



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

GARY CHEN - NACMIAS LAW FIRM PLLC
592 Pacific Street - 1st Floor
Brooklyn, NY 11217

Summons# : 000810131M et al. (1 summonses)

DEPT OF ENVIRONMENTAL PROTECTION,

-against-

ON PENSKE TRUCK LEASING CORPORATI

Hearing Date : 8/8/2024

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 350.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000810131M	Sustained	09/12/2023	208 East 11th Street, Manhattan

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

Total Penalty for Summons: 350.00

Findings of Facts & Conclusions of Law

The hearing was conducted via telephone conference call on August 8, 2024.

Respondent PENSKE was represented by Gary Chen, Esq.

No appearance on behalf of petitioner DEP. Petitioner advised via email that they would not appear.

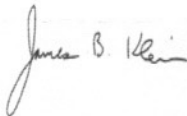
The summons charges: 24 -163(f) - IDLING OF MOTOR VEHICLE ENGINE MORE THAN ONE MINUTE adjacent to a school

Petitioner stated that they stand on the summons and citizen complaint as written.

Respondent stated that they deny with no rebuttal.

I credit that the summons makes out a valid charge and that the totality of the evidence establish the facts of the charge. I also credit that the respondent did not establish a valid defense.

The summons is sustained.

 08/09/2024	08/09/2024
James Klein, Hearing Officer	Date