

equipment or process modification must begin not later than May 1, 1975.

(4) On-site construction or installation of emission control equipment or process modification must be completed prior to May 1, 1977.

(5) Federal compliance is to be achieved prior to May 31, 1977.

(6) Any owner or operator of stationary sources subject to the compliance schedule in this paragraph shall certify to the Administrator, within 5 days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(7) Any gasoline dispensing facility subject to paragraph (d)(1) of §52.1144 which installs a gasoline dispensing system after the effective date of this regulation shall comply with the requirements of such paragraph by May 31, 1977. Any facility subject to such paragraph which installs a gasoline dispensing system after May 31, 1977, shall comply with such paragraph at the time of installation.

(c) Paragraph (a) of this section shall not apply:

(1) To a source which is presently in compliance with all requirements of paragraph (c)(1) of §52.1144 and §52.1145 and which has certified such compliance to the Administrator by June 1, 1974. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the Commonwealth and approved by the Administrator.

(3) To a source subject to §52.1144(c)(1) whose owner or operator submits to the Administrator by June 1, 1974, a proposed alternative compliance schedule. No such schedule may provide for compliance after March 1, 1976. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(4) To a source subject to §52.1145 whose owner or operator submits to the Administrator by May 1, 1974, a proposed alternative compliance schedule. No such schedule may provide for compliance after May 31, 1975. If promulgated by the Administrator, such

schedule shall satisfy the requirements of this paragraph for the affected source.

(d) Paragraph (b) of this section shall not apply:

(1) To a source which is presently in compliance with paragraph (d)(1) of §52.1144 and which has certified such compliance to the Administrator by January 1, 1975. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator submits to the Administrator by June 1, 1974, a proposed alternative schedule. No such schedule may provide for compliance after May 31, 1977. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(e) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (a) or (b) of this section fails to satisfy and requirements of 40 CFR 51.15 (b) and (c).

[38 FR 30970, Nov. 8, 1973]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §52.1147, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§§ 52.1148–52.1158 [Reserved]

**§52.1159 Enhanced Motor Vehicle Inspection and Maintenance.**

(a) Revisions submitted by the Massachusetts Department of Environmental Protection on October 20, 2000, to the motor vehicle inspection and maintenance program are approved:

(1) Letter from the Massachusetts Department of Environmental Protection dated October 20, 2000 submitting a revision to the Massachusetts State Implementation Plan.

(2) Document entitled “Quality Assurance and Quality Control Plan For the Massachusetts Enhanced Emissions and Safety Inspection Program,” dated October 16, 2000.

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(3) Document entitled “Program Evaluation Plans For the Enhanced Inspection and Maintenance Program,” dated October 2000, and supporting contracts.

[65 FR 69257, Nov. 16, 2000]

### § 52.1160 Requirements for state implementation plan revisions relating to new motor vehicles.

Massachusetts’ adopted LEV program must be revised to the extent necessary for the state to comply with all aspects of the requirements of § 51.120.

[60 FR 4737, Jan. 24, 1995]

### § 52.1161 Incentives for reduction in single-passenger commuter vehicle use.

(a) Definitions:

(1) *Employer* means any person or entity which employs 50 or more employees at any time during a calendar year at an employment facility located in the Boston Intrastate Region.

(2) *Educational institution* means any person or entity which has 250 or more employees and students at any time during the academic year at an educational facility offering secondary level or higher training including vocational training located in the Boston Intrastate Region.

(3) *Employee* means any person who performs work for an employer thirty-five or more hours per week and for more than twenty weeks per year for compensation and who travels to and from work by any mode of travel.

(4) *Student* means any full-time day student who does not live at the educational institution and who travels to and from classes by any mode of travel.

(5) *Affected facility* means any employment facility at which 50 or more persons are employees or any educational facility at which 250 or more persons are students and employees.

(6) *Commuter* means both an *employee* and a *student*.

(7) *Single-passenger commuter vehicle* means a motor-driven vehicle with four or more wheels with capacity for a driver plus one or more passengers which is used by a commuter traveling alone to work or classes and is not customarily required to be used in the course of his employment or studies.

(8) *Base date* means the date set forth in paragraph (d) of this section as of which the base number of single-passenger commuter vehicles at a particular employment facility or educational institution must be determined.

(9) *The Secretary* means the Secretary of Transportation and Construction of the Commonwealth of Massachusetts.

(b) Commencing with the effective date of this section, each employer and educational institution (except as provided below) shall diligently and expeditiously implement and thereafter continuously maintain the following mandatory measures which are designed to achieve a goal of reducing the number of single-passenger commuter vehicles customarily commuting daily to each affected facility as of its base date by 25 percent (or as adjusted pursuant to paragraph (g) of this section):

(1) Making available to commuters any pass program offered by the Massachusetts Bay Transportation Authority, if any commuter to the facility uses the mass transit facilities of such Authority as part of his daily commuting trip, including making all administrative arrangements for commuters to purchase the pass and thereby participate in the pass program and encouraging commuters to participate by such means as publicizing the availability of the pass program and the cost advantages thereof.

(2)–(8) [Reserved]

[40 FR 25166, June 12, 1975, as amended at 47 FR 28373, June 30, 1982; 41 FR 10223, Mar. 10, 1976]

### § 52.1162 Regulation for bicycle use.

(a) Definitions:

(1) *Bicycle* means a two-wheel nonmotor-powered vehicle.

(2) *Bike path* means a route for the exclusive use of bicycles separated by grade or other physical barrier from motor traffic.

(3) *Bike lane* means a street lane restricted to bicycles and so designated by means of painted lanes, pavement coloring or other appropriate markings. A *peak hour* bike lane means a bike lane effective only during times of heaviest auto commuter traffic.