

# **RPS/SWUK protocol Update Webinar**

## **5<sup>th</sup> June 2025**

## Agenda

- SWUK protocol EA Approval
- SWUK protocol details
- RPS-298/299 updates
- Materials Segregation
- Waste Transfer
- Timelines
- Actions
- Questions

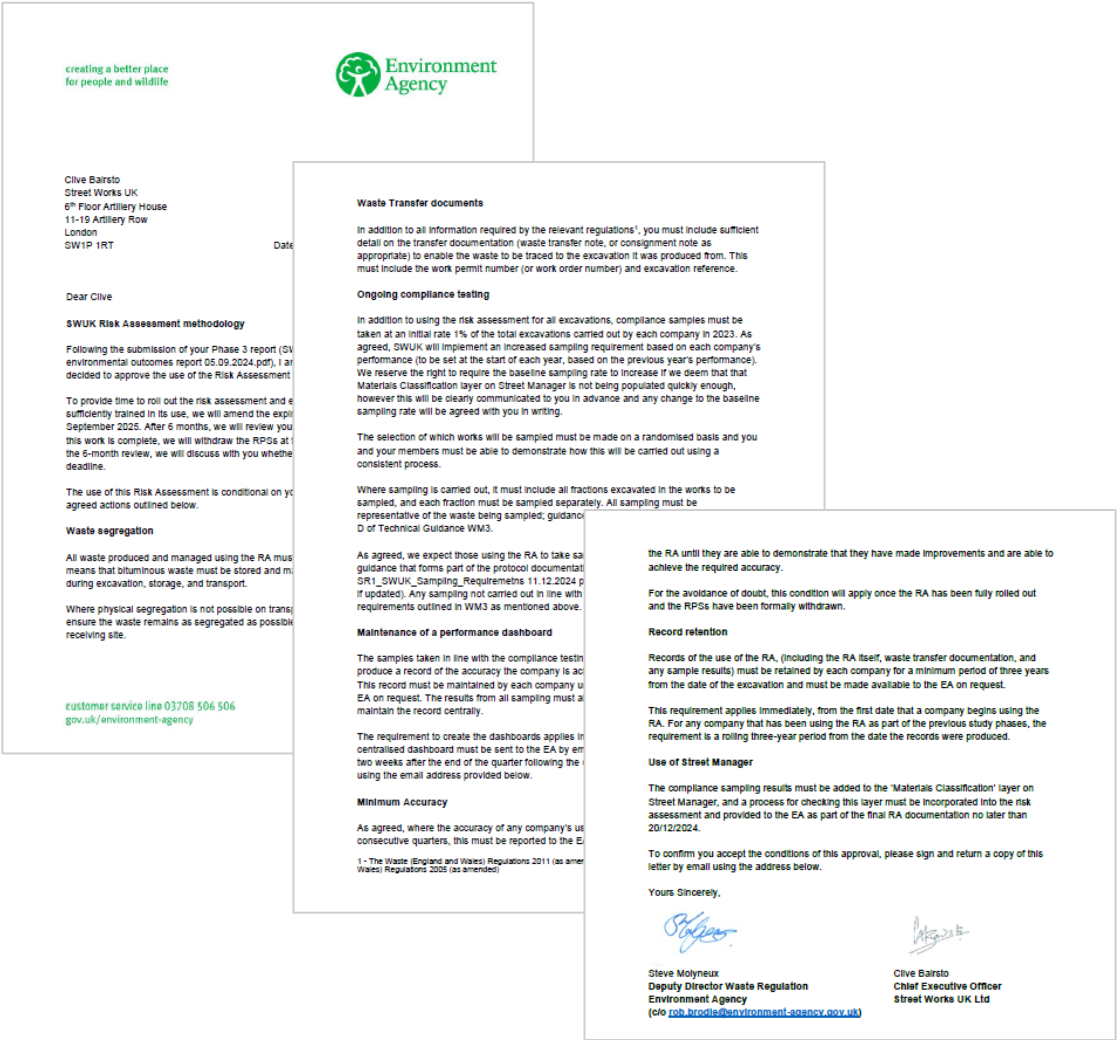
# Environment Agency Approval

SWUK received final approval from the Environment Agency on the 9<sup>th</sup> January 2025 for the use the protocol trialled in Phase 3.

