

The Hidden Health Costs of AI Data Centers

More Power, More Pollution,
Fewer Federal Protections



A report from the Environmental Protection Network's Safer, Not Sicker campaign



Executive Summary

Americans have had to make sense of the AI boom almost overnight. Data centers are not new, but AI is driving a rapid expansion in their size, number, and electricity demand. That expansion requires an enormous amount of electricity, and how it is produced can have significant health consequences. Pollution from power plants, generators, and other sources used to meet that demand is linked to asthma, cancer, heart and lung disease, and neurological and developmental harm. At the same time, the Trump administration is weakening or proposing to weaken pollution and permitting safeguards. Those safeguards are not bureaucratic hoops. They exist to prevent or reduce pollution and protect people's health before harm occurs.

The choice is not between developing AI and protecting people's health. The pollution burden from data-center growth is not inevitable. How much additional pollution comes with that growth depends in large part on how data centers are powered and what pollution safeguards industry must follow. Before 2025, stronger pollution safeguards, planned fossil-plant retirements, and expanding cleaner power were on track to constrain additional pollution from rising demand. Current federal policies are making it easier to keep more-polluting sources of power online or add new ones while weakening many safeguards.

AI and data centers may deliver important technological and economic benefits, but those benefits do not require weaker pollution protections or less scrutiny. **Families and communities should not have to pay for the AI boom with their health.**

Public attention has increasingly focused on rising electricity bills, water demand, jobs, noise, local control, and air pollution from large fleets of on-site generators and turbines. Less visible are the health risks from power plants supplying data center electricity and from coal ash and wastewater produced when fossil plants remain online longer.^{11,14,75,76} Those risks will grow as data center demand keeps fossil plants operating, drives new generation, or expands on-site power while federal safeguards are weakened.

EPA's mission is to protect human health and the environment. Yet Administrator Lee Zeldin has made turning the United States into the "AI capital of the world" a pillar of EPA's work, and the agency's FY 2027 plans count making Clean Air Act requirements more flexible for AI data centers as progress.^{1,2} **This report documents at least 30 federal actions since January 2025 that could increase pollution-related health risks, weaken protections that would otherwise reduce those risks, or shift more costs onto families and communities.** They include actions that make it easier to keep or expand more-polluting power, weaken limits on harmful pollution, allow projects to move forward without sufficient community input or full consideration of potential health risks, or make pollution laws harder to enforce. EPA should be the public-health watchdog, not part of the industry's development team.

Key Findings

- **The potential health toll is already substantial, and today's federal rollbacks are not included.** A 2026 study estimates that data-center-related air pollution could impose roughly **\$11.7 billion to \$20.9 billion in annual public-health costs by 2028**. Under the study's high-growth scenario, that pollution could contribute to roughly **600,000 asthma symptom cases and 1,300 premature deaths**.¹⁴ If weaker safeguards, delayed power-plant retirements, new fossil generation, or expanded generator use increase emissions beyond the study's assumptions, the health toll will be higher.
- **Data centers can drive pollution both nearby and far from where they are located.** On-site generators and turbines can create substantial local pollution risks, while power plants supplying data centers with electricity can affect communities far away. In the 2026 study, more than 90% of the estimated health impacts came from power plants supplying their electricity, and the burden was unevenly distributed.¹⁴ Coal plants are staying online longer as electricity demand rises,¹¹ and at least 74 gas plants are proposed specifically to power data centers.¹³ At the same time, federal actions are making cleaner sources of power harder to finance, permit, and build.^{67–71,77}
- **This report documents at least 30 federal actions that, taken together, increase pollution-related health risks as data centers expand.** Seventeen of the 30 explicitly cite or target AI or data centers in the action itself or in an agency statement specifically describing or justifying that action. The remaining 13 affect how data centers are powered, what pollution safeguards apply, how projects are approved, or how federal requirements are enforced. No study has yet calculated the combined health effects of these actions, but the direction is clear.
- **Communities are being left with less information, less say, and less recourse.** Data center projects are moving forward with nondisclosure agreements and **faster review processes** that can limit what residents know and when they can weigh in.^{16,88} Federal actions are now weakening or proposing to weaken disclosure, review, and public-participation requirements.^{7,38,49,57} EPA has also directed enforcement staff to use added restraint in some energy cases, the Department of Justice (DOJ) is seeking broader authority to end Clean Air Act citizen suits, and DOJ filed only 16 civil complaints in cases referred by EPA, a historic low.^{18,19,58}

VOTERS PRIORITIZE HEALTH AND SAFEGUARDS

8 TO 1

Margin by which voters say EPA should prioritize people's health over reducing pollution regulations.

69%

Say they are highly concerned about fast-tracking data centers without the usual safeguards.

84%

Say President Trump should be tougher on corporations that violate environmental laws.

16%

Support making the United States the "AI capital of the world" an EPA priority.

Source: YouGov survey of 2,025 registered voters conducted for EPN, April 22–27, 2026.⁵⁹

The health burden extends beyond the data center fence line

The pollution associated with data centers can affect communities in several places: near the data center itself, near the power plants supplying its electricity, and farther downwind or downstream.

