

Southern Weights & Measures Addendum Sheets Laws and Regulations Committee

October 21-24, 2007
Little Rock, Arkansas

Joe Benavides (TX), Chair

232 METHOD OF SALE REGULATION

232-1 Automatic Temperature Compensation (ATC) for Refined Petroleum Products and Other Fuels

The Committee heard opposition to permissive temperature compensation for retail and other meters during the open hearing primarily from industry representatives many of whom suggested that further study was needed to determine if the cost versus benefit justified adoption of the original proposal. The Committee agrees that more information would be helpful in determining the value of using ATC on retail motor fuel dispensers that are marked to deliver less than 30 gallons per minute.

Several comments called for the withdrawal of the item but the Committee recognized that the item will be on the NCWM L&R Interim Agenda in 2008 because it was carried over from the 2007 Annual Meeting and it learned that the Western Weights and Measures Association supported adoption of the original item at its recent meeting. The Committee also believes that withdrawing this item as some regions have suggested would only delay consideration of this issue, which has been on the NCWM agenda in one form or another for almost a decade, because the item would likely be resubmitted by a regional association. There were other comments recommending that no further action be taken on this item or that it be tabled.

One comment suggested that the original proposal be amended to limit the method of sale to Loading Rack Meters, Vehicle Tank Meters and Retail Dispensers which are marked to deliver more than 30 gallons per minute or more (which are typically used in making larger quantity deliveries at truck stops). The Committee believes that separating larger flow meters (some of which are already equipped with ATC) from the proposal may reduce the opposition to the proposed method of sale for ATC.

The majority of the Committee recommends the following to the SWMA for adoption:

SWMA recommendation to the NCWM L&R Committee:

1. Remove the word "Permissive" from the title of the proposed method of sale for ATC.
2. Divide the item into two separate proposals.
 - a. For retail motor fuel dispensers delivering less than 30 gallons per minute, make it developmental and recommend that the NCWM ATC Steering Committee lead or

coordinate a study to determine if the cost/benefit justifies the implementation of ATC.

- b. For retail motor fuel dispensers delivering 30 gallons per minute or more, amend the method of sale proposal and establish a mandatory implementation date. The SWMA recommends that the NCWM L&R Committee move this item for adoption at the 2008 Annual Meeting with the following amendments:
 - i. Amend section 2.30.2. to read: When products are sold on the basis of temperature compensated volume through Loading Rack Meters, Vehicle Tank Meters and Retail Motor Fuel Dispensers marked to deliver 30 gallons per minute or more.
 - ii. Add an implementation date of 10 years from date of adoption.

232-2 Biodiesel Labeling

Recommendation: The SWMA L&R Committee recommends that the proposal be amended as follows based upon discussion of the Petroleum Subcommittee at the annual meeting of the National Conference on Weights and Measures. The Petroleum Subcommittee is working on further revisions to this section and recommendations will be provided by the NCWM Interim Meeting. The following language is being considered to require additional labeling for fuels containing more than 5% biodiesel: The dispenser shall be labeled with "Consult manufacturer fuel recommendations".

2.XX. Biodiesel.

2.XX.1. Identification of Product. – Biodiesel shall be identified by the term Biodiesel followed with the designation B100. Biodiesel blends shall be identified by the term Biodiesel Blend.

2.XX.2. Labeling of Retail Dispensers Containing Between 5% and 20% Biodiesel. – Each retail dispenser of biodiesel blend containing more than 5 % and up to and including 20 % biodiesel shall be labeled with either:

2.XX.2.1. The capital letter B followed by the numerical value representing the volume percentage of biodiesel fuel and ending with 'biodiesel blend.' (Examples: B10 biodiesel blend; B20 biodiesel blend), or;

2.XX.2.2. The phrase 'biodiesel blend between 5 % and 20 %' or similar words.

2.XX.3. Labeling of Retail Dispensers Containing Biodiesel Blend More Than 20 % Biodiesel. – Each retail dispenser of biodiesel blend containing more than 20 % biodiesel shall be labeled with the capital letter B followed by the numerical value representing the volume percentage of biodiesel fuel and ending with 'biodiesel blend.' (Examples: B100 Biodiesel; B60 Biodiesel Blend)

2.XX.4. Documentation for Dispenser Labeling Purposes. – The retailer shall be provided, at the time of delivery, with a declaration of the volume percent biodiesel on an invoice, bill of lading, shipping paper, or other similar document. This documentation is for dispenser labeling purposes only; it is the responsibility of any potential blender to determine the amount of biodiesel in the diesel fuel prior to blending.

2.XX.5. Exemption. – Biodiesel blends containing 5 % or less biodiesel by volume are exempted from requirements 2.XX.1 through 2.XX.4.

270 OTHER ITEMS – DEVELOPING ITEMS

270-1 Amend Section 2.2.1. in Handbook 130 Uniform Engine Fuels Regulation – Premium Diesel Lubricity

No comments were heard.

Recommendation: The SWMA L&R Committee recommends that this item remain informational.

270-2 Amend Handbook 130 Interpretations and Guidelines Section 2.3.2. Guidelines for the Method of Sale of Fresh Fruits and Vegetables

No comments heard.

Recommendation: The SWMA L&R Committee recommends that this item go forward as a voting item.

270-3 Amend Handbook 133 Section 2.3, Moisture Allowances to Provide Clearer Guidance

No comments were heard.

Recommendation: The SWMA L&R Committee recommends that this item remain informational.

270-4 Laws and Regulations Committee Working Group on Moisture Loss

No comments heard.

Recommendation: The SWMA L&R Committee recommends that this item remain informational.

270-5 Petroleum Subcommittee

No comments were heard.

Recommendation: The SWMA L&R Committee recommends that this item remain informational.

SWMA Laws and Regulations Committee

Joe Benavides TX, (Chair) (2011)

Bob Williams, TN (2007)

Steve Benjamin, NC (2008)

John Junkins, WV (2009)

Gene Robertson, MS (2010)

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