



STATE OF TENNESSEE
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
BOARD OF BOILER RULES
220 FRENCH LANDING DRIVE
NASHVILLE, TN 37243
(615) 741-2123

MINUTES

QUARTERLY MEETING OF THE
STATE OF TENNESSEE
BOARD OF BOILER RULES
9:00 A.M. (CT) AUGUST 21, 2013
TOSHA HEARING ROOM – FIRST FLOOR
220 FRENCH LANDING DRIVE
NASHVILLE, TENNESSEE

- I. **CALL TO ORDER** – (2) -The meeting was called to order at 9:00 a.m. (CT) by Chairman Morelock.

- II. **INTRODUCTIONS AND ANNOUNCEMENTS** – (22) - Board members present: Brian Morelock; Dr. Dominic Canonico; Eugene Robinson and Dave Baughman. Department of Labor and Workforce Development employees in attendance: Chad Bryan; Carolyn Sherrod; Arthur Franklin, Jr.; Sydné Ewell; Sam Chapman; Deborah Rhone; Neil Jackson; Cicely Sherrod and Kay LaMar. Guests present: Eddie Lunn, Jr; Martin Toth; Briana Morelock; Roger Stewart; James Neville; Seth McKee; Anthony Dean, and Shay Rankhorn.

Chairman Morelock announced that in the event of an emergency or natural disaster, security personnel would take attendees to a safe place in the building or direct them to exit the building on the Rosa Parks side.

Administrator Franklin announced that the Governor's Office has selected a new member for the Board. This individual is a Mechanical Engineer from Tennessee Technological University and his name will be presented at the next board meeting.

- III. **ADOPTION OF AGENDA** – 38 - Dr. Canonico motioned to adopt the agenda which was properly seconded by Eugene Robinson.

- IV. **APPROVAL OF JUNE 5, 2013 MEETING MINUTES** – (46) – The motion was made by Dr. Canonico and seconded by Eugene Robinson to accept the minutes. After no discussion, the Board voted their approval of the June 5, 2013 minutes.

V. CHIEF'S REPORT – 7 – Chief Bryan's report reflects data from April – June 2013

- Ten thousand seven hundred fifty-eight (10,758) total inspections performed.
- A total of two thousand three hundred-twenty (2,320) total delinquents.
- Fourteen (14) violations found.
- Nine (9) uncorrected code violations.
- Seven (7) quality control reviews performed.
- Seventeen (17) reviews pending
- Zero (0) boiler variance inspections performed.
- Seven (7) variance inspections pending

VI. OLD BUSINESS - (12)

13-02 Country Delite Farms, 1401 Church Street, Nashville, Tennessee is requesting a new variance on two (2) high pressure boilers that operate under the requirements of Chapter 0800-03-03-.04(22); James Neville and Roger Stewart presenting.

Country Delite is represented by James Neville and Roger Stewart (Maintenance Supervisor). David Baughman acknowledges his conflict of interest with this agenda item. Discussion on this agenda item was as follows:

- James Neville is proposing to monitor the boilers from a remote monitoring station located approximately (275) feet from the boiler room. The Hawk 2000 monitor has been added to these (2) boilers. The remote station will be hard-wired with an audible alarm, a digital indicator and shut down switches for each boiler.
- The monitors of the remote station are defined as a security officer or a milk receiver and that office is manned 24/7.
- The monitor of the boilers (boiler attendant) is defined as a maintenance mechanic...job title defined in Appendix G of the proposal.
- **(65)** David Baughman questioned who would be implementing this process Lee Hall or Roger Stewart to which Roger Stewart replied that as Plant Manager, the responsibility is Mr. Hall's.
- **(74)** David Baughman asked for clarification on several issues: how the microprocessor's continuous monitoring of all the safety levels would monitor the water level in particular; to which Roger Stewart replies that the level controls are built in;
(93) the monitoring of the remote station by a security officer or milk receiver personnel and how many security officers are on site at any given time; Roger Stewart replies (1);
(98) David voiced his concerns regarding the use of the term "steam

temperature" in the manual (G-6/Item 2);

Stewart's replies the term is a typographical error and should read "steam pressures, ammonia pressures, etc.;

