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BEFORE THE ENVIRONMENTAL APPEALS BOARD ENVIR. APPEALS BOARD
U.S. ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.

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| In the Matter of: |) | |
| |) | |
| |) | Appeal No. NPDES 06-05 |
| HECLA MINING COMPANY |) | |
| LUCKY FRIDAY MINE |) | |
| NPDES Permit No. ID-000017-5 |) | |
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CERTIFICATION OF INDEX TO THE ADMINISTRATIVE RECORD

I, Patricia McGrath, hereby certify that the attached document entitled "Index of the Administrative Record" constitutes the index of the administrative record for the remand proceedings and permit modification proceedings for NPDES Permit No. ID-000017-5, issued December 28, 2005.

Dated this 10 day of March, 2006
at Seattle, Washington


 Patricia McGrath
 Office of Water and Watersheds
 EPA Region 10

**Index to Administrative Record
For
Hecla Mining Company
Lucky Friday Mine and Mill
NPDES Permit No. ID-000017-5**

Remand Proceedings and Permit Modification Issued on December 28, 2005

**Documents Pertaining to the Environmental Appeal Board (EAB) Proceedings,
NPDES Appeal No. 03-10**

1. 9/10/2003. Letter from Kevin J. Beaton, Stoel Rives LLP Attorneys for Hecla Mining Company, to Environmental Appeals Board (EAB) transmitting Petition for Review, Memorandum in Support, and Exhibits.
2. 9/10/2003. Hecla Mining Company's Petition for Review, submitted by Kevin J. Beaton, Stoel Rives LLP, Attorneys for Hecla Mining Company. Before EAB, USEPA, Washington, D.C.
3. 9/10/2003. Hecla Mining Company's Memorandum in Support of Hecla Mining Company's Petition for Review, submitted by Kevin J. Beaton, Stoel Rives LLP, Attorneys for Hecla Mining Company. Before EAB, USEPA, Washington, D.C.
4. 9/10/2003. List and Exhibits A-P Supporting Petition for Review.
5. 9/16/2003. Letter from Eurika Durr, Clerk of the Board, EAB to Jackson L. Fox, Environmental Protection Agency (EPA) transmitting Petition for Review.
6. 9/17/2003. Affidavit of Mike Dexter in Support of Hecla Mining Company's Petition for Review. Before EAB, USEPA, Washington, D.C.
7. 9/17/2003. Affidavit of Bob Tridle In Support Of Hecla Mining Company's Petition For Review. Before EAB, USEPA, Washington, D.C.
8. 10/30/2003. Certification of Index to the Administrative Record. Before EAB, USEPA, Washington, D.C.
9. 10/30/2003. Response to Hecla Mining Company's Petition for Review, submitted by R. David Allnutt and Jeffrey Kopf, USEPA. Before the EAB, USEPA, Washington, D.C.
10. 10/30/2003. Relevant Portions of the Administrative Record (Exhibits 1-19), submitted by R. David Allnutt, USEPA. Before the EAB, USEPA, Washington, D.C.

