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Results 1 to 44 of 44

Thread: I just got sued: Lightning strike and CSST

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Michael Casey & Associates
CLAIMS CONSULTING, EXPERT WITNESS

09-21-2013, 12:36 PM #1



Frank Adame Member

Join Date: Nov 2009
Location: Dallas, TX
Posts: 89

I just got sued: Lightning strike and CSST

Just this week I received notice from an insurance company's legal firm that they are seeking a \$103,000 reimbursement check from me for fire damage sustained from a lightning strike on a home I inspected 3 years ago.

The lightning strike happened a year and half ago. The legal team went after the Ward company claiming defective csst. The Ward legal people pointed the finger at me because I failed to follow TREC sop "The inspector shall report as deficient appliances and metal pipes that are not bonded or grounded.' The one time I failed to mention this deficiency, is the one time lightning strikes that particular house. What are the odds.

In the five years that I've been inspecting, only one time did I see the bonding cables on all metal piping and appliances in the attic.

My insurance company is handling this. I'll keep you guys posted.

Get a **FREE** Errors and Omissions Insurance Quote from **Elite InspectInsure**

[Reply With Quote](#)

09-21-2013, 12:39 PM #2



Rick Cantrell Member

Join Date: Mar 2007
Location: Columbus GA
Posts: 3,744

Re: I just got sued: Lightning strike and CSST

Thanks for sharing

I have a saying about how insurance companies make money:
 #1 By finding ways to raise your rates
 #2 Finding ways to deny a claim
 and #3 (This applies to you) By finding someone else to pay the claim.

Keep us posted

' correct a wise man and you gain a friend... correct a fool and he'll bloody your nose'.

Reply With Quote

09-22-2013, 07:15 AM

#3



Scott Patterson Member

Join Date: Mar 2007
Location: Spring Hill (Nashville), TN
Posts: 5,830

Re: I just got sued: Lightning strike and CSST

It's called Subrogation and has become more and more common in the world. I did not know that TX had CSST in their standards three years ago..... The problem with reporting on bonding is that the majority of the time you really can't verify the bond is or is nor present. Time for us all if you don't already have it, to add canned boilerplate verbiage about CSST, bonding, etc.... CYA!

Glad you have E&O to help defer the legal cost.

Last edited by Scott Patterson; 09-22-2013 at 07:21 AM.

Scott Patterson, ACI
Spring Hill, TN
www.traceinspections.com

Reply With Quote

09-22-2013, 10:52 AM

#4



Markus Keller Member

Join Date: Feb 2008
Location: Chicago IL
Posts: 1,947

Re: I just got sued: Lightning strike and CSST

I don't see a lot of CSST in the City but run into some of it in the burbs. Did a house out in the burbs about 6 months or so ago that had lots of CSST. Overall bad install. Having read some of the grounding, lightning strike issues, I did some research and included 3 or 4 PDF's about CSST issues with my report. I wrote up the CSST as hazardous due to the install methods. Buyer gave seller report, Seller said I was full of ----; then buyer sent seller the pdf's I had sent them, seller shut up and worked out a deal. On NC around here I often find a ground wire run to the gas meter. Unfortunately the wire is always just hanging in the air, not actually attached. I always write it up and developers instead of buying a bracket and having one of their grunts install it prefer to argue about whose responsibility it is to attach the wire. Sometimes it all just seems so stupid and useless to talk about it when fixing the problem would take less time.

www.aic-chicago.com
773/844-4AIC
"The Code is not a ceiling to reach but a floor to work up from"

Reply With Quote

09-22-2013, 11:07 AM

#5



Gunnar Alquist Member

Join Date: Mar 2007
Location: Santa Rosa, CA
Posts: 2,317

Re: I just got sued: Lightning strike and CSST

Quote Originally Posted by **Markus Keller**
I did some research and included 3 or 4 PDF's about CSST issues with my report.

Maecus,

Could you post these PDFs or their links please?

Department of Redundancy Department
<http://www.FullCircleInspect.com/>

Reply With Quote

09-23-2013, 06:53 AM

#6



Markus Keller ◉
Member

Join Date: Feb 2008
Location: Chicago IL
Posts: 1,947

Re: I just got sued: Lightning strike and CSST

Hi Gunnar, the attached files are the PDF's I gave the client with their report. Hope they are helpful
[MarkusCSST_Product_Liability_Suit.pdf](#)[Gastite_01.pdf](#)

The following is the title of another PDF I sent them but it doesn't seem to want to upload. I think its too big: **Validation of Installation Methods for CSST Gas Piping to Mitigate Lightning Related Damage**; put out byThe Fire Protection Research Foundation
You can probably find it and download

When I do run into CSST I also send the client the 'Gastite design and installation guide PDF'. I've had too many DIY husbands comment about how easy it will be to add/modify gas piping for the barbeque grill etc. 'oh with this yellow stuff I can run more gas pipe pretty easy'.
I have the 08 install manual, which I should probably find the new version. The interesting thing about it is that Page 2 talks about lightning safety. Not page 4, 27 or 99; The very next page after the cover page.
Sorry I don't know whats going on with these font sizes, I didn't do it on purpose.

