OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

TIFFANY IRIZARRY - NACMIAS LAW FIRM, PLLC 592 PACIFIC STREET BROOKLYN,NY 11217	Summons# : 000964472M et al. (11 summonses) DEPT OF ENVIRONMENTAL PROTECTION, -against- ON PENSKE TRUCK LEASING CORPORATI Hearing Date : 10/13/2026 Hearing Location : Remote Type of Hearing : By Telephone

Total Penalty Amount :	**4,440.00**	**Community Service(Hr):**	**Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000964472M	Sustained	11/06/2024	1 MANHATTAN WEST PLAZA, Manhattan

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

Total Penalty for Summons: 350.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000964757X	Sustained	11/06/2024	138 WEST 48 STREET, Manhattan

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

Total Penalty for Summons: **350.00**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000965730K	Sustained	11/08/2024	21-79 STEINWAY STREET, Queens

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

Total Penalty for Summons: **350.00**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000965762P	Sustained	10/16/2024	ON 7TH AVENUE BETWEEN WEST 17TH,

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

Total Penalty for Summons: **350.00**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000965841N	Sustained	12/16/2024	ON 5TH AVENUE BETWEEN 3RD STREET,

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA1E	24 -163	Sustained	440.00

Total Penalty for Summons: 440.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000965861K	Sustained	11/13/2024	25 EAST 3 STREET, Manhatta

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

Total Penalty for Summons: 350.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000966050L	Sustained	12/06/2024	INTERSECTION OF 5TH AVENUE AND S, Brooklyn

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

Total Penalty for Summons: 350.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000966095P	Sustained	11/11/2024	ON EAST 62ND ST BETWEEN LEXINGTO,

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

Total Penalty for Summons: 350.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000966214Z	Sustained	12/20/2024	ON 5TH AVENUE BETWEEN ST JOHNS P,

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY

1	BA51	24 -163	Sustained	350.00

Total Penalty for Summons: **350.00**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000966492Z	Sustained	02/20/2025	587 5 AVENUE, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA1F	24 -163	Sustained	600.00

Total Penalty for Summons: **600.00**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000966600R	Sustained	11/09/2024	91 CLINTON STREET, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA1F	24 -163	Sustained	600.00

Total Penalty for Summons: **600.00**

Findings of Facts & Conclusions of Law

This is a superseding decision to correct the decision that was issued on October 13, 2026 for these summonses and another summons that was issued to Respondent. A separate superseding decision is also issued for the other summons.

Respondent appeared by its authorized representative Tiffany Irizarry to respond to the summonses and the idling charges therein.

Ms. Irizarry stated that as to each summons Respondent denies the charge with no rebuttal and where applicable does not contest the prior violations.

Petitioner appeared by Sr. Inspector Michael Grosso and rested on the summonses.

Accordingly the summonses are **sustained** with the penalties imposed as set forth above.

10/13/2026

10/13/2026

Melanie Finkel, Hearing Officer **Date**