11. 11/06/2003. Stipulated Motion to Withdraw Request for Review of Zinc Method Detection Limit, submitted by David Allnutt, USEPA, and Kevin Beaton, Stoel Rives LLP, Attorneys for Hecla Mining Company. Before the EAB, USEPA, Washington, D.C.
12. 11/13/2003. Order Granting Partial Withdrawal of Petition for Review, submitted by Kathie A. Stein, EAB. Before EAB, USEPA, Washington, D.C.
13. 11/17/2003. Motion for Leave to File Reply Brief, submitted by Kevin J. Beaton, Stoel Rives LLP, Attorneys for Hecla Mining Company. Before EAB, USEPA, Washington, D.C.
14. 11/19/2003. Hecla Mining Company's Response to EPA's Motion to Strike Exhibit K to Hecla's Petition, submitted by Kevin J. Beaton, Stoel Rives LLP, Attorneys for Hecla Mining Company. Before EAB, USEPA, Washington, D.C.
15. 01/13/2004. Order Granting Leave to File Reply Brief, submitted by Kathie A. Stein, EAB. Before EAB, USEPA, Washington, D.C.
16. 01/20/2004. Hecla Mining Company's Reply Brief in Support of Petition for Review and Exhibit Q, submitted by Kevin J. Beaton, Stoel Rives LLP, Attorneys for Hecla Mining Company. Before EAB, USEPA, Washington, D.C.
17. 1/30/2004. Region 10's Motion for Leave to File Surreply, submitted by R. David Allnutt, USEPA. Before the EAB, USEPA, Washington, D.C.
18. 2/04/2004. Hecla Mining Company's Objection to Motion for Leave to File Surreply, submitted by Teresa A. Hill, Stoel Rives LLP, Attorneys for Hecla Mining Company. Before EAB, USEPA, Washington, D.C.
19. 7/28/2004. Motion to Supplement Record, submitted by Teresa A. Hill, Stoel Rives LLP, Attorneys for Hecla Mining Company. Before the EAB, USEPA, Washington, D.C.
20. 8/4/2004. Order Setting Briefing Schedule, submitted by Edward E. Reich, EAB. Before the EAB, USEPA, Washington, D.C.
21. 8/11/2004. Region 10's Response to Motion to Supplement Record and Exhibit 20, submitted by R. David Allnutt, USEPA. Before the EAB, USEPA, Washington, D.C.
22. 8/19/2004. Hecla Mining Company's Memorandum in Support of Motion to Supplement Record, submitted by Teresa A. Hill, Stoel Rives LLP, Attorneys for Hecla Mining Company. Before the EAB, USEPA, Washington, D.C.

23. 09/07/2004. Region 10's Brief on Effect of Modified Section 401 Certification and Exhibit 21, submitted by R. David Allnutt, USEPA. Before the EAB, USEPA, Washington, D.C.
24. 10/13/2004. Remand Order and Order Requiring Status Report, submitted by Edward E. Reich, EAB. Before the EAB, USEPA, Washington, D.C.
25. 10/27/2004. Hecla Mining Company's Status Report, submitted by Teresa A. Hill, Stoel Rives LLP, Attorneys for Hecla Mining Company. Before the EAB, USEPA, Washington, D.C.
26. 10/27/2004. Region 10's Status Report, submitted by R. David Allnutt, USEPA. Before the EAB, USEPA, Washington, D.C.
27. 11/3/2004. Order Granting Second Partial Withdrawal of Petition for Review, submitted by Edward E. Reich, EAB. Before the EAB, USEPA, Washington, D.C.
28. 12/16/2004. Order Requiring Status Report, submitted by Edward E. Reich, EAB. Before the EAB, USEPA, Washington, D.C.
29. 12/29/2004. Region 10's Second Status Report, submitted by R. David Allnutt, USEPA. Before the EAB, USEPA, Washington, D.C.
30. 8/23/2005. Order Requiring Status Report, submitted by Edward E. Reich, EAB. Before the EAB, USEPA, Washington, D.C.
31. 9/07/2005. Region 10's Third Status Report, submitted by R. David Allnutt, USEPA. Before the EAB, USEPA, Washington, D.C.

Documents Predating the Public Comment Period (before 7/21/2005)

32. 5/17/2002. South Fork Coeur d'Alene River Sediment Subbasin Assessment and Total Maximum Daily Load. Idaho Department of Environmental Quality.
33. 6/9/2003. Letter from Mike Dexter, Hecla, to Randall F. Smith, EPA, and Stephen Allred, IDEQ, supplemental information regarding the variance request as requested in EPA's Feb. 3, 2003 letter.
34. 7/11/2003. Letter from Mike Dexter, Hecla, to Randall F. Smith, EPA variance request additional information in response to EPA's June 9, 2003 letter.
35. 8/18/2003. Letter from Kelly Huynh, EPA, to Susan Martin, United States Fish and Wildlife Service, No Effect Determination for Hecla Mining Company Lucky Friday Mine NPDES Permit.

