



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET NEW YORK, NY 11217	Summons No: 000852276Z et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- G MART INC Hearing Date: 04/24/2025 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
000852276Z	Sustained	12/28/2023	40-04 Union St. Queens

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

Findings of Fact & Conclusions of Law

Lance Chebin appeared as an authorized representative on behalf of Respondent G Mart Inc.

Inspector Leah Smith appeared on behalf of Petitioner, Dept. of Environmental Protection.

Petitioner charges AC 24-163. Petitioner alleges the respondent was observed with its motor vehicle idling while parked standing or stopped in excess of 3 minutes. According to DEP records, a citizen observed respondent's truck with NY Lic. Plate No. 65330ND. (2nd offense). Petitioner alleges prior summonses for AC 24-163: 000777303H.

Mr. Chebin states that he has previously reviewed petitioner's evidence and respondent denies the allegation with no rebuttal. He does not contest the prior violation.

I do not credit respondent's denial and find it has failed to establish a valid defense. I credit petitioner's evidence and find respondent in violation.

Accordingly, this summons is sustained and a third violation penalty of \$440.00 is imposed.

DK Mbabazi

04/25/2025

04/25/2025

Deborah Mbabazi, Hearing Officer

Date