

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ENVIRONMENTAL APPEALS BOARD

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In the Matter of:)	Appeal No. NPDES 19-01
HECLA LIMITED LUCKY FRIDAY)	JOINT STATUS REPORT AND
MINE, LUCKY FRIDAY UNIT)	MOTION REQUESTING
NPDES Permit No. ID0000175)	FURTHER STAY OF PROCEEDINGS
_____)	

The United States Environmental Protection Agency (“EPA”) Region 10 (“Region 10”) and Hecla Limited Lucky Friday Mine (“Hecla”) respectfully submit this Joint Status Report and Motion Requesting Further Stay of Proceedings in the above-captioned matter pursuant to the Environmental Appeals Board’s (“EAB’s”) Order Extending Stay, dated November 5, 2019 (“Order”). In the Order, the EAB stayed this matter until December 16, 2019. The EAB further directed the parties to file a Joint Status Report and/or Motion Requesting a Further Stay on the Proceedings by December 9, 2019.

Counsel for Hecla and the Idaho Department of Environmental Quality continue to engage in settlement discussions concerning the Clean Water Act 401 certification for the National Pollutant Discharge Elimination System (“NPDES”) permit for the Lucky Friday Mine. Counsel for Hecla has stated that there remains one issue that the parties continue to discuss in those settlement discussions and anticipates that a settlement will be reached in the 401 certification appeal shortly. Any outcomes of that settlement may affect the NPDES permit at

issue in this appeal. Given this, the parties believe that an additional extension on the current stay is warranted to allow the settlement discussions to conclude. The parties propose that the stay be extended to January 21, 2020 and that a third status report and/or motion requesting a further stay of the proceedings be filed by January 13, 2020.

DATED: December 9, 2019

On behalf of Region 10:



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CERTIFICATE OF SERVICE

I certify that the foregoing "Joint Status Report and Motion Requesting Further Stay of the Proceedings" was sent to the following persons, in the manner specified, on the date below:

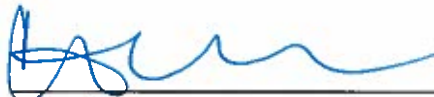
By electronic filing to:

U.S. Environmental Protection Agency
Clerk of the Environmental Appeals Board
1200 Pennsylvania Avenue, NW
Mail Code 1103M
Washington, DC 20460-0001

By electronic and U.S. mail to:

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DATED: December 9, 2019



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