



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000795683H et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- NATIONAL DCP LLC Hearing Date: 12/18/2024 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
000795683H	Sustained	07/14/2023	120-05 67 RD Queens

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

Findings of Fact & Conclusions of Law

Petitioner appeared by Dantney Parks and Respondent appeared by its authorized representative, Lance Chebin. Respondent is charged with idling a motor vehicle in excess of 3 minutes. Petitioner submitted its evidence package, including photos, a redacted complaint and a video clip. Respondent argued that the truck had an exempt device, specifically its refrigeration device. Petitioner argued that these trucks carry refrigeration units that are independently powered and not dependent on the engine. In light of Petitioner's statements, Respondent has the burden of showing that the device is not self-powered and is therefore exempt. Not having submitted any such evidence, I sustain this summons.

Herbert Israel

12/18/2024

12/18/2024

Herbert Israel, Hearing Officer

Date