

RPS/SWUK protocol Update Webinar 5th 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 Protocol – Approved by Environment Agency

SWUK received final approval from the Environment Agency on the 9th 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 14th 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.

creating a better place for people and wildlife



Clive Bairsto Street Works UK 6th Floor Artillery House 11-19 Artillery Row London SW1P 1RT

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Dear Clive

SWUK Risk Assessment methodolog

Following the submission of your Phase 3 report (SV environmental outcomes report 05.09.2024.pdf), I ar decided to approve the use of the Risk Assessment

To provide time to roll out the risk assessment and e sufficiently trained in its use, we will amend the expit September 2025. After 6 months, we will review you this work is complete, we will withdraw the RPSs at the 6-month review, we will discuss with you whethe deadline.

The use of this Risk Assessment is conditional on yo agreed actions outlined below.

Waste segregation

All waste produced and managed using the RA mus means that bituminous waste must be stored and moduring excavation, storage, and transport.

Where physical segregation is not possible on transensure the waste remains as segregated as possible receiving site.

customer service line 03708 506 506 gov.uk/environment-agency

Waste Transfer documents

In addition to all information required by the relevant regulations¹, 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 for work order number) and excavation reference.

Ongoing compliance testing

In addition to using the risk assessment for all excavations, compliance samples must be taken at an initial rate its of the bital exeavations careful out by each company in 2023. As agreed, SMUU will implement an increased sampling requirement based on each company's performance (be set all the start of each year, based on the previous year's performance; but We reserve the right to require the baseline sampling rate to increase if we deem that that Materials Clossification layer on Street Manager is not being populated quickly enough, however this will be clearly communicated to you in advance and any change to the baseline sampling rate will be agreed with you in writing.

The selection of which works will be sampled must be made on a randomised basis and you and your members must be able to demonstrate how this will be carried out using a consistent process.

Where sampling is carried out, it must include all fractions excavated in the works to be sampled, and each fraction must be sampled separately. All sampling must be representative of the waste being sampled; quidano(

D of Technical Guidance WM3.

As agreed, we expect those using the RA to take sa guidance that forms part of the protocol documentat

guidance that forms part of the protocol documentati SR1_SWUK_Sampling_Requiremeths 11.12.2024 p if updated). Any sampling not carried out in line with requirements outlined in WM3 as mentioned above.

Maintenance of a performance dashboard

The samples taken in line with the compilance testin produce a record of the accuracy the company is ac This record must be maintained by each company u EA on request. The results from all sampling must a maintain the record centrally.

The requirement to create the dashboards applies in centralised dashboard must be sent to the EA by en two weeks after the end of the quarter following the using the email address provided below.

Minimum Accuracy

As agreed, where the accuracy of any company's us consecutive quarters, this must be reported to the E

- The Waste (England and Wales) Regulations 2011 (as amer

the RA until they are able to demonstrate that they have made improvements and are able to achieve the required accuracy.

For the avoidance of doubt, this condition will apply once the RA has been fully rolled out and the RPSs have been formally withdrawn.

Record retention

Records of the use of the RA, (including the RA fixelf, waste transfer documentation, and any sample results) must be retained by each company for a minimum period of three years from the date of the excavation and must be made available to the EA on request.

This requirement applies immediately, from the first date that a company begins using the RA. For any company that has been using the RA as part of the previous study phases, the requirement is a roiling three-year period from the date the records were produced.

Use of Street Manager

The compilance sampling results must be added to the "Materials Classification" layer on Street Manager, and a process for checking this layer must be incorporated into the risk assessment and provided to the EA as part of the final RA documentation no later than 20/1/2/2024

To confirm you accept the conditions of this approval, please sign and return a copy of this letter by email using the address below.

Yours Sincerely,



Steve Molyneux Deputy Director Waste Regulation Environment Agency (c/o rob.brodie@environment-agency.gov. Marie

Clive Bairsto Chief Executive Officer Street Works UK Ltd



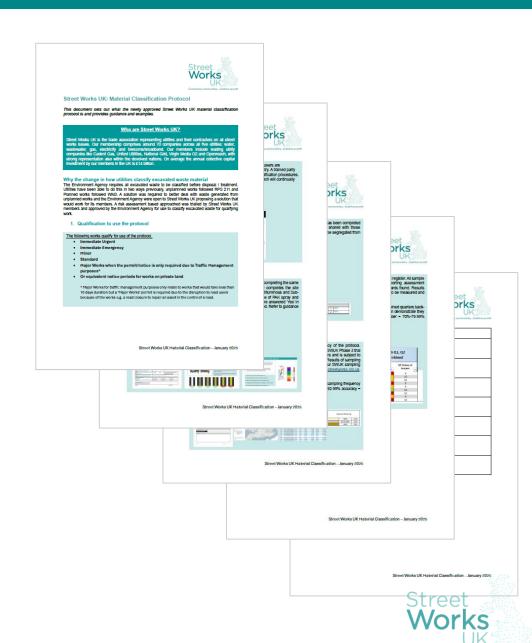
SWUK Protocol

SWUK Protocol – Documentation

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

RPS-298/299 updates

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 30th September 2025
- RPS 299 will now be withdrawn 30th 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 30th September 2025, you will need to adhere fully to WM3.



