| **Timeline** |
| --- |
| **When will the EA expect utilities to comply with SWUK protocol?** | RPS298 is withdrawn 30th September 2025, from this date either WM3 or SWUK protocol can be used to classify excavated waste. |
| **Is the EA going to provide a grace period when the SWUK protocol comes in?** | No official grace period has been discussed. |

| **Definitions** |
| --- |
| **What is the meaning of private land?** | Land that is not typically accessible by public i.e. homeowner’s gardens. |
| **Works producer and promoter needs to be defined, I think!** | Producer is the individual who dug the excavation.Promoter means the organisation promoting the works and includes• undertaker• utility company• highway authority• other organisations such as, for example, London Underground and Network Rail |

| **Qualifying Work** |
| --- |
| **Will the 15m3 limit per excavation apply to SWUK protocol?** | No. There are no volume limitations to SWUK protocol. |
| **Does excavated material apply to SWUK protocol if it is going to be reused?** | ~~The protocol applies if material is going to leave site, or if it will be reused with an additive.~~**04/09/2025** – Please see updated detailed response [here](https://streetworks.org.uk/wp-content/uploads/2025/09/Specific-FAQ-Waste-Discard-SWUK-Assessment-04-09-2025.pdf), after further clarification from the Environment Agency. |
| **Can 'red' subbase be returned to the excavation as backfill (maybe with a soil stabiliser)** | ~~Any material being put back into an excavation is not classed as ‘Waste’ and therefore does not need to be classified by a SWUK site assessment.~~**04/09/2025** – Please see updated detailed response [here](https://streetworks.org.uk/wp-content/uploads/2025/09/Specific-FAQ-Waste-Discard-SWUK-Assessment-04-09-2025.pdf), after further clarification from the Environment Agency. |
| **Do we need assessments for reused on-site material?** | ~~The protocol applies if material is going to leave site, or if it will be reused with an additive. If material is not leaving site and does not need any additive, then no Site Assessment form is required.~~**04/09/2025** – Please see updated detailed response [here](https://streetworks.org.uk/wp-content/uploads/2025/09/Specific-FAQ-Waste-Discard-SWUK-Assessment-04-09-2025.pdf), after further clarification from the Environment Agency. |
| **If you have been in the red for 2 quarters, how do you get back onto protocol? Who assesses your competency.** | To be agreed between underperforming Organisation, SWUK and the Environment Agency. |
| **Does the protocol apply to road sign installation in verges?** | Yes, if material is removed from site and the permit type for the works qualify for the protocol. |

| **Desktop Risk Assessment** |
| --- |
| **The data base of the UKAS results, will that be able to be access automatically. For example when a job is raised will our computer be able to check automatically for any lab results.** | Yes, if your API is setup to capture the detail held within Street Manager you will be able to see this level of detail when raising a permit. |

| **Segregation** |
| --- |
| **Does waste material need to be segregated by waste code type during storage?** | Yes. |
| **Does waste material need to be segregated by waste code type during transportation?** | Yes. |
| **Is there a minimum separation distance on site between materials?** | No. |
| **One of our contracts has a particular problem with space at some of their depots and requirement to segregate uncontaminated asphalt from soil/subbase is a particular problem for them. The wording of the protocol doesn’t seem to state that we must segregate (green) soils/subbase and asphalt at the depot but is that the case?** | Material must remain segregated until received by those disposing / recycling it. See detail in the approval letter. “*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*.” |
| **Does waste produced under the SWUK Protocol have to be segregated by excavation (i.e. one for bituminous, one for sub-base) or can it be mixed under a single Permit?** | Materials which are classified the same and is of the same material type can be mixed i.e. Excavation 1’s Green (Non-Hazardous) Sub-base can be mixed with Excavation 2’s Green (Non-Hazardous) Sub-base. |

| **Site Assessment** |
| --- |
| **Can the site assessment be used as a legal transfer note?** | No. Separate waste transfer or consignment notes will be required. |
| **What about asbestos?** | If asbestos is visible, your in-house asbestos protocols apply. The protocol doesn’t override them. Q1 of the site assessment is, ”*Are there any signs of asbestos fibres or asbestos containing materials in the excavation?”* |
| **Do long trenches need multiple assessments?** | Your assessments need to match what will be recorded in Street Manager. Each material type needs to be assessed so if your trench is cutting through multiple surface types you will need multiple assessments.If your trench is all in one material type and recorded in Street Manager as one reinstatement, only one assessment for that trench would be required. |
| **Do long trenches through multiple surface types need separate assessments?** | Yes. Each different surface type should be assessed independently. |
| **Will the protocol lead to permit delays or Section 74 fines?** | No. The site assessment takes about two minutes and does not significantly delay work. |
| **Does a site RA need to be completed for each excavation individually?** | All excavations must have a site assessment completed as per EA approval of the protocol, “…*using the risk assessment for all excavations…”* |
| **Can a site RA cover multiple excavations if completed under the same permit, the same classification is made and each excavation is listed individually?** | All excavations must be assessed as per site assessment form, how this is captured is not for SWUK to define. You should be able to demonstrate each individual excavation has been assessed correctly and be reportable in the format of the SWUK results log. |

