

Meeting Agenda

**STATE OF NEVADA BOARD TO REVIEW CLAIMS
AGENDA
SEPTEMBER 8, 2022**

The State of Nevada Board to Review Claims (Board) meeting will be video-conferenced and will begin promptly at 10:00 AM on Thursday, September 08, 2022 at the following locations:

Carson City: This meeting will be held by video/teleconference with limited physical location meeting space. Remote participation information is provided below the agenda.

Las Vegas: See Above

The following items may be taken out of order and/or items may be combined for consideration. Items may also be removed from the agenda or the Board may delay discussion relating to an item on the agenda at any time.

Public comment may be limited to five minutes per person at the discretion of the Chair.

Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the Board may refuse to consider public comment. See NRS 233B.126.

1. CALL TO ORDER AND ROLL CALL

2. PUBLIC COMMENT (FOR DISCUSSION)

Members of the public will be invited to speak before the Board on any issue related to the Petroleum Fund. No action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action.

3. APPROVAL OF THE JUNE 01, 2022 MINUTES (FOR POSSIBLE ACTION)

4. STATUS OF THE FUND (FOR DISCUSSION)

NDEP reports to the Board the receipts, expenditures, liabilities, and current balance of the State of Nevada Petroleum Fund.

5. ADOPTION OF BOARD POLICY RESOLUTION 2022-02 (PETROLEUM FUND COST GUIDELINES) (FOR POSSIBLE ACTION)

Staff will present for adoption Board Policy Resolution No. 2022-02, which includes new Cost Guidelines for certified environmental managers. If adopted, the new policy will replace Board Policy Resolution No. 2001-05. An additional public comment period will be provided for this agenda item.

6. ADOPTION OF EQUIPMENT COST SCHEDULE FOR GRANT PAID UST UPGRADES (FOR POSSIBLE ACTION)

NAC 445C.350(3) requires Petroleum Fund grant awards for underground storage tank (UST) upgrades to be paid by the NDEP pursuant to a cost schedule approved by the Board. Petroleum Fund staff will provide a cost schedule for the Board's consideration and adoption.

7. ADOPTION OF CONSENT ITEMS (FOR POSSIBLE ACTION)

The Board may approve all items in the following list as a consent agenda unless a listed item is marked with an asterisk (*). Items may be marked with an asterisk if a member of the public has requested to address the claim before the Board or the item is associated with a Fund Site Specific Board Determination (SSBD). In the case of an item being marked with an asterisk pending a SSBD, the item is considered part of the consent agenda upon approval of that (SSBD). In addition to asterisked items, a Board member may request an item be moved from the list for immediate discussion prior to approval or moved to a discussion agenda item and tabled for the next meeting.

A dagger (†) indicates previously disallowed monies have been successfully appealed (i.e. the requested amount may be less than the recommended amount)

An omega (ω) indicates Board approved reimbursement monies have been subtracted from the amount requested due to new information

**STATE BOARD TO REVIEW CLAIMS
REQUESTED/RECOMMENDED AMOUNTS - SEPTEMBER 8, 2022**

<u>HEATING OIL</u>				<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2012000017; 80304	Churchill County School District: Old High School	\$8,802.48	\$8,802.48
FOR POSSIBLE ACTION	2.	2021000028; 80328	Jonathon King: Jonathan H & Eve M King Family Trust Residential Heating Oil Tank	\$2,276.40	\$2,276.40
FOR POSSIBLE ACTION	3.	2021000040; 80176	Glendale Ave Properties, LLC: Glendale Ave. Properties, LLC	\$18,259.12	\$16,611.62
				SUB TOTAL:	\$29,338.00
					\$27,690.50
<u>ONGOING CASES</u>				<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	1992000126; 80322	Clark County School District: Rc White (Arville) Transportation Satellite	\$26,212.92	\$26,212.92
FOR POSSIBLE ACTION	2.	1994000027; 80330	7-Eleven Inc: 7-Eleven #19653	\$61,212.97	\$61,212.97
FOR POSSIBLE ACTION	3.	1995000039; 80303	Al Park Petroleum Inc: Crescent Valley Market	\$4,503.85	\$3,867.14
FOR POSSIBLE ACTION	4.	1996000064; 80323	The Esslinger Family Trust: Red Rock Mini Mart	\$6,574.68	\$2,872.39
FOR POSSIBLE ACTION	5.	1998000075; 80221	55 McDermitt Crude, LLC: McDermitt Motel & Convenience Store	\$17,823.88	\$16,041.49

FOR POSSIBLE ACTION	6.	1999000014; 80306	Al Park Petroleum Inc: Pit Stop #7 Conoco	\$7,790.76	\$7,011.68
FOR POSSIBLE ACTION	7.	2004000039; 80157	Clark County Department Of Aviation: Frmr National Car Rental	\$47,809.94	\$47,809.94
FOR POSSIBLE ACTION	8.	2007000016; 80308	Golden Gate Petroleum Of Nevada, LLC: Golden Gate Sun Valley #43	\$6,379.25	\$5,741.33
FOR POSSIBLE ACTION	9.	2008000019; 80266	One Panou LLC: Golden Market #3	\$21,213.52	\$19,092.17
FOR POSSIBLE ACTION	10.	2009000024; 80066	Parampreet Investment LLC: Chucks Circle C Market	\$142,702.12	\$126,693.25
FOR POSSIBLE ACTION	11.	2010000009; 80309	Hpt Ta Properties Trust: Mill City Travel Center	\$26,208.52	\$21,228.90
FOR POSSIBLE ACTION	12.	2011000009; 80278	Cimarron West: Cimarron West	\$18,237.92	\$16,414.13
FOR POSSIBLE ACTION	13.	2012000012; 80319	Clark County Department Of Aviation: Former Smart Mart	\$8,922.83	\$8,030.55
FOR POSSIBLE ACTION	14.	2013000004; 80331	7-Eleven Inc: 7-Eleven #29665	\$9,813.87	\$8,832.48
FOR POSSIBLE ACTION	15.	2013000019; 80312	Hardy Enterprises INC: Elko Sinclair #53	\$30,799.18	\$27,708.35
FOR POSSIBLE ACTION	16.	2013000021; 80300	7-Eleven Inc: 7-Eleven #27700	\$26,541.06	\$23,886.95
FOR POSSIBLE ACTION	17.	2014000004; 80305	Alsaker Corp: Broadway Colt Service Center	\$11,462.95	\$10,316.65
FOR POSSIBLE ACTION	18.	2014000007; 80284	7-Eleven Inc: 7-Eleven #29658	\$11,987.50	\$10,788.75
FOR POSSIBLE ACTION	19.	2014000025; 80313	Superior Campgrounds Of America, LLC: Silver City Rv Resort	\$28,238.56	\$25,414.70
FOR POSSIBLE ACTION	20.	2016000009; 80329	7-Eleven Inc: 7-Eleven #13685	\$7,798.83	\$7,018.95
FOR POSSIBLE ACTION	21.	2016000012; 80320	DLF Corporation: Mr Ds Fastlane	\$17,390.99	\$15,651.89
FOR POSSIBLE ACTION	22.	2016000023; 80315	Al Park Petroleum Inc: Pit Stop #1	\$10,229.83	\$7,365.47
FOR POSSIBLE ACTION	23.	2018000009; 80316	Reed Incorporated: Pacific Pride	\$6,175.72	\$5,461.38
FOR POSSIBLE ACTION	24.	2020000015; 80324	Canyon Plaza, LLC: Gas 2 Go	\$13,736.70	\$7,417.82
FOR POSSIBLE ACTION	25.	2021000026; 80285	7-Eleven Inc: 7-Eleven #25578	\$30,264.77	\$27,238.29
SUB TOTAL:				<u>\$600,033.12</u>	<u>\$539,330.54</u>
RECOMMENDED CLAIMS TOTAL:				<u>\$629,371.12</u>	<u>\$567,021.04</u>

8. DIRECT PAYMENT OF UNCONTESTED CLAIMS MADE PER POLICY RESOLUTION 2017-02 (FOR DISCUSSION)

The Board to Review Claims authorizes NDEP to make claim payments prior to a Board meeting when the recommended payment value is uncontested. This authorized delegation is consistent with the findings in the memorandum from the Attorney General’s Office dated August 3, 2017 (Attachment A of Policy Resolution 2017-02). Below is a list of all quarterly claim payments made on the Board’s behalf in accordance with Policy Resolution No. 2017-02.

A dagger (†) indicates previously disallowed monies have been successfully appealed where the requested amount is less than the recommended amount

An omega (ω) indicates Board approved reimbursement monies have been subtracted from the amount requested due to new information

<u>HEATING OIL</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	2022000013; 80282 Equity Trust Company: 960 Keystone Avenue Residential Heating Oil Tank	\$26,363.19	\$25,863.19
FOR DISCUSSION	2.	2022000014; 80283 Sachidevi Lake: Sachidevi Lake	\$30,104.59	\$29,854.59
FOR DISCUSSION	3.	2022000016; 80287 David Fernandes: Coffee Cup Investments LLC	\$33,001.80	\$32,501.80
FOR DISCUSSION	4.	2022000017; 80286 Whitney Stodtmeister: Rw Stodtmeister Living Trust	\$21,327.70	\$21,077.70
SUB TOTAL:			<u>\$110,797.28</u>	<u>\$109,297.28</u>

<u>ONGOING CASES</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	1993000102; 80295 Rebel Oil Company: Rebel Store #2008	\$10,103.25	\$10,103.25
FOR DISCUSSION	2.	1994000015; 80290 Pilger Family Holdings: Former D & G Oil Company	\$12,112.33	\$12,112.33
FOR DISCUSSION	3.	1999000023; 80293 Nevada Ready Mix Corp: Nevada Ready Mix	\$21,084.23	\$18,280.56
FOR DISCUSSION	4.	1999000066; 80294 HP Management, LLC: Former Haycock Petroleum	\$25,686.17	\$23,077.05
FOR DISCUSSION	5.	2013000011; 80291 Har Moor Investments, LLC: Village Shop #4	\$18,768.25	\$16,891.43
FOR DISCUSSION	6.	2014000033; 80292 Speedee Mart Inc.: Speedee Mart #108	\$18,880.47	\$16,992.42
FOR DISCUSSION	7.	2017000019; 80297 Rebel Oil Company: Rebel Store #2197	\$15,835.86	\$14,252.27
FOR DISCUSSION	8.	2017000035; 80299 Rebel Oil Company: Rebel Store #2177	\$38,999.43	\$35,099.49

FOR DISCUSSION	9.	2018000005; 80296	Rebel Oil Company: Rebel Store # 2153	\$5,137.00	\$4,623.30
FOR DISCUSSION	10.	2019000002; 80298	Rebel Oil Company: Rebel Store #2166	\$5,734.50	\$5,161.05
FOR DISCUSSION	11.	2019000005; 80248	Fairway Chevrolet Co: Fairway Chevrolet CO	\$14,133.50	\$12,720.15
FOR DISCUSSION	12.	2019000014; 80289	Western Cab Co: Western Cab CO	\$5,053.00	\$4,547.70
FOR DISCUSSION	13.	2019000044; 80281	7-Eleven Inc: 7-Eleven #15829	\$29,365.91	\$26,429.32
			SUB TOTAL:	<u>\$220,893.90</u>	<u>\$200,290.32</u>
			DIRECT PAYMENT CLAIMS TOTAL:	<u>\$331,691.18</u>	<u>\$309,587.60</u>
			BOARD MEETING CLAIMS TOTAL:	<u>\$961,062.30</u>	<u>\$876,608.64</u>

9. EXECUTIVE SUMMARY (FOR DISCUSSION)

NDEP will brief the Board on Fund coverage activities, Fund expenditures, tank enrollment status, audit progress, and Eagle Gas collections progress.

10. PUBLIC COMMENT (FOR DISCUSSION)

Members of the public will be invited to speak before the Board on any issue related to the Petroleum Fund. No action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action.

**11. CONFIRMATION OF NEXT BOARD MEETING DATE (FOR DISCUSSION)
DECEMBER 8, 2022 (THURSDAY) AT 10:00 AM**

12. ADJOURNMENT

This agenda will be posted no later than three working days prior to the meeting at the following locations:

The Board to Review Claims meetings webpage at: <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/board-meeting-agendas-minutes> and the Department of Administration's website at: <https://notice.nv.gov>. Additional physical postings were requested at the following locations:

DCNR, Richard H. Bryan Bldg., 901 S. Stewart St., 1st floor, Carson City, NV 89701
NDEP -Bureau of Corrective Actions, Richard H. Bryan Bldg., 901 S. Stewart St., 3rd floor, Carson City, NV 89701
NDEP - Bureau of Corrective Actions, 375 E. Warm Springs Road, Suite 200, Las Vegas, NV 89119
Legislative Counsel Bureau, Nevada Legislative Bldg., 401 S. Carson St., Carson City, NV 89701
Legislative Counsel Bureau, Grant Sawyer Bldg., 555 E. Washington Ave., Rm #1003, Las Vegas, NV 89101
Nevada State Library & Archives, 100 N. Stewart St., Carson City, NV 89701

Viewing of and participation in the September 8, 2022 Board to Review Claims Meeting will be available via video/teleconference, and attendance by these means are encouraged. Meeting access information is listed below:

Videoconference: <https://call.lifesizecloud.com/15577867>

Teleconference: Call in by Phone (audio only)

United States: +1 (877) 422-8614

Meeting extension: 15577867#

The agency can accommodate limited seating at the meeting location if requested in advance. Members of the public that need prior assistance to participate in the meeting or wish to submit a written public comment to be read aloud during the meeting should contact Tristin Alishio by email at talishio@ndep.nv.gov, by calling (775) 687-9369, in writing at NDEP-BCA, Board to Review Claims, 901 S. Stewart St., Ste. 4001, Carson City, NV 89701, or by facsimile (775) 687-8335 no later than September 6, 2022.

Note: Supporting material for this meeting and prior meeting minutes are posted on the Board to Review Claims meetings webpage at: <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/board-meeting-agendas-minutes>. Audio recordings of previous meetings are located in the Nevada Division of Environmental Protection (NDEP) Carson City office and can be obtained from Tristin Alishio by sending a request in writing via email to talishio@ndep.nv.gov, by mail to NDEP-BCA, Board to Review Claims, 901 S. Stewart St., Ste. 4001, Carson City, NV 89701, or by calling (775) 687-9369.

**Agenda Item 1:
Call to Order and Roll Call**

**Agenda Item 2:
Public Comment**
(FOR DISCUSSION)

Agenda Item 3:
Approval of June 1, 2022 Minutes
(FOR POSSIBLE ACTION)

**STATE OF NEVADA BOARD TO REVIEW CLAIMS
BOARD MEETING MINUTES
JUNE 1, 2022**

1. CALL TO ORDER AND ROLL CALL

Chair Tappan called the meeting to order at 10:30 a.m. The meeting was conducted via video/phone conference.

BOARD MEMBERS PRESENT

Maureen Tappan, Chair – Representative of the General Public
Rod Smith, Vice-Chair – Representative of Petroleum Refiners
Karen Stoll – Department of Motor Vehicles
Greg Lovato – Nevada Division of Environmental Protection
LeRoy Perks – Representative of the Independent Retailers of Petroleum
Mike Dzyak – State Fire Marshal’s Office
Ian Carr – Legal Counsel for the Board, Attorney General’s Office

BOARD MEMBERS NOT PRESENT

Jason Case – Representative of Independent Petroleum Dealers

OTHERS PRESENT

Jeff Kinder, Michael Cabble, Kim Valdez, Megan Slayden, Don Warner, Jonathan McRae, Tristin Alishio, Ben Moan, Chuck Enberg, Kevin Barnes, Michael Mazziotta, Kevin Duggan, Ruby Wood, and Grant Busse – Nevada Division of Environmental Protection (NDEP)
Matt Grandjean – Stantec
Kathleen Johnson – The Westmark Group
Stephanie Holst – Broadbent & Associates

In addition to the above-named participants, two (2) additional guests called in to the meeting by telephone and were not identified by name.

2. PUBLIC COMMENT

There were no public comments.

3. APPROVAL OF THE MARCH 10, 2022 MINUTES

Chair Tappan called for any modifications to the minutes. There were no proposed changes.

Rod Smith moved to approve the March 10, 2022 minutes. LeRoy Perks seconded the motion. Motion carried unanimously.

4. **STATUS OF THE FUND**

Mr. Cabble presented the status of the Fund for State Fiscal Year 2022. The balance forward from State Fiscal Year 2021 was \$7,500,000 with approximately \$397,200 received for tank registration fees for enrollment year 2022. Approximately \$9,366,193 was generated by the \$0.0075 petroleum fee. The Fund has earned approximately \$20,117 in interest. Total revenue collected for Fiscal Year 2022 is \$17,283,509.73. Expenditures include Board Member salaries of \$1,066. In-state travel costs total \$170. Board meeting operating costs totaled approximately \$898. Total funds transferred to NDEP and used for program administration, State-led cleanups, staff salaries, and ongoing maintenance was approximately \$849,542. The fee paid to the DMV for collection of the \$0.0075 petroleum fee is \$12,714. Reimbursement of Petroleum Fund claims totaled approximately \$3,726,643. Total expenditures for the Fund for State Fiscal Year 2022 are \$4,591,031.54. As of May 18, 2022, the current balance available for claims is \$12,692,478.19.

5. **ADOPTION OF BOARD POLICY RESOLUTION NO. 2022-01, WHICH REPLACES BOARD POLICY RESOLUTION NO. 96-003**

Mr. Cabble stated that much of the content in this policy is not new and is contained under Board Policy Resolution 96-003. Staff chose not to amend the current policy of 96-003 due to a few factors. The first being that the current policy of 96-003 includes regulatory citations that are outdated. Some time ago, the legislature moved all Petroleum Fund statutes and regulations from Chapter 590 to a new Chapter, 445C. Additionally, the Board adopted new regulatory amendments under NAC 445C during its March 2022 meeting, which amended some claim submittal deadlines that were not included in the old policy. Lastly, when staff attempted to provide a redline of all amendments for inclusion, the changes were difficult to track. As such, they determined to retire the policy and provide a new policy, which would include current regulation citations as well as new requirements adopted during the March meeting.

New Board Policy Resolution No. 2022-01, if adopted today, would accomplish the following: Continue to delegate the Board's authority to its Executive Secretary to allow waivers of the 12-month claim submittal deadlines under Subsection 2 of NAC 445C.310 when good cause has been demonstrated. The Executive Secretary of the Board is the Petroleum Fund program supervisor, currently Mr. Cabble. In the past, claims that were not submitted timely were heard individually by the Board during its regularly scheduled meetings. Policy Resolution 96-003 was adopted in 1996 and later revised in 2012 to streamline this process by providing the aforementioned authority to the Executive Secretary for claim deadlines associated with the initial claim submittal and final claim submittal. The initial claim must be submitted within 12 months of the date of discharge from storage tank to the environment. The final claim deadline is 12 months following the completion of a site cleanup. NDEP issues what is termed a "no further action letter," and the date of this letter begins the 12-month deadline to the final claim. These submittal deadlines carryover from the old policy.

The new policy references a third deadline for claim submittals between the initial and final claims. All subsequent claims after the initial claim must be received within 12 months of the cleanup activity being performed for which reimbursement is being sought. This is a new requirement adopted by the Board during the March meeting, approved by the Legislative Commission, and filed with the Secretary of State on April 11th. Additionally, the new policy provides examples of what will be considered good cause. The policy also includes carry over language that the waiver may only be granted if the Fund has not incurred additional costs as a result of the delayed claim and the

late claim submittal cannot be the result of a delayed cleanup project or caused a delay in cleanup. A cleanup must progress regardless of the claim status. To verify this, the Executive Secretary will require the operator to provide confirmation from an NDEP case officer that the site has been compliant with cleanup directives.

Any waiver provided by the Executive Secretary under the policy will expire 12 months from the date of the waiver unless another date is specified in the waiver. This is a new requirement. It has been found that in the past, when waivers have been provided, there are still circumstances where the claim may not come in for quite some time after the initial waiver. Once two years have passed since the initial work, release discovery or closure of the case, it becomes very difficult to find supporting documentation to substantiate paying claim costs. If a waiver request does not meet the policy requirements, is denied by the Executive Secretary, or if the claim submittal is provided more than 12 months after the initial waiver has been provided, each case shall be referred to the Board for a final decision.

By way of background for Policy 96-003, historically requests were made often enough that the Board had to hear and consider each one. Good cause was predominantly generated, and the main issue revolved around whether there were additional costs incurred by the Fund due to the delay. Most times, this was not the case. The Policy Resolution was meant to clear these processes from the Board's tasks and delegate them to the program manager to make these determinations. In instances where such determinations cannot be made or the operator appeals the decision, such cases would still be brought before the Board.

Mr. Cabble invited questions from the Board.

Greg Lovato asked about the frequency of waivers and the typical reasoning for such waivers. **Mr. Cabble** addressed the second part of the question by speaking to the question of, "What is good cause?" He explained the new policy provides three common examples of good cause addressing why a waive should be considered. While waivers are not a regular occurrence, they occur often enough to warrant discussion. One example where a waiver makes sense is when a Phase II assessment is being performed at a site prior to a property transfer. There may be contamination discovered in the subsurface before a storage tank leak is known. When there is not an obvious alarm or failed test to point to the release source, the investigation process will require additional assessment onsite to identify the release source, which may take a considerable amount of time from when the contamination was identified by the Phase II. Other reasons for a waiver may include delayed claim filing due to bankruptcy or other litigation, or an owner settling an estate of a deceased family member.

Mr. Lovato asked for an estimated number of such waivers. **Mr. Cabble** estimated there to be less than ten occurrences per year.

Mr. Lovato referred to the resolution language under Number 2, allowable causes for failure to comply with a reimbursement claim and asked for more details on the meaning of excusable neglect. **Mr. Cabble** stated that it is carryover language from current policy 96-003. He is generally reluctant to remove historical language from a record. Excusable neglect generally refers to acts of the operator which caused a delay in the claim submittal but was not a factor toward higher costs of the cleanup.

LeRoy Perks stated that he is overall in favor of adoption of the policy, as the operator can appeal decisions to the Board. **Mr. Cabble** added that a reasonable explanation will always be provided for the denial of any waiver request. In the event of an appeal, the Board will hear the original

waiver request, the denial response provided by the Executive Secretary, and the reasoning of the operator for the appeal.

Chair Tappan stated that she agrees with the terms of the policy, which assists in moving meetings along. She invited a motion for adoption.

Greg Lovato moved to approve adoption of Board Policy Resolution 2022-01, which replaces Board Policy Resolution 96-003. LeRoy Perks seconded the motion. Motion carried unanimously.

6. COST SCHEDULE FOR GRANT FUNDED UST UPGRADES

Mr. Cabbie prefaced the discussion by stating that he was hoping to have a finalized cost schedule for upgrading UST equipment completed by this time. However, during the ensuing time period, there has been renewed interest from tank handlers. As such, a finalized schedule has been postponed in order to receive input from handlers. The agenda item will be presented to the Board as an action item at its September meeting. This meeting's agenda item was left as a placeholder for any discussion or Board concerns.

Mr. Perks asked about the nature of the tank handler's concerns and input. **Mr. Cabbie** clarified that no concerns were expressed. On the contrary, handlers were happy to see the three-bid requirement removed. There has been renewed input and interest regarding supplying costs for equipment and labor costs, so this information will be collected and reviewed before making further decisions. **Mr. Perks** stated that with the currently quickly changing conditions, equipment quotes are coming out for 15 days and prices fluctuate greatly. He also suggested developing some labor figures for inclusion. **Mr. Cabbie** clarified that with equipment, staff lean toward establishing a range or capped amount, due to variability in equipment types. They would be in favor of establishing labor numbers if enough data is received from handlers. **Mr. Perks** stated that all prices have gone up since they were originally submitted, some to a significant degree. **Mr. Cabbie** stated that further review of three to four years of actual installation costs and more recent estimates will be reviewed to determine price changes and setting rates. Revisions could be made as necessary, as often as each quarterly meeting.

Mr. Lovato noted that the next grant cycle is coming up in July and he asked about when the cost schedule will be established. **Mr. Cabbie** stated that the original intent was to have this item ready for the start of grant application period. However, the application period has been extended from three to nine months. It will go from July 1, 2022 through March of 2023. The regulations provide wide discretion on when to issue payment.

Mr. Lovato referenced the new interest from tank handlers and asked whether there is anticipation that the number of grant applications will go up commensurate with the changes. **Mr. Cabbie** shared his belief that if handlers drive the process, encourage their clients to upgrade systems and can demonstrate that most can be paid for by the state, there will likely be increased interest.

