

Bulletin 2010-04

January 27, 2010

Directive 019: Compliance Assurance—Enforcement Voluntary Self-Disclosures

Part 6 of *Directive 019: ERCB Compliance Assurance—Enforcement* outlines the policy of the Energy Resources Conservation Board (ERCB) regarding voluntary self-disclosure by licensees.

The ERCB encourages all licensees to actively monitor their compliance with ERCB requirements through tools such as self-inspections and audits. The ERCB's self-disclosure policy is intended to encourage licensees to proactively identify, report, and correct noncompliances.

Part 6 of *Directive 019* provides guidance regarding which licensee self-disclosures will not be considered as voluntary self-disclosures. However, the ERCB has concluded that licensees may benefit from further clarification regarding when and in what circumstances the ERCB will accept self-disclosure of a noncompliance as a voluntary self-disclosure.

Licensees are required to report or provide notification of various activities, events, and incidents under the acts, regulations, directives, approvals, permits, licences, directions, and decisions issued and administered by the ERCB (ERCB requirements). **Self-disclosure by a licensee of a noncompliance that in the opinion of the ERCB is related to or associated with an activity, event, or incident that the licensee is required to report to or notify the ERCB of will not be accepted as a voluntary self-disclosure under *Directive 019*.**

On receipt of notification of an activity, event, or incident that must be reported under an ERCB requirement, the ERCB immediately initiates an investigation of the incident. Depending on the circumstances, the investigation may or may not result in enforcement action against the licensee. The applicable ERCB group remains the main contact for licensees when self-disclosing noncompliances to the ERCB.

Questions regarding this bulletin may be directed to the ERCB Compliance Assurance section by e-mail to Erin.Maczuga@ercb.ca or by telephone to 403-476-4807.

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