

## Doss, Gary

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**From:** Rivera, Nelson A <Nelson.A.Rivera@hud.gov>  
**Sent:** Monday, February 02, 2015 1:24 PM  
**To:** Smith, Lawrence  
**Cc:** 'William Lindner'; 'Kim McEvoy'; 'Tim Davis'; 'Pettit, Chris'; Doss, Gary; Furda, Michael R; Fretwell, Therese J; 'Jerri Weigand'  
**Subject:** RE: ASD Calculation

Lawrence,

Greetings,

Thanks for the amended language provided in your email below, which is acceptable in accordance with the regulation 24 Part 51 Subpart C and the standards that support acceptable separation distances for proposed HUD assisted projects from stationary aboveground containers containing chemicals of fire or explosion prone nature.

Nelson

NELSON A. RIVERA, R.E.M.  
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**From:** Smith, Lawrence [mailto:lismith@Dewberry.com]  
**Sent:** Monday, February 02, 2015 11:15 AM  
**To:** Rivera, Nelson A  
**Cc:** 'William Lindner'; 'Kim McEvoy'; 'Tim Davis'; 'Pettit, Chris'; Doss, Gary; Furda, Michael R; Fretwell, Therese J; Jerri Weigand  
**Subject:** RE: ASD Calculation

Nelson,

I hope you are doing well. I just wanted to confirm that the revised language provided below is acceptable.

Please let me know if you need anything further.

Take Care,  
Larry

Lawrence I. Smith PP, AICP  
Senior Planner  
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973.576.9647  
973.428.8509 fax

**From:** Smith, Lawrence

**Sent:** Tuesday, January 13, 2015 3:08 PM

**To:** 'Rivera, Nelson A'

**Cc:** 'William Lindner'; 'Kim McEvoy'; 'Tim Davis'; 'Pettit, Chris'; Doss, Gary; Furda, Michael R; Fretwell, Therese J; 'Jerri Weigand'

**Subject:** RE: ASD Calculation

Nelson,

Thanks for the follow up. Below is our revision. To clarify, we are saying 24 CFR 51 Subpart C is not applicable to Phase 1 because there is a reduction in density (see Paragraph 2 below). However, if Phase 2 moves forward then 24 CFR 51 Subpart C is applicable because this phase increases in density. We have revised the language of Paragraph 3 to further clarify that the tank is stationary and coupled with the increased density will be applicable to 24 CFR 51 Subpart C and mitigation measures will need to be incorporated as well as approved by HUD.

The property currently contains one 18,000-gallon diesel double-walled fuel above-ground storage tank (AST), located in the center of the property, three 300-gallon hydraulic and motor oil tanks along the bulkhead, and one approximately 500-gallon compressed air tank to the north of the building at 117 Channel Drive (see NCR39812\_ASMap1). The project includes relocating (or removing and replacing) the 18,000-gallon tank adjacent to the east of the existing 23,000 square foot 301 Channel Drive building (see project plans within the Applicant Files folder). The tank is not diked, therefore the Acceptable Separation Distance (ASD) for thermal radiation for people is approximately 920 feet (see "NCR39812\_ASDCalc"). This radius covers the entire project area. It is noted that the 300-gallon tanks contain hydraulic and motor oil, and the 500-gallon tank contains compressed air. These are not considered hazardous substances per 24 CFR 51 Subpart C; therefore, no ASD calculation is necessary for these tanks. No other large storage tanks were noted within one mile of the project site (see NCR39812\_ASMap2).

Phase I of the project does not include an increase in density or conversion of vacant buildings to habitable buildings. While the project does include an approximately 3,000-square foot addition to the building at 301 Channel Drive, it also includes the demolition of five other buildings on the property (totaling approximately 13,950 square feet), which together accounts for an overall decrease of approximately 10,950 square feet of space on the property. Therefore, the overall density on the project is not proposed to increase, and 24 CFR 51 Subpart C is not applicable to this portion of the project.

