



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000864526K et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE TRUCK LEASING CORPORATION Hearing Date: 02/11/2026 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
000864526K	Sustained	05/22/2024	ON GREENE ST BETWEEN SPRING ST AND PRINCE ST Manhattan

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

Findings of Fact & Conclusions of Law

Ilma Babu appeared on behalf of the Respondent, Penske Truck Leasing Corporation.

The Petitioner waived appearance by email.

The summons alleges a violation of NYC Administrative Code 24-163, idling of motor vehicle engine for more than three minutes, 1st offense, Respondent caused or permitted the idling of a motor vehicle while parked, standing, or stopped. As per DEP records, citizen observed truck with IN license plat #3142331 idling for longer than three minutes from 5/22/2024 8:17:55 AM to 5/22/2024 8:21:04 AM on Green Street between Spring Street and Prince Street.

Ms Babu presented the video taken by the citizen complainant. Ms Babu stated that the video shows that the driver pulled away almost immediately after 3 minutes had elapsed. She stated that the engine was running only so that the workers could pack up and leave.

I find that the Respondent has not established a recognized defense to the valid prima facie case stated in the summons.

The summons is sustained.

	
02/11/2026	02/11/2026
Sean Gralton, Judicial Hearing Officer	Date