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

QUARTERLY MEETING OF THE
STATE OF TENNESSEE
BOARD OF BOILER RULES

June 28, 2023

ORIGINAL

CASSANDRA M. BEILING, LCR# 371
STONE & GEORGE COURT REPORTING
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Suite 900 - PMB 234
Franklin, Tennessee 37069
615.268.1244

1 APPEARANCES:

2 Brian Morelock, Chairman/Board Member

3 David W. Baughman, Board Member

4 Jeffery Henry, Board Member

5 Richard Scott May, Board Member

6 Philip Hickerson, Chief Boiler Inspector

7 Ryan Stilgenbauer, Assistant Chief Boiler
Inspector

8

Thomas Herrod, Assistant Commissioner
Tennessee Department of Labor

9

10 Dan Bailey, Esq., Legal Counsel
Tennessee Department of Labor

11

Kenneth Nealy, Assistant Administrator
Tennessee Department of Labor

12

13 Michele Irion, Boiler Board Secretary
Tennessee Department of Labor

14

15 Jamie Diefenbach, Administrative Assistant
Tennessee Department of Labor

16

Chance Deason, General Counsel
Tennessee Department of Labor

17

18

19

20 Additional Appearances:

21 Marty Toth, ECS Consulting

22 Travis Davison, CONTI, LLC

23 Paul Kurtzhals, CONTI, LLC

24 Branden Matue, FM GLOBAL

25 Philip Hencherick, Factory Mutual/FM Global

1 Appearances continued:

2 Bill Adkins, HSB

3 Chris O'Guin, Bureau Veritas

4 John Largen, Boiler Supply Company

5 Jon Herbig, TAMKO Building Products

6 Matt Parrish, TAMKO Building Products

7 Ian Powell, Eastman Chemical

8 Greg Lozon, CONTI, LLC

9 Jong Lee, Kang Won, N.T.S.

10 Joon Rhee, Kang Won N.T.S.

11 Jim Anderson, Ultium Cells, LLC

12 Ally Lynch

13 Matthew Grove

14

15 STONE & GEORGE COURT REPORTING
16 Cassandra M. Beiling, LCR

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A G E N D A

- 1
- 2 I. Call Meeting to Order
- 3 II. Introductions and Announcements
- 4 III. Adoption of the Agenda
- 5 IV. Approval of the Meeting Minutes for
January 19 and March 8, 2023
- 6
- 7 V. Chief Boiler Inspector's Report
- 8
- 9 VI. Variance Report
- 10 VII. Old Business
None
- 11 VIII. New Business
23-02 TAMKO requests consideration for
approval of a variance to boiler attendant
- 12 23-03 CONTI, LLC, requests approval for a
license to engage in the erection, repair,
13 and/or alteration of Boilers and Pressure
Vessels in the State of Tennessee.
- 14
- 15 IX. Open Discussion Items
None
- 16 X. Board Case Interpretations
BC 23-01 ULTIUM CELLS, LLC, asks permission
17 to operate Thermal Fluid Heaters at their
Spring Hill facility with installed Pressure
18 Relief isolation valves.
- 19 XI. Upcoming 2023 Scheduled Quarterly Meetings
September 13, 2023
20 December 13, 2023
- 21 XII. Adjournment
- 22
- 23

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

1 * * * * *

2 CHAIRMAN MORELOCK: Good morning,
3 everybody. I would like to welcome you to the
4 June 28 quarterly Tennessee Board of Boiler Rules
5 meeting.

6 If you have not signed in, please do.
7 I hope if you have an agenda, please use that. If
8 you don't have one, you can also get one of those
9 on the back table as well.

10 We'll call this meeting to order.

11 I guess the first item that we want
12 to have here is, we do have an agenda. And do I
13 have a motion to accept the current agenda?

14 MR. HENRY: So moved.

15 MR. BAUGHMAN: Second.

16 CHAIRMAN MORELOCK: All right.
17 Any discussion, changes?

18 (No verbal response.)

19 CHAIRMAN MORELOCK: All in favor
20 say "aye."

21 (Affirmative response.)

22 CHAIRMAN MORELOCK: Opposed?

23 (No verbal response.)

24 CHAIRMAN MORELOCK: Abstentions,
25 not voting?

1 (No verbal response.)

2 CHAIRMAN MORELOCK: All right.

3 We have an approved agenda.

4 That takes us to introductions and
5 announcements.

6 So I will start with you, sir.

7 MR. HENRY: Okay. Jeff Henry,
8 board member. ATC in Chattanooga.

9 CHAIRMAN MORELOCK: Brian
10 Morelock, Eastman Chemical Company.

11 MR. BAUGHMAN: Dave Baughman,
12 board member. Allied Boiler and Supply.

13 MR. MAYS: Scott Mays,
14 Boilermakers Local 454 in Chattanooga.

15 MS. DIEFENBACH: Jamie
16 Diefenbach, Executive Admin Assistant, WRC .

17 MR. BAILEY: Dan Bailey, legal
18 counsel.

19 MR. HERROD: Tom Herrod,
20 Assistant Commissioner.

21 MR. NEALY: Ken Nealy, Assistant
22 Administrator.

23 MR. HICKERSON: Philip Hickerson,
24 acting Chief Inspector, Boiler Inspector.

25 MR. STILGENBAUER: I'm Ryan

1 Stilgenbauer, acting Assistant Chief Boiler
2 Inspector.

3 MS. IRION: Michele Irion, Board
4 Secretary.

5 THE REPORTER: Cassandra Beiling,
6 Stone & George Court Reporting.

7

8 CHAIRMAN MORELOCK: Okay. You,
9 sir?

10 MR. KURTZHALS: Paul Kurtzhals,
11 CONTI, LLC.

12 CHAIRMAN MORELOCK: Thank you.

13 MR. DAVISON: Travis Davison,
14 CONTI, LLC.

15 MR. LOZON: Greg Lozon, CONTI,
16 LLC.

17 MR. HERBIG: Jon Herbig, TAMKO
18 Building Products.

19 MR. PARRISH: Matt Parrish, TAMKO
20 Building Products.

21 MR. LARGEN: John Largen, Boiler
22 Supply Company.

23 MR. POWELL: Ian Powell, Eastman
24 Chemical.

25 MR. O'GUIN: Chris O'Guin, Bureau

1 Veritas.

2 MR. ADKINS: Bill Adkins, HSB.

3 MR. HENCHERICK: Phil Hencherick,
4 Factory Mutual, FM Global.

5 MR. MATUE: Branden Matue,
6 FM Global.

7 MR. ANDERSON: Jim Anderson,
8 Ultium Cells, LLC.

9 MR. LEE: Jong Lee, Kang Won
10 N.T.S.

11 MR. RHEE: Joon Rhee, Kang Won
12 N.T.S., Supervisor.

13 CHAIRMAN MORELOCK: Okay. Thank
14 you.

15 MR. BAILEY: We had one come in
16 that wasn't introduced.

17 Say your name.

18 MR. DEASON: Chance Deason,
19 general counsel for the agency.

20 CHAIRMAN MORELOCK: Okay. Thank
21 you.

22 So the next item on our agenda is
23 adoption of the agenda. So, again, if you don't
24 have one, they're on the back table.

25 Do I have a motion to adopt the

1 current agenda?

2 MR. HENRY: So moved.

3 CHAIRMAN MORELOCK: Okay.

4 Second?

5 MR. BAUGHMAN: Second.

6 CHAIRMAN MORELOCK: All in favor

7 say "aye."

8 (Affirmative response.)

9 CHAIRMAN MORELOCK: All right.

10 Opposed?

11 (No verbal response.)

12 CHAIRMAN MORELOCK: Abstentions?

13 (No verbal response.)

14 CHAIRMAN MORELOCK: Okay. Yes, I
15 did ask you to do that already. That's what I get
16 for reading down the list.

17 All right. So that will take us to
18 approval of the meeting minutes for the January 19
19 and the March 8 Boiler Board minutes.

20 So do I have a motion to accept the
21 January 19 and the March 8 meeting minutes?

22 MR. HENRY: So moved.

23 CHAIRMAN MORELOCK: I have a
24 motion. Do I have a second?

25 MR. BAUGHMAN: Second.

1 CHAIRMAN MORELOCK: Okay. Any
2 discussion?

3 (No verbal response.)

4 CHAIRMAN MORELOCK: Good job.
5 There's no changes or corrections? All right.
6 All in favor say "aye."

7 (Affirmative response.)

8 CHAIRMAN MORELOCK: Opposed?

9 (No verbal response.)

10 CHAIRMAN MORELOCK: Abstentions,
11 not voting?

12 (No verbal response.)

13 CHAIRMAN MORELOCK: All right.
14 They are approved.

15 That takes us to the Chief Boiler
16 Inspector's Report. So we'll turn that over to
17 Chief for his report.

18 MR. HICKERSON: So we went live
19 with a new operating system called JRS on
20 June 23rd of '23. So far, it seems like it's a
21 very, very efficient system. They have a few bugs
22 to work through, but they're on top of it.

23 The other thing, we now have three
24 apprentice people that are in an apprentice
25 program to become an RCI-1 commissioned inspector.

1 The third apprentice started on June 16 of '23.

2 And then I'm going to go ahead and do
3 the variance report as well because I have it
4 here.

5 We have 83 acting variances. Sixteen
6 have been renewal or new inspections that have
7 passed. One has failed. And we're still waiting
8 on 11 board approved that are either not trained
9 or the facility is not ready for our inspection.

