Order to Cease and Desist

June 1, 2020

Mr. Gary Less, Plant Manager
Rousselot
227 Washington Street
Peabody, MA 01960

Certified Mail 7015 1520 0003 2477 7500

Re: Nuisance Odors Emanating from Rousselot

Dear Mr. Less:

As you are aware, the Peabody Health Department continues to receive complaints about offensive odors emanating from the Rousselot facility. The complaints come from several areas of the city, including both the Emerson Park neighborhood and Lowell Street, Foster Street, Hourihan Street, Hingston Street and Washington Street residences and businesses. Inspectors from the Health Department, including myself, have confirmed the presence of nuisance odors in these locations on a number of occasions throughout 2019 and 2020. Most recently, upon numerous neighbors’ complaints and complaints from several city officials, Peabody Health Department inspectors Bill Pasquale and Randy Suckney substantiated and documented the presence of strong nuisance odors emanating from the Rousselot Plant at 227 Washington Street and into the neighborhoods described above. These nuisances occurred on the afternoon of May 29, 2020, at approximately 4:00 PM and the evening of May 30, 2020 overnight and into the morning of May 31, 2020.

The Peabody Board of Health reviews the complaint history at its regular public meetings. The Board acknowledges that Rousselot has attempted to address the nuisance odors over the past several years; however, the measures taken to date have failed to eliminate nuisance conditions.

The agent of the Board of Health has determined that Rousselot is in violation of Massachusetts General Laws, Chapter 111, section 122, Public Health Nuisances. The agent of the Board of Health has also determined that Rousselot is in violation of 310 CMR 7.00 Air Pollution Control Regulations, which prohibits air pollution via odor emissions at 310 CMR 7.09.

Order to Cease and Desist: In accordance with Massachusetts General Laws, Chapter 111, section 123, you are hereby ordered to cease and desist the creation of nuisance odors, effective immediately.

Penalty for Failure to Comply with Order: Failure to comply with the deadline set out above may result in this agency initiating criminal or civil proceedings against you. Any person convicted of failure to comply with the order shall be subject to a penalty of up to $1000 for every day during which he knowingly violates the order. Tickets in the amount of $1000 each will be issued for the violations documented on May 29 and May 30, 2020.

Right to a Hearing: You may request a public hearing before the Board of Health by filing with said Board within seven days after the day the order was served, a written petition requesting a hearing on the matter. At the hearing, you and any other affected parties will be given an opportunity to be heard and to show cause why the order should be upheld, modified or withdrawn. You also have the right to be represented, and to inspect and obtain copies of any inspection reports, orders, or other documents in the possession of the Board.

Sincerely,

Sharon Cameron
Director of Health and Human Services
City of Peabody

Cc: Board of Health, City Solicitor, Mayor’s Office, MassDEP