

STATE OF OKLAHOMA
DEPARTMENT OF TRANSPORTATION

HIGHWAY DIVISION _____
COUNTY _____
PERMIT NO. _____

UTILITY PERMIT FOR INTERSTATE FREEWAYS (CONTROLLED ACCESS HIGHWAYS)

This Authority executed in the original and four copies this _____ day of _____, 20____, by the Oklahoma Department of Transportation, acting for and on behalf of the State of Oklahoma, hereinafter called the DEPARTMENT, Witnesseth:

That the Department does by these presents, grant to:

Utility Owner / Applicant _____ Attention: _____

Mailing Address _____ City _____ State _____ Zip _____

Telephone No. _____

A permit to erect, construct and maintain a _____ to cross the herinafter said Interstate Freeway for the purpose of transporting, selling and using _____ and shown on the attached drawing(s) and further described as follows:

LOCATION:

To _____ Interstate Freeway Route _____ Approximately _____ miles
(Cross and/or Parallel)

_____ of _____
(N.S.E.W) (Nearest other Highway Junction)

and further described as: _____ feet _____ of the _____

Corner of Section _____ Township _____ Range _____

County _____ Size of line _____ Size of casing _____

The installation will be made in the following manner: _____

(Boring, pushing, overhead crossings, and other descriptions)

All information requested on the form must be supplied. **Drawings clearly illustrating work to be performed within the highway right-of-way and all other utility facilities in the area of this permit shall be provided with the permit application.** A plan view will be sufficient, except where a crossing of this highway is involved. Each highway crossing must be represented by an actual profile and cross-section view, regardless of the type of facility being installed. All installations must be in compliance with the Department's clear zone policy. The owner must self certify that the facility is located in the location approved by the Division Engineer.

This permit is granted subject to the following conditions, requirements, and covenants, to wit:

1. Work to be performed on the Department right-of-way must have the approval of the Department's Division Engineer, who must be notified when the work is to begin and when it is complete for final inspection. Under no circumstances will any work be done on Department right-of-way until approval has been obtained. No work will be done on Department right-of-way on Saturdays, Sundays, Holidays or after dark unless approved by the Division Engineer. The Division Engineer may require a pre-construction conference.
2. **One copy of the approved permit must be kept at the work site for inspection by the Division Engineer or his representatives.** Applicant is to have an inspector or engineer present at all times during construction to insure that installation is made in accordance with plans and specifications approved by the Department. No deviation from the approved plans and specifications will be made without the approval of the Department's Division Engineer.

3. The Applicant must agree to hold the State harmless for any damage or injury to persons or property caused by or resulting from the construction, maintenance, operation, or repair of his facilities on, under, or over the Department right-of-way, and must further agree to reimburse the Department for repair of any damage to Department facilities caused by the construction, maintenance and/or operation of the facility. **The Applicant will be responsible for any damage resulting from deviation of the assigned crossing location.**
4. No driveways, local roads, county roads, ditch liners, structures or surfaced areas will be cut unless approved by the Division Engineer.
5. All work on the Department right-of-way is to be done in accordance with the current "Standard Specification for Highway Construction", which is incorporated herein by reference as if fully set out. At the conclusion of such work, the right-of-way must be cleaned up and left in a presentable condition. Cleanup will include replacing any protective grass cover destroyed by trenching or the operation of any equipment, and correcting any other damage that may have been caused, as directed by the Division Engineer.
6. The Applicant must furnish all flagmen, lights, barricades, and warning signs deemed necessary by the Department during the construction, maintenance, or repair of the Applicant's facilities on the Department's right-of-way, as required by Department standards and "The Manual on Uniform Traffic Control Devices".
7. In some cases, the Applicant must post a performance bond in an amount determined by the Division Engineer. Necessity for such bond will be determined by the Division Engineer and the bond will be held in his office until the right-of-way is in a presentable condition.
8. Access for constructing a utility along frontage roads or across a freeway will be limited to frontage roads, nearby or adjacent public roads and streets, and trails along or near right-of-way lines. The use of through lanes or ramps by company personnel, machinery or equipment to reach the work site will not be permitted. When construction equipment must be used within the control of access limits, the owner's plan must designate point of entry and departure of equipment. If deviation from access policy is to be requested, the Division Engineer should be consulted prior to development of a final plan.
9. When notified to do so by the Department, the Applicant agrees to make all changes in the facilities on Department right-of-way **within the Department's established time period** at the Applicant's own expense, unless otherwise provided by law or order of the Transportation Commission.
10. Aerial Facilities - **Clearance above the traffic lanes of the highway at all aerial pole line crossings should comply with applicable safety codes, and will not be less than 20 feet.** All aerial facilities on any highway right-of-way shall be limited to single pole construction. All poles, posts, stubs, fixtures, down guys, wires, and other appurtenances must be kept in good repair at all times. Facilities located on the highway right-of-way outside the control of access limits must be kept free of weeds and brush within five feet of the installation. All aerial crossing should be as nearly perpendicular as possible. Any deviation must be approved by the Division Engineer.
11. Underground Facilities - All encased crossings should have casing from right-of-way line to right-of-way line and be sealed at both ends with an approved conduit seal (standard neoprene, rubber and comparable seals will be approved) and vented outside the right-of-way lines, unless otherwise approved by the Division Engineer. The top of the conduit should be a minimum of 60 inches below the top of pavement, but not less than 30 inches below the bottom of the ditches. The casing must be designed to sustain roadway loadings, contain and divert from the roadway the contents of the carrier pipe, and have a life expectancy equal to or greater than the carrier pipe. The vents should be sized to allow proper release of carrier pipe contents in case of failure. The minimum pipe size for vents is 2 inch nominal, and the vent must extend a minimum of 36 inches above natural ground level. The utility owner must install identification markers at each right-of-way line directly above the facility. The markers may be attached to vents or to a right-of-way fence, and should be placed over parallel underground facilities at each change in direction and not more than 1000 foot intervals. The markers may be in the owner's standard design, but must identify the owner's name, address and telephone number and emergency contact number, size of facility, and must be at least 130 sq. inches in area. They must also be erected at a location plainly visible from within the highway right-of-way.

