

Noise Abatement and Control

Checklist for HUD or Responsible Entity

General requirements	Legislation	Regulation
Encourage land use patterns for housing and other noise sensitive urban needs that will provide a suitable separation between them and major noise sources	Noise Control Act of 1972 The Quiet Communities Act of 1978 as amended OMB Circular 75-2, "Comparable Land Uses at Federal Airfields"	24 CFR Part 51 Subpart B Noise Guidebook

1. Is the project for new construction, purchase or resale of existing, modernization, or rehabilitation of noise sensitive use (i.e., housing, mobile home parks, nursing homes, hospitals, and other non-housing uses where quiet is integral to the project's function, e.g., libraries)?

No: STOP here. The project is not subject to the noise standards. Record and document your determination that the project is not subject to the noise standards in your ERR.

Yes: PROCEED to #2

2. Is the project located within 1,000 feet of a busy road or highway, 3,000 feet of a railroad, or 15 miles of a civil airport or military airfield? Are there any other potential noise sources in the project vicinity that could produce a noise level above HUD's acceptable range, including but not limited to concert halls, night clubs, event facilities, etc.... ?

Include and document in the ERR a map that identifies the location of any noise sources.

No: STOP here. Record and document your determination. You do not need to calculate a specific noise level.

Yes: Assess the noise level using HUD's Noise Guidebook. You must complete a desk calculation for roads, rail, and airports but will need a sound level meter to measure other noise sources. PROCEED to #3

3. Determine the actions to take based on the project and HUD Acceptability Standards

HUD General Acceptability Standards	
<i>HUD determination</i>	<i>Day night average sound level in decibels (dB)</i>
Acceptable	Not exceeding 65 dB
Normally Unacceptable	Above 65 dB but not exceeding 75dB
Unacceptable	Above 75 dB +

Is the activity for:

- Construction of new noise sensitive use? PROCEED to 3.a
- Purchase or resale of otherwise acceptable existing buildings (existing buildings are either more than 1 year old or buildings for which this is the second or subsequent purchaser)? Proceed to 3.b
- Modernization? Proceed to 3.c
- Major or substantial rehabilitation (use the definition contained in the specific program guidelines)? Proceed to 3.d

a. New Construction

Is the Day-Night average sound level:

- Above 75 dB. **Construction of new noise sensitive uses is generally prohibited**, an EIS is required prior to the approval. The Assistant Secretary or Certifying Officer may waive the EIS requirement in cases where noise is the only environmental issue and no outdoor sensitive activity will take place on the site. (Under § Part 50 approval is required of the Assistant Secretary for CPD, under § Part 58 the Certifying Officer must provide approval). Document the ERR.
- Above 65 dB but not exceeding 75 dB. **Construction of new noise sensitive uses is discouraged** – all new projects require special environmental reviews and may require special approvals prior to construction (except when the threshold has been shifted to 70 dB as described below). Information is provided at 51.104 (b)(1). Document ERR include the special review and approval. Document attenuation if approved.
- Not exceeding 65 dB. (this threshold may be shifted to 70 dB on a case-by-case basis when 6 specific conditions are satisfied as described at Section 51.105(a)). Noise levels are acceptable. Document the ERR.

b. Purchase or Resale of Existing Building

Is the Day-Night average sound level above the acceptable level?

- Yes. Consider environmental noise as a marketability factor when considering the amount of insurance or assistance that will be provided to the project? Noise exposure by itself will not result in the denial of HUD support for the resale and purchase of otherwise acceptable existing buildings. Record your determination in the ERR.
- No. Record and document your determination in the ERR

c. Modernization

Is the Day-Night average sound level above the acceptable level?

- Yes. Encourage noise attenuation features in alterations. Record and document your determination in the ERR.
- No. Record and document your determination in the ERR

d. Major or Substantial Rehabilitation
Is the Day-Night average sound level:

- Above 75 dB. HUD or the RE shall actively seek to have project sponsors incorporate noise attenuation features, given the extent and nature of the rehabilitation being undertaken and the level of exterior noise exposure and will strongly encourage conversion of the noise exposed sites to land uses compatible with the high noise levels. Document the ERR.
- Above 65 dB but not exceeding 75 dB. HUD or the RE shall actively seek to have project sponsors incorporate noise attenuation features, given the extent and nature of the rehabilitation being undertaken and the level of exterior noise exposure Document ERR.
- Not exceeding 65 dB. (this threshold may be shifted to 70 dB on a case-by-case basis when 6 specific conditions are satisfied as described at Section 51.105(a)). Noise levels are acceptable. Document the ERR.

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, refer to the 24CFR Part 51 Subpart B and the Noise Guidebook for specific guidance.