



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN 592 PACIFIC STREET NEW YORK, NY 11217	Summons No: 000826312H et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE TRUCK LEASING CO LP Hearing Date: 01/09/2025 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
000826312H	Sustained	01/10/2024	505 E. 14th Street Manhattan

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

Findings of Fact & Conclusions of Law

LEAH SMITH appeared for DEP, the petitioner here. LANCE CHEBIN appeared for respondent. The summons alleges that respondent's truck, bearing Indiana License Plate 3386039, was observed idling for longer than three minutes at the above referenced location.

Petitioner rested on the allegations contained within the four corners of the summons and the videographic, photographic, and documentary evidence submitted in support of the issuance. I find that petitioner makes a prima facie showing of the violation.

Respondent denied liability for the summons, but conceded that he possessed no additional information that can rebut petitioner's prima facie showing. Accordingly, I find that respondent has failed to establish a valid defense. I find respondent in violation and I impose the applicable penalty.

The summons is sustained.



01/14/2025

01/14/2025

Velly Polycarpe, Hearing Officer

Date