



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

JOSHUA SANTIS - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET NEW YORK,NY 11217	Summons No: 000824327L et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- NATIONAL DCP LLC Hearing Date: 07/14/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount:\$440.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000824327L	Sustained	12/19/2023	18 WEST 53RD ST Manhattan

LINE ITEM	OATH CODE	CO. SECTION/A	RESULT	PENALTY
1	BA1E	24 -163	Sustained	\$440.00

Findings of Fact & Conclusions of Law

Joshua Santis appeared on behalf of Respondent for a phone hearing on July 14, 2025 in response to the above-issued summons. Senior Insp. Antwan Gibbs appeared on behalf of Petitioner Department of Environmental Protection.

Petitioner relied on the sworn statements contained in the summons. Petitioner submitted video evidence of the idling vehicle; the citizen complaint; and photos showing the vehicle and license plate.

Respondent claimed that the truck needs to be on to operate the refrigeration unit, and that this qualifies as a processing device.