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ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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May 18, 2026

MEMORANDUM

To: Members of the Subcommittee on Oversight and Investigations
From: Committee Majority Staff
Re: Subcommittee on Oversight and Investigations Hearing on May 20, 2026

I. INTRODUCTION

The Subcommittee on Oversight and Investigations will hold a hearing on Wednesday, May 20, 2026, at 10:15 a.m. (ET), in 2123 Rayburn House Office Building. The hearing is entitled, "Corrosion, Collapse, and Clean-Up: Examining the Potomac Interceptor Collapse."

II. WITNESSES

Panel I

- **Jessica Kramer,** Assistant Administrator, Office of Water, U.S. Environmental Protection Agency;
- **Col. Francis B. Pera,** Commander, U.S. Army Corps of Engineers, Baltimore District; and
- **Edward Wenschhof,** Acting Superintendent, Chesapeake & Ohio Canal National Historical Park, National Park Service, U.S. Department of the Interior.

Panel II

- **David Gadis,** Chief Executive Officer and General Manager, DC Water; and
- **Tom Neltner,** National Director, Unleaded Kids.

III. BACKGROUND

A. The Potomac Interceptor

The Potomac Interceptor (PI) is a 54-mile sanitary sewer system.[1] The pipe was built between 1961 and 1963 after legislation enacted on June 12, 1960, "authorized the District of Columbia [(DC)] to plan, construct, operate, and maintain a sanitary sewer to connect Dulles to the Washington, DC sewer system."[2] Today, the PI runs through parts of Virginia, Maryland, and DC, and serves Fairfax County, Loudoun County, the Town of Vienna, Herndon, Dulles Airport, and Montgomery County, Maryland.[3] The PI is located on different land jurisdictions and at various points is located on National Park Service (NPS) property.

The PI is constructed mostly of reinforced concrete pipe (RCP) ranging from "30-inch to 96-inch diameter round, reinforced concrete pipe in the main trunk to 13-foot by 7.75-foot rectangular, reinforced concrete pipe in the lower reaches of the sewer system."[4] It has eleven tunnel sections and two river tunnel crossings underneath the Potomac River.[5] The PI carries flows of up to 60 million gallons of wastewater daily from Loudoun and Fairfax Counties in Virginia and Montgomery County in Maryland to the Potomac Pumping Station in Washington, DC.[6] Wastewater from the pump station is "sent to the Blue Plains Advanced Wastewater Treatment Plant [in Southwest, DC] for treatment before discharge into the Potomac River."[7]

B. The PI's Jurisdictional Framework

Before 1996, the District's water and sewer functions were housed inside DC government.[8] From 1985 to 1996, what is now known as DC Water operated as the Water and Sewer Utility Administration within the Department of Public Works.[9] In 1996, DC and Congress changed that structure by creating the District of Columbia Water and Sewer Authority, now known as DC Water, as an independent authority of the DC government.[10] This change made DC Water a public utility authority with corporate powers and an operating

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[1] *Potomac Interceptor Collapse*, DC Water, https://www.dcwater.com/about-dc-water/media/potomac-interceptor-collapse (last visited May 15, 2026).
[2] DC Water*, DC Water's Potomac Interceptor*, https://www.dcwater.com/potomacinterceptor (last visited May 15, 2026).
[3] *Id.*
[4] *From Dulles To The District*, DC Water, https://www.dcwater.com/about-dc-water/what-we-do/wastewater-collection/potomac-interceptor (last visited May 6, 2026).
[5] DC Water*, DC Water's Potomac Interceptor*, https://www.dcwater.com/potomacinterceptor (last visited May 15, 2026).
[6] DC Water, *DC Water's Potomac Interceptor*, https://www.dcwater.com/potomacinterceptor (last visited May 15, 2026); *From Dulles To The District*, DC Water, https://www.dcwater.com/about-dc-water/what-we-do/wastewater-collection/potomac-interceptor (last visited May 6, 2026).
[7] DC Water*, DC Water's Potomac Interceptor*, https://www.dcwater.com/potomacinterceptor (last visited May 15, 2026.
[8] DC Water, *History,* https://www.dcwater.com/about-dc-water/who-we-are/history (last visited May 11, 2026); DC Code § 34-2202.07(e) (2025).
[9] *Id.*
[10] D.C. Code § 34-2202.02(a) (2025); District of Columbia Water and Sewer Authority Act of 1996, Pub. L. No. 104-184, 110 Stat. 1696; D.C. Water, *DC Water at a Glance*, https://www.dcwater.com/about-dc-water/who-we-are/dc-water-glance (last visited May 11, 2026).

