

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



In re:	)	
Hecla Mining Company,	)	NPDES Appeal No. 03-10
NPDES Permit No. ID-000017-5	)	

**ORDER GRANTING SECOND PARTIAL WITHDRAWAL OF PETITION FOR REVIEW**

Hecla Mining Company, Lucky Friday Unit ("Hecla") timely filed a petition seeking this Board's review of certain conditions of the National Pollution Discharge Elimination System ("NPDES") Permit No. ID-000017-5 issued on August 12, 2003 (the "Permit") by U.S. EPA Region 10 (the "Region") to Hecla. Among other things, Hecla's petition for review requests that we grant review on the grounds that the Permit does not contain a compliance schedule or implementation period for flow-proportioned composite sampling, continuous effluent flow monitoring, and in-stream flow monitoring set forth in the Permit.

On October 27, 2004, Hecla filed a Status Report stating in part that it "agrees to the withdrawal and dismissal of its request for review of the Region's failure to include a compliance schedule and implementation period for the flow-

proportioned composite sampling, continuous effluent flow monitoring and in-stream flow monitoring." Hecla Mining Company's Status Report at 4 (Oct. 27, 2004).

Upon consideration, we hereby dismiss Hecla's request for review of the Permit for failure to provide a compliance schedule or implementation period for flow-proportioned composite sampling, continuous effluent flow monitoring, and in-stream flow monitoring.

So ordered.

Dated:

*11/3/04*

ENVIRONMENTAL APPEALS BOARD

By: 

Edward E. Reich  
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Partial Withdrawal of Petition for Review, in the matter of Hecla Mining Company, NPDES Appeal No. 03-10, were sent to the following persons in the manner indicated:

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Dated: NOV 13 2004

  
Annette Duncan  
Secretary