

Notice of New Regulation
Excavation and Trench Safety Regulation
520 CMR 14.00

The Commonwealth of Massachusetts has set a new PUBLIC SAFETY regulation that is required by statute and is designed to prevent the general public from falling into an unattended trench and suffering an injury or fatality.

Under the regulation all municipalities must designate a permitting authority to issue required permits for trenches on *private property* within the municipality. The permit can be obtained by the contractor and/or utility company through the City of Medford Public Works Department designee in the Engineering Department. For state property, the relevant state authority will issue the permits.

Under the new regulation, a trench is defined as a subsurface excavation greater than 3' (three feet) in depth, and is 15' (fifteen feet) or less between soil walls as measured from the bottom. This applies to all construction-related trenches on public ways, public property, or *private property*.

All excavators must obtain a trench permit for each trench site. The permit will require information such as a licensed drain layer, the name of excavator, the location of trench, certificate of insurance, \$5,000 cash bond, and the Dig-Safe number. The fee for this permit is \$150.00

Permitting authorities are not required to conduct inspections of trenches for which they have issued permits. However, a permitting authority notified of a potential violation is authorized to take action, including an immediate shut down, if violations of the new regulation are identified. Excavators may also be subject to the loss of their posted bond.

This new regulation in no way modifies or supersedes existing trench work safety regulations or current street opening permit fees. All workers must comply with the existing OSHA Excavation Standard, 29 CFR 1926, Sub part P. This new public safety regulation is entirely separate from and has no relationship to the existing trench worker safety standard.

For more information, please visit www.mass.gov/dps

City of Medford
Engineering Department