www.aic-chicago.com
773/844-4AIC
"The Code is not a ceiling to reach but a floor to work up from"

Reply With Quote

09-23-2013, 07:19 AM

#7



wayne soper ◉
Member

Join Date: Mar 2007
Location: Connecticut
Posts: 1,822

Re: I just got sued: Lightning strike and CSST

my boilerplate According to some authorities, CSST may be particularly susceptible to damage from lightning strikes. During electrical storms, the metallic systems and the building itself can become highly energized. Metal siding, gas piping, water piping, electrical wiring, communication and entertainment cables may be affected. Arcing from one metallic path or conductor to another can take place, resulting in physical damage. (Arcing is electrical energy jumping through air from one conductor to another or from a conductor to ground, typically accompanied by considerable heat, light and sound. Arcing occurs only where there is a significant difference in potential energy between two materials.)

This is especially dangerous with CSST because of the gas inside. There are several cases of CSST leaks related to electrical storms. At least one class action lawsuit has been brought against manufacturers as a result of this. See Cststtlement.com.

In response to this issue, installation manuals now have a special electrical bonding and grounding procedure for their CSST systems that may help prevent electricity from jumping (arcing) between metallic systems. Some jurisdictions require the CSST be kept away from other metallic systems such as metal ducts, vents and other pipes to reduce the chance of arcing.

Special bonding requirements for CSST (not copper tubing) typically include the following:

-
- The tubing itself should be electrically continuous and should be directly bonded to a reliable ground-fault current path.
- There should be a minimum 6 AWG (American Wire Gauge) bonding jumper connected to the electrical service grounding system for the building.
- The bond connection to the gas tubing should be accessible and just downstream of the meter, near the service entrance into the house.

- The bond connection should be upstream of any CSST. Listed bonding/grounding clamps (UL 467) should be used, and connections should be made to a brass fitting, steel manifold or unpainted black iron pipe, not to the CSST itself.

- - - Updated - - -

Also CSST(corrugated stainless steel tubing), is being used as a gas supply line in this home. We recommend installation of Excess Flow Valves in the event of a gas line breach that would shut down the gas flow.

Please click on link for more information on excess flow valves.

http://www.tracpipe.com/CSST_Gas_Pipe_Products/AutoTrip_EFV_Automatic_Gas_Shut_Off_Valve/

Reply With Quote

09-25-2013, 03:56 PM

#8



Ted Menelly
Guest

Re: I just got sued: Lightning strike and CSST

I almost never actually see a ground of any kind to the csst. The ground wire talked about wrapped around the gas pipe coming out of the ground??? Not a ground!

On older homes I always state that a ground rod should be incorporated to the grounding system as know one ever knows if PEX or PVC was added to the plumbing lines which will cancel a good ground anyway with the water lines. As far as CSST I always state that I have no idea how well the csst is grounded as I cannot see the full length of all pipe and they should have the system checked. If I just flat out do not see a ground I recommend the same thing.

A few years ago I got a call to cancell an inspection. The reason? The home was hit by lightening and they confirmed there was not a solid ground for the the homes electric system. The home burnt to the ground.

I never shy away at making the call to have the grounding system for any system in the home confirmed.

Sorry to hear about getting sued.

What if they did not have a home inspection? Would they have gone after the plumber? Electrician? You are not the one that did not ground the system! Hell. In most cases you would have never seen the ground or how good it was.

Reply With Quote

09-25-2013, 06:33 PM

#9



Mark Reinmiller ◦
Member

Join Date: Mar 2012
Location: Lansdale, PA
Posts: 853

Re: I just got sued: Lightning strike and CSST

Quote Originally Posted by Ted Menelly

I almost never actually see a ground of any kind to the csst. The ground wire talked about wrapped around the gas pipe coming out of the ground??? Not a ground!

On older homes I always state that a ground rod should be incorporated to the grounding system as know one ever knows if PEX or PVC was added to the plumbing lines which will cancel a good ground anyway with the water lines. As far as CSST I always state that I have no idea how well the csst is grounded as I cannot see the full length of all pipe and they should have the system checked. If I just flat out do not see a ground I recommend the same thing.

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I never shy away at making the call to have the grounding system for any system in the home confirmed.

Sorry to hear about getting sued.

What if they did not have a home inspection? Would they have gone after the plumber? Electrician? You are not the one that did not ground the system! Hell. In most cases you would have never seen the ground or how good it was.

There are now clear requirements on how CSST should be grounded. The grounding should be as close as possible to where the gas piping enters the house (that is my wording, not an exact quote). I suggest that instead of telling

your clients you have not idea how it is grounded you should learn how it should be grounded.

Reply With Quote

09-25-2013, 07:57 PM

#10



Ted Menelly
Guest

Re: I just got sued: Lightning strike and CSST

Quote Originally Posted by **Mark Reinmiller**

There are now clear requirements on how CSST should be grounded. The grounding should be as close as possible to where the gas piping enters the house (that is my wording, not an exact quote). I suggest that instead of telling your clients you have not idea how it is grounded you should learn how it should be grounded.

