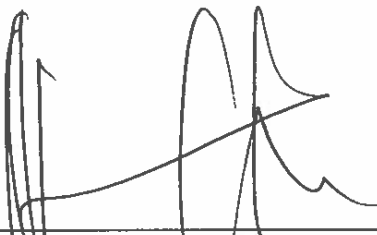

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF MINERAL RESOURCES AND ENERGY**NO. 4297****1 February 2024****NATIONAL RADIOACTIVE WASTE DISPOSAL INSTITUTE ACT, 2008 (ACT NO. 53
OF 2008)****REGULATIONS ON THE FORMAT OF THE APPLICATION FOR A RADIOACTIVE
WASTE DISPOSAL CERTIFICATE**

I, Mr. Samson Gwede Mantashe, Minister of Mineral Resources and Energy, in terms of section 23(1) read with section 29(1)(a) of the National Radioactive Waste Disposal Institute Act, 2008 (Act No. 53 of 2008), hereby publish for public comment, the draft Regulations on the Format of the Application for a Radioactive Waste Disposal Certificate, as set out in the Schedule.

The draft Regulations are hereby published for public comment in terms of section 29(2) of the National Radioactive Waste Disposal Institute Act, 2008. Interested persons and organisations are invited to submit, within 30 days of the date of publication of this Notice, written comments or representations on the proposed Regulations to the Director-General, Department of Mineral Resources and Energy, Private Bag X96, Pretoria, 0001; Trevenna Campus, Building 2C, Cnr Meintjes & Francis Baard Streets, Sunnyside, Pretoria, or email Donald.Ndobe@dmre.gov.za (for attention Director: Nuclear Policy).

Kindly provide the name, address, telephone number, fax number and email address of the person or organisation submitting the comments. Comments received after the closing date may not be considered.


S G MANTASHE, MP
MINISTER OF MINERAL RESOURCES AND ENERGY
DATE: 31/01/2024

SCHEDULE

Arrangement of Regulations

1. Definitions
2. Purpose and application of Regulations
3. Lodging of application for a radioactive waste disposal certificate
4. Short title and commencement

Definitions

1. In these Regulations a word or expression to which a meaning has been assigned in the Act has that meaning and, unless the context indicates otherwise—
- "Act"** means the National Radioactive Waste Disposal Institute Act, 2008 (Act No. 53 of 2008);
- "Applicant"** means a person who has submitted an application for a radioactive waste disposal certificate in terms of section 23 of the Act;
- "certificate holder"** means the holder of a radioactive waste disposal certificate granted by the Institute in terms of section 23(2)(b) of the Act;
- "Chief Executive Officer"** means the person appointed or alternatively designated as such in terms of section 16(1) or 16(5)(a) of the Act;
- "disposal"** means the emplacement of waste in an authorised waste disposal facility;
- "generator of radioactive waste"** means any person authorised by a South Africa Regulator in terms of relevant legislation and whose operations generate radioactive waste;
- "radioactive waste acceptance and disposal criteria"** means site-specific document developed by the Institute in terms of section 5(c) of the Act; and
- "waste package"** means the product of conditioning that includes the waste form and any container(s) and internal barriers (e.g. absorbing materials and liner), as prepared in accordance with requirements for handling, transportation, storage and/or disposal.

Purpose and Application of Regulations

2. (1) The purpose of these Regulations is to establish the prescribed format of the application for a radioactive waste disposal certificate for the disposal of radioactive waste at an authorised waste disposal facility.

(2) These Regulations apply to a generator of radioactive waste in the Republic who must dispose of radioactive waste in an authorised waste disposal facility and govern the application process thereof.

Lodging of application for a radioactive waste disposal certificate

3. (1) A generator of radioactive waste wishing to dispose of radioactive waste in an authorised waste disposal facility must make an application for a radioactive waste disposal certificate to the Chief Executive Officer, in terms of section 23(1) of the Act.

(2) An applicant shall lodge in writing a completed application on FORM A illustrated in Annexure A of the Regulations.