- (126) David is concerned about the shortage of personnel to provide continual monitoring of the boiler system if according to the manual (G-6/Item 1) the security officer has to make rounds every (2) hours, the milk receiver is otherwise occupied and if there are only (2) mechanics.
- (128) Stewart replies that a signal (e-mail) would be sent to (8) people in management if anything goes wrong which is received by a supervisor who contacts maintenance to respond.
- (137) Chairman Morelock mentions that he does not recall that information noted in the manual.
- (142) James Neville offers that Appendix D provides more detail on where the alarms are sent and more detail information can be added to the manual regarding how and by whom the alarm signal is received.
- (147) Dr. Canonico questions if in reality the system is monitored when personnel are occupied with other things. Neville submits that in the event the station is unmanned, they would have to rely upon the (20) minute rule and operate accordingly.
- (159) David Baughman questions the potential for people not being available to work according to the (20) minute rule where there is no one at the stations itself. Stewart and Neville are in agreement that this would not be a problem because a call list is in place. If the first maintenance mechanic is unavailable, the second mechanic will be called. Every shift employs (2) maintenance mechanics.
- (187) Chairman Morelock suggests the revision that needs to be considered in the manual needs to be statement that the remote station is continuously manned. The present statement shows some deficiencies. Neville poses the question that in the event the station is no manned to which Eugene Robinson reiterates that they revert to the (20) minute rule as stated in the manual. Chairman Morelock adds "or you work out a plan to where the remote station is continuously manned.
- (212) David Baughman asked if there is a list provided in the manual of the actual names of personnel. James Neville offers that given the turnover in personnel, job titles are listed as opposed to names. Chairman Morelock inputs that in order to prevent so many revisions to the manual, as long as they provide stated positions that will suffice.
- (225) Eugene Robinson poses the question regarding more training. Page (5) paragraph (1) of the manual reads that "all personnel will be trained then it is proceeded to say that all newly incoming personnel will be trained. For a matter of clarity and a lack of contradiction, Eugene suggests that the manual reads that "**all personnel will be trained period**". Some redundancy is shown in the manual on page (5) and page (7). Eugene wants to see a statement that "**all personnel**" will be trained in the emergency shutdown procedures for the operation of the two boilers. Eugene Robinson then poses the questions "who is the boiler attendant and where is it stated who that person is?" James Neville replies that the explanation is located on page (7)...the boiler attendant is identified as the

maintenance mechanic. To which Eugene asked if that information is listed in his job description. Roger Stewart replies "yes"....Stewart and Neville agree that the description is located on (G-2 and G-3) and enquires of Eugene Robinson if the listed information is sufficient to which Eugene Robinson voices his approval.

- **(279)** Dr. Canonico expresses his concerns to the reference of "boiler attendant" on every page and asks for a definition; and on page (D-1) you list a maintenance mechanic and it appears as an afterthought you included "boiler attendant"; and on page (G-2) the last boiler says "when scheduled serves as the boiler attendant", asked for clarity and also what type of training has this boiler attendant received. James Neville answers that the definition of "boiler attendant" is located on page (7) and Roger Stewart adds that of some of the employees have (20+ years) of service and have received training on the procedures in place for shutting the boilers down but expresses uncertainty of how much training the short term (4-5 years) have received; but all have been trained on starting, shutting down and troubleshooting.
- **(312)** Chairman Morelock asks if the training has been documented in the program verifying what the attendants know. Roger Stewart replies that he is in the process of going back to develop records that are not presently in place.
- **(345)** David Baughman reiterates that his major concern is with the shortage of personnel resulting in the possibility of the remote station being left unmanned...how will an emergency be handled?
- **(398)** Roger Stewart offers that in suspicion of a fire they will shut the boiler down and get out.
- **(404)** Chairman Morelock (Point of Order) "The burden is on Delite Farms to satisfy the statements listed in their manual that there is continuous monitoring of the remote station. The Board will review the manual to satisfy the requirements for the variance. Inspection will be conducted by Deputy Inspector Jackson. There are situations that can leave you in an unsafe condition".
- **(418)** Eugene Robinson instructs that a note for training be made on the entry on (page 5) and Chairman Morelock adds that the manual should reflect the corrected verbiage.
- **(538)** Deputy Inspector Jackson asked for clarity on the issue of the boiler monitor log that they can go between the variance and the 20 minute rule; does the log cover the 20 minute rule? James Neville answers that the log just covers the variance log and the 20 minute log is a different log.
- **(570)** David Baughman asked for clarity on who has the responsibility for scaling the milk in and out. The security officer or the milk receiver? Roger Stewart replies that the responsibility belongs to the milk receiver who performs the task from the remote station. Dr. Canonico adds that they should correct the item on (G-7) of the manual.
- **(603)** Chairman Morelock calls for a motion and Eugene Robinson recommends that the manual be re-presented incorporating the changes made in the comments of the Board. Dr. Canonico asked if Eugene