All underground electric cable crossings must be placed in a conduit and be a minimum of 48 inches below the ditch flow lines. Conduit placed beneath a roadway must be steel, HDPE, Heavy Duty PVC or fiberglass if it is designed to withstand highway loading and is properly protected. Encasement for underground power lines, or similar facilities, should comply with the above, except for the installation of vents, and seals, and the ability to contain and divert. Methods for boring the roadway shall be the same as for any other bored crossing. Encasement for underground communication cables is not required.

Steel pipelines crossing the right-of-way may be installed without encasement if the installation is in accordance with R/W form 311 "Special Provisions for the Installation of Underground Steel Pipelines Crossing State and Federal Rights-of-Way Without the Use of Conduit". This Special Provision stipulates in part that carrier pipe material within the right-of-way must be superior to the carrier pipe material outside the right-of-way by being of steel at least one grade better and of the same wall thickness, or a minimum of one wall thickness greater and of the same alloy. Pipe must be 48 inches below the flow line of drainage ditches and all other highway drainage facilities, and must be properly protected from corrosion.

Facilities such as water and sanitary sewer lines, crossing the highway right-of-way may be approved without encasement, if cast or ductile iron or material of equal design is used, with the understanding that maintenance in the event of failure will be performed in accordance with the AASHTO publication, "A Policy on the Accommodation of Utilities on Freeway Rights-of-Way" and, more specifically, service will not be rendered from through traffic lanes or ramps. If a replacement facility becomes necessary, replacement will be made by boring or punching under the roadway or by inserting replacement pipe through the existing pipe, or any other approved method that will prevent disturbance of the highway. HDPE, AC, PVC, or equivalent material lines will not be permitted without the use of a steel, or equivalent material, conduit. In any case, all conduits shall be sufficient to withstand roadway loadings.

All underground crossings must be installed by dry boring or punching or other approved methods. The method and equipment for the installation must be approved by the Division Engineer. When boring beneath a roadway, drilling fluid shall be used provided the elevation is a minimum of 6 feet below the top of pavement. Sufficient drilling fluid for lubricating the bit is acceptable; however, jetting or pressure flushing of the bore will not be permitted. The alignment of the bore is to be established by drilling a pilot hole before beginning the full size bore. When drilling fluid is used, the annular space outside the conduit or carrier pipe is to have grout placed at a minimum of 10 PSI pressure, to insure against cavities beneath the roadbed. No digging or equipment will be permitted in center medians or ditch lines without special permission from the Division Engineer.

When steel pipe/conduit is placed construction should be done by either jacking, dry boring, or tunneling. When boring in cohesionless materials, jacking, dry boring, or tunneling shall be done in conjunction with the advancement of a steel conduit/pipe. When boring in Bentonite Clay or equivalent material, drilling mud shall be required at the ends of the bore for a minimum distance of 1-foot. A natural clay or concrete plug will be acceptable for other bores.

