



Southern Weights & Measures Association

105th Edition

SWMA Newsletter

April 2006

JURISDICTIONAL NEWS

ARKANSAS

Rising fuel costs, the nation's need for an alternate fuel, and a thriving agriculture economy have made the state of Arkansas receptive to the production of biodiesel. The Petroleum Quality Section is finding itself in a leadership role in the development of this growing industry.

In an effort to better understand the processes and problems involved, officials and chemists from the Bureau recently toured the Eastman Chemical company in Batesville, Arkansas. In 2005 Eastman became the first facility in the site to produce the alternate fuel. Everyone was impressed by the complexities involved in the production. If successful this will provide a boon for the state's economy. We hope to ensure this success by maintaining the integrity of the product being sold.

We are in the stage of accessing the needs and requirements of regulation of this product.

The State Standards Laboratory recently hired Stanza Donald as Metrologist. Stanza has an extensive quality assurance background with Coca-Cola and should be a valuable asset to the agency.

The Arkansas Bureau of Standards was among 117 companies to participate in the Oil Marketer's Convention March 16 at the Convention Center in Hot Springs. Retail and service companies involved in petroleum related industry use this as a way to display the latest advances in technology. We, as an agency, use this as an opportunity to update the industry on any changes in rules and regulations, and promote goodwill. Over 1300 people attended the annual event. †

DELAWARE

Delaware Weights and Measures is happy to welcome two new Inspectors to the section. Mike Yannette was hired as an Inspector II after working as a seasonal employee of the section for about two years. Mike brings a considerable amount of Weights and Measures experience to the job, and was immediately assigned an area to regulate.

Ayasha Jones began training as an Inspector I right after the first of the year. Ayasha has an extensive scientific background which should benefit the section immensely as she "learns the ropes." These additions bring the staff to a total of seven inspectors on the road.

It is with mixed emotions that we prepare to say goodbye to Bill Lagemann, who has been with us for 26 years. Bill and his wife Carol have both decided to retire and spend more time enjoying the finer things in life. They plan to spend a lot of time with their grandchildren and do quite a bit of traveling. Bill assures us that some of those trips will be to regional and national weights and measures conferences. He's found a new hobby, and has been "tooling up" to become Delaware's version of Tim the Toolman. I guess our loss is Craftsman's gain. Seriously, Bill will be greatly missed by the section, but has certainly earned this opportunity to pursue other interests. His friends here at the Department of Agriculture will honor him with a luncheon at his favorite Dover Italian restaurant on April 12. I'm sure that Bill's many friends in the Weights and Measures community join us in wishing Bill and Carol a long, healthy retirement full of many enjoyable experiences. †

GEORGIA

The Georgia Department of Agriculture, Fuel and Measures Division, has undergone a number of personnel changes lately. Our longtime Director, Mr. Jerry Flanders, has retired and Richard Lewis, former State Metrologist, has been promoted to Division Director. We wish Jerry a long and healthy retirement and hope his favorite driver always wins at the race track!! We would also like to congratulate several more of our fellow employees who have received recent promotions.

- Benedict Rallo has been promoted to Agriculture Inspector 2.
- Doug Baker has been promoted to Fuel Inspector 2.
- Jeff Davis has been promoted to Commercial Instrument Calibration Inspector.
- Don Evans has been promoted to Fuel Inspector 2.
- Dale Gann has been promoted to State Metrologist.

- Kontz Bennett has been promoted to Assistant State Metrologist..
- Tirrell Hall has been promoted to Metrologist 2.
- Carlos Heard has been promoted to Laboratory Scientist 2.

We would also like to congratulate our other recent retirees.

- David Fisher, Agriculture Inspector 2.
- Harold Jordan, Fuel Inspector 2.
- Fred Westbrook, Laboratory Scientist.

We would also like to welcome aboard the following new employees:

- Michael Gaines, Fuel Inspector 1.
- James Duffy, Agriculture Inspector 1.

Tirrell Hall, Metrologist 2, attended the NIST basic metrology training March 26, 2006 thru April 7, 2006 in Gaithersburg, Maryland. ☞

MARYLAND

Weights and Measures Inspector Aaron Webb named Maryland Department of Agriculture 2005 Employee of the Year

During the Maryland Department of Agriculture Open House on Saturday, March 25, 2006, Inspector Aaron Webb was named the Employee of the Year for 2005. Aaron was presented the award by Governor Robert L. Ehrlich, Jr. and Maryland Department of Agriculture Secretary Lewis R. Riley. Aaron truly deserved this honor. Aaron was the MDA Employee of the Quarter for the period of July -September 2005. An article in the January 2006 issue of the SWMA Newsletter states the reasons for Aaron's selection.

