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MEDIA CONTACT: Mike Settles (614) 644-2160
CITIZEN CONTACT: Kristopher Weiss, (614) 644-2160

**Columbiana County Property Receives Covenant Not to Sue
Under Ohio EPA's Voluntary Action Program**

Through the voluntary efforts of a Columbiana County property owner, a 37-acre brownfield in the city of Columbiana is ready for redevelopment after being investigated and remediated under Ohio EPA's [Voluntary Action Program](#) (VAP). Ohio EPA has issued a covenant not to sue to the Columbiana County Port Authority for property it owns at 41738 Esterly Road. Issuance of the covenant completes the Port Authority's participation in the VAP.

Following standards developed by Ohio EPA, the Port Authority hired a certified environmental professional to assess the site, identify any areas of concern and remediate contamination on the property to a level that allows for commercial or industrial redevelopment. The Port Authority used a \$750,000 grant from the Clean Ohio Fund to help pay for the work.

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.

The property formerly housed manufacturing operations for the Kaiser Aluminum & Chemical Corporation, and later, the National Refractories & Minerals Company. In 2002, National Refractories ceased production of non-clay refractory bricks. The Port Authority acquired the property in 2003 and currently leases building space to multiple vendors.

In the 16 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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