

**04 NCAC 01E .0302 JURISDICTIONAL FINDINGS**

(a) Before the department can begin to make technical findings specified in G.S. 159C-7(1) to (3), a finding must be made that the project is either:

- (1) an industrial project for industry,
- (2) a pollution control project for industry, or
- (3) a pollution control project for public utility, as defined in G.S. 159C-3, and as defined in Article V, Section 9 of the constitution of North Carolina.

(b) The department shall use the definitions of those terms found in Section .0100 of this Subchapter to make those jurisdictional findings.

*History Note: Authority G.S. 159C-7;  
Eff. August 2, 1976;  
Amended Eff. March 1, 1985;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.*