



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

JOSHUA SANTIS - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET NEW YORK, NY 11217	Summons No: 000731405P et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE TRUCK LEASING CORP Hearing Date: 07/28/2025 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
000731405P	Sustained	10/12/2022	231 HUDSON ST Manhattan

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

Findings of Fact & Conclusions of Law

Joshua Santis, attorney, appeared on behalf of the Respondent, Penske Truck Leasing Corporation, and John McLaughlin appeared on behalf of the Petitioner, DEP, at a remote hearing held on 7/28/2025.

Respondent was charged with idling a truck with IN license plate 2846161 for more than three (3) minutes at 231 Hudson Street, Manhattan in violation of AC 24-163.

AC 24-163 provides that:

No person shall cause or permit the engine of a motor vehicle, other than a legally authorized emergency motor vehicle, to idle longer than three minutes...unless the engine is used to operate a loading, unloading, or processing device.

Mr. McLaughlin submitted a video (viewed by all), photographs of the side of the vehicle with company logo, passenger door with DOT #, back of truck, and back license plate, and Idling Complaint. (Ex 1).

Mr. Santis stated that after reviewing the video and Petitioner's evidence, Respondent denied the charge with no rebuttal.

I credit Petitioner's sworn statement and evidence and find they establish a violation of the cited section of law. I find that Respondent did not establish a defense or rebuttal to the charge.

Accordingly, I find Respondent in violation of the cited section of law and impose the mandatory penalty.



07/28/2025

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Janet Gawthrop, Hearing Officer

Date