



Office of Administrative Trials and Hearings
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET BROOKLYN,NY 11217	Summons No: 000905091Z et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- NEPTUNE MACHINE INC. Hearing Date: 05/08/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount:\$600.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000905091Z	Sustained	05/24/2024	ON WEST 45TH STREET BETWEEN 5TH & 6TH AVENUE Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1F	24 -163	Sustained	\$600.00

Findings of Fact & Conclusions of Law

The summons is sustained.

The Respondent, NEPTUNE MACHINE INC., appeared by its authorized representative, Lance Chebin, Nacmias Law Firm. The Petitioner, NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION, waived its appearance.

The Issuing Officer specially alleges in the violation details of the sworn summons that a citizen-complainant observed Respondent's truck with NY license plate on #88013JP was idling for more than three (3) minutes on May 24, 2024 at 11:27:37 AM on West 45th Street between 5th & 6th Avenues in Manhattan. The summons is alleged to be a third offense.

Respondent's representative stated that upon review of Petitioner's evidence received through discovery, Respondent denied the existence of the violating conditions but did not produce any evidence or assert any affirmative defenses to the charge in the summons. Respondent's representative did not challenge the existence of the prior violations.

I find on the Petitioner's credible case that the violating conditions described in the summonses existed and the standard penalty is imposed for each violation.

The summonses are sustained.

Jamin Sewell

05/08/2025

05/08/2025

Jamin Sewell, Hearing Officer

Date