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September 22, 2026

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SHERRILL ADMINISTRATION ISSUES RECORD \$1 MILLION FINE TO DATAONE DATA CENTER IN VINELAND FOR BUILDING AND OPERATING 62 POWER GENERATORS WITHOUT DEP PERMITS <<

(26/P44) TRENTON – The New Jersey Department of Environmental Protection today announced that it has fined the DataOne data center in Vineland, Cumberland County, \$1.07 million for violations of the New Jersey Air Pollution Control Act for installing and operating 62 large natural-gas power generators without the requisite DEP permits.

The DEP’s [Administrative Order and Notice of Civil Penalty Assessment](#) (AONOCAPA) stems from a July 29 site inspection of the facility, during which the power generators were observed. The power generators were not observed during the DEP’s last previous site inspection in December 2025.

“This enforcement action – by far the largest ever taken against a data center in New Jersey and possibly one of the largest such actions in the nation – sends a clear message that these facilities will not be constructed or operated with impunity in this state,” **said DEP Commissioner Ed Potosnak**. “The Sherrill administration demands accountability and corporate responsibility in the construction and operation of data centers and is committed to putting in place legal and regulatory guardrails that protect ratepayers, communities and the environment.”

Natural gas generators emit carbon-dioxide, nitrogen oxides, carbon monoxide and other combustion-related pollutants. The AONOCAPA cites DataOne with violating the Air Pollution Control Act by installing and operating 62 1,982-kilowatt stationary reciprocating generators (known as engines) without first obtaining a preconstruction permit and valid operating certificate. These approvals are required for any generator with 37-kw capacity or higher. The AONOCAPA orders DataOne to immediately apply for and obtain the required permits or cease operations.

The Sherrill Administration, recognizing the impacts data centers have on energy, water use and communities, is committed to a [comprehensive, four-pillar plan](#) to ensure the development of AI infrastructure in New Jersey is done responsibly and with protections in place for electricity ratepayers and host communities.

The comprehensive plan includes four key pillars:

- **Establishing fair-share rules** to ensure data centers bring new clean energy online and contribute to the grid infrastructure needed to support their growth, shifting costs away from residents and ratepayers rather than to them.
- **Improving transparency** starting with requiring reporting on energy and water use so the public has greater visibility into the impact of large-scale facilities.
- **Developing strong statewide standards for Community Benefits Agreements** and providing state resources to ensure municipalities can negotiate from positions of strength, ensuring data centers address impacts like light, noise, and pollution while making meaningful local investments.
- **Delivering good paying jobs** by ensuring these centers leverage local trades and pay prevailing wages.

On August 27, [Governor Sherrill signed legislation \(S3379/A4096\)](#) to increase transparency regarding the use of energy and water by data centers. The law requires data center owners and operators to submit semiannual reports to the New Jersey Board of Public Utilities (NJBPUs) detailing their water and energy use.

The reports will provide greater transparency into data centers’ demands on the state’s energy and water resources, including total energy consumption, energy used for cooling and information technology equipment, peak daily water use, water sources, and on-site and backup power supplies.

At that time, the Governor announced statewide guidance to help municipalities negotiate strong community benefits agreements (CBAs), as well as technical assistance from the New Jersey Economic Development Authority, DEP, and BPU for communities.

These actions follow the [signing of nation-leading legislation](#) in July that requires data centers to bring their own clean energy and establishes a separate rate class for these developments to shield other ratepayers from shouldering the costs of data center energy demand.

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Created: September 22nd, 2026