Material Segregation

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

Waste Transfer documents

In addition to all information required by the relevant regulations¹, 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

Section A – Description of waste	
A1 Description of the waste being transferred	A2 How is the waste contained?
	Loose Sacks Skip Drum
	Other 🗆
List of Waste Regulations code(s)	A3 How much waste? For example, number of sacks, weigh
	sferor In the standard of the
B1 Full name	B3 Are you:
	The producer of the waste?
Company name and address	The importer of the waste?
	The local authority?
	The holder of an environmental permit?
	Permit number
	Issued by
Postcode SIC code (2007)	Registered waste exemption?
	Details, including registration number
B2 Name of your unitary authority or council	
	A registered waste carrier, broker or dealer?
	Registration number
	Details (are you a carrier, broker or dealer?)
C1 Full name L Company name and address	C3 Are you: The holder of an environmental permit? Permit number 1
Company name and address	
	Issued by Registered waste exemption?
	Details, including registration number
	betails, including registration framber
	A registered waste carrier, broker or dealer?
Postcode	Registration number L
C2 Are you:	Details (are you a carrier, broker or dealer?)
The local authority?	Details (are you a carrier, broker or dealer:)
Section D – The transfer	
D1 Address of transfer or collection point	D2 Broker or dealer who arranged this transfer (if applicable
Postcode L	Postcode
Date of transfer (DD/MM/YYYY)	Registration number
	Time(s)
Transferor's signature	Transferee's signature
Name	Name
Representing L	Representing

Consignment Note

Consignmen	us Was	ste K	egu	tatil							E	A Ag	ivironmer gency
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			Ш	Ш									
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SWUK confirmed user list

Confirmed users of SWUK protocol

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

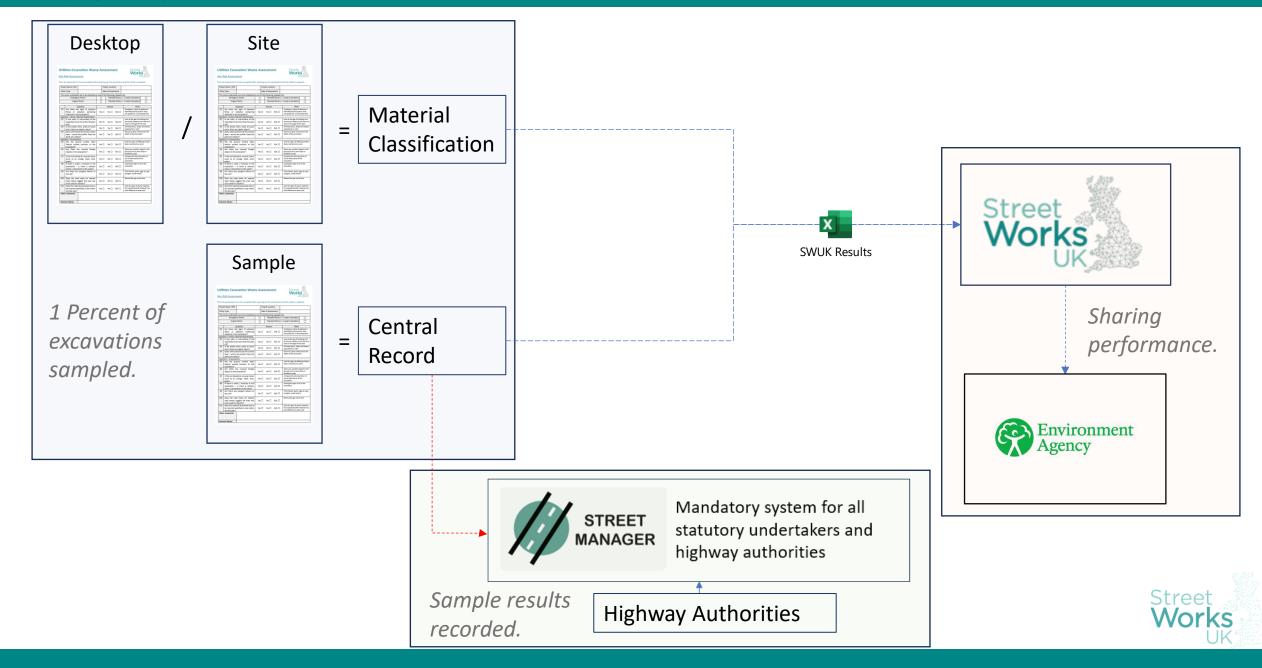
Original EA/SWUK timeline

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-Novembe 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.



To be (Sep 2025)



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

Recap of timeline

- 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



Useful links

- Link to RPS 298, <u>here</u>
- Link to RPS 299, <u>here</u>
- Link to expired RPS 211, <u>here</u>
- 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 <u>here</u>
 - 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.

