ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
AIR DIVISION
ADMINISTRATIVE CODE

CHAPTER 335-3-6
CONTROL OF ORGANIC EMISSIONS

335-3-6-.34 Cutback And Emulsified Asphalt.

(1) For the purpose of this Rule, the following definitions apply:

(a) "Asphalt" means a dark brown to black cementitious material (solid, semisolid, or liquid in consistency) in which the predominating constituents are bitumens which occur in nature as such or which are obtained as residue in refining petroleum.

(b) "Cutback Asphalt" means asphalt cement which has been liquefied by blending with petroleum solvents (diluents). Upon exposure to atmospheric conditions, the diluents evaporate, leaving the asphalt cement to perform its function.

(c) "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 penetrates the base and plugs the voids, hardens the top, and helps bind it to the overlying asphalt layer.

(d) "Emulsified Asphalt" means asphalt cement which has been liquefied by blending it with water and an emulsifying agent. Upon exposure to atmospheric conditions, the water and emulsifying agency evaporate, leaving the asphalt cement to perform its function.

(e) "ASTM" is an acronym for American Society for Testing and Materials. This organization publishes reference test methods.

(2) This Rule shall apply to the manufacture and use of cutback and emulsified asphalts in highway paving and maintenance operations in Jefferson County.

(3) No person may cause, allow, or permit the sale or offering for sale, mixing, storage, use, or application of cutback asphalts except where:

(a) long-time stockpile storage is necessary; or

(b) the use or application commences in December of any year and such use or application is completed by the end of February of the following year; or

(c) the cutback asphalt is to be used solely as a penetrating prime coat.

(4) The mixing, storage, use or application of emulsified asphalt in highway and maintenance operations in Jefferson County shall be allowed at all times if the maximum oil distillate (organic solvent) content in the emulsified asphalt does not exceed seven percent (7%) as determined by ASTM distillation test method D-244. If the maximum oil distillate in the emulsified asphalt exceeds seven percent (7%), the mixing, storage, use or application of said asphalt is limited to January, February, and December.

(5) Recordkeeping Requirements.

(a) The manufacturer of cutback or emulsified asphalt shall maintain a current record in a format approved by the Director of each batch of cutback or emulsified asphalt produced. The record shall contain the following information as a minimum:

1. The calendar date that the batch was produced; and,

2. The quantity in tons produced; and,

3. The customer's name and address to where the cutback or emulsified asphalt was sent; and,

4. For emulsified asphalt only, the oil distillate (organic solvent) content as determined by ASTM distillation test method D-244. The Director may accept, instead of ASTM test method D-244, a certification by the emulsified asphalt manufacturer of the composition of the batch if supported by actual batch formulation records.

(b) The record required in subparagraph (a) of this paragraph shall be maintained on file for a minimum of two years after the date of record and shall be made available to the Director upon request.

(c) The recordkeeping provisions of this paragraph shall not apply if the Director determines that alternative records would be sufficient to provide assurance that the source is operating in compliance on a twenty-four (24) hour basis and these alternative requirements are incorporated as permit conditions for the source. In no case can recordkeeping requirements be waived or the stringency of the emissions limit be relaxed.

Author:
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