

**BEFORE THE ELEVATOR SAFETY BOARD
STATE OF ARKANSAS**

**IN RE: BLUE CROSS BLUE SHIELD
AS #1615**

CONSENT ORDER

This matter comes before the Elevator Safety Board on Thursday, January 17, 2019. The petitioner, through its contractor, Otis Elevator Company, seeks a variance with respect to the installation of a sump pump in the elevator pit.

FINDINGS OF FACT:

1. The elevator subject to the variance request is located at Blue Cross Blue Shield, 601 South Gaines, Little Rock, Arkansas. It is permitted as AS#1615.
2. The original elevator was installed in 1966. Otis Elevator Company obtained permit for alteration/repair on October 14, 2018, for a modernization project.
3. On November 11, 2018, Otis submitted a variance request with respect to the installation of a sump pump.
4. The Chief Elevator Inspector conducted an on-site inspection and made a report and recommendation to the board. This staff report provides, in pertinent part:

[D]ue to the configuration of the elevator pit, and being adjacent to the machine room, that the routing of the pump discharge line would be nearly impossible without interrupting the normal service of the elevator. . . [T]he elevator equipment located in the elevator pit and the machine room would have to be reconfigured and relocated in order for a sump pump to be installed and be operational. There are no building sprinklers adjacent to the elevator, and I saw no evidence of water ever being in the elevator pit. It is my best judgement that safety will not be compromised due to no sump pump being present, therefore it is my recommendation that the variance be accepted, with the provision that if building sprinklers are installed in or around this area of the building that a permanent means to remove water from the pit be[installed also].

CONCLUSIONS OF LAW:

5. The board has authority to adopt administrative rules establishing minimum standards for the installation, construction, maintenance and operation of elevators pursuant to Ark. Code Ann. § 20-24-106(c).

6. ASME A17.1, as adopted by the board, provides that "permanent provisions shall be made to prevent accumulation of ground water in the pit." ASME A17.1-2.2.2.3. It further states that "Elevators provided with Firefighters emergency operation, a drain or sump pump must be provided." ASME A17.1-2.2.2.5.

7. The board has the power to grant a variance from minimum standards when it is clearly evident that: 1) it is necessary to prevent undue hardship or existing conditions prevent compliance with the literal requirement of the standards; and 2) in the opinion of the board, reasonable safety will be secured. Ark. Code Ann. § 20-24-106(d).

8. In the present case, the board concludes that an undue hardship exists due to the fact that the elevator equipment in the machine room and the elevator pit would have to be reconfigured and relocated.

9. The board also concludes that reasonable safety will be secured by granting the variance based on the condition of a continued absence of sprinklers in or around the elevator itself.

THEREFORE, the board grants the variance so that a sump pump does not have to be installed with respect to AS #1615, conditioned upon the continued absence of sprinklers in or around the elevator. In the event sprinklers are installed a permanent means to remove water from the pit must also be installed.

IT IS SO ORDERED.

By: LSJ
Leon Jones, Jr., Chairman

Date: 1.17.19

Approved:

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