



Southern Weights & Measures Association

106 Edition

SWMA Newsletter

July 2006

JURISDICTIONAL NEWS

ARKANSAS

Our agency was saddened to hear of the loss of Mr. Andrew Lawton Little. Mr. Little was the first head of the then Division of Weights and Measures in 1963.

Among his many accomplishments were:

Responsible for securing the funding support for the construction of the Weights and Measures laboratory.

Responsible for establishing the field inspection program and promoting consumer awareness.

Elected Chairman of the Committee of Liaison with the National Government for the National Conference on Weights and Measures.

In 1966 Mr. Little was one of a select group invited by President Lyndon Johnson to the signing of the "Truth in Packaging and Labeling Bill" at the White House. This was in recognition of his active participation in the National Conference on Weights and Measures and his work with the Committee on Liaison with the National Government towards the passage of the bill. Mr. Little was presented with one of the pens used in signing the bill.

Mr. Little passed away on May 24, 2006 at the age of 88.

Would you like to see the programs and services offered by the Bureau of Standards? Rules and regulations governing petroleum quality? Some links to related weights and measures topics, such as ASTM, Southern Weights and Measures, etc?

Need a complaint form, or to file a complaint? This information and more is available at our website at WWW.plantboard.org. Even now we are updating our services to better serve the consumers of Arkansas.

Director Tom Pugh envisions one day being able to file complaints, register, and license service persons, pay fees...or in his words "a one-stop web site capable of answering almost any question a citizen or service agency might inquire." ☪

GEORGIA

It's hot in the state of Georgia this time of year, and the gas prices are the heated subject. Our retail fuel inspectors have been keeping busy running down consumer complaints along with their daily inspections. Our fuel inspectors are completely diverted to the WinWam program and have dropped all but one or two paper forms for inspection procedures. The computers are in for our Weights inspectors and they will be starting up on WinWam in late July.

We would like to welcome back Commercial Calibration Inspector Steve Garrett from Iraq. We would like to extend to him and all other soldiers our gratitude for serving our country and their patriotic duty for protecting our freedom. No sooner had Steve gotten back from Iraq, but our State Wide Courier Ronnie Toles has been called up and will be serving 18 months in Iraq. We wish him a safe tour of duty and a safe return to the states.

Our other North Georgia Commercial Calibration Inspector Clyde Young has decided to take the State Wide Courier position while Ronnie Toles is away in Iraq since Clyde will be retiring in 18 months. We currently have two retail fuel positions open in the Middle and South Georgia area and one Commercial Calibration inspector position open. We are hoping to have in the next month or so several new trucks to replace some older models on our High Speed fuel inspection Units. Also we are hoping to be getting two new Trucks for our Large Scale Test Units.

We would like to welcome aboard several new inspectors to the Fuel and Measures program, and recognize some promotions as well. Taquia Thrasher has been hired as a Metrologist 1 at our Weights Lab to help out on the increasing load of work that is being generated there. Demrus Cain has been hired on as Fuel Inspector 1 in the (Gwinnett Co.) Metro Atlanta area. Marvin Pound, our Middle Georgia Supervisor has been promoted to Agriculture Manager 2 and will be assisting Rich Lewis our Director in the office with field inspection procedures. Welcome aboard Jim Duffy as an Agriculture Inspector 1 in the Metro Atlanta area for small scale inspections. Jim transferred from the General Assembly building maintenance team and will be a great addition to our Weights and Measures program.

We would like to congratulate Mike Strickland, one of our Large Scale inspectors for being promoted to Sr. Ag. Inspector

after the retirement of Randy Medders. Randy had been with Weights and Measures for over 34 years and is looking forward to a great retirement. We wish Randy well in his retirement endeavor. We would like to congratulate Jeff Davis for being promoted from Fuel Inspector to Commercial Calibration Inspector, after the retirement of the Jerry (good Humor) Streat. We wish Jerry well in his retirement. Wait a minute, did I just say that Jerry Streat had retired, yes I did folks. Well after just 4 weeks of retirement Jerry could not stay away from us so he came back, yes that's right he came back to work with us, and took the other position of Agriculture Inspector on the Large Scale Truck that was left vacant by Randy Medders.

Jerry said that the Saturdays just keep coming too soon. Welcome back Jerry, we are glad to have you back.