However, if Phase II of the project moves forward then 24 CFR 51 Subpart C is applicable because there will be an 18,000 gallon stationary tank located on the property and an increase in density would occur. The increase in density is attributed to the construction of a restaurant building at 205 Channel Drive and a hotel at 117 Channel Drive. Therefore, If Phase II progresses, mitigation measures consistent with 24 CFR 51.205 would need to be developed and approved by HUD prior to the commencement of construction activities even if Phase 2 is funded by sources other than HUD.

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**From:** Rivera, Nelson A [<mailto:Nelson.A.Rivera@hud.gov>]

**Sent:** Tuesday, January 13, 2015 1:42 PM

**To:** Smith, Lawrence

**Cc:** 'William Lindner'; 'Kim McEvoy'; 'Tim Davis'; 'Pettit, Chris'; Doss, Gary; Furda, Michael R; Fretwell, Therese J

**Subject:** RE: ASD Calculation

Lawrence,

Greetings,

Thanks for the draft version of the language that will be included in the environmental review record. The point that we are missing from the section below is that the 18,000 gallon diesel fuel tank will be placed as a permanent, aboveground, stationary tank to serve the boats with diesel fuel and since it is planned already to happen, the project do apply to the standards of the regulation 24 CFR Part 51 Subpart C.

This detail I did not saw in the content within the section below and I THINK its required to be included since if the acceptable separation is not there, then mitigation will be required to be planned, designed and implemented for project approval.

Thanks

Nelson

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**From:** Smith, Lawrence [<mailto:lismith@Dewberry.com>]

**Sent:** Monday, January 12, 2015 3:28 PM

**To:** Rivera, Nelson A

**Cc:** 'William Lindner'; 'Kim McEvoy'; 'Tim Davis'; 'Pettit, Chris'; Doss, Gary; Furda, Michael R; Fretwell, Therese J

**Subject:** ASD Calculation

Nelson,

Thanks for the phone call clarification. Below is a draft version (awaiting concurrence from you) that explains the ASD concerns as well as the applicability of 24 CFR 51 Subpart C for Fishermen's Landing. Additionally, I have attached supporting material as well. Please note that the language below will be included in the final ERR and includes references to numerous supporting documentation material.

The property currently contains one 18,000-gallon diesel double-walled fuel above-ground storage tank (AST), located in the center of the property, three 300-gallon hydraulic and motor oil tanks along the bulkhead, and one approximately 500-gallon compressed air tank to the north of the building at 117 Channel Drive (see NCR39812\_ASDMap1). The project includes relocating (or removing and replacing) the 18,000-gallon tank adjacent to the east of the existing 23,000 square foot 301 Channel Drive building (see project plans within the Applicant Files folder). The tank is not diked, therefore the Acceptable Separation Distance (ASD) for thermal radiation for people is approximately 920 feet (see "NCR39812\_ASDCalc"). This radius covers the entire project area. It is noted that the 300-gallon tanks contain hydraulic

and motor oil, and the 500-gallon tank contains compressed air. These are not considered hazardous substances per 24 CFR 51 Subpart C; therefore, no ASD calculation is necessary for these tanks. No other large storage tanks were noted within one mile of the project site (see NCR39812\_ASDFMap2).

Phase I of the project does not include an increase in density or conversion of vacant buildings to habitable buildings. While the project does include an approximately 3,000-square foot addition to the building at 301 Channel Drive, it also includes the demolition of five other buildings on the property (totaling approximately 13,950 square feet), which together accounts for an overall decrease of approximately 10,950 square feet of space on the property. Therefore, the overall density on the project is not proposed to increase, and 24 CFR 51 Subpart C is not applicable to this portion of the project.

However, if Phase II of the project moves forward, then mitigation measures would need to be incorporated into the project as per 24 CFR 51.205. Phase II calls for an overall increase in density on the property through the construction of a restaurant building at 205 Channel Drive and a hotel at 117 Channel Drive. If Phase II progresses, mitigation measures consistent with 24 CFR 51.205 would need to be developed and approved by HUD prior to the commencement of construction activities.

If you require any additional information or clarification, please don't hesitate to contact me.

Thanks again,

Larry

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