

2010 OSI Convictions/Sentences

Plea Date	Sentence Date	County	Defendants	Nature of Offense	Felony	Mis-demeanor	Jail Time Served (days)	Jail Suspended (months)	Home Arrest (months)	Probation (years)	Communiity Service (hours)	Fines	Restitution	Other
1/20/10	1/20/10	Montgomery	Elvis Lee Gamble	One misdemeanor count for polluting waters of the state (ORC 6111.04)		1						\$300		Gamble also ordered to pay court costs
1/22/10	1/22/10	Putnam	Van Ham Dairy, LLC	One misdemeanor count for polluting waters of the state (ORC 6111.07)		1						\$10,000	\$2,500 (OEPA) \$2,500 (MEEA) \$2,500 (NEEP)	\$7,500 of the \$10,000 fine will be off set by payment of the designated restitution. Must submit a letter into a farm magazine describing viiolation.
1/22/10	1/22/10	Putnam	MVH Custom Work, LLC	One misdemeanor count for polluting waters of the state (ORC 6111.04)		1						\$10,000	\$2,500 (OEPA) \$2,500 (MEEA) \$2,500 (NEEP)	\$7,500 of the \$10,000 fine will be off set by payment of the designated restitution. Must submit a letter into a farm magazine describing viiolation.
5/17/10	6/29/10	Butler	Tri E Technologies (Skinner Landfill)	One felony count for Illegal Disposal of Hazardous Waste. One felony count for Illegal Transportation of Hazardous Waste. One felony count for failing to prepare a Hazardous Waste Manifest.	3							\$31,000	\$6,942 (OEPA) \$2,221 (AGO) \$16,310 (Scott Street Partners)	John Grinstead and Larry Lough were ordered by the Court to be held joint and severally liable for the payment of Tri E Technologies fines and restitution.
1/19/10	2/23/10	Butler	Ray Skinner (Tri E Technologies/Skinner Landfill)	One felony count of Illegal storage of Hazardous Waste	1					2	60	\$20,000 (suspended it he pays restitution)	\$9,150 (OEPA)	Skinner also pled guilty to three (3) felony drug charges on the same day as the environmental charge. The community service must be completed by march 2011. Skinner can no longer possess any firearm. If Skinner violates any condition imposed in the sentence he will be incarcerated for two years.
5/17/10	6/29/10	Butler	John Grinstead (Tri E Technologies/Skinner Landfill)	Two felony count for illegal Disposal of Hazardous Waste. One felony count for illegal Storage of Hazardous Waste. One felony count for illegal Transportation of Hazardous Waste. One felony count for failing to prepare a Hazardous Waste Manifest. One misdemeanor count for criminal endangering to persons and property.	5	1		48		5	100	\$26,000	\$6,942 (OEPA) \$2,221 (AGO) \$16,310 (Scott Street Partners)	Fines are to be paid witin 3 years. Community service is to be completed by July of 2011. A 4 year suspended sentence will be imposed should the defendant violate any of the terms of his community control.
5/17/10	6/29/10	Motgomery	Larry Lough (Skinner Landfill)	One felony count of Illegal Disposal Of Hazardous Waste. One felony count of Illegal Storage of Hazardous Waste. One felony count of Illegal Transportation of Hazardous Waste. One misdemeanor count of criminal endangering to persons and property. One misdemeanor count of water pollution.	3	2		48		5	100	\$21,000	\$6,942 (OEPA) \$2,221 (AGO) \$16,310 (Scott Street Partners)	Fines are to be paid witin 3 years. Community service is to be completed by July of 2011. A 4 year suspended sentence will be imposed should the defendant violate any of the terms of his community control.
10/1/09	2/25/10	Columbiana	A&L Asbestos (Stephen Jones)	Negligent endnagerment under the Clean Air Act	1				6	2				Must repay (with the co-defendants) the company that paid for the cleanup of the residence (approximately \$28,000)
10/1/09	2/25/10	Columbiana	A&L Asbestos (Michael Phelps)	Negligent endnagerment under the Clean Air Act	1				6	2				Must repay (with co-defendants) the company that paid for the cleanup of the residence (approximately \$28,000)
10/1/09	3/1/10	Columbiana	A&L Asbestos (George Weber)	Negligent endnagerment under the Clean Air Act	1				4	2				First 4 months of probation to be served as home confinement. Must repay (with the co-defendants) the company that paid for the cleanup of the residence (approximately \$28,000.
12/14/09	2/26/10	Columbiana	Ernest Hayes	Illegal discharge of an air pollutant (ORC 3704.05)		1				3		\$500	\$2,644.40 (OEPA)	Restitution to be paid within 2 years
10/13/09	3/1/10	Cuyahoga	Asbestek (Cleveland Trencher)	One Felony for violating ORC 3710 (Asbestos)	1			1				\$10,000		