10 CHAIRMAN MORELOCK: Okay. Any
11 questions or comments?

12 MR. BAUGHMAN: Chief, on the
13 active of 83, would that then add the 11 into it
14 to become --

15 MR. HICKERSON: Yes.

16 MR. BAUGHMAN: -- 94 active?

17 MR. HICKERSON: Yes.

18 MR. BAUGHMAN: Okay. Thank you.

19 CHAIRMAN MORELOCK: Any other
20 questions, comments for the Chief?

21 (No verbal response.)

22 CHAIRMAN MORELOCK: All right.

23 Thank you.

24 And that includes the variance report
25 as well?

1 MR. HICKERSON: Yes, sir.

2 CHAIRMAN MORELOCK: Okay.

3 All right. As far as old business,
4 we do not have any old business, so that will take
5 us to the new business.

6 The first item we have is Item 23-02.
7 TAMKO requests consideration for approval of a
8 variance to boiler attendant requirements.

9 So if you will come forth to the
10 public podium, introduce yourselves, and present
11 your manual.

12 While you're getting ready, is there
13 any conflicts of the Board members for this item?

14 (No verbal response.)

15 CHAIRMAN MORELOCK: No, no
16 conflicts. Okay. Very good.

17 All right, gentlemen.

18 MR. PARRISH: Good morning. I'm
19 Matt Parrish, TAMKO Building Products.

20 MR. HERBIG: And Jon Herbig,
21 Engineering Manager for TAMKO.

22 So yeah. So we're up for renewal for
23 our boiler variance. We've requested this
24 starting in 2014 to allow our tour mechanic -- our
25 boiler attendant, which is a maintenance mechanic

1 and a shift supervisor, to work on other needed
2 tasks in the plant while the boiler is running.
3 So we have remote monitoring in our main control
4 room to allow them to know if there's an alarm or
5 if the boiler is running or if it's off. And so
6 we're up for renewal.

7 And then there is a change to that
8 variance. We are replacing our second boiler with
9 a new one, starting in April. The install started
10 in April. We're not running it yet. But we plan
11 to this year.

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

14 MR. BAUGHMAN: So moved.

15 MR. HENRY: Second.

16 CHAIRMAN MORELOCK: All right.
17 What questions, comments does the Board members
18 have?

19 MR. BAUGHMAN: Dave Baughman.

20 Matt, Jon, thanks for being here.

21 MR. PARRISH: Yes, sir.

22 MR. BAUGHMAN: So there's a 1969
23 boiler in place. And then a boiler was
24 installed -- a second boiler was installed in
25 2018?

1 MR. PARRISH: (Nods head.)

2 MR. BAUGHMAN: And now another
3 boiler is being installed to replace which boiler?

4 MR. HERBIG: The one that was
5 installed in 2018.

6 MR. BAUGHMAN: Okay. And why is
7 that?

8 MR. HERBIG: That boiler has tube
9 leaks, so it's -- we have not been using it.

10 MR. BAUGHMAN: Okay. So the
11 request for the variance and the variance was
12 granted in 2014 for the 1969 boiler.

13 MR. HERBIG: Correct.

14 MR. BAUGHMAN: And there wasn't a
15 second boiler at that time, I take it. It was
16 just --

17 MR. HERBIG: Correct.

18 MR. BAUGHMAN: -- the one boiler?

19 MR. HERBIG: That's correct.

20 MR. BAUGHMAN: So then in 2018,
21 when the second boiler was installed, was there a
22 variance at that time for it?

23 MR. HERBIG: Yes. It's in the
24 2019 edition of this. It is listed in there.

25 MR. BAUGHMAN: Okay. And the

1 2014 was obtained and then it was renewed?

2 MR. HERBIG: Correct.

3 MR. BAUGHMAN: 2017.

4 MR. HERBIG: 2020, yes.

5 MR. BAUGHMAN: 2020, coming up.

6 Okay. Very good. And thanks for that
7 clarification. The way it was worded was a
8 little -- thank you.

9 What was the date -- I'm looking over
10 the letter. And this letter is not -- well, this
11 is a modification or is this a new variance?

12 MR. HERBIG: A modification.

13 MR. BAUGHMAN: Modification.

14 MR. HERBIG: So the second boiler
15 was already in there, so it's a different boiler
16 to replace that one. So that would be the
17 modification.

18 MR. BAUGHMAN: Okay.

19 MR. HERBIG: If I'm understanding
20 what you're asking.

21 MR. BAUGHMAN: So being that
22 we've got a brand new boiler going in, and it's
23 part of this variance, I saw it under the
24 equipment listing, so it is the Cleaver-Brooks
25 that's going in, right?

1 MR. HERBIG: Correct.

2 MR. BAUGHMAN: Great boiler.

3 I was looking over the hardware, and
4 it showed Boiler Number 1 utilizes a 7800
5 controller; is that correct?

6 MR. HERBIG: Yes. Honeywell,
7 yes.

8 MR. BAUGHMAN: And Number 2 has
9 what on it?

10 MR. HERBIG: Hawk.

11 Is that right, Mr. Largen?

12 MR. LARGEN: Can I speak?

13 MR. BAUGHMAN: Yes.

14 MR. LARGEN: It has the Fireye
15 YZ120.

16 MR. BAUGHMAN: So the second
17 boiler, John, has got a Fireeye?

18 MR. LARGEN: YZ120, yes.

19 MR. BAUGHMAN: YZ120.

20 MR. LARGEN: We went with that.
21 And you guys will probably hear it. They're
22 saying within the next three years, they're
23 phasing out the 7800, so we tried to jump the gun
24 a little bit.

25 MR. BAUGHMAN: You say it's got

1 the YZ, but yet in the equipment description it
2 shows the YB110. So that was kind of why I was
3 asking. What was in here, the equipment
4 description doesn't quite match what the boiler
5 has got.

6 So just for clarification, we need to
7 make that modification under Appendix B, B-1,
8 under the type of burner controller. It shows a
9 7800 for Number 1 and shows a YB110 for Number 2,
10 and that will change to the YZ -- what's the
11 number, John?

12 MR. LARGEN: Let me correct that
13 because they may have changed it. We're having so
14 much problem getting the material. They may have
15 went back to the YB. So I can find out. Let me
16 verify that to make sure.

17 MR. BAUGHMAN: You bet. We just
18 want to have the correct --

19 MR. LARGEN: Correct thing.

20 MR. BAUGHMAN: -- hardware
21 description in the manual for it.

22 The other that I had a question on
23 was under Communications, under Equipment
24 Description. It lists the Q7800A for
25 Communications. In the industry, the Q7800A is

1 just a subbase and it's not the actual
2 communications. So I was interested in getting
3 that under the equipment description on what we
4 actually have.

5 It says, "Q7800A provides a
6 communications link between the control systems
7 and a direct telephone line."

8 But that's not actually what the
9 Q7800A does. So Jon may be able to be of help in
10 getting that clarified at some point for you.
11 But --

12 MR. HERBIG: Okay.

13 MR. BAUGHMAN: -- that
14 Communications is just -- what's in the equipment
15 description is erroneous. So --

16 MR. HERBIG: Okay.

17 MR. BAUGHMAN: -- I just wanted
18 to clarify that.

19 That's it for now. Thanks, Matt,
20 Jon.

21 CHAIRMAN MORELOCK: So your cover
22 page, the reference to the 0800, it should be
23 3-3-.08(11) instead of 08 -- 04(22).

24 MR. HERBIG: Okay.

25 CHAIRMAN MORELOCK: And on

1 page 1, the last paragraph, what is the distance
2 from the boiler plant to the remote monitor?

3 MR. HERBIG: We don't know
4 exactly what that is. I mean, I don't know off
5 the top of my head. But it's less than 300 feet.

6 CHAIRMAN MORELOCK: You can just
7 revise that and put that in your manual.

8 MR. HERBIG: Add that to that
9 paragraph.

10 CHAIRMAN MORELOCK: Your
11 descriptions for remote monitor and boiler
12 attendant are good.

13 (Marty Toth enters.)

14 CHAIRMAN MORELOCK: On page 5, it
15 references Appendix G for the duties of remote
16 monitoring, and I could not find the plant
17 operator shown on an organization chart as plant
18 operators and remote monitoring. And the plant
19 operators are not listed in the Appendix G for
20 duties.

21 MR. HERBIG: Okay.

22 CHAIRMAN MORELOCK: And you do
23 have good narratives for Emergency Duties. My
24 advice is that your emergency duties on all the
25 pages for that, whether it be pages 9 or 11, they

1 should be the same sequence of an emergency so
2 that you're consistent in your manual as to what
3 you expect on page 6, 9, and 11.

4 MR. HERBIG: Okay.

5 CHAIRMAN MORELOCK: In Boiler
6 Attendant Procedures, you list a Mechanic A as a
7 boiler attendant. But you also use the term
8 "mechanic tech." So make sure all those match.