7. UPDATE ON PROGRESS TOWARDS NEW CEM COST GUIDELINES

Mr. Cabbie stated that the CEM Cost Guidelines is the program's largest guidance document and outlines the overall process for proposing cleanup costs prior to work being performed. The

guidelines address NDEP's approval process. They give a list of what is to be provided on an invoice that is submitted for reimbursement. They explain the claim submission process, and lastly, they include examples of documentation to demonstrate that money paid by the Fund has been spent on cleanup activities. Today's focus is on proposed cleanup costs and ensuring that approved costs are not exceeded by invoiced costs submitted with a claim. In general, operators required to clean up a petroleum release hire a consulting firm to oversee the cleanup, and a CEM advises the operator on how best to accomplish the cleanup. The CEM Cost Guidelines speak directly to this hired consultant or CEM. It provides guidance to CEMs on the costs that the Fund will and will not cover.

The bulk of the document identifies cleanup activities referred to as tasks. Currently, each task identifies a number of hours for individual professional skill levels and the CEM provides their rate for the skill levels identified in the task. The hours in each task have been revised over time and are meant to represent the typical amount of effort for such activities. The hours multiplied by the provided rates establish a task cost. Multiple tasks can be combined to oversee cleanup work over time. When tasks are combined, they are generally submitted under what is called a "Not to Exceed Proposal" (NTEP). Each NTEP may include one or more cleanup tasks for which a rate has been established through the hours and the hourly rate. The CEM will submit invoices in a claim, which is then deducted from the total NTEP amount. It is important to bear in mind that this addresses CEM costs only. The money approved under an NTEP is for the consultant firm's direct costs (e.g. billable hours). All subcontracted costs are governed by another policy.

Mr. Cable addressed the reason for the revisions to the guidelines. During the second audit, the following recommendations were made:

Reconcile project costs: Specifically, the report notes that invoice skill levels on the claim submittal do not correspond with those approved in an NTEP. Additionally, the skill levels identified on CEM invoices do not always match those defined in the cost guidelines.

Establish rate schedule for professional services: Audit staff would like to see an hourly rate set for each skill level defined in the cost guidelines. They note there is significant variability among hourly rates within the same skill level between consulting firms.

Mr. Cable stated that if both recommendations were to be implemented under the current guidelines as proposed, staff believes that the cost controls would become very rigid and would create additional burden on Fund staff on review of claims. Rather than continuing with establishing the number of hours in the task tables and then setting hourly rates per the audit report, staff propose moving towards establishing an overall cap on each cleanup task. The CEM will then have the flexibility on how they wish to bill their time within that task cost.

Currently, there are 60 cleanup tasks in the CEM Cost Guidelines. Three sample tasks have been provided to Board Members. The details provide explanation for what is expected to be performed under each task. If a deliverable is associated with the task, there is an outline for what should be included in that deliverable as well. Determining new task limits involves examining data submitted previously. Other considerations include impacts of inflation and amounts actually paid out on tasks in the past. The goal is to establish a cap under which most CEMs can provide oversight of cleanup activities outlined in a predefined task. CEMs would then submit invoiced costs in their claims that will be reconciled against the task costs previously approved by NDEP staff. Following this process, versus a process based upon individual skill level, will save staff

significant time in the review. It also continues to provide some cost controls for reasonableness under each task. Next steps in this process involve assigning a cost to each of the 60 tasks and then seeking input from the regulated community, specifically CEMs.

Mr. Cabbie welcomed questions and comments.

Rod Smith commented that this is the right approach.

Mr. Lovato referred to a prior Board meeting when the audit findings were presented. At that time, Board Members expressed concerns regarding adequately appreciating the role of market competition. They were also concerned about the Board attempting to influence the market. He inquired as to accounting for the role of the market while controlling costs. **Mr. Cabbie** acknowledged that in the current market, the process is more difficult. He referred to the Task A.3 Table provided to the Board as an example, which shows minimum and maximum values recently paid for under the task and walked through the process of determining new task caps. The initial numbers that will be included in the new cost guidelines document will likely be slightly elevated, but they will provide a buffer and allow for market fluctuation. Staff will rely on input from the CEMs that task rates are no longer meeting the CEMs' ability to perform the work. Many of the predefined tasks should cover and be applied to a variety of sites at multiple cleanup projects. In the instance of rare outliers, CEMs will be allowed to submit miscellaneous tasks. Under these tasks only, staff will set hourly rates and allow the CEM to propose how many hours are required to complete the specific task. This is opposite of the current process. There will be two staff review steps for miscellaneous tasks. The first will include approval by a case officer to determine whether or not what is being asked for on the task is actually needed at the site for cleanup. The second step will include review by Fund staff to determine whether the task can be accomplished under an existing predefined task. Staff will also look to see whether there are other costs asked for in the task that are not eligible under other cost guidelines.

Mr. Lovato summarized his understanding that staff will be able to use empirically based, Fund paid numbers to use as a baseline with the ability to adjust numbers as time goes on. This is a smart, reality-based system. The change will result in improvement in documentation and ability to verify costs, which may result in improved transparency but not necessarily significant cost savings to the Fund. **Mr. Cabbie** affirmed that the report listed transparency as the primary issue; however, previously gained program efficiencies would be lost in attempting reconcile down to individual skill levels, as was requested in the audit. Staff will also work with the CEMs to provide better descriptions on their invoices and reconcile those invoices to individual tasks or cost proposal costs approved by staff.

Mr. Smith expressed concern over dictating how work is done. It should be left to the CEMs to find the least expensive way to perform the work and reiterated that the proposed changes are a good approach.

Chair Tappan invited input from CEMs in attendance and opened the meeting to public comments. No comments were received.

8. ADOPTION OF CONSENT AGENDA ITEMS

The Board reviewed listed claims as a consent agenda item. There was no discussion regarding an individual item.

HEATING OIL

			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2012000017; 80223 Churchill County School District: Old High School	\$2,321.50	\$2,321.50
FOR POSSIBLE ACTION	2.	2020000051; 80265 University of Nevada Reno: 843 Lake Street Heating Oil Tank	\$67,100.98	\$66,578.48
FOR POSSIBLE ACTION	3.	2020000054; 80264 University of Nevada Reno: 829 Lake Street Heating Oil Tank	\$11,121.12	\$10,771.12
		SUB TOTAL:	\$80,543.60	\$79,671.10

ONGOING CASES

			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	1992000126; 80271 Clark County School District: RC White (Arville) Transportation Satellite	\$109,347.41	\$109,347.41
FOR POSSIBLE ACTION	2.	1994000027; 80220 7-Eleven Inc: 7-Eleven #19653	\$55,223.12	\$55,215.50
FOR POSSIBLE ACTION	3.	1995000039; 80230 Al Park Petroleum Inc: Crescent Valley Market	\$12,847.82	\$11,563.04
FOR POSSIBLE ACTION	4.	1996000063; 80242 Joan Pennachio: V & V Automotive	\$19,066.00	\$19,066.00
FOR POSSIBLE ACTION	5.	1996000064; 80269 The Esslinger Family Trust: Red Rock Mini Mart	\$9,961.39	\$9,662.55
FOR POSSIBLE ACTION	6.	1999000014; 80231 Al Park Petroleum Inc: Pit Stop #7 Conoco	\$5,945.38	\$5,341.84
FOR POSSIBLE ACTION	7.	1999000114; 80277 City of Fallon: Fallon Maint. Yard	\$57,321.97	\$56,733.69
FOR POSSIBLE ACTION	8.	1999000243; 80229 7-Eleven Inc: 7-Eleven #27607	\$72,975.06	\$65,648.73
FOR POSSIBLE ACTION	9.	2007000016; 80222 Golden Gate Petroleum of Nevada LLC: Golden Gate Petroleum	\$7,630.47	\$6,867.42
FOR POSSIBLE ACTION	10.	2009000024; 80018 Parampreet Investment LLC: Chucks Circle C Market	\$27,077.86	\$24,370.07
FOR POSSIBLE ACTION	11.	2010000009; 80232 HPT TA Properties Trust: Mill City Travel Center	\$22,284.46	\$18,050.41
FOR POSSIBLE ACTION	12.	2011000009; 80233 Cimarron West: Cimarron West	\$28,267.41	\$25,188.81
FOR POSSIBLE ACTION	13.	2012000005; 80238 Travel Systems, LLC: Zephyr Cove Resort	\$75,595.90	\$68,036.31
FOR POSSIBLE ACTION	14.	2012000012; 80270 Clark County Dept of Aviation: Former Smart Mart	\$20,210.76	\$18,189.68
FOR POSSIBLE ACTION	15.	2013000004; 80237 7-Eleven Inc: 7-Eleven #29665	\$15,681.29	\$14,113.16
FOR POSSIBLE ACTION	16.	2013000019; 80236 Hardy Enterprises Inc: Elko Sinclair #53	\$22,608.99	\$20,348.09
FOR POSSIBLE ACTION	17.	2014000004; 80224 Alsaker Corp: Broadway Colt Service Center	\$7,549.54	\$6,794.59
FOR POSSIBLE ACTION	18.	2014000016; 80225 Smitten Oil and Tire Co Inc: Former Smedley's Chevron	\$3,087.88	\$2,779.09
FOR POSSIBLE ACTION	19.	2014000025; 80226 Superior Campgrounds of America, LLC: Silver City RV Resort	\$29,610.49	\$26,610.48

FOR POSSIBLE ACTION	20.	2016000005; 80227	Golden Gate S.E.T. Retail of Nevada, LLC: Golden Gate Petroleum 65 - Fallon	\$3,323.01	\$2,990.71
FOR POSSIBLE ACTION	21.	2016000009; 80216	7-Eleven Inc: 7-Eleven #13685	\$13,162.80	\$11,846.52
FOR POSSIBLE ACTION	22.	2016000012; 80263	DLF Corporation: Mr. Ds Fastlane	\$8,021.93	\$7,219.74
FOR POSSIBLE ACTION	23.	2016000023; 80234	Al Park Petroleum Inc: Pit Stop #1	\$11,314.62	\$8,146.53
FOR POSSIBLE ACTION	24.	2018000009; 80211	Reed Incorporated: Pacific Pride	\$16,133.82	\$13,902.86
FOR POSSIBLE ACTION	25.	2018000018; 80228	Primadonna Company, LLC: Whiskey Pete's Stateline Stop	\$87,335.59	\$43,138.09
FOR POSSIBLE ACTION	26.	2019000044; 80272	7-Eleven Inc: 7-Eleven #15829	\$19,734.58	\$17,761.11
FOR POSSIBLE ACTION	27.	2020000015; 80267	Canyon Plaza, LLC: Gas 2 Go	\$18,735.23	\$10,114.33
FOR POSSIBLE ACTION	28.	2021000009; 80219	7-Eleven Inc: 7-Eleven #27111	\$31,051.31	\$27,938.98
SUB TOTAL:				\$811,106.09	\$706,985.74
RECOMMENDED CLAIMS TOTAL:				\$891,649.69	\$786,656.84

LeRoy Perks moved for approval of the consent items as listed. Vice-Chair Rod Smith seconded the motion. Motion carried unanimously.

9. **DIRECT PAYMENT OF UNCONTESTED CLAIMS MADE PER BOARD POLICY RESOLUTION 2017-02**

The Board to Review Claims authorizes NDEP to make claim payments prior to a Board meeting when the recommended payment value is uncontested. This authorized delegation is consistent with the findings in the memorandum from the Attorney General’s Office dated August 3, 2017 (Attachment A of Policy Resolution 2017-02). Below is a list of all quarterly claim payments made on the Board’s behalf in accordance with Policy Resolution No. 2017-02.

HEATING OIL

			<u>REQUESTED</u>	<u>PAID</u>	
FOR POSSIBLE ACTION	1.	2021000038; 80240	Reno Project Owner, LLC: Reno Project Owner, LLC Residential Heating Oil Tank	\$26,566.25	\$26,066.25
FOR POSSIBLE ACTION	2.	2022000005; 80246	Eric Plam: Kenneth Plam Property	\$18,988.89	\$18,738.89
FOR POSSIBLE ACTION	3.	2022000006; 80245	Paul Sisson: Pt Sisson, LLC	\$24,712.17	\$24,462.17
FOR POSSIBLE ACTION	4.	2022000009; 80274	Andrea West: Smith-West Family Trust	\$25,411.68	\$25,161.68
			SUB TOTAL:	\$95,678.99	\$94,428.99

ONGOING CASES

			<u>REQUESTED</u>	<u>PAID</u>	
FOR POSSIBLE ACTION	1.	1993000102; 80252	Rebel Oil Company: Rebel Store #2008	\$5,005.75	\$5,005.75
FOR POSSIBLE ACTION	2.	1993000103; 80186	Charlie Brown Construction: Charlie Brown Const.	\$34,615.60	\$33,923.29
FOR POSSIBLE ACTION	3.	1994000015; 80250	Pilger Family Holdings: Former D & G Oil Company	\$9,387.84	\$9,387.56
FOR POSSIBLE ACTION	4.	1999000023; 80256	Nevada Ready Mix Corp: Nevada Ready Mix	\$19,614.94	\$17,653.45
FOR POSSIBLE ACTION	5.	1999000066; 80262	HP Management, LLC: Former Haycock Petroleum	\$27,152.14	\$24,436.93
FOR POSSIBLE ACTION	6.	1999000086; 80243	Terrible Herbst Oil Company Inc: Terrible Herbst #126	\$71,972.16	\$64,774.94
FOR POSSIBLE ACTION	7.	2012000012; 80213	Clark County Dept. of Aviation: Former Smart Mart	\$16,100.02	\$14,490.02
FOR POSSIBLE ACTION	8.	2013000011; 80251	Har Moor Investments, LLC: Village Shop #4	\$31,513.51	\$28,362.16
FOR POSSIBLE ACTION	9.	2014000033; 80255	Speedee Mart Inc: Speedee Mart #108	\$20,013.79	\$18,012.41
FOR POSSIBLE ACTION	10.	2016000027; 80258	Terrible Herbst Oil Company Inc: Terrible Herbst #272	\$7,047.09	\$5,708.14
FOR POSSIBLE ACTION	11.	2017000019; 80260	Rebel Oil Company: Rebel Store #2197	\$23,859.30	\$21,473.37
FOR POSSIBLE ACTION	12.	2017000035; 80257	Rebel Oil Company: Rebel Store #2177	\$15,172.22	\$13,655.00
FOR POSSIBLE ACTION	13.	2018000005; 80253	Rebel Oil Company: Rebel Store # 2153	\$28,072.00	\$25,264.80
FOR POSSIBLE ACTION	14.	2019000001; 80261	Rebel Oil Company: Rebel Store #2160	\$14,112.90	\$12,701.61

FOR POSSIBLE ACTION	15.	2019000002; 80259	Rebel Oil Company: Rebel Store #2166	\$35,559.50	\$32,003.55
FOR POSSIBLE ACTION	16.	2019000014; 80249	Western Cab Co: Western Cab Co	\$7,888.00	\$7,099.20
			SUB TOTAL:	\$367,086.76	\$333,952.18
			DIRECT PAYMENT CLAIMS TOTAL:	\$462,765.75	\$428,381.17
			<u>BOARD MEETING CLAIMS TOTAL:</u>	<u>\$1,354,415.44</u>	<u>\$1,215,038.01</u>

DRAFT

10. EXECUTIVE SUMMARY

Mr. Cabbie stated that tank enrollment fees are tracked pursuant to the Federal Fiscal Year (FFY), which runs October 1, 2021 through September 30, 2022. Annual invoices for enrollment year 2022 were issued on August 19, 2021. Total facilities invoiced as of May 18, 2022 is 1,278 facilities. Approximately 98 percent of facilities have made their enrollment payments. Since the Fund was created, a total of 1,767 remediation cases have applied for Fund coverage. Of those applications, 173 have been denied due to ineligibility or other reasons. Of the cases that were provided Fund coverage, 1,501 cases have since been closed and no longer receive Fund reimbursement. Currently, there are 90 active Fund cases. Since January 1, 2022, NDEP has received 11 new coverage applications for Fund coverage with 3 applications currently pending. Prior to this Board meeting, the Board to Review Claims has approved a cumulative total of \$251,131,834.67 for reimbursement of petroleum cleanup cases. This includes \$428,381.17 for direct payment claims since the last Board meeting. With today's approval of \$786,656.84 in pending claims, the cumulative Fund expenditure will increase to \$251,918,491.51. There were no UST upgrade grants this quarter.

Mr. Cabbie stated that the regulations that were adopted during the March 10, 2022 meeting were approved by the Legislative Commission on April 8th and filed with the Secretary of State on April 11th, 2022. This means that the amendments and revisions NDEP proposed during the March meeting are all adopted and in effect as of April 11th, 2022. With the adoption of the regulations and the changes made, the first audit report findings and recommendations have been addressed. Staff will continue to work on the remaining findings. Most of these should be addressed with the revision of the CEM Cost Guidelines.

Mr. Cabbie provided an update on Eagle Gas North. Eagle Gas North went through a state-led cleanup due to operator recalcitrance. NDEP exhausted many avenues in an attempt to recover the Fund money expended for the cleanup. In July 2009, NDEP was notified of a potential gasoline leak in an underground storage tank at the Eagle Gas property located at 2152 North Carson Street in Carson City. NDEP confirmed the presence of a gasoline leak from the storage tank system. NDEP notified the owner of the violations that had occurred and steps that must be taken to ensure compliance with all state and federal laws. The operator repeatedly failed to follow directives and eventually abandoned all necessary steps to achieve compliance with state and federal laws. On August 17, 2009, the Nevada Department of Conservation and Natural Resources/NDEP filed a complaint in the First Judicial District Court of the State of Nevada against the owner of Eagle Gas. In September 2009, the Court granted NDCNR/NDEP access to the property to conduct an assessment and to monitor and conduct environmental protection work to mitigate soil and groundwater contamination. NDEP also received a judgment for \$1.6 million for reimbursement of this work.

Site assessment, remediation, and monitoring activities were completed in 2018 with a total cost incurred by the State of Nevada at approximately \$1.6 million. The owner has not paid the 2009 judgment and with accrued interest, the judgment owed to the state is approximately \$3 million. Recently, the court that ordered the judgment for cost reimbursement also granted NDEP the necessary legal orders to proceed with debt collection. On April 21, 2022, NDEP, with the assistance of outside counsel and the Carson City Sheriff's Office, proceeded to take actions to collect on the debt, including asset seizure. These debt collection steps will enable Nevada to recover costs spent on the cleanup; the total amount of cost recovery will depend on the value of the assets recovered. The process is under way and anticipated to take place over the next several months.

In response to a question from **Mr. Smith**, **Mr. Cabbie** stated that he was not aware of the full breadth or inventory of assets seized.

Mr. Perks referred to the \$100 fee for tank registration, noted 98 percent compliance and asked whether this is a typical percentage. **Mr. Cabbie** stated that at this time of year, a percentage in the high 90s is a good number. **Mr. Perks** asked about the specific requirements. For example, if an operator misses a payment for one year, but pays the fee for the following year, whether they are required to pay the previous unpaid year. **Mr. Cabbie** said he would likely be bringing the policy resolution before the Board in the near future. There are two requirements for enrollment for most sites. The operator must pay the \$100 per tank system fee and demonstrate that the systems are not leaking before NDEP will issue a certificate of enrollment. The enrollment year is from October 1st through September 30th. There is a grace period between October 1st and November 30th. The operator can provide payment and be reenrolled without showing evidence of leak detection. If there is no payment within the grace period, they are in the same position as an operator who is beginning enrolling in the Fund. The operator must make the payment and demonstrate that the tank and piping is not leaking in order to receive a certificate of enrollment.

11. **PUBLIC COMMENT**

There were no public comments.

12. **CONFIRMATION OF NEXT BOARD MEETING DATE**

The next meeting will occur on Thursday, September 8, 2022 at 10 a.m.

13. **ADJOURNMENT**

The meeting adjourned at 11:45 a.m.

**Agenda Item 4:
Status of the Fund**
(FOR DISCUSSION)

Petroleum Discharge Cleanup Fund
Balance Sheet - State Fiscal Year 2022
As of June 30, 2022

REVENUE

Balance Forward	\$ 7,500,000.00
Enrollment and Registration Fees	\$ 404,900.00
Petroleum Fees	\$ 12,984,904.28
Interest Earned	\$ 74,330.22
Balance Forward to New Year	\$ (7,500,000.00)
Total Revenue	\$ 13,464,134.50

EXPENDITURES



Board Salary	\$ 1,836.98
In-State Travel	\$ 225.12
Operating	\$ 2,297.89
Transfer to Highway Fund	\$ 7,637,335.43
Transfer to Department of Environmental Protection	\$ 1,187,128.41
Petroleum Grant Program	\$ -
Department of Motor Vehicles Fee Collection Service	\$ 12,714.00
Reimbursement of Claims	\$ 4,622,596.67
Total Expenditures	\$ 13,464,134.50

LIABILITIES

Petroleum Board Costs	\$ 77.01
Highway Fund Budgeted Amount	\$ 362,664.57
Pending Obligated Claims	\$ 8,717.74
Total Liabilities	\$ 371,459.32

ACTUAL FUNDING AVAILABLE

\$ -

Natalie Wood	08/26/2022
Prepared By	Date:
	08/29/2022
Reviewed By	Date:
	8/29/22
Petroleum Fund Staff Approval	Date:

Petroleum Discharge Cleanup Fund
Balance Sheet - State Fiscal Year 2023
As of AUGUST 23, 2022

REVENUE

Balance Forward	\$	7,500,000.00
Enrollment and Registration Fees	\$	10,400.00
Petroleum Fees	\$	-
Interest Earned	\$	-
Balance Forward to New Year	\$	-
Total Revenue	\$	7,510,400.00

EXPENDITURES

Board Salary	\$	40.64
In-State Travel	\$	-
Operating	\$	-
Transfer to Highway Fund	\$	-
Transfer to Division of Environmental Protection	\$	-
Senate Bill No. 89	\$	-
Petroleum Grant Program	\$	-
Department of Motor Vehicles Fee Collection Service	\$	200,290.32
Reimbursement of Claims	\$	200,330.96
Total Expenditures	\$	200,330.96

LIABILITIES

Petroleum Board Costs	\$	3,959.36
Highway Fund Budgeted Amount	\$	-
Pending Obligated Claims	\$	-
Total Liabilities	\$	3,959.36

ACTUAL FUNDING AVAILABLE

\$ 7,310,069.04


Natalie Wood 08/29/2022

 Prepared By Date:



Megan Peterson 08/29/2022

 Reviewed By Date:



Petroleum Fund Staff Approval 8/29/22

Date:

Agenda Item 5:
Adoption of Board Policy Resolution 2022-
02 (Petroleum Fund Cost Guidelines)

(FOR POSSIBLE ACTION)

STATE BOARD TO REVIEW CLAIMS

MEETING OF SEPTEMBER 8, 2022

Video conferenced from Carson City and Las Vegas, Nevada

SUBJECT: Policy Resolution 2022-02 Replaces the State of Nevada Petroleum Fund Cost Guidelines

DISCUSSION: The State of Nevada Petroleum Fund Cost Guidelines (Guidelines) provide a basis for the preparation and review of coverage applications, cost proposals, claims for reimbursement, and proof of payment documentation. The earlier versions of the Guidelines were initially adopted by the Board to Review Claims in 1996 pursuant to Board Resolution number 96-016. A major revision to the Guidelines occurred in 2001, with the passing of Policy Resolution 2001-05. Policy Resolution 2001-05 incorporated the earlier policies that were used to establish certified environmental manager (CEM) oversight and provided information about ineligible costs. This resolution was used and updated through 2022. The Guidelines established under Policy Resolution 2022-02 will replace all earlier versions of Guidelines documents used for Nevada's Petroleum Fund program.

A proposed draft was distributed to the regulated community in July 2022 for comments. In response to received comments, the draft Guidelines were amended. A markup version of the final draft of the Guidelines is included in this Resolution as Attachment A. The format shown allows amendments made to be clearly identified; red-lined items have been removed and bolded blue text are additions. Should the Board adopt this Resolution as proposed, Fund staff will post a clean final version of this document to our website at: <https://ndep.nv.gov/environmental-cleanup/petroleum-fund>

These Guidelines become effective on December 8, 2022, and will be applied to all cost proposal and claim submittals received after the December 8, 2022, Board quarterly meeting.

Any future amendments to the Guidelines will be completed by providing proposed changes to the regulated community for review and comment. If no comments are received which oppose the proposed change(s), NDEP will proceed to update the Guidelines and inform the Board of the change(s) at the next quarterly Board meeting. If comments are received which dispute the proposed change(s), NDEP will either resolve the conflict or present the issue to the Board for its consideration.

