

SAN LUIS OBISPO COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 420 - CUTBACK ASPHALT PAVING MATERIALS

(Adopted 6/18/79; Revised 1/22/97)

A. APPLICABILITY

The provisions of this Rule shall apply to the manufacture, application, and sale of cutback and emulsified asphalt materials for the paving, construction, and maintenance of streets, highways, parking lots, and driveways.

B. DEFINITIONS

1. "Asphalt": A dark-brown to black refined liquid or solid cementitious material of which the main constituents are bitumens suitable for use in the manufacture of paving materials or dust palliative.
2. "Cementitious": Having the properties of cement.
3. "Cutback Asphalt": Paving grade asphalts liquefied with petroleum distillate and as further defined by American Society for Testing and Materials (ASTM) specifications as follows:

Rapid Cure Type: ASTM Method D 2028

Medium Cure Type: ASTM Method D 2027

Slow Cure Type: ASTM Method D 2026

1. "Dust Palliative": Means any light application of liquefied asphalt (cutback or emulsified asphalt) for the express purpose of controlling loose dust.
2. "Emulsified Asphalt": Any asphalt liquefied with water containing an emulsifier. The two kinds of emulsions most pertinent are the anionic and cationic types.
3. "Road Oils": Shall be synonymous with slow cure asphalts.
4. "Volatile Organic Compound (VOC)": As defined in the current version of District Rule 105, Definitions.

C. EXEMPTIONS

1. The provisions of this Rule shall not apply to cutback asphalt manufactured in the District for shipment and use outside the District.
2. The recordkeeping provisions of Section F shall not apply to any person who uses or applies asphalt materials utilized exclusively in connection with any structure which is designed and used exclusively as a dwelling for not more than four families.

D. REQUIREMENTS

1. A person shall not sell, offer for sale, use, or apply for paving, construction, or maintenance of parking lots, driveways, streets, or highways, any cutback asphalt material which contains more than 0.5 percent by volume VOCs which evaporate at 260 degrees celsius (500 degrees Fahrenheit) or less.
2. A person shall not sell, offer for sale, use, or apply for paving, construction, or maintenance of parking lots, driveways, streets, or highways, any emulsified asphalt material which contains more than 3.0 percent by volume VOCs which evaporate at 260 degrees celsius (500 degrees Fahrenheit) or less.

E. TEST METHODS

1. Samples of cutback asphalt containing VOC as specified in Subsection D.1 shall be analyzed in accordance with ASTM Distillation Method D 402.

2. Samples of emulsified asphalt containing VOC as specified in Subsection D.2 shall be analyzed in accordance with ASTM Distillation Method D 244.

F. RECORDKEEPING

Any person who manufactures or uses cutback asphalts or emulsified asphalts which contain solvents shall:

1. Maintain records showing the types and amounts of cutback and emulsified asphalts produced or used,
2. Maintain records of the destination of any asphalt paving material for which an exemption is claimed under Subsection C.1, and
3. Retain and make records available for inspection by the Air Pollution Control Officer (APCO) for a period of three (3) years.

G. COMPLIANCE SCHEDULE

Any person who uses cutback or emulsified asphalt within the District shall be in full compliance with this Rule no later than July 22, 1997.