



April 14, 2025

SUBMITTED ELECTRONICALLY

National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW (2822T)
Washington, DC 20460
(202) 566-1667

Re: Freedom of Information Act Request for Records Related to the National Greenhouse Gas Inventory

Dear Freedom of Information Officer:

Environmental Defense Fund (“EDF”) respectfully requests records, as that term is defined at 5 U.S.C. § 552(f)(2) of the Freedom of Information Act (“FOIA”), of U.S. Environmental Protection Agency (“EPA”) activities and communications regarding the Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2023 (“2025 GHG Inventory”) and its submission to the United Nations in accordance with the United Nations Framework Convention on Climate Change (“UNFCCC”), as detailed below.

Every year, EPA develops the national GHG Inventory, which tracks U.S. GHG emissions and sinks by source, economic sector, and emissions type. The report produces a comprehensive accounting of total GHG emissions for all man-made sources in the country.¹ Administrations of both political parties have routinely developed and published the national GHG Inventory every year since 1997.² Additionally, the report serves as the basis for the U.S. National Inventory Report—the annual document each party to the UNFCCC must submit in order to track global GHG emissions.³ The UNFCCC requires each Annex I Party to submit its annual National Inventory Report by April 15.⁴

This year, EPA indicated it would publish the draft version of the 2025 GHG Inventory intermittently. On January 15, 2025, EPA published a notice in the Federal Register regarding the 2025 GHG Inventory, stating that “sectoral chapters within the report and cross-cutting

¹ See *Inventory of U.S. Greenhouse Gas Emissions and Sinks*, U.S. ENVTL. PROTECTION AGENCY, <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks> (last updated Jan. 15, 2025).

² See *U.S. Greenhouse Gas Inventory Report Archive*, U.S. ENVTL. PROTECTION AGENCY, <https://www.epa.gov/ghgemissions/us-greenhouse-gas-inventory-report-archive> (last updated Feb. 12, 2025).

³ See U.S. ENVTL. PROTECTION AGENCY, *supra* note 1 (“The national greenhouse gas inventory is submitted to the United Nations in accordance with the Framework Convention on Climate Change”).

⁴ Report of the Conference of the Parties on its nineteenth session, held in Warsaw from 11 to 23 November 2013, FCCC/CP/2013/10/Add.3, Decision 24/CP.19 at 2 (Jan. 31, 2014) <https://unfccc.int/resource/docs/2013/cop19/eng/10a03.pdf>.

summary and trends chapters will be posted to the identified docket on a rolling basis between January 15 and February 13, 2025.”⁵ This notice also indicated EPA would finalize the 2025 GHG Inventory by April 2025.⁶ However, only two chapters of the draft 2025 GHG Inventory have been posted to the identified docket to date.⁷ Additionally, as of the date of this request, the U.S. has not submitted its annual National Inventory Report to the UNFCCC despite the April 15 deadline.⁸

EDF requests copies of all correspondence and records detailed below in items (i)-(ii), that contain any of the search terms detailed in item (iii):

(i) Copies of all records EPA has produced concerning the 2025 GHG Inventory, including but not limited to:

1. the draft and final Executive Summary of the 2025 GHG Inventory,
2. the draft and final Complete Report of the 2025 GHG Inventory,
3. all draft and final Chapters of the 2025 GHG Inventory,
4. all draft and final Annexes accompanying the 2025 GHG Inventory,
5. the draft and final Expert Review Comments and Responses section of the 2025 GHG Inventory,
6. the draft and final Public Review Comments and Responses section of the 2025 GHG Inventory, and
7. the draft and final Corrigenda of the 2025 GHG Inventory.

(ii) Correspondence with and/or between any members of the Trump Administration’s EPA Transition Team (or “Landing Team”), and/or any Trump Administration EPA political appointees; including any action plans, briefing materials, memos, presentations or other documents created by and/or shared with/among EPA transition team and/or political appointees, including but not limited to:

1. Michael Abboud
2. Eric Amidon
3. Anne Idsal Austin
4. Jaide Barja
5. Nancy Beck
6. Steven Cook
7. Thomas Corlett
8. Lynn Dekleva
9. Alex Dominguez
10. Sean Donahue

⁵ Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2023, 90 Fed. Reg. 3,827 at 3,827 (Jan. 15, 2025).