Some pollution occurs at or near the data center itself. Many data center campuses rely on fleets of diesel generators for backup power, and some are adding dedicated gas turbines. These engines and turbines can emit nitrogen oxides, smog-forming volatile organic compounds, and soot pollution. The combined generating capacity of a large generator or turbine fleet can rival that of a conventional power plant.^{13,40}

When data center electricity comes from coal- and gas-fired plants, additional generation can increase pollution near those plants and farther downwind. Burning these fuels produces nitrogen oxides and other pollutants, while incomplete combustion can release soot and volatile organic compounds. Coal burning can also release mercury and other toxic metals. Nitrogen oxides and volatile organic compounds react in the air to form ground-level ozone, or smog, which can worsen asthma. Soot can trigger asthma attacks and is linked to heart attacks, strokes, and premature death. Mercury can harm developing brains and nervous systems.^{60,61}

Coal ash, the waste left after coal is burned, and wastewater from plant operations and ash handling are produced at the coal plants supplying data center electricity, not at the data centers themselves. If these wastes are not properly contained or treated, arsenic, mercury, and other toxic pollutants can contaminate groundwater and surface water.^{62,63}

The potential health risks from data-center-related pollution grow when rising electricity demand is met with more fossil-fueled generation. That matters because data centers are using a rapidly growing share of the nation's electricity. The United States has more than 3,000 operating data centers and another 1,500 in development.²⁰ They used approximately 4.7% of U.S. electricity in 2024, a share that could rise to roughly 11.8% by 2030, with scenarios ranging from 9.5% to 15.3%.²¹

How communities bear the costs

Data center growth can impose visible costs through higher electricity charges and expanded water and infrastructure needs. Recent analyses suggest both pressures could be substantial as the buildout accelerates.^{26–28}

Some proposed remedies address only part of that. Policies requiring data centers to bear more of the costs of serving their electricity demand may protect other utility customers from some electricity costs.^{53,54} But they do not eliminate the health risks or costs if that power comes from polluting sources.

Local governments may also bear costs for infrastructure, oversight, and emergency planning. Although data centers can generate tax revenue, at least 10 states each forgo more than \$100 million annually through data center tax breaks, and many do not fully disclose those subsidies.²⁹

Communities also bear health costs through illnesses, missed work and school, and medical expenses associated with pollution from the power plants, generators, turbines, and waste streams supporting the buildout. Noise from cooling systems, fans, generators, and turbines can disrupt sleep, increase stress, and impair concentration.³⁰

The potential health toll is substantial

Data-center-specific estimates

Researchers from UC Riverside, Caltech, and Rochester Institute of Technology used an EPA model to estimate the health effects and costs of data-center-related air pollution.¹⁴ **Across the study's 2028 scenarios, data-center-related air pollution could impose roughly \$11.7 billion to \$20.9 billion in annual public-health costs. Under the high-growth scenario, researchers estimate roughly 600,000 asthma symptom cases and 1,300 premature deaths.**¹⁴ The study's authors note that the national-level impact remains modest compared with the broader U.S. public-health burden from fuel combustion. But under their high-growth scenario, data-center-related health costs rise 213% from 2023 to 2028, compared with a projected 17% increase in health costs from stationary fuel combustion overall.¹⁴ The study did not model the federal policy changes documented in this report, and EPN found no public analysis quantifying how those actions will change that health burden. If weakened safeguards, delayed power plant retirements, new fossil generation, or expanded generator use increase emissions beyond the study's assumptions, the health burden will be higher.

In the high-growth scenario, electricity generation accounts for most of the modeled health impacts: about \$19.3 billion of the \$20.9 billion in annual public-health costs and 1,165 of 1,262 estimated premature deaths. That pollution can affect communities far from data centers and across state lines, and the burden is not evenly distributed. In the most affected counties, the study estimates that **per-household health costs can reach about seven times the national average.**¹⁴

On-site backup generators account for a smaller share of the study's national estimate, although generators and turbines can create substantial local health risks. In Virginia, researchers modeled data center generators emitting at just 10% of the levels allowed under their air permits. Even at that level, the emissions could contribute to approximately 14,000 asthma symptom cases, 13 to 19 premature deaths, and \$220 million to \$300 million in annual public-health costs. In the study's hypothetical maximum-permitted scenario, such as during a prolonged regional grid outage, those health costs could reach \$2.2 billion to \$3 billion.¹⁴



The EPA safeguards now being weakened deliver substantial health benefits

EPA's own prior analyses show the public-health value of broader safeguards affecting the power sector.

The stronger soot standard was projected to prevent up to 4,500 premature deaths and deliver up to \$46 billion in net health benefits in 2032.³³ The power plant carbon standards were projected to prevent up to 1,200 premature deaths and 48,000 school absence days in 2035, with up to \$370 billion in climate and public-health net benefits over two decades,³⁴ while the 2024 Mercury and Air Toxics Standards update was projected to reduce mercury, soot pollution, nitrogen oxides, and hazardous metals.⁷⁹

These broader estimates should not be added to the data-center-specific estimates from the UC Riverside-led study, referenced above, but they show the scale of the protections at risk.

CHILDREN FACE GREATER RISKS FROM POLLUTION

Children are especially vulnerable to pollution from the fossil-fueled power plants, generators, turbines, and waste streams that may support data center growth because their lungs, brains, and other organs are still developing, and they can take in more pollution relative to their body size.⁸⁰ Air pollution from these sources can worsen asthma among approximately 4.8 million U.S. children with the disease.^{50,51} Mercury and other toxic metals in water and food can harm developing brains and nervous systems,⁶⁰ while arsenic found in coal ash and wastewater can cause cancer.⁶²⁻⁶⁴



At least 188 schools are within three miles of proposed gas plants dedicated to data centers.¹³ EPN found no publicly available federal accounting of how many schools, daycares, playgrounds, or athletic fields are near data centers.

