

2008 Office of Special Investigations Enforcement Statistics

Conviction Date	Sentence Date	County	Defendants	Nature of Offense	Felony	Mis-demeanor	Jail Time Served (months)	Jail Suspended (months)	Home Arrest (months)	Probation (years)	Community Service (hours)	Fines	Restitution	Other
11/29/2007	4/24/2008	Belmont	Charles E. Medley Case # 3375	One felony count for making false statements under the Clean Water Act	*				12	3.00	208	\$4,000		
7/31/2008	7/31/2008	Brown	Lake Waynoka Case # 3377	One felony count of illegal Open Dumping (R.C. 3734.03)	1							\$2,500		Dump site has been cleaned up to the satisfaction of the Ohio EPA
11/5/2008	1/21/2009	Cuyahoga	Scott Forester Case # 3202	One felony count for making false statements to NEORS	1									
11/5/2008	1/21/2009	Cuyahoga	General Environmental Management (GEM) Case # 3202	One felony count for making false statement to NEORS One felony count for illegal storage of hazardous waste One misdemeanor count for discharging wastewater to NEORS not in compliance with their permit	2	1								
2/1/2006	3/1/2008	Darke	Joseph Menefee Case # 3148	One felony count of illegal disposal of hazardous waste	*		1			1.00	50			50 hours of community service These sentences were for probation violations relating to his 2006 conviction of illegal transportaion of hazardous waste
8/19/2008	8/19/2008	Delaware	Dale Novy Case # 3497	One misdemeanor count of water pollution		1						\$300	\$663 (ODNR)	Restitution to ODNR was to pay for the cost of the investigation and the fish kill
6/1/2007	4/1/2008	Fairfield	Rager Fertilizer Company Case # 1957	One felony count of Knowingly Discharging a pollutant to Waters of the United States without a Permit (Clean Water Act Violation)	*							\$5,000	\$10,000 Fairfield Co. Soil & Water Conservation District	
9/15/2008	9/15/2008	Fairfield	Dennis Smalley Case# 3279	Four (4) felony counts of defrauding three state entities. Those include: Ohio EPA, BUSTER, and PUSTRCB.	4		2		22			\$40,000 (suspended if he pays full restitution)	\$100,000 (PUSTRCB) \$35,000 (VAP) \$35,000 (OSI) \$20,000 (BUSTER) \$60,000 (OAGO) \$50,000 (Superior Fibers)	Smalley agreed to never reapply for his professional certification
11/25/2008	11/25/2008	Holmes	Galion-Godwin Truck Body Co. Case # 3437	One misdemeanor count of water pollution (6111.04)		1						\$10,000	\$7500 (OEPA)	
1/20/2008	1/30/2008	Lucas	Gary Randolph Case # 3265	One felony count of illegal disposal of hazardous waste	1					5.00		\$15,000 (suspended if he pays restitution)	\$11,800 (OEPA)	600 hours of communiity service (suspended if he pays restitution)
9/8/2008	12/8/2008	Lucas	James Morrow Case # 3372	One felony count for violations of the Clean Water Act (CWA)	1		5		5	1.00		\$5,000		
9/8/2008	12/8/2008	Lucas	Larry Morrow Case # 3372	One felony count for violations of the Clean Water Act (CWA)	1		5		5	1.00		\$5,000		
8/19/2008	9/16/2008	Montgomery	Robert Garcia Case # 3404	One felony count of open dumping	1			24		5.00	300	\$5,000 Suspended if he pays the restitution	\$1,600 (OEPA)	As a condition of community control, Garcia will be subject to random drug testing
12/18/2008	1/6/2009	Montgomery	Tech Metals Case # 1759	One felony count for violations of the Clean Water Act (CWA)	1									
5/28/2008	5/28/2008	Paulding	Scott Equity Exchange Case # 3487	One misdemeanor count for water pollution (6111.04)		1				0.17		\$1,500		
12/23/2008	12/23/2008	Portage	Herman Pickle Farms Case# 3458	One misdemeanor count of water pollution (6111.04)		1						\$5,000	\$10,000	
6/19/2008	6/19/2008	Summit	Emerson and Company Case # 3438	Two misdemeanor counts for water pollution (6111)		2						\$15,000	\$5,762 (OSI) \$3,960 (ER) \$9,722 total	\$10,000 of the fine was for the illegal discharge to waters of the state and \$5,000 was for the unpermitted discharge to Akron's sanitary sewer
<b>TOTALS</b>					<b>13</b>	<b>7</b>	<b>13</b>	<b>24</b>	<b>44</b>	<b>16.17</b>	<b>558</b>	<b>\$211,880</b>	<b>\$351,800</b>	

**Key**

- \* Occurred in 2006 or 2007
- BUSTR** Bureau of Underground Storage Tanks Regulations

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**OAGO** Ohio Attorney General's Office  
**ODNR** Ohio Department of Natural Resources  
**OEPA** Ohio Environmental Protection Agency  
**PUSTRCB** Petroleum Underground Storage Tanks Regulations Controlling Board  
**ER** Emergency Response (OEPA)  
**OSI** Office of Special Investigations (OEPA)  
**VAP** Voluntary Action Program (OEPA)

**Note**

There were two defendants whose records were expunged that are not included in this table.