



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

ILMA BABU - NACMIAS LAW FIRM PLLC 592PACIFIC STREET Brooklyn, NY 11217	Summons# : 000945977Y et al. (1 summonses) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE TRUCK LEASING CO LP Hearing Date : 2/12/2026 Hearing Location : Remote Type of Hearing : By Telephone
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Total Penalty Amount : 350.00	Community Service(Hr): Not Applicable
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SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000945977Y	Sustained	08/30/2024	147 COLUMBUS AVENUE, Manhattan

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

Total Penalty for Summons: 350.00

Findings of Facts & Conclusions of Law

The hearing was held on February 12, 2026. Nina Bada appeared on behalf of Respondent. Insp. Ed Stelazza appeared on behalf of DEP. The summons charges a violation of 24 -163 IDLING OF MOTOR VEHICLE ENGINE MORE THAN THREE MINUTES 1st Offense.

DEP provides an evidence packet with a video of the idling vehicle. Respondent denies the violation. Respondent argues the video does not clearly provide audible engine noise. Respondent makes no additional arguments. Respondent fails to provide any exeception or proof a processing device was used at the time of occurence. DEP has provided a prima facie case. Respondent has failed present a credible defense.

Therefore, summons sustained. First offense penalty imposed.



02/13/2026

02/13/2026

Eric Howard, Judicial Hearing Officer

Date