PPFA
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March 24, 2010

To: PPFA Member Companies

From: PPFA

Regarding: **PEX Remains in the California Plumbing Code**

Cross-Linked Polyethylene (PEX) piping continues to be fully authorized for use throughout California despite a ruling by a California court. An appeal by the Plastic Pipe and Fittings Association (PPFA) has stayed the court's ruling, and the regulations permitting PEX remain firmly in place. In a recent status update to the court, the California Building Standards Commission (CBSC) stated that it has already begun to revise the PEX Environmental Impact Report (EIR) to address the issues of concern to the court. In the meantime, as noted by CBSC (http://www.bsc.ca.gov.), the regulations remain in full effect. Thus building officials shall continue to have full authority to allow the use of PEX.

Despite a very thorough environmental review and strong support for PEX, the CBSC's actions certifying the EIR and approving PEX in the California Plumbing Code were challenged by a group of organizations led by the California Pipe Trades Council, which has a long history of opposition to approval of any plastic pipe use in California. That lawsuit brought by the Pipe Trades Council resulted in a December 30 Superior Court judgment ordering CBSC to revisit its analysis of several issues discussed in the EIR. Despite arguments by unions, the court did not find that PEX would result in any adverse effects to human health or cause taste or odor problems with drinking water, or that PEX was likely to fail prematurely. The court merely directed CBSC to provide a more robust analysis of these issues, which already is underway.

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