



November 25, 2008

Environmental Protection Agency
Air & Radiation Docket and Information Center
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Sent via Email to: a-and-r-Docket@epa.gov

Re: Docket ID Number: EPA-HQ-OAR-2008-0318

To Whom It May Concern:

The American Association of Homes and Services for the Aging (AAHSA) appreciates the opportunity to submit feedback on the Advance Notice of Public Rulemaking regarding possible greenhouse gas regulations under the Clean Air Act. The members of AAHSA (www.aahsa.org) help millions of individuals and their families every day through mission-driven, not-for-profit organizations dedicated to providing the services that people need, when they need them, in the place they call home. Our 5,700 member organizations, many of which have served their communities for generations, offer the continuum of aging services: adult day services, home health, community services, senior housing, assisted living residences, continuing care retirement communities and nursing homes. AAHSA's commitment is to create the future of aging services through quality people can trust.

AAHSA opposes regulation of greenhouse gases under the Clean Air Act. The Clean Air Act is not suited to regulate greenhouse gases, as the EPA administrator and several other federal agencies have opined. In addition, if the EPA regulates greenhouse gases under the Clean Air Act, many AAHSA members could be subject to costly and burdensome Clean Air Act programs. For example, health care facilities with 51,000 square feet or greater would be subject to the Prevention of Significant Deterioration (PSD) permitting requirements. This would require such facilities to get a PSD permit prior to new construction or modifications. Although the Clean Air Act allows states to exempt some nonprofit health care facilities, there is no indication how such exemptions are determined and the costs associated with obtaining such exemptions. Moreover, leaving it up to the states to decide on exemptions may lead to arbitrary and inconsistent decisions on exemptions for health care facilities across the nation. Finally, there is also the possibility that health care facilities would need to obtain Title V operating permits from the EPA one year from when greenhouse gases become regulated, which would add to the already stressed budgets of nonprofit health care facilities.

American Association of Homes and Services for the Aging

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EPA – ANPR
November 25, 2008
Page 2

Thanks for the opportunity to provide comments. If you have questions, please contact Cory Kallheim at ckallheim@aahsa.org or Jennifer Hilliard at jhilliard@aahsa.org.

Sincerely,

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