



Department of Energy

Bonneville Power Administration
2715 Tepper Lane NE
Keizer, OR 97303

TRANSMISSION BUSINESS LINE

September 29, 2016

In reply to: TERR-Chemawa
BPA Case No. 20100493

Tract No. OC-M-9-A-45
Line Name: Oregon City - Marcola No. 1 (operated as Pearl - Marion No. 1)
ADNO# 7256; Structure # 9/5 - 10/1
Stationing: 4615+92 - 4620+48

Mr. Chuck Rose
CEMEX, USA
8705 NE 117th Avenue
Vancouver, WA 98662

Dear Mr. Rose:

Enclosed is one copy of the fully executed Land Use Agreement Amendment No. 2 extending your mining use to September 30, 2021. Keep this copy for your records. A second copy was mailed to Mr. Paul R. Hribernick, Black Helterline LLP.

Please contact my office at 503-304-5906, if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Clark", is written over a horizontal line.

Jim Clark
Realty Specialist
Bonneville Power Administration | Real Property Field Services
Phone: (503) 304-5906 | Mobile: (503) 758-3883

Enclosures



Department of Energy
Bonneville Power Administration
2715 Tepper Lane NE
Keizer, OR 97303

TRANSMISSION SERVICES

September 21, 2016

In Reply Refer To:

BPA Case No. 20100493

Tract No. OC-M-9-A-45

Line Name: Oregon City - Marcola No. 1 (Operated as Pearl - Marion No. 1)

ADNO: 7256; Structure # 9/5 -10/1

Stationing: 4615+92 - 4620 + 48

Mr. Chuck Rose
General Manager
CEMEX, USA
8705 NE 117th Avenue
Vancouver, WA 98662

**LAND USE AGREEMENT
AMENDMENT NO. 2**

The Bonneville Power Administration (BPA) has amended Land Use Agreement No. 20100493 dated October 12, 2010 as follows:

1. Your approved use must be completed by September 30, 2021. If you have not completed your project by the above date, you must inform BPA five working days in advance to receive an extension.
2. You must notify BPA if there are any changes to the approved use within the BPA right-of-way.


All other terms and conditions of Land Use Agreement No. 20100493 remain the same.

If you have any questions or concerns, please notify this BPA Realty Office. You may direct any communication to Bonneville Power Administration, 2715 Tepper Lane NE, Keizer, OR 9703, or telephone Jim Clark at 503-304-5906.

A copy of this agreement shall be physically located at the project during construction activities.

**THIS AMENDMENT NO 2 BECOMES EFFECTIVE UPON THE SIGNATURE
OF ALL PARTIES.**

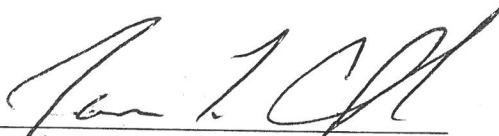
**I HAVE READ, UNDERSTAND, AND CONCUR WITH THE TERMS OF THIS
AMENDED AGREEMENT:**



Chuck Rose, General Manager

9/26/16
Date

**THIS AMENDED AGREEMENT IS HEREBY AUTHORIZED BY BONNEVILLE
POWER ADMINISTRATION:**



Jim Clark, Realty Specialist

9/29/2016
Date

cc:
Paul R. Hribernick
Black Helterline LLP
1900 Fox Tower
805 SW Broadway
Portland, OR 97205



Department of Energy
Bonneville Power Administration
2715 Tepper Lane
Keizer, OR 97303

August 19, 2011

In Reply Refer To: TERR-3
BPA Case No. 20100493

Tract No. OC-M-9-A-45
Line Name: Oregon City – Marcola No. 1 (Operated as Pearl - Marion No. 1)
ADNO: 7256; Structure # 9/5 – 10/1
Stationing: 4615+92 – 4620+48

Mr. Chuck Rose
Aggregate Manager
CEMEX, USA
8705 NE 117th Avenue
Vancouver, WA 98662

**LAND USE AGREEMENT
AMENDMENT NO. 1**

The Bonneville Power Administration (BPA) has amended Land Use Agreement No. 20100493 dated October 12, 2010 as follows:

1. Your approved use must be completed by September 30, 2016. If you have not completed your project by the above date, you must inform BPA five working days in advance to receive an extension.
11. You must notify BPA if there are any changes to the approved use within the BPA right-of-way.

All other terms and conditions of Land Use Agreement No. 20100493 remain the same.

If you have any questions or concerns, please notify this BPA Realty Office. You may direct any communication to Bonneville Power Administration, Real Estate Field Services (TERR-Chemawa), 2715 Tepper Lane, Keizer, OR 97303, or telephone Monica Stafflund at 503-393-8181 x 269.

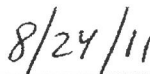
A copy of this agreement shall be physically located at the project during construction activities.

**THIS AMENDMENT NO 1 BECOMES EFFECTIVE UPON THE SIGNATURE
OF ALL PARTIES.**

**I HAVE READ, UNDERSTAND, AND CONCUR WITH THE TERMS OF THIS
AMENDED AGREEMENT:**

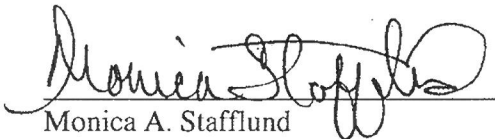


Mr. Chuck Rose
Aggregate Manager

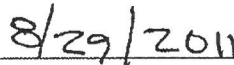


Date

**THIS AMENDED AGREEMENT IS HEREBY AUTHORIZED BY BONNEVILLE
POWER ADMINISTRATION:**



Monica A. Stafflund
Realty Specialist



Date

cc:

Paul R. Hribernick
Black Helterline LLP
1900 Fox Tower
805 SW Broadway
Portland, OR 97205



Department of Energy
Bonneville Power Administration
2715 Tepper Lane
Keizer, OR 97303

October 12, 2010

In reply to: TERR-3
BPA Case No. 20100493

Tract No. OC-M-9-A-45
Line Name: Oregon City - Marcola No. 1
(operated as Pearl - Marion No. 1)
ADNO# 7256; Structure # 9/5 - 10/1
Stationing: 4615+92 - 4620+48

Mr. Chuck Rose
Aggregate Manager
CEMEX, USA
8705 NE 117th Avenue
Vancouver, WA 98662

LAND USE AGREEMENT

Bonneville Power Administration (BPA) hereby agrees to your use of BPA's easement area for aggregate mining on Tax Lot 390.

The location of your use is partially within the NW1/4NE1/4 of Section 7, Township 4 South, Range 1 East, Willamette Meridian, Clackamas County, State of Oregon, as shown on the attached segment of BPA Drawing No. 139809, marked as Exhibit A and a BPA excavation standard drawing, marked as Exhibit B.

You shall not make any changes or additions to your use of the right-of-way without BPA's review and written approval. Any other uses and utilities on the right-of-way must be applied for separately.

Please note that BPA is not the owner of this property. If you are not the owner, you must obtain the owner(s) permission to use this property. There may also be other uses of the property that might be located within the same area as your project. This agreement is subject to those other rights.

This agreement is entered into with the express understanding that it is not assignable or transferable to other parties without the prior written consent of BPA. This agreement is revocable at will by BPA and does not modify, change, or otherwise alter the rights BPA acquired by Deed. BPA may terminate this agreement upon 30 days written notice.

The subject use of this easement area has been determined not to be a hazard to, or an interference with, BPA's present use of this easement for electric transmission line purposes. Accordingly, there is no present objection to such use. However, if BPA should determine at any time, that your use has become a hazard to the presently installed electrical facilities of BPA, or any facilities added or constructed in the future, or if such use should interfere with the inspection, maintenance, or repair of the same, or with the access along such easement, you will be required to stop your use or remove such hazard or interference from the right-of-way at no expense to BPA.

**BY ACCEPTING THIS LAND USE AGREEMENT YOU ARE AGREEING TO
THE FOLLOWING CONDITIONS**

1. Your approved use must be completed by September 30, 2011. If you have not completed your project by the above date, you must inform BPA five working days in advance to receive an extension.
2. Maintain a minimum distance of at least 20 feet between your facilities and the transmission line conductors (wires). Do not measure this with measuring tape, pole, or other physical means.
3. When excavating, a minimum horizontal buffer zone of **100** feet shall be maintained from any point where steel lattice tower legs, wood poles, steel poles, concrete poles, concrete foundations and guy anchors enter the earth.
4. From the excavation buffer zone, a slope in the ratio of **2:1** (Horizontal:Vertical) or less shall be maintained.
5. Access to BPA transmission line system by BPA and/or its contractors shall not be obstructed at any time.
6. A **20** foot wide road shall be maintained for access to the affected transmission structures with grade of the road not to exceed **15** percent. This road shall be constructed on original ground and may not be fill material.
7. BPA right-of-way shall be returned to its original condition following construction. No grade changes to facilitate construction or disposal of overburden shall be allowed.
8. Equipment, machinery, and vehicles traveling on BPA's right-of-way shall come no closer than 25 feet to any BPA structure or guy anchor ground attachment point.
9. No storage of flammable materials or refueling of vehicles or equipment on BPA property.
10. Nuisance shocks may occur within the right-of-way. Grounding metal objects helps to reduce the level of shock. It is suggested that road building/construction equipment be grounded with a drag chain.

IN ADDITION, THE FOLLOWING IS BROUGHT TO YOUR ATTENTION

You agree to assume risk of loss, damage, or injury which may result from your use of the easement area, except for such loss, damage, or injury for which BPA may be responsible under the provisions of the Federal Tort Claims Act, 62 Stat. 982, as amended. It is understood that any damage to BPA's property caused by or resulting from your use of the easement area may be repaired by BPA, and the actual cost of such repair shall be charged against and be paid by you.

The aggregate mining shall be at no cost to BPA.

BPA seeks your help maintaining the integrity of the electrical transmission system. Please report any Vandalism or Theft to the BPA Crime Witness program at 1-800-437-2744. Cash rewards of up to \$25,000 will be paid should information lead to the arrest and conviction of persons committing a crime.

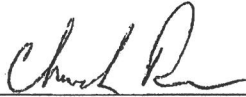
BPA shall not be liable for damage to your property, facilities, or injury to persons that might occur during maintenance, reconstruction, or future construction of BPA facilities as a result of your facilities being within the right-of-way.

