OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

DECISION

TIFFANY IRIZARRY - NACMIAS LAW FIRM, PLLC 592 PACIFIC STREET BROOKLYN,NY 11217	**Summons No:** 000961436L et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- ON PENSKE TRUCK LEASING CORPORATI **Hearing Date:** 10/06/2026 **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
000961436L	Sustained	09/06/2024	ON WEST 42 STREET BETWEEN 5TH AVE AND 6TH AVE Manhattan

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

Findings of Fact & Conclusions of Law

Antwan Gibbs appeared on behalf of Petitioner and stated he stands by the summons and submitted supplemental evidence (in file) .

TIFFANY IRIZARRY appeared on behalf Respondent and stated in the video the videographer states the vehicle is by a park, which is not stated in the summons.

I credit the summons and find at time of incident the vehicle's engine was idling for more than 3 minutes in violation of 24-163 as a 1st offense. Summons is sustained.

10/06/2026

10/06/2026

Beth Badner, Judicial Hearing Officer **Date**