Test Purchases

We have recently been conducting test purchases of commodities at various types of establishments. We have made purchases at supermarkets, convenience stores, carry-out restaurants, pet supply stores, etc.

We have found that numerous establishments are taking insufficient tare, or not taking any tare, when weighing commodities.

We are "warning" establishments after the first incorrect test purchase, and if follow-up test purchases are also incorrect, civil penalties will be assessed.

Open House

The annual Maryland Department of Agriculture Open House was held on Saturday, March 25, 2006. The theme for this year's Open House was "Farm to City Celebration".

We had on display a gas pump and 5 gallon prover, packaged commodities and a package inspection scale, and a collection of old scales used in stores dating back to 1900. We provided a scale for those attending the Open House to obtain their correct weight.

Representing our section at the Open House were Chief, Richard Wotthlie, Program Manager Robert Eaves, Inspectors Bill Hall, Ethan Halpern and Aaron Webb and Laboratory Staff Member Zenon Waclawiw.

The highlight of the Open House was Inspector Aaron Webb's selection as the Maryland Department of Agriculture, Employee of the Year for 2005.

Investigation

We recently received a complaint against a landfill which alleged that stored tare weights being used were inaccurate.

Field Supervisor Ed Payne investigated the complaint and verified that the complaint was valid. As a result of his investigation, the complainant was reimbursed \$804.00 for the stored tare weight discrepancies.

Grain Moisture Meter Testing

Three inspectors are in the middle of testing and inspecting all the commercial grain moisture meters in the state. Most people do not realize that the preparation of standard grain samples take longer than testing of all the meters in the state. The one good result with new NTEP meters and good grain samples, our rejection rate is only about 6%.

Maryland Hosting Two Upcoming Meetings

Maryland Weights and Measures will be hosting two National Conference on Weights and Measures, Inc (NCWM) sponsored meetings in April 2006: The National Type Evaluation Program (NTEP) laboratory meeting and the National Type Evaluation Technical Committee (NTETC) Software Sector meeting.

April 2-5, 2006, the NTEP laboratories will hold their annual meeting in Annapolis, Maryland. The purpose of NTEP laboratory meetings is to provide a means for uniformity amongst the NTEP labs. This is accomplished through intensive training sessions and reviews of both new and old technology. One of the main issues that will be discussed, at the NTEP laboratory meeting for weighing devices, is the rounding of tare. Should a scale be allowed to round all tare values, less than a 1/2 scale division, down? For example, should a scale with a 5 lb scale division be allowed to round a 2 lb tare weight down to 0 lb? The meeting discussion on this subject will be forwarded to the NTETC Weighing Sector and the Tare Work Group.

April 5-7, 2006, the initial meeting of the NTETC Software Sector will be held in Annapolis, Maryland. The Software Sector is made up of: weights and measures regulatory officials, members of the weighing industry, members of the measuring industry and developers of weighing and measuring software applications. The purpose of the Software Sector is to: provide technical assistance to the NCWM, Inc., assist with the education of affected parties and develop training guidelines.

Recent Civil Penalties

- On October 13, 2005, we received \$250 for a civil penalty assessed against Waldorf Metal, Waldorf, MD. The civil penalty was assessed due to incorrect weights obtained during a test sale of aluminum cans to the establishment. The test sale was conducted as part of an investigation of the establishment in response to a consumer complaint.
- On February 13, 2006, we received \$500 for a civil penalty assessed against Safeway #1482, Baltimore, Maryland. The civil penalty was assessed due to short-weight violations found during routine package inspections performed at the establishment.
- On February 13, 2006, we received \$750 for a civil penalty assessed against WalMart #2894, Oakland, Maryland. The civil penalty was assessed due to short weight violations found during routine package inspections performed at the establishment.



NORTH CAROLINA

Measurement Section

Springtime is finally here again. The Measurement Section has begun our usual inspections on seasonal items. Fertilizer, pine bark, potting soil, decorative stone, mulch and other items that are seen in more abundance this time of the year are what we are focusing on. We have completed a large part of our inspections on mulch, potting soil and landscaping pine bark. The results have been a much better compliance rate than we had last year, with only a few hundred bags short verses thousands last year. We especially try to get to locations that package these items in North Carolina early enough in the season to prevent short weight packages from getting to retail establishments as well as other states.

