say, well, it's
14 going to go to this station, then it's going to be sent
15 out to a cell phone," it's going to be at a remote
16 location that nobody's at, well that doesn't really
17 work. Remote location need to be a location that
18 somebody's going to be at all the time. So then if he
19 can't get a hold of you on the cell phone, he can take
20 another precaution, you can't just have it sitting in an
21 empty office and nobody's there, and then say well it's
22 going to go to a cell phone automatically, well that's
23 kind of getting away from the hardwire.

24 MR. HERTTER: It does go to multiple cell
25 phones.

1 MR. BOWERS: What if the cell tower goes
2 down?

3 MR. HERTTER: I guess what I'm thinking is,
4 I mean, you have to have somebody sitting there all the
5 time? Why can't you have an automatic shutdown instead
6 of a person.

7 CHAIRMAN MORELOCK: But this remote monitor
8 has other duties, but they just need to be in that area
9 so when this alarm comes up, they can immediately react
10 to it. So I mean, it's not that they just have to sit
11 there waiting for this boiler control to enunciate, I
12 mean, they can have other duties, but they need to be
13 manned at that maintenance station where they're right
14 there at it so if there is an alarm, because there
15 should be some sort of alarm panel that they can see
16 that there's an issue that they can, that they can then
17 immediately contact the boiler attendant to address that
18 issue, because remote monitor cannot restart a boiler,
19 it has to be a boiler attendant.

20 MR. BOWERS: Some applications in plants,
21 they might have the remote area in the area where the
22 production supervisor is doing other stuff, but he has a
23 light, flashing light, sirens, everything else going on,
24 he knows, hey, something's going on, I need to take care
25 of that, I need to call somebody make sure they got the

1 call. Or in hospitals, they have usually in the PBX
2 office you have where people are operating, they still
3 have a station where they can see lights are flashing,
4 alarms going on, they need to do something. But to have
5 an empty office, you're relying strictly on that station
6 to remotely send it to all cell phones, if the cell
7 tower goes out, then you have a big problem.

8 MR. HERTTER: So the issue is during night
9 watch, the variance, you don't see that as being
10 possible?

11 MR. BAUGHMAN: And that would be because of
12 the lack of personnel available, is that?

13 MR. HERTTER: Right. There would only, yes,
14 there would only be the night watch so there would not
15 be anybody stationed in that.

16 MR. BAUGHMAN: My thoughts on that, Ryan,
17 would be that it would not function under the rules of
18 the variance, that's correct.

19 MR. HERTTER: Okay.

20 CHAIRMAN MORELOCK: You can designate, what
21 we're starting to see more and more of, is a boiler
22 guard, which is a guard that goes around and checks
23 stuff, but he can't fully act as a boiler attendant.
24 They can just let somebody know that's there's a
25 problem.

1 MR. TOTH: Marty Toth, ECS Consulting. Just
2 to kind of help the discussion a little bit, as
3 Mr. Chairman alluded to, there are a number of locations
4 that do utilize a boiler guard, that boiler guard is in
5 the station, while they're in that station, they serve
6 as the remote attendant, a remote panel that's
7 hardwired. Once they leave that station, if they're the
8 only ones on the site, they have to be certified
9 qualified as a boiler attendant, knowledgeable and they
10 can go take the readings, but they cannot leave either
11 the remote station or the boiler room for longer than 20
12 minutes. Does that make sense?

13 MR. HERTTER: Yes, it does. I mean, it
14 defeats the purpose because they're doing 20-minute rule
15 now with just one person, to add another person, so it
16 doesn't help that situation.

17 MR. TOTH: Marty Toth again. It actually
18 does help. What I'm alluding to is that certain
19 individual that's manning that station, when they're
20 going to do their rounds, they're going to stop by the
21 boiler room take the required four-hour readings. All
22 I'm saying is is the time difference between when they
23 leave the remote station and when they arrive at the
24 boiler room cannot be longer than 20 minutes, they do
25 that once every four hours.

1 MR. HERTTER: Okay.

2 MR. BAUGHMAN: Mr. Toth, what about when
3 they're away from the remote station for more than 20
4 minutes?

5 MR. TOTH: Well, they cannot, that's the
6 point. An example would be, a client that I have, their
7 guards have two separate routes that they take. Route
8 number one, they leave the remote station, they go do
9 route number one, in the middle they go to the boiler
10 room, they take the readings, once they leave the
11 readings or leave the boiler room, they go back to the
12 second route, end up back at the remote station. At no
13 time are they absent from either location, the remote
14 station or the boiler room for longer than 20 minutes.

15 MR. HERTTER: I can add that to the main, if
16 that's acceptable to the Board?

17 CHIEF O'GUIN: Chris O'Guin, Chief
18 Inspector. When our area inspector was on site, I
19 guess, two or three months ago, we did make a
20 recommendation to remove this remote station and
21 actually put an enunciation panel in, a visual alarm
22 with hardwire, I see it hasn't been moved yet, so that
23 was one of the main reasons to come back to the Board.
24 As you can see on page 21, I mean, that's not very much
25 of a remote station. And I don't like depending on cell

1 phones for boiler safety, if you're on the other side of
2 the plant, you got to run back to the E-Stop boiler
3 room, a lot can happen in those five minutes, my
4 opinion.

5 CHAIRMAN MORELOCK: Well I think
6 Mr. Toth has freely given you some information that will
7 help you comply.

8 MR. TOTH: Passing it forward,
9 Mr. Chairman.

10 CHAIRMAN MORELOCK: What other questions,
11 comments?

12 MR. BAUGHMAN: Ryan, I was interested to
13 know, did you look over the previous variance that they
14 had back in 2012, I believe?

15 MR. HERTTER: I did.

16 MR. BAUGHMAN: And was there major changes
17 between it and the one that you've assisted in writing
18 up?

19 MR. HERTTER: There were not, I did the
20 original.

21 MR. BAUGHMAN: Okay. I was just interested
22 to know what those differences were between the two
23 manuals, in as much as we've got issues with that with
24 this particular one, I was interested in what the
25 previous one had in it, so thank you

1 CHAIRMAN MORELOCK: We had same problem with
2 the original variance. What other questions or
3 comments? So, Ryan, do you think you can take the
4 comments you've been given and fix your manual or it's
5 kind of a situation we had with the first one, first
6 review, what's your pleasure? You want to work on this
7 manual and come back or do you want it voted?

8 MR. HERTTER: I mean, I think we're talking
9 about the emergency procedures need to be documented
10 better. The E-Stop needs to be actually put in at the
11 remote station. I need to redefine the night watch, I
12 think those are fairly easy for me to fix in the manual.

13 CHAIRMAN MORELOCK: Okay. Do you want to
14 table this to December or do you want us to vote it up
15 for now?

16 MR. HERTTER: I would prefer the vote now,
17 but if it's going to be denied, I don't.

18 CHAIRMAN MORELOCK: So do I have a motion?

19 MR. BAUGHMAN: Before we submit a motion, I
20 was looking over the, I couldn't find where we addressed
21 training, responsibilities for training, so forth, you
22 may direct me to that, but I wanted to make sure that I
23 read that to be able to go over whose responsibilities
24 it was, the training, the retraining, so forth, as
25 identified in the manual itself and I couldn't just find

1 that offhand, Ryan, so.

2 CHAIRMAN MORELOCK: Mr. Baughman, this is
3 Shelby County, so they have certified boiler operators.

4 MR. BAUGHMAN: Yes, but even just training
5 to the manual and so forth.

6 CHAIRMAN MORELOCK: I agree, I agree.

7 MR. HERTTER: It does look like that is
8 missing.

9 MR. BAUGHMAN: Thank you for taking a look
10 at that and just adding in again our procedures of
11 training requirements.

12 CHAIRMAN MORELOCK: Like I said, we've
13 already talked about on page 29, we need to add the
14 four-hour checks on the boiler checklists.

15 MR. BOWERS: Emergency procedures, yellow
16 copy.

17 CHAIRMAN MORELOCK: Yes. Yes. The
18 emergency procedure needs to be readily accessible
19 through the cover page or a color tab and you need to
20 also have that posted at the remote station.

21 On item 24 of the checklist, I just didn't
22 see the words in the manual for four-hour checks, "every
23 four hours," that's the only other comments that I had.
24 What other questions or comments?

25 So do we have a motion then?

1 (No verbal response).

2 CHAIRMAN MORELOCK: So hearing no motion --

3 MR. BAILEY: Chairman, I probably should
4 have thought of this in the first presentation, if you
5 don't think it's ready, you can also move to just table
6 it.

7 CHAIRMAN MORELOCK: Hearing no motion, we'll
8 table this item to the December meeting and you can work
9 on the manual some more and resubmit to the Boiler Unit
10 45 days before the December meeting and we'll review it
11 again. After you make revisions to it. Okay? All
12 right. So this item will be tabled.

13 MR. HERTTER: If I could request a draft
14 copy of the meeting minutes also?

15 CHAIRMAN MORELOCK: Like we just talked
16 about, it won't be approved until the December meeting,
17 but we can work with the Boiler Unit to try to get you
18 an unapproved copy of that discussion.

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CHAIRMAN MORELOCK: That takes us to item 21-06, Tennova Jefferson Memorial Hospital, requests a variance for boiler attendant requirement. So if you will introduce yourself are there any Board conflicts for this item? There are none. Mr. Neville.

MR. NEVILLE: Yes, James Neville, Neville Engineering, presenting a variance for Tennova Healthcare Jefferson Memorial Hospital. I do have, my client will be calling in, we've made arrangements with the Chief Boiler Inspector to have Robert Chambers call in and I believe that's being set up. Robert is the Plant Operations Supervisor.

Robert, can you hear us?

MR. CHAMBERS: Yes, I can hear.

MR. NEVILLE: Robert, if you could introduce yourself, then I will start the details for the variance requests for the two power boilers.

MR. CHAMBERS: Sure, I'm Robert Chambers, I'm Plant Operations Team Leader here at --

MR. NEVILLE: Robert, are you there?

MR. CHAMBERS: Yes, I'm here.

MR. NEVILLE: It cut off on the last statement I guess you made.

1 MR. CHAMBERS: I'll repeat everything. I'm
2 Robert Chambers with Tennova Jefferson Memorial
3 Hospital, I am the Plant Operations -- (silence) Can
4 you hear me now?

5 MR. NEVILLE: We can hear you now, but it
6 was a little choppy on the last one.

7 MR. CHAMBERS: Well, anyway, I'm the Plant
8 Operations Team Leader here at Tennova Jefferson
9 Memorial Hospital and Boiler Operator.

10 MR. NEVILLE: Our request today is for a
11 variance to two power boilers?

12 MR. CHAMBERS: Yes.

13 MR. NEVILLE: These are two Kewanee Boilers,
14 this high pressured steam is used for sterilization,
15 domestic hot water, medication, heating a facility?

16 MR. CHAMBERS: Yes.

17 MR. NEVILLE: On page two we list, we show a
18 site plan of where the boiler room and remote station
19 will be?

20 MR. CHAMBERS: Right.

21 MR. NEVILLE: Approximately 254 feet
22 distance between the two?

23 MR. CHAMBERS: Yes.

24 MR. NEVILLE: At the remote station, that
25 will be at E.R. registration and the remote attendant

1 will be classified as an admissions registrar?

2 MR. CHAMBERS: Correct.

3 MR. NEVILLE: Both -- there will be an alarm
4 panel at that remote station that will be hardwired to
5 the boiler room?

6 MR. CHAMBERS: Correct.

7 MR. NEVILLE: Has the that been installed
8 yet or is that still pending?

9 MR. CHAMBERS: It's been installed.

10 MR. NEVILLE: As far as the boiler
11 attendants, the facility will be qualifying two job
12 positions to be a boiler attendant, that will be senior
13 maintenance mechanic and the security officer?

14 MR. CHAMBERS: Yes.

15 MR. NEVILLE: Robert, if you would go into
16 the detail for the training for those to be a boiler
17 attendant, as far as qualifying them to operate the
18 boiler?

19 MR. CHAMBERS: Okay, each shift, every one
20 of them, of course we've trained every one of them, but
21 they check productivity, they check all pressures, all
22 water levels, and they also check multiple other things,
23 DA tanks, make sure it's working properly, pumps working
24 properly, functioning. They then do a blow down there
25 that checks their conductivity. Then we also went into

1 a little depth of the training in anticipation of the
2 boiler variance of alarm testing, testing the alarms,
3 making sure they're functioning correctly, make sure
4 they're getting a signal in the registrar's area and
5 communication with them at all times while this is
6 getting being done. So we have trained to that point
7 and so forth in anticipation for the variance, but as
8 far as the boiler itself, Larry (phonetic) understands
9 the emergency E-Stops where they're located. They know
10 where the main breakers are located in case of emergency
11 once they hit the stops, and let's see -- take a DA
12 tank, they know how to bring it online if they have an
13 issue within the area. And the most important thing,
14 they know who to call.

15 CHAIRMAN MORELOCK: What questions does the
16 Board have? Well, wait a minute, I need a motion to
17 discuss. Motion to discuss?

18 MR. BAILEY: Did you ask about conflicts?

19 CHAIRMAN MORELOCK: Yes, I did that.

20 MR. HENRY: Second.

21 CHAIRMAN MORELOCK: Thank you for that
22 second, Mr. Henry. What questions does the Board have
23 or comments? In looking through this, I could not find
24 the boiler training log in Appendix H. Let's see, I
25 might have it -- oh, there it is. It's there. I just

1 got in a hurry, it's on me.

2 So, on the organization chart, on Appendix
3 D, I did not see the Senior Maintenance Technician.

4 MR. NEVILLE: Bottom left. Senior
5 Maintenance Mechanic Boiler Attendant.

6 CHAIRMAN MORELOCK: Well, you got "Senior
7 Maintenance --

8 MR. NEVILLE: We're qualifying the senior
9 maintenance mechanics as a boiler attendant and the
10 security officer.

11 CHAIRMAN MORELOCK: Okay. So I don't see
12 plant operations supervisor on the work chart on
13 Appendix D.

14 MR. CHAMBERS: That should fall under Team
15 Lead Senior, that's me.

16 CHAIRMAN MORELOCK: Okay, okay. And so
17 again, as you go through the manual, you know who your
18 folks are, sometimes we name them one thing, then name
19 them another, make sure we're consistent.

20 MR. NEVILLE: I'll update that work chart.

21 CHAIRMAN MORELOCK: Under emergency duties,
22 which is on page 6, 8 and 10, I would make sure all
23 three of those emergency procedures read the exact same
24 way. They're all in there, but just make them all
25 match.

1 MR. NEVILLE: That's 6, 8 and 10, is that
2 what you're --

3 CHAIRMAN MORELAND: Six, eight and ten. So
4 who is the director of the facility?

5 MR. CHAMBERS: That would be Kim Coopman
6 (phonetic).

7 CHAIRMAN MORELOCK: Okay, I don't see that
8 on the organizational chart as well.

9 MR. NEVILLE: We will add to that chart.

10 MR. CHAMBERS: Actually he's there, it's
11 vague, it's director, safety officer, that's who he is.

12 CHAIRMAN MORELOCK: Okay, just clarify your
13 job titles. It's a common thing.

14 MR. CHAMBERS: Right.

15 CHAIRMAN MORELOCK: I know what it was when
16 I was making you look for Appendix H, you need, under
17 page seven, under "Training," you need to reference
18 Appendix H for your training log, that's what it was.
19 Right under "Training," you got items one and two,
20 probably want to reference the training log there,
21 that's what I was after.

22 MR. NEVILLE: Yes.

23 CHAIRMAN MORELOCK: What other questions
24 does the Board members have?

25 MR. BAUGHMAN: This is David Baughman, Board

1 Member.

2 MR. CHAMBERS: Yes.

3 MR. BAUGHMAN: So we are using the security
4 officer as a boiler attendant, is that correct?

5 MR. CHAMBERS: Yes, that's correct.

6 MR. BAUGHMAN: How comfortable is this
7 security officer with attending the boiler and clearing
8 the alarms on a piece of equipment such as the boiler?

9 MR. CHAMBERS: They're comfortable with it.
10 They've actually been doing this for a while, you know,
11 but still we're doing this, we're actually between
12 hourly checks, because they're here 24/7, because there
13 are more of them than there are plant operations now, so
14 they are very comfortable doing it.

15 MR. BAUGHMAN: Are they comfortable with
16 diagnosing the problem before they?

17 MR. CHAMBERS: Actually -- they're actually
18 doing that because the engineering staff on-call,
19 including myself on-call, we do a phone call if they
20 don't understand something, and we usually come in at
21 that point.

22 MR. BAUGHMAN: Okay. Thank you. Who is --
23 sorry go ahead.

24 MR. CHAMBERS: They've been gone through
25 extensive training because some of the things I've left

1 off is gas valve operation (unintelligible) operation,
2 so forth, I mean, they've gone through a lot, so they do
3 understand, some of the points that might be vague to
4 them, we would call the staff on-call.

5 MR. BAUGHMAN: Very good. Who actually is
6 in charge of training?

7 MR. CHAMBERS: Actually I do that.

8 CHAIRMAN MORELOCK: Any other questions or
9 comments?

10 MR. HENRY: Following up on Mr. Baughman's
11 comment regarding the security officer and his
12 functioning as a boiler attendant, in terms of the
13 experience and education required, it only references
14 the training for the boiler variance procedure. They're
15 actually receiving training in that, you know, basic
16 functioning design of boilers, shouldn't that be in
17 here?

18 MR. NEVILLE: It should, and we will update
19 that. At the time we initially wrote this, how they
20 were being trained was in question, but we will add that
21 outside boiler training.

22 MR. HENRY: Okay, thank you.

23 MR. BAUGHMAN: This is David Baughman again

24 MR. CHAMBERS: Yes, David.

25 MR. BAUGHMAN: So the security officer, if

1 we have an issue, will attend to the boiler if he's the
2 personnel that's required and he'll be attending the
3 boiler if need be under the 20-minute rule should that
4 be required, correct?

5 MR. CHAMBERS: Right.

6 MR. BAUGHMAN: But should there be an
7 incident at the hospital, whether it's security or
8 whatever the incident may be, he's got the duties of
9 security, patrolling, unsafe conditions, you name it,
10 he's got other duties that he may be called away from
11 the boiler room. He's in the boiler room, I take it
12 because he's the only personnel available at the time to
13 operate under the 20-minute rule, so my -- my concern is
14 that there be an incident come up that would call him
15 away from the boiler room duties, what's the protocol on
16 that situation?

17 MR. CHAMBERS: Well, in the past, what we
18 still do is the man on-call (unintelligible), if he's
19 going to have to be away for an extended period of time,
20 he calls that man on call and informs him, he swings by,
21 because we all live fairly close.

22 MR. BAUGHMAN: I understand, but should
23 that person be tied up or what have you, I'm just
24 playing kind of devil's advocate, for the lack of a
25 better term, the what-ifs, especially being a security

1 officer, his position is very important there at the
2 hospital.

3 MR. CHAMBERS: It is.

4 MR. BAUGHMAN: So, my concern is that
5 there's an incident that comes up, requires his
6 immediate attention and were waiting on other personnel
7 to come in, and that's just a concern that I wanted to
8 voice.

9 MR. CHAMBERS: Right.

10 MR. NEVILLE: There are multiple security
11 officers as well.

12 MR. CHAMBERS: Yes, there is.

13 MR. BAUGHMAN: On site at the same time?

14 MR. CHAMBERS: They're usually overlapped,
15 overlapped at least a good hour, hour and a half,
16 depending on whether it's weekend or evening.

17 MR. BAUGHMAN: Is there any time where
18 there's just one security officer?

19 MR. CHAMBERS: Yes.

20 CHAIRMAN MORELOCK: What other questions
21 does the Board have?

22 (No verbal response).

23 CHAIRMAN MORELOCK: Hearing none. Do I have
24 a motion?

25 MR. BOWERS: I have a motion to approve,

1 pending on the changed updates on the manual.

2 CHAIRMAN MORELOCK: (Unintelligible) by the
3 Boiler Unit?

4 MR. BAUGHMAN: Yes.

5 MR. HENRY: Second.

6 CHAIRMAN MORELOCK: All right, I've got a
7 second. Last call for questions or comments? No call
8 to question. All in favor, say "aye."

9 (Affirmative response).

10 CHAIRMAN MORELOCK: Opposed?

11 MR. BAUGHMAN: Opposed.

12 CHAIRMAN MORELOCK: Got one opposed.
13 Abstentions?

14 (No verbal response).

15 CHAIRMAN MORELOCK: Motion passes.

16 MR. NEVILLE: Thank you.

17 MR. BAUGHMAN: James, I just wanted to
18 clarify why the opposition on that, and it really has to
19 do with lack of personnel. That security officer really
20 is a point that we're not going to know a situation
21 comes up, we have voted a variance for a three-year
22 period of time, and we're taking for granted everything
23 works right, we know in a perfect world it does, but
24 we're not in a perfect world, so hence for my position
25 because the answer to one security officer being on-site

1 at a particular time, so I just wanted to kind of
2 clarify that for you. The manual, I like the manual,
3 you did a good job.

4 MR. NEVILLE: So if other clients come in
5 and they have multiple security officers, that would be
6 more in favor, correct? I mean, that's the issue with
7 this one is the lack of redundancy in that one
8 individual?

9 MR. BAUGHMAN: Just having one security
10 officer available, should there be anything that comes
11 up, whatever that situation is, there's too much time in
12 between to make the attendants work properly. If you
13 had multiple personnel there, I mean, multiple security
14 people or qualified boiler attendants on site at the
15 same time or anybody else that could fill in as the
16 boiler attendant, from what I was listening to, he would
17 be the only one at certain periods of time.

18 MR. NEVILLE: Right. So, the beginning of
19 the shift, you know, they're still required to go to
20 boiler room and do that, you know, four-hour in between.
21 Now, if they were, you know, called away, one option is
22 for them to shut the boilers down if there was an
23 emergency in another part of the hospital.

24 MR. BAUGHMAN: My issue was when he's
25 working as a boiler attendant under the 20-minute rule

1 and then there's an incident, that's where I have the
2 issue at. Thank you.

3 MR. BOWERS: Harold Bowers. You know,
4 that's a good comment you made because say in hospitals
5 where you know you say those situations where the
6 security guard, a fight or something, shut the boilers
7 down. I mean, you know, usually boilers are used for
8 sterilization, what sterilization are they doing at
9 midnight? So worse case scenario, shut the boiler down.
10 It's not going to be a drastic effect, that's the
11 easiest way to resolve that matter, get the residuals
12 back out, restart the boiler back up again.

13 MR. BAUGHMAN: That's a valid point,
14 although I would argue the fact that most sterilization
15 is done at night in preparation for surgeries the next
16 day, so that's just been my observation in
17 sterilization.

18 CHAIRMAN MORELOCK: So, to play off of that,
19 just as a comment, if there was an issue, you've got one
20 security officer in the boiler attendant room, he shuts
21 the boiler down, I would imagine he's going to be on the
22 call list to get somebody to come in, right?

23 MR. NEVILLE: That's right.

24 CHAIRMAN MORELOCK: How long would that take
25 to get that person there?

1 MR. CHAMBERS: About twelve minutes.

2 CHAIRMAN MORELOCK: Okay, so it's an
3 excellent point, you made Dr. Canonico proud today.

4 MR. BAUGHMAN: That is a wonderful comment,
5 Chairman.

6 CHAIRMAN MORELOCK: That was his
7 longstanding concern, and it is a valid concern, but I
8 think it's their operations, and so shutting the boiler
9 down will take care of the safety issue, and so then
10 it's, you know, what's that going to do for the
11 hospital, and that's more on them than on us.

12 MR. BAUGHMAN: If that's the case, then that
13 needs to be written in their manual, that should he have
14 to leave, that the boilers would then be shut down.

15 CHAIRMAN MORELOCK: Yes. All right.

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2 CHAIRMAN MORELOCK: So that'll take us to
3 item 21-07 Turkey Creek Medical Center, requests a
4 variance for boiler attendant requirement.

5 MR. BAUGHMAN: Could I ask for a short,
6 short break?

7 CHAIRMAN MORELOCK: Sure, how about come
8 back at 20 after.

9 (Whereupon, a recess was taken.)

10 CHAIRMAN MORELOCK: We are on Item 21-07,
11 Tennova Turkey Creek Medical Center requesting a
12 variance to boiler attendant requirement. Is there any
13 conflicts from the Board? I'm hearing none. So no
14 conflicts with the Board. Are you ready or are we still
15 waiting?

16 MR. NEVILLE: I'm ready, but still waiting
17 for Mr. Rutherford to call. He says he's walking to his
18 office right now.

19 CHAIRMAN MORELOCK: After we complete the
20 review of item 21-07, we'll take a one-hour break for
21 lunch.

22 MR. NEVILLE: Good morning, Jeff, can you
23 hear us?

24 MR. RUTHERFORD: Yes, I can. Hear what I
25 said? (Unintelligible).

1 MR. NEVILLE: State would like to request a
2 modification to a variance to Turkey Creek Medical
3 Center. This, I believe the original variance dates
4 back to 2008, the changes to this variance were a
5 control system change. It previously had the Hawk ICS,
6 that was outdated, and they installed the Honeywell RM
7 7800 with an extended annunciator and bigger control
8 system, so we've outlined some of the changes from the
9 original variance in the Appendix I. Appendix I-5 lists
10 kind of all the changes since that original variance.
11 In 2021, we changed it to the format that you see now,
12 so that includes the -- I will go through it and give
13 you a brief rundown on our variance request again; it's
14 two high pressure boilers, they operate for
15 sterilization. The boiler room, on page two, the boiler
16 room is in a penthouse and the remote station is on the
17 ground floor. We've added multiple pages just to show
18 you how those line up as far as where the remote station
19 is located.

20 So the emergency department registration
21 office is where that remote station is located, and
22 healthcare access associate is the job description of
23 the remote attendant.

24 As far as the boiler attendants that will be
25 monitoring those boilers, the job title, the three job

1 titles, Senior Engineering Technician, Senior
2 Maintenance Mechanic and the Security Officer. And in
3 this application, the security officer will just be
4 monitoring the boilers.

5 Now, Mr. Rutherford, if you would go through
6 the details of the training to qualify those individuals
7 as boiler attendants, that would.

8 MR. RUTHERFORD: Yes, we have -- I have with
9 me Robert Wright, who is our Senior Engineering Tech and
10 main boiler guy, been with us about five years. We do
11 hands-on with the officers and we have them fill out
12 training (unintelligible).

13 MR. NEVILLE: Jeff, that was a little
14 choppy, can you repeat that last sentence?

15 MR. RUTHERFORD: Yes, I was saying, feeding
16 back a little bit for some reason, but our security
17 officers are trained by our folks here, us, and after a
18 couple of weeks of training as to what they do and are
19 able to do on their own, we only third shift through the
20 week and then second, weekends. I don't know if you
21 heard me or not, we have a competency that we have them
22 fill out.

23 MR. NEVILLE: Can you repeat that again?

24 MR. RUTHERFORD: Yes. We have a competency
25 that we have them fill out that we grade them before we

1 turn them loose with that task.

2 CHAIRMAN MORELOCK: Are there any conflicts
3 on the Board for this item?

4 (No verbal response).

5 CHAIRMAN MORELOCK: Okay. Do I have a
6 motion to discuss?

7 MR. BOWERS: Motion.

8 CHAIRMAN MORELOCK: Got a motion. Do I have
9 a second?

10 MR. HENRY: Second.

11 CHAIRMAN MORELOCK: Got a second. What
12 questions or comments do you have about this proposed
13 variance renewal?

14 MR. BOWERS: This is Harold Bowers. How
15 long have they been operating under the variance?

16 MR. KLEISS: They've been on the variance,
17 then they've been off the variance for, Jeff, can you
18 detail as far as how long you've been on the variance?

19 MR. RUTHERFORD: We had our original
20 variance 2008, before I was here, they updated patrols,
21 I don't think we went back to the Board on, (breaking
22 up) but we have been doing the tech approval once we
23 found out.

24 MR. KLEISS: So when I got involved with it,
25 the controls were different than the manual that I saw,

1 so what I did is talked with the Chief and he was like
2 they need to be on the 20-minute rule until this goes
3 before the Board as a modification, so that's been I
4 guess their policy more than anything else, they're on
5 the 20-minute rule. They're not on their variance right
6 now until this modification goes through.

7 MR. BOWERS: So you didn't do the original
8 variance?

9 MR. NEVILLE: That is correct.

10 CHAIRMAN MORELOCK: The reason this came to
11 the Board is because of technical changes to the
12 equipment and the manual.

13 MR. NEVILLE: Yes, when they got me
14 involved, that's when I noticed that there were, the
15 controls didn't match up, and then that's when instead
16 of going to just the Chief, as renewal, it needed to be
17 modification.

18 CHAIRMAN MORELOCK: So the same comment, as
19 far as emergency duties, on pages 6, 8, and 10, just
20 make them all read the same, that way you don't have any
21 issues with it. On the organizational chart, label who
22 is the remote monitor and who is the boiler attendant.
23 Appendix A, there's no natural board members for the
24 boilers, and that's all I have.

25 What other questions or comments does the

1 board have?

2 MR. HENRY: Mr. Neville, just for
3 clarification, I guess I'm a little confused on the
4 security officers, are they boiler attendants or are
5 they boiler monitors?

6 MR. NEVILLE: Those are boiler attendants.
7 They will attend the boilers on third shift is the plan,
8 correct, Jeff?

9 MR. RUTHERFORD: Yes, that's correct.

10 MR. NEVILLE: On third shift they will, they
11 will go to the boiler room and monitor the boilers.

12 MR. HENRY: So they're fully responsible for
13 the operation of the boiler during that time?

14 MR. NEVILLE: Yes.

15 MR. RUTHERFORD: That's correct, along with
16 the alarm system that goes to our (unintelligible).

17 MR. HENRY: Thank you.

18 MR. BAUGHMAN: Mr. Henry, I appreciate you
19 bringing that up because I was a little confused.
20 Mr. Neville, on the parenthetical monitor with it, so I
21 didn't know the delineation between, we've got them
22 listed as boiler attendant, but what the monitor part of
23 it actually meant.

24 MR. NEVILLE: Right, so, as far as
25 troubleshooting those boilers, if there's an error,

1 they're going to call in the senior engineering
2 technician to do anything as far as trouble shooting the
3 boiler, but they are trained to operate the boiler.

4 MR. BAUGHMAN: Okay. So, is that identified
5 in the manual? Because the boiler attendant duties are
6 on what they can do and so forth, and resetting the
7 boiler, clearing the alarms, diagnosing the cause of the
8 alarm, so I just wanted --

9 MR. NEVILLE: I guess that is part of their
10 training and Jeff may be able to go into that training.

11 MR. BAUGHMAN: Jeff, could you elaborate on
12 that training?

13 MR. RUTHERFORD: Yes, are you guys hearing
14 me okay now?

15 MR. NEVILLE: Yes.

16 MR. RUTHERFORD: Okay. What their
17 responsibility is, per monitor down here like we were
18 when we had the variance. So what they're doing is
19 they're going, they are trained on how to disburse with
20 the emergency and take readings and (inaudible) for us,
21 but in case an emergency comes down to our desk and they
22 have a book down there telling them how to get in touch
23 with our company and our services to the hospital
24 (unintelligible). Security person is trained in how to
25 (unintelligible) boiler.

1 MR. BAUGHMAN: Thank you, Jeff, very much.
2 How many security personnel are available on third
3 shift?

4 MR. RUTHERFORD: We only have one, but that
5 is all they do is make rounds and check those boilers
6 currently. They don't do any sitting, (unintelligible)
7 or anything like that any longer, we stay in-house
8 instead of contracting that out for that reason.

9 MR. BAUGHMAN: Okay, thank you. So the
10 scenario, again, as we've had previous discussion, goes
11 to the boiler needing to be attended for whatever
12 purpose is not on the variance but needs, it needs to
13 have a security officer perform duties as a boiler
14 attendant, and should there be something that comes up
15 and he's the only security personnel on the job site
16 during third shift, and for whatever reason there's an
17 incident needing his attendance, what's the protocol
18 then for him leaving the boiler room and attending the
19 emergency?

20 MR. RUTHERFORD: He cannot leave that boiler
21 room. The protocol is wherever that emergency is, we go
22 9-1-1 local law enforcement.

23 MR. BAUGHMAN: Very good. Thank you, Jeff.
24 I would just ask that be spelled out in the manual also
25 that he cannot respond to any emergencies that would be

1 under his job description of responding to, his duty is
2 solely within the boiler room at that time?

3 MR. RUTHERFORD: That is correct.

4 MR. NEVILLE: While a boiler attended the
5 other duties.

6 CHAIRMAN MORELOCK: You can add that as a
7 new sentence R, on page G 104, because P and Q clearly
8 spells out that he or she will make periodic rounds of
9 the boiler room to verify normal operation and log it
10 and in accordance with the boiler attendant procedures,
11 so he's going to use boiler attendant procedures. And
12 then Q is, "response to a boiler alarms in a timely
13 manner in accordance with prescribed boiler attendant
14 procedures," so it's -- this person will definitely be a
15 boiler attendant, but it wouldn't hurt to add that
16 sentence about, if there's an emergency for a security
17 person, they're not going to be the one to go to it
18 they're going to be taking care of the boiler.

