



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET NEW YORK, NY 11217	Summons No: 000831482R et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- Penske Truck Leasing Co LP Hearing Date: 02/03/2025 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
000831482R	Sustained	01/19/2024	ON GRAND ST BETWEEN MULBERRY ST AND BAXTER ST Manhattan

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

Findings of Fact & Conclusions of Law

Petitioner, NYC DEP, appeared by Dorson. Respondent, Penske Truck Leasing Co LP, appeared by Chebin. The first hearing date was scheduled for February 3, 2025, today's hearing date. This summons is sustained and the standard penalty imposed.

Respondent is charged under NYC Administrative Code Section 24-163 in that Responding was idling a motor vehicle engine for more than 3 minutes. See Petitioner's Exhibit 1.

Respondent claimed that the engine was one because of the very cold weather and that there was a person inside the

vehicle. I do not credit Respondent's argument. Petitioner relied on the summons. I find that the violating conditions existed at time of issuance, and that Respondent has not established a valid defense. This summons is sustained and the standard penalty imposed.

M/M

02/11/2025

02/11/2025

Marcelo Martinez, Hearing Officer

Date