| **Sampling & Testing** |
| --- |
| **What percentage of work needs to be sampled?** | For works being undertaken in 2025, initial sampling volume will be 1% of excavations completed in 2023 (using Street Manager data). |
| **Does the sampling and this protocol apply to works done on the highway and private land.** | Yes, as long as the work qualifies as per step 1 in the protocol. |
| **Over what period will the first 1% sample testing need to be delivered? Is it 2025 calendar year?** | Sampling volume will be pro-rata from when you start using the SWUK protocol. |
| **Is the 1% sample taken from ALL qualifying works regardless of desktop/site risk assessment results?** | Sample volume for 2025 is taken from number of qualifying excavations completed in Street Manager in 2023. |
| **Are the EA still mandating full laboratory testing, and not allowing rapid testing?** | Yes. There needs to be a project to assess the accuracy of rapid testing. SWUK plan to look at this with the EA in the near future. |
| **If your company was not part of trials would the 1% still apply?** | 1% sampling frequency is applicable to anyone who wishes to use the SWUK protocol. |
| **Are there any concerns about lab capacity for the volumes being talked about?** | Several laboratories were contacted to see if they could cope with expected volumes and at present there are no concerns on volumes being discussed. |
| **Do UKAS have to take the sample as well as testing it?** | No. A sample can be collected by a competent person. |
| **Is the 1% based on volume of permits raised?** | No. It is based on volume of excavations from 2023 that would have qualified for SWUK protocol. |
| **Is it a full year’s worth of samples to be done in 2025 or will it be pro-rata?** | It will be pro-rata from the day you start using the SWUK protocol. |
| **Who is 'responsible' for carrying out the sampling, testing and reporting - is it the relevant statutory undertaker (i.e. the licensed organisation that the permit is submitted under) or the contractor doing the work? Appreciate that it will be a combined effort.** | Each organisation will have their owncontractual arrangements. The producer(whoever does the physical dig) must completethe Site Assessment. The rest of the process isfor each organisation to agree how they manageit. |
| **Do we need to use a defined suite of testing when sampling & testing the 1%?** | Testing suites are the same as those used in Phase 2 and 3, details can be found in the sampling requirements document (Sampling Requirements). |
| **Are there tools to interpret lab data?** | There are online tools available that can interpret lab results, or you can ask for interpretation from your testing company, use in-house experts or use a consultant. |
| **What about invisible contaminants like heavy metals?** | These are picked up in sampling. The EA will be able to cross-reference lab data with site assessments. |
| **Can QED machines be used instead of UKAS testing?** | Not yet. A project is required to assess accuracy of rapid testing compared to lab testing. |
| **Can rapid testing be used during site assessments?** | Not yet but possibly in future. Rapid testing kits are promising for Bituminous layers, but Sub-base layers are more difficult. Assurance trials are to be planned |

| **Transportation** |
| --- |
| **Where you have a red bituminous and a green subbase, will these need to be collected separately?** | Each organisation will put their own processes in place to manage the storage and transportation of classified material. Material of differing classification cannot be mixed so you will either need to collect separately or physically segregate materials. |
| **Will testing & classification be required once the waste reaches the receiver facility, similar to RPS 298 & RPS 299?** | No. Once the Site Assessment is completed, the material is classified, and no further testing is required by a waste receiving site. |
| **Similarly to Streetworks needing to keep record for 3 years, waste receiving sites also need to retain records for similar periods of time. Based on this, have SWUK had a change of thought about providing the Risk Assessment classifications to waste receiving sites, so that we can satisfy ourselves that we can accept the waste?** | Risk assessments are not always completed or available to those collecting and transporting material so it will not always be possible to provide this. The outcome of the Site Assessment is what classifies the material and those collecting the material will have been informed as to what they are collecting and will record on the waste transfer/consignee note. |
| **Does the 1% material being tested need to be quarantined whilst waiting for results?** | No. Once the material has been classified via the Site Assessment there is no requirement for a sample result to be known before transporting to waste receiving site. |
| **The protocol says loads are ready to be moved once you’ve classified them as Red or Green, does this then mean you need to move the Reds under a consignment note?** | Yes, classification as ‘Red’ requires the waste to be classified and managed as Hazardous waste. |
| **If Reds are moved under WCNs from the point of dig, is the outcome of the protocol RAs enough to classify it for onward movement to a treatment/disposal site? I’m assuming 17 05 03\* instead of 17 05 04 and an estimate of coaltar % contaminant, or is further analysis required (beyond the 1% of digs).** | The Site Assessment is what classifies the material, no further testing required (beyond the 1%). The CN for 17 05 03\* loads should include a ‘best estimate’ of the contaminants. |
| **Is an accumulated load of “Red” on a wagon consigned as one load, or does each dig site have to be listed as separate consignments?** | Content of the grab is a load, the material(s) should be traceable and the WCN should include information similar to WTN so that it can be traced back to excavations, i.e. Grab has 6 reds of sub-base from Permits A, B, C, D, E, F etc. |
| **Does segregation make VACs unusable?** | All waste produced and managed using the protocol 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. |
| **How should materials be separated in grab lorries?** | Where physical segregation is not possible on transport vehicles, all efforts must be made toensure the waste remains as segregated as possible during transport, and on deposit at anyreceiving site. |
| **Are notes needed if transporting material within your own organisation?** | If the material is Green (Non-hazardous) and the producer, carrier and receiver are the same organisation then only records are required.If the material is Green (Non-hazardous) and the producer and receiver are different then waste transfer note(s) is/are required.If the material is Red (Hazardous) a consignee note(s) is/are required in all scenarios. |
| **Some waste sites are refusing red-classified material unless tested under WM3.** | That is not a legal requirement. The EA recognises the protocol’s classification as deemed as tested. We’re working with waste receiving sites and the Environment Agency to provide further communications. |
| **Are any licenses / certificates required by the Vehicle Certification Agency for carrying waste classified as ‘red’ outcome?** | Upper Tier Waste Carrier Licences cover transporting both Hazardous and Non-hazardous material, you can check current license status here <https://environment.data.gov.uk/public-register/view/search-waste-carriers-brokers> |
| **Have receiving sites been communicated with and informed of the changes?** | Yes, and further Environment Agency briefings are to follow in August 25. |
| **Do receiving sites have to complete testing on waste classified as ‘red’ by the waste producer?** | No, all SWUK protocol assessed material is deemed as tested by the classification from the Site Assessment. |
| **What concentration of material should be stated on hazardous waste consignment notes?** | A best estimate should be added to the Consignee note. The SWUK results log should be held by each organisation and results from testing will be captured within it, this can be used to provide approx. concentration levels being found in regional proximity. |

