

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,)
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)))
)

RESCISSION OF UNILATERAL ADMINISTRATIVE ORDER FOR REMEDIAL DESIGN,
REMEDIAL ACTION, AND OPERATION AND MAINTENANCE

By my signature, EPA issued the Unilateral Administrative Order for Remedial Design, Remedial Action, and Operation and Maintenance, CERCLA 01-2012-0045 (“Order”), to AVX Corporation (“AVX”) on April 18, 2012, for the New Bedford Harbor Superfund Site (“Site”). However, the effective date of the Order has been delayed through eleven modifications. Following the issuance of the Order, on October 10, 2012, a proposed Supplemental Consent Decree between the United States, the Commonwealth of Massachusetts, and AVX was lodged with the U.S. District Court (*United States v. AVX Corporation, et al.*, Civil Action No. 83-3882-Y (D. Mass.)). On September 19, 2013, the District Court entered the Supplemental Consent Decree. The appeal period for the District Court’s ruling approving the settlement expired, on November 18, 2013, with no appeal having been filed. In accordance with the court-approved Supplemental Consent Decree (p. 4), EPA hereby rescinds the Order.

So Ordered, this 26 day of November, 2013.



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