



**FOR RELEASE:** May 15, 2012  
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### **Cuyahoga County Property Receives Covenant Not to Sue Under Ohio EPA's Voluntary Action Program**

Through the voluntary efforts of the Horsburgh & Scott Company, another Cleveland industrial site has been investigated and remediated under Ohio EPA's [Voluntary Action Program](#) (VAP).

Ohio EPA has issued a covenant not to sue to the company for its 1.4-acre property located at 4629 Hamilton Avenue. Once the site of a foundry and machine repair shop, the property currently houses the company's heat treat facility.

Following standards developed by Ohio EPA, Horsburgh & Scott hired a certified environmental professional to assess the site, identify any areas of concern and, if needed, remediate contamination to a level that would allow for continued industrial or commercial use. The company will continue to use the property for the engineering, design and manufacturing of gear boxes and gear box components.

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 17 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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