Our Office Manager Mark Puckett will be leaving our office for a promotion in the Personnel Office and will be there the remainder of his career. Mark has been with the Dept. for 30 years and is looking to retire before too long. We wish him well and hope he really misses us in Fuel and Measures. We would like to welcome back, Walter Austin, one of our Metro Atlanta Fuel Inspectors from a month leave after the birth of a new baby boy. His wife and new son are doing fine. We really missed Walter during his absent because of all the fuel calls we were getting in his Metro Atlanta area.

Our inspectors have just completed a defensive driver course given by the State Patrol to help them be better drivers in their job assignments and help keep them safer on the roads.

Chuck Royal, our North Georgia Field Supervisor will be attending the Georgia/Alabama Propane Convention in Destin, FL on July 5 and will be working with the Propane Association to better serve the needs of the consumers and the propane industry. Our Ag. Manager Marvin Pound and Director Rich Lewis will be attending the National Conference Weights and Measures in Chicago, IL on July 10th. We wish them a safe and productive trip to the meeting and back. ☞

KENTUCKY

NEW LAB WILL AID KDA'S FUEL TESTING

A new motor fuel laboratory will help the Kentucky Department of Agriculture do an even better job of making sure Kentucky motorists get their money's worth at the pump. The lab was approved in this year's session of the General Assembly.

The \$1.65 million lab will be an important weapon in the KDA's consumer protection arsenal at a time when Kentuckians are paying nearly \$3 for a gallon of gasoline. The Department is required by law to test gasoline pumps for accuracy and check the quality of motor fuel at each of the 3,500 registered motor fuel retailers in the Commonwealth.

"As a consumer protection and service agency, we test gas pumps to make sure Kentuckians get what they pay their hard-earned money for," Agriculture Commissioner Richie Farmer said. "We also test fuel quality to ensure that Kentucky doesn't become a dumping ground for bad gas and to enforce our state's ban on MTBE." MTBE, or methyl tertiary butyl ether, is a fuel additive that has been banned in Kentucky and other states because it has been found to contaminate groundwater.

Years of budget cuts, exploding costs and rising demand have affected the Department's ability to test motor fuel for quality and inspect fuel pumps for accuracy. Fuel tests currently are performed by a commercial lab in Nashville, Tenn. The skyrocketing cost of the test has forced the KDA to reduce the number of tests it makes ten-fold, from 6,000 to 600 a year.

"There were 3.4 billion gallons of motor fuel purchased in Kentucky last year, so 600 samples representing 3.4 billion gallons is not acceptable," said Tom Bloemer, administrative branch manager of the KDA's Division of Regulation and Inspection. Less than 10 percent of the samples fail the test, which measures standards mandated by the American Society for Testing and Materials (ASTM) ranging from foreign matter in the fuel to its octane rating.

Having its own lab will enable the KDA to resume testing at the previous 6,000- to 8,000-sample level. Bloemer would like to see the number increase to as many as 10,000 to 15,000 samples of gas and diesel. The lab also will allow the KDA to increase its biodiesel testing and begin sampling ethanol as the number of biofuel pumps in the state increases.

The lab's target date to become operational is July 2007. It will be located inside an expansion of the KDA's Office of Consumer and Environmental Protection headquarters in Frankfort. Bloemer is hoping the lab can contract with bordering states to test their fuel.

"It could create a revenue stream," Commissioner Farmer told a legislative committee in its recently concluded session. "I think it'll pay for itself in a relatively short period of time."

Less than 7 percent of the state's pumps failed to meet state standards for accuracy in 2005. If you suspect that a pump may not be accurate, call the Division of Regulation and Inspection at (502) 573-0282. An inspector will test the pump, usually within 48 hours of notification. ☞

MARYLAND

During June 7-8, 2006, we had a Training School/Staff Meeting for our field staff. Staff members received on site training in the inspection/testing of vehicle tank meters and LPG meters.

We recently hired Richard Tomarelli, Jr. to fill a vacant field position. Rich retired from USDA (GIPSA, FGIS) after 26 years of service.

We recently took delivery of a new pick up truck and a 3 5 gallon test unit.

The NCWM meeting is in Chicago, July 9-13, 2006. Chief, Will Wothlie, Program Manager Ken Ramsburg and Inspector Ethan Halpern will be representing Maryland at this meeting.

We are looking forward to hosting the SWMA Annual Meeting which will be held October 22-25, 2006. We hope to have members present from all of the jurisdictions in the SWMA.