The approval letter has several conditions which had to be signed up to by SWUK. These conditions were reviewed and signed up to on 14<sup>th</sup> January 2025.

This is great news for the industry and now gives us clear direction and allows us all to start implementing changes required within our organisations, many of which we have already been looking at over the last six months.

SWUK would like to thank all those who have contributed during the three phases and to the Environment Agency who have engaged and worked closely throughout.

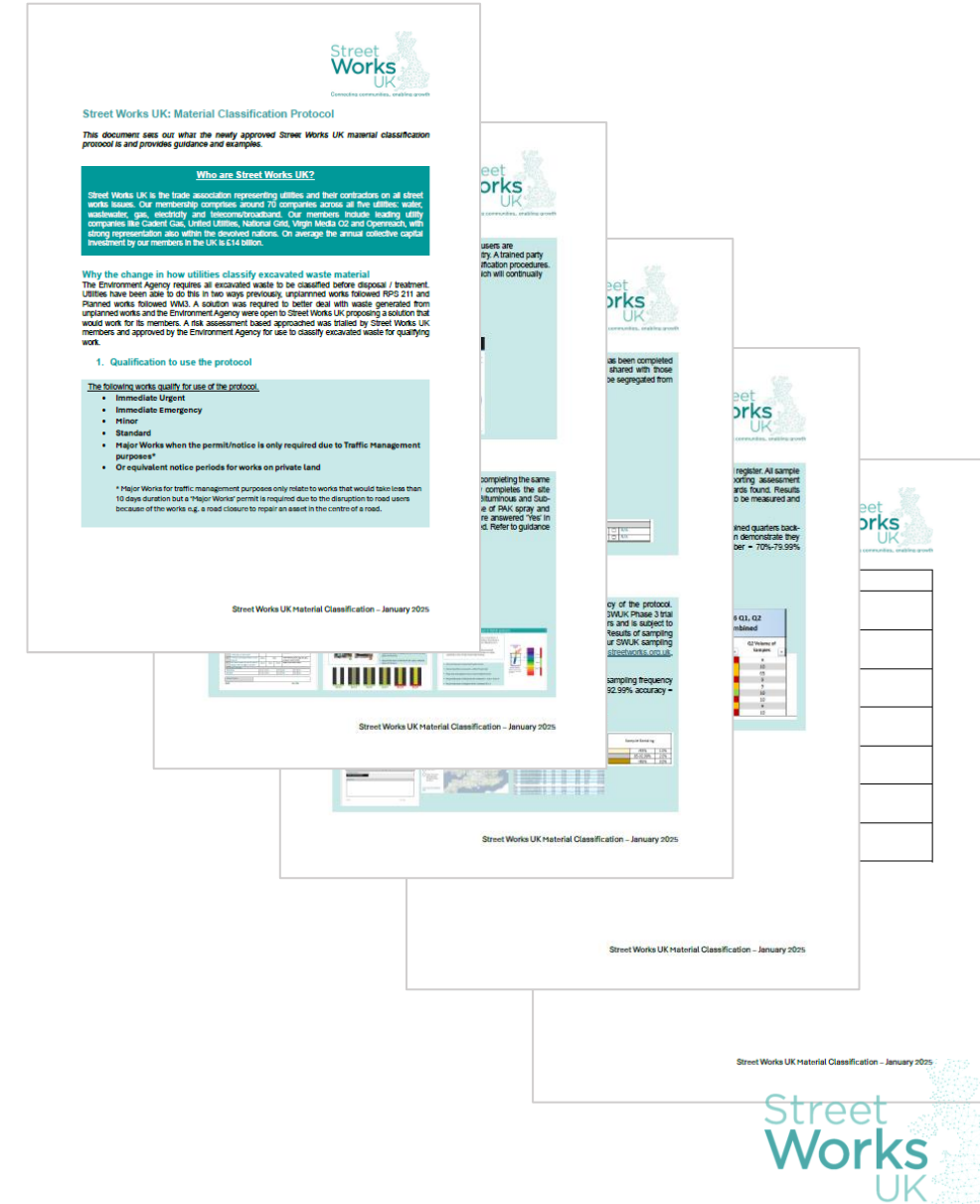


# SWUK Protocol

The protocol is simple in its steps. Each step is clear and will have supporting documents to either guidance or the required forms that need completing.

You can find more details by visiting [here](#).

1. Qualification to use the protocol
2. Desktop Risk Assessment
3. Site Assessment
4. Waste Movement
5. Sampling
6. Results / Performance



**RPS's**

The two current RPS's have been extended to cover the implementation period required for organisations to embed the new SWUK protocol.

- RPS 298 will now be withdrawn 30<sup>th</sup> September 2025
- RPS 299 will now be withdrawn 30<sup>th</sup> September 2025

The Environment Agency have updated the RPS's with the new expiry dates

For those who choose not to use the SWUK protocol to classify waste after 30<sup>th</sup> September 2025, you will need to adhere fully to WM3.



# Material Segregation

## Waste segregation

All waste produced and managed using the RA must be segregated by waste type. This means that bituminous waste must be stored and managed separately from sub-base waste during excavation, storage, and transport.

Where physical segregation is not possible on transport vehicles, all efforts must be made to ensure the waste remains as segregated as possible during transport, and on deposit at any receiving site.



# Waste Transfer

## Waste Transfer documents

In addition to all information required by the relevant regulations<sup>1</sup>, you must include sufficient detail on the transfer documentation (waste transfer note, or consignment note as appropriate) to enable the waste to be traced to the excavation it was produced from. This must include the work permit number (or work order number) and excavation reference.