The proposed gas-fired plants dedicated to data centers would add pollution at a time when 33.5 million children already live in counties that received a failing grade for at least one measure of ozone or particle pollution in the American Lung Association's State of the Air report.⁵² Proximity alone does not establish exposure or harm, but it underscores the need for project-specific pollution estimates, monitoring, disclosure, and public review.

How federal policy is increasing these risks

Federal policy is now pushing in two directions that matter for health: speeding data-center development and approvals while weakening policies and safeguards that can limit the pollution that comes with that growth.

More polluting power

As data center electricity demand grows, EPA is weakening pollution safeguards and discouraging the development of clean energy, making it easier for older fossil-fueled power plants to remain online and new gas generation to expand.

Reliability does not require weaker safeguards

Data centers need reliable power, and rising demand creates real challenges for utilities and grid operators. But meeting that demand does not require weaker pollution safeguards. Whatever the nation's electricity needs, EPA's job is to make sure producing that power does not unnecessarily increase pollution and health risks.

The administration has argued that pollution control rollbacks are needed to meet rising electricity demand, maintain reliability, and allow America to compete with China in AI development. EPA has tied some of those rollbacks directly to data center demand. Its coal plant wastewater deadline-extension rule cited the "AI and data center revolution," and the agency has invoked similar reliability and affordability arguments for broader power-sector rollbacks.^{4,25} Administrator Zeldin has described EPA's role as removing barriers so data centers can be built more quickly, writing that states need more "baseload generation," or power available around the clock, "and that's where EPA comes in."³²

EPA says it can provide that flexibility while continuing to protect health and the environment. But **as demand rises, pollution safeguards become more important, not less.** If more coal, gas, generators, or turbines are used to serve data centers, stronger safeguards help determine whether additional power also means additional illness and health costs.

Cleaner options are being pushed aside

Cleaner ways to meet new demand are available. In 2024, a Department of Energy (DOE) advisory board identified renewable generation, storage, efficiency, demand flexibility, grid improvements, geothermal, and nuclear power among the resources that could help meet data center demand reliably and affordably.⁶⁵ Wind, solar, and battery storage provided more than 90% of all new U.S. generating capacity in 2025.⁶⁶

Major technology companies are among the largest corporate purchasers of clean power.¹¹¹ Those commitments are real, but annual matching, the dominant approach, counts clean energy in company-wide yearly totals.¹¹² Pollution is not annual or company-wide. People are exposed to soot and smog based on when and where fossil generation operates, so a company can meet its annual clean-energy goals while the utility system serving its data centers still relies on coal and gas.

Federal policy began moving away from those cleaner resources when the Trump administration took office in January 2025. The administration paused federal clean-energy disbursements, canceled hundreds of EPA and DOE financial awards, and subjected wind and solar projects to additional federal review.^{67–69} Congress accelerated the termination of major wind and solar tax credits.⁷⁷

Independent tracking shows that the cleaner-energy pipeline is already losing ground. E2 and Atlas Public Policy identified 58 utility-scale generation and storage projects totaling 13.3 gigawatts that were canceled or postponed through May 2026.⁷⁰ Wood Mackenzie estimated that 92 gigawatts face heightened federal permitting scrutiny.⁷¹ Federal policy is not the only factor, but these actions make cleaner resources harder to build as demand rises.



The administration and Congress are not responding neutrally to rising electricity demand. They are shifting the playing field by making many cleaner resources harder to finance, permit, and build while making coal and gas generation easier to retain or expand. EPA is reinforcing that shift by weakening pollution standards, permitting protections, reporting requirements, and enforcement for fossil-fueled power. Together, these policies increase the likelihood that data center growth will be powered by more polluting sources.

Coal is staying online and new gas is being proposed

Plans to retire or switch nearly 10 gigawatts of coal capacity by the end of 2025 were delayed as electricity demand rose. The analysis does not assign a single cause to each delay, but data centers are a major driver alongside other industrial loads and electrification.¹¹ Preliminary 2025 data from the U.S. Energy Information Administration (EIA) show that electricity generation and power-sector emissions were already rising. EIA reports that data-center and manufacturing demand, along with hot summer weather, contributed to record electricity generation in 2025. In the same year, power-sector carbon dioxide emissions rose 4%, coal generation rose 13%, and coal-related carbon dioxide emissions increased by 78 million metric tons.¹²

Federal policy is also pushing in that direction. A White House executive order directed agencies to remove barriers to coal production and generation and identify opportunities to expand coal-fired infrastructure to power AI data centers. Following a separate White House directive to streamline emergency authorities, DOE orders have already kept some fossil generation available or operating longer.^{47,48,104,105}

Companies are also proposing numerous gas-fired power plants dedicated to serving individual data center campuses rather than the broader grid. The Environmental Integrity Project (EIP) identified at least 74 proposed gas plants dedicated to data centers, including 71 new facilities and three expansions.¹³ If built and operated at permitted levels, they would provide 143 gigawatts of generating capacity and release an estimated 662 million tons of greenhouse gases annually, along with more than 159,000 tons of other health-harming air pollution.¹³

A later Global Energy Monitor (GEM) analysis points to an even larger overall pipeline. Its tracker identified 189 gigawatts of U.S. gas-fired capacity in development primarily to serve data centers, including many of the same projects counted by EIP as well as additional projects. The estimates overlap and should not be added together. GEM's total includes 45 gigawatts from fleets of large gas engines tied to data centers, more than triple the level six months earlier.⁸⁷

Weaker safeguards across the fossil-fuel system

More fossil-fueled power can increase pollution throughout the energy system, from producing and transporting fuel to generating electricity and managing the wastes left behind. Federal policy is weakening safeguards across that system just as data-center demand is increasing pressure for more power.

