

NO NAME PERMIT FAQs

What is the No Name Permit and why is NTEC pursuing it?

Navajo Mine has been a crucial part of the Navajo Nation's economy since the Navajo Mine mineral lease, covering a large geographic area, was first granted in 1957. NTEC, like any other surface coal miner, is required to obtain mine plan approval for small tracts within the original lease boundary in a step-by-step process as mining advances through the lease area. In other words, 50 years ago, when active mining at Navajo Mine was 15 miles north of the No Name Permit area, there was not a permit that extended south to the No Name Permit area of the lease. But year-by-year, as mining progresses, new areas or parcels of the existing lease will be mined, and the associated mining plan must be approved.

The No Name Permit does not involve a new mine. It is not a new lease. It is a standard federal requirement whereby federal or Indian mineral lessees – such as NTEC – obtain mine plan approval prior to producing previously leased minerals.

For nearly five decades, the Navajo Mine has operated under the same federal permitting scheme that governs the No Name Permit today. This is not a new process.

What process and agencies are involved in issuing the No Name Permit?

Under the Surface Mining Control and Reclamation Act, mine plans are approved by the Office of Surface Mining, Reclamation, and Enforcement (OSMRE). Mine plans are reevaluated and approved by OSMRE every **five years**. This is how responsible mine planning and management works. The Navajo Mine has undergone this process numerous times over its fifty-year history.

The No Name Permit does not involve starting or developing a new mine or a new mineral lease. The No Name Permit application is a standard and reoccurring process associated with the ordinary and ongoing operations at the Navajo Mine.

Why is NTEC permitting an additional 100 years of coal if Four Corners Power Plant is going to close?

NTEC is not seeking a permit for 100 years of mining. Those opposed to coal mining are purposely misstating the facts of the current No Name NEPA process with a routine SMCRA 5-year Mining Permit, both of which have the OSMRE as the responsible federal agency. The current NEPA process for the No Name Permit area is addressing any impacts

that may occur due to mining, along with appropriate mitigation, if possible, for the broad area contained within the No Name permit boundary. As part of the NEPA process, NTEC was required by OSMRE to provide a ***theoretical*** life of mine plan with an assumed production rate of 5M tons per year for the entire reserves within the No Name Permit Boundary, which is over 500M tons. That simple multiplication results in, again, a ***theoretical*** 100 years of mining – and those opposed to the Navajo Mine have seized on that number as somehow representing an extension of mine life for another 100 years. ***But the NEPA process does not authorize or approve mining for the area (or extend mine life for another 100 years).*** The 5-year SMCRA mining permit will only approve mining in this area of the Navajo Mine (and again, will not extend the mine life for 100 years).

Four Corners Power Plant will not cease operations until at least 2031. Because this routine and regular permitting cycle occurs every 5 years, the impact of FCPP operations on future leases will be determined at that time.

Has NTEC been transparent with the Navajo community in the permitting process?

The application for the No Name Permit has been transparent and conducted in full accordance with the law. As a Navajo-owned company, NTEC is committed to working in partnership with the Navajo Nation Government and Community to ensure that our operations benefit the economic, financial, social, and cultural well-being of the Navajo Nation. Throughout the permitting process, we have worked closely with the chapters and community to educate them on the project and continuation of the Navajo Mine. Here is a summary of our outreach efforts:

- NTEC has made a total of **83** presentations to the Navajo community on the future operations of the Navajo Mine, including:
 - 81 presentations to Chapters, Districts and Agencies
 - 2 presentations at new Chapter Official orientation and training sessions
- NTEC obtained **22** resolutions supporting the continued operation of the Navajo Mine, including resolutions from:
 - All 5 Agency Councils
 - Districts 13 and 18
 - 14 Chapters spread across all 5 Agencies including San Juan, Nenahnezad, Upper Fruitland and Burnham Chapters
- In addition, NTEC has **specifically** reviewed its pending No Name Permit application at the Chapter, District and Agency levels on multiple occasions.
 - Northern Agency passed a resolution voting overwhelmingly in favor of the No Name permit. This is in addition to resolutions from District 13, Upper Fruitland, San Juan, Burnham, and Nenahnezad Chapters.

How many families will be impacted by the permit and what will happen to them?