RECOMMENDATION: Adoption of Policy Resolution No. 2022-02, as proposed, which replaces Resolution No. 2001-05.

STATE BOARD TO REVIEW CLAIMS
RESOLUTION NO. 2022-02

Resolution to adopt the State of Nevada Petroleum Fund Cost Guidelines

Whereas, the State Board to Review Claims (hereinafter referred to as the Board) Finds:

1. In August 1996, the Board first adopted the State of Nevada Petroleum Fund CEM Cost Guidelines pursuant to Resolution number 96-016.
2. In September 2001 and following the preparation of draft CEM Cost Guidelines amendments, the NDEP solicited input from the regulated public and presented the proposed changes during workshops in Carson City and Las Vegas. The first revised Guidelines document was implemented in December 2001 under Board Resolution number 2001-05.
3. NDEP has made multiple updates to the CEM Cost Guidelines to better reflect current corrective action practices for leaking storage tank systems. Modifications include, but are not limited to, the addition of new tasks, expanding and clarifying existing language for commonly questioned assessment and remediation tasks, and the addition of several new appendices that include additional discussion and rates for field equipment and consumable materials, cost analysis of renting versus purchasing site remediation equipment, emergency/initial abatement activities, and CEM markup on subcontracted costs.
4. The Guidelines in Attachment A outline how Fund staff will implement a revised cost proposal system. Each cost proposal will include work scope tasks intended to allow a CEM the ability to manage staff levels of effort throughout various project phases. The Fund has established lump sum costs for many of the work scope tasks based on review of data submitted with previous not-to-exceed-proposals under the 2001-05 CEM Cost Guidelines from December 2016 through May 2022. These lump sum costs take into account current professional service rates, recent inflation, and will be revised periodically to account for future cost increases associated with economic conditions. In establishing lump sum work scope task values, as opposed to specifying the number of hours consulting staff may utilize, work can be streamlined based on the CEM's experience and site-specific needs. Additionally, staff gain efficiency in reviewing claims submitted to the Fund for reimbursement.
5. Comments and suggestions from the regulated community regarding today's proposed Guidelines were solicited in July 2022 via email. Additional amendments were made to the proposed Guidelines in response to comments received.
6. A final version of the Guidelines has been made a part of this resolution as Attachment A. Fund staff will post the adopted version of this document to the Nevada Petroleum Fund website at <https://ndep.nv.gov/environmental-cleanup/petroleum-fund> upon adoption by the Board.

THEREFORE, BE IT RESOLVED THAT:

1. The Board adopts the Petroleum Fund Cost Guidelines, as provided in Attachment A of this Policy Resolution (2022-02).
2. Both this Resolution and a copy of the Guidelines shall be posted to the Nevada Petroleum Fund website at <https://ndep.nv.gov/environmental-cleanup/petroleum-fund> for public review.
3. The Guidelines will become effective December 8, 2022.
4. NDEP staff will apply the Cost Guidelines to all cost proposals and claims received after the December 8, 2022, Board meeting.
5. Future amendments to the Guidelines will be completed by providing proposed changes to the regulated community for review and comment. If no comments are received which oppose the proposed change(s), NDEP will proceed to update the Guidelines and inform the Board of the change(s) at the next quarterly Board meeting. If comments are received which dispute the proposed change(s), NDEP will either resolve the conflict or present the issue to the Board for its consideration.

I, Maureen Tappan, Chair, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the Nevada State Board to Review Claims on September 8, 2022.

Maureen Tappan, Chair
State Board to Review Claims

ATTACHMENT A



STATE OF NEVADA PETROLEUM FUND

COST GUIDELINES

SEPTEMBER 2022

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SECTION 1.0

1.1 Introduction

The Nevada Petroleum Fund (Fund) is administered by the Nevada Division of Environmental Protection (NDEP). This document has been prepared to facilitate the preparation and review of coverage applications, work scope cost proposals, claims for reimbursement, and proof of payment documentation submitted by petroleum storage tank operators and their Nevada Certified Environmental Managers (CEMs). All submittals are currently provided electronically via the Nevada Environmental Activities (NEA) online system at: <https://nevadaenvironmentalactivities.ndep.nv.gov/>. Any additional documents and forms referenced herein may be downloaded from our website at <https://ndep.nv.gov/environmental-cleanup/petroleum-fund> or requested from NDEP staff by calling (775) 687-9368.

1.2 Objectives

The objectives of this document are:

- Develop guidelines and provide mechanisms whereby cost controls are established for assessment and remediation following a discharge from a Petroleum Fund eligible storage tank system.
- Provide expectations for common Fund documentation submittals, including coverage applications, work scope cost proposals, claim submittals, and associated proof of payment documentation.
- Provide a documentation preparation and review process that is uniform and sufficiently flexible to account for differing site/contaminant conditions.
- Provide descriptions of common assessment and remediation tasks and their associated scopes of work.
- Emphasize the importance of CEM coordination with case officers.

1.3 Background

The Fund was established in 1989 by state legislation to facilitate environmental protection by assisting operators of regulated petroleum underground storage tank (UST) systems to meet federal requirements for financial responsibility pursuant to Title 40 of the Code of Federal Regulations (CFR), Part 280, Subpart H. The Fund provides reimbursement to qualified storage tank system operators for regulatory-required assessment and remediation costs (exceeding set deductible and co-payment amounts) associated with accidental petroleum releases. The Fund also allows voluntary enrollment of non-regulated petroleum tanks (e.g., aboveground storage tanks less than 30,000 gallons and farm/residential storage tanks), and automatically covers accidental releases from heating oil storage tanks used for onsite space heating. Reimbursements from the Fund are reviewed and authorized by the State Board to Review Claims (Board). The Fund is supported by a \$0.0075 fee per gallon on petroleum products imported into the State, and an annual \$100/storage tank registration fee.

Subsequent to implementation of the Fund, NDEP established a mechanism to manage the assessment and remediation costs associated with leaking petroleum storage tank sites. This mechanism included the submittal of not-to-exceed proposals (NTEPs) by petroleum storage tank operators or their CEMs prior to the commencement of assessment and remediation activities onsite. The NTEP system, implemented from June 1994 through 2022, was designed to evaluate proposed CEM levels of effort by establishing professional staff hours expected to carry out tasks necessary for assessment and remediation of a discharge.

Under this document, the Fund will implement a revised cost proposal system. Each cost proposal will include work scope tasks intended to allow a CEM the ability to manage staff levels of effort throughout various project phases. The Fund has established lump sum costs for many of the work scope tasks based on review of data submitted with NTEPs from December 2016 through May 2022. These lump sum costs take into account current professional service rates, recent inflation, and will be revised periodically to account for future cost increases associated with economic conditions. In establishing a lump sum work scope task cost, as opposed to specifying the number of hours consulting staff may utilize, work can be streamlined based on the CEM's experience and site-specific needs.

1.4 Data Assimilation

In preparation of this document, data from previous NTEPs reviewed and approved by NDEP staff prior to this publication was compiled. Information gathered from previously approved NTEPs included the following:

- Identification of tasks necessary to perform assessment and remediation activities
- Professional time to perform the identified tasks
- CEM requested costs associated with performing an assessment or remediation task
- Types of investigative tools utilized
- Distance of sites from CEM's office location
- Geologic/hydrogeologic conditions
- Types of contaminants
- Regulatory agency requirements

1.5 Data Evaluation/Presentation

Following data tabulation as described in the previous section, professional hours and staff rates for each task were evaluated. Staff reviewed rate averages, medians, outliers, and considered inflation in an effort to account for short-term economic change. An overall cost with anticipated scope of work is provided for multiple tasks in Section 3.0 of this document.

In general, staff removed outlier values in the data and identified hours and rates that were most commonly used among professional staff. Median and average staff rates were calculated and adjusted for inflation over the past three years, and these rates were applied to hours commonly proposed for each task. For tasks that include unit-driven costs (e.g., number of wells installed or samples collected), rates have been provided and staff hours may be proposed where appropriate. Lastly, guidelines utilized in several other states, comments from CEMs, and NDEP case officer staff input were considered in the drafting of tasks and their associated scopes of work.

1.6 Eligible Versus Ineligible Costs

Fund coverage is typically provided for accidental discharges that have occurred from storage tanks registered and enrolled in the Fund at the time of the discharge discovery (refer to Section 2.1). Costs that can be covered by the Fund are referred to as "eligible costs" and are those costs directly associated with assessment and remediation activities approved by the case officer. With the exception of emergency abatement or initial abatement (refer to Section 1.7.7), activities directly associated with regulatory agency required work will be proposed in work plans and cost proposals and concurred with by the case officer. These guidelines include examples of many common tasks directly associated with assessment/remediation that are eligible for Fund coverage. Additional eligible costs for CEM field equipment, consumable materials, travel, and markup are outlined in Appendices A, B, C, and H,

respectively. Subcontractor and vendor costs incurred under an approved work plan and cost proposal are also generally eligible costs.

Costs that are not covered by the Fund are referred to as “ineligible costs” and are associated with activities not required or previously approved by the case officer. Examples include, but are not limited to: costs associated with additional activities deemed necessary by the claimant and conducted for their convenience, but not directly associated with assessment or remediation; rush turnaround fees on laboratory analyses if not requested/approved by the case officer; additional costs associated with utilizing an out-of-state consultant (non-reimbursable travel and per-diem); using a preferred contractor which charges more than known local vendors; intangible costs associated with financial risks such as high risk operators, and any cost for which the claimant was not billed. For a detailed discussion regarding reimbursable versus non-reimbursable costs, please see Appendix E.

1.7 Use of the Cost Guidelines Work Scope Tasks

It is important to note that this is not a document which provides direction on how to conduct assessment and remediation activities. Appropriate assessment and remediation activities must be conducted at sites pursuant to the request or authorization of the project case officer. Oversight of these activities are generally performed by an operator’s CEM, and this document is not meant to limit the activities a CEM may perform.

1.7.1 Cost Proposals for CEM Oversight

For each phase of a project, a CEM may submit one or more cost proposals that will include one or more work scope tasks. Work scope tasks are outlined in Section 3.0 of this document and identify costs eligible for Fund reimbursement for CEM oversight of assessment and remediation activities routinely conducted at a site following a petroleum release. If a CEM identifies a predefined task where the scope of work or task cost will not completely support assessment or remediation activities due to site-specific conditions, a miscellaneous task may be used as outlined in Section 4.0 of this document. Complete justification for all miscellaneous tasks must be provided and concurred with by the case officer and Fund staff prior to performing the miscellaneous task activities. **CEMs are encouraged to use predefined tasks whenever possible.**

1.7.2 Work Scope Tasks

Section 3.0 of this document was intended to be as complete as possible in terms of services performed by CEMs for oversight of assessment and remediation of Fund eligible sites. Correspondingly, multiple characterization, remediation, monitoring, and closure tasks are provided to assist in cost proposal preparation and review.

Tasks are grouped together and generally correspond to the different project phases associated with assessment and remediation case. They are organized as follows:

- Site Characterization
 - Work plan preparation
 - Soil borings/well installations
 - Characterization reports and modeling
- Corrective Action Plan Preparation
- Aquifer & Pilot Testing
- Corrective Action Plan Implementation

- Remediation system design, installation, and startup
- Soil excavation
- In-situ chemical oxidation solutions
- Permit Applications
- Corrective Actions
 - Remediation system operations, monitoring, and maintenance
 - Quarterly sampling, monitoring & status reporting
- Site Closure Activities
 - Exemption closure presentation to NDEP, if necessary
 - Remediation system decommissioning
 - Well abandonment
- Cost Proposal or Change Order Preparation
- Preparation of an Application for Petroleum Fund Coverage and State Petroleum Fund Reimbursement Claims
- Initial Abatement for Underground Storage Tank Releases

All assessment, remediation, reporting, and oversight must be performed pursuant to the requirements and standards stated in 40 CFR Part 280, Nevada Revised Statutes (NRS) 445C.150 through 445C.410, Nevada Administrative Code (NAC) 445A.226 through 445A.22755, NAC 445C.200 through 445C.390, NAC 459.970 through 459.9729, and NAC 459.9921 through 459.999. Assessment and remediation must proceed in accordance with regulatory directives regardless of Petroleum Fund coverage, cost proposal, or claim status.

1.7.3 Miscellaneous Tasks

Some projects phases may require miscellaneous tasks that do not conform with the predefined tasks presented in this document. In these cases, the CEM should not present a miscellaneous task that appears similar to an existing predefined work scope task. The proposed activities must be presented as a miscellaneous task in accordance with Section 4.0. The CEM will propose hours and skill level rates necessary to carry out the work as identified in Section 4.0. Any additional CEM costs allowed under Appendices A, B, and C may also be proposed under the miscellaneous task. Lastly, the CEM must provide a scope of work for the task and justification for the proposed hours and costs.

1.7.4 Cost Proposal Formatting and Submittal

Cost proposals and their associated work scope tasks must be structured in a way that is conducive to NDEP staff review. To facilitate a consistent preparation and submittal process, all cost proposals must be created and submitted online through the NEA system. Each cost proposal must identify a period of time during which all the work scope task activities will be completed. For example: *One year of remediation system operations & monitoring (January 1, 2023 through December 31, 2023)*, or *3rd and 4th quarter groundwater sampling and status reporting (July 1, 2023 through December 31, 2023)*, etc.

Once submitted and approved within the system, each CEM invoice can be linked to the appropriate cost proposal while preparing a claim for reimbursement (refer to section 2.2). This ensures costs claimed for reimbursement are associated with cost proposals that have been authorized by the regulatory agency.

1.7.5 Cost Proposal Processing

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NDEP case officers will review, approve, or deny cost proposals containing predefined work scope tasks for release sites they manage. For each task presented in a cost proposal, case officers will verify proposed tasks align with work plans previously submitted and approved. If a miscellaneous task is included in the cost proposal, both the case officer and Fund staff must approve the task. Case officers reserve the right to modify proposed levels of effort based on their knowledge of site assessment and remediation activities. Fund staff also reserve the right to deny miscellaneous tasks that appear to circumvent predefined work scope tasks and would result in increased CEM oversight costs without appropriate justification. Cost proposals are submitted and managed through NDEP's NEA online database system (<https://nevadaenvironmentalactivities.ndep.nv.gov>).

1.7.6 Cost Proposal Change Orders

If, during the course of a project, additional time will be required to complete one or more tasks that have already been approved under a cost proposal, the CEM is required to discuss the need for the change order with the case officer and gain approval before submitting the change order for the associated cost proposal. Change orders will be concurred with only if complete justification for the additional work is provided, which will be at the case officers discretion. In these cases, a new cost proposal should not be created, and any identical work scope tasks that overlap the same time period will be denied.

1.7.7 Emergency/Initial Abatement Activities

Emergency/initial abatement for heating oil USTs and commercial storage tanks includes activities designed to alleviate situations that are imminently dangerous to life and, health, or immediately prevent contaminant migration within the environment from a petroleum release. These activities may occur prior to specific regulatory agency direction, prior to a Fund coverage determination, prior to a cost proposal submittal and approval, and are not subject to bid requirements. However, any corrective action costs requested to be reimbursed by the Petroleum Fund that were performed as an emergency/initial abatement, must be submitted as a single claim using Task J.1 (heating oil storage tanks less than 1,100 gallons) or Task J.2 (all other storage tanks) of these Cost Guidelines. NDEP will require the CEM to contact a case officer, remediation supervisor, or Fund staff **as soon as practical and not more than 24 hours after** ~~at the time~~ the discharge is observed ~~and prior to proceeding with emergency/initial abatement~~ to ensure **proposed** abatement activities will be eligible for reimbursement **and to discuss existing site conditions. If the discharge is observed after business hours or initial contact attempts with NDEP are unsuccessful, call the NDEP Spill Hotline to request support (see Section 2.1).** Please refer to Appendix F for a discussion regarding emergency/initial abatement activities.

1.7.8 Cost Guideline Updates and New Technologies

The Cost Guidelines is an evolving document. NDEP will periodically revise this document in an effort to keep the content up to date. Comments, questions, and suggestions from CEMs and members of the regulated community regarding the guidelines are encouraged and welcomed. Those wishing to make comments regarding this document may do so during the public comment portions of quarterly scheduled Board meetings. Any comments to be considered by Fund staff outside of a Board meeting must be summarized in writing and submitted to staff. Received comments will be considered and either presented to the Board or presented to CEMs and the regulated community, where appropriate, for input. Fund staff will notify the Board of all substantive modifications to the Cost Guidelines.

New site assessment and remediation technologies emerge over time. As new technologies and
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practices are accepted by CEMs and NDEP, they will be evaluated and added into this document, as applicable.

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SECTION 2.0

2.1 Application for Coverage Filing Procedures

The operator of a petroleum storage tank system that has caused a discharge to the environment must report the discharge (release) to NDEP no later than the first working day following its discovery. Reporting may be done using the **NDEP Spill Hotline** at <https://nevadaenvironmentalactivities.ndep.nv.gov> or 1-888-331-6337.

Following the report of a discharge, the operator must submit an application for coverage (application) to the Fund within 12 months of the release discovery date using the online NEA system at: <https://nevadaenvironmentalactivities.ndep.nv.gov>. Submitted applications must be complete and provide all requested information. Attachments to the application (e.g., figures, photographs, written reports or summaries, etc.) can be uploaded during the submittal process in a PDF format. Incomplete applications will result in Fund staff returning the application and requesting additional information, which may cause processing delays. Criteria used by staff when considering eligibility for Fund reimbursement includes, but is not limited to:

- The leaking tank system must have been registered and enrolled in the Fund at the time of discharge discovery. The discharge discovery date is the date the operator knew or should have known that a discharge from his/her storage tank system occurred. **Call all suspected releases into the NDEP Spill Hotline to avoid jeopardizing Fund reimbursement eligibility.**

Note, pursuant to NRS 445C.340.2, storage tank systems used to store heating oil for consumptive use on the same premises (space heating) are not required to register but are eligible for Fund coverage.

- Evidence must be provided showing a registered tank system was the source of the release, and the release resulted from an accidental discharge.
- The applicant must identify exactly what component of the enrolled tank system leaked (e.g., product piping failure, faulty dispenser shear valve, hole in the tank, etc.), and that the leaking component was repaired, replaced, or removed to prevent further discharge to the environment. Refer to Board Policy Resolution No. 2008-04 for additional information.
- NDEP's corrective actions ~~program~~-bureau has assigned a leaking UST or remediation case ID, and a case officer has oversight of assessment and remediation activities following the release.
- Costs for regulatory-required assessment and remediation activities must total at least \$5,000 for each facility with the exception of leaking heating oil storage tanks less than 1,100 gallons. For these small heating oil tank systems, cumulative assessment and remediation costs must be greater than \$250.
- If the claimant chooses to hire a consulting firm to provide oversight of assessment and remediation activities, which is strongly recommended by NDEP, the individual overseeing work must be certified by the Division as an environmental manager (NAC 459.9704).

Upon approval of Fund coverage, an operator must register with the State of Nevada Controller's Office as a vendor to receive claim payments from the state. The Fund may authorize payment to an individual that owns or operates a business, the business as an entity, contractors, or vendors for site assessment and remediation activities. Payments are issued by the Nevada Controller's Office (separate

state agency), which requires registration with the Nevada Vendor Registration Desk (Fund staff cannot register an operator). To register for a vendor account with the Nevada Controller's Office, visit the Vendor Services website at: <https://controller.nv.gov/Buttons/VendorDB/>.

In general, if the business has taken responsibility for, and is paying for, the assessment and remediation activities onsite, Fund staff would expect to see the business name on the vendor registration record. Alternatively, if the claimant is a person that has taken responsibility for, and has paid for the assessment and remediation activities on site, staff would expect to see the individual's name on the vendor registration information. The entity on the vendor registration and the entity identified as the owner/operator on the application for coverage should match. The applicant (i.e., person that signs the application) will be claimant of record and will be the authorized representative of the business entity shown on the application. A change in business, claimant, responsible party, or authorized representative may require an update to the vendor registration with the Controller's Office as well as written notification to Fund staff using a form listed on our website at: <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/forms>.

It is important to note that the Nevada Controller's Office will send tax forms related to any monies paid by the state throughout the year that were authorized by the Fund. Please visit the Fund program forms website at: <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/forms> and review the section titled, "Tax Documentation for Fund Reimbursements" for more information regarding tax implications.

2.2 Cost Proposal Submittal Procedures

Once an application for coverage has been submitted, the operator with the assistance of their CEM, can submit a cost proposal to NDEP for review by the case officer. Cost proposals should be submitted prior to assessment and remediation work being performed and can be submitted prior to approval of Fund coverage. If an operator is seeking Fund coverage (i.e., has submitted an application), the CEM and operator are encouraged to submit cost proposals prior to a determination in coverage. An exception to the above includes emergency or initial abatement corrective actions that may occur prior to assignment of a case officer and/or Fund coverage. Emergency/initial abatement actions do not require cost proposals and are further discussed in Appendix F of this document.

Cost proposals must be submitted to the case officer online, using the NEA system at: <https://nevadaenvironmentalactivities.ndep.nv.gov>. Each submitted cost proposal is assigned a tracking number in the online database system. The CEM also has the ability to create a custom tracking number. The custom tracking number will be referenced on associated reimbursement claims and can be a name, internal project tracking code, the date which the proposal was prepared, or anything that facilitates CEM tracking. All cost proposals will list applicable work scope tasks from Section 3.0 of this document and include other CEM costs (refer to Appendix A, B, and C) that pertain to assessment and remediation activities deemed necessary by the CEM and are required/approved by the regulatory agency.

Cost proposals should be submitted timely in order to receive approval by the case officer prior to assessment or remediation activities being performed. NDEP staff typically review, approve, amend, or deny cost proposals within 30 days of receipt. If a CEM requires an expedited review, they must be in close communication with the case officer to facilitate a quicker review. In the event a cost proposal is submitted after site work has been performed, the case officer has discretion to accept, deny, or modify the cost proposal to align with necessity of the activities performed and/or services actually

provided. If the case officer does not approve the CEM's justification for submitting a delayed cost proposal, Fund staff will not recommend reimbursement for the invoiced costs associated with those activities. This recommendation may be appealed to the Board.

Note, NDEP's concurrence with a cost proposal prepared pursuant to these guidelines does not guarantee reimbursement in full. Pursuant to NRS 445C.310.1(a), all final reimbursement decisions are pending subsequent authorization from the Board and requested/approved costs must be eligible in accordance Fund statutes, regulations, and Board policy resolutions. Please refer to Section 1.6 above and the Petroleum Fund website at: <https://ndep.nv.gov/environmental-cleanup/petroleum-fund>.

2.3 Change Order Requests and Submittal Procedures

When a change in scope of work is necessary to complete field activities already approved, the CEM must use their judgment to complete the task as expeditiously and cost effectively as possible. The CEM should be in close communication with the case officer and contact the case officer from the site during field activities, when possible, to discuss a change order to the original cost proposal. Verbal request/concurrence for change order activities must be followed up with written confirmation from the case officer.

Circumstances that justify a change order include, but are not limited to:

- Unexpected site conditions that could not be anticipated based on prior site visits, characterization, or corrective actions.
- Observed site conditions warrant additional characterization/remediation activities that alter the approved scope of work (e.g., extending a boring/well/excavation, relocating boring/ well due to obstruction, etc.). The additional field activities should be completed using the existing onsite equipment/contractor and provide savings to the Fund with regard to future mobilization and demobilization costs.
- Additional pilot testing time.
- Design, installation, and/or repair of a complex remediation system.

Like cost proposals, change orders must be submitted to the case officer online using the NEA system and must be approved prior to claim submittal. Each change order will clearly identify the cost proposal being modified. Change orders must include descriptions of and justification for the additional work scope activities. If concurred with by NDEP, the original cost proposal will be amended.

2.4 Reimbursement Claim Filing Procedures and Summary

The CEM commonly prepares reimbursement claims for the claimant within the NEA system at: <https://nevadaenvironmentalactivities.ndep.nv.gov>. Each invoice that includes costs associated with site assessment and remediation are uploaded to the system. A value is then requested for reimbursement of invoiced costs within the system. The requested value may be the full invoiced amount or a partial amount if some of the invoiced services are not eligible for Fund reimbursement, are associated with another project, or will be requested on a future claim.