19 MR. BAUGHMAN: Jeff, I have another question
20 this is David Baughman, Board Member.

21 MR. RUTHERFORD: Yes, sir.

22 MR. BAUGHMAN: So you've got a good
23 Honeywell controller that has replaced a Hawk ICS
24 system, correct?

25 MR. RUTHERFORD: That's correct, that we can

1 no longer get parts.

2 MR. BAUGHMAN: So my question is, is that
3 all the alarms that the boiler would send out go through
4 this Honeywell with the expanded annunciator now?

5 MR. RUTHERFORD: They do. We have a list
6 and they're printed out down in the E.R. department, not
7 printed out, but just printed on the boiler.

8 MR. BAUGHMAN: So all the alarms go through
9 that programmer?

10 MR. RUTHERFORD: That's correct.

11 MR. BAUGHMAN: Okay. My question would be
12 is, how do we enunciate the low water alarms then since
13 the Honeywell does not enunciate low water alarms?

14 MR. WRIGHT: Robert Wright. On the low
15 water cutoff, the alarm itself does not enunciate at the
16 E.R. department, it enunciates at the boiler, which
17 sends an alarm out. It's a bell. If they're monitoring
18 like they're supposed to be, they would know. Everyday,
19 I'm up there every 20 minutes.

20 MR. BAUGHMAN: Okay. So, what you're saying
21 is is that the low water, both the primary and the
22 secondary, do not enunciate back to the remote station
23 though, correct?

24 MR. WRIGHT: Correct.

25 MR. BAUGHMAN: Those being one of our

1 primary alarms, I understand you're saying it's alarming
2 in the boiler room itself, and that you're checking that
3 every 20 minutes, but I've got concern that that's not
4 annunciating back, that's not -- that's one of the, if
5 not the most important alarm to be annunciated, so I
6 would -- I just have a little concern over that, just
7 throwing that out there.

8 MR. RUTHERFORD: So the other thing that we
9 have, if we have a Metasys for a BAS and it does bring
10 our on-call phone as well on a low-water alarm.

11 MR. BAUGHMAN: Through your building
12 management system?

13 MR. RUTHERFORD: Yes. Sorry, I'm caught a
14 little off guard, we haven't talked about it in a
15 minute.

16 MR. BAUGHMAN: The boiler room itself, I was
17 looking at the layout of it and I was trying to identify
18 where the E-Stops were located.

19 MR. RUTHERFORD: They are directly beside
20 the exit door to the roof.

21 MR. BAUGHMAN: Exit door to the roof. Good.
22 Is there more than one exit door?

23 MR. RUTHERFORD: There's two that's furthest
24 away, use them or there's a door that we use going in
25 and out and there's one boiler just door.

1 MR. BAUGHMAN: But it is a means of egress,
2 is that correct?

3 MR. RUTHERFORD: Yes, I would assume it is.

4 MR. BAUGHMAN: Okay. Is there an emergency
5 boiler shutoff switch at that door also that kills both
6 boilers?

7 MR. RUTHERFORD: Yes.

8 MR. BAUGHMAN: Very good. So we got
9 emergency stops, which is at both doors that kill both
10 boilers?

11 MR. RUTHERFORD: Yes.

12 MR. BAUGHMAN: Very good, thank you, sir.

13 CHAIRMAN MORELOCK: So if low-water only
14 alarms through the Metasys, how would the boiler
15 attendant check that at the boiler? You know, if he was
16 starting the shift, how would he know if low water is
17 working, that the alarm is working?

18 MR. RUTHERFORD: We all carry a pager or a
19 cell phone that rings, so we all get informed and the
20 person on-call or the person that day would be (trailed
21 off/inaudible).

22 MR. BAUGHMAN: Okay. My concern is with
23 previous discussion is that it's alarming to a
24 telephone, but not alarming to the remote station
25 itself, which is actually what our requirement is, that

1 that be hardwired to the remote station, and being that
2 that's such a critical alarm, it's nothing that we take
3 lightly but that the low-water alarms are a very
4 critical component.

5 MR. RUTHERFORD: Sure.

6 MR. HENRY: If I may, this is Jeff Henry, if
7 I could just follow-up on that. Did I understand you to
8 say that someone is monitoring the low-water alarms by
9 20-minute intervals?

10 MR. RUTHERFORD: Yes.

11 MR. HENRY: Who is doing that monitoring?

12 MR. RUTHERFORD: We would. If I understand
13 your question, we have somebody checking that boiler
14 every 20 minutes. During the day, first and second
15 shift will be our maintenance person, and third shift
16 (unintelligible) earlier.

17 MR. HENRY: So you basically have a boiler
18 attendant checking it every 20 minutes, why do you need
19 a variance?

20 MR. RUTHERFORD: Because we don't want to
21 check it every 20 minutes. I mean, just to be honest
22 with you, it's a, by the time (unintelligible) a small
23 hospital when they take a long time (unintelligible)
24 everything going on right now (inaudible).

25 MR. HENRY: I understand, that then goes

1 back to Mr. Baughman's question, in fact, the critical
2 alarm is not being --

3 MR. NEVILLE: Not having that alarm to
4 enunciate properly.

5 MR. BAUGHMAN: That would go back to your
6 checklist also on checking your water column, so forth,
7 so it wouldn't enunciate back, it wouldn't be one of the
8 alarms presently that you would be able to enunciate
9 back to the remote station, going we checked it? You
10 could hear the alarm boiler room, but I'm curious to
11 know if it's on both low water and secondary low water,
12 a lot of times it's just on one or the other, but
13 there's alarm circuits on both of those, but that's for
14 things to get taken care of.

15 CHIEF O'GUIN: Chris O'Guin. What we're
16 seeing in the field annunciated molecular remote station
17 is the primary would enunciate, but it will cut back off
18 once the boiler gets water back. The secondary, once it
19 goes into alarm, it enunciates in the remote panel the
20 whole time until they silence it, cut the boiler off.
21 We do the low water, then we're making them go to
22 secondary, we're making sure visual and audible is
23 working at the remote station, if it doesn't work, they
24 don't pass.

25 MR. BAUGHMAN: So, correct me if I'm

1 misunderstanding, but what we're saying is if the
2 primary doesn't necessarily enunciate back --

3 CHIEF O'GUIN: It will enunciate back, but
4 as soon as the boiler gets water back on its own, then
5 the alarm quits annunciating the remote panel.

6 MR. BAUGHMAN: Then if we see stuff in the
7 field, you'll get a nuisance alarm, water level bounces
8 and low water goes off and what have you, the panel
9 doesn't know, the remote panel doesn't differentiate
10 between alarms, it just sees an alarm, and so what I
11 don't want to do is get somebody complacent with hitting
12 that silent switch, which I'm not a fan of the silent
13 switch to begin with, the E-Stop's a good silent switch,
14 but the silent switch itself in nuisance lock-downs may
15 be a hit, and so - but I'm glad that it enunciates all
16 the same, we want that enunciation primary and
17 secondary. Thank you.

18 MR. RUTHERFORD: So I wanted to add, when
19 our boiler does go into that low water, it shuts off, it
20 will not restart until we go reset the boiler. It stops
21 itself.

22 MR. BAUGHMAN: Jeff, that would be just on
23 the secondary or is that for both low waters?

24 MR. RUTHERFORD: Secondary.

25 CHAIRMAN MORELOCK: Mr. Toth, do you have

1 question or comments?

2 MR. TOTH: No, I think it was covered. I'll
3 have my chance.

4 CHAIRMAN MORELOCK: Any other questions or
5 comments?

6 (No verbal response).

7 CHAIRMAN MORELOCK: Hearing none. Do I have
8 a motion?

9 MR. BAUGHMAN: Mr. Chairman, I would move
10 that we pass this remote variance with corrections to
11 the low-water enunciation and it being verified back
12 through inspection.

13 CHAIRMAN MORELOCK: Through the Boiler Unit?

14 MR. BAUGHMAN: Yes, sir, through the Boiler
15 Unit.

16 CHAIRMAN MORELOCK: Will that be part of a
17 contingency that they, successful site visit and
18 correction of the low-water, right?

19 MR. BAUGHMAN: That is correct. And the
20 additions to the manual that we spoke about as far as
21 corrections to training and security officer, so forth.

22 CHAIRMAN MORELOCK: Board comments to that?
23 Okay. Do I have a second for that?

24 MR. BOWERS: I second that.

25 CHAIRMAN MORELOCK: Anymore discussion?

1 (No verbal response.)

2 CHAIRMAN MORELOCK: Hearing none. I'll call
3 the question. All in favor, say "aye."

4 (Affirmative response).

5 CHAIRMAN MORELOCK: Opposed?

6 (No verbal response).

7 CHAIRMAN MORELOCK: Abstentions, not voting?

8 (No verbal response).

9 CHAIRMAN MORELOCK: Gentelmen, you have a
10 contingently approved variance.

11 MR. RUTHERFORD: Thank you, I appreciate it.
12 Thank you.

13 CHAIRMAN MORELOCK: All right. We are going
14 to take a one-hour break for lunch. We will reconvene
15 at 1 o'clock.

16 (Whereupon, a lunch recess was taken.)

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2 CHAIRMAN MORELOCK: Item 21-08, Vanderbilt
3 Wilson County Hospital requests a variance for boiler
4 attendant requirement. Introduce yourself, gentlemen.

5 MR. TOTH: Thank you Chairman, Members of
6 the Board, it's my pleasure to be here before you today.
7 My name is Marty Toth, I'm with ECS Consulting, the
8 Boisco Training Group, representing Vanderbilt Wilson
9 County Hospital. It's also may pleasure to have Travis
10 Reasons here with me, representing the hospital. Travis
11 is a Facilities Manager, and will be responsible for the
12 implementation of the variance manual there at the
13 hospital, and all parts within.

14 First, the hospital has installed two Fulton
15 boilers, high pressure steam boilers. They're going to
16 operate approximately 85 pounds. The boiler control on
17 those boilers is the Seaman's LMB 36. It also utilizes
18 the UV flame scanners to monitor the boiler flame.

19 For the hospital itself, there may be a
20 correction necessary within the manual that you
21 received, their main line of communications between the
22 remote station and the boiler attendants currently is
23 utilizing T-Mobile phone. They are looking in the very
24 near future to switch that to two-way radio
25 communication as their first line of communication.

1 The remote station is located at the
2 hospital's PBX office or PBX station. It is manned 24/7
3 by switchboard operators. Those switchboard operators
4 will be certified to be the remote attendants for the
5 hospital. Boiler attendants at the hospital are the
6 HVAC mechanics, they too will be certified to be the
7 boiler attendant/boiler operators. Currently there is
8 an agreement between the hospital and Boisco Training
9 Group to provide those training services to both
10 individuals, both the remote attendants and the boiler
11 attendants.

12 Currently the boiler attendants that work
13 the dayshift or, as I mentioned, or the HVAC mechanics,
14 during the evening shifts and the weekends, we will have
15 boiler guards that will be servicing those roles. As
16 with the HVAC mechanics, those boiler guards will be
17 required to go through the same exact training and pass
18 the examination at the end of the training, as would the
19 HVAC mechanics. If they're unable to successfully pass
20 the course, they will not be authorized to serve the
21 role as a boiler attendant, or in this case, a boiler
22 guard.

23 At this time I'd like to open up any
24 questions that you may have of myself or
25 Mr. Reasons.

1 CHAIRMAN MORELOCK: Thank you, Mr. Toth.

2 Are there any conflicts from the Board Members?

3 (No verbal response.)

4 CHAIRMAN MORELOCK: Okay. No conflicts. Do
5 I have a motion to discuss?

6 MR. BOWERS: Motion to discuss.

7 MR. HENRY: Second.

8 CHAIRMAN MORELOCK: Thank you, Mr. Henry,
9 for the second. What questions, comments do you have on
10 this variance?

11 MR. BAUGHMAN: Thank you Mr. Toth and your
12 associate for presenting this. The question just came
13 to mind when you just mentioned that if they didn't pass
14 the exam, they wouldn't be allowed to be attendants, so
15 forth, so then what happens, if we're short on being an
16 attendant, what's the consequences? What's the
17 procedure moving forward?

18 MR. TOTH: If I can go ahead and answer
19 that, Mr. Reasons can correct me if I'm mistaken; the
20 hospital utilizes a third-party company to provide those
21 security individuals. We will get to the point where we
22 will have to have somebody be the third-party, go
23 through the training and actually pass the exam. If
24 not, we will have to work within the individuals that we
25 have at the hospital under Mr. Reasons' authority, is

1 that correct?

2 MR. REASONS: Yes. We have multiple guard
3 positions, so those guards can go to different positions
4 within the facility, if they pass this troubleshooting.

5 MR. BAUGHMAN: Thank you. I'll carry on,
6 then, keep going, under section two, more of an
7 editorial, in the first item, it just says "number one,
8 Vanderbilt Wilson Hospital, complete microprocessor
9 integrating," would a monitoring control system
10 installed on a high pressure boiler, its boilers, we got
11 this installed on, both of them, I would assume?

12 MR. TOTH: (Nodded affirmative).

13 MR. BAUGHMAN: That's the worst I got.

14 MR. TOTH: We're in good shape, yes, sir.

15 CHAIRMAN MORELOCK: While you're thinking
16 Mr. Baughman. On that same page, under 3A, distance to
17 the from the boiler room to the station, is it
18 245-inches or 245-feet?

19 MR. TOTH: Let me pull that up,
20 Mr. Chairman, thank you for bringing that to my
21 attention. Yes, sir, that is 245-feet, thank you.

22 CHAIRMAN MORELOCK: Then on page 12, on page
23 12, item 4, under "In case of boiler alarm," should that
24 acronym "THC boiler attendant," should that be "WCH?"

25 MR. TOTH: Yes, it should, I do apologize,

1 there is a, as you can see, I mentioned in my
2 introduction that the intent was to go with the radio
3 program, and this section here will also be amended to
4 reflect that it will be through mobile phone
5 communication. If the Board approves, down the road
6 when we do go to a radio program, it would simply be
7 just an editorial process with the understanding we
8 would still have that communication, but I do appreciate
9 you bringing that to my attention.

10 CHAIRMAN MORELOCK: Other questions or
11 comments?

12 MR. BAUGHMAN: Yes, sir. So enunciation on
13 this is hardwired back to the remote station, the
14 alarms?

15 MR. TOTH: Yes, it will be.

16 MR. BAUGHMAN: So it's not presently?

17 MR. TOTH: It's not. As with other clients
18 that have appeared before the Board, the hospital would
19 like to make sure that we can get that tentative
20 approval prior to the capital investment.

21 MR. BAUGHMAN: Very good. The alarm panel
22 on page --

23 MR. TOTH: Sorry, that should be page four.

24 MR. BAUGHMAN: Page four, thank you. I made
25 a note in my notes, but I didn't write down the page.

1 Underneath where it says "Panel will have on/off
2 indication lights for each boiler," the bottom of that
3 it shows "item 4, LED type indicator light," I don't see
4 number four on there.

5 MR. TOTH: Sorry, Mr. Baughman. If you look
6 in the illustration, you will see a number four with
7 inside the lights of the illustration.

8 MR. BAUGHMAN: Ah. Awesome, so those are
9 lighted, yes, very good, thank you so much. Being that
10 everything else was off to the side, I didn't look in
11 the center. Thank you, sir. I've got a note of section
12 four, under item one, and I've got a, I "should" meet
13 instead of a "shall," meet, and it had to do with a
14 personnel meeting at the shift changes, and I'm looking
15 for where that was actually circled at, but I always
16 like to kind of clarify that if it's a "should," it's
17 not a mandated thing, but there again, it's more of a
18 preference than it is a mandate in our variance.

19 MR. TOTH: If you'd like, I can comment on
20 that, Mr. Baughman?

21 MR. BAUGHMAN: The reason we put a "should"
22 is simply it's not a requirement, it is a
23 recommendation, and a lot of that does have to do with
24 personnel timing. It would be nice if the off-going
25 would meet with the on-coming, in some situations, that

1 is not feasible, so therefore when it is not, it's not a
2 requirement.

3 MR. BAUGHMAN: Thank you, Mr. Toth.

4 CHAIRMAN MORELOCK: Are there any other
5 questions or comments of the Board?

6 MR. BAUGHMAN: How many exits are there to
7 the boiler room on page 13?

8 MR. TOTH: There is only one, sir. Very
9 small space. If we take a look at the actual site plan,
10 you'll see it's a fairly small room.

11 MR. BAUGHMAN: Does that meet the
12 requirements for the BTU?

13 MR. TOTH: The requirements of the BTUs, the
14 number of exits have to do with both the BTUs and the
15 sides of the boiler room. So, in this case, the sides
16 of the boiler room, it does meet the requirements that
17 it's not necessary to have two means of exit.

18 MR. BAUGHMAN: So, for clarification, and
19 you being a previous State Inspector would know this,
20 but just for our own clarification, for our exit means,
21 we've got to meet -- we've got a criteria of X amount of
22 BTUs and over 500 square feet, so it's got to be both,
23 it doesn't go by just one or the other, is that correct?
24 And the reason I bring this up is because we've had
25 questions in the past that have come up on that, and

1 thanks for taking the time to --

2 CHIEF O'GUIN: Just keep going, we'll -

3 MR. BAUGHMAN: -- look that up. So on the
4 Appendix C fault list, and I'll give this over to your
5 associate, as you look at the fault list that's in the
6 code on the LMB 36, difference between LMB 36 and then
7 LMB 5 is that the LMB 5 enunciates in English, the LMB 3
8 does not. And if you notice how many pages of fault
9 codes that you have listed, we're looking at extensive
10 fault code list. My question is, how familiar are you
11 with the LMB 3?

12 MR. REASONS: I, myself, I am not very
13 familiar with it, to be honest with you, boiler guard is
14 brand new, just only a couple of months. HVAC
15 technicians are much more in knowledge with this than I.
16 With that said, once we do see a fault code, we
17 typically call Fulton or Nashville Machine who installed
18 the boilers, tell them the fault codes we received and
19 they either walk us through it or come on out. Right
20 now we tell them to come on out, it's so new, we just
21 ask them to come.

22 MR. BAUGHMAN: And I appreciate that. Being
23 on the service side myself, we work within the Seaman's
24 controls quite a bit and there's a way to convert from
25 this code to English, there's some systems out there

1 that will do that, but presently it makes it very
2 difficult for somebody to go in and troubleshoot, so
3 what I'm hearing is that really when something does come
4 up, unless it's something they're familiar with, they're
5 going to call --

6 MR. REASONS: Boiler supply, yes.

7 MR. BAUGHMAN: -- getting ready to retire,
8 so he's the main contact out there, so we're losing some
9 great expertise up there. How did the low-water cutoffs
10 enunciate, then I'll ask your associate.

11 MR. REASONS: They enunciate inside the
12 boiler room where we do our 20-minute checks. Once we
13 install our panel. We'll enunciate there as well.

14 MR. BAUGHMAN: And we're doing that through
15 a hardwire?

16 MR. REASONS: Yes.

17 MR. BAUGHMAN: Perfect.

18 CHIEF O'GUIN: Chris O'Guin. You were
19 asking how many points of egress, is that what the
20 question was? (Unintelligible) shall be provided the
21 equipment room, 500 square foot floor area

22 (Court reporter asked for Chief O'Guin to speak up, I
23 could not hear him.

24 CHIEF O'GUIN: "Two exits shall be provided
25 for equipment rooms exceeding 500 square-feet of floor

1 area and contain one or more boilers, bottled water
2 heaters, thermal fluid heaters and (unintelligible)
3 combined fire-fuel capacity one million BTU per hour or
4 more for equivalent (unintelligible) input."

5 MR. BAUGHMAN: Very good, thank you, Chief.
6 So we've got to meet the criteria of both, as Mr. Toth
7 had said earlier, 500 square-foot and the BTU
8 requirements. Thank you very much.

9 So, the limits themselves, the lower cutoff
10 primary, secondary is going to enunciate through
11 hardwiring, I would anticipate, there's some alarms that
12 still don't necessarily enunciate, but they shut the
13 boiler off, the high pressure steam switch is one of
14 them, I always like those to enunciate back. Even the
15 carbon monoxide alarms, we're talking about the
16 possibility of future alarming back because you don't
17 know if you're in a situation like that, but you've
18 answered all the questions that I have and I appreciate
19 it. Thank you.

20 CHAIRMAN MORELOCK: Are there any other
21 questions? Are there any other questions concerning
22 this variant?

23 (No verbal response.)

24 CHAIRMAN MORELOCK: Hearing none. Do I have
25 a motion?

1 MR. BOWERS: I make a motion to accept
2 satisfactory after inspection, also update the manual.

3 CHAIRMAN MORELOCK: Do I have a second?

4 MR. HENRY: Second.

5 CHAIRMAN MORELOCK: Any other last comments
6 or questions?

7 (No verbal response).

8 CHAIRMAN MORELOCK: Hearing none, all in
9 favor, say "aye."

10 (Affirmative response).

11 CHAIRMAN MORELOCK: Opposed?

12 (No verbal response).

13 CHAIRMAN MORELOCK: Abstentions, not voting?

14 (No verbal response).

15 CHAIRMAN MORELOCK: Gentlemen, you have a
16 contingently approved variance.

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2 CHAIRMAN MORELOCK: That takes us to the
3 next item, 21-09, Tennova Cleveland request. Is there
4 any Board conflicts of interest on this item?

5 (No verbal response).

6 CHAIRMAN MORELOCK: All right, thank you.

7 MR. TOTH: Thank you, again, Mr. Chairman,
8 members of the Board, it is an honor for me to have with
9 me Mr. Doug Davis, Director of Plant Operations, for
10 Tennova Healthcare Cleveland. We'd like to request a
11 variance for their three Miura high pressure water tube
12 steam generators, and those particular units itself
13 operate at approximately a hundred PSI. Formerly those
14 boilers, the minor boiler used to utilize, both we're
15 very familiar with is the RM 7800 series boiler
16 controller. They have went to a certified individual
17 proprietary controller, the DL11 microcomputer, that
18 serves the role as the flame safeguard, as we like to
19 call the burner (unintelligible) system.

20 There are a couple editorials that I would
21 like to bring just right off the bat to the Board,
22 number one is the site plan, I know that you may have
23 some questions about that. If you would like to, I will
24 go ahead and bring those up right now. If you so desire
25 to kind of identify some of the information that may be

1 missing that I will take full responsibility for, that
2 was something I was supposed to revise and I failed to
3 do so. The actual, if you look at the diagram itself,
4 you will notice in the, as you turn it sideways, in the
5 upper left, the upper left corner you see the parking
6 lot, you recognize that gentlemen? Over in that corner,
7 there's an entrance there, at that corner, you'll see
8 security and then PBX. If I may approach? This area is
9 the PBX, the boiler building is right here.

10 MR. BAILEY: If you want that on the record,
11 somebody's going to have to talk a little louder.

12 MR. TOTH: Okay. Mr. Baughman, as you see,
13 this is the PBX with the boiler room across the parking
14 lot, there's a tunnel that runs to it or you go outside
15 and walk across the parking lot.

16 MR. BAUGHMAN: How many feet?

17 MR. TOTH: What did we say that was?
18 Five-hundred feet.

19 Mr. Chairman, this is the PBX with boiler
20 building located across the parking lot. You can
21 actually see directly out the window of the PBX and see
22 the stacks of the boiler, and it also has a tunnel that
23 runs underground.

24 CHAIRMAN MORELOCK: So are you going to
25 provide little more detail?

1 MR. TOTH: Yes, I will.

2 CHAIRMAN MORELOCK: Thank you.

3 MR. TOTH: Mr. Henry, so this is where the
4 PBX is located. The boiler room is located in a
5 building right across the parking lot, they can see it
6 directly, around 500-feet where there's a tunnel that
7 runs underneath the hospital.

8 MR. HENRY: Thank you, I appreciate it.

9 MR. TOTH: I do apologize for that omission,
10 I just realized it when Mr. Davis and I were reviewing
11 the manual that I had not updated that, and so I will
12 make sure that that is added to the manual prior to
13 inspection, if that pleases the Board?

14 Also, the other was the example of the
15 boiler panel that will be located in section two, on
16 page four. That's just a standard diagram until we get
17 a photograph of the installed panel. As you can see, it
18 only indicates two boilers when in fact the Hospital
19 Cleveland has three, so we will be getting the panels
20 installed or the panel installed and replacing this with
21 an actual photograph of the installed panel. The panel
22 will have the same configuration, but with three boilers
23 instead of just the two.

24 If I may, so with our attendants, we
25 utilize the PBX station, as I mentioned, as or remote

1 station, PBX operators will man that 24/7. For the
2 boiler attendants, we have a staff that includes the
3 maintenance, mechanics, maintenance carpenters,
4 electricians, HVAC, plumbers, there's a vast amount of
5 staff that the hospital has chosen to qualify all these
6 individuals, and I applaud them for that, to make sure
7 that they are able to have certified boiler attendant on
8 site during the variance. Now that will go from
9 7:00 a.m. to 4:30 p.m., Monday through Sunday. After
10 hours, we have certified boiler guards that will be
11 taking the same certification classes through BTG as the
12 hospital boiler attendants.

13 The remote attendants will also be required
14 to take the remote-attended classes, as with all of our
15 clients, the boiler attendants will also take the
16 certification for the remote attendant just so that they
17 are extremely knowledgeable in that aspect as well. All
18 those individuals, as I mentioned before, will have to
19 pass a multiple choice exam to be able to serve the role
20 as either a boiler attendant or remote attendant.

21 So, with that said, again, let me say this,
22 our first line of communications is the radio, second is
23 mobile phone, and I open it up for any questions you may
24 have of us.

25 CHAIRMAN MORELOCK: So Mr. Toth, on page

1 three, under section two --

2 MR. BAILEY: Mr. Chairman, you got a motion
3 to discuss?

4 CHAIRMAN MORELOCK: Sorry, got ahead of
5 myself. Back up. Does anybody have a conflict with
6 this?

7 (No verbal response).

8 CHAIRMAN MORELOCK: Okay, so now with that
9 said, do I have a motion to discuss.

10 MR. BOWERS: I make a motion to discuss.

11 MR. HENRY: Second.

12 CHAIRMAN MORELOCK: Thank you. Okay. So if
13 you look on page three, item E.

14 MR. TOTH: Which item, sir?

15 CHAIRMAN MORELOCK: Item E, on section two,
16 on page three. It says "remote alarming system allows
17 boiler to be continually monitored by the boiler
18 attendant stationed at the remote station," should that
19 be --

20 MR. TOTH: Yes, it should.

21 CHAIRMAN MORELOCK: - PBX operator?

22 MR. TOTH: It should be "remote attendant,"
23 yes, sir.

24 CHAIRMAN MORELOCK: Okay. On page 15,
25 speaking under "equipment description," how does DL11

1 microcomputer, how does it prevent unauthorized access?

2 MR. TOTH: Mr. Chairman, I'm trying to
3 remember this particular piece of equipment, I know that
4 there is a login under certain settings, but because
5 this is not a network connection, it is a standalone, I
6 do know that the boiler rooms are locked. I don't know
7 if it has any other type of security other than that,
8 the set points, and those are based off of -- those are
9 based off of a password, yea, based off of a password to
10 reset those from. From what I recall, those passwords,
11 the supplier or the service company has those to be able
12 to change the set things, if I'm not mistaken, I would
13 have to double-check on that.

14 CHAIRMAN MORELOCK: Just note that on page
15 15, how do you prevent unauthorized access, that'll be
16 fine.

17 MR. TOTH: Okay.

18 MR. BAUGHMAN: Add to that, we've got, in
19 the service end of it, we have the service passwords to
20 go in and have access to certain criteria, the OEM has
21 the full set, but on the service end of it, we got
22 criteria for certain (inaudible/trailed off).

23 MR. TOTH: Let me make a note of that right
24 quick.

25 MR. BAUGHMAN: So do you presently have

1 combustion and control solutions servicing these?

2 MR. DAVIS: Yes, they're the factory
3 certified --

4 MR. BAUGHMAN: Very good. So, to that
5 extent, just the jump in, Mr. Chairman.

6 CHAIRMAN MORELOCK: Go right ahead.

7 MR. BAUGHMAN: Do you have any nuisance
8 alarms on these units? I can't say that with a straight
9 face, so but, yes, so.

10 MR. DAVIS: Yes, we have had a few.

11 MR. BAUGHMAN: As I would expect.

12 MS. DAVIS: And we always have them come
13 down and check it and make sure everything is good.
14 They're very finicky.

15 MR. BAUGHMAN: Finicky, that's a diplomatic
16 way of putting it. Water alarms are probably the
17 biggest thing that we encounter with these boilers. So
18 with that, it's to the point of, this enunciates back to
19 the panel on your water alarms, I take it, this is where
20 some of the nuisance alarms comes into play, and so I'm
21 always, every boiler is different, but some are more
22 susceptible to it than others, but I wanted to make sure
23 that primary and secondary enunciates over as it should.
24 The question I've got is, these are classified as steam
25 boilers, but how do you check water level in them?

1 MS. DAVIS: To be honest with you, I don't
2 do that, so, you know, I would have to refer to one of
3 my boiler techs.

4 MR. BAUGHMAN: I would like to know the
5 answer because these boilers don't have a water level
6 site glass, and as a classification of boilers, a steam
7 boiler, section one, the ASME, we are required to have a
8 means of checking the water level in these boilers
9 unless it's classified as a generator, but we've got
10 these classified as boilers, and so that's where my
11 question comes up with how we're actually checking the
12 water levels in the boilers themselves being it's a
13 requirements of a boiler?

14 MR. TOTH: Can I answer that, Mr. Baughman?

15 MR. BAUGHMAN: I'd love for you to, thank
16 you.

17 MR. TOTH: So just to be perfectly clear,
18 these particular units, as you said, we, when you say
19 "we," you're meaning the State of Tennessee, when you
20 say "we" classified these as a boiler, which we do, in
21 the industry, they're classified as a steam generator
22 because they do not have a fixed water level. Okay. So
23 the proper testing of these can be accomplished by
24 evacuating the chamber, okay, in the unit, because it
25 does not have a fixed water level or a site glass. Any

1 illustration that I've given you under Appendix B, page
2 13, it will show you the individual steps of safe
3 operation; if you receive a caution message or if you're
4 seeing an alarm condition, and so, this particular unit
5 does have the ability to evacuate the probe chamber, and
6 in doing so would expose the probes, which would cause a
7 low-water condition, and I hope that answers your
8 question. And all of boiler attendants will be trained
9 thoroughly in that operation.

10 MR. BAUGHMAN: I guess one of the questions
11 I come up with as I'm going through this and knowing the
12 boiler and the definition between boiler and steam
13 generator is that the steam generator fall under the
14 requirement of this particular need, being that it
15 doesn't meet the definition of the boiler as it's
16 constructed with the lack of the site glass and so forth
17 in its construction. So you mentioned that it is, by
18 definition, a steam generator and not a boiler, how it
19 gets classified in the industry, so being that, how do
20 we move forward or does it still come in classification
21 of what we need to have on the variance?

22 MR. TOTH: I agree with what you're saying,
23 we've had this discussion many times. I've personally
24 had clients that submitted very similar pieces of
25 equipment. It was very clear the definition within the

1 State of Tennessee that steam generators are built under
2 section one of the ASME code just as well as boilers
3 that have a reduced water level. With that said, being
4 treated as a boiler, there are certain requirements that
5 State of Tennessee's going to adhere to when it comes to
6 the construction of these boilers, and as long as that
7 boiler meets the requirements of construction under
8 section one of the ASME code, the State of Tennessee is
9 going to allow its operation within the State. There
10 are certain interpretations or cases that have been
11 presented in the past that have been brought up in this
12 forum that do allow for certain liberties when it comes
13 to certain types of inspections, so on and so forth. So
14 I hope that answers your question, because I know this
15 is something that's bothered you for quite a few years,
16 but it is classified as a high pressure boiler, it's
17 defined as a high pressure boiler in the ASME code, it's
18 also defined as a high pressure boiler within the State
19 Rules and Regulations.

20 MR. BAUGHMAN: I know you just mentioned
21 earlier it's a high pressure generator, steam generator
22 also, so you're saying it's one in both?

23 MR. TOTH: It's one in both. It's one in
24 both. It's certain requirements during construction are
25 required on one particular type and no different than if

1 it were a miniature boiler built under section one ASME
2 code, they have certain requirements than you would in
3 section PG of the ASME code.

4 MR. BAUGHMAN: Thank you for that
5 discussion. We'll carry it on some more at another
6 time.

7 MR. TOTH: The next time I'll bring one to
8 the Board with me.

9 MR. BAUGHMAN: Other generators, i.e.,
10 Clayton, Vapors, units like that that people have
11 installed to be outside of the variance rules and so
12 forth, and we have argued it both ways, hey, it's a
13 boiler, it's a generator, so forth, so I was actually
14 wanting to hear his dissertation on it, so I appreciate
15 that.

16 CHAIRMAN MORELOCK: Any other questions or
17 comments?

18 (No verbal response).

19 CHAIRMAN MORELOCK: Hearing none, do I have
20 a motion?

21 MR. BOWERS: Yes, I have a motion to approve
22 updating and drawing innate changes and of course a
23 statement.

24 CHAIRMAN MORELOCK: Do I have a second?

25 MR. BAUGHMAN: Second.

1 MR. HENRY: Second.

2 CHAIRMAN MORELOCK: Anymore questions or
3 comments?

4 (No verbal response).

