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protected by raising the threshold to 25,000. As an alternative, SBA recommends that EPA raise the applicability threshold to 100,000 and the significance threshold to 50,000. AGC agrees that EPA should adopt higher tailoring thresholds in the GHG Tailoring Rule. EPA also should consider longer phase-in periods for these applicability and significance thresholds to apply.

For the commercial buildings category alone, EPA estimates that some healthcare, education, lodging, warehouses, office and public assembly facilities will need to obtain permits at the 25,000 threshold. Inpatient healthcare facilities are heavily affected. EPA also is considering a 10,000 metric tpy CO₂e threshold (either immediately or phased in)—at which the amount of commercial buildings that would require permits increases dramatically and includes laboratories, malls and service facilities, as well as nursing facilities and other buildings. *See* EPA-HQ-OAR-2009-0517-0004.8. These thresholds are too low and would significantly impact a large number of small entities. Furthermore, EPA intends to review the threshold levels in a few years and may decide to lower the thresholds, thereby exposing many more small businesses with each lowering of the threshold. This is unacceptable to industry.

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