

SCHEDULE 3

DEEMED CONSENT CONDITIONS

Above ambient temperature vessel conditions

5. A hazardous substance shall be present at above its boiling point at 1 bar absolute in a vessel area only if—

- (a) it was present at above its boiling point at 1 bar absolute in a vessel in that vessel area at any time during the establishment period;
- (b) the temperature at which it is present does not exceed the temperature specified in column 9 of Table C;
- (c) the vessel in which it is present does not have a greater capacity than that specified in column 10 of Table C; and
- (d) the pressure at which it is present does not exceed—
 - (i) atmospheric pressure, if the substance was not present at above atmospheric pressure at above its boiling point at 1 bar absolute in a vessel in that vessel area at any time during the establishment period; or
 - (ii) the pressure specified in column 11 of Table C, in any other case.