

SENATE BILL NO. 336

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources

on _____)

(Patron Prior to Substitute—Senator Roem)

A BILL to direct the State Air Pollution Control Board to amend its regulations regarding the use of data center emergency generators.

Be it enacted by the General Assembly of Virginia:

1. § 1. *That the State Air Pollution Control Board shall amend its regulations regarding the use of data center emergency generators (i) to state that the use of Tier 2 generators shall be limited only to sudden and unforeseeable outage events that do not include planned outage events and (ii) to require any data center with an air permit applied for prior to July 1, 2026, to annually retrofit at least 20 percent of its Tier 2 generator fleet to be equal to or less than the emissions of a Tier 4 equivalent or better generator, for five years or until 100 percent of the fleet's emissions are equal to or less than the emissions of a Tier 4 equivalent or better generator.*