There are two categories of invoices: CEM invoices and non-CEM invoices. The CEM invoices are billed services, equipment, and materials provided by the CEM related to contaminant assessment, monitoring, and remediation oversight. Each of these invoices is linked to an approved cost proposal (discussed above), from which the amount billed is deducted from the total cost proposal amount. Non-CEM invoices

typically include services provided by non-CEM contractors, remediation equipment vendors, laboratories, utility companies, etc. The non-CEM invoiced amounts are not deducted from cost proposals and are subject to bid requirements (discussed below). All invoices are consolidated and totaled under one claim document submitted to Fund staff for review. Staff will review each claim and verify requested costs for reimbursement do not exceed preapproved cost proposal amounts and are consistent with program statutes, regulations, and Board policy resolutions. Once the claim is accepted by staff, it will be placed on the next scheduled Board meeting for final approval. Board meetings are typically held quarterly.

The following documents are necessary to prepare a claim submittal:

- Each invoice or receipt for which reimbursement will be requested (PDF format)
- Previously approved cost proposals (created, tracked, and available in the NEA system)
- Bid packages for contractor services/equipment that exceed the threshold provided under NAC 445C.270(4)(e) and Board Policy Resolution No. 2015-01.
- When required, case officer concurrence correspondence (e.g., cost proposal change orders, bid approval greater than \$25,000, etc.)
- Field and/or vehicle mileage logs
- Lodging receipts
- A list and description of remediation equipment used onsite (Onsite Equipment Form)

2.4.1 Reimbursement Claim Invoice Formatting

Each invoice must be in PDF format and include the following:

- Invoice number/identifier and date.
 - An account number may be used for utility bills.
- Identify the site project by name, address, or CEM project number.
- A description of services performed or equipment costs.
- Costs on invoices that are ineligible for Fund reimbursement or are otherwise not being requested for reimbursement on a claim, must be identified on the submitted invoice.
- Invoices that include services for multiple facilities must include a breakout showing amounts billed to each facility and the site-specific amount requested on the claim.
 - An invoice breakdown form is provided on the Petroleum Fund forms page at: <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/forms>
- All costs requested for reimbursement must be billed to the claimant, or business they represent, which is on record with the Fund (generally the applicant or operator identified on the application for coverage).
 - For non-CEM invoices and services that are billed to the CEM on behalf of the claimant, the CEM must bill the claimant for those services. The CEM invoice must also clearly identify the non-CEM invoice number/services billed to the claimant, and the CEM must include the non-CEM invoices in the claim submittal.
- CEM invoices that include laboratory invoices for soil and groundwater analyses must include a description of the sample event (e.g., 1st Qtr. GWM, Remediation system influent/effluent, excavation confirmation sampling, etc.). Laboratory chain of custody forms are also recommended.
 - Note, sample analyses must be performed by a laboratory certified by NDEP for each specific analysis requested for Fund reimbursement. Information on NDEP's Laboratory Certification program may be found at: <https://ndep.nv.gov/water/lab->

[certification.](#)

Additional information required on CEM invoices:

- The billing period during which services were performed.
- The cost proposal tracking number the invoiced services were applied.
 - If services provided on a single invoice were approved under multiple cost proposals, billed services must be separated and subtotaled under each cost proposal tracking number.
 - Alternatively, separate CEM invoices may be submitted for each cost proposal.
- Markup on non-CEM invoices must be clearly identified
- Each CEM invoice should include the following, when applicable (forms are available on the Petroleum Fund Forms page at: <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/forms>):
 - CEM field/usage logs showing in-house equipment and materials used onsite.
 - CEM vehicle mileage logs identifying the date(s) of vehicle use, start/end mileage, start/end locations, and purpose for site visit.

Additional information required on non-CEM invoices:

- For non-CEM subcontractor invoices and/or receipts, the date(s) on which the work or service was performed.
- For invoices submitted for impacted soil/groundwater transfer, disposal, or treatment must include documentation of disposal/treatment unless the transport company is a waste treatment/disposal facility.
- For invoices that exceed the bid threshold, bid documentation prepared in accordance with Section 2.4.3 (below), NAC 445C.270(4)(e), and Policy Resolution 2015-01.

2.4.2 Invoice Itemization Sheets

Once all claim invoices are uploaded, the system will compile them into two separate itemization tables on the claim document. The first table details CEM costs, and the second shows non-CEM costs. CEM and non-CEM costs are identified by the CEM when an invoice is uploaded to the system.

CEM costs typically include billable hours by a consulting firm's staff, equipment used by consultant staff for sampling, field consumables, travel, etc. The CEM Cost Invoice Itemization table also identifies an approved cost proposal using the CEM-assigned tracking number detailed in Section 2.2. Non-CEM costs may include services subcontracted by a CEM, laboratory costs, utility bills, etc. For non-CEM invoice costs that are included on a CEM's invoice (e.g., a subcontractor bills the CEM who then bills the claimant), the requested CEM costs are shown on the CEM Cost Itemization table and do not include the values of non-CEM services included on the CEM invoice. Instead, the non-CEM costs will display below on the Non-CEM Cost Itemizations table. This allows staff to deduct CEM costs from an approved cost proposal and separately track non-CEM costs.

2.4.3 Bid Requirements for Non-CEM Costs

With the exception of soil disposal/treatment, laboratory analytical, and utility costs, or unless otherwise approved by the NDEP, a minimum of three valid, signed bids must be submitted for non-CEM services or equipment purchases that exceed \$7,000 (bid threshold) in accordance with NAC 445C.270(4)(e). Valid bids must be provided in accordance with Board Policy Resolution No. 2015-

01 and include the following:

- Site specific name, address, and case ID of the facility where the work will be conducted.
- Pricing for the services solicited and/or equipment to be purchased.
- Bid summary and certification forms (<https://ndep.nv.gov/environmental-cleanup/petroleum-fund/forms>).
- Bid submittal forms that are structured in a manner that allows direct comparison to the other bid submittals.
- Written approval from NDEP or supporting documentation that NDEP did not respond to the bid review request within 10 business days, if costs will exceed \$25,000.
- Signatures by the contractors/vendors who prepared the bids, the CEM, and the operator.

Note, it may be necessary to request bids from more than three vendors in order to receive three valid bids. Correspondence from a vendor that they cannot or do not wish to provide a bid may not constitute receipt of a valid bid. The following are examples under which the NDEP may consider bid packets that contain less than three bids:

- Not able to obtain three bids prior to case officer deadline to perform the work.
- There are less than three vendors who can provide the service or product due to the specialized nature of the deliverable.
- The service or product is proprietary to its company.

For bid packets that include less than three bids or where the lowest bid is not selected, a written bid waiver from the case officer must be provided with the bid packet.

In the event an invoice submitted with a claim is greater than the accepted bid amount, justification must be provided and the approved bid rates/unit costs for contractor time and materials must be used. An exceedance that occurs for a bid where lump sum pricing was accepted may not be reimbursed by Fund staff if original bid rates cannot be determined. For significant cost increases due to a change in the scope of work, written approval from the case officer will also be required. A Bid Excess Justification/Concurrence form may be downloaded from the Petroleum Fund Forms page at: <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/forms>.

Justifiable reasons for bid exceedance include, but are not limited to:

- Additional boring footage advanced during boring/well installation.
- Additional 55-gallon drums necessary for drilling activities.
- Freight costs for remediation equipment not provided with bid.

Fund staff may recommend denial of invoiced costs for failure to obtain bids in the following circumstances:

- A single non-CEM invoice with an amount greater than the bid threshold is split into multiple invoices, each having an invoice amount less than the amount that bids are required.
- Circumventing the bid process by requesting an amount less than the bid threshold value for a non-CEM invoice where the invoiced amount exceeds the bid threshold.
- Costs associated with routine or repeat services/purchases multiple times throughout the year, and the annual invoiced costs exceed the bid threshold (e.g., subcontracted non-CEM

monitoring, third-party remediation equipment operation/maintenance, etc.).

- Bids should be obtained in accordance with this subsection on an annual basis.

2.4.4 Reimbursement Claim Submittal Processing

Once all invoices, bid packages, and other supporting documents discussed above are uploaded to the NEA system, the CEM must obtain the claimant's approval (i.e., signature). Upon receipt of that approval, the claim will be submitted electronically to Petroleum Fund staff for review.

Fund staff will conduct a review of the claim to ensure costs are eligible for payment in accordance with Fund statutes, regulations, and Board policy resolutions. Following claim review, staff will either recommend payment for all CEM costs that are associated with an approved cost proposal as well as non-CEM costs required by the case officer for site assessment and remediation, or staff will recommend denial of costs that cannot be substantiated or are ineligible (disallowance). In the case of a disallowance or improperly prepared claim, staff will provide the CEM and claimant the opportunity to address/correct the ineligible cost by returning the claim or requesting additional documentation. Any dispute that cannot be resolved by Fund staff, the claimant, and their CEM may be appealed to the Board to Review Claims at the next scheduled meeting.

Once a claim has been reviewed and accepted by Fund staff, the claimant and CEM will be notified of staff's payment recommendation to the Board. The notification will be received by email and direct both the claimant and CEM to a claim recommendation letter, which will be presented to the Board during the next quarterly meeting.

2.4.5 Claim Submittal Deadlines

Fund staff establish quarterly claim submittal deadlines approximately 6 weeks prior to each scheduled Board meeting. Generally, claims received on or before the meeting deadline will be presented before the Board. Staff also make every effort to review and process claims after the meeting deadline as well but cannot guarantee they will be placed on the meeting agenda if received after the meeting deadline. Meeting deadlines are posted to the Board to Review Claims meeting website at: <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/board-meeting-agendas-minutes>.

In addition to the above quarterly meeting deadlines established by Fund staff, the Board has adopted regulations to ensure claims for individual projects are processed timely and lack of a Fund payment does not delay site assessment or remediation. In accordance with NAC 445C.310(2), an operator or CEM seeking reimbursement by the Fund for assessment and remediation costs must:

- Submit the initial claim within 12 months of discovering a release from a registered storage tank.
- Submit subsequent claims within 12 months of assessment or remediation work being performed.
- Submit the final claim for reimbursement within 12 months of the completion of corrective action activities onsite ("No Further Action" letter issued by the case officer).

A waiver for the above deadlines may be issued by the Fund program supervisor if good cause is shown in accordance with Board Policy Resolution No. 2022-01.

2.5 NEA Document Submittal and Signatures

Signatures for documents submitted via the NEA system must be applied electronically as a user logged into the system, or the corresponding downloadable signature page must be used. The signatory can sign the signature page, scan it to PDF format, and upload it to the applicable document. Fund staff will not accept signatures applied to the downloadable signature page through electronic signature software such as Adobe or DocuSign, nor should signatures be copied/pasted onto the signature page. If the claimant has not created an account within the NEA system, contact Fund staff.

The purpose of the above is to ensure a claimant has been provided with the appropriate document and they have reviewed the documentation they are signing. The following language, or similar, is provided on each signature page downloaded from the system and must be included with the claimant's handwritten signature:

- "I have reviewed and understand the proposed tasks summarized in this cost proposal. I understand that I am responsible for any costs not recommended for reimbursement by the State of Nevada Petroleum Fund staff, and which I have agreed with the CEM are appropriate to incur, and/or have directed to incur such costs on the subject project."

All signatories must review the documents they are signing and approving. If the information in the document is not clear, it should be reviewed with the CEM and/or Fund staff. Documents submitted without the appropriate signature and the above acknowledgement will not be processed by Fund staff.

2.6 Payments by the Fund

Accounting staff will issue standard payments from the Fund to an operator typically within one week after a quarterly Board meeting. Once the payment is issued, the operator can expect the payment within 2 to 4 weeks. The receipt of payment starts a time period during which a CEM, vendor, or contractor that performed site work must be paid (refer to proof of payment section below). An operator can also provide approval to pay a CEM, vendor, or contractor directly; however, Fund staff are not responsible for contractual arrangements between the operator and their CEM, vendors, and contractors.

An alternative to a standard payment as outlined above is to request a direct payment. This payment process can expedite a Fund reimbursement payment at any time throughout the year in as little as 2-3 weeks. Once Fund staff have approved a claim, the operator can submit a declaration indicating they do not contest the staff recommended value of the claim. Upon receipt of this declaration, Fund staff may authorize a reimbursement payment on behalf of the Board. Please refer to Board Policy Resolution No. 2017-02 for additional information.

2.7 Proof of Payment to Contractors/Vendors

Pursuant to NAC 445C.310, all payments received from the Fund shall be paid by the operator or CEM to the contractors/vendors that provided assessment or remediation services within 60 days of receiving the Fund payment. If an operator fails to pay their contractors/vendors within 60 days of receiving payment, the money paid by the Board shall be refunded back to the Fund and any subsequent claims will be held for future payment until the money is refunded. Documentation confirming proof of payment to contractors/vendors shall also be submitted to Fund staff no later than 60 days after the operator or CEM receives payment from the Fund. Failure to provide proof of payment documentation will also render subsequent claims ineligible for approval until the second Board meeting following receipt of documentation.

If an operator submits a declaration as described in Board Policy Resolution No. 2017-02 and requests a direct payment, all payments must be made to the contractors/vendors within 30 days. Additionally, proof of payment documentation must be submitted to Fund staff within 30 days.

Examples of acceptable proof of payment documentation include documentation from a financial institution of wire transfer or other electronic fund transfer initiated by the recipient to the contractor/vendor or copies of the cancelled checks issued by the recipient for the payment of reimbursable costs. A complete description of acceptable documentation is available through User Guides located in the NEA system. This documentation must be uploaded to the NEA system within the deadlines specified above.

2.8 Required Operator Cost Allocation

In accordance with NAC 445C.310(5)(c), the operator (i.e., claimant) must demonstrate they are paying the applicable cost allocation outlined in NRS 445C.380. Most operators will need to demonstrate they have paid 10% of the approved claim costs (the Fund pays the remaining 90%). Exceptions to this allocation amount include small business operators (5% cost allocation, up to \$50,000 dollars) and an agency, department, division or political subdivision of the State (10% cost allocation, up to \$10,000). Proof of payment records will be used by Fund staff to verify an operator has met their payment allocation for each claim.

2.9 Appeals

Denied coverage applications, claims, and individual invoices may be appealed to Fund staff and to the Board, if necessary. If monies requested in a claim are not recommended for payment, and the CEM or claimant believes they are reimbursable costs, the denied amount should first be appealed to Fund staff. Appeals should be provided in a written format (email or letter). The following information should be included:

- Copies of all denied invoices.
- The total amount being appealed.
- The amount of each invoice being appealed.
- Justification why the denied reimbursement should be recommended for payment.
- Supporting documentation as needed (e.g., bid waiver, mileage sheets, etc.).

The appeal will be reviewed by Fund staff. If approved, the CEM will resubmit the invoices on a separate claim with the concurrence document attached. If the amount appealed remains denied, the denied amount may be appealed to the Board.

2.10 Maintaining Records

Pursuant to NAC 459.9729(1)(i), a CEM shall maintain a written record of each project requiring certification for 3 years after the project is completed. The Division may inspect those records during normal business hours.

Types of records that shall be maintained include but are not limited to:

- Field notes, both written and electronic
- UST compliance documentation

- Leaking UST compliance documentation
- Invoices
- Claims
- NTEPs and CPs
- Bids packages
- Timesheets
- Financial institution statements
- All records associated with Fund reimbursement/payment

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SECTION 3.0: WORK SCOPE TASK TABLES

A. SITE CHARACTERIZATION

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**WORK SCOPE TASK A.1:
ASSESSMENT OF SITE CONDITIONS PURSUANT TO RELEASE DISCOVERY**

Task Preparation and Oversight Cost: \$3,394.00

Scope of Work: This task consists of all consulting services to assess initial site conditions following a release and preparation of a response to the regulatory agency's request for information pursuant to applicable regulations (e.g., R-Spill Response). Information unknown at the time of the release (extent of the release, volume of contaminated soil, subsurface lithology, etc.) will be submitted in a subsequent Site Characterization Report.

Activities include communication with the case officer, collection of release information, and submittal of a written response to NDEP. Any deficiency in the response identified by the case officer must be addressed as a part of this scope of work. If the case officer requests additional follow up information that was not part of the initial release discovery request, a change order to this task may be submitted for case officer review and approval.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK A.2:
WORK PLAN PREPARATION
SMALL-SCALE SITE CHARACTERIZATION**

Task Preparation and Oversight Cost:

\$2,060.00

Scope of Work: This task consists of all consulting services to prepare and produce a work plan to perform a small-scale site characterization. The work plan shall include a description of proposed activities to quantify the extent of the release and may include installation of soil borings and/or one groundwater monitoring well to evaluate whether or not groundwater has been impacted. These soil and groundwater characterization activities are generally associated with a release from small storage tank systems with products that have a lower potential to migrate (e.g., heating oil or waste oil storage).

Activities include communication with the case officer, site visit(s), review of previous assessment work performed at the site, general project management, drafting of site diagrams showing boring/well location(s), preparation and submittal of a site characterization work plan. Any deficiency in the work plan identified by the case officer must be addressed as a part of this scope of work.

Note, Task A.3 may be used for preparation of a work plan for site characterization of a large site or a large volume of product released that would result in a higher potential for constituent migration to groundwater (e.g., fueling facility with multiple large storage tank systems and/or release sources).

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK A.3:
WORK PLAN PREPARATION
LARGE-SCALE SITE CHARACTERIZATION**

Task Preparation and Oversight Cost:

\$4,247.00

Scope of Work: This task consists of all consulting services to produce a work plan to perform a site characterization to delineate the extent of petroleum contamination at a site where soil and/or groundwater contaminant levels exceed regulatory action levels. This type of site assessment consists of soil characterization (e.g., soil boring advancement, push-drive technology, etc.) and/or groundwater characterization (e.g., installation of groundwater monitoring wells, etc.) at a facility with multiple release sources and/or a significant release from one or more large storage tank systems (e.g., tanks used at a fueling facility) that have a higher potential to migrate.

Activities include communication with the case officer, site visit(s), review of previous assessment work performed at the site, general project management, drafting of site diagrams showing boring/well location(s), preparation and submittal of a site characterization work plan. Any deficiency in the work plan identified by the case officer must be addressed as a part of this scope of work.

Note, Task A.2 should be used for preparation of a work plan for site characterization of a small site or single soil release with low potential to migrate to groundwater (e.g., heating oil and waste oil products).

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK A.4:
WORK PLAN PREPARATION
LIMITED CHARACTERIZATION OR CORRECTIVE ACTION ACTIVITIES**

Task Preparation and Oversight Cost: \$2,060.00

Scope of Work: This task consists of all consulting services to produce a work plan to perform limited corrective action activities, including but not limited to extended pilot testing, excavation and disposal of contaminated soils, propose the installation of additional soil borings and/or monitoring wells to further delineate subsurface contamination.

Activities include communication with the case officer, site visit(s), review of previous assessment work performed at the site, general project management, drafting of site diagrams showing facility structures and existing boring/well location(s), preparation and submittal of a limited site characterization or corrective action work plan. Any deficiency in the work plan identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK A.5:
HEALTH AND SAFETY PLAN PREPARATION**

Task Preparation and Oversight Cost:

\$915.00

Scope of Work: This task consists of all consulting services necessary to produce the initial site-specific health and safety plan for a site. **The plan should address pertinent worker safety standards in accordance with federal, state, and local requirements for meeting OSHA and HAZWOPER provisions. Any deficiency in the plan identified by an authority having jurisdiction must be addressed as a part of the scope of work.**

Activities include site visit(s) and preparation of a site-specific health and safety plan. **The plan must be provided to the authority having jurisdiction or NDEP upon request.** ~~Any deficiency in the plan identified by the case officer must be addressed as a part of this scope of work.~~

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK A.6:
HEALTH AND SAFETY PLAN UPDATE**

Task Preparation and Oversight Cost:

\$384.00

Scope of Work: This task consists of all consulting services necessary to update a site-specific health and safety plan. Updating may be necessary on an annual basis or when site activities are modified. **The plan should address pertinent worker safety standards in accordance with federal, state, and local requirements for meeting OSHA and HAZWOPER provisions. Any deficiency in the plan identified by an authority having jurisdiction must be addressed as a part of the scope of work.**

Activities include site visit(s) and preparation of an updated health and safety plan. **The plan must be provided to the authority having jurisdiction or NDEP upon request.** ~~Any deficiency in the plan identified by the case officer must be addressed as a part of this scope of work.~~

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK A.7:
UTILITY CLEARANCE COORDINATION**

Task Preparation and Oversight Cost: ~~\$684.00~~938.00

Scope of Work: This task consists of all consulting services necessary to coordinate the clearance of public and/or private utilities prior to soil boring advancement, well installation, trenching activities, etc.

Activities include site visit(s) to demarcate area for public and/or private utility clearance, project management, and communication with the case officer. Any deficiency identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK A.8:
SUBSURFACE SOIL INVESTIGATION BY SOIL BORING ADVANCEMENT**

Task Preparation and Oversight Cost: \$1,368.00

Scope of Work: This task includes project management and costs associated with oversight of subcontractors to perform a subsurface investigation to determine the extent of soil contamination utilizing soil boring advancement and sampling. Soil borings installed under this task will not be converted to groundwater monitoring or remediation wells. Please refer to work scope task A.9 for well construction activities. If soil borings and new wells will be installed concurrently at the site, costs for each may be proposed under their respective work scope tasks.

Site activities should include, but are not limited to the following:

- Solicit bids for contractor services if costs will meet or exceed the bid threshold
- Coordinate and oversee advancement of soil borings
- Collection of soil samples for analyses
- Decontamination of equipment between samples/borings
- Borehole logging
- Borehole abandonment
- Coordinate disposal of soil cuttings
- Time to prepare and deliver samples to a NDEP certified laboratory, or prepare sample shipping package
- Staff travel time if the site is located within metropolitan area of consultant
- CEM coordination of traffic control vendor, if necessary (traffic plans, barricade placement and rental, etc.)
- **Coordinate offsite boring activities with private property owners, if necessary**

Additional compensation for field oversight of drilling and sampling activities may be claimed using the following rates:

- For each consecutive field day after the first (subsequent day), 25% of the Task Preparation and Oversight Cost.
- For each linear foot drilled - \$10
- Drill rig set up time between borings - \$63.50 (each subsequent boring after the first)
- Sample collection - \$63.50 (each borehole sample)

Please note that costs associated with drill rig repairs and/or weather delays are not reimbursable.

Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK A.9:
GROUNDWATER MONITORING OR REMEDIATION WELL CONSTRUCTION**

Task Preparation and Oversight Cost: \$1,495.00

Scope of Work: This task includes project management and oversight of subcontractors to install groundwater monitoring or remediation wells, which includes the recovery of soil samples from the boreholes, logging of the boreholes, and coordinating waste disposal.

Site activities should include, but are not limited to the following:

- Solicit and evaluate bids if costs will meet or exceed the bid threshold
- Coordinate the preparation and submittal of Notice of Intent card(s) to the Division of Water Resources.
- Coordinate the preparation and submittal of Affidavit of Intent to Abandon Monitoring Well form(s) to the Division of Water Resources.
- Oversee advancement of soil boring(s) to be converted to well(s)
- Collect soil samples from borehole(s) and borehole logging
- Decontamination of contractor equipment between samples/borings
- Coordinate/oversee construction of well(s), including wellheads
- CEM equipment calibration and decontamination
- Time to prepare and deliver samples to a NDEP certified laboratory, or prepare sample shipping package
- Travel time if site is located within metropolitan area of consultant
- Coordinate disposal of soil cuttings
- Verify well development by subcontractor, **if not performed by consultant staff**
- Coordination of well survey(s)
- CEM coordination of traffic control vendor, if necessary (traffic plans, barricade placement and rental, etc.)
- **Coordinate offsite investigation activities with private property owners, if necessary**

Additional compensation for field oversight of drilling and sampling activities may be claimed using the following rates:

- For each consecutive field day after the first (subsequent day), 25% of the Task Preparation and Oversight Cost.
- For each linear foot drilled - \$18
- Drill rig set up time between wells - \$63.50 (each subsequent well after the first)
- Sample collection - \$63.50 (each borehole sample)

Please note that costs associated with drill rig repairs and/or weather delays are not reimbursable.

Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK A.10:
GROUNDWATER MONITORING OR REMEDIATION WELL
DEVELOPMENT/REDEVELOPMENT**

Task Preparation and Oversight Cost:

\$381.00

Scope of Work: This task provides allowable costs for development or redevelopment of groundwater monitoring or remediation wells. The task assumes that well development or redevelopment will be performed by consultant staff as opposed to the driller or other non-CEM contractors. ~~This task should not be used with Task A.9 unless justification is provided explaining why the well installer will not develop the new well(s).~~

Site activities should include, but are not limited to the following:

- Prepare equipment
- Development or redevelopment of the first or only well
- Coordinate disposal of well water
- Coordination of traffic control plan and placement of traffic barriers, if necessary
- **Coordinate offsite well development/redevelopment activities with private property owners, if necessary**
- Travel time if site is located within metropolitan area of consultant

Additional compensation for development/redevelopment of subsequent wells (after the first) will be paid at a unit cost rate of \$254.00 per well.

Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK A.11:
SUBSURFACE INVESTIGATION USING PUSH-DRIVE TECHNOLOGY**

Task Preparation and Oversight Cost: \$1,114.00

Scope of Work: This task includes project management and oversight of subcontractors to perform a subsurface investigation to determine the extent of soil and/or groundwater contamination utilizing push-drive technology (Geoprobe™, HydroPunch™, etc.). The Fund recognizes that push-drive technology may not be appropriate for certain subsurface conditions, so use of this technology should be based upon known site conditions. **Costs associated with an unsuccessful push-drive investigation will not be recommended for reimbursement;** however, an unsuccessful boring advancement due to probe refusal may be claimed if the overall subsurface investigation is successful. A successful investigation is one that results in meeting all the goals required by the case officer for this activity.

Site activities should include, but are not limited to the following:

- Solicit bids for contractor services if costs will meet or exceed the bid threshold
- Coordinate and oversee push-drive boring advancement
- Collection of soil samples for analyses
- Time to prepare and deliver samples to a NDEP certified laboratory, or prepare sample shipping package
- Borehole logging
- Borehole abandonment
- Coordinate disposal of soil cuttings
- Travel time if site is located within metropolitan area of consultant
- Consultant coordination of traffic control plan and placement of traffic barriers, if necessary
- **Coordinate offsite investigation activities with private property owners, if necessary**

Additional compensation for field oversight of boring and sampling activities may be claimed using the following rates:

- For each consecutive field day after the first (subsequent day), 25% of the Task Preparation and Oversight Cost.
- For each linear foot drilled - \$10
- Drill rig set up time between borings - \$63.50 (each subsequent boring after the first)
- Sample collection - \$63.50 (each borehole sample)

Please note that costs associated with drill rig repairs and/or weather delays are not reimbursable.

Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK A.12:
SUBSURFACE INVESTIGATION USING TEST PITS**

Task Preparation and Oversight Cost: \$938.00

Scope of Work: This task includes project management and oversight of subcontractors to perform a subsurface investigation utilizing test pit excavations. Collected samples will be used to determine the extent of soil contamination.

Site activities should include, but are not limited to the following:

- Solicit bids for contractor services if costs will meet or exceed the bid threshold
- Coordinate and oversee excavation and backfilling of test pits
- Collection of soil samples for analyses
- Decontamination of equipment between samples
- Time to prepare and deliver samples to a NDEP certified laboratory, or prepare sample shipping package
- Coordinate disposal of contaminated soils, if applicable
- Travel time if site is located within metropolitan area of consultant
- Consultant coordination of traffic control plan and placement of traffic barriers, if necessary

Additional compensation for field oversight of excavation and sampling activities may be claimed using the following rates:

- For each consecutive field day after the first (subsequent day), 15% of the Task Preparation and Oversight Cost.
- Unit cost for each test pit and associated sample collection - \$254.00

Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK A.13:
SITE CHARACTERIZATION REPORT PREPARATION
SMALL-SCALE INVESTIGATION**

Task Preparation and Oversight Cost:

\$3,592.00

Scope of Work: This task consists of all consulting services to produce a site characterization report for a soil-only site investigation and/or less than five groundwater monitoring wells were installed.

The submitted report must include the following:

- A brief background on site conditions and release discovery
- Summary of site characterization activities, **including handling/disposal of investigation derived waste**
- Characterization data, evaluation, and interpretation
- Recommendations for additional site characterization activities, if necessary
- Discussion and preliminary recommendations for contaminant remediation
- Data tables, site figures (site plan, boring/well locations, contaminant plume map, etc.), boring logs, and laboratory reports for collected samples
- Additional information requested by the case officer

Any deficiency in the report identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK A.14:
SITE CHARACTERIZATION REPORT PREPARATION
LARGE-SCALE INVESTIGATION**

Task Preparation and Oversight Cost: \$5,300.00

Scope of Work: This task consists of all consulting services to produce a site characterization report for a site where five or more groundwater monitoring wells were installed.

The submitted report must include the following:

- A brief background on site conditions and release discovery
- Summary of site characterization activities, **including handling/disposal of investigation derived waste**
- Characterization data, evaluation, and interpretation
- Recommendations for additional site characterization activities, if necessary
- Discussion and preliminary recommendations for contaminant remediation
- Data tables, site figures (site plan, boring/well locations, contaminant plume map, etc.), boring logs, and laboratory reports for collected samples
- Additional information requested by the case officer

Any deficiency in the report identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK A.15:
FATE AND TRANSPORT MODELING**

Task Preparation and Oversight Cost: \$5,163.00

Scope of Work: This task consists of all consulting services to produce a fate and transport model (e.g., BioScreen ~~or equivalent and Mann-Kendall~~) or calculations that can be used by risk assessors and others to estimate the migration and chemical alteration of contaminants as they move through environmental media (e.g., vadose zone soils, aquifer/aquitard materials, and groundwater). The submittal will include a summary and interpretation of all data and visual outputs.

The activities included under this task and deliverables include the following:

- Discussion with the case officer to ensure proposed modeling accurately addresses project needs
- Review of historic, site-specific characterization and monitoring data
- Calibration of model with acceptable methods and practices
- Identify model/calculation inputs, outputs, assumptions
- A description of the selection and source of input values (e.g., site specific or default values), how they were developed, and citation of literature sources
- Evaluation of model using model predicted values versus field data (e.g., modeled concentrations vs. field concentration, modeled plume size vs. known extent, etc.)
- Discussion of discrepancies and outliers when model results are compared with field contaminant data
- Identification of direct exposure scenarios, if applicable
- Visual representation and description of where the contaminants of potential concern (COPCs) attenuate to action levels or remediation standards relative to identified receptors or other points of demonstration

Publicly available models or calculations are to be used and referenced (or the model/calculation must be provided) to allow reproducibility of results by NDEP Staff. Any deficiencies identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK A.16:
SENSITIVE RECEPTOR SURVEY**

Task Preparation and Oversight Cost:**~~\$1,668.00~~2,138.00**

Scope of Work: This task includes of all consulting services to conduct a survey to determine the existence of sensitive receptors within a given radius from a site with groundwater contamination. Sensitive receptor surveys are required to establish a groundwater action level for MTBE remediation and may also be requested by the case officer for a variety of other reasons, including establishment of the receptor location(s) and its distance from the edge of a contaminant plume.

Activities include communication with the case officer, review of historical site data (including any previous sensitive receptor surveys), State Division of Water Resources records review and well log database search, drafting of scaled figure(s) showing well location(s) and other receptors relative to contaminant plume(s), preparation and submittal of sensitive receptor survey report.

Additional compensation for field verification of sensitive receptors may be proposed (up to 8 hours) with justification and case officer approval.

Any deficiency in the sensitive receptor survey identified by the case officer must be addressed as a part of this scope of work.

Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK A.17:
HUMAN HEALTH RISK ASSESSMENT/RISK BASED CORRECTIVE ACTION*
(SUBCONTRACTED ONLY)**

Task Preparation and Oversight Cost:

\$3,835.00

Scope of Work: This task consists of all consulting services to prepare the data needed for a **site-specific Human Health Risk Assessment (HHRA)** or Risk Based Corrective Action (RBCA)****. ~~The task assumes the CEM will subcontract the HHRA or RBCA and to subsequently review the work of at the subcontracted production of a Human Health Risk Assessment (HHRA)** or RBCA findings to determine they meet the requirements necessary to satisfactorily that can be used to~~ characterize the nature and magnitude of potential health risks to humans (e.g., residents, commercial workers, utility workers) from chemical contaminants, that may be present in the environment. ~~The HHRA is to include all contaminants of potential concern (COPCs), potential receptors, and all possible pathways. The HHRA can be developed to quantify the potential risk COPCs pose to receptors through completed pathways (USEPA 1989 – 2009), or they can be developed to determine threshold values (site specific target levels) (ASTM 1995), below which an acceptable level of risk may be present. The HHRA is to include all contaminants of potential concern (COPCs), potential receptors, and all possible pathways. The HHRA can be developed to quantify the potential risk COPCs pose to receptors through completed pathways in accordance with USEPA HHRA guidance documents (USEPA 1989 - 2009). A RBCA (ASTM 1995) is one recommended approach to remediating large and/or complex sites, especially when achieving the Regional Screening Levels in site media are is technically difficult to reach or site conditions allow for alternative concentrations that meet the necessary degree of health and environmental protection. The RBCA process can be used to determine threshold values (site-specific target levels) below which an acceptable level of risk may be present.~~ Guidance from the regulatory ~~C~~ case officer should be sought and a determination should be made ~~prior to initiating the HHRA~~ regarding the type of deliverable needed **when considering a subcontracted HHRA or RBCA.**

The activities under this task should include, but are not limited to the following:

- Discussion with the case officer to ensure the proposed HHRA **or RBCA** will address contaminant exposure concerns
- Site data preparation
- Bid solicitation if subcontracted cost will equal or exceed the bid threshold
- Coordination with subcontracted firm developing the risk assessment
- HHRA **or RBCA** review and revision
- Revision to submittal if determined to be deficient by case regulatory officer
- CEM ensures that:
 - All references, equations, and assumptions are provided
 - All COPCs, receptors, and pathways are included
 - All input values are clearly tabulated and referenced (site-specific or default, cite references)
- Submittal of HHRA to NDEP staff

The HHRA **or RBCA** must be prepared by a subcontracted professional with risk assessment experience and qualifications. Any deficiency in the ~~studies~~HHRA identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

Notes:

- * If CEM will prepare a HHRA/**RBCA** in-house, without the use of a subcontractor, a miscellaneous work scope task proposal shall be submitted and titled “CEM-Prepared HHRA/**RBCA**.”
- ** Human Health Risk Assessment guidance is available ~~from several sources including: ASTM E 1739-95 Standard Guide for Risk-Based Corrective Action Applied at Petroleum Release Sites~~
from USEPA, *Risk Assessment Guidance for Superfund*, multiple publications, 1989-2009
- *** **Risk Based Corrective Action standard is available from ASTM E 1739-95 Standard Guide for Risk-Based Corrective Action Applied at Petroleum Release Sites**

**WORK SCOPE TASK A.18:
PREPARATION OF 2-DIMENSIONAL GEOLOGIC CROSS-SECTION(S)**

Task Preparation and Oversight Cost: \$3,968.00

Scope of Work: This task consists of all consulting services to use site specific data to produce a 2-dimensional geologic cross-section(s) at a facility. A minimum of two cross-sections are prepared; one longitudinal along the contaminant axis and a second one approximately perpendicular to the contaminant axis. The cross-sections are to be drawn to scale and use conventional methods to reflect site-specific lithology and the position of encountered groundwater. The location of screened intervals in monitoring wells, discrete soil samples, residual contaminants, and range of water levels are to be shown to facilitate understanding of site conditions. Represented features are to be tied to land surveys which are tied to mean sea level.

Site activities should include, but are not limited to the following:

- Review historic site-specific data, soil boring logs, and monitoring well construction logs to be used in the production of geologic cross-sections. The reviewed data should include:
 - Soil type;
 - Depth-to-water;
 - Water level range over time;
 - Contaminant concentrations and distribution
- Cross-section development
- Cross-section submittal including all outputs and visual interpretations

Any deficiency in the geologic cross-section submittal identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

WORK SCOPE TASK A.19:
INITIAL CONCEPTUAL SITE MODEL (CSM)

Task Preparation and Oversight Cost: ~~\$5,732.00~~ **6,748.00**

Scope of Work: This task consists of all consulting services to produce an **initial** Conceptual Site Model (CSM) **and following updates through the characterization phase**. A conceptual site model is a three-dimensional understanding of site conditions that conveys what is known or suspected about the release source(s), release mechanisms, contaminant fate and transport, exposure pathways, potential receptors, and possible risks to humans and ecological receptors (e.g., birds, fish, and wildlife). The CSM should be a summary of data already compiled under previous tasks such as Fate and Transport Modeling (A.15), Sensitive Receptor Survey (A.16), 2-D Geological Cross Sections (A.18), **Groundwater Monitoring/Remediation Status reports (F.5)**, etc. The CSM is generally a dynamic model that should be updated periodically as more data becomes available.

The activities under this task should include, but are not limited to the following:

- Close communication with the case officer to ensure the CSM accurately meets project needs
- Review and evaluate historic, site-specific data to be used in the CSM
- Discussion of data compiled to date, potential data gaps, evaluation of risks due to contamination present, and recommendations for additional characterization, remediation, or no further action
- Drafting (e.g., site plan, potentiometric map(s), isocontour map(s), soil boring logs, contaminant plume maps, cross-sections, fence diagrams)
- Report submittal with all model outputs and visual interpretations

Any deficiency in the CSM submittal identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

Note: Reader is guided to ASTM E 1689 *Standard Guide for Developing Conceptual Site Models for Contaminated Sites*, or an equivalent method.

Also consider: ASTM E 2531-06 *Development of CSM for LNAPL Sites*.

**WORK SCOPE TASK A.20:
CONCEPTUAL SITE MODEL (CSM) UPDATE**

Task Preparation and Oversight Cost: \$3652.00

Scope of Work: This task consists of all consulting services to produce an update to a Conceptual Site Model (CSM) following the characterization phase of a project. Project milestones that may warrant an update include but are not limited to achieving contaminant source and groundwater plume reduction remediation goals, remedial action optimization, and changes to the originally selected remedial alternative for the site. The CSM may also need to be updated when remediation goals, requirements, and conditions are satisfied in support of a request for exemption from further groundwater corrective actions in accordance with NAC 445A.22725. The CSM update must include accurate data already compiled during earlier versions of the CSM and groundwater monitoring/remediation status reports. Additionally, this task should include updates to fate and transport modeling, 2-D geological cross sections, and any additional characterization completed for the site. The CSM is generally a dynamic model that should be updated periodically by the CEM and upon request of the case officer. Task A.19 may be used for the initial CSM.

The activities under this task should include, but are not limited to the following:

- Close communication with the case officer to ensure the CSM accurately meets project needs
- Review and evaluate historic, site-specific data compiled in the initial CSM and groundwater monitoring/remediation status reports
- Updates to fate and transport modeling, 2-D geological cross sections, etc.
- Discussion of data compiled to date, potential data gaps, evaluation of risks due to contamination present, and recommendations for additional characterization, remediation, or no further action
- Drafting (e.g., site plan, potentiometric map(s), isocontour map(s), soil boring logs, contaminant plume maps, cross-sections, fence diagrams)
- Report submittal with all model outputs and visual interpretations

Any deficiency in the CSM submittal identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

Note: Reader is guided to ASTM E 1689 *Standard Guide for Developing Conceptual Site Models for Contaminated Sites*, or an equivalent method.

Also consider: ASTM E 2531-06 *Development of CSM for LNAPL Sites*.

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B. AQUIFER & PILOT TESTING

**WORK SCOPE TASK B.1:
WORK PLAN PREPARATION FOR ~~AQUIFER OR~~ PILOT TESTING**

Task Preparation and Oversight Cost: \$2,852.00

Scope of Work: This task consists of all consulting services to produce a work plan to perform aquifer testing to determine aquifer hydrogeologic characteristics, or pilot testing to evaluate the effectiveness of a remediation technology (soil vapor extraction, dual-phase extraction, etc.).

Activities include communication with the case officer, site visit(s), review of previous assessment/remediation work performed at the site, general project management, aquifer test or pilot test system design (including applicable equipment schematics and calculations), **description of all data to be collected during testing**, drafting of site diagrams showing equipment/well location(s), and preparation and submittal of the aquifer test or pilot test work plan.

Any deficiency in the work plan identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK B.2:
AQUIFER SLUG TEST****Task Preparation and Oversight Cost:****\$2,932.00**

Scope of Work: This task consists of all consulting services to perform an aquifer slug test to determine hydraulic characteristics using one or more existing wells onsite.

Site activities should include, but are not limited to the following:

- Set-up and performing slug test in one well
- Recording field data
- Waste disposal, if applicable
- Data analysis and interpretation for inclusion in CAP, RAS, and/or other regulatory report (hydraulic conductivity, seepage velocity, radius of influence, etc.)
- Travel time if site is located within metropolitan area of consultant

Additional compensation for performing slug tests on subsequent wells (after the first) may be paid at a unit cost rate of \$762.00 per well. Case officer concurrence is required.

Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK B.3:
AQUIFER ~~PUMPING~~ TEST**

Task Preparation and Oversight Cost:

\$5,414.00

Scope of Work: This task consists of all consulting services to perform a continuous aquifer pumping test (up to 12-hours) to determine hydraulic characteristics using an existing well onsite and assumes a recovery time of 2-4 hours.

Site activities should include, but are not limited to the following:

- Set-up and performing the aquifer test
- Recording field data, **including pre/post sampling of the extraction well and observation wells if requested by the case officer**
- Waste disposal, if applicable
- Data analysis and interpretation for inclusion in CAP, RAS, and/or other regulatory report (hydraulic conductivity, seepage velocity, radius of influence, etc.)
- Travel time if site is located within metropolitan area of consultant

Additional compensation for staff oversight of testing anticipated to exceed 12 hours may be paid at a rate of \$127.00/hour if prior justification is provided and the case officer concurs.

Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK B.4:
SOIL VAPOR EXTRACTION PILOT TEST**

Task Preparation and Oversight Cost: \$3,704.00

Scope of Work: This task consists of all consulting services to perform an 8-hour soil vapor extraction pilot test using one or more existing wells onsite.

Activities included in total hours for above task:

- Set up and performing the test
- Recording field data, **including airflow/vacuum measurements, pre/post sampling of the extraction well and observation wells, or other data requested by the case officer**
- Treatment of soil vapor, if applicable
- Data analysis and interpretation for inclusion in CAP, RAS, and/or other regulatory report (hydraulic conductivity, seepage velocity, radius of influence, **petroleum vapor concentrations**, etc.)
- Travel time if site is located within metropolitan area of consultant

Additional compensation for staff oversight of testing anticipated to exceed 8 hours may be paid at a rate of \$127.00/hour if prior justification is provided and the case officer concurs.

Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK B.5:
SOIL VAPOR EXTRACTION AND AIR SPARGE PILOT TEST**

Task Preparation and Oversight Cost: \$7,418.00

Scope of Work: This task consists of all consulting services to perform a 6-hour soil vapor extraction (SVE) test, a 4-hour air sparge (AS) test, and an 8-hour combined SVE/AS pilot test using existing wells onsite. The combined duration of these tests should be approximately 18 hours.

Site activities should include, but are not limited to the following:

- Set up and performing the tests.
- Recording field data, **including airflow/vacuum measurements, pre/post sampling of the extraction well and observation wells, etc.**
- Treatment of soil vapor, if applicable
- Data analysis and interpretation for inclusion in CAP, RAS, and/or other regulatory report (hydraulic conductivity, seepage velocity, radius of influence, **petroleum vapor concentrations, etc.**)
- Travel time if site is located within metropolitan area of consultant

Additional compensation for staff oversight of testing anticipated to exceed 18 hours (combined) may be paid at a rate of \$127.00/hour if prior justification is provided and the case officer concurs.

Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK B.6:
INJECTION TEST****Task Preparation and Oversight Cost:****\$2,932.00**

Scope of Work: This task consists of all consulting services to perform an ~~infiltration~~-injection test (up to 6-hours) using an existing well onsite to determine aquifer characteristics for the re-injection of treated groundwater, injection of solutions to enhance in-situ oxidation, etc.

Site activities should include, but are not limited to the following:

- Set-up and performing the ~~infiltration~~-injection test
- Procurement and preparation of solutions to be injected
- Recording field data
- Data analysis and interpretation for inclusion in CAP, RAS, and/or other regulatory report (hydraulic conductivity, seepage velocity, radius of influence, etc.)
- Travel time if site is located within metropolitan area of the consultant
- Coordinate waste disposal

Additional compensation for staff oversight of testing anticipated to exceed 6 hours may be paid at a rate of \$127.00/hour if prior justification is provided and the case officer concurs.

Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

WORK SCOPE TASK B.7:
~~AQUIFER OR~~ PILOT TEST REPORT PREPARATION

Task Preparation and Oversight Cost:

\$4,080.00

Scope of Work: This task consists of all consulting services to produce a report summarizing aquifer tests or pilot testing results. ~~This task should not be used if these results are presented in a corrective action plan or other regulatory report.~~

The submitted report must include the following:

- A description of testing method(s) used
- **Description of handling/disposal of investigation derived waste**
- Testing results, data evaluation, and interpretation
- Summary of subsurface characteristics (e.g., radius of influence (ROI), hydraulic conductivity, seepage velocity, etc.)
- Summary of the pilot test's success or limitations
- Recommendation for permanent contaminant remediation technology or alternatives based on the test results
- Data tables
- Site figures, including a site plan, aquifer/pilot test well soil boring logs and locations, ROI, remediation well locations, etc.)
- **System schematic with data collection point locations (e.g., gauges, sample ports), if applicable**
- Additional information requested by the case officer

Any deficiency in the report identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

C. CORRECTIVE ACTION PLAN (CAP) PREPARATION

**WORK SCOPE TASK C.1:
CORRECTIVE ACTION PLAN PREPARATION
PASSIVE SITE REMEDIATION OR UPDATE TO EXISTING CAP-UPDATE**

Task Preparation and Oversight Cost: ~~\$7,476.00~~ **\$4,917.00**

Scope of Work: This task consists of all consulting services to produce a comprehensive corrective action plan (CAP) **and design** for the remediation of soil and/or groundwater contaminated by petroleum product that does not require the installation of an active remediation system (refer to Task C.2). Examples include in-situ remediation technologies, passive free phase product skimmers, ~~natural source zone depletion~~, etc. **Additionally, this task may be used to update an existing CAP.**

The submitted CAP must include the following:

- A discussion of pilot testing (if testing was performed)
- Develop and list the Remedial Action Objectives (RAOs) that are protective of human health
- An evaluation of at least three remedial alternatives
- Detailed remediation methodology cost comparisons
- Provide rationale for selection of proposed remedial methodology
- Design of the remediation system (including calculations and schematics, if applicable)
- A discussion of permitting requirements for the selected remediation methodology
- **A discussion of post-remediation monitoring plan**
- Additional information requested by the case officer

Any deficiency in the CAP identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK C.2:
CORRECTIVE ACTION PLAN PREPARATION
ACTIVE SITE REMEDIATION**

Task Preparation and Oversight Cost:

~~\$4,917.00~~ \$7,476.00

Scope of Work: This task consists of all consulting services to produce and submit a comprehensive corrective action plan (CAP) for the remediation of soil and/or groundwater contaminated by petroleum product. This plan will include a recommendation to install onsite equipment capable of performing active remediation of impacted soil and/or groundwater (e.g., soil vapor extraction, air sparging, ozone injection, pump and treat, etc.). Note, Task C.1 should be used for passive site remediation or **updates** to a previously **approved** CAP.

The submitted CAP must include the following:

- A discussion of pilot testing (if testing was performed)
- Develop and list the Remedial Action Objectives (RAOs) that are protective of human health
- An evaluation of at least three remedial alternatives
- Detailed remediation methodology cost comparisons
- Provide rationale for selection of proposed remedial methodology
- Conceptual design of the remediation system (including calculations and schematics, if applicable)
- A discussion of permitting requirements for the selected remediation methodology
- **A discussion of post-remediation monitoring plan**
- Additional information requested by the case officer

Any deficiency in the CAP identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

WORK SCOPE TASK C.3:
REMEDIAL ALTERNATIVE STUDY OR REMEDIATION SYSTEM OPTIMIZATION

Task Preparation and Oversight Cost: ~~\$3,222.00~~ **4,236.00**

Scope of Work: This task consists of all consulting services to review and evaluate multiple remedial alternatives **or an underperforming remediation technology** using site specific data. This task is not to be requested concurrently with Task C.1 or C.2 (Corrective Action Plan tasks) but may be used upon the request of the case officer when the **current** CAP-identified and implemented remediation method is not effective in reducing contaminants of potential concern to action levels or meeting established remedial action objectives (RAOs) for the site **have not been achieved**.

