



Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

The Commonwealth of Massachusetts
Department of Public Safety

One Ashburton Place, Room 1301
Boston, Massachusetts 02108-1618

Phone (617) 727-3200

Fax (617) 727-5732

TTY (617) 727-0019

www.mass.gov/dps

Kevin M. Burke
Secretary

Thomas G. Gatzunis, P.E.
Commissioner

May 9, 2008

Mr. Thomas Daly
Chairman, Legislation and Consumer Affairs
Massachusetts Cemetery Association
65 Stanford Drive
Westwood, MA 02090
tdalychsgroup@aol.com
MAcemetery.org

RE: Trench Regulations

A question has come up in regard to the new trench law and regulations as to the applicability and requirements for trench permits used for cemetery burials.

According to the statute, MGL c. 82A section 1, the regulations and the requirement for a permit apply to all construction related excavations and trench safety. The Department does not consider cemetery burials as "construction related" and therefore do not require a permit for an excavation used for a burial.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark F. Mooney".

Mark F. Mooney
Chief of Inspections - Mechanical