

SECTION 4

PERMITTEE OWNERSHIP AND CONTROL

TABLE OF CONTENTS

SECTION	SECTION TITLE	PAGE NUMBER
	SECTION 4 Permittee Ownership and control	1
4.1	Owners and Controllers	1
4.1.1	Names and Addresses of Principal Shareholders	1
4.1.2	Names and Addresses of Disclosed Agent	2
4.1.3	Names and Addresses of Operator	3
4.2	Operations Controlled in Common	3
4.3	Pending Permit Applications	3
4.4	Rebutted Ownership and Control Documentation	3
	Personnel	3
	SECTION 4 PERMITTEE OWNERSHIP AND CONTROL	1
4.1	Owners and Controllers	1
4.1.1	Names and Addresses of Principal Shareholders	1
4.2	Operations Controlled in Common	2
4.3	Pending Permit Applications	2
4.4	Rebutted Ownership and Control Documentation	2
	Personnel	2

Formatted: Default Paragraph Font, Check spelling and grammar

SECTION 4

PERMITTEE OWNERSHIP AND CONTROL

LIST OF TABLES

TABLE

NUMBER TABLE TITLE

4.1-1	Ownership and Control Companies
4.1-2	BHP Billiton Limited Navajo Transitional Energy Company Corporate Officers
4.1-3	Disclosed Agent's Ownership and Control Companies
4.1-4	BHP Billiton Limited Corporate Officers
4.1-5	BHP Billiton Met Coal Holdings Pty. Ltd. Corporate Officers
4.1-64.1-4	BHP Billiton New Mexico Coal, Inc. Corporate Officers
4.1-74.1-5	BHP Navajo Coal Billiton Mine Management Company Corporate Officers
4.2-1	Surface Coal Mine Operations Controlled in Common

SECTION 4

PERMITTEE OWNERSHIP AND CONTROL

LIST OF FIGURES

FIGURE

NUMBER

FIGURE TITLE

[4.1-1](#) ~~BHP Navajo Coal~~[Navajo Transitional Energy](#) Company Corporate Organization Structure

[4.1-2](#) ~~BHP Billiton Mine Management Company Corporate Organization Structure~~

Formatted: Left

SECTION 4

PERMITTEE OWNERSHIP AND CONTROL

LIST OF APPENDICES

APPENDIX

NUMBER APPENDIX TITLE

[4.A](#) Verification of Owners and Controllers for ~~BHP Navajo Coal Company~~[Navajo Transitional Energy Company](#)

[4.B](#) [Verification of Owners and Controllers for BHP Billiton Mine Management Company](#)

SECTION 4

PERMITTEE OWNERSHIP AND CONTROL

LIST OF REVISIONS DURING PERMIT TERM

REV. NUMBER	REVISION DESCRIPTION	DATE APPROVED
------------------------	-----------------------------	--------------------------

SECTION 4 PERMITTEE OWNERSHIP AND CONTROL

4.1 Owners and Controllers

~~The BHP Navajo Coal Company (BNCC) Corporate Organizational Structure can be found in Figure 4.1-1. On December 30, 2013, Navajo Transitional Energy Company (NTEC) acquired ownership of Navajo Mine Coal Company, LLC. (NMCC), successor to Navajo Mine interests previously held by BHP Navajo Coal Company (BNCC), BHP Billiton, BHP Minerals, and Utah International. Any reference in this permit application package to BNCC, BHP Billiton, BHP Minerals, Utah International, and Utah Construction and Mining as those companies relate to Navajo Mine, should be understood to reflect a reference to NTEC's interests.~~

4.1.1 Names and Addresses of Principal Shareholders

The principal shareholder of the permittee is:

~~BHP Billiton New Mexico Coal, Inc. Navajo Transitional Energy Company, LLC.~~

~~The Navajo Nation Office of the Attorney General~~

~~Harrison Tsosie, Attorney General~~

~~c/o The Corporation Trust Company Dana Bobroff, Deputy Attorney General~~

~~P.O. Box 17491209 Orange Street~~

~~Wilmington, DE 19801 Window Rock, Arizona, 86515~~

~~Telephone: +44 (0) 207 802 4098 (505) 259-0260~~

~~Federal ID #: 45-248593846-4009272~~

~~Whose principal shareholder is:~~

~~———— BHP Coal Holdings Pty. Ltd.~~

~~———— Level 20, Waterfront Place~~

~~———— 1 Eagle Street~~

~~———— Brisbane, Queensland 4000 Australia~~

~~———— Telephone: +61 07 3227 5600~~

Addresses and telephone numbers for officers and directors are the same as the company for which they hold office. This information for the applicant and other entities with ownership interest is provided in ~~Table 4.1-1, and Table 4.1-2, Table 4.1-3, Table 4.1-4, and Table 4.1-5. The NTEC Corporate Organizational Structure can be found in Figure 4.1-1.~~

Appendix 4.A contains a copy of the affidavit verifying the ownership and control information for BNCC NTEC is accurate and complete. ~~The original will remain on file at the mine office and the Office of Surface Mining Reclamation and Enforcement (OSM) Western Region office in Denver, Colorado, for review.~~

4.1.2 Names and Addresses of Disclosed Agent

The applicant, NTEC, has entered into a mine management agreement with BHP Billiton Mine Management Company (MMCo) to serve as NTEC's disclosed agent. As disclosed agent, MMCo is assisting NTEC with making application for the permits and approvals necessary for the Pinabete Permit area.

NTEC's and MMCo's mine management agreement expires in December 2016. At that time, NTEC may manage the Pinabete Permit themselves or enter into another mine management agreement with a different company.

The principal shareholder of MMCo, the disclosed agent is:

BHP Billiton New Mexico Coal, Inc.
c/o The Corporation Trust Company
1209 Orange Street
Wilmington, DE 19801
Telephone: +44 (0) 207 802 4098
Federal ID #: 45-2485938

Whose principal shareholder is:

BHP Billiton MetCoal Holdings Pty. Ltd.
Level 20, Waterfront Place
1 Eagle Street
Brisbane, Queensland 4000 Australia
Telephone: +61 07 3227 560011

Addresses and telephone numbers for officers and directors are the same as the company for which they hold office. This information for the applicant and other entities with ownership interest is provided in Table 4.1-3, Table 4.1-4, Table 4.1-5, Table 4.1-6, and Table 4.1-7. The MMCo Corporate Organizational Structure can be found in Figure 4.1-2.

Appendix 4.B contains a copy of the affidavit verifying the ownership and control information for NTEC is accurate and complete.

4.1.3 Names and Addresses of Operator

The applicant, NTEC, is currently selecting a mine operator for the Pinabete Permit. Upon selection of a mine operator this section will be updated accordingly.

4.2 Operations Controlled in Common

Table 4.2-1 presents the surface coal mine operations owned or controlled by the applicant, ~~BNCC~~NTEC, ~~or its disclosed agent or~~ operators. Only operations owned or controlled within five years of the date of the permit application package submittal are presented in Table 4.2-1.

4.3 Pending Permit Applications

The applicant, ~~BNCC~~NTEC, does not have any pending permit applications.

4.4 Rebutted Ownership and Control Documentation

The ownership and control documentation for ~~BNCC~~NTEC or its owners and controllers are not being challenged by the applicant.

Personnel

Persons or organizations responsible for data collection, analysis, and preparation of this permit application package section:

Kent Applegate

Marian Wimsatt

Matt Owens

BHP Navajo Coal Company Navajo

Transitional Energy Company

BHP Billiton Mine Management

Company (disclosed agent)

Farmington, NM