Once materials have been classified via the Site Assessment, the material can be collected and transferred.

For materials classified as 'Green' you will need to complete a **Waste Transfer Note**. The note should have sufficient details on to allow all materials within the load to be traced back to excavations.

For materials classified as 'Red' you will need to complete a **Waste Consignment Note**. The note should have sufficient details on it to allow all materials within the load to be traced back to excavations.

Waste transfer note

Duty of care: waste transfer note

Keep this page and copy it for future use. Please write as clearly as possible.

Section A – Description of waste

A1 Description of the waste being transferred

List of Waste Regulations code(s)

A2 How is the waste contained?

Loose ☐ Sacks ☐ Skip ☐ Drum ☐

Other ☐

A3 How much waste? For example, number of sacks, weight

Section B – Current holder of the waste – Transferor

By signing in Section D below I confirm that I have fulfilled my duty to apply the waste hierarchy as required by Regulation 12 of the Waste (England and Wales) Regulations 2011

Yes ☐

B1 Full name

Company name and address

Postcode

SIC code (2007)

B2 Name of your unitary authority or council

B3 Are you:

The producer of the waste?

The importer of the waste?

The local authority?

The holder of an environmental permit?

Permit number

Issued by

Registered waste exemption?

Details, including registration number

A registered waste carrier, broker or dealer?

Registration number

Details (are you a carrier, broker or dealer?)

Section C – Person collecting the waste – Transferee

C1 Full name

Company name and address

Postcode

C2 Are you:

The local authority?

C3 Are you:

The holder of an environmental permit?

Permit number

Issued by

Registered waste exemption?

Details, including registration number

A registered waste carrier, broker or dealer?

Registration number

Details (are you a carrier, broker or dealer?)

