

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)
MINE, LUCKY FRIDAY UNIT)
)
NPDES Permit No. ID0000175)
_____)

JOINT STATUS REPORT

The United States Environmental Protection Agency (“EPA”) Region 10 (“Region 10”) and Hecla Limited Lucky Friday Mine (“Hecla”) respectfully submit this Joint Status Report in the above-captioned matter pursuant to the Environmental Appeals Board’s (“EAB’s”) Order Granting Joint Motion for Stay of Proceedings, dated August 16, 2019 (“Order”). In the Order, the EAB stayed this matter until November 7, 2019. The EAB further directed the parties to file a Joint Status Report on November 1, 2019 “informing the [EAB] of the progress of settlement discussions.”

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.

Any outcomes of that settlement may affect the NPDES permit at issue in this appeal. Counsel for Hecla anticipates that a settlement agreement will be signed shortly. Given this, the parties believe that an extension on the current stay is warranted to allow the settlement discussions to continue. The parties propose that the stay be extended to December 16, 2019 and that a second status report be filed by December 9, 2019.

DATED: November 1, 2019

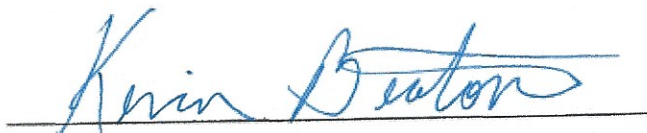
On behalf of Region 10:



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CERTIFICATE OF SERVICE

I certify that the foregoing "Joint Motion for Stay of 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: November 1, 2019



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