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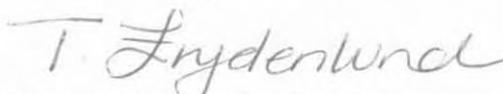
January 29, 2010

The Honorable Elyana R. Sutin
Attn: Tina Artemis
U.S. EPA Region 8
1595 Wynkoop Street
Denver, CO 80202

Dear Ms. Artemis:

Please find enclosed original and one copy of Status Report of Fulton Fuel Company in Docket No. CWA-07-2009-0006 for filing.

Very Truly Yours,



Tennile Frydenlund

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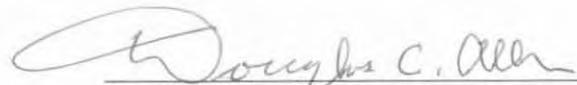
**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

IN THE MATTER OF:	* Docket No. CWA-07-2009-0006
	*
Fulton Fuel Company	*
127 Main Street	* STATUS REPORT
P.O. Box 603	*
Shelby, MT 59474	*
	*
Respondent.	*

In response to the request of the Regional Judicial Officer for a Status Report, Fulton Fuel Company reports that at this time the parties have not been able to reach a settlement; however the parties have exchanged settlement offers and have not terminated negotiations.

The undersigned requests that any Order to be entered setting a deadline for a motion or further response allow at least thirty days so that the settlement negotiations are not unduly restricted.

Respectfully submitted this 29th day of January, 2010.



Douglas C. Allen
Attorney for Fulton Fuel Company

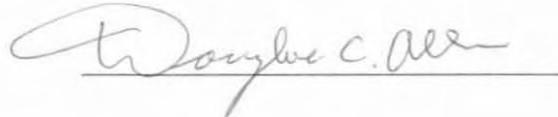
CERTIFICATE OF SERVICE

The undersigned hereby certifies that the Status Report was delivered in the following manner:

BY FACSIMILE AND MAIL TO:

The Honorable Elyana R. Sutin
Regional Judicial Officer
U.S. EPA Region 8 (8RC)
1595 Wynkoop Street
Denver, CO 80202-1129
Facsimile: (303) 312-6859

Marc D. Weiner
Enforcement Attorney
1595 Wynkoop Street
Denver, CO 80202-1129
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Douglas C. Allen