5 CHAIRMAN MORELOCK: Hearing none, I'm going
6 to call the question, all in favor, say "aye."

7 (Affirmative response).

8 CHAIRMAN MORELOCK: Opposed?

9 (No verbal response).

10 CHAIRMAN MORELOCK: Abstentions, not voting?
11 Gentlemen, you have a contingency approved variance.

12 MR. TOTH: Thank you, Gentlemen.

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2 CHAIRMAN MORELOCK: Takes us now to item
3 21-10, Tennova Newport, requests variance for the boiler
4 attendant requirement. Are there any conflicts with the
5 Board on this item?

6 (No verbal response)

7 CHAIRMAN MORELOCK: You may proceed.

8 MR. TOTH: Thank you, Mr. Chairman. It's an
9 honor to have the Director of Plant Operations at
10 Newport Medical Center in Newport, Tennessee. We come
11 to you today requesting a variance for remote attendant
12 of the two high pressure boilers. I believe, Chief
13 O'Guin, I, apparently I had sent over to my printer the
14 wrong checklist for a different client. I found that
15 the other day and I sent that over, hopefully you were
16 able to receive that in time, I do apologize for that
17 oversight.

18 So what we have at the Newport Medical
19 Center, which is both part of a Tennova Healthcare
20 System, is two (unintelligible) hundred horse power fire
21 tube boilers, they utilize the Honeywell RM 7800 series
22 boiler controller. They operate in the range of about
23 60 to about 70 PSI, producing steam. Their fuels,
24 they're using primarily natural gas with a backup for
25 number two fuel oil. If you'll see, there were a couple

1 of things that were omitted during the rush to get the
2 manuals in in the timely manner, two of those things
3 were the national board members that were located on
4 Appendix A for page 14, am I correct in that? And if
5 you would, for boiler number one, that would be national
6 board number 2184, and boiler number two, that would be
7 21191. Okay.

8 MR. BAUGHMAN: Could you repeat that first
9 number, was that 2184?

10 MR. TOTH: Yes, it read 2184 is what we're
11 showing. And so what we have at Newport, very similar
12 to the other hospital operations, we have the remote
13 attendants -- the remote attendants are stationed within
14 the E.R. registration area versus a PBX office, it too
15 is manned 24/7 by unit clerks. The boiler attendants
16 that work for the hospital, we have the maintenance
17 technicians that are going to be the boiler attendants
18 during our dayshift. Evening shift, we will have boiler
19 guards, so those shifts will run from 7:00 to 3:30 would
20 be considered the dayshift, Monday through Friday, then
21 the off hours would be covered by the boiler guards.
22 The first line of communication between the remote
23 station and the boiler attendants will be the radio
24 system, with the backup system being the phone system,
25 if they do not receive an answer. Again, as with the

1 previous locations, there is to be an agreement between
2 the hospital and Boisco Training Group to provide both
3 the remote attendant training and also thorough boiler
4 attendant training for both the maintenance technicians
5 and the boiler guards with the same arrangement that
6 they must successfully pass, take the course, and they
7 must pass the final exam to be able to serve in the role
8 of either the remote attendant or the boiler attendant.
9 And so, with that, I open it up for any questions that
10 you may have.

11 CHAIRMAN MORELOCK: Do I have a motion to
12 discuss?

13 MR. BOWERS: Motion to discuss.

14 MR. HENRY: Second.

15 CHAIRMAN MORELOCK: Thank you. What
16 questions or comments do you have to this variance?

17 MR. BAUGHMAN: Mr. Toth, on the testing that
18 you administered for the qualifications, does this
19 testing get changed up or is it the same test for each
20 facility?

21 MR. TOTH: No, it's not the same test. All
22 the training courses are custom built to the individual
23 location, based on their equipment. The program that is
24 used for that randomizes the questions, so if say we do
25 a purely in-person classroom and boiler site training,

1 that test is generated for that class. If it is a
2 combination between a customized online classroom, that
3 is randomized between each individual taking that test,
4 so it won't be the same questions every time.

5 MR. BAUGHMAN: Very good.

6 CHAIRMAN MORELOCK: Any other questions or
7 comments?

8 (No verbal response).

9 CHAIRMAN MORELOCK: Hearing none, do I have
10 a motion for this item?

11 MR. BOWERS: I make a motion to approve. I
12 don't know that we had any updates, I guess updating the
13 attached sheets, but also approval on continued site
14 visit by the State.

15 MR. HENRY: Second.

16 CHAIRMAN MORELOCK: Thank you for that
17 second, Mr. Henry. Any other comments or questions?

18 (No verbal response).

19 CHAIRMAN MORELOCK: Hearing none, I'm going
20 to call the question, all in favor, say "aye."

21 (Affirmative response).

22 CHAIRMAN MORELOCK: Opposed? Abstentions,
23 not voting?

24 (No verbal response).

25 CHAIRMAN MORELOCK: You have a contingently

1 approved variance.

2 MR. TOTH: Thank you Members.

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2 CHAIRMAN MORELOCK: Okay, that takes us to
3 item 21-11, variance guideline and checklist revisions,
4 and this is an action item, action item for revision of
5 the variance guidelines and checklist, so I hope
6 everyone has a copy of that. So what you have is we had
7 a couple of redline provisions in the previous board
8 meetings, the Board Unit graciously re-typed this whole
9 thing, it was very hard to format and I want to thank
10 the Board Unit for basically rebuilding this from
11 scratch, it looks really good. And so basically what
12 you're going to see here is revision to the flow chart
13 on preparation of a variance, as well as a renewal of a
14 variance, and that renewal has a decision point to where
15 is the renewal of the variance, does it have any
16 technical changes, if it does have technical changes, it
17 comes back to the Board for review; if it has no
18 technical changes, then the Boiler Unit can approve that
19 renewal.

20 Most of the changes, if you look at the flow
21 chart, the horizontal line at the top goes all the way
22 to the bottom where you have the question, "Technical
23 changes to the variance, yes or no." The yes, if there
24 are technical changes, it takes you back to the
25 preparation of a variance that will go to the Board. If

1 technical changes are not required, then you'll see it
2 goes up to the State of Tennessee Inspection for the
3 Boiler Unit can approve that.

4 If you move on over to the checklist itself,
5 just so you know, the revisions are shown under item 26,
6 where the words "and boiler attendant" was added. And
7 27, the words "remote monitoring and boiler attendant"
8 was added. And item 28, "remote monitoring and boiler
9 attendant" was added; 30A, the words
10 "and boiler attendant."

11 On item 34, the words "and boiler
12 attendant." On item 35, the words "and boiler
13 attendant" were added. On item 36, items D, positive
14 check low water cutoff. E, check of the water in the
15 boiler site glass; and F, check of the boiler flame and
16 spec temperatures, if unit is full fired, were all
17 added. Item 43, do the emergency stops, E-Stops shut
18 down all boilers, local or remote, was added. Item 44,
19 "carbon monoxide and remote station" was added. Item 45
20 "E-Stop hardware" was added. That is the changes that's
21 being voted for this proposed provision 11 of the Board
22 variance rule. Are there any questions or comments?

23 (No verbal response).

24 MR. BOWERS: Once this is updated, this will
25 be on the website?

1 CHIEF O'GUIN: Yes.

2 CHAIRMAN MORELOCK: So I will open it up for
3 discussion, so.

4 MR. BAUGHMAN: Mr. Chairman, I've got just
5 one item that comes to mind, and again, channeling my
6 inner Dr. Canonico, section two, system operating
7 manual, in the second sentence it states "it should be
8 kept in mind that this manual is not a boiler operator
9 training manual, however, a program for remote monitors
10 is an integral part of it." My desire is that a
11 statement be put in that states something to the effect
12 that "it is strongly recommended that boiler operator
13 training be," be something, I don't know how to word it,
14 but that we advocate, even though our State does not
15 mandate it, we mandate training to the variance manual,
16 I think that it's important that we strongly recommend
17 boiler operators.

18 CHAIRMAN MORELOCK: So, to simplify the
19 words, would it be acceptable to the Board and the
20 Boiler Unit and our visitors, if we said, after "however
21 a training program for remote monitors and boiler
22 attendants is an integral part of it," what if we added
23 "boiler attendants" after "remote monitor" in that
24 sentence?

25 MR. BAUGHMAN: Run that by me again because

1 my --

2 CHAIRMAN MORELOCK: So, the sentence, as
3 today, it reads "It should be kept in mind that this
4 manual is not a Boiler Operator training manual;
5 however, a training program for remote monitors is an
6 integral part of it," so what if we put "A training
7 program for remote monitors and boiler operators is an
8 integral part of it," use the same words that are
9 already there?

10 MR. BAUGHMAN: Well I guess what I'm getting
11 at is not so much the training to the variance, I think
12 this statement is towards the training of the variance.

13 CHAIRMAN MORELOCK: It is. It is.

14 MR. BAUGHMAN: What I'm wanting to do is
15 just to reiterate that we recommend training of Boiler
16 Operators, not so much training to the manual as it is
17 we strongly recommend that Boiler Operators be trained,
18 that may or may not be kosher, but it's something that
19 we're lacking in as much as we're always training to the
20 manual, per the variance, I know there's, I know other
21 groups, Boisco Training Group, our training school and
22 so forth trains further than that, but I just feel like
23 a statement could be made that we recommend boiler
24 training beyond the variance.

25 CHAIRMAN MORELOCK: Well, that's the whole

1 thing, this is just for the variance, not an
2 over-arching. I mean, I understand what you're asking,
3 but I don't know putting it in here is only going to box
4 it in for a variance, see what I'm saying?

5 MR. BAUGHMAN: I do.

6 MR. TOTH: Marty Toth, ECS. Can you hear me
7 okay? I definitely see what Mr. Baughman is referring
8 to; there's a couple of things I would like to mention,
9 number one is the confusion that comes about, I'll talk
10 about the training in a second, the confusion that comes
11 about when we talk about remote monitor, we've seen
12 that, heard that today, in fact, and Boiler Operator, as
13 we know, there is a lot of confusion in the industry
14 with using the term "remote monitoring," when in reality
15 what we do have is an individual, that individual being
16 an attendant, so I would strongly consider for the Board
17 to look at not using "remote monitoring" because that
18 has been a confusing thing in the past, maybe simplify
19 it by calling those individuals "remote attendants," and
20 then boiler attendants be the other.

21 As for the training, I agree with both of
22 you. I agree with Mr. Baughman, the importance of
23 having trained Boiler Operators, but I also agree with
24 you Mr. Chairman in the fact that this variance is
25 covering the remote variance. Now, everyone knows when

1 a company brings their requests to the Board, they are
2 not only going to be questioned about the remote
3 attendants training, they also are going to be asked
4 about the qualifications of the Boiler Operators. The
5 Boiler Unit, when they go in to do the inspection,
6 they're going to observe that, that's all covered in the
7 current rules and regulations stating that the
8 individual owner and user shall certify the boiler
9 attendants, okay. So I agree with you both on that
10 matter, so...

11 CHAIRMAN MORELOCK: Are you also
12 recommending that we will change "remote monitors" to
13 "remote attendant?"

14 MR. TOTH: Yes, sir. I think that may be
15 clear in the industry, somebody that, a company that may
16 have a system where they could literally monitor from
17 Kansas City, may consider the term "remote monitor" as
18 what you're talking about, and in fact you're talking
19 about an individual.

20 CHAIRMAN MORELOCK: What are the Board
21 Members' thoughts on that?

22 MR. BOWERS: I totally agree with you, that
23 should be "attendants" put in there.

24 MR. HENRY: Agree.

25 CHAIRMAN MORELOCK: Mr. Baughman?

1 MR. BAUGHMAN: Yes, I agree, I believe
2 "attendant" is a proper term on it, and I still --
3 (phone rings) -- so it's up to the owner to qualify,
4 although there's no qualifications, other than the owner
5 itself. So, I understand that this is for the operating
6 manual, it was just a recommendation in some form or
7 fashion whereas we have none anywhere else that I'm
8 aware of that would have an opportunity of stating that
9 Boiler Operator training, beyond the variance, be
10 strongly recommended, and whether or not this is the
11 format to put that in, Mr. Chairman, again, I don't
12 know, it's just, it's what I felt called to, and --

13 CHAIRMAN MORELOCK: So, in that vain, I
14 think, tell me what you think about this, so, with this
15 sentence, I've already added, I've changed "remote
16 monitor" to "remote attendants," so we take this
17 sentence and what if we say, this is talking about the
18 system operating manual, "should be kept in mind that
19 this manual is not a boiler operator training manual,"
20 you want to change "operator" to "attendant?" Yes? No?
21 Would "boiler attendant" be a better word than "boiler
22 operator?"

23 MR. BAUGHMAN: I think it's specific I think
24 it's clarifying that this is not an operator training
25 manual. I think that clarifies it pretty well.

1 CHAIRMAN MORELOCK: Okay. So, let's change
2 that. So we say, "It should be kept in mind that this
3 manual is not a boiler attendant training manual;
4 however, a training program for remote attendants and
5 boiler attendants is an integral part of it." Or do you
6 want to table this and me send you a revision out and
7 let you read it?

8 MR. BAUGHMAN: I think the verbiage that I'm
9 still looking at is beyond the manual itself, so being
10 that -- I'm sorry, go ahead.

11 CHAIRMAN MORELOCK: So this is just for the
12 variance?

13 MR. BAUGHMAN: Yes.

14 CHAIRMAN MORELOCK: So if you want it
15 broader, we need to take another discussion.

16 MR. BAUGHMAN: Yes, let's -- that thought is
17 still there, I've given my brother justice in passing
18 along the thoughts of operator training for the record,
19 but I think we'll go with what we've got, as you've
20 described for the -- for this revision.

21 CHAIRMAN MORELOCK: Okay.

22 MR. BAUGHMAN: Thank you, Chairman, for
23 discussing that.

24 CHAIRMAN MORELOCK: You're very welcome.

25 CHIEF O'GUIN: Chairman -- It's Chris.

1 CHAIRMAN MORELOCK: Yes.

2 CHIEF O'GUIN: So what you're changing, "It
3 should be kept in mind that manual is not a boiler
4 attendant," so you're taking "operator" out, changing it
5 to "attendant?"

6 CHAIRMAN MORELOCK: Yes.

7 CHIEF O'GUIN: "...training manual, however
8 training program for remote," taking "monitor" out,
9 changing it to "attendant," "is an integral part of it."

10 CHAIRMAN MORELOCK: Well, it's "and."

11 CHIEF O'GUIN: "...and boiler attendant?"

12 CHAIRMAN MORELOCK: "...and boiler
13 attendants is an integral part," yes.

14 CHIEF O'GUIN: So we can make those changes.
15 Thanks.

16 MR. BAUGHMAN: So does that not counter
17 itself in as much as it's not a boiler attendant
18 training manual, however, a training -- that makes
19 sense. So this is not the training manual itself?

20 CHAIRMAN MORELOCK: Right, this is a guide.

21 MR. BAUGHMAN: But a training manual is an
22 integral part of the variance?

23 CHAIRMAN MORELOCK: Yes. And that's what
24 we're seeing as these manuals are presented, because
25 that's always been a, you know, a long-term concern is

1 are they properly trained to do the job that they're
2 being given to do, and then can they physically do that
3 job if there's only one security guard, can he be a
4 security guard and a boiler operator, which we talked
5 about earlier today, so, at least for the variance
6 manual, I think this is good. Now we have talked in the
7 past a lot about, you know, certification of boiler
8 operators and boiler operator training or some program,
9 you know, that's for another day, and it's not new,
10 we've been talking about it for years, so. Nothing
11 wrong with putting that thought back in our heads, so
12 it's good. All right. So is everybody clear on the
13 word changes, as Chief O'Guin has repeated back?

14 CHAIRMAN MORELOCK: Yes, Mr. Henry?

15 MR. HENRY: Brief question, wording, I'm
16 fine with the word as you changed it. In regard to the
17 training, is there anywhere that we or anywhere that any
18 kind of guidance to provide us as to what that training
19 should consist of, in other words, be effective
20 providing the attendants whether they're remote
21 attendants or boiler attendants with necessary
22 information to do their job properly?

23 CHAIRMAN MORELOCK: Only thing we've done is
24 we've put that off to the variance folder to present to
25 us what training they are providing and then that part

1 of what we vote on is that adequate for training those
2 --

3 MR. HENRY: But a lot of cases, it's in the
4 manuals is effective, yes, we do training without
5 detailing exactly what that training consists of.

6 CHAIRMAN MORELOCK: That's true, but as
7 you're seeing through the evolution of the variance
8 manual that are being presented, we're seeing more
9 details on what that training looks like, so. I mean, I
10 don't know that it's the Board's place to tell you what
11 the mandatory training should be.

12 MR. HENRY: But you're suggesting that if
13 provided with information we thought was inadequate, the
14 Board would apt to restrict that?

15 CHAIRMAN MORELOCK: That's correct.

16 MR. HENRY: So should we be providing
17 guidance up front?

18 CHAIRMAN MORELOCK: What's the Board's
19 pleasure on that?

20 MR. BAUGHMAN: Again, we're here to kind of
21 look at things that are brought in, repose them, at some
22 point in time, I would like to have guidelines for
23 minimum training that need to be done. It's pretty
24 open-ended as it is, the whole point of the 20-minute
25 rule is pretty open-ended to how it's worded; what we're

1 doing on training and putting that onto the owner for
2 qualifying their personnel. We've got competent
3 companies in the industry that are doing the training,
4 but there again they're charged with the, the owner's
5 charged with doing it however they see fit, and then
6 we're here to vote on whether that's adequate or not,
7 and there's no guidelines to really say whether what
8 they're doing is adequate. What we've got is companies
9 that are saying they're passing our criteria; well let's
10 say they don't have those companies, how do we determine
11 what they're doing is adequate? And so, it is a bit
12 open-ended Mr. Henry and Chairman, so I don't know how
13 to attend to it moving forward, I think that these are
14 things that we'll bring up in the future as we've got
15 times to have some brainstorming sessions, I think these
16 are some things that we possibly bring up for moving
17 forward to make things better.

18 MR. BOWERS: In some ways, you know, we
19 don't, basically you can't, you can't, we don't have
20 anything aside from the variance, regular training is
21 not required basically through the State, but with the
22 variance, you do have some control of the training
23 because they have to come before the Board, so the
24 people get variance, their people may be getting a lot
25 better trained than people on the 20-minute rule because

1 they have not many guidelines. I hate to have too many
2 guidelines because some places, if we set a guideline
3 that is would be minimum, there's a lot of places that
4 would probably do way beyond, like these men, do way
5 beyond what the minimum would be, and you say they go
6 for variance, we don't have to do all the other stuff
7 that we're doing, we just have to do the minimum, so you
8 hate to have a minimum, sometimes over-ended and the
9 Board can decide that, "Hey, your minimums that you're
10 proposing to us is not good enough; your training is not
11 good enough," so you have some control, if you just put
12 a minimum down there, a lot of companies might back off
13 to the minimum and not do a lot more.

14 CHAIRMAN MORELOCK: Mr. Toth.

15 MR. TOTH: Marty Toth again. Just to kind
16 of back up what Mr. Bowers is saying, it's just that
17 it's the Board does a really good job during the
18 variances to quiz the individuals up there about what
19 their training, the individuals, who's going to be
20 responsible, and you all have the experience to
21 recognize when somebody knows what they're talking about
22 and when they don't. The Chief and the Assistant Chief
23 and their personnel, they're going to be the final say,
24 that's where the rubber meets the road is because
25 they're going to go out there and they're going to vet

1 the program and they're going to inspect the program and
2 more times than not we can sit here and tell you how
3 great the training program is that we have, but the
4 proof's in the pudding whenever they go out and they do
5 the inspections. So putting guidelines together, they
6 still can find that these people don't know what they're
7 doing and they're not going to give them a variance.
8 And then we go back to the 20-minute rule because the
9 only requirements is that the attendant is qualified or
10 certified by the owner/user. Again, hash that all out,
11 you guys passing a variance are going to hold them to a
12 higher standard and so are they.

13 CHAIRMAN MORELOCK: Thank you, Mr. Toth. So
14 thinking about this, Mr. Henry, and the question,
15 several years ago we developed another guideline and
16 program and Domtar came to us wanting to extend their
17 internal inspection frequency from twelve months, which
18 is required by Tennessee Law, to have the option to go
19 to 18 months or even as far as 24 months, and the
20 Tennessee Board put together a program similar to this
21 program for the remote attendant and stating we're not
22 going to tell you how to do it, but here's the
23 components you have to have, such as a water quality
24 program, you have trained operators, we want to see your
25 repair records on the boilers, and that was put into law

1 in 68-122. And what's interesting about that, and the
2 reason I'm telling you this long story is that's what we
3 put forth, but when it got published, there was another
4 sentence added to that that gave the Boiler Unit and the
5 Tennessee Board the opportunity to just develop a
6 variance, and it's open-ended, it doesn't have any
7 prescriptive words after that, so yes, I think we can
8 help variance requesters as to what it should look like,
9 but we don't want to be the final say on whether their
10 training program is adequate or not, does that make
11 sense?

12 MR. HENRY: Yes, that certainly does. I
13 think some of this (unintelligible), have a request for
14 a variance come before the Board, they describe training
15 not adequate, on what basis do we --

16 CHAIRMAN MORELOCK: So let's do this, let's
17 have a discussion item for us to talk about that and see
18 what we can do to improve what we got today, you agree
19 with that?

20 MR. HENRY: Yes.

21 CHAIRMAN MORELOCK: So we'll take a
22 discussion item out to look at variance training
23 requirements, and just see if you, it could be
24 open-ended right now, we'll see where it goes. And if
25 it's something really handy, we'll put it into an action

1 item and put into a guide or something, fair enough?

2 All right. Very good. Very, very good.

3 All right. Okay, so back to the proposed
4 revision to the Board in a variance. All we have, I
5 read off the changes that we've made and the only thing
6 we've added is what Chief O'Guin read back to us; are
7 there any other questions, concerns or comments
8 pertaining to this particular action item?

9 (No verbal response)_

10 CHAIRMAN MORELOCK: Hearing none. Do I have
11 a motion for this?

12 MR. BAUGHMAN: So move.

13 CHAIRMAN MORELOCK: I have a motion. And a
14 second?

15 MR. BOWERS: Second.

16 CHAIRMAN MORELOCK: Any last questions or
17 comments?

18 (No verbal response).

19 CHAIRMAN MORELOCK: Hearing none. I'm going
20 to call the question, all in favor say "aye."

21 (Affirmative response).

22 CHAIRMAN MORELOCK: Opposed? Abstentions,
23 not voting?

24 (No verbal response).

25 CHAIRMAN MORELOCK: So this will pass and

1 this will be Boiler Unit will issue it at the next
2 revision and date it. So thank you for all the work
3 that went into that, that's going to be helpful to
4 improve our boiler attendant variance.

5 MR. BAUGHMAN: When will this go into
6 effect, Mr. Chairman?

7 CHAIRMAN MORELOCK: When the Boiler Unit
8 publishes it.

9 MR. BAUGHMAN: Which would be --

10 CHIEF O'GUIN: Chris. End of the week, next
11 week.

12 MR. BAUGHMAN: Super. Okay, thank you.

13 CHAIRMAN MORELOCK: Okay, that takes care of
14 all new business. So that will take us down to rule
15 cases and interpretations and the first one is BI 21-02,
16 ECS Consulting requests an interpretation on the
17 requirements for manually operated remote shutdown
18 switches assigned to low-pressure boilers installed and
19 operated in the State of Tennessee.

20 MR. TOTH: Thank you, Mr. Chairman, Marty
21 Toth, ECS Consulting, if you'll give me just one moment,
22 I need to pull it up on my computer. I had it up, then
23 but I closed it.

24 Okay. Mr. Chairman, again, this
25 interpretation, all members of the Board should have a

1 copy of this from Chief O'Guin. Simply now, this is a
2 continuation, as you can see it's not a typo at the top,
3 this has been lingering around for a while, November
4 2019, so this is a continuation of the interpretation
5 that was passed by the Boards having to do with boiler
6 E-Stops or emergency stops on high-pressure boilers. I
7 was asked if I would come up with an interpretation
8 request for low-pressure boilers and I have done this
9 here. Simply enough, Mr. Chairman, I asked you how
10 would you like for us to proceed? Would you like for me
11 to read them off? Would you like to read them yourself
12 and us discuss?

13 CHAIRMAN MORELOCK: I say, you want to vote
14 all ten of them as one item or do you want to take them
15 an item at a time?

16 MR. TOTH: Well that's at your discretion,
17 Mr. Chairman, I know that in the past the Board has
18 voted on individual items, inquiries, because some
19 passed, some were tabled, so on so forth, so it is at
20 your discretion.

21 CHAIRMAN MORELOCK: What's the pleasure of
22 the Boiler Unit, what would you prefer?

23 CHIEF O'GUIN: It doesn't matter, we made
24 some changes. All the questions are fine. I've just
25 got some changes that Marty and I had talked about, if

1 we would make those changes, and pass it as a whole,
2 that would be fine, or we'll go through each line item
3 one by one.

4 CHAIRMAN MORELOCK: Let's do that because I
5 don't want to hold up all of it if we got some we can
6 approve.

7 MR. TOTH: I agree, I agree. Good decision.
8 Okay, if we would, just to understand, just to give a
9 little bit of background on this, the requirements of
10 the NBIC, requirements CST 1, NFP 85, all require that
11 boilers be equipped with emergency stops. This is going
12 to, this interpretation would specifically speak to
13 those low-pressure boilers. Just for the Board's
14 understanding and those in attendance, a low-pressure
15 boiler is going to be classified as either a steam
16 boiler or hot water boiler. For steam, it's any boiler
17 that is 15 PSI or below. For hot water heating boiler,
18 it's any boiler that is a 160 PSI or below or 250
19 degrees Farenheit or below for heating boilers. They're
20 also, we also are speaking of HLW, which is lined water
21 heaters. Lined water heater also has, for low-pressure
22 is anything a 160 PSI and below, and a temperature 210
23 degrees Farenheit and below. So with that said, I will
24 move on to inquiry number one, unless you have a
25 question, Mr. Baughman?

1 MR. BAUGHMAN: Just had a clarification,
2 when you were talking about 160 PSI or 250 degree
3 Farenheit, it's not an either/or, is it?

4 MR. TOTH: It is.

5 MR. BAUGHMAN: It is. So it can be 160 PSI,
6 but be a higher temperature than 250?

7 MR. TOTH: Yes, it can.

8 MR. BAUGHMAN: Then it changes the
9 qualification of that H-stamp, does it not?

10 MR. TOTH: Yes, it does, it turns that
11 boiler into a power boiler, that's considered a
12 high-temp power boiler -- high temp water boiler, excuse
13 me.

14 MR. BAUGHMAN: Well i guess that's where I
15 was getting it confused, when it's "either/or" instead
16 of "and."

17 "Under 160 PSI and a maximum
18 250-degrees" instead of "or 250-degree Farenheit."

19 MR. TOTH: And if you'd like, I can give you
20 a very, very brief example of where you would find that.
21 Okay. Is that if you have a boiler that operates, with
22 the medium being like a Dioderm or glycol solution, that
23 solution has a higher flash point and so you're able to
24 run that lower pressures with higher temperatures.

25 MR. BAUGHMAN: I'm familiar with the thermal

1 fluid aspect of it, I'm talking about high temperature
2 hot water boilers, in other words, running not a thermal
3 fluid, but running hot water above 250-degrees, so it's
4 not an either/or, it's those are the maximums that you
5 can run on hot water, not considering thermal fluid.

6 MR. TOTH: Well, if you would, Mr. Baughman,
7 we're going by the definition of section four of the
8 ASME code, section four of the ASME code is going to
9 define it is as a hot water boiler, even if the medium
10 is not water or if the medium is a combination of water
11 or some other substance such as a glycol solution, so
12 they all are classified as hot water boilers given that
13 the medium is not necessarily water, by definition.

14 MR. BAUGHMAN: The cohorts from A.O. Smith
15 and Lochinvar, do you agree with that?

16 MR. REYNOLDS: For an H-stamp, boiler, the
17 limits are 160 PSI and 250 degrees.

18 MR. BAUGHMAN: Not "or?"

19 CHAIRMAN MORELOCK: May I share something
20 with everybody? The rules, under "definitions," yes,
21 0800-03-03101, go over to hot water heating boiler,
22 which is item E, means "a boiler, which has no steam as
23 generated from which hot water is circulated for heating
24 purposes, and then returned to the boiler and which is
25 operated at a pressure not exceeding 160 PSIG and/or

1 temperature of 250F at or near the boiler outlet. See
2 ASME code section 4 HG-101.1 DNC."

3 MR. TOTH: That is correct.

4 MR. BAUGHMAN: Thank you. So it's an
5 "and/or," instead of just "or." And I asked the
6 manufacturer, since they manufacture the equipment and
7 they'd be knowledgeable in that aspect of it, so there
8 is some, but I just, when you hit the "or," that was my,
9 that was my red flag that I wanted to address.

10 MR. TOTH: Well, thank you, well I'm sorry
11 about that, I guess it should have been that the "and"
12 would have been implied, but I do understand where
13 you're coming from. Okay. I guess I'll proceed on.
14 Okay, so "Inquiry number one, State of Tennessee
15 required that all locations operating low-pressure
16 boilers under section, built under section four of the
17 ASME code and possessing an H-stamp be fitted with a
18 manually operated remote shutdown switch." And the
19 response is "yes." Again, I would like to preface, I
20 guess it's not prefaced, since I already stated it, but
21 I would like to preface the fact that these aren't
22 necessarily my opinions of what they should or should
23 not be, it's just the understanding of discussions with
24 implications, so just with that said.

25 MR. BOWERS: If you're going by remote

1 shutdown switch definition, but also the code, it talks
2 about NBIC, either shutdown or circuit breaker, so are
3 we going to eliminate circuit breaker now?

4 MR. TOTH: No, absolutely not. I think
5 Chairman O'Guin (sic) kind of brought that to my
6 attention. Again, it can be either A, it can be either
7 a shutdown switch or a circuit breaker. Again they're
8 both shutdown switches, and in some cases some would
9 call it an E-Stop versus a circuit breaker, either one
10 would be sufficient per, not only the ASME code CST 1,
11 but an NFP 85 as well.

12 MR. BOWERS: Could that be confusing, now I
13 have to go out, I've had it under panel circuit breaker
14 for years, now I want to go ahead and put an E-Stop in,
15 but that's not what you're saying, you're saying if the
16 person has a circuit breaker, they're fine with a
17 circuit breaker as long as it's not --

18 MR. TOTH: Correct.

19 MR. BAUGHMAN: And I'll add to that, it has
20 to be at the point of pedestrian egress, and if it's
21 under a control panel, that control panel is not
22 typically at the point of pedestrian egress, so it can
23 be a circuit breaker if it is located in the proper
24 location, and it is properly marked as emergency boiler
25 shutoff switch or shutdown switch, one of the things

1 that I'd like clarification on in this inquiry, it says
2 that the boiler be fitted with a manually operated
3 remote shutdown switch, which to me means fitted, fitted
4 to the boiler, which isn't what we're doing. It should
5 be connected to a manually operated remote shutdown
6 switch. So the boiler itself is not being fitted so
7 much itself properly, but it's being connected to a
8 remote shutdown switch.

9 MR. TOTH: And again, the discretion is
10 completely up to the discretion of the Board to have the
11 Board's question or the Board's inquiry, you can revise
12 this completely as you want to, your answers can be as
13 simple or as in-depth as you want to, it's at your
14 privy. So, if you would like for that to be changed,
15 absolutely, we can change that to whatever you wish for
16 inquiry number one to read.

17 CHIEF O'GUIN: Chairman. This is Chris. I
18 was looking at the very first one, high-pressure and
19 low-pressure boiler, I was adding "400,000 BTU per hour
20 or greater built under section 4 of the ASME code,
21 (inaudible) or circuit breaker," I'm not going to argue
22 with that.

23 MR. BAUGHMAN: It makes sense the ASME
24 starts at 400,000, CST 1 starts at 400,000, so that
25 would make sense to keep that congruent although we do

1 have boilers that are 399,000 and so forth that could,
2 you know.

3 CHIEF O'GUIN: The reason I went 400, we
4 currently enforce 400 on the H-stamp, so if we keep all
5 of them at 400, it's going to be less confusion in the
6 field, you know, if you're going to be more across the
7 board getting things done the way the rules are.

8 MR. BAUGHMAN: Makes sense to me.

9 MR. TOTH: Would you like to repeat that,
10 Chairman O'Guin (sic) and I will revise as you read that
11 off?

12 CHIEF O'GUIN: I was looking at it is
13 required that all locations operating low-pressure bar
14 400,000 BTU per hour or greater built under section 4 of
15 the ASME code --

16 (Whereupon, the court reporter asked
17 Chief O'Guin to speak up.)