structure that is separate from the DC government.[11] It is neither a private entity nor a standard DC agency. Rather, it is a public utility authority with its own board, staff, property, contracts, revenues, and debt authority.[12] As such, DC Water has authority to operate and fund infrastructure, not just administer policy.[13] DC Water's statutory mandate is to plan, build, operate, maintain, finance, repair, modernize, and improve water distribution and sewage collection, treatment, and disposal systems.[14] DC Water can sue and be sued, hire employees, own property, accept grants and loans, contract with DC, the federal government, Maryland, Virginia, and local governments, borrow money, issue revenue bonds, and set service charges.[15] DC law also gives DC Water dedicated revenues from water and sewer rates, fees, and charges imposed by the Authority.[16] It must set rates, fees, levies, and other charges high enough to cover its costs and bond obligations.[17]

DC Water exists pursuant to DC law, but the sewer system it runs is regional.[18] The DC Code lists Blue Plains and the PI Sewer as joint-use sewerage facilities.[19] The same law identifies Montgomery County, Prince George's County, and Fairfax County as participating jurisdictions.[20] As a result, DC Water's board has 11 members: six from the District and five from those participating jurisdictions.[21] The outside members participate only in decisions directly affecting joint-use sewerage facilities.[22] Their seats on the board do not make DC Water a Maryland or Virginia agency.[23] The pipe may run through Maryland, the land may be federal park land, and the wastewater may come from several jurisdictions, but DC Water remains the operating authority responsible for the PI.[24]

At the federal level, the U.S. Environmental Protection Agency (EPA) exercises regulatory oversight under the Clean Water Act (CWA).[25] The CWA "establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters" and allows EPA to develop pollution control programs.[26] EPA's jurisdiction includes enforcement of discharge permits under the National Pollutant Discharge Elimination System (NPDES), water quality standards, and oversight of consent decrees or administrative orders that may govern DC Water's infrastructure investments

[11] D.C. Code § 34-2202.02(a)–(b) (2025).
[12] *See id.* §§ 34-2202.02(a), 34-2202.03, 34-2202.04(a), 34-2202.09.
[13] *See id.* §§ 34-2202.02(c), 34-2202.03(14), 34-2202.09(i).
[14] *Id.* § 34-2202.02(c).
[15] *Id.* § 34-2202.03(1), (4), (5), (7)–(11), (14).
[16] *Id.* § 34-2202.01(3).
[17] *Id.* § 34-2202.09(i).
[18] *See id.* §§ 34-2202.01(4)–(5), 34-2202.02(a).
[19] *Id.* § 34-2202.01(4)(R)–(S).
[20] *Id.* § 34-2202.01(5).
[21] *Id.* § 34-2202.04(a)(1)–(3).
[22] *Id.* § 34-2202.04(a)(3).
[23] *See id.* §§ 34-2202.02(a), 34-2202.04(a)(3).
[24] *See id.* ¶¶ 1, 12, 31, 46–47, 85–87.
[25] Envtl. Prot. Agency, *History of the Clean Water Act*, U.S. (last visited May 14, 2026), https://www.epa.gov/laws-regulations/history-clean-water-act.
[26] Envtl. Prot. Agency, *Summary of the Clean Water Act* (last visited Apr. 21, 2026), https://www.epa.gov/laws-regulations/summary-clean-water-act.

and compliance obligations.[27] If a collapse of the PI results in unauthorized discharges into the Potomac River or surrounding waters, EPA may initiate enforcement or require corrective actions under Sections 301 and 309 of the CWA.[28]

The U.S. Army Corps of Engineers (USACE) holds jurisdiction over certain aspects of navigable waters and related infrastructure under multiple legal authorities, such as Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the CWA.[29] If a collapse of the PI or subsequent repair activities affect navigable waters or riverbanks, or require dredging, filling, or construction within federal waters, USACE permits and coordination will be required.[30] USACE may also provide technical assistance or emergency engineering support under the Stafford Act and its own emergency authorities.[31] Additionally, USACE designed, built, and operates the Washington Aqueduct, which produces drinking water for approximately one million people in DC and parts of Virginia, including Arlington County and portions of Fairfax County.[32] On average the Washington Aqueduct produces 135 million gallons of water per day at two treatment locations in DC.[33]

The National Park Service (NPS) owns the land on which a significant portion of the PI runs, and where the PI collapse occurred.[34] If infrastructure is located within or impacts NPS property, NPS approval in the form of permits is required for access, construction activities, and environmental compliance.[35] Special Use Permits for Construction are issued for "any construction-related activity on Park land where the construction-related activity is not the direct result of an official construction contract with the National Park Service" including the "[i]nstallation and/or upgrade of utilities including water, sewer, electric, and/or communications."[36] Alternatively, Right-of-Way Permits "are appropriate to authorize utility uses such as power lines, water lines, fiber lines, and cellular communications equipment."[37]

NPS must also adhere to the National Environmental Policy Act (NEPA), "which requires federal agencies to assess the environmental effects of their proposed actions prior to making decisions," when issuing permits for projects.[38] These permitting processes may be long and burdensome which impacts when, and how fast, any repairs can be completed for the PI.