Like many Weights and Measures jurisdictions across the country, we receive numerous consumer complaints based on the purchase of gasoline. Many of these complaints are unfounded and not valid. However, on May 10, 2006, our office received a consumer complaint which did not fit the norm. On this occasion, this particular complaint was found to be valid. Our investigation revealed that a diesel dispenser was indicating that it was delivering four times the amount of product than what it was actually delivering.

Further investigation found that the dispenser's PC board was at fault and was incorrectly computing the pulses, about four times more than what it should have been doing. The main chip on this board had been altered and reprogrammed.

The PC board was replaced and after the dispenser was retested and inspected and found to be correct the dispenser was placed back into service. The consumer was credited for the purchase and the complaint was closed. If more specific information is needed please contact Ken Ramsburg at (410) 841-5790.

Recent Civil Penalties

- On April 27, 2006, we received \$500 for a civil penalty assessed against Katz Kosher Mart, Rockville, Maryland. The civil penalty was assessed due to short weight violations found during routine package inspections performed at the establishment.
- On May 8, 2006, we received \$750 for a civil penalty assessed against Grand Mart, Gaithersburg, Maryland. The civil penalty was assessed due to short weight violations found during routine package inspections performed at the establishment.
- On May 16, 2006, we received \$100 for a civil penalty assessed against China Buffet Restaurant, Annapolis, Maryland. The civil penalty was assessed due to short weight violations found during test purchases conducted at the establishment.
- On May 16, 2006, we received \$100 for a civil penalty assessed against Petco, Ellicott City, Maryland. The civil penalty was assessed due to short weight violations found during test purchases conducted at the establishment.
- We currently have eight additional civil penalties pending against other establishments for violations found during package inspections or test purchases. †

NORTH CAROLINA

Standards Lab

For one of the few times in his life, L.F. is speechless after cheering the 2006 Stanley Cup Champion, Carolina Hurricanes through the playoffs and the finals. Game 7 did in his voice (and hearing). He hopes to have a full recovery by the beginning of next hockey season. Congratulations to the 'Canes on their first Stanley Cup Championship! Let's Go 'Canes!

We've completed the calibration of our weights and measures inspectors' weights during the month of June. We also took this opportunity to upgrade our 5500 lb. weight carts to the retroactive sections of NIST Handbook 105-8. The new fuel tanks and fuel counter weights will allow for greater accuracy and less danger since the tank will not have to constantly be topped off to keep it full.

We've promoted one of our Standards Inspectors II, Gerald Price, to a Metrologist in the laboratory. Gerald replaces Renae Greiner who stayed with us a short while until the price of gas and city traffic helped her decide to work closer to her home out in the country. Gerald is doing an excellent job! His knowledge of both gas & oil and weights & measures inspection has proven to be a great asset to our work in the laboratory.

Congratulations are in order for Phil Nguyen. He earned his certificate for air conditioning, heating, and refrigeration technology from Wake Technical Community College. We expect to experience no more problems with our HVAC systems under his watchful eye.

We're still defending the laboratory from a legislative call to study the feasibility of consolidating all State labs. No offense, but I really don't want to share our balances with the medical examiner and soil analysis folks. Rabid animal brain tissue could definitely affect the mass of our standards if we share with the Department of Human

Health Services! I feel our case is strong, but some of these projects seem to take on a life of their own and don't always let the facts confuse the issues.

We've just received our new Mettler-Toledo KC500 mass comparator. If we get the ten plus year of heavy service out of it that we got from our old one, we'll be very happy. The initial results look very promising.

The grain moisture program began collecting wheat for the 2006-2007 inspection season the last day of May. We were nearly finished when tropical storm Alberto arrived and dumped significant rainfall in many areas of the state. The result, of course, was a halt to the wheat harvest in the affected areas. However the state is drying out again and wheat harvest has resumed, but we are now faced with a less robust crop. Test weights and grain quality appears to have been compromised by all of the rain but not to worry. We still expect a very productive testing year with the grain we did collect.

We continue to wish Georgia Harris and her husband Randy the best of luck as they hike the Appalachian Trail. From their online journals, it sounds like quite an experience!

Motor Fuels Section

The Motor Fuels Lab is gearing up for the low RVP season. Our regulations give retail outlets 15 days to turnover old stock, so at the moment we notify the station of their results, encourage them to make a correction and make a return visit starting June 15th. We also let them know that the EPA begins enforcement on June 1st and will assess a fine for locations not in compliance. Samples that are high after June 15th will be condemned and a stop sale placed on the product until a correction made. We are in the process of procuring a forth minivap instrument as the designated non-attainment areas are expected to increase.

