

TRENCH EXCAVATION APPLICATION & PERMIT



223 Shea Memorial Drive
S. Weymouth, Massachusetts
02190

ph 781.682.2187

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In accordance with the provisions of the Regulations adopted by the South Shore Tri-Town Development Corporation, no person shall, except in an emergency, make a trench excavation (as defined in 520 CMR 14.00) in any public way, public property, or privately owned land until a permit is obtained from the appropriately designated permitting authority. The Corporation acknowledges the full applicability within NAS South Weymouth of the trench safety regulations published in 520 CMR 14.00 (attached). Persons engaging in any trenching operation shall familiarize themselves with the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CFR 1926.650 et. seq., entitled Subpart P “Excavations”. By applying for, accepting and signing this permit, the applicant attests to the following: (i) that he has read and understood the regulations promulgated by the Department of Public Safety with regard to trench safety; (ii) that he has read and understood the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CFR 1926.650 et. seq., entitled Subpart P “Excavations” (attached). If multiple trenches are proposed, multiple permits may be required – please consult with the permitting authority.

Date: _____ Project: _____

Scope of Work: _____

Location of proposed trench opening(s): _____

Dig Safe #: _____ Proposed Start/End Dates: _____

Name of Applicant: _____ Company: _____

Address: _____

Telephone #: _____ Email: _____

Excavation Company: _____ Contact: _____

Address: _____

Telephone #: _____ Email: _____

Emergency (after hours) Contact and Telephone #: _____

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Tri-Town South Shore
Development
Corporation

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Insurer: _____ Policy #: _____

Address: _____

Telephone #: _____ Email: _____

Attachments: _____

A 72-hour notice shall be provided to the Applicable Department of Public Works prior to the start of work, unless the work is performed on an emergency basis.

Please return this application with proof of liability insurance and a check for **\$100.00**, payable to South Shore Tri-Town Development Corporation.

OFFICE USE ONLY

Special Provisions: _____

Fee: _____	Check if paid ()	Check Number: _____
Permit No. _____	Date: _____	Initials: _____

CERTIFICATE OF COMPLETION

I HEREBY CERTIFY THAT ALL WORK PERFORMED UNDER THIS PERMIT HAS BEEN COMPLETED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF SSTTDC

Name: _____ Signature: _____

Date: _____

520 CMR: DEPARTMENT OF PUBLIC SAFETY

520 CMR 14.00: EXCAVATION AND TRENCH SAFETY

Section

- 14.01: Authority, Purpose, and Scope
- 14.02: Definitions
- 14.03: Permitting Requirements
- 14.04: Protections for the General Public
- 14.05: Suspension and Revocation of Permits; Assessment of Fines; Immediate Shut-down; Appeals

14.01: Authority, Purpose, and Scope

(1) Purpose and Scope.

- (a) 520 CMR 14.00 is promulgated by the Department of Public Safety in conjunction with the Division of Occupational Safety pursuant to authority granted by M.G.L. c. 82A, § 1.
- (b) The purpose of 520 CMR 14.00 is to establish reasonable standards to protect the safety of the citizens of the Commonwealth of Massachusetts from the hazards inherent in trenches and to provide for penalties for individuals who violate any provision of 520 CMR 14.00.

(2) Applicability Provision. 520 CMR 14.00 shall apply to any excavator:

- (a) shall not be construed or enforced in a manner that directly, substantially or specifically regulates the occupation, safety or health of any employee engaged in employment covered by the Federal Occupational Safety and Health Act (OSHA).
- (b) shall be read in conjunction with and shall not supersede, be construed or be enforced in a manner that contradicts 780 CMR: *The Massachusetts State Building Code.*

14.02: Definitions

Emergency. An unforeseen condition in which the safety of the public is in imminent danger because of a threat to life or health or where immediate correction is required to maintain or restore essential public utility service.

Excavator. Any entity including, but not limited to, a person, partnership, joint venture, trust, corporation, association, public utility, company or state or local government body or public agency which performs excavation operations including the excavation of trenches.

General Public. All natural persons not engaged in construction activities at a trench site.

Permit Holder. The excavator who is responsible for acquiring a permit from the Permitting Authority.

Permitting Authority. A city, town, or public agency required to administer the provisions of 520 CMR 14.03.

Public Agency. A department, agency, board, commission, authority, or other instrumentality of the commonwealth.

Serious Injury. A personal injury that results in death, dismemberment, significant disfigurement, permanent loss of the use of a body organ, member, function, or system, a compound fracture, or other significant injury that requires immediate admission and overnight hospitalization and observation by a licensed physician.

Trench. An excavation which is narrow in relation to its length, made below the surface ground in excess of three feet below grade and the depth of which is, in general, greater than the width, but the width of the trench, as measured at the bottom, is no greater than 15 feet.

Unattended Trench. A trench where neither the excavator, or any of the people who are engaged in construction activities at the trench, are present.

14.03: Permitting Requirements

(1) No person shall, except in an emergency, make a trench excavation, in any public way, public property, or privately owned land until a permit is obtained from the appropriately designated permitting authority.

(2) Issuance of Permit.

(a) No person shall, except in an emergency, contract for the making of or make a trench, in any public way, public property, or privately owned land until a permit is obtained from the appropriately designated person within the city, town, or public agency that is authorized to issue the permit. The Permitting Authority may issue a single project permit for multiple trenches in a project.

(b) Each city, town or regionalized entity shall designate one board or officer to issue permits for the excavation of trenches on privately owned land or land owned by a city or town. Cities or towns that regionalize or share permitting and inspection functions with other cities or towns may utilize these regionalized entities for the permitting of trenches.

(c) Any individual or entity creating a trench on property that is owned or controlled by a public agency or that a public agency otherwise has a property interest in, including but not limited to an easement, shall obtain a permit from that public agency unless the permitting authority is otherwise designated through a written agreement. The public agency issuing the permit shall electronically notify the Department of Public Safety of the permit's issuance and shall provide the following information:

1. The location of the excavation indicated on the permit;
2. The anticipated date to begin the trench operation;
3. The anticipated date to conclude the trench operation;
4. The name of the permit holder; and

(d) When issuing a permit under 520 CMR 14.03(2), the permitting authority shall attach a summary of OSHA Regulation 1926 Subpart P-Excavations and a summary of any regulation promulgated by the Department of Public Safety in conjunction with the Division of Occupational Safety in accordance with M.G.L. c. 82A.

(3) Permit Requirements. In order to obtain a permit, the following information must be submitted to the permitting authority:

- (a) Completed application;
- (b) Certificate of insurance;
- (c) Required fee in accordance with 520 CMR 14.03(6) where applicable.

(4) Contents of Permit Applications. All permit applications must contain the following information:

- (a) Digsafe number;
- (b) Name and contact information of the excavator;
- (c) Emergency (after hours) contact information;
- (d) Permit expiration date (if applicable);
- (e) Specific location of the trench(es);
- (f) Name and contact information of insurer;
- (g) All permit applications shall also include the following statements pursuant to M.G.L. c. 82A, § 3(3) and (5)(i) and (ii):

1. "Persons engaging in any trenching operation shall familiarize themselves with the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CFR 1926.650 *et seq.*, entitled Subpart P Excavations."

2. "By applying for, accepting and signing this permit, the applicant attests to the following:

- a. that he has read and understood the regulations promulgated by the Department of Public Safety with regard to trench safety;
- b. that he has read and understood the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CFR 1926.650 *et seq.*, entitled Subpart P "Excavations".

