



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000604934Z et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- CITYWIDE CONTAINER SERVICES Hearing Date: 03/23/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: **\$800.00**

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

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000604934Z	Sustained	11/23/2024	9 E. 55 ST. Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BABL	24-146 (B)	Sustained	\$800.00

Findings of Fact & Conclusions of Law

The respondent was represented by Ilma Babu. The petitioner was represented by Insp. John McLaughlin. The summons alleges that the respondent allowed dust to become airborne without any steps to mitigate the condition having been taken. The petitioner presented evidence to show the respondent's activity and the dust being airborne as a result. This was noted as a second offense. The respondent does not deny the allegation nor its classification as a second offense but has presented a document signed after the date of the alleged violation indicating steps to be taken to mitigate the presence of dust in the air. As this appears to have been implemented after the issuance of the summons, this is insufficient to establish a defense to the violation charged which has been established by the petitioner. Therefore, the summons is sustained and the appropriate penalty assessed.



03/23/2026

03/23/2026

Patricia Cardoso, Judicial Hearing Officer

Date