



**FOR RELEASE:** January 31, 2012  
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### **Cleveland Property Receives Covenant Not to Sue Under Ohio EPA's Voluntary Action Program**

Through the voluntary efforts of Cuyahoga County and a Cleveland property owner, another area property has been investigated and remediated under Ohio EPA's [Voluntary Action Program](#) (VAP).

Ohio EPA has issued a covenant not to sue to the Cuyahoga County and Acme Realty LLC (the volunteers) for a 14-acre site located at 170 and 221 East 131<sup>st</sup> Street in Cleveland. Issuance of the covenant completes the volunteers' participation in the VAP.

Following standards developed by Ohio EPA, the volunteers hired a certified environmental professional to assess the site, identify any areas of concern and remove contaminated soils to a level that allows for industrial or commercial activities on the property. The volunteers used \$1 million from the Cuyahoga County Brownfield Revitalization Fund and \$750,000 from the Clean Ohio Assistance Fund to help pay for the cleanup.

Beginning in 1921, the National Acme Company used the property to produce multiple-spindle machine lathes. After the company filed for bankruptcy in 2000, Acme Realty acquired the property. Now, with a covenant not to sue in hand, the company is making available the property's empty warehouses for industrial or commercial use.

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 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.

-30-

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