



CONCORD WATER/SEWER
CONCORD, MASSACHUSETTS 01742
ATTACHMENT A

**DRAIN LAYER
DESIGNEE INFORMATION**

To Be Completed By each Designee of a Licensed Drain Layer

Name of Company: _____

Name of Designee: _____ Tel. # : _____
(print)

After Hours Emergency Tel. # if different than above: _____

Address: _____ Town: _____

State: _____ Zip Code: _____

By signing below the undersigned acknowledges and certifies that they are familiar with the Rules and Regulations of the Town of Concord regarding drain layers, water and sewer service work, and design and construction standards for water and sewer service work, and they covenant and agree that all work done concerning water and sewer service work will comply therewith in all respects and with the conditions set forth therein.

By signing below the undersigned acknowledges and certifies that they are familiar with, or, before commencement of the work, will become familiar with, all laws and regulations applicable to the work proposed, including OSHA regulations, M.G.L. C. 82a, 520 CMR 7.00 et seq., 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.

By signing below the undersigned agrees to defend, indemnify, and hold harmless the municipality 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.

Conditions and requirements pursuant to M.G.L. Chapter 82a and 520 CMR 7.00 et seq. (as amended)

By signing the application, the undersigned understands and agrees to comply with the following:

- i. No trench may be excavated unless the requirements of sections 40 through 40d of chapter 82, and any accompanying regulations, have been met and this permit is invalid unless and until

said requirements have been complied with by the excavator applying for the permit including, but not limited to, the establishment of a valid excavation number with the underground plant damage prevention system as said system is defined in section 76d of Chapter 164 (dig safe);

- ii. Trenches may pose a significant health and safety hazard. Pursuant to section 1 of chapter 82 of the general laws, an excavator shall not leave any open trench unattended without first making every reasonable effort to eliminate any recognized safety hazard that may exist as a result of leaving said open trench unattended. Excavators should consult regulations promulgated by the department of public safety in order to familiarize themselves with the recognized safety hazards associated with excavations and open trenches and the procedures required or recommended by said department in order to make every reasonable effort to eliminate said safety hazards which may include covering, barricading or otherwise protecting open trenches from accidental entry.
- iii. Excavators engaging in any trenching operation who utilize hoisting or other mechanical equipment subject to chapter 146 shall only employ individuals licensed to operate said equipment by the department of public safety pursuant to said chapter and this permit must be presented to said licensed operator before any excavation is commenced;
- iv. In the event the permitting authority is notified of an unattended trench during a time when the permit holder is unavailable, and the authority determines that a police detail is required to make the trench safe for the protection of the general public, the permit holder shall be assessed and be responsible to the town for the cost of providing the police detail.
- v. In the event that the permitting authority determines that a trench is unattended and unsafe, the permitting authority may take such action to backfill, barricade or cover the trench and the permit holder shall be assessed the costs associated with the action, including any overtime costs for the Town of Concord employees or town-authorized contractors.
- vi. Whenever a permit holder is making multiple trenches related to the specific utility for which the original permit was issued over the course of a single project, the permitting authority may choose to issue a blanket permit allowing the permit holder to add to the list of trench locations as the permit holder becomes aware that a trench is required. The permit holder shall advise the permitting authority of the addition of each new trench.

Signature: _____

Date: _____