The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Environment and Natural Resources

BILL:	SB 1208
INTRODUCER:	Senator Truenow
SUBJECT:	Service Lateral Assessment and Rehabilitation
DATE:	March 14, 2025
REVISED:	

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Barriero	Rogers	EN	**Pre-meeting**
2.			RI	
3.			FP	

I. Summary:

SB 1208 establishes the Florida Service Lateral Assessment and Rehabilitation Act. The bill requires all utility systems to implement a condition assessment program for service laterals. A condition assessment program is a structured inspection, data collection, and risk evaluation methodology designed to identify and prioritize structural and infiltration and inflow issues in sewer laterals. Utilities may either conduct assessments directly or contract licensed entities certified by the National Association of Sewer Service Companies (NASSCO). Each service lateral must be inspected at least once every seven years and include a full assessment from the mainline sewer connection to the building structure. Inspections must use closed-circuit television technology and NASSCO assessment protocols. Each service lateral must receive a pipeline severity score indicating any observed or potential structural defects, infiltration, or inflow concerns. Inspection videos, reports, condition ratings, and other data must be recorded and stored in a secure, cloud-based platform. Condition assessment data must be maintained in a publicly accessible database for properties where defective, damaged, or deteriorated service laterals are identified.

The bill also requires utility systems to establish a lateral monolithic repair program for laterals with a high risk of failure or infiltration and inflow events. Under the program, the utility system must rehabilitate or replace such service laterals using trenchless technology methods. Any lateral identified for rehabilitation must be repaired within 12 months by a certified general contractor using specified methods and materials that meet industry standards.

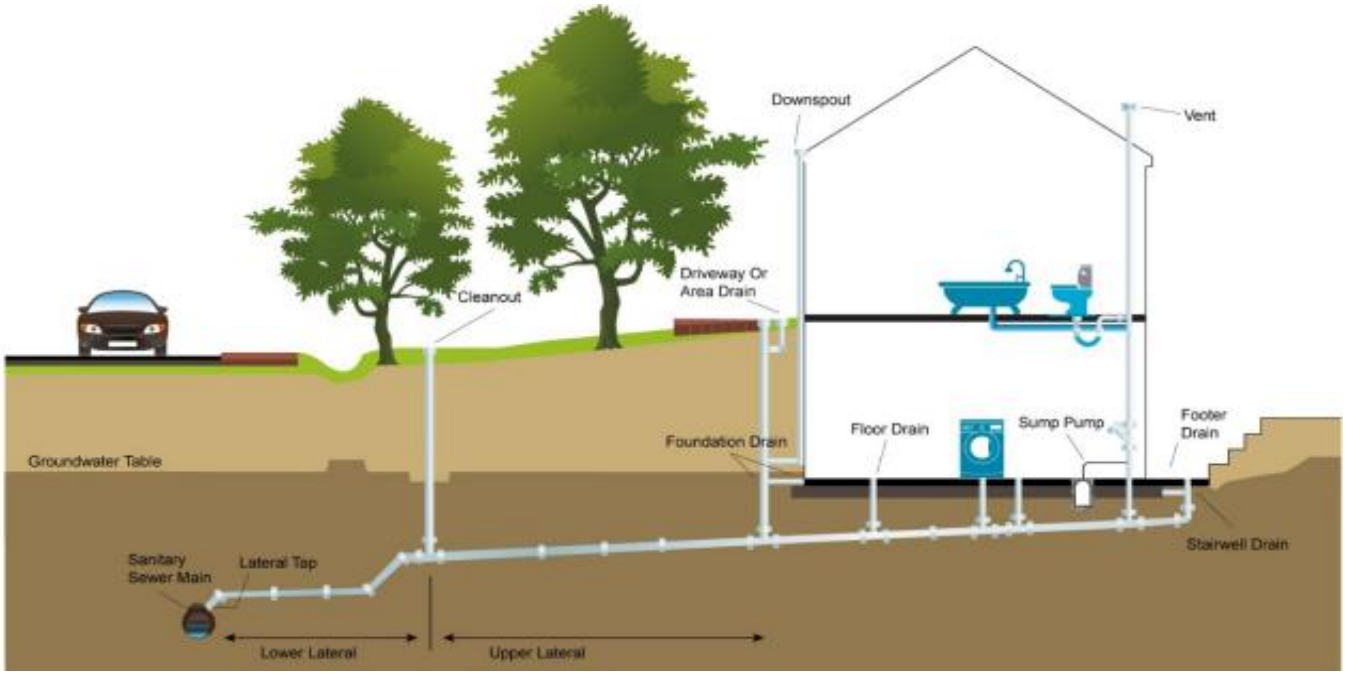
The bill requires utility systems to submit annual compliance reports. The bill also directs the Department of Environmental Protection to enforce the act's provisions. Utility systems found to be noncompliant may be subject to penalties, permit suspensions, or funding restrictions. The bill allows for the establishment of state-funded incentives, grants, or matching funds to support condition assessment and repair efforts. State or local funds for environmental preservation or protection of water quality may also be applied to this program.

