

FOR THE CASE OF  
Department of Labor & Workforce  
Development

TRANSCRIPT OF  
3RD Quarter Board of Boiler Rules Meeting  
September 9, 2015

*Stone & George*

COURT REPORTING

2020 Fieldstone Pkwy

Suite 900 - PMB 234

Franklin, TN 37069

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1. STATE OF TENNESSEE  
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
2. BOARD OF BOILER RULES
- 3.
- 4.
- 5.
- 6.
- 7.
8. QUARTERLY MEETING OF THE  
STATE OF TENNESSEE  
BOARD OF BOILER RULES  
September 9, 2015
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22. -----  
CASSANDRA M. BEILING, CCR, LCR# 371  
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2020 Fieldstone Parkway  
Suite 900 - PMB 234  
Franklin, Tennessee 37069  
615.221.1089
- 23.
- 24.
- 25.

1. APPEARANCES:
2. Brian R. Morelock, Chairman  
Owner-User Representative
- 3.
4. Eugene Robinson, Board Member  
Insurance Representative
- 5.
6. David W. Baughman, Board Member  
Owner/User Representative
- 7.
8. Dr. Glen E. Johnson, Ph.D., P.E., Board Member  
Mechanical Engineer Representative
- 9.
10. Sam Chapman, Chief Boiler Inspector
- 11.
12. Kim Y. Jefferson, Esq.  
Administrator, State of Tennessee
- 13.
14. Mark Finks  
Assistant Administrator-WRC, State of Tennessee
- 15.
16. Dan Bailey, Esq.  
Legal Counsel, State of Tennessee
- 17.
18. Carlene Bennett  
Board Secretary, State of Tennessee
- 19.
- 20.
- 21.
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- 25.

1. A G E N D A
2. I. Call to Order
3. II. Introductions and Announcements
4. III. Adoption of the Agenda
5. IV. Chief's Report
6. V. Old Business (none)
7. VI. New Business (none)
8. VII. Open Discussion Items
9. \* Reorganization of Rule 0800-03-03
10. \* 2016 TN Board Re-appointments for:  
>Brian Morelock - 6/30/16 expiration date.
11. TDLWD Appointment Application and current  
resume submitted to Boiler Unit 6/15/15
12. >Dr. Domenic Canonico - 6/30/16 expiration  
date
13. >Dr. Glen Johnson - 6/30/16 expiration date
14. \* Recommendations for Vacant Position of  
Representative of the Boilermakers or  
Practical Steam Operating Engineers. The  
Department and the Governor's Office  
requests that the board provide at least  
three (3) candidates to fill vacant board  
positions. Ed Vance recommended Robert  
(Bobby) Lunsford, Jr., and this has been  
sent to the Boiler Unit. Two more  
candidates are needed for consideration.
- 15.
- 16.
- 17.
- 18.
19. \* Fall Conference Update
- 20.
21. \* Boiler Operator Training and Certification  
Program
22. \* Status of Search for new Chief Inspector  
for Tennessee
- 23.
24. \* 2016 TN Board Meeting Dates-Will the TN  
Board officially move meetings to the 2nd  
Wednesday of each quarter?
- 25.

1. (Agenda continued)
2. VIII. Rule cases & interpretations - There are no  
rule cases and interpretations.
- 3.
4. IX. The next Board of Boiler Rules Meeting is  
scheduled for 9:00 a.m. (CT), Wednesday,  
December 9, 2015, at the Department of Labor  
& Workforce Development office building  
located at 220 French Landing Drive,  
Nashville, TN.
- 5.
6. X. Adjournment
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1.           \*\*\*\*\*

2.           CHAIRMAN MORELOCK: Good morning

3. and welcome to the Tennessee Board of Boiler Rules

4. meeting. We certainly want to welcome everybody.

5. And we do want to thank the boiler unit for the

6. refreshments at the back of the room, and we do

7. have agendas if you want to follow along.

8.           And as far as introduction and

9. announcements, I'll do a quick safety item. If

10. any event occurs, natural or emergency, if we have

11. an event like that today, just bear in mind that

12. we have security officers in the building that can

13. lead us to a safe location or lead us out to the

14. Rosa Parks side of the building if need be, and so

15. just to make you aware of where the exits are.

16. And so that's my safety item.

17.           Are there any other announcements

18. before we move to adopt the agenda?

19.           (No verbal response.)

20.           CHAIRMAN MORELOCK: All right. You

21. do have the agenda before you, and I do have one

22. correction and that is Item 10. Our next meeting

23. will be Wednesday, December the 16th, not December

24. the 9th. That's what the board members voted on

25. earlier this year.

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1.           And we do have an agenda item to talk

2. about, the 2016 meeting dates, which we will get

3. to later on in the agenda.

4.           I would like to add an agenda item as

5. well, and just to have a brief report on the

6. training that we participated in a couple of weeks

7. ago here in Nashville. So I would like to add

8. that to the agenda. It's really not a business

9. item, so I'll just add it to the Open Discussion

10. items.

11.           Are there any other additions or

12. corrections?

13.           MS. JEFFERSON: I'm sorry, I just

14. wanted to say on Number 4 it should be Chief's

15. Report.

16.           CHAIRMAN MORELOCK: Yes.

17.           MS. JEFFERSON: And, also, we'll

18. need to change Mr. Chapman's placard at some

19. point.

20.           CHAIRMAN MORELOCK: That is

21. correct.

22.           MS. BENNETT: I was going to let

23. him announce it first. I didn't want to spoil it.

24.           CHAIRMAN MORELOCK: So we will let

25. him announce that here in a minute.

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1.           MS. JEFFERSON: Okay.

2.           CHAIRMAN MORELOCK: Any other

3. changes to the agenda?

4.           (No verbal response.)

5.           CHAIRMAN MORELOCK: All right.

6. Hearing none, do I have a motion to accept the

7. agenda as modified?

8.           MR. JOHNSON: So moved.

9.           MR. ROBINSON: Second.

10.           CHAIRMAN MORELOCK: Thank you. All

11. in favor say "aye."

12.           (Affirmative response.)

13.           CHAIRMAN MORELOCK: Opposed?

14.           (No verbal response.)

15.           CHAIRMAN MORELOCK: Abstentions,

16. not voting?

17.           (No verbal response.)

18.           CHAIRMAN MORELOCK: We have an

19. agenda.

20.           All right. So moving along, we will

21. now go to Item 4 which is our Chief's report.

22.           MR. CHAPMAN: Thank you, Chairman.

23. Okay. Member -- well, I'm going to get to that

24. part later on about the chief.

25.           CHAIRMAN MORELOCK: Okay.

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1.           MR. CHAPMAN: Member inspections:

2. State inspector was 2,312, insurance inspection

3. was 8,595, giving us a total of 10,907.

4.           Delinquent inspections: State

5. inspector is 832, insurance and agency is 903,

6. giving us a total of 1,735 delinquent.

7.           The number of code violations was 31

8. found, 14 are uncorrected.

9.           The QC review performed, which was 3,

10. and the boiler variance inspections was 4.

11.           And this is covering the period from

12. April through June 2015.

13.           And as everybody said, the State of

14. Tennessee, now has a chief boiler inspector, which

15. is myself.

16.           CHAIRMAN MORELOCK: All right.

17.           MR. ROBINSON: Congratulations.

18.           CHAIRMAN MORELOCK: Congratulations.

19.           (Applause.)

20.           MR. CHAPMAN: And that is the

21. chief's report.

22.           CHAIRMAN MORELOCK: Any questions

23. for our new chief inspector?

24.           (No verbal response.)

25.           CHAIRMAN MORELOCK: Well, they're

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1. going to let you off easy today.  
2. MR. CHAPMAN: Thanks.  
3. CHAIRMAN MORELOCK: We'll let you  
4. slide one meeting, and then after that -- you're  
5. all fair game after that.  
6. Okay. Moving along to our next item,  
7. Old Business, we have no old business, which is  
8. Item 5.  
9. Item 6, New Business, we have none of  
10. that either. Carlene noted that she almost passed  
11. out that we didn't have any new business, so we're  
12. glad that she survived that.  
13. MS. BENNETT: Yes.  
14. CHAIRMAN MORELOCK: And so we're  
15. going on to Item 7, which is Open Discussion  
16. Items. And our first item is Reorganization of  
17. Rule 0800-03-03. And just to give you a little  
18. history on that, as you well know, we've been  
19. working on this for over a year now. The purpose  
20. of this is twofold. The primary reason for the  
21. reorganization is to help our users of the rule in  
22. the state of Tennessee to make it easier to find  
23. what they need, whether it be related to boilers  
24. or related to pressure vessels.  
25. If you read through the current

Page 10

1. rules, they're good, solid rules, but we've had  
2. occasions where users of boilers or pressure  
3. vessels has found sections that they felt were  
4. comprehensive on what they needed, only to read  
5. further and to find more information on the boiler  
6. pressure vessel requirements. And so we're trying  
7. to reorganize it so that it's easier to use and,  
8. also, more informative from the standpoint of we  
9. have a lot of definitions and requirements in  
10. these rules, and we have made an effort to  
11. reference the applicable ASME or National Board  
12. code rules so that our users understand where this  
13. comes from. We didn't just make it up. So that's  
14. our reasoning behind that.  
15. We've been working through the review  
16. comments, and so where we're at today is at our  
17. last meeting we addressed most of the remaining  
18. and outstanding review comments from the boiler  
19. unit as well as from board members and visitors in  
20. the room.  
21. And where we stopped at the June  
22. meeting was we tabled an item that Mr. Eugene  
23. Robinson was going to follow up on pertaining to  
24. instantaneous hot water heaters.  
25. And just for clarity, we are using

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1. the 11/10/2014 draft of the rules, and we are  
2. working from the review comments based upon that  
3. draft.  
4. So with all that said, just so the  
5. visitors understand, you're welcome to participate  
6. in the conversation. If you do want to  
7. participate in the conversation, since we are  
8. capturing everything, we want you to come forward  
9. and be able to speak so that the court reporter  
10. will be able to capture your comments as well. So  
11. that's what we've got the table set up here for.  
12. Come forward, introduce yourself, and make sure  
13. that you get your comments captured as well.  
14. So to address Mr. Robinson's comments  
15. concerning instantaneous hot-water heaters, I have  
16. received an email that I'll let Mr. Robinson speak  
17. to concerning that.  
18. MR. ROBINSON: The instantaneous  
19. hot-water heater has been around for a long period  
20. of time. And it was addressed by one of Chief  
21. Chapman's predecessors Marty Toth. And he had  
22. pointed out, in a memo, that instantaneous water  
23. heaters over 100,000 BTUs had to be registered  
24. with the State of Tennessee. Upon that, he  
25. published that note, but it was never documented

