

Section 34 - Cutback and Emulsified Asphalt.

1/11/93

- a. Applicability. This Section applies to the manufacture, mixing, storage, use, and application of cutback and emulsified asphalts. No exemptions are allowable based on the size or throughput of an operation.
- b. Definitions. As used in this Section, all terms not defined herein shall have the meaning given them in the November 15, 1990 Clean Air Act Amendments (CAAA), or in Section 2 of this regulation.

"Asphalt" means a dark-brown to black cementitious material (solid, semisolid, or liquid in consistency) of which the main constituents are bitumens that occur naturally or are a residue of petroleum refining.

"Cutback asphalt" means asphalt cement that has been liquefied by blending with petroleum solvents (diluent). Upon exposure to atmospheric conditions, the diluents evaporate, leaving the asphalt cement to perform its function.

"Emulsified asphalt" means an emulsion of asphalt cement and water that contains a small amount of an emulsifying agent; it is a heterogeneous system containing two normally immiscible phases (asphalt and water) in which the water forms the continuous phase of the emulsion, and minute globules of asphalt form the discontinuous phase.

"Penetrating prime coat" means an application of low-viscosity liquid asphalt to an absorbent surface. It is used to prepare an untreated base for an asphalt surface. The prime coat penetrates the base, plugs the voids, and hardens and helps bind the top to the overlying asphalt course. The penetrating prime coat also reduces the necessity of maintaining an untreated base course prior to placing the asphalt pavement.

- c. Standards.
 1. No person shall cause, allow, or permit the manufacture, mixing, storage, use, or application of cutback asphalts during the ozone season without approval of the Department as provided in paragraph (c)(2) of this Section.
 2. The Department may approve, as part of a State Implementation Plan (SIP) revision, the manufacture, mixing, storage, use, or application of cutback asphalts where either:
 - i. Long-life stockpile storage is necessary.
 - ii. The cutback asphalt is to be used solely as a penetrating prime

coat.

3. During the ozone season, no person shall cause, allow, or permit the manufacturing, mixing, storage, or use of emulsified asphalt that contains any volatile organic compound (VOC).
- d. Recordkeeping. The owner or operator of any facility subject to this Section shall maintain records of the manufacture, mixing, storage, use, or application of any asphalt containing VOC during the ozone season. These records shall be maintained in a readily accessible location for a minimum of 5 years and shall be made available to the Department upon verbal or written request.