More gas-fired generation can mean more pollution upstream, where natural gas is produced and moved. EPA has extended deadlines and relaxed parts of its 2024 oil-and-gas pollution standards, including requirements governing the burning off of excess gas, known as flaring,^{95–97} and has proposed changes to standards for hazardous air pollution from oil and gas production, transmission, and storage facilities.⁹⁸ EPA acknowledges that its 2026 flaring changes could increase emissions compared with the 2024 rule.⁹⁶ These facilities can release smog-forming pollution and hazardous air pollutants including benzene.^{99,100}

Safeguards are also being weakened at the power plants themselves and for the wastes they produce.

EPA has repealed or proposed rollbacks of safeguards for power-plant carbon pollution, mercury and other air toxics, coal wastewater, and coal ash.^{3–5,24}

EPA is also weakening broader clean-air protections that limit pollution from the power system. EPA tried to undo the stronger 2024 soot standard, is moving to weaken interstate smog protections, and has proposed eliminating some outstanding state clean-air requirements for areas that failed to meet ozone standards.^{35,37,46,92} In 2026, EPA also changed its Regional Haze policy in ways that make it easier for some coal plants to keep operating longer.⁹³

Other changes lower barriers to fossil power and reduce transparency. EPA has made it easier for some long-idled facilities to restart without being treated as new sources for major air permitting, lowering a barrier to bringing older fossil-fueled facilities back online.³⁶ EPA has also proposed ending greenhouse gas reporting for most large facilities and suppliers, reducing public information needed to identify major emitters and assess the consequences of keeping or expanding fossil-fueled power.¹⁰

WHEN DATA CENTER GROWTH HELPS KEEP COAL BURNING

Residents of North Omaha were promised that the community's aging coal plant would stop burning coal in 2023. Instead, the Omaha Public Power District postponed the transition and, in December 2025, voted to keep the coal units operating without setting a firm retirement date.¹⁰³



The utility had recruited Google and Meta data centers with a special electricity rate. Those facilities now account for much of the area's rapidly growing electricity demand, which has made it harder to retire the coal units as promised. The companies do not buy electricity directly from the plant, but their data centers draw from the utility system that continues to rely on it.⁸⁵

The consequences fall heavily on North Omaha, a historically redlined, predominantly Black community where residents already experience elevated rates of asthma, chronic obstructive pulmonary disease, heart disease, and stroke. Community members and the local health department opposed continued coal burning, arguing that economic development should not come at the expense of residents' health.⁸⁶

This case illustrates how the costs of data center growth can be shifted from the companies benefiting from that growth to communities living with continued pollution.

Approvals before answers

States and local governments control many data-center siting and land-use decisions, but federal law sets minimum pollution protections, including for pollution that crosses state and community boundaries. State agencies often issue individual permits, while EPA sets or oversees many of the underlying air, water, waste, and chemical requirements.

Those federal protections can be especially important when communities have limited information about proposed projects. For example, researchers examining data-center development in Virginia found nondisclosure agreements in at least 25 of 31 projects they surveyed. NPR also found that at least five Louisiana state senators, the local assessor, and every member of the public development board negotiating one data-center project signed NDAs before the project was publicly announced.⁸⁸

At the same time, federal agencies are speeding approvals for data centers and supporting infrastructure while reducing some of the review, disclosure, and public participation meant to identify problems before major commitments are made. The problem is not faster permitting by itself, but faster permitting with fewer safeguards. Once permits are issued, construction begins and money is committed, changing course becomes much harder.

The White House has ordered faster federal permitting for AI data centers and supporting infrastructure.⁷ EPA is carrying out that agenda by reducing or proposing to reduce case-by-case review, disclosure, and public participation, even as it declines to establish nationwide requirements specifically for data centers.¹⁵

Less public notice and input for some air permits

Zeldin said EPA wants to change minimum public-participation requirements so “the protest of a few does not unnecessarily thwart progress,” an approach that treats public participation as an obstacle rather than a safeguard.³² EPA has since proposed eliminating the federal minimum for public notice and comment on air permits for smaller pollution sources and some changes at larger facilities, known as minor New Source Review permits. “Minor” means the expected emissions fall below the threshold for major-source permitting; it does not mean the pollution is insignificant or harmless.³⁸

That would leave participation requirements largely to states and local agencies. In many states, removing the federal minimum could also reduce existing opportunities for public notice and comment because state law ties those protections to federal requirements. These permits can cover individual generators, turbines, or separate phases of a larger data center development. With less notice and fewer opportunities to comment, residents may have a harder time understanding the full project, how much pollution it could produce, whether different parts are being permitted separately, and what monitoring and pollution controls will apply. The result could be less information and less say for communities before permits are final.

Projects can move forward before key pollution requirements are settled

EPA has proposed narrowing environmental reviews for projects it approves and has separately limited the formal comments it provides on major projects led by other federal agencies. Both changes reduce opportunities to identify environmental and health concerns before decisions are made.^{8,73} Federal agencies are also using streamlined environmental reviews, including categorical exclusions, that allow some projects to move forward without a detailed review of their potential environmental effects. In Nevada, the Bureau of Land Management relied on an earlier solar review to approve a data center on federal land without new public comment,⁸⁴ even though a data center can have very different environmental effects from a solar project.