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1. in the rules or regulations that that was  
2. effective.  
3. During our review of the divisional  
4. rules, we decided that it would be a good idea to  
5. incorporate that particular requirement into our  
6. revision. Upon that, we made a statement that  
7. indicated in the definitions section of the rules  
8. that instantaneous heaters could be included as a  
9. means for heating and supplying potable water for  
10. commercial purposes.  
11. During our last meeting, it was  
12. discovered that in addition to having hot-water  
13. heaters with the designation of Section IV, HLW,  
14. there were also instantaneous heaters with an  
15. H stamp designating the operation of a boiler. I  
16. think that was brought up by Mr. Holt.  
17. Upon that, I did some research with  
18. several manufacturers to find out exactly what  
19. type of units possibly could be produced to the  
20. field. I discovered that there were H-stamped, in  
21. fact, units out there in the field, which, again,  
22. made the definition only exclusive for HLW  
23. hot-water heaters.  
24. In my review, I realized that we  
25. covered the hot-water heater section with the HLW,

|   |  |
|---|--|
| <p style="text-align: right;">Page 13</p> <p>1. but we also covered the H-stamped vessels further<br/> 2. in the manual or further in the rules that<br/> 3. designate the boilers as H-stamped. So my<br/> 4. suggestion is to leave the rule such as it is, as<br/> 5. documented, because it's already defined in prior<br/> 6. definitions, inside the rules.<br/> 7. CHAIRMAN MORELOCK: Okay. Very<br/> 8. good. Are there any questions or comments about<br/> 9. the current rules for instantaneous hot-water<br/> 10. heaters?<br/> 11. (No verbal response.)<br/> 12. CHAIRMAN MORELOCK: Okay. All<br/> 13. right. Moving on to the next comment that we need<br/> 14. to cover. I think that completes all of<br/> 15. Mr. Robinson's comments.<br/> 16. So going to the actual 11/14 draft,<br/> 17. the only items that I see remaining would be on<br/> 18. page 17 of that draft. And I know you guys<br/> 19. probably don't have a copy of it. And just for<br/> 20. information purposes, once we complete the<br/> 21. comments today, we're going to publish a draft so<br/> 22. that we can generate public review comments and<br/> 23. then try to possibly, if the board agrees, we'll<br/> 24. try to vote it in December. But I would like to<br/> 25. get a clean copy out to the boiler unit so that we</p>   | <p style="text-align: right;">Page 15</p> <p>1. experience" under these three options, being in<br/> 2. high-pressure boiler and pressure vessel<br/> 3. construction or repair, or as an operating<br/> 4. engineer in charge of high-pressure boiler<br/> 5. operation, or as an inspector of high-pressure<br/> 6. boilers and pressure boiler operation."<br/> 7. We had a comment, "Does that match<br/> 8. what's in the NBIC?" So I did some searching. I<br/> 9. searched NB-369 and I researched several NBIC<br/> 10. documents. And those documents, certainly, with<br/> 11. the latest edition of the requirements for<br/> 12. commission inspectors, this certainly does mirror<br/> 13. what's in there, what the NBIC has has got more<br/> 14. detail to it. So, again, I think we could just<br/> 15. reference those documents in the rules so that if<br/> 16. someone has a question, they can go out and<br/> 17. actually read those documents to see what all<br/> 18. those requirements are.<br/> 19. But I think these requirements<br/> 20. certainly support what's in the National Board<br/> 21. documents. So is there any questions, concerns,<br/> 22. or comments about the education requirements?<br/> 23. Everybody good with that?<br/> 24. (No verbal response.)<br/> 25. CHAIRMAN MORELOCK: So we will add</p> |
| <p style="text-align: right;">Page 14</p> <p>1. can at least publish it on the state website to<br/> 2. accept public review comments that would be<br/> 3. addressed at the December meeting. That's kind of<br/> 4. our proposed plan. We've not voted that,<br/> 5. obviously, yet. But that's kind of where we're<br/> 6. heading with this.<br/> 7. On page 17, it discusses the<br/> 8. Examination for Certificate of Competency. And<br/> 9. basically, that's just a nice way of saying your<br/> 10. commission, your national board commission and<br/> 11. your state commission. And one of the comments<br/> 12. that we had was we make statements in there that<br/> 13. the applicant shall have education and experience<br/> 14. equal to at least one of the following, one being,<br/> 15. "A degree from an accredited school in mechanical<br/> 16. engineering plus one year of experience in design,<br/> 17. construction, operation, or inspection of high-<br/> 18. pressure boilers and pressure vessels."<br/> 19. Two would be, "A degree from an<br/> 20. accredited school in a branch of engineering other<br/> 21. than mechanical engineering or an associate degree<br/> 22. in mechanical technology, plus two years of<br/> 23. experience."<br/> 24. Three would be, "A high school<br/> 25. education, or the equivalent, plus four years of</p> | <p style="text-align: right;">Page 16</p> <p>1. those references and I'll make note of that, to<br/> 2. add the NBIC references or National Board<br/> 3. references.<br/> 4. Moving on, our next comments covers<br/> 5. several pages but it actually begins on page 23<br/> 6. and extends through --<br/> 7. MR. JOHNSON: I just have one<br/> 8. question.<br/> 9. CHAIRMAN MORELOCK: Okay.<br/> 10. MR. JOHNSON: Maybe you addressed<br/> 11. this -- oh, I see how it's taken care of. In the<br/> 12. high school case, I saw that in the box it said<br/> 13. experience, but then below it gives specific<br/> 14. experience.<br/> 15. CHAIRMAN MORELOCK: Yes. Okay.<br/> 16. Are you okay with that?<br/> 17. MR. JOHNSON: Yes. I just thought<br/> 18. that since we had been clear on what type of thing<br/> 19. constituted acceptable experience on the others<br/> 20. that we should do it here as well. And it appears<br/> 21. that we've done a better job here. So I'm<br/> 22. certainly happy.<br/> 23. CHAIRMAN MORELOCK: Yes. Okay.<br/> 24. Very good. Very good.<br/> 25. The Rule 0800-03-03, for as long as I</p>   |

1. can remember has included a very simple equation  
2. for calculation of maximum allowable working  
3. pressure for nonstandard pressure vessels,  
4. nonstandard boilers, and historic boilers. And  
5. the equation is listed. The nomenclature is  
6. defined, and it also gives a table of allowable  
7. design margin or safety factor. And Dr. Canonico  
8. had some questions about that.

9. And so to answer that, let me gather  
10. my notes here so that I can speak to those.  
11. Dr. Canonico had recommended for nonstandard  
12. boilers and nonstandard pressure vessels that we  
13. move away from the simple equation that we have  
14. and that we should actually reference an  
15. applicable cylindrical shell calculation either  
16. from Section I or Section VIII, Division I,  
17. whether it be for a boiler or for a pressure  
18. vessel.

19. And so in doing so, on page 23, under  
20. Item 3, Maximum Allowable Working Pressure for  
21. Nonstandard Boilers, the equation would be struck  
22. out, the nomenclature would be struck out, and  
23. then subparagraph (a) would read, "The maximum  
24. allowable working pressure of a nonstandard boiler  
25. shall be determined in accordance with ASME

1. Section I, PG-27."

2. And so what that does is that would  
3. require someone with a nonstandard boiler to go to  
4. the ASME code and use the ASME code equation to  
5. calculate that MAWP, which is the acronym for  
6. maximum allowable working pressure.

7. MR. ROBINSON: Mr. Chairman, that  
8. would apply also to pressure vessels under  
9. Section VIII?

10. CHAIRMAN MORELOCK: It would. And  
11. the reference for that would be Section VIII,  
12. Division 1, UG-27. And so that shows up on  
13. page -- think it's -- well, I'll just flip to it.  
14. That will show up on page --

15. MR. ROBINSON: I saw it. It's in  
16. there.

17. CHAIRMAN MORELOCK: -- 33. And so  
18. that would be the same case for a nonstandard  
19. pressure vessel as well.

20. MR. ROBINSON: Mr. Chairman, just  
21. asking the question that's out there, if it's  
22. nonstandard, chances are something did not meet  
23. the requirements of other sections of ASME, such  
24. as, for example, Section II, which would make it  
25. impossible to meet the criteria for doing a

1. calculation.

2. CHAIRMAN MORELOCK: Well, and  
3. that's why I want to have the discussion, because  
4. that is the obvious point. It's nonstandard,  
5. which means if it was standard, it would meet ASME  
6. code. However, the counter-argument to that would  
7. be when you look up our definition for a State  
8. Special, which is a boiler or a pressure vessel  
9. that was not built to ASME code.

10. What we typically require to get a  
11. State Special approved is that it's evaluated per  
12. the ASME code so that the code used to designed  
13. that boiler or pressure vessel meets or exceeds  
14. ASME code anyway, correct?

15. MR. ROBINSON: I agree. So in  
16. other words, objectively, if we -- I just don't  
17. want to tell someone that they can use a number  
18. for allowable stress that hasn't been evaluated by  
19. the board.

20. CHAIRMAN MORELOCK: I agree. I  
21. agree. So if you use an allowable stress value  
22. from the code, we would be comfortable with that.

23. MR. ROBINSON: Exactly. But the  
24. only way to assure that that happens is that the  
25. request is made for a State Special.

1. CHAIRMAN MORELOCK: Well --

2. MR. ROBINSON: -- or a variance.

3. CHAIRMAN MORELOCK: Well, the other  
4. piece of that discussion, though, would be if it's  
5. a pressure vessel built prior to July 1, 1955,  
6. it's grandfathered.

7. MR. ROBINSON: Absolutely.

8. CHAIRMAN MORELOCK: Or if it's a  
9. boiler that was built before July 1, 1949, that  
10. would be grandfathered as well.

11. MR. ROBINSON: Agreed.

12. CHAIRMAN MORELOCK: So it's not  
13. just the State Special. It's the grandfathered  
14. vessels as well.

15. MR. ROBINSON: Okay.

16. CHAIRMAN MORELOCK: Would you agree  
17. with that --

18. MR. ROBINSON: I would concede with  
19. that.

20. CHAIRMAN MORELOCK: -- Chief  
21. Chapman?

22. MR. CHAPMAN: Yes, I would.

23. CHAIRMAN MORELOCK: So what we need  
24. to walk away here with is the thing I like about  
25. the equation that's in the rules today is that the

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1. user who's evaluating that nonstandard boiler or  
2. that nonstandard pressure vessel can use the rules  
3. because it lists factor of safety. It actually  
4. lists some allowable stresses that you are bound  
5. to use. And if we change to the code rules, I'm  
6. not opposed to that, but it's going to force the  
7. user to have to find a copy of the ASME code,  
8. whether it be Section I for a boiler or  
9. Section VIII for pressure vessels, and as Eugene  
10. has so noted, they would also have to have a copy  
11. of Section II to obtain those allowable stresses.  
12.       And that's why I want to have the  
13. discussion today, to see what is preferred.  
14. Because it's Dr. Canonico's comment and I've sent  
15. him my comments just so he would have them, as I  
16. did all the board members, so we would be ready to  
17. have this discussion today but --  
18.       MR. ROBINSON: I'm willing to  
19. acknowledge agreement with the formula, but I take  
20. exception to how they would achieve those stress  
21. factors based on material not shown in the  
22. approving sections.  
23.       CHAIRMAN MORELOCK: Okay.  
24.       MR. ROBINSON: If I could somehow  
25. have a mechanism to at least assure that the

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1. materials selected or used either would meet or  
2. exceed those formula numbers.  
3.       CHAIRMAN MORELOCK: Well, and what  
4. we have -- for the sake of conversation, what we  
5. have published in the rules today are very, very  
6. conservative yield strength values. For example,  
7. carbon steel, a 516-70 carbon steel has a yield of  
8. 70,000 psi.  
9.       What we list -- if you're going to do  
10. a carbon steel material in the rules today, you're  
11. limited to 55,000, so your -- not only do you  
12. apply a factor of safety of 5, you're also taking  
13. a big hit on the maximum level of yield stress you  
14. can use. So you're actually doubling up on the  
15. design margin.  
16.       And so when you compare that to the  
17. current code -- which ASME Section VIII, Division  
18. 1 is 3.5, boilers are still 3.5 to 4 -- what's in  
19. the rules is still conservative.  
20.       MR. ROBINSON: Yes, sir. Agreed.  
21.       CHAIRMAN MORELOCK: And so that's  
22. what we need to come to grips with, is we don't  
23. want to put a user in the state of Tennessee under  
24. an unreasonable circumstance to have to go seek  
25. out code books. But at the same time, I think the

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1. board would agree and understand, as would the  
2. boiler unit, that if somebody has got a  
3. nonstandard pressure vessel or a boiler in a  
4. surplus lot or in a vacant building or wherever it  
5. may be, and now they want to put this pressure  
6. retaining item back into service, I think you're  
7. going to want someone with credentials to not only  
8. inspect it and test it with thickness readings and  
9. pressure tests and all that, but you would  
10. probably want to go to someone to be able to  
11. provide a calculation showing that the vessel is  
12. safe. So from that perspective, I'm okay with  
13. imposing the ASME requirements for what we just  
14. discussed, because if it's a State Special, we're  
15. going to impose it anyway.  
16.       MR. ROBINSON: Absolutely.  
17.       CHAIRMAN MORELOCK: And that is a  
18. recognized and accepted engineering practice, you  
19. know, nationally. So what do y'all think? I  
20. mean, I'm just -- what's your preference?  
21.       MR. BAUGHMAN: If a boiler has been  
22. out of commission but has been commissioned  
23. previously or has come in and not been  
24. commissioned in the state, when does that apply to  
25. start doing those calculations? In other words,

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1. if a boiler has been laid up and out of service  
2. for "X" amount of time, do we have a criteria on  
3. when that formula gets applied?  
4.       CHAIRMAN MORELOCK: Well, I mean,  
5. if it's exceeded the inspection requirements for  
6. the State of Tennessee, which for a boiler would  
7. be if it's not -- if it's been laid up for more  
8. than a year with no inspection report, then it's  
9. going to have to be inspected, correct?  
10.       MR. CHAPMAN: That's right.  
11.       MR. BAUGHMAN: Oh, yeah. Well, and  
12. I just didn't know if it had to go through the  
13. calcs, is what I was getting at.  
14.       MR. JOHNSON: In the past, when  
15. this subject has come up, what I recall is that  
16. it's primarily been these historical boilers where  
17. people are doing little steam engines and things  
18. like that at the farm shows and on model railroads  
19. and stuff like that. And for those kinds of  
20. applications, I like having the bigger safety  
21. factor.  
22.       CHAIRMAN MORELOCK: Well, and it's  
23. funny you say that because if you go to page 37,  
24. it specifically speaks to the historic boilers,  
25. and they -- Dr. Canonico has just said let's leave



