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

Through the voluntary efforts of the Summit County Port Authority and Lockheed Martin Corporation, a 19-acre brownfield in Akron has been investigated and remediated under Ohio EPA's [Voluntary Action Program](#) (VAP).

Ohio EPA has issued a covenant not to sue to the port authority (the property owner) and Lockheed Martin (the leasee) for addressing environmental concerns in and around the historic Akron Airdock property located at 1210 Massillon Road. Issuance of the covenant completes their participation in the VAP.

Following standards developed by Ohio EPA, the port authority and company hired a certified environmental professional to assess the property, identify any areas of concern and remediate contamination to a level that allows for industrial activities on the property. Currently, Lockheed Martin leases the site to manufacture and test airships for the aerospace and defense sectors.

The most significant remediation involved the removal of polychlorinated biphenyls (PCBs) that were released (due to years of weathering) from the Airdock's original 1929 fire-retardant structure to interior surfaces, soil, catch basins, storm sewers and sediment in nearby Haley's Run. To prevent additional PCB releases, a protective rubber membrane was installed over the Airdock's roof. In addition, new siding and gutters were installed around the Airdock and the interior was cleaned, storm sewers were cleaned or replaced, floodplain soil and sediment in Hailey's Run were removed and the stream was restored.

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.

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