

## **REGULATION 6.12      Standard of Performance for Existing Asphalt Paving Operations**

### **Air Pollution Control District of Jefferson County Jefferson County, Kentucky**

**Relates To:** KRS Chapter 77 Air Pollution Control

**Pursuant To:** KRS Chapter 77 Air Pollution Control

**Necessity And Function:** KRS 77.180 provides that the Air Pollution Control Board may make and enforce all needful orders, rules, and regulations necessary or proper to accomplish the purposes of KRS Chapter 77. This regulation provides for the control of emissions from existing asphalt paving operations.

#### **SECTION 1 Applicability**

This regulation applies to all asphalt paving operations, except as provided in Section 4, that were in being or had a construction permit issued by the District before the effective date of this regulation. Any source that is ever subject to this regulation will always be subject to it unless the source changes its process to one not covered by this regulation.

#### **SECTION 2 Definitions**

Terms used in this regulation not defined herein shall have the meaning given them in Regulation 1.02.

- 2.1 "Asphalt" means a dark-brown to black cementitious material in which the predominating constituents are bitumens which occur in nature as such or which are obtained as residue in refining petroleum.
- 2.2 "Asphalt Paving Operations" means the use of asphalt in any paving operation, public or private, including, but not limited to: paving of roads, paving of parking lots, maintenance operations, application of tack coats, sealants, etc.
- 2.3 "Cutback asphalt" means asphalt cement which has been liquified by blending with volatile organic compounds. Upon exposure to atmospheric conditions, the volatile organic compounds evaporate, leaving the asphalt cement to perform its function.
- 2.4 "Emulsified asphalt" means an emulsion of asphalt cement, volatile organic compounds, and water which contains a small amount of an emulsifying agent.
- 2.5 "Maintenance operation" means patching of holes and breaks in pavement as necessary for safety.
- 2.6 "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 and plugs the voids, hardens the top, and helps bind it to the overlying asphalt course. It also reduces the necessity of maintaining an untreated base course prior to placing the asphalt pavement.
- 2.7 "Unacceptable emulsion asphalt" means any emulsion asphalt which yields more than 7% by volume of oil distillate when tested according to AASHTO T 59-78 Sections 7 through 9.

#### **SECTION 3 Standard for Volatile Organic Compounds**

On or after April 1, 1980, no person shall use, or sell for use, manufacture, mix or store cutback asphalts or unacceptable emulsion asphalts for asphalt paving operations, except as exempted in Section 4.

#### **SECTION 4 Exemptions**

This regulation shall not apply to the following asphalt paving operations:

- 4.1 Application of penetrating prime coat; or
- 4.2 Maintenance operations during the months of November, December, January, February, and March.

#### **SECTION 5 Recordkeeping Requirements**

- 5.1 The manufacturer of cutback or emulsified asphalt shall maintain a current record in a format approved by the District of each batch of cutback or emulsified asphalt produced.

The record shall contain the following information as a minimum:

- 5.1.1 The calendar date that the batch was produced;
  - 5.1.2 The quantity in tons produced;
  - 5.1.3 The customer's name and address to where the cutback or emulsified asphalt was sent; and
  - 5.1.4 For emulsified asphalt only, the oil distillate (organic solvent as determined by ASTM D-244). The District may accept, instead of ASTM D-244, a certification by the emulsified asphalt manufacturer of the composition of the batch if supported by actual batch formulation records.
- 5.2 The record required in section 5.1 shall be maintained on file for a minimum of two years after the date of record and shall be made available to the District upon request.

Adopted v1/4-19-72; effective 4-19-72; amended v2/9-1-76, v3/4-20-88, v4/5-15-91.

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2nd Revision:	02/12/92	10/22/93	54 FR 54516
3rd Revision:	07/20/99	10/23/01	66 FR 5365