



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

TIFFANY IRIZARRY - NACMIAS LAW FIRM, PLLC 592 PACIFIC STREET BROOKLYN,NY 11217	Summons No: 000993607N et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- USA SHRED LLC Hearing Date: 07/21/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount:\$600.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000993607N	Sustained	01/14/2025	7109 18 AVENUE Brooklyn

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

Findings of Fact & Conclusions of Law

Respondent appeared by its authorized representative Tiffany Irizarry to respond to the charge of idling a motor vehicle for more than three minutes (third violation) and stated that Respondent is not contesting the prior violations.

Petitioner appeared by Sr. Inspector Monnica Dorson and submitted photos and a video of the truck in question and a redacted idling complaint.

After reviewing the video Inspector Dorson stated that there was no loading or unloading and no processing device in use.

Ms. Irizarry stated that the truck operates as a shredding truck and the truck's engine needs to be on for shredding.

Inspector Dorson stated that there is nothing in the video that indicates that there was shredding and no proof that the engine needs to be on to operate the shredding mechanism.

I credit Petitioner's evidence and find that Petitioner established a prima face charge of idling a motor vehicle for more than three minutes and that there was no shredding during the video.

Respondent did not present any evidence to support its defense that the engine needs to be on to operate the shredding mechanism and as set forth above there was no shredding underway during the video.

Accordingly the summons is **sustained** with the penalty imposed for a third violation.

<i>Melanie Finkel</i>	07/27/2026
Melanie Finkel, Judicial Hearing Officer	Date