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Former St. Luke's Hospital Property Receives Covenant Not to Sue Under Ohio EPA's Voluntary Action Program

Through the voluntary efforts of the city of Cleveland and STL Development LLC, another local brownfield is ready for redevelopment after undergoing investigation and remediation under Ohio EPA's [Voluntary Action Program](#) (VAP). Ohio EPA has issued a covenant not to sue (CNS) to the city and development company (the volunteers) for a 5.19-acre site located at 11311 Shaker Boulevard in Cleveland. Issuance of the CNS completes the volunteers' participation in the VAP.

From 1927 through 1999, the St. Luke's Medical Center operated a hospital on a portion of the property. Now, as part of the Neighborhood Progress Redevelopment District, the property and surrounding area are targeted for urban renewal. Local leaders are planning to construct a senior community center on the site.

By entering the VAP, the volunteers assumed responsibility for remediating the property. Following standards developed by Ohio EPA, they hired a certified environmental professional to assess the site, identify any areas of concern and remediate the contamination on the property to a level that allows for certain types of residential redevelopment.

A covenant not to sue protects the property's owner or operator and future owners from being legally responsible to the State of Ohio for further investigation and remediation. This protection applies only when the property is used and maintained in accordance with the terms and conditions of the covenant.

In the 15 years since Ohio EPA issued the first covenant under VAP, more than 6,000 acres of blighted land have been revitalized at more than 300 sites across the state.

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