

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



A-PA
Acc 938006V
RN 100519248

70980 | PA

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

September 28, 2009

MR J V LATTIMORE
VICE PRESIDENT
LATTIMORE MATERIALS COMPANY LP
PO BOX 556
MCKINNEY TX 75070-8139

RECEIVED
SEP 30 2009
TCEQ
CENTRAL FILE ROOM

Re: Transfer of Ownership
Customer Number: CN600316129
Regulated Entity Number: RN102772274, RN102296340, RN102174885, RN105416267,
RN104670039, RN100519248

Dear Mr. Lattimore:

Thank you for the letter dated August 28, 2009, notifying us of the ownership change. Your letter states that Lattimore Materials Company, L.P., is now the Owner and Operator of the facilities listed above. The following air authorizations have been updated to reflect the transfers.

| Permit/Reg. Numbers: | Permit/Reg. Expiration Dates: | County: | Previous Permittee/Registrant: |
|-------------------------|----------------------------------|------------|---------------------------------|
| 44523 | N/A | Montgomery | Frontier Materials Concrete LLC |
| 77750 | N/A | Montgomery | Frontier Materials Concrete LLC |
| 42362 | N/A | Harris | Frontier Materials Concrete LLC |
| 43288 | N/A | Harris | Frontier Materials Concrete LLC |
| 39919 | N/A | Harris | Frontier Materials Concrete LLC |
| 87610 | N/A | Montgomery | Frontier Aggregates, LLC |
| 76275L001 | October 7, 2015 | Harris | Frontier Materials Concrete LLC |
| 38520 | N/A | Harris | Frontier Materials Concrete LLC |
| 70980 | N/A | Harris | Frontier Materials Concrete LLC |
| 77467 | January 31, 2016 | Harris | Frontier Materials Concrete LLC |
| 77810 | N/A | Harris | Frontier Materials Concrete LLC |

We understand that there will be no change in the type of pollutants emitted and no increase in the quantity of emissions. As the new permittee of the facility, you have committed to maintain compliance with all air quality regulations of the Texas Commission on Environmental Quality (TCEQ) and the requirements of this permit at all times.

Mr. J. V. Lattimore
Page 2
September 28, 2009

Re: Transfer of Ownership


If you are a Title V federal operating permit holder, Title 30 Texas Administrative Code § 122.211 requires that changes to the permit identification of ownership or operational control of a site are administrative revisions to the permit. Such changes must be facilitated by a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the old and new permit holder. This written agreement must be maintained with the permit.

In order to facilitate the administrative revision, please submit the Air Permits Division Change of Name/Ownership form (TCEQ-20405) or the following forms: OP-2 and OP-CR01. Also, make sure the information requested on form OP-1 sections I; II A and B; and VI is submitted in the revision application along with an indication of permit responsibility, coverage, and liability between the old and new permit holder.

Any questions regarding the administrative revision to the federal operating permit may be directed to Mr. Bernard Tupa at (512) 239-1150.

Thank you for informing us of this ownership change. If you have any questions regarding this letter, please feel free to contact me at (512) 239-4797.

Sincerely,



Brenda O'Brien
Air Permits Initial Review Team (MC-161)
Air Permits Division
Texas Commission on Environmental Quality

cc: Ms. Melissa Fitts, Environmental Specialist, Westward Environmental, Inc., Boerne
Air Section Manager, Region 12 - Houston
Mr. Mark Chambers, Industrial Emissions Assessment Section (MC-164), Austin
TCEQ Central Records (MC-198)



Westward Environmental, Inc.

*P.O. Box 2205
BOERNE, TEXAS
78006*

August 28, 2009

Texas Commission on Environmental Quality
Air Permits Initial Review Team, MC-161
P.O. Box 13087
Austin, Texas 78711-3087

Project No.: 10203-83

AIR PERMITS DIVISION

AUG 31 2009

RECEIVED

Attention: Mr. Don Nelon

Subject: Change of Ownership

Mr. Nelon,

On behalf of Lattimore Materials Company, L.P., please accept this letter as notification of the change of ownership for the facilities listed below. The corresponding Core Data Forms and Change of Ownership Request Worksheet are attached. Effective August 1, 2009, Lattimore Materials Company, L.P. (CN600316129) replaced Frontier Materials Concrete, LLC (CN603124280) and/or Frontier Aggregates, LLC (CN603350588) as owner and operator of the following facilities:

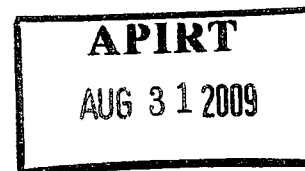
| | | |
|---------------------|--|-------------|
| Conroe Plant | Exemption 44523 & PBR 77750 | RN102772274 |
| Humble Plant | Standard Permit 76275L001 | RN104670039 |
| Katy Plant | PBRs 42362 & 43288 | RN102296340 |
| Spring Plant & Rail | SE 38520, Standard 77467, PBRs 70980 & 77810 | RN100519248 |
| Tomball Plant | Exemption 39919 | RN102174885 |
| Woodlands Plant | PBR 87610 | RN105416267 |

Westward Environmental, Inc. (WEI) serves as the technical representative for Lattimore Materials Company, L.P. on this project. **Please ensure that WEI is copied on all correspondence.** If you have any questions regarding this notification, please contact our office.

Respectfully submitted,
WESTWARD ENVIRONMENTAL, INC.

Melissa A. Fitts

Melissa Fitts
Environmental Specialist



Distribution: ☒ Addressee
TCEQ Region 12 (fax)
Mr. J.V. Lattimore – Lattimore Materials Company, L.P.
WEI 10203-83 File

Attachments: TCEQ Change of Ownership Request Form
Core Data Forms

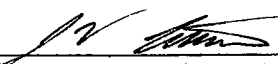


Texas Commission on Environmental Quality
Air Permits Division
Change of Name/Ownership Form

| | | |
|---|--------------|---|
| I. Application Type | | |
| <input checked="" type="checkbox"/> Change in Ownership <input type="checkbox"/> Change in Company Name | | |
| II. Name of the New Owner or Operator of the Facilities or Equipment (Legal Entity Name of the new permittee) | | |
| A. Customer Name: Lattimore Materials Company, L.P. | | |
| B. Customer Reference Number (CN) (if issued): CN600316129 | | |
| C. Submittal Date: August 28, 2009 | | |
| D. Effective Date of Change: August 1, 2009 | | |
| E. Is the new owner an affiliate of the previous owner? | | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| III. Responsible Official (RO) Contact Information | | |
| Name (<input checked="" type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Dr.): J.V. Lattimore | | |
| Title: Vice President | | |
| Company Name: Lattimore Materials Company, L.P. | | |
| Mailing Address: P.O. Box 556 | | |
| City: McKinney | State: Texas | Zip Code: 75070 |
| Territory: N/A | | Country: United States |
| Foreign Postal Code: N/A | | Internal Mail Code: N/A |
| Telephone No.: (972) 221-4646 | | Fax No.: (972) 221-4100 |
| E-mail Address: | | |
| IV. Technical Contact Information | | |
| Name (<input type="checkbox"/> Mr. <input checked="" type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Dr.): Melissa Fitts | | |
| Title: Environmental Specialist | | |
| Company Name: Westward Environmental, Inc. | | |
| Mailing Address: P.O. Box 2205 | | |
| City: Boerne | State: Texas | Zip Code: 78006 |
| Territory: N/A | | Country: United States |
| Foreign Postal Code: N/A | | Internal Mail Code: N/A |
| Telephone No.: (830) 249-8284 | | Fax No.: (830) 249-0221 |
| E-mail Address: mfitts@westwardenv.com | | |
| V. Site Information | | |
| A. Site Names: Conroe Plant, Humble Plant, Katy Plant, Spring Plant & Rail, Tomball Plant, & Woodlands Plant | | |
| B. Regulated Entity Numbers (RN): 102772274, 104670039, 102296340, 100519248, 102174885, & 105416267 | | |
| C. Account Numbers: MQ0630H, 960147V, HX2665U, 938006V, 939919G, & no account for RN105416267 | | |



Texas Commission on Environmental Quality
Air Permits Division
Change of Name/Ownership Form