9 MR. HERBIG: Okay.

10 CHAIRMAN MORELOCK: That's just
11 an editorial.

12 MR. HERBIG: Okay.

13 CHAIRMAN MORELOCK: On
14 Appendix A, there's no Tennessee number listed for
15 Boiler Number 2.

16 And let's see. Let me go back.

17 In your organizational chart, like I
18 said, show your plant operators as remote monitors
19 and, also, list your boiler attendants on that as
20 well so that the people that read through the
21 manual will know who these folks are that are --

22 MR. HERBIG: Okay.

23 CHAIRMAN MORELOCK: -- providing
24 those services.

25 Let's see. On -- don't know if it's

1 got a page on it. It's SK-2. It doesn't show the
2 distance from the remote to the boilers, and I did
3 not see any pictograms or anything showing where
4 the e-stops were from the boiler room.

5 And I think -- let's see. And as far
6 as the checklist, the only question I have is, I
7 didn't see a -- it shows Appendix H as what is
8 checked during a test. And I did not see a boiler
9 attendant training log for that.

10 And let's see. The e-stops. You
11 need to check a box there. You do have it
12 checked, that you do have wired e-stops. So
13 that's good. And that's all I have.

14 MR. HERBIG: What was that last
15 part on the e-stop? You said it's -- we need to
16 add something there? I didn't catch that. I'm
17 sorry.

18 CHAIRMAN MORELOCK: Do what now?

19 MR. HERBIG: On the e-stop, you
20 said there's a check box that we missed?

21 CHAIRMAN MORELOCK: No. You
22 didn't. I thought it was, but it is checked.

23 MR. HERBIG: Okay.

24 CHAIRMAN MORELOCK: You got it
25 checked. So, yeah, that's good.

1 Any other comments?

2 MR. HENRY: Jeff Henry, board
3 member. Just a couple things.

4 Apparently, you had modified your
5 manual at some point. As a result of that, your
6 references and checklists don't match up with the
7 earlier part of that. It's not a big issue, but
8 it makes it a little difficult to follow.

9 And in regard to the checklist, if
10 you go to 30b, you talk about the -- sort of like
11 the remote monitoring and boiler attendant
12 personnel have other duties.

13 And then in Part b, it says, "Can
14 these other duties distract from the remote
15 monitor's responsibilities toward the boiler(s)?"
16 And the answer is yes.

17 So what provisions are made that if
18 that becomes necessary, that he's distracted in
19 some way, that there will be proper attendants?

20 MR. HERBIG: We've got alarms in
21 the plant that are fairly loud and lights in the
22 aisleway. We've got an enunciator system, as
23 well, that speaks in plain English where the alarm
24 is.

25 MR. HENRY: Okay. So, basically,

1 you're saying that the entire plant is a remote
2 station?

3 MR. HERBIG: The remote station
4 would be in the control room, which always has a
5 supervisor in there, so that's -- that is manned.

6 MR. HENRY: Okay.

7 MR. HERBIG: So, no, we don't
8 designate the whole plant's a remote monitoring
9 station. It would be the control room. And then
10 we've got that same kind of panel on the outside
11 of the boiler house where you enter, before you
12 enter.

13 MR. HENRY: Okay. But I guess
14 the personnel that you've got who are basically
15 manning the remote station -- and you've indicated
16 they can be distracted from those
17 responsibilities. So there were alarms that would
18 go off elsewhere in the plant.

19 If the people that have been trained
20 are distracted, how can you be sure that the
21 appropriate personnel are available to respond to
22 that alarm?

23 MR. HERBIG: We still do the
24 four-hour check. But other than that, it would
25 be, they would have to hear the alarm if they're

1 not in the control room. So if they get pulled
2 out of the control room and they're having to
3 address an issue, then they would have to hear the
4 alarm and -- or come back to the control room and
5 see that the alarm is going off.

6 MR. HENRY: Can you envision a
7 situation in which that would be a problem?

8 MR. HERBIG: Absolutely, yes.
9 Yes, you're making me aware of that being an
10 issue, so...

11 MR. HENRY: Okay.

12 MR. HERBIG: I can think of some
13 things off the top of my head that would help,
14 that we could implement, so...

15 MR. HENRY: Whatever provision
16 you make to address that, it would be helpful to
17 have those detailed in here.

18 MR. HERBIG: Documented in there.

19 MR. LARGEN: I believe that
20 they're trained in that when they've got an
21 audible alarm in their control room, that operator
22 is less than a minute away from that control room
23 at all times. And they go directly back to the
24 control room if they have an alarm. That is how
25 they're trained. That's their primary concern, is

1 go back to the boiler room and shut the boiler
2 down if they have an alarm.

3 MR. HENRY: Okay. Maybe I'm
4 misinterpreting what you-all intended by this
5 particular answer. But you said if they can be
6 distracted, that would indicate to me that they
7 would have other responsibilities, that they might
8 not be able to respond to the alarm.

9 MR. LARGEN: I think it was
10 interpreted -- the way that I've always seen it
11 there is, like I said, the boiler is the primary.
12 Now, they are running the wet end of the needle.
13 The kill station there, so that's the primary.
14 What he's trying to say there is they can be out
15 of the control room, but they're less than a
16 minute away from it.

17 MR. HENRY: If you just spell
18 that out and you're good to go.

19 MR. LARGEN: Okay.

20 CHAIRMAN MORELOCK: So what
21 you're saying matches with the emergency duties in
22 here because if you read that, it says that, on 3,
23 upon notification of an alarm, the boiler
24 attendant should contact the remote station,
25 acknowledge the alarm within one minute. So that

1 goes hand in hand with what you just said.

2 MR. LARGEN: Correct.

3 CHAIRMAN MORELOCK: So that's
4 good. That's good.

5 MR. LARGEN: That's how they do
6 it. That's how they're trained.

7 CHAIRMAN MORELOCK: What else?

8 MR. BAUGHMAN: Getting back to
9 the remote alarm.

10 Thank you, Mr. Henry, for that. And
11 Mr. Largen.

12 Do you know what the decibel of the
13 alarm is?

14 MR. HERBIG: I do not, no.

15 MR. BAUGHMAN: Do you know if
16 this is in an area that has noise?

17 MR. HERBIG: Yes. Well, in the
18 control room, no. There's no noise.

19 MR. BAUGHMAN: Okay.

20 MR. HERBIG: It's -- when that
21 alarm goes off, it will jolt you pretty good.

22 MR. BAUGHMAN: But, Jon, you
23 indicated too that that -- in the control room,
24 that person may be called away.

25 MR. HERBIG: Correct.

1 MR. BAUGHMAN: So it may not be
2 manned. So then it would be dependent upon an
3 audible alarm out, give an enunciation in a place
4 that --

5 MR. HERBIG: Correct.

6 MR. BAUGHMAN: -- we've got to
7 have higher decibel alarm than what we've got --

8 MR. HERBIG: Yes.

9 MR. BAUGHMAN: --
10 environmental-wise. So that's somewhat important
11 information for myself.

12 The other is, because the remote
13 station is not being manned during operation all
14 the time, is that we're dependent upon a piece of
15 hardware, i.e., an audible alarm that is made by
16 man, man-made. It's not perfect. And so we've
17 got alarms that don't function, just because
18 they've worn out or what have you, so I'm a little
19 concerned with that.

20 One question I've got in particular
21 that has to do with testing of the components.
22 And this would be under Item 36, under the
23 checklist, Does the Manual include a test of...

24 And It lists it. It says the manual
25 references are pages 3 through 6. And I'm taking

1 it that that's Appendix H. Appendix H is the
2 training log. So it's not the appropriate
3 appendix listed.

4 And under pages 3 through 6, I cannot
5 see where the manual specifically identified the
6 water column or the positive check at the low
7 water cutoff. If I'm missing that, you can direct
8 me to it. But I did not find that in the manual.

9 CHAIRMAN MORELOCK: Could that be
10 just a typo for the Appendix H being a training
11 log? And then on the previous page, it says it's
12 a training log. So where is the log at? You've
13 got training log listed twice, but you don't have
14 the boiler log listed at all.

15 MR. HERBIG: Okay. So we need to
16 have --

17 CHAIRMAN MORELOCK: You just
18 might want to clarify that.

19 MR. HERBIG: Okay. And then
20 pages 3 through 6 need to include the water
21 column, low water cutoff. Okay.

22 MR. BAUGHMAN: Yes. And not just
23 blowing the boiler down as far as, you know,
24 draining, but a positive check of the low water
25 cutoff is indicated, which means shutting the

1 boiler down to the operation of the low water.

2 CHAIRMAN MORELOCK: Any other
3 questions or comments on this variance?

4 MR. BAUGHMAN: Yes.

5 CHAIRMAN MORELOCK: Okay.

6 MR. BAUGHMAN: On your layout
7 drawing of the boiler room, drawing SK-2, I'm
8 looking at the emergency shutdown stations, and
9 I'm seeing one, two, three emergency boiler
10 shutdown stations. What would that encompass?
11 What's in the shutdown station?

12 MR. HERBIG: There is a picture
13 here. Or a drawing, I should say. If you give me
14 just a minute here.

15 MR. BAUGHMAN: Is it the panel
16 that's in the -- okay.

17 MR. HERBIG: Yes.

18 MR. BAUGHMAN: And, Jon, I saw
19 that panel. It looks like a good panel. It's
20 got -- so each one of those panels has a separate
21 e-stop for each boiler, correct?

22 MR. HERBIG: Correct.

23 MR. BAUGHMAN: Are we utilizing
24 these panels -- yeah, that panel was on the next
25 page. Are we utilizing these panels for our

1 emergency stop switches?

