



**U.S. Immigration
and Customs
Enforcement**

July 13, 2026

Robert M. DiGilaro II
Regional Director
Pennsylvania Department of Environmental Protection
Southcentral Region
909 Elmerton Avenue
Harrisburg, PA 17110

Re: Water Service Use Plan, ICE Property, 3501 Mountain Road, Upper Bern Township, Berks County

Dear Mr. DiGilaro:

On March 5, 2026, the Department of Environmental Protection (DEP) issued an administrative order concerning the Property the Department of Homeland Security, U.S. Immigration and Customs Enforcement (ICE), purchased at 3501 Mountain Road, Upper Bern Township, Berks County. In particular, this order directed ICE to:

1. Deliver to DEP “a written description of DHS’s plans to provide drinking water at the Property in reliable quantities and quality that complies with all Maximum Contaminant Levels, Maximum Residual Disinfectant Levels, and treatment technique requirements,” to serve the maximum population at the Property; and
2. Deliver to DEP “a written description of DHS’s plans to properly manage sewage from its proposed use of the Property in accordance with the Sewage Facilities Act and Clean Streams Law and their attendant regulations.”

ICE has considered the final use it will make of this Property, and it hereby informs DEP that it will not be using this Property as a detention center. Instead, consonant with the levels of water service approved for the property and utilized by the prior owner for this warehouse, ICE’s plan is that it will maintain the use of the property on existing sewage planning, sewage flows, and drinking water use levels.

ICE believes that no further sewage planning, permitting, or certification is required and no further drinking water permitting is required for this Property because:

1. Sewage flows will be collected by an existing sewer line running along Mountain Road for conveyance to the treatment facilities of the Upper Bern Township Wastewater Treatment Plant.
2. ICE will restrict its sewage flows to the previously approved or used flows of 8,000 gallons per day, as set out in the current Sewage Planning Approval.
3. ICE will seek permitting and approval for the use of the existing on-site well as follows:
 - Within 30 days of the date of this letter, ICE and the contractor hired by a third party to perform the permitting and remedial work on the well will meet with DEP to discuss the permitting of the Property drinking water well.
 - If ICE proposes to keep the well as previously designed at a maximum pumping rate of 12,240 gallons per day, with a maximum instantaneous pumping rate of 8.5 gallons per minute, with treatment consisting of cartridge filtration units, ultraviolet disinfection units, and an acid neutralizer, then ICE and its contractor hired by a third party for this purpose will correct or permit the construction design flaws noted in DEP's 2025 inspection report through the submission of a new construction approval request and then afterwards a subsequent operation approval request.
 - If ICE proposes a different pumping rate or treatment, it recognizes that additional design or permitting requirements might apply.
 - Within 45 days of the first meeting of DEP, ICE, and the contractor hired by a third party to perform the permitting and remedial work on the well, ICE will submit a construction permit for the existing well and the appropriate treatment of the well water.
4. ICE will not use on-site equipment, including holding tanks, retaining tanks, privies, or chemical toilets to manage sewage at the Property without first applying for and obtaining a revision to the Upper Bern Township Official Sewage Facilities Plan that is approved by DEP.
5. ICE will not haul bulk water to the property or develop a new source of water to serve the Property without first obtaining all required permits and approvals from DEP under the Pennsylvania Safe Drinking Water Act and regulations implementing that statute.
6. ICE will consent to a DEP inspection of the Property to confirm its compliance with these aspects of its plan, and will exchange point of contact information with DEP to arrange for this inspection. DEP will submit its request to visit and inspect not less than three working days prior to its proposed inspection date.

I look forward to hearing from you at your earliest convenience. If you have any questions or wish to discuss this matter further, please do not hesitate to contact me at james.k.ingalsbe@ice.dhs.gov or you can reach me at 202.503.5042.

Thank you for your consideration.

Sincerely,

James Keith Ingalsbe
Assistant Director