The submitted **Remedial Alternative Study (RAS) or Remediation System Optimization (RSO)** must include the following, **as applicable**:

- Description of current RAOs for the site based on prior assessment and remediation
- A minimum of three remediation methods that are viable for use at the project site based on known contaminant(s), site characteristics, and current assessment or remediation status of the site **(RAS only)**
- Feasibility and cost associated with each proposed remedial alternative **(RAS)**
- **Feasibility and cost associated with proposed system modification (RSO)**
- Selection of a new remediation methodology **(or system modification for RSO)** that has the greatest potential of cleaning up the site based on long-term effectiveness, feasibility, cost, and is protective of human health
- Preliminary design of the remediation system (including calculations and schematics, if applicable)
- An estimated schedule for permitting, construction, and implementation to achieve site closure
- Additional information requested by the case officer

Any deficiency in the plan identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

D. CORRECTIVE ACTION PLAN IMPLEMENTATION

NDEP understands that no two remediation systems are identical due to site specific conditions. The level of appropriate effort for remediation system design also varies dependent upon the individual CEM. The following Guideline Task Tables associated with remediation system design tasks are presented as general guidelines only. If it is anticipated that the level of remediation system design effort will exceed the hours and costs summarized in the following tables, the higher level of effort should be proposed **using a miscellaneous task** and accompanied by complete justification.

**WORK SCOPE TASK D.1:
DESIGN FOR SINGLE-SYSTEM TECHNOLOGY**

Task Preparation and Oversight Cost: \$6,828.00

Scope of Work: This task consists of all consulting services to design a remediation system consisting of a single remediation technology (groundwater pump and treat; free product recovery; soil vapor extraction; ozone sparging; etc.) This task does not include design of a passive remediation system.

Activities include an engineered system design with associated calculations, project management, solicitation and evaluation of bids, preparation of “as planned” construction drawings and specifications, production of all site diagrams, and communication with the case officer. Any deficiency in the plan identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK D.2:
SYSTEM DESIGN FOR REMEDIATION OF SOIL AND GROUNDWATER**

Task Preparation and Oversight Cost: \$9,764.00

Scope of Work: This task consists of all consulting services to design a system for the remediation of both soil and groundwater (soil vapor extraction with air sparge, dual-phase extraction, etc.).

Activities include an engineered system design with associated calculations, project management, solicitation and evaluation of bids, preparation of “as planned” construction drawings and specifications, production of all site diagrams, and communication with the case officer. Any deficiency in the plan identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK D.3:
CEM-CONDUCTED REMEDIATION SYSTEM INSTALLATION,
START-UP & CALIBRATION**

Task preparation and oversight costs will be approved as a miscellaneous task.

Scope of Work: The scope of work for this task consists of all CEM consulting services to perform installation, start-up and calibration of a soil and/or groundwater remediation system. **This assumes that system installation activities are conducted by a CEM who possesses an appropriate contractor's license.** Since the time necessary to perform this task will vary for each project due to site-specific parameters, costs must be presented in accordance with Section 4.0 (Miscellaneous Tasks) and will be evaluated at the time of cost proposal review.

Activities Necessary to Include in Proposed Task:

- Soliciting and evaluating bids
- Coordination with contractors/subcontractors
- Regulatory agency liaison
- Travel time
- **Start-up, optimization, and performance monitoring plan**
- Start-up & calibration of remediation system to meet performance specifications
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

Note: Refer to Task D.5 for “As Built” construction drawings.

**WORK SCOPE TASK D.4:
CEM OVERSIGHT OF REMEDIATION SYSTEM INSTALLATION,
START-UP & CALIBRATION**

Task Preparation and Oversight Cost:

\$7,116.00

Scope of Work: The scope of work for this task consists of all consulting services to **provide a start-up, optimization, and performance monitoring plan and** coordinate/oversee the installation, start-up and calibration of a soil and/or groundwater remediation system. **This task assumes that the CEM is supervising an outside (non-CEM) contractor who is performing system installation activities.**

Activities include project management, solicitation and evaluation of bids, coordination with contractors/subcontractors, inspections and observations during remediation system construction, start-up and calibration of system to meet performance specifications, and communication with the case officer. Any deficiency in the plan identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK D.5:
REMEDICATION SYSTEM AS-BUILT AND START-UP REPORT**

Task Preparation and Oversight Cost: \$4,760.00

Scope of Work: This task consists of all consulting services to produce an “As-built & Start-up Report” for submittal to the NDEP. The Report is to reflect the “as-built” configuration of the remediation system(s), document baseline and start-up conditions, and provide a description for any deviations from the “As-Planned” design. All submitted drawings, plans, and schematics are to be an updated version of the construction drawings used to solicit bids and construct the system.

The submitted report must include the following:

- A description of the remediation system(s) and identification of major components
- Discussion of the remediation system installation and any deviation from the “As-planned” design
- Inclusion of scaled drawings, figures, and schematics that represent the “As-built” configuration for the remediation system
- Discussion of remediation system(s) start-up activities
- Identify remedial action objectives, performance measures, and remediation system metrics along with any calculations (equations) to be used to demonstrate remediation system performance
- Provide monitored baseline start-up conditions (e.g., influent & effluent vapor concentrations, influent & effluent mass removed/destroyed, and influent & effluent water quality, air flow rates, etc.) to allow comparison to future monitoring data and evaluation of overall remediation system performance
- A manual outlining general system(s) operations, monitoring, and maintenance schedule
- Additional information requested by the case officer

Any deficiency in the report identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK D.6:
OVERSIGHT OF CONTAMINATED SOIL EXCAVATION**

Task Preparation and Oversight Cost:

\$1,876.00

Scope of Work: This task includes project management and oversight of subcontractors to perform excavation of petroleum impacted soils and transport those soils to a treatment and/or disposal facility. Sample collection and analysis should be used to determine the extent of soil contamination unless the source has been delineated by other means. Reporting of these activities shall be included under another task (e.g., Task A.1, A.13, F.5, G.1, or G.2, as appropriate).

Site activities should include, but are not limited to the following:

- Soliciting and evaluating bids if cumulative costs for excavation equipment mobilization/demobilization, soil excavation, loading, hauling, and treatment/disposal will equal or exceed the bid threshold
- Coordinating field activities
- Onsite observation and direction of excavation activities
- Collection of soil samples
- Preparation and delivery of samples to a NDEP certified laboratory, or prepare sample shipping package
- Coordinate treatment/disposal of contaminated soils **at a facility permitted to accept petroleum impacted soil**
- Obtain documentation of impacted soil treatment/disposal
- Provide copies of soil treatment/disposal records with the report submittal
- Coordinate/oversee backfill of excavation with clean material

Additional compensation for staff oversight of excavation activities and sampling may be paid at a rate of \$127.00/hour if excavation will extend beyond one day. Prior justification must be provided, and the case officer must concur.

Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK D.7:
INJECTION OF IN-SITU CHEMICAL OXIDATION SOLUTIONS**

Task Preparation and Oversight Cost: \$992.00

Scope of Work: This task consists of all consulting services to procure solutions, prepare the solution by dilution or mixing (if necessary), and deploy the in-situ chemical oxidation solutions into the subsurface utilizing existing injection wells and/or trenches to enhance contaminant degradation. It is assumed the injection event can be performed during one field day. A summary of injection activities should be included in the groundwater monitoring/remediation status report (Task F.5) unless directed to do otherwise by the case officer.

Additional compensation for technician oversight of set up and injection activities may be paid at a rate of \$100.00/hour if subsequent consecutive days (i.e., more than one day) are necessary. Prior justification must be provided, and the case officer must concur.

Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

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E. PERMIT APPLICATIONS

**WORK SCOPE TASK E.1.1:
AIR QUALITY PERMITS
APPLICATION FOR NDEP: CLASS III OPERATING PERMIT
NOT MORE THAN 5 TONS OF EMISSIONS PER YEAR**

Task Preparation and Oversight Cost:**\$1,368.00**

This task consists of all consulting services to prepare and submit a permit application to the NDEP Bureau of Air Pollution Control for a Class III Operating Permit (not more than 5 tons of emissions per year), when required to perform assessment and remediation activities. Activities include project management, communication with the case officer, preparation, review, and submittal of the application. Any deficiency in the application must be addressed as a part of this scope of work. Claimants and CEMs should recognize that the Task Preparation and Oversight Cost listed above does not include permit/renewal fees (non-CEM costs) or report preparation costs (use other work scope task).

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

Note: Air quality permitting for remediation systems operating in Clark County is performed by Clark County, Department of Air Quality (CCDAQ). Washoe County air permitting is performed by the Washoe County Health District. Permitting for the remaining portions of the state is performed by NDEP's Bureau of Air Pollution Control.

**WORK SCOPE TASK E.1.2:
AIR QUALITY PERMITS
APPLICATION FOR NDEP: CLASS II OPERATING PERMIT
GREATER THAN 5 TONS, NOT MORE THAN 25 TONS OF EMISSIONS PER YEAR**

Task Preparation and Oversight Cost: \$2,990.00

This task consists of all consulting services to prepare and submit a permit application to the NDEP Bureau of Air Pollution Control for a Class II Operating Permit (not more than 25 tons of emissions per year), when required to perform assessment and remediation activities. Activities include project management, communication with the case officer, preparation, review, and submittal of the application. Any deficiency in the application must be addressed as a part of this scope of work. Claimants and CEMs should recognize that the Task Preparation and Oversight Cost listed above does not include permit/renewal fees (non-CEM costs) or report preparation costs (use other work scope task).

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

Note: Air quality permitting for remediation systems operating in Clark County is performed by Clark County, Department of Air Quality (CCDAQ). Washoe County air permitting is performed by the Washoe County Health District. Permitting for the remaining portions of the state is performed by NDEP's Bureau of Air Pollution Control.

**WORK SCOPE TASK E.1.3:
AIR QUALITY PERMITS
CLARK COUNTY: DEPARTMENT OF AIR QUALITY
MINOR STATIONARY SOURCE PERMIT**

Task Preparation and Oversight Cost: \$2,990.00

This task consists of all consulting services to prepare and submit a permit application to the Clark County Department of Air Quality for a Minor Stationary Source Permit, when required to perform assessment and remediation activities. Activities include project management, communication with the case officer, preparation, review, and submittal of the application. Any deficiency in the application must be addressed as a part of this scope of work. Claimants and CEMs should recognize that the Task Preparation and Oversight Cost listed above does not include permit/renewal fees (non-CEM costs) or report preparation costs (use other work scope task).

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

Note: Air quality permitting for remediation systems operating in Clark County is performed by Clark County, Department of Air Quality (CCDAQ).

**WORK SCOPE TASK E.1.4:
AIR QUALITY PERMITS
WASHOE COUNTY HEALTH DISTRICT
AUTHORITY TO CONSTRUCT PERMIT**

Task Preparation and Oversight Cost:**\$1,818.00**

This task consists of all consulting services to prepare and submit a permit application to the Washoe County Health District for an Authority to Construct Permit, when required to perform assessment and remediation activities. Activities include project management, communication with the case officer, preparation, review, and submittal of the application. Any deficiency in the application must be addressed as a part of this scope of work. Claimants and CEMs should recognize that the Task Preparation and Oversight Cost listed above does not include permit/renewal fees (non-CEM costs) or report preparation costs (use other work scope task).

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

Note: Washoe County air permitting is performed by the Washoe County Health District.

**WORK SCOPE TASK E.2:
5- YEAR WATER DISCHARGE (NPDES) PERMITS**

Task Preparation and Oversight Cost: \$4,652.00

This task consists of all consulting services to prepare and submit a permit application to the NDEP Bureau of Water Pollution Control for a 5-Year Water Discharge (NPDES) Permit, when required to perform assessment and remediation activities. Activities include project management, communication with the case officer, preparation, review, and submittal of the application. Any deficiency in the application must be addressed as a part of this scope of work. Claimants and CEMs should recognize that the Task Preparation and Oversight Cost listed above does not include permit/renewal fees (non-CEM costs) or report preparation costs (use other work scope task).

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

Note: All National Pollutant Discharge Elimination System (NPDES) Permits in the State of Nevada are processed by NDEP, Bureau of Water Pollution Control, Carson City, Nevada.

**WORK SCOPE TASK E.3.1:
UNDERGROUND INJECTION CONTROL (UIC) PERMIT:
INDIVIDUAL PERMIT**

Task Preparation and Oversight Cost: \$2,984.00

This task consists of all consulting services to prepare and submit a permit application to the NDEP Bureau of Water Pollution Control for an Underground Injection Control (UIC) Permit, Individual Permit, when required to perform assessment and remediation activities. Activities include project management, administrative support, communication with the case officer, preparation of required graphics, and preparation, review, and submittal of the application. Any deficiency in the application must be addressed as a part of this scope of work. Claimants and CEMs should recognize that the Task Preparation and Oversight Cost listed above does not include permit/renewal fees (non-CEM costs) or report preparation costs (use other work scope task).

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

Note: All UIC permits in the state of Nevada are processed by NDEP, Bureau of Water Pollution Control, Carson City, Nevada.

**WORK SCOPE TASK E.3.2:
UNDERGROUND INJECTION CONTROL (UIC) PERMITS**

Task Preparation and Oversight Cost: \$1,752.00

This task consists of all consulting services to prepare and submit a permit application to the NDEP Bureau of Water Pollution Control for an Underground Injection Control Permit, General Permit, when required to perform assessment and remediation activities. Activities include project management, administrative support, communication with the case officer, preparation of required graphics, and preparation, review, and submittal of the application. Any deficiency in the application must be addressed as a part of this scope of work. Claimants and CEMs should recognize that the Task Preparation and Oversight Cost listed above does not include permit/renewal fees (non-CEM costs) or report preparation costs (use other work scope task).

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

Note: All UIC permits in the state of Nevada are processed by NDEP, Bureau of Water Pollution Control, Carson City, Nevada.

**WORK SCOPE TASK E.4:
PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA
(ENVIRONMENTAL APPROPRIATIONS PERMIT)**

Task Preparation and Oversight Cost: \$1,368.00

This task consists of all consulting services to prepare and submit a permit application to the Nevada Division of Water Resources for a Permit to appropriate the Public Waters of the State of Nevada, when required to perform assessment and remediation activities. Activities include project management, communication with the case officer, coordination of site surveying, and preparation, review, and submittal of the application. Any deficiency in the application must be addressed as a part of this scope of work. Claimants and CEMs should recognize that the Task Preparation and Oversight Cost listed above does not include permit/renewal fees (non-CEM costs) or report preparation costs (use other work scope task).

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

Note: All appropriation permits in the state of Nevada are processed by the Division of Water Resources, Carson City, Nevada. All water rights maps must be prepared by a State of Nevada Water Rights Surveyor.

**WORK SCOPE TASK E.5:
MISCELLANEOUS PERMITS**

Task preparation and oversight costs will be approved as a miscellaneous task.

NDEP understands that the level of effort to prepare permits not summarized above varies depending upon permit type (building, encroachment, etc.) and the requiring agency (NDOT, city, etc.). Costs for preparing these miscellaneous permits should be proposed as a miscellaneous work scope task, providing full justification of all efforts. See Section 4.0 of this document for a discussion of miscellaneous work scope tasks.

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F. CORRECTIVE ACTIONS MONITORING & MAINTENANCE

**WORK SCOPE TASK F.1:
REMEDIATION SYSTEM OPERATIONS AND MONITORING**

Task Preparation and Oversight Cost: \$1,704.00

Scope of Work: This task consists of all consulting services to verify system operation, minor system adjustments, and collection of vapor or groundwater monitoring data associated with most soil and/or groundwater remediation systems. **The task includes up to four site visits in a one-month period (approximately once per week).** For systems that extend offsite, sites that incorporate more than two remediation technologies/systems, or the case officer requires site visits on a more frequent schedule, a miscellaneous task may be used instead. A summary of system operation and monitoring activities should be included in the groundwater monitoring/remediation status report (Task F.5) unless directed to do otherwise by the case officer.

Site activities may include, but are not limited to the following:

- Site visit(s)
- Review of previous operation and monitoring data
- Inspection of remediation system components
- Making adjustments to optimize remediation system performance
- Collection of influent/effluent vapor or groundwater monitoring samples
- Packaging monitoring samples for analysis at an NDEP certified laboratory
- Update the onsite log with operational status and system parameters (e.g., operation hour readings, flow rates, pressures, vacuum, etc.).

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK F.2:
CEM-CONDUCTED REMEDIATION SYSTEM MAINTENANCE**

Task Preparation and Oversight Cost: \$1,446.00

Scope of Work: This task consists of all consulting services to perform monthly maintenance procedures of a soil and/or groundwater remediation system. Also included under this task is maintenance of LNAPL recovery systems (automated and/or passive). For systems that extend offsite, sites that incorporate more than two remediation technologies/**systems**, or the case officer requires site visits more frequently than once per week, a miscellaneous task may be used instead. A summary of system operation and monitoring activities should be included in the groundwater monitoring/remediation status report (Task F.5) unless directed to do otherwise by the case officer.

Site activities may include, but are not limited to the following:

- Site visit(s)
- Review of system manufacturer maintenance/service schedule(s)
- Inspection of remediation system components
- Performing or providing oversight of manufacturer recommended service on system components
- Calibrating equipment to optimize remediation system performance
- Coordinate activated carbon change outs
- Change out oxygen release compounds, remove/replace oxygen bottles for diffusion systems, etc.
- Maintenance of LNAPL recovery equipment, emptying LNAPL collection vessels, etc.
- Coordinate repairs with subcontractor (in accordance with manufacturer guidelines) for non-operational equipment if the repair cannot be performed by consultant staff or is covered under warranty
- Update the onsite equipment log with maintenance, calibration, and repairs performed while onsite.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK F.3:
REMEDIATION SYSTEM PERMIT REPORT PREPARATION**

Task Preparation and Oversight Cost: \$788.00

Scope of Work: This task consists of all consulting services to produce a report for an agency or NDEP program outside of the Bureau of Corrective Actions (BCA) as stipulated in required permits (e.g., Air Quality, NPDES, UIC, Environmental Appropriations permit, etc.). Costs allowed under this task include the preparation and submittal of one permit report. These reports shall not be submitted more frequently than required by the permit, and this Task should not be proposed if copies of quarterly Status Reports created under Task F.5 (routinely submitted to BCA case officers) are being forwarded to outside agencies to satisfy permitting requirements.

Activities include data assimilation, preparation and submittal of the permit report, and communications with the outside regulatory agency or program. Any deficiency in the report or additional requests made by an agency outside of BCA is not part of this scope of work, nor eligible for reimbursement by the Fund.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK F.4:
GROUNDWATER MONITORING WELL SAMPLING AND/OR FREE PRODUCT
REMOVAL**

Task Preparation and Oversight Cost: \$811.00

Scope of Work: This task consists of all consulting services to purge and sample one or more groundwater monitoring wells for analyses of dissolved petroleum hydrocarbon constituents and in-situ oxidation bioremediation parameters. This task also includes removal of LNAPL from wells (e.g., hand bailing, change out of passive product absorbent socks/skimbers, etc.) performed by consultant staff during a sampling event. This task may also be used for sampling remediation wells if requested by the case officer. A summary of sampling activities and laboratory analyses of groundwater samples should be included in the groundwater monitoring/remediation status report (Task F.5) unless directed to do otherwise by the case officer.

Site activities should include, but are not limited to the following:

- Coordination of traffic plan and placement of traffic barriers, if necessary
- **Coordinate offsite monitoring activities with private property owners, if necessary**
- Procure, prepare, and decontaminate sampling equipment
- Remove LNAPL, if present and recoverable
- Purge monitoring well(s) prior to sample collection
- Monitor groundwater stabilization data during well purging
- Collect groundwater samples for analyses of petroleum constituents and any other groundwater parameters required by the case officer
- Prepare and deliver samples to a NDEP certified laboratory, or prepare sample shipping package
- Coordinate storage and disposal of LNAPL/purge water
- Obtain documentation of treatment/disposal and provide in report submittal
- Record the number of wells sampled, the number of wells where LNAPL is present, and the depth to water/product within the wells

The above task amount is for sampling the first or only well onsite. Additional compensation for sampling subsequent wells (after the first) will be paid at a unit cost rate of \$190.50 per well.

Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK F.5:
GROUNDWATER MONITORING / REMEDIATION
STATUS REPORT PREPARATION**

Task Preparation and Oversight Cost: \$2,653.00

Scope of Work: This task consists of all consulting services to produce a status report summarizing all ongoing assessment or remediation activities. This report is primarily used to present groundwater monitoring and sampling results (Task F.4), but may also include:

- Remediation system operations, maintenance, and monitoring activities (Task F.1 and F.2)
- Discussion of limited soil excavation activities (Task D.6)
- Discussion of injection of in-situ chemical oxidation solutions (D.7)
- A request for “No Further Action”, when appropriate

These reports are commonly prepared on a quarterly basis but may also be used semi-annual or annual reporting per the direction of the case officer.

Activities include project management, data assimilation, preparation of report, production of all site diagrams, and communication with the case officer. Any deficiency in the report identified by the case officer must be addressed as a part of this scope of work.

The submitted report may include, but is not limited to the following:

- Communication with the case officer to ensure the report addresses the remedial action objectives for the site
- A summary of all monitoring activities and remediation system performance during reporting period (commonly quarterly)
- **Description of handling/disposal of investigation derived waste**
- Reporting, evaluation, and interpretation of collected site data, **including a Mann-Kendall Trend Test when data is sufficient and requested by the case officer**
- Recommendations for additional site characterization or remedial activities, if necessary
- Request for site closure, if appropriate
- Data tables, site figures (site plan, boring/well locations, contaminant plume map, etc.), boring logs, and laboratory reports for collected samples
- Preparation and submittal of the status report to the case officer

Any deficiency in the report identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK F.6:
REMEDATION EQUIPMENT SITE AUDIT**

Task Preparation and Oversight Cost: \$472.00

Scope of Work: This task consists of all consulting services to meet with NDEP staff onsite to verify presence and operation of Fund reimbursed remediation equipment (e.g., packaged remediation systems, blowers, carbon vessels, etc.). The task also includes updating the Onsite Equipment Status Form (if necessary) and providing documentation requested by NDEP following a site audit or change in equipment status.

Activities include communication with Fund staff or the case officer to coordinate a site visit, meet with NDEP staff onsite, inventory system components, verify the equipment status form is current, verify the remediation system(s) is operational, review of the onsite remediation system operations, maintenance, and repair log, and provide follow up documentation following a change in equipment status. Documentation may include an updated Onsite Equipment Status Form, system diagram/schematic, operation/maintenance records, and photographs of the remediation system components.

Note, the Onsite Equipment Status Forms must be kept current and include a complete listing of Fund reimbursed remediation equipment located onsite. The form may be updated with claim submittals or on the NEA case dashboard. Updates are required for the following circumstances:

- Purchase of new remediation equipment or transfer of equipment to the site
- Removal or transfer of remediation equipment from a site (requires case officer and Fund staff approval). Equipment no longer present onsite shall be identified by the “Date Removed” entry on the form. Equipment should not be deleted from the form.
- Following major system component repairs/replacement/modifications

Any deficiency in requested site audit documentation identified by NDEP staff must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

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G. SITE CLOSURE ACTIVITIES

**WORK SCOPE TASK G.1:
NO FURTHER ACTION REQUEST
CONTAMINATION DOES NOT EXCEED STATE ACTION LEVELS
(CLEAN CLOSURE)**

Task Preparation and Oversight Cost:

\$1,752.00

Scope of Work: This task consists of all consulting services to produce a stand-alone report requesting a regulatory determination of no further action (NFA) with no known soil and/or groundwater contamination meeting or exceeding state action levels left in place. **This task should only be proposed if the case officer has requested a stand-alone report in lieu of submitting a NFA request within another report (e.g., status report, site characterization report, etc.).**

The submitted report must include the following:

- A brief background on site conditions and release discovery
- Summary of site characterization and/or remediation activities
- Site data compilation and interpretation
- Data tables, site figures (site plan, boring/well locations, etc.)
- Discussion and recommendation for no further assessment or remediation action onsite
- Additional information requested by the case officer

Any deficiency in the report identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK G.2:
NO FURTHER ACTION REQUEST
CONTAMINATION EXCEEDING STATE ACTION LEVELS**

Task Preparation and Oversight Cost: \$2,759.00

Scope of Work: This task consists of all consulting services to produce a stand-alone report requesting a regulatory determination of no further action (NFA) with known soil and/or groundwater contamination meeting or exceeding state action levels left in place. The report must present data with supporting calculations and modeling that indicate known soil contamination will not impact groundwater or other sensitive receptors and/or the groundwater contaminant plume will attenuate by natural processes before it migrates offsite or impacts sensitive receptors. **This task should only be proposed if the case officer has requested a stand-alone report in lieu of submitting a NFA request within another report (e.g., status report, site characterization report, etc.).**

The submitted report must include the following:

- A brief background on site conditions and release discovery
- Summary of site characterization and/or remediation activities
- Site data compilation and interpretation
- Calculations and modeling results supporting contamination has been mitigated
- Data tables, site figures (site plan, boring/well locations, location of residual impacted soils, groundwater plume map(s), receptor location(s), etc.)
- Discussion of future land use
- Discussion and recommendation for no further assessment or remediation action onsite
- Additional information requested by the case officer

Any deficiency in the report identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK G.3:
SITE CLOSURE PRESENTATION ~~PREPARATION~~**

Task Preparation and Oversight Cost: ~~\$3,680.00~~ **4,032.00**

Scope of Work: This task consists of all consulting services to produce a Site Closure Presentation summarizing all historic assessment, remediation, and sampling activities into a package that requests an exemption from corrective actions for contaminated groundwater in accordance with NAC 445A.22725(2). The closure presentation is an interactive presentation between the operator and/or their certified environmental manager and NDEP staff considering the request for a no further action determination. The presentation may be requested by NDEP following submittal and review of other site-closure-related documents (e.g., no further action request and modeling). The presentation will take place in a forum that allows discussion of whether or not the site meets the exemption criterion (e.g., in-person or remote meeting technology). Close communication with the case officer is necessary to ensure the presentation will adequately address case closure concerns.