2 MR. HERBIG: Yes.

3 MR. BAUGHMAN: Okay. Well, if
4 that's the case, being the remote emergency boiler
5 shutoff switch, one switch is mandated to shut off
6 both boilers. And so each one of these e-stops --

7 MR. HERBIG: Okay.

8 MR. BAUGHMAN: -- that's located
9 out in the field through this panel has got one
10 separate one for a particular boiler. You may
11 want to have more discussion or clarification on
12 that.

13 But these e-stops are required at
14 each point of pedestrian egress, and I notice one
15 egress outside of the -- I'm anticipating this is
16 a rough drawing, but I don't show an e-stop at the
17 one egress in the drawing.

18 And, actually, there's two points of
19 egress that are in this drawing that don't show an
20 emergency shutdown station.

21 Now, Chief, just to question it, is
22 that not correct, that each point of egress,
23 pedestrian egress, has to have an e-stop?

24 MR. HICKERSON: Yes, I do believe
25 that is correct.

1 MR. BAUGHMAN: So the only other
2 thing I have is more equipment related. We've
3 added a boiler in. We had one boiler, 1969, put
4 in another boiler, 2018. It's now being replaced
5 due to tube failures with a new boiler of like
6 size.

7 I take it that the deaerator is sized
8 for both boilers, for 150,000 pounds, or is it
9 just sized for one boiler at 75?

10 MR. LARGEN: The --

11 MR. HERBIG: Yeah.

12 MR. LARGEN: I can answer that.
13 The original -- if you look at the drawing, it
14 originally had three key boilers also in this
15 power house and they -- it has been done away
16 with. So the deaerator was sized, back in the
17 day, to handle one gas boiler plus one of the key
18 boilers. So it was over -- I think it's
19 120,000 pounds an hour is what the deaerator is
20 capable of doing on that.

21 MR. BAUGHMAN: So being that
22 we're 150 on total water capacity, it's close.

23 MR. LARGEN: They only use one
24 boiler. Their base load is roughly 60,000 pounds.

25 MR. BAUGHMAN: Okay. And Matt or

1 John -- or John, being that this was originally a
2 1969 system, is that still the original 1969 DA?

3 MR. LARGEN: Yes.

4 MR. BAUGHMAN: Okay. Well, it
5 doesn't hold into our variance. It's not part of.
6 But, again, we've got issues with DAs out in the
7 industry and keeping up with inspection on it and
8 so forth. And even tying it in as part of your
9 checks isn't a bad thing, just from an equipment
10 operation standpoint. But thank you for that.

11 MR. LARGEN: And to go back to
12 your -- the doors that are going to the outside,
13 the way they're drawn is, the other door is not an
14 exit door. It kind of looks like it is, but it's
15 not.

16 MR. BAUGHMAN: From the drawing,
17 it's kind of hard to discern, but it looked like a
18 door.

19 MR. LARGEN: It goes into it.
20 Originally, this boiler room, this power house was
21 built where the three key boilers were inside.
22 The 1969 boiler -- actually, the burner and
23 everything was inside, but the burner -- the
24 boiler was out of the power house. It stuck
25 outside of the power house.

1 So I can't tell you. Four, five --
2 four years ago, they enclosed all that where that
3 door is. That's actually all enclosed now.
4 That's part of the power house. So that's inside
5 of the -- inside of the power house. So the new
6 boiler and the 1969 boiler is actually inside the
7 power house.

8 Now, we're in the process of
9 installing the new boiler, and there will be an
10 editorial on this because there will be another
11 man door in that room once the last boiler is
12 complete.

13 MR. BAUGHMAN: When is that
14 estimated to be completed, John?

15 MR. LARGEN: Oh, Lord, I'm afraid
16 to say because they keep telling us the shipping
17 and everything. But they're saying that we're
18 going to have the burner in the month of July.
19 That's what they're saying.

20 Now, those e-stops do -- if you hit
21 one e-stop, it kills everything. It kills all the
22 boilers. There's only one per door.

23 MR. BAUGHMAN: I don't quite
24 follow. So he said the remote station that's
25 built and shown --

1 MR. LARGEN: That's for the
2 remote station. Now, the remote station is the
3 control room, correct, and it has one per boiler.
4 That's the way it is, which is normal. But at the
5 exit doors, one e-stop will kill the power house.

6 MR. BAUGHMAN: Okay. Well, the
7 way Jon described it was, this panel is at each
8 position, and that's what he described. So what
9 you're describing and what he's describing are a
10 little dissimilar.

11 MR. LARGEN: Well, the panel is
12 at --

13 Jon, correct me if I'm wrong here, is
14 at the control room.

15 MR. HERBIG: Yes. The one that
16 is in that picture is in the control room.
17 There's -- I guess where I'm mistaken is that I
18 thought that that was the same panel that we have
19 on the outside of the boiler house. So off the
20 top of my head, yeah, you're probably right in
21 that there is one e-stop. But I will verify that.

22 MR. LARGEN: Okay.

23 MR. HERBIG: And the new entrance
24 that you brought up, that's the one that's right
25 next to Boiler 2. That's the north door. There

1 is an e-stop already there. And it is one e-stop.
2 It's not a full station like it's shown in that
3 drawing.

4 MR. BAUGHMAN: And just for
5 clarification, there is nothing I see in the
6 drawing that labels Boiler 1 and Boiler 2 on --

7 MR. HERBIG: Okay.

8 MR. BAUGHMAN: -- either
9 drawings. So that's kind of nice to have as
10 we're...

11 Okay. Thank you. That's all for
12 now.

13 CHAIRMAN MORELOCK: Any other
14 questions, comments from the Board?

15 (No verbal response.)

16 CHAIRMAN MORELOCK: Hearing none,
17 do I have a motion for this variance?

18 (No verbal response.)

19 CHAIRMAN MORELOCK: Do I have a
20 motion for this variance?

21 MR. BAUGHMAN: I'll give you what
22 my thoughts are. And it's not so much a motion,
23 but my thoughts are that this needs to be cleaned
24 up some. And being that some of it is editorial,
25 that's easy to come back with. But the equipment

1 is not installed yet. We've got some
2 modifications to the boiler room.

3 But I just feel like the manual needs
4 to be cleaned up to the extent where it's more
5 coherent for us to be able to vote on. But that's
6 just my own thoughts.

7 CHAIRMAN MORELOCK: Okay.

8 So, gentlemen, what do you want to
9 do?

10 MR. BAILEY: Mr. Chairman.

11 CHAIRMAN MORELOCK: Yes.

12 MR. BAILEY: The Board members
13 can make a motion to table it if they wish.

14 CHAIRMAN MORELOCK: That is
15 correct. That is correct.

16 So you've got two options. You can
17 take it back and clean it up and bring it back, or
18 the Board can table it for another day. What is
19 your preference?

20 MR. HERBIG: So by cleaning it up
21 and bringing it back, that's a clean it up and
22 bring it back today?

23 CHAIRMAN MORELOCK: So to clean
24 it up and bring it back today?

25 MR. HERBIG: Is that what

1 you're -- so our two options are, we either get it
2 done today, or we table it for the next Board
3 meeting? I'm just asking for a clarification.

4 CHAIRMAN MORELOCK: Okay. I'm
5 thinking if we -- we can table it to the next
6 meeting if that's what you want. Because it's --
7 I mean, it's -- if it goes for a vote, it won't
8 pass today.

9 So as Mr. Bailey has astutely stated,
10 the Board can make a motion here. So do you want
11 to make a motion, or do you want the Board to make
12 a motion?

13 MR. PARRISH: If we table it for
14 today, we come back to the next meeting and
15 readdress at that point?

16 CHAIRMAN MORELOCK: Yes.

17 MR. PARRISH: And that meeting is
18 when?

19 CHAIRMAN MORELOCK: September.

20 MR. PARRISH: Okay. And for the
21 variance that's currently in place with the
22 current boiler, that stays into effect?

23 CHAIRMAN MORELOCK: Yes. If that
24 manual is approved and it's in play, yes, it's
25 still valid.

1 MR. PARRISH: Okay.

2 MR. HERBIG: So the exception
3 would be, we can't run the second boiler that
4 we're installing right now --

5 CHAIRMAN MORELOCK: Correct.

6 MR. HERBIG: -- without --

7 MR. PARRISH: Under a variance.

8 MR. HERBIG: We're under a
9 variance, right. Yeah.

10 CHAIRMAN MORELOCK: Right. You
11 could --

12 MR. HERBIG: Until September.

13 CHAIRMAN MORELOCK: -- operate it
14 with the 60-minute rule, but you can't run it on
15 the variance, because it's not been approved.

16 MR. HERBIG: Understood.

17 And so that's to -- that's to table
18 it until the next meeting. The other option is to
19 edit it and bring it back, but that would have to
20 be done like right now, is what it sounds like.
21 Am I understanding that?

22 CHAIRMAN MORELOCK: I mean, if
23 you edit the manual, it will have to be
24 resubmitted to the Boiler Unit 45 days prior to
25 the next meeting.