18 CHIEF O'GUIN: "At 400,000 BTU per hour or
19 greater."

20 MR TOTH: Okay.

21 CHIEF O'GUIN: And at the end after "remote
22 shutdown switch," I was adding "or circuit breaker."

23 MR. TOTH: Okay. And Mr. Baughman wanted to
24 remove "fitting" with what?

25 MR. BAUGHMAN: Remove "fitted."

1 MR. TOTH: "Fitted," I'm sorry.

2 MR. BAUGHMAN: But have the stamp be
3 connected to a manually operated remote shutdown switch.

4 MR. TOTH: Okay. Mr. Chairman, if I could,
5 I'll re-read what I changed? I was hoping that we could
6 have put it up here, but "In the State of Tennessee, is
7 it required that all locations operating a low-pressure
8 boiler at 400,000 BTUs/hour or greater and built under
9 section 4 of the ASME code and possessing the H-Stamp be
10 connected to a manually operated remote shutoff switch
11 or circuit breaker?" "Reply, yes."

12 MR. BAUGHMAN: Does the location, I know the
13 location is addressed in a separate -- the location is
14 addressed in a separate inquiry, I believe number seven,
15 but is this not the place where it says "should be
16 connected to a remote, to a manually operating remote
17 shutdown switch at all points of pedestrian egress,"
18 would this not be a place to put that, we can take one
19 inquiry possibly out?

20 MR. TOTH: Again, it's really up to the
21 Board how you want to handle it, if you feel that it
22 would be more efficient, we could do that. If you feel
23 that inquiry one, number two is speaking of HLW, it's
24 really what the Board would like to do. I'm comfortable
25 either way.

1 MR. BAUGHMAN: And I don't know how it'll
2 end up being written up, I just didn't want there to be
3 a lot of interpretation to go back and try to have a
4 contractor look at trying to make it as concise as
5 possible.

6 MR. TOTH: Each, if I may, Mr. Chairman,
7 each inquiry, even though it's under a single
8 interpretation number, each inquiry stands on it own, so
9 by not putting what you've recommended in this does not
10 necessarily mean it doesn't have to be put in the means
11 of egress, because if we go further on down and we do
12 mention that it has to be, then it has to be.

13 MR. BAUGHMAN: Very good.

14 MR. TOTH: We can move on, if we'd like, Mr.
15 Chairman? So inquiry two in the State of Tennessee, "Is
16 it required that all locations operating a low-pressure
17 boiler under section 4 of the ASME code, possessing the
18 HLW stamp be fitted with a manually operated remote
19 shutoff switch." Again, I will recognize that we're
20 wanting to include "or circuit breaker," replacing the
21 "fitted," is there anything else that the Board or the
22 Unit would like to add to that?

23 MR. BAUGHMAN: Were you going to address
24 anything on the BTUs with that also, Chief?

25 CHIEF O'GUIN: I was looking at it -- sorry,

1 this is Chris. I was looking at it, Mr. Toth, with
2 input at "400,000 or greater" after low-pressure
3 (trailed off).

4 MR. TOTH: Okay, so you'd like to do the
5 same as we did in inquiry number one?

6 CHIEF O'GUIN: Yes, sir.

7 MR. TOTH: Under inquiry number 2.

8 MR. KLEISS: Jeff Kleiss. Just with regards
9 to the calling it a low-pressure boiler, I mean, by
10 ASME, that could be a water heater at HLW, is that
11 how -- does the State of Tennessee call it a boiler?

12 CHIEF O'GUIN: Anything over 100,000 BTUs in
13 the State of Tennessee is considered a boiler.

14 MR. TOTH: Chief, does that look
15 appropriate?

16 CHIEF O'GUIN: Yes, sir.

17 MR. BAUGHMAN: It just should read "be
18 connected to a manually operated," just taking out the
19 "with."

20 MR. TOTH: Okay. Moving on to inquiry
21 number three, "In the State of Tennessee, is it required
22 that all locations operating a potable water heater,
23 heaters with an input greater than or equal to a hundred
24 thousand BTUs per hour or 30 kilowatts or less than
25 200,000 BTUs per hour (60 kilowatts) or having a nominal

1 water containing capacity of 120 gallons (450 liters) be
2 fitted with a manually operated remote shutoff switch?"
3 The provided reply would be "yes."

4 Again, we would change connected to, we will
5 include "circuit breaker, or circuit breaker." Any
6 thing else?

7 MR. KLEISS: Should that volume be "or
8 greater?"

9 MR. TOTH: This one here?

10 MR. KLEISS: It only applies 120 gallons.

11 MR. TOTH: Uh-huh (affirmative).

12 MR. BAUGHMAN: My question is, it's an
13 "input greater than or equal to 100,000, but less than
14 200,000, so it's within this 100,000 BTU through that
15 this is being looked at, so if we go, let's say the hot
16 water heater, and we are classifying this as a hot water
17 heater, although we talked about boilers and water
18 heaters, I just want to make sure I've got it in my
19 mind, if the water heater in this particular case is
20 220,000 BTUs, we would not need a remote shutdown
21 switch, so it's just from 100,000 to 200,000.

22 CHIEF O'GUIN: Two above it we were starting
23 at 400,000, my answer to inquiry three was "no." That
24 was my answer was no, three.

25 MR. TOTH: If I may add to that,

1 Mr. Chairman, I agree with Chief O'Guin, that we can,
2 instead of having the 100,000 to 200,000, I just changed
3 this inquiry to "anything less than, less than 400,000
4 BTUs, "and then change the reply to "no." Is that kind
5 of what you were looking at?

6 MR. BOWERS: I'd like to make one comment.
7 I looked at these, you know, we do inquiry
8 interpretations, but looking at the code, there is not
9 much difference than what the code actually says, except
10 for the less than 200,000, because that's, actually the
11 "less than 200,000" is not, so it doesn't fall under the
12 NBIC, so I can see inquiry number three because it has
13 to deal with something that's not being dealt with in
14 the NBIC, but as far as one and two, you're almost
15 saying verbatim what it says in the NBIC. So why do we
16 have interpretation of something that's already in the
17 NBIC, not different than the NBIC?

18 MR. TOTH: Can you restate the question?

19 MR. BOWERS: Number one and two is spelled
20 out almost verbatim, what it says in the NBIC, we're not
21 making any kind of changes to what it says in the NBIC,
22 so we're doing interpretation of the what it says in the
23 NBIC, so why are we doing interpretations and we adopted
24 part one of the NBIC, whereas not requiring number three
25 does not fall in the NBIC because it's an out of code

1 vessel, am I going down the wrong road or am I looking
2 at it wrong?

3 MR. TOTH: No, I think you're onto
4 something, Mr. Bowers, the purpose of the interpretation
5 is to provide clarity, at this point, as Mr. Morelock
6 will attest to, the NBIC is not getting into the weeds
7 when it comes to this, they're very broad. They say,
8 yes, you have to have an E-Stop, they don't give any,
9 they don't give wiggle room on one way or the other on
10 type, they just pretty much lay it out there. So, what
11 this interpretation was doing is providing clarity to
12 the companies that are putting in these types of boilers
13 and was doing in this case of inquiry number three,
14 because they are being inspected within the State of
15 Tennessee, it's going to provide some additional
16 clarity, not only to the contractors that are putting in
17 these types of units, but also the inspectors that are
18 inspecting them to make sure that everybody's on the
19 same page.

20 CHAIRMAN MORELOCK: Yes, but Mr. Bowers
21 point is, do you need one and two? He agrees you need
22 three, but do you need one and two?

23 MR. TOTH: That's really the call of the,
24 that's really the call of the Board, because if we have
25 a hot water supply or and HLW that's less than 400,000

1 BTUs, is there going to be confusion? Again, we can
2 strike through that, we can delete, it's really up to
3 you, all it's doing is providing additional information,
4 it's not changing anything, it's just -- we see it all
5 the time at the NBIC Committee where we get a lot of
6 questions about stuff of us sitting at the table is
7 perfectly clear, but apparently the querier is having
8 some confusion, so it's really again it's just
9 completely up to you.

10 MR. BAUGHMAN: We may make, if that's the
11 case, we may make a notation on, under this inquiry as
12 per NBIC, refer back to it is one possibility or.

13 CHIEF O'GUIN: Sure. NBIC starts at
14 200,000, so we have a lot of inspectors cross the nation
15 that come into Tennessee from other states and they're
16 trying to enforce code on 200,000 BTU units that we
17 don't enforce code until 400,00) on E-Stop or H-stamp,
18 so I think one and two would provide clarity for not
19 only inspectors, but also contractors. In Tennessee
20 (unintelligible) start until 400 even though NBIC starts
21 at 200, we would be looking at mass violations if we
22 drop down to 200, just my opinion.

23 MR. TOTH: And again, thank you, Chris, for
24 mentioning that, because when we're talking about that
25 400,000, a lot of times we're confusing an ASME CST 1 is

1 an ASME code, that's where you're going to see 400,000
2 BTUs enforcement, the requirements for automatically
3 fired boilers. Okay. It also gives some exceptions
4 that include water heaters. Okay. So, again, I think
5 what we're doing here is just trying to promote, again,
6 again, promote clarity.

7 MR. BOWERS: You're right, Chris, but the
8 NBIC does cover anything that's code, which is anything
9 200,000, stamp on it, really not doing much different
10 than doing what you're doing now, I mean, basically the
11 place you go to is going to have an E-Stop or a circuit
12 break. Now, as Dave referred to, sometimes circuit
13 breaker is not marked properly stretching a little bit
14 or the circuit breaker is not close to the boiler room,
15 then you say well, that is a problem, that's when you
16 run into a problem (inaudible) in a room to the left,
17 it's supposed to be close to the boiler where it's
18 smoking and you can go in there and shut that circuit
19 breaker off and it's marked. The E-Stop, you're not
20 really adding much to it except for, in Tennessee we've
21 always done 100,000 to 200,000 Alco vessel, I don't
22 think we've ever had anything that really, you can say
23 well, you're supposed to have an E-Stop, it's a out of
24 point vessel, where do you get the documentation, where
25 does it say you have to have E-Stop for circuit breaker?

1 Well, it said at the NBIC. So, putting number three is
2 really going to cover that, it's going to cover you
3 having that where it says, yes, it's an Alco vessel, but
4 you still got to have a circuit breaker, an E-Stop, am I
5 right, Marty?

6 MR. TOTH: I'm sorry, I kind of got a little
7 lost there. Again, we're confusing what the ASME code
8 is requiring for construction and what the ASME CST 1
9 codes requiring for that particular code's enforcement,
10 okay. Again CST 1 is titled "automatically fired
11 boilers/burners," right? It's not talking about pool
12 years, it's not talking about mainly the operator, our
13 water heaters, it's specifically talking about boilers
14 that are greater than 400,000 BTUs. What Chris
15 mentioned is talking about the construction
16 requirements, okay, for section four of the HME code,
17 all right, which is, you know, we're looking at 200,000
18 BTUs, okay. So I think, me personally looking at this,
19 I think this provides more clarity than it will
20 confusion. That's just, that's my professional opinion.
21 Yes, sir.

22 CHAIRMAN MORELOCK: Anymore comments? Yes,
23 sir.

24 MR. KLEISS: Where we added that greater
25 than and the volume, I'd strike the word "of" as an

1 editorial comment.

2 MR. BAUGHMAN: Which one? Under number
3 three?

4 MR. KLEISS: And one other question, I
5 guess, this is more for the boiler inspectors; when I
6 think of an emergency shutoff, I kind of think of the
7 big red button that you slap on the way outside of the
8 door, is that something that you would mandate only for
9 a high-pressure boiler? Does this limit your ability to
10 enforce that kind of a shutoff, they say well I've got a
11 circuit breaker?

12 CHIEF O'GUIN: We currently require that
13 kind of shutoff for an H-Stamp at 400,000 or greater R.

14 MR. KLEISS: So does the circuit breaker
15 limit you as to enforce that requirement?

16 MR. TOTH: So, specifically, the code such
17 as CST 1 and NFB 85 are going to allow for a circuit
18 breaker to serve the same purpose as what we know in the
19 industry as an E-Stop or a mushroom stop, the code
20 allows for that either way. What Mr. Baughman had
21 alluded to is ensuring that that circuit breaker is in
22 the path of egress, what I was talking about, the
23 circuit breaker that's attached to the side of the
24 boiler on the side of the unit, it has to be a circuit
25 breaker in the pass of egress, not only in the code, but

1 the rules are very specific, either in the four case or
2 interpretation or a written rule that states where that
3 has to be located in the State of Tennessee, so, I
4 don't, I don't think that it would be an issue at all.

5 MR. TOTH: If there's nothing else, I will
6 be more than happy to read aloud the inquiry three as
7 edited, Mr. Chairman?

8 "In the State of Tennessee, is it required
9 that all locations operating a potable water heater
10 heaters with an input less than 400,000 BTUs (120 kw) or
11 having a nominal water containing capacity less than 120
12 gallons (450 liters) be connected to a manually operated
13 remote shutdown switch or circuit breaker?" And the
14 reply would be "no."

15 MR. BAUGHMAN: While these checks are going
16 on, my question would then be, we're talking about less
17 than 400,000 or less than a 120 gallons, so let's say
18 that we've got a unit that is less than 400,000 but is
19 connected to a storage tank of 200 gallons, does that
20 change the equation? What would be your response,
21 Mr. Toth?

22 MR. TOTH: My response to that would be no,
23 simply because we're looking at either a fired unit or
24 and (unintelligible) unit being electrical.

25 MR. BAUGHMAN: So my thought with that is to

1 delete a gallon requirement on there and just, just
2 having that out of the -- out of the wording itself.

3 MR. TOTH: If I may? I think a lot of that
4 that goes back to the code, first off it goes back to
5 the original inquiry, which had a response of yes, and
6 since we kind of flipped the script on that and
7 established we don't need to have an E-Stop for those
8 lower units, I agree with you and I say we just strike
9 that, that last part of that sentence, that talks about
10 the actual storage tank and just go with the input.

11 MR. BAUGHMAN: Chief, what's your
12 preference?

13 CHIEF O'GUIN: Strike that and go with
14 input.

15 MR. BAUGHMAN: Mr. Chairman, what do you
16 think?

17 CHAIRMAN MORELOCK: That's fine. Moving on
18 to inquiry number four, if any of the first three
19 inquiries --

20 MR. BAILEY: I hate to interrupt you, but
21 we've been going two straight hours, I think the court
22 reporter should be given a break.

23 (Whereupon, a recess was taken.)
24
25

1 * * * * *

2 CHAIRMAN MORELOCK: I know everybody's ready
3 to wrap this up, so we've got a couple of motions to
4 make and we're going to finish most of the agenda, so
5 Mr. Toth, you got a motion?

6 MR. TOTH: Yes, I recommend, after speaking
7 with Mr. Bailey, that we work on the remainder of this
8 interpretation and task group and provide the
9 information at the December meeting for an up and down
10 vote, and I think that that would help to expedite the
11 remainder of this meeting so we're not here too long.
12 And I think working with Chief O'Guin, we'll be able to
13 get that pretty much hashed out and get it to the Board
14 members.

15 CHAIRMAN MORELOCK: Okay. Is that good with
16 the Board?

17 MR. BAUGHMAN: I vote "aye."

18 MR. HENRY: (Nodded affirmative).

19 CHAIRMAN MORELOCK: We will table that until
20 December.

21 MR. TOTH: Thank you.
22
23
24
25

1 * * * * *

2 CHAIRMAN MORELOCK: So, as far as, that'll
3 take us to "BC 21-02, A.O. Smith Corporation is
4 requesting reconsideration of the Boiler Board
5 Interpretative ruling regarding the clearance
6 requirements for the installation of gas-fired storage
7 water heaters with energy inputs less than 400,000 BTUs
8 per hour."

9 MR. REYNOLDS: My name is Greg Reynolds, I'm
10 with A.O. Smith, my colleague here, Jeff Kleiss, so
11 thank you everyone for seeing us here today. We
12 appreciate the invites from the last meeting that we
13 have about the format inquiry here. So basically what
14 we've done is we handed out a sheet that includes the
15 inquiry and suggested reply, also statement of
16 (unintelligible) and background, we have that in some
17 spots here, just the same text from before. You've seen
18 the inquiry and replies, same as what we sent out
19 previously, here is the background information just to
20 try and hone our message to you guys about what exactly
21 we wanted to convey and some of the logic behind it, so
22 that's the only thing that's changed since the earlier
23 provision was sent out.

24 So the request that we have here today,
25 inquiry specifically, "Is it permissible for cylindrical

1 storage water heaters with inputs of less than 400,000
2 BTUs per hour to be installed at zero clearance on one
3 side and at least one and one-half feet between all
4 other sides of the vessel where the shape permits visual
5 inspection of the entire outer surface of the water
6 heater, the manufacturer's recommended minimum
7 clearances are met and all other clearance requirements
8 as set forth in the rule stated on the screen of the
9 Tennessee Boiler Rules and Regulations on that?"
10 Recommended reply to that would be "yes," if there's any
11 questions so far there, we can of course talk about this
12 more in a moment. Go to the next, which is that we're
13 requesting this to, summary, just to allow equal footing
14 for different types of water heaters, and you know some
15 water heaters, as we talked about in the meeting back in
16 June, are specifically designed for zero clearances --
17 if I can go to the next slide, please -- more about that
18 in the background. There's a lot of words here, I'm not
19 going to read through all of this, but in summary, it
20 really boils down to three points that we're trying to
21 make. Again, that the water heaters are purposely
22 designed for zero clearance for safety and testing
23 regulations that we're required to do. Also the
24 cylindrical shape, these water heaters that we're
25 speaking about, just by the physics of how they're

1 together and how they would be potentially placed near a
2 wall would allow for, you know, visual inspection around
3 the outside of that. And one of the things that we
4 think this would help us and help our customers would be
5 able to have a level playing field because there already
6 is clearly an allowance for this product that is, by
7 definition, are pressed up against the wall. Okay.

8 And so, with that, I only have one more
9 slide that shows an example of something that, just for
10 the record, this was a picture taken outside of
11 Tennessee because according to the current rules, this
12 would not be allowed, but being pushed up against the
13 wall, you can see less than the one and one-half foot
14 clearances that are (inaudible). So this is the type of
15 installations that we would like.

16 CHAIRMAN MORELOCK: Any conflict of
17 interest?

18 (No verbal response).

19 CHAIRMAN MORELOCK: Hearing none.

20 MR. BAILEY: Chairman, I just want to point
21 out, you reference here Rule 0800-3-3-.0413, I think you
22 we are referring to an old rule, there is no .0413
23 anymore. So I think you might be referring to, I think
24 you might be referring to 0800-03-03-.08 paragraph --
25 subparagraph 4, and subparagraph 4(a), that's where it

1 talks about clearance of three-feet.

2 MR. BOWERS: I make a motion to discuss.

3 MR. HENRY: Second.

4 MR. BOWERS: I remember the last time you
5 was here and, yes, I thought a lot about it, it seems,
6 maybe it does seem unfair where if you make that hot
7 water heater square and the back side that we would
8 allow it to go against the wall, but yet make it round,
9 then all of a sudden you have to come out two-feet, two
10 and a half foot, but I think maybe the inspector wants
11 to know if he can see around the back side, and of
12 course you don't pull it off the wall to look at the
13 back side, it's mounted on the wall, so I can see where
14 you're coming in on that.

15 MR. BAUGHMAN: To be specific, this is
16 strictly for storage-type water heaters, not including
17 the boilers that A.O. Smith or Lochinvar would possibly
18 have, which I'm familiar with the cylindrical
19 configuration, but just strictly within the storage-type
20 of water heaters, which we're addressing now, but do you
21 see the longevity of those being in the marketplace a
22 long time moving forward as it is with efficiency
23 changes and so forth?

24 MR. REYNOLDS: Yes, yes, we do. Our high
25 efficiency store-type water heaters in particular are

1 very popular, so, yes, yes we do see those (trailed
2 off.)

3 MR. BAUGHMAN: I know we work on some
4 ourselves and so forth, in looking at some of the issues
5 we have with condensing and stack configuration and so
6 forth, these are things that we've encountered in it,
7 nothing has prohibited it from being accessible on the
8 back end. Typically what we work on is the burner or
9 the chimney, the condensation point plugging up and so
10 forth, but putting it against a wall this way is one
11 thing, what about the configuration if this goes into a
12 corner though? And that's one of my other things of
13 concern is, we've got multiple points, we've got one
14 point that is against the wall, we've got one point
15 that's not, we got another that is, so that was the only
16 concern I had was looking at a corner installation
17 versus going up against the wall itself.

18 MR. REYNOLDS: So, to that point, we
19 purposely tried to put language in here to say "only one
20 side," I can appreciate that that's a little awkward
21 wording, that one side of a cylinder, in any case, our
22 intention was this sort of installation and recognizing
23 that a corner would be more problematic, you couldn't
24 see all around the --

25 MR. BAUGHMAN: So we might put wording in

1 that can be that way either through this interpretation
2 or through your installation manual that would address
3 that?

4 MR. REYNOLDS: Sure.

5 MR. BAUGHMAN: Are these items you all
6 listed?

7 MR. REYNOLDS: Yes, they are.

8 MR. BAUGHMAN: So in your UL listing, it
9 identified clearance requirements as it is?

10 MR. REYNOLDS: Yes, it does.

11 MR. BAUGHMAN: And those clearance
12 requirements match up to the recommended manufacturer's
13 clearances?

14 MR. REYNOLDS: Yes, well, so we have to do
15 testing in order to qualify that there's even zero
16 clearance on the one side that we put against the wall,
17 so the other clearances that we're speaking about here
18 are the recommended service clearances to the other
19 parts of the unit, like for example, in this picture
20 that we have on the screen now, there's, to your point
21 you were making just a moment ago, there's a trap,
22 exhaust port on the very front, silver elbow that's
23 coming out the front of the unit, and so we would
24 recommend that there's also clearance around that part
25 for serviceability, so that's what we mean that the

1 installer should pay attention to those clearances.

2 MR. BAUGHMAN: Do we have zero clearance
3 from combustible services or is this strictly
4 non-combustible?

5 MR. REYNOLDS: So these are for combustible
6 services.

7 MR. BAUGHMAN: For non-combustible or
8 combustible?

9 CHAIRMAN MORELOCK: Chief O'Guin, do you
10 feel like that this one side against the wall and the
11 rest of it open, would that give your inspectors the
12 proper opportunity to fully inspect this unit?

13 Chief O'GUIN: I feel like if we can see the
14 front, 18-inch clearance, and side of 18-inch clearance,
15 we can do a proper inspection. I was looking at zero
16 clearance though, you know, some vessels are not
17 approved by the manufacturer to put a zero clearance.
18 This would be a question for y'all as well. With that
19 being said, we put "zero clearance," we'll take that out
20 and put "install to manufacturer's recommendations,
21 manufacturer's clearance" on one side, instead of
22 putting "zero clearance."

23 MR. KLEISS: Second bullet in the inquiry?

24 MR. O'GUIN: That's what I was fixing to
25 ask, would the second bullet, manufacturer's recommended

1 minimum clearances are met would be, so I guess that
2 would kind of cover that, you agree Chairman? Board?

3 CHAIRMAN MORELOCK: Yes, I mean, if the
4 manufacturer said zero clearance, then that one side
5 could be put at zero clearance; that's why I was asking
6 if it's physically touching the wall, can you still do a
7 complete inspection of the unit?

8 CHIEF O'GUIN: I believe so. I mean a lot
9 of these older installations, especially Downtown
10 Nashville, buildings built back in the 50's, you know
11 they don't have a lot of rear clearance, there's nothing
12 you can do in a old historic building, so we can still
13 safely inspect those units. I feel safe with three
14 sides clearance, I feel safe to say yes, we can do a
15 proper inspection.

16 MR. BAUGHMAN: To further what the Chief was
17 saying is that this is not specific, this rule is not
18 specific to A.O. Smith units and A.O. Smith
19 (unintelligible), so what we're doing is discussing and
20 voting upon cylindrical storage water heaters of all the
21 different manufacturers, so therefore we don't want this
22 to be interpreted that each manufacturer has the ability
23 to go with zero clearance, it still has to go according
24 to that individual manufacturer's, not recommendations,
25 but their requirements. So it's not manufacturer's

1 recommendations, it's manufacturer requirements on what
2 these clearances need to be, whether it's a minimum or a
3 maximum, whatever it may be, but I don't want this to be
4 interpreted as carte blanche, any manufacturer of
5 cylindrical water heater can therefore go with zero
6 clearance, so I would put some qualification in that
7 that identifies manufacturer's requirements.

8 CHIEF O'GUIN: Chairman?

9 CHAIRMAN MORELOCK: Yes.

10 CHIEF O'GUIN: I do have one question, where
11 it says "all other clearance requirements as set forth
12 in rule 0800," you know that's 36-inch, the Board case
13 9803 I believe it is the one that requires 18-inches on
14 these type water heaters, so should we reference the
15 Board cases to the rule, in that verbiage? I mean, if
16 you're referencing the rule, you're referencing 36-inch?
17 That's just a question. I'm just asking.

18 CHAIRMAN MORELOCK: You're putting 36-inch
19 on the three other sides.

20 CHIEF O'GUIN: But they're only required
21 18-inches by the Board case 9803.

22 MR. BOWERS: So what he is saying basically
23 is we need to refer to the Board case, not the rule.

24 CHAIRMAN MORELOCK: I see what you're
25 saying, so we need to put the Board case in there to get

1 to you 18-inches, right?

2 CHIEF O'GUIN: That's what I think, do you
3 agree?

4 CHAIRMAN MORELOCK: Yes, I do. You could
5 put "all clearances as set forth in rule," and put the
6 Board case in there too, just add the Board case to it
7 and that should cover everything you would encounter
8 trying to install it.

9 MR. BOWERS: Can you modify a Board case?

10 CHAIRMAN MORELOCK: Yes.

11 MR. BOWERS: So we could go back to the
12 original Board case and add this to that, clearance on
13 the back side of that, to zero clearance or whatever the
14 manufacturer's, whatever manufacturer's recommendation
15 is.

16 CHAIRMAN MORELOCK: (Unintelligible).

17 MR. BOWERS: Yes, I'm saying add that part
18 about the zero on one side.

19 CHAIRMAN MORELOCK: Yea, yea, as far as just
20 referencing, yes.

21 MR. BAUGHMAN: I would also suggest that we
22 reference that corner installation since they're putting
23 it in their manual, but that doesn't mean that every
24 other manufacturer will put it into their manual. So I
25 would reference that as part of our moving forward is

1 that we address the corner installation across the board
2 so that it doesn't apply just to A.O. Smith, but it
3 applies to each manufacturer.

4 MR. BOWERS: But it still has to have
5 18-inches on three other sides, having 18-inches on
6 three other sides covers the corner.

7 CHAIRMAN MORELOCK: You couldn't put in the
8 corner because you'd have two side zero clearance.

9 MR. BAUGHMAN: Exactly, that only gives you
10 two other sides for possibly 18-inches or whatever
11 dimension of that corner is. And again, let's say it's
12 not a corner, but let's say it's offset, you know, we've
13 got some rooms that are oddly shaped, so we want to make
14 sure what we're looking at is going against a flat wall,
15 that's what we're seeing, that's what we're thinking,
16 but think ahead as far as where all these things go to,
17 we want to make sure that somebody doesn't put it in
18 under an interpretation or a Board case and it's still
19 not be sufficient for clearance and inspection so forth.

20 CHAIRMAN MORELOCK: But don't you think
21 their words are saying "may be installed with zero
22 clearance on one side and at least 18-inches between all
23 other sides," so there's no configuration?

24 MR. BAUGHMAN: Well, one side wouldn't be in
25 a corner, if it goes in a corner, it's going to be zero

1 clearance possibly on two sides.

2 CHAIRMAN MORELOCK: That's what I'm saying,
3 they're only saying one side. If you put it in the
4 corner, it would be two sides that would be zero.

5 MR. BAUGHMAN: I just want to be sure that
6 that's, if it's spelled out, there's no question, and
7 that's what I was getting at is I don't want to, you
8 don't want to go in to tell a customer they've got to
9 move their equipment, and if it's spelled out, there's
10 no question about it.

11 CHAIRMAN MORELOCK: So their minimum
12 clearances will be zero on one side and then 18-inches
13 on the other sides, so I don't know --

14 MR. BAUGHMAN: How to make it any clearer?

15 CHAIRMAN MORELOCK: I mean, it's pretty
16 clear.

17 MR. KLEISS: I did want to comment,
18 Mr. Baughman, you had made a comment about the
19 recommended minimum clearances versus a mandatory
20 minimum clearance, so I wanted to address that that when
21 we have our combustion clearances, those are mandatory
22 minimum clearances to combustible surfaces. We also
23 will give recommended clearances that are going to
24 include service access on different sides. So when we
25 say "recommended minimum clearances," that's actually a

1 more conservative, a larger clearance than what the
2 mandatory minimum clearances would be.

3 MR. BAUGHMAN: And you did mention that your
4 mandatory minimum clearance services is zero.

5 MR. KLEISS: That's appliance specific, so I
6 mean, I could, for that unit we're showing the picture
7 of, yes, but it depends on the product and it depends on
8 the surface, I mean, different sides have different --

9 MR. BAUGHMAN: An atmospheric unit would be
10 totally different as far as a cylindrical versus an
11 enclosed chamber type of unit, so.

12 CHAIRMAN MORELOCK: Any other questions or
13 comments?

14 (No verbal response).

15 CHAIRMAN MORELOCK: Hearing none, do I have
16 a motion?

17 MR. BOWERS: I motion to pass, updating the
18 information as far as the manufacturer's clearance, the
19 18-inches on each side.

20 CHAIRMAN MORELOCK: Okay.

21 MR. BAUGHMAN: Second.

22 CHAIRMAN MORELOCK: All right. So I'm going
23 to call the question.

24 MR. HENRY: Mr. Chairman, if -- I guess I'm
25 not sure I understand.

1 CHAIRMAN MORELOCK: Go right ahead.

2 MR. HENRY: -- qualified the motion, what
3 exactly are we voting on?

4 CHAIRMAN MORELOCK: What we're voting on is
5 that it's going to be permissible for a cylindrical
6 storage water heater with inputs of less than 400,000
7 BTUs per hour be installed with zero clearance on one
8 side and at least one and one-half feet between all
9 other sides, with the bullets there as far as the shape
10 permits vehicle inspection, manufacturer's recommended
11 minimum clearances are met, and then all clearance
12 requirements set forth in Rule 800-3-3 and Tennessee
13 Board are met.

14 MR. HENRY: So, as written?

15 CHAIRMAN MORELOCK: As written. All right.
16 As written.

17 MR. KLEISS: I did understand the
18 recommendation, but we have referenced the Board case,
19 but the references to the rule that we had -

20 CHAIRMAN MORELOCK: That's true, thank you,
21 yes, so we would reference --

22 MR. BAUGHMAN: 9803?

23 CHAIRMAN MORELOCK: Yes.

24 CHIEF O'GUIN: Yes, BC 9803.

25 CHAIRMAN MORELOCK: So 9803 basically says,

1 "Is it required for potable water storage heater, hot
2 water heater or (unintelligible) pressure vessel adhere
3 to the original three-foot," that's how you get down to
4 the 18-inches.

5 CHIEF O'GUIN: I don't have the rules in
6 front of me, Chairman, but Mr. Bailey made a note
7 earlier that the rule number is in correct.

8 CHAIRMAN MORELOCK: Yes, because it's so
9 old.

10 MR. BAILEY: I thought you were going to
11 reference the Board Case instead of the rules, I don't
12 know if that matters.

13 CHAIRMAN MORELOCK: We definitely need to
14 reference the case. Do we need to reference, doesn't
15 the rules come along whether we state it or not, other
16 than the Board case or do we need to put the rule in
17 there?

18 CHIEF O'GUIN: If you just put the Board
19 case, I mean, we can leave the rule because the Board
20 case is what need to get the 18-inches anyway.

21 CHAIRMAN MORELOCK: Exactly, so I definitely
22 put the 9803 in there.

23 MR. BAILEY: I think if you put the Rule in
24 there, it makes it confusing, personally.

25 CHAIRMAN MORELOCK: But that's how you get

1 down to 18, if we don't put it in there, it's 36-inches.

2 MR. BAILEY: The Board case.

3 CHAIRMAN MORELOCK: I see what you're
4 saying, put it all in there.

5 MR. BAILEY: I'm saying reference the Board
6 case only, because if you reference that and the rule,
7 it makes it confusing.

8 CHAIRMAN MORELOCK: Okay, everybody agree to
9 that?

10 MR. HENRY: Yes, agreed.

11 CHAIRMAN MORELOCK: Just put Board Case 9803
12 in there, you good with that?

13 (Nodded affirmative).

14 MR. BAUGHMAN: Chief, we still have a, for
15 installation, they still go through the permitting
16 process, is that correct?

17 CHIEF O'GUIN: Yes, anything over 100,000
18 BTUs requires a permit.

19 MR. BAUGHMAN: Very good. So they will be
20 inspected, permits will be sent, they'll be checked on
21 clearances as it is, so all that can be addressed at
22 that time of permitting --

23 CHIEF O'GUIN: Forty-percent of the time.

24 MR. BAUGHMAN: Then the rest gets to be
25 where somebody puts it in, does it without a permit and

1 comes back on the back side, at least there's come some
2 process in place.

3 CHIEF O'GUIN: How do y'all want to put the
4 verbiage for the Board test?

5 CHAIRMAN MORELOCK: So you're asking, so
6 would we just say "All other clearance requirements set
7 forth in Board Case 9803," instead of having what
8 Mr. Bailey said? If you put the rule in there, it's
9 going to be three-feet?