1. the equation that we have today. Leave the table.  
 2. Leave everything. So for that particular example,  
 3. we're going to stay with what we've got.  
 4. MR. JOHNSON: Well, that's where  
 5. I've seen this calculation used. Are there cases  
 6. that we can point to where in Tennessee Specials  
 7. or things that weren't standard that had to get a  
 8. variance or where this other approach has been  
 9. used?  
 10. CHAIRMAN MORELOCK: Well, I mean,  
 11. with our State Specials, we always go back to the  
 12. code.  
 13. MR. JOHNSON: Right. That's what  
 14. I --  
 15. CHAIRMAN MORELOCK: And then I  
 16. think we've had --  
 17. MR. JOHNSON: So I'm just having  
 18. trouble coming to grips of when this would come  
 19. into play except with those historical --  
 20. CHAIRMAN MORELOCK: Well, an  
 21. example from Eastman would be, you know, the  
 22. Kingsport site has been around for almost a  
 23. hundred years.  
 24. MR. JOHNSON: I remember.  
 25. CHAIRMAN MORELOCK: And so we may

1. have pressure vessels in a surplus lay-down yard  
 2. or something that we've preserved and now we want  
 3. to put it back into service. And so what we do at  
 4. Eastman is what we're proposing here, is that the  
 5. vessel is inspected, UT thickness readings,  
 6. x-rays. You know, nonrestrictive examination  
 7. would be PT, whatever is done. Then it's sent  
 8. over to the group that I work in to basically  
 9. build a model of that vessel and compress, do a  
 10. full ASME analysis of it to calculate them, and  
 11. thicknesses, and all of that to make sure that the  
 12. vessel is safe before we put it back into  
 13. operation.  
 14. But we realize that not everybody is  
 15. going to be able to do that. So what is  
 16. reasonable, you know, for a small facility in  
 17. Tennessee, that -- well, let's say somebody buys a  
 18. business and they've got some surplus pressure  
 19. vessels back there and they would like to put them  
 20. back into service.  
 21. MR. JOHNSON: Certainly we  
 22. shouldn't be providing a path by which someone  
 23. could put something that wasn't safe on line. And  
 24. so the rules that apply to establishing safety for  
 25. something that is on the normal path shouldn't be

1. more rigorous than those that would be on this  
 2. alternate path.  
 3. CHAIRMAN MORELOCK: I agree. So  
 4. considering we do that for our State Specials  
 5. and -- I think the code method is --  
 6. MR. ROBINSON: Acceptable.  
 7. CHAIRMAN MORELOCK: It's very  
 8. acceptable. But again, you know, we're also  
 9. intentionally trying to provide code rule  
 10. references to these users so that they won't be in  
 11. the dark, they won't read this online and go,  
 12. "Well, how do I get there?"  
 13. "Well, you need to go to ASME," or  
 14. "You need to go the National Board." And then  
 15. hopefully that will give them the guidance that  
 16. they need to put that pressure equipment back into  
 17. service. So I think that's where we're at with  
 18. that.  
 19. What do you-all think?  
 20. MS. RHONE: Mr. Chairman, I think  
 21. that's great because also, too, you know, when we  
 22. do historical boilers, we have specific state  
 23. inspectors that are trained to do the inspection  
 24. on those as well as if there's companies that's  
 25. going to bring a boiler back into service. State

1. inspectors, again, you know, could perform those  
 2. inspections.  
 3. CHAIRMAN MORELOCK: Okay.  
 4. MR. HOLT: When you say  
 5. "nonstandard," do you mean not stamped, no stamp  
 6. on anything?  
 7. CHAIRMAN MORELOCK: Yes. It could  
 8. very well be nonstamped.  
 9. MR. HOLT: Okay.  
 10. CHAIRMAN MORELOCK: But it could be  
 11. so -- if it was built prior to Tennessee law, that  
 12. would also be -- the slang term is  
 13. "grandfathered," but really it's a nonstandard.  
 14. Because some of those were like an ASME, slash,  
 15. API or an HSB back long ago. So those would fall  
 16. into that category as well so that we try to  
 17. encompass all of that type of equipment.  
 18. MR. HOLT: So we're talking about  
 19. old vessels that were manufactured before those  
 20. times.  
 21. CHAIRMAN MORELOCK: Yeah, because  
 22. really anything that was -- anything that's built  
 23. nonstandard after incorporation of the law is a  
 24. State Special. That's correct. Most of this  
 25. equipment is going to be very old or a historical

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1. boiler.

2. MR. HOLT: Okay. I got you.

3. CHAIRMAN MORELOCK: Because if it

4. was something built under the requirements of the

5. current Tennessee rule and law and it doesn't have

6. an ASME mark on it, it has to be a State Special.

7. MR. HOLT: Right.

8. CHAIRMAN MORELOCK: So yeah, this

9. is old equipment. And that's why you see tables

10. for riveted joint efficiencies and things like

11. that in our rules. It's because it's very old

12. equipment.

13. MR. ROBINSON: And I'm going to

14. just add this, Mr. Chairman. I did overlook it.

15. I didn't see it. Tensile strength, when the

16. strength of steel or wrought iron shell plate is

17. not known, it should be taken, and it gives you a

18. standard calculation number that you can plug into

19. that formula to complete that computation, which

20. is where I wanted to -- I wanted to have that in

21. there so I would know where we were headed. So go

22. ahead.

23. CHAIRMAN MORELOCK: Okay. So I

24. guess what I'm hearing is that we're in agreement

25. that it would be good for the nonstandard boilers

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1. and the nonstandard pressure vessels to use the

2. ASME equations. And then for the historical

3. boilers, we'll leave the original equation that's

4. still in there. Is that what I'm hearing?

5. Everybody in agreement with that?

6. MR. ROBINSON: Yes.

7. CHAIRMAN MORELOCK: Okay.

8. MR. BAUGHMAN: And this is just

9. strictly for those three categories. This

10. isn't --

11. CHAIRMAN MORELOCK: Yes.

12. MR. BAUGHMAN: -- covering any

13. other types of used vessels.

14. CHAIRMAN MORELOCK: No.

15. MR. BAUGHMAN: Okay.

16. CHAIRMAN MORELOCK: It's just for

17. these categories.

18. Now, the only thing I wanted to point

19. out, too, is when you look at -- I did put some

20. math equations in the agenda, so don't pass out or

21. anything. But I did take the Section I equation

22. for a cylindrical shell and I did take the

23. Section VIII, Division 1 equation for a

24. cylindrical shell. For a Section I, that would be

25. like a steam drum or something like that, and for

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1. a Section VIII, Division 1, that would be the

2. shell of a pressure vessel. And the equations

3. initially, they look different, because the

4. Section I equation has a constant in there -- or a

5. available in there called "Y." And that's a

6. temperature correction constant. It takes you to

7. a table. And when you look at that table for all

8. the materials of construction and for most of the

9. temperature ranges, that "Y" factor is going to be

10. 0.4. And if you plug that into the Section I

11. equation and then run that calculation out, you're

12. going to see that that equation then matches the

13. Section VIII, Division 1 equation for most

14. materials.

15. So those equations are basically the

16. same. So it's not like you're doing something

17. different from Section I than you are for a

18. Section VIII, Division 1. So I just put that in

19. there for information so that we would understand

20. that. There are some high-temperature boiler

21. applications and certain materials that that

22. factor would change a little bit, but you're going

23. to pretty much get the same answer for MAWP. So I

24. just put that in there for information, so that

25. people wouldn't say, "Well, these are two

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1. different equations," and they're really not.

2. Okay. Any other comments about -- so

3. what we'll do in the draft that we'll publish,

4. we're going to reference the code for nonstandard

5. boilers and nonstandard pressure vessels, and

6. we'll take out the equation that we see today.

7. For historic boilers, we will leave that intact.

8. And all that is per Dr. Canonico's comment. And

9. so I'm basically agreeing with his comment. And I

10. think we are agreeing with his comment. All

11. right.

12. MR. ROBINSON: Do you want us to

13. vote on it?

14. CHAIRMAN MORELOCK: Well, this is a

15. discussion item, so it's not a voted item. So

16. what we'll do is we'll publish this as a clean

17. draft, and that's what we'll end up voting.

18. MR. ROBINSON: Okay. Very well.

19. CHAIRMAN MORELOCK: We've already

20. discussed the altitude gauges and thermometers.

21. We discussed that at the June meeting. And I

22. think on page 37, where we do have the nonstandard

23. historic boiler list, I think -- when we put this

24. final draft together, I'll make sure that we leave

25. these joint efficiencies for rivetted joints and

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1. things, we'll just -- we'll move all that  
2. information over to the equation in the historic  
3. boiler section.  
4.       And believe it or not, I think that  
5. might -- I think we're done with the --  
6.       MR. BAUGHMAN: There's one more  
7. item within the codes that I just wanted to bring  
8. up for discussion that we run into quite a bit.  
9.       CHAIRMAN MORELOCK: Okay.  
10.       MR. BAUGHMAN: It's on page 21,  
11. Item Number 10, Flue Connection. We run into this  
12. a lot in the field, as I've talked with a lot of  
13. inspectors concerning this. And it states, "The  
14. flue connection to each gas-fired boiler" -- it  
15. should be just "each fuel-fired boiler" -- but  
16. "each gas-fired boiler should be equipped with a  
17. vent or flue which shall terminate at any  
18. acceptable location outside the building. The  
19. size of the vent or flue shall be recommended by  
20. the boiler manufacturer." Not only the size of  
21. the vent or flue, but the type of the vent or  
22. flue.  
23.       What we're running into is that a  
24. four-strap boiler that creates a positive pressure  
25. in the stack has to have a positive pressure-type

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1. of stack called a Type A. And what we find is a  
2. lot of contractors put in Type B vent. And so  
3. just changing the wording to where it would say,  
4. "The size of the vent or flue and type of material  
5. shall be that recommended by the boiler  
6. manufacturer." And the boiler manufacturers have  
7. specific requirements, so that puts it upon the  
8. contractor, then, to go back to the manufacturer,  
9. get the manufacturer's requirements on the vent.  
10. But as it is now, we've got a lot of vent issues  
11. out in the field, being an improperly vented  
12. boiler.  
13.       CHAIRMAN MORELOCK: Okay. So on  
14. page 21, Item 10 for flue connection, the second  
15. sentence will be revised to say, "The size of the  
16. vent or flue and type of material shall be that  
17. recommended by the boiler manufacturer."  
18.       MR. BAUGHMAN: Yes.  
19.       CHAIRMAN MORELOCK: All right.  
20.       MR. BAUGHMAN: And also, instead of  
21. "each gas-fired boiler," this also pertains to  
22. fuel-fired. It's not just gas-fired. But it's --  
23.       CHAIRMAN MORELOCK: So you want to  
24. change "gas" to "fuel"?  
25.       MR. BAUGHMAN: Well, I'd put "each

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1. fuel-fired boiler," since an electric, of course,  
2. doesn't have the stack on it. But I would put  
3. "each fuel-fired boiler."  
4.       CHAIRMAN MORELOCK: Okay. All  
5. right. That's been noted as well.  
6.       MR. BAUGHMAN: Thank you.  
7.       CHAIRMAN MORELOCK: Okay. Are  
8. there any other comments on this 11/10/2014 draft?  
9.       (No verbal response.)  
10.       CHAIRMAN MORELOCK: I think we've  
11. addressed everyone's comments, and so the next  
12. step would be to take this, clean it up, issue a  
13. clean copy at least 45 days prior to the December  
14. meeting, and allow the boiler unit to publish it  
15. to the state website to let the public know that  
16. this is a draft proposal, we'll take public review  
17. comments, and then in the December meeting, we can  
18. vote this item.  
19.       So is that agreeable, or is there  
20. something else we need to do?  
21.       MS. JEFFERSON: Yes. I think that  
22. we can do that. Dan and I were just discussing  
23. just the process that we're going to take to get  
24. it done.  
25.       CHAIRMAN MORELOCK: Okay.