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10/13/09	3/1/10	Cuyahoga	Tomas Amaya Asbestek (Cleveland Trencher)	One misdemeanor charge of criminal endangering		1							\$1,500 (State Dept.of Health) \$1,500 (Cleveland Division of Air) \$500 (OEPA/OSI)	Restitution break down: \$1,500 to State Dept. Of Health \$1,500 to Cleveland Division of Air Quality \$500 to OEPA Office of Special Investigations
9/7/10	9/7/10	Madison	Stardust Dairy Franciscus Van Genugten (Operator of Stardust Dairy)	One misdemeanor count of polluting waters of the state (6111.04)		1							\$10,000 (OEPA) \$1,500 NEEP \$1,500 MEEA	Restitution was paid on 9/7/10 Stardust Dairy was also responsible to pay \$3000 in court cost. Stardust Dairy must also submit a letter to a Farm Journal accdpting responsibility for their involvement with the pollution incident.
9/23/10	9/23/10	Madison	Beam Custom Application (Applicator in the Stardust Dairy Case)	One misdemeanor count of polluting waters of the state (6111.04)		1						\$1,000	\$5,500 (OEPA)	Must publish a letter in a farm journal detailing the results of his actions
9/23/10	9/23/10	M adison	Joseph Beam (Owner of Beam Custom Application)	One misdemeanor count of polluting waters of the state (6111.04)		1						\$1,000	\$1,500 (OEAP) \$1,000 (NEEP)	
8/30/10	8/30/10	Trumbull	Jitendra Kapasi	One Misdemeanor count for polluting waters of the state (ORC 6111.07)		1		4	2			\$1,000	\$1,500 (OEPA)	
7/15/10	11/23/10	Portage	Jitendra Kapasi	Two Misdemeanor counts for polluting waters of the state (ORC 6111.04)		2		12		1		\$10,000 (\$7,500 suspended. Must pay \$2,500)	\$1,500 (OEPA)	Must pay \$500 in court cost to Portage County. Must pay restitution and court costs within 90 days.
7/30/1-	7/30/10	Summit	Jitendra Kapasi	One Misdemeanor count for polluting waters of the state (ORC 6111.07)		1		10	2			\$25,000 (\$22,500 is suspended). Must actually pay \$1,000 in fines.	\$1,500 (OEPA)	Kapasi must pay approximately \$30/day for 60 days of GPS electronic monitoring. Must pay the fines and restitution in 30 days.
4/19/10	6/3/10	U.S District Court	Richard Bee	Migratory Bird Treaty Act (MBTA) Federal Insecticide, Fungicide & Rodenticide Act (FIFRA)		4						\$18,650		Bee was ordered to make a donation of \$6,250 to a local animal rescue facility Prosecuted by U.S. Attorney's Office
5/17/10	5/17/10	Lawrence	Willie Abbot	One count of littering (ORC 3767.32)		1	5	1		1		\$200		Prosecuted by the Lawrence County Prosecutor's Office. As a condition of probation, he was ordered to clean up and properly dispose of the remaining solid waste and ash within 60 days.
4/256/10	5/14/10	Michigan	Scott Tucker (HM Demolition Company)	Violating the Clean Air Act (Asbestos Violations)			395			3		\$1,000		Prosecuted in Michigan Federal Court
12/2/10	12/2/10	Clermont	Donny Combs	One felony count for open dumping/burning One misdemeanor count for illegal emission of air contaminants through open burning	1		30	12		5	50	\$2,000	\$4,572.34 (OEPA) \$676.34 (BCI)	Combs must properly dispose of all solid waste on his property. Combs cannot consume or possess any alcoholic beverage during his community control.
6/30/10	10/19/10	Morrow-Delaware	William Ringler (Steamtown Farm)	One federal misdemeanor count for violating the Clean Water Act		1	90		90			\$51,750	\$17,250 (OEPA)	Ringler paid \$6,123 in Emergency Response Cost to OEPA and paid more than \$11,300 to ODNR for the fish kill
10/18/10	10/18/10	Madison	Assen Dairy (2008 incident)	One misdemeanor count for polluting waters of the state		1						\$1,000	\$3,000 (OEPA) \$1,000 (MEEA)	Must pay \$51 in court costs This involved a 2008 incident
10/18/10	10/18/10	Madison	Assen Dairy (2010 incident)	One misdemeanor count for polluting waters of the state		1						\$1,000	\$7,000 (OEPA) \$1,000 (MEEA)	Must pay \$100 in court costs Assen Dairy must also submit a letter to a Farm Journal accdpting responsibility for their involvement with the pollution incident within 30 days. This involved a 2010 incident.
10/18/10	10/18/10	Madison	Petrus Assen (Assen Dairy)	One misdemeanor count for polluting waters of the state		1						\$1,000	\$5,000 (OEPA)	Must pay \$100 in court costs
7/26/10	7/26/10	Madison	Site-N-Pipe (Part of the Assen Dairy case)	One misdemeanor count for polluting waters of the state		1						\$250	\$1,250	Must pay \$100 in court costs

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7/26/10	7/26/10	Madison	John Davidson (Owner of Site-N-Pipe - Part of the Assen Dairy case)	One misdemeanor count for polluting waters of the state		1						\$250	\$1,250	Must pay \$100 in court costs. Davidson must pay the \$2,500 in restitution to the Ohio EPA within 30 days.
10/20/10	10/20/10	Madison	Beam Custom Application (Applicator in the Assen Dairy case)	One misdemeanor count for polluting waters of the state		1						\$1,000	\$2,500 (OEPA) \$1,000 (NEEP)	
10/20/10	10/20/10	Madison	Joe Beam (Owner of Beam Custom Application - Part of the Assen Dairy case)	One misdemeanor count for polluting waters of the state		1						\$1,000	\$1,000 (OEPA) \$1,000 (NEEP)	
11/3/10	11/4/10	Putnam	John Pack	One felony count of open dumping	1		60	1				\$10,000	173.95 (Putnam County Sherrif's Office)	
12/10/10	12/10/10	Jefferson	Dan Burnett (Dave Sugar Excavating)	Two felony counts of violating NESHAP work place standards One felony count for failure to remove asbestos One felony count of conspiracy	4				6	3	208			
Total					22	29	580	137	116	35	518	\$203,400	\$179,885	

Highlights

33 convictions
22 felonies
29 misdemeanors
580 days of actual jail time
137 months of suspended jail time
116 months of home arrest
35 years of probation
518 hours of community service
\$383,285 in fines and restitution