

## ANNEX 3

### VESSEL DESIGN, CONSTRUCTION AND OPERATION

1. *Definitions.* As used in this Annex:

- (a) "Discharge" means the introduction of oil and hazardous polluting substances, including oily bilgewater, into receiving waters and includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting or dumping; it does not include unavoidable direct discharges of oil from a properly functioning vessel engine;
- (b) "Harmful quantity of oil" means any quantity of oil that, if discharged into receiving waters, would produce a film or sheen upon, or discoloration of, the surface of the water or adjoining shoreline, or that would cause a sludge or emulsion to be deposited beneath the surface of the water or upon the adjoining shoreline;
- (c) "Oily wastes" means oil and mixtures containing oil such as oily ballast, tank washing and bilge slops;
- (d) "Tanker" means any vessel designed for the carriage of oil or liquid chemicals in bulk;
- (e) "Vessel" means any ship, barge or other floating craft, whether or not self-propelled.

2. *Oil.* As used in this Annex, "oil" refers to oil of any kind or in any form, including, but not limited to petroleum, fuel oil, oil sludge, oil refuse, and oil mixed with wastes, but does not include constituents of dredged spoil.

3. *General Principles.* Compatible regulations shall be adopted for the prevention of discharges into the Great Lakes System of harmful quantities of oil and hazardous polluting substances from vessels in accordance with the following principles:

- (a) Discharges of harmful quantities of oil or hazardous polluting substances shall be prohibited and made subject to appropriate penalties;
- (b) As soon as any person in charge has knowledge of any discharge of harmful quantities of oil or hazardous polluting substances, immediate notice of such discharge shall be given to the appropriate agency in the jurisdiction where the discharge occurs; failure to give this notice shall be made subject to appropriate penalties.

4. *Programs.* The programs and measures to be adopted for the prevention of discharges of harmful quantities of oil shall include the following:

- (a) Compatible regulations for design and construction of vessels based on the following principles: