

# Know

You Should



A Message from the American Concrete Pipe Association

Bulletin No. 129

## Taking Responsibility

Reinforced concrete pipe has a proven performance history. It has provided, and continues to provide, a reliable structure for the conveyance of effluent in a variety of conditions.

HDPE pipe has a proven performance history as well. It has proven to be insufficient to handle the design and installation requirements that most owners, engineers, and contractors have come to expect from concrete pipe. Time and again individuals who have specified and installed HDPE pipe have come back and inspected the pipe later only to find the installation not meeting expectations. What happens then? Who pays for the repair or replacement of the pipe and the social costs involved?

The case of *Ridge Line, Inc. vs. Advanced Drainage Systems, Inc. (ADS)* in the U.S. District Court of West Virginia is a good example of what the limitations are for HDPE drainage pipe, and how problems resulting from these limitations are addressed when brought to the attention of the HDPE pipe manufacturer.

### Just how did the pipe producer address the issues in the Ridge Line Case?

ADS refused to give any thought to the fact that the failure may be a result of a poor product.

*“Handling, damage, improper backfill and/or compaction, lack of proper project design or misapplication of the product” were reasons given by ADS as items other than deflection that can lead to cracking or failure of the pipe.*

ADS placed the blame on the Engineer

*“[T]he actions and omissions of Third-Party defendants, Green Valley and Triad, were the sole and proximate cause of Plaintiff’s alleged injuries.”*

ADS placed the blame on the Contractor

*“ADS admits that inspection showed problems with the pipe related to poor construction and installation practices...”*

### What did an independent consultant (Dr. Ernest Selig, Professor Emeritus, University of Massachusetts) identify as the cause of the problem?

Poor profile design

*“In my opinion the combination of the pipe profile design and the pipe material is the cause of the failure.”*

Poor resin material

*“... the polymer material used in the manufacture of this pipe is susceptible to cracking over time.”*

### Who paid in the long run?

Additional easement costs	\$18,000
Additional engineering fees	\$ 9,960
Cost of relining	\$\$\$\$\$
Additional line for lost capacity	\$\$\$\$\$\$\$\$
Legal fees	\$\$\$\$\$\$\$\$\$\$

For a copy of “A Case in Point for Choosing Concrete Pipe” (Ridge Line, Inc., vs. Advanced Drainage Systems, Inc.) request [ACPA Dispatch](#), Vol. 1 No. 3 from any ACPA member or download a copy from [www.concrete-pipe.org](http://www.concrete-pipe.org).