



# Southern Weights & Measures Association

109th Edition

SWMA Newsletter

April 2007

## JURISDICTIONAL NEWS

### ARKANSAS

Have you made your plans to attend the 62<sup>nd</sup> Annual Southern Weights and Measures Conference being held in Little Rock, Arkansas October 21-24, 2007?

If not what are you waiting for?

Maybe you are asking yourself, if I have a little time in between the busy meeting schedule what will there be for me and my family to do in Little Rock? Have no fear.

If you fly in, Little Rock International Airport is minutes away from the downtown district. Transportation such as the River Rail Streetcars, Central Arkansas Transit and good old walking shoes make the downtown attractions readily available.

Little Rock is the home of the William J. Clinton Presidential Library featuring 20,000 sq. ft of museum with interactive exhibits which attracted over 600,000 visitors its first year. Nearby is the Heifer International World Headquarters, Arkansas Inland Maritime Museum where you can tour the USS Razorback, the longest-serving submarine in the world.

Little Rock also has the Aerospace Education Center which offers a host of aviation and aerospace exhibits including an original Sopwith Camel as well as a replica of the Wright Flyer. Add in the Arkansas Art Center, Arkansas Queen Riverboat, Central High Historic site, Douglas MacArthur Museum of Arkansas Military History.

Throw in the River Market District complete with an array of restaurants, galleries and nightspots and you have more than enough to fill any idle time.

If you are fortunate enough to make the drive to the Natural State you will be able to enjoy the beautiful fall foliage and probably see some of the 600,000 acres of lakes, 9,000 miles of streams and rivers and over 2 million acres of national forest land that comprise the state of Arkansas.

Within driving distance of Little Rock you can experience hiking, fishing, hunting for diamonds at North America's only public diamond mine, or relax in a thermal bath in naturally hot spring water used by everyone from Babe Ruth to Al Capone.

For more information on the city of Little Rock see [www.littlerockguestguide.com](http://www.littlerockguestguide.com) For a vacation planning packet call 1-800 Natural. For conference information contact Tammy Winsor or Tim Chesser 1-501-570-1159.

Our Petroleum Quality Section is still undergoing training in the use of our newly-purchased equipment for allowing use to test biofuel products. Biodiesel and alternative fuels continue to be prominent in the regulation of the petroleum industry in Arkansas. The Arkansas 86<sup>th</sup> General Assembly is addressing every issue from labeling requirements to the use of biofuels by state agencies. This makes it necessary for our agency to be as up to date as possible with the technology. †

### GEORGIA

We have had a good start to the year 2007 in the State of Georgia. The milder winter has left us with fewer than normal firewood and kerosene complaints in the state so far this year.

Our economy has been holding up fairly well despite the large increase in fuel prices.

We have had several personnel changes recently. We would like to welcome aboard David Au as our new Fuel Oil Lab Director. David comes from us from Lucent Technologies and is a graduate from the University of Auburn. David looks forward to working with our Fuel Program and its personnel. We would also like to congratulate David's daughter on her success on the soccer field and her scholarship with the University of Kentucky where she will be attending later on this year. We would like to welcome aboard Donna Barringer as a Quality Control Lab Tech. in the fuel lab also this year.

We have filled our Fuel Calibration position with one of our small scale inspectors, Steve Peck. Steve said he doesn't mind the smell of diesel fuel and other fuels at the truck stops and terminals and is enjoying his new position. We have hired Mike Beatonbough on as a new retail fuel inspector in Northwest Ga.

We have replaced 3 of our older retail fuel test units in the Metro Atlanta area with new test units. Curt Williams, our retired fuel oil chemist has been retained at our Fuel Lab as an Energy Consultant and is keeping up with the surge of Biodiesel and Ethanol facilities in the state. Curt says he is ready to go back on another cruise to the Caribbean again when he gets the chance. The Fuel Lab is also getting a new secretary, Antonia Tomlinson, to help with the never ending paperwork.