10 CHIEF O'GUIN: Right.

11 CHAIRMAN MORELOCK: So the third bullet
12 would just read "all other clearance requirements as set
13 forth in Board Case 9803," to give you the 18-inches?
14 Because what it says is, "Is it required for potable
15 water storage heater, hot water heater unfired, pressure
16 vessels to adhere all three-foot clearance requirements
17 set forth in the Rule," and then it says that "It's
18 opinion of the Board that the potable water storage
19 heater, not water heaters that do not exceed the heat
20 input of 400,000 BTU per hour and unfired pressure
21 vessels that do not exceed 50 square feet measured by
22 diameter by length are exempt from the clearance
23 required 0800-3-3.04, which is, you could update that to
24 the current Rule, I'd have to look that up. Providing
25 the name plate and code stamping are in view or as

1 stated by the Rule, there's a minimum clearance at least
2 one and a half feet between all sides." And so, in your
3 case it's going to make it one side zero, the other
4 three are 18.

5 MR. BAUGHMAN: One thing just came to mind
6 too, Lochinvar made them at one time, was the storage
7 heaters that then had the storage tank that had the
8 heater mounted on top of it, that would not qualify
9 under this particular installation, for one, because
10 we've got more, this is a cylindrical-type water heater,
11 whereas the other one is a cylindrical storage tank with
12 a copper fin or square-type of heater mounted on top of
13 the tank, it wouldn't qualify so much as a storage-type
14 water heater, so I just thought about that because as we
15 repair those units and we've got to get in to do
16 inspections on the back side looking at the draft in a
17 smoke box and looking at the heat exchangers and so
18 forth, if that unit were clearance on the side, not so
19 much the back, but if we said it's got zero clearance on
20 one side and we put it up against the wall, it may be
21 against the wall where we can't service it properly and
22 so forth. So, this is applicable to this type of
23 storage water heater, but I would not say it's
24 applicable to the storage-type water tank, i.e., storage
25 tank with the heater on top of it. Your thoughts?

1 MR. KLEISS: The way that we would look at
2 the top (unintelligible) here is that in our manuals, we
3 have recommended because of what you're talking about
4 because of serviceability for different parts of the
5 water heater, in fact, we call out needs to have
6 clearance from the temperature pressure relief valve, so
7 to your point, if there were parts that required service
8 on that side, then that's how we'd still address that, I
9 would content that it still falls into (inaudible) two
10 years ago.

11 MR. BAUGHMAN: Because I know the name plate
12 on those units is usually on the side, and having those
13 by chance that that was what the contract reviewed as
14 having lower clearance than the 18-inches, it would be
15 difficult for an inspector to get in and look at that
16 name plate versus these that has the name plate
17 virtually right on the front of it, all the data, BTUs
18 and what have you is viewable from the front, whereas on
19 those other units, they're mounted on the side, they're
20 not on the front of the unit, so I just wanted to bring
21 that up for some interpretation and input.

22 CHIEF O'GUIN: Basically, 9803, in that
23 Board Case, it says "providing name plate and code stamp
24 is in view, as stated in 0800," so they can put the name
25 plate against the wall.

1 MR. BAUGHMAN: Well, that's typically the
2 same side the relief valve is on, but there again, those
3 things can change, so if it's not within the realm of, I
4 just got to thinking about that, it's a different
5 configuration than what we're thinking looking at with
6 that heater mounted on top of the storage tank itself,
7 so I just wanted to bring that up, just food for thought
8 I guess. I wouldn't be necessarily advocate even on one
9 side because I can't get back to the rear smoke box. I
10 can't -- that rear smoke box itself is just something we
11 get in and look at and we can actually view the heat
12 exchanger if need be from the back looking over the top
13 with an optic means and so forth, still they got means
14 to be able to get around and look at it, I'm okay with
15 that, but that's a different configure than what we're
16 talking about.

17 CHAIRMAN MORELOCK: Any other questions or
18 comments?

19 (No verbal response).

20 CHAIRMAN MORELOCK: Do I have a motion?

21 MR. BAUGHMAN: Move to approve as written in
22 the amended and notes taken.

23 MR. BOWERS: Second.

24 CHAIRMAN MORELOCK: All right. All in favor
25 say "aye."

1 (Affirmative response)

2 CHAIRMAN MORELOCK: Opposed?

3 (No verbal response).

4 CHAIRMAN MORELOCK: No opposition.

5 Abstentions, no voting?

6 (No verbal response)

7 CHAIRMAN MORELOCK: Gentlemen, it's
8 approved. Okay, so that takes care of rule case
9 interpretations. Moving on down to open discussion
10 items, which is
11 Mr. Baughman's item and we are going to -

12 MR. BAUGHMAN: Mr. Chairman, I would like to
13 propose that we table this open discussion item for the
14 December meeting, if that's acceptable?

15 CHAIRMAN MORELOCK: Okay. All right,
16 that'll be fine with us. So that item will be tabled
17 until the December '21 meeting.

18 CHIEF O'GUIN: Chairman?

19 CHAIRMAN MORELOCK: Yes.

20 CHIEF O'GUIN: Can we work on that
21 discussion item he's talking about until the December
22 meeting so we don't have such a long discussion in the
23 meeting on that, as long as we don't make a decision
24 outside of the meeting?

25 MR. BAILEY: Right, I mean, it could be

1 ideas on discussion items such as that can be exchanged
2 back and forth through e-mails, things like that,
3 conference calls, just that once it's going to be
4 deliberated on and some kind of action taken, then it's
5 got to be an open forum. But having like a subcommittee
6 meeting or a task force work on one particular issue so
7 you can narrow it down, that's perfectly, you know,
8 proper.

9 MR. BAUGHMAN: Appreciate that, Chief, thank
10 you.

11 CHIEF O'GUIN: Everybody should have a copy
12 looks like this, one for the low-pressure E-Stops,
13 that's what I sent out to the Master Board open to other
14 jurisdictions, see how they, if y'all look at it before
15 now and December meeting, we can make a decision, thank
16 you.

17 CHAIRMAN MORELOCK: All right. So that
18 takes us to the announcement of the next meeting and
19 that next Board of Boiler Rules will be held on December
20 15, 2021 at 9:00 a.m. at the Department of Labor. That
21 takes us to the last item on the meeting, which is
22 adjournment. So thank you all for a long day. Thank
23 ya'll for lunch and thank you for the great conversation
24 and discussion.

25 (Whereupon, these proceedings were adjourned.)

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C E R T I F I C A T E

STATE OF TENNESSEE)
COUNTY OF DAVIDSON.)

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

That the within is a true and accurate transcript of the proceedings, to the best of my ability, taken before the Board and the Chief Inspector, Tennessee Department of Labor & Workforce Development, Division of Workplace Regulations and Compliance, Boiler Unit, on the 15th day of September 2021.

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

IN WITNESS WHEREOF, I have hereunto set my hand this 29th day of September 2021.

Lisa M. Finch

Lisa M. Finch, LCR #539
Notary Public at Large
My Commission expires: 7/18/2023

<hr/> 0 <hr/>	18-inch 172:14	21-09 111:3	36-inches 181:1
0.7 12:23	18-inches 174:13,21 175:1 176:5,10,22 177:12 178:19 180:4, 20 182:13 184:14	21-10 123:3	39 53:9
0413 168:22	19 52:7	21-11 128:3	399,000 152:1
0800 52:4 174:12 184:24	<hr/> 2 <hr/>	210 146:22	3:30 124:19
0800-03-03-08 168:24	2 155:7	21191 124:7	3A 103:16
0800-03-03-08 52:6	2,058 12:25	2184 124:6,9,10	<hr/> 4 <hr/>
0800-03-03101 148:21	2,925 12:20	220,000 156:20	4 29:22 103:23 105:3 149:2 151:20 152:14 153:9 154:17 168:25
0800-3-3-0413 168:21	2.1 12:24	23 20:9	4(a) 168:25
0800-3-3.04 182:23	2.8 12:25	24 67:21 141:19	400 26:9 152:3,4,5 159:20
<hr/> 1 <hr/>	20 56:8,24 63:11,24 64:3,14 83:8 92:19 93:3 95:14,18,21	24/7 18:20 29:9 30:4 31:24 55:22 75:12 101:2 114:1 124:15	400,00 159:17
1 12:19 99:15 146:10 150:10 151:24 159:25 161:8,10 162:17	20-minute 19:25 20:3 49:23 57:2,8,22 63:14 77:3,13 80:25 87:2,5 95:9 108:12 138:24 139:25 141:8	245-feet 103:18,21	400,000 151:19,24 152:14,18 153:8 155:2 156:23 157:3 158:25 159:25 160:1 161:14 162:13 163:10,17,18 166:7 167:1 179:6 182:20
1,521 12:24	20-percent 13:3	245-inches 103:18	41 54:5
10 73:22 74:1 87:19	200 159:21,22 163:19	25 16:5 27:21	43 129:17
100,000 155:12 156:13,14,21 157:2 160:21 181:17	200,000 155:25 156:14,21 157:2,10, 11 159:14,16 160:9, 21 161:17	250 146:18 147:2,6 148:17	44 10:1 129:18
104 91:7	2008 84:4 86:20	250-degree 147:18	45 15:3 48:10 68:10 129:19
11 13:9 52:6 129:21	2012 65:14	250-degrees 147:18 148:3	450 156:1 163:12
110 37:2 38:12,17 39:4	2016 52:5	250F 149:1	49 13:2
12 13:2 103:22,23	2019 145:4	254 70:21	4:00 39:10,19
120 156:1,10 163:10, 11,17	2021 11:24 12:16,19, 20 84:11 187:20	26 129:5	4:30 114:9
13 106:7 119:2	21 12:1 58:20 64:24 186:17	27 129:7	<hr/> 5 <hr/>
14 124:4	21-02 144:15 166:3	28 129:8	5 14:16 107:7
15 12:20 115:24 116:15 146:17 187:20	21-04 15:16	29 57:4,7 67:13	5,109 12:21
150 41:5,6	21-05 49:3	<hr/> 3 <hr/>	50 41:5 182:21
160 146:18,22 147:2, 5,17 148:17,25	21-06 69:4	3 107:7,11	50's 173:10
18 13:4 23:22 141:19 181:1 183:4	21-07 83:3,10,20	30 155:24	500 106:22 108:21,25 109:7
	21-08 100:2	301 13:3	500-feet 113:6
		30A 129:9	537 12:22
		34 129:11	
		35 129:12	
		350 13:4	
		36 24:24 38:20 100:17 107:6 129:13	
		36-inch 174:12,16,18	

6	166:3,10 169:17 173:18 176:2	added 28:2 42:1 84:17 113:12 129:6,8, 9,13,17,18,19,20 130:22 134:15 142:4 143:6 161:24	agree 67:6 119:22 132:21,22,23 133:9, 22,24 134:1 142:18 146:7 148:15 157:1 164:8 173:2 175:3 181:8
6 73:22 74:1 87:19	ability 51:25 119:5 162:9 173:22	adding 67:10 151:19 152:22 160:20	agreed 181:10
60 123:23 155:25	absent 64:13	additional 40:1 46:13 158:15 159:3	agreement 101:8 125:1
68 10:5	absolutely 44:13 150:4 151:15	additions 12:6 98:20	agrees 158:21
68-122 142:1	Abstentions 11:20 12:13 47:2 79:13 99:7 110:13 122:10 126:22 143:22 186:5	address 59:9 61:17 149:9 154:23 171:2 176:1 177:20 184:8	ahead 41:16 43:2 75:23 102:18 111:24 115:4 117:6 135:10 150:14 176:16 179:1
69 10:5	accept 11:11 12:1 24:2 35:3,7 110:1	addressed 66:20 153:13,14 181:21	alarm 18:6,14,16,18 25:8,11,12,13,16 33:20,23 37:1,6,7,10, 11,20,24 38:17 53:24 58:9,13,17 59:6,9,13, 15,21,22,25 60:1 61:9,14,15 64:21 71:3 72:2 88:16 89:8 92:15,17 93:5,10 94:17 95:2 96:2,3,10, 13,19 97:5,7,10 103:23 104:21 119:4
7	acceptable 64:16 130:19 186:14	addressing 41:25 169:20	alarming 93:1 94:23, 24 109:16 115:16
7 14:16	access 84:22 116:1, 15,20 177:24	adequate 138:1 139:6,8,11 142:10,15	alarms 18:5 37:2,21 38:16 59:16,21 62:4 72:2 75:8 89:7 91:12 92:3,8,12,13 93:1 94:14 95:3,8 96:8 97:10 104:14 109:11, 15 117:8,16,19,20
70 13:25 123:23	accessible 67:18 170:7	adhere 120:5 180:2 182:16	Alco 160:21 161:3
7800 84:7 111:15 123:21	accomplished 45:22 118:23	adjacent 18:3	allowance 168:6
7:00 114:9 124:19	accomplishes 46:15	adjourned 187:25	allowed 102:14 168:12
7:30 29:22	accordance 91:10, 13	adjournment 187:22	allude 26:18
8	accounts 10:8	Admin 9:9	alluded 63:3 162:21
8 73:22 74:1 87:19	accurate 44:24	administered 125:18	alluding 57:15 63:18
800-3-3 179:12	acknowledge 34:24	administrative 43:17	aloud 163:6
81 13:8,14	acronym 52:16 103:24	administrator 8:4	amended 104:3 185:22
85 100:16 146:10 150:11 162:17	act 62:23	admissions 71:1	amount 106:21 114:4
8:00 39:10,20	action 46:16 128:4 142:25 143:8 187:4	adopted 157:23	
9	activated 18:19	adoption 11:9	
9 23:11	active 13:8,14,23 14:6,17 51:20	advice 45:24 52:21	
9-1-1 90:22	actual 36:9 53:10 106:9 112:3 113:21 164:10	advocate 77:24 130:14 185:8	
95 19:10	add 40:7 41:9 43:10 55:3,4 57:12 63:15 64:15 67:13 74:9 76:20 91:6,15 97:18 116:18 150:19 154:22 156:25 175:6,12,17	affirmative 11:17 12:10 41:20 47:1 79:9 99:4 103:12 110:10 122:7 126:21 143:21 156:11 165:18 181:13 186:1	
9803 174:13,21 179:22,24,25 180:22 181:11 182:7,13 184:22		agenda 11:9,11,23 14:24,25 48:10 165:4	
9:00 187:20			
A			
a.m. 39:10,20 114:9 187:20			
A.O. 8:24 148:14			

analytics 52:24	approval 11:23 43:20 46:14,19 86:22 104:20 126:13	140:22	attending 40:10 75:7 77:2 90:18
and/or 148:25 149:5	approvals 42:7	assisted 65:17	attention 78:6 103:21 104:9 150:6 172:1
announcement 187:18	approve 45:14,19 46:11 47:13 78:25 121:21 126:11 128:18 129:3 146:6 185:21	associate 84:22 102:12 107:5 108:10	attest 158:6
announcements 7:4 9:11 11:7	approved 11:22 12:15 28:1,4 42:6,10 47:19,22 68:16 99:10 110:16 122:11 127:1 172:17 186:8	Associates 7:11	audible 96:22
annual 23:4 57:9	approves 104:5	assume 94:3 103:11	authority 53:22 102:25
annually 23:14 24:14	approving 43:11 45:4	atmospheric 178:9	authorized 101:20
annunciated 37:3 55:1 93:5 96:16	approximately 70:21 100:16 111:13	attached 126:13 162:23	automatic 38:13 61:5
annunciating 60:1 93:4 97:5	apt 138:14	attend 77:1 88:7 139:13	automatically 21:4 60:22 160:2 161:10
annunciator 84:7 92:4	area 10:9 17:17 18:7 29:25 30:18 32:24 51:15 56:20 58:22,24 61:8,21 64:18 72:4,13 108:21 109:1 112:8 124:14	attendance 90:17 146:14	avoid 27:3
answers 119:7 120:14 151:12	areas 32:25	attendant 15:18 16:23 17:7 20:7 23:9 27:8,14 28:8 31:14,22 32:9 33:6 35:20 36:10 39:10,13,14,22 40:7,8 49:4 61:17,19 62:23 63:6,9 69:5 70:25 71:12,17 73:5,9 75:4 76:12 80:16,25 81:20 83:4,12 84:23 87:22 88:22 89:5 90:14 91:10,11,13,15 94:15 95:18 100:4 101:21 102:16 103:24 114:7, 16,20 115:18,22 123:4,11 125:3,4,8 129:6,7,9,10,12,13 132:16 133:13 134:2, 20,21 135:3 136:4,5, 9,11,17 141:9,21 144:4	aware 15:15 51:19 134:8
anticipate 109:11	argue 81:14 151:21	attendant/boiler 101:7	awareness 22:13,23
anticipation 72:1,7	argued 121:12	attendants 18:25 71:11 80:12,14 84:24 85:7 88:4,6 100:22 101:4,5,10,11,12 102:14 113:24 114:2, 12,13,15 119:8 124:13,15,17,23 130:22,23 132:19,20 133:3,9,23 134:16 135:4,5 136:13 137:20,21	Awesome 105:8
anymore 46:21 98:25 122:2 161:22 168:23	arrangement 125:5	attended 90:11 91:4	awkward 170:20
anytime 58:15,17	arrangements 69:11		aye 11:16 12:9 46:25 79:8 99:3 110:9 122:6 126:20 143:20 165:17 185:25
apologize 49:7 50:1 103:25 113:9 123:16	arrive 63:23		
apparently 123:13 159:7	ASME 118:7 120:2,8, 17 121:1,3 148:8 149:2,17 150:10 151:20,23 152:15 153:9 154:17 155:10 159:25 160:1 161:7,8		B
appeared 104:18	aspect 114:17 148:1 149:7		back 10:19 13:20,24 14:1 17:13,14 36:2 38:17 42:4 44:6,23 45:6 46:1,14,20 47:7 48:9 54:17 56:17 57:22 64:11,12,23 65:2,14 66:7 81:12 83:8 84:4 85:16 86:21 92:22 93:4 96:1,5,7,9, 17,18 97:2,3,4 98:11 104:13 109:14,16 115:5 117:18 128:17, 24 137:11,13 140:12, 16 141:8 143:3,6 154:3 159:12 164:4 167:15 169:7,11,13 170:8 173:10 175:11, 13 182:1 183:16,19 185:9,12 187:2
Appendix 27:6,9,15, 24 31:4 36:25 72:24 73:2,13 74:16,18 84:9 87:23 107:4 119:1 124:4	assign 35:25		background 49:19 146:9 166:16,19 167:18
applaud 114:6	assigned 17:20 22:2, 14 144:18		
Applause 10:16	assigning 36:5		
appliance 178:5	Assistant 7:21,25 8:3 9:9 13:6,7 14:19		
applicable 183:22,24			
application 85:3			
applications 35:11 61:20			
applies 156:10 176:3			
apply 176:2			
approach 112:8			

<p>backup 35:12 123:24 124:24</p> <p>Bailey 6:20,23 7:2,20 22:7 34:6 45:2,13 68:3 72:18 112:10 115:2 164:20 165:7 168:20 180:6,10,23 181:2,5 182:8 186:25</p> <p>bar 152:13</p> <p>BAS 93:9</p> <p>based 42:8 116:8,9 125:23</p> <p>basic 26:6 76:15</p> <p>basically 18:21 35:9 51:24 95:17 128:10, 11 139:19,21 160:10 166:13 174:22 179:25 184:22</p> <p>basis 46:17 142:15</p> <p>bat 111:21</p> <p>batch 16:5 32:23 35:2,4,5</p> <p>Baughman 7:18 10:15 11:12 12:4 13:13,18,22 14:2,5,18 28:9,16 29:1,6 30:6,9, 15 31:2,25 33:2,7,13 34:17 35:16,18 36:22 37:9,15,21 38:11,15, 20,23 39:2 40:12,19, 25 43:10 44:16,20 53:6,19 54:20,22 55:7,13,18 56:3,7,14, 25 57:14,25 58:3,10 59:10 62:11,16 64:2 65:12,16,21 66:19 67:2,4,9 74:25 75:3,6, 15,22 76:5,23,25 77:6,22 78:4,13,17 79:4,11,17 80:9,24 81:13 82:4,12 83:5 88:18 89:4,11 90:1,9, 23 91:19,20,22 92:2, 8,11,20,25 93:11,16, 21 94:1,4,8,12,22 96:5,25 97:6,22 98:9, 14,19 102:11 103:5, 13,16 104:12,16,21, 24 105:5,8,20,21 106:3,6,11,18 107:3,</p>	<p>22 108:7,14,17 109:5 112:12,16 116:18,25 117:4,7,11,15 118:4, 14,15 119:10 120:20 121:4,9,25 124:8 125:17 126:5 130:4, 25 131:10,14 132:5,7, 22 133:25 134:1,23 135:8,13,16,22 136:16,21 138:20 143:12 144:5,9,12 146:25 147:1,5,8,14, 25 148:6,14,18 149:4 150:19 151:23 152:8, 23,25 153:2,12 154:1, 13,23 155:17 156:12 159:10 162:2,20 163:15,25 164:11,15 165:17 169:15 170:3, 25 171:5,8,11 172:2,7 173:16 175:21 176:9, 24 177:5,14,18 178:3, 9,21 179:22 181:14, 19,24 183:5 184:11 185:1,21 186:12 187:9</p> <p>Baughman's 46:10, 15,17,18 58:19 76:10 96:1 186:11</p> <p>BC 166:3 179:24</p> <p>bear 15:7</p> <p>begin 97:13</p> <p>beginning 18:14,19 31:5,8 34:7 80:18</p> <p>bell 92:17</p> <p>BI 144:15</p> <p>big 10:8 62:7 162:7</p> <p>bigger 84:7</p> <p>biggest 117:17</p> <p>bit 14:4 16:23 32:11 43:12,19 49:12,19 55:19 63:2 85:16 107:24 139:11 146:9 160:13</p> <p>blanche 174:4</p> <p>Blazer 9:4</p> <p>blow 20:16 71:24</p>	<p>blows 20:13</p> <p>board 6:4 7:6,12,14, 16,18 8:1 9:14,17,21, 22,23 10:13,18 11:3,5 14:10 15:20 19:6 42:21 43:5 45:7 46:5, 14 48:8 49:14 50:11 53:5 64:16,23 69:6 72:16,22 74:24,25 78:21 83:13,14 86:3, 21 87:3,11,23 88:1 91:20 98:22 100:6 102:2 104:5,18 106:5 111:4,8,21 113:13 121:8 123:5 124:3,6 128:7,8,10,17,25 129:21 130:19 132:16 133:1,20 138:14 139:23 140:9,17 141:20 142:5,14 143:4 144:25 145:17 151:10 152:7 153:21, 24 154:21 158:24 165:13,16 166:4 173:2 174:12,15,21, 23,25 175:6,9,12 176:1,18 179:13,18 180:11,16,18,19 181:2,5,11 182:4,7, 13,18 184:23 187:13, 19</p> <p>Board's 45:9 138:10, 18 146:13 151:11</p> <p>Boards 145:5</p> <p>Bob 8:11 15:24</p> <p>boiler 8:10 12:17 15:17,25 16:23 17:7, 23,25 18:1,25 19:19 20:11,12,13,15,17,22 21:2,5,8,13,15 22:13, 18,24 23:8 25:6,12 27:8,14,18 28:7,12 29:15 31:6,8,14,22 32:8 33:6 34:1,25 36:17,19 37:1,8,24 38:9 39:10,13,14,22 40:7,13,15 41:3 42:9 43:14 47:9 49:4 50:8, 17 54:9,12,14,17,22 55:6,24 56:23 57:1 58:13,25 59:9,13 61:11,17,18,19 62:21, 23 63:4,9,11,21,24</p>	<p>64:9,11,14 65:1,2 67:3,14 68:9,17 69:5, 12 70:9,18 71:5,10, 12,16,18 72:2,8,24 73:5,9 75:4,7,8 76:12, 14,21 77:1,3,11,15 79:3 80:14,16,20,25 81:9,12,20,21 82:8 83:4,12 84:15,24 85:7,10 87:22 88:4,5, 6,11,13,22 89:3,5,7, 25 90:11,13,18,20 91:2,4,9,10,11,12,13, 15,18 92:3,7,16 93:2, 16,25 94:5,14,15 95:13,17 96:10,18,20 97:4,19,20 98:13,14 100:3,16,18,22 101:5, 7,10,12,15,16,21 103:10,17,23,24 105:2 106:7,15,16 107:13 108:6,12 109:13 111:14,15 112:9,13,19,22 113:4, 15 114:2,7,10,12,15, 20 115:17 116:6 117:21 118:3,7,13,20 119:8,12,15,18 120:4, 7,16,17,18 121:1,13 123:3,22 124:5,6,15, 17,18,21,23 125:3,5, 8,25 128:18 129:3,6, 7,8,10,11,12,15 130:8,12,17,20,21,23 131:4,7,15,17,23 132:12,20,23 133:4,5, 8 134:9,19,21 135:3,5 136:3,11,12,17 137:4, 7,8,21 142:4 144:1,4, 7 145:5,22 146:15,16, 17,18 147:11,12,21 148:9,16,21,22,24 149:1 150:24 151:2,4, 6,19 153:8 154:17 155:9,11,13 160:14, 17 162:5,9,24 166:4 167:9 187:19</p> <p>boiler's 59:15</p> <p>boilers 10:6 17:3 18:1,6,22 19:7,8,11, 13,14,18,21,25 28:12, 15,16 29:2,9,12,13 36:13,15,22 40:10,20, 22 43:15 50:20 55:1,3</p>
---	---	---	--

69:19 70:11,13 76:16 80:22 81:6,7 82:14 84:14,25 85:4 87:24 88:7,11,25 90:5 94:6, 10 100:15,17 103:10 107:18 109:1 111:14 113:18,22 117:17,25 118:5,6,8,10,12 120:2,6 123:12,21 129:18 141:25 144:18 145:6,8 146:11,13,19 148:2,12 149:16 152:1 156:17 158:12 160:3 161:13 169:17	10 brainstorming 139:15 brand 17:25 19:8 107:14 Brandon 8:9 25:5 break 17:19 83:6,20 99:14 160:12 164:22 breaker 150:2,3,7,9, 13,16,17,23 151:21 152:22 153:11 154:20 156:5 160:13,14,19, 25 161:4 162:11,14, 18,21,23,25 163:13	BTUS/HOUR 153:8 building 6:6,8,9,11, 18 18:2,4 28:12,14, 20,24 30:12 93:11 112:9,20 113:5 173:12 buildings 28:24 173:10 built 17:5 120:1 121:1 125:22 149:16 151:20 152:14 153:8 173:10 bullet 172:23,25 182:11 bullets 179:9 bumping 54:8 burner 111:19 170:8 burners 10:10 business 10:1 14:21, 22 144:14 bust 37:10,13 button 53:23 58:7 162:7	capture 22:25 captured 46:4 47:24 carbon 41:17 109:15 129:19 care 20:12,13 26:12 57:17,18 61:24 82:9 91:18 96:14 144:13 186:8 career 10:3,11,12 carpenters 114:3 carry 94:18 103:5 121:5 cart 43:18 carte 174:4 case 53:23 55:1 72:10 81:9 82:12 89:21 101:21 103:23 106:15 156:19 158:13 159:11 163:1 170:21 174:12, 21,23,25 175:6,9,12 176:18 179:18 180:11,14,16,19,20 181:2,6,11 182:7,13 183:3 184:23 186:8
boilers/burners 161:11 boils 167:20 Boisco 8:19 100:8 101:8 125:2 131:21 bomb 21:18 book 16:25 17:13 89:22 bothered 120:15 bottled 109:1 bottom 52:22 73:4 105:2 128:22 bought 49:21 bounces 97:7 boundaries 28:20 Bowers 7:16 9:12,13 10:17,21 19:2,7,11,24 20:5 21:7,11 24:6 41:8,17,20,24 42:12 44:8,12,14 45:10 50:14 60:4 61:1,20 67:15 78:25 81:3 86:7,14 87:7 98:24 102:6 110:1 115:10 121:21 125:13 126:11 129:24 133:22 139:18 140:16 143:15 149:25 150:12 157:6,19 158:4,20 160:7 169:2, 4 174:22 175:9,11,17 176:4 178:17 185:23 Bowers' 44:3 box 17:16,21,22 41:5 132:3 183:17 185:9,	breakers 72:10 breaking 86:21 breaks 18:10 Brian 7:14 Briggs 7:10 bright 24:17 bring 13:2 44:6,23 47:7 72:12 93:9 106:24 111:21,24 121:7 139:14,16 184:20 185:7 bringing 88:19 103:20 104:9 brings 133:1 broad 35:19 158:7 broader 135:15 brother 135:17 brought 15:9 46:14 60:5 120:11 138:21 150:5 BTG 114:11 BTU 106:12 109:3,7 151:19 152:14,18 156:14 159:16 182:20 BTUS 106:13,14,22 154:24 155:12,24,25 156:20 157:4 159:1 160:2 161:14,18 163:10 166:7 167:2 179:7 181:18 184:17	bullet 172:23,25 182:11 bullets 179:9 bumping 54:8 burner 111:19 170:8 burners 10:10 business 10:1 14:21, 22 144:14 bust 37:10,13 button 53:23 58:7 162:7	cases 120:10 138:3 144:15 150:8 174:15 catch 38:22,23 caught 93:13 caution 119:3 celebration 11:2 cell 6:13 60:8,15,19, 22,24 61:1 62:6 64:25 94:19 center 83:3,11 84:3 105:11 123:10,19 certainty 20:14 certification 114:11, 16 137:7 certified 63:8 67:3 101:4,6 111:16 114:7, 10 117:3 141:10 certify 133:8 Chairman 6:2,22,25 7:3 9:10 10:20 11:14,
		C	
		call 6:5 11:15 12:8 27:7 45:18 46:25 53:16 61:25 62:1 69:12 72:14 75:19 76:4 77:14,20 79:7 81:22 83:17 89:1 99:2 107:17 108:5 111:19 122:6 126:20 143:20 150:9 155:11 158:23, 24 178:23 184:5 called 77:10 80:21 134:12 calling 6:2 69:11 132:19 155:9 calls 77:20 187:3 Canonico 82:3 130:6 capacity 9:18 10:22 19:20 50:8 109:3 156:1 163:11 capital 104:20	

18,20,22 12:3,5,8,11,
13,15 13:11 14:11,20
15:22 19:3,5 20:2
21:22 22:25 23:12
24:15 25:17,23 27:6,
13,20 28:3,6 34:6,22
35:8,14,17 40:4,5
41:1,7,12,15,22 42:5
43:4,11 44:10,13,18
45:8,17,20 46:7,8,18,
24 47:2,5,15,23 48:1,
4,7 49:2,13,16 50:10,
16,19,22,24,25 52:2
55:13 57:6,24 58:19
59:3 61:7 62:20 63:3
65:5,9,10 66:1,13,18
67:2,6,12,17 68:2,3,7,
15 69:3 72:15,19,21
73:6,11,16,21 74:3,7,
12,15,23 76:8 78:20,
23 79:2,6,10,12,15
81:18,24 82:2,5,6,15
83:2,7,10,19 86:2,5,8,
11 87:10,18 91:6
94:13 97:25 98:4,7,9,
13,16,22,25 99:2,5,7,
9,13 100:2,5 102:1,4,
8 103:15,20,22
104:10 106:4 109:20,
24 110:3,5,8,11,13,15
111:2,6,7 112:19,24
113:2 114:25 115:2,4,
8,12,15,21,24 116:2,
14 117:5,6 121:16,19,
24 122:2,5,8,10
123:2,7,8 125:11,15
126:6,9,16,19,22,25
128:2 130:2,4,18
131:2,13,25 132:24
133:11,20,25 134:11,
13 135:1,11,14,21,22,
24,25 136:1,6,10,12,
20,23 137:14,23
138:6,15,18 139:12
140:14 141:13
142:16,21 143:10,13,
16,19,22,25 144:6,7,
13,20,24 145:9,13,17,
21 146:4 148:19
150:5 151:17 152:10
153:4 154:6,15 157:1
158:20 161:22 163:7
164:15,17 165:2,15,
19 166:2 168:16,19,
20 172:9 173:2,3

