

REGULATION 7.11 Standard of Performance for New 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 new asphalt paving operations.

SECTION 1 Applicability

This regulation applies to each affected facility commenced on or after the effective date of the 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 (solid, semisolid, or liquid in consistency) in which the predominating constituents are bitumens that occur in nature as such or that are obtained as residue in refining petroleum.
- 2.2 "Asphalt concrete plant" means any facility used to manufacture asphalt concrete by heating and drying aggregate.
- 2.3 "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., and mixing with asphalt cements.
- 2.4 "Cutback asphalt" means asphalt cement that has been liquified by blending with volatile organic compounds (diluent). Upon exposure to atmospheric conditions, the VOCs evaporate, leaving the asphalt cement to perform its function.
- 2.5 "Emulsified asphalt" means an emulsion of asphalt cement, VOCs, and water that contains a small amount of an emulsifying agent.
- 2.6 "Maintenance operation" means patching of holes and breaks in pavement as necessary for safety.
- 2.7 "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.
- 2.8 "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 Particulate Matter

- 3.1 On and after the date on which the performance test required to be conducted by Regulation 7.01 is completed, no owner or operator subject to this regulation shall discharge or cause the discharge into the atmosphere from any affected facility any gases that:
- 3.1.1 Contain particulate matter in excess of 90 mg/dscm (0.04 gr/dscf); or
 - 3.1.2 Exhibit 20% opacity, or greater. Where the presence of uncombined water is the only reason for failure to meet the requirements of this section, such failure shall not be a violation.

SECTION 4 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 5.

SECTION 5 Exemptions

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

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

SECTION 6 Recordkeeping Requirements

- 6.1 The manufacturer of cutback or emulsified asphalt shall maintain a current record in a format approved by the District for each batch of cutback or emulsified asphalt produced. The record shall contain the following information as a minimum:
- 6.1.1 The calendar date that the batch was produced;
 - 6.1.2 The quantity in tons produced;
 - 6.1.3 The customer's name and address to where the cutback or emulsified asphalt was sent; and,
 - 6.1.4 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.
- 6.2 The record required in section 6.1 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.

SECTION 7 Additional Applicable Regulations

Any source subject to this regulation will also be subject to 40 CFR Part 60 Subpart I adopted by reference in Regulation 7.02.

Adopted v1/7-14-76; effective 9-1-76; amended v2/5-15-91.

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