In our Weights Program, we would like to welcome aboard Brian Grace as our new Metrologist 2 at the Weights Lab. Brian will be attending basic metrologist classes in Gaithersburg, Maryland in March for two weeks. Good luck Brian! We also would like to welcome aboard Billy O'Neal as our new Metrologist 1 to the Weights Lab. Billy was hired on in Feb. 2007 and is adapting very well to working in the Weights Lab. Both of these guys have been a great asset to Dale Gann, our State Metrologist.

Mike Norris has replaced Steve Peck as our new Small Scale Inspector in Northeast Ga. Mike says he enjoys the job a lot even if he does get lost a lot looking for scales.

Kontz Bennett, Assistant State Metrologist is going to be attending the S.E.M.A.P. meeting in Mississippi in April. Kontz is up for the trip and is looking forward to learning what new technology is coming along.

We have received several new pickup trucks for our weights program and 3 new large scale trucks to replace our older model trucks. It will take about a week per truck to do the transfer, and the inspectors are looking forward to driving a brand new rig.

We have been keeping up email contact with our state courier, Ronnie Toles, who was deployed to Iraq. He is set to come home this summer, and we wish him well.

We want to congratulate Cameron Smoak our Assistant Commissioner for Consumer Protection for retiring with 34 yrs. of service. Cameron said he looks forward to slowing down a bit and enjoying retirement. Congratulations go out to our new Assistant Commissioner, Oscar Garrison, who was promoted in Feb. from the food safety office. Oscar who is also over the Fuel and Measures Division said he is looking forward with working with us in the future.

We are in the process of sending our Fuel Calibration Inspectors as well as our LP Calibration Inspectors to a training seminar in the next few months. A local L.P. com-

pany has invited our inspectors to work on and train with their staff on new meters that are being introduced to the industry.

In our division office in Atlanta we would like to welcome aboard Jason Hitchcock, our new Operation Analyst Tech. Jason is looking forward to getting to know all our field personnel as they call into the office. †

## MARYLAND

The Maryland Department of Agriculture welcomes our new Secretary of Agriculture Roger L. Richardson and Deputy Secretary Earl F. Hance.

Secretary Richardson is a life-long farmer from Worcester County. His family farms 3,500 acres of grain on the Lower Eastern Shore and operates a trucking company. He has a long history of leadership positions in agriculture including current positions: a director of the Maryland Center for Agro-Ecology, a director of the American Corn Growers Association, member and now chairman of the Maryland Department of Agriculture's Board of Review, President of the Snow Hill Grain Co-op, second term on the Worcester County Farmland Preservation Committee, member and former president of the Worcester County Farm Bureau.

Deputy Secretary Hance is a fourth generation Southern Maryland farmer. Prior to this appointment, he served most recently as President of the Maryland Farm Bureau, chairman of the Maryland State Tobacco Authority, and as chairman of the Southern Maryland Agricultural Commission among other farm and community activities. A former tobacco farmer, Deputy Secretary Hance and his family farm 400 acres of corn and soybeans and operate several commercial greenhouses. He and his wife live in Port Republic, Calvert County and have three children.

On February 27, 28 and March 1, 2007, we held our annual Training School with a theme we took from Don Onwiler of Nebraska, "Back to Basics". The school was on small and medium capacity scales. We incorporated seven different stations with seven different scale types. Since we only have fourteen field inspectors we had two people to a station with only one working at a time. We found the school to be very beneficial to all who attended.

On the second day of the training school we had a surprise luncheon for Robert (Bob) Eaves, inviting all the Maryland retired Weights and Measures staff and a few close friends who had moved on to NIST. Everyone present had a story or a fond memory of this outstanding member of Maryland Weights and Measures. Bob had trained, supervised and worked with everyone present. On March 1, 2007, Bob Eaves retired from the Weights and Measures Section. Bob served the department for 37 years

starting as a field inspector and finishing as the Program Manager for Packaging and Labeling.