| | | | | | | | | |
|---|-----|-----------------|-----------------|------------------|--------------------------------|----|--|-------|
| V. Site Information (continued) | | | | | | | | |
| D. If action is transfer of ownership, is the change for the entire site? | | | | | | | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A | |
| E. If action is transfer of ownership for a portion of the existing site, will the new site be a major source? | | | | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A | |
| F. Indicate all pollutants for which the site is a major source based on the site's potential to emit. | | | | | | | | |
| Pollutant: | VOC | NO _x | SO ₂ | PM ₁₀ | CO | PB | HAPs | Other |
| Major at the Site (YES/NO): | No | No | No | No | No | No | No | No |
| VI. Air Authorizations That Are Affected By This Action | | | | | | | | |
| A. List all NSR authorizations (including PBR, SE, and standard permit registrations, and NSR permits), as applicable: 44523, 77750, 76275L001, 42362, 43288, 38520, 70980, 77467, 77810, 39919, & 87610 | | | | | | | | |
| B. List all FOPs (including SOPs and ATOs under GOPs), as applicable: N/A | | | | | | | | |
| VII. NSR Conditions for Change of Ownership under 30 TAC § 116.110(e) | | | | | | | | |
| <ul style="list-style-type: none">• The new owner agrees to be bound by all the permit conditions and all representations made in the permit and any amendments and alterations.• The new owner asserts there will be no change in the type of pollutants emitted.• The new owner asserts there will be no increase in the quantity emitted. | | | | | | | | |
| VIII. FOP Conditions for Change of Ownership | | | | | | | | |
| <ul style="list-style-type: none">• For SOP holders: Pursuant to 30 TAC § 122.210 and § 122.211, the permit holder (new owner) is required to submit a permit revision application for a change to the permit identification of ownership or operational control of a site. The change must be facilitated by a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the old and new permit holder. This written agreement is maintained with the permit.• For GOP holders: Pursuant to 30 TAC § 122.503, the permit holder (new owner) is required to submit (before the change is operated) an application for a new authorization to operate for a change to the permit identification of ownership or operational control of a site. The change must be facilitated by a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the old and new permit holder. This written agreement is maintained with the permit. | | | | | | | | |
| A. Are any other changes needed for the FOP? (If YES, submit the information as explained in the instructions.) | | | | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A | |
| B. Is there an Acid Rain permit or Clean Air Interstate Rule (CAIR) permit included in the SOP? (If YES, submit the information as explained in the instructions.) | | | | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A | |
| IX. Authorization | | | | | | | | |
| I, <u>J.V. Lattimore</u> , certify that I am the responsible official for this application and that, based on information and belief formed after reasonable inquiry, the statements and information on this form are true, accurate, and complete. | | | | | | | | |
| Signature: <u></u> | | | | | Signature Date: <u>8.28.09</u> | | | |
| Title: Vice President | | | | | | | | |



38290 - 151132
70980 - 151132

77461 - 151283
77810 - 151283

TCEQ Use Only

TCEQ Core Data Form

For detailed instructions regarding completion of this form, please read the Core Data Form Instructions or call 512-239-5175.

SECTION I: General Information

| | | | |
|--|--|--|--|
| 1. Reason for Submission (If other is checked please describe in space provided) | | | |
| <input type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application) | | | |
| <input type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form) | | <input checked="" type="checkbox"/> Other Change of Ownership | |
| 2. Attachments Describe Any Attachments: (ex. Title V Application, Waste Transporter Application, etc.) | | | |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Change of Ownership Form | | | |
| 3. Customer Reference Number (if issued) | | 4. Regulated Entity Reference Number (if issued) | |
| CN 600316129 | | RN 100519248 | |