Section D – The transfer

D1 Address of transfer or collection point

Postcode

Date of transfer (DD/MM/YYYY)

D2 Broker or dealer who arranged this transfer (if applicable)

Postcode

Registration number

Time(s)

Transferor's signature

Name

Representing

Transferee's signature

Name

Representing

WMCA Version 3, August 2011

page 1 of 1

Consignment Note

Form HWCN01v112

The Hazardous Waste Regulations 2005:  
Consignment Note

Environment Agency

PRODUCER'S/HOLDER'S/CONSIGNOR'S COPY (Delete as appropriate)

PART A Notification details

1 Consignment note code:

2 The waste described below is to be removed from (name, address, postcode, telephone, e-mail, facsimile):

3 The waste will be taken to (name, address and postcode):

4 The waste producer was (if different from 2) (name, address, postcode, telephone, e-mail, facsimile):

PART B Description of the waste

1 The process giving rise to the waste(s) was:

2 SIC (2007) for the process giving rise to the waste:

3 WASTE DETAILS (where more than one waste type is collected all of the information given below must be completed for each EWC identified)

Description of waste	List of wastes (EWC code(s) digits)	Quantity (kg)	The chemical/biological components in the waste and their concentrations are:		Physical form (gas, liquid, solid, powder, sludge or mixed)	Hazard code(s)	Container type, number and size
			Component	Concentration (% or mg/kg)			

The information given below is to be completed for each EWC identified

EWC code	UN identification number(s)	Proper shipping name(s)	UN class(es)	Packing group(s)	Special handling requirements

PART C Carrier's certificate

If more than one carrier is used, please attach schedule for subsequent carriers. If schedule of carriers is attached tick here: ☐

I certify that I today collected the consignment and that the details in A2, A3 and B3 are correct and I have been advised of any specific handling requirements.

Where this note comprises part of a multiple collection the round number and collection number are:

1 Carrier name:  
On behalf of (name, address, postcode, telephone, e-mail, facsimile):

2 Carrier registration no./reason for exemption:

3 Vehicle registration no. (or mode of transport, if not road):

Signature

Date

PART D Consignor's certificate

I certify that the information in A, B and C has been completed and is correct, that the carrier is registered or exempt and was advised of the appropriate precautionary measures. All of the waste is packaged and labelled correctly and the carrier has been advised of any special handling requirements.

I confirm that I have fulfilled my duty to apply the waste hierarchy as required by Regulation 12 of the Waste (England and Wales) Regulations 2011.

1 Consignor name:  
On behalf of (name, address, postcode, telephone, e-mail, facsimile):

Signature

Date

PART E Consignor's certificate (where more than one waste type is collected all of the information given below must be completed for each EWC)

Individual EWC code(s) received	Quantity of each EWC code received (kg)	EWC code accepted/rejected	Waste management operation (R or D code)

1 I received this waste at the address given in A3 on:

2 Vehicle registration no. (or mode of transport if not road):

3 Where waste is rejected please provide details:

I certify that waste permit/exempt waste operation number:

authorises the management of the waste described in B at the address given in A3.

Where the consignment forms part of a multiple collection, as identified in Part C, I certify that the total number of consignments forming the collection are:

Signature

Date

HWCN01v112

Street Works UK

**SWUK confirmed user list**

To use the SWUK protocol in 2025, excavation volume data from 2023 needs to be provided to SWUK to validate and confirm volumes of excavations that will require sampling.

When the protocol goes live in October 2025 a list of validated users will be available on SWUK’s material classification pages.

Current list of validated returns.

Confirmed as of 05/06/2025

Street Manager Organisation	
AFFINITY WATER	SOUTH EAST WATER
ANGLIAN WATER	SOUTH STAFFORDSHIRE WATER
CADENT GAS LIMITED	SOUTH WEST WATER
CAMBRIDGE WATER COMPANY	SOUTHERN GAS NETWORKS PLC
CITYFIBRE METRO NETWORKS LTD	SOUTHERN WATER
GIGACLEAR LIMITED	SP ENERGY NETWORKS
NEXFIBRE NETWORKS LIMITED	SSEN
NORTHERN GAS NETWORKS	THAMES WATER
NORTHERN POWERGRID PLC	UK POWER NETWORKS
OPENREACH	UNITED UTILITIES WATER LTD
PORTSMOUTH WATERWORKS COMPANY	VIRGIN MEDIA
SES WATER	WESSEX WATER
SEVERN TRENT WATER	YORKSHIRE WATER