Robinson's recommendation was offered as a motion to which Eugene replies that his remark was just a recommendation...not a motion.

- **(616)** Chairman Morelock states that the Board has the option to vote the manual up or down and the option of continuing approval based upon revisions to the manual that will be corrected prior to Deputy Inspector Jackson's inspection of the facility prior to implementation of the variance and calls once again for a motion.
- **(621)** Eugene Robinson motions that pending approval of Inspector Jackson's review contingent upon incorporating the comments made by the Board and reflecting verification of your actual location to approve it.
- **(629)** Dr. Canonico seconds the motion and with David Baughman abstaining, the remaining members of the Board voted their approval.

VII. POINT OF ORDER

- **(642)** Chairman requested a Point of Order amending the agenda to relinquish the floor to Chief Bryan for a special recognition of Immediate Past Chairman Eddie Lunn.

VIII. NEW BUSINESS

13-03 – (818) – UPM Pharmaceuticals, 501 Fifth Street, Bristol, Tennessee 37620 is requesting a variance on two (2) boilers that operate under the requirements of Chapter 0800-03-03-.04(22); Seth McKee and Anthony Dean presenting.

- **(827)** David Baughman's "Conflict of Interest" is noted.
- **(831)** Seth McKee explains that UPM Pharmaceuticals was formerly King Pharmaceuticals then Fiser Pharmaceuticals. Both companies operated under a variance. Inspector Jackson visited the facility on August 13, 2012 and approved the variance under Fiser which was scheduled to be close the facility in 2015. The facility has been purchased by the former owners of King Pharmaceuticals on July 2, 2013. Chief Bryan was notified and they reverted to the 20 minute rule. UPM Pharmaceuticals is reapplying for the variance on existing systems. Seth McKee adds that UPM has a remote monitoring station; boiler operators, boiler attendants. All (included security) have been through training which is conducted yearly; annual SOPs and preventative maintenance is documented. The boilers are monitored by security after hours (they do not leave the station). Two security guards are on duty at all times. In the case of an alarm, radios have a dedicated frequency for the boiler monitoring system. Cell phones and blackberries are also used. The boiler can be shut down (but not restarted) at the remote station.
- **(869)** David Baughman notes a clerical error under Appendix (A-1 – operating pressure); 9 in a space of 50 looks like (950) and suggests adding the correct operating pressure. Under Appendix (B – equipment description) add a more detailed description of the equipment.

- **(899)** Dr. Canonico points to page (1) the plant operates two high-pressure boilers manned 24/7 and then on page (10) there is mentioned a stand-by boiler. Seth McKee explains that one of the high-pressure boilers can run the plant and if that boiler shuts down the other boiler will go into the lead. Dr. Canonico offers that this point needs more clarity and asked where is the boiler attendant. No reference to the boiler attendant in the organizational background. Seth McKee answers the term maintenance technician should say boiler attendant. Chairman Morelock offers that clear lines of authority need to be shown.
- **(943)** David Baughman commends UPM on the training that they have in place for their personnel (including maintenance and security personnel) on how to implement the variance log and the variance requirement and conducting boiler training with that same personnel.
(958) Chairman Morelock suggest that the title block which still reads Fiser be corrected; reiterates to make sure the alarm codes are examined as Inspector Jackson will check them out; under Appendix (G) boiler attendant is listed under essential duties of a maintenance technician but there is really not a statement under the knowledge necessary to perform a job as far as being a boiler attendant; clean up clerical errors, grammar. Also the checklist gives a list of manual holders (Seth McKee). Chairman Morelock asks if there is a manual located. Seth McKee answers that a manual is located in the boiler room and the remote monitoring station. Chairman Morelock replies that they should make sure it states that fact.
- **(997)** Dr. Canonico) motioned to accept the variance request and the motion was seconded by Eugene Robinson with David Baughman abstaining, the remaining members of the Board voted their approval. The variance is granted.

