



Submission to Portfolio Committee

Weather Services Act

24 January 2012



Key issues



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- Intention of amendments
- Current challenges on implementation of the Air Quality Act
- Scope of responsibility for air quality information
- Pollution warnings
- No reference to how amendments will be funded
- Proposed changes



Intention



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- To give effect to agreement between DEA and Weather Services on establishment and management of air quality information system.
- No changes to relationship between regulator and industry.



Current situation



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- Licensing regime still not operational
- Inconsistent messages on licensing requirements
- Advice on requirements provided by national and local government
- Information to be provided in license application still not clarified
- Concerns around public access to confidential business information not resolved



Current situation(2)



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- Development of phase 2 of SAAQUIS includes stakeholder involvement
- GHG inventory subject of co-operation between BUSA and DEA



Scope of responsibility



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- **Advisory services:**
 - inclusion of air pollution concentrations and emissions beyond scope of weather services mandate
 - pollution warnings : responsibility of industry not recognised
 - duplicating responsibility of competent authorities



Scope of responsibility(2)



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- Instruments:
 - should be confined to information management
- Research:
 - should be confined to Weather Services
- Training in air quality not appropriate function for Weather Services



Pollution warnings



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- Purpose of pollution warnings not understood
- Emission incidents must be reported in terms of NEMA
- Warnings to the public required in terms of Major Hazard Installation regulations
 - Emergency response measure; cannot wait for written permission



Amendments



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- Delete definitions not used in the Bill
- Delete restrictions on pollution warnings
- Delete advisory and consultancy services on individual emissions
- Include restriction on use of business confidential information collected as part of license application
- Delete limitation of liability



Amendments (2)



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- Ambient air quality is available from a variety of sources: definition should clarify those that will be used
- No limit on the sources of information to be used for consultancy services
- Relationship between this service and advice given by competent authorities should be clarified



Amendments (3)



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- Limit on the sources of information to be used for consultancy services
- Clarify costs of this service
- Clarify relationship between this service and advice given by competent authorities
- Include IPR protection for information submitted by industry in section 26.