

Boiler Board Rule Cases & Interpretations 2007 forward

March 7, 2007

Item 07-06 – (2013) -The Young Technical Services Group has submitted Rule Interpretation BI07-06 requesting the Board to give an interpretation on the continued service of boilers and pressure vessels that were installed and operated prior to the creation or adoption of Rule 0800-3-3. **No verbal conflict was expressed by any Board member on this item. Mr. Brian Blair presented this item to the Board. After considerable discussion it was decided that due to the complexity of this issue, this item should be taken up as an old business item at the next Board Meeting in June, 2007.**

Item 07-10 – (2710) – Mr. Jerry Sturch, ARISE Incorporated, has submitted Rule Interpretation BI07-10 requesting the Board give an interpretation on the installation of a magnetic fluid level indicator in lieu of a conventional armored sight glass on high and low pressure boilers installed in Tennessee. **No verbal conflict was expressed by any Board member on this item. Mr. Morelock stated that the request doesn't meet A.S.M.E. and therefore, Tennessee Code. A motion was made to reject interpretation. The vote was taken and carried unanimously.**

July 10, 2007

Item 07-21 – Chief Inspector Toth has submitted Rule Case BC07-21 requesting the Board to give a ruling on the allowance for the replacement of registered high and low pressure boilers to be charged a permit inspection fee of fifty dollars (\$50), versus the fees set in Rule 0800-3-3-.09(10). – **No verbal conflict of interest was expressed by any Board member on this item. A motion to approve was made by Mr. Hiter and seconded by Mr. Vance. The vote was taken and carried unanimously.**

September 12, 2007

There were no rule cases and interpretations.

December 5, 2007

(2030) There were no rule cases and interpretations.

March 5, 2008

(865) There were no rule cases and interpretations.

June 11, 2008

(1189) There were no rule cases and interpretations.

September 10, 2008

(497) There were no rule cases and interpretations.

December 3, 2008

(1401) There were no Rule Cases & Interpretations.

March 11, 2009

(2743) There were no Rule Cases & Interpretations.

April 15, 2009

Special Meeting There were no Rule Cases & Interpretations.

June 16, 2009

(1806) There were no rule cases and interpretations.

October 2, 2009

(308) There were no rule cases and interpretations.

March 3, 2010

(3541) There were no rule cases and interpretations.

June 2, 2010

(1681) There were no rule cases and interpretations.

July 15, 2010

Special Meeting There were no rule cases and interpretations.

September 15, 2010

(998) There were no rule cases and interpretations.

December 1, 2010

(1576) There were no rule cases and interpretations.

March 2, 2011

(1092) - There were no rule cases and interpretations.

May 25, 2011

(2061) - There were no rule cases and interpretations.

September 7, 2011

(621) - There were no rule cases and interpretations.

December 7, 2011

(680) - There were no rule cases and interpretations.

March 7, 2012

(1800) – There were no rule cases and interpretations.

June 6, 2012

(1163) – There were no rule cases and interpretations.

September 20, 2012

Board Interpretation BI 12-17 – (977) - Remote Emergency Stops – Chairman Lunn verbally expressed a conflict of interest with this agenda item. Brian Morelock made a motion to confirm the rule case BI 12-17. Ed Vance seconded the motion. This item was listed as BI 12-01 on the agenda but was assigned as BI 12-17 by the Board.

- Marty Toth said in his position with Boiler Supply Company he has seen boiler installers that are not putting in emergency stops or putting them directly inside of the door of the boiler rooms even though the access to the boiler room is an internal access. He felt these installers were not following the rules of the State of Tennessee; the National Board; or CSD-1. He would like clarification of what the State of Tennessee requires. Mr. Toth said CSD-1 requires that the emergency stop be located just outside the boiler room in the case where it is an internal access (inside the building). In cases where the main access is to the outside of the building, you are allowed with jurisdictional approval to put an emergency stop directly inside of the door or to make it where the weather would not interfere and in all cases, it should be tamper resistant.

- Mr. Toth said the first question is whether there needs to be remote emergency stops and the answer is yes. Dr. Canonico said he goes beyond that when he tells where it needs to be located. Dr. Canonico prefers the question and reply to number one (1) answer the need for emergency stops and then later in the document, talk about where the location should be.

- Brian Morelock said he would like to see the applicable paragraphs from the code written into the interpretation. If CSD-1 and NBIC is causing questions in the State of Tennessee, perhaps this a jurisdiction concern that should be addressed within the NBIC and CSD-1. Mr. Toth said this is an interpretation of current rules and codes. The State of Tennessee references CSD-1 and

NBIC, by referencing those, some jurisdictions pick and choose but in the State of Tennessee it's always been all or nothing. With the miscommunications out there in the real world environment they are missing what is being referenced. CSD-1 states you will have this, NBIC states you will have this, but it also states that "upon approval of the jurisdiction" so that is why this interpretation is being sought. By approving the interpretation, it is then placed on the State of Tennessee Boiler Section website which will prevent the need for others to have to contact the jurisdiction.