And I think you should think before giving unneeded advise like "you should learn how it should be grounded". I just happen to know how it is suppose to be grounded. Do you? I did not say I did not know how it is suppose to be grounded. I said I said I have no idea if it is or if its a good ground. Of course unless I can see that it appears to be a good ground.

Reply With Quote

09-27-2013, 05:55 PM

#11



Lon Henderson
Member

Join Date: Aug 2011
Location: Bennett (Denver metro), Colorado
Posts: 1,362

Re: I just got sued: Lightning strike and CSST

Quote Originally Posted by **Markus Keller**

On NC around here I often find a ground wire run to the gas meter. Unfortunately the wire is always just hanging in the air, not actually attached. I always write it up and developers instead of buying a bracket and having one of their grunts install it prefer to argue about whose responsibility it is to attach the wire. Sometimes it all just seems so stupid and useless to talk about it when fixing the problem would take less time.

That wire is used to trace the underground pipe by the utility if they have to. It isn't meant to have any other purpose or ground anything.

If you choose not to decide, you still have made a choice.

Reply With Quote

09-27-2013, 06:09 PM

#12



Lon Henderson
Member

Join Date: Aug 2011
Location: Bennett (Denver metro), Colorado
Posts: 1,362

Re: I just got sued: Lightning strike and CSST

I'll be a little picky here. Piping is not *grounded*. Piping is bonded to a ground. Subtle difference and in the grand scheme of life, won't change anyone's life.

As for being sued, we are in a business where we are expected to be perfect at every inspection. That's a high hurdle to get over every day of every week of every year. Finding bonding can be difficult. I think having a boiler plate disclosure is appropriate and might even mitigate or derail a suit..... occasionally.

If you choose not to decide, you still have made a choice.

Reply With Quote

09-27-2013, 06:19 PM

#13



Ted Menelly
Guest

Re: I just got sued: Lightning strike and CSST

Quote Originally Posted by **Lon Henderson**

I'll be a little picky here. Piping is not grounded. Piping is bonded to a ground. Subtle difference and in the grand scheme of life, won't change anyone's life.

As for being sued, we are in a business where we are expected to be perfect at every inspection. That's a high hurdle to get over every day of every week of every year. Finding bonding can be difficult. I think having a boiler plate disclosure is appropriate and might even mitigate or derail a suit..... occasionally.

Yes, bonding. Yes trace wire wrapped around the pipe in the ground.

Thank ya. Thank ya very much.

Reply With Quote

09-28-2013, 03:42 AM

#14



Peter Russell
Member

Join Date: Mar 2007
Location: Alton Bay NH
Posts: 49

Re: I just got sued: Lightning strike and CSST

Here's a good link about CSST bonding. I see it a lot in my area and only once did I find the bonding wire and that was because it was a gas company install.

[CSST Safety Solution](#)

www.russellinspectionsservices.com
www.newenglandthermalimaging.com
www.nhsepticinspection.com

Reply With Quote

09-28-2013, 05:42 AM

#15



Raymond Wand
Member

Join Date: Feb 2008
Location: Caledon, Ontario
Posts: 4,829

Re: I just got sued: Lightning strike and CSST

<http://www.grefesidney.com/documents...A531161169.pdf>

1. CSST gas line is extremely thin, with walls typically around 0.008" in thickness. Blackiron gas pipe is typically 0.12" in thickness. Put another way, the walls of black iron pipe are 15times thicker than the walls of CSST tubing. When this is considered, perhaps it is notsurprising that the amount of electrical energy needed to defeat traditional black iron pipe isabout 15 times more than the energy needed to defeat the much thinner walls of CSST tubing.

When electrical energy from lightning is conducted through CSST tubing, electricalarcing can be created between the CSST and any grounded metallic object, as the lightningenergy seeks a ground source. This arcing can instantaneously burn a small hole, ranging fromthe size of a pin-head to a pencil eraser, right through the very thin wall of the CSST. The arcingevent can easily ignite the escaping gas being carried by the CSST, which can then serve as ablow-torch with an endless gas fuel source more than sufficient to ignite nearly any type ofstructure.

Lightning strikes the United States more than 25 million times each year and accordingto Underwriters Laboratories (UL),

I just got sued: Lightning strike and CSST

lightning accounts for more than \$1 billion in annual structural damage. A single bolt of lightning can carry over 100 million volts of electricity, and in reality, there are no construction methods or safety measures that can completely protect a

structure from a direct lightning strike. CSST gas pipe, however, is susceptible to damage from non-direct lightning strikes as well, even strikes which may be recorded a significant distance away from the structure. "Lightning does not have to strike a building directly in order for the CSST to be affected," explains Guy Maxwell, president of the Lightning Safety Alliance. "There are reports of CSST related fires that I have seen have involved strikes that were near the structure."

CSST was originally developed in the late 1980s, but most CSST product has been installed since 2003. Any building that has had natural gas piping work done since 1990 could have CSST installed. According to the National Fire Protection Association (NFPA), no tests on the effects of lightning on CSST were conducted prior to its approval for use. One CSST manufacturer has acknowledged that the installation of a lightning protection system addresses the lightning hazard associated with CSST, yet homes with CSST are rarely equipped with lightning protection systems.

The value of experience is not in seeing much, but in seeing wisely.

Reply With Quote

09-28-2013, 08:04 AM

#16



Scott Patterson Member

Join Date: Mar 2007
Location: Spring Hill (Nashville), TN
Posts: 5,830

Re: I just got sued: Lightning strike and CSST

To add fuel to this fire(little pun...).... Let's not forget about the CSST that is covered with the black plastic sheathing. It is designed to not be bonded unless the AHJ just wants it done.....

Scott Patterson, ACI
Spring Hill, TN
www.traceinspections.com

Reply With Quote

09-28-2013, 08:16 AM

#17



Raymond Wand Member

Join Date: Feb 2008
Location: Caledon, Ontario
Posts: 4,829

Re: I just got sued: Lightning strike and CSST

Scott

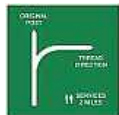
Never seen black sheathing, only yellow, at least up here.

The value of experience is not in seeing much, but in seeing wisely.

Reply With Quote

09-28-2013, 10:35 AM

#18



H.G. Watson, Sr. Member

Join Date: Jul 2008
Location: Snowbird (this means I'm retired and migrate between locations), FL/MI
Posts: 4,086

Re: I just got sued: Lightning strike and CSST

Quote Originally Posted by **Scott Patterson**

To add fuel to this fire(little pun...).... Let's not forget about the CSST that is covered with the black plastic sheathing. **It is designed to not be bonded unless the AHJ just wants it done.....**

Its erroneous statements like **that** (Red colored, bolded & underlined statement by SP, above) that gets HI's & HO's in trouble.

It (only the latest generation black-jacketed SS Tube, the earlier black counterstrike omegaflex still requires special) **is still required to be bonded**, the manufacturer instructions just don't require **ADDITIONAL** bonding steps to counteract the inherent deficiency in thin-walled yellow-jacketed SS tube and the earlier version(s) of black jacketed counterstrike, IF the black jacket is intact and the product is overall installed properly, the tubing system IS bonded as per NFPA 70 (national electric code unammended) and NFPA 54 (national fuel gas code unammended) AND a lightning arrestor system is properly designed and installed.

Lets get it right.

For **RW**, supplying the CSA info at the end of the following snippets quoted from the link provided at the end.

*There are no **additional** bonding requirements for TracPipe® CounterStrike® **imposed by the manufacturer's installation instructions**. With TracPipe® CounterStrike®'s improved properties, TracPipe® CounterStrike® **is to be bonded in accordance with current requirements of the National Electrical Code (NFPA 70), and the National Fuel Gas Code (NFPA 54), and with any local requirements that may be in excess of the national codes. This may result in the avoidance of additional bonding costs which are required for conventional CSST.***

*TracPipe® CounterStrike® is listed by **CSA to ANSI LC 1**. TracPipe® CounterStrike® meets building code requirements (ASTM E84) with respect to flame spread and smoke density...*

Link:

Corrugated Stainless Steel Tubing - Lightning Protected Gas Pipe

Reply With Quote

12-21-2013, 05:01 PM

#19



Frank Adame Member

Join Date: Nov 2009
Location: Dallas, TX
Posts: 89

Re: I just got sued: Lightning strike and CSST

My E&O underwriters just informed me they will no longer insure me. Surprised?

Reply With Quote

12-21-2013, 05:22 PM

#20



Garry Sorrells Member

Join Date: Dec 2008
Location: Maryland
Posts: 2,487

Re: I just got sued: Lightning strike and CSST

SORRY, but expected. The worst thing that an agent can have is a claim paid out.

Reply With Quote

12-21-2013, 06:15 PM

#21



Rick Cantrell Member

Join Date: Mar 2007
Location: Columbus GA
Posts: 3,744

Re: I just got sued: Lightning strike and CSST

Quote Originally Posted by **Frank Adame**

My E&O underwriters just informed me they will no longer insure me. Surprised?

Thanks for the update

' correct a wise man and you gain a friend... correct a fool and he'll bloody your nose'.

Reply With Quote

12-21-2013, 06:37 PM

#22



Lon Henderson Member

Join Date: Aug 2011
Location: Bennett (Denver metro), Colorado
Posts: 1,362

Re: I just got sued: Lightning strike and CSST

Please update us on if you have any problems getting re-insured.

A friend of mine just wrapped up a lawsuit where his insurance settled for a few bucks over his deductible and immediately jacked his rate up. BUT, the amazing thing is that the mediator asked the insurance attorney why he was settling when the plaintiff didn't have any case at all.

It was cheaper for the company than any further litigation and winning didn't matter to them. Only what it cost them was what mattered. To hell with what it cost the inspector. Of course, the inspector could have continued the fight on his own but that would have been even more costly, even if he won.

If you choose not to decide, you still have made a choice.

