

ANNEX 7

DISCHARGES FROM ONSHORE AND OFFSHORE FACILITIES

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

- (a) "Discharge" means the introduction of oil or hazardous polluting substances into receiving waters and includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting or dumping; it does not include continuous effluent discharges from municipal or industrial treatment facilities;
- (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 adjoining shoreline;
- (c) "Offshore facility" means any facility of any kind located in, on or under any water;
- (d) "Onshore facility" means any facility of any kind located in, on or under, any land other than submerged land.

2. *Facilities.* The term "facility" includes motor vehicles, rolling stock, pipelines, and any other facility that is used or capable of being used for the purpose of processing, producing, storing, transferring or transporting oil or hazardous polluting substances, but excludes vessels.

3. *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.

4. *Principles.* Regulations shall be adopted for the prevention of discharges into the Great Lakes System of harmful quantities of oil and hazardous polluting substances from onshore and offshore facilities 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.

5. *Programs and Measures.* The programs and measures to be adopted shall include the following:

- (a) Programs to review the design, construction, and location of both existing and new facilities for their adequacy to prevent the discharge of oil or hazardous polluting substances;