- Eugene Robinson said that CSD-1 2005 has a code interpretation regarding the location of emergency stops at each point of egress to the boiler room and it says they do not have to be located at every egress.
- Marty Toth read aloud the Interpretation BI 12-17 in its entirety.
- Brian Morelock asked if question six (6) was going to be more restrictive than the current NBIC and CSD-1. Mr. Toth said that the State of Tennessee has not adopted 2005 CSD-1, it is still under 1998.
- Chief Bryan suggested that the reply to question three (3) might read: *"No; standard circuit breakers may also be used as remote emergency stops, as long as they are isolated and dedicated as such and clearly marked per CSD-1."*

Brian Morelock made a motion to postpone agenda item 12-17 until the December meeting. This will allow for the addition of the 1998 edition of CSD-1, the appropriate NBIC paragraphs, word changes and time for further Board review. Eugene Robinson seconded the motion to postpone. The vote was taken and carried with Chairman Lunn abstaining.

Board Case BC 12-18 – (2107) - Routine Repairs in Tennessee – Extension of BC 01-15 - Chairman Lunn verbally expressed a conflict of interest with this agenda item. Dr. Canonico made a motion to confirm the rule case BC 12-18. Brian Morelock seconded the motion. This item was listed as BC 12-01 on the agenda but was assigned as BC 12-18 by the Board.

- Brian Morelock pointed out a typo in section d, item 3, there is a "Y" that should be "1/2". He also said he did consult with the twenty-two (22) commissioned inspectors at Eastman Chemical Company concerning routine repairs per BC 12-18 and there were no objections to approval of this item. Brian Morelock made a motion to approve BC 12-18 for routine repairs in the State of Tennessee. This is an extension of BC 01-15 which only permitted mechanical repairs for tube replacement in boilers and unfired pressure vessels. BC 12-18 is to expand that to encompass all the provisions in NBIC, Part 3, Section 3.3.2 for routine repairs. BC 12-18 supersedes BC 01-15 which will be removed from the list of Board Cases. Eugene Robinson seconded the motion contingent upon the typo in section d, item 3, being corrected. The vote was taken and carried with Chairman Lunn abstaining. Marty Toth recommended the

Chief Inspector mail a copy of this Board Case to all repair companies.

December 5, 2012

(1993) No Rule cases& Interpretations.

June 5, 2013

(1309) -There were no rule cases and interpretations.

August 21, 2013

(2310) There were no rule cases and interpretations.

October 16, 2013

(1449) -There were no rule cases and interpretations.

December 4, 2013

(719) – There were no rule cases and interpretations.

March 5, 2014

(2946) – There were no rule cases and interpretations.

June 4, 2014 OPEN

There were no rule cases and interpretations.

September 3, 2014

There were no rule cases and interpretations.

March 4, 2015

There were no rule cases and interpretations. Transcript Page 136 line 19.

June 10, 2015

There were no rule cases and interpretations. Transcript Page 3 Agenda.

September 9, 2015

There were no rule cases and interpretations.

December 16, 2015

There were no rule cases and interpretations.

March 16, 2016 OPEN

There were no rule cases and interpretations.

June 15, 2016 OPEN

There were no rule cases and interpretations.

September 21, 2016 OPEN

There were no rule cases and interpretations.

December 14, 2016

There were no rule cases and interpretations.

March 15, 2017

There were no rule cases and interpretations.

September 16, 2020

Board Interpretation BI 20-01

Statement of Need: ECS Consulting, LLC requests the Board of Boiler Rules provide an interpretation on submission of requests to the Board of Boiler Rules to appear on a meeting agenda.

Background: There has been some confusion as to the requirements surrounding requesting to appear before the Board and/or supporting documentation submission. In recent years (circa 2014) there has been verbiage included into Title 68-122-110 that supports Rule 0800-03-03-.08 (11)(b) [*formally 0800-03-03-.04 (22)(b)*] that was added in 2006 which required “*All requests for variances shall be submitted to the chief inspector or the chief inspector's designee no less than forty-five (45) days prior to the next regularly scheduled or called meeting of the board.*” The confusion is neither the Statute, Rule nor Board remote variance guidelines stipulates that supporting documents (i.e., variance manuals) are required to be submitted at the time of the request. The hope is that the following interpretations inquiries will clarify any confusions and submission requirements are consistent and uniformed.

Inquiry (1): Is it required for the submitter, or his representative, of a request to appear before the Board of Boiler Rules to make such a request in writing to the Chief Boiler Inspector, or his designee, forty-five (45) days prior to the meeting?

Reply (1): See Workplace Regulations & Compliance Policy WRC-013.

Inquiry (2): Is it required for the submitter, or his representative, of a request to appear before the Board of Boiler Rules to include supporting documentation at the time of the written request?

Reply (2): See Workplace Regulations & Compliance Policy WRC-013.

Inquiry (3): Is it allowed for the submitter, or his representative, of a request to appear before the Board of Boiler Rules to submit supporting documentation directly to the Board member?

Reply (3): No.

Inquiry (4): Is it required for the submitter of a Board Case or Interpretation to submit the inquiry to the Chief Boiler Inspector, or his designee, forty-five (45) days prior to the schedule Board meeting?

Reply (4): See Workplace Regulations & Compliance Policy WRC-013.

Inquiry (5): Is it allowed for remote variance manuals to be submitted to the Chief Boiler Inspector, or his designee, in electronic format for distribution to the Board members?

Reply (5): See Workplace Regulations & Compliance Policy WRC-013.

Inquiry (6): Is it required for an individual to request in writing to the Chief Boiler Inspector, or his designee, forty-five (45) days prior to a Board meeting for an “*Open Discussion Item*” to be added to the Board meeting agenda.

Reply (6): No; however, the request at the meeting must be made prior to the adoption of the meeting agenda and it is at the discretion of the Board Chairman to accept the addition at such time.