

**Joint Statement by Center for Environmental Health et al, Plastic Pipe and Fittings Association and California Building Standards Commission Regarding Settlement of PEX Litigation in California  
August 18, 2010**

The parties to litigation concerning California Plumbing Code amendments allowing the statewide use of cross-linked polyethylene (PEX) plastic tubing have reached a settlement that resolves long-standing disagreements over the use of PEX in California. Last December a coalition of organizations including the Center for Environmental Health, Consumer Federation of California, Planning and Conservation League, California State Pipe Trades Council, California Professional Firefighters and Sierra Club California (the "Coalition") won a superior court ruling invalidating portions of the environmental impact report (EIR) upon which the California Building Standards Commission's (BSC) January 2009 approval of PEX regulations was based. This ruling was immediately appealed by the Plastic Pipe and Fittings Association (PPFA) and later by the Coalition. While these appeals were pending, the BSC approved a revised EIR to address the issues raised in the ruling and has approved new regulations for the use of PEX agreed to as part of the settlement. The settlement, between the Coalition, BSC and five other state agencies, and the Plastic Pipe and Fittings Association (PPFA), requires, among other things, increased flushing of new PEX installations and other requirements designed to promote pipe longevity. The settlement resolves all the litigation concerning the PEX regulations, which took effect today.