



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 000929436L et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- UNITED NATURAL FOODS INC Hearing Date: 11/19/2025 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
000929436L	Sustained	02/10/2025	54 Fulton St. Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA11	24-163 (F)	Sustained	\$350.00

Findings of Fact & Conclusions of Law

Leah Smith appeared for Petitioner and showed a short video with screen shots taken from it, a redacted idling complaint and evidence that the vehicle was owned by Respondent. She also attached information from google maps showing that the truck was adjacent to a park so there is no idling for over 1 minute. After viewing the evidence, Ilma Babu, authorized representative appearing for Respondent, denied the violation but had no evidence to submit in rebuttal. She said that there was no school but didn't know that the cited section treated parkland the same as a school. She had no evidence to rebut this.

Accordingly, the summons is sustained.



11/19/2025

11/19/2025

Joan Silverman, Judicial Hearing Officer

Date