

under Criterion 9(B), the Applicant was proceeding under Rule 21, which provides that an applicant may request review on specific criteria or subcriteria, in whatever sequence he wants. The Commission's findings on selected criteria are not appealable, however. Only findings and a decision on all of Criterion 9 and Criterion 10 are considered final for purpose of appeal.

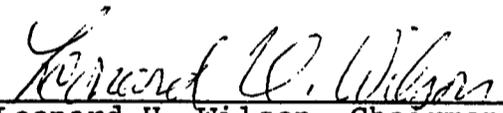
The Applicant in this case may either request the Commission to review its application under the other subcriteria of Criterion 9 and under Criterion 10, and then appeal all negative findings to the Board, or proceed with a full review before the Commission on all ten criteria and then appeal the negative findings. In any case, the Board cannot hear the appeal unless the Commission has reviewed at least all subcriteria of Criterion 9 and Criterion 10, as required by 10 V.S.A. § 6086(b).

ORDER

1. The Appeal is hereby dismissed without prejudice.
2. Any objections to this decision must be filed with the Board by January 15, 1988.

Dated at Montpelier, Vermont, this 5th day of January, 1988.

VERMONT ENVIRONMENTAL BOARD



Leonard U. Wilson, Chairman