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Congress of the United States
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COMMITTEE ON TRANSPORTATION AND
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SUBCOMMITTEE ON HIGHWAYS AND TRANSIT
SUBCOMMITTEE ON WATER RESOURCES
AND ENVIRONMENT
COMMITTEE ON HOMELAND SECURITY
SUBCOMMITTEE ON COUNTERTERRORISM
AND INTELLIGENCE

October 2, 2026

The Honorable Ed Potosnak
Commissioner
New Jersey Department of Environmental Protection
P. O. Box 420
Trenton, NJ 08625

Dear Commissioner Potosnak:

I write to express my concern about the recent fuel spill at the Equinix data center in Secaucus that contaminated nearby waterways. Over the last decade, several data centers have experienced large-scale fuel spills, including several in New Jersey. In 2017, roughly 600 gallons of fuel spilled into Clifton's storm drains from the Digital Realty EWR21 Data Center.¹ Then, in 2022, more than 1800 gallons leaked from an Equinix-owned data center in North Bergen.² Now, just weeks ago, Secaucus has experienced the largest data center diesel spill on record in our state. Residents and local officials deserve to know how this happened, what damage it caused, and what safeguards will keep this from happening again.

Secaucus and the surrounding communities have a long history of dealing with pollution. Decades of contamination from manufacturing plants and landfill runoff into the Hackensack River prompted the U.S. Environmental Protection Agency to designate the Lower Hackensack River as a Superfund site in 2022.³ The river is already undergoing a major cleanup after those years of contamination.⁴

Against that backdrop, the September 11 spill is especially alarming. According to public reports, roughly 5,500 gallons of diesel fuel escaped the Equinix data center into a creek and

¹ U.S. COAST GUARD NAT'L RESPONSE CTR., 2017 REPORT, <https://nrc.uscg.mil/FOIAFiles/CY22.xlsx> (last accessed Sept. 30, 2026) (noting that "approximately 500-600 gallons of fuel oil discharged from an overflow vent on an underground storage tank . . . possibly due to an automatic control failure").

² U.S. COAST GUARD NAT'L RESPONSE CTR., 2022 REPORT, <https://nrc.uscg.mil/FOIAFiles/CY22.xlsx> (last accessed Sept. 30, 2026) (noting that the "cause of the release is due to equipment failure").

³ See New Jersey Dep't of Enviro. Protection, *Restoring the Lower Hackensack River: Investigation and Cleanup Under EPA's Superfund Program*, www.dep.nj.gov/hackensack-river-cleanup/ (last accessed Sept. 30, 2026).

⁴ *Id.*

tributary connected to the Hackensack River.⁵ The spill reportedly occurred during an automated fuel-recycling process and has been attributed to a “computer glitch.”⁶

Three weeks later, the public still lacks a full accounting of the spill’s impact on local waterways and wildlife. The incident also raises broader questions about the environmental risks posed by data centers, including the storage and handling of large quantities of backup fuel. Those questions are particularly urgent here given the major federal cleanup underway on the Hackensack River.

I appreciate that NJDEP is working to investigate and address the spill. But NJDEP must provide a clear account of exactly what happened and what is being done to prevent another spill to ensure transparency and accountability. To that end, please provide answers to the following questions **no later than October 9, 2026**.

- 1) Please identify the best available timeline for when each of the following events occurred on September 11, 2026 and any days thereafter:
 - a) Equinix began its fuel recycling process.
 - b) The system failed, and fuel began spilling.
 - c) Equinix first identified the spill.
 - d) The flow of fuel was stopped.
 - e) Equinix first contacted emergency responders.
 - f) Equinix first notified NJDEP.
 - g) The emergency response team arrived on site.
 - h) Crews began containment efforts to prevent the diesel from spreading.
 - i) NJDEP first notified Secaucus officials about the spill and the response.
 - j) Any barges or other cleanup equipment that were removed from the site, and the basis for determining they were no longer needed.
- 2) Has NJDEP continued to brief Secaucus on the containment and cleanup? If so, please provide the dates of those communications. If not, please explain why.
- 3) Following the spill, has NJDEP required Equinix or other data centers to adopt human, on-site monitoring and other safeguards for automated fuel systems or other risks to the community? If so, please describe those requirements. If not, please explain why.
- 4) Has NJDEP determined whether diesel from the spill reached the Hackensack River? If so, please provide its findings and any information on remediation and cleanup.
- 5) When does NJDEP expect to complete its investigation and issue a final public report on the spill?

⁵ Christine Sloan, *Thousands of Gallons of Diesel Spill from AI Data Center in Secaucus, N.J.*, CBS News (Sept. 15, 2026), www.cbsnews.com/newyork/news/secaucus-nj-data-center-fuel-spill/.

⁶ Jack Ford, *Secaucus Mayor Says 'Computer Glitch' Cause of Thousands of Gallons of Diesel to Spill From Secaucus Data Center*, NY12 News (Sept. 14, 2026), www.newjersey.news12.com/2026/09/14/data-center-fuel-leak-sends-diesel-into-creek-connected-to-hackensack-river/3tCYGTdEFvwp5qujnGKO4J.

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NJDEP has a vital role in protecting New Jersey's environment and holding data centers and their owners accountable when safeguards fail. This spill in the Ninth District was the largest data center fuel spill on record in our state. The scale of this disaster demands a full accounting. We need to understand how it happened, ensure the cleanup is complete, and put protections in place to prevent another one happening again. Our residents deserve clear answers now.

Thank you for your attention to this matter. I look forward to your prompt response.



Nellie Pou

Member of Congress

New Jersey's 9th Congressional District