On March 24, 2007, our annual Maryland Department of Agriculture Open House will be held. It features exhibits and demonstrations throughout the department. Activities for children and a variety of food are offered. This provides us with a venue to inform the public what we do and how it effect their lives on a daily basis.

Our Metrology Lab is now using a recently installed electronic balance for precision mass testing to cover mass measurement from above 1,000 lb to 2,500 lb. In addition the large volumetric testing lab now has a 7 foot high (8' x 8') mezzanine to provide higher accuracy and convenience for testing provers from 20 gallon to 100 gallon. A 14' mezzanine is available for testing provers from above 100 gallon to 1,800 gallon.

### Recent Civil Penalties

- On January 20, 2007, we received \$150.00 for a civil penalty assessed to Harbor Fish, Baltimore, MD. The civil penalty was assessed for short weight test purchases.
- On January 23, 2007, we received \$250.00 for a civil penalty assessed to Mitchell's Deli, Baltimore, MD. The civil penalty was assessed for short weight test purchases.
- On January 25, 2007, we received \$1,000.00 for a civil penalty (2<sup>nd</sup> violation) assessed to La Mart, Baltimore, MD. The civil penalty was assessed for short weight packages after routine inspections.
- On January 31, 2007, re received \$100.00 for a civil penalty assessed to The Fruit Basket, Baltimore, MD. The civil penalty was assessed for short weight test purchases.
- On February 23, 2007, we received \$100.00 for a civil penalty assessed to Garden Produce, Baltimore, MD. The civil penalty was assessed for short weight test purchases.
- On February 23, 2007, we received \$150.00 for a civil penalty assessed to RA's Fish, Baltimore, MD. The civil penalty was assessed for short weight test purchases.
- On March 12, 2007, we received \$125.00 for a civil penalty assessed for Buffalo Bill's II, Baltimore, MD. The civil penalty was assessed for short weight test purchases.

## NORTH CARLOINA

### Motor Fuels Section

North Carolina's interest in Biofuels continues to increase. Both at the Motor Fuels Lab and at Stephen's office, we are hearing from consumers, producers, distributors, the agriculture community, government agencies and lawmakers who are interested in biofuels. Only this past week, we heard from a distributor who plans to offer B-20 Biodiesel Blend for sale to the public. The Biodiesel portion of the blend will be produced locally.

At the Motor Fuels Lab, we are continuing our efforts to add new test methods that are applicable to biofuels. We are presently in the process of purchasing a GC that is capable of testing the glycerin content of biodiesel. We are also looking at our remaining equipment funds and considering some other instruments for testing these products. Many of the test methods for Biodiesel and E85 cannot be used on petroleum products, so space is also a factor in any new purchases – our 53 year old lab just can't hold much more!

### LP Gas Section

We are dealing with an issue in the western part of the state where a tank company modified several hundred propane tanks, outside of the ASME and National Board of Boiler Inspector's rules. These are mostly underground tanks and we are having a problem trying to determine which ones are potential problems. We have spent a lot of time in the area and have issued a press release about the problem. Both customers and local propane suppliers are helping to identify those tanks in need of inspection.

Our LP-Gas Engineer, Richard Fredenburg, participated in the NPGA Technology and Standards Committee meeting March 5-7, 2007. Many issues pertaining to the *LP-Gas Code* were worked on with the intent of making proposals to modify the code in the future.

We are working on getting training for our inspectors to do inspections on underground tanks to determine if they are experiencing severe corrosion. We have made contact with a couple of companies to see if they can develop training that is appropriate for tank inspections only, not for pipeline inspections.

### Standards Laboratory

It's been a busy time for training and travel. Cliff attended the NIST WMD Advanced Mass Metrology seminar February 26 – March 2, 2007. Gerald, our newest metrologist in the lab, will attend the NIST WMD Basic Metrology Seminar March 19 – 30, 2007. Finally Van, Tal, and Gerald will attend SEMAP April 16 – 20, 2007 in Mississippi. This year, the training provided during SEMAP will include a NIST WMD Intermediate Metrology seminar. With all that training in such a short period

of time, we should have a much smarter Standards Laboratory!