36. 10/01/2003. Letter from Michael F. Gearheard, EPA, to Mike Dexter, Hecla, notifying Hecla of stayed permit conditions.
37. 10/31/2003. Letter from Kelly Huynh, EPA, to Mike Dexter, Hecla, approving the use of a different method detection limit for ambient zinc monitoring.
38. 6/03/2004. Email from Darren Brandt, IDEQ, to Patty McGrath, EPA, providing the draft revised 401 certification for comment.
39. 6/21/2004. Letter from Michael F. Gearheard, EPA, to Gwen Fransen, IDEQ, providing comments on the draft revised 401 certification.
40. 6/30/2004. Letter from Toni Hardesty, IDEQ, to Michael F. Gearheard, EPA, providing additional information regarding the basis for the revised 401 certification.
41. 7/8/2004. Letter from Bob Tridle, Hecla, to Darren Brandt, IDEQ, correcting CORMIX tables in support of the permit and certification.
42. 7/14/2004. Facsimile from Judy Cloos, Hecla, to Patty McGrath, EPA, providing 3/5/01 analytical data for Pond 1.
43. 7/15/2004. Letter from Toni Hardesty, IDEQ, to Robert R. Robichaud, EPA, Section 401 Certification for the Lucky Friday Mine and Mill NPDES Permit.
44. 7/20/2004. Letter from Toni Hardesty, IDEQ, to Mike Gearheard, EPA, outlining changes in the revised certification and reasons behind them.
45. 8/19/2004. Letter from Mike Dexter, Hecla, to Toni Hardesty, IDEQ, regarding the revised 401 certification.
46. 8/19/2004. Letter from Mike Dexter, Hecla, to Ronald A. Kreizenbeck, EPA, requesting EPA to incorporate the revised certification conditions into the Lucky Friday NPDES permit.
47. 10/1/2004. Letter for File from Patty McGrath, EPA, Data and documents supporting the development of effluent limits for the Lucky Friday Mine Draft NPDES permit modification.
48. 10/28/2004. Letter from Michael F. Gearheard, EPA, to Mike Dexter, Hecla, notifying Hecla of remanded and withdrawn permit conditions.
49. 11/09/2004. Email from Ed Tulloch, IDEQ, to Patty McGrath, EPA, responding to a question regarding bioassessment monitoring requirements of the revised certification.

50. 11/17/2004. Letter from Michael F. Gearheard, EPA, to Toni Hardesty, IDEQ, regarding the mixing zone information in the CWA section 401 revised certification for the Lucky Friday NPDES permit and future section 401 certifications.
51. 12/29/2004. Email from Patty McGrath, EPA, to Mark Shumar, IDEQ, regarding the proposed new effluent limits for copper and mercury.
52. 3/23/2005. Letter from Gwen P. Fransen, IDEQ, to Michael Gearheard, EPA, responding to EPA's November 17, 2004 letter regarding the mixing zones in the revised 401 certification.
53. 6/07/2005. Letter from Michael J. Lidgard, EPA, to Mike Dexter, Hecla, informing Hecla of the Lucky Friday draft permit modification comment period.
54. 6/07/2005. Letter from Michael J. Lidgard, EPA, to Gwen Fransen, IDEQ, informing IDEQ of the Lucky Friday draft permit modification comment period and requesting 401 certification of the TSS loading limits.
55. 6/20/2005. Letter from Patty McGrath, EPA, to Wallace Public Library, providing the library with copies of Fact Sheet and draft permit modification for public review.

