



**OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS**  
*Hearings Division*

**DECISION**

|                                                                                                       |                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Michael Nacmias, Esq. - Nacmias Law Firm</b><br>592 Pacific Street 1st Floor<br>Brooklyn, NY 11217 | <b>Summons No: 000869720R et al. (1 Summons)</b><br><br><b>DEPT OF ENVIRONMENTAL PROTECTION,</b><br><br><b>-against-</b><br><br><b>NATIONAL DCP LLC</b><br><br><b>Hearing Date: 06/02/2025</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
|-------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                              |
|----------------------------------------------|
| <b>Total Penalty Amount: \$350.00</b>        |
| <b>Community Service(Hr): Not Applicable</b> |

| <b>SUMMONS #</b> | <b>SUMMARY DISPOSITION</b> | <b>DATE OF OCCURRENCE</b> | <b>PLACE OF OCCURRENCE</b>                  |
|------------------|----------------------------|---------------------------|---------------------------------------------|
| 000869720R       | Sustained                  | 03/22/2024                | 6 Ave between W 21 St and W 22 St Manhattan |

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

**Findings of Fact & Conclusions of Law**

A hearing was conducted by telephone on June 2, 2025. Michael Nacmias, Esq. appeared for the respondent. Antwan Gibbs appeared for the petitioner. The summons alleged a violation of 24-163 in that the respondent's truck was idling for longer than three minutes while parked or standing. The petitioner presented an evidence packet, which included a video of the respondent's vehicle, idling. The respondent denied the allegations without rebuttal. I, therefore, credit the summons allegations, uphold the summons, and impose a penalty of \$350.



06/02/2025

06/02/2025

Chin Ho Cheng, Hearing Officer

Date