| **Reporting** |
| --- |
| **How will we share our sampling results with SWUK?** | There is a result log that will need to be updated for the samples you are taking. This will need to be shared with SWUK every quarter. Results should be returned to info@streetworks.org.uk. |
| **How do we update our sample results into Street Manager?** | Please use the provided SWUK Street Manager Upload Cert template [here](http://streetworks.org.uk/resources/street-works-uk-material-classification-protocol/street-manager-upload-cert-08-04-2025/) or equivalent. |
| **Is there a defined format for the data that needs to be sent to SWUK on a quarterly basis?**  | Results need to be returned to Street Works UK in the format of the provided Results Log ([Quarterly Results Log](http://streetworks.org.uk/wp-content/uploads/2025/02/QRL1_SWUK_-Results_Capture-20.12.2024.xlsx)). |
| **How is the accuracy score determined?** | It is a count of how many Site Assessments were found to be correct after Laboratory testing each quarter.E.g.100 samples taken.85 Correct7 Under Assessed8 Over Assessed=85% Accuracy. |
| **Are "red-assessed excavations" to be recorded via Street Manager Material Classification Record if hazardous status is just based on the site risk assessment but not confirmed hazardous by a lab test?** | Only UKAS test results are to be uploaded to Street Manager. |
| **Will the performance be measured by client company or at contractor level?** | SWUK requires results to be provided to them at Utility Organisation level as per promoter in Street Manager. |
| **Is the data into SWUK at Organisation (i.e. Utility level) rather than individual Utility Contractor level. Utilities with multiple Contractors will have a logistical challenge.** | The data provided back to SWUK should be at organisation level as per Street Manager promoter. Individual organisations may want to monitor performance at a more granular level. |
| **Is there a requirement to put lab classification samples results from Major works taken under WM3 onto street manager?** | Any UKAS test results that have confirmed material classification can be uploaded to Street Manager to aid future desktop risk assessments. |
| **Is overclassification (e.g. calling green waste hazardous) allowed?** | No. Material needs to be assessed and classified as per Site Assessment. |
| **Where we take multiple samples of the same waste and the results of the classification are different (e.g. one hazardous & one non-hazardous), how is accuracy calculated?** | For reporting purposes only, record whichever outcome is in the majority, i.e. 3 Red (Hazardous) vs 1 Green (Non-Hazardous) = record as Red (Hazardous) in your results log. In the case of a tie, the precautionary approach should be applied and again the result should be recorded as Red (Hazardous). |

| **Development of Protocol** |
| --- |
| **Is SWUK looking at anything else to improve the protocol?** | SWUK will be looking to scope out further work to look at sampling and testing. |

| **Regional approach to the protocol** |
| --- |
| **Can I use the protocol in Wales/Scotland/Northern Ireland?** | No. Continue with your current approach to waste management within these regions.  |
| **If I create the waste in Wales but dispose in England, can I use the protocol for the receiver?** | If the waste is produced in Wales, it would need to be classified using the applicable Welsh rules because they haven't adopted the protocol.  |
| **If I create the waste in Wales but dispose in England, can I use the protocol for the receiver?** | If the waste is produced in England and then goes to Wales, the Welsh site is likely to reject the load because NRW have not adopted the protocol to date.  |