OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

TIFFANY IRIZARRY - NACMIAS LAW FIRM, PLLC 592 PACIFIC STREET BROOKLYN,NY 11217	Summons# : 000959324Y et al. (1 summonses) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE TRUCK LEASING CO LP 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
000959324Y	Sustained	06/22/2024	i/s/o 8th Avenue and W. 41st St, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA51	24 -163	Sustained	350.00

Total Penalty for Summons: 350.00

Findings of Facts & 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 at the intersection of 8th Avenue and W. 41st Street in Manhattan on June 22, 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, Hearing Officer	**Date**