



Southern Weights & Measures Association

113th Edition

SWMA Newsletter

April 2008

New NCWM Executive Director and NTEP Administrator Announcement from Judy Cardin, NCWM Chairman

I am happy to announce that effective October 1, 2008, Don Onwiler will be our new Executive Director, and Jim Truex our new NTEP Administrator. Both gentlemen bring exceptional dedication, integrity, knowledge and experience to their positions, and they will work closely with our current management company to facilitate a smooth transition. Please join me in welcoming Don and Jim. They will be a great team, working to improve the value, effectiveness, and efficiency of NCWM.

As of October 1st, NCWM's headquarters office will be located in Lincoln, Nebraska, and will be staffed by Don, and two NCWM employees. Don will begin full time work on the new office and the transition on May 1. Jim Truex will operate from a home office in Ohio, and will start full time work on the transition by July.

Don and Jim will both attend the NCWM Annual Meeting in Burlington, Vermont this July. They will appreciate greetings and comments from our membership!

Please see the link on our homepage (<http://www.ncwm.net>) for more information and watch for the May NCWM newsletter and Annual Meeting report for more information on the improvements we are planning.

Let me know if you have questions or comments. Judy.Cardin@wi.gov ☪

JURISDICTIONAL NEWS

GEORGIA

As the price of gas goes up, so goes the number of complaints. If you don't think this is true ask some of your fuel inspectors that are going on fuel complaints in your state. As we have seen the rise of fuel cost so have we seen the rise of everything else associated with the rising fuel cost. In the State of Georgia we have been bombarded with an ever increase of mad consumers about pumps

jumping, wrong advertising on road signs and a widely publicized incident in the south part of the state dealing with a number of stations setting fuel pumps on the minus to cheat consumers. This situation has us rethinking and redesigning how we inspect fuel establishments.

We have filled some field positions in the fuel section in the last few months. We have promoted fuel inspector, Glen Price to Field Supervisor over Middle Georgia. To fill his position we have hired Don McCranie from Eastman, Ga. We regret to inform everybody that one of our Fuel Calibration Inspectors, Jeff Davis died from a heart attack last month during the weekend. His replacement was Tracy Davis, a former retail fuel inspector in South Georgia. Tracy Davis' job has been posted and will be filled as soon as possible.

We have also lost a retired fuel lab employee, Ann Joyce who lost her life to pancreas cancer two weeks ago.

Some other personnel changes have been the promotion of Marvin Pound to Training Officer in Fuel and Measures. Tara Quesada has been relocated to the Fuel Lab to help with the increasing work load. We have recently filled a metro Atlanta fuel position with Mr. Elroy Carey. Elroy has been a well needed inspector in the Atlanta area to help with the increasing number of stations being built.

In the Weights Section we have just recently sent Dale Gann to Louisville, KY for a SEMAP meeting. Dale insists that he learned a great deal from the meeting. We recently had one of our lab techniques to leave and go to Texas to follow up his job career. We are hoping that Dale can get this position filled due to the heavy work load we are receiving at the weights lab. We have one of our Small Weights Inspector's, Jim Duffy who is taking a leave absence to go to work with a contractor in Afghanistan. We wish him the best of luck in this endeavor with a bold trip to the Middle East.

The money is tight, but we have managed to get a few new vehicles to replace the older ones that are worn out. ☪

MARYLAND

On February 27 through 29, we provided a three day training school for our staff. The first day focused on testing liquid packages with five different commodity stations ranging from milk to soda. The remaining days included NIST classroom training by Ken Butcher, Lisa Warfield and Dave Sefcik on price verification and field training on price verification application at two retail locations.

Maryland has confirmed through an investigation based on a consumer complaint a second gas station not delivering the proper amount of product and immediately placed the dispenser out of service. Our investigation verified a period of use for this dispenser and all parties that may be entitled to a reimbursement. As a result, six individual transactions totaling \$178.78 will receive restitution payments.

