



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 051010810Z et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- POWER ROOFING INC Hearing Date: 11/07/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$18,000.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
051010810Z	Sustained	06/09/2025	1918 AVENUE P Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BX2Z	15RCNY 1-51(A)	Sustained	\$3,000.00
2	BX22	15RCNY 1-51(C)	Sustained	\$3,000.00
3	BX27	15RCNY 1-51(G)	Sustained	\$1,500.00
4	BX51	15RCNY1-102(D)	Sustained	\$1,500.00
5	BX5Z	15RCNY1-102(B)	Sustained	\$3,000.00

6	BX4R	15RCNY1-82(A)	Sustained	\$3,000.00
7	BX4H	15RCNY1-81(N)	Sustained	\$3,000.00

Findings of Fact & Conclusions of Law

Respondent, Power Roofing Inc., is charged with violating Title 15 of the Rules of the City of New York Section 1-102(D), failed to bag ACM directly upon detachment from substrate; 1-82(A), failed to provide or locate worker decontamination unit system outside of work area; 1-51(A), failed to employ asbestos certified workers on an asbestos project; 1-51(C), failed to wear personal protective equipment inside work place; 1-51(G), failed to post asbestos warning signs at all approaches to work place; 1-102(B), failed to sufficiently wet down ACM for enhanced penetration; and 1-81(N), failed to install isolation barriers over openings to workplace. The Issuing Officer (I.O.) issued this summons on June 9, 2025, at 4:45 a.m. at the premises located at 1918 Avenue P, Brooklyn, New York.

At the hearing Petitioner, NYC Department of Environmental Protection, was represented by Tevin Grant, Esq. Nora Brown appeared for the Respondent, Power Roofing Inc., as the authorized representative.

At the onset of the hearing, Mr. Grant stated that Petitioner has offered Respondent a Stipulation with the following stipulated penalties for each charge:

§1-51(A) is \$3000; §1-51(C) is \$3000; §1-51(G) is \$1500; §1-81(N) is \$3000; §1-82(A) is \$3000; §1-102(D) is \$1500; §1-102(B) is \$3000. Petitioner submitted the Stipulation as evidence (Petitioner's Exhibit 1). The total penalty under this Stipulation is \$18,000. Ms. Brown stated that Respondent accepts the stipulation.

Accordingly, I hereby sustain this summons and impose the stipulated penalties as outlined above for a total stipulated penalty of \$18,000.

Eva Marie Russo-Lane

11/09/2025

11/09/2025

Eva Marie Russo-Lane, Judicial Hearing Officer

Date