⁶ *Id.*

⁷ See Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2023, Nonrulemaking Docket EPA-HQ-OAR-2024-0591, <https://www.regulations.gov/docket/EPA-HQ-OAR-2024-0591>.

⁸ See *National Inventory Submissions 2025*, UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE, <https://unfccc.int/ghg-inventories-annex-i-parties/2025> (last updated Jan. 15, 2025).

11. David Fotouhi
12. Daniel Gall
13. Adam Gustafson
14. Paige Hanson
15. Jessica Kramer
16. Cora Mandy
17. (William) Chad McIntosh
18. James Payne (Acting Administrator from Jan. 20-30, 2025)
19. John Rich
20. Carla Sands
21. Justin Schwab
22. Aaron Szabo
23. Abigale Tardif
24. Victoria Tran
25. Molly Vaseliou
26. Travis Voyles
27. William (Bill) Wehrum
28. Ben Weiner
29. Andrew Wheeler
30. Lee Zeldin

(iii) EDF requests the correspondence and other records detailed above that contain any of the following search terms:

- “Inventory of U.S. Greenhouse Gas Emissions,”
- “Greenhouse Gas Inventory,”
- “GHG Inventory,”
- “GHGI”
- “Emissions Inventory,”
- “National Inventory Report,”
- “National Inventory Submission,” and
- “EPA-HQ-OAR-2024-0591.”

Correspondence includes hard-copy and electronic correspondence including, but not limited to, emails, voicemails, text messages, Signal messages, and correspondence transmitted through any other electronic platform. This request includes correspondence for which any EPA transition team and/or political appointee employees were among the sender(s) and/or recipient(s), regardless of whether the correspondence also included any other sender(s) or recipient(s). EDF also requests all files attached to the emails or other correspondence sent or received by the above-listed individuals, as well as copies of any files obtained via downloadable links within the body of such emails or other correspondence.

EDF respectfully requests records produced, modified, or transmitted since January 20, 2025, that exist as of the date that EPA begins searching for records responsive to this request.

EDF requests that records be produced in a readily accessible electronic format.

If any of the records sought in this request are deemed by EPA to be properly withheld under a FOIA exemption, 5 U.S.C. § 552(b), please provide EDF with an explanation, for each such record or portion thereof, sufficient to identify the record and the particular exemption(s) claimed.

Request for Expedited Processing

Pursuant to 5 U.S.C. § 552(a)(6)(E) and 40 C.F.R. § 2.104(g)(1), EDF respectfully seeks expedited processing based on the “compelling need” that EDF is “primarily engaged in disseminating information” and that there is an “urgency to inform the public concerning actual or alleged Federal Government activity.”⁹ In support of this request, we certify that the following statements are true and correct to the best of our knowledge and belief:

1. EDF engages in extensive, daily efforts to inform the public about matters affecting environmental and energy policy, as well as about climate change science and the human health impacts of pollution. EDF’s efforts to inform the public include disseminating information regarding EPA regulations, orders, guidance documents, policies, and other EPA actions. EDF has multiple channels for distributing information to the public, including through direct communication with its more than 3 million members and supporters, press releases, blog posts, active engagement on social media, and frequent appearances by staff in major media outlets.¹⁰
2. This request concerns Federal Government activity—specifically, the development and submission of the 2025 GHG Inventory. Administrations of both political parties have

⁹ 40 C.F.R. § 2.104(g)(1)(i)(B).