Public Comment Period (6/21/2005 to 7/21/2005)

56. 6/21/2005. Mailing List for Lucky Friday Mine permit modification public notice.
57. 6/21/2005. Public Notice for proposed modification of NPDES permit for Hecla Lucky Friday Mine and Mill. Sent to mailing list on 6/21/2005.
58. 6/21/2005. Fact Sheet for Permit Remand and Modification Proceedings for Hecla Lucky Friday Mine and Mill NPDES Permit. Sent to mailing list on 6/21/2005.
59. 6/21/2005. Draft NPDES Permit Modification, NPDES Permit No. ID-0000175, Hecla Lucky Friday Mine and Mill. Sent to mailing list on 6/21/2005.
60. 6/21/2005. Proof of Publication of the Lucky Friday permit modification Public Notice in the Coeur d'Alene Press, signed by Regina Mason.
61. 6/22/2005. Email from Patty McGrath, EPA, to Rick Eichstaedt, Center for Justice, responding to a question regarding antidegradation.
62. 6/22/2005. Proof of Publication of the Lucky Friday permit modification Public Notice in the Shoshone News Press, signed by Shirley Ravsten.

63. 7/20/2005. Letter from Rick Eichstaedt, Center for Justice, to Patty McGrath, EPA, comments on the Lucky Friday draft permit modification.
64. 7/21/2005. Letter from Mike Dexter, Hecla, to Director, Office of Water and Watersheds, EPA, comments on the Lucky Friday Mine and Mill draft modified permit.

Documents Received After the Close of the Public Comment Period (from 7/22/2005 to 12/27/2005)

65. 12/16/2005. Letter from Toni Hardesty, IDEQ, to Robert R. Robichaud, EPA, Section 401 Certification Hecla Lucky Friday NPDES Permit, Total Suspended Solids Certification.

Permit Modification Issuance

66. 12/28/2005. Letter from R. David Allnutt, EPA, to Clerk of the Board, EAB, Notification of Completion of Remand Proceedings, Hecla Mining Company, Lucky Friday Mine NPDES Permit.
67. 12/28/2005. NPDES Permit Modification For Hecla Mining Company, Lucky Friday Mine, NPDES Permit No. ID-0000175, signed December 28, 2005 by Michael F. Gearheard, EPA.
68. 12/27/2005. Response to Comments on Permit Modification, NPDES Permit for Hecla Mining Company Lucky Friday Mine.

EPA Guidance and Technical Documents

69. EPA 1990. Proposed Reissuance of a NPDES Permit to Discharge Pollutants Pursuant to the Provisions of the Clean Water Act. Fact Sheet for Sunshine Mining Company. US Environmental Protection Agency (EPA) Region 10. July 24, 1990.
70. EPA 1991. *Technical Support Document for Water Quality-based Toxics Control*. Office of Water Enforcement and Permits, Office of Water Regulations and Standards. Washington, D.C. March 1991. EPA/505/2-90-001.
71. EPA 1993. Proposed Reissuance of a NPDES Permit to Discharge Pollutants Pursuant to the Provisions of the Clean Water Act. Fact Sheet for Cominco Alaska, Inc. (Red Dog Mine). EPA Region 10. December 27, 1993.
72. EPA 1996. *The Metals Translator: Guidance for Calculating a Total Recoverable Permit Limit from a Dissolved Criterion*, EPA 823-B-96-007, June 1996.

73. EPA 1999. Fact Sheet for Proposed Reissuance of NPDES Permit to Hecla Mining Company, Grouse Creek Unit. EPA Region 10. November 24, 1999.
74. EPA 2001. Fact Sheet for Proposed Reissuance of NPDES Permit to Hecla Mining Company, Lucky Friday Mine. EPA Region 10. March 28, 2001.
75. EPA 2001. Bunker Hill CTP Discharge Quality and Monitoring Plan. Prepared by URS Greiner and CH2M Hill for EPA Region 10. June 2001.
76. EPA 2002. NPDES Permit No. ID-002646-8. Hecla Mining Company – Grouse Creek Unit. EPA Region 10. January 8, 2002.
77. EPA 2003. Fact Sheet for Revised Draft Permit for Hecla Mining Company, Lucky Friday Mine. EPA Region 10. January 6, 2003.
78. EPA 2003. NPDES Permit No. ID-000017-5. Hecla Mining Company, Lucky Friday Mine, Issued by EPA Region 10. August 12, 2003.