



Department of Public Works
100 Western Ave
Framingham, MA 01702
Phone (508) 532-6010 FAX (508) 424-3428

Permit Number TOP19 -

City of Framingham

Expiration Date

Reviewed/Date

Approved/Date

Pursuant to G.L. c. 82A § 1 and 520 CMR 7.00 et seq. (as amended)

THIS APPLICATION MUST BE FULLY COMPLETED PRIOR TO CONSIDERATION

Emergency
 Scheduled

Excavation Location

Address No.

Digsafe Number

2019-

Street Name

Excavation Schedule

Other Info

Start Date

Finish Date

Type / Fee

\$ 75.00

Payment Fee Submitted

Payment Method

Applicant Information

Authorized Rep.

Company

Address

Town,State-Zip

Telephone

Cell Phone

E-mail

FAX

**Excavator Information
(if different than applicant)**

MUST provide copy of Massachusetts Hoisting License, CHECK IF ATTACHED

Excavator Name

Company

Address

Town,State-Zip

Telephone

Cell Phone

E-mail

FAX

Excavator Information
(Continued)

License No. Expiration Date

License Grade

Insurance Information

MUST provide copy of Insurance Certificate, CHECK IF ATTACHED

Automatic Notification of Policy Renewal or Cancellation Must be Provided to The City

Certificate No. Expiration Date

Insurance Co.

Authorized Rep.

Address

Town,State-Zip

Telephone FAX

Competent Person

Competent Per.

Company

Address

Town,State-Zip

Telephone Cell Phone

E-mail FAX

Owner Information

Property Owner

Property Owner

Company(if app)

Address

Town,State-Zip

Telephone Cell Phone

E-mail FAX

Trench Description

CHECK IF YOU HAVE ATTACHED - Sketch or drawing showing proposed trench work

MUST INCLUDE
> Location of trench(s)
> Purpose
(facility to be in trench)

Trench Size

Trench Size (D-depth L-length W-width) and Calculated Total Surface Cut Area (SF)

[Empty box for Total Surface Cut Area (SF)]

(D)	(L)	x	(W)	=	(SF)	(D)	(L)	x	(W)	=	(SF)
[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]
[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]
[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]
[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]
[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]

Trench Description

CHECK IF YOU HAVE ATTACHED - Sketch or drawing showing proposed trench work

MUST INCLUDE
> Location of trench(s)
> Purpose
(facility to be in trench)

[Large empty box for Trench Description]

And/Or, if you prefer you can use the Check Boxes below to Identify Trench LOCATION and PURPOSE Description

Location of Trench(s)

- Front Center Property
- Both Sides Property
- Back Center Property
- Within City ROW
- Front Right Side Property
- Right Side Property
- Back Right Side Property
- Within Easement
- Front Left Side Property
- Left Side Property
- Back Left Side Property
- Within State Property
- OTHER (please briefly describe)

[Empty box for Location of Trench(s) description]

Purpose (Facilities to Occupy) Trench(s)

- Cables or Conduits
- Drain Lines
- Water Lines
- Tanks
- Electric Lines
- Septic Lines
- Foundation-Structure
- Storage Facilities
- Gas Lines
- Sewer Lines
- Pools or Pits
- Wells/Tunnels
- OTHER (please briefly describe)

[Empty box for Purpose (Facilities to Occupy) Trench(s) description]

