



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

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

Summons# : 000949256M et al. (2 summonses)

DEPT OF ENVIRONMENTAL PROTECTION,

-against-

PENSKE TRUCK LEASING CO LP

Hearing Date : 2/25/2026

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 700.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000949256M	Sustained	09/10/2024	159 WEST 23 STREET, Manhattan

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

Total Penalty for Summons: 350.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000949307N	Sustained	06/07/2024	527 WEST 29 STREET, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA1I	24-163 (F)	Sustained	350.00

Total Penalty for Summons: 350.00

Findings of Facts & Conclusions of Law

This remote hearing was conducted on February 25, 2026. Respondent (Penske Truck Leasing Co LP) appeared by attorney, Ilma Babu. Inspector Andy Guzman appeared for Petitioner (DEP).

For summons #000949256M, Respondent was charged with a violation of 24-163. "Respondent caused or permitted the idling of a motor vehicle while parked, standing or stopped. As per DEP records, citizen observed TRUCK with IN License Plate #2846682 idling for longer than three minutes from 9/10/2024 3:32:03 PM to 9/10/2024 3:36:01 PM at 159 W 23rd St." This summons was issued on 9/10/2024. See: Hearing Officer Exhibit #1 (Summons copy).

For summons #000949307N, Respondent was charged with a violation of 224-163(f). "Respondent caused or permitted the idling of a motor vehicle parked, standing or stopped. As per DEP records, citizen observed TRUCK with IN License Plate #3333721 idling for longer than one minute from 6/7/2024 11:55:45 AM to 6/7/2024 11:59:09 AM at 527 W 29th Street." This summons was issued on 6/7/2024. See: Hearing Officer Exhibit #2 (Summons copy).

For both cases, Ms. Babu stated, "DNR."

Based on the record before me, I sustain these two (2) summonses. I credit the issuing officers' affirmations of the factual allegations. Respondent's representative denied the violations. However, she failed to present any credible rebuttal evidence, nor did she present any legally valid defenses. Accordingly, I sustain summonses #56M and #07N.

 03/04/2026 03/04/2026	
Joan B Beck-Wall, Judicial Hearing Officer	Date