

2012 OSI Convictions/Sentences

Plea Date	Sentence Date	County	Court Venue	Defendants	Nature of Offense	Felony	Mis-demeanor	Jail Time Served (days)	Jail Suspended (months)	Home Arrest (months)	Probation (years)	Community Service (hours)	Fines	Restitution	Other
11/28/11	1/10/12	Lucas	Lucas County Court of Common Pleas (Judge Duhart)	Greg Kuch (State Tank and Remediation)	One felony count for Tampering with Records (ORC 2913.42)	1					4	100		\$5,000 (OEPA) \$5,000 (Omni Source)	
2/27/12	2/27/12	Franklin	Franklin County Municipal Court (Judge Hale)	Chuck Taylor (Oak Hills MHP)	One misdemeanor count for water pollution (ORC 6111.07(A))		1		12		5		\$1,500.0		Taylor must permanently surrender his wastewater and drinking water operator's licenses.
4/17/12		Lorain		Elbert Building Company (Lorne Elbert)	NESHAP asbestos violation. Mr. Elbert directed employees to handle asbestos without the proper training.	1							\$2,000.0		
4/17/12		Lorain		Lorne Elbert	NESHAP asbestos violation. Mr. Elbert did not have a supervisor present during an asbestos abatement project.	1									Mr. Elbert was not sentenced because he died before sentencing.
4/23/12	4/23/12	Lucas	Lucas County Court of Common Pleas (Judge James D. Jensen)	Jacob Thompson Scrap Tire Case/Jeremy Goldthwaite	Illegal storage of scrap tires	1					5	150		\$623.28 (To owner of storage unit) \$2500 (Ohio Scrap Tire Management Fund)	Goldthwaite must make total payment to the Ohio Scrap Tire Managemnet Fund within 2 years of sentencing. The Court reserved a 2 year prison term and a \$10,000 fine for any violations of community control (probation).
5/14/12	8/3/12	Defiance	US District Court - Northern District of Ohio (Vernelis Armstrong - US Magistrate)	William Zirkle (S-K Handtool)	Negligently failing to ensure that wastewater was pretreated prior to discharge in the city of Defiance sewer system		1				1	200			Must pay a \$25.00 special assessment fee
7/5/12	8/1/12	Belmont	United States District Court for the Southern Distirct of Ohio (Judge Smith)	The Ohio Valley Coal Company (OVCC)	One misdemeanor count for negligently violating the conditions and limitations of an NPDES permit under the CWA by discharging pollutants into waters of the US. One misdemeanor count for negligently violating the conditions and limitations of an NPDES permit by bypassing treatment.		2				1		\$500,000 (federal fine) \$368,000 (administrative fine to OEPA) \$95,000 (administrative fine to ODNR)	\$87,000 (OEPA, DSW)	Must pay a \$125 special assessment fee for each of the two counts. OVCC installed a \$6,000,000 new pipeline system with double-wall features between AEC and OVCC. This pipeline system became operational on April 21, 2012. Additionally, the new pipeline system contains a failure detection shut down system. OVCC must develop a Slurry Release Prevention & Emergency Response Plan.
7/11/12	7/11/12	Cuyahoga	Summit County Court of Common Pleas (Judge Eliinore Stormer)	Bencin Material Hauling & Disposal Services (aka Bencin Trucking)	One felony count for open dumping (R.C. 3734.03) and one felony count for operating a solid waste disposal facility without a licenses (R.C. 3734.05(A))	2							\$4,000.0	\$10,000 (OEPA) \$5,000 (OAGO) \$4,000 (MEEA)	
7/11/12	7/11/12	Cuyahoga	Summit County Court of Common Pleas (Judge Eliinore Stormer)	Mark Malbin (Bencin Trucking)	One felony count for open dumping (R.C. 3734.03) and one felony count for operating a solid waste disposal facility without a licenses (R.C. 3734.05(A))	2		40		1.5	3	100	\$10,000.0	\$10,000 (OEPA) \$5,000 (OAGO) \$4,000 (NEEP)	If Mark Malbin violates any terms or conditions of community control he could face two (2) years of prison on erach count. Malbin was also ordered to clean up the three (3) facilities where he illegally buried waste.
8/14/12	8/14/12	Clermont	Clermont County Court of Common Pleas (Judge Richard Ferenc)	Tournesol Siteworks	One misdemeanor count of water pollution (ORC 6111.04)		1						\$1,250.0	\$3,750 (OEPA)	The company also paid to have the site cleaned up
9/10/12	9/10/12	Clermont	Clermont County Court of Common Pleas (Judge Richard Ferenc)	Stephen Mills (Tournesol Siteworks)	One misdemeanor count of water pollution (ORC 6111.04)		1				1	50	\$1,250.0	\$1,500 (OEPA)	If Mr. Mills fails to satisfy any terms of his community control he is subject to 30 days of incarceration.

