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Slavic Village Property Receives Covenant Not to Sue Under Ohio EPA's Voluntary Action Program

Through the voluntary efforts of a Cleveland property owner, a brownfield in the Slavic Village neighborhood 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 to FBE Inc. (the volunteer) for a 1.81-acre property located at 7011 Aetna Road. Issuance of the covenant completes the volunteer's participation in the VAP.

Following standards developed by Ohio EPA, the volunteer 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 restricted residential redevelopment. The city of Cleveland 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.

Through much of the 20th century, the property was the site of the Superior Foundry and later Steel Slitting Inc. The property was vacated in 2000 and the buildings were demolished in 2007. FBE, a subsidiary of the Third Federal Savings and Loan Association of Cleveland, has partnered with the city of Cleveland to construct homes as well as possible commercial businesses on the remediated property.

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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