



November 6, 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, 2009 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”).

Worst Case Scenario Sound Level Testing – Per our formal request to the DEC, we agreed to conduct the ‘worst case scenario’ sound level test within 30 days of the first frost. On November 3rd the testing was conducted with participation from Cavanaugh Tocci Associates, Modeling Specialties, Noise Control Engineering and representatives from the DEC and the neighbors. The results are being analyzed and will be presented at the November 12th DEC meeting.

Current Monitoring Activity – CTA continues to monitor twelve locations near the Evergreen Solar facility. Measurement data taken to date has helped to determine the ‘reference’ location dBA levels to insure compliance at R1 and neighboring properties. Four monitors that record dBA levels only are being replaced with monitors that will record low frequency data.

We are also continuing to monitor the Evergreen Solar facility 7x24 with live personnel to be able to respond and react to any sound level changes from the facility. There were no complaints received this week. The last complaint received was October 16, 2009.

Permanent Long-Term Monitoring – On October 22nd the long-term monitoring protocol was reviewed with the DEC and the neighborhood sound consultants. The DEC sound consultant is in agreement with the dBA and low frequency reference limit sound levels proposed by Evergreen Solar. The sound consultant retained by the neighbors has requested additional time for review and will respond before November 12th allowing for

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a discussion at the November 12th DEC meeting. No response has been received by the date of this update.

The long-term monitoring equipment Purchase Specification was released on October 8th. A vendor has been selected and a purchase order was placed on Tuesday October 27th. Equipment will be installed by November 27th.

Additional Mitigation Measures Planned –The ground mounted pump for delivery of oxygen is scheduled to be completed on November 25th and is on schedule.

We will continue to work diligently to install the additional ground mounted pump, finalize the long term sound monitoring policy by November 12th, complete the ‘worst case scenario’ 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
Tom Cusson – MA DEP