Predominance (and Other Devices as Applicable)

Last Revision: January 26, 2012

NIST Handbook 44
G-UR.4.1.

Background

What are the criteria used to define "predominantly in the direction favorable to the device owner?" What is the proper procedure for entering a predominance test in WinWam?

In 1991, the S&T Committee of the 76th NCWM heard testimony concerning some jurisdictions' difficulty in enforcing G-UR.4.1., due to the qualifying phrase for errors found "near the tolerance limit." After discussions, the committee amended G-UR.4.1. to read:

> **G-UR.4.1. Maintenance of Equipment-** All equipment in service and all mechanisms and devices attached thereto or used in connection therewith shall be continuously maintained in proper operating condition throughout the period of such service. Equipment in service at a single place of business found to be in error predominantly in a direction favorable to the device user shall not be considered "maintained in a proper operating condition." (Amended 1973 and 1991)

Policy

I. Multiple (four or more) devices, defined as grades or types of fuel for retail motor fuel dispensers, in service at a single place of business, shall not be considered in a proper operating condition under any of the following:

A. The calculated average error of all devices [Normal Test] is in favor of the device owner/user by more than the acceptance tolerance **[i.e. -3 cubic inches on a 5-gallon test draft]**.

1. Under-delivery or over-delivery errors (greater than the allowed maintenance tolerance of +/- 6 cubic inches on a 5-gallon test draft) on one or more devices skewing the results of the station average should be excluded from the average and marked "incorrect" or "rejected" separately.

B. Any particular grade or type of fuel [Normal Test] with calculated averages in favor of the device owner/user by more than the acceptance tolerance **[i.e. -3 cubic inches on a 5-gallon test draft]**.

II. If it is determined that the highest volume devices, islands, or highest priced product meters are operating in error in favor of the device owner/user, they shall not be considered maintained in a proper operating condition even if the circumstances in (I) do not exist.

A. Under-delivery or over-delivery errors (greater than the allowed maintenance tolerance of +/- 6 cubic inches on a 5-gallon test draft for retail motor fuel dispensers) on one or more devices skewing the results of the average should be excluded from the average and marked "incorrect" or "rejected" separately

III. "Special Tests" should not be included in compliance calculations, unless the special test results alone show predominant errors in favor of the device owner/user.

IV. Additional tests may be conducted on any pump/grade as deemed necessary by the inspector. However, if repeatability testing is conducted, the inspector must adhere to HB44 repeatability requirements as set forth in N.4.1.2. of the LMD section.

*Note: If using predominance for devices other than retail motor fuel dispensers, use the applicable tolerance for the specific device you are testing to determine which errors to exclude from the predominance test calculations.

Procedure for Entering Results in Winwam

I. Enter all data from the inspection in the required fields as if conducting a regular inspection.

II. Select "Add New" to add another device to the inspection. This will show as the last device in the inspection (i.e. 6 of 6).

III. Under the "Device" tab, enter the following data:

> Type = pump business
> Subtype = blank (no data entered)
> Make = DATCP
> Model = predominance test
> Serial = business id + p (i.e. 16847p)

*Note: the above fields are the only fields that <u>must</u> have data entered. The other fields may remain blank. The "Inspection Type" may remain as "Acceptance".

IV. Do not enter any information under the "Custom" or "Attributes" tabs.

V. Select the "Test Data" tab. Select "Load Template". The predominance information for the station will automatically populate in the fields on the screen. (*Note: the notes will only reflect the failed items, such as regular or overall).

*Note: Winwam figures the average of all inspection data entered. If outliers (errors greater than the allowed maintenance tolerance of +/- 6 cubic inches on a 5-gallon test draft for retail motor fuel dispensers) exist in the regular inspection (see I.A.1 and II.A. above), do not use the predominance feature in WinWam. Additionally, the predominance feature in WinWam will not calculate the average error for specific banks of pumps. If these conditions are present, manually calculate the predominance and enter the information in the "inspection notes" section of the report.

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