

Testimony of Tom Neltner
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Before the Subcommittee on Oversight and Investigations
of the
House Committee on Energy and Commerce
on
Corrosion, Collapse, and Clean-Up: Examining the Potomac Interceptor Collapse
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Thank you for the opportunity to testify. My name is Tom Neltner, National Director of Unleaded Kids, a nonprofit focused on driving children's lead exposure closer to zero. I am a chemical engineer and an attorney with manufacturing experience at Dow Corning and Eli Lilly making drugs, pesticides, food additives, and industrial chemicals. I also was an Assistant Commissioner at the Indiana Department of Environmental Management responsible for pollution prevention, recycling, and voluntary small business compliance assistance. For the past 25 years, I have been focused on improving children's health while at various groups including Improving Kids' Environment, the National Center for Healthy Housing, the Pew Charitable Trusts, and the Environmental Defense Fund. My work at Improving Kids' Environment included helping protect Indiana communities from sewer overflows.

It is a privilege to speak to you today as you examine the conditions that resulted in the collapse of the Potomac Interceptor as well as the effective response by federal, state, and local agencies to minimize and cleanup the resulting damage. I regularly enjoy the river for recreation and appreciate those efforts.

The Potomac Interceptor collapse that released 240 million gallons of raw sewage near the river was an extraordinary event. But it was not an isolated incident. The Environmental Protection Agency (EPA) estimates that these types of incidents—euphemistically called sanitary sewer overflows or SSOs—occur 23,000 to 75,000 times each year, resulting in releases of 3 billion to 10 billion gallons of untreated wastewater.¹

The vast majority are smaller than 100,000 gallons.² But for the small creek where kids search for tadpoles, the swimming hole where families play, the riverside trail where people stroll, the backyard where pets roam, or the lake the community relies on for drinking water, when the overflows occur, the raw sewage can be overwhelming as everything flushed down the toilet can be found floating on the water, hanging from trees, or stuck to the grass. And this does not account for the invisible damage from chemicals that many manufacturing plants discharge into the sewer system to be processed by the municipal sewage treatment facility.

These sewage overflows often result from aging infrastructure failures such as what happened when the Potomac Interceptor collapsed. They also occur because sewer systems were not designed for the increasingly extreme weather and resulting flooding.

While effective, coordinated responses to minimize the impact and cleanup the damage from sewage overflows are essential, the priority should be preventing the events—big and small—

¹ <https://www.epa.gov/npdes/sanitary-sewer-overflows-ssos>, last updated April 13, 2026. The estimate is from a 2004 EPA “Report to Congress on Impacts and Control of Combined Sewer Overflows and Sanitary Sewer Overflows.” (“2004 EPA Report to Congress”) See <https://www.epa.gov/npdes/2004-mpdes-cso-report-congress>. It states that “These systems can overflow when collection system capacity is exceeded due to wet weather (as the result of infiltration and inflow), when normal dry weather flow is blocked for any of several reasons, or when mechanical failures prevent the system from proper operation. In the Report to Congress, EPA estimates that between 23,000 and 75,000 SSOs occur each year in the United States, resulting in releases of between 3 billion and 10 billion gallons of untreated wastewater. These events take place throughout the United States.”

² See Figure 4.8 from 2004 EPA Report to Conference at <https://www.epa.gov/npdes/2004-mpdes-cso-report-congress>.

from happening to the greatest extent practical. That means strong regulatory oversight by EPA and states, as well as vigilance by municipal sewage systems.

Equally important are the infrastructure investments necessary to enable water systems to take action to prevent overflows—not just to protect clean water but also to protect drinking water. Congress does that for big systems and projects through the Water Infrastructure Finance and Innovation Act (WIFIA)³ and for other systems, especially smaller and rural ones, through the Clean Water and Drinking Water State Revolving Funds (CWSRF⁴ and DWSRF⁵). These investments help communities address aging infrastructure, meet regulatory requirements, and support economic growth.

Based on EPA's most recent, Congressionally mandated, Clean Watersheds Needs Survey, communities need \$630 billion over the next 20 years, with \$110 billion specifically required to repair aging sewers.⁶ The need is similarly huge for drinking water where systems need \$625 billion to ensure communities they serve have safe tap water.

For those reasons, I was dismayed to see EPA's FY26 budget proposal⁷ last year, asking Congress to cut each of those funds by more than 87%. Thank goodness that Congress enacted a budget that rejected those cuts.

I hoped that the Potomac Interceptor collapse would serve as a compelling reminder to EPA of the importance of those funds. Unfortunately, EPA's FY27 budget proposal⁸ called for the same

³ <https://www.epa.gov/wifia>.

⁴ <https://www.epa.gov/cwsrf>.

⁵ <https://www.epa.gov/dwsrf>.

⁶ <https://www.epa.gov/cwns>.

⁷ <https://www.epa.gov/system/files/documents/2025-06/fy-2026-epa-congressional-justification.pdf>.

⁸ <https://www.epa.gov/system/files/documents/2026-04/epa-fy27-congressional-justification.pdf>.

cuts rejected the previous year. Worse, EPA reported spending only 26% of the WIFIA funds provided by Congress in FY25, suggesting that staff cutbacks are undermining program success.

Congress needs to increase the funding for these critical infrastructure investments and ensure EPA has both the people and the resources necessary to enforce the Clean Water Act. To make this happen, Congress must also provide close oversight of EPA to fix breakdowns that occur so the agency does its job.

Thank you for the opportunity to testify. I am grateful this Committee has chosen to hold this hearing at a moment when safe and clean water is on the minds of so many Americans as they prepare to enjoy the summer in their communities and while on vacation.