



August 14, 2009

Mr. Peter C. Lowitt
Land Use Administrator/Director
Devens Enterprise Commission
33 Andrews Parkway
Devens, MA 01434

RE: Evergreen Solar Update – Noise Compliance

Dear Mr. Lowitt:

As discussed and agreed at the May 7 open meeting of the Devens Enterprise Commission (the “DEC”), Evergreen Solar is providing this update on its efforts to reduce the noise levels in the neighboring area and bring its facility into compliance with the noise ordinance. This update is also provided in satisfaction of the reporting requirements specified in Conditions No. 5 and No. 6 of the Resolution adopted by the DEC on July 14, 2009 (the “DEC Resolution”).

We have completed all but one of the actions set forth in the Evergreen Solar Noise Abatement Plan dated July 13, 2009 (the “Abatement Plan”) and are in full compliance with the provisions of the DEC Resolution as required to be complied with through August 14, 2009. We are now focused on completing the last remaining abatement action, the ground mounted pumps for compressed gas deliveries, confirming that noise levels continue to comply with the applicable requirements, and working with the DEC to establish how the required so-called “stress test” for facility noise will be completed.

Noise Level Update – Our sound consultants, Cavanaugh Tocci Associates, Inc. (“CTA”), following the noise measurement protocol we have shared with the DEC, determined on August 8, 2009 measuring from 12:08 pm to 12:28 pm, that daytime noise levels at the nearest Harvard residential property line to the Evergreen Solar facility measured 39 dBA (which is well below the 43 dBA daytime limit required by the DEC). Modeling Specialties, the DEC’s sound consultant, was present during the measurement. Modeling Specialties also performed sound level measurements during this time period that confirmed CTA’s data. A report from CTA regarding the August 8 measurements is being submitted separately to the DEC.

Despite the conditions which allowed for an accurate reading of facility noise on August 8, 2009, CTA and Evergreen personnel, continue to have difficulty obtaining noise sampling readings at the nearest Harvard residential property line to the Evergreen Solar facility, and other locations, between 12:30 and 4 am. Extraordinarily high ambient noise levels, primarily but not exclusively emanating from the rail yard across Barnum Road are an ongoing issue.

The DEC has made arrangements with the Train Master to create a 30-minute window of 'quiet time'. We will attempt to make a compliance measurement during this timeframe with the hope other ambient noises will be minimal. If unsuccessful, we will continue to attempt sampling until we find conditions which will allow for an accurate measurement of noise generated by the facility.

Monitoring Activity Summary – CTA continues to monitor 9 locations near the Evergreen Solar facility. Four locations are adjacent to the facility on Evergreen Solar or DEC property, four locations are on neighboring properties and one is further from the Evergreen facility and in close proximity to the railroad tracks.

The continuous measurements from these unattended receptors continues to be helpful in assessing the trend of noise sources generated from the Evergreen Solar facility as well isolating non-Evergreen facility noise sources that are contributing to sound levels on properties neighboring the facility. In addition, we expect to take measurements at the Berwind Brothers' property (309 Ayer Road) this week.

Noise Abatement Progress Report – Attachment 1 shows our continued progress on the implementation of the Abatement Plan. There have been no new noise sources identified and no new noise control measures added since the Abatement Plan was adopted. This attachment indicates that we are currently ahead of schedule for the procurement and installation of most of the required Noise Controls.

The following items are the highlights of our progress on and after August 7th:

1. VOC Combustion Blower – All 3 combustion blower enclosures were completed by August 11th.
2. Gas PRV station attenuation – The enclosure was completed as scheduled on August 11th.
3. Cooling Towers – The phase 1 cell 5 intake silencer was completed as scheduled on August 9th.

The foregoing items were the three remaining abatement steps from the Abatement Plan other than the ground mounted gas delivery pumps, which remains on schedule. We believe we remain on our way to achieving full compliance with the applicable noise ordinance and the additional requirements specified in the DEC Resolution.

Sincerely,

Rodolfo Archbold

CC:

Carl Stegerwald

Christian Ehrbar

Phil McRae

Brian LaValley
Pete Hosford
Tom Cusson – MA DEP

Attachment 1**Evergreen Solar Noise Abatement Plan Update – August 14, 2009**

Noise controls	Plan Completion Date	Actual Completion Date	Procurement Completion Date	Comment
SDX fans enclosure	7/20/2009	7/13/2009	na	Complete
ASX fans enclosure	7/20/2009	7/16/2009	na	Complete
NOX pump motor enclosure	7/27/2009	7/29/2009	na	Complete
Laminator rooftop exhaust silencers	7/27/2009	7/26/2009	na	Complete
SDX noise wall	8/10/2009	7/20/2009	na	Complete
VOC Combustion Blower enclosure	8/10/2009	8/11/2009	6/15/2009	Completed on 8/11/2009
ASX stack discharge silencer	8/10/2009	7/21/2009	na	Complete
Cooling tower Phase 1 cell 5 intake silencer	8/10/2009	8/9/2009	6/30/2009	Completed on 8/9/2009
VOC stack discharge silencer	8/17/2009	7/26/2009	na	Complete
VOC noise wall	8/17/2009	7/27/2009	na	Complete
Gas PRV station attenuation	8/17/2009	8/7/2009		Completed on 8/7/2009
Boiler room louver silencer	8/24/2009	7/26/2009	na	Complete
Additional cooling tower attenuation	9/15/2009	7/26/2009	na	Complete
Temporary gates added to the temporary wall	7/27/2009	7/18/2009	na	Complete
Permanent ground mounted pumps with enclosure	8/28/2009		6/15/2009	Still on schedule.