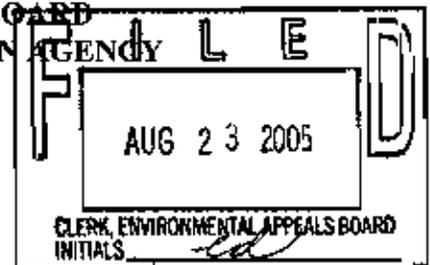


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)
)
Hecla Mining Company, Lucky Friday Mine)
)
NPDES Permit No. ID-000017-5)
)

NPDES Appeal No. 03-10

ORDER REQUIRING STATUS REPORT

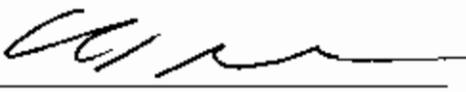
Hecla Mining Company, Lucky Friday Unit ("Hecla") filed a timely petition seeking review of certain conditions of the Clean Water Act ("CWA") National Pollution Discharge Elimination System ("NPDES") permit, dated August 12, 2003 (the "Permit"), issued to it by U.S. EPA Region 10 ("Region"). The Region opposed Hecla's request for review of the Region's permitting decision. Subsequently, the State of Idaho issued a revised section 401 certification on July 15, 2004 (hereinafter "2004 Certification"), and Hecla filed a request with the Region, pursuant to 40 C.F.R. §§ 122.62, 124.5 and 124.55, seeking "incorporation" of the 2004 Certification "into" the Permit. On October 13, 2004, we remanded five issues raised in Hecla's Petition that may be affected by Hecla's request for modification of the Permit, along with the associated Permit conditions.

Later, in response to our December 16, 2004 order, the Region filed a status report dated December 29, 2004, describing the progress of the proceedings on remand. We hereby direct the Region to submit another report on the progress of the remand proceedings and identify when the

Region anticipates issuing its decision on remand and its decision on Hecla's request for a variance. The Region shall file its status report on or before Friday, September 9, 2005. The Region shall file a status report every 120 days thereafter.

So ordered.

Dated: *August 23, 2005* ENVIRONMENTAL APPEALS BOARD

By: 
Edward E. Reich
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Requiring Status Report, in the matter of Hecla Mining Company, NPDES Appeal No. 03-10, were sent to the following persons in the manner indicated:

By First Class, U.S. Mail
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Dated: **AUG 23 2005**



Annette Duncan
Secretary