



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592PACIFIC STREET NEW YORK,NY 11217	Summons No: 000898048K 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
--	---

Total Penalty Amount:\$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000898048K	Dismissed	05/24/2024	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 that the video is highly distorted in that you can't see if someone is working in the front of the vehicle or not. It is distorted in that the video was sideways and you can't see the license or the driver.

The DEP concedes that the video should have been right side up but this cannot disqualify the summons on that basis.

He says that the engine is clear and he sees no work happening.

Although I do hear the sound, I am not sure, based on the sideways/upside down video, whether it is the purported video that was on.

As such, I dismiss the violation and credit the Respondent's defenses.

Sf - Balile

11/26/2025

11/26/2025

Sofia Balile, Judicial Hearing Officer

Date