

AGENCY OF NATURAL RESOURCES

Waterbury, Vermont

ENVIRONMENTAL PROTECTION REGULATIONS

CHAPTER 5

AIR POLLUTION CONTROL

Subchapter II. Prohibitions

Subsection 5-253.15 Cutback and Emulsified Asphalt

- (a) **Applicability.** This subsection applies to the manufacture, mixing, storage, and use of cutback asphalts and emulsified asphalts. No exemptions are allowable based on the size or throughput of an operation.
- (b) **Definitions.** For the purposes of this subsection, the following definitions apply, in addition to those of Section 5-101 of this chapter.

"Asphalt" means a dark-brown to black cementitious material which is solid, semisolid, or liquid in consistency and in which the main constituents are bitumens that occur naturally or are obtained as a residue of petroleum refining.

"Cutback Asphalt" means asphalt that has been liquified by blending with organic compounds (diluents). Upon exposure to atmospheric conditions, the diluents evaporate, leaving the asphalt to perform its function.

"Emulsified Asphalt" means an emulsion of asphalt and water that contains a small amount of an emulsifying agent; it is a heterogeneous system containing two normally immiscible phases (asphalt and water) in which the water forms the continuous phase of the emulsion, and minute globules of asphalt form the discontinuous phase.

"Medium Curing Cutback Asphalt" means material which meets the specifications of the ASTM Designation D2027.

"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 coat penetrates the base, plugs voids, and hardens and helps bind the top to the overlying asphalt course. The penetrating prime coat also reduces the necessity of

maintaining an untreated base course prior to placing the asphalt pavement.

(c) Standards.

- (1) No person shall cause, allow, or permit the manufacture, mixing, storage, or use of cutback asphalts or emulsified asphalts which contain 5% by weight or greater volatile organic compounds, as determined in accordance with test methods and procedures specified by the Air Pollution Control Officer, with the following exceptions:
 - (i) A medium curing cutback asphalt may be used for the manufacture of and long-term stockpile storage of patching mixes used in pavement maintenance.
 - (ii) A medium curing cutback asphalt may be used as a penetrating prime coat for aggregate bases prior to paving.