

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

---

In re:	)	
	)	
Hecla Limited Lucky Friday Mine	)	NPDES Appeal No. 19-01
	)	
NPDES Permit No. ID0000175	)	
	)	

---

**ORDER GRANTING JOINT MOTION FOR STAY OF PROCEEDINGS**

Hecla Limited Lucky Friday Mine (“Hecla Limited”) has petitioned for review of the National Pollution Discharge Elimination System (“NPDES”) permit issued for the Lucky Friday Mine by U.S. Environmental Protection Agency, Region 10 (“Region 10”). By motion filed with the Environmental Appeals Board (“Board”) on August 15, 2019, Hecla and Region 10 seek a stay of this matter pending the outcome of a proceeding Hecla Limited filed with the State of Idaho Board of Environmental Quality challenging the Idaho Department of Environmental Quality’s (“IDEQ’s”) Clean Water Act Section 401 Certification. *See* Joint Motion for Stay of Proceedings (“Joint Motion”) at 2. According to the Joint Motion, the issues raised in the State proceeding affect those raised before the Board and “should be resolved before the EAB Petition proceeds.” *Id.* The motion states further that Hecla Limited and the IDEQ are currently engaged in settlement discussions. Under these circumstances, the parties seek a stay of the proceedings before the Board and propose that the parties submit a status report on November 1, 2019 on the progress of settlement discussions between Hecla Limited and IDEQ. *Id.* at 2-3.

Based on the parties’ representations, the Board **GRANTS** the Joint Motion for a stay of the proceedings before the Board. This matter is hereby stayed until November 7, 2019. The

parties shall submit a joint status report on or before November 1, 2019, informing the Board of the progress of settlement discussions.

So ordered.

**ENVIRONMENTAL APPEALS BOARD**

Dated: August 16, 2019

By:   
\_\_\_\_\_  
Mary Kay Lynch  
Environmental Appeals Judge

## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Granting Joint Motion for Stay of Proceedings** in the matter of *Hecla Limited Lucky Friday Mine*, NPDES Appeal No. 19-01, were sent to the following persons by email:

Attorney for Petitioner

Kevin Beaton  
Stoel Rives LLP  
101 S. Capitol Blvd., Ste. 1900  
Boise, Idaho 83702  
Email: kevin.beaton@stoel.com

Attorney for Region 10

Courtney Weber  
Assistant Regional Counsel  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Street, Ste. 155  
Mail Code: 11-C07  
Seattle, WA 98101  
Email: weber.courtney@epa.gov

Attorney for State of Idaho

Mark Cecchini-Beaver  
Deputy Attorney General  
Department of Environmental Quality  
1410 N. Hilton, 2nd Floor  
Boise, Idaho 8306  
Email: mark.cecchini-beaver@deq.idaho.gov

Dated: August 16, 2019



---

Erika Durr  
Clerk of the Board