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# ENVIR. BEFOREST FREENVIRONMENTAL APPEALS BOARD HEARINGS CLERK UNITED STATES ENVIRONMENTAL PROTECTION AGENTRA --- REGION 10 WASHINGTON, D.C.

In the Matter of:

HECLA MINING COMPANY LUCKY FRIDAY MINE NPDES Permit No. ID-000017-5 Appeal No. NPDES 06-05

#### **REGION'S RESPONSE TO MOTION FOR LEAVE TO FILE REPLY BRIEF**

On April 7, 2006, undersigned counsel for Region 10 of the U.S. Environmental Protection Agency received by facsimile Hecla Mining Company's Motion for Leave to File Reply Brief and proposed Reply Brief. Having now reviewed the Motion and the proposed Reply Brief, the Region reports that it neither opposes nor joins the Motion because it believes that the proffered Reply Brief merely restates arguments made in Hecla's pending petition. The Region believes that the issues still pending before the Board have been fully briefed, and, should the Board grant Hecla's Motion, the Region does not anticipate seeking leave to file a Surreply.

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Dated this 📜 day of April, 2006.

Respectfully submitted,

**R. DAVID ALLNUTT** 

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RESPONSE TO MOTION FOR LEAVE TO FILE REPLY - 1

U.S. ENVIRONMENTAL PROTECTION AGENCY 1200 Sixth Avenue Seattle, Washington 98101 (206) 553-1037

#### **CERTIFICATE OF SERVICE**

I certify that the foregoing "Response to Motion for Leave to File Reply" was sent to the following persons, in the manner specified, on the date below:

One copy by facsimile, and original and five copies via U.S. mail to:

U.S. Environmental Protection Agency Clerk of the Board, Environmental Appeals Board (MC 1103B) Ariel Rios Building 1200 Pennsylvania Avenue, N.W. Washington, D.C. 20460-0001 fax: (202) 233-0121

One copy by facsimile, and one copy via U.S. mail to:

Kevin J. Beaton Teresa A. Hill STOEL RIVES LLP 101 S. Capitol Blvd. Suite 1900 Boise, Idaho 83702-5958 fax: (208) 389-9040

Dated: 4/12/06

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