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[27] 33 U.S.C. § 1342; 33 U.S.C. § 1313; *see, e.g*., United States v. District of Columbia Water and Sewer Authority, Consent Decree (D.D.C. 2005) as amended.
[28] 33 U.S.C. §§ 1311, 1319.
[29] 33 U.S.C. § 1344.
[30] Rivers and Harbors Appropriation Act of 1899 § 10, 33 U.S.C. § 403 (2024); Clean Water Act § 404, 33 U.S.C. § 1344 (2024).
[31] 33 U.S.C. § 701n.
[32] U.S. Army Corps of Eng'rs, Baltimore Dist., *Washington Aqueduct Releases Year-Long Plan for Repairs to the District's Original Water Conduit* (Nov. 21, 2023), https://www nab.usace.army mil/Media/News-Releases/Article/3595488/washington-aqueduct-releases-year-long-plan-for-repairs-to-the-districts-origin/.
[33] *Id.*
[34] Compl. at 14, *United States v. Dist. of Columbia Water & Sewer Auth.*, No. 1:26-cv-01346 (D.D.C. Apr. 20, 2026).
[35] Nat'l Park Serv., *Construction Permits*, Nat'l Mall & Mem'l Parks (last updated Mar. 13, 2026), https://www nps.gov/nama/planyourvisit/construction-permits.htm.
[36] *Id.*
[37] Nat'l Park Serv., *Right-of-Way Permit* (last updated Apr. 2, 2026), https://www nps.gov/aboutus/right-of-way-permit.htm.
[38] Envtl. Prot. Agency, *Compliance With Other Federal Authorities* (last updated Jan. 22, 2026), https://www.epa.gov/permits/compliance-other-federal-authorities#NEPA; Envtl. Prot. Agency, *What is the National*

The Federal Emergency Management Agency (FEMA) also had a role in responding to the PI collapse. On February 18, 2026, DC Mayor Muriel Bower declared a "local public emergency" in response to the wastewater spill and "requested federal support through a Presidential Emergency Disaster Declaration request."[39] A few days later, President Trump approved a federal emergency declaration for DC, which made federal disaster assistance available to supplement the PI collapse response efforts.[40] In doing so, FEMA was authorized to "coordinate all disaster relief efforts to alleviate the hardship and suffering caused by the emergency on the local population and to provide appropriate assistance to save lives, to protect property, public health and safety and to lessen or avert the threat of a catastrophe."[41]

At the state level, the Maryland Department of the Environment (MDE) "[r]egulates unauthorized discharges into Maryland waterways and wetlands, monitors shellfish harvesting, and oversees drinking water safety and enforcement."[42] The Virginia Department of Environmental Quality (DEQ) also "initiated a special water quality monitoring initiative to measure bacteria levels along Virginia's Potomac River shoreline."[43] This allows the Virginia DEQ to "supplement the sampling efforts of DC Water, the DC Department of Energy & Environment, the Maryland Department of Environment and others."[44]

Within DC, the District Department of Energy and Environment also exercises complementary regulatory authority over water quality and environmental protection under D.C. Code § 8–151.01 et seq., including local implementation of federal environmental programs and coordination with EPA.

C. <u>The Collapse</u>

On January 19, 2026, an underground section of the PI, located by Lock 11 on the Chesapeake & Ohio (C&O) canal, collapsed.[45] The cause of the collapse remains under investigation.[46] When the collapse happened, boulders that were sitting over the PI fell into the

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Environmental Policy Act? (last visited May 14, 2026), https://www.epa.gov/nepa/what-national-environmental-policy-act.

[39] Press Release, Exec. Off. of the Mayor, *Mayor Bowser Requests Federal Support as Region Continues to Respond to the Potomac Interceptor Break* (Feb. 18, 2026), https://mayor.dc.gov/release/mayor-bowser-requests-federal-support-region-continues-respond-potomac-interceptor-break.

[40] Press Release, FEMA, *President Donald J. Trump Approves Emergency Declaration for the District of Columbia* (Feb. 21, 2026), https://www.fema.gov/press-release/20260221/president-donald-j-trump-approves-emergency-declaration-district-columbia.

