



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Sargo, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 000878746J et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- BEST SUPER CLEANING LLC Hearing Date: 12/02/2025 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
000878746J	Sustained	06/03/2024	218 FRONT STREET Brooklyn

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

Findings of Fact & Conclusions of Law

Michael Sargo, Esq., appeared for the Respondent. John McLaughlin, Sr. DEP Inspector, appeared for the Petitioner.

The Respondent was charged with idling the engine of a truck for more than three minutes (third offense) in front of 218 Front Street in Brooklyn on June 3, 2024.

The Petitioner relied on the summons and submitted evidence (PET EXHS 1-5, supporting documentation n re. the instant/prior allegations, images, and a mobile device video). The Respondent's Counsel argued that the vehicle was idling to power a compactor during trash removal operations. The Petitioner argued that use of the referenced system was not

necessary for the work that was observed within the first three minutes of the video.

I find that the Petitioner's presentation persuasively establishes the charge. I also find that the Respondent has failed to persuasively establish that a processing device was required at the time of issuance.

The summons is hereby sustained as a third violation.



12/24/2025

12/24/2025

Claude Charles, Judicial Hearing Officer

Date