Time to complete a bore shall be kept within the limits of open boring or advancing a conduit that can be properly reamed and cleaned out within one working day. Under no circumstance shall muck or drilling fluid be left standing inside the bore at the end of a working day, or due to a break-down of equipment of more than eight hours.

If considered necessary, pressure grouting of the voids will be required when the diameter of any bore exceeds the outside diameter of the pipe by 2 inches or more. No trenching will be allowed inside the control of access limits unless approved by the Department. In the interest of safety, no trenching shall be performed or equipment parked within 30 feet of the edge of the traffic lanes. In unusual cases where trenching is necessary, a special plan with specifications will be developed by the Applicant, with assistance from the Division Engineer, setting out the method for controlling the traffic, placement of the facility and proper restoration of the roadway. These specifications must be approved by the Division Engineer.

12.

Parallel facilities outside the control of access limits, but inside the Division's right-of-way, must be installed in the assigned location, as approved by the Division Engineer. **The utility owner will be responsible for any damage resulting from deviation of the assigned location.** All buried facilities should be placed at a minimum depth of 30 inches, except for power, which should be placed at a minimum of 48 inches below the surface. All nonferrous lines must have an electrically conductive wire, with test points, or other means of locating the pipe while it is underground. The ditch must be backfilled to a density equal to the adjacent soil, and a proper vegetative cover established on the area disturbed. All parallel underground electric cables must be placed a minimum of 48 inches below the surface and marked at each point of change in direction.

13.

The Applicant must agree to refrain from disturbing trees, shrubbery, or any part of the landscape without approval of the Division Engineer. If it becomes necessary to disturb trees or shrubbery, the Applicant's intentions must be plainly stated in the application which will include size and kind of trees and shrubs, and disposition during installation.

14.

The Applicant agrees to comply with all applicable laws and regulations necessary to meet the Oklahoma Department of Environmental Quality (ODEQ) requirements for pollution prevention including discharges from storm water runoff on this site. Further, the Applicant agrees as stipulated in the ODEQ's General Permit to secure a storm water permit with the ODEQ, when required. When required, the Applicant will prepare a storm water management plan for this permitted activity which shall include a location map in the form of plan sheets, specifications and schedules for accomplishing the temporary and permanent erosion control work. The Applicant agrees to have daily operational control of these permitted activities at the site as necessary to ensure compliance with plan requirements and permit conditions. The Applicant agrees to file the Notice of Intent (NOI), when required, for a general construction Oklahoma Pollutant Discharge Elimination System (OPDES) permit with ODEQ which authorizes discharges of storm water associated with utility relocation activities activity from the site identified in this document.

15.

It is uncertain as to whether there are environmental issues that may effect or affect the strip or segment of land now maintained by the Department as a State Highway. Testing to determine the existence or extent of any such issues within the right-of-way of the state highway is determined to be both invasive and destructive and may well result in the compromise of the highway structure. Therefore, the decision may have been made to leave any such environmental issues in place and to make the use of the described strip or segment of land subject to restrictive covenants, generally filed of record within the County Courthouse. The Applicant is solely responsible for conducting a due diligence review of courthouse records to determine if any restrictive covenants have been filed privately or publicly due to the presence of environmental issues within the Department's right-of-way. Applicant is, additionally, solely responsible for conducting the research and complying with any and all such restrictive covenants as recorded. Further, the Applicant is solely responsible for the safety of their employees and/or contractors as it relates to their work within Department right-of-way. The strip or segment of land identified as to contain restrictive covenants shall now and hereafter be subject to the restrictive covenants and without the express consent of the Chief, Right of Way and Utilities Division and the Division Manager/Engineer of the Division within which the lands lie, there shall be no residential use of the described land; nor shall any activities be allowed which cause or allow for the erosion of the surface soils to expose any underground environmental issues; nor shall ground water be taken from or used from the described lands; nor shall the drilling of wells on said lands be permitted. Generally, there shall be no excavation below the base material of the road bed.

16.

The Applicant agrees to perform a Title Search of existing Department's right-of-way to determine if the area of placement of this facility will occupy right-of-way currently held by easement from the U.S. Department of Interiors, Bureau of Indian Affairs or U.S. Army Corps of Engineers. If it is determined that this facility will occupy an easement of this nature, the Applicant will provide a copy of the easement granted by the appropriate U.S. Governmental Agency. The Applicant is solely responsible for this action and will hold the Department of Transportation harmless for failure on their part to secure the necessary easement.

17.

The Applicant must be familiar with the AASHTO Policy referred to above, particularly that portion which prohibits the installation or future maintenance of a utility facility from through traffic lanes or ramps.

