

OHIO COMMON GROUND RESEARCH CENTER

FACT-CHECK 001

Claims About Ohio EPA's Draft Data Center Wastewater Discharge Permit

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Status current through: July 14, 2026 (Ohio EPA permit docket and program status page)

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The Claim Under Review

A social media post circulating about Ohio's data center wastewater rules states, in relevant part:

“Data Centers in Ohio are preparing to discharge their water usage directly into lakes and streams and the EPA is working on permits to let them do it. The Ohio EPA is drafting permits to let that wastewater flow straight into our lakes and streams. Five year permits, no guarantee of a sewage treatment plant on site, just straight into the river if that's what's nearby.”

Overall Finding

Ohio EPA has proposed a five-year, first-time general permit that, if finalized, would let qualifying data center facilities apply for authorization to discharge specified cooling-related wastewater and stormwater directly to eligible Ohio surface waters, including most rivers, streams, and Lake Erie, without routing that wastewater through a treatment plant. The core elements of the claim under review are supported by Ohio EPA's own permit documents. Two elements go beyond what available sources document: the assertion that data centers generally are already preparing to use this permit, and the description of the missing safeguard as a “sewage treatment plant” specifically, when the permit does not cover sanitary sewage at all. As of this document's status date, the permit remains in draft form, and no facility can yet be authorized to discharge under it.

Background

On October 31, 2025, Ohio EPA publicly noticed a draft general National Pollutant Discharge Elimination System (NPDES) permit, designated OHD000001, for wastewater and stormwater discharges from data center facilities statewide. It is a first-time issuance — no general permit of this kind previously existed in Ohio for this industry sector. Ohio EPA held a public hearing on December 17, 2025, and accepted written comments through January 16, 2026. As of the most recent publicly available status update reviewed for this fact-check — written testimony from Ohio EPA Director John Logue to the Ohio House Select Committee on Data Centers, dated May 27, 2026 — the agency was still reviewing the comments received and had not announced a timeframe for a final decision. No final permit had been issued as of this document's status date.

General vs. Individual Permits, in Brief

An individual NPDES permit is developed for a single facility and typically receives site-specific technical review. A general permit instead sets standardized conditions for a class of similar facilities; an eligible operator applies by submitting a Notice of Intent and must receive written authorization from Ohio EPA before discharging. The draft permit reserves Ohio EPA's authority to require an individual permit instead, on a case-by-case basis, where site conditions warrant it.

Claim-by-Claim Review

Statement	Assessment	Basis
"Data Centers in Ohio are preparing to discharge their water usage directly into lakes and streams and the EPA is working on permits to let them do it."	Partly confirmed	The second half is confirmed: Ohio EPA has proposed a first-time statewide general NPDES permit (No. OHD000001) that would authorize qualifying data center facilities to discharge certain wastewater directly to surface waters. The first half overstates what is documented. Available sources do not identify a specific data center facility that has filed a Notice of Intent or is otherwise confirmed to be preparing to discharge under this draft permit. The permit creates an application pathway; it does not itself put any facility into discharge status, and no facility can be authorized until the permit is finalized.
"The Ohio EPA is drafting permits to let that wastewater flow straight into our lakes and streams."	Confirmed, with clarification	The draft permit authorizes discharge of specific wastewater categories — non-contact cooling water, low-volume wastewaters such as cooling tower blowdown and boiler blowdown, and associated stormwater — subject to numeric limits (pH, total filterable residue, residual chlorine/oxidants) and monitoring requirements (flow volume, oil and grease, temperature). "Lakes" should be read narrowly: the draft excludes discharge to any lake other than Lake Erie. It is not an unconditional authorization to discharge any wastewater without limitation.
"Five year permits."	Confirmed	The draft general permit is proposed for a five-year term, consistent with standard NPDES permit duration.

Statement	Assessment	Basis
"No guarantee of a sewage treatment plant on site, just straight into the river if that's what's nearby."	Accurate outcome, imprecise terminology	"Sewage treatment plant" is not the correct term for what this permit addresses. The draft permit's definition of covered "low volume wastewater" expressly excludes sanitary waste, and it separately excludes any discharge to a combined or sanitary sewer system from coverage altogether — this permit does not govern sanitary sewage at all. What is accurate is the underlying point: the permit does not require a facility to route its cooling-related wastewater through a treatment plant (municipal or on-site) before discharge; it substitutes permit-specified numeric limits and monitoring instead. Facilities may still need a separate Permit-to-Install for any treatment or control equipment used to meet those limits — general permit coverage does not itself approve such equipment.

Assessment categories describe the degree to which a statement is borne out by Ohio EPA's published permit documents and independent reporting. They describe fidelity to the documented record, not the merits of the underlying policy.

Concerns Raised by Residents and Advocacy Groups

The claim cites several categories of concern. Each is addressed below against the draft permit's own terms and the public comment record.

Concern	Basis
Thermal pollution — hot water can harm aquatic life	The draft permit's effluent table requires continuous daily monitoring of discharge water temperature at the main wastewater outfall, but sets no numeric maximum or minimum temperature limit for that outfall — monitoring is required, a temperature ceiling is not. This is a documented permit feature, not merely a characterization by critics. Whether an individual discharge produces harmful thermal effects depends on its volume, temperature, and the receiving water's conditions.
Chemicals — potential for biocides, metals, or other additives	What the permit regulates: numeric limits on total residual chlorine and total residual oxidants, plus an eligibility threshold excluding discharges averaging more than 100 micrograms per liter of specified volatile organic compounds. Any other treatment or cooling additive requires separate written approval from Ohio EPA before use. What commenters say it omits: baseline water-quality testing before discharge begins and concentration limits for PFAS, nutrients, and metals generally. Ohio EPA's response: the agency has stated it does not consider data centers a likely PFAS source.

