



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET NEW YORK, NY 11217	Summons No: 000849901H et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE Hearing Date: 04/24/2025 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
000849901H	Sustained	12/18/2023	1100 6th Ave. Manhattan

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

Findings of Fact & Conclusions of Law

Lance Chebin appeared as an authorized representative on behalf of Respondent Penske.

Inspector Leah Smith appeared on behalf of Petitioner, Dept. of Environmental Protection.

Petitioner charges AC 24-163. Petitioner alleges the respondent was observed with its motor vehicle idling while parked standing or stopped in excess of 3 minutes. According to DEP records, a citizen observed respondent's truck with IN Lic. Plate No. 3207386. (1st offense).

Mr. Chebin states that he has previously reviewed petitioner's evidence and respondent denies the allegation with no rebuttal.

I do not credit respondent's denial and find it has failed to establish a valid defense. I credit petitioner's evidence and find respondent in violation.

Accordingly, this summons is sustained and a standard penalty of \$350.00 is imposed.

DK Mbabazi

04/25/2025

04/25/2025

Deborah Mbabazi, Hearing Officer

Date