Faced with a probable \$29,000 in modifications and repairs to our chiller, we've decided to spend \$34,000 to replace the entire unit. The current unit is less than ten years old, but has been problematic from the start, requiring the replacement of seven compressors, two evaporator coils, addition of air dampers, and significant modifications to the hot gas bypass in the system. Running 24 hours per day, seven days a week is hard on a chiller (not to mention expensive), but it's necessary to meet the environmental requirements of the laboratory. We do hope the new unit will be more dependable and durable.

Work continues on the development of our lottery ball testing program. By press time, all of the sets of lottery balls for the NC Education Lottery should have been tested. Susan, Cliff, and L.F. have worked very hard to develop procedures and computer programs to include these calibrations under our NVLAP scope of accreditation. It's a comparatively simple test, but it is important to us that all work leaving the laboratory is covered under our accreditation. The combination of accredited and non-accredited work on certificates from other companies has proven very confusing to our customers, a situation we try to avoid. In other words, y'all can trust the NC Education Lottery! Send your money to NC!

Speaking of NVLAP, we will *enjoy* our next NVLAP audit in the near future. Ronnie Eubanks and Harry Moody will visit our lab soon to conduct the audit. We look forward to their visit since every audit we've experienced has resulted in significant program improvements. They must be working since each audit seems to get a little easier with fewer major deficiencies. LF continues to highly recommend that all SWMA labs that are not accredited move that direction as quickly as possible! It does make a positive difference in the operation of your laboratory program.

We look forward to a presentation we'll give at the ISWM spring meeting in Raleigh on March 24, 2007. It will be an opportunity for us to explain what we need from scale companies and technicians and for them to let us know how we can improve our service. Hopefully we'll be able to learn from each other with an end result of saving the scale companies time and money while maximizing our efficiency. We are also plagiarizing a State of Maine WEB based survey – uh, excuse me, we're developing a very brief, but informative WEB based customer service survey for all laboratory customers to complete after having work done by the Standards Laboratory. Based on the responses Danny Newcombe in Maine received to a *somewhat similar* survey, we expect it to be very helpful as we seek to improve the calibration services we provide.

## Measurement Section

Spring is around the corner. We have completed our pine bark and mulch inspections with the exception of a couple of locations that last year had lots of various kinds rejected, but we'll get to them very soon. Several thousand bags of bark and mulch were rejected statewide, but we were still satisfied with the results compared to years in the past. It seems as if most locations now have their own quality control programs in place and are doing a much better job of monitoring their products for correct net content.

Scanning errors are still one of our chief concerns since over 20% of the locations visited exceed the 2% overcharge error rate. This year, we plan to continue to visit those locations that have been issued civil penalties until they pass. Each failed inspection will result in a civil penalty with an increasing minimum amount each successive penalty. We are hoping to get their attention and have them improve this problem as the press releases and previous penalty assessment method seems to be ineffective. In the past, a location that had a civil penalty was revisited only during our regular rotation of inspections.

We have had several changes to our inspection staff since our last letter. O'Neil Stovall retired at the end of December and has been replaced by Tony Tilley in the Winston-Salem area. George Grier is our new Gas and Oil Inspector in the Charlotte area and Marshall Shingleton has filled the vacant Dual Role Position (Weights and Measures and Gas and Oil) in the Greenville area. We also filled a new position for Gas and Oil Inspector in the Wilmington area, Jerry Lewis will take over some of the workload from several inspectors in that region to (hopefully) put all of them on an annual inspection schedule.

