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State commission cancels plastic pipe OK

California's decades-old political war over whether plastic plumbing pipe should be allowed in residential construction took another turn Thursday when the state Building Standards Commission cancelled its approval after losing a court battle.

Makers of plastic pipe have tried for years to win official approval, most recently for "cross-linked polyethylene" (PEX), which is widely used in other states and nations, but have faced unrelenting resistance from construction unions. Manufacturers and builders say PEX is faster and easier to install and thus less expensive than traditional metal piping, but critics contend that chemicals used in its manufacture could be a health hazard.

Official attitudes on the issue have tended to shift with the political winds - i.e., whether an industry-friendly Republican or a union-friendly Democrat occupied the governor's office and thus appointed members of the Building Standards Commission.

Early last year, after years of regulatory and legal wrangling, the commission, citing a 296-page environmental impact report, approved PEX for residential use, to take effect last August. But labor and environmental groups quickly went back to court and won a judicial ruling, affirmed this month by the state Court of Appeal, that still another EIR - the fourth, in fact - would have to be prepared.

A draft of the new EIR has been released, with comments due in July, but anti-PEX groups are already lined up against it. Meanwhile, having lost the court battle, the commission met briefly Thursday and formally withdrew its earlier approval.

If the commission once again ratifies PEX, the issue will undoubtedly head back to court and still be pending when the next governor takes office in January. If the next governor is Democrat Jerry Brown, the issue will have come full circle because he was governor when the opening salvoes of the plastic pipe war, initially involving polybutylene, were fired three-plus decades ago.

The commission's documents relating to the issue can be found [here](#).