

**BNI Coal, LTD.**  
**President's Certificate**

I, Michael Heger, do hereby certify that I am the duly appointed President of BNI Coal, LTD, and as such, I am authorized to execute and deliver this certificate on behalf of BNI Coal, LTD.

I further certify, swear and affirm, under oath and in writing that the compliance information attached dated February 6, 2024 and which is submitted as part of BNI Coal, LTD's Revision 8 to Permit BNCR-1101 is accurate and complete in accordance with North Dakota Administrative Code Chapter 69-05.2-06.

IN WITNESS WHEREOF, I have hereunto set my hand on this 6<sup>th</sup> day of February, 2024.



Michael Heger  
President of BNI Coal, LTD

STATE OF NORTH DAKOTA

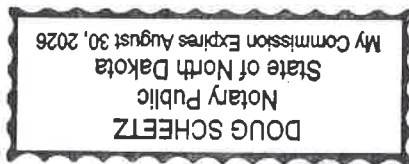
COUNTY OF BURLEIGH

Subscribed and sworn to before me this 6<sup>th</sup> day of February, 2024.



Notary Public

[Seal]



## Ownership and Control Update – February 6, 2024

### Revision 8

### BNCR-1101

Changes are highlighted in yellow

#### 1.7.2 CONTROLLING OFFICERS OF BNI COAL, LTD. and BNI ENERGY, INC.

Controlling Officers of BNI Coal, Ltd. and BNI Energy, Inc. are shown below. Social security numbers are not provided since this is voluntary information.

#### Controlling Officers of BNI Coal, Ltd.

Name	Position	Effectv. Date	End Date	Address	Phone No.
Bethany M Owen	Board Chairman	10-21		30 W. Superior Duluth, MN 55802	218-722-2641
Patrick L. Cutshall	President	10-21	01-24	30 W. Superior	218-722-2641
	Treasurer	10-21		Duluth, MN 55802	
Michael Heger	President	01-24		PO Box 897	701-222-8828
	General Mgr.	06-21	01-24	Bismarck, ND 58502	
Margaret A. Thickers	Secretary	10-19		30 W. Superior Duluth, MN 55802	218-722-2641
Ingrid Johnson	Asst. Corp. Secretary	04-22		30 W. Superior Duluth, MN 55802	218-722-2641
Violet Struss	Asst. Corp. Secretary	04-16	04-22		
Alan R. Hodnik	Chairman	10-19	05-21		
	Board Chairman & CEO	05-10	04-14		
Wade Boeshans	President &	10-14	07-21		
	General Mgr.	11-09	07-21		
	Treasurer	10-19	07-21		
Bethany M. Owen	Corp. Secretary	05-17	10-19		
Bradley W. Oachs	Board Chairman & CEO	10-14	06-19		
Sam E. McQuade	CFO, Treasurer, Asst. Corp. Secretary	10-16	06-19		
Deborah A. Amberg	Corp. Secretary	09-04	05-17		
Patricia E. Clement	Mgr. Fin. & Acct.	09-01	09-16		
	Treasurer, Asst. Corp. Secretary & Resident Agnt	04-82	09-16		
Donald J. Shippar	Brd Chrnm & CEO	05-03	04-10		
Robert D. Edwards	Brd. Chrnm & CEO	04-96	05-03		
Chas. M. Reichert	Pres. & Gnrl. Mgr.	01-89	08-01		
M. J. Hummel	Pres. & Gnrl Mgr.	08-01	11-09		
	VP of Fin & CFO	08-86	08-01		
P. R. Halverson	Secretary	01-89	09-04		

## Board of Directors of BNI Coal, Ltd.

Name	Position	Effctv. Date	End Date	Address	Phone No.
Bethany M. Owen	Chairman	10-21		30 W. Superior	218-722-2641
	Director	05-17	10-21	Duluth, MN 55802	
Michael M. Heger	Director	10-21		PO Box 897	701-222-8828
				Bismarck, ND 58502	
Robert N. MacLennan	Director	05-11		PO Box 13200	701-795-4000
				Grand Forks, ND 58208	
Patrick L. Cutshall	Director	05-17		30 W. Superior	218-722-2641
				Duluth, MN 55802	
Margaret A. Thickens	Director	10-19		30 W. Superior	218-722-2641
				Duluth, MN 55802	
Josh Skelton	Director	10-23		30 W. Superior	218-722-2641
				Duluth, MN 55802	
Steven W. Morris	Director	10-22		30 W. Superior	218-722-2641
				Duluth, MN 55802	
Allan S. Rudeck, Jr.	Director	10-19	06-23		
Robert J. Adams	Director	09-01	06-22		
Alan R. Hodnik	Chairman	10-19	05-21		
	Director	04-14	05-21		
	Chairman & BNI CEO	05-10	04-14		
	Director	06-07	04-10		
Wade Boeshans	Director	11-09	07-21		
Bradley W. Oachs	Chairman & BNI CEO	04-14	06-19		
	Director	05-10	04-14		
Deborah A. Amberg	Director	04-16	05-17		
Steven Q. DeVinck	Director	04-16	05-17		
David Loer	Director	01-91	11-10		
Donald J. Shippar	Chrmn & BNI Co.	05-03	04-10		
	Officer Member	04-96	05-03		
Robert D. Edwards	Chrmn & BNI Co.	04-96	05-03		
	Officer				
Charles. M. Reichert	Member & BNI Co.	01-89	08-01		
	Officer				
M. J. Hummel	Member & BNI Co.	09-01	11-09		
	Officer				
Warren Candy	Director	09-02	06-07		
David G. Gartzke	Member	04-96	08-01		
Steve Sherner	Director	04-91	01-96		
	Member	01-96	04-98		
	Vice Chair	04-98	09-01		
	Director	09-01	08-02		

