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Hazardous Substance Enforcement: Washington D.C. Attorney General and Potomac Electric Power Company Enter into Amended Consent Decree Addressing Anacostia River Contamination

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The Attorney General for the District of Columbia (“AG”) and Potomac Electric Power Company (“Pepco”) entered into a First Amendment to Consent Decree (“Amended Decree”) addressing alleged releases of hazardous substances. See Case No.: 1:11-cv-00282-BAH.

The Consent Decree requires that Pepco undertake certain remedial actions addressing contamination in the Anacostia River.

Additional work will be required at Pepco’s Buzzard Point and Benning Road facilities along with an investigation of the current and historical environmental impacts of the utility’s underground, District-wide system of transformer vaults.

Pepco is the primary electric utility in Washington D.C. The utility has operated in the District of Columbia for over a century.

The AG alleges that Pepco’s operations at the previously referenced facilities in transformer vaults resulted in spills, equipment leaks, and releases of petroleum and hazardous substances which contaminated the soil, groundwater, and Anacostia River.

The Amended Decree requires the payment of \$10 million in civil penalties. In addition, Pepco is required to pay \$47 million for the District of Columbia’s initial cleanup of the Anacostia River.

A copy of the Amended Decree can be downloaded [here](#).