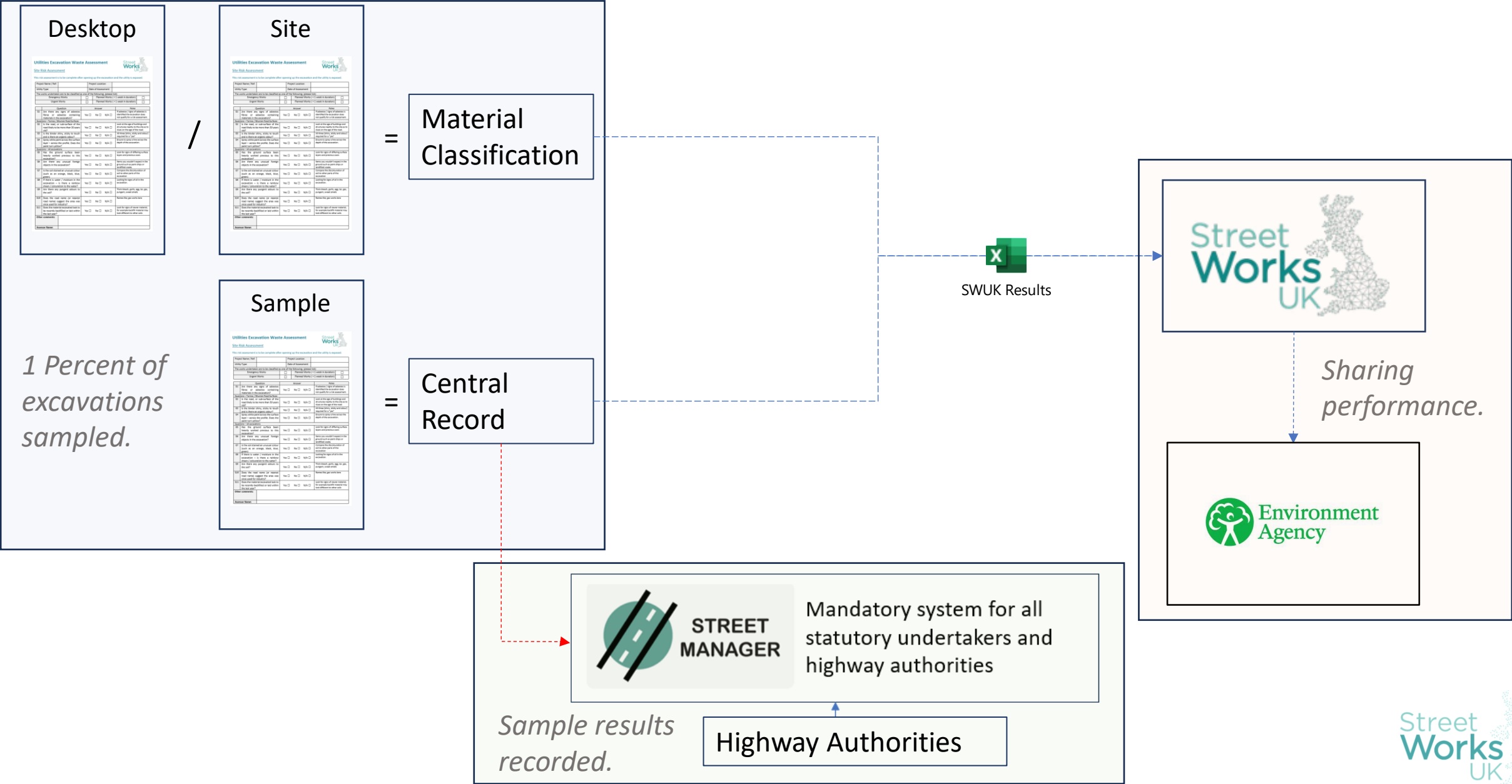
Street Manager Organisation
CORNWALL COUNCIL
NORTH NORTHAMPTONSHIRE COUNCIL
WEST NORTHAMPTONSHIRE COUNCIL

