



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000836491L et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- ON PENSKE TRUCK LEASING CORPORATI Hearing Date: 03/07/2025 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
000836491L	Sustained	12/07/2023	357 Hamilton Avenue Brooklyn

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

Findings of Fact & Conclusions of Law

Respondent, PENSKE TRUCK LEASING CORPORATION appeared by remote hearing. Respondent was represented by its authorized representative Lance Chebin. Dantney Parks appeared for the Department of Environmental Protection.

The summons charges AC 24-163, idling of a motor vehicle engine for longer than three minutes. Ms. Parks submitted a Redacted NYC Citizen Idling Complaint, a copy of the summons, two photographs of the truck, and a video from the place and time of occurrence in support of the charge.

Mr. Chebin argued that the vehicle was parked at a parking lot next to other cars, and as such, the summons should not have

been issued. Ms. Parks stated that idling while parked at parking lot is not an exception to the cited regulation.

I credit the issuing officer's statement and find that Petitioner proved this violation by a preponderance of the evidence. I find that the Respondent has not established a valid defense or rebutted Petitioner's case.

Accordingly, the Summons is sustained, and the Respondent is ordered to pay the \$350.00 penalty.

	
03/10/2025	03/10/2025
Erisa Cepa, Hearing Officer	Date