

REGULATION IV
PROHIBITIONS

RULE 425 USE OF CUTBACK ASPHALT

(Adopted 1-25-79; Revised 3-18-81, 2-23-83, 8-25-93 and 3-26-97).

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PART 1 GENERAL

1.1 Purpose

The purpose of this Rule is to limit the emissions of vapors of organic compounds from the use of cutback and emulsified asphalts.

1.2 Applicability

The provisions of this Rule apply to the manufacture, sale, mixing, storage, use, and application of cutback and emulsified asphalts.

1.3 Exemptions

The requirements of Section 3.3 shall not apply to the following uses of medium cure cutback asphalts:

- 1.3.1 as a penetrating prime coat for aggregate bases prior to paving;
- 1.3.2 for the manufacture of asphalt for long-period storage or stockpiling of patching mixes used in pavement maintenance but not for general paving; or
- 1.3.3 when the forecast of the high temperature for the 24-hour period following application is below 10° C (50° F), provided that the records of the high temperature are maintained, as specified in Section 4.2.

1.4 Effective Dates

This Rule as revised is effective March 26, 1997.

1.5 References

The requirements of this Rule arise from the provisions of the California Clean Air Act and amendments (Health and Safety Code Section 40910 *et seq.*) and the federal Clean Air Act and amendments (42 U.S.C. Section 7401 *et seq.*)

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PART 2 DEFINITIONS

2.1 Cutback Asphalt

Asphalt cement that has been cut back or blended with a diluent of petroleum solvents. Types of cutback asphalt are defined by American Society of Testing and Materials (ASTM) specifications as follows:

Slow cure type : ASTM D 2026

Medium cure type : ASTM D 2027

Rapid cure type : ASTM D 2028

2.2 Emulsified Asphalt

An emulsion of asphalt cement and water that contains a small amount of emulsifying agent. An inverted emulsified asphalt shall be considered a cutback asphalt if the liquid asphalt phase was a cutback asphalt.

PART 3 REQUIREMENTS AND STANDARDS

3.1 Prohibition of Manufacture and Sale

No person shall manufacture, offer for sale or sell a liquid asphalt or emulsified asphalt product if the use of such product at any physical location within the District is prohibited by any provisions of this Rule. The records of manufacture, sale, and destination of asphalts shall be maintained according to Section 4.1.

3.2 Rapid Cure Asphalt

The use of rapid cure cutback asphalts at any physical location within the District is prohibited.

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3.3 Medium Cure Asphalt

All applications or uses of medium cure cutback asphalts are prohibited during the months of April, May, June, July, August, September and October, except as specifically exempted in Section 1.3.

3.4 Slow Cure Asphalt

Slow cure cutback asphalt shall contain no more than 0.5 percent by volume of total distillate to 260° C (500° F) as determined by ASTM Method D 402.

3.5 Emulsified Asphalt

No person shall use any emulsified asphalt containing petroleum solvents in excess of three (3) percent by volume in paving material or in paving and maintenance operations. The petroleum solvent content shall be determined by ASTM Method D 244-88.

PART 4 ADMINISTRATIVE REQUIREMENTS

The following records shall be maintained for a period of two (2) years and shall be made available to the District upon request.

4.1 Production and Sales

Any person who manufactures liquid asphalts or emulsified asphalts which contain petroleum solvents shall maintain records showing the following:

- 4.1.1 the types and amounts of asphalts produced, including the percentages of petroleum solvent diluent used in each type;
- 4.1.2 dates of sale or use;
- 4.1.3 name of the purchaser or user; and
- 4.1.4 the intended destination of the products.

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4.2 Daily High Temperature

Any person using medium cure cutback asphalt in accordance with Section 1.3.3, shall keep records of the official National Weather Service Forecast for the high temperature for the day following the application of the asphalt.

PART 5 TEST METHODS

5.1 Distillate Content of Slow Cure Asphalt

The total distillate content of cutback asphalt shall be determined using ASTM Method D 402.

5.2 Petroleum Solvent Content of Emulsified Asphalt

The petroleum solvent content of emulsified asphalt shall be determined using ASTM Method D 244-88.

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