Reply With Quote

12-21-2013, 09:00 PM

#23



Scott Patterson Member

Join Date: Mar 2007
Location: Spring Hill (Nashville), TN
Posts: 5,830

Re: I just got sued: Lightning strike and CSST

Quote Originally Posted by **Frank Adame**

My E&O underwriters just informed me they will no longer insure me. Surprised?

Who did you have your E&O with? Always good to know who should be avoided!

Scott Patterson, ACI
Spring Hill, TN
www.traceinspections.com

Reply With Quote

12-22-2013, 07:36 AM

#24



Jerry Peck Member

Join Date: Mar 2007
Location: Ormond Beach, Florida
Posts: 25,436

Re: I just got sued: Lightning strike and CSST

Don't forget to sue the agent to share in the damages you paid (get half your money back). 😊

Jerry Peck, Construction / Litigation Consultant
Construction Litigation Consultants, LLC (www.ConstructionLitigationConsultants.com)
www.AskCodeMan.com

Reply With Quote

#25

12-29-2013, 04:07 PM



Ted Menelly
Guest

Re: I just got sued: Lightning strike and CSST

Dumb question and I do know the answer but if someone did not bond some piping or any type of bond or ground fir the systems in the home why would they not go after just the installer of that gas pipe or the installer of the system. Why would they keep going in circles to get a home inspector.

Example

Someone does some bad wiring in a home and a section that started a fire happened to have the insulation pushed back away from it but was done by someone else hooking some other circuit into the line after the home inspection....they are going after a home inspector?

Example (three years is a long time)

He did not mention it. Does that mean there was never a bond. If never a bond go after the installer. If there was a bond and it was a poor bond or someone changed something and removed the bond???? I guess that is the inspectors fault as well? Obviously if the original installer never bonded it and should have why is the inspector singled out. Mentioned it or not there was never a bond...go after the installer. yeah yeah, he did not go by SOPs! There was still never a bond.

Just freaking criminal.

Reply With Quote

12-29-2013, 05:19 PM

#26



Mark Reinmiller
Member

Join Date: Mar 2012
Location: Lansdale, PA
Posts: 853

Re: I just got sued: Lightning strike and CSST

Quote Originally Posted by Ted Menelly

Dumb question and I do know the answer but if someone did not bond some piping or any type of bond or ground fir the systems in the home why would they not go after just the installer of that gas pipe or the installer of the system. Why would they keep going in circles to get a home inspector.

Example

Someone does some bad wiring in a home and a section that started a fire happened to have the insulation pushed back away from it but was done by someone else hooking some other circuit into the line after the home inspection....they are going after a home inspector?

Example (three years is a long time)

He did not mention it. Does that mean there was never a bond. If never a bond go after the installer. If there was a bond and it was a poor bond or someone changed something and removed the bond???? I guess that is the inspectors fault as well? Obviously if the original installer never bonded it and should have why is the inspector singled out. Mentioned it or not there was never a bond...go after the installer. yeah yeah, he did not go by SOPs! There was still never a bond.

Just freaking criminal.

Typical practice for attorneys is to sue everybody who was in any way involved. Most cases settle without going to court. Each company or insurance company often figures it is cheaper or there is less risk to settling than fighting. It is not fair, but attorneys make the laws.

Reply With Quote

12-29-2013, 05:38 PM

#27



Jerry Peck
Member

Join Date: Mar 2007
Location: Ormond Beach, Florida
Posts: 25,436

Re: I just got sued: Lightning strike and CSST

Keep in mind that the date of the installation and the bonding requirements at that time take precedence ... while not forgetting what has been learned about the necessity for bonding since that time.

Regardless of bonding the CSST, the CSST can be damaged by a lightning strike, not sure that the additional bonding would prevent that damage - that is up to people much smarter than me (much higher pay grade too 😊).

The CSST *is* bonded - the CSST is bonded through the electrical/gas equipment it is connected to.

The key is the "additional" bond required *by current manufacturer's installation instructions" - keep in mind that we are referring to the regular 'yellow' outer jacketed CSST, not the newer 'strike resistant' CSST with the newer outer jacket which is supposed to help dissipate the energy from the strike.

The reason they go after the home inspector is that they go after "everyone" - like throwing spaghetti against the wall and seeing what sticks. Using that California case, the home inspector may be able to bring the real estate agent and the seller in to get part of their money back, even bringing in the builder, the contractor who installed it, etc. ... again, the practice of 'shotgunning' everyone to see what sticks to whom.

Jerry Peck, Construction / Litigation Consultant
Construction Litigation Consultants, LLC (www.ConstructionLitigationConsultants.com)
www.AskCodeMan.com

Reply With Quote

12-30-2013, 02:34 PM

#28



james hiatt Member

Join Date: Oct 2011
Location: smyrna ga
Posts: 20

Re: I just got sued: Lightning strike and CSST

[QUOTE=Frank Adame;I received notice from an insurance company's legal firm that they are seeking a \$103,000 reimbursement check from me for fire damage sustained from a lightning strike on a home I inspected 3 years ago.

Here is a case that might ease your mind. CCST not necessarily lightning p-roof even if grounded.

