



Texan Minerals and Chemicals LLC

14090 Southwest Freeway, Suite 310, Sugar Land, TX 77478

Phone: 713-294-4180 Email: Mani@tmcgreen.com



EXPORT CONTROL POLICY

It is the policy of Texan Minerals and Chemicals (which shall include its subsidiaries and affiliated companies, collectively, "Texan") to verify the end use and end users of all exports involving Texan's products or transfers of technical data or software (collectively "Products") as part of its efforts to comply with the applicable US import/export control laws, regulations established by US Department of State, US Department of Commerce and the laws of the selling country.

By proceeding further, you are agreeing to the following:

- (1) You will not sell, export, re-export, divert or otherwise transfer any the Ordered Parts, the components of such Ordered Parts or any other Products (collectively, "Parts") to any entity or country, including but not limited to Iran, North Korea, Syria, Russia, Belarus, the Crimea, Donetsk and Luhansk regions, and Cuba unless authorized by the U.S. Government. If not shipping from the US, this also applies to the applicable selling country's respective debarred lists issued.
- (2) You will not sell, export, re-export, or otherwise dispose of any Parts for:
 - (i) use in activities which involve the development, production, use or stockpiling of chemical, biological, nuclear weapons, rocket systems (including ballistic missile systems, space launch vehicles, and sounding rockets) or unmanned air vehicles capable of delivering the same, or in development, production, use or stockpiling of weapons of mass destruction; or
 - (ii) use in any facilities which are engaged in activities relating to such weapons or applications, without authorization from the U.S. Government if required by applicable law.
- (3) You will not sell, export, re-export, or otherwise dispose of any Parts to Belarus, China, Hong Kong, Russia, Venezuela, Burma/Myanmar or Cambodia (i) for incorporation into a military item or for use that supports or contributes to the operation, installation, maintenance, repair, overhaul, refurbishing, "development," or "production," of military items and/or to the national armed services (army, navy, marine, air force, or coast guard), as well as the national guard and national police, government intelligence or reconnaissance organizations, or any person or entity whose actions or functions are intended to support "military end uses" as set forth in (i) in those countries.
- (4) You will not sell, export, re-export, or otherwise dispose of any Parts for:
 - (i) the "development", "production", operation, installation (including on-site installation), maintenance (checking), repair, overhaul, or refurbishing of a "supercomputer"ⁱ located in or destined to China, Hong Kong, Macau or other D:5 country (collectively "D:5 Country")ⁱⁱ; or
 - (ii) the incorporation into, or the "development" or "production" of any "component" or "equipment" that will be used in a "supercomputer" located in or destined to China, Hong Kong, Macau or other D:5 Country; or
 - (iii) the "development" or "production" of integrated circuits destined to a "facility" located or headquartered in or whose ultimate parent company is headquartered in China, Hong Kong, Macau or other D:5 Country where *we know* "production" of "advanced-node ICs" occurs; or
 - (iv) the "development" or "production" of integrated circuits destined to a "facility" located or headquartered in or whose ultimate parent company is headquartered in China, Hong Kong, Macau or other D:5 Country where "production" of integrated circuits occurs, where such Parts are in Category 3, CCL Groups B, C, D, or E and we *do not know* whether "production" of "advanced-node ICs" occurs at such "facility".
- (5) You will not directly or indirectly, sell, transfer (in country), export or re-export any Parts specified in ECCN 3A001.z, 3A090, 4A003.z, 4A004.z, 4A005.z, 4A090, 5A002.z, 5A004.z, 5A992.z, 5D002.z, 5D992.z or 3E001 (for 3A090) to or for:
 - (i) any entity located in China, Macau, or any other country located in Country Groups D:1, D:4,ⁱⁱⁱ or D:5



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(excluding any destination also specified in Country Groups A:5 or A:6, currently Israel and Cyprus); or

(ii) any entity, regardless of where it is located, if the entity is headquartered in, or its ultimate parent company is headquartered in, China, Hong Kong, Macau or other D:5 Country (e.g., a China headquartered cloud or data server provider located in Malaysia).

