



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

TIFFANY IRIZARRY - NACMIAS LAW FIRM, PLLC 592 PACIFIC STREET BROOKLYN,NY 11217	Summons No: 001015074Z et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- USA SHRED LLC Hearing Date: 08/28/2026 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
001015074Z	Sustained	05/01/2025	East Broadway btwn Pike and Forsyth Streets Manhattan

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

Findings of Fact & Conclusions of Law

Petitioner, NYC Environmental Protection, waived their appearance. Respondent- USA SHRED LLC- appeared by TIFFANY IRIZARRY - NACMIAS LAW FIRM, PLLC, at the hearing, it was conducted *via* telephone on August 28, 2026.

Respondent is charged with Code § 24-163, in that there was a citizen-complainant that observed Respondent's vehicle idling for longer than three minutes without activity. This is charged as a 3rd offense.

At the telephonic hearing, held on August 28, 2026, the Respondent denied the violation but offered no rebuttal evidence. Respondent did not contest the 2 prior violations.

Code § 24-163(a) provides in pertinent part:

(a) No person shall cause or permit the engine of a motor vehicle, other than a legally authorized emergency motor vehicle, to idle for longer than three minutes . . . while parking as defined in section one hundred twenty-nine of the vehicle and traffic law [VTL], *standing* as defined in section one hundred forty-five of the [VTL], or stopping as defined in section one hundred forty-seven of the [VTL], unless *the engine is used to operate a loading, unloading or processing device* . [Emphasis added.]

Accordingly, the summons for violating Code § 24-163 is sustained and the standard civil penalty is imposed for the 3rd offense.



08/28/2026

08/28/2026

Rebecca Kramer, Judicial Hearing Officer

Date