¹⁰ See, e.g., Lisa Friedman, *E.P.A. Is Said to Plan Deep Cuts to Greenhouse Gas Reporting Program*, N.Y. TIMES (Apr. 10, 2025), <https://www.nytimes.com/2025/04/10/climate/epa-greenhouse-gas-reporting.html> (quoting Vickie Patton, General Counsel, EDF); EDF Press Release: New Analysis Shows Extensive Number of Facilities Across the U.S. That Could Get a Trump EPA Pollution Pass (Apr. 7, 2025), <https://www.edf.org/media/new-analysis-shows-extensive-number-facilities-across-us-could-get-trump-epa-pollution-pass>; EDF Press Release: New Interactive Map Shows Nationwide Pollution from Gas Turbines (Jan. 15, 2025), <https://www.edf.org/media/new-interactive-map-shows-nationwide-pollution-gas-turbines>; Juan Pablo Hoffmaister, *Making Sense of the NCQG Outcome from COP29: A Critical but Insufficient Step Forward for Climate Finance*, EDF CLIMATE 411 (Dec. 23, 2024), <https://blogs.edf.org/climate411/2024/12/23/making-sense-of-the-ncqg-outcome-from-cop29-a-critical-but-insufficient-step-forward-for-climate-finance/>; Maxine Joselow, *Oil companies face a new fine for methane. Trump could scrap it.*, WASHINGTON POST (Nov. 12, 2024), <https://www.washingtonpost.com/climate-environment/2024/11/12/methane-fee-epa-cop29/> (quoting Mark Brownstein, Senior VP of Energy for EDF); Niko Kommenda, *See how the Inflation Reduction Act is affecting your community*, WASHINGTON POST (Oct. 28, 2024), <https://www.washingtonpost.com/climate-environment/interactive/2024/climate-bill-biden-clean-energy/> (quoting Joanna Slaney, Associate VP of Government Affairs for EDF); David Gelles, *Confronting Our New Reality*, N.Y. TIMES (Sept. 25, 2024) (quoting Fred Krupp, President of EDF), <https://www.nytimes.com/2024/09/25/climate/climate-change-environment-planet.html>; Ted Kelly, *Building a better grid: The latest steps to deliver reliable, affordable and clean power*, EDF Energy Exchange (June 6, 2024), <https://blogs.edf.org/climate411/2024/06/06/building-a-better-grid-the-latest-steps-to-deliver-reliable-affordable-and-clean-power/>.

routinely developed and submitted the national GHG Inventory every year since 1997,¹¹ and it is common practice for EPA to issue a draft GHG Inventory for public comment before issuing the final GHG Inventory.¹² After indicating on January 15, 2025 that the draft version of the 2025 GHG Inventory would be posted for public comment by February 13, 2025, EPA has only made two chapters of the report publicly available.¹³ Also, as of the date of this request, the U.S. has not submitted its annual National Inventory Report to the UNFCCC despite the rapidly approaching April 15 deadline.¹⁴

3. Responsive records will be vital to inform the public about the contents and status of a longstanding annual EPA report that provides researchers, businesses, and the public with the latest information concerning the status of U.S. GHG emissions and progress on emission reduction efforts. Additionally, responsive records will inform the public about the administration's compliance with U.S. treaty obligations under the UNFCCC, and the information that administration officials have considered during the report's development and apparent delay. It has been publicly reported, on April 10, that EPA "is planning to eliminate long-standing requirements for polluters to collect and report their emissions" via the elimination of the GHG Reporting Program,¹⁵ a companion program that secures data to inform the development of the GHG Inventory. It is urgent that the public also have access to information about EPA's plans and actions regarding the GHG Inventory.
4. There is a particularly urgent need to inform the public about the government activity involved in this request. EPA's failure to release the draft version of the 2025 GHG Inventory by its own February 13 deadline—combined with the fast-approaching April 15 deadline to submit the report to the UNFCCC—leaves the public without information about the state of U.S. GHG emissions. And the public has no information about the status of the report and whether the Administration plans to finish, publicize, and submit the report to the UNFCCC. The GHG Inventory is a vital source of public information about the climate pollution that increases smog and causes the extreme storms and fires that millions of Americans are facing. The loss of consistent, rigorous, annual reporting on U.S. GHG emissions will undermine public understanding of pollution, scientific

¹¹ See *U.S. Greenhouse Gas Inventory Report Archive*, U.S. ENVTL. PROTECTION AGENCY, <https://www.epa.gov/ghgemissions/us-greenhouse-gas-inventory-report-archive> (last updated Feb. 12, 2025).