APPLICATION AND PERMIT ENTRANCE STIPULATIONS AND AGREEMENT CONDITIONS

BY SIGNING THIS APPLICATION , THE APPLICANT, OWNER, COMPETENT PERSON, AND EXCAVATOR APPEARING ON THIS DOCUMENT ALL ACKNOWLEDGE AND CERTIFY THAT THEY ARE FAMILIAR WITH, OR, BEFORE COMMENCEMENT OF THE WORK, WILL BECOME FAMILIAR WITH, ALL LAWS AND REGULATIONS APPLICABLE TO WORK PROPOSED, INCLUDING OSHA REGULATIONS ON EXCAVATIONS 29 CFR 1926.650 ET.SEQ., ENTITLED SUBPART P "EXCAVATIONS", G.L. c. 82A, 520 CMR 14.00 ET. SEQ., AND ANY APPLICABLE MUNICIPAL ORDINANCES, BY-LAWS AND REGULATIONS; AND WITH REGARD TO THE PROPOSED TRENCH EXCAVATION ON PRIVATE PROPERTY OR PROPOSED EXCAVATION OF A CITY OR TOWN PUBLIC WAY THAT FORMS THE BASIS OF THE PERMIT APPLICATION, THAT THEY WILL COMPLIED WITH THE REQUIREMENTS OF SECTION 40-40D OF CHAPTER 82A; AND THEY COVENANT AND AGREE THAT ALL WORK DONE UNDER THE PERMIT ISSUED FOR SUCH WORK WILL COMPLY THEREWITH IN ALL RESPECTS AND WITH THE CONDITIONS SET FORTH BELOW; AND THEY CERTIFY THE ACCURACY OF ALL INFORMATION THAT THEY HAVE EACH SUPPLIED ON THIS APPLICATION. SHOULD ANY OF THE INFORMATION SUPPLIED TO THE CITY ON THIS APPLICATION SUBSEQUENTLY CHANGE, OR BE DETERMINED TO BE INACCURATE, THE PERSON WHO SUPPLIED THAT INFORMATION SHALL IMMEDIATELY NOTIFY THE CITY DEPARTMENT OF PUBLIC WORKS OF THE NEW INFORMATION.

THE OWNER AUTHORIZES THE APPLICANT TO APPLY FOR THE PERMIT AND THE EXCAVATOR TO UNDERTAKE SUCH WORK ON THE PROPERTY OF THE OWNER, AND ALSO, FOR THE DURATION OF CONSTRUCTION, AUTHORIZES PERSONS DULY APPOINTED BY THE CITY OF FRAMINGHAM SHOULD THEY CHOOSE TO ENTER UPON THE PROPERTY TO MONITOR AND INSPECT THE WORK FOR CONFORMITY WITH THE CONDITIONS ATTACHED HERETO AND THE LAWS AND REGULATIONS GOVERNING SUCH WORK.

THE APPLICANT, OWNER, COMPETENT PERSON, AND EXCAVATOR AGREE JOINTLY AND SEVERALLY TO REIMBURSE THE MUNICIPALITY FOR ANY AND ALL COSTS AND EXPENSES INCURRED BY THE CITY OF FRAMINGHAM IN CONNECTION WITH THIS PERMIT AND THE WORK CONDUCTED THEREUNDER, INCLUDING BUT NOT LIMITED TO ENFORCING THE REQUIREMENTS OF STATE LAW AND CONDITIONS OF THIS PERMIT, INSPECTIONS MADE TO ASSURE COMPLIANCE THEREWITH, AND MEASURES TAKEN BY THE CITY OF FRAMINGHAM TO PROTECT THE PUBLIC WHERE THE APPLICANT OR OWNER OR COMPETENT PERSON OR EXCAVATOR HAS FAILED TO COMPLY THEREWITH INCLUDING POLICE DETAILS AND OTHER REMEDIAL MEASURES DEEMED NECESSARY BY THE CITY OF FRAMINGHAM.

THE APPLICANT, OWNER, COMPETENT PERSON, AND EXCAVATOR AGREE JOINTLY AND SEVERALLY TO DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY OF FRAMINGHAM AND ALL OF ITS AGENTS AND EMPLOYEES FROM ANY AND ALL LIABILITY, CAUSES OR ACTION, COSTS, AND EXPENSES RESULTING FROM OR ARISING OUT OF ANY INJURY, DEATH, LOSS, OR DAMAGE TO ANY PERSON OR PROPERTY DURING THE WORK CONDUCTED UNDER THIS PERMIT. INSURANCE COVERAGES REQUIRED BY THE CITY FOR THIS PERMIT SHALL REMAIN IN FORCE DURING THE ENTIRE TERM THAT THE PERMIT IS ACTIVE. THE APPLICANT SHALL PROVIDE INSURANCE BINDERS TO THE CITY THAT PROVIDE ADEQUATE PROOF OF INSURANCE AND THAT REQUIRE THE CITY BE NOTIFIED AT LEAST 10 DAYS PRIOR TO CANCELLATION OF ANY INSURANCE COVERAGE REQUIRED HERIN.