If you have any questions or concerns, please notify this BPA Realty Office. You may direct any communication to Bonneville Power Administration, Real Estate Field Services (TERR-Chemawa) 2715 Tepper Lane, Keizer, OR 97303, or telephone Monica Stafflund at 503-393-8181 x 269.

A copy of this agreement shall be physically located at the project during construction activities.

**THIS LAND USE AGREEMENT BECOMES EFFECTIVE UPON THE
SIGNATURE OF ALL PARTIES.**

**I HAVE READ, UNDERSTAND, AND CONCUR WITH THE TERMS OF THIS
AGREEMENT:**

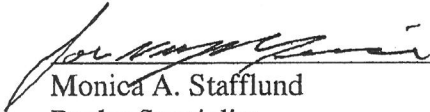


Mr. Chuck Rose
Aggregate Manager

12/23/10

Date

**THIS AGREEMENT IS HEREBY AUTHORIZED BY BONNEVILLE POWER
ADMINISTRATION:**



Monica A. Stafflund
Realty Specialist

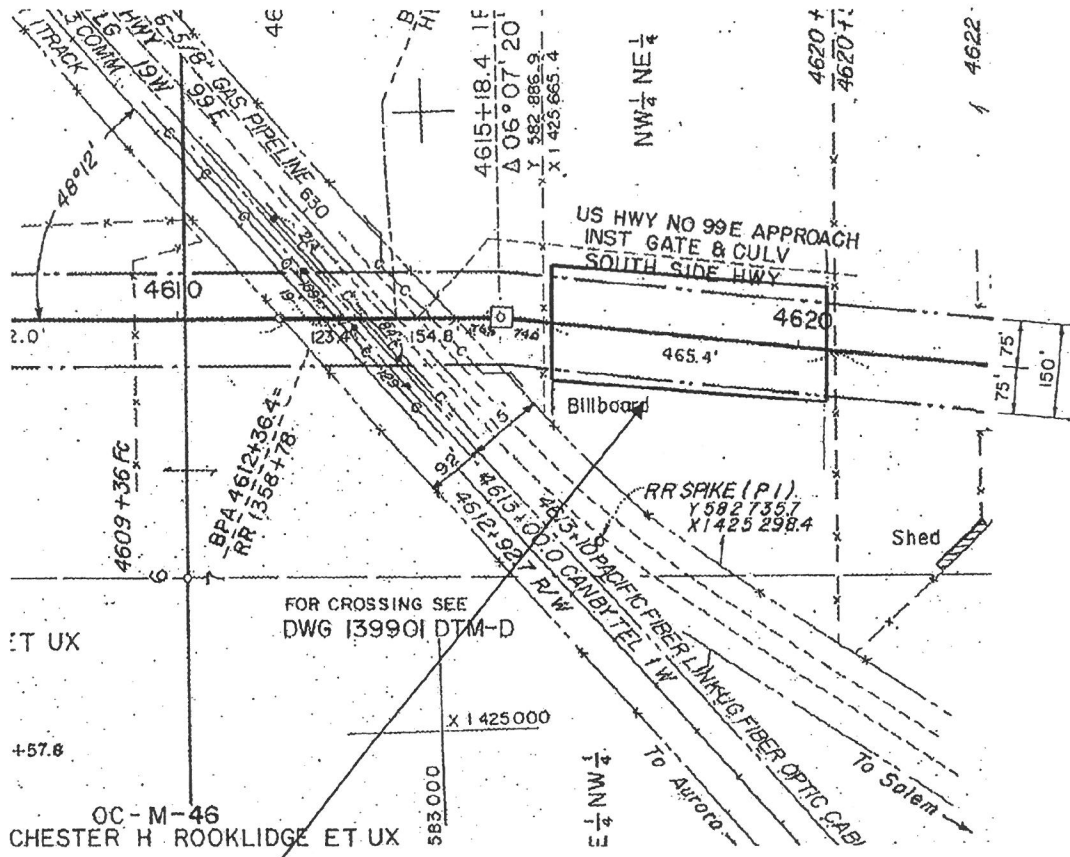
1/3/2011

Date

cc:

Paul R. Hribernick
Black Helterline LLP
1900 Fox Tower
805 SW Broadway
Portland, OR 97205

SEC 7 T4S R1E WM
Clackamas County, Oregon

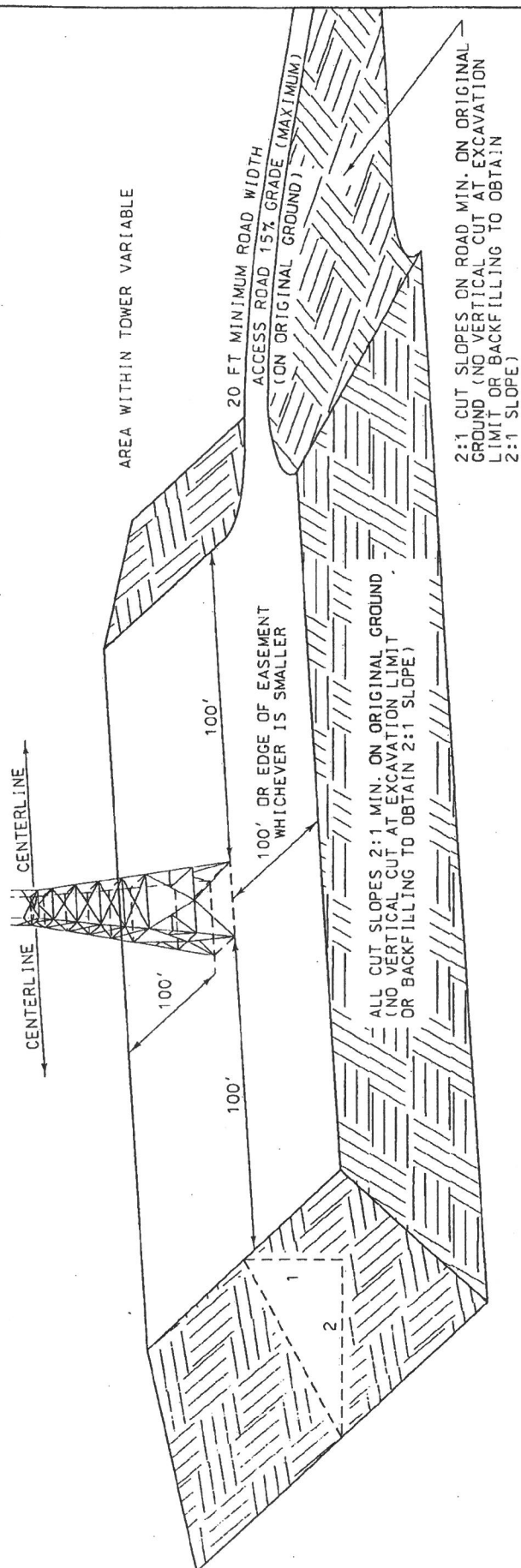


UNITED STATES DEPARTMENT OF THE INTERIOR BONNEVILLE POWER ADMINISTRATION HEADQUARTERS, PORTLAND, OREGON			
OREGON CITY - MARCOLA NO 1 OREGON CITY - MARION SECTION 500 KV TRANSMISSION LINE MILE 9 FROM OREGON CITY			
RIGHT OF WAY Drawn COT Traced COT Checked RRS	DESIGN AB Drawn RG Traced LRR Checked GPS	Approval Date 1-5-65 SHEET 12 OF 1	WO 192-06
139809 DTM-D			

OPER AS MILE 9 PEARL-MARION NO 1

Exhibit A
CEMEX
Case No 20100493
A Portion of Drawing No. 139809

FIGURE 1 SHOWS THE TYPICAL LIMITS OF LARGE SCALE EXCAVATION AROUND BPA STEEL LATTICE TOWERS.



BPA RESERVES THE RIGHT TO EXPAND LISTED LIMITS BASED ON SAFETY AND RELIABILITY ISSUES.

FIGURE 1 TYPICAL LARGE SCALE EXCAVATION LIMITS FOR STEEL LATTICE TOWERS

2000493

Exhibit B

**OPTION TO PURCHASE AGREEMENT
WITH RIGHTS FOR DRILLING AND EXPLORATION**

This Option to Purchase Agreement ("Agreement") is made and entered into this 18th day of April, 2019 by and between Arthur D. Blumenkron, an individual ("Optionor") and Cadman Materials, Inc., a Washington corporation ("Optionee") for an Option to Purchase a portion of Clackamas County Tax Parcel Number 01004905, which parcel is legally described on Exhibit "A," and which portion consists of approximately 14.2 acres of land as depicted on Exhibit "B" (the "Property"). This Agreement shall be deemed effective upon the date it is mutually executed by Optionor and Optionee ("Effective Date"). Any capitalized terms not defined in this Agreement shall have the meanings attributed to them in the Real Estate Contract attached hereto as Exhibit "C" ("Real Estate Contract").

1. **Option to Purchase.** Subject to the terms and conditions set forth herein, Optionor does hereby grant and convey unto Optionee an irrevocable option to elect to purchase the Property in accordance with the provisions of the Real Estate Contract ("Option").

2. **Option Fee.** [REDACTED]

3. **Option Period.** [REDACTED]

4. **Title.** [REDACTED]

4.1 Objections to Title and Survey.

[REDACTED]

5. Inspections.

[REDACTED]

6. **Permits and Approvals.** During the Option Period, Optionee shall have the right to apply for all permits, licenses, and approvals necessary for Optionee's intended use of the Property, including but not limited to land use approvals from Clackamas County, a DOGAMI Surface Mining Permit, and DEQ 1200-A (collectively, "Permits"). Optionor shall reasonably cooperate and assist Optionor, at no out-of-pocket cost to Optionor, in Optionor's efforts to obtain the Permits. If Optionee has not obtained all of the Permits within the Option Period, then Optionee shall have the right to terminate the Option at any time prior to the end of the Option Period.

7. Exercise of Option.

[REDACTED]

IN WITNESS WHEREOF, the parties have executed this Agreement as of the dates written below.

OPTIONOR:

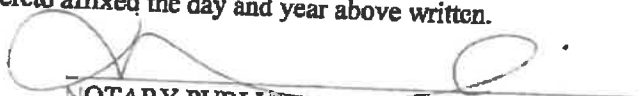

Arthur D. Blumenkron

Date: 4/8/19

On this 8 day of April, 2019, before me personally appeared Arthur D. Blumenkron, to me known to be the person who executed the within and foregoing instrument, and acknowledged said instrument to be his free and voluntary act and deed, for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year above written.