The presentation should include, but is not limited to the following:

- Preparation of an electronic deliverable (PowerPoint or similar technology) for presentation
- Summary of all site activities during the life of the project, including:
 - Site history and source identification;
 - Corrective actions and remediation history;
 - Magnitude and extent of contamination;
 - Hydrogeologic setting and conditions;
 - Groundwater contaminant plume stability;
 - Amount of contaminant mass and concentration reduction; and
 - Current contaminant concentrations and distribution.
- Summary and visual representation of decreasing contaminant concentrations over time
- Current contaminant plume maps and other figures as required by the case officer
- Potential receptors near the site and possible contaminant transport pathways
- Identification of institutional, engineering, or natural controls in place to prevent further migration of contaminants of concern
- A request for no further action, if appropriate

Note, two hours of senior staff time is included under this task to present the above information to NDEP. If more than two hours are required for the closure presentation, a change order may be submitted to account for additional presentation time.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK G.4:
COORDINATION OF PERMANENT WELL CLOSURE**

Task Preparation and Oversight Cost: \$2,438.00

Scope of Work: This task consists of all consulting services to coordinate the permanent closure of groundwater monitoring and/or remediation wells (i.e., plugging and abandonment) following receipt of a no further action determination from the Bureau of Corrective Actions (BCA).

Activities include communication with the case officer, soliciting and evaluating bids if subcontracted well abandonment costs will meet or exceed the bid threshold, coordination of field activities, **first day of field time for a technician to** ensure wells are abandoned in accordance with applicable state requirements (NRS/NAC 534), coordination of waste disposal, submittal of well abandonment logs and closure letter to Division of Water Resources and NDEP (provide copies to the BCA case officer).

Additional compensation for **subsequent days of** field oversight of well abandonment activities **by a technician** may be proposed (~~up to 8 hours~~) with justification and case officer approval. **A daily rate for subsequent days of well abandonment oversight shall not exceed \$816.00.**

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK G.5:
REMEDICATION SYSTEM DECOMMISSIONING AND SITE RESTORATION**

Task Preparation and Oversight Cost: \$1,930.00

Scope of Work: This task consists of all consulting services to coordinate the decommissioning/removal of project remediation system(s), all associated equipment, and perform site restoration activities. This task assumes that field work will be performed by a subcontractor with oversight by the consulting company.

Activities include communication with the case officer, soliciting and evaluating bids if subcontracted equipment removal costs will meet or exceed the bid threshold, coordination of field activities, coordination of equipment transfer/disposal, coordination of waste disposal, update the Onsite Equipment Status Form with completed "Date Removed" fields. The form may be updated with the final claim submittal or on the NEA case dashboard.

Field time for oversight of remediation system decommissioning/restoration activities must be discussed with the case officer to determine whether or not a technician must be present for all or part of the remediation system removal. **Additional compensation may be proposed with justification and case officer approval.**

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK G.6:
SHAPEFILE PREPARATION**

Task Preparation and Oversight Cost:

\$1,337.00

Scope of Work: This task consists of all consulting services to prepare a shapefile. Shapefiles are required and used to identify the location of groundwater contamination left in place at the time of site closure. The NDEP requires the shapefile be compatible with ESRI ArcMAP, which can be developed and formatted using readily available freeware.

Activities include data evaluation, shapefile attribute table development, plume contour generation, GIS formatting, production of all site diagrams, and submittal to the NDEP case officer. Any deficiencies identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

H. COST PROPOSAL OR CHANGE ORDER PREPARATION

DRAFT

**WORK SCOPE TASK H.1:
COST PROPOSAL PREPARATION**

Task Preparation and Oversight Cost:

~~\$514.00~~768.00

Scope of Work: This task consists of all consulting services to produce a cost proposal in accordance with Section 2.2 of these guidelines **and assumes related tasks necessary to carry out a case officer approved work plan or routine site activities will be grouped under a single cost proposal.** Any deficiency in the proposal identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK H.2:
COST PROPOSAL CHANGE ORDER PREPARATION**

Task Preparation and Oversight Cost: \$514.00

Scope of Work: This task consists of all consulting services to produce a change order summarizing and requesting additional work not discussed in an existing cost proposal. A change order is prepared using cost proposal task forms and is accompanied by a cover letter discussing the necessity for the additional work and any other pertinent information. The change order must clearly identify the existing cost proposal it is associated with. Please see the discussion regarding change orders in Section 2.3 of this document. Any deficiency in the proposal identified by the case officer must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**I. PREPARATION OF APPLICATION FOR PETROLEUM FUND COVERAGE
AND REIMBURSEMENT CLAIMS**

**WORK SCOPE TASK I.1:
PREPARATION OF APPLICATION FOR PETROLEUM FUND COVERAGE**

Task Preparation and Oversight Cost: **\$979,002,792.00**

Scope of Work: This task consists of all consulting services for the preparation and submittal of an Application for Petroleum Fund coverage, including all pertinent information, necessary forms, and signatures in accordance with Section 2.1 of these guidelines. Any deficiency in the application **and subsequent follow up requested** identified by Fund staff must be addressed as a part of this scope of work. **Application deficiencies include, but are not limited to:**

- Failure to identify the storage tank component that caused a discharge to the environment
- Failure to provide all required release detection records for the tank(s) and associated product piping leading up to the discharge
- For systems that are placed back into service following a discharge, documentation of replacement or repair of the failed component and subsequent release detection records indicating the system is no longer leaking
- Reporting, investigation, and mitigation documentation following indication of a release (e.g., failed release detection test or monitoring sensor alarm)
- Documentation demonstrating fuel was removed from the system or actions taken to prevent further discharge to the environment following the release discovery
- Discussion of prior site releases and impact of new release to an existing cleanup, if applicable

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

**WORK SCOPE TASK I.2:
PREPARATION OF PETROLEUM FUND REIMBURSEMENT CLAIM**

Task Preparation and Oversight Cost: **\$897.001,319.00**

Scope of Work: This task consists of all consulting services for the preparation and submittal of a reimbursement claim to the State of Nevada Petroleum Fund. Reimbursement claims are commonly submitted on a quarterly basis to coincide with scheduled Board meetings, **and the task amount reflects the level of effort expected for a quarterly claim submittal.** Claims must be submitted in accordance with Sections 2.4 through 2.8 of these guidelines. Any deficiency in the claim identified by Fund staff must be addressed as a part of this scope of work.

The above task amount includes all consultant staff services the Petroleum Fund will reimburse for oversight of the activities described above. Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

J. INITIAL ABATEMENT ACTIVITIES

**WORK SCOPE TASK J.1:
INITIAL ABATEMENT FOR HEATING OIL TANK CLEANUP ACTIVITY**

This task includes two separate cost control limits for initial abatement activities associated with heating oil storage tank systems with a capacity of 1,100 gallons or less. Consulting staff activities associated with project management, ~~and~~ oversight of subcontractors, **and documentation submittal** include, but are not limited to the following:

- Coordinating field activities such as **underground utility surveys**, excavation equipment mobilization/demobilization, loading, hauling, and treatment/disposal of petroleum impacted soil following a heating oil storage tank discharge.
- Onsite observation and direction of excavation activities.
- Collection of soil samples.
- Coordinate/oversee backfilling of the storage tank excavation with clean material.
- Preparation and delivery of samples to a NDEP certified laboratory, or preparation of the sample shipping package.
- Obtain documentation of soil treatment/disposal.
- Closure report submittal **with NFA request**, if applicable.
- **Petroleum Fund application submittal.**
- **Petroleum Fund initial abatement claim submittal.**

CEM Costs Not to Exceed: **\$6,250.00**

Fund eligible activities performed by subcontractors (**i.e., non-CEM costs**) include, but may not be limited to:

- Removal of one or more heating oil storage tank systems.
- **Transport and disposal of removed storage tank(s)**
- Perform excavation of contaminated soils that have been impacted by the petroleum discharge (see limitations and exclusions below).
- Load and transport impacted soils to an offsite facility approved for treatment/disposal of petroleum impacted soil.
- **Petroleum impacted soil treatment/disposal.**
- Backfill the excavation with clean/imported material.
- Laboratory analyses of collected samples.
- Site restoration, if approved by the case officer (may require bids).

Non-CEM Costs Not to Exceed: **\$23,000.00**

Heating Oil Tank Removal Defrayment: **\$2,000.00**

Total Fund Reimbursable Task Cost for a Single Tank System: **\$31,250.00***

***Excludes laboratory analyses costs**

Additional costs associated with the above activities may also be reimbursed by the Fund, as applicable, in accordance with Appendix A (Field Equipment/Materials), Appendix B (Travel, Mileage, and Per Diem), Appendix C (Miscellaneous Equipment Rates), or Appendix E (Reimbursable vs Non-Reimbursable costs).

NDEP will require the CEM to contact a case officer, remediation program supervisor, or Fund staff as soon as practical and not more than 24 hours after the discharge is observed to ensure proposed abatement activities will be eligible for reimbursement and to discuss existing site conditions. If the discharge is observed after business hours or initial contact attempts with NDEP are unsuccessful, the CEM should call the NDEP Spill Hotline to request support.

Initial abatement activities may occur prior to assignment of an NDEP case ID/case officer; however, Fund reimbursement will not be provided until both a case ID and case officer have been assigned to the project. As such, it is the CEM's responsibility to ensure a Fund eligible discharge has occurred and petroleum impacted soils exceed reporting and actionable concentrations/quantities. Generally, there should be at least 3 cubic yards of impacted soil with a minimum total petroleum hydrocarbon (TPH) concentration of 100 mg/Kg confirmed by sampling prior to proceeding with excavation of impacted soil. The CEM must provide direct oversight of subcontractors during the initial abatement phase of a cleanup project, which ends once equipment used for tank removal and excavation is demobilized from the site and/or the excavation is backfilled. If additional characterization or corrective action is required for the site, those activities must be requested through cost proposals and performed under case officer concurrence (refer to Appendix F).

To minimize safety concerns with having an open excavation and facilitate rapid initial abatement activities, the Fund will reimburse rapid turnaround results for laboratory analyses for soils that have "apparent petroleum impacts" (defined below). Rapid turnaround times should not be pursued if there are no obvious signs of a discharge to the environment.

Upon receiving Fund coverage and with the submittal of the initial claim, detailed non-CEM invoices must be provided to NDEP supporting initial abatement costs. Invoice details must include but are not limited to a description of UST removal activities, soil excavation activities, any change orders to initial tank removal/soil treatment contracts, daily activity logs, transportation and disposal of impacted soil, backfill, laboratory analysis of samples, lodging, equipment and/or rental costs, and any site restoration. Soil disposal/treatment manifests, certificates, and profile analyses must also be included with the initial abatement reimbursement claim.

INITIAL ABATEMENT TASK CONSIDERATIONS, LIMITATIONS, EXCLUSIONS:

- Soils that have "apparent petroleum impacts" must exhibit saturated petroleum product characteristics, have elevated volatile organic compounds identified via field equipment (e.g., PID), or have obvious petroleum staining with strong odor. Costs associated with excavation, disposal, and sampling of impacted soils will not be reimbursed if the initial storage tank closure sample results are below NDEP action levels.
- Quantity, locations, and type of analyses for initial abatement soil sampling must conform with NDEP guidance or NDEP staff recommendations.
- For a site where two or more heating oil storage tanks are removed and each has caused a discharge to the environment, the Fund may reimburse the following additional costs:
 - ~~Additional-Up to \$3,000 in CEM oversight and sampling costs, not to exceed \$750.00 per tank.~~

- ~~○ Additional non-CEM costs, not to exceed \$6,750.00 per tank.~~
- ~~The maximum coverage for additional tank cleanup shall not exceed \$30,000.00 overall.~~ **Up to \$23,000 in non-CEM costs associated with initial abatement of two or more leaking storage tanks.**

Any additional characterization or remediation **exceeding the limits specified in this task are** considered beyond the scope of initial abatement **and require separate consideration by the case officer and Fund staff. Prior to additional work being performed,** the CEM must contact the case officer to initiate the required cost control measures established through a cost proposal and bids.

- Initial abatement excavation is specific to removal of impacted soil only (confirmed by laboratory analyses). Additional excavation or soil work to facilitate future site use plans are not eligible for Fund reimbursement (e.g., the deepening or expansion of the storage tank pit to facilitate installation of future structures such as building footings or new tank systems).
- The Fund will consider reimbursement of costs to restore a site to its previous condition following remediation activities. For full consideration of concrete, asphalt, or landscaping costs, detailed site diagrams and photographs of the site before and after remediation activities must be submitted to NDEP.

Site restoration does not include upgrading landscaping features or restoring site structures that were removed for reasons other than access to contaminated soil. Some site restoration activities may fall outside of the initial abatement timeframe and require submittal of a cost proposal and bids.

Note: Fund Coverage of initial abatement activities will not be provided unless a leaking UST/remediation case number and case officer are assigned. For site-specific situations where the above task costs do not cover initial abatement expenses, the case will be referred to the Board to Review Claims to make a final determination of coverage.

**WORK SCOPE TASK J.2:
INITIAL ABATEMENT FOR REGULATED
UNDERGROUND STORAGE TANK CLEANUP ACTIVITIES**

This task includes two separate cost control limits for initial abatement activities associated with all storage tank systems not covered under Work Scope Task J.1 (e.g., regulated underground storage tank (UST) systems, heating oil tank systems greater than 1,100 gallons, and aboveground storage tanks). Consulting staff activities associated with project management and oversight of subcontractors include, but are not limited to the following:

- Coordinating field activities such as **underground utility surveys**, excavation equipment mobilization/demobilization, loading, hauling, and treatment/disposal of petroleum impacted soil following a discharge from a petroleum storage tank system.
- Consultant coordination of traffic control plan and placement of traffic barriers, if necessary.
- Initial assessment (i.e., storage tank system closure sampling) required by the implementing agency immediately following UST removal.
- Onsite observation and direction of excavation activities.
- Collection of soil samples for laboratory analyses.
- Coordinate/oversee backfilling of the storage tank excavation with clean material.
- Preparation and delivery of samples to a NDEP certified laboratory, or preparation of the sample shipping package.
- Obtain documentation of soil treatment/disposal.
- Inclusion of a description of initial abatement activities in the UST closure report submittal, if applicable.
- CEM equipment, per diem, and mileage.

CEM Task Preparation and Oversight Costs Not to Exceed: 25,000.00

Fund eligible activities performed by subcontractors include, but may not be limited to:

- Perform excavation of contaminated soils that have been impacted by the petroleum discharge (see limitations and exclusions below).
- Load and transport impacted soils to an offsite facility approved for treatment/disposal of petroleum impacted soil.
- Backfill the excavation with clean/imported material.
- Laboratory analyses of collected samples.

Non-CEM Costs Not to Exceed: \$75,000.00

Total Fund Reimbursable Task Cost: \$100,000.00

Initial abatement activities may occur prior to assignment of a NDEP case ID/case officer and Petroleum Fund coverage; however, Fund reimbursement will not be provided until both a case ID and case officer have been assigned to the project and the Fund has approved coverage for the UST(s) that caused the discharge to the environment. As such, it is the CEM's responsibility to ensure a Fund eligible discharge has occurred and petroleum impacted soils exceed reporting and actionable concentrations/quantities. Generally, there should be at least 3 cubic yards of impacted soil with a minimum total petroleum hydrocarbon (TPH) concentration of 100 mg/Kg confirmed by sampling prior to proceeding with excavation of impacted soil. The CEM must provide direct oversight of subcontractors during the initial abatement phase of a cleanup project, which ends once equipment used for tank removal and excavation is demobilized from the site and/or the excavation is backfilled. If additional characterization or corrective action is required for the site, those activities must be requested through cost proposals and performed under case officer concurrence (refer to Appendix F).

NDEP ~~strongly recommends~~ **will require** the CEM **to** contact a leaking UST case officer, **remediation program supervisor**, or Fund staff **as soon as practical and not more than 24 hours after at the time** the discharge is observed **to discuss existing site conditions. In general, discussion of initial abatement should occur after a release has been confirmed (e.g., after closure sample analytical results are received, obvious petroleum impact to soil, etc.). Obtaining verbal concurrence for initial abatement activities will help ensure proposed abatement activities are eligible for reimbursement.** ~~, and after closure sample analytical results are received, to obtain verbal concurrence for initial abatement activities.~~ If initial abatement activities need to occur ~~during~~ **after normal business hours or when** ~~hours that~~ NDEP offices are closed (weekends, holidays, etc.), the CEM ~~should use their judgment to implement methods~~ **must call the NDEP Spill Hotline to request support** to expedite initial abatement activities and minimize project costs.

Since the above activities may be performed prior to Fund coverage being established for the facility, the CEM must understand and inform the operator that any costs incurred under this task shall be borne by the operator if reimbursement coverage is denied. Additionally, if coverage is granted with a reduction, reimbursement by the Fund for these initial abatement activities will be reduced. For additional information on reductions or potential denial of Fund coverage, please review Petroleum Fund Board Policy Resolution #94-023 at: https://ndep.nv.gov/uploads/env-petro-docs/Board_Policy_Resolution_94-023.pdf.

Upon receiving Fund coverage and with the submittal of the initial claim, detailed non-CEM invoices must be provided to NDEP supporting initial abatement costs. Invoice details must include but are not limited to a description of UST removal activities, soil excavation activities, any change orders to initial tank removal/soil treatment contracts, daily activity logs, transportation and disposal of impacted soil, backfill, laboratory analysis of samples, lodging, equipment and/or rental costs. Soil disposal/treatment manifests, certificates, and profile analyses must also be included with the initial abatement reimbursement claim.

INITIAL ABATEMENT TASK CONSIDERATIONS, LIMITATIONS, EXCLUSIONS:

- Soils that have “apparent petroleum impacts” must exhibit saturated petroleum product characteristics, have elevated volatile organic compounds identified via field equipment (e.g., PID), or have obvious petroleum staining with strong odor. Costs associated with excavation, disposal, and sampling of impacted soils will not be reimbursed if the initial storage tank

closure sample results are below NDEP action levels (i.e., petroleum contamination must be confirmed by laboratory analysis of the closure samples prior to excavation activities).

- To expedite the UST closure sampling and post-excavation confirmation sampling as well as minimize safety concerns with having an open excavation, the Fund will reimburse rapid turnaround results for laboratory analyses for soils that have “apparent petroleum impacts”. Rapid turnaround times should not be pursued if there are not obvious signs of a discharge to the environment.
- Quantity, locations, and type of analyses for initial abatement soil sampling must conform with NDEP guidance or NDEP staff recommendations.
- Initial abatement excavation is specific to removal of impacted soil only (confirmed by laboratory analyses). Additional excavation or soil work to facilitate future site use plans are not eligible for Fund reimbursement (e.g., the deepening or expansion of the storage tank pit to facilitate installation of future structures such as building footings or new tank systems).

The above task costs are meant to include all CEM and non-CEM costs associated with initial abatement activities at a storage tank site, regardless of the number of tank systems contributing to the release. Any additional characterization or remediation **costs exceeding the limits specified in this task are** ~~is~~ considered beyond the scope of initial abatement and **require separate consideration by the case officer and Fund staff. Prior to additional work being performed,** the CEM must contact the case officer to initiate the required cost control measures established through a cost proposals and bids. For site-specific situations where the above task costs do not cover initial abatement expenses, the case will be referred to the Board to Review Claims to make a final determination of coverage and associated reimbursement.

SECTION 4 MISCELLANEOUS WORK SCOPE TASKS

4.1 Miscellaneous Work Scope Task Cost Proposals

NDEP understands that some assessment and remediation activities cannot be accomplished using a predefined task or that the levels of effort vary so greatly site-to-site that designating a specific value for reimbursement may not be an appropriate mechanism. In Section 3.0 of this document, a task may not have a designated “*Task Preparation and Oversight Cost.*” For these tasks, and tasks not provided in these guidelines, a Miscellaneous Task cost proposal may be submitted.

For any task in Section 3.0 that does not provide a “Task Preparation and Oversight Cost” but does outline expected site activities and/or deliverables, the predefined scope of work is a minimum, unless directed otherwise by the case officer or Fund staff. These tasks will be submitted as a miscellaneous work scope task, which must include the provided task language from this document, any additional language that is applicable to the specific site needs, and proposed number of hours for necessary consulting staff. Consulting staff skill levels and rates have been established by Fund staff for miscellaneous tasks. The CEM may request applicable CEM-owned/rented equipment, travel, and per diem as defined in Appendices A, B, C, and D.

For assessment and/or remediation tasks that have not been predefined within this document, the CEM will provide a detailed scope of work for each miscellaneous task, including proposed staff skill levels necessary to perform the task, proposed hours and duties of CEM staff, applicable CEM-owned/rented equipment, travel, and per diem. Any deliverables to be provided to NDEP following task activities will also be listed in the task description.

All miscellaneous work scope task cost proposals must include a date range of when the activities will occur and a justification for the use of a miscellaneous work scope task. These proposals will receive a secondary review by Fund staff following case officer review. Detailed submittal instructions are available within the NEA online system User Guides.

4.2 Consultant Staff Skill Levels and Rates

CEM personnel skill levels and general responsibilities are provided below. Appropriate skill levels and corresponding hourly rates must be utilized for the level of effort presented in a miscellaneous task. The following table contains Fund established skill level titles, general responsibilities, suggested general qualifications, and billing rates to be applied to a miscellaneous work scope task proposal. The skill levels listed below and used in a miscellaneous task must correspond with those billed on a CEM invoice.

