



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET NEW YORK, NY 11217	Summons No: 000840436K et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- NEPTUNE MACHINE INC Hearing Date: 04/07/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$350.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000840436K	Sustained	11/29/2023	242 WEST 36 STREET Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA51	24 -163	Sustained	\$350.00

Findings of Fact & Conclusions of Law

On 11/29/23, Respondent Neptune Machine Inc. was issued a summons alleging that its van with NY license plate #25221MN was observed idling for more than three minutes at the above indicated place of occurrence, in violation of AC section 24-163.

On 4/7/25, the hearing was conducted by telephone. Respondent appeared by its authorized representative Lance Chebin. Petitioner DEP appeared by Inspector Leah Smith.

Ms. Smith rested on the summons.

Mr. Chebin denied the charge but submitted not evidence in rebuttal.

I credit the allegations contained in the summons and find that Petitioner established a prima facie case for a violation of the cited section of law. I do not credit Respondent's denial and find that Respondent failed to submit any evidence in rebuttal. Accordingly, I sustain the summons and impose the mandatory penalty.

Didi Skaff

04/08/2025

04/08/2025

Didi Skaff, Hearing Officer

Date