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Odor/Air Enforcement: Massachusetts Attorney General Files Judicial Action Against Grafton Animal Feed Dehydrator Operation

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The Massachusetts Attorney General (“AG”) on behalf of the Commonwealth of Massachusetts filed on October 16th a civil action in the Superior Court alleging that:

...Feedback Earth, Inc. (“Feedback Earth”) is generating noxious odors that spread from its animal feed dehydrator operation at its property in Grafton, Massachusetts (“Facility”) up to at least 4.6 miles away, adversely affecting neighbors’ quality of life and the use of their properties.

The alleged odors are stated to be an unlawful condition of air pollution and a public nuisance that violate the conditions of Feedback Earth’s permits to operate under the following statutes:

- Clean Air Act.
- Massachusetts Solid Waste Management Act.

The facility operated by Feedback Earth is located in Grafton, Massachusetts.

The facility is stated to process food waste into animal feed which is environmentally beneficial for both solid waste and climate goals.

The AG’s Complaint alleges that odors from the facility worsened when the company began to process lobster shells without permission from the Massachusetts Department of Environmental Protection. The odors are allegedly impacting residents’ ability to use their yards and open their windows for several miles around the facility.

The Complaint also alleges that the facility improperly stored food waste, processed spoiled food, and failed to notify the Massachusetts Department of Environmental Protection before making changes to its operations.

The AG is also seeking a permanent injunction to stop the alleged nuisance odors as well as civil penalties.

A copy of the Complaint can be found [here](#).

A copy of the Request for Preliminary Injunction can be found [here](#).