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1.       MS. JEFFERSON: But I think that we  
2. can get that done. And we'll just be in touch  
3. with you, as the Chair.  
4.       CHAIRMAN MORELOCK: Okay. That  
5. will be fine. All right.  
6.       If there are no other comments, we  
7. will move on to the next discussion item. Our  
8. next item is Tennessee Board Reappointments. And  
9. we have three that will be coming due in June of  
10. 2016, and that will be myself, Dr. Canonico, and  
11. Dr. Johnson. And so we'll talk about this in our  
12. report about the training.  
13.       But the training we received a couple  
14. of weeks ago was very informative. This process  
15. was discussed as well, and so we need to be  
16. proactive in making sure that we've got our  
17. paperwork turned in preferably six months prior to  
18. the expiration date. So certainly by the end of  
19. this year, we need to have all of the  
20. documentation submitted for these reappointments  
21. along with recommendations for -- the  
22. reappointments also have to have three, as well,  
23. correct?  
24.       MS. JEFFERSON: No, not the  
25. reappointments. Only the new, the vacant.

1. CHAIRMAN MORELOCK: Only the new,  
 2. okay. So reappointments, we just need to get our  
 3. paperwork in by the end of the year to the  
 4. governor's office so that they can be putting that  
 5. together. And so that's the three that we have  
 6. for that.  
 7. Any questions or comments about those  
 8. reappointments?  
 9. (No verbal response.)  
 10. CHAIRMAN MORELOCK: Okay. Our next  
 11. item is Recommendations for Vacant Position that  
 12. we have on the board for the Representative of the  
 13. Boilermakers or Practical Steam Operating  
 14. Engineers.  
 15. When Mr. Vance retired and resigned  
 16. from the board, he did provide the board with a  
 17. recommendation of Mr. Robert Lunsford, Jr. And  
 18. that has been submitted through the boiler unit up  
 19. through the Tennessee Department of Labor and  
 20. Workforce Development. But we need two more  
 21. candidates because the appointment process needs  
 22. three candidates, so that needs to come from us.  
 23. And if we don't have those, then we can go and  
 24. work through the boiler unit and through the  
 25. Tennessee Department of Labor to get those names.

1. And, again, that was also a part of  
 2. our training that was very beneficial to know  
 3. that. So if you have names, we can get those to  
 4. Kim and to get them to Sam, and we'll start  
 5. getting those names processed, so ...  
 6. Yes, sir?  
 7. MR. JOHNSON: Is there ever, like,  
 8. a call for an applicants type of approach, or is  
 9. it likely that three would be easily found? I  
 10. know for some of these positions, it's difficult  
 11. to find three candidates or even one candidate.  
 12. CHAIRMAN MORELOCK: Yes.  
 13. MR. JOHNSON: And so if they  
 14. require three, is there some public notice that  
 15. would be in the media that would be more readily  
 16. seen by the public than, say, an announcement for  
 17. the board meeting? Has that approach ever been  
 18. used?  
 19. MS. DOWER: I'm unaware of them  
 20. ever doing a public notice for that. Mainly, it's  
 21. the boards or somebody within the Department  
 22. that's always brought us an application, a resume  
 23. for someone.  
 24. MR. JOHNSON: I know the first time  
 25. that I was appointed they were struggling to find

1. someone for the position that I hold now.  
 2. CHAIRMAN MORELOCK: Yes.  
 3. MR. JOHNSON: And I worked through  
 4. my contacts to try to find people who would be  
 5. willing, because it's not a treat to participate.  
 6. It's a volunteer activity that you give something  
 7. of yourself to do. And it was difficult to find  
 8. anyone. And I finally told Martin and a fellow  
 9. who was the high muckity-muck at the time -- I  
 10. don't remember his name -- but I finally told them  
 11. that I would be willing to be considered.  
 12. I think I was probably the only  
 13. person in the whole state of Tennessee who had the  
 14. requirement -- had the background that was  
 15. required by this position that was actually  
 16. willing to put his name in the pot. But I didn't  
 17. do it at first. At first I searched high and low,  
 18. looking for an alternative. So it may be hard to  
 19. find three, is my point.  
 20. CHAIRMAN MORELOCK: It is. It is.  
 21. And you're exactly right. Because I worked with  
 22. the previous administrator and it was very  
 23. difficult. And it is a volunteer position. And  
 24. so when you go to a university with tight budgets  
 25. anyway and say, "Oh, by the way, we want one of

1. your professors to be able to attend these board  
 2. meetings quarterly, and, by the way, there's no  
 3. stipend for that. There's no -- you know, it's a  
 4. volunteer position." And a lot of them are, like,  
 5. "Well," you know, "we're not going to give up the  
 6. labor hours to allow him or her to do that." And  
 7. so you are correct.  
 8. But at the same time, I think, you  
 9. know, especially -- you know, Alex and I will talk  
 10. about this a little bit more, but I think the  
 11. training that we had a couple of weeks ago, I  
 12. think we need to help the State of Tennessee  
 13. understand what all of these boards do. And I  
 14. think we've seen it within this board, especially  
 15. when we have companies that come before the board  
 16. for a variance, for instance. They mistakenly  
 17. have the mindset that we're just going to  
 18. rubber-stamp something, all we're doing is just  
 19. stamping "approved" on a piece of paper. So when  
 20. we ask them technical questions that actually kind  
 21. of take them back, they didn't realize that we  
 22. actually read all that stuff and that we actually  
 23. understand what they're wanting to do, and we're  
 24. asking questions about public safety and ASME code  
 25. National Board requirements.

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1. I know some of these representatives  
2. have come to us after the meeting and just said  
3. that they were really impressed with the ability  
4. that these boards have to keep people safe in the  
5. state of Tennessee. So the governor's office and  
6. the Tennessee Department of Labor and the boiler  
7. unit, there's neat things coming down the pike to  
8. publicize what these boards do to help educate  
9. people, the importance of them and what we do.  
10. You know, it's just not a trip to Nashville. So  
11. that's going to help.

12. And so, you know, we do want people  
13. who are willing to volunteer their time to give  
14. back to the state and help their employers or  
15. whoever sponsors them to realize what they're  
16. getting in return for that. You know, it really  
17. looks good for whoever sponsors that, whether it  
18. be an employer or a university or whatever. It's  
19. a feather in their cap for their willingness to  
20. give back to the state of Tennessee in that  
21. manner, so it's kind of on us to make that happen.

22. MS. JEFFERSON: And I would just  
23. like to say that we really appreciate you-all for  
24. what you do, because we realize that,  
25. unfortunately, the State is unable to provide any

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1. stipends or anything like that. So we're really  
2. appreciative of the time that you-all provide,  
3. especially answering the questions with your  
4. expertise. Because if we didn't have you-all,  
5. then we wouldn't be able to handle some of the  
6. tough issues that come through the Department.

7. And as far as the finding the  
8. qualified folks, yes, we do understand that.  
9. Because even with some of the positions that we  
10. have, it's been really difficult to fill those  
11. positions. And we all saw that even with our  
12. chief's position. So we're just happy to have a  
13. chief here. We're happy to have a board here  
14. where we have actually all the members of the  
15. board. Because it's been really difficult. On  
16. some boards we don't have all our members.

17. So we're really, you know, honored to  
18. have you-all here. And so I don't want you to  
19. think that we take that for granted. I just  
20. wanted to speak up on that point.

21. And if we're unable to find a  
22. qualified person, then that's when the governor's  
23. office will step in. Jann and Melinda, they'll  
24. step in and they'll let them know that we're  
25. unable to find that person, and they'll do

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1. whatever it is that they do in order for us to  
2. find someone for the board.

3. MR. BAUGHMAN: This may be a  
4. question for Dan. And I wanted to bring it up in  
5. the training a couple of weeks ago. But with the  
6. decisions that we bring to the table and that we  
7. vote on and what have you, does the board hold any  
8. kind of liability themselves in any of those  
9. decisions?

10. MR. BAILEY: Are you talking about  
11. individual liability?

12. MR. BAUGHMAN: I would be willing  
13. to discuss any liability, individual or as a  
14. whole.

15. MR. BAILEY: I think individually,  
16. no. But, now, there is a Tennessee Claims  
17. Commission that anybody who feels they've been  
18. harmed by some action or omission the State can  
19. bring a claim to the Tennessee Claims Commission  
20. that I don't think this board would be immune from  
21. that, as a board. But I don't think as  
22. individuals.

23. And if something of that nature were  
24. to happen, they would have to prove it's something  
25. that this board either did or didn't do that

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1. caused, you know, an explosion and caused injury,  
2. and it was a State action. And I would imagine  
3. the Attorney General's Office would defend the  
4. board before the Claims Commission. But that's  
5. the only type of action I could foresee possibly  
6. coming from something that this board did or did  
7. not do.

8. MR. BAUGHMAN: Well, I just  
9. wondered that, and I appreciate you conversing  
10. about that since we're probably one of the most  
11. important boards that the State has as part of the  
12. public safety, and we're probably one of the  
13. boards that so few of people know what we really  
14. do and the charge that we've got. But on the flip  
15. side of that, we're integral with this process.  
16. And I just -- I had never asked that before and it  
17. just kind of came to my mind to bring it up.

18. MR. BAILEY: I understand.

19. MR. JOHNSON: Following along with  
20. that, as a state employee, these issues are  
21. important to me, too. And my sense is that if we  
22. were to act outside of our training or if we were  
23. to act in negligence or if we were to act in  
24. conflict of interest, that under those  
25. circumstances, we would probably have individual

1. liability. Is that a misinterpretation?  
 2. MR. BAILEY: I couldn't rule that  
 3. out, especially if it was a conflict of interest  
 4. situation.  
 5. MR. JOHNSON: Yeah, those three  
 6. things are the ones that we're warned about in --  
 7. MR. BAILEY: But negligence, they  
 8. would have to be -- I mean, you-all act as a board  
 9. when you take action. So it would have to be a  
 10. negligent act of the whole board. And then,  
 11. again, I think that would only be proper to take  
 12. before the Tennessee Claims Commission.  
 13. MR. BAUGHMAN: Thank you.  
 14. MR. BAILEY: Sure.  
 15. CHAIRMAN MORELOCK: Any other  
 16. comments? I mean, it's -- well, I'll talk about  
 17. that in a minute when we go over the training.  
 18. But anyway that was very good.  
 19. Okay. So where we stand today is we  
 20. have -- Mr. Lunsford is the only recommendation  
 21. that we have from this board for that vacant  
 22. position for a Representative of the Boilermakers  
 23. or Practical Steam Operating Engineers. And we  
 24. will take it upon ourselves to try to come up with  
 25. two more names, but we'll get that to you as soon

1. as we can. And certainly, in December, we'll --  
 2. we'll leave this on the discussion item one more  
 3. round. I think that should be sufficient. And if  
 4. we don't have anything by the December meeting,  
 5. then we'll put the ball back in your-all's court.  
 6. And we'll make an effort to try to come up with  
 7. some more names between now and then.  
 8. MS. JEFFERSON: Okay. Thank you.  
 9. CHAIRMAN MORELOCK: Okay. The next  
 10. discussion item is the Fall Conference Update.  
 11. MS. RHONE: I made a few notes,  
 12. items to discuss now or in the near future  
 13. regarding the conference.  
 14. We, again, did receive permission  
 15. from the commissioner and our administrator to  
 16. host a 2016 fall conference. We need to select  
 17. conference dates, of course, and a suggested  
 18. location. And we had originally talked about  
 19. having it in the Nashville area. We have had a  
 20. few challenges with trying to book hotels in the  
 21. Nashville area, so another growing city that's  
 22. close to Nashville is Murfreesboro. So we could  
 23. consider having the conference there in  
 24. Murfreesboro.  
 25. There's a large number of hotels in

1. Murfreesboro that could accommodate us. I've got  
 2. some suggestions. We also have just been made  
 3. aware of that there's a Fleming Training Center  
 4. that's in Murfreesboro that is very nice, as well.  
 5. So that would be another option that we could --  
 6. we talked with a gentleman there and they're very  
 7. open and receptive to hosting conferences there.  
 8. They have an auditorium that actually  
 9. will seat 500 people. So, of course, it would be  
 10. large enough, as well as even, like, the Embassy  
 11. Suites Hilton that has a nice meeting area and  
 12. everything, too. So that would be a suggestion.  
 13. And we have not contacted any of the hotels, but  
 14. of course we would look for State rates.  
 15. And as well as with the conference,  
 16. we need to discuss funding, how or what entity  
 17. will be actually handling the funding. We need to  
 18. form a conference committee to suggest how much  
 19. the registration will be, and we probably need to  
 20. do research, as far as what we want to include in  
 21. the registration, if we want -- like, in the past,  
 22. we've included with the registration a banquet,  
 23. we've include the cost of a shirt, things of that  
 24. nature. So with that fee, we want to make sure  
 25. that we cover that as well.

