



R. J. Sommerville
Air Pollution Control Officer

**NOTICE OF WORKSHOP
FOR DISCUSSION OF PROPOSED AMENDMENTS TO
RULE 67.7 - CUTBACK AND EMULSIFIED ASPHALTS**

The San Diego County Air Pollution Control District will hold a public meeting to consider a proposed amendments to Rule 67.7 - Cutback and Emulsified Asphalts. Comments regarding the proposed amendments may be submitted in writing before, or made at the workshop, which is scheduled as follows:

DATE: February 28, 1991
TIME: 10:30 a.m.
PLACE: Farm Advisor's Conference Room
County Operations Center
Building #4
5555 Overland Avenue
San Diego, CA 92123

The amendments to Rule 67.7 correct deficiencies with the rule that have been identified by the Environmental Protection Agency. They also add labeling requirements and make clarifications to the rule. The proposed amendments will accomplish the following:

- Require that containers for asphalt that is to be shipped out of San Diego County be labeled as such in order to be exempt.
- Revise the VOC definition consistent with other District rules and EPA requirements.
- Add additional compounds that are exempt from regulation because they are not ozone precursors.
- Add recordkeeping requirements that a current list of all asphalt materials used, and MSDS or manufacturer specifications must be maintained. All such records must be maintained for at least three years.

If you would like a copy of the proposed amendments to Rule 67.7, please call Juanita Ogata at (619) 694-3307. If you have any questions concerning the proposal, please call Natalie Zlotin at (619) 694-3312 or me at (619) 694-3303.

Richard J. Smith

RICHARD J. SMITH
Deputy Director

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Proposed amendments to Rule 67.7 are to read as follows:

RULE 67.7. CUTBACK AND EMULSIFIED ASPHALTS

(a) APPLICABILITY

(1) The provisions of this rule apply to the application and sale of cutback and emulsified asphalt materials for the paving, construction or maintenance of streets and highways.

(b) EXEMPTION

(2) The provisions of this rule shall not apply to any asphalt material sold in ~~the District~~ San Diego County for shipment and use outside ~~the District~~ San Diego County.

It shall be the responsibility of any person claiming the above exemption to clearly label each material container subject to this exemption to indicate that the asphalt material is not for use within San Diego County.

(c) DEFINITIONS

(1) "Asphalt" means an oil asphalt or a homogeneous mixture of refined liquid and solid asphalts suitable for use in the manufacture of asphalt concrete.

(2) "Cutback Asphalt" means paving grade asphalts liquified with petroleum distillate and as further defined by American Society for Testing and Materials (ASTM) specifications as follows:

Rapid cure type: ASTM D2028

Medium cure type: ASTM D2027

(3) "Dust Palliative" means any light application of liquified asphalt (cutback or emulsified asphalt) for the express purpose of controlling loose dust.

(4) "Emulsified Asphalt" means any asphalt liquified with water containing an emulsifier. The two kinds of emulsions most pertinent are the anionic and cationic types.

(5) "Exempt Compound" is any of the following compounds: methylene chloride, 1,1,1-trichloroethane, trichlorofluoromethane (CFC-11), dichlorodifluoromethane (CFC-12), chlorodifluoromethane (CFC-22), trifluoromethane (FC-23), trichlorotrifluoroethane (CFC-113), dichlorotetrafluoroethane (CFC-114), chloropentafluoroethane (CFC-115), dichlorotrifluoroethane (HCFC-123), tetrafluoroethane (HFC-134a), dichlorofluoroethane (HCFC-141b), and chlorodifluoroethane (HCFC-142b).

~~(5)~~(6) "Penetrating Prime Coat" means 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 palliatives or tack coats.

~~(6)~~(7) "Road Oils" shall be synonymous with slow cure asphalts.

~~(7)~~(8) "Tack Coat" means any application of asphalt applied to an existing surface to provide a bond between new surfacing and existing surface and to eliminate slippage places where the new and existing surfaces meet.

(9) "Volatile Organic Compounds (VOC)" for the purpose of this rule means any volatile compound of carbon, excluding methane, carbon monoxide, carbon dioxide, carbonic acid, ammonium carbonate, metallic carbides, metallic carbonates, and exempt compounds which may be emitted to the atmosphere during the application of asphalt materials subject to this rule.

(e) **EXEMPTIONS**

~~(1) Until January 1, 1982, the provisions of this rule shall not apply to:~~

~~(i) The use of medium cure cutback asphalt solely as a penetrating prime coat;~~

~~(ii) The use of medium cure cutback asphalt when the National Weather Service official forecast of the high temperature for the immediate vicinity of the asphalt application for the 24 hour period following application is below 50° F (10° C).~~

~~(b)~~(d) **STANDARDS**

(1) ~~After July 1, 1980, a~~ A person shall not sell, offer for sale, use or apply for paving, construction or maintenance of streets or highways any cutback asphalt material or road oils which contain more than 0.5 percent by volume volatile organic compounds which evaporate at 260° C (500° F) or less as determined by ASTM Method D402-~~7376~~.

(2) ~~After January 1, 1982, a~~ A person shall not sell, offer for sale, use or apply for paving, construction or maintenance of streets or highways any emulsified asphalt material which contains more than 3.0 percent ~~of~~ by volume volatile organic compounds which evaporate at 260° C (500° F) or less, as determined by ASTM Method D244-~~7589~~.

(e) **RECORDKEEPING**

Any person who sells, offers for sale, uses or applies for paving, construction or maintenance of streets or highways any asphalt material subject to this rule shall maintain a current list of all asphalt materials in use and Material Safety Data Sheets (MSDS) or

manufacturer specifications for each asphalt material containing sufficient information to readily determine compliance with Sections (d)(1) or (d)(2) of this rule as applicable. These records shall be kept on site for at least three years and made available to the District upon request.