1 MR. HERBIG: Okay.

2 MR. PARRISH: So we make a motion
3 to table this at this point.

4 CHAIRMAN MORELOCK: Yes. So you
5 want to table it to the September meeting?

6 MR. PARRISH: Yes.

7 MR. BAILEY: Mr. Chairman, they
8 can't make a motion.

9 CHAIRMAN MORELOCK: That's true.
10 You're right. You're right. Thank you,
11 Mr. Bailey.

12 MR. BAILEY: They can request
13 that, but the Board has to make the motion.

14 CHAIRMAN MORELOCK: Yes. Thank
15 you for that clarification. Yes.

16 MR. PARRISH: Okay. Yes, we
17 request that.

18 CHAIRMAN MORELOCK: Okay. So we
19 will table this to the September meeting.

20 MR. PARRISH: Okay.

21 CHAIRMAN MORELOCK: Thank you.

22 MR. PARRISH: Thank you.

23 CHAIRMAN MORELOCK: Thank you,
24 Mr. Bailey.

25 MR. MAYS: Do we need a motion on

1 that?

2 CHAIRMAN MORELOCK: No. They're
3 tabling, so we're not voting.

4 All right. So the next item is
5 23-03, CONTI, LLC, requests approval for a license
6 to engage in the erection, repair, and/or
7 alteration of boilers and pressure vessels in the
8 state of Tennessee.

9 So if you will come to the podium and
10 introduce yourself and present your item.

11 Are there any conflicts from the
12 Board on this?

13 (No verbal response.)

14 CHAIRMAN MORELOCK: Okay. No
15 conflicts.

16 MR. KURTZHALS: Good morning. My
17 name is Paul Kurtzhals with CONTI, LLC. I'm
18 project manager and national plumber for CONTI;
19 also, secondary qualifying agent for the Tennessee
20 Mechanical License, 60147.

21 With me --

22 MR. DAVISON: Travis Davison. I
23 work for CONTI, LLC. I'm a CWI QC for CONTI.

24 MR. KURTZHALS: We have applied
25 for the repairs license. We are currently

1 installing thermal fluid heaters at Ultium Cells,
2 and in process and in case we run into an issue,
3 we felt we should have this license, in case
4 there's any repairs that need to be made from
5 equipment that came from overseas.

6 CHAIRMAN MORELOCK: Okay.

7 MR. KURTZHALS: We've submitted
8 our quality manual, our R stamp, our stamp for the
9 ASME.

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

12 MR. HENRY: So moved.

13 CHAIRMAN MORELOCK: Second?

14 MR. BAUGHMAN: Second.

15 CHAIRMAN MORELOCK: Thank you.

16 So what questions does the Board have
17 for the application and the quality manual?

18 MR. BAUGHMAN: Is it okay to
19 speak?

20 CHAIRMAN MORELOCK: I'm sorry?

21 MR. BAUGHMAN: Okay to speak?

22 CHAIRMAN MORELOCK: Yes.

23 MR. BAUGHMAN: Gentlemen, thanks
24 for being here.

25 MR. KURTZHALS: Thank you.

1 MR. BAUGHMAN: So in going over
2 this licensing with the R stamp and so forth, the
3 other is, I'm assuming -- but that's why I'm
4 asking the question -- you have a mechanical
5 contractor's license for the state of Tennessee?

6 MR. KURTZHALS: Yes, sir.

7 MR. BAUGHMAN: And a business
8 license for the state of Tennessee?

9 MR. KURTZHALS: Yes, sir.

10 MR. BAUGHMAN: Very good.

11 MR. KURTZHALS: We have a branch
12 here in Nashville as well.

13 MR. BAUGHMAN: Super.

14 Just a curiosity question, who would
15 your AI be?

16 MR. DAVISON: Hartford.

17 MR. BAUGHMAN: Thank you.

18 MR. DAVISON: You're welcome.

19 CHAIRMAN MORELOCK: Any other
20 questions from the Board members?

21 (No verbal response.)

22 CHAIRMAN MORELOCK: Hearing none,
23 do I have a motion?

24 MR. BAUGHMAN: Motion to accept.

25 CHAIRMAN MORELOCK: Okay.

1 MR. HENRY: Second.

2 CHAIRMAN MORELOCK: Okay. Any
3 other discussion?

4 (No verbal response.)

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

8 (Affirmative Response.)

9 CHAIRMAN MORELOCK: Against?

10 (No verbal response.)

11 CHAIRMAN MORELOCK: Abstaining,
12 not voting?

13 (No verbal response.)

14 CHAIRMAN MORELOCK: You have an
15 approved license.

16 MR. KURTZHALS: Thank you,
17 gentlemen.

18 MR. DAVISON: Thank you.

19 CHAIRMAN MORELOCK: Thank you.

20 All right. That finishes up new
21 business.

22 That will take us to open discussion
23 items. We don't have any of those.

24 So we'll move on to Board Case and
25 Interpretations. And the item that we have before

1 us is BC 23-01, Ultium Cells, LLC, asks permission
2 to operate thermal fluid heaters at their Spring
3 Hill facility with installed pressure relief
4 isolation valves.

5 So if you will come to the public
6 podium and present your item.

7 And if I haven't asked, are there any
8 conflicts from the Board?

9 (No verbal response.)

10 CHAIRMAN MORELOCK: Okay. No?
11 No conflicts.

12 MR. ANDERSON: Jim Anderson,
13 Ultium Cells. I'll be the facilities manager when
14 the plant is turned over to me after the -- after
15 it's built.

16 I also have in the audience or in the
17 room Mr. Lee and Mr. Rhee. They're from Kang Won,
18 the boiler manufacturers.

19 And I think Paul from CONTI is
20 familiar with our plumbing if there's more
21 technical questions that I'm not able to answer.

22 Basically, what we have on our
23 thermal fluid heaters, on our safety valves or
24 pressure release valve, we have a redundant valve
25 setup, allowing us to isolate each valve

1 independently for the purpose of inspection and
2 servicing of those pressure release valves.

3 So our release valve strand splits
4 into two. We isolate. We can always have one
5 valve in place. The purpose for that setup is, if
6 we don't have that, we would have to drain all the
7 fluid out of the boilers when we have to perform
8 inspections on those valves.

9 It can be upwards of 6,000, and in
10 some instances, we've calculated 11,000 gallons of
11 fluid that we'd have to drain. And over time,
12 when we expose that fluid to oxygen, it oxidizes,
13 so it degrades if we were forced to use that
14 procedure.

15 With our dual setup, it allows us to
16 allow operation to continue while we're servicing
17 the valve. If not, we would have to shut down and
18 allow the system to cool. We would have a loss
19 of productivity.

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

22 MR. BAUGHMAN: So moved.

23 MR. HENRY: Second.

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

1 MR. BAUGHMAN: Jim, thank you for
2 being here.

3 So I guess the question I've got is,
4 we mentioned that we would lose 6,000 gallons plus
5 by not having these isolation valves in place.
6 But do we not have isolation valves on the
7 discharge and the return line of the thermal fluid
8 heater, to begin with?

9 MR. ANDERSON: I believe we have
10 valves on the dis -- technical questions, I'm
11 going to refer to Mr. Lee and Kim. I'm not
12 exactly familiar.

13 MR. BAUGHMAN: That's okay.

14 MR. ANDERSON: Mr. Lee and
15 Mr. Rhee, if they could come up. I thought they
16 might join me.

17 I believe, total, we have 24 of these
18 isolation valves for this thermal fluid heater in
19 our system. So we've got them at each boiler.
20 We've got them on our return header, our supply
21 header. The ones that are a particular concern
22 are the ones for the boilers, the thermal fluid
23 heaters themselves because gravity will force us
24 to have to remove that much fluid, allow it to
25 cool.

1 MR. BAUGHMAN: If we have
2 isolation valves at the heaters, we're not going
3 to be draining anything out of the system. We're
4 going to have an isolation valve at the discharge
5 header, isolation valve on the return, and so
6 we're isolating that thermal fluid heater -- why
7 my voice is cracking.

8 So at any rate, you might enlighten
9 me on, do we have a shutoff valve on the discharge
10 and on the return, right at each heater?

11 MR. RHEE: (Speaking in foreign
12 language.)

13 MR. ANDERSON: I'm being told we
14 do not have a shutoff valve at the supply and
15 return of each --

16 MR. BAUGHMAN: Well, this kind of
17 gets into the same as a -- if we have, let's say,
18 a hot water system. If we didn't have the valves,
19 we'd have to drain the whole system, which is
20 detrimental. Same thing with the thermal fluid.
21 We don't want to drain the whole system.

22 If we've got valves at the discharge
23 and the return, we don't have to drain the system,
24 the system stays full of thermal fluid, and then
25 all we've got is what's in the unit itself. So we

1 wouldn't have to be looking at draining
2 6,000 gallons and what have you or have these
3 isolation valves on the relief valve if that was
4 the --

5 MR. ANDERSON: Just to drain the
6 fluid heater itself?

7 MR. BAUGHMAN: Wouldn't even have
8 to drain the fluid heater, being that these valves
9 are at the top of the heater and they're not
10 located down low in the heater. So you're going
11 to have whatever fluid is between your shutoff
12 valve on the top. And the relief valves, you're
13 going to lose a minimum amount of thermal fluid by
14 having those isolation valves available.

15 MR. KURTZHALS: This -- I have
16 information. Paul Kurtzhals, CONTI.

17 The relief valves for each individual
18 heater are located on the bottom of the heaters.

19 MR. BAUGHMAN: Interesting.

20 MR. KURTZHALS: They're not on
21 the top.

22 MR. TOTH: May I?

23 CHAIRMAN MORELOCK: Go ahead.

24 MR. TOTH: Marty Toth, ECS
25 Consulting.

1 I've been working with Jim and his
2 company on some other issues, and I was made aware
3 of their request.

4 Again, as this gentleman stated, the
5 relief valves are not on the vessel. They're on
6 the piping. And then they are also -- they have
7 multiple -- they have multiple valves. Okay?

