



U.S. Department of Justice
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Oral Argument on October 8, 2020

October 14, 2020

VIA ELECTRONIC FILING

The Hon. Mark J. Langer
Clerk of Court
United States Court of Appeals
for the District of Columbia Circuit
Room 5523
333 Constitution Avenue, N.W.
Washington, D.C. 20001-2866

Re: American Lung Association, et al. v. EPA, et al.: No. 19-1140 (and consolidated cases)

Dear Mr. Langer:

At oral argument, the panel requested that Respondents United States Environmental Protection Agency et al. (EPA) file a Rule 28(j) letter addressing both the average age and retirement age of existing, coal-fired power plants. The average age of the remaining coal-fired power plant fleet is approximately 42 years. 84 Fed. Reg. 32,520, 32,548 n.215 (July 8, 2019). The average retirement age for coal-fired power plants is currently 54 years. *Id.*

Sincerely,

/s/Meghan E. Greenfield
MEGHAN E. GREENFIELD

cc: Counsel of record, via CM/ECF

CERTIFICATE OF COMPLIANCE

I hereby certify that this motion complies with the requirements of Federal Rule of Appellate Procedure 28(j) because it contains approximately 88 words according to the count of Microsoft Word and therefore is within the word limit of 350 words.

Dated: October 14, 2020

/s/ Meghan E. Greenfield
MEGHAN E. GREENFIELD

CERTIFICATE OF SERVICE

I hereby certify that on October 14, 2020, I electronically filed the foregoing Rule 28(j) response letter with the Clerk of the Court for the United States Court of Appeals for the District of Columbia Circuit by using the appellate CM/ECF system. The participants in the case are registered CM/ECF users and service will be accomplished by the appellate CM/ECF system.

/s/ Meghan E. Greenfield
MEGHAN E. GREENFIELD