

August 29, 2016

Ross Ballard, Mayor
City of Nyssa
301 Main Street
Nyssa, OR 97913

RE: Extension to the Bilateral Compliance Agreement between the Oregon Health Authority and the City of Nyssa

Dear Mayor Ballard,

Douglas Argo requested an extension to the terms of the bilateral compliance agreement between the Oregon Health Authority, Center for Health Protection, Drinking Water Services (Authority) and the City of Nyssa because the City will be unable to complete construction of a treatment system to reduce the concentration of arsenic in the City's drinking water. Mr. Argo identified higher than expected construction costs as the reason for the delay.

The Authority agrees to an extension of the agreement signed by the City on May 25, 2013 and by the Authority on May 29, 2013 based on the City's progress to date. The terms of this extension supersede and replace the specific terms of activities three and four of the bilateral compliance agreement as specified below.

TERMS OF THE EXTENSION

- Agreement Activity No. 3: The City shall complete construction and installation of the arsenic treatment system at the Nyssa water system no later than February 28, 2018.
 - Construction shall be completed according to the plans conditionally approved by the Authority on January 21, 2016.
 - Construction of all improvements and modifications at the Nyssa water system shall comply with the construction standards specified in Oregon Administrative Rule (OAR) 333-061-0050.

- Agreement Activity No. 4: The City shall collect samples for arsenic according to OAR 333-061-0036(2) for four consecutive calendar quarters at the Nyssa water system and beginning no later than June 30, 2018. The City shall report the sampling results to the Authority according to OAR 333-061-0040(1).
- This extension does not constitute a waiver, modification, or suspension of any other agreement activity, requirement, or term specified in the bilateral compliance agreement signed by the Authority on May 29, 2013, which remains in full force and effect.

Respectfully,



Dave Leland, PE
Manager, Drinking Water Services
Oregon Health Authority, Center for Health Protection

cc: Doug Argo, City of Nyssa/Holladay Engineering Co.
Bill Goss, Oregon Health Authority, Drinking Water Services
Duane Petty, City of Nyssa