

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

**IN RE:        NUCOR STEEL**

**ORDER**

This matter comes before the Elevator Safety Board on Thursday, May 21, 2020. Nucor Steel (Petitioner) was present and represented by Justin Sumpter, with Alimak Group. The Arkansas Department of Labor was represented by counsel, Marcus Devine and by Greg Tipton, Chief Elevator Inspector, Department of Labor. The petitioner seeks a variance. The board makes the following findings of fact and conclusions of law.

**FINDINGS OF FACT:**

1.        The petitioner seeks a variance to cover the requirements of Section 2.11.2.1 of the ASME A17.1-2013 CSA B44-13 which required a horizontal swinging, single section door for landing openings.
2.        Due to the amount of space available at each landing, the Petitioner sought to propose a center-opening, two section horizontally swinging door.
3.        The board's administrative rules establish ASME A17.1.2013 et. seq. as the standard for elevator requirements.
4.        Greg Tipton, Chief Elevator Inspector, Department of Labor issued a staff report and recommendation on the variance request. Specifically, he recommended that the board grant the variance.

**CONCLUSIONS OF LAW:**

5. Ark. Code Ann. § 20-24-106(d) provides that “[t]he board shall also have the power in any particular case to grant exceptions and variations which shall only be granted where it is clearly evident that they are necessary in order to prevent undue hardship or where the existing conditions prevent compliance with the literal requirements of the rules and regulations. In no case shall any exception or variation be granted unless, in the opinion of the board, reasonable safety will be secured thereby.”

6. In the present, case the board concludes that an undue hardship exists in that the existing conditions do not allow enough space to be compliant with the existing requirements. Furthermore, reasonable safety of the public and Nucor Employees will be secured by allowing the variance.

7. The board concludes that reasonable safety is secured by the allowance of this variance.

THEREFORE, the board grants Nucor Steel Corporation a variance to install a new industrial elevator at the Nucor Steel Facility at 5027-C North County Road Blytheville AR 72315 provided that such installations comply with any and all applicable provisions of the Safety Code for Elevators and Escalators.

IT IS SO ORDERED.

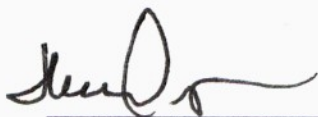
ELEVATOR SAFETY BOARD  
STATE OF ARKANSAS

By: 

Ralph Hudson, Chairman

DATE: 6/5/20

Approved:



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