



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Matthew Whitening - NACMIAS LAW FIRM PLLC
592 Pacific Street - 1st Floor
Brooklyn, NY 11217

Summons# : 000727148L et al. (7 summonses)

DEPT OF ENVIRONMENTAL PROTECTION,

-against-

ON PENSKE TRUCK LEASING CORPORATI

Hearing Date : 1/6/2025

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 2,450.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000727148L	Sustained	07/05/2022	200 , Brooklyn

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
000771357X	Sustained	04/17/2023	684 Sixth 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
000771358H	Sustained	04/18/2023	675 Sixth 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
000797340P	Sustained	07/13/2023	ON DEAN STBETWEEN CARLTON AVE A, Brooklyn

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
000797749K	Sustained	04/26/2023	ON ELM PLBETWEEN LIVINGSTON ST, Brooklyn

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
000797754P	Sustained	07/14/2023	ON MONTAGUE STBETWEEN HICKS ST,

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
000827793M	Sustained	11/09/2023	16 EAST 20 STREET, Manhattan

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

Seven summonses were issued by the NYC Department of Environmental Protection for idling of motor vehicle engine for more than three minutes, as a first offense.

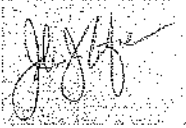
Petitioner, DEP, appeared by Dayna Parks.

Respondent appeared by Matthew Whitening, authorized representative.

Mr. Whitening received the evidence prior to the hearing and had no objection to its entry on all seven summonses.

Respondent denied each violation but offered no rebuttal to the record.

As such, based on the record before me, the seven violations are sustained and a standard penalty is imposed on each.



01/09/2025

01/09/2025

John Ciafone, Hearing Officer

Date