



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592PACIFIC STREET NEW YORK,NY 11217	Summons No: 000898038R et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- HUGH OKANE ELECTRIC CO INC Hearing Date: 11/26/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount:\$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000898038R	Dismissed	05/23/2024	127 WEST 39 STREET Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1F	24 -163	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

Ilma Babu appeared on behalf of the Respondent as authorized representative, waiving counsel, translation and the appearance of the complaining witness. On behalf of the DEP appears Michael Grasso. The summons was issued for an idling vehicle.

The Respondent argues that the video is distorted, upside down and sideways and it's not clear that the noise is coming from this vehicle and it's not clear that there are not workers operating from the vehicle because of the vantage point of the video.

The DEP concedes that the video is distorted but feel it is sufficient to establish that the vehicle is on and that there is no

processing equipment in use.

I do not agree. The video leaves more questions than it answers.

As such, I concur with Respondent's argument and dismiss this violation.



11/26/2025

11/26/2025

Sofia Balile, Judicial Hearing Officer

Date