NOTARY PUBLIC in and for
Deschutes Oregon
Residing at: Sisters OR
My commission expires: November 05, 2021

OPTIONEE:

Cadman Materials, Inc., a Washington corporation

By: [Signature]
Its: VP & GM, Materials, Firm
Date: 4-18-2019

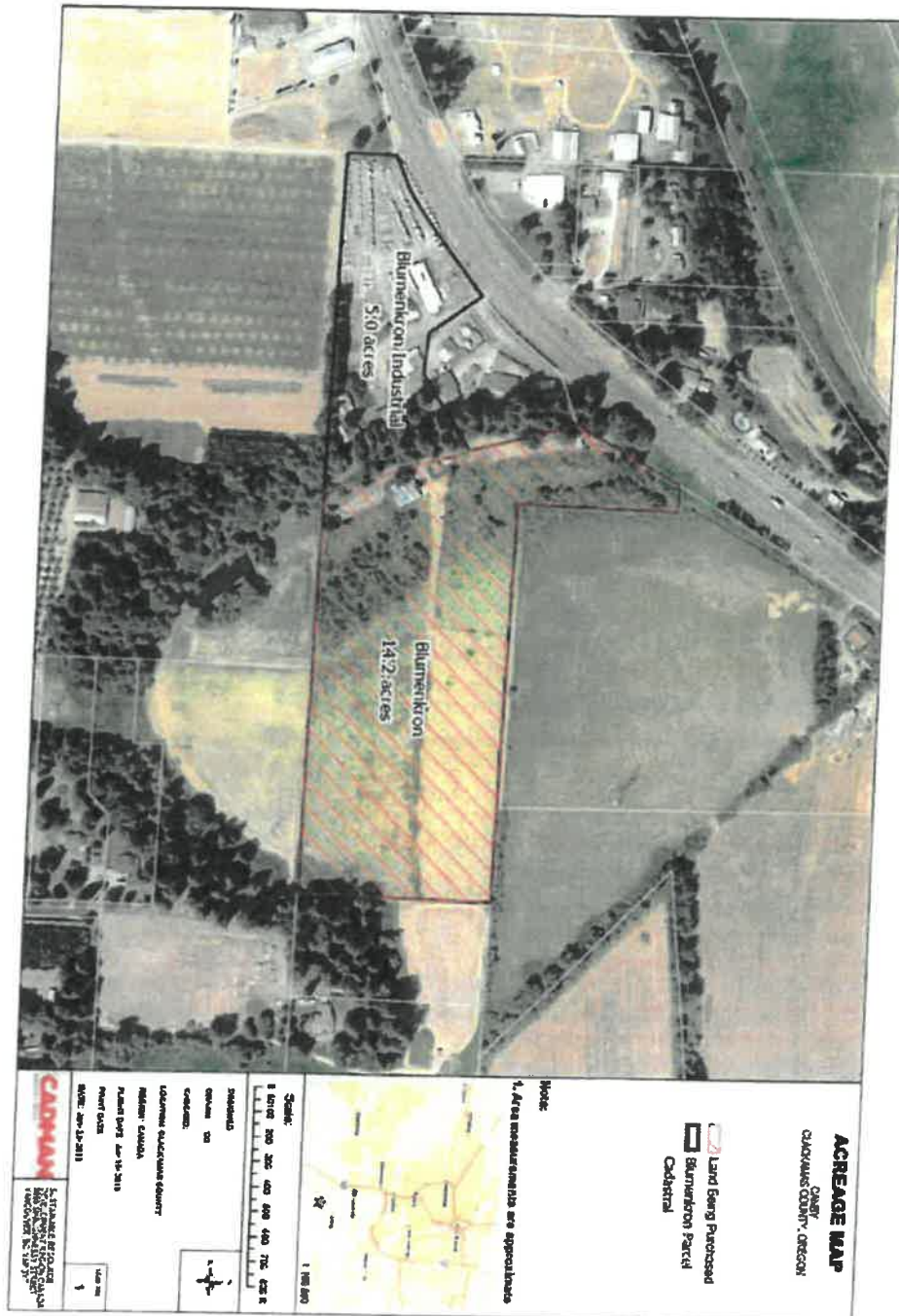
On this 18th day of April, 2019, before me personally appeared Joerg Nixdorf to me known to be the VP & GM of Cadman Materials, Inc., a Washington corporation, the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year above written.



[Signature]
NOTARY PUBLIC in and for
King County, WA
Residing at: Snoqualmie, WA
My commission expires: 11/23/2022

Exhibit B
Depiction of Property



**OPTION TO PURCHASE AGREEMENT
WITH RIGHTS FOR DRILLING AND EXPLORATION
(Cha Farm)**

This Option to Purchase Agreement ("Agreement") is made and entered into this 28th day of Jan, 2019 by and between Chong Yaxeulue, Pao Yee Cha, and Tou Neng Cha (collectively, "Optionor") and Cadman Materials, Inc., a Washington corporation ("Optionee") for an Option to Purchase approximately 18.13 acres of land associated with Clackamas County Tax Parcel Numbers 01004870 and 01004941, commonly known as 25311 S. Barlow Road, Canby, Oregon 97013, and more particularly described on Exhibit "A" attached hereto and made a part hereof ("Property"). This Agreement shall be deemed effective upon the date it is mutually executed by Optionor and Optionee ("Effective Date"). Any capitalized terms not defined in this Agreement shall have the meanings attributed to them in the Real Estate Contract attached hereto as Exhibit B ("Real Estate Contract").

1. **Option to Purchase.** Subject to the terms and conditions set forth herein, Optionor does hereby grant and convey unto Optionee an irrevocable option to elect to purchase the Property in accordance with the provisions of the Real Estate Contract ("Option").

2. **Option Fee.** [REDACTED]

3. **Option Period.** [REDACTED]

4. **Title.** [REDACTED]

[illegible][illegible]

7. **Exercise of Option.** [REDACTED] the Option, [REDACTED] shall give written notice of the intention to purchase the property at a certain time and place. [REDACTED] [REDACTED] of the Option shall [REDACTED] [REDACTED] [REDACTED]

IN WITNESS WHEREOF, the Optionor has hereunto set his hand and seal to this Option Agreement, and the Optionee has caused this Option Agreement to be executed by its duly authorized officers, all as of the date first set forth above.

OPTIONOR:

CHONG YAXEULE, PAO YEE CHA, AND TOU NENG CHA

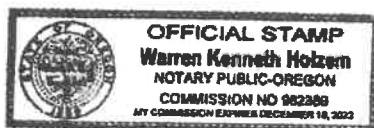
Chong Yaxeule
Chong Yaxeule

Pao Yee Cha
Pao Yee Cha

Tou Neng Cha
Tou Neng Cha

On this 26 day of January, 2018, before me personally appeared CHONG YAXEULUE, to me known to be the person who executed the within and foregoing instrument, and acknowledged said instrument to be his/her free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year above written.



Warren Kenneth Holzem
NOTARY PUBLIC in and for

Oregon
Residing at: COLUMBIA COUNTY
My commission expires: 12/18/22

On this 26 day of January, 2018, before me personally appeared PAO YEE CHA, to me known to be the person who executed the within and foregoing instrument, and acknowledged said instrument to be his/her free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year above written.



Warren Kenneth Holzem
NOTARY PUBLIC in and for

Oregon
Residing at: COLUMBIA COUNTY
My commission expires: 12/18/22



On this 26 day of January, 2018, before me personally appeared TOU NENG
CHA, to me known to be the person who executed the within and foregoing instrument, and
acknowledged said instrument to be his/her free and voluntary act and deed for the uses and
purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year above written.



[Signature]
NOTARY PUBLIC in and for

OREGON
Residing at: CORVALLIS, OREGON

My commission expires: 12/18/22



OPTIONEE:

Cadman Materials, Inc., a Washington corporation

By: *[Signature]*

Its: VP/CM Materials, PNW

On this 28 day of January, 2019, before me personally appeared Jaerg Nixdorf to me known to be the VP/CM Materials of CADMAN MATERIALS, INC., A WASHINGTON CORPORATION, the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year above written.