[41] *Id.*

[42] *Potomac Interceptor Information,* MARYLAND DEPT. OF ENVTL., https://mde.maryland.gov/programs/water/Compliance/Pages/Potomac-Interceptor-Sewer-Overflow.aspx (last visited May 17, 2026); *see, e.g.*, Envtl. Prot. Agency, *Maryland NPDES Permits*, https://www.epa.gov/npdes-permits/maryland-npdes-permits (last visited May 17, 2026); Maryland Dept. of the Environment, Wastewater Permits Program, https://mde maryland.gov/programs/water/wwp/pages/index.aspx (last visited May 17, 2026).

[43] Va. Dep't of Envtl. Quality, *Potomac Interceptor Collapse*, https://www.deq.virginia.gov/news-info/shortcuts/topics-of-interest/potomac-interceptor-collapse (last visited May 12, 2026).

[44] *Id*.

[45] Briefing on the Potomac Interceptor, DC Water, https://www.dcwater.com/sites/default/files/document/2026-02/documents/PI%20MD%20Community%20Meeting%20Presentation.pdf.

[46] Letter to The Hon. Brett Guthrie, Chairman, H. Comm. on Energy and Commerce from David Gadis, Chief Executive Officer and General Manager, DC Water (Mar. 6, 2026) (on file with the Committee).

broken section of the pipe and created a blockage of the pipe.[47] With the boulders blocking the pipe, the wastewater had nowhere to go, which created pressure upstream of the break, and the wastewater started to overflow through manholes located upstream from the collapse location.[48]

As the wastewater flowed out of the collapse location and the manholes, it flowed down an unnamed tributary that runs parallel to the Clara Barton Parkway, under the C&O canal via a culvert,[49] and down to the Potomac River by Swainson Island.

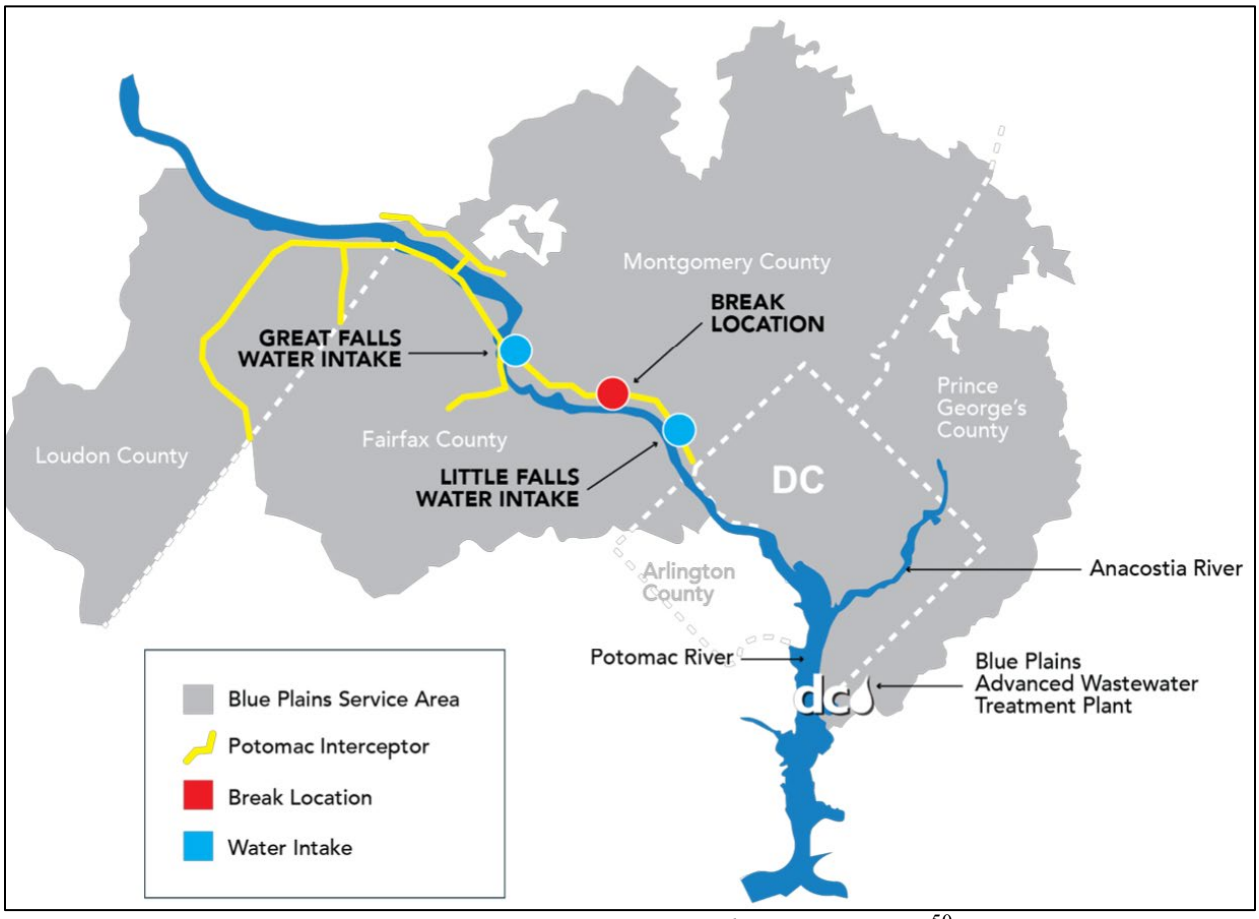

Figure 1: Potomac Inceptor Break Location Map[50]