Becky Coleman, a veteran field inspector from the Wilson/Rocky Mount territory has been promoted to Chemist I. Her duties now include analytical testing in the main lab and field inspections in the Raleigh area.

A longtime octane analyst, Keith Vaughn retired at the end of May. Keith was with the division for 30 years, over 20 of which were spent running octane and cetane engines. As part of his farewell luncheon, his coworkers presented him a trophy of a chromed and mounted piston and two valves.

We have installed a new automatic Pensky-Martens flash point instrument. It replaces a manual apparatus of 1950's vintage. There has been an increasing demand for testing biodiesel, so we saw a definite advantage to automating this otherwise time consuming test. We are also in the process of acquiring the capability of testing lubricity of diesel samples. We have not heard of any complaints concerning lubricity, but want this capability when Ultra Low Sulfur Diesel comes to the marketplace.

LP-Gas Section

Richard Fredenburg, our LP-Gas Engineer, made a presentation on exemptions to the LP-Gas Code at the safety seminar at the NPGA Southeastern Convention and International Exposition in April. He also participated in a small gathering of state administrators at that meeting.

Also in April, Richard made a presentation on changes expected to occur to the LP-Gas Code at the NC Fire Prevention School.

Voting for the comment part of the revision cycle for the LP-Gas Code was held in June. Due to the controversial nature of some of the proposals for this cycle, it is a distinct possibility that the next edition of the code will be delayed.

Congratulation to James Lambert! James was one our LP Calibrators but is now our bulk plant/site inspector for Western N.C. Unfortu-

nately this isn't really a promotion since both positions are the same grade, but he gets to learn some new skills. We hope to fill his old position shortly.

Measurement Section

The Measurement Section has had several personnel changes since our Spring Letter. Travis Burger has filled the Standards II position that Ted Carter previously held in the Fayetteville and Lumberton area. Gerald Price, a Standards II Inspector in the Raleigh area, is now with our Standards Lab. We are presently doing interviews to fill his vacated position. James Skipper has retired after 27 outstanding years of service to the Department. "Skip" was one of our trainers and has passed a lot of his knowledge and experience on to the rest of us. Skip, we hope you and Barbara have a long and healthy retirement. You will be missed.

As usual prices of gasoline and diesel have been "fuel" for keeping us on the go as we handle concerns and complaints of the dispenser starting before product begins to flow, shortages, overcharges and the like. As always they are top priority.

Price scanning errors are still a major concern. As of June 28th, we have received payment on 28 civil penalties and have 4 more pending on locations that exceeded the 2% overcharge error rate. In 2005 we had only 9 total civil penalties for failed scans. "Quite a change." One major company is very concerned about scanning. Attempting to solve this problem, they are having training sessions with store managers and assistant managers and have requested NCDA & CS Inspectors attend these meeting to help address their issues and possibly find ways to solve them. We feel this is well worth our time if it results in more locations passing on the first inspection. †

TENNESSEE

We have encountered several personnel changes among inspectors over the past several months. Blair Bell, Phil Parks, and David Gibson, all Weights and Measures Inspectors, have retired from state government following many years of service. Each of these employees devoted many loyal years of service to the state in their respective areas of the state. A couple of individuals have been hired to replace these inspectors and we are in the process of interviewing applicants

for the other positions. Rickey Freeman, West Tennessee Weights and Measures Regional Supervisor, also recently retired following more than thirty (30) years of service. Danny Scott, along long time weights and measures inspector was recently promoted to replace Rickey.

Randy Jennings has spent countless hours and days coordinating the transfer of our computer files to a newly contracted company. Randy has done an excellent job on this project and is to be commended for his work and devotion on this matter.

Ken Wilmoth, Metrologist, is working to submit all applicable documents and manuals to NIST, Weights and Measures Division to regain our traceability.

Ed Coleman, Petroleum Administrator, has been working with several companies who have begun to blend bio-diesel in Tennessee. Several samples of this product have been obtained by our inspectors.

Ed and Bob Williams will be in attendance at the National Conference of Weights and Measures in Chicago. As usual, there will be a number of timely and interesting topics to be brought before the various attendees at this very important conference. †

Contact SWMA

The SWMA Newsletter is published quarterly.
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