1. We need to discuss how we're going to  
 2. market, if we're going to be sending out fliers,  
 3. where we can include fliers in our mailings of  
 4. invoices and certificates. We could also post on  
 5. our website. Our board members, they can put out  
 6. materials at their locations.  
 7. We need to have the discussion about  
 8. cosponsors, sponsors. And in the past, we've had  
 9. sponsor boards. And I just brought a copy. When  
 10. we had our cosponsors before, we had a board like  
 11. this (indicating). And if we want to have, you  
 12. know, multiple companies sponsoring one event, we  
 13. could do something like this. Or if we wanted to  
 14. have just one, we could do something as well.  
 15. We definitely want to talk about the  
 16. presenters. We want to make sure that we get  
 17. national and state representatives. We want to  
 18. contact all of our 13 insurance companies, making  
 19. certain that they not only send their managers,  
 20. but, you know, we would like the actual special  
 21. inspectors to attend as well.  
 22. We're needing -- in the past, too, we  
 23. were fortunate enough to get sponsors to donate  
 24. bags, and we could see if we could solicit things  
 25. to go inside the bags. When we form this

1. committee, you know, we'll do subcommittees as to  
2. who's responsible.

3. Brian had mentioned earlier that this  
4. was the time of year that we needed to target  
5. specific companies, so we need to draft a letter  
6. announcing, so that way they can put it in their  
7. budget. And I would think that once we decide on  
8. the cost, that would probably be one of the first  
9. things that we need to do, is definitely see the  
10. cosponsors or the sponsors that would be involved  
11. with the training.

12. And I think we're looking -- we've  
13. received -- often, the inspectors are wanting to  
14. know when we're going to have this. So I think  
15. with us being able to do this in 2016 will be  
16. really great.

17. CHAIRMAN MORELOCK: That's a very  
18. good report.

19. MR. ROBINSON: Very good. Very  
20. nice.

21. MR. BAUGHMAN: Will this be opened  
22. up -- and I take it that it will -- but this is  
23. also looking over, inviting not only specific  
24. companies and the inspectors, but this is looking  
25. to be opened up across the board?

1. MS. RHONE: Exactly.

2. MR. JOHNSON: When we did this  
3. before, we used to have a lot of people come from  
4. adjacent states --

5. MS. RHONE: We did.

6. MR. JOHNSON: -- when they had a  
7. requirement for a training, and this served that  
8. purpose.

9. MS. RHONE: Exactly.

10. MR. JOHNSON: The other thing I  
11. remember, you-all did a wonderful job. They were  
12. very nice. But I remember -- something in the  
13. back of my mind is poking me about this issue with  
14. the sponsors, because it seemed like we got into a  
15. situation where someone thought that by having  
16. sponsors that that potentially created a conflict  
17. of interest because the sponsors were providing a  
18. service and the sponsors were also coming to us  
19. for approvals of things. And so that's something  
20. that probably -- I'm sure you remember this better  
21. than I do.

22. MS. RHONE: Right.

23. MR. JOHNSON: But that was just one  
24. of the things. But they were very nice  
25. conferences, very well done and you-all deserve

1. kudos for that. And it must be about nine years  
2. or so since we did the last one, I would think.

3. MS. RHONE: The last one we did was  
4. here in Nashville. But yes, it's been several  
5. years since we --

6. MR. JOHNSON: But it definitely  
7. served a purpose. It served a need.

8. MS. RHONE: Exactly. And as said,  
9. a lot of the insurance company inspectors, they do  
10. require that training. And this definitely,  
11. instead of the companies having to send them to  
12. Columbus or wherever, it was -- some of that  
13. was -- it's much needed.

14. MR. JOHNSON: Yes.

15. MS. RHONE: And not to mention the  
16. networking.

17. We just had a big discussion last  
18. week, there's new inspectors that's actually  
19. coming into the state and we're trying to give  
20. them their area inspector's name and phone number  
21. and want them to form that bond, do that  
22. networking with one another. Because I know in  
23. the past, and especially in East and West  
24. Tennessee, once a month, the inspectors would get  
25. together and they would discuss what routes they

1. needed to take or who was responsible for add/drop  
2. of insurance coverage and things of that nature.

3. MR. JOHNSON: Early on the  
4. networking opportunities were really quite good.  
5. And then as this issue of people sponsoring things  
6. came up, it became less effective. So there's  
7. balance, I guess, required.

8. MS. RHONE: Yes.

9. CHAIRMAN MORELOCK: And I would  
10. confirm with the national board, touch base with  
11. them to see, one, if they would be willing to come  
12. and be a presenter, obviously. Two would be what  
13. they present, would that count towards continuing  
14. education for the inspectors? And so since it's  
15. early in the game, let's clarify that to make sure  
16. that they're comfortable. Because we wouldn't  
17. want someone to come to the conference and then  
18. realize that that wasn't counting toward their  
19. continuing education. So I would confirm that  
20. with the National Board.

21. And you're exactly right,  
22. Dr. Johnson. I mean, we had a lot of neighboring  
23. chiefs that would come and bring their inspectors  
24. as well. It's a really good thing to do. So I'm  
25. glad we're pursuing doing this. It's going to be

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1. very good. And the sooner we know about what  
2. levels of sponsorship that you want to seek, you  
3. know, like, the last time I remember, you know,  
4. you may have a company or companies sponsor a  
5. breakfast one morning, or they would sponsor  
6. refreshments in the afternoon, or they would  
7. sponsor --  
8. MS. RHONE: The reception.  
9. CHAIRMAN MORELOCK: -- the bags, or  
10. they would sponsor, you know, things like that.  
11. So that would be excellent. That would be very,  
12. very good.  
13. MR. BAUGHMAN: I would -- and you  
14. may already do this, but I would poll the  
15. inspectors as to what type of training they're  
16. interested in, what are they needing to be fed.  
17. And then the second thing, Deborah, is the  
18. possibility of reinstating what was the Doug  
19. Phippen memorial, back in that day.  
20. MS. RHONE: Yes.  
21. MR. BAUGHMAN: And that was just  
22. something special, for one, to honor such a good  
23. human being that we got to work with. But just  
24. knowing that this is what we do, but it's not  
25. what's most important in our lives. And to be

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1. able to have that opportunity of passing that  
2. along. So that's just my own ...  
3. MS. RHONE: Yeah. And we also used  
4. to present, like, a safety award to a company.  
5. And so that's something else that we can certainly  
6. talk about including as well.  
7. CHAIRMAN MORELOCK: Okay. Any  
8. other comments.  
9. MR. ROBINSON: Your pool of  
10. committee members, have you selected where you're  
11. going to pool it from or any ideas of -- how are  
12. you going to approach that?  
13. MS. RHONE: No. What we've done  
14. before is we just opened up to anyone that we know  
15. wanted to participate and wanted to be a member of  
16. the committee.  
17. MR. ROBINSON: To the insurance  
18. companies or internally or --  
19. MS. RHONE: Exactly.  
20. MR. ROBINSON: Which --  
21. MS. RHONE: Both. We had both. We  
22. had representation from both. Because, again, we  
23. need to discuss, as far as forming subcommittees,  
24. as who is going to be responsible. So actually,  
25. you know, if we have a representation, then we can

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1. say, okay, you're responsible for shirts. She's  
2. always done such a great job with getting the  
3. shirts. Or you're responsible for contacting --  
4. because I know I worked with one agency that --  
5. the military, they were very excited to give us  
6. their bags.  
7. So, you know, it may be even so much  
8. as, okay, "You're going to go out and you're going  
9. to solicit items to go into the goody bags," or  
10. "You'll be responsible for making certain that all  
11. of the sponsors or cosponsors receive all of the  
12. pertinent information," as well as, you know, we  
13. need to decide that, okay, if a person is going to  
14. bring their spouse and they'll probably pay for  
15. the banquet dinner meal, or if they decide that  
16. they want to attend the reception, there may be a  
17. smaller fee. You know, just things of that  
18. nature, we'll need to break down and discuss how  
19. we want to handle it.  
20. MR. ROBINSON: Okay.  
21. CHAIRMAN MORELOCK: Okay.  
22. MS. RHONE: And yes, the conference  
23. committee is the beginning. Forming that  
24. committee is the beginning.  
25. CHAIRMAN MORELOCK: So, Deborah,

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1. are there any action items that we need to be  
2. aware of that need to be in place by the December  
3. board meeting so we can have some accountability  
4. to make sure we get that done?  
5. MS. RHONE: We need to first  
6. establish a date.  
7. CHAIRMAN MORELOCK: Okay.  
8. MS. RHONE: We need to, of course,  
9. form the committee. We need to decide on the  
10. cost, and then we need to send out those letters  
11. asking for sponsorship or cosponsorship.  
12. CHAIRMAN MORELOCK: Okay.  
13. MS. RHONE: And we do have a list  
14. of the companies that we, you know, used in the  
15. past. And then a lot of the insurance companies,  
16. too. They've always been very helpful in  
17. assisting, so, you know, we can make that contact  
18. as well.  
19. MR. BAUGHMAN: You had mentioned  
20. location earlier, so that's part of that. That  
21. Julian Fleming Training Center there in  
22. Murfreesboro, I know it was backflow preventer  
23. water training, but is it a state facility itself?  
24. MS. RHONE: It is.  
25. MR. BAUGHMAN: Super.



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1. MS. RHONE: It is a state facility.  
2. MR. BAUGHMAN: Okay. All right.  
3. MS. RHONE: Yes. And they are very  
4. receptive to us coming there. You know, we took a  
5. trip up there when we were trying to find an  
6. office space for Tim and some of the elevator  
7. inspectors and had a grand tour of the place.  
8. It's really nice and there's a place that I saw in  
9. there that I said, "Oh, yeah, I see Dave Baughman  
10. with his presentation there and his hands-on --  
11. MR. BAUGHMAN: Yeah, I've done some  
12. training there before.  
13. MS. RHONE: Yes, it's great.  
14. MR. BAUGHMAN: The water treatment  
15. plant is there, so the aroma at times gets a  
16. little funky, but that's probably the only  
17. downside.  
18. MS. RHONE: And parking was great.  
19. There was plenty of parking space.  
20. MR. BAUGHMAN: But that may affect  
21. the cost, too, on what they -- you know, versus an  
22. Embassy Suites. And so, anyway, it sounds good.  
23. MS. RHONE: And, you know, if --  
24. the thing about it, too, is if we decide to host  
25. it in the Embassy Suites and they're going to comp

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1. us the rooms and stuff like that, that's  
2. different.  
3. MR. BAUGHMAN: True.  
4. MS. RHONE: But if there's a  
5. charge, then, you know, we may have to consider  
6. something different.  
7. MR. BAUGHMAN: Right.  
8. CHAIRMAN MORELOCK: Okay.  
9. MR. BAUGHMAN: Good work.  
10. CHAIRMAN MORELOCK: Very good  
11. report. Thank you.  
12. MR. ROBINSON: Good job. Good  
13. presentation.  
14. CHAIRMAN MORELOCK: Okay. Our next  
15. topic for discussion is Boiler Operator Training  
16. and Certification Program.  
17. MR. BAUGHMAN: Big topic, carrying  
18. on, as it will continue to carry on until we mold  
19. this out. But in particular, some interesting  
20. things going on. One of them to address was  
21. Shelby County, in the state of Tennessee, actually  
22. has a boiler operator certification program that  
23. was a motion, was brought before their Council to  
24. remove this requirement. And the reason for  
25. wanting to remove the requirement was because the

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1. state of Tennessee has no training, no operator  
2. requirement whatsoever.  
3. And so they voted on it early this  
4. week, and it was voted down. Through education of  
5. the council members, none of them had any idea  
6. about how important boilers were, what kind of  
7. power they brought to the table, that actually  
8. steam boilers have more expansive power than TNT.  
9. And once they were educated on the  
10. need for training, let alone certification, they  
11. dismissed the proposal. And so I've been keeping  
12. up with it through a gentleman over there, and  
13. that was just kind of some interesting goings-ons,  
14. was the whole reason it was even brought to the  
15. table was because the rest of the state of  
16. Tennessee does not have it. So this just carries  
17. on that we need to be heading this in the right  
18. direction.  
19. And so in my conversations with other  
20. companies, a lot of support for it. Some of them  
21. have been before the board here previously. And  
22. industry supports it whether or not we have a  
23. training program in the state of Tennessee. Other  
24. entities require it regardless. Manufacturing  
25. mandates that training be performed within the

