



Maryland

Department of the Environment

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Aruna Miller, Lt. Governor

Serena McIlwain, Secretary
Suzanne E. Dorsey, Deputy Secretary
Adam Ortiz, Deputy Secretary

CERTIFIED MAIL / ELECTRONIC MAIL

Matthew Brown
Chief Operating Officer
DC Water
5000 Overlook Avenue, SW
Washington, DC 20032

June 16, 2026

Re: Potomac Interceptor Failure, AI# 72092
Emergency Repair and Rehabilitation Plan

Dear Mr. Brown:

Thank you for sending your proposed Emergency Repair and Rehabilitation Plan (Plan), dated April 2026, and prepared by Wetland Studies and Solutions, Inc. on behalf of DC Water. The Maryland Department of the Environment (Department) acknowledges and appreciates the significant work undertaken by DC Water to respond to the January 19, 2026 failure of the Potomac Interceptor. These efforts include the establishment of the bypass in the C&O canal in late January, the restoration of flow to the Interceptor in mid-March, and ongoing work to remediate and restore areas impacted by the resulting sanitary sewer overflow.

The Department has reviewed the Plan that you provided on April 29, in response to the Department's letter dated March 12, 2026 regarding the Interceptor's January 19 failure. The Department has also reviewed and taken into consideration comments provided by the public in writing and at the May 18, 2026, public forum in Glen Echo, MD.

The Department finds that the plan does not fully address the Department's request for comprehensive remediation and restoration, as outlined in its March 12 letter. MDE's letter specified critical areas for investigation and/or modeling of potential impacts not just to the immediate spill site but to localized downstream areas, and the evaluation of appropriate interventions to guide future actions to restore potentially impacted areas. The Plan makes a number of assumptions regarding the scope of potential contamination and the recovery of impacted natural resources, which leaves open the potential for unquantified impacts to go unmitigated. Furthermore, the plan largely generalizes impacts to the Potomac River as a whole, and in parts fails to base findings on monitoring, modeling, or analysis to identify and evaluate localized impacts where large volumes of concentrated sewage may have had an outsized impact.

MDE provides the following detailed comments and requests revisions and/or further analysis:

1. On page 4, Section 2.4, the Plan only describes the impacts to the immediate surrounding land, C&O Canal, and water near Swainson Island. Please also describe how these areas were delineated and what data were used to determine their extent.
2. On page 5, Section 2.5, the Plan states that there were no dissolved oxygen impacts due to the overflow. However, the only data DC Water cites to make this statement was collected over 2 miles downstream from the spill, leaving the possibility of nearfield impacts to dissolved oxygen levels that went unmonitored. Please revise this section accordingly.
3. On page 6, Figure 2-4, there is no marker showing when the spill was discharging sewage and affecting dissolved oxygen (DO) levels. Please add this indicator to this figure.
4. On pages 5-8, Sections 2.5 and 2.6, the Plan does not describe any assessment of potential impacts on benthic communities, aquatic life, wildlife, or wildlife habitat, nor does the Plan describe any assessment of potential impacts on recreational fishing, aside from water quality monitoring for bacteria and a reference to the Department's temporary prohibition on shellfish harvesting. Please describe why these were not assessed and any plans for doing so moving forward.
5. On pages 6-8, Section 2.6, the Plan does not describe hydrological modeling of the Potomac Interceptor spill. Rather, the Plan summarizes more general statements by the Department, ICPRB, and VADEQ for the initial weeks following the spill, including regarding total suspended solids and nutrient loading estimates based on data from the AlexRenew WWTP in Alexandria. These more generalized statements and downstream data are not appropriate for the evaluation of potential localized impacts of highly concentrated sewage on specific areas of the river, particularly in the non-tidal portions of the river closest to the spill. Please revise the Plan to include hydrological modeling using data from more direct sources and include a validation analysis of the ICPRB hydrologic model to compare model predictions to the real conditions. Please provide all calculations, derived values, and sources of estimated values to demonstrate the relevance and validity of the estimates.
6. On page 7, Section 2.6, the Plan uses the comparison of the estimated contributions of nutrients and sediments from the spill to those discharged over an entire year to assert that the spill has a negligible impact on the water quality of the Potomac River as a whole. However, the Plan does not account for localized impacts of highly concentrated sewage, nor does it include monitoring, modeling, or other analysis to evaluate whether the timing and location of this nutrient and sediment discharge will have detrimental impacts on the nutrient and sediment cycling within the upper Potomac River. Comparing this discharge to an annual load potentially understates the true impact to the upper Potomac River. Per the prior point (item 5, above), DC Water should conduct hydrological and depositional modeling to evaluate the impacts of such a discharge at such a time of year on localized and downstream ecosystems. This analysis should include an assessment of impacts on the timing and severity of nutrient cycling and warm-season eutrophication events. In addition and since much of the Potomac River