174:8,9,18,24 175:4,
10,16,19 176:7,20
177:2,11,15 178:12,
15,20,22,24 179:1,4,
15,20,23,25 180:6,8,
13,21,25 181:3,8,11
182:5,11 185:17,20,
24 186:2,4,7,12,15,
18,19 187:17

chairs 15:11,12

chamber 118:24
119:5 178:11

Chambers 69:12,16,
20,23 70:1,2,7,12,16,
20,23 71:2,6,9,14,19
73:14 74:5,10,14
75:2,5,9,17,24 76:7,
24 77:5,17 78:3,9,12,
14,19 82:1

chance 98:3 184:13

change 17:19 23:18
84:5 116:12 133:12
134:20 135:1 151:15
156:4 157:4 163:20
185:3

changed 50:5 51:2
79:1 84:11 125:19
134:15 137:16 151:14
153:5 157:2 166:22

changing 136:2,4,9
159:4

channeling 130:5

charge 76:6

charged 139:4,5

chart 33:9 40:6,9
52:7,12 73:2,12,20
74:8,9 87:21 128:12,
21

Chattanooga 7:13
8:8

check 14:1 18:14,15,
18,22 25:11 32:5
56:24 71:21,22 90:5
94:15 95:21 117:13,
25 129:14,15

checked 96:9 181:20

checking 56:20 93:2

95:13,18 96:6 118:8,
11

checklist 24:24
26:24 47:10 55:18,20
67:21 96:6 123:14
128:3,5 129:4

checklists 67:14

checks 56:14 57:7
62:22 67:14,22 71:25
75:12 108:12 163:15

chemical 8:8,12
15:17 16:1,4,6,21
18:8 20:6,9 27:20
29:24 30:16 31:6
33:21,25 34:1,23
36:1,17 39:11,12,17,
19,21

chemicals 8:6 26:6,7

Chief 7:23,25 12:17,
18 13:6,7,25 14:4,6,
11,19 39:8,16 40:3
42:19 43:13,21 50:24
51:1,9,17 52:1 64:17
69:12 87:1,16 96:15
97:3 107:2 108:18,22,
24 109:5 123:12
130:1 135:25 136:2,7,
11,14 137:13 140:22
143:6 144:10 145:1,
23 151:17 152:3,12,
17,18,21 154:24,25
155:6,12,14,16
156:22 157:1 159:13
162:12 164:11,13
165:12 172:9,13
173:8,16 174:8,10,20
175:2 179:24 180:5,
18 181:14,17,23
182:3,10 184:22
186:18,20 187:9,11

Chief's 14:13

chimney 170:9

choice 114:19

choppy 70:6 85:14

chosen 114:5

Chris 7:23 9:22 12:18
22:1,8 64:17 96:15
108:18 135:25 144:10
151:17 155:1 159:23

160:7 161:14

Chris's 14:16

Chubb 8:17

circled 105:15

circuit 37:18 38:7,9
150:2,3,7,9,13,16,17,
23 151:21 152:22
153:11 154:20 156:5
160:11,12,14,18,25
161:4 162:11,14,17,
21,23,24 163:13

circuits 96:13

circulated 148:23

citizens 9:25

City 133:17

clarification 14:12
34:19 53:3 88:3
106:18,20 147:1
151:1

clarifications 12:6

clarifies 134:25

clarify 28:18 32:10
74:12 79:18 80:2
105:16

clarifying 134:24

Clarion 52:10

clarity 158:5,11,16
159:18 160:6 161:19

class 126:1

classes 114:11,14

classification 118:6
119:20

classified 71:1
117:24 118:9,10,20,
21 119:19 120:16
146:15 148:12

classifying 156:16

classroom 125:25
126:2

Clayton 121:10

cleaning 26:13

clear 23:7 36:10
59:19 118:17 119:25

133:15 137:12 159:7 177:16	cohorts 148:14	10 140:12 158:12	confusing 132:18 150:12 159:25 161:7 180:24 181:7
clearance 166:5 167:2,7,22 169:1 171:9,11,16,24 172:2, 14,16,17,19,21,22 173:4,5,11,14,23 174:6,11 175:12,13 176:8,19,22 177:1,20 178:1,4,18 179:7,11 182:6,12,16,22 183:1, 18,19 184:6,14	colleague 166:10	company 9:16,18 35:22 89:23 102:20 116:11 133:1,15	confusion 26:22 27:3 132:9,10,13 152:5 159:1,8 161:20
clearances 167:7,16 168:14 171:13,17,18 172:1 173:1 174:2 175:5 177:12,19,21, 22,23,25 178:2 179:11 181:21	Colonial 8:6,8,12 15:17,25 23:17,22 28:11 29:13	competency 85:21, 24	congruent 151:25
clearcut 54:2	Colonial's 31:17	competent 139:2	connected 151:5,7 153:3,10,16 155:18 156:4 163:12,19
cleared 33:24	color 24:17 67:19	competently 56:19	connection 116:5
clearer 177:14	colored 24:18	complacent 97:11	consequences 102:16
clearing 75:7 89:7	column 12:22 24:25 38:21 96:6	complete 83:19 103:8 173:7	conservative 178:1
clerks 124:15	combination 126:2 148:10	completely 15:6 151:10,12 159:9	considered 124:20 147:11 155:13
Cleveland 9:7 111:3, 10 113:19	combined 109:3	comply 65:7	consist 137:19
client 64:6 69:11 123:14	combustible 172:3, 5,8 177:22	component 95:4	consistent 73:19
clients 80:4 104:17 114:15 119:24	combustion 117:1 177:21	components 141:23	consists 138:5
climbing 10:5	comfortable 44:2 45:4 75:6,9,14,15 153:24	computer 144:22	constantly 32:24
close 32:6 55:9 59:20 77:21 160:14,17	comment 20:18 42:25 58:20 76:11 81:4,19 82:4 87:18 105:19 157:6 162:1 177:17,18	concern 77:13 78:4,7 82:7 93:3,6 94:22 136:25 170:13,16	construct 18:3
closed 144:23	comments 15:7 24:16 35:15 41:13 42:8 47:24 48:9 65:11 66:3,4 67:23,24 72:23 76:9 79:7 86:12 87:25 98:1,5,22 102:9 104:11 106:5 110:5 121:17 122:3 125:16 126:7,17 129:22 143:7,17 161:22 178:13 185:18	concerns 20:5 34:25 143:7	constructed 18:1 119:16
coal 10:10	Commissioner 7:22	concise 154:4	construction 28:22 119:17 120:6,7,24 161:8,15
code 107:6,10,16,25 120:2,8,17 121:2,3 148:8 149:2,17 150:1, 10 151:20 152:15 153:9 154:17 157:8,9, 25 159:16,17 160:1,8 161:7,16 162:16,19, 25 164:4 182:25 184:23	Committee 159:5	condensation 170:9	Consulting 8:20 63:1 100:7 144:16,21
code's 161:9	common 74:13	condensing 170:5	contact 31:7 33:20, 25 36:1,21 61:17 108:8
codes 107:9,18 161:9	communication 72:5 100:25 104:5,8 124:22	condition 33:24 119:4,7	content 184:9
	communications 100:21 114:22	conditions 77:9	context 34:3
	companies 139:3,8,	conductivity 71:25	contingency 98:17 122:11
		conduit 37:20	contingent 42:7,11
		conference 187:3	contingently 99:10 110:16 126:25
		configuration 113:22 169:19 170:5, 11 176:23 185:5	continually 115:17
		configure 185:15	continuation 145:2,4
		conflict 115:5 168:16	continue 28:22 35:16
		conflicts 15:20,23 49:13,16 69:6 72:18 83:13,14 86:2 102:2,4 111:4 123:4	continued 41:25
		confused 88:3,19 147:15	

126:13	corrections 12:6 43:17 98:10,21	customized 126:2	December 10:19,22 11:3 44:6 45:7 46:2, 20 47:7 48:10 66:14 68:8,10,16 165:9,20 186:14,17,21 187:15, 19
continuously 29:20 57:21 59:18	correctly 72:3	cut 69:24 96:17,20	decide 47:21 140:9
contract 184:13	Counsel 7:20	cutoff 25:14 92:15 109:9 129:14	decided 9:19
contracting 90:8	counter 44:16 136:16	cutoffs 108:9	decision 128:14 146:7 186:23 187:15
contractor 154:4	County 8:22 67:3 100:3,9	cylinder 170:21	defeats 60:11 63:14
contractors 158:16 159:19	couple 15:11 85:18 107:14 111:20 123:25 128:7 132:8 165:3	cylindrical 166:25 167:24 169:18 173:20 174:5 178:10 179:5 183:11	define 148:9
control 21:1 32:12 51:23 61:11 84:5,7 100:16 103:9 117:1 139:22 140:11 150:21	courses 125:22	cylindrical-type 183:10	defined 29:25 120:17,18
controller 91:23 111:16,17 123:22	court 7:5 19:1,13,16 22:6 34:4 108:22 152:16 164:21	<hr/> D <hr/>	definition 119:12,15, 18,25 148:7,13 150:1 168:7
controls 86:25 87:15 107:24	cover 39:12 52:2 54:8 55:13,20 67:19 160:8 161:2 173:2 175:7	DA 71:23 72:11	definitions 148:20
conversation 187:23	covered 40:4 98:2 124:21 133:6	daily 25:11	degree 29:17 147:2
conversations 6:14	covering 18:9 132:25	Dan 7:20	degrees 146:19,23 148:17
convert 107:24	covers 176:6	Dana 21:12	delay 29:14,15
convey 166:21	COVID 49:9	data 184:17	delayed 18:2 28:20
cool 35:5	cozy 32:14	date 144:2	delete 159:2 164:1
Coopman 74:5	create 23:18	dated 57:8	deliberated 187:4
copper 183:12	Creek 83:3,11 84:2	dates 84:3	delineation 88:21
copy 11:10 47:16 50:3 67:16 68:14,18 128:6 145:1 187:11	crew 16:24 51:14	Dave 40:12 53:6 160:12	delinquency 12:21, 23,25
corner 25:20 112:5,6, 7 170:12,16,23 175:22 176:1,6,8,11, 12,25 177:4	criteria 106:21 109:6 116:20,22 139:9	David 7:18 28:9 74:25 76:23,24 91:20	delinquent 12:23,24 13:1,2,3,4,5
Corporation 21:12 166:3	critical 95:2,4 96:1	Davis 9:6 111:9 113:10 117:2,10,12 118:1	denied 66:17
correct 16:11 20:1,3 37:4,5 39:2 44:10 57:6,23 59:1,2 60:3 62:18 71:2,6 75:4,5 77:4 80:6 87:9 88:8,9, 15 91:3,24,25 92:10, 23,24 94:2 96:25 98:19 102:19 103:1 106:23 124:4 138:15 149:3 150:18 180:7 181:16	cross 159:14	day 14:24 15:4 22:20 29:8 81:16 94:20 95:14 123:15 137:9 187:22	deny 45:5
correction 98:18 100:20	CST 146:10 150:10 151:24 159:25 161:8, 10 162:17	days 16:24 17:1 18:20 29:7 39:20 48:10 68:10	department 8:16 49:8,11 51:12 55:5 84:20 92:6,16 187:20
	curiosity 25:24	dayshift 18:24 101:13 124:18,20	depending 64:25 78:16
	curious 13:23 55:10 96:10	DCS 32:11	depends 30:18 178:7
	current 27:11,25 47:5 133:7 168:11 182:24	deal 157:13	depth 72:1
	custom 125:22	dealt 157:13	describe 53:7 142:14
	customer 177:8		describes 38:21
	customers 26:10 168:4		

describing 57:11	Dioderm 147:22	doors 94:9	166:22 180:7
description 33:17 37:1 44:22 53:10,14 84:22 91:1 115:25	diplomatic 117:15	dotted 17:16	early 31:12
descriptions 16:18 27:9 33:8	direct 54:14 66:22	double-check 116:13	easiest 81:11
design 76:16	directly 58:17 93:19 112:21 113:6	Doug 9:6 111:9	easy 66:12
designate 17:10 25:13 62:20	director 8:21 9:6 74:4,11 111:9 123:9	downtime 35:3	ECS 8:20 63:1 100:7 132:6 144:16,21
designated 39:18	disburse 89:19	Downtown 173:9	edit 26:18
designed 167:16,22	discrepancy 55:20	draft 68:13 183:16	edited 23:17 163:7
desire 28:4 111:24 130:10	discretion 145:16,20 151:9,10	drastic 81:10	editorial 103:7 104:7 162:1
desk 17:22 32:15 34:15 89:21	discuss 15:14 19:1,2 50:13,14 72:17 86:6 102:5,6 115:3,9,10 125:12,13 145:12 169:2	drawing 17:24 41:9 54:15 121:22	editorials 111:20
detail 16:24 23:7 71:16 86:18 112:25	discussed 51:6	drawings 53:4 55:8	education 76:13
detailing 138:5	discussing 135:23 173:19	drilling 26:13	effect 81:10 130:11 144:6
details 18:12 69:18 85:6 138:9	discussion 11:15 44:23 46:22 51:3 63:2 68:18 90:10 94:23 98:25 119:23 121:5 130:3 135:15 142:17, 22 186:9,13,21,22 187:1,24	drop 159:22	effective 137:19 138:4
detection 41:18	discussions 149:23	dual 33:11	efficiency 169:22,25
determination 53:17	Disney 10:8	due 51:6 55:16	efficient 153:22
determine 139:10	dissertation 121:14	duties 25:6,10 27:7, 11,14,21,25 31:3,4 32:5 35:25 36:5 56:18,22 61:8,12 73:21 77:8,10,15 87:19 89:5 90:13 91:5	egress 40:17,23 54:13 94:1 108:19 150:20,22 153:17 154:11 162:22,25
determined 36:25	distance 32:6 37:12, 18 41:2 70:22 103:16	duty 32:2 91:1	either/or 147:3,15 148:4
develop 142:5	distances 55:7	<hr/> E <hr/>	elaborate 32:18 89:11
developed 141:15	DL11 111:17 115:25	e-mails 187:2	elbow 171:22
Development 8:16	DNC 149:2	E-STOP 21:3 40:19, 20,22 51:13 55:2,4 65:2 66:10 129:20 150:9,14 158:8 159:17 160:11,19,23, 25 161:4 162:19 164:7	electrical 163:24
devil's 77:24	documentation 160:24	E-Stop's 97:13	electricians 114:4
diagnosing 75:16 89:7	documented 23:6 66:9	E-STOPS 40:13,16 53:18 54:25 58:6 72:9 93:18 129:17 145:6 187:12	element 32:16
diagram 112:3 113:16	domestic 70:15	E.R. 70:25 92:6,16 124:14	eliminate 150:3
diameter 182:22	Domtar 141:16	ear 30:6	emergencies 90:25
difference 63:22 107:6 157:9	door 93:20,21,22,24, 25 94:5 162:8	earlier 39:12 95:16 109:7 120:21 137:5	emergency 6:6 17:21 24:18,20,21 34:14 53:8,10,14,23 54:2,4,7,9,11 59:7 66:9 67:15,18 72:9,10 73:21,23 80:23 84:20 87:19 89:20,21 90:19, 21 91:16 94:4,9 129:17 145:6 146:11 150:24 162:6
differences 65:22			
differentiate 97:9			
difficult 108:2 184:15			
digging 59:7			
dimension 176:11			

empty 60:21 62:5	equation 163:20	exit 6:9,10 93:20,21, 22 106:17,20	fair 143:1
enclosed 178:11	equipment 13:10 16:15 24:3 36:25 44:5	exits 106:6,14 108:24	fairly 42:25 50:8 56:8 66:12 77:21 106:10
encounter 117:17 175:7	56:20 75:8 87:12 108:21,25 115:25	expand 38:7	fall 73:14 119:13 157:11,25
encountered 170:6	116:3 119:25 125:23 149:6 177:9	expanded 92:4	falls 57:22 184:9
end 32:22 43:18,20 56:11,12 64:12 101:18 116:19,21 144:10 152:21 154:2 170:8	equipped 146:11	expect 117:11	familiar 36:12,15 107:10,13 108:4 111:15 147:25 169:18
energy 166:7	equivalent 109:4	expects 42:17	fan 97:12
enforce 152:4 159:16,17 162:10,15	error 88:25	expedite 165:10	fantastic 10:3,11
enforcement 90:22 160:2 161:9	established 164:7	experience 76:13 140:20	Fahrenheit 146:19,23 147:3,18
Engineer 8:10,12 15:25	estate 19:22	expertise 108:9	fashion 134:7
engineering 8:14 9:3 49:7 69:9 75:18 85:1, 9 89:1	evacuate 119:5	explosive 26:15	fault 107:4,5,8,10,16, 18
English 107:7,25	evacuating 118:24	expose 119:6	favor 11:15 12:9 46:25 79:8 80:6 99:3 110:9 122:6 126:20 143:20 185:24
enhanced 22:12,19	evaluating 43:19	exposed 32:16	feasible 106:1
enjoy 11:4	evening 78:16 101:14 124:18	extend 141:16	feeding 85:15
enjoyed 9:21	evenings 29:10	extended 77:19 84:7	feel 44:1 45:4 47:23 48:6 59:11 131:22 153:21,22 172:10,13 173:13,14
ensuring 162:21	event 35:23 53:24	extensions 54:6	feet 41:5,6 70:21 106:22 112:16,18 167:3 179:8 182:21 183:2
entail 56:3	event's 9:24 11:10 158:18 165:2	extensive 75:25 107:9	fellowship 11:5
entering 32:12	Everyday 92:18	extent 117:5	felt 134:12
entire 56:5 167:5	evolution 138:7	exterior 56:23	field 26:13 96:16 97:7 152:6 168:5
entrance 112:7	exact 73:23 101:17	extinguisher 22:17	fields 26:7
enunciate 37:22 38:10,12 61:11 92:12, 13,15,22 96:4,7,8,17 97:2,3 108:10,11,13 109:10,12,14	exam 102:14,23 114:19 125:7	extra 15:11 21:14	fierized 38:9
enunciates 92:16 96:19 97:15 107:7 117:18,23	examination 101:18	extremely 114:17	fight 81:6
enunciating 37:10	exceed 182:19,21	<hr/> F <hr/>	figure 26:20,22 27:2 41:1
enunciation 59:25 64:21 97:16 98:11 104:12	exceeding 108:25 148:25	face 117:9	figures 26:19,20,25 27:1 50:2
equal 155:23 156:13 167:13	excellent 82:3	Facilities 8:22 9:7 100:11	fill 15:4 31:13 39:9,19 80:15 85:11,22,25
	exceptions 160:3	facility 49:20 56:5,8 70:15 71:11 74:4 103:4 125:20	
	exchanged 187:1	facility's 58:25	
	exchanger 185:12	facing 22:23	
	exchangers 183:17	fact 57:18 81:14 96:1 113:18 132:12,24 133:18 149:21 184:5	
	excuse 31:25 147:12	factory 117:2	
	Executive 9:8	failed 47:6 112:2	
	exempt 182:22		
	exhaust 171:22		

filter 52:25	fluctuate 14:8	Fulton 100:14 107:17	good 6:18 31:2 33:2 41:2,11 44:24 48:6 53:10 55:7 56:8 76:5 78:15 80:3 81:4 83:22 90:23 91:22 93:21 94:8,12 97:13 103:14 104:21 105:9 109:5 117:4,13 126:5 128:11 137:6,12 140:10,11,17 143:2 146:7 154:13 165:15 181:12,19
fin 183:12	fluid 109:2 148:1,3,5	function 62:17	Gotcha 28:16
final 43:20,21 125:7 140:23 142:9	folder 137:24	functioning 28:15 71:24 72:3 76:12,16	Governor 10:22
Finch 7:5,10	folks 73:18 85:17	furthest 93:23	governors 9:14
find 23:5 24:22 66:20, 25 72:23 141:6 147:20	follow-up 95:7	future 100:24 109:16 139:14	graciously 128:8
fine 13:22,24 33:1 46:2 116:16 137:16 145:24 146:2 150:16 164:17 186:16	food 185:7	<hr/> G <hr/>	grade 85:25
finicky 117:14,15	foot 108:21 168:13 169:10	gallon 164:1	granted 79:22
finish 165:4	footing 167:13	gallons 156:1,10 163:12,17,19	great 9:25 10:6,12,14 108:9 141:3 187:23
fire 22:17 37:2 123:20	force 187:6	Gary 9:4	greater 151:20 152:14,19 153:8 155:2,23 156:8,13 161:14,24 162:13
fire-fuel 109:3	form 134:6	gas 37:23 76:1 123:24	Greg 8:25 166:9
fired 129:16 160:3 161:10 163:23	format 16:1 84:11 128:9 134:11 166:13	gas-fired 166:6	ground 84:17
fit 139:5	Forty-percent 181:23	gave 142:4	grounds 56:4
fitted 149:17 151:2,3, 6 152:25 153:1 154:18,21 156:2	forum 15:10 120:12 187:5	general 37:6,7	group 8:20 16:21 17:17 18:8 23:21 24:1 30:3 100:8 101:9 125:2 131:21 165:8
fitting 152:24	forward 11:6 45:23 65:8 102:17 119:20 139:13,17 169:22 175:25	generated 126:1 148:23	groups 131:21
Five-hundred 112:18	forwarded 14:17	generator 118:9,21 119:13,18 120:21 121:13	Grove 8:15
fix 66:4,12	found 86:23 123:14	generators 111:12 120:1 121:9	guard 62:22 63:4 81:6 93:14 101:22 103:2 107:13 137:3,4
fixed 118:22,25	four-hour 32:5,7 57:7,10 63:21 67:14, 22 80:20	Gentlemen 99:9	guards 64:7 101:15, 16 103:3 114:10 124:19,21 125:5
fixing 172:24	fourteen 36:24	gentlemen 13:11 45:23,25 100:4 110:15 112:6 122:11, 12 186:7	guess 22:16 49:20 58:4 61:3 64:19 69:25 87:4 88:3 89:9 119:10 126:12 131:10 147:14 149:11,13,20 162:5 173:1 178:24 185:8
flag 149:9	free 59:12	give 34:23 49:18 53:9, 13 84:12 107:4 141:7 144:21 146:8 147:19 158:8,9 172:11 177:23 182:13	
flame 100:18 111:18 129:15	freely 65:6	glad 10:23 97:15	
flash 147:23	frequency 23:15 141:17	glass 118:6,25 119:16 129:15	
flashing 61:23 62:3	Friday 124:20	Global 9:16	
flat 176:14	front 138:17 171:22, 23 172:14 180:6 184:17,18,20	glycol 147:22 148:11	
flesh 18:12	fuel 123:25	goal 18:5 31:17 32:7 38:8	
flipped 164:6	fuels 123:23	God 49:10	
flipping 24:21	full 14:24 51:23 112:1 116:21 129:16		
floor 32:3,14,15 84:17 108:21,25	fully 35:7 62:23 88:12 172:12		
flow 128:12,20			

guest 10:19	hash 141:10	held 187:19	historic 173:12
guidance 137:18 138:17	hashed 165:13	helpful 27:3 40:7 144:3	hit 58:6 72:11 97:15 149:8
guide 136:20 143:1	hate 140:1,8 164:20	helps 60:1	hitting 97:11
guideline 128:3 140:2 141:15	Hawk 84:5 91:23	Henry 7:12 11:13 12:2 19:4 25:24 26:3, 14,17,24 46:7,9 50:15 72:20,22 76:10,22 79:5 86:10 88:2,12, 17,18 95:6,11,17,25 102:7,8 110:4 113:3,8 115:11 122:1 125:14 126:15,17 133:24 137:14,15 138:3,12, 16 139:12 141:14 142:12,20 165:18 169:3 178:24 179:2, 14 181:10	HLW 146:20 153:23 154:18 155:10 158:25
guidelines 128:5 138:22 139:7 140:1,2 141:5	Haynes 8:9 25:5,22 26:23 27:5,10,23 31:15 32:2 33:4,9 37:5,12,17 38:5,13, 22,25 39:7 40:21 41:17,21 47:25	Herrod 7:21	HME 161:16
guy 21:20 27:18 31:12 85:10	he'll 17:10 22:9 77:2	Hertter 8:13 49:6,18 50:18,21 51:6,11,23 53:15 54:16,21 55:2, 16,23 56:5,10,22 57:3,12 58:2,4,14 59:2 60:24 61:3 62:8, 13,19 63:13 64:1,15 65:15,19 66:8,16 67:7 68:13	hold 17:4 60:19 141:11 146:5
guys 9:23 10:14 20:19 30:11 32:18 34:10 89:13 141:11 166:20	heading 58:22	hey 61:24 121:12 140:9	holiday 30:4
H	heads 137:11	HG-101.1 149:2	hollering 29:17
	Health 9:7	high 13:1 37:22,23 70:14 84:14 100:15 103:10 109:13 111:11 120:16,17,18,21 123:12 147:12 148:1 169:24	hone 166:20
	healthcare 69:10 84:22 111:10 123:19	high-pressure 19:25 145:6 151:18 162:9	honest 56:15 95:21 107:13 118:1
	hear 26:1 34:9 39:11 59:21 69:15,16 70:4,5 83:23,24 96:10 108:23 121:14 132:6	high-temp 147:12	Honeywell 84:6 91:23 92:4,13 123:21
	heard 29:12 85:21 132:12	higher 20:15 141:12 147:6,23,24	honor 111:8 123:9
	hearing 12:8 19:16 30:16,24 31:1 41:15 46:24 68:2,7 78:23 83:13 89:13 98:7 99:2 108:3 109:24 110:8 121:19 122:5 126:9, 19 143:10,19 168:19 178:15	highly 6:20,23 17:11 26:14	hope 11:4,10,24 119:7 120:14 128:5
	heat 35:9 50:6 182:19 183:17 185:11	hire 24:13	hoping 153:5
	heater 146:21 155:10, 22 156:16,17,19 163:9 167:6 169:7 174:5 179:6 180:1,2 182:15,19 183:8,10, 12,14,23,25 184:5 185:6	hired 24:13	horizontal 128:21
	heaters 109:2 146:21 155:23 156:18 160:4 161:13 163:10 166:7 167:1,14,15,21,24 169:16,20,25 173:20 174:14 182:19 183:7	hires 23:3	horse 43:19 123:20
	heating 70:15 146:17,19 148:21,23		Horton 8:11 15:24 19:10,12,15,18 20:1, 4,18 22:1,8 23:10 26:9,16 27:17 28:5, 14,18 29:5,23 30:8, 10,18,25 31:11 32:10 34:4,14 35:9 37:19 38:19 39:15,23 40:18 41:4 42:24 48:3,6,12
			hospital 8:22 69:4,10 70:3,9 77:7 78:2 80:23 82:11 89:23 95:23 100:3,9,10,13, 14,19 101:5,8 102:20, 25 103:8 104:18 113:7,18 114:5,12 124:12,16 125:2
			hospital's 101:2
			hospitals 62:1 81:4
			hot 70:15 146:16,17 148:2,3,5,9,12,21,23 156:15,16 158:25 169:6 180:1 182:15

hour 78:15 109:3 151:19 152:14,18 155:24,25 166:8 167:2 179:7 182:20	important 20:7 21:17,19,21 23:20,21 25:21 72:13 78:1 93:5 130:16	information 42:7 43:12 44:24 46:13 53:1 54:5 65:6 111:25 137:22 138:13 159:3 165:9 166:19 178:18	Inspector's 12:17 inspectors 158:17 159:14,19 162:5 172:11
hourly 75:12	improve 142:18 144:4	informed 94:19	install 19:20 108:13 172:20 175:8
hours 22:20 29:21 52:10,11 63:25 67:23 114:10 124:21 164:21	in-depth 151:13	informs 77:20	installation 15:25 166:6 170:16,22 171:2 175:22 176:1 181:15 183:9
household 26:12	in-house 90:7	initially 76:19	installations 168:15 173:9
hundred 13:16 19:15 41:5,6 111:13 123:20 155:23	in-person 125:25	initiate 25:11,15	installed 18:2 28:17 43:15,16,24 44:5 71:7,9 84:6 100:14 103:10,11 107:17 113:17,20,21 121:11 144:18 167:2 176:21 179:7
hurry 73:1	inadequate 138:13	innate 121:22	installer 172:1
hurt 91:15	inaudible 33:1 41:11 56:2 89:20 95:24 151:21 160:16 168:14 184:9	Innovative 8:14 49:6	instructions 17:22
HVAC 101:6,13,16,19 107:14 114:4	inaudible/trailed 25:15 116:22	input 109:4 155:2,23 156:13 163:10 164:10,14 182:20 184:21	insurance 8:18 9:16, 18 12:21,24 13:3
Hyosung 49:3,8,21 52:9,13,16	incident 77:7,8,14 78:5 81:1 90:17	inputs 166:7 167:1 179:6	integral 130:10,22 131:6,8 135:5 136:9, 13,22
I	include 27:14 57:13 154:20 156:5 160:4 177:24	inquiries 145:18 164:19	integrating 103:9
I-5 84:9	includes 24:25 84:12 114:2 166:14	inquiry 146:24 149:14 151:1,11,16 153:14,19,23 154:7,8, 15 155:5,7,20 156:23 157:3,7,12 158:13 159:11 163:6 164:5, 18 166:13,15,18,25 172:23	intended 29:19
i.e. 121:9 183:24	including 75:19 169:16	inside 105:7 108:11	intent 53:15 59:15,24 104:2
ICS 84:5 91:23	incorrect 52:4	inspect 141:1 172:12 173:13	intention 38:5 170:22
ideas 187:1	increased 14:2,4 22:22	inspected 36:23 41:19 158:14 181:20	interest 111:4 168:17
identified 26:20 33:14,15 58:1 66:25 89:4 171:9	indication 105:2	inspecting 158:18	interested 30:15 65:12,21,24
identifies 174:7	indicator 105:3	inspection 13:9 18:22 29:4 30:5 42:20,23 98:12 110:2 113:13 129:2 133:5 141:17 167:5 168:2 172:15 173:7,15 176:19 179:10	interesting 10:3 142:1
identify 93:17 111:25	individual 63:19 80:8 111:16 119:2 125:22 126:3 132:15 133:8, 19 145:18 173:24	inspections 12:19, 20 14:8 120:13 141:5 183:16	internal 141:17
illustration 105:6,7 119:1	individuals 85:6 101:10 102:21,24 114:6,18 132:19 140:18,19	inspector 7:24 12:19 42:14 64:18 69:12 106:19 169:10 184:15	Internet 21:12,16
imagine 81:21	industrial 8:10 25:6 26:12		interpretation 144:16,25 145:4,7 146:12 154:3,8 157:16,22 158:4,11 163:2 165:8 171:1 176:18 184:21
immediately 24:20 50:11 61:9,17	industry 118:21 119:19 132:13 133:15 139:3 162:19		
impact 29:14	inform 36:1		
imperative 52:25			
implementation 100:12			
implications 149:24			
implied 149:12			
importance 132:22			

