THIRD CYCLE DEFINED CONTRIBUTION RETIREMENT PLAN
ADDENDUM TO
FIDELITY BASIC PLAN DOCUMENT NO. 04

RE: Amendment for the Bipartisan American Miners Act of 2019, the Setting Every Community Up for Retirement Enhancement Act of 2019 ("SECURE 1.0"), and the SECURE 2.0 Act of 2022 ("SECURE 2.0")

PREAMBLE

Adoption and Effective Date of Amendment.
This amendment to the Third Cycle Defined Contribution Retirement Plan Fidelity Basic Plan Document is adopted to reflect statutory changes pursuant to the Bipartisan American Miners Act of 2019, SECURE 1.0, SECURE 2.0, and any related guidance (collectively, the "Updates"). This amendment is intended as good-faith compliance and is to be construed in accordance with guidance issued for the Updates. This amendment shall be effective for each provision as specified below. Except as otherwise provided herein, terms defined in the Adoption Agreement and Basic Plan Document apply to this amendment.

Supersession of Inconsistent Provisions.
This amendment shall supersede the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this amendment. Any provision of this amendment shall not be treated as superseded by an amendment or restatement of the Plan except to the extent the provision from the Updates has been incorporated or reflected in the applicable amendment or restatement (including any good-faith compliance amendment adopted for that amendment or restatement).

Article 1. Long-Term Part-Time (LTPT) Employees

1. Article 2 of the Basic Plan Document is amended to add Sections 2.51 and 2.52 as follows effective for Plan Years beginning on or after January 1, 2021:

   2.51 <u>LTPT Employee</u>. "LTPT Employee" means, for a Plan that permits Elective Contributions and has selected the One Year of Service requirement under Section 3.A.1.C of the Adoption Agreement, any Employee who:

   (a) has not met the Plan's eligibility requirements under Sections 3.A.1 and 3.A.2 of the Adoption Agreement;

   (b) has completed three (3) (but effective in the Plan Year beginning during the 2024 calendar year and thereafter, such number is reduced to two (2)) consecutive 12-month computation periods that begin after December 31, 2020, with at least 500 actual Hours of Service during each of such 12-month computation periods and has attained at least age 21 before the end of the last of such consecutive 12-month computation periods; and

   (c) has entered the Plan following the end of the last consecutive 12-month period described above on the date described in Section 3.B of the Adoption Agreement.

   For purposes of determining LTPT Employees, an Employee's initial "12-month computation period" means the 12-consecutive-month period beginning on the later of (i) January 1, 2021, or (ii) the date on which the Employee first performs an Hour of Service. Subsequent 12-month computation periods will be measured from the anniversary of such date; provided, however, that if an Employee terminates employment and incurs a break in eligibility service, upon reemployment, the Employee's 12-month computation period shall be the 12-consecutive-month period beginning on the date following such break in eligibility service on which the Employee first performs an Hour of Service. A "break in eligibility service" for this purpose means a 12-month computation period in which the Employee does not complete at least 500 Hours of Service.

   An LTPT Employee is eligible to participate in the Plan for purposes of Elective Contributions, including Pre-Tax Elective Contributions and Roth Elective Contributions (if otherwise provided by the Plan), but ineligible for any other contributions (including top-heavy minimum allocations).

   2.52 <u>Former LTPT Employee</u>. "Former LTPT Employee" means a Participant who was an LTPT Employee but, after meeting the requirements to be an LTPT Employee, no longer meets the requirements of Section 2.51(a) or (b) in the definition of LTPT Employee above. The change in status to Former LTPT Employee is effective on the first day of the Plan Year following the Plan Year in which the LTPT Employee no longer meets the requirements of Section 2.51(a) or (b).

Article 2. Elective Contributions

1. The last sentence of the second paragraph of Section 4.5 of the Basic Plan Document (Elective Contributions) is replaced with the following effective for Plan Years beginning on or after December 30, 2022:

   Under no circumstances may a salary reduction agreement be adopted retroactively except to the extent expressly permitted by Code section 401(b)(2), which applies only to a sole-proprietor-only plan.

2. Section 4.7 of the Basic Plan Document (Catch-Up Contributions) is amended to add the following at the end of the first paragraph:

   Effective for calendar years beginning on or after January 1, 2025, the dollar limit on Catch-Up Contributions includes the increased dollar amount under Code section 414(v)(2)(E) (for Participants reaching age 60–63 in the applicable tax year).