THE COMPETENT PERSON VERIFIES THAT HE/SHE MEETS THE REQUIREMENTS OF 520 CMR § 14.02. THE EXCAVATOR IS RESPONSIBLE TO MAINTAIN A VALID HOISTING LICENSE DURING THE ENTIRE TERM THAT THE PERMIT IS ACTIVE. THE APPLICANT AND EXCAVATOR ARE RESPONSIBLE TO NOTIFY THE CITY IN THE EVENT THAT A HOISTING LICENSE SUBMITTED IN THIS APPLICATION EXPIRES, AND TO NOT ALLOW ANY EXCAVATION TO BE MADE BY AN EXCAVATOR WITHOUT A VALID AND CURRENT HOISTING LICENSE.

THE FOLLOWING ACKNOWLEDGE BY SIGNATURE BELOW THAT THEY HAVE READ, UNDERSTAND, AND ASSUME FULL RESPONSIBILITY FOR ALL OF THE CONDITIONS OF THIS TRENCH PERMIT APPLICATION AND PERMIT AGREEMENT.

APPLICANT SIGNATURE

Date

EXCAVATOR SIGNATURE

Date

COMPETENT PERSON SIGNATURE

Date

OWNER SIGNATURE (s)

Date

Date

Summary of Excavation and Trench Safety Regulations (520 CMR 14.00 et seq.) & 196 CFR OSHA Standards

Excavation and Trench Safety Regulation (520 CMR 14.00 et seq.)

This summary was prepared by the Massachusetts Department of Public Safety pursuant to G.L.c.82A and does not include all requirements of the 520 CMR 14.00. To view the full regulation and G.L.c.82A, go to www.mass.gov/dps. Pursuant to M.G.L. c. 82, § 1, the Department of Public Safety, jointly with the Division of Occupational Safety, drafted regulations relative to trench safety. The regulation is codified in section 14.00 of title 520 of the Code of Massachusetts Regulations. The regulation requires all excavators to obtain a permit prior to the excavation of a trench made for a construction-related purpose on public or private land or rights-of-way. All municipalities must establish a local permitting authority for the purpose of issuing permits for trenches within their municipality. Trenches on land owned or controlled by a public (state) agency requires a permit to be issued by that public agency unless otherwise designated.

In addition to the permitting requirements mandated by statute, the trench safety regulations require that all excavators, whether public or private, **take specific precautions to protect the general public and prevent unauthorized access to unattended trenches**. Accordingly, **unattended trenches must be covered, barricaded or backfilled**. Covers must be road plates at least ¾" thick or equivalent; barricades must be fences at least 6' high with no openings greater than 4" between vertical supports; backfilling must be sufficient to eliminate the trench. Alternatively, excavators **may choose to attend trenches at all times**, for instance by hiring a police detail, security guard or other attendant who will be present during times when the trench will be unattended by the excavator.

The regulations further provide that local permitting authorities, the Department of Public Safety, or the Division of Occupational Safety may order an immediate shutdown of a trench in the event of a death or serious injury; the failure to obtain a permit; or the failure to implement or effectively use adequate protections for the general public. The trench shall remain shutdown until re-inspected and authorized to re-open provided, however, that excavators shall have the right to appeal an immediate shutdown. Permitting authorities are further authorized to suspend or revoke a permit following a hearing. Excavators may also be subject to administrative fines issued by the Department of Public Safety for identified violations.

1926 CFR Subpart P -OSHA Excavation Standard

This is a worker protection standard, and is designed to protect employees who are working inside a trench. This summary was prepared by the Massachusetts Division of Occupational Safety and not OSHA for informational purposes only and does not constitute an official interpretation by OSHA of their regulations, and may not include all aspects of the standard.

For further information or a full copy of the standard go to www.osha.gov.

> **Trench Definition per the OSHA standard:**

- o An excavation made below the surface of the ground, narrow in relation to its length.
- o In general, the depth is greater than the width, but the width of the trench is not greater than fifteen feet.

