

Explosive and Flammable Operations

24CFR Part 58

General requirements	Legislation	Regulation
Establish safety standards that can be used as a basis for calculating acceptable separation distances for assisted projects.	Sec.2 Housing and Urban Development Act of 1969 (42 U.S.C. 1441 (a))	24 CFR Part 51 Subpart C

1. Does the project include development, construction, rehabilitation or modernization? (For modernization and rehabilitation projects, does the work increase residential densities, convert a building for habitation, or make a vacant building habitable?)

- No: STOP here. The project is not subject to 24 CFR Part 51 C. Record your determination in your Environmental Review Record (ERR).
- Yes: PROCEED to #2

2. Are there aboveground storage tanks within 1 mile of the project site more than 100 gallons in size? Are there plans to install such aboveground storage tanks within 1 mile of the project site? (HUD's stated position is that 24 CFR Part 51 C does not apply to storage tanks ancillary to the operation of a building, for example heating or power sources.)

Maintain documentation supporting your determination in your ERR. Documentation could include a finding by a qualified data source (i.e. Fire Marshall etc...), copies of pictures, maps, and/or internet data.

- No: STOP here. The project is not subject to 24 CFR Part 51 C. Record your determination that there are no storage tanks within one mile of the project site in your ERR.
- Yes: PROCEED to #3

3. Is the Separation Distance from the project acceptable based on standards in 24 CFR 51 C?

The HUD guidebook, "Siting of HUD-assisted Projects near Hazardous Facilities (HUD-1060-CPD, Sept. 1996)" provides the technical guidelines to determine separation distances. Access it on the web: <http://www.hud.gov/offices/cpd/energyenviro/environm/resources/guidebooks/hazfacilities/index.cfm>

- Yes: STOP here. Include maps and your separation distance calculations in your ERR.
- No: PROCEED to #4

4. With mitigation, can the Separation Distance become acceptable?

- No: PROJECT IS NOT ACCEPTABLE-DO NOT FUND
- Yes: STOP here. Maintain documentation supporting your determination in your ERR. Documentation could include a finding by a qualified data source (i.e., Fire Marshall etc.), copies of pictures, maps, technical calculations and information describing the mitigation measures taken.

DISCLAIMER: This document is intended as a tool to help grantees and HUD staff complete NEPA requirements. This document is subject to change. This is not a policy statement. Legislation and Regulations take precedence over any information found in this document.

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