3. Section 4.7 of the Basic Plan Document (Catch-Up Contributions) is amended to add the following at the end thereof effective for calendar years beginning on or after January 1, 2026:

   For taxable years beginning on or after January 1, 2026, a Participant who is eligible to make Catch-Up Contributions and whose wages for the preceding calendar year exceed $150,000, as adjusted for cost-of-living adjustments under Section 1.414(v)-2(a)(3) of the Treasury Regulations, may make Catch-Up Contributions only if (1) such Participant's Catch-Up Contributions are treated as Designated Roth Contributions (to the extent required by Section 1.414(v)-2(b) of the Treasury Regulations and consistent with procedures established by the Administrator) and (2) the Plan permits all Participants eligible to make Catch-Up Contributions to contribute such Catch-Up Contributions as Designated Roth Contributions. Each such Participant whose Catch-Up Contributions must be treated as Designated Roth Contributions as described above is a **"Mandatory Roth Catch-Up Participant."** If the Plan does not permit Participants to make Designated Roth Contributions, then for taxable years beginning on or after January 1, 2026, any Eligible Employee who is a Mandatory Roth Catch-Up Participant shall not be permitted to make Catch-Up Contributions to the Plan.

Wages used to determine if a Participant is a Mandatory Roth Catch-Up Participant are defined in Code section 3121(a) for purposes of the taxes imposed by Code sections 3101(a) and 3111(a) (determined without regard to the contribution and benefit base limitation under Code section 3121(a)(1)) for the taxable year the wages are required to be taken into account for purposes of Code Chapter 21 and include only those wages paid from such Participant's common-law employer, determined in accordance with Section 1.414(v)-2(a)(4) of the Treasury Regulations.

A Mandatory Roth Catch-Up Participant is deemed to have irrevocably designated that Catch-Up Contributions are Designated Roth Contributions once such Participant's Elective Contributions made during the calendar year exceed the Code section 401(a)(30) limit on Elective Contributions for the taxable year that begins in the calendar year. The Administrator may elect (1) through the administrative procedures, to specify different effective date(s) or not to apply the rule in the previous sentence or, alternatively (2) through administrative procedures, to apply the deemed rule when a Mandatory Roth Catch-Up Participant's Elective Contributions made on a pre-tax basis during the calendar year exceed the Code section 401(a)(30) limit on Elective Contributions for the taxable year that begins in the calendar year.

The Administrator will provide any Mandatory Roth Catch-Up Participant who is deemed to have designated Catch-Up Contributions as Designated Roth Contributions an effective opportunity to make a new election that is different than the deemed election. Any deemed election ceases to apply within a reasonable period of time following the date the Participant (1) makes a valid new election with respect to Catch-Up Contributions; (2) ceases to be a Mandatory Roth Catch-Up Participant; or (3) is issued an amended Form W-2 indicating that such Participant is not subject to any requirement under Code section 414(v) to make any Catch-Up Contributions as Designated Roth Contributions.

For the purposes of correcting a "section 414(v)(7) failure" (as defined in Section 1.414(v)-2(c)(2) of the Treasury Regulations), the Administrator may use any of the correction methods and rules provided in Section 1.414(v)-2 of the Treasury Regulations, applying the same correction method for similarly situated Participants, and the selection for which correction method applies may not be based on the investment return earned in the applicable Participant's Account. Nothing in this Section prevents the Administrator from using any other correction methodology available under the Corrections Programs. The "Corrections Programs" mean the correction methodologies, programs, or systems established by statute by the Internal Revenue Service (such as the Employee Plans Compliance and Resolution System) or by the U.S. Department of Labor.

Article 3. Participant Election to Treat Employer Nonelective Contributions as Designated Roth Contributions

1. Article 2 of the Basic Plan Document is amended to add Section 2.53 as follows effective for contributions made on or after December 30, 2022:

   2.53 <u>Designated Roth Nonelective Contributions</u>. "Designated Roth Nonelective Employer Contributions" mean Nonelective Employer Contributions that the Participant has irrevocably elected to be treated as Designated Roth Contributions upon contribution to the Plan.

2. The following is added at the end of Article 4 of the Basic Plan Document as a new Section 4.17 effective for contributions made on or after December 30, 2022:

   4.17 <u>Participant Designation of Employer Nonelective Contributions as Designated Roth Contributions</u>

   (a) Designated Roth Nonelective Employer Contributions. If so provided by the Employer in the Designated Roth Contributions Addendum of the Adoption Agreement, the Participant may irrevocably designate all or a portion of such Nonelective Employer Contribution as a Designated Roth Contribution (a "Designated Roth Nonelective Employer Contribution").