[url=http://www.structuretech1.com/2010/11/alert-jury-rules-that-csst-is-a-defective-product-in-landmark-case/]ALERT: Jury Rules That CSST Is A Defective Product In Landmark Case | Structure Tech Home Inspections[/url]

Tks for post. gonna check my rentals for grounded meter - CSST or not.

Reply With Quote

12-30-2013, 06:03 PM

#29



Ted Menelly Guest

Re: I just got sued: Lightning strike and CSST

[QUOTE=james hiatt;235604]

Quote Originally Posted by **Frank Adame**;I received notice from an insurance company's legal firm that they are seeking a \$103,000 reimbursement check from me for fire damage sustained from a lightning strike on a home I inspected 3 years ago.

Here is a case that might ease your mind. CCST not necessarily lightning p-roof even if grounded.

[url=http://www.structuretech1.com/2010/11/alert-jury-rules-that-csst-is-a-defective-product-in-landmark-case/]ALERT: Jury Rules That CSST Is A Defective Product In Landmark Case | Structure Tech Home Inspections[/url]

Tks for post. gonna check my rentals for grounded meter - CSST or not.

That makes a lot of sense to me as well

Dale Griffis

January 4, 2012, 10:42 pm

Actually, the biggest problem with standard CSST is the bond. I'll explain. All gas piping must be bonded with a dedicated copper ground to the ground buss in the electrical panel box. The problem arises when the communications guys cross the CSST with their low voltage wiring. When the lightning strikes, it actually strikes the communication lines (which aren't bonded) and arcs to the thin CSST, sometimes in several places, which

subsequently burns small holes in the CSST and ignites the gas that is now escaping at the same time. I have installed miles of Stainless gas lines and have done my fair share of repairing after the fires. Every time without exception it has been the communication lines that caused the problem. I find CSST to be a good product, there just needs to be care exercised when installing low voltage near it.

Reply With Quote

12-30-2013, 07:25 PM

#30



Jerry Peck Member

Join Date: Mar 2007
Location: Ormond Beach, Florida
Posts: 25,436

Re: I just got sued: Lightning strike and CSST

Quote Originally Posted by **Ted Menelly**

All gas piping must be bonded with a dedicated copper ground to the ground buss in the electrical panel box.

While that is what the article said, the installation instructions which I recall having seen all specify for the bond to be 'in accordance with NEC/NFPA 70', and that states: (bold and underlining are mine)
- (B) Other Metal Piping. Where installed in or attached to a building or structure, a metal piping system(s), including gas piping, that is likely to become energized **shall be bonded to the service equipment enclosure, the grounded conductor at the service, the grounding electrode conductor where of sufficient size, or the one or more grounding electrodes used.** The bonding jumper(s) shall be sized in accordance with 250.122, using the rating of the circuit that is likely to energize the piping system(s). The equipment grounding conductor for the circuit that is likely to energize the piping shall be permitted to serve as the bonding means. The points of attachment of the bonding jumper(s) shall be accessible.

Note that it is not to "electrical panel box", it is to the service equipment or grounding electrode system.

Jerry Peck, Construction / Litigation Consultant
Construction Litigation Consultants, LLC (www.ConstructionLitigationConsultants.com)
www.AskCodeMan.com

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12-30-2013, 08:10 PM

#31



Jim Luttrall Member

Join Date: Mar 2007
Location: Plano, Texas
Posts: 4,126

Re: I just got sued: Lightning strike and CSST

Quote Originally Posted by **Ted Menelly**

Dumb question and I do know the answer but if someone did not bond some piping or any type of bond or ground fir the systems in the home why would they not go after just the installer of that gas pipe or the installer of the system. Why would they keep going in circles to get a home inspector.

Example

Someone does some bad wiring in a home and a section that started a fire happened to have the insulation pushed back away from it but was done by someone else hooking some other circuit into the line after the home inspection....they are going after a home inspector?

Example (three years is a long time)

He did not mention it. Does that mean there was never a bond. If never a bond go after the installer. If there was a bond and it was a poor bond or someone changed something and removed the bond???? I guess that is the inspectors fault as well? Obviously if the original installer never bonded it and should have why is the inspector singled out. Mentioned it or not there was never a bond...go after the installer. yeah yeah, he did not go by SOPs! There was still never a bond.

Just freaking criminal.

The reason the insurance company comes after the inspector is because in Texas we have insurance which paints a big target on our back. Good luck finding the installer or even the builder. We have become the low hanging fruit on the subrogation (sp?) plan of insurance companies.

Jim Luttrall
www.MrInspector.net
Plano, Texas

Reply With Quote

12-31-2013, 07:50 AM

#32



Ted Menelly
Guest

 **Re: I just got sued: Lightning strike and CSST**

 Quote Originally Posted by **Jerry Peck** 

While that is what the article said, the installation instructions which I recall having seen all specify for the bond to be 'in accordance with NEC/NFPA 70', and that states: (bold and underlining are mine)

*- (B) Other Metal Piping. Where installed in or attached to a building or structure, a metal piping system(s), including gas piping, that is likely to become energized **shall be bonded to the service equipment enclosure, the grounded conductor at the service, the grounding electrode conductor** where of sufficient size, or the one or **more grounding electrodes used**. The bonding jumper(s) shall be sized in accordance with 250.122, using the rating of the circuit that is likely to energize the piping system(s). The equipment grounding conductor for the circuit that is likely to energize the piping shall be permitted to serve as the bonding means. The points of attachment of the bonding jumper(s) shall be accessible.*

Note that it is not to "electrical panel box", it is to the service equipment or grounding electrode system.

