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United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

ADAM TOMLINSON, REPUBLICAN STAFF DIRECTOR
DAN DUDIS, DEMOCRATIC STAFF DIRECTOR

May 7, 2025

The Honorable Lee M. Zeldin
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Administrator Zeldin:

In March, the Environmental Protection Agency (EPA) announced that it was reconsidering key aspects of the Greenhouse Gas Reporting Program (GHGRP).¹ Documents subsequently obtained exclusively by the Democratic Staff of the Senate Committee on Environment and Public Works (EPW) appear to confirm that EPA intends to dissolve the Office of Atmospheric Protection and completely eliminate the Greenhouse Gas Reporting Program (GHGRP) branch.² We object. The GHGRP is an important resource, collecting data from direct emitters and upstream suppliers covering 85-90 percent of U.S. greenhouse gas emissions.³ Accordingly, we strongly urge you to halt your plans to shutter the GHGRP and related offices and to reinstate any functions already dissolved.

A little history: the GHGRP was established by the fiscal year 2008 Consolidated Appropriations Act, which directed the EPA to require the mandatory reporting of greenhouse gas emissions across all sectors of the U.S. economy.⁴ In response to this legislation, in 2010, the EPA subsequently finalized the Mandatory Reporting of Greenhouse Gases rule, which applies to fossil fuel suppliers, industrial gas suppliers, direct emitters, and manufacturers of heavy-duty and off-road vehicles and engines.⁵ For the past 15 years, the GHGRP has collected facility-level emissions data from over 8,000 facilities, supplying vital information to

¹ Lylla Younes, Ava Kofman, and Dillon Bergin, "The Trump EPA's Latest Climate Move: Let Industry Stop Reporting Pollution," *ProPublica*, April 10, 2025, https://www.propublica.org/article/trump-epa-greenhouse-gas-reporting-climate-crisis?utm_source=sailthru&utm_medium=email&utm_campaign=majorinvestigations&utm_content=feature.

² Information obtained by EPW Democratic Staff.

³ U.S. Environmental Protection Agency, "What Is the Greenhouse Gas Reporting Program (GHGRP)?," *EPA.gov*, accessed April 16, 2025, <https://www.epa.gov/ghgreporting/what-ghgrp>.

⁴ U.S. Congress, Consolidated Appropriations Act, 2008, H.R. 2764, 110th Cong., introduced June 18, 2007, <https://www.congress.gov/bill/110th-congress/house-bill/2764>.

⁵ U.S. Environmental Protection Agency, *Final Rule: Mandatory Reporting of Greenhouse Gases*, last modified September 22, 2023, <https://www.epa.gov/regulations-emissions-vehicles-and-engines/final-rule-mandatory-reporting-greenhouse-gases>.

policymakers, scientists, investors, and the public.⁶ This data informs our national GHG inventory, supports international emissions reporting obligations, and serves as the *de facto* standard for many companies' climate disclosures in the absence of industry-wide methodologies.⁷

You should consider that elimination of the GHGRP would likely harm the very companies supposed to benefit from fewer reporting requirements. First, U.S. industry is substantially less carbon-intensive than most of its overseas competitors.⁸ Data from the GHGRP form the basis for such comparisons. For instance, Chinese industry is almost *four times* as carbon-intensive as U.S. industry.⁹ GHGRP data allows U.S. industry to market itself as cleaner than the competition, which increasingly commands a premium in domestic and foreign markets. You will rob American industry of data giving competitive advantage over Chinese competitors.

Second, many companies rely on GHGRP data for their investor disclosures. Given the lack of a universally accepted industry standard for methane emissions methodology, companies often turn to EPA's GHGRP data as a consistent framework to support their public reporting.¹⁰

The agency's stated justification for the initial reconsideration (and now, presumably, for the elimination of the GHGRP)—per two recently released fact sheets—is that “industry trade associations” requested the change to “reduce burden on oil and natural gas producers.”¹¹ This justification echoes the exact language used in policy wish lists handed to President-elect Trump by polluting industries shortly after the election.¹² EPA's recent actions—including the elimination of the GHGRP—continue the pattern of allowing polluters to dictate environmental policy. Dismantling the GHGRP prioritizes polluter interests over the international

⁶ U.S. Environmental Protection Agency, “GHGRP Reported Data,” *EPA.gov*, accessed April 16, 2025, <https://www.epa.gov/ghgreporting/ghgrp-reported-data>.

⁷ Denbury Inc., *CCUS Business Outlook Presentation*, Exhibit 99.1, December 13, 2022, accessed via U.S. Securities and Exchange Commission, <https://www.sec.gov/Archives/edgar/data/945764/000094576422000100/ex991ccusbusinessoutlo.htm>.

⁸ Climate Leadership Council, *America's Carbon Advantage 2025*, available at <https://clcouncil.org/report/americas-carbon-advantage-2025/>

⁹ *Id.* at 6.

¹⁰ Dominion Energy, Inc., *Form DEF14A*, May 3, 2018, accessed via U.S. Securities and Exchange Commission, <https://www.sec.gov/Archives/edgar/data/715957/000119312518150788/d532085ddefa14a.htm>; Exelon Corporation, *Interactive Sustainability Report*, 2023, accessed April 16, 2025, <https://www.exeloncorp.com/sustainability/interactive-sustainability-report?year=2023&page=1>; Cheniere Energy, *Key Performance Data*, accessed April 16, 2025, <https://cheniere.com/pdf/key-performance-data-section.pdf>; Southern Company, *Southern Company Data Download*, accessed April 16, 2025, https://www.southerncompany.com/content/dam/southerncompany/sustainability/pdfs/Southern_Company_Data_Download.pdf.

¹¹ U.S. Environmental Protection Agency, “Fact Sheet: Reconsideration of the Greenhouse Gas Reporting Rule—General,” March 2025, <https://www.epa.gov/system/files/documents/2025-03/fact-sheet-reconsideration-of-the-greenhouse-gas-reporting-rule-general.pdf>; U.S. Environmental Protection Agency, “Fact Sheet: Reconsideration of the Greenhouse Gas Reporting Rule—Subpart W,” March 2025, <https://www.epa.gov/system/files/documents/2025-03/fact-sheet-reconsideration-of-the-ghg-reporting-rule-subpart-w.pdf>.

¹² Tony Briscoe, “More than 100 Industrial Polluters Send Trump a Deregulatory Wish List,” *Los Angeles Times*, December 15, 2024, <https://www.latimes.com/environment/story/2024-12-15/industrial-polluters-send-trump-a-deregulatory-wish-list>.

competitiveness of the American steel, aluminum, fertilizer, cement, and chemicals industries, to name but a few.

In light of these concerns, we ask that you respond to the following questions by May 14, 2025:

1. In two fact sheets from March 2025, EPA indicated that it was reconsidering the GHGRP because “industry trade associations” requested the change to “reduce burden on oil and natural gas producers.”¹³ Please list the industry trade associations that requested the change and provide all communications between EPA and those trade associations dating from January 20, 2025.
2. Produce any internal EPA communications, memoranda, guidance, or similar documents discussing potential changes to or the elimination of the GHGRP dating from January 20, 2025.

Sincerely,



Sheldon Whitehouse
United States Senator
Ranking Member
Committee on Environment
and Public Works

¹³ See *supra* note 10.