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1. operation of the boilers. So a lot of the support  
2. on the industrial side.  
3. And once I got to researching this  
4. out, I got to looking at the incident reports that  
5. the national board, since 1995, has been putting  
6. together. And the two leading causes of accidents  
7. each year are the same. It doesn't matter if it's  
8. '95s, 2000s, or 2015s. It's the same category  
9. each and every year. Low-water cutoff failures,  
10. operator error, slash, poor maintenance. Same two  
11. categories. So in thinking about this, we've got  
12. to present this in a way that -- to me, if those  
13. are the two leading causes of incidents, we need  
14. to focus, maybe not putting all of the meat and  
15. potatoes together initially on the front end, but  
16. looking at how can we train personnel on doing a  
17. positive check of the low-water cutoff.  
18. And, also, one of the things that we  
19. don't have a requirement on is a boiler log sheet.  
20. The boiler log sheet is mandated if we've got a  
21. boiler variance in place, but it's not mandated  
22. under the 20-minute rule. You've got to prove  
23. that the boiler is being checked every 20 minutes.  
24. And, of course, a log sheet can be fudged, but the  
25. log sheet is the only accountability for that

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1. liability on operating the boiler, and we don't  
2. mandate that.  
3.           So part of the thought on this is  
4. having boiler operators have a log sheet, which a  
5. log sheet can be developed internally or  
6. virtually, specifically for that boiler, but it  
7. doesn't bring any cost to the State of Tennessee,  
8. and then having some kind of proficiency of making  
9. sure that that individual knows how to blow the  
10. boiler down and how to check the low-water cutoff.  
11.           And that's actually already being  
12. done, because our inspectors are doing inspections  
13. each year. High-pressure boilers, it's once a  
14. year. They're doing an internal and external.  
15. Low-pressure boilers, once every two years:  
16. Internal, one year; external the next. But at  
17. that point in time, during the external  
18. inspection, the operation and the safety checks  
19. are supposed to be made by the inspector on that  
20. boiler as it is. It's at that time that the  
21. operator should be able to prove proficiency on  
22. checking the low-water cutoff and so forth.  
23.           So those are just foods for thought  
24. because what we wanted to do is to be able to have  
25. something in place that may not be a certified

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1. operator, as such, but we wanted to have something  
2. that attended to, for one, the number one failure,  
3. and that's low-water cutoffs. And if we can  
4. attend to that just through a simple proficiency  
5. training and attend to it through log sheets, I  
6. think we'll be way ahead of the game. But that's  
7. just a food for thought right there. So I wanted  
8. to bring to the table what Shelby County's  
9. thoughts were and then what some of my own were on  
10. that, so ...  
11.           CHAIRMAN MORELOCK: Okay.  
12.           MR. BAUGHMAN: I would like to hear  
13. input from others in the field.  
14.           Richard, you've got some pretty big  
15. boilers, and the inspectors are in and out of the  
16. rooms every day and see what goes on.  
17.           MR. ENG: Yeah, we're complying  
18. with current 20-minute rule with the log sheet, as  
19. you mentioned, and we're going to start the  
20. operation probably late September.  
21.           MR. BAUGHMAN: Training of  
22. personnel?  
23.           MR. ENG: We have two types.  
24. Classroom training by the vender/supplier and then  
25. on-the-job training, equipment-specific for what

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1. we have. That's the two types of training that we  
2. have currently. I'm not sure we have a  
3. certificate to be issued or not. Someone else can  
4. say that when they come up next time for the  
5. variance.  
6.           MR. HOLT: I have a comment. Just  
7. recently, within the last few months, I've had two  
8. low-water cutoffs, especially in dry cleaners.  
9. Which I get spooked when I go into dry cleaners.  
10.           Low-water cutoff absolutely failed.  
11. It did not shut off. And so I shut the boiler off  
12. and said, "Have you checked this?"  
13.           "Oh, yeah, yeah. I've checked it."  
14. What are you going to do? You can't walk out of  
15. there and leave it, because the next safety you  
16. have is the secondary. And if it fails, you've  
17. got the relief valve and that's it. And if they  
18. fail, the building gets moved. So yeah, the  
19. low-water cutoff is a problem in some areas like  
20. the mom-and-pop thing where they just kind of turn  
21. it on and then turn it off.  
22.           MR. BAUGHMAN: I think what we see,  
23. Tim, is we see a finite number of boilers within a  
24. regional area. And the number of boilers that we  
25. find that have equalizing lines plugged up -- and,

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1. I mean, we've got the devices at the shop that  
2. we've brought to the training before to show the  
3. equalizing lines plug, the water bowls and the  
4. column plug, and all these different things. But  
5. what gets me is that I know what we see in this  
6. small area, and you extrapolate that out across  
7. the state and then across the country, and it lets  
8. you know what the enormity of the problem is.  
9.           And this time of year coming up, it  
10. will be on the news at some point in time,  
11. especially if it's catastrophic, because this is  
12. the beginning of the heating season. So it starts  
13. up in New England and then it'll move on down.  
14. But we'll start seeing the incident reports that  
15. get filed back through the NB and you get --  
16. reading it, low-water cutoff failures, operator  
17. error failures, and it relates back to that  
18. training and operation.  
19.           The thing that we've got to figure  
20. out is how can we bring this forth to address this  
21. and not pose an economic burden back to not only  
22. the customers but back to the State also. And I  
23. think that we can figure that out by getting some  
24. very simplistic things, especially if we address  
25. that number one issue, being low waters.

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1. MR. HOLT: Well, the low water is  
2. checked once a year. On the internal, of course,  
3. it's not checked. It's physically examined. But  
4. my other concern is all the boilers that are out  
5. there that have not been registered nor have they  
6. intended to be registered that are operating, you  
7. know.  
8. The ones that are registered are  
9. checked by the inspector if not checked by the  
10. owner. And still we find that.  
11. MR. BAUGHMAN: Well, we just had  
12. one just a few weeks ago, a company asked us to  
13. come get the boiler started up. And so the first  
14. thing we asked for is, "Has the boiler got current  
15. registration?"  
16. He said, "Well, no. You know, a guy  
17. came down from New York and put the boiler in,"  
18. and so I called up the office and no, it hadn't  
19. been registered. And I said, "Well, we can't  
20. touch the boiler until you go through this whole  
21. process." And it was a second-hand boiler to  
22. boot.  
23. Well, that's not the only one that --  
24. that's commonplace for what we encounter in this  
25. industry. And we've all got a great relationship

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1. to be able to have these communications, and it  
2. doesn't always thrill the customer when I get Sam  
3. involved on stuff.  
4. MR. HOLT: But the other thing is  
5. that when we run into that, you and I and we all  
6. know how dangerous these can be and the potential  
7. for loss of life. The owner is not aware of that.  
8. MR. BAUGHMAN: Clueless.  
9. MR. HOLT: And that's, I think, the  
10. problem, because, "Well, they just put it in and  
11. I'm using it."  
12. "Well, you're not using it until we  
13. register it. Okay?" But then sometimes you spend  
14. an hour explaining to them how, you know, people  
15. can get hurt, die, and whatever, and then they  
16. either take it seriously or they don't. But it's  
17. there regardless. Nature is nature, you know,  
18. so ...  
19. MR. BAUGHMAN: You're right. Well,  
20. now, how do you educate the public? And, you  
21. know, we're involved in that to some degree, but  
22. we see a very small number of people that come  
23. through. And one of the things that bothers me  
24. is, in particular, the schools, where you've got,  
25. typically, either hot-water boilers or low-

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1. pressure steam boilers. But the person that's in  
2. charge of taking care of the boilers is the same  
3. guy that's waxing the floors and taking care of  
4. the lockers and the rest of the things. He's the  
5. custodian. And he's little trained, if any, and  
6. he has such a high responsibility. And, of  
7. course, when something happens, he's the one that  
8. they point the finger at.  
9. And the schools are so tightly  
10. budgeted, some of these districts can't even run  
11. their buses for the whole year. And it's just  
12. kind of ironic that schools are there to train and  
13. educate, but training and education of their own  
14. personnel is not a high factor. And most of the  
15. time, the maintenance budgets are one of the  
16. easiest ones and first ones to get cut back on.  
17. So we get this compounding of  
18. economics dictate the amount of monies that go  
19. back in towards training. And there again, we're  
20. operating a piece of equipment that has an  
21. incredible potential energy.  
22. MR. HOLT: Well, with schools, what  
23. I do is -- it's kind of the -- the only thing you  
24. can do that doesn't cost anything, if you get the  
25. janitor that's in charge of checking stuff, if

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1. anything, I tell him -- show him where the relief  
2. valves are. I say, "Every time you think about  
3. it, pop that off. Just go by and do it because  
4. you can't do it too many times," because it's  
5. working, you know. And if they don't know  
6. anything else ...  
7. MR. BAUGHMAN: Well, and there  
8. again, most boilers melt; they don't blow up. And  
9. that was the other part about the NB report was  
10. that by far and large, you have more accidents and  
11. injuries with the low-water cutoffs than what you  
12. do with the pressure vessels.  
13. On the flip side of that, what the NB  
14. report does not give is the most deaths and  
15. injuries attributed on pressure vessels are carbon  
16. monoxide. And we don't even address that.  
17. MR. JOHNSON: That's your flue  
18. issue.  
19. MR. BAUGHMAN: That's part of the  
20. flue issue. Flues get rid of the products and  
21. combustion, but they don't cause the products and  
22. combustion. They're getting rid of it. So ASME  
23. CSD-I said the burner should be tuned.  
24. MR. JOHNSON: It's just not right.  
25. MR. BAUGHMAN: It doesn't say it

1. shall be tuned, but it should be tuned. And so  
2. there's no mechanism for making sure that the  
3. burner, which is where the carbon monoxide is  
4. produced, the fuel/air imbalance there, and then  
5. you compound that with an improper flue that  
6. mitigates the carbon monoxide out of the room, and  
7. that's where you have these incidences at.

8. MR. JOHNSON: But a bad flue often  
9. is the reason that the carbon monoxide is produced  
10. in the first place.

11. MR. BAUGHMAN: Well, no, it's not  
12. the -- the flue doesn't produce --

13. MR. JOHNSON: Yes. The bad flue is  
14. the reason why it is produced in the first place  
15. because there is no longer excess air allowing  
16. the --

17. MR. BAUGHMAN: No. The flue just  
18. gets rid of the products at combustion.

19. MR. JOHNSON: I teach this subject,  
20. and I won't argue about it further, but these are  
21. not -- that's not just a separate issue. It is  
22. part of the issue.

23. MR. BAUGHMAN: Well, on a  
24. four-strap boiler, we don't even have the chimney  
25. effect. The burner is pushing the product's

1. combustion through the boiler and forcing them  
2. through the stack. And so an atmospheric boiler  
3. has a negative pressure in the stack, and a  
4. four-strap boiler has a positive pressure.

5. So at any rate, yeah, the flue comes  
6. into an integral part of the whole proposition,  
7. but these items aren't even really addressed. We  
8. bounced it off just briefly, addressing that flue  
9. connection and the type and materials, but still  
10. addressing back, since CO isn't part of our codes  
11. presently, is addressing that low-water cutoff  
12. issue to any degree that we can.

13. MR. ROBINSON: Let me ask this  
14. question. We had some literature that was passed  
15. out amongst the board members, and it talked about  
16. historic boilers and the log. Right now, CSD-1  
17. we've adopted. The State of Tennessee adopts  
18. CSD-1. CSD-1 says -- it makes a recommendation to  
19. have a boiler log. Okay? Rather than to burden  
20. the entire state with the certification program,  
21. would it not be prudent to push a boiler log that  
22. it gives you something to rely on that, "Hey, you  
23. will have to learn how to do operational checks  
24. periodically, and you have to have objective  
25. evidence of performing that inspection," as

1. opposed to -- and perhaps maybe it would be -- and  
2. again, I'm not really sure how the State feels  
3. about it because we make a mention of it. CSD-1  
4. does say it.

5. And as you said before, I re-point  
6. out just -- I'm just going to read this excerpt  
7. from CSD-1. It's in the forward. And it says,  
8. "Major causes of accidents to automatically-fired  
9. boilers are a lack of proper controls, safety  
10. devices, lack of adequate maintenance, and  
11. properly trained operators and failure to test  
12. controls and safety devices and complacency  
13. because the boiler has been running trouble free  
14. for a long period of time."

