

SUPPORT SB288

Topic: Data centers; noise abatement. Provides that any local government land use application required for the siting of a data center shall be approved only in accordance with certain notice and noise abatement requirements. The bill provides that residents within a half-mile radius of the parcel shall receive notice of the proposed data center and that the data center operator shall hold two neighborhood meetings. The bill requires a data center operator to design and build the data center to incorporate sound mitigation methods sufficient to prevent the sound levels emanating from the data center from exceeding the ambient noise levels that were observed in a baseline study, as determined by a third-party acoustic engineer. The bill also provides that upon issuance of a certificate of occupancy, and for five years thereafter, the data center operator shall conduct a noise study performed by a third-party acoustical engineer to document noise levels emanating from the data center measured at the property line of the nearest property to the data center property that is planned or zoned for residential land uses, or other noise sensitive use as reasonably determined by the locality, during peak operation of the data center mechanical equipment. The bill also provides that if the data center operator intends to use backup power generators on the parcel, the operator shall maintain a public website announcing the times when the generators will be in operation.

Bill Patron: Senator Roem

OVERVIEW:

This bill addresses the issue of noise from data centers that has been affecting residents in Loudoun and Prince William County. It puts in place minimum noise abatement standards that localities must include when considering a local land use application for the siting of a data center. These minimum standards include:

- Notice requirements for residents within ½ mile radius of the parcel
- The data center operator to schedule two neighborhood meetings with residents
- A preconstruction baseline sound study conducted by a third party acoustic engineer
- Integration of sound mitigation methods into building design to prevent noise impacts
- A postconstruction sound study conducted by a third party acoustic engineer
- Backup generator maintenance is limited to 9am to 5pm, Mon-Fri. and notice 24 hours in advance must be provided to locality.

REASONS TO SUPPORT:

- Residents have increasingly had to deal with noise impacts from data centers.
- The health impacts of continuous noise exposure include stress related illnesses, high blood pressure, sleep disruption, and mental health impacts.
- Localities have not adequately addressed this issue in permitting data center facilities and even newer facilities brought online are causing problems.



Piedmont Environmental Council
Julie Bolthouse
jbolthouse@pecva.org
540-347-2334 x7042



Virginia Conservation Network
Wyatt Gordon, Land Use & Transportation
Policy Sr. Manager
wyatt@vcnva.org
Wyatt: (804) 429-7765

This position was taken by Virginia Conservation Network (VCN)'s Legislative Committee and Board of Directors and is supported by Virginia's conservation community. For a complete list of VCN positions, visit www.vcnva.org/bill-tracker. VCN is committed to building a powerful, diverse, and highly-coordinated conservation movement focused on protecting our Commonwealth's natural resources today and for tomorrow.