STATE OF VERMONT

Water Resources Board

In re: Killington Limited
Bear Mountain Spray Site #2
Killington, Vermont

ORDER

The Motion to Dismiss filed by the Agency of Environmental Conservation dated February 13, 1986 is granted on the grounds that the Water Resources Board lacks jurisdiction in that Commissioner Lash's letter dated September 9, 1985 does not constitute a final action appealable under either 3 V.S.A. §2873 or 10 V.S.A. §1269.

Dated this 27th day of March, 1986, at Montpelier, Vermont.

Vermont Water Resources Board

Catharine B. Rachlin, Chairman

William Boyd Davies

William D. Countryman

Thomas Adair

kgr