SECTION II: Customer Information

| | | | |
|--|--|--|--|
| 5. Effective Date for Customer Information Updates (mm/dd/yyyy) | | 8/1/2009 | |
| 6. Customer Role (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check only <u>one</u> of the following: | | | |
| <input type="checkbox"/> Owner | | <input type="checkbox"/> Operator | |
| <input type="checkbox"/> Occupational Licensee | | <input type="checkbox"/> Responsible Party | |
| <input checked="" type="checkbox"/> Owner & Operator | | <input type="checkbox"/> Voluntary Cleanup Applicant | |
| <input type="checkbox"/> Other: _____ | | | |
| 7. General Customer Information | | | |
| <input type="checkbox"/> New Customer | | <input type="checkbox"/> Update to Customer Information | |
| <input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State) | | <input checked="" type="checkbox"/> Change in Regulated Entity Ownership | |
| | | <input type="checkbox"/> No Change** | |
| **If "No Change" and Section I is complete, skip to Section III – Regulated Entity Information. | | | |
| 8. Type of Customer: | | | |
| <input type="checkbox"/> Corporation | | <input type="checkbox"/> Individual | |
| <input type="checkbox"/> City Government | | <input type="checkbox"/> Sole Proprietorship- D.B.A | |
| <input type="checkbox"/> County Government | | <input type="checkbox"/> Federal Government | |
| <input type="checkbox"/> State Government | | | |
| <input type="checkbox"/> Other Government | | <input checked="" type="checkbox"/> Limited Partnership | |
| <input type="checkbox"/> General Partnership | | <input type="checkbox"/> Other: _____ | |
| 9. Customer Legal Name (If an individual, print last name first: ex: Doe, John) | | If new Customer, enter previous Customer below | |
| Lattimore Materials Company, L.P. | | Frontier Materials Concrete, LLC | |
| | | End Date: 8/1/2009 | |
| 10. Mailing Address: | | | |
| P.O. Box 556 | | | |
| | | | |
| City | | McKinney | |
| State | | TX | |
| ZIP | | 75070 | |
| ZIP + 4 | | | |
| 11. Country Mailing Information (If outside USA) | | 12. E-Mail Address (If applicable) | |
| | | | |
| 13. Telephone Number | | 14. Extension or Code | |
| (972) 221-4646 | | | |
| 15. Fax Number (if applicable) | | | |
| (972) 221-4100 | | | |
| 16. Federal Tax ID (9 digits) | | 17. TX State Franchise Tax ID (11 digits) | |
| | | 17527345411 | |
| 18. DUNS Number (if applicable) | | 19. TX SOS Filing Number (if applicable) | |
| | | | |
| 20. Number of Employees | | 21. Independently Owned and Operated? | |
| <input type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input checked="" type="checkbox"/> 501 and higher | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |

SECTION III: Regulated Entity Information

| | | | |
|---|--|--|--|
| 22. General Regulated Entity Information (If 'New Regulated Entity' is selected below this form should be accompanied by a permit application) | | | |
| <input type="checkbox"/> New Regulated Entity <input checked="" type="checkbox"/> Update to Regulated Entity Name <input checked="" type="checkbox"/> Update to Regulated Entity Information <input type="checkbox"/> No Change** (See below) | | | |
| **If "NO CHANGE" is checked and Section I is complete, skip to Section IV, Preparer Information. | | | |
| 23. Regulated Entity Name (name of the site where the regulated action is taking place) | | | |
| Spring Plant & Rail | | | |

| | | | | | | | |
|--|--|---|---------------------------------------|----|---|-------|----------------|
| 24. Street Address of the Regulated Entity: (No P.O. Boxes) | 2222 Spring Stuebner Road | | | | | | |
| | City | Spring | State | TX | ZIP | 77389 | ZIP + 4 |
| 25. Mailing Address: | P.O. Box 556 | | | | | | |
| | City | McKinney | State | TX | ZIP | 75070 | ZIP + 4 |
| 26. E-Mail Address: | | | | | | | |
| 27. Telephone Number | 28. Extension or Code | | 29. Fax Number (if applicable) | | | | |
| (972) 221-4646 | | | (972) 221-4100 | | | | |
| 30. Primary SIC Code (4 digits) | 31. Secondary SIC Code (4 digits) | 32. Primary NAICS Code (5 or 6 digits) | | | 33. Secondary NAICS Code (5 or 6 digits) | | |
| 3273 | | 327320 | | | | | |
| 34. What is the Primary Business of this entity? (Please do not repeat the SIC or NAICS description.) | | | | | | | |
| Construction Materials | | | | | | | |

Questions 34 – 37 address geographic location. Please refer to the instructions for applicability.

| | | | | | |
|--|---------------------------------------|--------------|--------------------------------------|---------|---------|
| 35. Description to Physical Location: | Located at 2222 Spring Stuebner Road. | | | | |
| 36. Nearest City | County | State | Nearest ZIP Code | | |
| Spring | Harris | TX | 77389 | | |
| 37. Latitude (N) In Decimal: | 30.0855 | | 38. Longitude (W) In Decimal: | 95.4513 | |
| Degrees | Minutes | Seconds | Degrees | Minutes | Seconds |
| 30 | 05 | 08 | 95 | 27 | 05 |

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form or the updates may not be made. If your Program is not listed, check other and write it in. See the Core Data Form instructions for additional guidance.

