



November 13, 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 – 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 of the test were presented at a DEC meeting on November 12th. The test results demonstrated Evergreen Solar achieved compliance with overall DEC noise levels as detailed in the Permanent Long Term Monitoring Protocol, which is pending approval by the DEC. Evergreen Solar complied with the noise measurements with equipment running at maximum operating speeds and cooling towers running at 60% of maximum speeds. Evergreen Solar has agreed that 60% capacity of the cooling towers is the maximum they will be run and they will make the necessary cooling tower design changes.

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 were replaced with monitors that record low frequency data. The low frequency data was presented at the DEC meeting.

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 on October 16, 2009, which was investigated and closed.

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Permanent Long-Term Monitoring – On October 22nd, the long-term monitoring protocol was reviewed with the DEC and the neighbor's sound consultant. 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 certain neighbors submitted his comments to the DEC on November 10th which identified disagreements with some of the details of the protocol. The DEC is attempting to resolve these differences.

The installation of the equipment for the long-term monitoring program is expected to begin on November 16th. The equipment will be installed by November 27th.

Additional Mitigation Measures Planned – The ground mounted pump for delivery of oxygen has been delayed due to subsupplier delivery delays. The current schedule for completion is December 18th. However, Evergreen Solar only accepts delivery of oxygen every 54 days. There is no scheduled delivery during the delay period so there will be no impact to the neighbors as a result of this delay.

We will continue to work diligently to install the additional ground mounted pump and wait for the DEC to approve the long-term monitoring protocol.

Sincerely,

Carl Stegerwald

CC:

Christian Ehrbar

Phil McRae

Brian LaValley

Tom Cusson – MA DEP