The following is a list of Maryland firms that were found in violation of Maryland Weights & Measures Laws and were assessed a civil penalty:

On January 22, 2008, we received \$2000.00 for a civil penalty (3rd violation) assessed to Giant Food # 357, Bethesda, MD. The civil penalty was assessed for short weight packages.

On February 1, 2008, we received \$750.00 for a civil penalty assessed to Shopper's Food Warehouse Store # 2656, Wheaton, MD. The civil penalty was assessed for short weight packages.

On February 19, 2008, we received \$500.00 for a civil penalty assessed to Snow Hill Food, Snow Hill, MD. The civil penalty was assessed due to price verification violations.

On March 3, 2008, we received \$500.00 for a civil penalty assessed to Safeway # 4964, Silver Spring, MD. The civil penalty was assessed for short weight packages.

On March 28, 2008, we received \$500.00 for a civil penalty (2nd violation) assessed to Bay Ace Hardware, Rising Sun, MD. The civil penalty was assessed due to price verification violations.

On March 29, 2008, our annual Maryland Department of Agriculture Open House was held. The Open House featured exhibits and demonstrations throughout the department. This provides us with a venue to inform the public what we do and how it effects their lives on daily basis.

In closing, Maryland Weights and Measures staff would like to congratulate Don Onwiler as the new NCWM Executive Director and Jim Truex as the NTEP Administrator. This office is looking forward to working with both individuals in their new capacities.†

NORTH CAROLINA

Measurement Section

Spring is here! Folks are out working in their yards and farmers are getting ready to plant their fields. This is the time of the year when the majority of fertilizer, mulch, potting soil and bark is being sold. We have almost completed our fertilizer, bark, potting soil and mulch inspections. Several thousand bags of fertilizer, bark and mulch were rejected statewide, but still we were satisfied with our results compared to years in the past. It seems as if most locations now have their own quality control programs and are doing a much better job of monitoring their products for correct net content.

Scanning errors are still one of our main concerns, but we are finding on our return visits the failed overcharge rejection rate is much less than it has been in the past. We have been doing more return visits to locations that have been issued civil penalties and it seems that we may have gotten their attention by the decreased number of scans exceeding a 2% overcharge error rate.

We have had several changes to our inspection staff since our last letter. Arlene Snow has been struggling with back and other health issues since February of last year. She has fought to return to work, but her health just would not allow her to do so. She has gone out on long term disability as of April 6th. Tommy Mears is our new Gas and Oil Inspector in the Winston-Salem area and David Lynch and Denny Hailey have filled the vacant Dual Role Positions (Weights and Measures and Gas and Oil) in the Franklin County and Morehead City areas. With these additions we are be fully staffed. Let's hope everyone can stay healthy and we can meet our goals this year.

Motor Fuels Section

The Gasoline & Oil Inspection Board recently approved a temporary rule change in our specifications for ethanol blends. The T50 distillation specification was changed from a minimum of 70°C (158° F) to 66°C (150° F) and the T V/L specification was waived. The Motor Fuels Lab began participation in ASTM's Biodiesel sample exchange program. The permanent rule, which included updates and changes to other parts of the regulations as well, was approved by the Gasoline & Oil Inspection Board in late March will be on the May agenda of the Rules Review Commission. Once the temporary rule was in place, we began to see an increase in the number of locations selling E10.

Dennis Perry, a former weights and measures inspector has returned to the department as a courier driver for the Motor Fuels Lab. Interviews have just begun for our vacant Chemist position in the lab. Becky Coleman had moved form that position to return to her former field chemist position.

This year the lab is participating in ASTM's Biodiesel sample exchange program. We now are capable of performing several different tests on biodiesel and it now seems this money is better spent than it would have been in previous years.

LP-Gas Section

In January, we hired two new LP-Gas site inspectors, Randy Renfrow and Carlton Spruill. Carlton was a replacement for an inspector who resigned this past fall. Randy's was a newly-created position this budget year. We now have five site inspectors and three truck inspectors.

