



September 18, 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”).

Noise Level Update – Our sound consultants, Cavanaugh Tocci Associates, Inc. (“CTA”), conducted 20 minute measurements windows on September 12th and 13th at location R1. After correcting for insect noise, we were able to demonstrate sustained compliance with the DEC nighttime sound level of 38dBA for 4 continuous hours between 12 a.m. and 4 a.m. on September 13th. In addition, there were numerous readings at or below the 38 dBA level during the measurement period of 12 noon to 6:00 p.m. The factory was running at full capacity during these measurement periods. These measurements were witnessed by the DEC sound consultant, Modeling Specialties. The summary results are displayed in Attachment #1. All measurement and correction data has been delivered in a separate document to the DEC for review.

Proposed Alternative Measurement Protocol – Based on compliance measurements taken over the past two weekends, the reference measurement protocol that was being developed as an interim solution to demonstrate nighttime compliance levels by determining a delta between new reference locations and location R1 appears to no longer be necessary to demonstrate compliance with the 38 dBA level at location R1. We understand that the DEC’s sound consultant has not yet received and reviewed the formal presentation of the results from this past weekend’s testing. Barring any concerns that might be raised in that review, we do not foresee using the alternative measurement protocol for the interim testing. However, it may still be helpful for long-term monitoring purposes or if non-Evergreen Solar ambient noise interferes with the ‘worst case’ testing. Therefore, the sound consultants are working to develop an acceptable alternative measurement protocol in the event it is needed.

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Worst Case Sound Level Testing – Per our prior discussions with the DEC, we currently plan to conduct the ‘worst case’ sound level test within 30 days of the first frost to avoid the interference of insect noise that has complicated noise testing efforts in recent periods. We are also looking into possibly completing the test sooner in light of the recent periods of low ambient noise which permitted successful testing of nighttime compliance.

Continuous Monitoring Activity Summary – CTA continues to monitor 11 locations near the Evergreen Solar facility. Six locations are adjacent to the facility on Evergreen Solar or DEC property, four locations are on neighboring properties, 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 providing an indication of when non-Evergreen facility noise sources are contributing to sound levels on properties neighboring the facility. There were two noise complaints from neighbors that came in this week. Evergreen Solar responded to these complaints, to both the neighbors and the DEC, with the help of data collected from these monitors. In both cases the noise source was not Evergreen Solar.

New Monitoring Activity – Our 7x24 policy for monitoring noise at the facility continues to be very helpful in dealing with noise complaints to the DEC as well as identifying additional noise sources at the factory and dealing with them promptly.

Additional Mitigation Measures Planned – In addition to the ground mounted pump for delivery of oxygen, we continue to look for measures to improve our sound levels at the facility. On Monday September 14th we completed the installation of additional sound attenuation material around the ASX mechanical pumps. We are also currently investigating additional sound attenuation for our compressor room that would be applied to the fresh air louvers.

We will continue to work diligently to install the additional ground mounted pump, develop a long term sound monitoring policy, complete the ‘worst case’ test and otherwise fulfill all of our obligations under the DEC Resolution and the DEC regulations.

Sincerely,

Carl Stegerwald

CC:  
Christian Ehrbar  
Phil McRae  
Brian LaValley

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Tom Cusson – MA DEP

**Attachment 1**

**Evergreen Solar Noise Measurement Results – September 12-13, 2009**

**Evergreen Solar - Dunroven Farm Horse Trail (R1)**

**Summary of 20-minute Sound Monitoring**

September 12 - 13, 2009

Date	Start Time	Measured Sound Levels (L <sub>90</sub> )			Insect Sounds Removed A-weighted L <sub>90</sub> (dBA)	Equipment Operating Ranges for measurement period				Comments
		A-weighted (dBA)	16 Hz (dB)	31 Hz (dB)		Cooling Towers	NOX Scrubber	VOC Scrubber	ASX Scrubber	
Saturday, September 12, 2009	12:15 PM	42.6	55	59	42	25-50%	49%	55-63%	69-86%	Rain
	12:35 PM	42.6	55	59	41					Rain
	12:55 PM	42.8	56	58	42					Rain
	1:15 PM	44.1	57	59	43					Rain
	1:35 PM	43.9	55	59	43					Rain
	1:55 PM	44.1	55	59	43					Rain
	2:15 PM	46.9	56	59	46					Rain
	2:35 PM	45.0	56	59	44					Rain
	2:55 PM	44.0	56	60	43					Rain
	3:15 PM	45.0	55	58	44					Rain
	3:35 PM	45.3	56	58	44					Rain
	3:55 PM	43.3	55	58	42					Rain
	4:15 PM	41.6	55	58	41					Rain
	4:35 PM	45.4	55	58	44					Rain
	4:55 PM	42.4	55	57	41					Rain
	5:15 PM	41.8	55	57	41					Rain
5:35 PM	48.7	55	57	48	Rain					
5:55 PM	47.8	55	57	47	Rain					
Sunday, September 13, 2009	12:06 AM	43.7	54	56	38	25-60%	49%	55-63%	69-87%	
	12:26 AM	43.7	54	56	38					
	12:46 AM	43.6	55	57	38					
	1:06 AM	43.0	54	56	38					
	1:26 AM	42.4	54	56	38					
	1:46 AM	42.5	54	57	38					
	2:06 AM	42.4	54	56	38					
	2:26 AM	42.6	54	56	37					
	2:46 AM	42.5	55	56	37					
	3:06 AM	42.1	54	56	37					
	3:26 AM	42.0	55	56	38					
	3:46 AM	41.3	54	56	37					
Sunday, September 13, 2009	12:01 PM	39.7	55	57	38	35-50%	49%	55-63%	70-88%	Lawn Equipment at Evergreen Solar
	12:21 PM	39.6	55	57	38					Lawn Equipment at Evergreen Solar
	12:41 PM	39.9	55	57	39					Lawn Equipment at Evergreen Solar
	1:01 PM	40.7	56	57	40					Lawn Equipment at Evergreen Solar
	1:21 PM	44.8	55	57	43					Lawn Equipment at Evergreen Solar
	1:41 PM	45.9	56	57	44					Lawn Equipment at Evergreen Solar
	2:01 PM	42.8	56	59	41					Lawn Equipment at Evergreen Solar
	2:21 PM	40.3	55	57	39					Lawn Equipment at Evergreen Solar
	2:41 PM	41.0	55	57	39					Lawn Equipment at Evergreen Solar
	3:01 PM	40.6	55	57	38					
	3:21 PM	40.0	55	57	38					
	3:41 PM	39.6	55	57	37					
	4:01 PM	41.6	55	57	39					Several Aircraft Flyovers
	4:21 PM	41.6	54	57	38					
	4:41 PM	41.4	55	57	38					
	5:01 PM	41.6	55	57	39					Rain
5:21 PM	41.6	55	57	39	Audible Rail Activity					