



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Sargo - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 000604634R et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- CITYWIDE CONTAINER SERVICE Hearing Date: 02/19/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: **\$400.00**

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

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000604634R	Sustained	11/01/2024	30 E 40 Street Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA31	24-146 (B)	Sustained	\$400.00

Findings of Fact & Conclusions of Law

Petitioner NYC Department of Environmental Protection waived appearance and respondent Citywide Container Service appeared by Michael Sargo. The summons alleged a violation of NYC Administrative Code 24-146(b), citizen complainant observing that respondent allowed / permitted construction material dust to become airborne and generating dust into public right of way while transporting such materials on garbage truck (NY # 41653PF).

Respondent denied but did not rebut the allegation.

I credit petitioner's evidence and find it supports a first violation of the cited section of law. The summons is sustained and a

penalty of \$400.00 is assessed.

Seth J. Cummins

02/19/2025

02/19/2025

Seth Cummins, Hearing Officer

Date