

TRONOX

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February 12, 2010

SENT VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

SENT VIA EMAIL

Mark Paris
BMI
875 West Warm Springs Road
Henderson, Nevada 89015

Dear Mr. Paris,

For the past several years, Tronox has sought access to BMI property in the "seep" area near the Las Vegas Wash. Currently, Tronox holds an easement on BMI property for remedial wells in the seep area, however the wells the company is now required to install are just outside the current easement area. Tronox has been ordered by the Nevada Department of Environmental Protection (NDEP) to access this area to install groundwater monitoring wells, obtain soil and groundwater samples and perform aquifer testing at the locations shown on the attached map. To date, BMI has refused to allow Tronox access to the necessary areas despite Tronox's offer to take all reasonable measures to accommodate BMI's plans for the property. Tronox requests that BMI contact me in the next 15 days to resume discussions regarding the accommodation of the required wells and complete an access agreement. NDEP is on notice of the access issue and is copied on this letter.

Please contact me if you have any questions or concerns.

Sincerely,



Matthew Paque

cc: Brain Rakvica, NDEP (Mail and Email)
Jim Najima, NDEP (Email)
Lina Tanner, Deputy Attorney General (Email)
Dennis Wanlass, Tronox
Robert Gibney, Tronox