



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

TIFFANY IRIZARRY 592 PACIFIC STREET BROOKLYN,NY 11217	Summons No: 000998308X et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE TRUCK LEASING CO L P Hearing Date: 07/15/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount:\$440.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000998308X	Sustained	03/07/2025	ON EAST 49TH STREET BETWEEN MADI Manhattan

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

Findings of Fact & Conclusions of Law

TIFFANY IRIZARRY, Authorized Representative, appeared for the Respondent at a telephone hearing. Senior Insp. Ed Sferrazza appeared for the Petitioner.

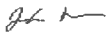
Summons 000998308X alleges that the Respondent's vehicle was idling for more than three minutes based on a citizen complaint in violation of Code 24-163. The summons alleges the Respondent has one prior violation of the code.

The Petitioner submits into evidence a copy of three photos, a citizen complaint, and a video.

A review of the video shows the truck idling and no lift or other processing device in use. The driver is seen exiting the vehicle and entering inside the truck. There is audible idling noise,

The Respondent denies the charge and argues that the driver was preparing to load the truck, even though you cannot see what he is doing inside the truck. The Petitioner argues there was no processing device in use during the three minutes.

I do not credit the Respondent argument. I credit the summons allegation and the Petitioner's evidence. I find the Respondent was idling for more than three minutes in violation of Code 24-163. The summons is sustained.



07/21/2026

07/21/2026

Jodi Harawitz, Judicial Hearing Officer

Date