13-04 – 1020 – Mountain States Health Alliance, 300 Med Tech Parkway, Johnson City Tennessee, is requesting a variance renewal on the operation of boilers utilizing a microprocessor base control system that operates under the requirements of Chapter 0800-03-03-.04(22); Shay Rankhorn presenting.

- **(1026)** Chairman Morelock acknowledges his "Conflict of Interest".
- **(1037)** Shay Rankhorn presents that there are no major changes other than what is noted in the revision pages. For economic purposes of energy usage the pressure that the vessel operated at was lowered. The paragraph on page (7) was revised to match actual practices after receiving the variance approval. At the time when there was no variance there was security performing 20 minute checks so this has been updated and the ED Access representatives are now the remote monitoring personnel. There are minor number changes. The statement that "all boiler operators have been trained we failed to note what they have been trained for so the added bullet points should provide clarity. Training is provided twice yearly by the boiler company. On page (11) the directions fail to show the fact that the "B" button is pushed. This is an actual practice...omitted from the initial submission. On page (14) there appeared repetitious statements and this section was

deleted. The boiler enunciator panel had been listed at the ER emergency station which was incorrect. It is located at the emergency department registration located on the other side of the wall. Finally, an Appendix has been included noting all supporting documentation that was requested by Chief Bryan.

- **(1081)** David Baughman states a technical point that each boiler cabinet contains a MP1-200 boiler control terminal that communicates with a MP1-200 master panel (who is the manufacturer of that). Answer: it's in Europe. Is the terminal and master panel UL listed? Answer: I'm not sure. Baughman states that it needs to be UL listed and there are particular codes requirements for the MP1 (all electrical) be UL listed. On page (5) it states "that the master control panel controls the boilers in the automatic position"...what controls the boilers in the manual position? Answer: I will get that information
- **(1135)** Chairman Morelock expresses that the cover letter of the request for variance re-approval does not list the correct rules and law. It appears that the current cover letter is a duplicate from May 2010 and gives the correct rule and law. The manual needs to be consistent as it pertains to information (pages 5; 29-30) were mentioned; on page (9) should the boiler operations also be listed as one of the normal duties of the boiler operators; boiler operator training – the training listed is for new boiler operators – I know annual training is provided, the manual needs to state that you're doing what you actually say you're doing. Just make sure that it is noted that the training is administered to new employees as well as on-going training. The job title listings on the organizational chart should match the job title listings in the body of the manual for clarification. David Baughman points out that the issue of the panel's UL listing is noted on page (30) and the equipment is UL listed.
- **(1249)** David Baughman motioned to approve the variance renewal and his motion was seconded by Eugene Robinson with Brian Morelock abstaining, the remaining members of the Board voted their approval.

IX. OPEN DISCUSSION ITEMS

(1273) Chairman Morelock presented the concept of "Open Discussion Items" topic as an addition to the Boiler Safety Board meeting agendas. If an item is added to the agenda and the item is something that the Board would like to see developed a small task group will be selected to develop and present a proposal to the Board for actual approval. Any ideas for discussion items should be submitted to Chief Bryan to add to the agenda.

(1274) 2014 Fall Conference: Chief Bryan, Assistant Chief Chapman and Deborah Rhone will present a proposal for re-enactment at the December 4, 2013 meeting.

(1625) Variance Fees: Arthur Franklin and Sydné Ewell will review and make a report at the October 16, 2013 meeting.

(1915) Moving Code Requirements into Tennessee Rules To be left on the discussion list.

(2095) Realigning State Rules for Ease of Use by Installers and Owners:
This item was tabled.

- X. **(2310) RULE CASES & INTERPRETATIONS** There were no rule cases and interpretations.

- XI. **(2312) THE NEXT BOARD OF BOILER RULES MEETING** is scheduled for 9:00 a.m. (CT), Wednesday, October 16, 2013 at the Department of Labor & Workforce Development office building located at 220 French Landing Drive, Nashville, TN.

- XII. **ADJOURNMENT – (1315)** – Dr. Canonico made the motion to adjourn; Eugene Robinson seconded the motion and the Board voted their approval. The meeting was adjourned.