



Written Testimony of Helena Volzer, Senior Source Water Policy Manager, Alliance for the Great Lakes

Submitted to the Technology and Innovation Committee, Ohio House of Representatives Hearing on HB 392, As Introduced

(submitted November 12, 2025)

Chairman Claggett, Vice Chair Workman, Ranking Member Mohamed, and esteemed members of the House Technology and Innovation Committee, my name is Helena Volzer, and I am submitting written testimony in opposition to House Bill 392 on behalf of the Alliance for the Great Lakes (AGL). I hold a bachelor's degree in political science and international studies from Wright State University as well as a law degree from Case Western Reserve University School of Law. As Senior Source Water Policy Manager at AGL, I bring a depth of knowledge and legal experience to AGL's water resources policy work in Ohio as I previously spent over a decade serving the Ohio General Assembly as an attorney at the Ohio Legislative Service Commission, conducting research and drafting and analyzing legislation on environment, natural resources, agriculture, and transportation and public safety related matters.

AGL is a nonpartisan non-profit organization working throughout the Great Lakes region to protect our most precious resource: the fresh, clean, natural waters of the Great Lakes. As you may know, [AGL recently released a report](#) examining the increase in demand for Great Lakes water from several sectors including large water users such as data centers. We invite you to review the report and would welcome an opportunity to discuss it with you further. As outlined in the report, our water resources are finite and the lack of transparency regarding the energy and water use of these facilities is a major challenge in predicting demand and planning for adequate supply, which may threaten the availability of water resources in the years ahead. Great Lakes' state groundwater management laws, including Ohio's, are currently also not designed to allow states to curb or limit groundwater use before an adverse resource impact occurs. It is for these reasons that we are particularly interested in HB 392 and how it may impact state and local governments' ability to address water use issues.

On behalf of AGL and our thousands of supporters throughout the state of Ohio and the Great Lakes Region, we respectfully oppose HB 392, as we believe questions concerning water resources have not adequately been considered and addressed. We look

forward to engaging with your offices regarding this legislation and appreciate the opportunity to provide feedback for consideration at this stage.

1. State administrative agencies may be limited by this bill in planning and inventorying groundwater resources and in responding to excessive or inappropriate groundwater use.

HB 392 prohibits not only political subdivisions, but also **state agencies** from enacting adopting, enforcing, or maintaining any law, rule, regulation, permit requirement, or other administrative practice that restricts or prohibits any person’s lawful use, development, deployment, or possession of a computational resource unless the restriction is narrowly tailored to achieve a compelling governmental interest. The bill further defines a government interest as one “of the highest order” that cannot be achieved without burdening the lawful use of computational resources.

However, the Ohio Department of Natural Resources (ODNR) Division of Water Resources is specifically charged with managing Ohio’s water resources. For example, R.C. 1521.16 requires any owner of a facility with the capacity to withdraw water at a capacity of more than 100,000 gallons per day to register with the Division. It is a fourth-degree misdemeanor to fail to register such a withdrawal. If a data center failed to register, and the Division of Water Resources sought to enforce that registration requirement, would that enforcement survive the standard set by HB 392? Is enforcing the registration requirement a government interest of the highest order? Is the requirement narrowly tailored to that interest?

If HB 392 were enacted, these questions would ultimately be for a judge, not ODNR, to resolve. However, this high standard as applied to data centers could place the state’s ability to proactively inventory and manage its water supplies in jeopardy. It also applies this heightened standard to only one specific type of industry.

2. HB 392 arbitrarily limits local authority to consider data center development.

In recent months, Ohio communities such as Jerome Township have enacted temporary moratoria to allow more time to consider the merits and potential impacts of data center proposals. If HB 392 were enacted, it would appear to prohibit communities from utilizing such a measure and potentially expose a community to liability for doing so – but, why? If a community would like more time to consider and evaluate impacts, why restrict the authority of that community to do so? Again, whether a temporary moratorium would survive the compelling government interest standard set by HB 392 would be for a judge to determine, but it would likely serve as a deterrent to communities considering one for fear of liability.

3. HB 392 does not consider potential future environmental impacts.

HB 392 appears to severely narrow the ability of state agencies and local governments to respond to any kind of unforeseen impact caused by a data center, including one that violates existing environmental laws. We cannot predict exactly what kind of future public health or environmental impact a data center may present tomorrow, nor what kinds of laws or regulations may be violated in the future. Why does the bill seek to narrow the ability of state agencies and local governments to react to such unforeseen impacts?

I sincerely appreciate your consideration and review of this testimony and would welcome the opportunity to discuss it with you further.

Respectfully submitted,

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