

ELS Roundtable Data Center Discussion With Senator Hansen and Councilman Carter

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On November 6, 2025, the Environmental Law Society (ELS) hosted a Roundtable Discussion on Data Center Development featuring New Castle County Councilman David Carter and Delaware Senator Stephanie Hansen. The discussion centered on Project Washington, a proposed hyperscale data center facility in New Castle County, Delaware. The ELS members and student attendees engaged in a lively discussion about the future of data centers and their impact on local communities.

Senator Hansen spoke about the state's role and the legislation she planned to introduce to protect ratepayers. This legislative session, Senator Hansen co-sponsored HB 233 with Representative Frank Burns, a bill to establish a separate rate for large energy-use facilities, such as data centers, and to mitigate the risk of costs being borne by other ratepayers. Hansen also sponsored SB 205, which, if enacted, will require any person or entity seeking to begin using, or currently using, 30 megawatts (MW) or more of electricity to first obtain a Certificate to Operate (COP) from the Public Service Commission to reasonably track energy use in Delaware.

Councilman Carter discussed how local zoning could protect host communities from the anticipated impacts of data centers, including noise, air impacts from diesel backup generators, and excessive water and electricity usage. Carter expressed his concern about the impacts of Project Washington and shared his experiences traveling to Loudoun County, VA, to learn more about data centers. Since this discussion, New Castle County has passed Ordinance 25-101, which establishes a framework to guide data center development.

Clinic attorneys Kelli Coles and Michael Adelson drafted a research paper entitled Data Centers in Delaware: A Policy Analysis, available on the Clinic webpage, that examines state legislation that may help Delaware legislators protect residents from the effects of data centers.