

the larger of the two ASDs shall be used to determine compliance with this subpart.

(d) Background information on the standards and the logarithmic thermal radiation and blast overpressure charts that provide assistance in determining acceptable separation distances are contained in appendix II to this subpart C.

[49 FR 5103, Feb. 10, 1984, as amended at 61 FR 13334, Mar. 26, 1996]

**§ 51.204 HUD-assisted hazardous facilities.**

In reviewing applications for proposed HUD-assisted projects involving the installation of hazardous facilities, the Department shall ensure that such hazardous facilities are located at an acceptable separation distance from residences and from any other facility or area where people may congregate or be present. The mitigating measures listed in § 51.205 may be taken into account in determining compliance with this section.

**§ 51.205 Mitigating measures.**

Application of the standards for determining an Acceptable Separation Distance (ASD) for a HUD-assisted project from a potential hazard of an explosion or fire prone nature is predicated on level topography with no intervening object(s) between the hazard and the project. Application of the standards can be eliminated or modified if:

(a) The nature of the topography shields the proposed project from the hazard.

(b) An existing permanent fire resistant structure of adequate size and strength will shield the proposed project from the hazard.

(c) A barrier is constructed surrounding the hazard, at the site of the project, or in between the potential hazard and the proposed project.

(d) The structure and outdoor areas used by the people are designed to withstand blast overpressure and thermal radiation anticipated from the potential hazard (e.g., the project is of masonry and steel or reinforced concrete and steel construction).

**§ 51.206 Implementation.**

This subpart C shall be implemented for each proposed HUD-assisted project by the HUD approving official or responsible entity responsible for review of the project. The implementation procedure will be part of the environmental review process in accordance with the procedures set forth in 24 CFR parts 50 and 58.

[61 FR 13334, Mar. 26, 1996]

**§ 51.207 Special circumstances.**

The Secretary or the Secretary's designee may, on a case-by-case basis, when circumstances warrant, require the application of this subpart C with respect to a substance not listed in appendix I to this subpart C that would create thermal or overpressure effect in excess of that listed in § 51.203.

[61 FR 13334, Mar. 26, 1996]

**§ 51.208 Reservation of administrative and legal rights.**

Publication of these standards does not constitute a waiver of any right: (a) Of HUD to disapprove a project proposal if the siting is too close to a potential hazard not covered by this subpart, and (b) of HUD or any person or other entity to seek to abate or to collect damages occasioned by a nuisance, whether or not covered by the subpart.

APPENDIX I TO SUBPART C OF PART 51—  
SPECIFIC HAZARDOUS SUBSTANCES

The following is a list of specific petroleum products and chemicals defined to be hazardous substances under § 51.201.

HAZARDOUS LIQUIDS

Acetic Acid	Cyclohexane
Acetic Anhydride	No. 2 Diesel Fuel
Acetone	Ethyl Acetate
Acrylonitrile	Ethyl Acrylate
Amyl Acetate	Ethyl Alcohol
Amyl Alcohol	Ethyl Benzene
Benzene	Ethyl Dichloride
Butyl Acetate	Ethyl Ether
Butyl Acrylate	Gasoline
Butyl Alcohol	Heptane
Carbon Bisulfide	Hexane
Carbon Disulfide	Isobutyl Acetate
Cellosolve	Isobutyl Alcohol
Cresols	Isopropyl Acetate
Crude Oil	Isopropyl Alcohol
(Petroleum)	Jet Fuel and
Cumene	Kerosene