II. Present Situation:

Sanitary Sewer Laterals

Sanitary sewers convey wastewater from homes and businesses to a centralized treatment plant.[1] Sewer laterals are the portion of the sewer network connecting individual and private properties to the public sewer system.[2] Private laterals typically make up half of the total length of a sewer system.[3]

Defects in sewer laterals can occur due to aging systems, structural failure, lack of maintenance, or poor construction and design practices.[4] Such defects can have a significant impact on the performance of the sewer system and treatment plant.[5] Cracked or broken laterals can allow groundwater and infiltrating rainwater to enter the sewer system which, at high levels, can cause problems at the treatment facility and overload sewer systems, leading to sanitary sewer overflows.[6]



Sewer rehabilitation involves repairing structural defects and extending the useful life of the pipe.[7] Traditional sewer rehabilitation methods typically require full excavation of the existing

[1] Water Environment Federation, *Sanitary Sewer Rehabilitation Fact Sheet*, 1 (2017), *available at* https://www.wef.org/globalassets/assets-wef/direct-download-library/public/03---resources/wsec-2017-fs-009---csc---sewer-rehabilitation---final---9.27.17.pdf.
[2] U.S. Environmental Protection Agency (EPA), *Private Sewer Laterals*, 1 (2014), *available at* https://www3.epa.gov/region1/sso/pdfs/PrivateSewerLaterals.pdf (showing graphic of sewer lateral).
[3] *Id.*
[4] Water Environment Federation, *Sanitary Sewer Rehabilitation Fact Sheet* at 1-2.
[5] EPA, *Private Sewer Laterals* at 1.
[6] *Id.*
[7] *See* EPA, *State of Technology for Rehabilitation of Wastewater Collection Systems*, iv (2010), *available at* https://nepis.epa.gov/Adobe/PDF/P1008C45.pdf.

pipeline to replace it or install a parallel sewer line.[8] While these traditional methods require unearthing and replacing the deficient pipe (the dig-and-replace method), trenchless methods of rehabilitation use the existing pipe as a host for a new pipe or liner.[9] Trenchless sewer rehabilitation techniques offer a method of correcting pipe deficiencies that require less restoration and cause less disturbance and environmental degradation than traditional methods.[10] Examples of trenchless sewer rehabilitation methods include:

- Pipe bursting or in-line expansion, where the existing pipe is forced outward and opened by a bursting tool and a new pipe is inserted;
- Sliplining, where a new liner of smaller diameter is inserted inside the existing pipe;
- Cured-in-place pipe or pipelining, where a flexible fabric liner coated with resin is inserted into the existing pipeline and curing it to form a new liner;
- Modified cross section liner, where the pipe's cross sectional profile is modified or reduced so that the liner can be extruded through the existing pipe.[11]

There are no statewide requirements for inspections of sanitary sewer laterals. Generally, local governments are responsible for maintaining sewer mains and the portions of sewer laterals in public rights-of-way, but the property owner is responsible for the maintenance and repair of laterals on their private property.[12] Some local governments offer rebates for the costs of private sewer lateral replacement or rehabilitation.[13]

Inspection Technologies

Before camera and robotic equipment became widely available, sewer inspections relied upon visual and lamping approaches.[14] Workers would enter a maintenance access point (manhole) and visually examine the pipes. Sometimes workers would also attempt to illuminate the interior of a pipe to determine whether the light could reach the adjacent manhole (an approach known as lamping). If light was observed, the pipe was assumed to be relatively free from obstructions, but if light was not observed, the pipe was assumed to have a blockage that could obstruct flow.[15]

Smoke has also been used to test sewer lines. Smoke testing of sewer lines is primarily used to find places where groundwater and stormwater runoff can enter the sewer system.[16] It involves forcing smoke into the sewer pipes to detect leaks, breaks, and defects in the lines.[17]