I was speaking of the low voltage wires or any wires for that matter that are lying across the CSST. But thanks for the other info anyway.

Reply With Quote

12-31-2013, 09:15 AM

#33



Jerry Peck Member

Join Date: Mar 2007
Location: Ormond Beach, Florida
Posts: 25,436

Re: I just got sued: Lightning strike and CSST

Quote Originally Posted by **Ted Menelly**

I was speaking of the low voltage wires or any wires for that matter that are lying across the CSST. But thanks for the other info anyway.

Yes, it is a good idea to keep all conductors away from CSST, however, if there is a lightning strike not having any conductors near the CSST is not going to protect the CSST as the lightning strike will go everywhere and hit anything it can trying to find a path to ground. Do you remember those photos I posted years ago of a lightning strike which splintered a truss and exploded NM cable on it way to ground?

- - - Updated - - -

Quote Originally Posted by **Ted Menelly**

I was speaking of the low voltage wires or any wires for that matter that are lying across the CSST. But thanks for the other info anyway.

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Jerry Peck, Construction / Litigation Consultant
Construction Litigation Consultants, LLC (www.ConstructionLitigationConsultants.com)
www.AskCodeMan.com

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02-01-2014, 09:55 PM

#34



John Dirks Jr Member

Join Date: Jun 2008
Location: Maryland
Posts: 1,031

Re: I just got sued: Lightning strike and CSST

Here's my boiler on CSST bonding.

This house has CSST gas piping. All CSST gas piping manufacturers require that their product be bonded to the house electrical grounding system. The bonding is intended to prevent damage to the CSST that could happen from lightning strikes. Of all the visible portions of CSST in this house, I did not see any of it bonded. Have a qualified electrician bond this CSST to meet the installation requirements of its manufacturer. The following link is to a document with the manufacturers bonding instructions.

I then leave in the applicable link depending what brand is present, and cut out the other two.

http://www.wardflex.com/images/Techn...tin_WF2008.pdf

<http://www.ci.faribault.mn.us/assets...ipebonding.pdf>

<http://www.gastite.com/include/langu.../TB2010-01.pdf>

John Dirks Jr - Arundel Home Inspection LLC
Maryland Home Inspection - Maryland Home Inspectors - Maryland Radon Testing - Baltimore County Rental Inspection

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02-02-2014, 10:46 AM

#35

Join Date: Aug 2008
Location: Atlanta, GA



Hank Spinnler Member

Re: I just got sued: Lightning strike and CSST

Quote Originally Posted by **John Dirks Jr**

Here's my boiler on CSST bonding.

This house has CSST gas piping. All CSST gas piping manufacturers require that their product be bonded to the house electrical grounding system. The bonding is intended to prevent damage to the CSST that could happen from lightning strikes. Of all the visible portions of CSST in this house, I did not see any of it bonded. Have a qualified electrician bond this CSST to meet the installation requirements of its manufacturer. The following link is to a document with the manufacturers bonding instructions.

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<http://www.ci.faribault.mn.us/assets...ipebonding.pdf>

<http://www.gastite.com/include/langu.../TB2010-01.pdf>

Excellent John!

Just out of curiosity, do you include the comment in the Electrical portion of your report or the Gas Piping / Plumbing section of your report?

- - - Updated - - -

Quote Originally Posted by **John Dirks Jr**

Here's my boiler on CSST bonding.

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<http://www.gastite.com/include/langu.../TB2010-01.pdf>

Excellent John!

Just out of curiosity, do you include the comment in the Electrical portion of your report or the Gas Piping / Plumbing section of your report?

Hank Spinnler, ACI
Home Inspectors Atlanta
www.HarmonyInspection.com

Reply With Quote

02-02-2014, 03:47 PM

#36



John Dirks Jr Member

Join Date: Jun 2008
Location: Maryland
Posts: 1,031

Re: I just got sued: Lightning strike and CSST

Hank,

I put the comments about bonding CSST into the electrical section of the report.

Other types of CSST problems like lack of proper protection (strike plates) and incorrect routing or supporting go into the plumbing section of the report.