   (b) A Participant may change a designation with respect to making Designated Roth Nonelective Employer Contributions prospectively with respect to future contributions under this Section 4.17 in accordance with procedures determined by the Administrator, which shall be uniform and nondiscriminatory with regard to all Participants. A Participant must make any designation under this Section 4.17 as a Designated Roth Contribution no later than the time that the contribution is allocated to the Participant's Account, and the election must be irrevocable.

   (c) The Administrator will maintain contributions treated as Designated Roth Nonelective Contributions separately and make distributions in accordance with the Plan unless required to do otherwise by Code section 402A and any applicable guidance or regulations issued thereunder.

   (d) Any Designated Roth Nonelective Contributions of a Participant shall be subject to (1) distribution constraints found in Article 8 and (2) distribution rights, such as those found in Article 7, that apply to the applicable Employer Contribution absent a Participant designation under this Section 4.17.

Article 4. SIMPLE Plans

Section 12.4 of the Basic Plan Document (Code section 402(g) Limitation on Elective Contributions) is amended to add the following to the end of the first paragraph effective for Plan Years beginning on or after January 1, 2024:

If the Plan replaced a SIMPLE IRA plan of the Employer during a Plan Year, the total amount of Elective Contributions made by a Participant to the Plan during the transition year combined with the elective deferrals and catch-up contributions made by the Participant to the terminated SIMPLE IRA during its last plan year may not exceed the sum of (a) the applicable dollar limit in effect for such plan year under Code section 408(p) (after application of Code section 414(v), if applicable to the Participant) multiplied by a fraction equal to the number of days in the plan year up to the termination date divided by 365, plus (b) the applicable dollar limit in effect for the transition year under Code section 402(g)(1) multiplied by a fraction equal to the number of days in the transition year divided by 365. For purposes of this Section, the "transition year" means the period beginning the day after the termination date of the SIMPLE IRA and ending on the last day of the calendar year in which the termination occurs.

Article 5. Availability of In-Service Withdrawals

1. Section 7.14(c) is replaced in its entirety with the following:

   (c) <u>Qualified Disaster Distributions</u>. Qualified individuals (as defined in (5)(i) below) may designate all or a portion of a qualifying distribution as a Qualified Disaster Distribution (QDD) as defined below:

      (1) A QDD is a distribution of up to the lesser of $22,000 less any distributions that would be QDDs if made under the Plan to the individual for the same "qualified

disaster" from all plans of the Employer and Related Employers. A QDD is a distribution to a "qualified individual" for a "qualified disaster."

(2) A QDD is not an eligible rollover distribution for purpose of the obligation to permit a direct rollover under Code section 401(a)(31), the notice requirement of Code section 402(f), or the mandatory withholding rules of Code section 3405(c)(1).

(3) A Participant who received one or more QDDs from the Plan may recontribute the distribution(s) (not to exceed the amount of the distributions) at any time during the 3-year period beginning on the day after the date on which such distribution was received if the Participant is eligible to make a rollover contribution to the Plan in accordance with Section 11.3(b) at the time of recontribution. A Participant who makes a recontribution to the Plan will be treated as having received the distributions in an Eligible Rollover Distribution and as having transferred the amount to the Plan in a direct trustee-to-trustee transfer within 60 days of the distribution, and such recontributed amount shall be treated as a rollover contribution.

(4) The Administrator may adopt a policy regarding the documentation required in connection with a QDD application or recontribution, including a description of the Administrator's reliance upon an Employee's written certification in the absence of the Administrator's actual knowledge to the contrary.

(5) For purposes of this Section 7.14, the following definitions shall apply:

(i) A **"qualified individual"** with respect to a particular "qualified disaster" is any individual whose principal place of abode at any time during the "incident period" for the qualified disaster is located in the "qualified disaster area" with respect to such "qualified disaster," and who has sustained an economic loss by reason of such "qualified disaster."

(ii) A **"qualified disaster"** is any disaster declared by the President to be a major disaster under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, provided the "incident period" for such disaster occurs on or after January 26, 2021.

(iii) The **"qualified disaster area"** with respect to any "qualified disaster" is the area with respect to which the major disaster was declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. However, any area which is included in a qualified disaster area solely by reason of section 301 of the Taxpayer Certainty and Disaster Tax Relief Act of 2020 is excluded.

(iv) The **"incident period"** for a qualified disaster is the period specified by the Federal Emergency Management Agency as the period during which the disaster occurred.