¹² See e.g., Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2022, 89 Fed. Reg. 11,275 (Feb. 14, 2024); Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2021, 88 Fed. Reg. 9,881 (Feb. 15, 2023); 87 Fed. Reg. 8,583 (Feb. 15, 2022); 86 Fed. Reg. 9,339 (Feb. 12, 2021); 85 Fed. Reg. 7,999 (Feb. 12, 2020); 84 Fed. Reg. 3,444 (Feb. 15, 2019); 83 Fed. Reg. 5,422 (Feb. 7, 2018); 82 Fed. Reg. 10,767 (Feb. 15, 2017); 81 Fed. Reg. 8,713 (Feb. 15, 2016); 80 Fed. Reg. 9,718 (Feb. 24, 2015); 79 Fed. Reg. 10,143 (Feb. 24, 2014); 78 Fed. Reg. 12,310 (Feb. 15, 2013); 77 Fed. Reg. 11,533 (Feb. 27, 2012); 76 Fed. Reg. 10,026 (Feb. 23, 2011); 75 Fed. Reg. 12,232 (Mar. 15, 2010); 74 Fed. Reg. 10,249 (Mar. 10, 2009); 73 Fed. Reg. 12,413 (Feb. 15, 2008); 72 Fed. Reg. 8,731 (Feb. 27, 2007); 71 Fed. Reg. 9,821 (Feb. 15, 2006); 70 Fed. Reg. 9,647 (Feb. 15, 2005); 69 Fed. Reg. 9,623 (Mar. 1, 2004); 68 Fed. Reg. 6,450 (Feb. 7, 2003); 67 Fed. Reg. 8,018 (Feb. 21, 2002); 66 Fed. Reg. 1,674 (Jan. 09, 2001); 65 Fed. Reg. 11,314 (Mar. 2, 2000); 64 Fed. Reg. 11,881 (Mar. 10, 1999); 63 Fed. Reg. 18,194 (Apr. 14, 1998).

¹³ See Nonrulemaking Docket EPA-HQ-OAR-2024-0591, *supra* note 7.

¹⁴ See UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE, *supra* note 8.

¹⁵ Sharon Lerner, Trump's EPA Plans to Stop Collecting Greenhouse Gas Emissions Data From Most Polluters, ProPublica (Apr. 10, 2025), <https://www.propublica.org/article/trump-epa-greenhouse-gas-reporting-climate-crisis>.

research and analysis, and the ability of policymakers to evaluate what progress is needed to address climate change.

Request for Fee Waiver

As a non-partisan, non-profit organization that provides information that is in the public interest, EDF respectfully requests a waiver of fees associated with this request, in accordance with 5 U.S.C. § 552(a)(4)(A)(iii) and 40 C.F.R. § 2.107(n). EDF does not seek information for any commercial purpose and the records received will contribute to a greater public understanding of Federal Government activities that are of considerable public interest: the development and submission of the 2025 GHG Inventory report.

EDF's request satisfies EPA's criteria for a FOIA fee waiver established in 40 C.F.R. § 2.107(n)(5)(i)-(iv). First, EDF seeks records directly related to the development and submission of the 2025 GHG Inventory Report—a specific activity of the federal government. Second, these records contain significant informative value to the public's understanding of the government's activities because—despite EPA's planned timeframe, traditional practice, and a deadline established by international treaty obligations—this regularly published annual report remains unavailable. Third, the information from the disclosure of these records will be of interest to a broad swath of the public. The annual GHG Inventory Report is regularly used by researchers, businesses, and advocates to track changes to GHG emissions and monitor progress toward reaching climate goals. Finally, disclosure of the requested records will contribute significantly to the public's understanding of the government's efforts to track, monitor, and report on domestic GHG emissions and sinks, which, if abandoned, would mark a deviation from nearly thirty years of established government policy. The GHG Inventory is a vital source of public information about the climate pollution that increases smog and causes the extreme storms and fires that millions of Americans are facing. The loss of consistent, rigorous, annual reporting on U.S. GHG emissions will undermine public understanding of pollution, scientific research and analysis, and the ability of policymakers to evaluate what progress is needed to address climate change.

EDF does not have a commercial interest that would be furthered by the requested disclosure, and its sole interest in the disclosure is to advance the public interest. EDF is well positioned to disseminate the records to the public, as it routinely issues press releases, action alerts, reports, analyses, and other public outreach materials, *see supra* note 10. EDF is also well qualified to present the records to the public in a manner that clearly conveys their value, and EDF fully intends to disseminate information received in response to this request that is informative, newsworthy, or otherwise of value to the public. Accordingly, EDF respectfully requests that the documents be furnished without charge.

In the event EDF's request for a fee waiver is denied or if you have any questions about this request, please contact me immediately by email at infotransparency@edf.org or by telephone at (212) 616-1287.

Respectfully submitted,

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