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9/17/12	9/17/12	Crawford	Crawford County Court of Common Pleas (Judge Russell Wiseman)	Johnney Castell, Jr. (Baker Road Paint Dumping)	One felony count for open dumping solid waste (ORC 3734.03)	1					2	50		\$3,500 (OEPA)	Castell must pay for the posting of a quarter-page article in the Bucyrus newspaper for 2 weeks describing the crime and punishment
10/5/12	10/5/12	Franklin	Franklin County Court of Common Pleas (Judge Hale)	Jeffery Gardner (Walhalla Ravine Dumping)	One misdemeanor count of water pollution (ORC 6111.04)		1		12		5	100	\$787.0	\$8,060 (OEPA)	Community service involves doing roadside clean up in Franklin County. Defendants jointly responsible for restitution amount.
10/5/12	10/5/12	Franklin	Franklin County Court of Common Pleas (Judge Hale)	Andrew Eckstein (Walhalla Ravine Dumping)	One misdemeanor count of water pollution (ORC 6111.04)		1		12		5	100	\$787.0	see other	Community service involves doing roadside clean up in Franklin County. Defendants jointly responsible for restitution amount.
10/26/12	10/26/12	Clermont	Clermont County Court of Common Pleas (Judge Richard Ferenc)	Don Combs	One misdemeanor count of emitting an air pollutant		1	30			1				Combs had to remove drums which he had placed on a neighbor's property. Combs is also required to remove all waste from his property in accordance with the civil actions.
9/12/12	11/28/12	Franklin	Federal Court Southern District of Ohio (Judge Watson)	Cardington Yutaka Technologies (CYT)	Four felony counts for making false statements regarding the discharge of industrial wastewater to Cardington's wastewater treatment system(1001)	4					2	\$400,000 (To Village of Cardington)	\$1,200,000.0	\$115,000 (Village of Cardington)	The community service fundswill be used to repair, improve and renovate the village's wastewater treatment plant
9/12/12	11/28/12	Franklin	Federal Court Southern District of Ohio (Judge Watson)	Muhammend Razavi (CYT)	Two misdemeanor counts of negligently violating the Clean Water Act		2	90				208	\$25,000.0		90 days incarceration, followed by a term of one year of supervised release
9/12/12	11/28/12	Franklin	Federal Court Southern District of Ohio (Judge Watson)	James Carroll (CYT)	One misdemeanor count of negligently violating the Clean Water Act		1			3.0	2	500	\$5,000.0		
9/12/12		Franklin	Federal Court Southern District of Ohio (Judge Watson)	Carl Wolf (CYT)	One misdemeanor count of negligently violating the Clean Water Act		1								To be sentenced in February 2013
9/17/12	9/17/12	Crawford	Crawford County Court of Common Pleas (Judge Russel Wiseman)	Johnny Casteel, Jr.	One felony count for open dumping solid waste (ORC 3734.03)						3			\$3,500	1/4 Page entry in local newspaper describing his actions and penalty
TOTALS						14	13	160	36	4.5	40	1608	\$2,214,574.0	\$596,433	

Highlights
20 convictions
14 felonies
13 misdemeanors
160 days of actual jail time
36 months of suspended jail time
4.5 months of home arrest
40 years of probation
1608 hours of community service
\$2,811,007 in fines and restitution