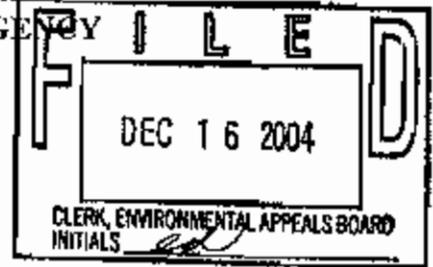


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)

Hecla Mining Company, Lucky Friday Mine)

NPDES Permit No. ID-000017-5)

NPDES Appeal No. 03-10

ORDER REQUIRING STATUS REPORT

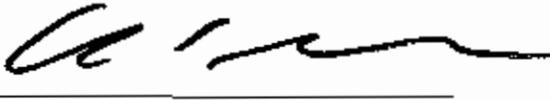
Hecla Mining Company, Lucky Friday Unit ("Hecla") filed a timely petition seeking review of the decision by U.S. EPA Region 10 ("Region") to issue to it a final Clean Water Act ("CWA") National Pollution Discharge Elimination System ("NPDES") permit, dated August 12, 2003 (the "Permit"). The Region opposed 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. We hereby direct the Region to submit a 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 Thursday, December 30, 2004.

So ordered.

Dated: 12/16/04

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:

DEC 16 2004


Annette Duncan
Secretary