

66. More than ninety days have elapsed since the Administrator published proposed regulations setting forth new and revised numerical water quality criteria for priority toxic pollutants in Florida's Class I, II, III and III-Limited waters. *See Water Quality Standards to Protect Human Health in Florida – Proposed Rule*, 88 Fed. Reg. 85530 (Dec. 8, 2023).

67. The Administrator of the Environmental Protection Agency has unlawfully withheld, and continues to unlawfully withhold, the promulgation of new and revised numerical water quality criteria for priority toxic pollutants in Florida's Class I, II, III and III-Limited waters as required by Clean Water Act § 303(c)(4), 33 U.S.C. § 1313(c)(4).

Demand for Relief

Plaintiffs demand the following relief:

A. That the Court enter a declaratory judgment holding that the Administrator of the Environmental Protection Agency has failed to perform a nondiscretionary duty under Clean Water Act, to wit: to promulgate new and revised numerical water quality criteria for 73 priority toxic pollutants in Florida's Class II, III and III-Limited waters not later than 90 days after the publication of proposed new or revised