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[8] *See* EPA, *Collection Systems O&M Fact Sheet: Trenchless Sewer Rehabilitation*, 1 (1999), *available at* https://www3.epa.gov/npdes/pubs/rehabl.pdf.
[9] *Id.*
[10] *Id.*
[11] *Id.* at 1-3. *See also* EPA, *State of Technology for Rehabilitation of Wastewater Collection Systems* at 16-36.
[12] *See* ss. 125.569 and 166.0481, F.S.
[13] *See* Pinellas County, *Private Sewer Lateral Program*, https://pinellas.gov/programs/private-sewer-lateral-program/ (last visited Mar. 8, 2025); Emerald Coast Utilities Authority, *Private Sewer Lateral Program*, https://ecua.fl.gov/services/private-sewer-lateral-program (last visited Mar. 8, 2025).
[14] EPA, *Demonstration of Innovative Sewer System Inspection Technology: SL-RAT*, s. 1.2 (2014), *available at* https://nepis.epa.gov/Adobe/PDF/P100IY1P.pdf.
[15] *Id.*
[16] City of Tallahassee, *Smoke Testing of Sewer Lines*, https://www.talgov.com/projects/smoketesting (last visited Mar. 13, 2025).
[17] *Id.*

More recently, workers conduct remote, non-entry, camera-based inspections using closed-circuit television (CCTV), laser profiling, or sonar assessment.[18] Workers mount a camera on a pole and lower it into a manhole; an equipment operator can then remotely view what the camera observes in the pipe. Another option is to use robotic systems mounted with CCTV camera equipment, which can be remotely operated, controlled, and monitored.[19] Laser profiling goes beyond visual inspection and allows for geometric measurements to be obtained. Sonar profiling equipment requires the sensing apparatus to be completely submerged and only provides an assessment of the pipe condition under the water level; therefore, sonar equipment is often coupled with CCTV equipment so that the pipe above and below the water level can be inspected.[20]

Sanitary Sewer Lateral Inspection Programs for Counties and Municipalities

Counties and municipalities are encouraged to establish an evaluation and rehabilitation program for sanitary sewer laterals[21] on residential and commercial properties to identify and reduce extraneous flow from leaking sanitary sewer laterals.[22] Counties and municipalities that opt to establish such a program are authorized to do the following:

- Establish a system to identify defective, damaged, or deteriorated sanitary sewer laterals on residential and commercial properties within their respective jurisdictions;
- Consider economical methods for a property owner to repair or replace a defective, damaged, or deteriorated sanitary sewer lateral; and
- Establish and maintain a publicly accessible database to store information concerning properties where a defective, damaged, or deteriorated sanitary sewer lateral has been identified. For each property, the database must include, but is not limited to, the address of the property, the names of any persons the county or municipality notified concerning the faulty sanitary sewer lateral, and the date and method of such notification.[23]

National Association of Sewer Service Company (NAASCO) Certification

Established in 1976 as a trade association, NASSCO specializes in underground infrastructure and trenchless technology.[24] NAASCO provides training and resources to the industry and administers several certification programs, including for pipeline assessment, manhole assessment, and lateral assessment. To maintain certification, professionals must be recertified every three years.[25]

[18] EPA, *Demonstration of Innovative Sewer System Inspection Technology: SL-RAT* at s. 1.2, *available at* https://nepis.epa.gov/Adobe/PDF/P100IY1P.pdf.
[19] *Id.*
[20] *Id.*
[21] A sanitary sewer lateral is defined in Florida law as a privately owned pipeline connecting a property to the main sewer line which is maintained and repaired by the property owner. Section 125.569(1), F.S.
[22] *See generally* ss. 125.569 and 166.0481, F.S.
[23] Sections 125.569(2) and 166.0481(2), F.S.
[24] NAASCO, *About NAASCO*, https://www.nassco.org/about/ (last visited Mar. 8, 2025).
[25] NAASCO, *Recertification*, https://nassco.org/education-and-training/pacp-lacp-macp/pacp-lacp-macp-recertification/ (last visited Mar. 8, 2025).

