

10 CSR 10-2.220 Liquefied Cutback Asphalt Paving Restricted

(1) Application

(A) This regulation shall apply only in Clay, Jackson, and Platte Counties.

(B) This rule limits the use or application of liquefied cutback asphalt in paving and maintenance operations on highways, roads, parking lots, and driveways.

(2) 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 (3). This section refers to liquefied cutback asphalt which is directly applied or used in a plant-mix or road-mix.

(3) Exceptions. The use or application of liquefied cutback asphalts is permitted if:

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

(B) The liquefied cutback asphalt is used to produce a plant-mix manufactured for resale or for use outside Clay, Jackson, and Platte Counties; or

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

(4) Recordkeeping.

(A) Records shall be kept on all application uses and all production quantities sufficient to determine daily volatile organic compound 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 liquefied cutback asphalt 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 those records shall be made available to the director upon his/her request.

EPA Rulemakings

CFR: 40 C.F.R. 52.1320(c)(77)(i)(A)
FRM: 57 FR 27939 (6/23/92)
PRM: 57 FR 1705 (1/15/92)
State Submission: 10/9/91
State Proposal: 16 MR 124 (1/14/91)
State Final: 16 MR 837 (6/3/91)
APDB File: MO-81
Description: This revision approves the maintenance plan and redesignation request to redesignate Clay, Platte, and Jackson Counties to attainment for ozone. The revision to this rule added April and October to the months that liquified cutback asphalt cannot be applied and added recordkeeping requirements.

CFR: 40 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 943 (12/1/78)
State Final: 4 MR 598 (7/2/79)
APDB File: MO-01
Description: The EPA approved a new regulation limiting the use of cutback asphalt during the ozone season.

Difference Between the State and EPA-Approved Regulation

None.