8 So just like you would see in maybe
9 API, Section VIII, Division 1 units have the
10 allowances for isolation purposes such as this.
11 But they have to have locking mechanisms, rising
12 stem valves for visual identification, and things
13 of that nature.

14 These are extremely large units,
15 extremely large. So when we say minimum amount,
16 it's not minimum. It's quite a bit. I saw it
17 personally and I can see where the issue that
18 they're running into -- but just rest assured that
19 they have multiple valves. Okay? Each individual
20 valve is able to relieve the capacity
21 independently, and the sole purpose is for being
22 able to repair a valve but still allow for the
23 unit to be in operation such as you may see in an
24 API or chemical industry. Thank you.

25 MR. BAUGHMAN: Mr. Toth, being

1 that you are familiar with the system, been
2 working on them, these thermal fluid heaters have
3 a stamp on them and are stamped?

4 MR. TOTH: Again, to say that
5 I've been working on the units, I have not been
6 working on the units. I went and did a visit, a
7 walk-through, and identified them.

8 I was trying to take the time, while
9 the discussion was happening, to find the
10 photographs because I did take the photographs of
11 the stamping. And I cannot recall, maybe you can,
12 if they're stamped Section I or Section VIII,
13 Division 1. I don't recall.

14 MR. KURTZHALS: I think I have
15 them on my phone, I believe.

16 MR. TOTH: And again, it will
17 have to be something to look closer to.

18 Again, this is the reason why they're
19 coming to the Board for a Board Case. Because I
20 know what you're going to point back to is the
21 requirements of Section I and the restrictions
22 that they have within Section I. However,
23 Section I is not taking into account the ability
24 to have independent relief valves and the ability
25 to isolate those independently, so...

1 And again, I revert back to units
2 such as you would find in API, so on and so forth,
3 in the chemical industry.

4 MR. BAUGHMAN: Thank you, Martin.

5 MR. TOTH: Martin? You haven't
6 called me Martin in a few years. I like that, so
7 professional.

8 MR. BAUGHMAN: And that does get
9 back to the Section I. The data showed it being
10 Section I constructed, S stamped, but it did not
11 show a National Board registration.

12 And so these are some of the things
13 that, as we get looking into the details of what's
14 allowed, what's not, and so forth. But the data
15 that was produced, that we received, was that they
16 are Section I constructed, ASME S-stamp designated
17 but are not National Board registered.

18 And so, again, that's part of this
19 discussion, too, that coincides with the relief
20 valves.

21 MR. KURTZHALS: Paul Kurtzhals.

22 I have a picture of the stamp with
23 the National Board number on it. This is one of
24 the units, for an example.

25 MR. ANDERSON: I have some, too,

1 on my phone, but I left my phone on my seat, so...

2 MR. BAUGHMAN: Now, this would be
3 on the stamping of the header, or is this the
4 stamping of the unit itself?

5 MR. KURTZHALS: That could be
6 one -- either the unit or the header, I think,
7 almost one of those.

8 MR. BAUGHMAN: Because this does
9 not indicate that this is a hot oil expansion
10 tank.

11 MR. KURTZHALS: Okay. That's --
12 all right.

13 MR. BAUGHMAN: So that's not --

14 MR. KURTZHALS: I can go to the
15 next one.

16 MR. BAUGHMAN: Okay.

17 MR. KURTZHALS: On the photo.

18 Here's a hot oil heater one.

19 MR. BAUGHMAN: Hot oil heater.
20 ASME Section I. Manufacture data. And it does
21 not -- there's our --

22 CHAIRMAN MORELOCK: Stamp.

23 MR. BAUGHMAN: -- stamp, but that
24 stamp is -- what is that stamp?

25 There you go. There's the -- I see

1 an --

2 CHAIRMAN MORELOCK: There's an
3 ASME. But that's the designator. Almost looks
4 like a "d," but it's not.

5 MR. BAUGHMAN: So it says it's
6 S stamped in the data that we received, that had
7 been sent. It showed it being an S designation.

8 What we had asked for was the data
9 reports, the manufacturer's data reports, and they
10 were not produced. In other words, we didn't have
11 an NBR to be able to reference.

12 MR. KURTZHALS: I believe we sent
13 those.

14 MR. ANDERSON: Did we not send
15 them?

16 MR. HICKERSON: That was the ones
17 that I showed last night.

18 MR. BAUGHMAN: Those were not
19 manufacturer's data reports. Those were
20 certificates of materials. But we didn't have any
21 NBRs to be able to reference, not in the
22 information that I had seen. If they're
23 available, I would love to look at them.

24 MR. TOTH: Just to advise, you
25 can get copies of those pretty easily through the

1 National Board. You should have them with the
2 vessel.

3 UNIDENTIFIED SPEAKER: Were they
4 registered?

5 MR. TOTH: They were.

6 MR. BAUGHMAN: Well, that was the
7 next thing, was in this initial data that was
8 produced, it didn't show the NB numbers. It just
9 said they're National Board registered. But those
10 numbers weren't there. So, again, we just need to
11 kind of cross t's, dot i's, and dot that
12 lower-case j.

13 That's it for me, Brian.

14 CHAIRMAN MORELOCK: Okay.

15 Any other comments?

16 MR. HENRY: Just one quick
17 question.

18 Going through the information, if I
19 understand it, you have another facility in Ohio
20 that operates similar vessels?

21 MR. ANDERSON: Yes.

22 MR. HENRY: With the arrangement
23 of the valves that you designed?

24 MR. ANDERSON: It's the same
25 setup, yeah. It's the same.

1 MR. LEE: Right. We have same
2 setup in Ohio. My name is Jong Lee from Kang Won.
3 We have same, similar -- like, the same setup at
4 Lordstown, a similar site at Georgia, state of
5 Georgia, too.

6 MR. HENRY: How long have they
7 been operating?

8 MR. LEE: On Ohio, about a couple
9 of years.

10 MR. HENRY: Couple of years?
11 Okay.

12 MR. LEE: Yeah. Little more than
13 a year, full operation.

14 MR. RHEE: (Speaking in foreign
15 language.)

16 MR. LEE: About three years in
17 Georgia. It's been operating over two years now,
18 at least.

19 MR. HENRY: And any particular
20 problems with the valves?

21 MR. LEE: No. And Paul over
22 there has been working with personnel in Georgia
23 and Ohio. He's working, and so far, we haven't
24 seen any issues.

25 MR. HENRY: So is this a design

1 that you -- or this particular concept, have you
2 used this elsewhere, internationally?

3 MR. RHEE: (Speaking in foreign
4 language.)

5 MR. LEE: Yeah. In Europe, like
6 Poland and Hungary, and in Ohio, it's all the same
7 concept that we're using. Kang Won is -- design
8 concept is identical.

9 MR. RHEE: (Speaking in foreign
10 language.)

11 MR. LEE: Mr. Rhee just explained
12 that the main reason is, again, this boiler is
13 getting old eventually and needs to be repaired
14 and maintained. And so for that purpose, they
15 use a dual safety valve on it.

16 MR. RHEE: (Speaking in foreign
17 language.)

18 MR. LEE: Okay. So another
19 reason, he just explained, is that safety relief
20 valve needs to be -- must be tested --

21 MR. HENRY: Yes.

22 MR. LEE: -- periodically. So
23 when that time comes, we can have that taken off
24 and then use the other one. So it's the idea of a
25 spare. So in case we don't have to work, stop.

1 You just keep working, but at the same time, we
2 can test the valve.

3 MR. HENRY: Yeah. The rationale
4 behind it is clear. I was just trying to get an
5 idea of how much experience you've had with this
6 particular arrangement.

7 MR. RHEE: (Speaking in foreign
8 language.)

9 MR. LEE: About -- Kang Won has
10 been in business about 30 years. So they have
11 been same, identical concept for past 30 years.

12 MR. HENRY: Okay. And no
13 significant problems?

14 MR. RHEE: (Speaking in foreign
15 language.)

16 MR. LEE: So there's no incident
17 as far as that relief valve is concerned. So they
18 actually supply to the military, government
19 military product also.

20 MR. HENRY: Okay. Thank you.

21 CHAIRMAN MORELOCK: So the only
22 thing that we had looked up is, in the 2021 ASME
23 Code, we looked at nonmandatory Appendix M where
24 it allows stop valves to be located in the relief
25 path.

1 And then also, in nonmandatory
2 Appendix B, stop valves being used in relief
3 systems. It's not identical to what you're doing,
4 but it's similar.

5 MR. TOTH: Mr. Chairman?

6 CHAIRMAN MORELOCK: Yes.

7 MR. TOTH: Is that in VIII,
8 Div. 1?

9 CHAIRMAN MORELOCK: It's VIII,
10 Div. 1, and it's also Section XIII.

11 MR. TOTH: I mean, that's very
12 common practice in fluid units that --

13 CHAIRMAN MORELOCK: So what I'm
14 trying to get my head wrapped around is what we
15 read in the code. Is this similar to what they're
16 wanting to do?

17 MR. TOTH: Yes.

18 CHAIRMAN MORELOCK: Okay.

19 MR. TOTH: It is very similar.

20 In the case, I advised Jim, when I saw these
21 units, of what I believe with my experience that
22 could be performed to allow for this to be
23 considered.