EPA has also proposed allowing construction to begin on parts of major projects, including data centers and power plants, that do not themselves emit air pollution before a required major air permit is issued.⁹ EPA has separately said regulators can issue some permits in areas where the air already violates federal health standards before developers secure required pollution reductions, known as offsets. Those offsets must still be in place before operation begins.³⁹ Moving projects forward before these requirements are settled can make changing course more difficult once construction has begun and significant money has been invested.

EPA has also changed how existing industrial facilities determine whether expansions or modifications require major air permitting. In July 2025, EPA abandoned a proposal that would have required stronger monitoring and made promised pollution reductions legally enforceable when companies relied on them to avoid major permitting.⁹⁰ Two months later, EPA reinstated a policy giving companies more latitude to rely on their own projections of future emissions when deciding whether major permitting applies.⁹¹

Less case-by-case review for water impacts

Water pollution permitting is also part of the fast-track. The Clean Water Act now covers fewer wetlands and streams following the Supreme Court's 2023 Sackett decision, and EPA and the Army Corps have proposed narrowing those protections further. Reporting identified at least 27 data center sites where federal regulators found wetlands, streams, or other water resources but determined that no federal permit was required to fill them.^{16,17,110}

Even where the Clean Water Act applies, some data centers can use Nationwide Permit 39, a streamlined nationwide permit, rather than undergo an individual permit review. As part of the federal push to streamline data center permitting, the Army Corps in 2026 expressly named data centers, including AI and machine-learning facilities, as examples of commercial developments covered by the permit.⁵⁷ Projects must meet its conditions, and it generally cannot authorize more than one-half acre of loss of protected non-tidal waters. But projects using it do not receive project-specific public notice and comment or the same individualized review of effects on wetlands and other waters. Separately, reporting identified 26 data center projects that have received these streamlined permits.¹⁶

Faster chemical reviews with unanswered questions

EPA is also giving priority to reviews of new chemicals intended for data centers and related components.²² Some applications use fluorinated chemicals, including PFAS, in semiconductor manufacturing, cooling, and fire suppression.²³ EPA has not identified which chemicals are receiving expedited review or whether PFAS are among them. Faster review does not mean a chemical is unsafe or that EPA's review will be inadequate. But EPA has not publicly shown how it will speed these reviews while maintaining the same level of scientific review and protection. Communities should know which chemicals are being expedited, what risks EPA identified, and how those risks are being addressed.

Fewer protections when enforcement is needed

Permits are only protective if they cover **all of the pollution a facility produces**, establish enforceable limits, and are backed by monitoring and enforcement. Yet as data centers rely on larger generator and turbine fleets, EPA is weakening permitting requirements and constraining enforcement at the same time.

Large power fleets can face less oversight

Data centers often rely on large fleets of backup generators, many of them diesel-powered. Because hundreds of generators can operate at a single campus, how those fleets are permitted can determine the level of public review and ongoing oversight they receive. Texas illustrates the issue. Since 2024, at least 38 data centers have received minor permits covering more than 2,100 on-site diesel generators, together permitted to emit nearly 2,500 tons of nitrogen oxides annually, pollution that contributes to smog. More than half of those data centers reported estimated emissions just below thresholds that would have triggered public input and more detailed environmental review.⁸³

Similar streamlined permitting is being used for larger on-site power projects. Texas approved a 366-megawatt gas plant with more than 800 gas-fired generators for Meta's El Paso data center in just 20 days without public notice. It is among at least 15 Texas data center power projects fast-tracked through streamlined permitting procedures.⁸²



Major sources generally face a more standardized federal compliance regime, including requirements for monitoring, recordkeeping, reporting, compliance certification, and enforceable permit terms that help regulators determine whether a facility is following the law.⁷⁴ Minor-source permits can also include enforceable limits and monitoring requirements, but those requirements vary by state and generally do not provide the same standardized level of ongoing federal compliance oversight.^{38,74} When a large data center is covered by multiple smaller permits, regulators may therefore have less complete, consolidated information about its total emissions, making potential violations harder to identify and address.⁸³

EPA is also reducing monitoring and other compliance safeguards for some of the equipment data centers can use to generate power. Its 2026 turbine rule created a special category for small and medium temporary turbines that can remain at a site for up to two years with reduced monitoring and reporting requirements.⁴¹ Those requirements matter not only for estimating pollution, but for determining whether equipment is operating as permitted and whether pollution limits are being met. EPA projects that by 2032 the final rule will cut up to 296 tons of nitrogen oxides annually, about 89% less than the 2,659 tons projected under the stronger 2024 proposal.^{41,94}

EPA has also said that fully off-grid private power facilities generally fall outside the Acid Rain Program, a federal power-plant pollution program. Under EPA's interpretation, qualifying facilities are not subject to the program's permits, sulfur dioxide allowance requirements, applicable nitrogen oxide limits, or standardized federal emissions monitoring and reporting. For qualifying facilities, that means regulators and the public lose a uniform federal system for tracking key power-plant emissions and determining compliance with those requirements.^{72,78,101}

Backup and on-site power can become routine power

In 2025, EPA determined that a utility demand-response program qualified under an existing allowance for emergency backup engines to operate for limited non-emergency grid-support purposes, and publicized that determination as supporting AI and data-center growth.⁶ DOE emergency orders show how equipment described as “backup” can become part of grid support during periods of high demand.⁴² Their use during heat waves and other periods of grid stress adds smog-forming nitrogen oxides and fine-particle soot pollution at times when extreme heat and existing air pollution already place people at greater risk.^{40,43}

