OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

DECISION

TIFFANY IRIZARRY - NACMIAS LAW FIRM, PLLC 592 PACIFIC STREET BROOKLYN,NY 11217	**Summons No:** 001016597M et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- NAT TECH LLC **Hearing Date:** 09/04/2026 **Hearing Location:** Remote **Type of Hearing:** By Telephone

Total Penalty Amount:**$440.00**

Community Service(Hr): **Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
001016597M	Sustained	02/17/2025	570 7 AV Manhattan

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

Findings of Fact & Conclusions of Law

Respondent is charged with a violation of 24-163, idling of motor vehicle engine for more than three minutes, or when at a terminal point, for any period of time 2nd offense.

Respondent, NAT Tech LLC, appeared at the telephone hearing by authorized representative, Tiffany Irizarry.

Senior Inspector Gibbs, DEP Representative, represented petitioner at the telephone hearing.

Inspector Gibbs submitted into evidence the following: 1) 3 photos; 2) redacted idling complaint; and 3) video - 3 minutes and

52 seconds.

Tiffany Irizarry said she is not disputing that respondent has the prior violation.

Tiffany Irizarry submitted into evidence an affidavit from Joseph Decker, director for NAT Tech LLC.

Inspector Gibbs said the affidavit submitted by respondent does not offer a defense under the cited section of law, 24-163. Inspector Gibbs said it does not fall under the defense of a processing device.

I credit the summons, petitioner's evidence, and the testimony of Inspector Gibbs. I find respondent's motor vehicle engine idled for more than 3 continuous minutes. Respondent did not establish a valid defense under the cited section of law, 24-163. Respondent is not disputing that respondent has a prior violation. Therefore, respondent is in violation, and the summons is sustained for this 2nd violation. The penalty for a 2nd violation is $440.

Julie Jaffe

09/04/2026 **09/04/2026**

Julie Jaffe, Judicial Hearing Officer **Date**