DC Water was alerted to the activity via "security cameras [that] detected unusual activity near one of [the] odor control facilities along the Clara Barton Parkway."[51] DC Water then activated emergency response protocols, including installing a bypass pumping system, and

[47] *Id.*
[48] *Id.*
[49] A culvert pipe is an enclosed, durable conduit—typically made of concrete, metal, or plastic—used to channel water under obstacles like roads, driveways, or railways.
[50] Briefing on the Potomac Interceptor, DC Water, https://www.dcwater.com/sites/default/files/document/2026-02/documents/PI%20MD%20Community%20Meeting%20Presentation.pdf.
[51] *An Open Letter From DC Water CEO David L. Gadis About The Potomac Interceptor*, DC Water (Feb. 11, 2026), https://www.dcwater.com/about-dc-water/media/news/open-letter-dc-water-ceo-david-l-gadis-about-potomac-interceptor#.

worked to stabilize the damaged pipe.[52] According to DC Water, "[t]he bypass system began operating early January 24, 2026, when six large pumps were turned on to convey wastewater into a controlled section of the C&O Canal, routing it around the break and back into the sewer system further downstream."[53] While this bypass allowed wastewater to be diverted around the collapse site and back into the PI, initially there were isolated incidents of wastewater overflows due to various factors, such as increased volumes of wastewater due to melting snow or other issues.[54] For example, in early February there was a significant overflow which was estimated to have released "several hundred thousand gallons of wastewater" due to issues with the pumps.[55] Specifically, "[t]he overflow event occurred when multiple pumps were out of service for required cleaning and maintenance after becoming clogged by non-disposable wipes that were flushed into the system," which also happened during a period of high flow in the sewer system.[56]

According to DC Water, there has not been any release to the Potomac River since February 8, 2026.[57] In March, however, it was determined through sampling, that contaminated water was leaking out of the culvert that is located under the portion of the C&O Canal that was being used as part of the bypass system to route the wastewater around the PI collapse.[58] It is through this culvert that the unnamed tributary flows downstream until it enters the Potomac River.[59] USACE subsequently installed a sandbag dam and pumping operation to divert the water through the pumps and into the PI.

It is estimated that over 240 million gallons of raw sewage flowed into the Potomac River before the overflow was completely contained.[60] For comparison, the Exxon Valdez oil spill of 1989—which has been regarded as "one of the largest environmental disasters in U.S. history"—resulted in 11 million gallons of oil being released into the environment.[61]

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[52] Letter to The Hon. Brett Guthrie, Chairman, H. Comm. on Energy and Commerce from David Gadis, Chief Executive Officer and General Manager, DC Water (Mar. 6, 2026) (on file with the Committee).
[53] *Id.*
[54] UPDATE: Potomac Interceptor Overflow Repair – February 8, 2026, DC Water (Feb. 8, 2026), https://www.dcwater.com/about-dc-water/media/news/update-potomac-interceptor-overflow-repair-february-8-2026 (last visited May 11, 2026).
[55] UPDATE: Potomac Interceptor Overflow Repair – February 9, 2026, DC Water (Feb. 9, 2026), https://www.dcwater.com/about-dc-water/media/news/update-potomac-interceptor-collapse-february-9 (last visited May 15, 2026).
[56] *Id*.
[57] Max Rego, *DC mayor declares Potomac spill emergency, asks Trump for help*, THE HILL (Feb. 19, 2026), https://thehill.com/policy/energy-environment/5744883-muriel-bowser-dc-emergency-potomac-river-sewage/.
[58] *Ongoing Fecal Contamination of Unnamed Tributary Identified by Potomac Riverkeeper Network as It Travels Through Culvert Beneath Impounded Sewage in C&O Canal*, Potomac Riverkeeper Network (Mar. 9, 2026), https://potomacriverkeepernetwork.org/ongoing-fecal-contamination-in-co-canal-report/.
[59] *Id.*
[60] Gary Grumbach, *A month after the pipe burst, Potomac sewage spills onto the national stage with political finger-pointing,* NBC NEWS (Feb. 19, 2026), https://wwwnbcnews.com/politics/donald-trump/potomac-sewage-spills-national-stage-political-finger-pointing-rcna259770.
[61] National Oceanic and Atmospheric Admin., Exxon Valdez, Damage Assessment, Remediation, and Restoration Program, https://darrp.noaa.gov/oil-spills/exxon-valdez (last visited May 11, 2026).

