

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

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In the Matter of:)

)
New Bedford Harbor Superfund Site,)
Upper and Lower Harbor Operable Unit)

)
AVX Corporation,)
Respondent)

) U.S. EPA Docket No.
) 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)))
_____)

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

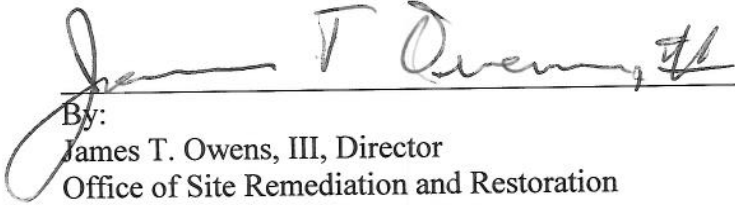
On October 1, 2012, the Unilateral Administrative Order for Remedial Design, Remedial Action, and Operation and Maintenance (“Order”), issued by EPA on April 18, 2012 (CERCLA 01-2012-0045), was modified to change the effective date of the Order from October 1, 2012 to November 1, 2012 (see “Fourth Modification 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 October 1, 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 January 2, 2013. 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 1st day of November, 2012.


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