



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

LANCE CHEBIN - NACMIAS LAW FIRM
592 PACIFIC STREET
BKLYN,NY 11217

Summons# : 000878420J et al. (3 summonses)

DEPT OF ENVIRONMENTAL PROTECTION,

-against-

HUGH OKANE ELECTRIC CO INC

Hearing Date : 7/8/2025

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 1,800.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000856394H	Sustained	03/07/2024	400 1 AVE, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA1F	24 -163	Sustained	600.00

Total Penalty for Summons: 600.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000878420J	Sustained	03/08/2024	5-43 48 AVE, Queens

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA1F	24 -163	Sustained	600.00

Total Penalty for Summons: 600.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000912225K	Sustained	10/04/2024	64 GREENWICH STREET, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA1F	24 -163	Sustained	600.00

Total Penalty for Summons: 600.00

Findings of Facts & Conclusions of Law

Lance Chebin appeared for Respondent. Inspector Leah Smith appeared for Petitioner DEP.

Respondent was issued 3 summonses for violating AC 24-163 for idling of motor vehicle engine for more than 3 minutes. The summonses are 000878420J, 000856394H, and 000912225K. These are 3rd offenses.

Mr. Chebin did not provide a defense for summonses 20J and 25K. These summonses are sustained. The penalty for a 3rd offense is imposed.

For summons 94H, Inspector Smith submitted the redacted idling complaint, 2 valid priors, 2 photos, DOS entity information, SAFER snapshot, and the video (Exhibit 1).

Mr. Chebin stated that workers were actively working at the site.

The video reflects that workers were actively working behind the vehicle. However, Respondent did not provide evidence to establish that an exemption applied. Respondent did not establish that the engine had to be on for the workers to do the work. The summons is sustained. The penalty for a 3rd offense is imposed.

Viven Chiu

07/10/2025

07/10/2025

Viven Chiu, Hearing Officer

Date