[Signature]
NOTARY PUBLIC in and for

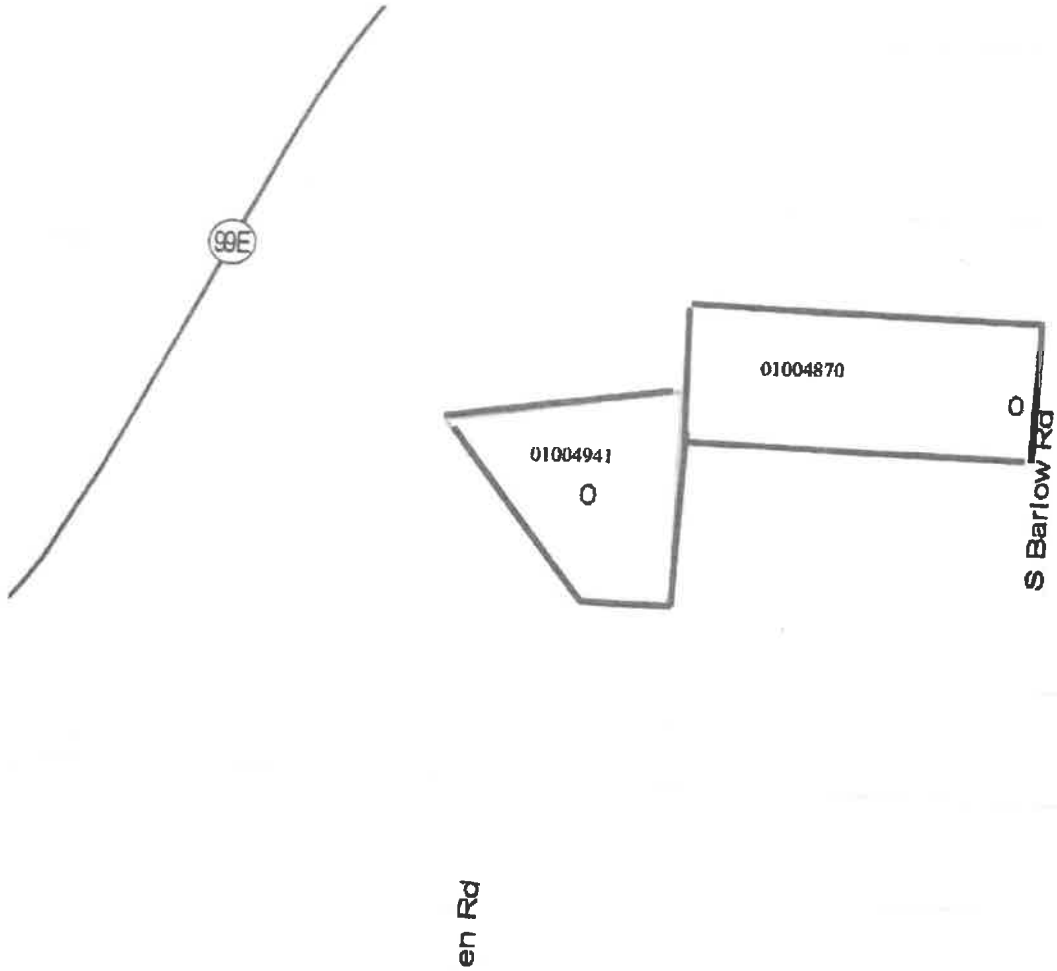
Washington
Residing at: Bellevue, WA

My commission expires: 9/21/2020

Exhibit A (Continued)
Legal Description and Parcel Map

Clackamas County

11/22/2017



**OPTION TO PURCHASE AGREEMENT
WITH RIGHTS FOR DRILLING AND EXPLORATION
Lapp Farm**

This Option to Purchase Agreement ("Agreement") is made and entered into by and between Floyd and Claudia Lapp, as Co-Trustees of the Lapp Family Trust ("Optionor") and Cadman Materials, Inc., a Washington corporation ("Optionee") for an Option to Purchase approximately 17.05 acres of land associated with Clackamas County Tax Parcel Number 01004950, Canby, Oregon 97013, more particularly described on Exhibit "A" attached hereto and made a part hereof ("Property"). This Agreement shall be deemed effective upon the date it is mutually executed by Optionor and Optionee ("Effective Date"). Any capitalized terms not defined in this Agreement shall have the meanings attributed to them in the Real Estate Contract attached hereto as Exhibit B ("Real Estate Contract").

1. **Option to Purchase.** Subject to the terms and conditions set forth herein, Optionor does hereby grant and convey unto Optionee an irrevocable option to elect to purchase the Property in accordance with the provisions of the Real Estate Contract ("Option").

2. **Option Fee.** [REDACTED]

3. **Option Period.** [REDACTED]

4. **Title.** [REDACTED]

4.1 Objections to Title and Survey.

[REDACTED]

5. Inspections.

[REDACTED]

6. Permits and Approvals. During the Option Period, Optionee shall have the right to apply for all permits, licenses, and approvals necessary for Optionee's intended use of the Property, including but not limited to land use approvals from Clackamas County, a DOGAMI Surface Mining Permit, and DEQ 1200-A (collectively, "Permits"). Optionor shall reasonably cooperate and assist Optionor, at no out-of-pocket cost to Optionor, in Optionor's efforts to obtain the Permits. If Optionee has not obtained all of the Permits within the Option Period, then Optionee shall have the right to terminate the Option at any time prior to the end of the Option Period.

7. Exercise of Option.

[REDACTED]

IN WITNESS WHEREOF, the Optionor has hereunto set his hand and seal to the Option, and the Optionee has caused the Option to be executed by its duly authorized officers, all as of the date first set forth above.

OPTIONOR:

Floyd and Claudia Lapp, as Co-Trustees of the Lapp Family Trust

Floyd Lapp

Claudia Lapp

On this 16th day of March, 2018, before me personally appeared FLOYD AND CLAUDIA LAPP, to me known to be the persons who executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act of the LAPP FAMILY TRUST for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year above written.



Andrew Kauffman
NOTARY PUBLIC in and for
Oregon

Residing at: Cathy OR

My commission expires: 1/15/2022

OPTIONEE:

Cadman Materials, Inc., a Washington corporation

By: [Signature]
Its: VP & GM Materials, Pacific Northwest

On this 26th day of June, 2018, before me personally appeared Jerry Russell to me known to be the VP & GM of CADMAN MATERIALS, INC., A WASHINGTON CORPORATION, the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year above written.

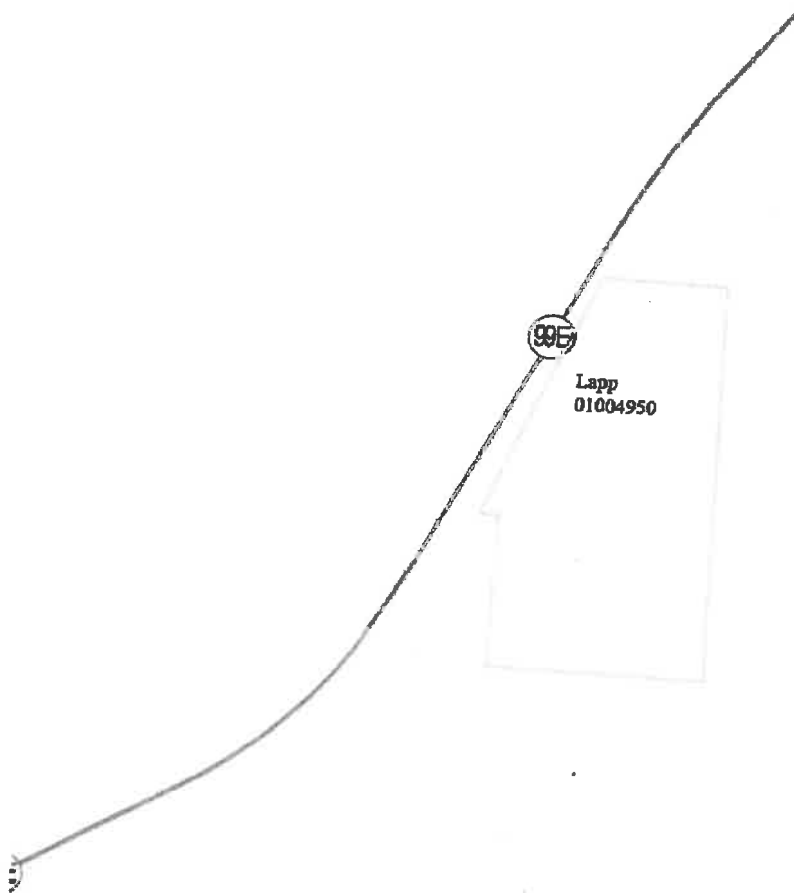
Notary Public
State of Washington
KRISTON JOHNSON
My Appointment Expires April 15, 2020

[Signature]
NOTARY PUBLIC in and for
Vanouver WA
Residing at: CLARK County
My commission expires: 4-15-2020

Exhibit A (Continued)
Legal Description and Parcel Map

11/22/2017

Clackamas County



Rd

Primary Address: No Situs
Jurisdiction: Clackamas County (<http://www.clackamas.us/>)
Map Number: 41E07
Taxlot Number: 41E07 01003
Parcel Number: 01004950
Document Number: 2017-010178
Census Tract: 022800

**OPTION TO PURCHASE AGREEMENT
WITH RIGHTS FOR DRILLING AND EXPLORATION
(Vanpelt Farm)**

This Option to Purchase Agreement ("Agreement") is made and entered into this 29th day of JUNE, 2018 by and between Jake and Marilyn Vanpelt, husband and wife, as Co-Trustees of the Vanpelt Family Trust ("Optionor") and Cadman Materials, Inc., a Washington corporation ("Optionee") for an Option to Purchase approximately 17.23 acres of land associated with Clackamas County Tax Parcel Number 05031611, more particularly described on Exhibit "A" attached hereto and made a part hereof ("Property"). This Agreement shall be deemed effective upon the date it is mutually executed by Optionor and Optionee ("Effective Date"). Any capitalized terms not defined in this Agreement shall have the meanings attributed to them in the Real Estate Contract attached hereto as Exhibit B ("Real Estate Contract").

1. **Option to Purchase.** Subject to the terms and conditions set forth herein, Optionor does hereby grant and convey unto Optionee an irrevocable option to elect to purchase the Property in accordance with the provisions of the Real Estate Contract ("Option").

2. **Option Fee.** Within fifteen (15) days of the Effective Date, Optionee shall deposit the sum of [REDACTED] American Title Company ("Title Company"), 200 SW Market Street, Suite 250, Portland, OR 97201, to be held in a non-interest-bearing account at a financial institution whose accounts are federally insured. Upon request from Seller, the Title Company shall promptly release the Option Fee to Seller. If Buyer completes the purchase of the Property, the Option Fee will be applied to the Purchase Price at Closing. The Option Fee shall be non-refundable except in the event of Seller default.

3. **Option Period.** The initial term of the Option shall be the earlier of:

3.1 (a) the date the Optionee obtains all Permits (defined below); and

3.2 (b) eighteen (18) months from the Effective Date ("Initial Term").

If Optionee has not obtained all Permits prior to the expiration of the Initial Term, then Optionee may elect to extend such Initial Term for up to two three-month extension periods (each, an "Extension Term") by tendering to Optionee, through escrow

[REDACTED] All Extension Fees shall be applicable to the Purchase Price if the Option is exercised; if the Option is not exercised, then, provided Optionor is not in default hereunder, all Extension Fees shall be forfeited to the Optionor. The Initial Term, plus any Extension Term, is referred to herein as the "Option Period."

4. **Title.** Within ten (10) days from the Effective Date, Optionor will cause Title Company to furnish Optionee: (a) a preliminary title commitment for an Owner's Policy of Title Insurance (the "Title Commitment") to insure Optionee's title to the Property at the time Optionee purchases the Property, if Optionee exercises the Option and (b) legible copies of all recorded instruments referred to in the Title Commitment. Within ten (10) days after the Effective Date of

this Contract, Optionor also shall furnish, if available, to Optionee and the Title Company, a survey of the Property ("Survey").

