

December 20, 2004  
In the matter of  
Hecla Mining Company  
Lucky Friday Mine  
ID No. 10-00088

Docket No. M-78-029-M

PROPOSED DECISION AND ORDER TO REVOKE

On August 22, 1978, Hecla Mining Company was granted a petition for modification of 30 CFR § 57.19071 (formerly 30 CFR 57.19-71) pursuant to Section 101(c) of the Federal Mine Safety and Health Act of 1977, based upon an alternative method of compliance. The petition allowed miners engaged in the mucking cycle of the shaft sinking operation to be transported in a partially filled muck bucket. The standard requires the miners to be transported in an empty muck bucket.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

MSHA Western District personnel determined that there are no current shaft sinking operations at the Lucky Friday Mine and that none are being planned for the future. Consequently, modification of the mandatory standard is no longer needed.

ORDER

Wherefore, pursuant to the authority delegated by the Secretary of Labor to the Administrator for Metal and Nonmetal Mine Safety and Health and pursuant to Section 101(c) of the Federal Mine Safety and Health Act of 1977, 30 U.S.C., Section 811(c), it is ordered that Hecla Mining Company's modification of 30 CFR § 57.19071 as it pertains to the Lucky Friday Mine, is hereby **REVOKED**.

/s/ Robert M. Friend

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Robert M. Friend  
Administrator for Metal and Nonmetal  
Mine Safety and Health