15. So as an inspector -- let me tell  
16. you, as an inspector, I'll go into a business and  
17. I'll say, "Show me a test. Test something." And,  
18. you know, sometimes I'll run into the little, old  
19. lady who I must explain to her, "Okay, I want you  
20. to hit that switch and bring it down and let the  
21. boiler blow steam." And I'll say, "It's supposed  
22. to cut off in about five seconds," and show her a  
23. level.

24. So I'm giving her training at the  
25. same time, but she doesn't know it. If she had a

1. log and we enforce it, it would be something to  
2. write on. So that's just a suggestion.

3. MR. BAUGHMAN: Well, and you've got  
4. to be able to prove that there's no negligence of  
5. attendance or maintenance of the boiler.

6. MR. ROBINSON: With that document,  
7. that would --

8. MR. BAUGHMAN: That's right. And  
9. so --

10. MR. ROBINSON: Objective evidence.

11. MR. BAUGHMAN: -- there's two  
12. things that legal will be coming forth, "What type  
13. of training have your personnel had and do you  
14. keep a log sheet?" And if it's, "Well, Bob, he  
15. worked here for years, and he showed us this and  
16. he pretty well knew what he was doing," that's  
17. okay. But unless you've got some accountability  
18. for the liability of operating the boiler, you  
19. don't have anything really to bring to the table,  
20. and a simple log sheet does that.

21. And gosh, all kinds of stuff are  
22. logged in the industry, so I don't think it's too  
23. far-fetched to make this part of the direction  
24. that we're looking to go in.

25. CHAIRMAN MORELOCK: Tim?

1. MR. HOLT: When I was in  
 2. California, MPS required that the concession area  
 3. that we worked at, that you had a log sheet  
 4. that -- they were low-pressure boilers, but any  
 5. time that the low-water cutoff was tested, it had  
 6. pass/fail and your initial and the date, and the  
 7. person who did it. Just the log. And you go in  
 8. there -- what they did there is once a day on a  
 9. low-pressure boiler was to check the low-water  
 10. cutoff and then do the blowdown, or whatever is  
 11. required there, and put their name, the date, and  
 12. pass or fail, completed. And that's all they  
 13. wrote in there. And it was just a log. Day after  
 14. day after day of just records.  
 15. I don't know how binding that is but  
 16. least it's a record. So if we did a 20-minute  
 17. rule or whatever, whoever did a check on them, if  
 18. they just -- I know you can't require them, but if  
 19. there was a record there of when it was done, who  
 20. did it, and what time, at least it's a record.  
 21. MR. ROBINSON: And the identifier  
 22. was if the boiler is clogged.  
 23. MR. HOLT: Pardon me?  
 24. MR. ROBINSON: The identifier -- if  
 25. you've got someone who is not blowing it down, not

1. doing that positive check, you're going to see  
 2. debris.  
 3. MR. HOLT: Yeah.  
 4. MR. ROBINSON: You're going to see  
 5. it.  
 6. MR. HOLT: Oh, yeah, I know. I  
 7. mean, when you do that, you --  
 8. MR. ROBINSON: It's tell-tale.  
 9. MR. BAUGHMAN: Well, positive check  
 10. is what you just mentioned.  
 11. MR. ROBINSON: I said both.  
 12. MR. BAUGHMAN: Yeah. Because we  
 13. had a surgical hospital earlier in the year, the  
 14. guy was blowing the boiler down every year. He  
 15. would open the valves, but he never did a positive  
 16. check, low-water cutoff, and the blowdown piping  
 17. was plugged up.  
 18. MR. ROBINSON: Right.  
 19. MR. BAUGHMAN: And so eventually,  
 20. his low-water cutoff plugged up and fortunately  
 21. the boiler wouldn't operate properly. And he  
 22. said, "Man, I open these valves every day."  
 23. And I said, "Did you ever check?"  
 24. He said, "No, never checked it."  
 25. MR. ROBINSON: Yes, both.

1. CHAIRMAN MORELOCK: Well, so moving  
 2. forward, we would need to -- what I'm trying to  
 3. think of -- and, Dan, we would need your help, is  
 4. since we're in the middle of working on  
 5. Rule 0800-03-03, we could add requirements since  
 6. we're already in the rulemaking process anyway.  
 7. Would adding -- and, of course, I'm not saying  
 8. that we would have this ready by December, but if  
 9. we want to add requirements for two things, boiler  
 10. operator certification and training, and then also  
 11. adding a log sheet requirement, can we simply add  
 12. that to the Rule 0800-03-03, or would it have to  
 13. go into 68-122 into the law. Because I know that  
 14. would be a legislative action to get that done.  
 15. So where do we put it if we want to pursue it?  
 16. MR. BAILEY: I think the statute  
 17. probably authorizes the board to come up with  
 18. rules regarding training and certifications --  
 19. CHAIRMAN MORELOCK: It does. It  
 20. does.  
 21. MR. BAILEY: -- and stuff like  
 22. that, so I think you can just put it in the rules.  
 23. CHAIRMAN MORELOCK: Okay.  
 24. MR. BAILEY: I don't think it takes  
 25. a legislative action to do it.

1. CHAIRMAN MORELOCK: Okay. That  
 2. would be easier for us to do. An so the staging  
 3. of that, probably go ahead and get the  
 4. reorganization done, but we could add it to the  
 5. rules later when you're ready, when you get your  
 6. proposal --  
 7. MR. BAUGHMAN: Drafted up.  
 8. CHAIRMAN MORELOCK: -- ready, get  
 9. it drafted up. We could also add the log to the  
 10. rules as well, I would think, under boilers. And  
 11. then you could actually add it there and then you  
 12. could also add words to where when the inspector  
 13. visits, that he would review that log sheet.  
 14. MR. BAILEY: Mr. Robinson was  
 15. talking we had already -- we've adopted --  
 16. MR. ROBINSON: We have logs -- we  
 17. have a requirement for logs inside 0800 already  
 18. for historical boilers and also for variances.  
 19. CHAIRMAN MORELOCK: Right.  
 20. MR. BAILEY: And so it's only  
 21. historical and variance.  
 22. MR. ROBINSON: Yes.  
 23. MR. BAILEY: So this would apply to  
 24. all.  
 25. MR. ROBINSON: Right. The

1. exception is we don't impose it on the other ones.  
 2. MR. BAILEY: Okay. I understand.  
 3. CHAIRMAN MORELOCK: Because we  
 4. don't have words to make it happen.  
 5. MR. ROBINSON: Right.  
 6. MR. BAILEY: I got you.  
 7. MR. BAUGHMAN: Super.  
 8. CHAIRMAN MORELOCK: Okay.  
 9. MR. ROBINSON: How do you feel  
 10. about low pressure as opposed to both, high  
 11. pressure and low?  
 12. MR. BAUGHMAN: They both need to be  
 13. checked. It's the -- one of the things with it is  
 14. that I got to talking about was the frequency, you  
 15. know, what's the frequency of checking? Do you  
 16. check it once a year? Do you check it once a  
 17. week?  
 18. The basis is that however often it's  
 19. checked, it needs to be checked on a consistent  
 20. basis. You can't be inconsistent in your checks.  
 21. Low-water boilers or low-pressure  
 22. steam boilers predominantly are heating boilers.  
 23. So certain --  
 24. MR. ROBINSON: So restrictive to  
 25. low-pressure steam heating boilers.

1. MR. BAUGHMAN: Well, no, because  
 2. we've got process low-pressure in the marketplace,  
 3. also plating plants, all different kinds of  
 4. facilities, breweries, distilleries and so forth  
 5. that operate year around.  
 6. What I was getting at was the heating  
 7. boilers only operate during the heating season, so  
 8. how often do they check it during the time of  
 9. operation? And so you differentiate the heating  
 10. boilers, and then you also have process boilers  
 11. that operate year around. And so somewhere along  
 12. the way, we've got to come up with --  
 13. MR. ROBINSON: Clarity.  
 14. MR. BAUGHMAN: Right.  
 15. MR. ROBINSON: Thank you. That's  
 16. it. That's what I was going at.  
 17. MR. BAUGHMAN: Yeah. And then  
 18. you've got the hot-water boilers, too, and  
 19. hot-water boilers are a whole different animal.  
 20. They've got a low-water cutoff on them.  
 21. MR. ROBINSON: Right.  
 22. MR. BAUGHMAN: And they do meet, if  
 23. they're above 400,000 BTUs, they've got to meet  
 24. CSD-1, and so we've got that issue also to  
 25. consider. There's a lot of complexities in it,

1. but I don't think it's going to be outside of what  
 2. we can do, by any means, in a timely manner,  
 3. so ...  
 4. MR. ROBINSON: Very well.  
 5. CHAIRMAN MORELOCK: Okay. And just  
 6. to kind of put this together to a scope that we  
 7. can move forward with, does the State of Tennessee  
 8. want to issue boiler operators licenses?  
 9. MS. JEFFERSON: That's something  
 10. that would be in the form of a recommendation,  
 11. because that's something that we would want to --  
 12. well, I would want to speak with the commissioner  
 13. about, what direction he wants to take.  
 14. CHAIRMAN MORELOCK: Okay. And  
 15. would that be a significant cost to have to  
 16. maintain those? And the reason I'm asking is  
 17. because in Rule 0800-03-03, based on what Dan has  
 18. told me, we can write rules in there to it, if  
 19. nothing else, that when an inspector goes in and  
 20. does his boiler inspection, we could put a  
 21. requirement in there that the owner/user of that  
 22. boiler shall have training records for all their  
 23. operators to ASME or whatever we say, National  
 24. Board, ASME or National Board, however we want to  
 25. word that. So that would accomplish the safety

1. part of it, that that's going to require the  
 2. owner/user of that to maintain trained operators.  
 3. They may not be licensed, but they would have  
 4. trained operators and they would have records  
 5. proving that.  
 6. And so, you know, if the State were  
 7. to issue licenses, you could establish a fee  
 8. schedule that would cover the cost of maintaining  
 9. staff and records, and, you know, all of that to  
 10. have those licenses. But I think we could  
 11. accomplish it -- I think we could accomplish it --  
 12. I need input from everybody else to see what they  
 13. would prefer. If you were going to issue  
 14. licenses, then it would be interesting to see what  
 15. everybody else is doing so that if you had a  
 16. boiler operator that leaves one company and goes  
 17. to another state and works for another company,  
 18. there would be some reciprocity of that licensure  
 19. and all of that. So that might blow up into  
 20. something more than what you want to pursue. I  
 21. don't know.  
 22. MS. JEFFERSON: It could. Because  
 23. what I'm learning with all these different  
 24. programs is that in order to do that type of  
 25. thing, you have to have computer software in order

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1. to produce these licenses and certificates and  
2. permits. And money, you know, goes into getting  
3. that on the front end.  
4. It's one thing to -- you know, for  
5. folks to pay the monies, and the monies come  
6. later.  
7. CHAIRMAN MORELOCK: Right.  
8. MS. JEFFERSON: But we need the  
9. money on the front end.  
10. CHAIRMAN MORELOCK: Right.  
11. MS. JEFFERSON: So, you know, in  
12. looking at that and looking at some of the other  
13. programs, that's something definitely to take into  
14. consideration.  
15. What I did like about the  
16. conversation is when the folks with the inspection  
17. background talked about educating the public  
18. anyway, because that's what we do in addition to  
19. issuing these permits, certificates, or whatever  
20. we do. We have labor standards in which we issue  
21. penalties. In addition to doing that, all the  
22. folks in the field educate the public anyway.  
23. They are supposed to tell them. If they don't  
24. have what the law requires, if they're not  
25. compliant, then they're supposed to educate

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1. anyway.  
2. So I would like to see us move in the  
3. direction of maybe talking about that, talking  
4. about the education that we already do. I'm not  
5. really sure about the license phase, but we'll  
6. have to take a look at all of the factors to  
7. determine whether or not we're able to do that.  
8. CHAIRMAN MORELOCK: Well, maybe a  
9. good first step would be to at least put the  
10. training requirement into the Rule 0800-03-03.  
11. That way the inspectors, when they go out, they  
12. can actually look at that record, see that it's  
13. done to ASME, National Board, or whatever, you  
14. know, that wording is, and then they'll also have  
15. those log sheets available to make those, too,  
16. so ...  
17. And, Tim, what was your comment?  
18. MR. HOLT: I was just going to say  
19. that for a boiler operator, we're talking about  
20. steam boilers, right, low- and high-pressure steam  
21. is what we're dealing with, right? A heating  
22. boiler, you can't test the low water because it's  
23. flooded.  
24. CHAIRMAN MORELOCK: Right.  
25. MR. HOLT: But although I think