Community and civil rights groups allege that xAI and its subsidiary installed and operated dozens of temporary or mobile gas turbines in Southaven, Mississippi, to power xAI data centers across the state line in Memphis without required Clean Air Act permits.⁴⁴ The company and Mississippi regulators dispute that a permit was required.⁵⁸ Separately, a 41-turbine permanent plant at the Southaven site received a state air permit in March 2026. An analysis estimated that the permanent plant could cause \$30 million to \$44 million in annual health damages, including illness, premature deaths, and missed school days.³¹

The dispute illustrates why clear permitting requirements and consistent enforcement become more important as equipment labeled “backup,” “temporary,” or “mobile” is used more extensively to supply power. If regulators do not clearly determine when that equipment must be permitted and enforce those requirements, large sources of pollution can operate without the oversight that would otherwise apply.

Less federal enforcement when protections are needed

Federal enforcement should be the first line of defense when pollution laws or permit requirements are violated. Yet EPA is placing new constraints on its own enforcement staff at power plants and other energy facilities. A March 2025 EPA memo directs enforcement staff to use added restraint toward energy and power facilities and requires senior approval for actions that would “unduly burden or significantly disrupt” energy production or power generation, terms the memo does not define.¹⁹ That extra layer of review could discourage or delay enforcement action to correct pollution violations.

In the first year of the second Trump administration, DOJ filed only 16 civil complaints in cases referred by EPA, a historic low according to an Environmental Integrity Project review of federal court records.¹⁸ That was 76% fewer than during the first year of the Biden administration and 81% fewer than during the first Trump administration.

DOJ seeks broader power to end citizen pollution suits

In the Southaven litigation described above, DOJ has asked the court to dismiss the community groups’ lawsuit and argues that the federal government can step into Clean Air Act citizen suits and have them dismissed even without bringing its own enforcement case. If the court accepts that argument, it could make it harder for people and organizations to use the Clean Air Act to challenge alleged pollution violations in other cases as well.⁵⁸

When federal enforcement is reduced and citizen suits are challenged, communities have fewer tools to prevent violations or secure remedies.

At least 30 federal actions are increasing pollution-related health risks

Since January 2025, EPA, the White House, Congress, and other parts of the federal government have taken or proposed at least 30 actions that, together, increase pollution-related health risks as data centers expand. Seventeen explicitly target AI or data centers; others affect how data centers are powered, what pollution safeguards apply, how projects are approved, and how federal requirements are enforced. The table below documents 30 policy categories. Several rows combine multiple closely related federal actions and are marked †, so the underlying number of individual actions is greater than 30. The separate enforcement trend is not counted.

★ Explicitly cites or targets AI or data centers in the action itself or in an agency statement specifically describing or justifying that action.

† Combines multiple related federal actions.

Federal action or trend	Status	What changed
More polluting power		
1. Federal restrictions on clean-energy funding, tax credits, and permitting †	Executive actions / enacted law / agency implementation	Paused or cut federal clean-energy support, imposed additional reviews on wind and solar projects, and accelerated the termination of major wind and solar tax credits. ^{67–69,77}
2. ★ White House order promoting coal expansion for AI	Final executive order	Directed agencies to remove federal barriers to coal production and generation and identify opportunities to expand coal-fired infrastructure to power AI data centers. ¹⁰⁴
3. ★ White House/DOE orders keeping fossil plants available or operating longer †	Final executive order / final emergency orders	Directed DOE to streamline emergency authorities amid rising electricity demand, including from AI data centers, and issued multiple orders requiring fossil-fueled units to remain available or operate longer. ^{47,48,105}
4. ★ EPA policy easing restart of long-idled facilities (New Source Review reactivation)	Final memo	Made it easier for some long-idled facilities to restart without triggering the major air-permitting requirements that apply to newly constructed sources. ^{36,106}
5. ★ EPA proposed repeal of power-plant carbon standards	Proposed	Would eliminate federal carbon pollution standards for fossil-fueled power plants. ³
6. ★ White House/EPA mercury and air toxics exemptions and rollback †	Presidential proclamation / final rule	Temporarily exempted listed coal plants from stronger requirements, then repealed the stronger 2024 mercury and air toxics standards nationwide. ^{24,45}
7. ★ EPA coal-plant wastewater delays and rollback †	Final rule / proposed rule	Extended compliance deadlines for several coal-plant wastewater requirements and proposed weaker limits for unmanaged coal-ash leachate, while citing AI and data center demand. ^{4,25}