- (6) You will not directly or indirectly sell, transfer (in country) export or re-export any Parts specified under ECCN 3B001, 3B002, 3D001, 3D002, and 3E001 to or within China, Macau or another D:5 country.
- (7) You will not directly or indirectly sell, transfer, export, or re-export, transmit or participate in any export transaction involving Parts with individuals or companies listed on the U.S. Treasury Department's, Office of Foreign Assets Control, Specially Designated Nationals (SDN) list (or companies owned 50% or more by one or more SDNs), the U.S. Commerce Department's Table of Denial Orders, the U.S. Department of State's list of individuals debarred from receiving Munitions List items, and any other lists administered by the Department of State, Treasury or Commerce, the European Union, Hong Kong or other applicable lists, i.e., Entity Lists as well as Denied Person/Company list of the selling country. You certify that you are not an embassy, agency, or a subdivision of a non-U.S. government. Ownerships interests in your company are not held by a person(s) listed on the Office of Foreign Asset Controls (OFAC) Specially Designated Nationals List (SDN) or by Executive Order.
- (8) You will comply with applicable US and EU trade restrictions, especially the restrictions targeting Russia, Belarus, the Crimea, Donetsk and Luhansk regions. You will conduct appropriate screening to ensure compliance with these policies.
- (9) You will not use, install, transfer or ship Parts in Xinjiang.
- (10) Parts may be subject to U.S. Export Administration Regulations (EAR). As such, you will abide by all applicable US and/or the applicable selling country export control laws and regulations for any Parts purchased from Texan. You will not export, re-export, import to any other country or transmit any Parts except in accordance with all applicable laws, regulations, and, if applicable, the terms of any license or licenses issued by any applicable government authority. You understand that Texan is a U.S. person and agree not to cause Texan to facilitate the shipment, transmittal, transfer or servicing of items for prohibited end-uses in violation §734.9, §744.23 and §744.6 of the EAR, as may be amended from time to time. You affirm your commitment with all applicable requirements under the EAR.
- (11) You certify that all of the information provided herein is true and correct, and unless otherwise noted above, shall pertain to all orders and shall survive the term and termination of the relationship between you and Texan. You will send a supplemental statement if any facts or intentions have changed (including but not limited to end use, end user, ultimate destination or our ownership).

If you are interested in receiving a checklist please send an email to AI@atmaius.com

ⁱ "Supercomputer" is defined as a computing system having a collective maximum theoretical compute capacity of 100 or more double-precision (64-bit) petaflops or 200 or more single precision (32-bit) petaflops within a 41,600 ft³ or smaller envelop.

ⁱⁱ D:5 Countries are: • China (including Hong Kong) • Afghanistan • Belarus • Burma • Cambodia • Central African Republic • Congo • Cuba • Eritrea • Haiti • Iran • Iraq • North Korea • Lebanon • Libya • Macau • Russia • Somalia • South Sudan • Sudan • Syria • Venezuela • Zimbabwe. Subject to change based on the Department of State orders.

ⁱⁱⁱ D:1, D:4 and D:5 Countries: • China (including Hong Kong) • Afghanistan • Armenia • Azerbaijan • Bahrain • Belarus • Burma • Cambodia • Central African Republic • Congo (Democratic Republic of) • Cyprus • Cuba • Egypt • Eritrea • Georgia • Haiti • Iran • Iraq • Jordan • Kazakhstan • North Korea • Kuwait • Kyrgyzstan • Laos • Lebanon • Libya • Macau • Moldova • Mongolia • Oman • Pakistan • Qatar • Russia • Saudi Arabia • Somalia • South Sudan • Republic of Sudan • Syria • Tajikistan • Turkmenistan • United Arab Emirates • Uzbekistan • Venezuela • Vietnam • Yemen • Zimbabwe