



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET NEW YORK, NY 11217	Summons No: 000845874N et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- CS TRUCKING LLC Hearing Date: 05/12/2025 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
000845874N	Sustained	01/11/2024	ON 8TH ST BETWEEN BROADWAY AND MERCER 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 the petitioner. Lance Chebin appeared for the respondent.

On the date and at the location indicated on the summons, the officer states that according to DEP records a citizen observed that the subject motor vehicle, which belonged to the respondent, idled for more longer than three minutes while it was parked, standing, or stopped. I credit these observations.

Ms. Smith submitted photographs, Complaint and acknowledgment and proof of service, and link for video (Resp). The idling complaint submitted by the citizen said that the vehicle was engaged in no other activity and the engine that moves the vehicle

was on and was not being used to run the refrigeration unit present. I credit this evidence.

Mr. Chebin opined that the motor has to be on for the refrigerator unit to operate.

Ms. Smith opined that the refrigerator unit can operate separately and does not need the motor to be on.

I find that the conditions were as described in the summons and that the refrigeration unit can operate independently from the engine. The credited findings establish a violation of the cited code section. Accordingly, the violation is sustained, and the above fine is imposed.

Anne W Seely

05/12/2025

05/12/2025

Anne Seely, Hearing Officer

Date