2. The following are added at the end of Section 7.14 of the Basic Plan Document (Availability of In-Service Withdrawals) effective as of the dates indicated:

(e) Qualified Birth or Adoption Distributions. An eligible Participant may designate all or a portion of a qualifying distribution as a qualified birth or adoption distribution ("QBOAD"). A QBOAD is any distribution of up to $5,000 from the Plan to a Participant if made on or after January 1, 2020, during the 1-year period beginning on the date the child of the Participant is born or the legal adoption by the Participant of an eligible adoptee is finalized. A distribution of up to $5,000 for each child can be made with respect to multiple births and adoptions if the distribution is made within the 1-year period following the date on which the children are born, or the adoptions are finalized. An eligible adoptee is defined as any individual who has not attained age 18 or is physically or mentally incapable of self-support. An individual is physically or mentally incapable of self-support if they are Disabled.

(1) A QBOAD is not an eligible rollover distribution for purpose of the obligation to permit a direct rollover under Code section 401(a)(31), the notice requirement of Code section 402(f), or the mandatory withholding rules of Code section 3405(c)(1).

(2) A QBOAD distribution from a Money Purchase Pension Plan is only available upon the attainment of the earlier of Normal Retirement Age or, effective for Plan Years beginning on or after January 1, 2020, age 59½.

(3) A Participant who received one or more QBOADs may recontribute the distribution(s) (not to exceed the amount of the distributions) at any time during the 3-year period beginning on the day after the date on which such distribution is received, in the case of distributions made after December 29, 2022, or at any time after such distribution and before January 1, 2026, in the case of distributions made on or before December 29, 2022, if the Participant is eligible to make a rollover contribution to the Plan in accordance with Section 11.3(b) at the time of recontribution. A Participant who makes a recontribution of a QBOAD to the Plan will be treated as having received the distribution in an Eligible Rollover Distribution and as having transferred the amount to the Plan in a direct trustee-to-trustee transfer within 60 days of the distribution, and any such recontribution shall be treated as rollover contributions.

(4) The Administrator may adopt a policy regarding the documentation required in connection with a QBOAD application or recontribution, including a description of the Administrator's reliance upon an Employee's written certification in the absence of the Administrator's actual knowledge to the contrary.

(f) Domestic Abuse Withdrawal. If the Adoption Agreement provides that the Plan is a Profit Sharing/401(k) Plan, effective for distributions made on or after January 1, 2024, an eligible Participant may designate all or a portion of a qualifying distribution as a domestic abuse victim distribution ("DAW") up to the lesser of $10,000 (as increased for cost-of-living adjustments in accordance with Code section 1(f)(3) for taxable years beginning on or after January 1, 2025), fifty percent of the present value of the nonforfeitable accrued benefit of the Participant from the Plan, excluding any amount that is subject to Code sections 401(a)(11) and 417. Such amount shall be paid in a single lump sum.

(1) A DAW is any distribution from the Plan to a Participant if made during the 1-year period beginning on any date that the Participant is a victim of "domestic abuse" by the Participant's Spouse or domestic partner. "Domestic abuse" means physical, psychological, sexual, emotional, or economic abuse, including efforts to control, isolate, humiliate, or intimidate the victim, or to undermine the victim's ability to reason independently, including by means of abuse of the victim's child or another family member living in the household.

(2) A DAW is not an Eligible Rollover Distribution for purpose of the obligation to permit a direct rollover under Code section 401(a)(31), the notice requirement of Code section 402(f), or the mandatory withholding rules of Code section 3405(c)(1).

(3) A Participant who received one or more DAWs may recontribute the distribution(s) (not to exceed the

amount of the distributions) at any time during the 3-year period beginning on the day after the date on which such distribution is received, if the Participant is eligible to make a rollover contribution to the Plan in accordance with Section 11.3(b) at the time of recontribution. A Participant who makes a recontribution of a DAW to the Plan will be treated as having received the distribution in an Eligible Rollover Distribution and as having transferred the amount to the Plan in a direct trustee-to-trustee transfer within 60 days of the distribution, and any such recontribution shall be treated as a rollover contribution.

(4) The Administrator may adopt a policy regarding the documentation required in connection with a DAW application or recontribution, including a description of the Administrator's reliance upon an Employee's written certification in the absence of the Administrator's actual knowledge to the contrary.