Despite suggestions from opponents to the permit application, there are only three potentially affected permittees. The No Name Permit does not immediately remove these permittees from the land or eliminate grazing activities. Grazing continues until specific areas are formally needed as mining progresses. This is all performed in direct coordination with the very few remaining permittees.

The potential and orderly progression of mining activities at the Navajo Mine are not a surprise. Long-standing relocation agreements, most predating NTEC's ownership of the Navajo Mine by decades, govern how the relocation process would work. NTEC is required to provide advance notice before any relocation occurs, which gives families ample time to plan and prepare. NTEC is also required to assist in multiple facets of the relocation. NTEC has been, and remains, in close consultation with the 3 permittees, and should relocation be necessary, NTEC will work with those individuals to guarantee relocation is performed efficiently and in the family's best interest.

In addition, cultural protections are in effect and mandated by federal and tribal law. The No Name Permit must fully comply with Section 106 of the National Historic Preservation Act, and a Programmatic Agreement is being developed to ensure formal consultation with the Navajo Nation Tribal Historic Preservation Officer throughout the life of authorized mining.

Will mining in the No Name Permit area impact groundwater supply?

Water impacts have been thoroughly studied and confirmed by regulators to be minimal and localized. The No Name Permit area is a naturally arid region, and two independent groundwater models confirm that mining does not affect nearby water users or alter water quality within or outside of the Navajo Mine. Should surface drainage features be temporarily affected by mining, NTEC is required to fully restore such drainage features when mining is complete. The Pinabete Arroyo (a dry wash) will be re-established to its approximate original location using proven restoration principles. The land comes back. That commitment is consistent with what we saw when NTEC returned more than 2,211 previously mined surface acres to the Navajo Nation last year.

Why is NTEC continuing to pursue coal rather than developing renewable energy resources?

NTEC was created in accordance with the 2013 Navajo Nation Energy Policy to “*support, improve, and promote the economic, financial, tax and revenue interests of the Navajo People, the Navajo Nation and affiliates through management and development of the Navajo Nation’s conventional, alternative, and renewable energy sources.*”

NTEC is committed to this purpose and developing a portfolio of energy resources that can sustain the Navajo Nation today and in the future. This means using all the Nation’s resources – including coal - to support its economic sovereignty and growth while preserving its culture by keeping jobs on the Nation. To this end, NTEC is exploring all types of energy generation and transmission, including renewable energy sources.

Why is the No Name Permit important to the Navajo Nation?

Decisions about Navajo land and Navajo resources should be made by the Navajo Nation for the benefit of Navajo people not dictated from the outside. The Navajo Nation specifically created NTEC for this purpose - to exercise sovereignty over its abundant natural resources and to build economic opportunities for our people. This is an extension of tribal sovereignty over the Navajo Nation’s resources. Few American Indian tribes exercise such sovereignty over their resources. The No Name Permit process is a necessary and required part of mining and should never be used by the federal government to prohibit or hinder operations at the Navajo Mine, which the Navajo Nation develops in its sovereign interests as the Navajo Nation directed NTEC to do.

How does NTEC support and protect the Navajo Nation?

In addition to the more than \$120 million that NTEC contributes to the Navajo Nation annually, NTEC is committed to being a good neighbor to Navajo communities.

- NTEC counts hundreds of Navajo Nation members among its employees. NTEC provides good, family-sustaining jobs in our own communities.
- NTEC has won more than 70 national awards for safety and reclamation. In 2025, NTEC returned a 2,211-acre parcel of formerly mined Navajo land back to the Navajo Nation, the first time any mining company has fully reclaimed coal mine land to modern standards and returned it to Bureau of Indian Affairs jurisdiction.

- NTEC maintains active relationships with all four Chapter governments surrounding the Navajo Mine, provides regular briefings and operational updates to local leadership, and has donated directly to Navajo communities year after year.
- NTEC takes its environmental obligations seriously. The Navajo Mine operates under enforceable air quality controls, with quarterly monitoring reports submitted to both OSMRE and the Navajo Nation Environmental Protection Agency. That monitoring record consistently shows particulate levels below federal health standards, not because anyone is looking the other way, but because the controls work.
- NTEC is actively engaged in the Endangered Species Act Section 7 consultation process with federal and tribal wildlife agencies. Surveys across the No Name Permit area confirmed no direct impact to protected species within the permit boundary. That is the kind of thorough, proactive work that gives the Navajo Nation confidence in how this permit is being handled.