D. Impacts of the Potomac Interceptor Collapse

The national capital region's drinking water is sourced from several locations along the Potomac River via the Washington Aqueduct and USACE.[62] According to DC Water and USACE, the drinking water has not been impacted by this incident because the water intake sites that were in use at the time are upstream from the incident location. As seen in Figure 1, the Great Falls water intake, which is upstream from the PI collapse site, is used for drinking water. According to the DC Department of Energy & Environment, "[o]nce pulled from Great Falls, the river water goes to the Washington Aqueduct, which is operated by [USACE], to be cleaned and distributed by DC Water for residential use."[63] The Little Falls water intake, also seen in Figure 1, which is downstream from the PI collapse location, operates as a secondary intake that is only used on an as needed basis, and it was not in use during the spill nor was it used "until there [was] incident resolution and raw water quality levels returned to normal."[64]

While drinking water was not impacted by this collapse, other impacts of the spill have been widespread. Tests by DC Water indicate that E. coli bacteria levels in the Potomac River were as high as 570,000 MPN/100mL in the days immediately after the incident.[65] According to DC Water Chief Operating Officer and Executive Vice President Matt Brown, "[t]he EPA and public health recommendation is swimming is not recommended when E. coli levels are above 410 [MPN/100mL]."[66] Researchers at the University of Maryland also found "high levels of fecal-related bacteria and disease-causing pathogens" in the Potomac River following the sewage spill.[67] According to Dr. Rachel Rosenberg Goldstein, microbiologist and assistant professor at the University of Maryland's Department of Global, Environmental, and Occupational Health, "[p]eople coming into contact with the impacted water or land are at risk of becoming infected with these bacteria, which can lead to serious health conditions."[68] Making matters worse, these bacteria "can survive in freezing temperatures and become active again when temperatures rise."[69] This is particularly concerning given how much the areas surrounding the PI collapse location are used for recreational activities, including the C&O Canal towpath for walking, running, or biking, and the various access points to the Potomac River in the area for activities such as kayaking, canoeing, and fishing.

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[62] DC Water, *From the Potomac to Your Pipes*, https://www.dcwater.com/about-dc-water/what-we-do/drinking-water (last visited May. 12, 2026).
[63] D.C. Dep't of Energy & Environment, Potomac Interceptor Update and FAQs (Mar. 23, 2026), https://doee.dc.gov/release/potomac-interceptor-update-and-faqs (last visited May 11, 2026).
[64] USACE Baltimore District, *Washington Aqueduct implements water supply protection measures following Potomac Interceptor sewage spill; no impact on drinking water* (Jan. 24, 2026), https://www nab.usace.army mil/Media/News-Stories/Article/4388971/washington-aqueduct-implements-water-supply-protection-measures-following-potom/ (last visited May 11, 2026).
[65] *Potomac Interceptor Collapse*, DC WATER, https://www.dcwater.com/about-dc-water/media/potomac-interceptor-collapse (last visited Feb. 20, 2026).
[66] Christian Flores, Public warned to stay away from contaminated Potomac River following major sewage spill, 7NEWS (Feb. 16, 2026), https://katv.com/news/nation-world/potomac-river-water-washington-dc-maryland-virginia-wastewater-pipeline-interceptor-rupture-sewage-spill-contamination-collapse-clara-barton-parkway-concrete-riverkeepers-leak-staph-infection-ecoli-quality-sanitary-public-health.
[67] *UMD team finds E. coli, MRSA in Potomac River after sewage spill*, SCHOOL OF PUBLIC HEALTH (Feb. 5, 2026), https://sph.umd.edu/news/umd-team-finds-e-coli-mrsa-potomac-river-after-sewage-spill.
[68] *Id.*
[69] *Id.*

Furthermore, public health warnings were given for people and pets to avoid contact with water from the Potomac River and to avoid fishing, rowing, and other activities in the area.[70] These warnings ranged from shellfish harvesting closures to recreational advisories alerting the public of the risks associated with exposure.[71] Recent reporting notes that "[m]ost of the advisories against recreating on the affected portions of the river have been lifted after the water was tested for E. coli and other toxins and found to be safe, though some portions in Montgomery County remain off-limits."[72]

Despite E. coli levels returning to normal levels in the Potomac River, questions remain about what may have settled to the bottom of the river,[73] and local businesses are still feeling the impacts of this incident months later due to the negative public perception created by the PI collapse.[74] Further, "[m]arina operators, charter fishing captains, and kayak and water-sport trainers said they have lost thousands of dollars in revenue due to the stigma caused by the largest environmental spill in modern times, with customers and members continuing to believe the river is unsafe despite testing that has deemed many areas safe."[75]

