



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET NEW YORK,NY 11217	Summons No: 000888311J et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- Hugh O’Kane Electric Co. Inc. Hearing Date: 11/13/2025 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
000888311J	Dismissed	06/05/2024	121 WEST 30 STREET Manhattan

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

Findings of Fact & Conclusions of Law

Petitioner, NYC DEP, appeared by Monica Dorson. Respondent, USA Shred LLC, appeared by Ilma Babu. The first hearing date was scheduled for September 25, 2025, and adjourned to November 13, 2025, today's hearing date. This summons is dismissed.

Respondent is charged under NYC Administrative Code Section 24-163 for idling a motor vehicle engine for more than 3 minutes.

Respondent claimed that the engine needed to be running for the loading, unloading and shredding of the paper that was seen

in the video. Petitioner relied on the summons. I credit Respondent's testimony. I find that Respondent established a valid defense because the video shows the engine needed to be running for the unloading and loading of paper. This summons is dismissed.

	
11/18/2025	11/18/2025
Marcelo Martinez, Judicial Hearing Officer	Date