

10 CSR 10-5.310 Liquefied Cutback Asphalt Restricted

(1) Application.

(A) This rule shall apply throughout St. Louis City and Jefferson, St. Charles, Franklin and St. Louis Counties.

(B) This rule applies to producers and suppliers which use or apply liquefied cutback asphalt (LCA) in paving and maintenance operations on highways, roads, parking lots and driveways.

(2) Definitions of certain terms specified in this rule may be found in 10 CSR 10-6.020.

(3) General. After December 31, 1982 no person may cause or permit the use or application of liquefied cutback asphalts on highways, roads, parking lots and driveways during the months of April, May, June, July, August, September, and October except as permitted in section (4). This section refers to liquefied cutback asphalt which is directly applied for use in a plant-mix or road-mix.

(4) Exceptions. The use or application of liquefied cutback asphalt is permitted if:

1. The liquefied cutback asphalt is used in a plant-mix or road-mix which is used solely for filling potholes or for emergency repairs;

2. The liquefied cutback asphalt is used to produce a plant-mix manufactured for resale or for use outside the St. Louis Metropolitan area; or

3. The liquefied cutback asphalt is to be used solely as an asphalt prime coat or an asphalt seal coat on absorbent surfaces.

(5) Recordkeeping.

(A) Records shall be kept on all application uses and all production quantities sufficient to determine daily VOC emissions for the months of April, May, June, July, August, September and October.

(B) Liquefied cutback asphalt plants shall keep records of the quantities of LCA sold and who the purchasers are. The owner, operator or user shall record all information derived for a period of not less than two (2) years and all such records shall be made available to the director upon his/her request.

10 CSR 10-5.310

EPA Rulemakings

CFR: 40 C.F.R. 52.1320(c)(71)(i)(B)
FRM: 55 FR 7712 (3/5/90)
PRM: 54 FR 43183 (10/23/89)
State Submission: 3/30/89
State Proposal: 13 MR 1706 (10/17/88)
State Final: 14 MR 329 (3/1/89)
APDB File: MO-75
Description: The EPA approved revisions to the regulation which: (1) clarified applicability, (2) tightened recordkeeping requirements, (3) added October to the prohibition, and (4) made other administrative changes.

CFR: 0 C.F.R. 52.1320(c)(16)(ii)
FRM: 45 FR 24140 (4/9/80) and 45 FR 46806 (7/11/80) (correction)
PRM: 44 FR 61384 (10/25/79)
State Submission: 6/29/79
State Proposal: 3 MR 946 (12/1/78)
State Final: 4 MR 605 (7/2/79)
APDB File: MO-01
Description: The EPA approved a new regulation restricting the use of cutback asphalt from May through September as part of the Part D ozone SIP.

Difference Between the State and EPA-Approved Regulation

There are minor internal numbering differences in Section (4).