John Dirks Jr - Arundel Home Inspection LLC
Maryland Home Inspection - Maryland Home Inspectors - Maryland Radon Testing - Baltimore County Rental Inspection

Reply With Quote

03-27-2014, 07:33 AM

#37



Bob R Member

Join Date: Mar 2007
Location: S.W. Missouri
Posts: 69

Re: I just got sued: Lightning strike and CSST

This was on just last week.
TODAY investigates: Dangers of CSST tubing - Video on TODAY.com

Alpha Home Inspections
<http://www.bransonmohomeinspector.com>

Reply With Quote

04-16-2014, 08:14 AM

#38



Dirk Jeanis Member

Join Date: Apr 2014
Location: FL, TX
Posts: 135

Re: I just got sued: Lightning strike and CSST

[QUOTE= My insurance company is handling this. I'll keep you guys posted. [/QUOTE]

Never let your insurance company handle something like this all by itself. Hire your own attorney at least to review the facts and give an opinion regarding culpability in writing and to your insurance. Also that atty should review any information available from existing cases regarding percentage liability.... The insurance will tell you that IF they are to insure you that they MUST handle your defense etc. However your atty can let them know that if they ignore YOUR legal rights (and his legal opinions) that they legally will not be able to use the settlement against you in future rates or to terminate your insurance. In other words you can make it very hard for the ins to play games with you instead of the plaintiff.

Remember, you did not obtain the permit, do the work and illegally install the system and you did not cause the lightening strike. Therefore your culpability is severely reduced. Now, if the bonded ground was visible and had been damaged (broken by a weed wacker lets say) and you missed it then you have much more liability.

The issue is that Insurance companies are NOT THERE FOR YOUR BENEFIT, they are there to minimize thier own losses and make money. Thier interests are NOT your interests and never will be.

Spend the few hundred and do some research on your own as well to assure that COURT CASES that exist uphold the suit against you or not and to what percentage of total liability. Remember YOU are the one being sued, not your insurance! You have rights of defense. The ins company will try and tell you that if thier attys dont handle it then you are not insured. I doubt that will hold up in a court in any state. The action is against you. They must look after YOUR interests in the actions as well as limiting liability.

Reply With Quote

08-14-2014, 08:48 AM

#39



David OKeefe Member

Join Date: Jun 2008
Location: Delmar NY
Posts: 157

Re: I just got sued: Lightning strike and CSST

Quote Originally Posted by **Scott Patterson**

To add fuel to this fire(little pun...).... Let's not forget about the CSST that is covered with the black plastic sheathing. It is designed to not be bonded unless the AHJ just wants it done.....

In NY (at least in my area) it is still required to be bonded (additional bonding), just like the yellow jacketed csst.

- - - Updated - - -

Quote Originally Posted by **Scott Patterson**

To add fuel to this fire(little pun...).... Let's not forget about the CSST that is covered with the black plastic sheathing. It is designed to not be bonded unless the AHJ just wants it done.....

In NY (at least in my area) it is still required to be bonded (additional bonding), just like the yellow jacketed csst.

<http://www.houseabouthome.com>
<http://www.facebook.com/HouseAbout>

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08-14-2014, 09:40 AM

#40



Frank Adame
Member

Join Date: Nov 2009
Location: Dallas, TX
Posts: 89

Re: I just got sued: Lightning strike and CSST

Two weeks ago I talked to the head building official for Wichita Kansas. He said additional csst bonding is not required there because the metallic tubing material is a better bonding conductor than a #6 bonding wire. I'm not making this up!

Reply With Quote

08-15-2014, 06:34 AM

#41



Scott Patterson
Member

Join Date: Mar 2007
Location: Spring Hill (Nashville), TN
Posts: 5,830

Re: I just got sued: Lightning strike and CSST

Quote Originally Posted by **Frank Adame**

Two weeks ago I talked to the head building official for Wichita Kansas. He said additional csst bonding is not required there because the metallic tubing material is a better bonding conductor than a #6 bonding wire. I'm not making this up!

CSST is just an accident waiting to happen! Bonded or not the thin wall CSST is just no match for a lightning strike, it's going to punch a hole in it. With Lubbock TX outlawing its use, my bet is that this will expand through other TX towns and parts of the country. You just can't beat "black" pipe for gas distribution in a home.

Scott Patterson, ACI
Spring Hill, TN
www.traceinspections.com

Reply With Quote

08-15-2014, 06:31 PM

#42



wayne soper
Member

Join Date: Mar 2007
Location: Connecticut
Posts: 1,822

Re: I just got sued: Lightning strike and CSST

you should all be recommending Excess flow valve installation even where the system is bonded. Code is minimum, we are trying to save lives.

Reply With Quote

08-15-2014, 08:33 PM

#43



Jerry Peck Member

Join Date: Mar 2007
Location: Ormond Beach, Florida
Posts: 25,436

Re: I just got sued: Lightning strike and CSST

Quote Originally Posted by **wayne soper**

you should all be recommending Excess flow valve installation even where the system is bonded. Code is minimum, we are trying to save lives.

CSST is a good example of what I frequently say: Code is the most unsafe, the least safe, one is legally allowed to do.

Jerry Peck, Construction / Litigation Consultant
Construction Litigation Consultants, LLC (www.ConstructionLitigationConsultants.com)
www.AskCodeMan.com

Reply With Quote

09-03-2015, 01:08 PM

#44



John Brown Member

Join Date: Dec 2012
Location: Texas
Posts: 4

Re: I just got sued: Lightning strike and CSST

Sept 2015.....any update on this case?

Thanks

John B.

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Michael Casey & Associates Expert Learn Online Training-Live

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