> **Protective Systems** to prevent soil wall collapse are always required in trenches deeper than 5', and are also required in trenches less than 5' deep when the competent person determines that a hazard exists. Protection options include:

- o Shoring. Shoring must be used in accordance with the OSHA Excavation standard appendices, the equipment manufacturer's tabulated data, or designed by a registered professional engineer.
- o Shielding (Trench Boxes). Trench boxes must be used in accordance with the equipment manufacturer's tabulated data, or a registered professional engineer.
- o Sloping or Benching. In Type C soils (what is most typically encountered) the excavation must extend horizontally 1 ½ feet for every foot of trench depth on both sides, 1 foot for Type B soils, and ¾ foot for Type A soils.
- o A registered professional engineer must design protective systems for all excavations greater than 20' in depth.

> **Ladders** must be used in trenches deeper than 4'.

- o Ladders must be inside the trench with workers at all times, and located within 25' of unobstructed lateral travel for every worker in the trench.
- o Ladders must extend 3' above the top of the trench so workers can safely get onto and off of the ladder.

> **Inspections** of every trench worksite are required:

- o Prior to the start of each shift, and again when there is a change in conditions such as a rainstorm.
- o Inspections must be conducted by the competent person (see below).

> **Competent Person(s) is:**

- o Capable (i.e., trained and knowledgeable) in identifying existing and predictable hazards in the trench, and other working conditions which may pose a hazard to workers, and
- o Authorized by management to take necessary corrective action to eliminate the hazards. Employees must be removed from hazardous areas until the hazard has been corrected.

> **Underground Utilities** must be:

- o Identified prior to opening the excavation (e.g., contact Digsafe).
- o Located by safe and acceptable means while excavating.
- o Protected, supported, or removed once exposed.

> **Spoils** must be kept back a minimum of 2' from the edge of the trench.

> **Surface Encumbrances** creating a hazard must be removed or supported to safeguard employees. Keep heavy equipment and heavy material as far back from the edge of the trench as possible.

> **Stability of Adjacent Structures:**

- o Where the stability of adjacent structures is endangered by creation of the trench, they must be underpinned, braced, or otherwise supported.
- o Sidewalks, pavements, etc. shall not be undermined unless a support system or other method of protection is provided.

> **Protection from water accumulation hazards:**

- o It is not allowable for employees to work in trenches with accumulated water. If water control such as pumping is used to prevent water accumulation, this must be monitored by the competent person.
- o If the trench interrupts natural drainage of surface water, ditches, dikes or other means must be used to prevent this water from entering the excavation.

> **Additional Requirements:**

- o For mobile equipment operated near the edge of the trench, a warning system such as barricades or stop logs must be used.
- o Employees are not permitted to work underneath loads. Operators may not remain in vehicles being loaded unless vehicles are equipped with adequate protection as per 1926.601(b)(6).
- o Employees must wear high-visibility clothing in traffic work zones.
- o Air monitoring must be conducted in trenches deeper than 4' if the potential for a hazardous atmosphere exists. If a hazardous atmosphere is found to exist (e.g., O₂ <19.5% or >23.5%, 20% LEL, specific chemical hazard), adequate protections shall be taken such as ventilation of the space.
- o Walkways are required where employees must cross over the trench. Walkways with guardrails must be provided for crossing over trenches > 6' deep.
- o Employees must be protected from loose rock or soil through protections such as scaling or protective barricades.

APPENDIX - Applicant can use this section to UPDATE or to SUBMIT additional permit required information.

COPY AND USE THIS PAGE AS NEEDED TO SUPPORT: Application Additions and/or Permit Updates

Additions to Original Application Approved Permit Updates Update Revision No.
 Addition Page No. **or** Update Page No. Update Date

Excavation Location Address No. **Digsafe Number**
 Street Name
 Other Info

Information Type Excavator Competent Person Insurance Company Owner

Sign/Date and Fill Out the Applicable Information Boxes Below by the Information Type Checked Above

SIGNATURE Date

Information Name
 Company
 Address
 Town,State-Zip
 Telephone Cell Phone
 E-mail FAX

MUST provide copy of Massachusetts Hoisting License, CHECK IF ATTACHED
 License No. Expiration Date
 Other Info

MUST provide copy of Insurance Certificate, CHECK IF ATTACHED
Automatic Notification of Policy Renewal or Cancellation Must be Provided to The City
 Certificate No. Expiration Date

Additional or Updated Trench Description (s) CHECK IF YOU HAVE ATTACHED - Sketch or drawing showing proposed trench work

MUST INCLUDE
 > Location of trench(s)
 > Purpose
 (facility to be in trench)