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|  | CONFLICT MINERALS POLICY | | | |
| Document # | Last Revised: | Revision: | Author: | Approver: |
| | 12/01/2022 | DW | | |

This policy outlines Plug Power's goal to conduct ethical and socially and environmentally conscious business practices at all levels of its global supply chain.

On August 22, 2012, the U.S. Securities and Exchange Commission ("SEC") adopted rules (the "Conflict Minerals Rule") to implement reporting and disclosure requirements related to "conflict minerals," as directed by the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010. The rules require manufacturers who file certain reports with the SEC to disclose whether the products they manufacture or contract to manufacture contain "conflict minerals" that are "necessary to the functionality or production" of those products. As a company listed on the US stock exchange Plug Power is bound by this requirement.

1. Conflict Mineral Definition

"Conflict minerals" refers to tin, tantalum, and tungsten, as well as gold or derivatives of cassiterite, columbite-tantalite, and wolframite, regardless of where they are sourced, processed, or sold. The intent of the Conflict Minerals Rule is to further the humanitarian goal of ending violent conflict in the Democratic Republic of the Congo (DRC) and in surrounding countries, which has been partially financed by the exploitation and trade of conflict minerals.

2. Initial Due Diligence

Plug Power identifies relevant suppliers and collects and reviews information from them on a company-by-company basis. This task is performed by the Supply Chain Team.


3. Compliance

Plug Power reports on its compliance with the Conflict Minerals Rule on an annual basis.

To ensure compliance, Plug Power's Supply Chain Team engages in a country of origin inquiry regarding the use of conflict minerals from our direct suppliers identified in the due diligence process, as well as an inquiry into whether necessary conflict minerals came from recycled or scrap sources. Each of the identified suppliers must solicit that information from their next tier of suppliers. Plug Power will seek information from its suppliers throughout its global supply chains, regardless of where the components and materials are purchased. We work with our suppliers to ensure consistency in the tools used to establish this process.

As a result of these efforts, Plug Power requires our suppliers to undertake the following actions:

- Report the required company-level data and the smelter data, for all uses of the designated minerals and derivatives in the Conflict Minerals Reporting Template ("CMRT," produced by the CFSI*) tool for any materials, components or products supplied to Plug Power after January 1, 2019 by returning a completed Conflict Minerals Reporting Template ([CMRT](#)), including all smelter information for all of the designated minerals.
- Document all steps taken to collect and report conflict mineral information and preserve the documentation.
- Maintain compliance annually.

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*CFSI (Conflict-Free Sourcing Initiative): An organization with member companies from the information and communications technology industry that works to improve global social and environmental consciousness.

This procedure will be maintained by the Supply Chain Team.

4. Audit and Ongoing Due Diligence Process

Materials collected from suppliers are reviewed in an audit related to ongoing due diligence. The framework for this audit can be found in the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk areas.


We implement action plans to provide further information and guidance as needed to address concerns revealed as the result of an audit.

Information on the OECD can be found at:

<https://www.oecd.org/daf/inv/mne/OECD-Due-Diligence-Guidance-Minerals-Edition3.pdf> .

We appreciate your immediate attention to this matter. General information regarding these requirements can be found at <http://www.responsiblemineralsinitiative.org/>

Please contact suppliercompliance@plugpower.com with any company-specific questions you may have on this subject.

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Revision History

| Revision | Date | Description of Change | Revised By |
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| IR | 03/13/21 | New Document | A Currado |
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