

F I L E D

Nov 05 2019

Clerk, Environmental Appeals Board  
INITIALS *[Signature]*

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

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

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**ORDER EXTENDING STAY**

In this proceeding, Hecla Limited Lucky Friday Mine (“Hecla Limited”) appeals the terms of a NPDES permit for Hecla Limited’s Lucky Friday Unit mine issued by U.S. Environmental Protection Agency, Region 10. The Environmental Appeals Board granted a stay of the proceeding on August 16, 2019, based on the parties’ representations that Hecla Limited is pursuing a challenge to the Idaho Board of Environment Quality’s (“Idaho DEQ’s”) certification of Hecla Limited’s permit under section 401 of the Clean Water Act, 33 U.S.C. § 1341, and that the parties to the Idaho proceeding (Hecla Limited and Idaho DEQ) needed time to continue their attempt to reach settlement of their dispute regarding the permit certification. On November 1, 2019, the Hecla Limited and Region 10 filed a joint status report in which they requested that the stay be extended until December 16, 2019. That report states that “Counsel for Hecla anticipates that a settlement agreement will be signed shortly.”

Based on the representations in the status report, the Board **GRANTS** the joint request for an extension of the stay of the proceedings before the Board. This matter is hereby stayed until Monday, December 16, 2019. The parties shall submit a joint status report on or before Monday, December 9, 2019, informing the Board of the progress of settlement discussions and

their plan and expected timeframe for concluding settlement discussions. To the extent that the parties seek a further stay of proceedings beyond December 16, 2019, the parties must file a motion requesting a further stay no later than December 9, 2019. The joint status report and the motion may be combined in one document. A motion to further extend the stay must specify the length of, and explain the basis for, such a further stay.

So ordered.

**ENVIRONMENTAL APPEALS BOARD**

Dated: November 5, 2019

By: \_\_\_\_\_



Mary Kay Lynch  
Environmental Appeals Judge

## CERTIFICATE OF SERVICE

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

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Dated: November 5, 2019



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Eureka Durr  
Clerk of the Board