

Judge rejects Trump's wild claim EPA can dismiss data center pollution lawsuits

Elon Musk's SpaceXAI is stuck facing a lawsuit over alleged data center pollution after Donald Trump failed to convince a judge that his Environmental Protection Agency (EPA) has complete control over all Clean Air Act lawsuits and can dismiss any suit at whim.

Soon after unpermitted gas turbines were discovered powering Musk's giant Colossus data center in Memphis, Tennessee, the NAACP sued. Its lawsuit sought an injunction requiring xAI (which, following a merger, is known now as SpaceXAI) to use the best available pollution control technology when operating the turbines and ordering penalties up to \$124,426 per day per violation. Without such remedies, the turbines risked drastically spiking pollution in already vulnerable neighborhoods housing predominantly Black communities nearby, the NAACP argued.

To block the lawsuit, Trump tried to intervene, arguing that the EPA had the power to unilaterally dismiss lawsuits any time the president decides against enforcing the Clean Air Act. According to Trump, it would supposedly "not serve the public interest" if citizens were allowed to seek massive civil penalties to punish polluting AI firms that were trying to get data centers operational as fast as possible to support Trump's AI Action Plan.

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