



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000833769N et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- UNFI TRANSPORT LLC Hearing Date: 02/26/2025 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
000833769N	Sustained	02/05/2024	on Ave A bet E 4th St + E 3rd St Manhattan

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

Findings of Fact & Conclusions of Law

Summons#000833769N

UNFI Transport

Lance Chebin, authorized representative appeared for the respondent. Inspector Leah Smith appeared on behalf of the petitioner.

The petitioner supplied 5 attachments; two photos identifying the license plate, a redacted civilian complaint, SAFER web

document and a video which cannot be uploaded due to technical difficulty.

The video was reviewed by all parties.

Upon reviewing the video, the petitioner pointed out that there were two fuel tanks on each side noting that this is a self-powered refrigerator unit and the tractor part could have been turned off as it was idling over three minutes.

The respondent stated that the refrigerator system was in use and the engine had to be kept running.

I credit the evidence submitted by the petitioner and find the respondent's testimony fails to credibly rebut the petitioner's prima facie case. Accordingly, I find the respondent in violation of 24-163 and impose the standard penalty.

Stacey Selden

02/26/2025

02/26/2025

Stacey Selden, Hearing Officer

Date