Federal action or trend	Status	What changed
More polluting power		
8. EPA coal-ash cleanup delays and rollbacks †	Final rule / proposed rules	Extended deadlines for newly regulated coal-ash units and proposed additional relief, including longer closure timelines. ^{5,75,76}
9. EPA oil-and-gas pollution safeguard changes †	Final rules / guidance / proposed rule	Extended deadlines and relaxed some requirements under the 2024 oil-and-gas standards, including flaring provisions, while reconsidering additional requirements and proposing changes to air toxics standards for oil and gas production, transmission, and storage. ^{95–98}
10. EPA proposed rollback of interstate smog protections (Good Neighbor Plan)	Reconsideration / proposed	Proposed changes that would allow eight states to avoid Good Neighbor Plan requirements without making additional pollution cuts. ⁴⁶
11. EPA actions against the stronger soot standard (PM2.5)	Litigation / implementation	Has sought to undo the stronger 2024 health standard and delayed required steps to put it into effect. ^{35,92}
12. EPA proposed rollback of ozone cleanup requirements	Proposed	Would eliminate some outstanding state clean-air requirements for areas that failed to meet ozone standards. ³⁷
13. EPA Regional Haze delays and policy changes †	Final rule / final guidance / implementation	Extended by three years the deadline for states to submit their next plans for reducing visibility-impairing pollution and changed federal policy in ways that could make it easier for some coal plants to keep operating longer. ^{93,107}
14. EPA proposed end to greenhouse gas reporting	Proposed	Would end greenhouse gas reporting for most large facilities and suppliers, reducing public information about emissions from the power system. ¹⁰
15. ★ EPA data-center backup-engine interpretation	Final regulatory interpretation	Confirmed that a utility demand-response program qualifies under an existing allowance for limited non-emergency operation of emergency backup generators, and promoted the decision as support for AI and data centers. ⁶
16. ★ DOE order allowing backup generators to support the grid	Final emergency order	Authorized grid use of backup generation at data centers and other major facilities during emergencies. ⁴²
17. ★ EPA weaker requirements for temporary turbines	Final rule	Created a special category for small and medium temporary turbines that can remain on site for up to two years with substantially reduced monitoring, recordkeeping, and reporting requirements. ⁴¹
18. ★ EPA guidance excluding fully off-grid private power from the Acid Rain Program	Guidance memorandum	Said qualifying private power facilities fully disconnected from the public grid generally fall outside Acid Rain Program permits, emissions requirements, and standardized monitoring and reporting requirements. ^{72,78}

Federal action or trend	Status	What changed
Approvals before answers		
19. ★ White House order fast-tracking AI data-center permitting	Final executive order	Ordered faster federal approvals and directed agencies to identify, adopt, or create categorical exclusions for qualifying data-center projects. ⁷
20. Federal narrowing of environmental review and EPA project comments †	Final / proposed / guidance	Removed government-wide NEPA regulations, proposed narrower EPA environmental-review procedures, and limited EPA's formal comments on major projects led by other federal agencies. ^{8,49,73}
21. ★ EPA proposed end to federal public-input minimums for smaller air permits	Proposed	Would eliminate federal minimum requirements for public notice and comment on permits for smaller pollution sources under the minor New Source Review program, including permits that can cover data-center generators. ^{32,38}
22. ★ EPA changes allowing some construction before major air permits †	Final guidance / proposed rule	Allowed certain non-emitting construction activities to begin before a required major air permit is issued, then proposed expanding and codifying that approach for data centers, power plants, and other major projects. ^{9,108}
23. EPA guidance allowing permits before pollution offsets are secured	Final guidance	Allows some major projects in areas that do not meet federal air-quality standards to receive air permits before required pollution offsets are secured, though the offsets must be in place before operation. ³⁹
24. EPA withdrawal of Project Emissions Accounting safeguards	Final withdrawal	Withdrew a proposal that would have required stronger monitoring and made emissions reductions used to avoid major air permitting enforceable. ⁹⁰
25. ★ EPA reinstatement of Actual-to-Projected-Actual New Source Review policy	Final memo	Gave companies more latitude to rely on projected future emissions when deciding whether an expansion requires major air permitting. ^{91,106}
26. EPA/Army Corps narrowing of Clean Water Act coverage †	Final guidance / proposed rule	Issued guidance and proposed further changes that would leave some wetlands and other waters outside federal Clean Water Act jurisdiction, allowing dredge-and-fill activities affecting those waters to proceed without a federal permit. ^{17,109}
27. ★ Army Corps streamlined water permit explicitly covering data centers	Final permit action	Expressly named data centers as examples of commercial development covered by Nationwide Permit 39, a streamlined permit that does not provide project-specific public notice and comment. ⁵⁷
28. ★ EPA priority reviews for data-center chemicals	Agency review-priority policy	Gives chemicals used in qualifying data-center projects priority in EPA's review queue without publicly showing how faster reviews will maintain the same level of scrutiny. ²²

Federal action or trend	Status	What changed
Less federal enforcement when protections are needed		
29. EPA memo directing added restraint in energy enforcement	Final memo	Directs enforcement staff to use added restraint and requires senior approval for actions that could “unduly burden or significantly disrupt” energy production or power generation. ¹⁹
30. ★ DOJ position seeking authority to dismiss Clean Air Act citizen suits in xAI case	Litigation position	Argues that the federal government may intervene in and dismiss Clean Air Act lawsuits brought by citizens even without bringing its own enforcement action. ⁵⁸
Trend: Decline in federal civil judicial enforcement	Enforcement trend	DOJ filed only 16 civil environmental complaints in cases referred by EPA during the administration’s first year, a historic low according to an Environmental Integrity Project review of federal court records. ¹⁸

What communities deserve before projects move forward

Communities deserve clear information, meaningful public input, an honest accounting of costs and benefits, and enforceable protections before decisions about proposed data centers are made. Promises of jobs, tax revenue, or infrastructure investment should not replace safeguards for health, water, air, and quality of life. State and local actions matter, but they cannot replace strong federal pollution standards, permitting requirements, disclosure, and enforcement.

Local authority over zoning and land use does not necessarily give a community equal bargaining power with a large developer. Strong federal environmental requirements help ensure that basic health protections do not depend on a community’s resources or negotiating leverage.