## Controlling Officers of BNI Energy, Inc.

Name	Position	Effctv. Date	End Date	Address	Phone No.
Bethany M. Owen	Chairman	10-21		30 W. Superior Duluth, MN 55802	218-722-2641
Patrick L Cutshall	President	10-21	01-24	30 W. Superior	218-722-2641
	Treasurer	10-21		Duluth, MN 55802	
Michael Heger	President	01-24		PO Box 897	701-222-8828
	General Mgr.	06-21	01-24	Bismarck, ND 58502	
Margaret A. Thickers	Secretary	10-19		30 W. Superior Duluth, MN 55802	218-722-2641
Ingrid Johnson	Asst. Corp. Secretary	04-22		30 W. Superior Duluth, MN 55802	218-722-2641
Violet Struss	Asst. Corp Secretary	04-16	04-22		
Alan R. Hodnik	Chairman	10-19	05-21		
	CEO	04-16	05-21		
	Brd Chairman/CEO	02-16	04-16		
Wade Boeshans	President & General Mgr.	02-16	07-21		
	Treasurer	10-19	07-21		
Bethany M. Owen	Corp. Secretary	05-17	10-19		
Bradley W. Oachs	Chairman	04-16	06-19		
Sam E. McQuade	CFO, Treasurer, Asst. Corp. Secretary	10-16	06-19		
Deborah A. Amberg	Corp. Secretary	02-16	05-17		
Patricia E. Clement	Treasurer, Asst. Corp. Secretary	02-16	09-16		

## Board of Directors of BNI Energy, Inc.

Name	Position	Effctv. Date	End Date	Address	Phone No.
Bethany M. Owen	Chairman	10-21		30 W. Superior	218-722-2641
	Director	05-17	10-21	Duluth, MN 55802	
Michael M. Heger	Director	10-21		PO Box 897 Bismarck, ND 58502	701-222-8828
Robert N. MacLennan	Director	02-16		PO Box 13200 Grand Forks, ND 58208	701-795-4000
Patrick L. Cutshall	Director	05-17		30 W. Superior Duluth, MN 55802	218-722-2641
Margaret A. Thickers	Director	10-19		30 W. Superior Duluth, MN 55802	218-722-2641
Josh Skelton	Director	10-23		30 W. Superior Duluth, MN 55802	218-722-2641
Steven W. Morris	Director	10-22		30 W. Superior Duluth, MN 55802	218-722-2641
Allan S. Rudeck, Jr.	Director	10-19	06-23		
Robert J. Adams	Director	02-16	06-22		
Alan R. Hodnik	Chairman	10-19	05-21		
	Director/CEO	02-16	10-19		
Wade Boeshans	Director/Pres/GM	02-16	07-21		
Bradley W. Oachs	Chairman	02-16	06-19		
Deborah A. Amberg	Director	04-16	05-17		
Steven Q. DeVinck	Director	04-16	05-17		

## ORGANIZATION of BNI Coal, LTD

Bethany Owen	Chairman of the Board of Directors
Patrick Cutshall	Treasurer
Michael Heger	<b>President</b>
Margaret Thickens	Secretary
Ingrid Johnson	Assistant Secretary
Doug Scheetz	<b>Manager of Environmental, Health &amp; Safety</b>
Jonathan Rudnick	Manager of Engineering
Ryan Wrolstad	Manager of Finance and Accounting
Cheryl Froelich	Director of Human Resources
Eric Olafson	<b>Manager of Operations</b>

CORPORATE OFFICERS: Bethany Owen, Patrick Cutshall, Margaret Thickens and Ingrid Johnson

### 1.13 PAST VIOLATIONS

On May 25, 2022 BNI was issued Notice of Violation 2202 for removing approximately 275,000 cubic yards of overburden from the federal coal tract in the NE ¼ of Section 20, T142N R84W. On May 10, 2022, BNI was observed by ND PSC removing pre-bench overburden material in the NE1/4 of Section 20. Overburden from about 8 acres was removed to an average depth of 20 feet. BNI violated the special condition added to Permit BNCR-9702 with Revision 42 that prohibits overburden and coal removal until mine plan approval is received from the US Department of the Interior. Until the mine plan is approved by the DOI, surface disturbances on the federal tracts are limited to activities that the ND PSC determines are necessary for mining adjoining tracts that BNI has a right to mine. During an inspection by ND PSC on May 16, 2022, BNI was informed that overburden removal operations could not be conducted in Section 20 over Federal coal. BNI ceased the overburden removal operation immediately. On May 25, 2022, BNI submitted an Overburden Removal Request for the NE ¼ of Section 20 to the ND PSC. On June 24, 2022, ND PSC approved the request to remove the overburden from the federal coal tract in Section 20 and included concurrence letters from BLM dated June 24, 2022 and OSMRE dated June 17, 2022. On July 27, 2022, BNI was assessed a fine of \$5,000. The NOV was terminated on July 20, 2022.

There are no other violations or orders by any person who owns or controls BNI Coal or ALLETE.