



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 000606106M et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- CITYWIDE CONTAINER SERVICES Hearing Date: 02/03/2026 Hearing Location: Remote Type of Hearing: By Telephone
--	--

Total Penalty Amount: \$800.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000606106M	Sustained	03/17/2025	135 West 52nd Street Manhattan

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

Findings of Fact & Conclusions of Law

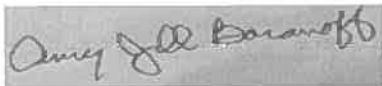
ILMA BABU appeared as the authorized representative of the named respondent. Inspector Gibbs for the Department. The summons cites a violation of 24-146b as a second offense, and there was no challenge to the prior.

The Petitioner submitted photos and a video.

He noted that there appeared to be a hose in the video but that this was insufficient to establish that adequate precautions were taken.

The respondent contended that the company tried their best to mitigate the dust, but that some came through anyway. They did everything they could

I find the sworn account of the issuing officer and the petitioner's other evidence to be credible, and that it establishes the charge. The respondent failed to set forth a valid legal defense. There are dust particles seen at more than one point in the video, and on this record, there is insufficient evidence to determine the mitigation efforts were adequate. The summons is sustained as a second offense.



02/03/2026

02/03/2026

Amy Jill Baranoff, Judicial Hearing Officer

Date