Several of our inspectors will be returning to work after extended sick leave. Some of them even have new parts and should be better and more efficient than they were before. With their return we'll be hoping to be fully staffed. Seems like we're always hoping this though!! ☘

## SOUTH CAROLINA

One of the Department's LP gas test units was involved in a traffic accident in February. The unit is mounted on a trailer and has a 25 gallon stainless steel prover and a 100 gallon stainless steel prover. It was being towed by one of the Department's pickups when a lady failed to yield the right of way. She hit the pickup truck in the left rear quarter panel, and then hit the LP gas unit trailer. The impact caused the trailer to break loose from the pickup and overturn in the intersection. Thankfully no one sustained any personal injuries. The damage to the pickup truck was approximately \$2,800.00. The trailer on which the provers

were mounted was basically totaled. However, the LP provers did not suffer any major damage. The cost to replace the trailer, hose reels, and cabinet and remount the provers is going to cost approximately \$10,000.00. The accident caused some of the small amount of LP gas that remains in the provers to leak, and the local fire department cleared the area and hosed down the unit. The lady's insurance company is going to cover the repair cost. When the insurance company adjuster went to take a look at the trailer, all he did was take pictures. He had no idea what it was going to take to repair it.



## TENNESSEE

We would like to welcome the National Industrial Scale Association (NISA) to Nashville, Tennessee on April 23-24, 2007, as they will be holding their first ever meeting in Nashville. This organization addresses industrial weighing issues from a technological and regulatory point of view. Their membership includes representatives from a variety of weighing equipment manufacturer's and dealers, railroads, and regulatory officials from both the states and NIST along with several other related industries.

Temperature compensation seems to be gaining more interest from a variety sources as a result of its inclusion in voting items of the NCWM's Laws and Regulations Committee. It is apparent that this item will be one that will generate much debate as we move closer to the Annual NCWM Meeting in July 2007. Randy Jennings and Bob Williams both attended the NCWM Interim meeting in Jacksonville, FL in January and participated in the discussion of temperature compensation and other items.

Ed Coleman, Petroleum Administrator, continues to devote a significant amount of time to alternative fuels as they gain popularity and market share in Tennessee.

Our large scale inspectors have completed a significant number of fertilizer hopper scale inspections and have started Spring livestock scale inspections.

Several of our staff members are involved in the planning phase of the Southern Association of State Departments of Agriculture (SASDA) meeting planned for June 17-20, 2007. We expect a large number of participants for this annual meeting involving

Commissioners/Secretaries/Directors of Agriculture and key staff members of the southern states. Mr. Tom Womack, Executive Assistant For Public Affairs, has done an outstanding job in coordinating this event and arranging for a number of speakers.

Finally, we wish Mr. Bob Eaves of Maryland the very best in his retirement. THANK YOU for all you have done in weights and measures over your career – you will be missed. ☪

### SWMA Welcomes New Member

**Charles W. Corr**

**Archer Daniels Midland Co.**

**Manager, Ethanol Technical Service**

**1251 Beaver Channel Parkway**

**Clinton, IA 52732-5935**

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## VIRGINIA

There have been major changes in the Office of Product and Industry Standards, aka Weights and Measures in Virginia. In February 2005, Alan Rogers who had been the Program Manager since 1988 was re-assigned to the Office of Consumer Affairs. In June 2006, Donald Delorme assumed those duties, but resigned in October because of health reasons and returned to his previous position. In February 2007, Robert (Bob) Bailey took over the duties as Program Manager. Bob is a long time employee of the Department, most recently as a supervisor in the Office of Pesticide Services. Wes Diggs will be retiring on June 29, 2007 and Dale Saunders has filled his position. Dale retired from the Coast Guard and was an inspector of small capacity devices.

Things are improving from a budget prospective. We received permission to fill five inspector positions; two large capacity meter, two large capacity scale, and one small capacity device inspector position. We also have approval to purchase a large capacity scale test unit, three units for testing large stations, one 50-gallon prover for truckstops and one LP Gas test unit.

## Personal

If nothing changes, my last day in this office will be June 29, 2007 and my retirement will become effective August 1. While it has not always been fun, over my forty years I have enjoyed my association with those of you in the weights and measures community. I want to thank you for your friendship and association.

**Thanks - Wes Diggs** ☩

### Contact SWMA

The SWMA Newsletter is published quarterly.  
Annual dues are \$25.  
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