



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592PACIFIC STREET Brooklyn,NY 11217	Summons No: 000974975N et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE TRUCK LEASING CO LP Hearing Date: 05/07/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount:\$350.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000974975N	Sustained	12/10/2024	W 49th st bet 11-12 ave Manhattan

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

Findings of Fact & Conclusions of Law

Respondent appeared by Ilma Babu, authorized rep, hereinafter "respondent." Petitioner waived their appearance. Respondent is charged with idling a motor vehicle for more than 3 minutes.

Respondent argues that the video shows that work was being done, the lift was in the midway position which means that they were using the lift at some point during the job, the time it was recorded was toward the end of their job. There are workers in the video. Respondent submitted the video.

I am not persuaded by respondent's testimony and I do not find sufficient evidence to rebut the summons. I am sustaining this

violation.

Janet Winter

06/24/2026

06/24/2026

Janet Winter, Judicial Hearing Officer

Date