

2026 SESSION

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SENATE BILL NO. 552

Offered January 14, 2026

Prefiled January 14, 2026

A BILL to amend the Code of Virginia by adding a section numbered 10.1-1184.3 and by adding in Article 1 of Chapter 22 of Title 15.2 a section numbered 15.2-2209.4, relating to Department of Environmental Quality; siting of large data centers; site assessment; standards; civil penalties.

Patron—Sturtevant

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 10.1-1184.3 and by adding in Article 1 of Chapter 22 of Title 15.2 a section numbered 15.2-2209.4 as follows:

§ 10.1-1184.3. Department approval required for certain facilities; site assessment; civil penalties.

A. As used in this section:

"Large data center" means the same as that term is defined in § 15.2-2209.4.

"Major expansion" means the same as that term is defined in § 15.2-2209.4.

B. Prior to any approval of a rezoning application, special exception, or special use permit for the siting or major expansion of a large data center, a locality shall require that an applicant perform and submit a site assessment to the Department pursuant to subsection B of § 15.2-2209.4. The Department shall review such site assessment to ensure compliance with site assessment standards established by the Department, including standards for noise impacts, light pollution and illumination at night, water usage and source impacts, air emissions, traffic and other construction-phase impacts, and other impacts of proximity to residential units and schools. The Department shall approve a site assessment that complies with such standards and shall request any required revision to a site assessment that fails to comply with such standards within 90 days after submission. In any site assessment approval, the Department may include conditions or mitigation requirements with which the large data center shall comply to maintain such approval.

C. The Department may issue a notice of violation to any large data center that operates without site assessment approval as required by this section, fails to comply with approval conditions or mitigation requirements, or provides materially false, incomplete, or misleading statements or omissions in a site assessment required pursuant to this section. The Department may require corrective or supplemental mitigation actions as a condition of continued approval and may assess civil penalties against or revoke any approval for a large data center that continues such violation for more than 60 days after receiving such notice.

D. The Office of the Attorney General, upon the request of the Department or on its own initiative, may bring an action against a large data center for injunctive or other appropriate relief to enforce this section and restrain ongoing violations.

§ 15.2-2209.4. Site assessment; large data centers.

A. As used in this section:

"Critical IT load" means the portion of electrical capacity, expressed in terms of megawatts, that is reserved solely for a data center to operate its computer server and required supporting equipment.

"Data center" means the same as that term is defined in subdivision A 43 of § 58.1-3506.

"Large data center" means a proposed data center that an applicant reasonably anticipates at the time of filing a rezoning application, special exception application, or special use permit application will require one or more megawatts of critical IT load from an electric utility providing retail service to the data center.

"Major expansion" means any expansion or modification of a large data center that (i) requires an addition of more than one megawatt of critical IT load or (ii) requires an expansion of the premises on which such large data center is located.

B. Prior to any approval of a rezoning application, special exception, or special use permit for the siting or major expansion of a large data center, a locality shall conduct an initial public hearing regarding such siting or expansion and shall require that an applicant perform and submit a site assessment to examine the sound profile of the large data center on residential units and schools located within 500 feet of the large data center property boundary and the impact of the large data center on (i) ground and surface water resources, (ii) air quality, (iii) light pollution and illumination at night, (iv) agricultural resources, (v) traffic, and (vi) forestland on the large data center site or immediately contiguous land. The applicant shall submit such site assessment to the locality and the Department of Environmental Quality for review. No rezoning application, special exception, or special use permit for the siting of a new large data center shall be

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SB552

59 approved unless the Department of Environmental Quality first reviews and approves such site assessment
60 pursuant to § 10.1-1184.3. Upon the submission of a site assessment to the Department of Environmental
61 Quality, the locality shall conduct a second public hearing regarding such siting or expansion prior to
62 approval of the rezoning application, special exception, or special use permit. Any public hearing required
63 by this subsection shall be publicly advertised in the locality at least seven days prior to the date set for the
64 hearing and shall include opportunity for comment.

65 C. Prior to any approval of a rezoning application, special exception, or special use permit for the siting
66 of a new large data center, a locality shall require that the electric utility providing retail service to the new
67 large data center submit to the locality a form describing (i) any new or existing substations that will be used
68 to serve the large data center and (ii) the anticipated transmission voltage required to serve the large data
69 center.

70 D. Information submitted to a locality under subsections B and C shall be used by the locality to assess
71 consistency with the policies of the locality's comprehensive plan and compliance with the locality's adopted
72 noise ordinances, zoning ordinance provisions, and other applicable laws and regulations, as applicable.

73 E. No provision of this section shall be construed to change, replace, or impact any authority or
74 jurisdiction of the State Corporation Commission, or otherwise delegate any authority or jurisdiction of the
75 State Corporation Commission to any locality.

76 F. Nothing in this section shall be construed to prohibit, limit, or otherwise supersede existing local
77 zoning authority.

78 2. That the provisions of the first enactment of this act shall become effective on July 1, 2027.
79 3. That by July 1, 2027, the Department of Environmental Quality (the Department) shall develop site
80 assessment standards for large data centers pursuant to § 10.1-1184.3 of the Code of Virginia, as
81 created by this act. Such standards shall include uniform statewide requirements for the mitigation of
82 noise impacts, light pollution and illumination at night, water usage and source impacts, air emissions,
83 traffic and other construction-phase impacts, and other impacts of proximity to residential units and
84 schools. In developing such standards, the Department shall consult with representatives from the
85 Virginia Association of Counties, the Virginia Farm Bureau Federation, the Piedmont Environmental
86 Council, the Chesapeake Solar and Storage Association, data center engineers, electric utilities, and
87 any other stakeholders deemed relevant by the Department.