



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1 - NEW ENGLAND
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912**

Via Hand Delivery

August 3, 2012

Wanda Santiago
Regional Hearing Clerk
EPA Region 1

Re: New Bedford Harbor Superfund Site—Filing of Third Modification of Effective Date of Unilateral Administrative Order for Remedial Design, Remedial Action, and Operation and Maintenance; U.S. EPA Docket No. CERCLA-01-2012- 0045

Dear Ms. Santiago:

Enclosed please find for filing the original and one copy of the Third Modification of Effective Date of Unilateral Administrative Order that was signed by OSRR Director James T. Owens, III yesterday.

Thank you for your attention to this matter.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Man Chak Ng".

Man Chak Ng
Senior Enforcement Counsel
OES

Enclosures

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1 – EPA New England
5 Post Office Square, Suite 100
Boston, MA 02109

In the Matter of:)
)
New Bedford Harbor Superfund Site,)
Upper and Lower Harbor Operable Unit)
)
AVX Corporation,) U.S. EPA Docket No.
Respondent) CERCLA-01-2012-0045
)
Proceeding Under Section 106(a) of the Comprehensive)
Environmental Response, Compensation, and Liability Act)
of 1980, as amended (42 U.S.C. § 9606(a)))
_____)

THIRD MODIFICATION OF EFFECTIVE DATE OF
UNILATERAL ADMINISTRATIVE ORDER
FOR REMEDIAL DESIGN, REMEDIAL ACTION, AND OPERATION AND
MAINTENANCE

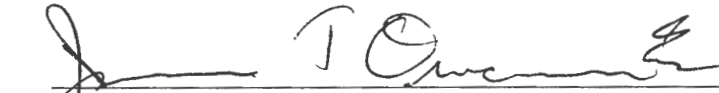
On July 18, 2012, the Unilateral Administrative Order for Remedial Design, Remedial Action, and Operation and Maintenance (“Order”), issued by EPA on April 18, 2012 (CERCLA 01-2012-0045), was modified to change the effective date of the Order from July 17, 2012 to July 27, 2012 (see “Second Modification of the Effective Date of the Unilateral Administrative Order for Remedial Design, Remedial Action, and Operation and Maintenance” signed by the Director of the Office of Site Remediation and Restoration on July 18, 2012).

Pursuant to Paragraph 183 of the Unilateral Administrative Order for Remedial Design, Remedial Action, and Operation and Maintenance (“Order”), issued by EPA on April 18, 2012 (CERCLA 01-2012-0045), and consistent with the delegations specified in Paragraph 1 of the Order, Paragraph 192 in Section XXXIV (Effective Date and Computation of Time) of the Order is hereby modified to change the effective date as specified below. Specifically, Paragraph 192 of the Order is stricken in its entirety and replaced with the following:

192. This Order shall be effective on October 1, 2012. All times for performance of obligations under this Order shall be calculated from that effective date, unless the Order (including the SOW) specifies otherwise.

This modification is hereby incorporated into the Order and enforceable under it. All other provisions of the Order are unchanged.

So Ordered, this 2nd day of August, 2012.


By: _____
James T. Owens, III, Director
Office of Site Remediation and Restoration
U.S. Environmental Protection Agency
Region 1