

aggrieved by agency action (including failure to act) within the meaning of a relevant statute, is entitled to judicial review thereof. The Act authorizes the Court to “compel agency action unlawfully withheld or unreasonably delayed.” 5 U.S.C. § 706(1).

64. Clean Water Act § 303(c)(4), 33 U.S.C. § 1313(c)(4), provides:

The Administrator shall promptly prepare and publish proposed regulations setting forth a revised or new water quality standard for the navigable waters involved—

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(B) in any case where the Administrator determines that a revised or new standard is necessary to meet the requirements of this chapter.

The Administrator shall promulgate any revised or new standard under this paragraph not later than ninety days after he publishes such proposed standards, unless prior to such promulgation, such State has adopted a revised or new water quality standard which the Administrator determines to be in accordance with this chapter.

65. Clean Water Act § 303(c)(4), 33 U.S.C. § 1313(c)(4), establishes a nondiscretionary duty on the part of the Administrator to promulgate new and revised water quality standards not later than 90 days after publishing proposed new or revised water quality standards.