

~~X.D.2.e. Down-time cover(s) shall be placed over entrances and exits of conveyorized degreasers immediately after the conveyor and exhaust are shut down. Covers shall be retained in position until immediately before start-up.~~

XI. Use of Cutback Asphalt

XI.A. Definitions

- XI.A.1. "Asphalt or Asphalt Cement" The dark-brown to black cementitious material (solid, semi-solid, or liquid in consistency) of which the main constituents are bitumens which occur naturally or as a residue of petroleum refining.
- XI.A.2. "Asphalt Concrete" A waterproof and durable paving material composed of dried aggregate, which is evenly coated with hot asphalt cement.
- XI.A.3. "Cutback Asphalt or Cutback Asphalt Cement" Any asphalt which has been liquified by blending with a VOC, such as a petroleum solvent diluent or, in the case of some slow cure asphalts (Road Oils), which has been produced directly from the distillation of petroleum.
- XI.A.4. "Emulsified Asphalt" Asphalt emulsions produced by combining asphalt and water with emulsifying agent.

Emulsified Asphalt or any other coating or sealant, including but not limited to those produced from petroleum or coal, which contain more than five (5) percent of oil distillate as determined by ASTM Method D-244 is included in this definition.

- XI.A.5. "Penetrating Prime Coat" An application of low-viscosity liquid asphalt to an absorbent surface in order to prepare it for overlaying with a layer or layers of asphalt cement or asphalt emulsion and mineral aggregate paving materials.

XI.B. Limitations

XI.B.1. Applicability

The provisions of this Section XI. apply to the use and storage of cutback asphalt for the paving and maintenance of all public roadways (including alleys), private roadways, parking lots, and driveways only within ozone nonattainment areas.

XI.B.2. Storage

Stockpiles of aggregate mixed with cutback asphalt are permitted October 1 through February 28 (29). Such storage is not permitted March 1 through September 30 except where it can be demonstrated to the Division that such storage is necessary.

XI.B.3. Use

Cutback asphalt may be used for any paving purpose October 1 through February 28 (29). No person shall use cutback asphalt or any coating included in the definition of cutback asphalt in Subsection IX.A.3. March 1 through September 30 except as provided below:

- XI.B.3.a. if used solely as a penetrating prime coat, or

XI.B.3.b. If the user can demonstrate to the Division that under the conditions of its intended use, there will be no emissions of volatile organic compounds to the ambient air.

XI.C. Recordkeeping

During the months of March through September, the person responsible for the use or storage of any cutback asphalt as permitted in Subparagraph 3.a. and b. and Paragraph 2. shall keep records of same, including type and amount of solvent(s) used.

XII. Volatile Organic Compound Emissions from Oil and Gas Operations

XII.A. Applicability

XII.A.1. Except as provided in Section XII.A.2. through 5., this Section applies to oil and gas exploration and production operations, natural gas compressor stations and natural gas drip stations:

XII.A.1.a. (State Only) that collect, store, or handle condensate in the 8-hour Ozone Control Area or any ozone nonattainment or attainment/maintenance area,

XII.A.1.b. that are located upstream of a natural gas plant,

XII.A.1.c. for which the owner or operator filed, or was required to file, an APEN pursuant to Regulation Number 3, and

XII.A.1.d. (State Only) that emit any amount of uncontrolled actual volatile organic compound emissions with the following exceptions.

XII.A.1.d.(i) (State Only) Volatile organic compounds emitted during the first 90 days from the date of first production for new and modified condensate storage tanks as defined in Section XII.B. shall be equipped with a control device pursuant to Sections XII.D., and comply with applicable monitoring, recordkeeping, and reporting requirements; and

XII.A.1.d.(ii) All dehydrators regardless of uncontrolled actual emissions are subject to XII.H.

XII.A.2. Oil refineries are not subject to this Section XII.

XII.A.3. Natural gas processing plants and qualifying natural gas compressor stations located in an ozone nonattainment or attainment maintenance area are subject to Section XII.G.

XII.A.4. Glycol natural gas dehydrators located at an oil and gas exploration and production operation, natural gas compressor station, drip station or gas processing plant in an ozone nonattainment or attainment maintenance area are only subject to Sections XII.B. and XII.H.

XII.A.5. The requirements of this section XII.A shall not apply to any owner or operator in any calendar year in which the APENs for all of the atmospheric condensate storage tanks associated with the affected operations owned or operated by such person reflect a total of less than 30 tons-per-year of actual uncontrolled emissions of VOCs in