

## PART IX

### Definition of Capable Facility

Capable facility is any facility which:

1. Is capable of producing organic chemicals containing the elements of phosphorous, fluorine, and sulfur or those involving the processes of phosphorylation, fluorination or sulfuration identical to those chemicals included in Schedule 1 as well as Schedule 2 chemicals;
2. Has the same process equipment and machinery as for the Schedule 2 chemicals;
3. Has the same process equipment layout as for production of Schedule 2 chemicals.