Our LP-Gas Engineer participated in the National Propane Gas Association Technology, Standards, & Safety Committee meeting on March 2-5 in Austin, TX. While there, in addition to the normal business of this committee, he had a chance to meet with the Texas LP-Gas administrator, visit his offices, and discuss some of the finer points of both of their inspection programs.

We have filed to make changes to our LP-Gas Regulations to update them and to correct a problem with the way LP-Gas Code deals with a propane dispenser on a multi-fuel island. We now have a location with a propane dispenser and gasoline dispensers on the same island which, at present, is not subject to inspection by any agency due to the way the LP-Gas Code and N.C. laws and regulations are worded.

Standards Lab

Cliff, Van, Tal, and Gerald all attended SEMAP in Louisville, Kentucky. By all accounts, Jason did an excellent job hosting the meeting. The training offered was very beneficial to the laboratory. In addition to a focus on mass calibration, training presented by NIST specifically targeted laboratory needs observed during the 2008 Weights and Measures Division recognition submittals. As always, it was very beneficial to share experiences with the other labs both during formal presentations and informal discussions after hours. A solution to a problem or a lesson learned once and shared is much more efficient than everybody suffering through their own personal school of hard knocks.

Training will continue as Cliff and Van attend a week of NIST Quality Management Systems training followed by a week of Advanced Mass classroom and hands on training in early July. They will also deliver our 500 lb primary mass standards to NIST for calibration.

L.F. has accepted the laborious task of attending the Western Regional Measurement Assurance Program (WRAP) meeting in May – in Honolulu, Hawaii. We're sure L.F. will bring back (assuming he does come back) much information from continued discussions on proficiency testing, work on a paper covering the history of the State Laboratory Program, and facility design ideas from

the new Hawaiian State Metrology Laboratory. That's in addition to the training covered during the meeting. Our thanks go out to Mr. Michael Tang for the invitation and we just hope L.F. leaves his grass skirt behind.

L.F. is checking his e-mail daily for the first "baby pictures" of our new Sartorius CCR-10-1000 robotic mass comparator from Germany. Apparently she (yes, Sharon insisted on a girl) has not opened her eyes yet since the folks in Germany have promised to send pictures as soon as she does. We have prepared the nursery... I mean the small mass lab by replacing the door to allow for the 900 mm clearance (the old door was 897 mm) needed to move the robot into the room. Other accomplishments at the lab include beginning the enclosure of the LP gases calibration shed to add storage space for equipment and supplies. It will be really nice to finally have a place to store our 30 kg Transmetrics balance until it is truly a valuable antique that we can sell on eBay! ☩

TENNESSEE

We continue to receive an ever increasing number of consumer complaints on motor fuel dispensers and fuel quality due to the recent surge in fuel prices and I am confident this trend will continue. We have also received numerous requests from both TV and print media for dispenser and fuel quality related data.

Ed Coleman, Petroleum Administrator, continues to devote a significant amount of time working with producers, distributors, and retailers of alternative fuel. Mr. Jeff Underwood began work this month under Ed Coleman as a Weights and Measures Inspector and will be responsible for testing LPG and bulk fuel meters in Middle Tennessee. Jeff comes to us with significant experience in installing and calibrating meters with a service agency in Florida.

Ken Wilmoth, Metrologist, recently attended the SEMAP meeting in Louisville, KY. and reported that the session was very informative with very timely presentations by both NIST personnel and fellow state metrologists.

Finally, congratulations are in order to Jim Truex and Don Onweiler on their respective appointments to positions with the National Conference on Weights and Measures. They have gained the respect of their peers and others over the years by their experience, professionalism, and integrity. ☩

Contact SWMA

The SWMA Newsletter is published quarterly. Annual dues are \$25. Membership inquiries should be directed to:
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