4.1 Objections to Title and Survey. Optionee will have the right to notify Optionor in writing, within ninety (90) days of Optionee's receipt of the Title Commitment (which right shall revive as to any new exceptions shown in an updated Title Commitment issued prior to Closing), copies of all the documents shown as exceptions in the Title Commitment, and the Survey, of any objections to matters shown by such documents. Optionor will have five (5) days after the receipt of Optionee's objections in which to cure such objections. If Optionor is unwilling or unable to cure the objections prior to Closing, Optionee will have the right as its sole remedy therefore to (i) terminate the Option at any time prior to expiration of the Option Period, in which case Optionee will be entitled to a full refund of the Option Fee, or (ii) waive the objections, either by an express written notice of waiver, in which event the exceptions shown in the Title Commitment shall be "Permitted Exceptions" if Optionee exercises the Option.

5. Inspections. During the Option Period, Optionee shall have the right to enter upon the Property and to perform tests, drilling, and other exploration to determine whether there are commercially minable quantities of sand and gravel on the Property. Optionee agrees to conduct its exploratory operations in a prudent and business-like manner and agrees not to damage any crops planted on the Property, except to the extent necessary to conduct its operations (which may include removal of small scrubs or trees that may interfere with drilling equipment testing, and entrance to and exit from, the Property). Additionally, Optionee agrees to regrade, to the natural contours, any areas that Optionee excavates. Any boreholes drilled by Optionee will be promptly plugged in accordance with the requirements of applicable law. Optionee shall have the right to seek a zoning change for the Property to enable Optionee to engage in its intended use of the Property for mining and processing of aggregates. Optionee hereby indemnifies and holds Optionor harmless from and against any and all claims, causes of action, loss, reasonable attorney's fees or demands of any kind or nature which might arise out of or result from any of Optionee's, or its agents', acts on the Property. Optionee shall have the right to conduct an initial environmental inspection of the Property, commonly called a Phase I, and if necessary follow this up with a Phase II environmental inspection. If any of Optionee's inspections hereunder reveal that the Property is not suitable, in Optionee's sole discretion, then Optionee shall have the right to terminate the Option at any time prior to the end of the Option Period.

6. Permits and Approvals. During the Option Period, Optionee shall have the right to apply for all permits, licenses, and approvals necessary for Optionee's intended use of the Property, including but not limited to land use approvals from Clackamas County, a DOGAMI Surface Mining Permit, and DEQ 1200-A (collectively, "Permits"). Optionor shall reasonably cooperate and assist Optionor, at no out-of-pocket cost to Optionor, in Optionor's efforts to obtain the Permits. If Optionee has not obtained all of the Permits within the Option Period, then Optionee shall have the right to terminate the Option at any time prior to the end of the Option Period.

7. Exercise of Option. To exercise the Option, Optionee shall give written notice of its election to purchase the Property in accordance with the Real Estate Contract prior to 5:00 p.m. PST on the last day of the Option Period ("Option Notice"). Upon delivery of such Option

IN WITNESS WHEREOF, the Optionor has hereunto set his hand and seal to this Option Agreement, and the Optionee has caused this Option Agreement to be executed by its duly authorized officers, all as of the date first set forth above.

OPTIONOR:
Vanpelt Family Trust

Jake Van Pelt
Marilyn Van Pelt
By Jake and Marilyn Vanpelt,
Co-Trustees of The Vanpelt Family Trust

On this 26th day of JUNE, 2018, before me personally appeared JAKE AND MARILYN VANPELT, husband and wife, as Co-Trustees of the Vanpelt Family Trust, to me known to be the persons who executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of the VANPELT FAMILY TRUST, for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year above written.

Mark J. Irmscher
NOTARY PUBLIC in and for
STATE OF OREGON
Residing at: LINCOLN COUNTY
My commission expires: APRIL 30, 2021



OPTIONEE:

Cadman Materials, Inc., a Washington corporation

By: [Signature]
Its: VPS 607 Materials, Pacific Northwest

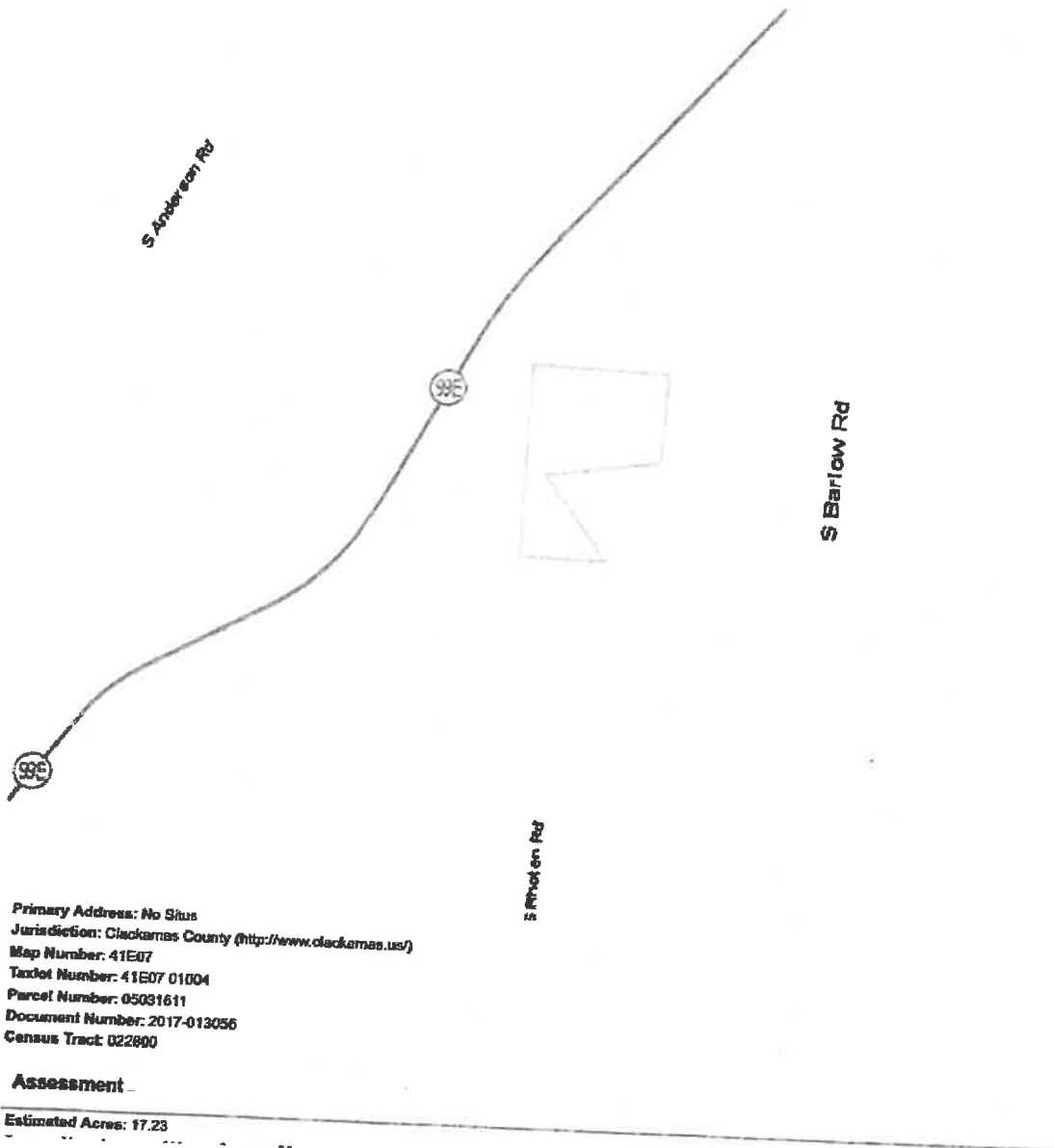
On this 29th day of June, 2018, before me personally appeared Jörg Nixdorf to me known to be the VPMaterials of Cadman Materials, Inc., a Washington corporation, the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year above written.



Gwyn Suzette Hart
NOTARY PUBLIC in and for
Washington
Residing at: Fair City
My commission expires: 9/21/2020

Exhibit A (continued)
Legal Description and Parcel Map



Clackamas County Planning and Zoning Division
150 Beavercreek Road
Oregon City, OR 97045

Re: Land Owner Consent to Pursue Clackamas County Land Use Approval

To whom it may concern:

As the landowners of Clackamas County Tax Parcel Numbers 01495563 and 01004898, we do hereby grant Cadman Materials Inc. permission to pursue land use approval from Clackamas County for aggregate extraction on those parcels.



Sincerely,

Rod Yoder *Charis Yoder*
Rod & Charis Yoder



PRELIMINARY STATEMENT OF FEASIBILITY

To be completed by the applicant:

Applicant's Name: Cadman Materials Inc.

Property Legal Description: T 4 S, R 1E, Section 7, Tax Lot(s) 500, 600, 700, 800, 801, 1002, 1003, 1004

Site Address: 1/2 Mile South intersection of Hwy 99E & Barlow Rd, west side of road Project Engineer: Geologist - Kuper Consulting LLC

Project Title/Description of Proposed Development: _____

Canby Phase 4, expansion of aggregate mine excavation site from existing site southerly onto above tax lots

To be completed by the service provider or surface water management authority:

Check all that apply:

- ☐ Sanitary sewer capacity in the wastewater treatment system and the sanitary sewage collection system is available to serve the development or can be made available through improvements completed by the developer or the system owner.
- ☒ Adequate surface water treatment and conveyance is available to serve the development or can be made available through improvements completed by the developer or the system owner.
- ☐ Water service is available in levels appropriate for the development, and adequate water system capacity is available in source, supply, treatment, transmission, storage and distribution or such levels and capacity can be made available through improvements completed by the developer or the system owner. This statement ☐ applies ☐ does not apply to fire flows.*

**If water service is adequate with the exception of fire flows, the applicant shall submit a statement from the fire district serving the subject property that states that an alternate method of fire protection, such as an on-site water source or a sprinkler system, is acceptable.*

- ☐ This statement is issued subject to conditions of approval set forth in the attached.
- ☐ Adequate ☐ sanitary sewer service, ☐ surface water management, ☐ water service cannot be provided.

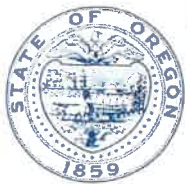
Vincent Haganathan
Signature of Authorized Representative

Civil Engineer
Title

1/23/19
Date

Clackamas County - DTD
Name of Service Provider or Surface
Water Management Authority

Completion of this statement does not reserve capacity for the development and does not alter an applicant's obligation to comply with the service provider's or surface water management authority's regulations. Completion of this statement does not obligate the service provider or surface water management authority to finance or construct improvements necessary to provide adequate service for the proposed development. Completion of this statement does not guarantee that land use approval for the proposed development will be granted.