(3) The application must be accompanied by the following documents—

- (a) certified copies of the applicant's company registration documents. Where an applicant is a creature of statute, reference to the founding legislation must be made in the application form;
- (b) board or shareholder resolution authorising the application and designated official to make the application; and

(c) copy of a municipal account as proof of address.

(4) An applicant must submit two (2) hardcopies (including an original) of the applications as well as an electronic copy of the application via email to info@nrwdi.org.za.

(5) The Chief Executive Officer shall assess the application and ensure the information is in compliance with the waste acceptance and disposal criteria as contemplated in section 5(c) of the Act.

(6) No radioactive waste disposal certificate shall be issued—

(a) if the application is not accompanied by any of the information listed in sub-regulation (3) above, the application will be considered incomplete and will not be processed by the Institute; and

(b) if the Institute has not assessed and inspected the radioactive waste for disposal in terms of the compliance with the waste acceptance and the disposal criteria as developed by the Institute in accordance with section 5(c) of the Act.

(7) The Institute must inform the applicant of the outcome of its application in terms of section 23(2) of the Act in writing within ninety (90) days of the Institute receiving a complete application for a radioactive waste disposal certificate.

Short title and commencement

4. These Regulations are called the "Regulations on the Format of the Application for a Radioactive Waste Disposal Certificate" and will come into operation on the date of promulgation in the *Gazette*.

Annexures

Annexure 1

FORM A (Radioactive Waste Disposal Certificate Application Form)

FORM A**NATIONAL RADIOACTIVE WASTE DISPOSAL INSTITUTE****NB:**

Only persons wishing to apply for a Radioactive Waste Disposal Certificate should fill in this form.

Confidentiality

All information in this form will be treated with the strictest confidentiality and will not be disclosed or used for any other purpose other than the assessment of applicants.

Contacting the Institute:

National Radioactive Waste Disposal Institute.
Elias Motsoaledi St Ext R104
Private Bag X1
Pretoria
0001
Republic of South Africa
Tel: 012 305 3222
Email: Info@nrwdi.org.za

RADIOACTIVE WASTE DISPOSAL CERTIFICATE APPLICATION FORM [in terms of National Radioactive Waste Disposal Institute Act, 2008 (No.53 of 2008)]
(For official use only)

Application Number	
Date Received	
Classification	

To: THE CHIEF EXECUTIVE OFFICER

Please take notice that the applicant named below hereby applies for a Radioactive Waste Disposal Certificate in terms of Section 23(1) of NRWDI ACT, 2008.

Section A: Applicant's Details

Full name: _____

Company registration number: _____

Registered Office Address and Contact Numbers

_____ Tel: _____

Email: _____ Cell: _____

Registered Site Address and Contact Numbers

_____ Tel: _____

Email: _____ Cell: _____

Section B: Required documents

- (a) Certified copies of the applicant's company registration documents. Where an applicant is Creature of statute, reference to the founding legislation must be made in the application form;
- (b) Board or shareholder resolution authorizing the application and designated official to make the application; and
- (c) Copy of municipal account as proof of residence.

Notice: An applicant must submit two (2) hardcopies (including an original) of the application(s) as well as an electronic copy of the email to info@nrwdi.org.za

FORM A**Section C: National Radioactive Waste Classification**

Classification	Details
Waste Class	
Waste stream	
Waste type	
Waste form	
Waste characteristics	
Projected inventory	
Waste package	

Section D: Additional requirements

- i) If the applicant is a juristic person, a resolution by Directors of the Entity authorizing the application for a Waste Disposal Certificate as well as the name of the representative authorised to make the application on behalf of the entity.
- ii) Certified copy of the relevant authorisation by a South African Regulator.
- iii) All relevant NNR approvals related to the pre-disposal activities and processes of the waste generator as well as NNR approval for the off-site transportation of radioactive waste.
- iv) Any other information as the Chief Executive Officer may require.

Declaration:

I, the applicant, declare/affirm that the information furnished in this application, and in the documents attached to it, is true and authentic.

Name: _____ Signature: _____

Address: _____

Date: _____