

26104969D

1 **HOUSE BILL NO. 507**

2 Offered January 14, 2026

3 Prefiled January 12, 2026

4 *A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 13 of Title 10.1 a section numbered*  
5 *10.1-1322.6, relating to data center carbon dioxide-emitting backup generators; air monitoring.*

6 Patron—McAuliff

7 Committee Referral Pending

8 **Be it enacted by the General Assembly of Virginia:**9 **1. That the Code of Virginia is amended by adding in Article 1 of Chapter 13 of Title 10.1 a section**  
10 **numbered 10.1-1322.6 as follows:**11 **§ 10.1-1322.6. Data center backup generators; air monitoring.**12 A. A data center shall only use a carbon dioxide-emitting backup generator in an emergency. During such  
13 an emergency, such backup generator used shall meet or exceed the U.S. Environmental Protection Agency's  
14 (i) Tier 4 emissions standards or (ii) Tier 2 emissions standards and be equipped with a selective catalytic  
15 reduction system. In no case shall a carbon dioxide-emitting backup generator be used in excess of 500 hours  
16 per year.17 B. Beginning July 1, 2027, a data center shall utilize energy storage as its primary backup power source  
18 for a minimum of two hours in an emergency and shall only use carbon dioxide-emitting backup generators  
19 during grid emergencies after such energy storage resource is depleted, provided that such generators meet  
20 or exceed the U.S. Environmental Protection Agency's (i) Tier 4 emissions standards or (ii) Tier 2 emissions  
21 standards and are equipped with selective catalytic reduction systems.22 C. The Department shall notify all property owners living within one-quarter mile of a data center  
23 operating carbon dioxide-emitting backup generators continuously for more than four hours as soon as is  
24 practicable after the Department has been notified that such backup generators will be in operation.25 D. The Department shall require data center operators to utilize monitoring devices to maintain records  
26 of emissions, pollutants, and fuel data and operating parameters as necessary to demonstrate compliance  
27 with applicable permits and report the results of such monitoring to the Department on a monthly basis. The  
28 Department shall make each such report available to the public on its website.29 E. The Department shall establish and maintain an air quality monitoring site or sites in any locality or  
30 other political subdivision of the Commonwealth with 100 or more useable carbon dioxide-emitting backup  
31 generators. Such sites shall be located within one-quarter mile of any cluster of such backup generators. For  
32 the purposes of this subsection, "cluster" means a group of 25 or more carbon dioxide-emitting backup  
33 generators.34 F. The Department, in collaboration with the Department of Health, shall monitor and assess the  
35 cumulative impacts of data center carbon dioxide-emitting backup generators on human health in  
36 jurisdictions where there are at least 100 such backup generators. Should the cumulative impacts of  
37 emissions and pollutants from such backup generators exceed U.S. Environmental Protection Agency or  
38 Virginia standards for air quality, the Department and the Department of Health shall take all measures  
39 available to support the reduction of such backup generator emissions and pollutants.40 G. When a permit application is made for a new or modified emissions source that is expected to emit any  
41 hazardous air pollutants or toxic air contaminants and the release point for such pollutants or contaminants  
42 is located within 3,000 feet of an infant or early childhood daycare, preschool, elementary school, or  
43 secondary school, the Department shall notify such schools of such application and make such notice  
44 available to the general public.45 H. The Board may promulgate regulations as it deems necessary to effectuate the provisions of this  
46 section.

INTRODUCED

HB507