

§ 286. WATER USE; COOLING; PERMITTING; QUALITY

~~(c) If a person applying to operate a data center proposes to use groundwater to cool the data center, the data center shall obtain a groundwater withdrawal permit under 10 V.S.A. § 1418 for any withdrawal of groundwater by the data center notwithstanding the permitting threshold of withdrawal of more than 57,600 gallons of groundwater a day. A closed-loop cooling system is not exempt from the groundwater withdrawal permit under 10 V.S.A. § 1418(b)(6).~~

~~(d) If a person applying to operate a data center proposes to use surface water to cool the facility, an applicant shall obtain a surface water withdrawal permit pursuant to 10 V.S.A. § 1043. The rules adopted by the Secretary to implement 10 V.S.A. § 1043 shall require that data centers cease withdrawals under drought conditions.~~

(ec)(1) A person applying to operate a data center shall obtain all applicable water quality and water resource protection permits from the Agency of Natural Resources, which may includeing stormwater, shoreland, stream alteration, direct discharge, surface water withdrawal, groundwater withdrawal, wetland and river corridor development permits.

ALTERNATIVE (c)(1): A person applying to operate a data center shall obtain all applicable permits from the Agency of Natural Resources.

~~(2) A person applying to operate a data center shall obtain from the Agency of Natural Resources a water quality certificate from the Agency that meets the same criteria that the Agency requires to be met to obtain a federal Clean Water Act Section 401 water quality certification.~~

~~(fd) The intentional addition of PFAS to water discharged from a data center as defined in 30 V.S.A. § 283(1) shall be prohibited in Vermont. “Intentional addition” shall have the same meaning as the term “intentionally added PFAS” in 9 V.S.A. § 2494e(10) A person applying to operate a data center who intends to discharge wastewater into a surface water of the State shall submit a plan to the Agency of Natural Resources establishing a program that monitors the discharge for the presence of PFAS.~~