was frozen over during the time of the spill, this condition should also be accounted for in terms of nutrient cycling and hydrologic impacts.

7. On page 7, Table 2-3, "wet" and "dry" years are not defined. Please define these terms and provide the data supporting these definitions. Furthermore, this table compares the TSS load from the spill to the loads over an entire year, thereby failing to address potential localized or short term impacts. DC Water must conduct additional analyses to make these comparisons more localized, unique to the non-tidal, non-CSO environment most directly impacted by the spill, and to address the impacts that may change with respect to time. The Plan also uses levels of TSS from before implementation of the Long Term Control Plan. Since the Long Term Control Plan is being implemented these TSS levels do not provide a useful comparison. Please compare to more recent load variability and specify the years used in the comparison.
8. On page 7, Section 2.6, the Plan does not include an assessment of potential chemical contamination. Rather, the Plan states that it is believed that pollutants discharged from the Potomac Interceptor are at "relatively low percentages" and that this assumption can be applied to "many or all other pollutant parameters of interest." DC Water should evaluate the ongoing influent carried by the interceptor to evaluate the presence and levels of chemical contaminants of concern, and assess the potential impacts to the local ecosystem, as well as potential effects on fish and seafood for human consumption. DC Water should conduct biological and toxicological monitoring to demonstrate the validity of its assumptions, and revise the Plan to include the results.
9. On page 8, Table 2-4, the Potomac Interceptor spill is compared to a combined sewer overflow even though the area that the Potomac Interceptor serves is not a combined system. Please revise this table and other related statements to make the comparison with another comparable sanitary sewer overflow. Additionally, the unit "mg" and an "average" year are not defined in the table. Please describe what years and show the data that was used to derive an "average year". Please also clarify what the unit "mg" refers to in the table.
10. On pages 9-10, Sections 3.1-3.3, the Plan does not mention the water monitoring data from other regional organizations that help to fill in gaps in DC Water's sampling. Please clearly include all data collected using EPA-approved protocols including that collected by the Department, the Potomac Riverkeeper with University of MD, DOEE, and VADEQ.
11. On page 9, Section 3.2, the Plan does not mention sediment quality sampling. Please add a section that describes the sediment quality data that the Department has already collected and shared with DC Water and provide DC Water's plan for continuing this sampling in the future.
12. On page 15, Table 4-2, please revise the Plan to include the units for the soil sampling results in this table.

