



July 22, 2026

VIA EMAIL

James K. Ingalsbe
Assistant Director
Office of Asset and Facilities Management
U.S. Department of Homeland Security
500 12th Street SW
Washington, DC 20536

RE: 3501 Mountain Road, Upper Bern Township, Berks County

Dear Assistant Director Ingalsbe:

Thank you for your letter dated July 13, 2026 containing the plan required by Paragraphs 3 and 6 of the Pennsylvania Department of Environmental Protection's (DEP) March 5, 2026 administrative order to the Department of Homeland Security, U.S. Immigration and Customs Enforcement (ICE) concerning the property referenced above (Order).

Your letter confirms that ICE will not use this property as a detention center. Because of that, ICE is not seeking authorization for sewage planning, sewage flows, or drinking water use levels beyond what is required for a commercial warehouse.

ICE further states that sewage will be conveyed in compliance with the existing sewage planning for the property and will be limited to 8,000 gallons per day. ICE will not use on-site equipment such as holding tanks, privies, or chemical toilets to manage sewage at the property. Because ICE has confirmed that it will not use the property as a detention center that would exceed current authorized sewage levels, ICE does not require further sewage permitting or planning or further certification by Upper Bern Township indicating that the property and the plans and specifications for the sewage service to the property comply with the Sewage Facilities Act and the Clean Streams Law. Accordingly, DEP would not consider the use of the property as a commercial warehouse as described in ICE's plan and this letter to violate Paragraph 4 of the Order.

ICE's July 13, 2026 plan further states that ICE will seek DEP permitting and approval for use of the existing well on the property with the pumping rates and treatment previously approved by DEP for the prior owner of the property and ICE will address deficiencies noted in DEP's 2025

inspection report. If ICE wishes to increase the pumping rates or change the treatment, it must seek necessary permitting for those changes. ICE will not haul bulk water to the property or develop a new source of water to serve the property.

ICE's plan to seek the permits required to use the existing well on the property will comply with the requirements of Paragraph 1 of the Order. Any proposed change in pumping rate or treatment sought by ICE is limited to that necessary for the use of the property as a commercial warehouse. DEP will meet with ICE representatives and contractors hired to perform the permitting and remedial work on the water supply as proposed in ICE's plan. You may contact DEP's Regional Drinking Water Program Manager Joseph Mattucci at jomattucci@pa.gov to make arrangements for that meeting.

The Order remains in effect and any use of the property other than that described in ICE's plan remains prohibited unless ICE first obtains the additional sewage planning, permitting and certification, and drinking water permitting to comply with the Order.

DEP plans to inspect the property to confirm compliance with the statements provided in ICE's July 13, 2026 plan. DEP will make contact through counsel to make necessary arrangements for that inspection.

If you have any questions about the enclosed documents or DEP requests contained in this letter, please do not hesitate to contact me at (717) 705-4900 or rdigilarmo@pa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert M. DiGilaro II", followed by a small circular stamp or mark.

Robert M. DiGilaro II
Regional Director
Southcentral Region

c: Andrew D. Hoffman, Esquire, Upper Bern Twp. Solicitor (via email)
Jody M. Prescott, Esq., Counsel for ICE