<p>interpretations 120:10 144:15 157:8, 23 186:9</p> <p>Interpretative 166:5</p> <p>interpreted 173:22 174:4</p> <p>interrupt 164:20</p> <p>intervals 95:9</p> <p>introduce 7:7,8 15:19 49:5 69:6,17 100:4</p> <p>introduction 9:13 104:2</p> <p>Introductions 7:4</p> <p>investment 104:20</p> <p>invites 166:12</p> <p>involved 86:24 87:14</p> <p>Irion 8:1</p> <p>issue 51:18 61:16,18 62:8 72:13 77:1 80:6, 24 81:2,19 82:9 144:1 163:4 187:6</p> <p>issues 29:16 35:6,12, 13 65:23 87:21 170:4</p> <p>item 6:6 11:9 15:16, 20 24:24 49:3 55:18 67:21 68:8,12 69:3,7 83:3,10,20 86:3 100:2 103:7,23 105:3,12 111:3,4 115:13,14,15 123:2,5 126:10 128:3, 4 129:5,8,11,12,13, 17,18,19 130:5 142:17,22 143:1,8 145:14,15 146:2 148:22 186:11,13,16, 21 187:21</p> <p>items 14:25 15:9,13 74:19 129:13 145:18 171:5 186:10 187:1</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>James 9:2 23:20 69:8 79:17</p> <p>Jamie 9:8 14:15,18</p>	<p>Jeff 8:23 25:24 83:22 85:13 86:17 88:8 89:10,11 90:1,23 91:19 95:6 97:22 155:8 166:10</p> <p>Jefferson 69:4,10 70:2,8</p> <p>Jeffery 7:12</p> <p>Jimmy 8:7 20:18,20</p> <p>job 16:18 27:8,13,19 30:17 31:21 33:7 52:19 71:11 74:13 80:3 84:22,25 90:15 91:1 137:1,3,22 140:17</p> <p>Josh 8:5 23:16 32:18</p> <p>July 12:19</p> <p>jump 117:5</p> <p>June 11:24 12:1,16 14:16 167:16</p> <p>jurisdictions 187:14</p> <p>justice 135:17</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>Kansas 133:17</p> <p>Kenneth 8:3</p> <p>Kewanee 70:13</p> <p>key 16:15 43:9</p> <p>kill 94:9</p> <p>kills 94:5</p> <p>kilowatts 155:24,25</p> <p>Kim 74:5</p> <p>kind 9:20 24:2,11 26:5,7,8 33:12 35:19 36:14 51:18 53:12 57:14 59:11 60:11,23 63:2 66:5 77:24 80:1 84:10 105:16 111:25 137:18 138:20 140:15 150:5 157:4,21 161:6 162:6,10,13 164:6 173:2 187:4</p> <p>Kleiss 8:23 86:16,24 155:8 156:7,10</p>	<p>161:24 162:4,14 166:10 172:23 177:17 178:5 179:17 184:1</p> <p>knowing 119:11</p> <p>knowledge 20:25 107:15</p> <p>knowledgeable 52:25 53:1 63:9 114:17 149:7</p> <p>kosher 131:18</p> <p>kw 163:10</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>label 52:8 87:21</p> <p>Labor 8:16 187:20</p> <p>lack 62:12 77:24 79:19 80:7 119:16</p> <p>lacking 43:12 131:19</p> <p>ladders 10:5</p> <p>language 170:19</p> <p>large 32:5</p> <p>larger 178:1</p> <p>largest 26:10</p> <p>Larry 72:8</p> <p>Lashley 8:17</p> <p>law 90:22 141:18,25</p> <p>lay 55:8 158:10</p> <p>layout 17:14 40:15 54:17 93:17</p> <p>Lead 73:15</p> <p>Leader 69:21 70:8</p> <p>leave 35:21,24 47:20 57:1,15 63:7,10,23 64:8,10,11 82:14 90:20 180:19</p> <p>leaving 90:18</p> <p>LED 105:3</p> <p>left 73:4 75:25 112:5 160:16</p> <p>Legal 7:20</p>	<p>Legislative 8:15</p> <p>length 182:22</p> <p>let all 7:7</p> <p>letter 52:3 55:14,20</p> <p>letters 54:10</p> <p>letting 34:25</p> <p>level 16:16 39:11,12, 17,19,21 40:2 97:7 117:25 118:5,8,22,25 120:3 168:5</p> <p>levels 71:22 118:12</p> <p>Liaison 8:16</p> <p>liberties 120:12</p> <p>life 24:2</p> <p>light 61:23 105:3</p> <p>lighted 105:9</p> <p>lightly 95:3</p> <p>lights 37:8 62:3 105:2,7</p> <p>limit 30:23 37:22 162:9,15</p> <p>limits 109:9 148:17</p> <p>lined 146:20,21</p> <p>lines 38:11</p> <p>lingering 145:3</p> <p>Lisa 7:5,8,10</p> <p>list 18:15 25:19 27:13 53:17,24 57:7 70:17 81:22 92:5 107:4,5,10</p> <p>listed 27:1,24 29:11 33:7 88:22 107:9 171:6</p> <p>listening 80:16</p> <p>listing 171:8</p> <p>lists 84:9</p> <p>literally 133:16</p> <p>liters 156:1 163:12</p> <p>live 77:21</p> <p>LMB 100:17 107:6,7, 11</p>
--	--	---	---

local 10:9 90:22 129:18	30:11 32:12 46:3 47:6 65:3 76:2 96:12 105:23 112:6,14,15, 20 113:5 132:13 137:7 138:3 139:24 140:3,12,13 154:3 159:5,14,25 164:3 167:18 169:5 173:8, 11	21,24 20:19,21,23 21:6 22:15 27:18 30:1,2,11,12 31:5,7, 12,18,23 32:8 33:20, 24 35:21,23,24,25 36:4,5,9,21 39:9 51:12,14 53:22 54:23 55:5,6,22 58:21,25 61:13 71:13 73:3,5,7, 9 85:2 95:15 114:3 124:16 125:4	mandatory 138:11 177:19,21 178:2,4
located 32:1 34:15 54:25 72:9,10 84:19, 21 93:18 101:1 112:20 113:4,15 124:3 150:23 163:3	louder 112:11	major 50:3 65:16	manned 18:10 31:24 32:1 57:21 59:4,20 61:13 101:2 124:15
location 51:5,10 54:5 58:16,21 60:10,12,16, 17 64:13 125:23 150:24 153:12,13	love 10:3 118:15	make 15:14 24:19,24 25:16,18 31:7 34:20 39:5 40:3 41:24,25 42:3,12,25 43:7 44:12,14,16,19,20,21 45:6,14,15,18,24 46:6 47:7,17 50:14 53:16 54:12 58:3 61:25 63:12 64:19 66:22 68:11 71:23 72:3 73:19,22,24 80:12 87:20 90:5 91:8 104:19 110:1 113:12 114:6 115:10 116:23 117:13,22 126:11 136:14 139:17 142:10 146:1 151:25 154:4 156:18 157:6 158:18 159:10,11 165:4 167:21 169:2,6,8 176:13,17 177:14 183:3 186:23 187:15	manner 91:13 124:2
locations 63:3 125:1 149:15 152:13 153:7 154:16 155:22 163:9	low 38:11 50:8 92:12, 13,14,21 94:16 96:11, 21 97:8,19,23 129:14	mandate 105:18 130:15 162:8	manning 63:19
Lochinvar 148:15 169:17 183:6	low-pressure 144:18 145:8 146:13,14,21 149:15 151:19 152:13 153:7 154:16 155:2,9 187:12	mandated 105:17	manual 16:9 17:21 21:23 22:4 23:1,3,5 24:16,24 25:2,17 26:18 27:7,15,25 28:1,4 32:11,13 33:3 37:23 38:6,15 41:19 42:14,17,19 43:7,8, 11,14,19,25 44:21,23 46:1,3,20 47:5,11,18 48:9 49:17 50:1,4 51:4 52:19,20 54:19 55:11 57:1 58:1,21 59:4 60:6,7 66:4,7,12, 25 67:5,22 68:9 73:17 79:1 80:2 82:13 86:25 87:12 89:5 90:24 98:20 100:12,20 110:2 113:11,12 130:7,8,9,15 131:4, 16,20 134:6,18,19,25 135:3,9 136:3,7,18, 19,21 137:6 138:8 171:2 175:23,24
lock-downs 97:14	low-water 24:25 25:14 93:10 94:13 95:3,8 98:11,18 108:9 119:7	man 77:18,20 114:1	manually 37:25 144:17 149:18 151:2, 5 153:3,10,16 154:18 155:18 156:2 163:12
locked 116:6	low-waters 38:2	management 23:21 24:1 93:12	manuals 15:3,6,8 42:6,8 60:7 65:23 124:2 136:24 138:4 184:2
Lockinvar 8:23	lower 109:9 147:24 164:8 184:14	manager 8:5,8 16:8, 10,12 23:16,23 24:9 35:23,24 36:1,5 100:11	manufacturer 149:6 172:17 173:4,22 174:1,4 175:24 176:3
Lofty 8:5 23:16 32:21 35:2 36:16	lunch 83:21 99:14,16 187:23	mandate 105:18 130:15 162:8	manufacturer's 167:6 171:12 172:20, 21,25 173:24,25 174:7 175:14 178:18 179:10
log 23:4,5 25:3 72:24 74:18,20 91:9	lunches 17:19 18:10		manufacturers 173:21
logic 166:21			
login 116:4			
long 19:8 81:24 86:15,18 95:23 120:6 142:2 150:17 165:11 169:22 186:22,23 187:22			
long-term 136:25			
longer 52:15 63:11, 24 64:14 90:7 92:1			
longevity 169:21			
longstanding 82:7			
looked 30:19 156:15 157:7			
loose 86:1			
lose 35:5			
losing 108:8			
loss 24:2 35:13			
lost 35:11 161:7			
lot 14:8 21:15 26:5			
	machine 26:13 107:17		
	made 15:7 35:19 42:13,15 45:10 47:24 69:11,25 81:4 82:3 104:24 131:23 143:5 145:23 177:18 180:6 183:6		
	main 16:6 21:13 38:18 53:15 64:15,23 72:10 85:10 100:21 108:8		
	maintaining 22:3		
	maintenance 8:7 16:7,8,10,11,17,24,25 17:1,3,8 18:4,13,17,		
	M		

marked 54:9 150:24 160:13,19	42:9 44:7 45:7 47:7 48:10 68:8,10,14,16 105:14 165:9,11 166:12 167:15 186:14,17,22,23,24 187:6,15,18,21	midnight 81:9	Monday 29:7 114:9 124:20
marketplace 169:21		Mike 7:25 13:6,7,13	monitor 16:20 18:16 27:22 28:7 39:14 52:8 59:6 61:7,18 87:22 88:11,20,22 89:17 100:18 130:23 132:11 133:16,17 134:16 136:8
Marty 8:19 63:1,17 100:7 132:6 140:15 144:20 145:25 161:5	meetings 22:16 47:22 128:8	million 109:3	monitored 29:20,24 30:3 59:18 115:17
masks 6:15,16,17	meets 48:8 120:7 140:24	mind 15:7 34:8 102:13 130:5,8 131:3 134:18 135:2 136:3 156:19 183:5	monitoring 16:19 21:3 22:20 25:1 27:8 40:11 53:11 54:24 58:23,24 59:19 84:25 85:4 92:17 95:8,11 103:9 129:7,8 132:14, 17
mass 159:21	Member 7:12,15,17, 19 75:1 91:20	mindful 6:16 15:5 34:12	monitors 16:22 22:11 52:9,11 88:5 130:9,21 131:5,7 133:12
Master 187:13	members 7:6 9:22 15:20 74:24 87:23 100:5 102:2 111:8 124:3 127:2 144:25 165:14	miniature 121:1	monoxide 41:18 109:15 129:19
match 73:25 87:15 171:12	Members' 133:21	minimum 138:23 140:3,5,7,8,12,13 167:6 173:1 174:2 177:11,19,20,22,25 178:2,4 179:11 183:1	monthly 57:8
matches 43:8	Memorial 69:4,10 70:2,9	minims 140:9	months 64:19 107:14 141:17,19
matter 81:11 133:10 145:23	men 16:25 18:13 22:15 140:4	minor 111:14	MORELAND 74:3
matters 180:12	mention 132:8 154:12 178:3	minute 54:1 72:16 93:15	Morelock 6:2,22,25 7:3,14 9:10 10:20,25 11:14,18,20,22 12:3, 5,8,11,13,15 13:11 14:11,20 15:22 19:3,5 20:2 21:22 22:25 23:12 24:15 25:17,23 27:6,13,20 28:3,6 34:22 35:8,14,17 40:5 41:1,7,12,15,22 42:5 43:4 44:10,13,18 45:8,20 46:8,18,24 47:2,5,15,23 48:1,4,7 49:2,13,16 50:10,16, 19,22,25 52:2 55:13 57:6,24 58:19 59:3 61:7 62:20 65:5,10 66:1,13,18 67:2,6,12, 17 68:2,7,15 69:3 72:15,19,21 73:6,11, 16,21 74:7,12,15,23 76:8 78:20,23 79:2,6, 10,12,15 81:18,24
Matthew 8:15	mentioned 29:13 101:13 102:13 104:1 113:25 114:18 119:17 120:20 161:15	minutes 11:24 12:1, 15 15:3 34:23 35:1,3 46:4 47:8 56:9,13,16, 24 63:12,24 64:4,14 65:3 68:14 82:1 92:19 93:3 95:14,18,21	
maximum 147:17 174:3	mentioning 159:24	missed 11:1 26:19,25	
maximums 148:4	MEPPI 52:16	missing 67:8 112:1	
meaning 118:19	message 119:3 166:20	mistaken 47:12 102:19 116:12	
means 59:25 94:1 106:17,20 118:8 148:22 151:3 154:10 185:13	met 42:21 167:7 173:1 179:11,13	misunderstanding 97:1	
meant 88:23	Metasys 93:9 94:14	Mitsubishi 52:15	
measured 182:21	Micah 8:17	Miura 111:11	
mechanic 71:13 73:5 85:2	Michelle 8:1	mobile 104:4 114:23	
Mechanical 8:10	microcomputer 111:17 116:1	mod 37:9,13	
mechanics 22:14,15 73:9 101:6,13,16,19 114:3	microphone 22:7 34:9	mode 37:24	
Medical 83:3,11 84:2 123:10,18	microprocessor 103:8	model 17:5	
medication 70:15	middle 54:18 64:9	modification 84:2 87:3,6,17	
medium 147:22 148:9,10,13		modify 175:9	
meet 48:11 105:12, 13,25 106:11,16,21 109:6 119:15		molecular 96:16	
meeting 6:2,4,5 10:18,24 11:3,24 12:1,16 14:1 34:7		moment 53:4 144:21 167:12 171:21	

82:2,6,15 83:2,7,10, 19 86:2,5,8,11 87:10, 18 91:6 94:13 97:25 98:4,7,13,16,22,25 99:2,5,7,9,13 100:2 102:1,4,8 103:15,22 104:10 106:4 109:20, 24 110:3,5,8,11,13,15 111:2,6 112:24 113:2 114:25 115:4,8,12,15, 21,24 116:14 117:6 121:16,19,24 122:2,5, 8,10 123:2,7 125:11, 15 126:6,9,16,19,22, 25 128:2 130:2,18 131:2,13,25 133:11, 20,25 134:13 135:1, 11,14,21,24 136:1,6, 10,12,20,23 137:14, 23 138:6,15,18 140:14 141:13 142:16,21 143:10,13, 16,19,22,25 144:7,13 145:13,21 146:4 148:19 158:5,20 161:22 164:17 165:2, 15,19 166:2 168:16, 19 172:9 173:3 174:9, 18,24 175:4,10,16,19 176:7,20 177:2,11,15 178:12,15,20,22 179:1,4,15,20,23,25 180:8,13,21,25 181:3, 8,11 182:5,11 185:17, 20,24 186:2,4,7,15,19 187:17	mounted 169:13 183:8,12 184:19 185:6 move 19:19,23 68:5 98:9 119:20 129:4 143:12 146:24 154:14 177:9 185:21 moved 11:12 12:2 64:22 moving 51:3,9 102:17 139:13,16 155:20 164:17 169:22 175:25 186:9 multi-base 26:8 multi-craft 20:23 multiple 16:14 24:4 60:24 71:22 78:10 80:5,13 84:17 103:2 114:19 170:13 mushroom 162:19	negatively 29:14 network 116:5 Neville 9:2 69:7,8,17, 22,24 70:5,10,13,17, 21,24 71:3,7,10,15 73:4,8,20 74:1,9,22 76:18 78:10 79:16 80:4,18 81:23 83:16, 22 84:1 85:13,23 87:9,13 88:2,6,10,14, 20,24 89:9,15 91:4 96:3 Newport 123:3,10,18 124:11 NFB 162:17 NFP 146:10 150:11 nice 26:21 60:1 105:24 night 55:24 62:8,14 66:11 81:15 nightly 55:25 nights 56:1 nightshift 31:18 Nissan 10:10 nobody's 60:16,21 nodded 41:20 103:12 165:18 181:13 nominal 155:25 163:11 non-combustible 172:4,7 normal 31:3,4 37:6 52:10 91:9 notated 17:23 notation 159:11 note 40:23 53:7 104:25 105:11 116:14,23 180:6 noted 33:10 41:18 notes 22:12 104:25 185:22 notice 107:8 112:4 noticed 19:7 87:14	notified 58:7,8,17 notify 18:16 November 145:3 nuisance 97:7,14 117:7,20 number 25:8 26:22 29:7,8 33:18,19,23 35:21 43:25 49:3 52:5 63:3 64:8,9 103:7 105:4,6 106:14 111:22 123:25 124:5, 6,9 132:9 146:24 149:14 151:16 153:14,23 154:8 155:5,7,21 157:12,19, 24 158:13 161:1 162:2 164:18 180:7 numbers 14:6,7 36:24 53:17
morning 83:22 motion 11:10,14 12:1,3 19:1,2,3 41:22, 24 42:12 44:3,8,12, 14,15,17,19,20 45:10, 13,14,15,18,24 46:5, 10,15,17,18 50:13,14 66:18,19 67:25 68:2,7 72:16,17 78:24,25 79:15 86:6,7,8 98:8 102:5,6 109:25 110:1 115:2,9,10 121:20,21 125:11,13 126:10,11 143:11,13 165:5 169:2 178:16,17 179:2 185:20 motions 45:21 165:3	<hr/> N <hr/> names 52:18 54:6 narrow 187:7 Nashville 107:17 173:10 nation 159:14 national 124:3,5 natural 50:7 87:23 123:24 nature 41:11 NBIC 146:10 150:2 157:12,14,15,17,20, 21,23,24,25 158:6 159:5,12,13,20 160:8 161:1 Nealy 8:3 necessarily 37:22 53:21 97:2 109:12 148:13 149:22 154:10 185:8 needed 6:17 19:22 87:16 needing 90:11,17	nightly 55:25 nights 56:1 nightshift 31:18 Nissan 10:10 nobody's 60:16,21 nodded 41:20 103:12 165:18 181:13 nominal 155:25 163:11 non-combustible 172:4,7 normal 31:3,4 37:6 52:10 91:9 notated 17:23 notation 159:11 note 40:23 53:7 104:25 105:11 116:14,23 180:6 noted 33:10 41:18 notes 22:12 104:25 185:22 notice 107:8 112:4 noticed 19:7 87:14	<hr/> O <hr/> O'GUIN 7:23 12:18 13:25 14:4,6,11 39:8, 16 40:3 42:18,19 50:24 51:1,9,17 52:1 64:17 96:15 97:3 107:2 108:18,22,24 123:13 130:1 135:25 136:2,7,11,14 137:13 143:6 144:10 145:1, 23 150:5 151:17 152:3,10,12,17,18,21 154:25 155:6,12,16 156:22 157:1 159:13 162:12 164:13 165:12 172:9,13,24 173:8 174:8,10,20 175:2 179:24 180:5,18 181:17,23 182:3,10 184:22 186:18,20 187:11 observation 81:16 observe 133:6 obvious 27:4 odd 33:12 oddly 176:13 OEM 116:20

off-going 105:24	5 153:3,10 154:18 155:18 156:2 163:12	optic 185:13	paper 60:6
off/inaudible 94:21		option 80:21 141:18	paragraph 28:11 31:20 52:23 57:11 168:24
offhand 40:14 67:1	operates 29:9 147:21	optional 7:1,2	parenthetical 52:6 88:20
office 32:15 42:20 51:19 54:6,23 55:22 58:25 60:21 62:2,5 83:18 84:21 101:2 124:14	operating 17:18 18:9 32:4 52:10 62:2 86:15 130:6 134:5,18 149:15 152:13 153:7, 16 154:16 155:22 163:9	order 6:3,5 171:15	Paris 21:13
officer 71:13 73:10 74:11 75:4,7 76:11,25 78:1,18 79:19,25 80:10 81:20 85:2,3 90:13 98:21	operation 19:9 20:9 36:16 39:18 76:1 88:13 91:9 119:3,9 120:9	organizational 40:6 52:7,12 74:8 87:21	parking 21:15 112:5, 13,15,20 113:5
officers 78:11 80:5 85:11,17 88:4	operations 16:5 36:15 69:14,21 70:3,8 73:12 75:13 82:8 111:9 123:9 124:12	original 65:20 66:2 84:3,9,10 86:19 87:7 164:5 175:12 180:3	Parks 6:10
official 10:18,24	operator 17:11 20:15,16,17 21:13 22:9,14,20 27:20 29:24 31:6 33:21,25 34:1,2,23 36:1 39:11, 12,17,19,21 40:2,15 70:9 115:21 130:8,12 131:4 132:12 134:9, 19,20,22,24 135:18 136:4 137:4,8 161:12	outdated 84:6	part 9:16 20:15,16 25:21 38:21 43:9 52:14 80:23 88:22 89:9 98:16 123:19 130:10,22 131:6,8 135:5 136:9,13,22 137:25 157:24 164:9 171:24 175:17,25
offset 176:12	operator's 17:22 34:15,16,18,19	outer 167:5	parts 27:25 92:1 100:13 171:19 184:4, 7
oil 26:7,13 123:25	operator/boiler 20:7	outlet 149:1	pass 38:25 96:24 98:10 101:17,19 102:13,23 103:4 114:19 125:6,7 143:25 146:1 162:25 178:17
oils 26:13 50:7	operators 16:7,13, 14,16,21 17:11,12,18 18:8 21:14 30:16 36:17 55:25 67:3 101:3,7 114:1 130:17 131:7,16,17 132:23 133:4 137:8 141:24	outlined 84:8	passed 13:9 45:15 49:12 145:5,19
older 173:9	opinion 65:4 159:22 161:20 182:18	over-arching 132:2	passes 79:15
omission 113:9	opinions 149:22	over-ended 140:8	passing 30:11 65:8 135:17 139:9 141:11
omitted 124:1	opportunity 9:14 10:1,7,13 11:25 134:8 142:5 172:12	overlapped 78:14,15	password 116:9
on-call 75:18,19 76:4 77:18 93:10 94:20	opposed 11:18 12:11 47:2 50:7 79:10,11,12 99:5 110:11 122:8 126:22 143:22 186:2	oversight 123:17	passwords 116:10, 19
on-coming 105:25	opposition 79:18 186:4	owned 8:24	past 14:9 49:23 77:17 106:25 120:11 132:18 137:7 145:17
on-site 79:25		owner 133:8 134:3,4 139:1	path 45:23 162:22
on/off 105:1		owner's 139:4	patrol 55:24,25 56:3, 4,19 57:16
one's 51:21		owner/user 141:10	patrolling 77:9
one-half 167:3 168:13 179:8		ownelves 43:22	patrols 56:15 58:12 86:20
one-hour 83:20 99:14			pay 172:1
online 72:12 126:2			
open 101:23 114:23 125:9 130:2 172:11 186:9,13 187:5,13			
open-ended 138:24, 25 139:12 142:6,24			
operate 71:17 77:13 84:14 89:3 100:16 111:13 123:22			
operated 144:17,19 148:25 149:18 151:2,			
		P	
		p.m. 39:10,20 114:9	
		pager 94:18	
		pages 84:17 87:19 107:8	
		paint 25:19	
		panel 17:23 18:6,19 25:13 32:25 34:14 37:7 38:25 39:1 41:2 61:15 63:6 64:21 71:4 96:19 97:5,8,9 104:21 105:1 108:13 113:15, 17,20,21 117:19 150:13,21	
		panels 113:19	

PBX 62:1 101:2 112:8,9,13,19,21 113:4,25 114:1 115:21 124:14	62:12 77:2,12 78:6 79:19 80:13 90:2,15 105:14,24 139:2 140:23	planning 51:12	positive 129:13
Pearl 6:16	pertaining 143:8	plans 9:19	possessing 149:17 153:9 154:17
pedestrian 54:13 150:20,22 153:17	PG 121:3	plant 8:5 16:4,7,8 19:8 20:8,9,11,12,13, 16,24 21:16,18 23:16, 23 24:9,10 25:25 26:4 29:9 30:20,22 32:6, 11,23 52:9 54:17 56:12 65:2 69:14,21 70:3,7 73:12 75:13 111:9 123:9	possibility 44:4 109:16 159:12
pending 71:8 79:1	phone 51:24 58:8,14, 18 59:14,22 60:15,19, 22 75:19 93:10 94:19 100:23 104:4 114:23 124:24 134:3	plants 61:20	possibly 57:2 139:16 153:19 169:17 176:10 177:1
penthouse 84:16	phones 6:13 59:17 60:8,25 62:6 65:1	plate 182:25 184:11, 16,23,25	posted 47:13 54:5 60:5 67:20
people 10:4,11 16:6 18:15 51:14 53:16 60:13 62:2 80:14 121:10 139:24,25 141:6	phonetic 9:4 72:8 74:6	play 81:18 117:20	potable 155:22 163:9 180:1 182:14,18
perceive 54:3	photo 58:20	playing 77:24 168:5	potential 29:15
percent 12:23,24 13:1,2,4 26:11	photograph 113:17, 21	PLC 32:12	potentially 168:1
perfect 36:22 79:23, 24 108:17	physical 16:5	pleases 113:13	pounds 100:16
perfectly 118:17 159:7 187:7	physically 137:2 173:6	pleasure 45:9 46:5 66:6 100:6,9 103:10 138:19 145:21	power 69:19 70:11 123:20 147:11,12
perform 25:11 90:13	physics 167:25	plugging 170:9	precaution 60:20
performed 14:9	pick 22:4,10	plumbers 114:4	preface 149:19,21
period 77:19 79:22	picked 22:11 39:23	point 10:4 27:17 40:17 54:13 56:18 58:10 64:6 72:6 75:21 79:20 81:13 82:3 102:21 117:18 128:14 138:22,24 147:23 150:20,22 158:5,21 160:24 168:20 170:9, 14,18 171:20 184:7	prefaced 39:25 149:20
periodic 91:8	picture 58:23 168:10 171:19 178:6	point-to-point 53:13	prefer 66:16 145:22
periods 80:17	piece 75:8 116:3	points 40:23 76:3 108:19 116:8 153:17 167:20 170:13	preference 105:18 164:12
permissible 166:25 179:5	pieces 16:14 119:24	policy 87:4	preparation 81:15 128:13,25
permit 181:18,25	pipe 28:23	pool 161:11	prepare 15:19
permits 167:4 179:10 181:20	pipng 28:19	popular 170:1	prerogative 48:4
permitting 181:15,22	Pittsburg 8:6	port 171:22	prescribed 91:13
person 29:11,21 34:12 36:12 49:9 52:19 61:6 63:15 77:23 81:25 89:24 91:14,17 94:20 95:15 150:16	placard 53:7 55:3 59:5	position 9:20 16:20, 22 31:24 32:1 78:1 79:24	prescriptive 142:7
personal 26:12	placarded 53:11	positions 16:15 71:12 103:3	present 14:25 15:13, 19 16:2 29:16 49:17 137:24
personally 119:23 161:18 180:24	place 6:7 33:10 58:8 138:10 153:15,18 160:11 182:2		presentation 68:4
personnel 25:10 36:3 52:9 53:20,22 57:21 59:13,22 60:2	places 140:2,3		presented 55:17 120:11 136:24 138:8
	plan 17:14 40:15,23 51:9,22 70:18 88:7 106:9 111:22		Presenter 19:17 22:6 34:4
	planned 37:13		presenters 6:13 15:2
			presenting 28:10 69:9 102:12

<p>presently 19:24 20:2 28:13,17 39:3 44:2 96:8 104:16 108:1 116:25</p> <p>presents 34:13</p> <p>pressed 168:7</p> <p>Presson 9:8 14:15 47:12,19</p> <p>pressure 13:1 50:9 84:14 100:15 109:13 111:11 120:16,17,18, 21 123:12 148:25 180:2 182:15,20 184:6</p> <p>pressured 70:14</p> <p>pressures 71:21 147:24</p> <p>pretty 24:6 37:6 43:2 134:25 138:23,25 158:10 165:13 177:15</p> <p>prevent 116:1,15</p> <p>previous 22:11 27:24 39:24 50:4 55:10,11 65:13,25 90:10 94:23 106:19 125:1 128:7</p> <p>previously 13:14,15 27:15 55:21 84:5 166:19</p> <p>primarily 17:1 25:14 32:2 50:17 56:23 123:24</p> <p>primary 18:17 38:2, 16,23 92:21 93:1 96:17 97:2,16 109:10 117:23</p> <p>printed 92:6,7</p> <p>printer 123:13</p> <p>prior 42:20 104:20 113:12</p> <p>priorities 20:10,15 23:25</p> <p>priority 20:8</p> <p>private 29:25</p> <p>privy 55:11 151:14</p>	<p>probe 119:5</p> <p>probes 119:6</p> <p>problem 62:7,25 66:1 75:16 160:15,16</p> <p>problematic 170:23</p> <p>problems 34:25</p> <p>procedure 53:8,14 54:2 67:18 76:14 102:17</p> <p>procedures 17:18 24:18,19 35:20 36:10 53:8,10 59:7 66:9 67:10,15 73:23 91:10, 11,14</p> <p>proceed 45:11 123:7 145:10 149:13</p> <p>proceedings 187:25</p> <p>process 23:2 34:24 42:16 50:7 104:7 181:16 182:2</p> <p>Process-wise 35:2</p> <p>processes 50:5</p> <p>produce 26:3</p> <p>producing 123:23</p> <p>product 22:1,8 168:6 178:7</p> <p>production 23:15,24 29:14,18 31:21,23 32:3 33:5,8 34:15 36:12 61:22</p> <p>productivity 71:21</p> <p>products 25:25 26:3, 9</p> <p>professional 161:20</p> <p>program 23:7 37:10 104:3,6 125:23 130:9, 21 131:5,7 135:4 136:8 137:8 141:1,3, 16,20,21,24 142:10</p> <p>programmer 37:11 38:18 92:9</p> <p>programming 38:4</p> <p>progress 28:15</p>	<p>prohibited 170:7</p> <p>Project 8:11 15:24</p> <p>promote 160:5,6</p> <p>proof's 141:4</p> <p>proper 45:2 52:18 118:23 134:2 150:23 172:12,15 173:15 187:8</p> <p>properly 20:17 21:9 54:25 59:8 71:23,24 80:12 96:4 137:1,22 150:24 151:7 160:13 183:21</p> <p>property 35:22</p> <p>propose 44:4 186:13</p> <p>proposed 41:23 43:23 86:12 129:21 143:3</p> <p>proposing 16:21 17:20 140:10</p> <p>proprietary 111:17</p> <p>protection 30:7,16, 24 31:1</p> <p>protocol 33:14 36:2,9 42:24 43:2,23 53:21 57:15,18 77:15 90:17, 21</p> <p>proud 82:3</p> <p>provide 39:25 101:9 102:20 112:25 125:2 137:18 158:5,15 159:18 165:8</p> <p>provided 46:13 108:20,24 138:13 156:3</p> <p>providing 137:20,25 138:16 158:11 159:3 182:24 184:23</p> <p>provision 129:21 166:23</p> <p>provisions 128:7</p> <p>proximity 55:9 59:20</p> <p>PSI 111:13 123:23 146:17,18,22 147:2,5, 17 148:17</p>	<p>PSIG 148:25</p> <p>public 15:10</p> <p>published 47:8 142:3</p> <p>publishes 144:8</p> <p>pudding 141:4</p> <p>pull 103:19 144:22 169:12</p> <p>pulled 14:15</p> <p>pumps 71:23</p> <p>purely 125:25</p> <p>purpose 58:5 60:11 63:14 90:12 158:4 162:18</p> <p>purposely 167:21 170:19</p> <p>purposes 148:24</p> <p>push 53:22</p> <p>pushed 23:23 168:12</p> <p>put 17:21 23:14 29:2 37:14,15,17 41:4 44:25 57:2 64:21 66:10 105:21 130:11 131:6 133:23 134:11 137:24 140:11 141:20,25 142:3,25 143:1 150:14 153:6, 18 154:10 170:19,25 171:16 172:17,19,20 173:5 174:6,25 175:5, 24 176:7,17 177:3 180:16,18,22,23 181:1,4,11 182:3,8 183:20 184:24</p> <p>puts 181:25</p> <p>putting 43:18 51:12 117:16 132:3 137:11 139:1 141:5 154:9 158:12,16 161:1 170:10 172:22 174:18 175:22</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>qualification 16:16 33:11 147:9 174:6</p>
---	---	---	--

qualifications 27:11 125:18 133:4 134:4	quits 97:5	realm 185:3	reconvene 99:14
qualified 17:5,11 63:9 80:14 141:9 179:2	quiz 140:18	rear 173:11 185:9,10	record 34:11 112:10 135:18 168:10
qualify 31:20,22 32:8 85:6 114:5 134:3 171:15 183:8,13	<hr/> R <hr/>	reason 85:16 87:10 90:8,16 105:21 106:24 142:2 152:3	record-keeping 22:3
qualifying 71:11,17 73:8 139:2	radio 18:15,17 100:24 104:2,6 114:22 124:23	reasons 8:21 24:5 64:23 100:10 101:25 102:19 103:2 107:12 108:6,11,16	records 141:25
quality 35:6 141:23	rain 6:8	Reasons' 102:25	recovering 49:10
quarter 13:8	ran 22:17	rebuilding 128:10	recycling 38:14,16
quarterly 23:18,19	randomized 126:3	recall 116:10	red 54:10 149:9 162:7
quier 159:7	randomizes 125:24	receipt 33:19	redefine 66:11
question 11:15 12:9 13:13 31:16 33:23 38:1 50:24 58:5 76:20 79:8 91:19 92:2,11 95:13 96:1 98:1 99:3 102:12 107:10 108:20 117:24 118:11 119:8 120:14 122:6 126:20 128:22 137:15 141:14 143:20 146:25 151:11 156:12 157:18 162:4 163:16 172:18 174:10,17 177:6,10 178:23	range 123:22	receive 119:3 123:16 124:25	redline 128:7
questioned 133:2	ranges 28:23	received 100:21 107:18	reduced 13:15 120:3
questions 14:12 15:1 16:2 19:6 24:15 25:23 28:8 35:8,15 40:5 41:12 50:10,23 53:5 65:10 66:2 67:24 72:15,22 74:23 76:8 78:20 79:7 86:12 87:25 98:4 101:24 102:9 104:10 106:5, 25 109:18,21 110:6 111:23 114:23 119:10 121:16 122:2 125:9, 16,24 126:4,6,17 129:22 143:7,16 145:24 159:6 167:11 178:12 185:17	rank 20:24	recognize 31:17 112:6 140:21 154:19	reduction 13:23
quick 16:2 116:24	rate 12:23,24 13:3,4	recognizes 29:13	redundancy 80:7
quickly 24:22 40:9 43:1	rates 12:21	receiving 76:15	refer 118:2 159:12 174:23
	ravaged 49:9	recently 9:15	reference 16:9,18 22:16 23:10 26:24 54:23 74:17,20 168:21 174:14 175:22,25 179:21 180:11,14 181:5,6
	re-read 153:5	recess 83:9 99:16 164:23	referenced 27:19 34:16,18 52:4 179:18
	re-typed 128:8	recognize 31:17 112:6 140:21 154:19	references 76:13 179:19
	react 61:9	recognizing 170:22	referencing 22:4 36:2 39:16 174:16 175:20
	reactor 32:19	recommend 130:16 131:15,17,23 165:6 171:24	referred 160:12
	reactors 16:5 17:16 35:10	recommendation 64:20 105:23 134:6 175:14 179:18	referring 132:7 168:22,23,24
	read 11:25 23:1 39:24 66:23 73:23 87:20 124:10 135:7 143:5,6 145:11 151:16 152:10 155:17 163:6 167:19 182:12	recommendations 42:21 172:20 173:24 174:1	reflect 52:16 104:4
	readily 67:18	recommended 130:12 134:10 154:9 167:6,10 171:12,18 172:25 177:19,23,25 179:10 184:3	refresher 23:4,13 24:14
	readings 63:10,21 64:10,11 89:20	recommending 133:12	regard 36:11 137:16
	reads 131:3	reconsideration 166:4	registrar 71:1
	ready 13:10 29:3 42:22 68:5 83:14,16 108:7 165:2		registrar's 72:4
	real 19:22 40:6,9		registration 70:25 84:20 124:14
	reality 132:14		regular 55:23 139:20
	realize 49:22,25		regulations 120:19 133:7 167:9,23
	realized 113:10		

