

OFFICES OF THE  
BOARD OF SELECTMEN  
TOWN ADMINISTRATOR

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July 13, 2009

Devens Enterprise Commission  
c/o Mr. Peter Lowitt  
33 Andrews Parkway  
Devens, MA.

Re: Evergreen Solar Noise Abatement Plan

Dear Commissioners,

Over the last several days members of the Harvard Board of Selectmen have been engaged in a series of discussions with Richard Feldt, President and CEO of Evergreen Solar, and other senior officials of the Evergreen management team, to develop a protocol designed to resolve the issues surrounding the noise levels emanating from the Evergreen facility in excess of the Industrial Noise Standards established by the DEC. These discussions included a meeting at the Evergreen facility last Friday and an inspection of the many specific measures instituted by Evergreen in the last few days to identify and eliminate many of the sources of this noise. It also included the development of a Noise Abatement Plan (copy attached) designed to quantify the measures to be taken to meet the noise standards, tied to specific dates for their completion.

This morning the Harvard Board of Selectmen met in open public session with Mr. Feldt to discuss this plan. Members of the public were in attendance and were given the opportunity to comment on the plan.

Based on the information provided, the Board of Selectmen has voted to endorse the Noise Abatement Plan subject to the following conditions.

1. Evergreen Solar will generate noise levels of no more than 42 dBA as measured at approximately 4:00 AM by the noise monitor located at 62 Old Mill Road on and after July 27, 2009 and no more than 38dBA, as similarly measured, on and after August 17, 2009.
2. Evergreen Solar shall establish permanent noise monitoring stations on site and at 62 Old Mill Road and will continually monitor its compliance with the Industrial Noise Standards established by the DEC. Additionally, Evergreen shall submit the logs from these monitoring stations to the DEC at the end of each month.
3. Evergreen Solar shall be required to immediately report any events of non-compliance to the DEC and shall be required to return to compliance within 5 business days of such an

event, if the cause of such non-compliance shall be determined to be from a source located at Evergreen. Failure to return to compliance will require the facility to cease operations until such time as compliance can be achieved.

In addition to the foregoing, the Board of Selectmen recommends that the DEC consider extending the temporary Certificate of Occupancy for Evergreen Solar, due to expire on July 15, 2009, to October 31, 2009. We also recommend that issuance of a permanent Certificate of Occupancy should be conditioned upon Evergreen operating in compliance with the Industrial Noise Standards for a period of time necessary to demonstrate that the noise reduction measures that have been taken are sustainable. Additionally, we would recommend that the DEC consider amending the Industrial Noise Standard relating to Evergreen to a level not to exceed 5dBA above current ambient, but not less than 38dBA, to account for potential increases in ambient sound levels from sources beyond their control.

Finally, we think it would be useful to ask Evergreen to submit a written report documenting all of the measures that have been or will be taken to bring them in compliance. This report should indicate the specific measures taken to reduce the noise emanating from specific sources and should be quantified where possible.

We hope that the DEC will incorporate these conditions into your decision.

Respectfully,  
Harvard Board of Selectmen



Ronald V. Ricci, Chairman

Cc: Peter Lowitt, Director/Land Use Administrator, DEC, 33 Andrews Parkway  
William P. Marshall, Chairman, DEC Board of Directors, 33 Andrews Parkway  
Paul VonLoesecke, Vice Chairman, DEC Board of Directors, 82 Warren Ave, Harvard  
James E. DeZutter, Member, DEC Board of Directors, 13 Eldridge Rd., Harvard  
John Knowles, Member, DEC Board of Directors, 49 Walnut St., Devens  
Senator Jamie Eldridge  
Representative Jennifer Benson

**Evergreen Solar Noise Abatement Plan - July 13, 2009**

Completion Date	Measurement at Dunroven Farm (L <sub>90</sub> , dBA)*	Noise controls implemented as of measurement date	Reduction Range (dBA)	
			Low	High
1-Jun	47	Replaced noisy VOC blower Measurement by Modeling Specialties		
28-Jun		Cooling tower speed reduction to 80% VOC process fans enclosure complete		
2-Jul		Gas delivery temporary wall Sound attenuation added to VOC process fans enclosure		
9-Jul	44	SDX fans draped with Sound Seal Cooling tower condenser pump enclosure		
20-Jul	42 - 43	ASX fans enclosure SDX fans enclosure	1.5	2
27-Jul	41 - 42	NOX pump motor enclosure Laminator rooftop exhaust silencers SDX noise wall	0.5	1
10-Aug	37 - 39	VOC Combustion Blower enclosure ASX stack discharge silencer Cooling tower Phase 1 cell 5 intake silencer	3	4
17-Aug	36 - 38	VOC stack discharge silencer VOC noise wall Gas PRV station attenuation	1	1.5
24-Aug	35 - 37	Boiler room louver silencer	1	1
15-Sep	34 - 36	Additional cooling tower attenuation	1	1

\*Measurements made at approximately 4 AM with calm, no-precipitation conditions. Measurement is of equipment that operates 24-hours per day, and does not include sound produced by daytime transient events such as deliveries and gas tank filling. Measurements are conducted at this location as it is the closest to the facilities. Other residential locations are further away and have lower sound levels.

**Controls for the gas delivery system:**

- Temporary gates added to the temporary wall by July 27
- Permanent ground mounted pumps with enclosure by August 28

**Legend**

- VOC Volatile Organic Compounds - Scrubber
- SDX Silicon Dust Collector
- ASX Acid Exhaust-Scrubber
- NOX Nitrogen Oxide - Scrubber
- PRV Gas Pressure Regulator Valve

**FINAL COMPLIANCE**

To be in compliance, Evergreen Solar must demonstrate that under a worse case scenario they are producing no more than 38 dBA as measured at Dunroven Farm or at any location in the neighborhood. To confirm compliance by September 15, 2009, Evergreen Solar will conduct a test (which is typically 4 AM) during which a worst case scenario is simulated. The worst case scenario will include the activation of all sound producing equipment operating at its loudest, including a gas delivery. The measurements made at Dunroven Farm, or at any location in the neighborhood, during this worst case scenario shall be no greater than 38 dBA.

*R.M. Feldt*  
7/13/09