



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division
Decision

Jon Lin, Nacmias Law Firm
592 Pacific Street 1st Floor
Brooklyn, NY 11217

Summons# : 000723671H et al. (2 summonses)

DEPT OF ENVIRONMENTAL PROTECTION,

-against-

HUGH O'KANE ELECTRIC CO. INC.

Hearing Date : 11/26/2024

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 700.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000723671H	Sustained	07/19/2022	62 MADISON AVENUE, Manhattan

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

Total Penalty for Summons: 350.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000724681X	Sustained	06/13/2022	QUEENS BOULEVARD BTW 46TH & 47TH

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

Total Penalty for Summons: 350.00

Findings of Facts & Conclusions of Law

The summonses are sustained.

The Respondent, HUGH O'KANE ELECTRIC CO. INC., appeared on two (2) summonses by its authorized representative, Jon Lin, Nacmias Law Firm. The Petitioner, NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION, waived its appearance.

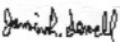
Summons #000723671H alleges a violation of NYC Air Pollution Control Code (APCC) Section 24-163, Idling of a Motor Vehicle engine over three (3) minutes. The Issuing Officer specifically alleges in details of the violation that the charge was based on a Citizen Complaint alleging that Respondent's truck with NY license plate #27254MM was idling for longer than three (3) minutes on July 19, 2022 beginning at 10:54:21 AM at 62 Madison Avenue in Manhattan.

Summons #000724681X alleges a violation of NYC APCC Section 24-163, Idling of a Motor Vehicle engine over three (3) minutes. The Issuing Officer specifically alleges in details of the violation that the charge was based on a Citizen Complaint alleging that Respondent's truck with NY license plate #83475ML was idling for longer than three (3) minutes on June 13, 2022 beginning at 11:42:59 AM on Queens Boulevard between 46th & 47th Streets in Queens.

Respondent's representative denied the existence of the violating conditions but did not produce any evidence or assert any affirmative defenses to the charges in the summonses.

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

The summonses are sustained.

 11/26/2024	11/26/2024
Jamin Sewell, Hearing Officer	Date