



April 8, 2022

Ms. Vanessa Countryman
Secretary Securities and Exchange Commission
100 F Street NE
Washington, D.C. 20549

Re: Request for Comment on Climate Change Disclosure - File Number S7-10-22

Dear Secretary Countryman,

Apex Companies LLC welcomes the SEC's renewed focus on climate and ESG disclosures and writes in support of established rules that facilitate the disclosure of consistent, comparable, and reliable information on climate change. Apex believes the guidance recently provided by the SEC will move the mark with respect to companies' transparency on this critical issue of climate change. More specifically, Apex supports requirements that GHG emissions are stated across scope 1, 2, & 3 and that these data sets are subject to third-party attestation. We believe third-party attestation provides an additional degree of reliability regarding the key performance indicators, assumptions, methodologies, and data sources used.

Apex Companies, LLC is an award-winning Environmental, Engineering & Sustainability Management firm, with more than 30 years' industry experience in Environmental Engineering, Health and Safety, & Sustainability data assurance. Today we assist a broad range of clients (public and private) in the development, tracking and management of their GHG emission disclosure requirements and disclosure controls and procedures (DCP). Given our expertise and experience, Apex makes the following recommendations for consideration:

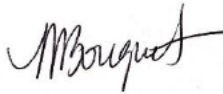
- GHG emission disclosure verification service providers should be independent with respect to the registrant and any of its affiliates. SEC should model this provision on Rule 2-01 of Regulation S-X. However, additional guidance on how to comply with and apply any definition therein would be welcome.
- ISO 14064-3, AccountAbility's AA1000 Series of Standards, and IAASB ISAE 3000 meet the requirement of attestation standards created after "due process procedures, including the broad distribution of the framework for public comment".
- Subjecting GHG emissions attestation providers to potential liability under Section 11 of the Securities Act would deter qualified persons and specialized consulting firms (many of which are small businesses) from serving as GHG emissions attestation providers, resulting in a dramatic reduction in the availability of expert guidance on climate change disclosure requirements.
- The SEC should permit registrants to use the GHG Protocol as the methodology for determining GHG emissions. The GHG protocol meets the "suitable criteria" requirement against which the Scope 1 and Scope 2 emissions disclosure are evaluated.
- Entities other than registered public accounting firms should be permitted to provide assurance of GHG emission disclosure. Limiting this permission to only registered public accounting firms (or PCAOB-registered audit firms) would be counterproductive to the purpose of the SEC guidance seeking transparency, integrity, and accountability in the data. Traditional accounting firms lack the technical expertise and competence that is required for this scope of work, whereas engineers and scientists provide unique and necessary understanding and insights (critical to complete and accurate assurance and verification). Consulting firms that specialize in environmental and sustainability matters will also offer greater access and affordability than public accounting firms.

Apex appreciates the opportunity to participate in the request for public comment on climate change disclosures. Please contact Nicole Bouquet at [REDACTED] for any questions related to this submission.

Respectfully,



David Fabianski
President & Chief Executive Officer
Apex Companies, LLC



Nicole Bouquet
Executive Director- Environmental, Social & Corporate Governance
Apex Companies, LLC

