

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2010 OCT 20 PM 1:35

FILED  
EPA REGION VIII  
HEARING CLERK

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In the Matter of: )  
)  
)

Cenex Harvest States, Inc. )  
Milk River Cooperative )  
246 Industry Road )  
Malta, Montana 59538 )

Respondent )  
\_\_\_\_\_ )

WITHDRAWAL OF COMPLAINT

**DOCKET NO. EPCRA-08-2010-0001**

Pursuant to 40 C.F.R. Part 22, Section 22.14(d), the Complainant, through its counsel, hereby withdraws its Complaint in the above-captioned case. The Complaint was filed on September 21, 2010 and service was made upon Respondent on September 24, 2010. Respondent's Answer is not due until October 25, 2010 and the Answer was not filed prior to this Withdrawal.

Respectfully submitted,



Linda Kato  
Enforcement Attorney  
United States Environmental Protection  
Agency, Region 8  
Legal Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

In the Matter of:  
Cenex Harvest States, Inc  
Milk River Cooperative

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the original and one copy of the WITHDRAWAL OF COMPLAINT were hand-carried to the Regional Hearing Clerk, EPA Region 8, 1595 Wynkoop Street; Denver, Colorado 80202-1129, and that a true copy of the same was sent via Certified Mail, Postage Pre-Paid, to:

Theresa M. Bevilacqua  
Dorsey & Whitney LLP  
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William Michael  
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Oct 20, 2010  
Date

Judith McTernan  
Judith McTernan