

TITLE 26 - DEPARTMENT OF THE ENVIRONMENT

SUBTITLE 11 - AIR QUALITY

CHAPTER 11 – Control of Petroleum Products and Installations, including Asphalt Paving, Asphalt Concrete Plants, Motor Vehicle Fuel Storage and Use of Waste Oils

.01 Applicability.

Any source which is subject to the provisions of this chapter is also subject to the provisions of any other chapter. However, when this chapter establishes an emission standard for a specific installation which differs from the general emission standard in COMAR 26.11.06.01--.09, this chapter takes precedence.

.02 Asphalt Paving.

A. Definitions.

(1) "Asphalt" means a black to dark brown solid or semisolid material which liquefies when heated and the predominating constituents of which are bitumens which occur in the solid or semisolid form in nature or are obtained by petroleum refining.

(2) "Asphalt paving" means the applying of an asphaltic material to a surface.

(3) "Cutback asphalt" means an asphalt cement which has been liquefied by blending with VOC.

(4) "Emulsified asphalt" means a suspension or emulsion of asphalt and water as designated in ASTM or AASHTO Specifications as amended through November 14, 1980.

(5) "Penetrating prime coat" means an application of liquid asphalt to prepare an untreated base for an asphalt paving operation.

B. A person may not cause or permit the use or application of cutback asphalt for asphalt paving. Emulsified asphalt or other materials upon approval of the Department is acceptable.

C. Exemptions. The provisions of Sec. B of this regulation do not apply to the use or application of cutback asphalt where:

(1) Long-life stockpile storage is necessary;

(2) The use or application from October 15 through April 15 is necessary; or

(3) Cutback asphalt is used solely as a penetrating prime coat.

.03 Asphalt Concrete Plants in Areas I, II, V, and VI.

A person may not cause or permit particulate matter to be discharged from any asphalt concrete plant constructed before June 11, 1973 in excess of 0.05 gr/SCFD (92 kg/dscm).

.04 [Repealed]

.05 [Repealed]

.06 Use of Waste Oils as Fuels.

A. A person may not burn, sell, or make available for use as fuel in any installation any waste oil, including but not limited to used petroleum products, crankcase draining, cutting oils, vegetable oils, or combustible fluids salvaged from any automotive or industrial use, without obtaining the prior approval of the Department.

B. Any person desiring to use waste oil as a fuel in any installation, before use, shall submit to the Department any information and analysis the Department may require.

C. After consideration of the information submitted by a prospective user of waste oil, the Department shall enter an order approving or disapproving the use of the fuel or approving its use with such conditions as the Department finds necessary. If the Department disapproves or conditions the use of a fuel, a person dissatisfied with the order may request a hearing within 10 days after receipt of the order. When a hearing is requested, it shall be held pursuant to Environment Article, Sec. 2-605, Annotated Code of Maryland.