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Ohio EPA Issues Covenant Not to Sue to Steelyard Commons

Through the voluntary efforts of a Cleveland developer, a former brownfield has been cleaned up and redeveloped into retail stores and restaurants.

Ohio EPA has issued a covenant not to sue to Steelyard Commons LLC for successfully cleaning up a 56.57-acre site located at 3447 Steelyard Drive. The property, which once housed portions of the former LTV and ISG steel finishing plant #2, now comprises the heart of the 127-acre Steelyard Commons shopping complex.

Following guidance established under Ohio EPA's Voluntary Action Program (VAP), Steelyard Commons hired a certified professional to assess the property and identify any areas of environmental concern. With results from the investigation, the company removed contaminated soils and installed engineering controls to protect any commercial development.

A covenant not to sue protects the property owner or operator and future owners from being legally responsible to the State of Ohio for further investigation and cleanup. This protection applies only when the property is used and maintained in the same manner as when the covenant was issued.

This is the third covenant issued to Steelyard Commons. The company hopes to receive two more covenants once cleanup is complete throughout the entire site.

In the 14 years since Ohio EPA issued the first covenant under VAP, more than 4,350 acres of blighted land have been revitalized at more than 260 sites across the state. For more information on the VAP program and the properties cleaned, visit:

www.epa.ohio.gov/derr/volunt/volunt.aspx.

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