



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

ILMA BABU - NACMIAS LAW FIRM PLLC
592 PACIFIC STREET
Brooklyn, NY 11217

Summons# : 000947717R et al. (1 summonses)

DEPT OF ENVIRONMENTAL PROTECTION,

-against-

PENSKE TRUCK LEASING CO LP

Hearing Date : 2/19/2026

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
000947717R	Dismissed	09/04/2024	40 WEST 38 STREET, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA51	24 -163	Dismissed	0.00

Total Penalty for Summons: 0.00

Findings of Facts & Conclusions of Law

Petitioner chose not to appear because they were short-staffed. Ilma Babu, authorized representative, appeared for Respondent and moved to dismiss the summons, arguing that Respondent was working on the vehicle that has a lift gate. Petitioner was not present to rebut this. Ms. Babu said that she watched the short video and it did not show the back of the vehicle.

Based on all available credible evidence, I find that Respondent's vehicle was not idling for longer than allowed. They were using the lift gate.

Accordingly, the summons is dismissed.

 02/19/2026	02/19/2026
Joan Silverman, Judicial Hearing Officer	Date