

of the Office of Management and Budget. 171 Cong. Rec. S779-781 (daily ed. Feb. 6. 2025).

36. On February 7, 2025, the Alliance and Waterkeepers Florida served on Lee M. Zeldin, Administrator of the Environmental Protection Agency, by certified mail, a notice of intent to sue the Administrator for failure to perform his nondiscretionary duty under Clean Water Act § 303(c)(4), 33 U.S.C. § 1313(c)(4), to promulgate new and revised numerical water quality criteria for priority toxic pollutants to protect human health and the designated uses of Florida's Class I, II, III and III-Limited waters (e.g., potable water supply, shellfish harvesting, and fish consumption) not later than 90 days after publication of proposed new and revised numerical water quality criteria for 73 priority toxic pollutants to protect human health and the designated uses of Florida's Class I, II, III and III-Limited waters (e.g., potable water supply, shellfish harvesting, and fish consumption). On February 7, 2025, the Alliance and Waterkeepers Florida also mailed a copy of such notice to the Attorney General of the United States.

37. Subsequent to December 8, 2023, neither the Administrator of the Environmental Protection Agency nor the State of Florida has