

FACT Sheet

DEP's Oversight of Data Center Development

The Department of Environmental Protection (DEP) issues the necessary permits for data centers, just as it would for any large-scale commercial or industrial development. DEP's mission is to protect Pennsylvania's air, land, and water for every resident of the Commonwealth.

What We Do

DEP's role is to ensure that a data center complies with all state and federal laws and regulations related to environmental programs. Data center projects touch nearly every program DEP oversees – stormwater and erosion control, sewage planning, water withdrawals and discharges, storage tanks and air quality. We issue permits for specific activities associated with the construction of data centers just like other land development projects.

The most common permits for data centers are:

- National Pollutant Discharge Elimination System (NPDES) permits to authorize earthmoving and stormwater discharges under Chapter 102 and the discharge of cooling water or industrial stormwater under Chapter 92A
- Storage Tank Site Specific Installation permits to authorize the storage of fuel for backup generators
- Minor or Major Air Quality Plan approvals to authorize the construction of air pollution sources for power generation or on-site back-up generators

What We Don't Do

DEP does not select project locations or determine whether a project is proposed in a particular community.

What are Data Centers?

At their core, data centers are secure warehouse style facilities that store and process digital information.

Ensuring Responsible Development – The Future of Data Centers

As data center development increases across the Commonwealth, DEP staff work with project applicants to ensure environmentally sound and timely permit application reviews. Strategies like early pre-application meetings with upfront discussion of sewage, air quality, ecological, and federal water resource requirements can reduce environmental impacts of development.

To balance innovation with accountability, the Shapiro Administration is advancing GRID — the Governor's Responsible Infrastructure Development standards — built on core principles that address power generation and cost concerns, protecting water resources, engaging the community, and delivering local jobs.

Projects that meet these standards may receive the Commonwealth's full support, including certainty in permitting and access to available incentives — ensuring responsible development that reflects Pennsylvania's values. Accelerated or coordinated permitting does not circumvent or waive applicable environmental laws, regulations, or technical review requirements, and all projects are reviewed and held to the same environmental laws and standards.

Residents who are interested in what permits are submitted and where they are in the process, are encouraged to review DEP's permit tracker at www.pa.gov/agencies/dep/data-and-tools/track-permits.

Frequently Asked Questions

1. **Q:** Can DEP stop a data center from being built?

A: DEP reviews permit applications for individual regulated activities associated with a data center project, not the project as a whole, such as earth disturbance, water withdrawals and discharges, air emissions, and wastewater management. If a proposed activity does not meet applicable environmental laws and regulatory requirements, DEP cannot authorize that activity to proceed. DEP's authority is limited to environmental permitting and compliance, and the DEP does not have the authority to approve or deny a project based on public opinion.

2. **Q:** What are the environmental risks associated with data centers?

A: DEP evaluates how projects may impact the environment and ensures developers have measures in place to protect the environment. These evaluations can include air emissions associated with power generation, water consumption, stormwater runoff, wastewater discharges, and land disturbance.

3. **Q:** Do data centers use large amounts of water? Will a data center affect my drinking water?

A: Many data centers use water for cooling and for onsite drinking and plumbing use. DEP's evaluations and permitting processes help ensure that any proposed water use is managed within state and federal requirements to protect local water resources and public water supplies. It is the responsibility of the local water utility to update its drought contingency plans whenever new high volume customers, such as data centers, are added to their water system. DEP would not authorize any project that would negatively affect a community's drinking water.

4. **Q:** Can I request a public hearing with DEP related to a data center?

A: Public participation opportunities depend on the type and complexity of the permit application. Public comments are accepted by DEP for the permit applications required by law to be published in the PA Bulletin. During these comment periods, members of the public may submit written comments and may request a public meeting or hearing.

When DEP determines there is significant public interest or concern related to a project, the DEP may hold a public meeting or a formal public hearing to gather additional input. DEP reviews requests on a case-by-case basis and provides opportunities for public engagement consistent with applicable laws and regulations.

5. **Q:** Does DEP regulate noise, aesthetics, traffic, or local zoning for data centers?

A: No. DEP's authority is limited to environmental permitting and compliance under state and federal laws. Noise, aesthetics, traffic impacts, and zoning requirements are not regulated by DEP. These issues may be addressed through local land development approvals, which are handled by the municipality where the data center is proposed. Developers must comply with all local ordinances in addition to obtaining the necessary environmental permits from DEP.

For more information, visit www.dep.pa.gov.