Article 6. Increase in the Mandatory Cash-out Limit

Sections 7.6 (Restriction on Immediate Distributions), 7.9 (Distributions under QDRO) and 10.7 (Procedure upon Termination of the Trust) are amended as follows effective January 1, 2024: The references to "$5,000" in Subsections 7.6(a)(1) and 7.9(b) are replaced with "$7,000." In addition, the parenthetical in the second paragraph of Section 10.7 describing the maximum cash-out limit under Code section 401(a)(31)(B)(ii) "($5,000 as of January 1, 2018)" is replaced with "($7,000 as of January 1, 2024)."

Article 7. Minimum Distributions

Section 9.1 of the Basic Plan Document (Required Minimum Distributions) is amended in its entirety to provide as follows effective January 1, 2020, except as otherwise specifically indicated:

9.1 Required Minimum Distributions.

(a) General Rules.

(1) Subject to Article 8, Joint and Survivor Annuity Requirements, the requirements of this Article shall apply to any distribution of a Participant's interest and will take precedence over any inconsistent provisions of this Plan.

(2) All distributions required under this Article shall be determined and made in accordance with the regulations under Code section 401(a)(9) and the minimum distribution incidental benefit requirement of Code section 401(a)(9)(G).

(3) Limits on Distribution Periods. As of the first distribution calendar year, distributions to a Participant, if not made in a single-sum, may only be made over one of the following periods:

(i) the life of the Participant,

(ii) the joint lives of the Participant and a designated Beneficiary,

(iii) a period certain not extending beyond the life expectancy of the Participant, or

(iv) a period certain not extending beyond the joint life and last survivor expectancy of the Participant and a designated Beneficiary.

(b) TEFRA Section 242(b)(2) Elections. Notwithstanding the other provisions of this Section 9.1, distributions may be made under a designation made before January 1, 1984, in accordance with section 242(b)(2) of the Tax Equity and Fiscal Responsibility Act (TEFRA) and Section 14.3.

(c) Time and Manner of Distribution.

(1) Required Beginning Date. The Participant's entire interest will be distributed, or begin to be distributed, to the Participant no later than the Participant's Required Beginning Date.

(2) Death of Participant Before Distributions Begin. If the Participant dies before the distributions begin, the Participant's entire interest will be distributed, or begin to be distributed, no later than as follows:

(i) If the Participant's surviving Spouse is the Participant's sole designated Beneficiary, then, except as otherwise elected under Section 9.1(g), distributions to the surviving Spouse will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died, or by December 31 of the calendar year in which the Participant would have attained the applicable age, as defined in Section 9.1(f)(1), if later.

(ii) If the Participant's surviving Spouse is not the Participant's sole designated Beneficiary, then, except as otherwise elected under Section 9.1(g), distributions to the designated Beneficiary will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died.

(iii) If there is a "designated beneficiary," but no "eligible designated beneficiary" as of September 30 of the year following the year of the Participant's death, the Participant's entire vested interest will be distributed by December 31 of the calendar year containing the tenth anniversary of the Participant's death.

(iv) If there is no designated Beneficiary as of September 30 of the year following the year of the Participant's death, the Participant's entire interest will be distributed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.

(v) If the Participant's surviving Spouse is the Participant's sole eligible designated Beneficiary and the surviving Spouse dies after the Participant but before distributions to the surviving Spouse begin, this Section 9.1(c)(2), other than Section 9.1(c)(2)(i), will apply as if the surviving Spouse were the Participant.

For purposes of this Section 9.1(c)(2) and Section 9.1(e), unless Section 9.1(c)(2)(iv) applies, distributions are considered to begin on the Participant's Required Beginning Date. If Section 9.1(c)(2)(iv) applies, distributions are considered to begin on the date distributions are required to begin to the surviving Spouse under Section 9.1(c)(2)(i). If distributions under an annuity purchased from an insurance company irrevocably commence to the Participant before the Participant's Required Beginning Date (or to the Participant's surviving Spouse before the date distributions are required to begin to the surviving Spouse under Section 9.1(c)(2)(i)), the date distributions are considered to begin is the date distributions actually commence.

(3) Forms of Distribution. Unless the Participant's interest is distributed in the form of an annuity purchased from an insurance company or in a single sum on or before the Required Beginning Date, as of the first distribution calendar year distributions will be made in accordance with Section 9.1(d) and (e). If the

Participant's interest is distributed in the form of an annuity purchased from an insurance company, distributions thereunder will be made in accordance with the requirements of Code section 401(a)(9) and the Treasury Regulations.

(d) Required Minimum Distributions during Participant's Lifetime.