24 Such as, I mentioned ensuring that
25 the valve -- isolation valve is a rising stem for

1 identification from distance and the locking
2 mechanisms to ensure that those valves are able to
3 be locked in the open position. And those were
4 the things that I recommended.

5 Again, that was some free consulting
6 at that particular time, so I can't be held
7 against for that. But that's what I felt would be
8 sufficient to possibly receive the Board Case.

9 CHAIRMAN MORELOCK: So we were
10 trying to see -- that's what I was looking up for
11 myself. Does this proposal line up with what is
12 already approved in the ASME code, whether it be
13 Section VIII or Section XIII?

14 MR. TOTH: Yes.

15 CHAIRMAN MORELOCK: Okay.

16 MR. TOTH: It would be. Again,
17 with those stipulations --

18 CHAIRMAN MORELOCK: Right.

19 MR. TOTH: -- that I just
20 mentioned.

21 CHAIRMAN MORELOCK: Okay.

22 MR. TOTH: I think it would be
23 very satisfactory.

24 CHAIRMAN MORELOCK: Okay.

25 MR. ANDERSON: We did -- excuse

1 me. We did put -- of the locks that we intended
2 on using in there as well, to lock the valves
3 open.

4 THE REPORTER: I can't hear him.

5 CHAIRMAN MORELOCK: Sorry?

6 THE REPORTER: I can't hear what
7 he's saying.

8 MR. ANDERSON: We did include the
9 locks, also, that we intend to use on the valves
10 to lock them in the open position.

11 CHAIRMAN MORELOCK: Okay.

12 MR. BAUGHMAN: And all that is
13 fine for Section VIII. But we're still dealing
14 with a Section I vessel.

15 MR. TOTH: And, again, that's why
16 it's a Board Case, Mr. Baughman, is that if it
17 were a Section I vessel or an API vessel, you
18 would have the written precedence.

19 MR. BAUGHMAN: And I understand
20 that very much, and that's why we're here for the
21 discussion --

22 MR. TOTH: Absolutely.

23 MR. BAUGHMAN: -- of such.

24 Going back through the book again,
25 there is a section that's called The Manufacturing

1 Data Book. Just in reviewing it again, there is
2 no manufacturer's data report available for this.
3 If I'm not mistaken, one is required for an ASME
4 Section I vessel to be produced.

5 MR. TOTH: Upon request.
6 Absolutely.

7 MR. BAUGHMAN: Is it required
8 that it be National Board registered?

9 MR. TOTH: And it is.

10 MR. BAUGHMAN: Okay.

11 MR. TOTH: The stamp -- and I'm
12 not for sure, this gentleman, what photograph, but
13 I showed him the photograph I have. There is
14 National Board registration mark with a National
15 Board number that is identified on the data plate.

16 MR. BAUGHMAN: On that data plate
17 picture that you showed Paul, I couldn't make
18 out-- we said it's got an S designation, but that
19 stamping did not appear to be an S.

20 MR. TOTH: It's -- and I can
21 probably help you with that, Mr. Baughman.

22 Some years ago, the ASME, in their
23 wisdom, which Chairman Morelock and I probably
24 discussed this many, many times, went away from
25 issuing individual stamps per code, and they went

1 to an overall ASME stamp. Then the manufacturer
2 would indicate which code by a letter designation
3 underneath it. And I'll be more than happy to
4 show that to you.

5 MR. BAUGHMAN: That's why that B
6 is --

7 CHAIRMAN MORELOCK: Correct.

8 MR. BAUGHMAN: Okay.

9 CHAIRMAN MORELOCK: Because it's
10 a clover with "ASME" in it and then the
11 designator, so it would be US, all that, are
12 underneath it.

13 MR. BAUGHMAN: Very good.

14 MR. TOTH: It was something that
15 while --

16 CHAIRMAN MORELOCK: Thank you.

17 MR. TOTH: -- while we served on
18 the ASME codes for many years, thought it was
19 silly that they would -- you would have a
20 manufacturer that could have, you know, five, six,
21 however many ASME stamps and it just -- it was
22 easier for the ASME to keep control of their stamp
23 by just issuing an ASME indicator stamp.

24 MR. BAUGHMAN: How many vessels
25 are we speaking of?

1 MR. ANDERSON: Eight total when
2 we're in full operation.

3 MR. BAUGHMAN: Do we have -- in
4 this document, do we have all eight vessels that's
5 being described?

6 And I'm taking that we're doing this
7 for all the vessels, but I want to make sure that
8 we've got all the nameplate information for each
9 vessel.

10 MR. ANDERSON: He wants to show
11 you a picture if that helps.

12 MR. RHEE: When you said Ohio,
13 our supply header?

14 MR. BAUGHMAN: And the supply
15 header is one thing, but the vessel.

16 MR. RHEE: All have.

17 MR. BAUGHMAN: Thermal.

18 MR. RHEE: Yeah.

19 MR. BAUGHMAN: The thermal vessel
20 is different than the supply header.

21 CHAIRMAN MORELOCK: So this
22 action is to approve a Board Case, correct?

23 MR. TOTH: You're looking at me,
24 Mr. Chairman.

25 CHAIRMAN MORELOCK: Well, I know.

1 Are you seeking a Board Case for
2 these eight units?

3 MR. ANDERSON: I don't know that
4 I'm capable of answering that question.

5 Sorry. I just want to make sure I
6 understand the question.

7 CHAIRMAN MORELOCK: Well, I mean,
8 in our agenda, that's what it's under, Board Cases
9 and Interpretations.

10 And so I guess my question to you-all
11 is, what you're ultimately wanting is permission
12 to utilize this installation?

13 MR. ANDERSON: Yes, that's
14 correct. The redundant parallel safety valve
15 setup with isolation valves.

16 CHAIRMAN MORELOCK: And so,
17 Mr. Toth, with your -- I know it's limited
18 information, but does Section XIII or Section VIII
19 have the words that would support this?

20 Because here is what I'm getting at.
21 If the code has the words in it to permit this, we
22 don't need a Board Case, correct?

23 MR. TOTH: Yes. Again, it goes
24 back to what Mr. Baughman mentioned, was the fact
25 that we're speaking of vessels built to Section I,

1 not Section VIII.

2 CHAIRMAN MORELOCK: Right.

3 MR. TOTH: Okay? Or the nuclear
4 codes or what have you.

5 The situation that they have, there's
6 two ways you can go, in my opinion. Number 1 is
7 the company independently gets a variance or a
8 waiver, more of a variance because it's coming
9 from the Board to allow their specific operation.
10 Okay? Or the Board writes this up as a Board Case
11 that is broad-covering.

12 So anyone else that appears or wants
13 to have the same type of a setup needs to follow
14 this guideline. And that guideline being the
15 Board Case that mentions things like rising stem
16 valves, locking mechanisms, multiple valves per
17 installation.

18 Right now, I would guess -- again,
19 I'm not completely involved. Something tells me I
20 may be. But that they don't have that written up
21 like what the Board sees for Board Cases and
22 Interpretations.

23 CHAIRMAN MORELOCK: That is
24 correct.

25 MR. TOTH: And I see that in the

1 Board's best interest. You could probably cover
2 this as a Board Case and get the verbiage in there
3 so the next individuals can just use that Board
4 Case versus having to appear before the Board.

5 I know Jim and his company want to
6 get this resolved for them specifically, so
7 however the Board feels to handle it.

8 Now, your question was, is there
9 verbiage? Yes, there's verbiage that can be used.
10 However, we've got to address the fact that these
11 are Section I vessels, not Section VIII vessels or
12 Section III vessels.

13 Hopefully, I answered your question.

14 CHAIRMAN MORELOCK: You did.

15 MR. TOTH: Okay.

16 CHAIRMAN MORELOCK: You did.

17 MR. BAILEY: Mr. Chairman, that
18 was the problem I was having with this. If it's
19 going to be a Board Case, it needs to be posed as
20 a question --

21 CHAIRMAN MORELOCK: That's right.

22 MR. BAILEY: -- that the Board
23 answers. And this is not set up that way yet.
24 I'm sure it can be.

25 CHAIRMAN MORELOCK: Right.

1 MR. BAILEY: Now, if their
2 situation has some urgency to it, you can approve
3 a variance just for them and then bring back the
4 question as a Board Case at a later date that
5 would be more -- you know, that would apply more
6 widespread or somebody would always have to come
7 back to get a variance. Right now, the way this
8 is set up, this is not a Board Case.

9 CHAIRMAN MORELOCK: You are
10 correct. And they do have a variance from the
11 state of Ohio, so...

12 MR. BAUGHMAN: One of the other
13 things that I would address -- and it may be in
14 here, but it's just the operations manual or the
15 clarification on the SOP on operating the valves,
16 the training that the operators are to have in the
17 operation of those valves. So all of that kind of
18 goes hand in hand.

19 We've got hardware, i.e., OS&Y rising
20 stem gate valves, so forth. But, also, the
21 procedures on operating those valves needs to be a
22 part of it, I think, so...

23 CHAIRMAN MORELOCK: So I guess my
24 question of the Board is, do we have a motion to
25 vote on or not? Because what's been presented is,

1 this could become a Board Case that would need to
2 be developed and voted at a different date. It's
3 also been presented from Mr. Bailey that it could
4 be a variance. And so, really, it's up to the
5 pleasure of the Board, what the Board is
6 comfortable with and what the Board wants to
7 support moving forward.

