



Office of ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000953348L et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- DIAMOND CHEMICAL CO INC Hearing Date: 03/09/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: **\$440.00**

Community Service(Hr): **Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000953348L	Sustained	09/24/2024	4 E 36TH STREET Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1E	24 -163	Sustained	\$440.00

Findings of Fact & Conclusions of Law

Respondent DIAMOND CHEMICAL CO INC was issued a summons alleging a second offense violation of AC section 24-163 for having the cited vehicle idling for longer than three minutes at the above indicated places of occurrence.

On 3/9/26, the hearing was conducted by telephone. Respondent appeared by its authorized representative Ilma Babu. Petitioner DEP appeared by representative Antwan Gibbs.

Mr. Gibbs rested on the summons.

Ms. Babu denied the violation but submitted no evidence in rebuttal.

I credit the sworn to statement on the summonses and find that Petitioner established a prima facie case for a second offense
iding violation under the cited section of law I do not credit Respondent's denial and find that Respondent failed to submit any
evidence in rebuttal. Accordingly, I sustain the ummons and impose the mandatory second offense penalty.

Didi Skaff

03/09/2026

03/09/2026

Date

Didi Skaff, Judicial Hearing Officer