(1) Amount of Required Minimum Distribution for Each Distribution Calendar Year. During the Participant's lifetime, the minimum amount that will be distributed for each distribution calendar year is the lesser of:

(i) the quotient obtained by dividing the Participant's Account balance by the distribution period in the Uniform Lifetime Table set forth in Table 2 of section 1.401(a)(9)-9(c), of the Treasury Regulations, using the Participant's age as of the Participant's birthday in the distribution calendar year; or

(ii) if the Participant's sole designated Beneficiary for the distribution calendar year is the Participant's Spouse, the quotient obtained by dividing the Participant's Account balance by the number in the Joint and Last Survivor Table set forth in Table 3 section 1.401(a)(9)-9(d), of the Treasury Regulations, using the Participant's and Spouse's attained ages as of the Participant's and Spouse's birthdays in the distribution calendar year.

(iii) If a portion of a Participant's Account is used to purchase an annuity contract or contracts, the Administrator may permit a Participant to determine the minimum amount required to be distributed from the Participant's Account balance under this Section 9.1 taking into account payments made from such contract(s) for the distribution calendar year. If a Participant makes such election, the minimum distribution from the Participant's Account balance shall be the excess of the total required amount for that year over the annuity payments made for that year from all contracts purchased with a portion of the Participant's Account. For this purpose, the total required amount is the amount that would be required to be distributed under this Section 9.1 determined aggregating the Participant's Account balance with the value of all annuity contracts purchased with a portion of the Participant's Account.

(2) Lifetime Required Minimum Distributions Continue through Year of Participant's Death. Required minimum distributions will be determined under this Section 9.1(d) beginning with the first distribution calendar year and up to and including the distribution calendar year that includes the Participant's date of death.

(e) Required Minimum Distributions after Participant's Death.

(1) Death Prior to January 1, 2020, on or after Date Distributions Begin.

(i) Participant Survived by Designated Beneficiary. If the Participant dies prior to January 1, 2020, on or after the date distributions begin and there is a designated Beneficiary, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's Account balance by the longer of the remaining life expectancy of the Participant or the remaining life expectancy of the Participant's designated Beneficiary, determined as follows:

(A) The Participant's remaining life expectancy is calculated using the age of the Participant in the year of death, reduced by one for each subsequent year.

(B) If the Participant's surviving Spouse is the Participant's sole designated Beneficiary, the remaining life expectancy of the surviving Spouse is calculated for each distribution calendar year after the year of the Participant's death using the surviving Spouse's age as of the Spouse's birthday in that year. For distribution calendar years after the year of the surviving Spouse's death, the remaining life expectancy of the surviving Spouse is calculated using the age of the surviving Spouse as of the Spouse's birthday in the calendar year of the Spouse's death, reduced by one for each subsequent calendar year.

(C) If the Participant's surviving Spouse is not the Participant's sole designated Beneficiary, the designated Beneficiary's remaining life expectancy is calculated using the age of the Beneficiary in the year following the year of the Participant's death, reduced by one for each subsequent year.

(ii) No Designated Beneficiary. If the Participant dies on or after the date distributions begin and there is no designated Beneficiary as of September 30 of the year after the year of the Participant's death, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's Account balance by the Participant's remaining life expectancy calculated using the age of the Participant in the year of death, reduced by one for each subsequent year.

(2) Death on or after January 1, 2020, on or after Date Distributions Begin.

(i) Participant Survived by Designated Beneficiary. If the Participant dies on or after January 1, 2020, on or after the date distributions begin, and there is a designated beneficiary, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's account balance by the longer of the remaining life expectancy of the Participant or the remaining life expectancy of the Participant's designated beneficiary, determined as follows:

(A) The Participant's remaining life expectancy is calculated using the age of the Participant in the year of death, reduced by one for each subsequent year.

(B) If the Participant's surviving Spouse is the Participant's sole designated beneficiary, the applicable distribution period is measured by the surviving Spouse's life expectancy using the surviving Spouse's birthday for each distribution calendar year after the calendar year of the Participant's death. The surviving Spouse's remaining life expectancy is redetermined each distribution calendar year using the surviving Spouse's age as of the surviving Spouse's birthday in that distribution calendar year. For distribution calendar years after the year of the surviving Spouse's death, the remaining life expectancy of the surviving Spouse is calculated using the age of the surviving Spouse as of the Spouse's birthday in the calendar year of the Spouse's death, reduced by one for each subsequent calendar year.

(C) If the Participant's surviving Spouse is not the Participant's sole designated beneficiary and there is an eligible designated beneficiary, the eligible designated beneficiary's remaining life expectancy is calculated using the age of the eligible designated beneficiary in the year following the year of the Participant's death, reduced by one for each subsequent year.