Concern	Basis
Massive withdrawals and discharges strain local water bodies, especially during droughts	This permit authorizes discharge, not withdrawal; it is analytically distinct from water-supply or drought-management regulation. The draft does include one withdrawal-adjacent finding — Ohio EPA determined covered facilities meet the federal Clean Water Act's "Best Technology Available" standard for minimizing harm from cooling-water intake structures, based on their low withdrawal rates — but that provision addresses intake-structure design (e.g., fish and organism impacts), not aggregate withdrawal volume or drought-period water availability. Data centers' water intensity for cooling is documented as a broader industry concern in independent reporting, but available sources do not quantify drought-period strain specifically attributable to this permit.
Environmental groups (e.g., Great Lakes groups) warn of risks to drinking water, recreation, and ecosystems	Confirmed. The Alliance for the Great Lakes, Ohio Environmental Council, Environmental Law & Policy Center, and Mississippi River Collaborative jointly submitted formal comments opposing the draft permit, citing risks to the Lake Erie watershed, drinking water sources, and aquatic ecosystems.

What the Draft Permit Additionally Provides

Independent of the claim under review, several terms in the draft permit are relevant context for readers evaluating it:

- Discharges may not occur within 500 yards upstream of a public water supply intake, into groundwater, into any lake other than Lake Erie, or into Outstanding State Waters, Superior High Quality Waters, and similarly designated protected waters.
- The draft invokes a specific regulatory provision — Ohio Administrative Code rule 3745-1-05(D)(1)(j) — to determine that a lowering of water quality is necessary to accommodate economic development, and states that this provision excuses the agency from the technical-alternatives and social-and-economic review otherwise required before allowing such degradation. Ohio EPA has told press outlets this type of finding is standard language used across many categories of NPDES permits, not language written specifically for data centers; the underlying regulatory exemption from alternatives review, however, is a documented feature of how this determination was reached, not merely boilerplate phrasing.
- A Permit-to-Install (PTI), a separate approval from the discharge permit itself, is required before a facility installs or modifies the treatment or control systems used to meet the general permit's discharge limits. Coverage under the general permit does not itself approve such equipment.
- Ohio EPA has stated in response to press inquiries that it does not consider data centers a likely source of PFAS.
- As of Ohio EPA's May 2026 legislative testimony, the agency had issued one individual NPDES permit for a data center to date, and had issued 30 related Permits-to-Install with 5 more under review. Ohio EPA's testimony describes PTIs as covering infrastructure that conveys wastewater either to surface water or to a municipal treatment system, so the 30 figure should not be read as 30 facilities discharging directly to surface waters. It does indicate that individual, facility-specific permitting and infrastructure approval for this sector already occurs; the pending general permit

would add a streamlined, statewide alternative pathway rather than create discharge authority that does not currently exist.

What This Fact-Check Does Not Determine

This document does not determine whether Ohio EPA should issue the permit, whether its limits are environmentally sufficient, or whether any future covered discharge would cause measurable harm. Those questions depend on technical review of individual facilities, discharge volumes, receiving-water conditions, cumulative impacts, and the terms of any final permit — none of which are resolved while the permit remains in draft form.

Sources

Sources are grouped by type. Primary government documents and formal public comments carry the most direct evidentiary weight for permit terms and process; advocacy materials document organizational positions and predicted harms, not independently verified outcomes.

Primary Government Documents

- [Ohio EPA, Draft NPDES General Permit for Data Center Facilities \(Permit No. OHD000001\), full permit text](#)
- [Ohio EPA, Fact Sheet — Draft General Permit OHD000001](#)
- [Ohio EPA, Public Notice — Draft General Permit OHD000001 \(Oct. 31, 2025\)](#)
- [Ohio EPA, “Wastewater and Stormwater Discharges from Data Centers — General Permit” \(program status page\)](#)
- [Ohio EPA Director John Logue, written testimony to the Ohio House Select Committee on Data Centers \(May 27, 2026\)](#)

Formal Public Comments (Regulatory Docket)

- [Environmental Law & Policy Center, Alliance for the Great Lakes, Ohio Environmental Council, Mississippi River Collaborative, et al., joint formal comment letter on Draft Permit OHD000001 \(Jan. 16, 2026\)](#)

Advocacy Materials

- [Alliance for the Great Lakes, “Tell Ohio EPA: New data center wastewater permit puts our waters at risk” \(public action alert\)](#)

Independent Reporting

- [GovTech, “Ohio EPA Considers Letting Data Centers Dump Wastewater” \(Dec. 19, 2025\)](#)
- [10TV, “Ohio EPA reviewing data center discharge permits amid water quality concerns” \(Jan. 6, 2026\)](#)
- [Circle of Blue, “Ohio EPA Considers ‘Lowering of Water Quality’ Necessary for Data Center Growth” \(Feb. 17, 2026\)](#)
- [WVXU, “Ohio EPA looks to streamline water permits for data centers”](#)
- [Marietta Times, “Ohio EPA reviewing draft permit to authorize limited increase in data center wastewater discharge” \(March 2026\)](#)
- [The Post \(Ohio University\), “Ohio EPA to review data center wastewater permit for river disposal” \(March 2026\)](#)