During the winter months our attention had been more on indoor weights and measures activities. Recently, scanning errors have been our biggest concern with 21.8% of the locations tested exceeding the 2% error rate allowed. This is an increase of 10.1% over the same period last year. By mid March, we have already issued more civil penalties than in all of 2005 for locations exceeding the allowable 2% plus error rate on return inspections.

Gasoline and fuel prices are keeping the number of concerns and complaints on shortages and overcharges at a high rate. As usual these concerns are a top priority. The consumer is our best source of information for finding these problems.

We have had several changes in our inspection staff since our last newsletter. Frank Wood and Ted Carter are no longer with us. Frank is wearing the golf courses out and Ted has taken employment elsewhere with the private sector. Frank's

position as a G&O Inspector has been filled by Chad Parker. We are hoping to fill Ted's dual role position soon.

LP-Gas Section

The inspectors and engineer for the LP-Gas Section received safety and operations training for LP-Gas this quarter. In February they got the Basic Principles and Practices training. In March they got Propane Delivery Operations. Both of these are part of the Certified Employee Training Program (CETP) popular in the propane industry. This training was done to get some certification for the section employees.

These employees also received instruction in a couple of other areas. One was in recognizing the conduit that meets the requirements specified in the *LP-Gas Code*. We found out that we didn't know all we needed to know to correctly determine when the requirements were met or not. Another was in testing underground propane tanks for corrosion. We had been doing testing after reading the instructions for the test equipment. We received instruction from an industry expert to confirm we knew how to do it properly.

One of our long-time LP-Gas Inspectors retired from our force at the end of March. Odell Reavis was the inspector for the western part of North Carolina. He came to us almost 19 years ago. Before that he was in the LP-Gas industry.

Standards Lab

In January, our laboratory turned 20. It's good to have survived those troubling teenage years and move toward maturity!

Speaking of the laboratory, we cut down the three large Bradford Pear trees on the west side of the lab. A contractor did an excellent job of repairing the large volume drain their roots had clogged. Now we don't have to worry about flooding as rain backed up from the gutters into the drain sump every time it rained. We replaced the trees with Dogwoods, which is very appropriate since the Dogwood is our State flower.

Our new metrologist, Renae Greiner, was working out really, really well — that is until she found a job closer to home. Two hours commuting each day took its toll on her quickly. At least she made her decision before she left for NIST Basic Metrology training. That will help our high gas price strapped travel budget, but that's little consolation for our loss. We will miss Renae and wish her the best.

We were pleased to have the opportunity to present information about our laboratory to our assistant commissioner, Mr. Howard Isley on Thursday, March 16, 2006. Mr. Isley was very complimentary and supportive.

We have spent a lot of time defending the lab this month. First, one agency wanted to take over an acre of our property from us. Based on our justification, the request was denied by the office of State construction. Next, we spent many hours pulling together information to be considered in a legislature sponsored study to evaluate the feasibility of combining most State laboratories into one facility. We hope the 100+ megabytes of information on our requirements will show how impractical it would be to include us in the consolidation..

We wish Georgia Harris and her husband Randy the best of luck as they hike the entire Appalachian Trail. L.F. thought he might join them for the North Carolina section of the trail, but then he found out there are no Hiltons on the trail! Georgia and Randy, hike safely as you absorb the majesty of your experience.

Motor Fuels Section

There has been increasing interest in alternative fuels since last Fall when fuel prices went above \$3.00 a gallon. North Carolina now has 3 retail locations selling E-85 in the Charlotte area and about a dozen biodiesel blend locations across the state. Several groups are starting biodiesel plants and recently ground was broken on an ethanol plant in Aurora, NC. These products will certainly help with justification for a new lab, since we don't have the proper equipment for testing these products and very limited space to add them!

We would like to welcome a new field chemist; Viktoria Bethea joined us last month and will work in the Fayetteville area. She has a strong background in chemistry and benchtop labwork so the "outdoors" work will be a new experience for her.

On a sad note, Carey Ashley passed away on March 1, 2006. Mr. Ashley spent part of his career as the Program Manager of the Motor Fuels Section. He retired from us in January 1989. †

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The SWMA Newsletter is published quarterly.

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