Oregon

Kate Brown, Governor

Department of Environmental Quality

Northwest Region

700 NE Multnomah Street, Suite 600

Portland, OR 97232

(503) 229-5263

FAX (503) 229-6945

TTY 711

July 2, 2018

Environmental Manager
Cadman Materials, Inc.
PO Box 97038
Redmond, WA 98073

Re: Re-Issuance of a General ACDP

Permit No.: 37-0494-08-01 Application No.: 029835

The Department of Environmental Quality has reviewed and approved the renewal application for Cadman Materials, Inc.'s General ACDP: AQGP-08 a General ACDP for its rock crushing. The crusher is portable. The effective date of the permit is the date it was signed by the regional Air Quality Manager.

The signature and date appears on the first page of the document. The permit is issued pursuant to Oregon Revised Statutes 468A.040 and Oregon Administrative Rules Chapter 340 Division 216.

You may appeal conditions or limitations contained in the attached permit by applying to the Environmental Quality Commission, or its authorized representative, within twenty days from the date of this letter. Appeals are pursuant to ORS Chapter 183 and procedures are found in OAR Chapter 340, Division 11.

A copy of the current permit must be available at the facility at all times. Failure to comply with permit conditions may result in civil penalties. **You are expected to read the permit carefully and comply with all conditions to protect the environment of Oregon.**

If you have any questions, please contact Daniel Murphy at 503-229-6068.

Sincerely,

Matt Hoffman
DEQ Northwest Region Air Quality Manager

Enclosure
Cc: HQ/AQ



ASSIGNMENT
to
GENERAL AIR CONTAMINANT DISCHARGE PERMIT

Department of Environmental Quality
Northwest Region
700 NE Multnomah St., Suite 600
Portland, OR 97232

PERMITTEE:

Cadman Materials, Inc.
PO Box 97038
Redmond WA 98073-9738

INFORMATION RELIED UPON:

Application No.: 029835
Date Received: 02/15/2018


PLANT SITE LOCATION:

Portable

**LAND USE COMPATIBILITY
STATEMENT:**

Approving Authority: Not applicable for
portable sources

ASSIGNMENT: The permittee identified above is assigned by the Department of Environmental Quality to the General ACDP listed below in accordance with ORS 468A.040, OAR 340-216-0060(2) and based on the land use compatibility findings included in the permit record (note: land use compatibility statements are not applicable to portable sources).


Matt Hoffman, Northwest Region AQ Manager

7/2/2018
Dated

General Air Contaminant Discharge Permit Issued in Accordance with OAR 340-216-0060:

General ACDP Number	Expiration Date	Source Category Description
AQGP-008	10/01/2027	Rock, concrete, or asphalt crushing
Rule Citation	OAR 340-216-8010, Table 1, Part B, 70	
SIC	1442	
NAICS	212321	

SUPPLEMENTAL INFORMATION:

Facility contact:		
Name:	Noel Barnett	
Phone number:	360-260-6018	
Facsimile number:		
e-mail address:	noelw.barnett@lehighhanson.com	
Permit Summary:		
Source Test Requirement	No	N/A
NSPS (40 CFR Part 60)	No	N/A
NESHAP (40 CFR Part 63)	No	
Reports Required:		
Annual	Yes	Due by February 15 th every year
NSPS	No	N/A
NESHAP	N/A	N/A
Other	Yes	Refer to Condition 7.0 Excess Emissions, Greenhouse Gas Registration and Reporting, Relocation Notice, Notice of Change of Ownership or Company Name, and Construction or Modification Notices
Public Notice	Category I	
Application review report:		
The Department has reviewed the application for assignment to the General ACDP and determined that the application is complete and the subject facility qualifies for assignment to the General ACDP.		



State of Oregon
Department of
Environmental
Quality

Permit Number: AQGP-008
Expiration Date: 10/01/2027
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GENERAL AIR CONTAMINANT DISCHARGE PERMIT

Department of Environmental Quality
Operations Division
Air Operations Section
700 NE Multnomah Street, Suite 600
Portland, OR 97232
Telephone: 503-229-5696

This permit is issued in accordance with the provisions of ORS 468A.040 and OAR 340-216-0060

ISSUED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY

Signed copy of permit on file at DEQ

October 10, 2017

Lydia Emer, Operations Division Administrator

Dated

Portable and stationary rock crushers, screens, and associated material handling activities such as storage piles, conveyors, and vehicle traffic. Other equipment may include electrical generators with internal combustion engines. SIC 1442

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1.0 PERMIT ASSIGNMENT

1.1 Qualifications

The permittee must meet all of the following conditions in order to qualify for assignment to this General Air Contaminant Discharge Permit (ACDP):

- a. The permittee is performing rock crushing activities listed on the cover page of this permit, including supporting activities.
- b. A Simple or Standard ACDP is not required for the source.
- c. The source is not having ongoing, recurring or serious compliance problems.

1.2 Assignment

DEQ will assign qualifying permittees to this permit that have and maintain a good record of compliance with DEQ's Air Quality regulations and that DEQ determines would be appropriately regulated by a General ACDP. DEQ may rescind assignment if the permittee no longer meets the requirements of OAR 340-216-0025(2), 340-216-0060 and the conditions of this permit.

1.3 Permitted Activities

The permittee is allowed to discharge air contaminants from processes and activities related to the air contaminant source(s) listed on the first page of this permit until this permit expires, is modified, revoked or rescinded as long as conditions of this permit are complied with. If there are other emissions activities occurring at the site besides those listed on the cover page of this permit, the permittee may be required to obtain an associated General ACDP Attachment or a Simple or Standard ACDP, if applicable.

1.4 Relation to local land use laws

This permit is not valid in Lane County, or at any location where the operation of the permittee's processes, activities, and insignificant activities would be in violation of any local land use or zoning laws. For operation in Lane County, contact Lane Regional Air Protection Agency for any necessary permits at 541-736-1056. It is the permittee's sole responsibility to obtain local land use approvals as, or where, applicable before operating this facility at any location.

2.0 GENERAL EMISSION STANDARDS AND LIMITS



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2.1 Visible Emissions

The permittee must comply with the following visible emission limits, as applicable:

- a. Visible emissions from sources installed, constructed or modified prior to June 1, 1970, and located outside a special control area, must not equal or exceed:
 - i. An average of 40 percent opacity through December 31, 2019; and
 - ii. An average of 20 percent opacity on and after January 1, 2020.
- b. Visible emissions from sources installed, constructed or modified on or after June 1, 1970 and from any source located inside a special control area must not equal or exceed an average of 20 percent opacity.
- c. The visible emissions limitation in this condition is based upon a six-minute block average of 24 consecutive observations recorded at 15-second intervals as specified in OAR 340-208-0110(2).
- d. The visible emissions standard in this condition does not apply to fugitive emissions from the source.
- e. As used in this condition, "special control area" means an area designated in OAR 340-204-0070:
 - i. Benton, Clackamas, Columbia, Lane, Linn, Marion, Multnomah, Polk, Washington and Yamhill Counties;
 - ii. Umpqua Basin and Rogue Basin - associated boundaries are defined in OAR 340-204-0010; and
 - iii. Areas within incorporated cities having a population of 4,000 or more, and within three miles of the corporate limits of any such city.

2.2 Fugitive Emissions

The permittee must comply with the following, as necessary:

- a. The permittee must take reasonable precautions to prevent fugitive particulate matter from becoming airborne from all site operations from which it may be generated. Such reasonable precautions may include, but not be limited to:
 - i. Controlling vehicle speeds on unpaved roadways;
 - ii. Application of water or other suitable chemicals on unpaved roads, material stockpiles, and other surfaces which can create airborne dusts;

- iii. Full or partial enclosure of material stockpiles in cases where application of water or other suitable chemicals are not sufficient to prevent particulate matter from becoming airborne;
- iv. Covering, at all times when in motion, open bodied trucks transporting materials likely to become airborne;
- v. The prompt removal from paved streets of earth or other material (track-out) that may become airborne;
- vi. Alternative precautions approved by DEQ.
- b. For purposes of this condition, fugitive particulate emissions are visible emissions that leave the permittee's property for a period or periods totaling more than 18 seconds in a six minute period.
- c. Fugitive particulate emissions are determined by EPA Method 22 at the downwind property boundary.
- d. If requested by DEQ, the permittee must develop a fugitive emission control plan that will prevent any visible emissions from leaving the property of a source for more than 18 seconds in a six-minute period following the procedures of EPA Method 22.

**2.3 Particulate Matter
Fallout**

The permittee must not cause or permit the deposition of any particulate matter larger than 250 microns in size at sufficient duration or quantity, as to create an observable deposition upon the real property of another person

**2.4 Nuisance and
Odors**

The permittee must not cause or allow air contaminants from any source to cause a nuisance. Nuisance conditions will be verified by DEQ personnel.

**2.5 Fuels and Fuel
Sulfur Content**

If the permittee burns any of the fuels listed below, the sulfur content cannot exceed:

- a. 0.0015% sulfur by weight (15 ppmw) for ultra low sulfur diesel;
- b. 0.3% sulfur by weight (3,000 ppmw) for ASTM Grade 1 distillate oil;
- c. 0.5% sulfur by weight (5,000 ppmw) for ASTM Grade 2 distillate oil;
- d. 1.75% sulfur by weight for residual oil;



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2.6 RICE Generator Limitation

- e. The permittee is allowed to use on-specification used oil that contains no more than 0.5% sulfur by weight (5,000 ppmw). The permittee must obtain analyses from the marketer or, if generated on site, have the used oil analyzed, so that it can be demonstrated that each shipment or batch of used oil does not exceed the used oil specifications contained in 40 CFR Part 279.11, Table 1.

The permittee is allowed to use on-specification used oil that contains no more than 0.5% sulfur by weight. The permittee must obtain analyses from the marketer or, if generated on site, have the used oil analyzed, so that it can be demonstrated that each shipment or batch of oil does not exceed the used oil specifications contained in 40 CFR Part 279.11, Table 1.

