



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 000827194K et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE TRUCK LEASING CORPORATION Hearing Date: 01/08/2025 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
000827194K	Sustained	01/09/2024	ON HORACE HARDING EXPRESSWAYBET Queens

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

Findings of Fact & Conclusions of Law

Respondent, PENSKE TRUCK LEASING CORPORATION, appeared telephonically by authorized representative, Lance Chebin, to adjudicate a summons issued by the DEP alleging a violation of 24-163(f) idling of a motor vehicle for more than one minute while adjacent to a school 1st offense.

Dantney Parks appeared for Petitioner and submitted as PX1 a redacted idling complaint, photograph of Penske truck, a screen shot of the preschool website, a photograph of the school, a photograph of the license plate, a copy of the summons and a video.

Respondent denied the violation and offered no rebuttal.

I find Petitioner established the violation.

I find Respondent did not establish a defense to the violation.

The summons is SUSTAINED.

 01/09/2025	01/09/2025
Margaret Tolan, Hearing Officer	Date