



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET NEW YORK,NY 11217	Summons No: 000932588H et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- UNITED NATURAL FOODS INC. Hearing Date: 12/09/2025 Hearing Location: Remote Type of Hearing: By Telephone
---	--

Total Penalty Amount:\$350.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000932588H	Sustained	10/11/2024	On Smith Street between Warren and Baltic Streets Brooklyn

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

Findings of Fact & Conclusions of Law

The summons is sustained.

The Respondent, UNITED NATURAL FOODS INC., appeared by its authorized representative, Ilma Babu, NACMIAS LAW FIRM PLLC. The Petitioner, NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION, appeared by its representative, Inspector, Dantney Parks.

The summons alleges a violation of NYC Air Pollution Control Code Section 24-163, Idling of a Motor Vehicle engine over three (3) minutes. The Issuing Officer specifically alleges in details of the violation that the charge was based on a Citizen Complaint

alleging that Respondent's van with IN license plate #3185456 was idling for longer than three (3) minutes on October 11, 2024 beginning at 10:53:36 AM on Smith Street between Warren and Baltic Streets in Brooklyn.

Petitioner's representative relied on the summons for Petitioner's main case.

Respondent's representative denied the existence of the violating condition but did not present any evidence or assert any affirmative defenses the charge.

I find on the Petitioner's credible case that the violating condition described in the summons existed and the standard penalty is imposed.

The summons is sustained.

	
12/12/2025	12/12/2025
Jamin Sewell, Judicial Hearing Officer	Date