- a. The RICE unit will remain and be operated at the same location for more than 12 consecutive months; OR
- b. The RICE unit meets all of the criteria below and is considered a “stationary seasonal source”:
 - i. An engine is a seasonal source if it remains at one location during the full annual operating period of the source and operates at that single location for approximately three (or more) months each year.
 - ii. A seasonal source is a stationary source if it remains and operates in a single location on a permanent basis (i.e., at least two years).
- c. As used above, a location is any single site at a building, structure, facility, or installation. Any engine that replaces an engine at a location and performs the same or similar function will be included in the calculation of consecutive time period.
- d. The permittee must apply for a stationary source RICE generator permit at least 60 days before the facility becomes recognized as a stationary source.

A compliance handbook is available from DEQ's Small Business Technical Assistance Program by calling (503) 229-6147.

3.0 OPERATION AND MAINTENANCE REQUIREMENTS

- 3.1 Work practices** The use of water sprays or equivalent control is required when the source of minerals to be crushed does not contain adequate moisture to suppress dust conditions.
- 3.2 Fugitive Emissions Control Plan** While operating in the Medford-Ashland AQMA, the permittee must prepare and implement site-specific plans for the control of fugitive emissions in accordance with OAR 340-240-0180. While operating in the Lakeview Urban Growth Area (UGA), the permittee must prepare and implement site-specific plans for the control of fugitive emissions in accordance with OAR 340-240-0410.
- 3.3 O&M plan** While operating in the Medford-Ashland AQMA, the permittee must prepare and implement an operation and maintenance (O&M) plan in accordance with OAR 340-240-0190. While operating in the Lakeview UGA, the permittee must prepare and implement an O&M plan in accordance with OAR 340-240-0420.

4.0 PLANT SITE EMISSION LIMITS

4.1 Plant Site Emission Limits (PSEL)

Plant site emissions must not exceed the following:

Pollutant	Limit	Units
PM	24	tons per year
PM ₁₀	14	tons per year
PM _{2.5}	9	tons per year
SO ₂	39	tons per year
NO _x	39	tons per year
CO	99	tons per year
VOC	39	tons per year
GHGs (CO ₂ e)	74,000	tons per year

4.2 PM₁₀ PSEL for Medford-Ashland AQMA

For sources operating in the Medford-Ashland AQMA, plant site emissions of PM₁₀ must not exceed the following:

Pollutant	Limit	Units
PM ₁₀	4.5	tons per year
	49	pounds per day

4.3 Annual Period

The annual plant site emissions limits apply to any 12-consecutive calendar month period.

5.0 COMPLIANCE DEMONSTRATION

5.1 Fuel Sulfur Monitoring

If fuel oil is burned, the permittee must either obtain a certificate from the vendor stating that the fuel sulfur content complies with the limits in Condition 2.5 or have a sample of the fuel analyzed in accordance with the appropriate ASTM analytical procedures. If the permittee has samples analyzed for sulfur, a sample must be collected from the holding tank just after each shipment of oil is added to the tank.

5.2 PSEL Compliance Monitoring

Compliance with the PSEL is determined for each 12-consecutive calendar month period based on the following calculation for each pollutant:

$$E = \Sigma(EF \times P)/2000$$

where,

E = pollutant emissions (ton/yr);

EF = pollutant emission factor (see below);

P = process production (tons of crushed rock for the rock crusher and gallons of fuel burned for the generators)

5.3 Emission Factors

The emission factors for determining compliance with the PSEL are as follows:

Emissions device or activity	Pollutant	Emission Factor (EF)	Emission factor units
Rock crusher	PM	0.04	lb/ton of rock crushed
	PM ₁₀	0.02	lb/ton of rock crushed
	PM _{2.5}	0.0012	lb/ton of rock crushed
Generator(s) (oil-fired)	PM/PM ₁₀ / PM _{2.5}	42.5	lb/1000 gallon of fuel burned
	SO ₂	39.7	lb/1000 gallon of fuel burned
	NO _x	604	lb/1000 gallon of fuel burned
	CO	130	lb/1000 gallon of fuel burned
	VOC	49.3	lb/1000 gallon of fuel burned

Generator(s) (natural gas, propane, and butane - fired)	PM/PM ₁₀ / PM _{2.5}	10	lb/million cubic feet of NG burned
	SO ₂	0.6	lb/million cubic feet of NG burned
	NO _x	2840	lb/million cubic feet of NG burned
	CO	399	lb/million cubic feet of NG burned
	VOC	116	lb/million cubic feet of NG burned

- 5.4 Medford/Ashland AQMA** If the source operates in the Medford/Ashland AQMA, the permittee must also maintain records of the daily rock crushed and calculate the daily maximum emissions for the reporting period.

6.0 RECORDKEEPING REQUIREMENTS

- 6.1 Operation and Maintenance** The permittee must maintain the following records related to the operation and maintenance of the plant and associated air contaminant control devices:
- Crushed rock produced in Oregon on a monthly basis for each site of operation (tons);
 - Crushed rock produced in PM₁₀ nonattainment areas in Oregon on a daily basis for each site of operation;
 - Types and quantities of fuel combusted in Oregon on a monthly basis for each site of operation (gallons or cubic feet);
 - Types and quantities of fuels combusted in PM₁₀ nonattainment areas in Oregon on a daily basis for each site of operation (gallons or cubic feet);
 - Sulfur content from vendor certification of each shipment of fuel oil, if used at the plant; and
 - If used oil is used, the permittee must obtain analyses from the marketer or, if generated on site, have the used oil analyzed, so that it can be demonstrated that each shipment or batch of oil does not exceed the used oil specifications contained in 40 CFR Part 279.11, Table 1.



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- 6.2 Excess Emissions** The permittee must maintain records of excess emissions as defined in OAR 340-214-0300 through 340-214-0340 (recorded on occurrence). Typically, excess emissions are caused by process upsets, startups, shutdowns, or scheduled maintenance.
- 6.3 Complaint Log** The permittee must maintain a log of all written and verbal complaints received that specifically refer to air pollution concerns associated to the permitted facility. The log must include a record of the permittee's actions to investigate the validity of each complaint and a record of actions taken for complaint resolution.
- 6.4 Retention of Records** Unless otherwise specified, the permittee must retain all records for a period of five (5) years from the date of the monitoring sample, measurement, report, or application and make them available to DEQ upon request. The permittee must maintain the two (2) most recent years of records onsite or available electronically.

7.0 REPORTING REQUIREMENTS

- 7.1 Excess Emissions** The permittee must notify DEQ by telephone or in person of any excess emissions which are of a nature that could endanger public health.
- a. Such notice must be provided as soon as possible, but never more than one hour after becoming aware of the problem. Notice must be made to the regional office identified in Condition 8.3.
 - b. If the excess emissions occur during non-business hours, the permittee must notify DEQ by calling the Oregon Emergency Response System (OERS). The current number is 1-800-452-0311.
 - c. The permittee must also submit follow-up reports when required by DEQ.
- 7.2 Annual Report** The permittee must submit to DEQ by **February 15** of each year this permit is in effect, two (2) copies of the following information for the preceding calendar year:
- a. Operating parameters:
 - i. Crushed rock produced in Oregon on an annual basis for each site of operation (reported in tons).

- ii. Types and quantities of fuels combusted in Oregon on an annual basis for each site of operation (gallons or cubic feet).
- iii. Maximum daily amount of rock crushed in PM₁₀ nonattainment areas and Air Quality Maintenance Areas (AQMAs); and
- iv. Type and maximum daily amount of fuel burned in the generator(s) in PM₁₀ nonattainment areas.
- b. Records of all planned and unplanned excess emissions events.
- c. Summary of complaints relating to air quality received by permittee during the year.
- d. List permanent changes made in plant process, production levels, and pollution control equipment which affected air contaminant emissions.
- e. List major maintenance performed on pollution control equipment.

- 7.3 Greenhouse Gas Registration and Reporting** If the calendar year emission rate of greenhouse gases (CO₂e) is greater than or equal to 2,756 tons (2,500 metric tons), the permittee must register and report its greenhouse gas emissions with DEQ in accordance with OAR 340-215.
- 7.4 Initial Startup Notice** The permittee must notify DEQ in writing of the date a new facility is started up. The notification must be submitted no later than seven (7) days after startup.
- 7.5 Relocation Notice** The permittee must not install or operate the facility or any portion of the facility at any new site without first providing written notice to the Permit Coordinator in the appropriate regional office. The written notice must include the date of the proposed move, approximate dates of operation, a detailed map showing access to the new site, and a description of the air pollution controls and procedures to be installed, operated, and practiced at the new site. Additional permits may be required if the permittee operates individual components of the facility at more than one site at a time.
- 7.6 Notice of Change of Ownership or Company Name** The permittee must notify DEQ in writing using a DEQ "Permit Application Form" within 60 days after the following:
- a. Legal change of the name of the company as registered with the Corporations Division of the State of Oregon; or
 - b. Sale or exchange of the activity or facility.



7.7 Construction or Modification Notices

The permittee must notify DEQ in writing using a DEQ "Notice of Construction Form," or "Permit Application Form," and obtain approval in accordance with OAR 340-210-0205 through 340-210-0250 before:

- a. Constructing or installing any new source of air contaminant emissions, including air pollution control equipment;
- b. Modifying or altering an existing source that may significantly affect the emission of air contaminants;
- c. Making any physical change which increases emissions; or
- d. Changing the method of operation, the process, or the fuel use, or increasing the normal hours of operation that result in increased emissions.

7.8 Where to Send Reports and Notices

Reports and notices, with the permit number prominently displayed, must be sent to the Permit Coordinator for the regional office where the source is located as identified in Condition 8.2. For portable units, reports and notices should be sent to the DEQ Regional Office nearest the company's Office of record.

8.0 ADMINISTRATIVE REQUIREMENTS

8.1 Reassignment to the General ACDP

The permittee must complete an application for reassignment to this permit within 60 days after the permit is reissued. DEQ will notify the permittee when the permit is reissued. The application must be sent to the appropriate regional office.

- a. If DEQ is delinquent in renewing the permit, the existing permit will remain in effect and the permittee must comply with the conditions of the permit until such time that the permit is reissued and the source is reassigned to the permit.
- b. The permittee may submit an application for either a Simple or Standard ACDP at any time, but the permittee must continue to comply with the General ACDP until DEQ takes final action on the Simple or Standard ACDP application.
- c. If a complete application for reassignment to the General ACDP or Simple or Standard ACDP is filed with DEQ in a timely manner, the permit will not be deemed to expire until final action has been taken on the application.



