



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

JUN 18 2012

Via First Class Mail and Electronic Mail

Gary L. Gill-Austern, Esq.
Nutter McClennen & Fish LLP
Seaport West
155 Seaport Boulevard
Boston, MA 02210-2604

Re: New Bedford Harbor Superfund Site—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 Mr. Gill-Austern:

Enclosed please find a copy of the executed 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 ("Order"). This modification changes the effective date of the Order from sixty (60) days after the date of signature of the Order to the specific date of July 17, 2012. As the date of signature of the Order is April 18, 2012, this modification changes the Order's effective date from June 18, 2012 to July 17, 2012.

Because AVX Corporation has agreed to engage in mediation with the United States and the Commonwealth of Massachusetts to resolve the parties' dispute, including AVX's liabilities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, at the Site, EPA is now extending the effective date of the Order to provide additional time for the parties to determine whether a settlement can be reached. Please contact Man Chak Ng, EPA Senior Enforcement Counsel, at (617) 918-1785, with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "James T. Owens, III".

James T. Owens, III, Director
Office of Site Remediation and Restoration
U.S. Environmental Protection Agency

Enclosure

cc (via email only):

Mary K. Ryan, Esq., Nutter McClennen & Fish LLP
Elaine T. Stanley, EPA Remedial Project Manager
Man Chak Ng, Esq., EPA Senior Enforcement Counsel
Cynthia Catri, Esq., EPA Senior Enforcement Counsel
Maximilian Boal, Esq., EPA Enforcement Counsel
Keith T. Tashima, Esq., U.S. Department of Justice
Jerry W. MacLaughlin, Esq., U.S. Department of Justice
Bradley Levine, Esq., U.S. Department of Justice
Matthew Brock, Esq., Massachusetts Attorney General's Office
Andy Cohen, Esq., MassDEP
Paul Craffey, Project Manager, MassDEP