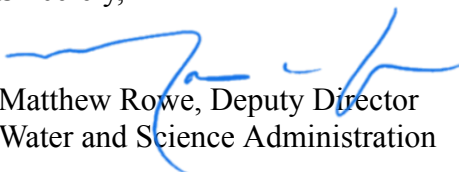
13. On page 16, Section 4.4, the Plan states that USACE and DC Water postponed inspection and debris removal from Area 3 due to the elevated water level, and instead conducted a visual assessment and drone survey, and that USACE and DC Water plan to reinspect the shoreline of Area 3 when the water level recedes. Please revise the Plan to clarify that this reinspection has occurred, and if not what alternative assessment is possible or has been completed.
14. On page 17, Section 5.3, the Plan states that no further restoration is planned for Area 3, and rehabilitation will be verified through ongoing water quality monitoring. In addition, the Area 3 clean up that was approved did not include any assessment of in-water impacts and was only based on visual observations of the streambanks. With no assessment of benthic community impacts or potential contamination by chemical pollutants in this Area, this determination is premature. Please revise the Plan to include an additional assessment of Area 3 to inform whether further restoration work is necessary.
15. On page 19, Table 5-1, Rehabilitation Implementation Schedule, the Plan does not include a schedule for a complete assessment and report on risks and vulnerabilities of the full length of the Interceptor. Please include the schedule to assess the Potomac Interceptor to prevent future failure, including when results will be made publicly available.
16. On page 21, Section 6 and Table 6.1, the Plan states that verification of stabilization for Areas 1, 2, and 4 will be coordinated through the 20-CP General Permit requirements, but does not specify a frequency of inspections and monitoring or clearly define “site stabilization.” Please revise the Plan to explicitly state the schedule for inspections and monitoring, and to clarify the criteria that must be met to achieve site stabilization. The Plan also states that success at Area 3 will be determined using downstream water quality monitoring, but Table 6.1 refers to clean up and stabilization for Area 3. As stated in Comment #14 above, the Department expects further assessment of Area 3. Please revise the Plan to include the criteria for completion of any necessary restoration of Area 3, and clarify if the clean up and stabilization at Area 3 is related to the shoreline assessment and debris removal that may be outstanding (see Comment #13).
17. On page 21, Section 6 and Table 6.1, the Plan does not include conducting sediment sampling for fecal indicators and their potential sources, or including additional sampling locations. Please include this in the table.
18. On page 21, Section 6 and Table 6.1, the Plan states that the reporting of water quality data from the Potomac River downstream of the spill will be provided via the DOEE Water Quality Portal. Currently, the downloadable data in this portal appears to be current only up through March 10, 2026. For DC Water to satisfy the reporting requirement, if DOEE is no longer going to be maintaining this portal, this data needs to be kept up to date on a new Portal or submitted to the Department on a biweekly (every two weeks) basis.

19. On page 22, Section 7.1, the Plan states that DC Water is conducting a comprehensive analysis of the cause of the Potomac Interceptor collapse, but does not specify an estimated date that the causal analysis will be completed. Please revise the Plan to include an estimated completion date.
20. On page 22, Section 7.2, the Plan states that the assessment is being performed and will be used to prioritize rehabilitation segments based on the likelihood and consequences of failure, and that DC Water will develop and submit a revised capital improvement plan (CIP), including a schedule, based on that assessment. Please revise the Plan to include an estimated completion date for this assessment and an anticipated submission date for the revised CIP. Please also specifically address whether high velocity or steep slope protections need to be implemented between Manhole 17 and Manhole 16, immediately upstream of the break location, due to the interceptor design described on page 2, Section 2.3, and in Exhibit 3.
21. On page 22, Section 7.3, the Plan describes the tools that will be used to evaluate pipes and mentions a supplemental QA/QC review. Please revise the Plan to describe this review in detail and provide an estimated completion date for the overall assessment of the Potomac Interceptor.
22. In Exhibit 5, most of the photos do not include a date or time stamp. Please revise the Plan to include the date that each photo was taken.
23. The Plan does not address issues related to ongoing odor in the vicinity of the spill site. DC Water should explain what efforts are underway to control odors in and around the bypass section of the C&O Canal, and any open access areas of the Interceptor. DC Water should also share an anticipated timeline for the reactivation of odor control facilities impacted by the spill and associated construction.

The Department appreciates DC Water's continued cooperation as all parties work toward our shared goals of assessing, documenting, and correcting impacts from this incident. The Department requests that DC Water submit a response and revised Plan addressing the aforementioned comments and questions for the Department's review **within 30 days of receipt of this letter**. If DC Water believes that specific revisions and assessments required by this letter will demand more than 30 days to implement, DC Water should propose a timeline for the Department's review and approval, with justification, for those extensions.

The Department remains committed to working collaboratively with DC Water, and is available to meet to further discuss this response. Please contact me (matthew.rowe@maryland.gov) and Assistant Secretary Zachary Schafer (zachary.schafer@maryland.gov) with any questions or to set up a meeting.

Sincerely,


Matthew Rowe, Deputy Director
Water and Science Administration

Mr. Matthew Brown, AI# 72092, June 16, 2026

MCR:pcn

cc: Kirsten Williams, DC Water
Amanda Zander, DC Water
Adam Ortiz, MDE
Zachary Schafer, MDE
Lee Currey, MDE
Andrea Baker, Office of the Attorney General