



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET NEW YORK, NY 11217	Summons No: 000824132L et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- NATIONAL DCP LLC Hearing Date: 12/11/2024 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$350.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000824132L	Sustained	12/15/2023	350 GRAND ST Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1I	24-163 (F)	Sustained	\$350.00

Findings of Fact & Conclusions of Law

Lance Chebin appeared for Respondent by phone. The DEP was represented by Dantney Parks by phone.

The summons was issued charging a violation of NYC Rule 24-163(f), idling of motor vehicle engine for more than one minute while adjacent to school. First offense.

The summons alleges a citizen observed a truck with License Plate #2923837 idling for longer than one minute on 12/15/23 12:10:30pm to 12:12:04 pm at 350 Grand Street adjacent to Essex Street Academy.

The DEP submitted the following:

P1 Redacted Complaint

P2 Google map photo of Essex Street Academy

P3 Photo of license

P4 Side of truck with NDCP address

P5 USDOT company snapshot for National DOP LLC

P6 Affidavit of Service

P7 Video 1:36 seconds in length. I will note it does not show the school.

Mr. Chebin denied the charge. He argued that there is no sign of Essex School in the video. I agree, but Mr. Chebin does not have a valid defense.

Here, Petitioner does not have to submit the video. The video does not show the school, the complaint alleges it. Further, the google map (P2) shows a photo of Essex Street Academy but there is no address on the map. However, I find that the evidence submitted by the DEP (P1-P7) is credible to prove that the van was idling for more than one minute outside Essex Street Academy. Summons sustained.

E. Barrett

12/17/2024

12/17/2024

Elizabeth Barrett, Hearing Officer

Date