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1. there's a way to electronically test them ...  
2. MR. ROBINSON: They've got a  
3. company out there making a test switch on the --  
4. Potter Brumfield, they're putting a little test  
5. mechanism button on them.  
6. MR. HOLT: Well, my point is, is  
7. that you're saying to license a boiler operator.  
8. If we do anything, at least get into where they  
9. can get a certificate or something saying that  
10. they know very well the basic safety requirements  
11. on how to safely shut that boiler off, to know  
12. inside and out how low-pressure cutoff works. And  
13. when it operates -- if it fails or passes, they  
14. know what to do next, just basically. And that  
15. would go a long way to prevent any accident. It's  
16. simple.  
17. CHAIRMAN MORELOCK: Well, see,  
18. Dr. Canonico approached the National Board to see  
19. if they would be interested in developing a  
20. certification program, and from a business model,  
21. it's just not worth it. I mean, they just  
22. can't -- it wouldn't make money. I mean, they're  
23. all about the safety end of it, but, you know,  
24. they've got to be able to fund their safety.  
25. So that's why we went that route. So

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1. then the other route is to bring it back to the  
2. jurisdictions.  
3. MR. HOLT: Well, also, a lot of the  
4. large companies have very stringent, you know --  
5. their operators know what they're doing and they  
6. certify themselves and it's great.  
7. CHAIRMAN MORELOCK: Right.  
8. MR. HOLT: But when we get into  
9. places that you have high-pressure or low-pressure  
10. boilers that aren't large companies, then we have  
11. a problem. So if it gets something to require a  
12. boiler operator to at least be trained to know  
13. what to do when something goes wrong and get out  
14. and shut it off.  
15. CHAIRMAN MORELOCK: Well, and so to  
16. play that into everything we've talked about  
17. today, we could have an annual presentation during  
18. the fall conference that could train these dry  
19. cleaners on how to make sure that they can operate  
20. their boilers. And so you'd build it into the  
21. fall conference and it would be mandatory. In  
22. order for them to maintain their certificate, they  
23. would have to come to the fall conference and  
24. continue that education process. And then the  
25. revenue would be out of their pocket because

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1. they'd just pay to come to the conference, get the  
2. training, get the certificate, and then go back  
3. and operate their boilers.  
4. MR. BAILEY: Just an observation,  
5. and kind of relating to this training requirement  
6. like the Tennessee OSHA Act. There are several  
7. standards that require, let's say, for instance,  
8. excavation trenching, requires that the trench be  
9. examined every day by a competent person. And,  
10. now, it doesn't require that there be a particular  
11. certification or whatever, but if our inspector  
12. shows up at a trench that is obviously not in  
13. compliance, they will ask, "Who is the competent  
14. person?"  
15. And a lot of times, you know, the  
16. foreman will say, "Well, I am."  
17. "Well, did you do a soil-type test?  
18. Do you understand about sloping?" Sometimes they  
19. do and they've had the training, but a lot of  
20. times they have no idea. And then they're cited  
21. if they don't have a competent person inspecting  
22. the trench.  
23. But I guess my point is it kind of  
24. puts -- it requires that a competent person  
25. inspect whatever or, you know, they be competent

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1. in that area. But it puts the onus back on the  
2. employer to see that they get that training. The  
3. State doesn't necessarily provide that training.  
4. MR. BAUGHMAN: What is competency  
5. and who determines competency?  
6. MR. BAILEY: Right. Exactly.  
7. MR. BAUGHMAN: And that's a wide  
8. open thing, especially in the legal -- in the  
9. thing. So if you can --  
10. And there again, Kim, you were  
11. talking about -- the inspectors are really charged  
12. with part of that education. And if we've got --  
13. we've got a mandate to have e-stops in our boiler  
14. rooms. And if we do some simple training on the  
15. job site while the inspectors are there, for one  
16. it builds a better relationship, I think, with the  
17. inspector and the operator. But they've got to  
18. know where that e-stop is at. And if they're  
19. fumbling around and looking for -- you know, some  
20. of them have no idea. And so the e-stop gets  
21. trained, the low-water cutoff gets trained.  
22. If you have some simple mechanisms in  
23. place without necessarily a certification, but if  
24. we can just bring a level of training and move  
25. this thing forward, what we've got is a -- we've

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1. got to have a starting point. And right now we  
2. don't. We've got historic boilers and on the  
3. variance.  
4. But if we can bring a level of  
5. training and start in with educating and then  
6. having that log sheet, that's a great starting  
7. point. And I don't think from a cost standpoint,  
8. that's going to have a negative impact. That's my  
9. own narrow viewpoint with blinders on. But I  
10. think it's a good starting point for us to have  
11. some further discussion and write up a draft on  
12. that, and then bring that back to the table and  
13. seeing what we can do with it.  
14. CHAIRMAN MORELOCK: All right. So  
15. do you think we've got enough -- you've got enough  
16. to proceed?  
17. MR. BAUGHMAN: I do.  
18. CHAIRMAN MORELOCK: Does anybody  
19. want to add any more comments to that?  
20. MR. BAUGHMAN: I would like to  
21. solicit input from our inspector community and  
22. others, but I would like to make sure that -- and  
23. I don't know the mechanism to do that, Sam, but  
24. how we can get input in just so that we don't have  
25. blinders going on with this thing. But input from

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1. our group here but also asking for input within  
2. the boiler unit and inspectors that we've got.  
3. Because they do have valuable input that we want  
4. to make sure that we consider.  
5. CHAIRMAN MORELOCK: I think if we  
6. get a strawman built and give them something to  
7. shoot at, because if you just say, "We want  
8. input," they're --  
9. MR. CHAPMAN: They're not going to  
10. say nothing.  
11. CHAIRMAN MORELOCK: Yeah.  
12. MR. BAUGHMAN: Okay. Good point.  
13. CHAIRMAN MORELOCK: So let's get a  
14. draft put together and then let it be distributed  
15. through the inspectors, and even some of the  
16. owner/users and stuff, and then that way we can --  
17. we'll get productive comments on that.  
18. MR. BAUGHMAN: You're right.  
19. CHAIRMAN MORELOCK: Okay. Anything  
20. else on that item?  
21. MR. BAUGHMAN: Thank you very much.  
22. CHAIRMAN MORELOCK: All right.  
23. Very good. Very good discussion.  
24. Our next item is Status of the Search  
25. for a New Chief Inspector for the State of



1. Tennessee. I think we're done with that one.  
 2. We'll take that one off the list.  
 3. Our next item is 2016 meeting dates.  
 4. And I know there's been a desire to not overload  
 5. the State to have all of these boards meeting at  
 6. the same time in one given week. So what I want  
 7. us to decide today is we had been asked this year  
 8. to move to the second Wednesday of the month. And  
 9. for the most part, I think that's worked fine. I  
 10. don't know that there's been any issues. I mean,  
 11. we'll always have to have some adjustments for  
 12. various reasons throughout the meeting year.  
 13. But as a board, are you comfortable  
 14. meeting the second Wednesday of the quarter  
 15. instead of the first Wednesday of the quarter? Is  
 16. there any objections to that? What that's going  
 17. to look like for 2016, the proposed meeting dates  
 18. would be March the 9th, June the 8th, September  
 19. the 14th, and December the 14th, would be the 2016  
 20. proposed dates for this meeting.  
 21. And one of the things that we need to  
 22. make the great State of Tennessee aware of is that  
 23. if people are comfortable knowing it's the first  
 24. Wednesday, we need to post something on the boiler  
 25. unit or the boiler's web page so that people will

1. know that we've moved to the second Wednesday of  
 2. the quarter so that they won't come on the wrong  
 3. week. So is everybody comfortable with that?  
 4. MR. ROBINSON: Yes, sir.  
 5. CHAIRMAN MORELOCK: All right.  
 6. Then that's what we'll use.  
 7. The last item I have is I just wanted  
 8. to introduce the training subject that we had a  
 9. couple weeks ago and open the floor for anybody to  
 10. comment. But first of all, I just wanted to thank  
 11. our administrator and the boiler unit and the  
 12. Governor's Office for setting this up and inviting  
 13. all the boards to the training. It was very  
 14. informative. We learned a lot of things about the  
 15. appointment process for board members, the  
 16. reappointment process. We learned about, you  
 17. know, the responsibilities that we have as a  
 18. board.  
 19. We touched on conflict of interest,  
 20. but it's pretty well self-explanatory anyway and  
 21. we've kind of got that in place, but we touched on  
 22. that a little bit. But the other thing and the  
 23. big thing that I want us to think is this was the  
 24. first time I had ever been a participant in  
 25. training like that. And we kind of agreed it

1. would probably be good to have that annually and  
 2. that some way, some how, it would be good if we  
 3. could tie it in in such a manner where it would  
 4. coincide with the fall conference or board meeting  
 5. or something so that people aren't having to  
 6. travel, you know, two or three weeks within the  
 7. same month.  
 8. But I did want to thank you-all for  
 9. the training and taking the time to do that,  
 10. because it was very informative. It was good to  
 11. meet other board members, which I'd never met. I  
 12. even met people from Eastman that I didn't know,  
 13. so ...  
 14. But that was very good and I just  
 15. wanted to publicly thank you for that and then let  
 16. anybody else provide any comments because it was  
 17. very good.  
 18. MR. JOHNSON: I missed it.  
 19. CHAIRMAN MORELOCK: Okay.  
 20. MR. JOHNSON: It would be handy if  
 21. there were a website where presentations that were  
 22. made could be accessed during the year between  
 23. these conferences.  
 24. CHAIRMAN MORELOCK: It would. I  
 25. agree.

1. MR. JOHNSON: It's just a  
 2. suggestion.  
 3. MS. DOWER: I'll make note of that.  
 4. CHAIRMAN MORELOCK: Yeah, if  
 5. there's any minutes from that or -- that will be  
 6. good.  
 7. MR. JOHNSON: Or slides or --  
 8. MS. DOWER: I'll see if we can  
 9. draft something.  
 10. CHAIRMAN MORELOCK: Okay. So does  
 11. anybody want to add to that? I'm opening the  
 12. floor for that.  
 13. MR. BAUGHMAN: I would like to have  
 14. more fellowship with the other members. I know I  
 15. kind of got there right at the opening bell, but  
 16. having time to -- you know, we got introduced and  
 17. we were in a large U-shaped configuration so I got  
 18. to see some of the other board members. But I  
 19. really didn't have the time to fellowship with  
 20. them to any degree, so maybe having that as part  
 21. of the -- before -- and it may have been and I  
 22. just may have missed out on it, but just having  
 23. that time of a little bit of fellowship to be able  
 24. to meet new brothers and sisters and then get down  
 25. to business. I always enjoy that opportunity.

- 1. MS. DOWER: I will note that as
- 2. well.
- 3. CHAIRMAN MORELOCK: Okay. Any
- 4. other comments about that?
- 5. (No verbal response.)
- 6. CHAIRMAN MORELOCK: All right.
- 7. There are no rule cases or interpretations
- 8. currently. The next Board of Boiler Rules Meeting
- 9. will be 9:00 a.m., Central Time, Wednesday,
- 10. December the 16th in this meeting room.
- 11. Do I have a motion for adjournment?
- 12. MR. JOHNSON: So moved.
- 13. MR. ROBINSON: Second.
- 14. CHAIRMAN MORELOCK: All right. You
- 15. can vote with your feet. I hope y'all have a good
- 16. week and thanks for coming.
- 17.
- 18. END OF THE PROCEEDINGS.
- 19.
- 20.
- 21.
- 22.
- 23.
- 24.
- 25.

- 1. C E R T I F I C A T E
- 2. STATE OF TENNESSEE )
- 3. COUNTY OF WILLIAMSON )
- 4. I, Cassandra M. Beiling, a Notary Public
- 5. in the State of Tennessee, do hereby certify:
- 6.
- 7. That the within is a true and accurate
- 8. transcript of the proceedings taken before the
- 9. Board and the Chief Inspector or the Chief
- 10. Inspector's Designee, Tennessee Department of
- 11. Labor & Workforce Development, Division of
- 12. Workplace Regulations and Compliance, Boiler Unit,
- 13. on the 9th day of September, 2015.
- 14.
- 15. I further certify that I am not related to
- 16. any of the parties to this action, by blood or
- 17. marriage, and that I am in no way interested in
- 18. the outcome of this matter.
- 19.
- 20. IN WITNESS WHEREOF, I have hereunto set my
- 21. hand this 22nd day of September, 2015.
- 22.
- 23.
- 24. \_\_\_\_\_
- 25. Cassandra M. Beiling, CCR, LCR# 371  
Notary Public State at Large  
My commission expires: 3/12/2016

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