



Plastic Pipe and Fittings Association

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FOR IMMEDIATE RELEASE

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PPFA Appeal Keeps 2009 PEX Regulations in Place

Glen Ellyn, IL—The Plastic Pipe and Fittings Association (PPFA) on December 31, 2009 filed an appeal of a ruling by a lower court on the question of the approval of Cross-Linked Polyethylene (PEX) piping in the California Plumbing Code. The ruling addressed the adequacy of an Environmental Impact Report (EIR) on PEX prepared for the California Building Standards Commission (CBSC) as a condition of code approval. The appeal keeps in place the regulations, which took effect August 1, 2009, approving the use of PEX in the California Plumbing Code. CBSC's actions certifying the EIR and approving PEX in the code had been challenged by a group of organizations, led by the California Pipe Trades Council, who have a long history of opposition to approval of any plastic pipe use in California.

According to Richard Church, Executive Director of PPFA, “the court’s ruling is disturbing in many respects. It fails to recognize substantial and key evidence in the EIR and administrative record supporting the CBSC determination that PEX does not pose a significant risk to human health. In many instances the court inappropriately substituted its judgment for that of the BSC and, consequently, failed to accord the proper deference to

the agency's expertise in highly technical areas. PEX has been the most studied plumbing product ever considered for use in California, and there is simply no credible evidence that PEX has any adverse effects. We are confident the Court of Appeal will agree."

The EIR was conducted under the guidelines set forth by CEQA (California Environmental Quality Act) and resulted in a comprehensive 868 page document supported by almost 10,000 pages of additional information submitted as part of the administrative record. The EIR was certified by CBSC on January 22, 2009, and PEX was subsequently included in the California Plumbing Code effective August 1, 2009.

PPFA is a voluntary, non-profit organization of North American companies primarily engaged in the manufacture of plastic pipe and fittings for plumbing and piping applications typically installed on the building premises. For additional information, contact the Association at 800 Roosevelt Road, Building C, Suite 312, Glen Ellyn, IL 60137; 630/858-6540; fax 630/790-3095; or visit the website at www.ppfahome.org.

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