June 22, 2022

Delivered via Electronic Mail

Honorable Michael S. Regan, Administrator
U.S. Environmental Protection Agency
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Honorable Daniel Blackman, Regional Administrator
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Re: Florida Water Quality Criteria for Toxic Pollutants to Protect Human Health

Dear Administrator Regan and Regional Administrator Blackman:

On January 19, 2022, the Environmental Defense Alliance and Waterkeepers Florida submitted to EPA a petition for determination that new or revised water quality criteria for toxic pollutants in Florida waters are necessary to protect human health and to meet the requirements of the Clean Water Act. Florida adopted criteria for 33 toxic pollutants harmful to human health in 1990-1992. Despite the development of new and improved information and science on human exposures to toxic pollutants (fish and water consumption rates, human body weights), toxicity of toxic pollutants (reference doses and

cancer potencies), and other relevant factors (bioaccumulation of toxics in aquatic organisms and relative source contributions of exposures to toxics) since 1992, Florida has not revised its toxic pollutant criteria. The Clean Water Act requires states to adopt water quality criteria that are sufficient to protect the designated uses of waters (e.g., drinking water and fish and shellfish consumption). Moreover, states are required to adopt new or revised water quality criteria for toxic pollutants whenever the state conducts a triennial review of water quality standards and whenever the state adopts new or revised water quality standards. 33 U.S.C. § 1313(c)(2)(B).

The analysis attached to the January 19, 2022 petition demonstrates that Florida's criteria for toxic pollutants no longer reflect the best information and science and are insufficient to adequately protect human health. The analysis attached with this letter demonstrates that, since 1992, Florida has conducted many triennial reviews of water quality standards and has adopted many new or revised water quality standards without adopting new or revised water quality criteria for toxic pollutants as required by the Clean Water Act.

The previous and present analyses demonstrate that new or revised water quality criteria for toxic pollutants are necessary to meet the requirements of the Clean Water Act. Accordingly, we urge you to make a determination that new or revised water quality criteria for toxic pollutants in Florida are necessary to meet the requirements of the Clean Water Act.

Sincerely,

Environmental Defense Alliance

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cc: ***Via Electronic Mail***

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