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## **Environmental Organizations File to Intervene Opposing Proposed ICE Detention Centers in Berks & Schuylkill Counties**

### ***Environmental, Community, Health, Safety & Justice Concerns Highlighted***

*Berks & Schuylkill Counties, PA; Harrisburg, PA:* Today, April 17, 2026, two environmental organizations, Green Amendments For The Generations and the Delaware Riverkeeper Network, have filed legal petitions to help stop the Department of Homeland Security from advancing efforts to transform two Pennsylvania warehouses into Immigration and Customs Enforcement (ICE) detention facilities. The proposed facilities have faced state and local opposition due to their projected environmental and community impacts. The environmental organizations filed their petitions with the Pennsylvania Environmental Hearing Board seeking to intervene in 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), which was filed by DHS on April 8.

The Department of Homeland Security (DHS) has purchased two warehouses, one in Berks County and one in Schuylkill County, that according to public documents will overtax community water supplies and overwhelm sewage treatment operations, as well as threaten other environmental and community harms. In response, the Pennsylvania Department of Environmental Protection (PADEP) issued Administrative Orders that would prevent DHS from advancing the ICE detention facilities as proposed. PADEP made clear that the facilities could not operate without making needed modifications and securing multiple state and local approvals to address concerns regarding drinking water, wastewater, environmental, health, safety, and fire suppression concerns.

The DHS has appealed the Administrative Orders to the Pennsylvania Environmental Hearing Board, seeking to have the orders amended.

If the environmental organizations' petitions are granted, the organizations will become party to the case as Intervenors, with the opportunity to fully participate in defense of the state Administrative Orders and efforts to prevent DHS from advancing its plans as proposed, without necessary environmental protections, reviews, approvals and permits.

“ICE and the Department of Homeland Security are seeking to strong-arm Pennsylvania and the communities of Hamburg and Tremont into accepting their efforts to transform windowless warehousing into immigration detention centers, regardless of the devastating harm, impact and costs to our communities and environment,” said Maya van Rossum, the Delaware Riverkeeper and Founder of the Green Amendments For The Generations organization. “If allowed to move forward, these ICE detention facilities threaten to undermine community drinking and groundwater systems, while at the same time overwhelming communities with mass quantities of sewage pollution that their existing facilities simply cannot handle. The result will be people potentially denied drinking water, streams overwhelmed with pollution, fire companies potentially unable to access the water they need to respond to a fire emergency, and irreversible harm to the water resources and natural environments important to local residents for their quality of life, enjoyment of their property, and recreational joys of life.”

“At the same time, I worry about the very foreseeable threat of harm the incarcerated detainees will face; potentially being denied essential access to clean and healthy water for drinking and bathing; proper access to flushable toilets and sanitary conditions; and the water that would be required to tamp out a fire should one break out in these facilities. Given the known lack of water and sewage infrastructure needed to properly serve the high numbers being proposed for the Berks and Schuylkill County warehouses, it is very foreseeable that these facilities could result in dangerous and inhumane conditions for the detainees, while at the same time harming the surrounding communities,” adds van Rossum.

According to the petitions, the organizations should be granted intervention in order to provide evidence and arguments regarding applicable laws, but also regarding the Pennsylvania Green Amendment that constitutionally protects the rights of all Pennsylvanians to pure water, clean air and a healthy environment, and creates a duty on government officials in the state to protect natural resources for both present and future generations.

## **Background & Details**

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. ICE intends to hold up to 7,500

people at this location. In addition to those held at the facility, employees will be needed to run the operations.

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. The facility would hold up to 1,500 detainees. In addition to detainees, there will be employees working at the facility, which will increase the numbers of individuals that need to be supported by the facility's infrastructure.

On March 5, 2026, the PADEP issued Administrative Orders to 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 ICE detention facilities. The Administrative Orders prevent ICE from operating the two warehouse facilities as detention centers as proposed, 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 volume 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 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, 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 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 appealed the two administrative orders with the Pennsylvania Environmental Hearing Board (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.”

If the Delaware Riverkeeper Network and Green Amendments For The Generations petitions are granted, the organizations will become party to the case as Intervenors, with the opportunity to fully participate in the legal proceedings.

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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](http://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](http://www.GreenAmendment.org).