III. Effect of Proposed Changes:

The bill contains several whereas clauses that provide the following:

- Numerous studies, including data from the Department of Environmental Protection (DEP) and Water Environment Federation case analyses, indicate that a substantial percentage of infiltration and inflow into wastewater collection systems originates from private-side service laterals and that lack of oversight and limited enforcement authority over privately owned lateral segments compound this issue.
- In the past 20 years, the state's wastewater systems have spilled or improperly discharged over 2.5 billion gallons of raw or partially treated sewage into the environment and a significant portion reached waterways, causing catastrophic environmental damage and public health threats.
- The state is projected to exceed 3 billion gallons of sewage leakage since 2000, most of which can be traced back to failing or leaky lateral pipelines.
- Excessive infiltration from deteriorated service laterals frequently overloads utility treatment capacities, leading to sanitary sewer overflows and environmental hazards and these overflows compromise water quality, harm aquatic ecosystems, and pose severe public health risks.
- Insufficient monitoring and lack of clear remedial protocols for laterals have allowed structural defects and infiltration and inflow sources to remain largely unaddressed.
- This act aims to rectify these deficiencies through uniform inspection, public transparency, and mandatory rehabilitation requirement.

Section 1 creates s. 403.4156, F.S., which establishes the Florida Service Lateral Assessment and Rehabilitation Act. The bill provides that the act's purpose is to:

- Ensure that all utility systems, public and private, deploy comprehensive inspection methods to evaluate the structural integrity and infiltration and inflow risks of service laterals from the utility mainline connection to the edge of each building structure.
- Establish minimum requirements for data collection, long-term archiving, and accessible reporting, thereby enhancing infrastructure reliability and protecting Florida's water resources.
- Promote complete and proper structural rehabilitation of service laterals, ensuring a monolithic seal at the main-lateral connection point that mitigates infiltration, enhances infrastructure lifecycles, ensures environmental compliance, and lowers the risk of sanitary sewer overflow events.

The bill requires every utility system[26] operating within this state to establish and maintain a comprehensive condition assessment program[27] for all service laterals[28] under its jurisdiction. This requirement applies uniformly to all utility systems, regardless of public or private ownership, size, or service area.

[26] The bill defines "utility system" as a government agency, a municipality, a private utility entity, or an entity under contract with such agencies or entities which owns, operates, or maintains sewer infrastructure in this state.
[27] The bill defines "condition assessment program" means a structured inspection, data collection, and risk evaluation methodology designed to identify and prioritize structural and infiltration and inflow issues in sewer laterals.
[28] The bill defines "service lateral" or "lateral" as the underground sewer pipeline that connects a property or building to a utility's mainline sewer pipe. The term includes the entire length of the lateral pipe from the utility system's mainline sewer to the edge of the building structure, and not just up to the property line or utility easement.

The bill provides that, if a utility system chooses not to undertake the condition assessment program assessments directly, it may contract the assessments to a reputable licensed entity holding either a general contractor's license with a plumbing license, or an underground utility license. All contractors and technicians performing assessments must be certified by the National Association of Sewer Service Company (NASSCO) Pipeline Assessment Certification Program, Lateral Assessment Certification Program, or Manhole Assessment Certification Program to ensure quality and consistency with industry standards.

The bill requires each service lateral within the utility system to be inspected at least once every seven years. Inspections must include a full assessment from the mainline sewer connection point to the edge of the building structure.

The bill also requires utilities to develop and maintain a proactive schedule ensuring that 100 percent of all service laterals are inspected within each seven-year cycle. Closed-circuit television lateral launch camera systems[29] must be used to perform all inspections. The bill requires all inspections to follow the NASSCO Lateral Assessment Certification Program protocols,[30] including standardized coding and condition ratings.

The bill requires each service lateral to be assigned a unique pipe identification or asset identification number which must appear on all corresponding condition assessment documentation and inspection reports. This unique identifier must be compatible with and easily integrable into any existing geographic information system or asset management database maintained by the utility system. Each lateral must receive a pipeline severity score[31] indicating any observed or potential structural defects, infiltration, or inflow concerns.

The bill requires all inspection videos, reports, condition ratings, and supplementary data to be recorded and retained in a secure, cloud-based platform. The data must be maintained for at least two full inspection cycles, a minimum of 14 years, ensuring availability for regulatory review and historical reference. In addition, condition assessment data must be maintained in a publicly accessible database for properties where defective, damaged, or deteriorated service laterals are identified. For each property, the database must include, at a minimum:

- The property address.
- The date of inspection.
- The pipeline severity score.
- The general condition summary.
- The unique pipe identification or asset identification number.