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8.2 Permit Coordinator Addresses

All reports, notices, and applications should be directed to the Permit Coordinator for the area where the source is located. The Permit Coordinator addresses are as follows:

Counties	Permit Coordinator Address and Telephone
Clackamas, Clatsop, Columbia, Multnomah, Tillamook, and Washington	Department of Environmental Quality Northwest Region 700 NE Multnomah Street, Suite 600 Portland, OR 97232 Telephone: (503) 229-5582
Benton, Coos, Curry, Douglas, Jackson, Josephine, Lincoln, Linn, Marion, Polk, and Yamhill	Department of Environmental Quality Western Region 4026 Fairview Industrial Drive Salem, OR 97302 Telephone: (503) 378-8240 ext. 225
Baker, Crook, Deschutes, Gilliam, Grant, Harney, Hood River, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, Wheeler	Department of Environmental Quality Eastern Region 475 NE Bellevue, Suite 110 Bend, OR 97701 Telephone: (541) 388-6146 ext. 223

8.3 DEQ Contacts

Information about air quality permits and DEQ's regulations may be obtained from the DEQ web page at www.deq.state.or.us. All inquiries about this permit should be directed to the regional office for the area where the source is located. DEQ's regional offices are as follows:

Counties	Office Address and Telephone
Clackamas, Clatsop, Columbia, Multnomah, Tillamook, and Washington	Department of Environmental Quality Northwest Region 700 NE Multnomah Street, Suite 600 Portland, OR 97232 Telephone: (503) 229-5696
Benton, Lincoln, Linn, Marion, Polk, and Yamhill	Department of Environmental Quality Salem Office 4026 Fairview Industrial Drive Salem, OR 97302 Telephone: (503) 378-8240
Coos, Curry, and Western Douglas	Department of Environmental Quality Coos Bay Office 381 N Second Street Coos Bay, OR 97420 Telephone: (541) 269-2721



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Eastern Douglas, Jackson, and Josephine	Department of Environmental Quality Medford Office 221 Stewart Avenue, Suite 201 Medford, OR 97501 Telephone: (541) 776-6010
Crook, Deschutes, Harney, Hood River, Jefferson, Klamath, Lake, Sherman, Wasco, and Wheeler	Department of Environmental Quality Bend Office 475 NE Bellevue, Suite 110 Bend, OR 97701 Telephone: (541) 388-6146
Baker, Gilliam, Grant, Malheur, Morrow, Umatilla, Union, and Wallowa	Department of Environmental Quality Pendleton Office 800 SE Emigrant Avenue, Suite 330 Pendleton, OR 97801 Telephone: (541) 276-4063

9.0 FEES

- 9.1 Annual Compliance Fee** The Annual Compliance Determination Fee specified in OAR 340-216-0060 and 340-216-8020, Table 2, Part 2(c) for a Class Two General ACDP is due on **December 1** of each year this permit is in effect. An invoice indicating the amount, as determined by DEQ regulations, will be mailed prior to the above date.
- 9.2 Change of Ownership or Company Name Fee** The non-technical permit modification fee specified in OAR 340-216-8020, Table 2, Part 3(a) is due with an application for changing the ownership or the name of the company of a source assigned to this permit.
- 9.3 Where to Submit Fees** Fees must be submitted to:
Department of Environmental Quality
Financial Services – Revenue Section
700 NE Multnomah Street, Suite 600
Portland, OR 97232-4100

10.0 GENERAL CONDITIONS AND DISCLAIMERS

- 10.1 Other Regulations** In addition to the specific requirements listed in this permit, the permittee must comply with all other legal requirements enforceable by DEQ.
- 10.2 Conflicting Conditions** In any instance in which there is an apparent conflict relative to conditions in this permit, the most stringent conditions apply.



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| 10.3 Masking of Emissions | The permittee must not cause or permit the installation of any device or use any means designed to mask the emissions of an air contaminant that causes or is likely to cause detriment to health, safety, or welfare of any person or otherwise violate any other regulation or requirement. |
| 10.4 DEQ Access | The permittee must allow DEQ's representatives access to the plant site and pertinent records at all reasonable times for the purposes of performing inspections, surveys, collecting samples, obtaining data, reviewing and copying air contaminant emissions discharge records and conducting all necessary functions related to this permit in accordance with ORS 468-095. |
| 10.5 Permit Availability | The permittee must have a copy of the permit available at the facility at all times. |
| 10.6 Open Burning | The permittee must not conduct any open burning except as allowed by OAR 340 Division 264. |
| 10.7 Asbestos | The permittee must comply with the asbestos abatement requirements in OAR 340, Division 248 for all activities involving asbestos-containing materials, including, but not limit to, demolition, renovation, repair, construction, and maintenance. |
| 10.8 Property Rights | The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. |
| 10.9 Termination, Revocation, or Modification | The Commission may modify or revoke this permit pursuant to OAR 340-216-0060(3) and (4) and 340-216-0082. |



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11.0 ABBREVIATIONS, ACRONYMS, AND DEFINITIONS

ACDP	Air Contaminant Discharge Permit	NSR	New Source Review
ASTM	American Society for Testing and Materials	O ₂	Oxygen
AQMA	Air Quality Maintenance Area	OAR	Oregon Administrative Rules
bbl	barrel (42 gal)	ORS	Oregon Revised Statutes
calendar year	The 12-month period beginning January 1st and ending December 31st	O&M	operation and maintenance
CFR	Code of Federal Regulations	Pb	Lead
CO	carbon monoxide	PCD	pollution control device
date	mm/dd/yy	PM	particulate matter
DEQ	Oregon Department of Environmental Quality	PM _{2.5}	particulate matter less than 2.5 microns in size
dscf	dry standard cubic foot	PM ₁₀	particulate matter less than 10 microns in size
EPA	US Environmental Protection Agency	ppm	part per million
FCAA	Federal Clean Air Act	ppmv	part per million by volume
gal	gallon(s)	PSD	Prevention of Significant Deterioration
GHGs	Greenhouse gasses in CO ₂ equivalent	PSEL	Plant Site Emission Limit
gr/dscf	grains per dry standard cubic foot	PTE	Potential to Emit
HAP	Hazardous Air Pollutant as defined by OAR 340-244-0040	RACT	Reasonably Available Control Technology
ID	identification number	scf	standard cubic foot
I&M	inspection and maintenance	SER	Significant Emission Rate
lb	pound(s)	SERP	Source Emission Reduction Plan
MMBtu	million British thermal units	SIC	Standard Industrial Code
NA	not applicable	SIP	State Implementation Plan
NESHAP	National Emissions Standards for Hazardous Air Pollutants	SO ₂	sulfur dioxide
NO _x	nitrogen oxides	Special Control Area	as defined in OAR 340-204-0070
NSPS	New Source Performance Standard	VE	visible emissions
		VOC	volatile organic compound
		year	A period consisting of any 12-consecutive calendar months



Department of Environmental Quality
Operations Division

GENERAL
AIR CONTAMINANT DISCHARGE PERMIT
ASSESSMENT REPORT

ROCK CRUSHERS/CONCRETE CRUSHERS/RAP CRUSHERS

SOURCE DESCRIPTION AND QUALIFICATION

1. This General Permit is designed to regulate air contaminant emissions from rock crushers, concrete crushers and recycled asphalt product (RAP) crushers.
2. If there are other emission activities occurring at the facility besides those regulated by this permit, the facility may be required to obtain a Simple or Standard ACDP or General ACDP Attachment(s), as applicable.
3. Facilities eligible for assignment to this permit have not experienced recurring or serious compliance problems.

ASSESSMENT OF EMISSIONS

4. Facilities assigned to this General Permit are sources of PM, PM₁₀ and PM_{2.5} emissions. Some facilities are portable and may operate generators to produce the energy necessary for the production processes. Generators are also sources of PM, PM₁₀ and PM_{2.5}, as well as SO₂, CO, NO_x, VOC, HAP and GHG emissions. Facilities with generators may be required to obtain a General ACDP Attachment for the generators.
5. Potential nuisances originating from this type of operation could include fugitive dust associated with the crushing process, material handling operations and vehicular traffic. The permit includes requirements to control fugitive dust emissions.
6. DEQ has assessed the level of emissions of all air pollutants from these facilities and determined that facilities complying with the operational limits and monitoring requirements of this permit have emission levels below the established levels of concern stated in Tables 2 and 3 of OAR 340-200-0020.

SPECIFIC AIR PROGRAM APPLICABILITY

7. Facilities assigned to this General Permit are subject to the general visible emissions standards, nuisance requirements (control of fugitive dust and odors), and fuel sulfur limits in OAR Chapter 340, Divisions 208 and 228. The permit contains requirements and limitations to ensure compliance with these standards. The particulate matter emission limits in OAR Chapter 340, Division 226 are not applicable to these facilities because the emissions are fugitives, which cannot be measured using standard test methods.
8. Facilities assigned to this General Permit may be subject to 40 CFR Part 60, Subpart OOO. Oregon has not adopted the regulation for sources of this size, but the regulation may impose requirements on the source which are implemented by the US EPA.

COMPLIANCE ASSURANCE

9. Permittees are required to use water sprays for controlling fugitive dust emissions when crushing dry material.
10. Permittees are required to maintain records of production, upset conditions, and complaints received at the facility. These items are reported to DEQ annually.
11. DEQ staff members perform site inspections of the permitted facilities on a routine basis, and more frequently if complaints are received.

REVOCATION OF ASSIGNMENT

12. Any facility that fails to demonstrate compliance, generates complaints, or fails to conform to the requirements and limitations contained in the permit may have its assignment to the General Permit revoked. The facility would then be subject to a higher, more stringent level of permitting.

PUBLIC NOTICE

13. General Air Contaminant Discharge Permits are incorporated into the Oregon Administrative Rules by reference and are part of the State Implementation Plan. As part of the rulemaking process, the public will be provided at least 30 days to submit written comments or may provide oral testimony at a public hearing that will be held at the end of the comment period. Notice of when and where the hearing will be held will be provided at least 30 days in advance of the hearings. DEQ will review any comments and may modify the permits in response to the comments. The final permits will be issued after approval by the Administrator of DEQ's Operations Division.