



GREEN AMENDMENTS
FOR THE GENERATIONS
Pure Water. Clean Air. Healthy Environment.



For Immediate Release

June 23, 2026

Contact:

Maya K. van Rossum, 215 801 3043, maya@forthegenerations.org, organizational leader

Hearing Board Grants Environmental Organizations' Petitions to Intervene In Legal Debate Over Ice Warehouse Detention Centers

Berks & Schuylkill Counties, PA; Harrisburg, PA: The Pennsylvania Environmental Hearing Board (EHB) has granted intervention to two environmental organizations seeking to join the legal action between the Department of Homeland Security and U.S. Immigrations and Customs Enforcement (DHS ICE) and the Commonwealth of Pennsylvania's Department of Environmental Protection (PADEP) regarding the federal agency's efforts to operate two former warehouses as immigrant detention facilities. The Delaware Riverkeeper Network and Green Amendments For The Generations filed to intervene in order to ensure the environment, communities and constitutional environmental rights are fully represented and protected in DHS ICE's stated plan to detain up to 9,000 people in the two facilities located in in Berks and Schuylkill Counties.

The original legal action that is the subject of this motion was an administrative appeal filed by DHS ICE on April 8, 2026, challenging two orders issued by PADEP that prohibited the agency from operating the facilities before securing all necessary state and local approvals, certifications and permits regarding drinking water and sewage treatment.

The Delaware Riverkeeper Network and Green Amendments For The Generations filed the legal petitions to intervene on April 17, seeking to join as full parties to the case titled *Department of Homeland Security and U.S. Immigration and Customs Enforcement v. Commonwealth of Pennsylvania, Department of Environmental Protection* (EHB Docket No. 2026-030-L). DHS ICE opposed intervention by the two organizations, and PADEP took the position that if intervention was granted, the arguments the organizations were entitled to make should be

limited. The EHB granted the environmental organizations' petitions to intervene without the restrictions requested by DEP.

“In the legal struggle over whether DHS ICE should be allowed to transform warehouses in to detention facilities at the expense of our environment and communities, it is vitally important that there are parties to the case that have no interest other than to defend the environmental laws, environmental rights, and the natural resources of our watershed, our state and the impacted communities. The Delaware Riverkeeper Network and Green Amendments For The Generations come to this legal action with no political, power or financial aspirations or agendas that could cloud our judgement or divert our focus on the importance of protecting our environment and ensuring Pennsylvania laws are fully and fairly applied to this federal agency,” said Maya K. van Rossum, the Delaware Riverkeeper. “We applaud the decision by the EHB that allows us to intervene in this case, and look forward to providing the information that will sustain that decision and ensure Pennsylvania’s communities and environment are protected.”

Background & Details

DHS ICE purchased the warehouse facility in Schuylkill County, located at 50 Rausch Creek Rd, Tremont, PA, on January 15, 2026. According to the PADEP Administrative Order issued for the site, the warehouse was purchased for \$119,515,000. DHS ICE has stated it intends to hold up to 7,500 people at this location. In addition to those held at the facility, employees would be needed to run the operations.

DHS ICE purchased the warehouse facility in Berks County, located at 3501 Mountain Rd, Hamburg, PA, on January 26, 2026. According to the PADEP Administrative Order, the warehouse was purchased for \$87,402,500. DHS ICE has said the facility would hold up to 1,500 detainees. In addition to detainees, there would be employees working at the facility, which would increase the numbers of individuals that need to be supported by the facility’s infrastructure.

On March 5, 2026, PADEP issued Administrative Orders to DHS ICE regarding the federal agency’s intention to use the Schuylkill County and Berks County warehouse facilities as immigration detention facilities. The PADEP Administrative Orders clearly identified legal obligations, limitations and prohibitions regarding drinking water and sewage treatment as related to the proposed DHS ICE detention facilities. The Administrative Orders prevent DHS ICE from operating the two warehouse facilities unless and until they fulfill a series of clearly articulated legal requirements.

The Administrative Orders also clearly identify the many ways that the plans to house such a high number of detainees will overwhelm the drinking and wastewater systems needed to serve surrounding communities, and could result in a series of environmental and community harms. For example, according to the Administrative Orders:

- Up to 900,000 gallons per day of water would be needed to support 7,500 detainees at the Tremont facility. This amount exceeds the 400,000 gallon per day capacity of the Schuylkill County Municipal Authority (SCMA) Tremont Public Water System and amounts to 90% of the system's 1,000,000 gallon storage tank that is needed to support the town's drinking water and fire protection needs.
- The 450,000 to 1,000,000 gallons per day of sewage that would be produced by 7,500 detained individuals "will overwhelm SCMA's existing collection system and pump station, and hydraulically overload the Tremont Wastewater Treatment Plant." SCMA is only authorized to treat 500,000 gallons per day of wastewater at the Tremont Wastewater Treatment Plant.
- "Sending 450,000 to 1,000,000 gallons per day of sewage from the [warehouse site] to the Tremont Wastewater Treatment Plant will result in the uncontrolled discharge of untreated or inadequately treated sewage to Swatara Creek from the Tremont Wastewater Treatment Plant"—in violation of both state and federal law.
- In order to support 1,500 people detained at the Berks County facility, 180,000 gallons per day of water would be required. The current water system serving the Upper Bern facility can provide a maximum of 12,240 gallons per day and does not currently conform to approved construction plans.
- In Upper Bern, the current applicable Sewage Approval Plan is based on a maximum 8,000 gallons of sewage per day from the warehouse facility; and the Township Wastewater Treatment Plant has a maximum hydraulic capacity of 206,000 gallons per day of sewage. If operated as proposed, to serve 1,500 detainees, the DHS ICE facility would produce up to 225,000 gallons per day of sewage, far exceeding the current approved Plan and the maximum hydraulic capacity of the Town's wastewater treatment plant.

On March 17, 2026, DHS ICE wrote PADEP urging it to relax, modify, circumvent, extend, suspend or otherwise alter or weaken the provided mandates in the Administrative Orders and in Pennsylvania State Law as they pertain to the Upper Bern Township and the Tremont Township detention facility proposals.

On March 24, 2026, PADEP responded to DHS ICE, identifying the many reasons why the March 17 requests were inappropriate and otherwise not in compliance with law, and why PADEP would not be granting those requests.

On April 8, 2026, DHS ICE appealed the two administrative orders to the EHB. The DHS ICE appeal asserts, among other things, that the Administrative Orders “unreasonably interfere with and encroach upon a federal law enforcement agency’s ability to fulfill its responsibilities of enforcing the nation’s immigration laws.”

On April 17, 2026, the Delaware Riverkeeper Network and Green Amendments For The Generations filed petitions to intervene in the case. With the petitions granted, the organizations now have the opportunity to fully participate in the legal proceedings.

#####

The Delaware Riverkeeper Network was established in 1988 and works through the entire Delaware River watershed to protect the mainstem River, tributary streams, watershed ecosystems and landscapes, and the human and nonhuman communities that depend upon a clean, healthy and thriving Delaware River system, using grassroots organizing, scientific research, and legal action. Find more information at www.DelawareRiverkeeper.org.

Green Amendments For The Generations was founded in 2014 to help communities nationwide secure and enforce (through education, advocacy and legal action) constitutional Green Amendments that give bill of rights recognition to the right of all people to a clean, safe and healthy environment – including pure water, clean air, a safe climate, thriving ecosystems, and a healthy environment – and that ensure an enforceable duty on all government officials within a state to protect natural resources for the benefit of present and future generations. Pennsylvania is the first state in the nation to pass a Green Amendment of this kind. Find more information at www.GreenAmendment.org.