

BUTTE COUNTY AIR QUALITY MANAGEMENT DISTRICT

**RULE 231 - CUTBACK AND EMULSIFIED ASPHALT**

*(Adopted January 12, 1993; Recodified August 22, 2002)*

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**RULE 231**

- 1 **PURPOSE:** The purpose of this Rule is to limit emissions of volatile organic compounds (VOCs) from the use of cutback and emulsified asphalt in paving, construction, or maintenance of parking lots, driveways, streets, and highways.
- 2 **DEFINITIONS:** For the purposes of this Rule, the following definitions shall apply:
  - 2.1 **Asphalt** means a brownish-black cementitious material (solid, semi-solid, or liquid mixture) of which the main constituents are bitumens which occur naturally or are obtained by distillation from coal or petroleum.
  - 2.2 **Cutback asphalt** means paving-grade asphalt liquified with petroleum distillate and as further defined by American Society for Testing and Materials (ASTM) specifications as follows:

Rapid Cure Type	ASTM Method D-2028
Medium Cure Type	ASTM Method D-2027
Slow Cure Type	ASTM Method D-2026
  - 2.3 **Emulsified asphalt** means any asphalt liquified with water containing an emulsifier. The two (2) kinds of emulsions most pertinent are the anionic and cationic types.
- 3 **REQUIREMENTS**
  - 3.1 **Cutback Asphalt:** A person shall not sell, offer for sale, use or apply for paving, construction or maintenance of parking lots, driveways, streets, or highways any:

- 3.1.1 rapid or medium cure cutback asphalt;
- 3.1.2 slow cure cutback asphalt containing more than 0.5 percent by volume of VOCs which evaporate at 260°C (500°F) or lower as determined by ASTM Method D-402-76.

**3.2 Emulsified Asphalt:** A person shall not sell, offer for sale, use or apply for paving, construction or maintenance of parking lots, driveways, streets, or highways any emulsified asphalt material containing more than 3.0 percent by volume of VOCs which evaporate at 260°C (500°F) or lower as determined by ASTM Method D-244-91.

**4 EXEMPTION:** The provisions of this Rule shall not apply to the use of cutback and emulsified asphalt sold in Butte County for shipment and use outside of Butte County.

**5 RECORDKEEPING:** Any person who sells, offers for sale, uses or applies for paving, construction or maintenance of parking lots, driveways, 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 (MSDSs) or manufacturer specifications for each asphalt material containing sufficient information to readily determine compliance with Section 3 of this Rule, as applicable. These records shall be kept on site for at least three (3) years and be made available to the Butte County Air Quality Management District upon request.