

YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT

**RULE 2.28 - CUTBACK AND EMULSIFIED ASPHALTS**

*Adopted May 25, 1994*

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## 100 GENERAL

101 **PURPOSE:** The purpose of this Rule is to limit the emissions of organic compounds from the use of cutback and emulsified asphalts in paving materials, paving, and maintenance operations.

102 **APPLICABILITY:** The provisions of this Rule shall apply to all persons that manufacture, sell, mix, store, use, and apply cutback and emulsified asphalts.

110 **EXEMPTIONS:** The requirements of Section 302 of this Rule shall not apply to the following uses of medium cure cutback asphalts:

110.1 The manufacture of asphalt for long-period storage or stockpiling of patching mixes used in pavement maintenance, but not for general paving.

110.2 When the forecast of the high temperature for the 24-hour period following application is below 50°F (10°C), provided that the records of the high temperature are maintained, as specified in Section 501.2 of this Rule.

## 200 DEFINITIONS

201 **ASPHALT:** Dark brown to black cementitious material (solid or liquid) of which the main constituents are bitumens which occur naturally or as a residue of petroleum refining. Liquid asphalts are those asphalts which have been liquified by blending with petroleum solvents.

202 **CUTBACK ASPHALT:** Asphalt cement that has been cut back or blended with a diluent of petroleum solvents. The types of cutback asphalts are defined by American Society of Testing and Materials (ASTM) specifications as follows:

201.1 Slow cure type (Road Oils): ASTM D-2026-72

201.2 Medium cure type: ASTM D-2027-76

201.3 Rapid cure type: ASTM D-2028-76

203 **DUST PALLIATIVE:** Any light application of cutback asphalts for the express purpose of controlling loose dust.

204 **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.

205 **PENETRATING PRIME COAT:** Any application of asphalt to an absorptive surface to penetrate and bind the aggregate surface and promote adhesion between it and the new superimposed construction. Prime coats do not include dust palliatives or tack coats.

206 **TACK COAT:** Any application of asphalt applied to an existing surface to provide a bond between new surfacing and existing surfaces and to eliminate slippage planes where the new and existing surfaces meet.

## **300 STANDARDS**

**301 RAPID CURE ASPHALT:** The use of rapid cure cutback asphalts for paving, road construction, road maintenance, penetrating prime coats, tack coats, or dust palliatives at any physical location within the District is prohibited.

**302 MEDIUM CURE ASPHALT:** The use of medium cure cutback asphalts for paving, road construction, road maintenance, penetrating prime coats, tack coats, or dust palliatives at any physical location within the District is prohibited, except as specifically exempted in Section 110 of this Rule.

**303 SLOW CURE ASPHALT:** Slow cure cutback asphalts shall contain no more than 0.5 percent by volume of petroleum solvents which evaporate at 500°F (260°C) or lower as determined by the method specified in Section 502.1 of this Rule.

**304 EMULSIFIED ASPHALT:** No person shall use or manufacture any emulsified asphalt containing petroleum solvents that evaporate at 500°F (260°C) or lower 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 the method specified in Section 502.2 of this Rule.

**305 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 the provisions of Section 501.1 of this Rule.

**306 PROHIBITION OF SPECIFICATION:** No person shall require for use or specify the application of a cutback asphalt or emulsified asphalt product if such product is prohibited by any provisions of this Rule. The prohibition of this Section shall apply to any written or oral contracts under the terms of which any cutback or emulsified asphalt product is to be applied at any physical location within the District.

## **500 MONITORING AND RECORDS**

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

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

- a. The types and amounts of asphalts produced, including the percentages of petroleum solvent diluent used in each type;
- b. The dates of sale or use;
- c. The name of the purchaser or user; and
- d. The intended destination of the asphalt products.

501.2 Any person using medium cure cutback asphalt in accordance with the provisions of Section 110.2 of this Rule shall keep records of the official National Weather Service Forecast for the high temperature for the day following the application of the asphalt.

**502 TEST METHODS:** The analysis of cutback and emulsified asphalts shall be conducted by the following test methods, as appropriate:

502.1 The total distillate content of cutback asphalt shall be determined using ASTM Test Method D-402-76.

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