



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000891106H et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- P CITYWIDE CONTAINER SERVICE COR Hearing Date: 02/19/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000891106H	Dismissed	10/25/2024	ON SHEA ROAD BETWEEN SEAVER WAY AND Boat Basin PI Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA51	24 -163	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

Petitioner chose not to appear because they were short-staffed. Ilma Babu, authorized representative, appeared for Respondent and moved to dismiss the summons, arguing that the truck was not idling. She was told, supported by her viewing Petitioner's short video (not submitted), that Respondent was working on the side mirror and the vehicle was not on or idling at all. They have trained their drivers not to idle their vehicles.

Based on all available credible evidence, I find that Respondent's vehicle was not idling for longer than allowed. The driver was working on it and the engine was not on.

Accordingly, the summons is dismissed.



02/19/2026

02/19/2026

Joan Silverman, Judicial Hearing Officer

Date