



Office of Administrative Trials and Hearings
Hearings Division

DECISION

NORA BROWN - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET NEW YORK,NY 11217	Summons No: 000915497H et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- ACE TRAVEL INC Hearing Date: 10/15/2025 Hearing Location: Remote Type of Hearing: By Telephone
--	---

Total Penalty Amount:\$350.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000915497H	Sustained	12/22/2024	ALLEN ST BETWEEN CANAL ST AND HESTER Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1I	24-163 (F)	Sustained	\$350.00

Findings of Fact & Conclusions of Law

The hearing was held on October 15, 2025. John McLaughlin appeared on behalf of Petitioner DEP. Nora Brown appeared on behalf of Respondent. The summons charges a violation of 24 -163 F idling longer than 1 minute in proximity to a school.

Petitioner provides an evidence packet with a video. The video shows Respondent bus idling longer than 1 minute. Respondent does not refute the bus was idling but argues the temperature was below 40 degrees on the day in question. However, Respondent fails to provide any evidence there were passengers on the bus at the time. In the video there is no visible signs of passengers on board. Therefore, Respondent does not present a credible defense.

Therefore, summons sustained.



10/20/2025

10/20/2025

Eric Howard, Judicial Hearing Officer

Date