OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

DECISION

TIFFANY IRIZARRY - NACMIAS LAW FIRM, PLLC 592 PACIFIC STREET BROOKLYN,NY 11217	**Summons No: 000608172J et al. (1 Summons)** **DEPT OF ENVIRONMENTAL PROTECTION,** **-against-** **CITYWIDE CONTAINER SERVICE** **Hearing Date: 10/27/2026** **Hearing Location: Remote** **Type of Hearing: By Telephone**

Total Penalty Amount:**$0.00**

Community Service(Hr): **Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000608172J	Dismissed	02/04/2026	107 W. 68th St. Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BABM	24-146 (B)	Dismissed	$0.00

Findings of Fact & Conclusions of Law

Petitioner waived their appearance. Tiffany Irizarry, authorized representative, appeared for Respondent and said that their trucks have built-in water and they use it. They have a dust mitigation plan and submitted a copy of it with specific information of how the dust was being wetted down on the date and time of the inspection. Petitioner was not available to rebut this.

I find that Respondent wet down the containers before they were emptied into the truck and did not spew dust into the air.

Accordingly, the summons is dismissed.

10/27/2026

10/27/2026

Joan Silverman, Judicial Hearing Officer — Date