Citizen Suit Action/Clean Air Act: Southern Environmental Law Center Notice of Intent to Sue Memphis, Tennessee Data Center



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

06/23/2025

The Southern Environmental Law Center ("SELC"), on behalf of the National Association for the Advancement of Colored People, sent a June 17th Notice of Intent to Sue ("Notice") to various entities stated to be associated with a data center.

The Notice references the Colossus data center located in Memphis, Tennessee.

The entities referenced in the Notice include:

- CTC Property LLC
- CTC Holding LLC
- X.AI Corp.

(Collectively, "Entities").

The Notice alleges that the Entities have installed and operated at least 35 combustion turbines at the Colossus site without obtaining the necessary preconstruction or operating permits. The turbines are alleged to have the potential to emit more than 2,000 tons of nitrogen oxides per year and other pollutants.

The Greater Memphis Chamber and Memphis Mayor are cited in the publication Daily Memphian as stating that the facility has operated the turbines at the data center legally. They cite an exemption to the emission standards that is argued to allow turbines to run up to 364 days without a permit. Further, the Shelby County Health Department Director is cited in the same article as stating that her agency does not have jurisdiction over the turbines until after the 364 days have elapsed.

SELC attorneys are referenced as arguing that the exemption does not apply to the Entities.

A copy of the Notice can be downloaded here.