As data centers expand rapidly, communities are being asked to make high-stakes decisions with limited information and little opportunity to shape projects before major commitments are made. Against that backdrop, many are turning to pauses or restrictions on new development. A July 2026 review found that more than 500 county and municipal governments had adopted restrictions severe enough to effectively block new data centers, most since the beginning of the year.⁸¹

EPA leadership has pushed back against those efforts. In July, Administrator Zeldin called New York’s statewide data center moratorium an “easy way to cop out.”¹⁰² In August, he warned against state moratoriums more broadly, arguing that the United States must continue building data centers to win the AI race with China.⁸⁹ At the same time, EPA is proposing to reduce public participation and environmental review and to allow non-emitting parts of major projects to be built before required air permits are issued.^{9,38,73}

At a minimum, every community deserves:

- **Full transparency:** Disclosure should cover the entire project and supporting infrastructure, including on-site and off-site power, water use, pollution, noise, infrastructure demands, public subsidies, and pollution already affecting nearby residents. Projects should not be split into phases that obscure their total effects, and nondisclosure agreements or claims of confidential business information should not hide information communities need to assess health, environmental, and financial consequences.

- **The right to say no or require stronger conditions:** Opportunities for public input should be well publicized, accessible to affected communities, and early enough to influence whether a project proceeds and what conditions apply. Relevant information should be available before hearings or comment periods begin, not after major commitments have been made.
- **No cost-shifting to the public:** Developers and the companies they serve should bear the costs of pollution controls, monitoring, cleanup, infrastructure, and long-term environmental obligations. Economic benefits should not justify shifting pollution, health, utility, water, or infrastructure costs onto residents, small businesses, or local governments.
- **No pollution loopholes:** “Temporary,” “backup,” “mobile,” or “emergency” labels should not allow equipment to avoid the permits, pollution limits, monitoring, or controls warranted by how it is actually used and by the pollution it produces together with other equipment at the facility.
- **Protection for water, air, and long-term health:** Projects should not depend on weaker pollution rules, extended operation of highly polluting power plants, or depleted water supplies, or leave the public with stranded infrastructure or cleanup costs. Reviews should consider the combined effects of the data center, its on-site power, supporting infrastructure, and pollution already affecting nearby residents.
- **Enforceable commitments:** Promises about emissions, water use, generator runtime, noise, cleanup, infrastructure costs, public benefits, and community protections should be binding and publicly reported. Violations should carry meaningful consequences, and agreements should assign responsibility if a project closes, scales back, or leaves costs behind.

For more information, communities can use [EPN’s Data Center Resource Directory](#). EPN’s Technical Assistance team is also [available to help](#) communities understand proposed projects, permits, and potential pollution and health impacts.

What EPA should do now to protect people’s health

Families and communities cannot manage these risks alone. EPA should prevent pollution at its source, require companies to disclose and control their emissions, and enforce the law before harm occurs.

EPA should:

- Put its public-health mission ahead of advancing AI infrastructure and stop using data center demand to justify weaker safeguards.
- Restore and enforce safeguards for soot, mercury and air toxics, interstate ozone pollution, oil-and-gas pollution, coal wastewater, and coal ash, and retain power-plant carbon standards.
- Require key pollution requirements to be settled before construction or operation, with meaningful public participation before major commitments are made.
- Evaluate the combined pollution from on-site power equipment and related project phases, prevent developers from splitting projects into separate phases or permits in ways that obscure the project’s total emissions or allow the project to avoid more stringent review, and require monitoring, disclosure, and enforceable limits.

- Preserve public emissions reporting and make priority chemical reviews transparent, science-based, and protective, including disclosure of which chemicals receive expedited review, what risks EPA evaluated, and how faster reviews will maintain the same scientific rigor and safeguards.
- Fully enforce federal pollution laws, revoke the March 2025 memo restricting EPA enforcement at power plants and other energy facilities, and oppose restrictions on citizen enforcement when regulators fail to act.
- Apply protective standards to all power sources and work with other agencies to meet data center needs through cleaner energy, efficiency, cooling, and demand-management approaches that minimize pollution, health risks, and water use.

The bottom line

Concerns about electricity bills, water supplies, and local impacts are only part of the story. Pollution from power plants, diesel generators, and gas turbines supporting data center growth also means more asthma attacks, missed work and school, premature deaths, and higher medical costs. Yet the administration is using rising data center demand to justify some pollution rollbacks while accelerating approvals and weakening safeguards.

Communities deserve clear information, enough time to weigh the consequences, and a meaningful say in whether a project moves forward and under what conditions. State utility regulators are beginning to adopt special rate structures intended to make large data centers bear more of the costs they create.^{53,54} Local governments are also addressing zoning, water use, noise, and disclosure.^{55,56} Those efforts matter, but they cannot replace EPA's responsibility to set and oversee national pollution safeguards, preserve transparency and public participation, and enforce federal law.

This report has shown that the choice does not have to be between developing AI and protecting public health. We know how to build and power data centers without locking in more pollution. What is missing is the political will to make that the standard. Companies driving the buildout should control and disclose their emissions, meet enforceable limits, and bear the costs of preventing harm. EPA should set and enforce standards that require them to do so, not weaken the safeguards that protect the public. As AI development moves forward, families and communities should not be made to pay with their health.

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About The Environmental Protection Network

The Environmental Protection Network is a nonpartisan organization comprising more than 800 former EPA scientists, toxicologists, chemists, biologists, engineers, and policy analysts — many of whom spent decades as career experts inside the agency. They assessed cancer and developmental risks, studied links between pollution and fertility and chronic disease, investigated contaminated communities, and brought enforcement actions to hold corporate polluters accountable. EPN was founded in 2017 to serve as an independent voice promoting science-based policies that protect families' health.

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