8 MR. BAUGHMAN: Well, my two cents
9 on it is to develop it as a Board Case, not as a
10 variance. I don't believe we have enough
11 information presently to bring it up as a variance
12 and vote on it as such. But my thoughts are to
13 develop it as a Board Case and present it back as
14 such.

15 CHAIRMAN MORELOCK: So is that a
16 motion?

17 MR. BAUGHMAN: Well, that's up
18 for discussion. I'd like to hear Mr. Henry's
19 input.

20 MR. HENRY: I would support what
21 Mr. Baughman said. I think that's the appropriate
22 way to go.

23 CHAIRMAN MORELOCK: Okay.

24 MR. MAYS: My question is, what
25 was the urgency as far as what they had to do

1 versus how long this will take? Because like I
2 said, I'm new at this too. How long will a Board
3 Case take?

4 CHAIRMAN MORELOCK: It would be
5 September before it would be voted, if we do a
6 Board Case.

7 MR. BAUGHMAN: And they've got to
8 develop it.

9 CHAIRMAN MORELOCK: And they've
10 got to develop it.

11 MR. ANDERSON: Would it be our
12 responsibility to submit for the Board Case, and
13 are there guidelines that stipulate everything
14 that's required to be submitted for that?

15 MR. HENRY: That's where Mr. Toth
16 suggested he may be involved in this.

17 MR. TOTH: I may help out for the
18 greater good.

19 MR. ANDERSON: We do have some
20 urgency as far as wanting to get these boilers
21 turned on and used. I don't have the exact dates.
22 I don't know if there's any way to issue a -- for
23 any relief to be put in place to allow us, after
24 inspection, to be able to run them until we can
25 get this case decided, I guess. I don't know if

1 that's possible.

2 If we start them up now, I guess, and
3 if we're forced to remove the valves, then in
4 short time, we'll need to drain the system down
5 and put the valves back, is what I would
6 understand would have to happen.

7 MR. LEE: Right. And, again, as
8 far as Kang Won concern, is that, just one, we're
9 not really familiar with the regulations or
10 legality of these sections.

11 But as Mr. Rhee and I concern, it's
12 kind of unique, that medium, that we're using oil
13 instead of water and those are, again, the
14 technical point, cannot be exposed to the elements
15 out there. That's the, you know -- our position
16 to emphasize for those two valves.

17 MR. BAUGHMAN: And just as a --
18 from an informational standpoint, what thermal
19 fluid are you utilizing?

20 MR. LEE: The fluid is -- we
21 recorded. It's a -- it's actually a manufactured
22 oil that goes into the circuit, and it's supposed
23 to be a closed circuit basically forever, so I
24 mean --

25 MR. BAUGHMAN: I wasn't

1 interested in the type of oil, but -- so what is
2 the flashpoint of the oil that you're utilizing?

3 MR. RHEE: (Speaking in foreign
4 language.)

5 MR. LEE: It's a little over --
6 we're running -- the normal operating temperature
7 is about 485 within the pipe.

8 And he is actually calculating the
9 flashpoint. But since it's hot oil that closed
10 the circuit, you know, going through entire
11 facility is very important. We keep those oils
12 inside the pipe instead of -- you know. That's
13 why, you know.

14 MR. BAUGHMAN: Absolutely.

15 MR. LEE: Yeah.

16 MR. BAUGHMAN: Does your
17 expansion tank have a nitrogen blanket on it?

18 MR. LEE: That is correct. Yes.

19 MR. BAUGHMAN: And I take it air
20 permits -- these are required to be below 30 ppm
21 on their NOx. All those air permits are in place.

22 MR. LEE: Right. That is
23 correct.

24 MR. HENRY: Are these units
25 currently under construction?

1 MR. ANDERSON: Yeah. Are these
2 currently under construction? Yes, sir.

3 MR. HENRY: And when do you
4 anticipate construction to be complete?

5 MR. ANDERSON: Well, we're end
6 stage, so we want to start Line 1 up as we
7 continue piping for the rest of the lines. The
8 units themselves are set, but the -- to the -- and
9 piped to the main header and return header, at
10 least one unit is. And then we'll bring that unit
11 online, and we're able to isolate and continue to
12 construct for additional lines.

13 So we won't be bringing all of these
14 on for possibly upwards of a year. But the
15 first -- to start the first line, we would like to
16 do our sample build in August. And then we would
17 probably post a regular production towards the end
18 of the year.

19 MR. TOTH: Mr. Chairman.

20 CHAIRMAN MORELOCK: Yes,
21 Mr. Toth.

22 MR. TOTH: To ask Mr. Bailey --

23 And I know you've probably answered
24 this 30 times for me over the years. The Board
25 cannot vote out of session, correct, like on a

1 letter ballot for a Board Case; is that correct?

2 MR. BAILEY: That's correct. It
3 has to be an open meeting.

4 MR. TOTH: And let me ask, is
5 there an ability to do a special open meeting that
6 would be a Zoom or anything like that, that would
7 be handled?

8 MR. BAILEY: Well, if you're
9 talking about calling a special meeting outside of
10 the normally scheduled meetings and try to do it
11 by Zoom, the law recently changed on that, and I
12 would have to really look at it.

13 As I recall, it is a thing where you
14 have to have a quorum live and then some of the
15 members can participate by Zoom, and I think you
16 have to give notice of that. But like I said, the
17 law just recently changed on that, so I'm not
18 100 percent sure how -- I know it's not easy to
19 do, if you can do it.

20 MR. TOTH: Okay.

21 CHAIRMAN MORELOCK: What's the
22 pleasure of the Board?

23 MR. BAUGHMAN: Well, I'm
24 going to make the motion that a Board Case be
25 developed and be brought back for our discussion

1 and vote.

2 MR. HENRY: Second that.

3 CHAIRMAN MORELOCK: We have a
4 second. So I'll call for the vote. All in favor
5 say "aye."

6 (Affirmative response.)

7 CHAIRMAN MORELOCK: Opposed,
8 abstentions, not voting?

9 (No verbal response.)

10 CHAIRMAN MORELOCK: So your
11 motion has passed.

12 So you can develop this Board Case
13 and present it in September.

14 MR. ANDERSON: Ultium Cells
15 develop the Board Case and present it in Decem --
16 for September?

17 CHAIRMAN MORELOCK: (Nods head.)

18 MR. ANDERSON: Is there a certain
19 guideline that's followed for developing a Board
20 Case for the boilers? I don't want to repeat
21 this --

22 MR. TOTH: I can help you with
23 that.

24 MR. ANDERSON: -- of not having
25 the proper documents. I believe we were --

1 everything we were asked to provide, I thought
2 we did and it was in short order. So I
3 apologize --

4 CHAIRMAN MORELOCK: That's fine.
5 That's fine.

6 MR. ANDERSON: -- we didn't
7 provide enough information.

8 Is this also becoming a Board Case
9 because thermal fluid heaters are new to the state
10 of Tennessee? Is that why?

11 CHAIRMAN MORELOCK: No.

12 MR. ANDERSON: Okay. Just our
13 valve setup is new.

14 CHAIRMAN MORELOCK: I mean --

15 MR. ANDERSON: So there's
16 currently thermal fluid heaters in the state that
17 run without this type of isolation valve?

18 MR. TOTH: Right.

19 MR. ANDERSON: Okay. Because
20 they're built differently, I guess. I'm just
21 trying to understand.

22 But is there a guideline online to
23 follow for submitting to the Board?

24 MR. TOTH: Yes.

25 MR. ANDERSON: Okay. Thank you.

1 CHAIRMAN MORELOCK: Okay. All
2 right.

3 MR. BAUGHMAN: Thank you, Jim.

4 MR. ANDERSON: Thank you.

5 CHAIRMAN MORELOCK: We've passed
6 that motion, to develop a Board Case. And it will
7 be voted on at the September meeting.

8 MR. BAUGHMAN: It does have to be
9 submitted 45 days prior --

10 CHAIRMAN MORELOCK: That is
11 correct.

12 MR. BAUGHMAN: -- to the meeting.

13 CHAIRMAN MORELOCK: That is
14 correct.

15 MR. ANDERSON: Okay.

16 CHAIRMAN MORELOCK: All right.

17 MR. ANDERSON: Thank you.

18 CHAIRMAN MORELOCK: Thank you.

19 That takes us to upcoming 2023
20 scheduled quarterly meetings. The next Tennessee
21 Board meeting will be September the 13th in 2023
22 here in the Department of Labor. We'll also have
23 a quarterly meeting on December the 13th of 2023
24 as well.

25 That takes us to adjournment. So you

1 can vote with your feet. Thank you-all for coming
2 and hanging out with us for the day. And travel
3 safe.

4

5

END OF THE PROCEEDINGS.

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C E R T I F I C A T E

STATE OF TENNESSEE)

COUNTY OF WILLIAMSON)

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

That the within is a true and accurate
transcript of the proceedings taken before the
Board and the Chief Inspector or the Chief
Inspector's Designee, Tennessee Department of
Labor & Workforce Development, Division of
Workplace Regulations and Compliance, Boiler Unit,
on the 28th day of June, 2023.

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

IN WITNESS WHEREOF, I have hereunto set my
hand this 18th day of July, 2023.



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