



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592PACIFIC STREET Brooklyn, NY 11217	Summons No: 000946026N et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE TRUCK LEASING CO LP Hearing Date: 02/12/2026 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
000946026N	Sustained	08/30/2024	180 CLAREMONT AVENUE Manhattan

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

Findings of Fact & Conclusions of Law

The hearing was held on February 12, 2026. Ilma Babu appeared on behalf of Respondent. Insp. Ed Sferazza 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 at the end of the video shows work was being done. The video does not show an operational lift. Respondent makes no additional arguments. Respondent fails to provide any exception or proof a processing device was used at the time of occurrence. 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