Another plastic piping leakage issue is apparently affecting homes, primarily in areas of Alabama, North and South Carolina, but with isolated reports of problems elsewhere. The most common type of failure reported is the development of small splits in the hot water piping, particularly in close proximity to the water heater, resulting in high pressure leaks. The cause of the failure appears to be a combination of defective piping, high water temperature and high water pressure. Typically, a failure first occurs near the water heater and progresses downstream along the pipe.

The PEX pipe in question is red in color with the brand name DURA-PEX. The reported leaks have occurred most frequently in pipe manufactured in 2006 or earlier. The pipe was originally sold by Consolidated Piping Industries (CPI), which apparently was bought out by NIBCO in 2006. The actual manufacturer of the pipe, however, may depend on the date. CPI is apparently the primary manufacturer of the defective pipe, although it was reported that some may have been supplied by a company named Warren or Warner. So aside from DURA-PEX brand, the labeling may indicate Warner (W with line through it), CPI, or NIBCO. After 2006, NIBCO was the pipe manufacturer and its product doesn’t seem to have been affected by the same defect.

NIBCO has not accepted any liability for the piping made prior to the purchase of CPI. There is also no warranty coverage for any piping made by CPI or Warner. NIBCO will only honor warranty on pipe it manufactured in or after 2006. Some owners with the defective pipe have been able to get at least part of the cost of repair or replacement covered by local distributors or plumbers, and in some cases even by insurance. Others have not been as fortunate.

The recommended remedial action has been to:

- add an expansion tank at the water heater (if not already present)
- maintain water pressures below 80 psi
- maintain hot water temperature under 125 F
- use metal pipe for the first 18 inches at the water heater
- replace the hot water line the first 20 feet downstream of the water heater
Typical Type Failure Reported

It is not known how widespread the problem may be – whether all DURA-PEX manufactured prior to mid – 2006 is potentially defective, or only smaller manufacturing runs. Most isolated reports of problems date back to the 2007 – 2009 time period; however, reports of failures seem to have picked up again recently. It is only in the last month that a law firm began seeking members for a possible class action lawsuit "http://www.chimicles.com/nibco-dura-pex-piping-investigation". The response they get may help to give a better picture of the true nature and extent of the problem. In the meantime, we are interested in hearing about any personal experience with DURA-PEX failures that you can share.

Reporting recommendations in the real estate transaction: While the scope of the problem is unknown, it would still be prudent to report potential concerns if a DURA-PEX system is encountered, especially if in the southern states where most of the reported incidents of failure have occurred. It would also be prudent to recommend remedial action as noted in the five points list above, where applicable.