(D) If the Participant's surviving Spouse is not the Participant's sole designated beneficiary and there is no eligible designated beneficiary, the entire interest must be distributed by the end of the calendar year that includes the tenth anniversary of the date of the Participant's death. In addition, if there is a designated beneficiary but not an eligible designated beneficiary, distributions must begin by December 31st of the calendar year immediately following the calendar year in which the Participant died based on the longer of the life expectancy of the designated beneficiary or the deceased Participant. However, for the 2021 and 2022 calendar years, distributions are not required.

(ii) No Designated Beneficiary. If the Participant dies on or after the date distributions begin and there is no designated beneficiary as of the September 30 of the year after the year of the Participant's death, such as where no individual is named as the beneficiary, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's Account balance by the Participant's remaining life expectancy calculated using the age of the Participant in the year of death, reduced by one for each subsequent year.

(3) Death Prior to January 1, 2020 before Date Distributions Begin.

(i) Participant Survived by Designated Beneficiary. Except as otherwise elected under Section 9.1(g), if the Participant dies before the date distributions begin and there is a designated Beneficiary, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's Account balance by the remaining life expectancy of the Participant's designated Beneficiary, determined as provided in Section 9.1(e)(1).

(ii) No Designated Beneficiary. If the Participant dies before the date distributions begin and there is no designated Beneficiary as of September 30 of the year following the year of the Participant's death, distribution of the Participant's entire interest will be completed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.

(iii) Death of Surviving Spouse Before Distributions to Surviving Spouse Are Required to Begin. If the Participant dies before the date distributions begin, the Participant's surviving Spouse is the Participant's sole designated Beneficiary, and the surviving Spouse dies before distributions are required to begin to the surviving Spouse under Section 9.1(c)(2)(i), this Section 9.1(e)(2) will apply as if the surviving Spouse were the Participant.

(4) Death on or after January 1, 2020, Before Distributions Begin

(i) Participant Survived by Spouse Beneficiary. If the Participant dies before the date distribution begins and the surviving Spouse is the sole Beneficiary, distribution must begin by December 31 of the calendar year immediately following the calendar year in which the Participant died, or by December 31 of the calendar year in which the Participant would have attained the applicable age, if later. If the Participant dies before the date distributions begin, the Participant's surviving Spouse is the Participant's sole designated beneficiary, and the surviving Spouse dies before distributions are required to begin to the surviving Spouse under Section 9.1(e)(3)(iii), this section will apply as if the surviving Spouse were the Participant.

(ii) Participant Survived by Other Eligible Designated Beneficiary. Unless the Participant or Beneficiary elects otherwise in accordance with Section 8, if the Participant dies before the date distributions begin and there is an eligible designated beneficiary, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is determined initially using the Beneficiary's age as of his birthday in the calendar year following the calendar year of the Participant's death. For subsequent calendar years, the designated beneficiary's remaining life expectancy is determined by reducing that initial life expectancy by one for each calendar year that has elapsed after the first calendar year. If the Participant dies before the date distributions begin and is survived by an eligible designated beneficiary and the surviving eligible designated beneficiary dies or reaches the age of majority before distributions are required to begin to the eligible designated beneficiary under Section 9.1(f)(2), distribution of the Participant's entire interest will be completed by December 31 of the calendar year containing the tenth anniversary of the Participant's death.

(iii) Participant Survived by Non-Eligible Beneficiary. Unless the Participant or Beneficiary elects otherwise in accordance with Section 9.1(g), if the Participant dies before the date distributions begin and there is a designated beneficiary but no eligible designated beneficiary, distribution of the Participant's entire interest will be completed by December 31 of the calendar year containing the tenth anniversary of the Participant's death.

(iv) No Designated Beneficiary. If the Participant dies before the date distributions begin and there is no designated beneficiary as of September 30 of the year following the year of the Participant's death, distribution of the Participant's entire interest will be completed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.

(f) Definitions.

(1) Applicable age. The following age, as applicable,

(i) 70½ if the Participant was born before July 1, 1949;

(ii) 72 if the Participant was born on or after July 1, 1949, and before January 1, 1951; and

(iii) 73 if the Participant was born on or after January 1, 1951.

(2) Designated beneficiary. The individual who is designated as the Beneficiary under Section 7.4 of the Plan and is the designated Beneficiary under Code section 401(a)(9) and section 1.401(a)(9)-4, of the Treasury Regulations.