reinspections 14:9	86:13 87:16 128:13, 14,15,19	149:15 152:13 153:7 154:16 155:21 163:8 167:23 174:20 180:1 182:14,23 184:7	responsibilities 17:9 22:10 25:7 27:18,19 66:21,23
reiterate 131:15	rental 19:19	requirement 15:18 40:21 52:17,21 69:5 83:4,12 94:25 100:4 105:22 106:2 119:14 123:4 162:15 164:1	responsibility 21:8, 17,20,21 22:2 33:16 89:17 112:1
reject 45:15	repair 22:21 30:5 141:25 183:15	requirements 30:17 48:8 49:4 67:11 106:12,13,16 109:8 118:13 120:4,7,24 121:2 141:9 142:23 144:17 146:9,10 160:2 161:16 166:6 167:7 171:9,12 173:25 174:1,7,11 179:12 182:6,12,16	responsible 31:6,8 40:10 88:12 100:11 140:20
rejected 46:19	repeat 24:8 70:1 85:14,23 124:8 152:9	requires 41:10 78:5 174:13 181:18	rest 9:22 47:20 172:11 181:24
relief 184:6 185:2	repeated 137:13	requiring 157:24 161:8,9	restart 61:18 81:12 97:20
relying 43:13 62:5	replaced 91:23	reset 34:1 36:18,20 37:23,25 38:15 97:20 116:10	restarting 29:15
remainder 165:7,11	replacing 19:14 113:20 154:20	reset alarms 38:6	restate 157:18
remember 47:21 116:3 169:4	replies 166:18	resetting 89:6	restrict 138:14
remote 16:19,20,22 17:23 18:16 21:3 22:11 23:8 25:1,9,13 27:8,21 28:7 29:2,19 30:3 32:3 34:3,19,21 37:3,7 40:7,15 41:2 51:1,2,3,25 52:8,9,11 53:11 54:23 55:4 57:20 58:11,22,24 59:5,6,17,19 60:3,9, 12,15,17 61:7,18,21 63:6,11,23 64:3,8,12, 13,20,25 66:11 67:20 70:18,24,25 71:4 84:16,18,21,23 87:22 92:22 94:24 95:1 96:9,16,19,23 97:5,9 98:10 100:22 101:1,4, 10 104:13 113:25 114:13,16,20 115:16, 18,22 123:11 124:12, 13,22 125:3,8 129:7, 8,18,19 130:9,21,23 131:5,7 132:11,14,17, 19,25 133:2,12,13,17 134:15,16 135:4 136:8 137:20 141:21 144:17 149:18,25 151:3,5,8 152:21 153:3,10,16 154:18 156:2,20 163:13	report 12:17 13:5 14:13,16	residuals 81:11	resubmit 68:9
remote-attended 114:14	reporter 7:5,10 19:16 22:6 34:4 108:22 152:16 164:22	respect 6:13 15:2	resubmitted 43:13
remotely 38:10 62:6	reporting 35:23	respond 59:23 90:25	result 43:20,22
remove 64:20 152:24,25	reports 13:12 39:24	responding 91:1	results 21:14
removed 19:23	repose 138:21	response 11:17,19, 21 12:7,10,12,14 14:14 15:21 41:14 46:23 47:1,4 49:15 68:1 78:22 79:9,14 86:4 91:12 98:6 99:1, 4,6,8 102:3 109:23 110:7,10,12,14 111:5 115:7 121:18 122:4,7, 9 123:6 126:8,18,21, 24 129:23 143:9,18, 21,24 149:19 163:20, 22 164:5 168:18 178:14 185:19 186:1, 3,6	retire 108:7
renew 49:24	representative 49:7	resolving 81:11	retired 9:15
renewal 55:11,15,19	representing 100:8, 10	resolve 81:11	retraining 66:24
	request 15:5 33:12 45:3,16 46:12 47:20 68:13 70:10 84:1,13 111:3,10 142:13 145:8 166:24	respond 59:23 90:25	returned 148:24
	requesters 142:8	responding 91:1	review 66:6 68:10 83:20 128:17
	requesting 83:11 123:11 166:4 167:13	response 11:17,19, 21 12:7,10,12,14 14:14 15:21 41:14 46:23 47:1,4 49:15 68:1 78:22 79:9,14 86:4 91:12 98:6 99:1, 4,6,8 102:3 109:23 110:7,10,12,14 111:5 115:7 121:18 122:4,7, 9 123:6 126:8,18,21, 24 129:23 143:9,18, 21,24 149:19 163:20, 22 164:5 168:18 178:14 185:19 186:1, 3,6	reviewed 184:13
	requests 15:17 49:3 69:4,19 83:3 100:3 123:3 133:1 144:16	resolving 81:11	reviewing 113:10
	require 30:24 146:10 162:12	resolved 42:8 46:1 52:5	revise 48:9 52:20 112:2 151:11 152:10
	required 6:15 30:6,19 32:21 63:21 76:13 77:2,4 80:19 101:17 114:13 118:7 120:25 129:1 139:21 141:18	revision 44:5 128:4, 12 135:6,20 143:4 144:2	revised 42:8 46:1 52:5
		revisions 43:5,16 44:6,21 68:11 128:3 129:5	Reynolds 8:25 148:16 166:9 169:24 170:18 171:4,7,10,14 172:5

Rigsby 8:7 20:20 21:10,25 26:1,5 30:21	180:7,16,19,23 181:6 182:8,17,24 183:1 186:8	scenario 81:9 90:10	sentence 52:14,15 85:14 91:7,16 130:7, 24 131:2 134:15,17 142:4 164:9
rings 94:19 134:3	rules 62:17 120:19 121:11 133:7 148:20 152:7 163:1 167:9 168:11 180:5,11,15 187:19	schedule 17:1 29:7 30:1 42:22	separate 64:7 153:13,14
RM 84:6 111:15 123:21	ruling 166:5	school 131:21	September 6:3 12:20
road 104:5 140:24 158:1	run 16:13,14 24:1,3 29:10 37:19 38:3 65:2 124:19 130:25 147:24 148:5 160:16	scratch 128:11	series 111:15 123:21
Robert 69:12,13,15, 17,20,22 70:2 71:15 85:9 92:14	rundown 84:13	screen 167:8 171:20	serve 9:14 10:14,21 63:5 101:20 114:19 125:7 162:18
role 39:10,19 101:21 111:18 114:19 125:7	running 32:24 50:17 56:16 148:2,3	script 164:6	served 9:25
roles 101:15	runs 30:4 112:14,23 113:7	Seaman's 100:17 107:23	serves 111:18
roof 32:17 93:20,21	rush 124:1	secondary 38:2 92:22 96:11,18,22 97:17,23,24 109:10 117:23	service 11:1 19:21,23 28:13 56:1 107:23 116:11,19,21 171:18 177:24 183:21 184:7
room 6:16 17:25 18:1 22:24 28:12 40:13,15, 22 41:3 54:14,15,17, 23 55:6 58:25 63:11, 21,24 64:10,11,14 65:3 70:18 71:5 77:11,15 80:20 81:20 84:15,16 88:11 90:18, 21 91:2,9 93:2,16 96:10 103:17 106:7, 10,15,16 108:12,21 112:13 113:4 158:9 160:14,16	Rutherford 83:17,24 85:5,8,15,24 86:19 88:9,15 89:13,16 90:4,20 91:3,21,25 92:5,10 93:8,13,19,23 94:3,7,11,18 95:5,10, 12,20 97:18,24 99:11	seconded 44:9,11,15 45:11,12 46:19	serviceability 171:25 184:4
rooms 108:25 116:6 176:13	Ryan 7:25 8:13 13:6, 7,17,20 41:10 49:6 62:16 65:12 66:3 67:1	Secretary 8:2	services 6:7 8:14 28:23 49:7 52:24 89:23 101:9 172:3,6 178:4
Rosa 6:10	Ryan's 59:10	section 52:15 53:9 103:6 104:3 105:11 113:15 115:1,15 118:7 120:2,8 121:1,3 130:6 148:7,8 149:2, 16 151:20 152:14 153:9 154:17 161:16	servicing 101:15 117:1
rotating 18:20	<hr/> S <hr/>	sections 25:2	sessions 139:15
round 32:7 169:8	safe 6:7 24:3 119:2 173:13,14	sectors 26:12	set 17:6 37:7 43:6,24 59:16,17 69:13 116:8, 12,21 140:2 167:8 174:11 175:5 179:12 182:6,12,17
rounds 32:18,22 63:20 90:5 91:8	safeguard 111:18	security 6:7 52:10 71:13 73:10 75:3,7 76:11,25 77:7,9,25 78:10,18 79:19,25 80:5,9,13 81:6,20 85:2,3,16 88:4 89:24 90:2,13,15 91:16 98:21 102:21 112:8 116:7 137:3,4	setting 20:14 25:8
route 64:7,9,12	safely 24:5 173:13	sees 97:10	settings 116:4
routes 64:7	safety 6:5 19:22 29:16 35:6 37:17 38:7,9 65:1 74:11 82:9 167:22	semi-annual 57:9	shape 103:14 167:4, 24 179:9
rubber 140:24	satisfactory 110:2	send 20:21 47:16,17 62:6 92:3 135:6	shaped 176:13
rule 9:17 19:25 20:3 49:23 52:4,5 57:2,22 59:12,16 63:14 77:3, 13 80:25 87:2,5 129:22 138:25 139:25 141:8 144:14 163:2 167:8 168:21,22 173:17 174:12,15,16, 23 175:5 179:12,19	Saturday 29:10 36:7	sending 59:22	share 37:20 148:19
	Saturdays 29:21	sends 92:17	sheet 166:14
	scanners 100:18	senior 71:12 73:3,4,6, 8,15 85:1,9 89:1	sheets 126:13
		sense 58:3 63:12 136:19 142:11 151:23,25 152:8	Shelby 67:3
			shelf 58:21
			shift 16:12,14 17:19 18:10,14,19,23 29:10 31:5,9,13,21,23

32:20,22 33:5,8 35:22 36:7 39:9,18 51:15 71:19 80:19 85:19 88:7,10 90:3,16 94:16 95:15 105:14 124:18	178:19 179:8 182:1 183:3,16,18,20 184:8, 12,19 185:2,9	sized 56:8	18 178:5
shifts 18:20 24:4 31:9,10,11 33:12 55:24 101:14 124:19	sides 106:15 167:4 173:14 174:19 176:5, 6,10,23 177:1,4,13,24 178:8 179:9 183:2	skip 17:13	specifically 27:7,23 146:12 161:13 162:16 166:25 167:16
shooting 89:2	sideways 112:4	slap 162:7	specifics 24:12
short 37:12,18 83:5,6 102:15	signal 72:4	slide 167:17 168:9	speed 22:11
shortly 47:21	silence 6:12 70:3 96:20	small 16:4 26:11 95:22 106:9,10	spelled 90:24 157:19 177:6,9
show 28:6 50:2 52:8, 10 70:17 84:17 119:2	silent 97:12,13,14	Smith 8:24 9:1 22:1,8 148:14 166:3,10 169:17 173:18 176:2	spells 91:8
showing 51:4 54:22 58:23 124:11 178:6	silver 171:22	smoke 183:17 185:9, 10	spoke 34:3 98:20
shown 25:2 129:5	similar 119:24 124:11 141:20	smoking 160:18	spots 166:17
shows 29:6 42:14 54:16 58:20 105:3 168:9	simple 151:13	software 52:24	square 106:22 108:21 169:7 182:21
shut 18:21 21:4 24:1, 4 29:9 30:4 40:19 54:25 80:22 81:6,9 82:14 109:12 129:17 160:18	simplify 130:18 132:18	solely 91:2	square-feet 108:25
shutdown 17:21 53:23 61:5 144:17 149:18 150:1,2,7,8,25 151:3,5,8 152:22 153:3,17 156:20 163:13	simply 104:6 105:22 145:1,9 163:23	solution 26:6 147:22, 23 148:11	square-foot 109:7
shutoff 54:4,7,10,12 94:5 150:25 153:10 154:19 156:2 162:6, 10,13	single 154:7	solutions 117:1	square-type 183:12
shuts 37:24 38:9 81:20 97:19	sir 20:4 21:10,25 25:22 26:23 28:5 47:25 48:12 91:21 94:12 98:14 103:14, 21 104:12 105:11 106:8 115:14,23 133:14 155:6,16 161:21,23	somebody's 60:18 112:11	stack 170:5
shutting 82:8	sirens 61:23	something's 23:25 61:24	stacks 112:22
sic 43:22 150:5 152:10	sit 32:14 61:10 141:2	SOP's 18:11	staff 17:1 31:18 36:16 55:23 75:18 76:4 114:2,5
side 6:10 17:24 65:1 105:10 107:23 162:23,24 167:3 169:7,11,13 170:20, 21 171:16 172:10,14, 21 173:4 175:13,18 176:8,22,24 177:3,12	site 17:8 21:6 28:18 40:15 42:9 43:6 63:8 64:18 70:18 78:13 80:14 90:15 98:17 106:9 111:22 114:8 118:6,25 119:16 125:25 126:13 129:15	sort 58:4 61:15 170:22	staffed 17:17 18:7 55:22
	sitting 51:16,21 60:20 61:4 90:6 159:6	sound 30:22	staffing 51:7
	situation 20:6 21:11 63:16 66:5 77:16 79:20 80:11 109:17	south 8:6 17:24	stamp 153:2 154:18 160:9 184:23
	situations 81:5 105:25	Southeast 10:7	stamping 182:25
		space 51:21 106:9	stand 48:1
		speak 19:17 22:6 34:5,9 108:22 146:12 152:17	standalone 116:5
		speaking 115:25 146:20 153:23 165:6 167:25 171:17	standard 17:18 113:16 141:12
		spec 129:16	standpoint 17:8 19:22
		specialists 52:25 53:2	stands 28:1 44:2 154:8
		speciality 16:4	start 7:5,9 22:21 69:18 159:20
		specialty 26:7	started 39:25
		specific 24:8 25:16, 18,20 58:16 134:23 163:1 169:15 173:17,	starting 23:19 62:21 94:16 156:22
			starts 29:17 151:24

159:13,20	step 9:20 53:25 54:1	98:17	switchboard 101:3
state 7:7 9:9,22,25 12:20,22 13:1 32:4 42:13 84:1 106:19 118:19 120:1,5,8,9,18 126:14 129:2 130:14 139:21 144:19 149:14 153:6 154:15 155:11, 13,21 158:14 163:3,8 180:15	steps 119:2	successfully 101:19 125:6	switches 144:18 150:8
stated 21:23 27:14 149:20 167:8 183:1 184:24	sterilization 70:14 81:8,14,17 84:15	sudden 169:9	system 18:15 24:25 25:21 34:1 43:16 50:6 51:24 84:5,8 88:16 91:24 93:12 103:9 111:19 115:16 123:20 124:24 130:6 133:16 134:18
statement 35:19 47:16 59:4 69:25 121:23 130:11 131:12,23 166:15	Steris 47:19,21	sufficient 150:10 176:19	systems 107:25
states 55:14 130:7,11 159:15 163:2	stop 63:20 162:19	suggest 6:20,24 34:20 175:21	<hr/> T <hr/>
stating 133:7 134:8 141:21	stopped 14:22	suggested 166:15	T-MOBILE 100:23
station 25:10 27:8 29:3,20 30:3 32:4 34:2,3,16,18,19,20,21 37:3 40:7,16 51:1,2,4, 13,25 53:11 55:4 57:16,20 58:11,23,24 59:5,17,19 60:3,9,14 61:13 62:3,5 63:5,7, 11,19,23 64:3,8,12, 14,20,25 66:11 67:20 70:18,24 71:4 84:16, 18,21 92:22 94:24 95:1 96:9,16,23 100:22 101:1,2 103:17 104:13 113:25 114:1 115:18 124:23 129:19	stops 72:11 94:9 97:20 129:17 145:6 146:11	suggesting 46:11 138:12	tab 24:18 25:8 67:19
stationed 62:15 115:18 124:13	storage 163:19 164:10 166:6 167:1 173:20 179:6 180:1 182:15,18 183:6,7,11, 23,24 185:6	suggestion 52:18	table 15:10,12 66:14 68:5,8 135:6 159:6 165:19 186:13
stations 29:23	storage-type 169:16, 19 183:13,24	summary 16:3 167:13,19	tabled 68:12 145:19 186:16
stay 90:7	store-type 169:25	Sunday 29:7,11 36:8 114:9	takes 14:20 49:2 56:7,8 69:3 111:2 123:2 128:2,24 144:13 186:8 187:18, 21
steam 35:5,9,11,13 50:5,6 70:14 100:15 109:13 111:12 117:24 118:6,21 119:12,13, 18 120:1,21 123:23 146:15,16 148:22	story 142:2	Sundays 29:21	taking 13:18 20:10 67:9 79:22 91:18 107:1 114:11 126:3 136:4,8 155:18
steel 18:2 28:20,21, 24	straight 117:8 164:21	Super 144:12	talk 16:6,20 34:11 112:11 132:9,11 142:17 167:11
	straightforward 43:2	supervisor 16:10 17:9 18:23 22:13,19 31:13,21,24 33:5,6,8, 24 39:9,18 40:1 49:10 61:22 69:14 73:12	talked 24:10 30:13 39:17 67:13 68:15 87:1 93:14 137:4,6 145:25 156:17 167:15
	stretching 160:13	supervisors 16:12 32:13,21	talking 52:23 66:8 109:15 133:18 134:17 137:10 140:21 147:2 148:1 159:24 161:11, 12,13,15 162:22 163:16 184:3 185:16 186:21
	strictly 46:4 62:5 169:16,19 172:3	supplier 116:11	talks 24:12 150:1 164:9 169:1
	strike 159:2 161:25 164:8,13	supply 108:6 158:25	tank 72:12 163:19 164:10 183:7,11,13,
	strongly 130:12,16 131:17 132:16 134:10	supposed 28:21 49:9 92:18 112:2 160:17, 23	
	struggle 49:12	supposedly 28:21	
	study 30:22	surface 167:5 178:8	
	stuff 43:3 61:22 62:23 97:6 140:6 159:6	surfaces 177:22	
	subcommittee 187:5	surgeries 81:15	
	submit 42:19 43:1,5 66:19	susceptible 117:22	
	submitted 119:24	swings 77:20	
	subparagraph 168:25	switch 37:23 54:7,10, 12 94:5 97:12,13,14 100:24 109:13 149:18 150:1,7,25 151:3,6,8 152:22 153:3,10,17 154:19 156:2,21 163:13	
	substance 148:11		
	successful 42:9		

24,25 185:6	179:12	thoughts 33:22 62:16 133:21 135:18 183:25	123:11 131:3 132:12 137:5 142:18 166:11, 24
tanks 71:23	Tennessee's 120:5	thousand 155:24	Tom 47:20
task 86:1 165:8 187:6	Tennova 9:7 69:4,9 70:2,8 83:11 111:3,10 123:3,19	three-feet 169:1 182:9	tomorrow 24:9
tea 14:16	tentative 104:19	three-foot 180:3 182:16	top 10:5 128:21 145:2 183:8,12,25 184:2 185:6,12
Team 69:21 70:8 73:14	term 11:3 77:25 132:14 133:17 134:2	three-year 79:21	TOSHA 30:21
tech 18:17,24 21:6 31:5,7 33:24 35:21 36:4 85:9 86:22	terms 76:12	thrilled 33:21	total 12:25
technical 52:25 53:2 87:11 128:16,18,22, 24 129:1	test 24:25 25:3,4,19, 20 38:20 39:1 125:19, 21 126:1,3 182:4	throw 37:24	totaling 13:4
technician 29:11 30:2 31:18,23 32:8 33:20 35:24,25 36:6,9 73:3 85:1 89:2	testing 25:21 72:2 118:23 125:17,19 167:22 171:15	throwing 93:7	totally 133:22 178:10
technicians 16:7 21:2 29:8 30:1 107:15 124:17 125:4	tests 24:23	tie 25:7	totals 12:21 13:1
technologist 22:2,9 23:15	text 166:17	tied 18:3 36:8 37:25 58:16 77:23	Toth 8:19 45:17 63:1, 17 64:2,5 65:6,8 97:25 98:2 100:5,7 102:1,11,18 103:12, 14,19,25 104:15,17, 23 105:5,19 106:3,8, 13 109:6 111:7 112:12,17 113:1,3,9 114:25 115:14,20,22 116:2,17,23 118:14, 17 119:22 120:23 121:7 122:12 123:8 124:10 125:17,21 127:2 132:6 133:14 140:14,15 141:13 144:20,21 145:16 146:7 147:4,7,10,19 148:6 149:3,10 150:4, 18 151:9 152:9,20,23 153:1,4,20 154:6,14 155:1,4,7,14,20 156:9,11,25 157:18 158:3,23 159:23 161:6 162:16 163:5, 21,22 164:3 165:5,6, 21
techs 16:17 17:8 20:21,23 118:3	that'll 18:6 40:11 83:2 116:15 166:2 186:16	time 11:5 13:19 14:17 15:5 16:15 17:17 18:7,11 21:1,19 29:25 30:8,9 32:14,16 33:1 34:12 35:4 36:20 43:2 45:1,5,16 46:12 51:16 55:16 57:4 58:16,18 60:18 61:5 63:22 64:13 76:19 77:12,19 78:13,17 79:22 80:1, 11,15,17 88:13 91:2 95:22,23 96:20 101:23 107:1 121:6,7 123:16 126:4 138:22 145:15 159:5 169:4, 22 181:22,23 183:6	touch 89:22
tedious 10:6	THC 103:24	timely 91:12 124:2	touching 173:6
telephone 94:24	thermal 109:2 147:25 148:2,5	times 24:4 72:5 96:12 119:23 139:15 141:2 159:25	tough 36:14
telling 59:10 89:22 142:2	thing 22:4 26:17 27:17 36:14 60:9 72:13 73:18 74:13 93:8 105:17 117:17 128:9 132:1,18 137:23 143:5 156:6 166:22 170:11 183:5	timing 105:24	tower 61:1 62:7
tells 52:23	things 6:5 18:3 33:14 35:12 38:18 42:11 57:17 71:22 75:25 96:14 116:12 124:1,2 132:8 138:21 139:14, 16,17 150:25 152:7 168:3 170:6,12 176:16 185:3 187:2	TIS 52:24	toxic 26:14
temp 147:12	thinking 24:16 61:3 103:15 141:14 176:15 185:4,5	title 31:21 52:3,19 84:25	trailed 30:14 37:14 94:20 155:3 170:1
temperature 146:22 147:6 148:1 149:1 184:6	third-party 102:20,22	titled 161:10	
temperatures 129:16 147:24	Thomas 7:21	titles 40:8 74:13 85:1	
ten 34:23,25 35:3,18 39:18 74:3 145:14	thought 35:10 51:2 68:4 135:16 137:11 138:13 163:25 169:5 180:10 183:14 185:7	TN.GOV 47:9	
Tennessee 6:4 7:13 8:6 9:9,25 10:8 21:13 36:24 118:19 120:1,8 123:10 129:2 141:18, 20 142:5 144:19 149:14 153:6 154:15 155:11,13,21 158:15 159:15,19 160:20 163:3,8 167:9 168:11		today 6:8 10:17,23 16:6 28:1,13 42:6 48:9 70:10 82:3 100:6	

train 13:10 23:3 39:21	Turkey 83:3,11 84:2	unfair 169:6	user 133:8
trained 20:17 21:9 39:13,14 71:20 72:6 76:20 85:17 89:3,19, 24 119:8 131:17 132:23 137:1 139:25 141:24	turn 13:5 86:1 112:4	unfired 182:15,20	utilities 28:23
training 8:19 20:7,14, 19,22 21:22,24 22:3, 9,10,12,19 23:3,4,5,7, 11,13 24:7,8,9,10,11, 12,13,14 29:3 36:13, 18 40:1 42:1 52:23 66:21,24 67:4,11 71:16 72:1,24 74:17, 18,19,20 75:25 76:6, 14,15,21 85:6,12,18 89:10,12 98:21 100:8 101:8,9,17,18 102:23 125:2,3,4,22,25 130:9,13,15,21 131:4, 5,6,11,12,15,16,19, 21,24 132:10,21 133:3 134:9,19,24 135:3,4,18 136:7,8, 18,19,21 137:8,17,18, 25 138:1,4,5,9,11,23 139:1,3,20,22 140:10, 19 141:3 142:10,14, 22	turns 147:10	unintelligible 9:16, 23 18:25 20:12 25:7 28:7 30:23 32:16 37:2 41:10,11 60:5,6,8 76:1 77:18 79:2 83:25 85:12 88:16 89:24,25 90:6 95:16,22,23 108:20 109:2,4 111:19 123:20 142:13 159:20 163:24 166:16 173:19 175:16 180:2 184:2	utility 54:17
training's 23:6	twelve-hour 18:20	unintelligible/ inaudible 9:5	utilize 59:12,25 63:4 111:14 113:25 123:21
trains 131:22	two-feet 169:9	unit 42:10 43:14 47:9 68:9,17 79:3 98:13,15 118:24 119:4 124:15 128:8,10,18 129:3,16 130:20 133:5 142:4 144:1,7 145:22 154:22 162:24 163:18,23,24 171:19, 23 172:12 173:7 178:6,9,11 183:18 184:20	utilizes 100:17 102:20
transcribed 34:8	two-way 100:24	units 111:12 117:8 118:18 121:10 158:17 159:16 164:8 173:13, 18 183:15 184:12,19	utilizing 100:23
transcripts 47:10	tying 30:13 37:9 38:1	Universal 10:9	UV 100:18
trap 171:21	type 58:9 105:3 116:7 120:25 158:10 168:14 174:14 178:11 183:22	University 20:21	<hr/> V <hr/>
Travis 8:21 100:9,10	types 120:13 158:12, 17 167:14	unmanned 51:5,10, 19	vague 24:6 74:11 76:3
treated 120:4	typically 107:17 150:22 170:8 185:1	unsafe 23:25 77:9	vain 134:13
trigger 18:18	typo 52:16 145:2	untrained 21:14	valid 81:13 82:7
trouble 19:16 89:2	<hr/> U <hr/>	updates 86:20 113:11 129:24	valve 76:1 184:6 185:2
troubleshoot 108:2	Uh-huh 156:11	update 25:16 47:11 73:20 76:18 110:2 182:23	Vanderbilt 8:22 10:9 100:2,8 103:8
troubleshooting 29:15 88:25 103:4	UL 171:8	updating 121:22 126:12 178:17	Vapors 121:10
true 47:15,16 57:12 138:6 179:20	unable 101:19	upper 17:24 112:5	variance 13:5 14:7, 13 15:2,17 16:19 19:6 20:6 41:23 42:6,10 45:3,15 46:11 49:3, 19,22 50:20 55:14,17 57:4,8,10,13,19,20 58:5 59:12,16,24 62:9,18 65:13 66:2 69:5,9,18 70:11 72:2, 7 76:14 79:21 83:4,12 84:2,3,4,9,10,13 86:13,15,16,17,18,20 87:5,8 89:18 90:12 95:19 98:10 99:10 100:3,12 102:10 105:18 110:16 111:11 114:8 119:21 121:11 122:11 123:3,11 125:16 127:1 128:3,5, 13,14,15,23,25 129:22 130:15 131:11,12,20,24 132:1,4,24,25 134:9 135:12 136:22 137:5, 24 138:7 139:20,22, 24 140:6 141:7,11 142:6,8,14,22 143:4
tube 111:11 123:21	unapproved 47:16 68:18		
tunnel 112:14,22 113:6	unauthorized 116:1, 15		
	unavailable 17:10		
	underground 112:23		
	underneath 105:1 113:7		
	understand 29:16 44:3 53:19 57:19 75:20 76:3 77:22 93:1 95:7,12,25 132:2 134:5 146:8 149:12 178:25 179:17		
	understanding 53:19 104:7 146:14 149:23		
	understands 72:8		
	understood 46:9		

144:4	167:4 168:2	118:5,8,12,22,25	130:19 131:8 137:19
variances 13:8,24 140:18	voice 78:8	120:3 129:14 141:23	142:7 148:2 167:18 176:21
variant 109:22	volume 156:7 161:25	146:16,17,20,21	work 9:24 10:14 17:2 18:7 33:9 40:8 60:8, 17 66:6 68:8,17 73:12,20 80:12 96:23 101:12 102:24 107:23 124:16 144:2 165:7 170:3,8 186:20 187:6
vast 114:4	volunteer 22:5,18 43:1	147:12 148:2,3,5,9, 10,12,13,21,23 155:10,22 156:1,16, 17,19 158:25 160:4 161:13 163:9,11 166:7 167:1,5,14,15, 21,24 169:7,16,20,25 173:20 174:5,14 179:6 180:1,2 182:15, 18,19 183:10,14,23, 24 184:5	worked 10:7 20:9
vehicle 56:11 179:10	vote 15:14 44:3 45:1, 11,18,21 46:21 66:14, 16 138:1 139:6 145:13 165:10,17	waters 38:12 97:23	Workforce 8:16
verbal 11:19,21 12:7, 12,14 14:14 15:21 41:14 46:23 47:4 49:15 68:1 78:22 79:14 86:4 98:6 99:1, 6,8 102:3 109:23 110:7,12,14 111:5 115:7 121:18 122:4,9 123:6 126:8,18,24 129:23 143:9,18,24 168:18 178:14 185:19 186:3,6	voted 45:22 46:2 66:7 79:21 129:21 145:18	ways 121:12 139:18	working 9:18,21 10:14 32:17 71:23 80:25 94:17 96:23 165:12
verbatim 157:15,20	voting 11:20 12:13 47:3 99:7 110:13 122:10 126:23 143:23 173:20 179:3,4 186:5	WCH 103:24	works 21:2 23:2 79:23
verbiage 135:8 174:15 182:4	<hr/> W <hr/>	wear 6:17,21,24 30:16	world 32:12 79:23,24
verified 98:11	wait 72:16	website 47:9 129:25	worse 81:9
verify 25:12 42:21,22 91:9	waiting 61:11 78:6 83:15,16	weeds 158:6	worst 103:13
versus 34:19 124:14 150:9 170:17 177:19 178:10 184:16	walk 43:7 44:25 107:19 112:15	week 28:22 39:20 85:20 144:10,11	wrap 165:3
vessel 13:1 158:1 160:21,24 161:3 167:4 180:2	walking 83:17	weekend 78:16	WRC 7:22 8:4
vessels 12:22,25 13:4 18:9 172:16 182:16,21	wall 59:8 168:2,7,13 169:8,12,13 170:10, 14,17 171:16 172:10 173:6 176:14 183:20, 21 184:25	weekends 17:2 30:2 52:11 56:1 85:20 101:14	Wright 85:9 92:14,24
vet 15:1,6 140:25	walls 32:17	weekly 57:8	write 104:25
vetted 10:23	wanted 15:14 40:3 54:12 66:22 78:7 79:17 80:1 89:8 97:18 117:22 149:9 152:23 166:21 177:20 184:20 185:7	weeks 85:18	writing 65:17
view 53:12 182:25 184:24 185:11	walls 32:17	what-ifs 77:25	written 29:18 82:13 154:2 163:2 179:14, 15,16 185:21
viewable 184:18	wanted 15:14 40:3 54:12 66:22 78:7 79:17 80:1 89:8 97:18 117:22 149:9 152:23 166:21 177:20 184:20 185:7	wiggle 158:9	wrong 123:14 137:11 158:1,2
violations 159:21	wanting 36:14 39:5 121:14 131:14 141:16 154:20	Wilson 8:22 100:3,8 103:8	wrote 76:19
virtually 184:17	Ware 20:21 21:1,2	window 112:21	<hr/> Y <hr/>
visit 42:9 43:6 51:17 98:17 126:14	watch 62:9,14 66:11	wired 39:3,4	y'all 39:11 51:2 172:18 182:3 187:14
visitors 7:8 130:20	water 38:21 70:15 71:22 92:12,13,15,21 94:16 96:6,11,18,21 97:4,7,8,19 109:1 111:11 117:16,19,25	wiring 29:2	ya'll 187:23
visual 64:21 96:22		wonderful 82:4	yea 43:4 54:21 116:9 175:19
		word 130:13 134:21 137:13,16 161:25	years 10:2 20:10 21:11 23:22,23 49:20, 23 85:10 120:15 137:10 141:15 150:14 161:12 184:10
		worded 138:25	
		wording 137:15 164:2 170:21,25	
		words 36:4 67:22 129:6,7,9,11,12	

yellow 42:2 67:15

young 10:11

YV 37:2 38:12,17 39:4