E. Cleanup and Restoration Efforts

The bypass system remained in place until DC Water completed emergency repairs and returned flow to the PI on March 14, 2026.[76] Initially, federal partners, including EPA, USACE, and NPS, were on the ground assisting DC Water with a variety of tasks in the initial cleanup phase, including site remediation work.[77] This remediation work included "[w]ater and soil sampling; [r]aking and removing contaminated material, including sewage-impacted soils; [c]overing disturbed soil with seed mix and erosion-control blankets; [r]emoving branches, fallen trees, brush and debris; and [f]lushing the C&O Canal with fresh water from the Potomac."[78] On May 6, 2026, EPA announced that it "accomplished its remediation of the Potomac Interceptor

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[70] *See, e.g.*, Potomac Interceptor Update and FAQs, The District of Columbia's Dept. of Energy and Env., https://doee.dc.gov/node/1817721 (last updated Feb. 18, 2026); Sewage Spill in the Potomac River, Virginia Dept. of Health, https://www.vdh.virginia.gov/news/potomac-sewage-spill/ (last updated Feb. 19, 2026).
[71] Press Release, Md. Dep't of the Env't, *Maryland Department of the Environment Lifts Precautionary Shellfish Harvesting Closure in Potomac River* (Mar. 10, 2026), https://news.maryland.gov/mde/2026/03/10/maryland-department-of-the-environment-lifts-precautionary-shellfish-harvesting-closure-in-potomac-river/; Press Release, Exec. Off. of the Mayor, *Department of Health Lifts Potomac River Recreational Advisory for Washington, DC* (Mar. 2, 2026), https://mayor.dc.gov/release/department-health-lifts-potomac-river-recreational-advisory-washington-dc.
[72] Dana Hedgpeth, *Months after Potomac River sewage spill, businesses are still hurting*, The Washington Post (May 1, 2026), https://www.washingtonpost.com/dc-md-va/2026/05/01/sewage-spill-potomac-river-business/?_pml=1.
[73] *See, e.g., UMD team finds E. coli, MRSA in Potomac River after sewage spill*, SCHOOL OF PUBLIC HEALTH (Feb. 5, 2026), https://sph.umd.edu/news/umd-team-finds-e-coli-mrsa-potomac-river-after-sewage-spill; Lindsay Smith Rodgers, *Potential Health Impacts of the Potomac River Sewage Spill*, Public Health On Call, at 12:09 (Feb. 24, 2026), https://publichealth.jhu.edu/2026/potential-health-impacts-of-the-potomac-river-sewage-spill.
[74] Dana Hedgpeth, *Months after Potomac River sewage spill, businesses are still hurting*, The Washington Post (May 1, 2026), https://www.washingtonpost.com/dc-md-va/2026/05/01/sewage-spill-potomac-river-business/?_pml=1.
[75] *Id*.
[76] Email from Barbara K. Mitchell, Associate General Counsel and Director of Gov. Affairs, Office of Legal Affairs, DC Water to H. Comm. on Energy and Commerce staff (Mar. 16, 2026) (on file with Committee staff).
[77] Press Release, Envtl. Prot. Agency, *Ahead of Schedule, EPA Fully Achieves Potomac River Recovery Goals* (May 6, 2026), https://www.epa.gov/newsreleases/ahead-schedule-epa-fully-achieves-potomac-river-recovery-goals.
[78] *Id.*

collapse and fully demobilized the federal presence onsite."[79] According to DC Water, this initial cleanup was "completed in the areas directly impacted by the overflow, along the drainage channel, culvert, and tributary to the river."[80]

While the immediate emergency phase has ended and the initial cleanup phase has concluded, additional cleanup and environmental restoration efforts are ongoing. DC Water has now transitioned to the long-term rehabilitation of the broader 54-mile interceptor system.[81] DC Water outlined the next phases of its environmental remediation efforts in an emergency repair and rehabilitation plan.[82] As part of its proposal, DC Water will conduct daily water quality testing through July 5, 2026, and weekly testing through September 10, 2026.[83] Additionally, the next phase of environmental restoration—which is focused on removing contaminated soil in the portion of the C&O Canal that was used to hold wastewater as part of the bypass system while repairs were made to the PI—is expected to be completed by late summer.[84] The following phase of restoration—which is focused on "replant[ing] native herbaceous species, shrubs, and trees, regrading temporarily impacted wetlands, and restoration of natural hydrology"—is expected to be completed by this fall.[85]