(3) Distribution calendar year. A calendar year for which a minimum distribution is required. For distributions beginning before the Participant's death, the first distribution calendar year is the calendar year immediately preceding the calendar year which contains the Participant's Required Beginning Date. For distributions beginning after the Participant's death, the first distribution calendar year is the calendar year in which distributions are required to begin under Section 9.1(c)(2). The required minimum distribution for the Participant's first distribution calendar year will be made on or before the Participant's Required Beginning Date. The required minimum distribution for other distribution calendar years, including the required minimum distribution for the distribution calendar year in which the Participant's Required Beginning Date occurs, will be made on or before December 31 of the distribution calendar year.

(4) Eligible designated beneficiary. The designated beneficiary of the Participant (or the Participant's surviving Spouse) who is any of the following:

(i) The surviving Spouse of the Participant,

(ii) A child of the Participant who has not reached the age of majority,

(iii) Disabled,

(iv) A chronically ill individual, or

(v) An individual not described above who is not more than 10 years younger than the Participant.

(5) Life expectancy. Life expectancy as computed by use of the Single Life Table, set forth in Table 1 of Section 1.401(a)(9)-9(b) of the Treasury Regulations. Where the first year in which annual required minimum distributions to the surviving Spouse must be made is 2024 or later, a surviving Spouse, who is the sole designated beneficiary of the Participant, will be deemed to have elected to have their life expectancy computed using the Uniform Lifetime Table, set forth in Table 2 of Section 1.401(a)(9)-9(c), where the Participant died before, on, or after their Required Beginning Date. However, if the Participant died on or after their Required Beginning Date, the applicable denominator for the distribution calendar year is the greater of (1) the applicable denominator under the preceding sentence or (2) the Participant's remaining life expectancy.

(6) Participant's Account balance. The Account balance as of the last valuation date in the calendar year immediately preceding the distribution calendar year (valuation calendar year) increased by the amount of any contributions made and allocated or forfeitures allocated to the Account balance as of dates in the valuation calendar year after the valuation date and decreased by distributions made in the valuation calendar year after the valuation date. The Account balance for the valuation calendar year includes any amounts rolled over or transferred to the Plan either in the valuation calendar year or in the distribution calendar year if distributed or transferred in the valuation calendar year. For purposes of determining the minimum amount of any distribution required to be made pursuant to Section 9.1 in each distribution calendar year beginning on or after January 1, 2024, during the Participant's lifetime, up to and including the calendar year of the Participant's date of death, the Participant's Account balance does not include amounts attributable to Designated Roth Contributions.

(7) Required Beginning Date. The later of April 1 of the calendar year following the calendar year in which the Participant attains the applicable age defined in 9.1(f)(1) or retires, except that distributions to a 5-percent owner must commence by April 1 of the calendar year following the calendar year in which such Participant attains the applicable age.

(8) 5% Owner. A Participant who is a 5-percent owner as defined in Code section 416(i) (determined in accordance with Code section 416 but without regard to whether the Plan is top heavy) at any time during the Plan Year ending with or within the calendar year in which he attains the applicable age, or any subsequent Plan Year. Once distributions have begun to a 5-percent owner under this Article 9, they must continue, even if the Participant ceases to be a 5-percent owner in a subsequent year.

(g) Participants or Eligible Designated Beneficiaries May Elect 5-Year Rule. Participants or eligible designated beneficiaries may elect on an individual basis whether the 5-year rule or the life expectancy rule in Sections 9.1(c)(2) and 9.1(e)(2) applies to distributions after the death of a Participant who has an eligible designated beneficiary. The election must be made no later than the earlier of September 30 of the calendar year in which distribution would be required to begin under Section 9.1(c)(2), or by September 30 of the calendar year which contains the fifth anniversary of the Participant's (or, if applicable, the surviving Spouse's) death. If neither the Participant nor the eligible designated beneficiary makes an election under this paragraph (g), distributions will be made in accordance with Section 9.1(c)(2), 9.1(e)(3), as applicable.

CHANGES AFFECTING THE PROFIT SHARING/401(K) PLAN ADOPTION AGREEMENT NO. 001

Article 8. Long-Term Part-Time Employees

Section 3.A.1.C of the Adoption Agreement is interpreted in accordance with its text and the following additional text: "If this option is selected and the Plan provides for Elective Contributions, an Employee who becomes an LTPT Employee will be eligible to make Elective Contributions as of the date specified in Section 3.B below following the end of the last applicable consecutive 12-month period."