

PROHIBITED EMISSIONS

040.090 CUTBACK ASPHALTS

Commencing January 1, 1981, a person shall not cause, allow, or permit the sale, offering for sale, use or application of cutback asphalt or solvents (diluent) for any highway paving or maintenance operation within the Health District unless:

- A. The use or application commences on or after November 1 of any year and ceases not later than March 31 of the following year.
- B. Long life (longer than one (1) month) stockpile storage is necessary.
- C. The asphalt is to be used solely as a penetrating prime coat for aggregate bases prior to paving or a penetrating seal coat on existing road surfaces.
- D. The application to stress relief courses of pavement overlays is required; or
- E. The user can demonstrate that there will be no emissions of organic compounds from the asphalt under conditions of normal use. Cut-Back and emulsified asphalts for which 5% or less of the total solvent distills at or below 500 degrees F (corrected to standard pressure) will be considered to have no emissions of organic compounds under normal use. Distillation tests shall be ASTM D 402 and D 244 respectively.