F. Ongoing Litigation

Scrutiny of DC Water has been magnified following the filing of multiple lawsuits. In March, a group of land and vessel owners filed a class-action lawsuit claiming that "D.C. Water failed to put adequate safeguards in place or monitoring protocols to prevent the failure of the pipeline."[86] The group claims to have suffered "mounting costs, business interruptions, property contamination and damage from the spill."[87]

On April 20, 2026, the U.S. Department of Justice, on behalf of the EPA, filed a federal CWA complaint against DC Water for the PI failure.[88] On the same day the State of Maryland

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[79] *Id.*
[80] DC Water, *DC Water Provides Next Steps in Environmental Remediation and Water Quality Monitoring in Potomac River* (May 8, 2026), https://www.dcwater.com/about-dc-water/media/news/dc-water-provides-next-steps-environmental-remediation-and-water-quality.
[81] DC Water, *Long-Term Rehabilitation Work on Potomac Interceptor Continues in Preparation for Construction* (Apr. 21, 2026), https://www.dcwater.com/about-dc-water/media/news/long-term-rehabilitation-work-potomac-interceptor-continues-preparation.
[82] DC Water, *DC Water Provides Next Steps in Environmental Remediation and Water Quality Monitoring in Potomac River* (May 8, 2026), https://www.dcwater.com/about-dc-water/media/news/dc-water-provides-next-steps-environmental-remediation-and-water-quality; District of Columbia Water and Sewer Authority, Potomac Interceptor Emergency Repair and Rehabilitation Plan (Apr. 2026), https://www.dcwater.com/sites/default/files/DC%20Water%20Report%20-%202026-04-29.pdf.
[83] *Id.*
[84] *Id.*
[85] *Id.*
[86] *Class action lawsuit filed against DC Water following Potomac River sewage spill*, WTOP NEWS (Mar. 9, 2026), https://wtop.com/dc/2026/03/class-action-lawsuit-filed-against-dc-water-following-potomac-river-sewage-spill/.
[87] *Id.*
[88] *Justice Department Files Clean Water Act Complaint Against DC Water for Potomac Interceptor Failure*, U.S. Dept. of Justice (Apr. 20, 2026), https://www.justice.gov/opa/pr/justice-department-files-clean-water-act-complaint-against-dc-water-potomac-interceptor.

brought a parallel action seeking civil penalties, cleanup costs, and natural resource damages.[89] These suits allege that DC Water failed to address known severe corrosion in the pipe for years, contributing to the rupture that released more than 200 million gallons of untreated sewage into the Potomac River.[90]

G. Prior Committee Activity

On February 20, 2026, the Committee on Energy and Commerce, Subcommittee on Oversight and Investigations (the Committee), launched an investigation into DC Water's PI wastewater collapse incident. As part of its investigation, the Committee sent a letter to DC Water on February 20, 2026, requesting documents and information related to the collapse.

On Monday, March 9, 2026, bipartisan staff from the Committee's Subcommittee on Oversight and Investigations and the Subcommittee on the Environment participated in a site visit at the DC Water sewer collapse at the invitation of DC Water.

On March 19, 2026, the Committee sent a letter to Garney Companies to obtain additional documents and communications related to an emergency repair contract for the PI that was not executed.

IV. KEY QUESTIONS

The hearing may include discussion around the following key questions:

- What was known about the condition of the PI and what actions were taken to address any known risks and aging infrastructure prior to the collapse?
- What actions were taken by DC Water and federal agencies, including EPA, USACE, and NPS, in response to the PI collapse, including emergency repair, cleanup, and remediation efforts?
- What are the short- and long-term impacts of the PI collapse on safe drinking water, public health, the environment, the surrounding community, and tourism?
- Given the aging infrastructure of the PI, what is being done to prevent similar incidents from occurring in the future?
- Are there improvements or changes that, if made, could help streamline PI repair efforts moving forward?

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[89] *Maryland files lawsuit against DC Water after interceptor collapse causes 'historic sewage discharge'*, WMAR (Apr. 20, 2026), https://www.wmar2news.com/local/maryland-files-lawsuit-against-dc-water-after-interceptor-collapse-causes-historic-sewage-discharge.

[90] Compl., *United States v. Dist. of Columbia Water & Sewer Auth.*, No. 1:26-cv-01346 (D.D.C. Apr. 20, 2026); Pls.' Mot. for Leave to File Second Am. Compl., *Miller v. Dist. of Columbia Water & Sewer Auth.*, No. 8:26-cv-00989-DKC (D. Md. May 6, 2026); Complaint, *Dep't of the Env't v. Dist. of Columbia Water & Sewer Auth.*, No. C-15-CV-26-002333 (Md. Cir. Ct. Montgomery Cnty. Apr. 20, 2026)

V. STAFF CONTACTS

If you have any questions regarding this hearing, please contact Majority Committee staff at (202) 225-3641.