# Timeline



## EA proposed

- **Mid-October** – EA consults industry on proposed new RPSs.
- **Mid-November** – EA reviews responses and incorporates any necessary changes into the RPSs.
- **Mid-November** – SWUK refine and prepare updated risk assessment approach for use.
- **Late November** – EA submits RPSs to internal panel for approval, followed by review by internal legal and publishing teams.
- **Early December** – New RPSs published, timeline below commences. (Jun24)
- Month 1-6 (est. **Dec-May 2024**): SWUK trial the use of the improved risk assessment and compare against lab samples. (Aug 24)
- Month 7 (est. **Jun 24**): SWUK present the improved approach to the EA. (Sep24)
- Month 7 (est. **Jun 24**): EA confirm in writing whether we accept the approach.
- Month 8-14 (est. **Feb 25 –Sep 25**): Implementation phase - SWUK members begin using the risk assessment methodology.
- Month 15 (est. **Sep 25**): RPS's removed and SWUK members either use the risk assessment approach to classify their waste arisings or follow WM3.



**Actions**

## Information required by organisations wishing to use the SWUK protocol.

Each organisation is required to provide volumes of excavations completed between 01 Jan 2023 to 31 Dec 2023 that would have qualified for use of the the SWUK protocol.

This volume will set the initial sample volume of samples based on the 1% frequency rate required by the EA.

Each year you will then need to repeat the exercise to get your new sample volume for the upcoming year. i.e. in Jan 2026 you will need to apply 1% frequency rate to excavations volumes completed between 01 Jan 2024 and 31 Dec 2024.

Jan 2027 will be based on excavation volumes between 01 Jan 2025 to 31 Dec 2025 etc.



**Useful information**

- 2018 - EA gave notice that they were seeking to withdraw RPS211.
- 2020/21 - Phase 1 study completed assessing potential risk.
- 2022/23 - Phase 2 study completed using Risk Assessments.
- 2023 Apr - EA shared queries and concerns with accuracy RA's.
- 2023 Jun - Next steps and timelines agreed with EA.
- 2023 Sep - Long term approach agreed, funding for new central register approved.
- 2023 Oct - Temporary RPS's drafted to cover period of trial work and implementation.
- 2023 Dec- EA consultation on proposed RPS's
- 2024 Feb - Phase 3 six-month trial started.
- 2024 Mar - Two new RPS's agreed and due for release.
- 2024 Jun - RPS298 & 299 published
- 2024 Aug- Phase 3 results returned to SWUK
- 2024 Sep - Results shared with EA for review / approval of protocol
- 2025 Jan - Environment Agency approved SWUK Protocol

- Link to RPS 298, [here](#)
- Link to RPS 299, [here](#)
- Link to expired RPS 211, [here](#)
- Links to more information on EA enforcement,
  - **Waste offences, [here](#).**
    - The key sections are sections 1, 3, and 6, which cover the deposit of waste, the duty of care requirements, and Haz waste regs respectively.
  - **Environmental Permitting Regulations offences [here](#)**
    - This page will mostly be relevant to producers who also operate a permitted waste site; it covers things like failing to operate in accordance with a permit (e.g. accepting non-permitted waste types).



1. SEPA's current view on coal tar is that it must be treated as hazardous waste, and the detail of what that entails is on their website.
2. SEPA are open to reviewing new evidence put to them on coal tar, but ideally would like to see something sector wide/cohesive which they can apply broadly to all sites. The general feeling was that evidence of effective working practice would be required alongside any desktop investigation.
3. RAUCS have discussed and are content with a sector wide approach, including the roads authorities. For RAUCS purposes they have remitted the issue to SROR working group, which was generally agreed to be the correct subgroup for the topic.
4. SEPA are the sole decision making body for this policy area. This may mean they review new evidence from the SROR WG, but opt to retain the status quo.