

Frequently Asked Questions

Voluntary Self-Disclosure Process Compliance & Liability Management and Infrastructure Applications

March 2021

These frequently asked questions are in regard to voluntary self-disclosures (VSDs) submitted to one or both of the following AER groups:

- Compliance & Liability Management (through field centres, regional offices, Emergency Management)
- Infrastructure Applications (for licensing matters under [Directive 056: Energy Development Applications and Schedules](#))

Note: While other AER groups have different processes for submitting and managing VSDs, most submissions regarding in situ operations can be directed to the local AER field centre or regional office. This does not apply to *Directive 056*-related submissions, which are to be directed to Infrastructure Applications. Consult with your local AER field centre or regional office for more information regarding in situ VSD submissions.

Q1. Where is the AER VSD Form located?

A1. The form is available on the AER website www.aer.ca > Regulating Development > [Compliance Assurance Program](#), under the heading “Voluntary Self-Disclosure.”

Q2. How is a voluntary self-disclosure submitted to the AER?

A2. The form is submitted electronically. Applicable AER email addresses are provided in the **Email to** dropdown list of the VSD form.

Q3. How does a regulated party know whether the self-disclosure has been accepted?

A3. After reviewing the VSD form, the AER will return it to the regulated party with the **AER Use Only** section filled out indicating whether the VSD has been accepted or declined.

Q4. How does a regulated party know if a noncompliance has been risk rated as high or low?

A4. This information will be provided in the returned form. The AER’s compliance or enforcement response is not predetermined by the risk rating.

Q5. What if a self-disclosure is submitted and a response from the AER is not received?

A5. Contact the appropriate AER group.

Q6. What will happen if there are errors on the VSD Form such as spelling errors or incorrect information?

A6. There are no penalties for submitting a VSD form with errors as the form is for administrative purposes only. If any errors are identified, the AER will work with the regulated party to get the errors corrected in a timely manner. If these errors result in the AER reassessing whether the submission meets the criteria in section 3 of [Manual 013: Compliance and Enforcement Program](#), the regulated party will be contacted.

Q7. If a regulated party wants an extension to the deadline date for an accepted VSD, what should the party do?

A7. Contact the appropriate AER group with the extension request before the established deadline date. The AER will review the request, accept or deny it, and advise the licensee of the decision, including the reason.

Q8. Can a “provincial” self-disclosure be submitted?

A8. Yes. If a VSD is for an area greater than that covered by one field centre or regional office, a provincial VSD can be submitted by selecting Provincial.VSD@aer.ca in the **Email to** dropdown list on the VSD form.

Q9. Can a VSD be submitted for an unlicensed well, pipeline, or facility?

A9. Yes, VSDs related to unlicensed wells, facilities, and pipelines may be submitted to Authorizations.VSD@aer.ca, located in the **Email to** dropdown list of the form. The regulated party may also have to submit an application for a licence using the Electronic Application Submission (EAS) system to achieve compliance.

Q10. Who do I contact for help with the VSD form?

A10. Contact the appropriate AER group.

Q11. If there is a public complaint related to a noncompliance prior to the AER accepting a voluntary self-disclosure, what will occur?

A11. There may not be a compliance or enforcement response by the AER provided that the regulated party advised the AER of the noncompliance prior to the complaint; immediately corrects or addresses the noncompliance; and, if requested, develops and implements an action plan within the time specified by the AER.

Note: To ensure a consistent approach to responding to noncompliances, the AER conducts a noncompliance triage assessment (section 4 of *Manual 013*) of all noncompliances, including noncompliances that were voluntarily self-disclosed.

Q12. A corporate amalgamation has taken place and the new regulated party wishes to self-disclose that 200 identification signs require changes. Does the regulated party have to enter each location on the VSD Form when submitting a provincial self-disclosure of this magnitude?

A12. In such situations, unless a noncompliance that is risk rated as high is being self-disclosed, the regulated party does not need to fill in the **Location** field, but is encouraged to do so, if possible. For noncompliances risk rated as high, all fields in the VSD Form will need to be filled in.

Q13. A regulated party wishes to disclose a *Directive 056*-related noncompliance and an operational noncompliance. Should the VSD Form be sent to the field centre or to Authorizations.VSD@aer.ca?

A13. Submit separate VSD forms to the appropriate contact for each noncompliance. The form with the noncompliance related to *Directive 056* is to be submitted to Authorizations.VSD@aer.ca. The form with the operational noncompliance is to be submitted to the appropriate field centre or other relevant contact.

VSD forms that are sent to Authorizations.VSD@aer.ca that contain information unrelated to *Directive 056* will not be registered. These submissions will be sent back to the regulated party with instructions to separate the request and send it to the appropriate contact.