



U.S. Immigration and Customs Enforcement

March 17, 2026

Joseph J. Buczynski, P.E.
Regional Director
Pennsylvania Department of Environmental Protection
Northeast Region
2 Public Square
Wilkes-Barre, PA 18701-1915

Re: Response to Administrative Order, 51 Rausch Creek Road, Tremont Township, Schuylkill County

Dear Mr. Buczynski:

I am writing to acknowledge our receipt of the administrative order issued by the Department of Environmental Protection (DEP) dated March 5, 2026, concerning property the Department of Homeland Security, Immigration and Customs Enforcement (ICE), purchased at 51 Rausch Creek Road, Tremont Township, Schuylkill County. This order directed ICE to:

1. Not obtain water from the Schuylkill County Municipal Authority's (SCMA's) Tremont Water System for use at the property except for fire protection until SCMA obtained all necessary permits from DEP;
2. Not haul bulk water to the property or develop a new source of water to serve the property until all necessary permits had been obtained;
3. Deliver to DEP within 20 days after receiving the order a written description of its plans to provide drinking water at the property in reliable quantities and of a certain quality to serve the total number of detainees, employees, and contractors there;
4. Not occupy any building on the Property without first obtaining a permit from Tremont Township and a SCMA certification that the ICE plans and specifications for the sewage service to the property comply with applicable laws;
5. Not allow sewage to flow to SCMA's Tremont sewage system or use on-site equipment, including tanks, privies, or chemical toilets, to handle sewage at the property without DEP having approved a revision to the Tremont Township Official Sewage Facilities Plan; and

6. Deliver to DEP within 20 days after receiving the order a written description of its plans to manage sewage from its proposed use.

At the same time, we recognize that DEP served administrative orders on SCMA and Tremont Township. The order to SCMA directed it to:

1. Not provide water to the new ICE property for other than fire protection without obtaining necessary DEP permits and approval;
2. Report to DEP within 48 hours of receiving a notice or a request from anyone seeking to use or using water from SCMA's Tremont Water System at the property;
3. Not allow more than 6,000 gallons per day of sewage to flow from the property to the SCMA sewage collection system, pump station, or the Tremont Wastewater Treatment Plant without first obtaining the appropriate DEP permit;
4. Not apply for such a permit before DEP approves a revised Tremont Township Official Sewage Facilities Plan to handle sewage from the property when used as a detention center; and
5. Not accept sewage or other wastewater from tanks, privies, or chemical toilets on the property.

The order to Tremont Township directed it to:

1. Issue no permits nor allow the occupancy of the building on the property until DEP approves its revised Official Sewage Facilities Plan to handle sewage from the property; and
2. Issue no permits for or allow the use of tanks, privies, or chemical toilets to handle sewage from the property until DEP approves its Official Sewage Facilities Plan to handle sewage at the property.

ICE has five requests:

1. Modification of the DEP order against it to allow it to consume water at the same level as was previously authorized for the warehouse building under the previous owner, irrespective of purpose. To restrict ICE to using no water other than for fire protection seems arbitrary, since DEP appears to have already approved municipal plans that accommodate water use in general at the former warehouse building.
2. Modification of the DEP order against it to allow it to generate and dispose of wastewater at the same level as was previously authorized for the warehouse building under the previous owner, irrespective of the purpose of the activities that led to the wastewater being generated, without requiring any amendment to any sewage treatment plan. To restrict ICE from disposing of any sewage without such approval seems arbitrary, since DEP appears to have already approved municipal plans that accommodate sewage

generation and disposal in general at the former warehouse building.

3. Extend the period of time for ICE to submit its written water and sewage plans for the facility when used as a detention to DEP out to April 30, 2026. ICE will not be able to meet the 20-day deadline for delivering these plans to DEP because it has not finalized them yet and does not expect to have them completed until April 30, 2026.
4. Meet with ICE representatives and municipal representatives to discuss a practicable timeline and process-flow for working together to find solutions to the problems DEP has identified in its orders. ICE has not discussed the DEP administrative orders in any detail with local authorities, but it believes that the orders place them in awkward positions given current water and sewage circumstances as they seek to comply with the DEP orders they received.
5. Suspend the 30 day period to appeal DEP's orders to the Environmental Hearing Board until after DEP has acted on ICE's request to modify its orders in the case, until after ICE has submitted its written descriptions of its water and sewage plans and DEP has had an appropriate opportunity to review them, and until after DEP has considered ICE's request to engage with it and the affected municipal authorities to discuss in good faith how to find practicable solutions to the problems DEP noted in its orders. To move this engagement along, ICE proposes that DEP suspend the appeal period on these orders until July 1, 2026.

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 K INGALSBE

Digitally signed by JAMES K
INGALSBE
Date: 2026.03.17 12:13:18 -04'00'

Keith Ingalsbe
Assistant Director

Cf:
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