OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

DECISION

TIFFANY IRIZARRY - NACMIAS LAW FIRM, PLLC 592 PACIFIC STREET BROOKLYN,NY 11217	**Summons No:** 000958745H et al. (1 Summons) **DEPT OF ENVIRONMENTAL PROTECTION,** **-against-** **ON PENSKE TRUCK LEASING CORPORATI** **Hearing Date:** 10/26/2026 **Hearing Location:** Remote **Type of Hearing:** By Telephone

Total Penalty Amount: **$350.00**

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

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000958745H	Sustained	08/28/2024	W. 22nd Street (between 5th and 6th Avenues) Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1I	24-163 (F)	Sustained	$350.00

Findings of Fact & Conclusions of Law

Tiffany Irizarry appeared for the Respondent. Martin Joyce, DEP Inspector, appeared for the Petitioner.

The Respondent was charged with idling the engine of a vehicle for more than three minutes on W. 22nd Street (between 5th and 6th Avenues) in Manhattan on August 3, 2024.

The Respondent's Representative denied the charge and did not provide a rebuttal.

I find the Petitioner's presentation to be persuasive evidence that the Respondent was in violation on the date of issuance.

The summons is hereby sustained.

10/26/2026	10/26/2026
Claude Charles, Judicial Hearing Officer	**Date**