[29] The bill defines "CCTV lateral launch camera system" as a closed-circuit television inspection system capable of traversing from the mainline sewer into the service lateral for the purpose of visual evaluation.
[30] The bill defines "NASSCO LACP protocols" as the guidelines for standardized inspection, coding, and condition rating of sewer laterals.
[31] The bill defines "pipeline severity score" as a composite condition rating applied to each lateral pipeline after a proper assessment under NASSCO LACP protocols which includes both the pipe rating index score and the likelihood of failure score.

The bill provides that any lateral with a pipe rating index score above 3.5 or a likelihood of failure score at or above 4 must be flagged for immediate consideration under the lateral monolithic repair[32] program.

The bill requires each utility system to establish and maintain a lateral monolithic repair program. The program applies to any service lateral identified during the condition assessment program to have a pipe rating index score above 3.5 or a likelihood of failure score at or above 4. The bill provides that such laterals are deemed to have a detrimental effect on the utility system's capacity and are at high risk for infiltration and inflow events likely to contribute to sanitary sewer overflows, environmental damage, and public health threats.

The bill provides that, under the lateral monolithic repair program, the utility system must execute timely rehabilitation or replacement of the flagged service laterals using non-disruptive trenchless technology methods, thereby mitigating infiltration, restoring structural integrity, and minimizing community impact and costs. A complete seal at the main and lateral connection point must be ensured to create a monolithic system that prevents infiltration and extends asset lifecycle.

The bill provides that, for any lateral placed into the lateral monolithic repair program, rehabilitation must be completed within 12 months from the date the issues are discovered. The rehabilitation work must be performed by a certified general contractor who also holds either a certified plumbing or underground utility license. A two-way cleanout must be installed at the property and utility easement line to facilitate future inspections and minimize further disruptions. A seamless, single-piece lateral connection seal must be installed at the main-lateral connection point to fully close the annular space. This seal may not rely on any additional mechanical means such as hydrophilic gaskets. The service lateral itself must be rehabilitated to create a fully monolithic system from the mainline sewer to the structure, bonded to the host pipe for maximum structural durability and longevity. All materials used must have a minimum life expectancy of 50 years and comply with American Society for Testing and Materials standards governing cured-in-place pipe in alignment with the Florida Building Code.

The bill requires DEP or any successor agency to implement and enforce the provisions of this bill. Utility systems must submit annual compliance reports to DEP detailing progress toward meeting inspection schedules, summary of condition findings, and any follow-up actions, particularly under the lateral monolithic repair program, for at-risk laterals.

The bill provides that utility systems found to be noncompliant with any provision of this bill may be subject to administrative fines, notices of violation, or other enforcement measures deemed appropriate by DEP. Continued noncompliance may result in escalated penalties, including, but not limited to, suspension of certain operational permits and eligibility for state funding or grants.

[32] The bill defines "monolithic repair" as pipe repair or rehabilitation resulting in no joints or seams, including all points where the lateral connects to the structure, the mainline, and any required cleanouts, ensuring a fully sealed and continuous system.

The bill allows the state to establish incentive programs, grants, or matching funds to support utility systems in developing or enhancing their condition assessment programs and monolithic repair efforts.

The bill provides that state or local funds allocated for environmental preservation or protection of water quality may be applied to this program in order to expedite sewer system improvements and reduce infiltration and inflow impacts.

Section 3 provides an effective date of July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The municipality/county mandates provision of Art. VII, s. 18(a) of the Florida Constitution may apply to this bill. The Florida Constitution limits the ability of the State to impose unfunded mandates on local governments. This bill requires municipalities and other government agencies to expend funds to implement a comprehensive condition assessment program and inspect and repair sewer laterals. However, because the bill would have the same impact on all sewer utility systems, it likely complies with the constitutional exception for all persons similarly situated. Therefore, an exception to Art. VII, s. 18(a) of the Florida Constitution may apply if the Legislature determines that the bill fulfills an important state interest.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Private utility entities will incur costs to implement a comprehensive condition assessment program and inspect and repair sewer laterals.

C. Government Sector Impact:

Government entities will incur costs to implement a comprehensive condition assessment program and inspect and repair sewer laterals. The Department of Environmental Protection may also incur costs to enforce the provisions of the bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Section 125.569, F.S., encourages counties and municipalities to establish an evaluation and rehabilitation program for sanitary sewer laterals on residential and commercial properties. This bill may render s. 125.569, F.S., unnecessary.

VIII. Statutes Affected:

This bill creates section 403.4156 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.