| | | | | |
|---|--|---|---|--|
| <input type="checkbox"/> Dam Safety | <input type="checkbox"/> Districts | <input type="checkbox"/> Edwards Aquifer | <input type="checkbox"/> Industrial Hazardous Waste | <input type="checkbox"/> Municipal Solid Waste |
| <input checked="" type="checkbox"/> New Source Review – Air | <input type="checkbox"/> OSSF | <input type="checkbox"/> Petroleum Storage Tank | <input type="checkbox"/> PWS | <input type="checkbox"/> Sludge |
| 38520, 70980, 77467, 77810 | | | | |
| <input type="checkbox"/> Stormwater | <input type="checkbox"/> Title V – Air | <input type="checkbox"/> Tires | <input type="checkbox"/> Used Oil | <input type="checkbox"/> Utilities |
| <input type="checkbox"/> Voluntary Cleanup | <input type="checkbox"/> Waste Water | <input type="checkbox"/> Wastewater Agriculture | <input type="checkbox"/> Water Rights | <input checked="" type="checkbox"/> Other: Unknown |
| | | | | |

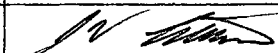
SECTION IV: Preparer Information

| | | | |
|-----------------------------|----------------------|-----------------------|---------------------------|
| 40. Name: | Melissa Fitts | 41. Title: | Environmental Specialist |
| 42. Telephone Number | 43. Ext./Code | 44. Fax Number | 45. E-Mail Address |
| (830) 249-8284 | 15 | (830) 249-0221 | mfitts@westwardenv.com |

SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 9 and/or as required for the updates to the ID numbers identified in field 39.

(See the Core Data Form instructions for more information on who should sign this form.)

| | | | |
|-------------------------|---|-------------------|------------------|
| Company: | Lattimore Materials Company, L.P. | Job Title: | Vice President |
| Name (In Print): | J.V. Lattimore | Phone: | (972) 221-4646 |
| Signature: |  | Date: | 8.28.09 |

09/23/2009 -----NSR IMS - PROJECT RECORD -----

PROJECT#: 151132 **PERMIT#:** 70980 **STATUS:** ~~PENDING~~ *Complete* **DISP CODE:** _____
RECEIVED: 08/31/2009 **PROJTYPE:** OWNCHANGE **AUTHTYPE:** PBR **ISSUED DT:** 9/28/09
RENEWAL:
PROJECT ADMIN NAME: CHANGE OF OWNERSHIP
PROJECT TECH NAME: MINERAL FILLER SILOS
STAFF ASSIGNED TO PROJECT:
OBRIEN , BRENDA - REVIEWR1_2 - AP INITIAL REVIEW

CUSTOMER INFORMATION (OWNER/OPERATOR DATA)

ISSUED TO: LATTIMORE MATERIALS COMPANY LP
COMPANY NAME: LATTIMORE MATERIALS COMPANY LP
CUSTOMER REFERENCE NUMBER: CN600316129

REGULATED ENTITY/SITE INFORMATION

REGULATED ENTITY NUMBER: RN100519248 **ACCOUNT:** 938006V
SITE NAME: FRONTIER MATERIALS CONCRETE

REGULATED ENTITY LOCATION: 2222 SPRING STUEBNER RD
REGION 12 - HOUSTON **NEAR CITY:** SPRING **COUNTY:** HARRIS

CONTACT DATA

CONTACT NAME: MR JV LATTIMORE **CONTACT ROLE:** RESPONSIBLE OFFICIAL
JOB TITLE: VICE PRESIDENT **ORGANIZATION:** LATTIMORE MATERIALS COMPANY LP
MAILING ADDRESS: PO BOX 556 , MCKINNEY, TX, 75070-8139
PHONE: (972) 221-4646 Ext: 0
FAX: (972) 221-4100 Ext: 0

PROJECT NOTES:

09/23/2009 OWNERSHIP TRANSFER EFFECTIVE 08/01/2009 PREVIOUS PERMITTEE WAS FRONTIER MATERIALS CONCRETE LLC

PERMIT NOTES:**TRACKING ELEMENTS:**

| TE Name | Start Date | Complete Date |
|---|------------|---------------|
| APIRT RECEIVED PROJECT (DATE) | 08/31/2009 | |
| CENTRAL REGISTRY UPDATED | 09/23/2009 | 09/23/2009 |
| APIRT TRANSFERRED PROJECT TO TECHNICAL STAFF (DATE) | | |

PROJECT RULES:

| Rule Desc | Request Type | On Application | Approve |
|-----------|--------------|----------------|---------|
|-----------|--------------|----------------|---------|

PERMIT RULES:

| Rule Desc | Start Date | End Date |
|-----------|------------|----------|
| 106.144 | 02/24/2004 | |
| 106.144 | 12/06/2006 | |