Skill Level Title	General Responsibilities	General Qualifications	Hourly Rate
Administrative Assistant	Assists in report formatting, invoicing, Fund submittals and project related office services.	N/A	\$80

Skill Level Title	General Responsibilities	General Qualifications	Hourly Rate
Drafter	Prepares project graphics with or without computer-aided graphic packages including site plans, cross sections, contour maps, and engineering design drawings.	<ul style="list-style-type: none"> • Relevant experience in CADD or technical drawing 	\$105
Technician	Assists with well installation, performs sampling of monitoring wells, collects samples as stipulated by remedial permits, remediation system installation, operates and maintains remedial equipment in accordance with O&M manual.	<ul style="list-style-type: none"> • High School Diploma • Minimum of one year relevant training • Health & safety training such as 40 Hour OSHA, 29 CFR Part 1910.120 	\$100
Staff Professional	Collects and compiles field data. Logs soil borings and/or excavation activities. Summarizes findings in reports and/or on maps. May prepare preliminary data analyses and proposed course of action. Coordinates routine project tasks and supervises subcontractor activities. May also prepare Fund submittal packages. May prepare preliminary construction drawings and specifications for remediation systems.	<ul style="list-style-type: none"> • BS in Engineering or Geoscience discipline with a minimum of two years of applicable experience, or MS in Engineering or Geoscience discipline with a minimum of one year of applicable experience. • Health & safety training such as 40 Hour OSHA 1910 	\$125
Project Manager	Manages assessment/remediation projects involving data collection, and analyses, and the formulation of conclusions and recommendations. Directly responsible for client relations, project budget and schedule and subcontractors on individual projects. Ensures project/client goals are met. Independently evaluates data and selects course of action. May communicate with regulatory agencies on client's behalf.	<ul style="list-style-type: none"> • Professional registration (e.g., CEM, PE) • BS in Engineering or Geoscience discipline with a minimum of five years of applicable experience, or MS in Engineering or Geoscience discipline with a minimum of three years of experience. 	\$155

Skill Level Title	General Responsibilities	General Qualifications	Hourly Rate
Senior Professional	Directs or conducts collection and analyses of data. Responsible for selected subcontractor's performance. Coordinates completion of individual field or office tasks within a project. Prepares remedial option analyses and preliminary selection and design. Coordinates and/or prepares project reports. Provides recommendations for remediation system design & enhancement based on data analyses.	<ul style="list-style-type: none"> • BS in Engineering or Geoscience discipline with a minimum of three years of applicable experience, or MS in Engineering or Geoscience with a minimum of two years of applicable experience. 	\$175
Principal	Overall responsibility for all technical, regulatory and budgetary aspects of projects. Assigns project managers to individual projects. May directly manage special projects of major scope. On individual routine project basis oversees that appropriate technical and regulatory approaches are being followed by staff and client/project goals are met.	<ul style="list-style-type: none"> • Professional registration (e.g., CEM, PE) • BS in Engineering or Geoscience discipline with a minimum of ten years of applicable experience, or MS in Engineering or Geoscience discipline with a minimum of six years of applicable experience. 	\$195

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APPENDIX A
CEM IN-HOUSE CHARGES

NDEP recommends CEMs purchase the equipment necessary to conduct business and will recommend reimbursement of the following rates for CEM-purchased equipment. A CEM may choose to rent equipment necessary to carry out site assessment or remediation activities; however, rental rates will not be reimbursed above the rates provided below. A CEM may propose a usage rate for equipment that does not appear in the below table using the CEM Equipment Usage Rate Calculation provided in Appendix C. Field usage logs must be submitted with each claim requesting reimbursement for the below equipment usage/rental costs.

CEM-OWNED OR RENTAL EQUIPMENT	RATE/DAY
PID – OVM	\$125
Single-Speed Well Pump or Peristaltic Sampling Pump (Including Controller)	\$50
Variable-Speed Submersible Sampling Pump (Including Controller)	\$100
Bladder Sampling Pump (Including Controller/Compressor)	\$130
Bladder Sampling Pump Bladder	\$16
Sample Grab Plate	\$14
Multi-Parameter Sampling Meter (Includes Flow-Through Cell)	\$115
Multi-Meter Sensor: Dissolved Oxygen, pH, Temp., Conductivity, Redox, Turbidity (Each sensor used as identified on equipment usage log)	\$25
pH/Conductivity/Temp Meter	\$25
Dissolved Oxygen Meter	\$25
Water Level Meter	\$45
Anemometer	\$35
Redox Meter	\$25
Ozone Meter	\$35
Gas Level Meter (LEL, CO, H2S, O2)	\$25
Air Sample Pump	\$25
Air Sample Bag	\$15
Oil/Water Interface Probe	\$75
Data Logger (Including Transducers)	\$125
Portable Generator	\$60
Purge Bailer	\$15
Hand Auger	\$10
Digital Camera	\$10
Oxidant Injection Trailer	\$110

NDEP will also recommend reimbursement for the following consumable materials used to carry out site assessment, monitoring, remediation, and closure activities onsite.

CONSUMABLE MATERIALS	COST
Disposable Bailer (Each)	\$10
55-Gallon Drum (Each)	\$100
Tyvek Coveralls (Each)	\$12
Poly Sampling Tubing (Per Foot)	\$0.65
Dual Bonded Tubing (Per Foot)	\$1.20
Peristaltic Pump Tubing (Per Foot)	\$2.40
GENERAL FIELD SUPPLIES RATES*	COST
Per Remediation System O&M Visit	\$15
Per Excavation, Characterization, or Monitoring Event – Up to 20 samples	\$30
Per Excavation, Characterization, or Monitoring Event – Greater than 20 samples	\$60

* The Fund recognizes there are incidental costs incurred by CEMs in carrying out NDEP required sampling or remediation equipment maintenance. The above field supply rates are meant to supplement these costs and may not cover all costs incurred by a CEM to carry out their normal course of business (i.e., cost of doing business). Receipts are not required unless specifically requested by Fund staff and supplies costs will be approved at staff's discretion during claim review based on supporting documentation (i.e., field activity logs). General field supplies rates apply to the following materials, but are not limited to: ice, gloves, small hand/sampling tools, decon solution/water, signage, locks, pest/weed control, fire prevention, bailer string, rags, etc.

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APPENDIX B
CEM TRAVEL AND PER DIEM RATES

CEM TRAVEL AND PER DIEM RATES

For all projects receiving reimbursement from the State of Nevada Petroleum Fund, the CEM must analyze travel cost efficiency regarding field work performed at remote sites. An analysis of costs associated with per diem (lodging and meals in the project town, or the town located closest to the project site) must be evaluated against costs that will be accrued traveling to and from the site on a daily basis, including staff overtime hours.

Meals, lodging, CEM vehicle mileage, and travel expenses will be recommended for reimbursement pursuant to allowable state rates only. To request these expenses for reimbursement, the claim must include information specifying the following:

- Number of CEM staff associated with each individual daily per diem request (e.g., two people for one night lodging @ \$94/night; dinner for two people @ \$23/dinner, etc.)
- Number and type (i.e., breakfast, lunch, dinner) of meal(s)
- Number of nights claimed for lodging, with associated receipts.

For rental vehicles, NDEP will reimburse for either vehicle mileage (as summarized below) or the actual cost of the rental. Actual vehicle rental fees must be requested as non-CEM costs. Additionally, justification for the usage of a rental vehicle rather than a CEM-owned vehicle must be provided.

Because allowable state rates are subject to change, NDEP recommends the CEM check our website at <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/cost-guidelines-rates> or contact Fund staff at (775) 687-9368 for the latest information regarding allowable rates.

PER DIEM REIMBURSEMENT:

- Receipts are not necessary for meals.
- **Receipts are necessary for lodging.**
- Lodging room tax and misc. fees are reimbursable.

NDEP's reimbursement recommendation policy for CEM meal and lodging expenses are as follows:

- **Nevada-Based CEMs:** NDEP will recommend reimbursement for meals and lodging associated with sites located 50 miles or more from the CEM's office, unless the site is located in the Las Vegas, or Reno-Carson City areas.
- **Out-of-State CEMs:** NDEP will recommend reimbursement for meals and lodging associated with sites located 50 miles or more from the Las Vegas, Harry Reid International Airport or the Reno-Tahoe International Airport.

TRAVEL REIMBURSEMENT: NDEP's reimbursement recommendation policy for CEM vehicle mileage and travel costs is as follows:

Nevada-Based CEMs: Vehicle mileage costs will be recommended for reimbursement for project-related travel when a mileage log is provided that includes the date(s) of travel, starting and ending vehicle mileage, and purpose of site visit. Upon staff request, a justification must be provided for requested mileage that exceeds round-trip mileage from a CEM's office and the site. Note, the following considerations, limitations, and exceptions regarding Nevada-based CEM travel:

- If an operator with a project site located within the Las Vegas or Reno-Carson City

metropolitan areas elects to contract a non-local CEM, the CEM's vehicle mileage costs accrued from their out-of-town office to the project site will not be recommended for reimbursement.

- CEM air travel and vehicle rental costs within the state may be considered for reimbursement if prior justification and preapproval is obtained from NDEP. Written concurrence must be provided with the claim and the air fare and rental car fees must be requested as non-CEM costs.
- For consulting companies that have multiple offices within the state, staff mileage will be reimbursed from the office closest to the project site.

Out-of-State CEMs:

- Costs associated with out-of-state travel (from a CEM office located outside the state to a site in Nevada) are not reimbursable.
- Vehicle mileage or airline ticket costs associated with traveling to a site located in the Las Vegas or Reno-Carson City areas will not be recommended for reimbursement.
- Vehicle mileage costs associated with traveling to a rural Nevada site (outside the Las Vegas or Reno-Carson City metropolitan areas) will be recommended for reimbursement, beginning from the Las Vegas, Harry Reid International Airport or the Reno-Tahoe International Airport to the site.
- Project-related vehicle mileage costs within the area of the site will be recommended for reimbursement.
- Rental vehicle costs for work performed in the Las Vegas or Reno-Carson City areas will **not** be recommended for reimbursement.
- Rental vehicle costs for work performed in rural Nevada sites will be recommended for reimbursement, from the Las Vegas, Harry Reid International Airport or the Reno-Tahoe International Airport to the site. Justification for using a rental vehicle must be provided with any reimbursement claim.

APPENDIX C
CEM EQUIPMENT USAGE RATE CALCULATION

CEM EQUIPMENT USAGE RATE CALCULATION

NDEP will not recommend reimbursement for the purchase of CEM-owned equipment. The below calculation is provided to facilitate a reimbursable usage rate for CEM equipment that is not listed in Appendix A. If a usage rate is later established under Appendix A for equipment previously approved under Appendix C, Fund staff will recommend reimbursement at the rate established in Appendix A (i.e., rates of Appendix A supersede any rates established by Appendix C).

- Cost of equipment X 1.5 (to allow for overhead and maintenance) = adjusted cost
- Adjusted cost/500 hours = hourly rate
- Hourly rate X 8 hours = daily rate
- Hourly rate X 35 hours = weekly rate
- Hourly rate X 100 hours = monthly rate

Example:

- \$1,000 piece of equipment
- $\$1,000 \times 1.5 = \$1,500$
- $\$1,500 / 500 \text{ hours} = \$3/\text{hour}$
- $\$3 \times 8 \text{ hours} = \$24/\text{day}$
- $\$3 \times 35 \text{ hours} = \$105/\text{week}$
- $\$3 \times 100 \text{ hours} = \$300/\text{month}$

The CEM must submit an equipment usage request via the online NEA system (<https://nevadaenvironmentalactivities.ndep.nv.gov>) to establish the usage rate for the equipment. The request must include the type of equipment, a description, a serial number, the cost, the original invoice number, the original invoice date, and a PDF of applicable invoice(s) or receipt(s). The database will show proposed rates pursuant to the above calculations. NDEP will concur electronically if the equipment is approved. The newly established rates must be selected for use with each cost proposal. Usage billing must be provided on CEM invoices and include a field usage log identifying the equipment.

The above method is only to be used for equipment owned and operated by CEMs. NDEP recommends CEMs to purchase the equipment necessary to conduct business. **If a CEM rents commonly used equipment from a rental company, NDEP will recommend reimbursement for no more than the rates listed in Appendix A.**

APPENDIX D
REMEDATION EQUIPMENT PURCHASE VERSUS RENTAL EVALUATION

REMEDIATION EQUIPMENT PURCHASE VERSUS RENTAL EVALUATION:

Purchase:

The purchase of remediation equipment is a major cost associated with remediation of a leaking petroleum storage tank site. Such equipment (packaged or site-constructed air sparge systems, soil vapor extraction systems, dual-phase extraction systems, etc.) commonly costs tens of thousands of dollars. The case officer must formally provide concurrence for the type of proposed remedial methodology and the associated remediation system that will be utilized at a site. A minimum of three bids must be evaluated prior to the acquisition of such equipment if the equipment costs meet the bid threshold. NDEP's policy regarding the reimbursement of such equipment is as follows:

- NDEP will recommend reimbursement for the purchase of the equipment if the case officer has concurred with the remedial methodology and a minimum of three valid bids (if necessary) are provided.

Rental:

If a claimant proposes to rent remediation equipment from a vendor, Fund staff must approve a proposed rental rate schedule that verifies the ultimate cost of renting (for the estimated remediation phase duration) will not exceed the cost of purchasing the equipment. If the cumulative rental costs exceed the bid threshold, bids will need to be obtained for the rental cost over the period of time it is expected to be used. **NDEP will recommend reimbursement for accrued remediation equipment rental costs up to the purchase price only.** Some examples:

- A remediation system is priced at \$50,000, including tax, excluding shipping. A claimant proposes to rent the equipment from a vendor, which will cost \$2,500/month. At this rate, it will take 20 months for the rental rate to equal the purchase cost, at which time reimbursement for rental of the equipment will cease. In this case, if the equipment is still needed on the site, additional rental costs will be the full responsibility of the claimant.
- The same \$50,000 remediation system is rented to the claimant at \$2,500/month, and the case officer allows removal of the system following 12 months of usage. The resulting accrued rental costs of \$30,000 will be recommended for reimbursement. The claimant has saved both himself and the Fund costs associated with the difference between the purchase price and the resulting rental cost (\$20,000).

A Rental Rate Schedule must be proposed through the online database system and established with Fund Staff prior to requesting remediation equipment rental costs for reimbursement. Each proposed remediation equipment Rental Rate Schedule must include:

- Equipment name
- Description of equipment
- Bid price including taxes
- Expected monthly rental cost
- Copies of invoices/receipts and bids for equipment, including applicable taxes

The online system will calculate and display the number of months the piece of equipment may be rented, given the expected purchase price.

Summary:

Pursuant to an established Rental Rate Schedule, NDEP will recommend reimbursement for remediation equipment rental fees up to the point where the total accrued rental costs equal the purchase price only. The above-referenced cost analysis will include the projected time the equipment will be needed on the site. NDEP recommends claimants to rent equipment if they are sure the total rental fees will be less than the purchase price. Conversely, if it is believed that the equipment may be used on the site for a prolonged period of time, purchasing the equipment will be more cost effective.

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APPENDIX E
REIMBURSABLE VERSUS NON-REIMBURSABLE COSTS

FUND ELIGIBLE VERSUS INELIGIBLE COSTS

Costs that are eligible for reimbursement are referred to as “eligible costs”, which are costs directly associated with assessment and remediation activities that are authorized or concurred with by the case officer. With the exception of initial abatement or emergency abatement, activities directly associated with regulatory agency required work must be included in Work Plans and/or cost proposals and concurred with by the case officer. Therefore, this appendix provides examples of common tasks directly associated with assessment and remediation. CEM equipment (meters, pumps, etc.), consumable materials (disposable bailers, 55-gallon drums, etc.), and travel costs (vehicle mileage, meal and lodging per diem) are reimbursable at the rates listed in Appendices A and B.

Ineligible costs are not reimbursable and are associated with activities not specifically concurred with by the case officer. Examples of ineligible costs include additional activities required by the claimant to be conducted for their convenience but not directly associated with assessment or remediation (e.g., rush turnaround fees on laboratory analyses not specifically allowed by a work scope task, hiring an out-of-state consultant (non-reimbursable travel and per-diem), intangible costs associated with financial risks such as high risk operators, using a non-local “preferred contractor” which charges more than known local vendors, etc.).

Assessment and remediation costs that will be recommended for reimbursement (eligible costs) include, but are not limited to:

1. The cost of a specific item or service for which a case officer has provided concurrence, plus eligible markup. Please refer to Appendix G for a discussion regarding reimbursable markup.
2. State reimbursement rates for CEM equipment and materials usage, vehicle mileage and per diem, as summarized in Appendix A and Appendix B.
3. Usage rates for CEM equipment that is not listed in Appendix A, which have been calculated pursuant to Appendix C. Please note that Fund staff must review and approve all usage rates calculated pursuant to Appendix C.
4. Shipping costs for laboratory samples and remediation equipment.
5. Claimant-provided goods and services at cost. A claimant cannot profit from providing goods and services.
6. Well vault replacement, if it can be verified that the damage is from normal wear and tear.

Costs associated with the following will not be recommended for reimbursement (ineligible costs) and include, but are not limited to:

1. Supplies that the CEM requires to perform daily business such as office equipment (computers, software, copiers, etc.), purchase of in-house field equipment that is subsequently invoiced based on a usage rate, work clothing, fuel for company vehicles, tools necessary to maintain and repair remediation systems (wrenches, saws, etc.).
2. CEM or claimant attendance at training classes, workshops or seminars.
3. CEM usage fees for office equipment such as computers and copiers.
4. Phase I and II Environmental Site Assessments for real estate transactions.
5. Confirmation of a UST system release, such as the performance of voluntary assessment activities, release confirmation laboratory analyses, voluntary UST system removal, etc.
6. Relocation of inhabitants (may be reimbursable if third party claimant).
7. Site restoration due to issues not associated with remediation unless concurrence is provided by the Fund.

8. UST system repairs or upgrades.
9. Assessment and/or remediation activities that have not been authorized by the case officer (excludes emergency/initial abatement).
10. Activities, equipment or materials which are solely for the convenience of the claimant, such as additional fees attributed to using an out-of-state CEM, non-regulatory required rush laboratory turn around fees, replacement of wells due to site improvements (construction, site facility demolition and re-building, etc.).
11. Demolition or replacement of site structures or appurtenances unless concurred with by the case officer to facilitate efficient and less costly remediation methods (e.g., removing an abandoned structure to allow contaminated soil excavation, etc.).
12. Non-justified emergency/initial abatement as discussed in Appendix F, and as determined by the case officer.
13. UST system removal costs unless required by the case officer to facilitate site remediation.
14. Remediation equipment or well damage caused by weather unless concurred with by Fund staff.
15. Storage tank system release source identification.
16. The additional costs associated with goods or services provided by out-of-state suppliers when similar goods or services are available locally, including non-local CEM costs (claimant's convenience).
17. Activities, equipment, and materials necessary to maintain compliance with UST operating regulations such as precision tightness testing, the purchase and maintenance of leak detection equipment, etc.
18. Well vault replacement for reasons other than normal wear and tear.
19. Costs attributable to a non-justifiable delay in clean-up.
20. Activities that pre-date the discharge discovery date.
21. Deposits or payments subject to a refund (e.g., drums used to contain hydrogen peroxide)
22. Insurance (equipment insurance, etc.).
23. Refundable fees, including those to carry bonds.
24. Laboratory analyses that are not required by the case officer (TPH analysis of groundwater samples, etc.).
25. Petroleum Fund Board meeting attendance, unless directed by the Board or the case officer.
26. Excavation/transportation of material that is not associated with assessment and remediation activities.
27. Rush laboratory turnaround fees, which have not been authorized by the case officer or specified within a Task Table.

Non-Reimbursable Expenditures:

1. Absence of 3 bids or usage of a vendor who was not the lowest bidder in a situation where bidding was required pursuant to NAC 445C.270.4(e), unless good cause is provided and concurred with by the case officer.
2. Additional costs associated with contracting a vendor who was not the lowest bidder with no justification provided.
3. Costs (including associated CEM oversight) associated with repeating a previously contracted service where the original service was done incorrectly, e.g., remediation system pilot test not performed in accordance with the case officer approved work plan, replacement of a groundwater monitoring well initially installed with the screened interval above the water table, etc.

4. CEM equipment usage and travel rates which exceed those listed in Appendices A & B. Because these rates are commonly adjusted, it is important to check the Fund web page for updates at <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/cost-guidelines-rates> on a regular basis.
5. Alcoholic beverage purchases.
6. Costs for which the claimant was not actually charged.
- ~~7.~~ ~~Costs which exceed 5% or \$3,000, whichever is less, of the concurred upon cost proposal.~~
- ~~8.~~ 7. Duplication or overlap of CEM efforts, including getting new CEM “up to speed”
- ~~9.~~ 8. Rental of land or storage space unless approved by Fund staff.
- ~~10.~~ 9. Recurring charges not justified (remediation equipment that is repeatedly serviced for the same problem and charged, but not corrected, etc.).
- ~~11.~~ 10. Rental of remediation system and associated equipment, if the system is not running, unless concurred with by the case officer.
- ~~12.~~ 11. Operations and monitoring of a non-operating remediation system.
- ~~13.~~ 12. Operating costs of a remediation system not installed as per the approved work plan unless concurred with by the case officer.
- ~~14.~~ 13. Assessment and remediation of contamination due to product delivery overfill or spill events.
- ~~15.~~ 14. Document shipping.
- ~~16.~~ 15. Activities, equipment, or materials necessary to repair or replace remediation equipment or wells which have failed or become damaged due to faulty installation or construction, faulty operation, vandalism, theft, auto wrecks, etc.
- ~~17.~~ 16. Repair or replacement of equipment that is covered by a warranty.
- ~~18.~~ 17. Costs for the purchase or rental of remediation equipment that has been previously paid for under another Petroleum Fund case. (NDEP will not pay for equipment more than once).
- ~~19.~~ 18. Monthly utility costs and fees other than that used for remediation system operation or system downtime unless concurred with by the case officer.
- ~~20.~~ 19. Costs for removing imported backfill material which is determined to be contaminated.
- ~~21.~~ 20. Costs for the replacement or retrofitting of a water supply well due to contamination caused by the release or due to remediation activities, unless concurred with by NDEP.

Reimbursement Claim Deficiencies to Avoid:

1. Documentation (invoices, receipts, usage logs, etc.) that does not substantiate the requested reimbursement amount.
2. Duplicate charges.
3. Unclear or unreadable backup documentation (invoices, receipts, usage logs, etc.).

Non-Fund Eligible Travel Costs:

1. Usage of a rental vehicle, unless justification is provided.
2. CEM per-diem expenses for travel of less than 50 miles from their office.
3. Use of personal or company vehicle charged on a basis other than mileage. CEM costs for vehicle usage on an hourly or daily basis are not reimbursable.
4. Fuel for CEM vehicles.

Non-Fund Eligible Petroleum Tank Release Sources:

Costs to assess and clean up petroleum storage tank system releases pursuant to the following are not qualified for Fund coverage, and therefore are not reimbursable:

1. Releases resulting from a lack of spill prevention equipment.
2. Releases resulting from the known operation of a petroleum storage tank system with faulty spill prevention equipment if not repaired or replaced pursuant to regulatory agency directives.
3. Releases resulting from a lack of overfill prevention equipment.
4. Releases resulting from the known operation of a petroleum storage tank system with faulty overfill protection equipment, if not repaired or replaced pursuant to regulatory agency directives.
5. Product dispenser releases which emanate from above the shear valve (NAC 445C.210.1(g)).
6. Releases which emanate from petroleum storage tank systems which are not enrolled in the Fund at the time of release discovery (NAC 445C.240.4).
7. Petroleum storage tank system releases which were discovered prior to the establishment of the Fund.
8. Releases caused from petroleum storage tank system, operator, or vendor neglect.
9. Releases caused by vandalism.
10. Releases from failed petroleum storage tank components which are covered under a manufacturer or vendor warranty.
11. Releases from heating oil tanks in which the release was discovered after the tank was filled with slurry or grout.
12. Releases from subsidiary “day tanks” attached to a regulated storage tank system, unless the “day tanks” are enrolled separately.
13. Releases in which the source has not been repaired, replaced, or permanently removed from service.
14. Releases in which the storage tank system was enrolled at the time when the site was under investigation or was required to be investigated.
15. Releases in which noncompliance was the proximate cause of the release. (Board Resolution No. 94-023).

APPENDIX F
REMEDICATION PURSUANT TO EMERGENCY/INITIAL ABATEMENT

REMEDATION PURSUANT TO EMERGENCY/INITIAL ABATEMENT:

Emergency actions and initial abatement may or may not coincide with one another. An emergency action is defined by NAC 445C.210(1)(c) and includes any action that:

- Stops an active release of petroleum;
- Identifies or mitigates existing or potential hazards from fire, explosion, vapor, or other hazards associated with a release; or
- Prevents the migration of petroleum which poses a substantial imminent threat to the environment.

In many cases initial abatement does not follow an emergency action. Instead, it may be conducted immediately following release discovery (i.e., tank system removal) when assessment and remediation of contamination associated with a leaking storage tank system is accessible. If a CEM can make the determination that a release to the environment has occurred from the removed tank system, as evidenced by laboratory analytical results (i.e., TPH greater than 100 mg/Kg) and greater than 3 cubic yards of soil is impacted, the CEM should request authorization from the NDEP to excavate and dispose of the contaminated soil in accordance with Task Tables J.1 and J.2 using equipment already located onsite for tank removal. The CEM must also report the release to NDEP within 24 hours by calling the spill/complaint hotline at 1-888-331-6337 or using the following website: <https://nevadaenvironmentalactivities.ndep.nv.gov/> (click the “Report a Spill or Release” link in the center of the page).

Following excavation of soils with “apparent petroleum impacts” (see explanation in Tasks J.1 and J.2), soil confirmation samples must be recovered from the excavation. Samples must be analyzed for TPH and other constituents appropriate for the substance(s) stored in the leaking tank system (BTEX, naphthalene, etc.). Rapid laboratory turnaround results may be reimbursed to facilitate backfill of the excavation when safety concerns are evident. Pursuant to site specific constraints and analytical results of the confirmation samples, the above activities may allow the CEM to request a no further action determination.

If emergency/initial abatement activities need to occur **during-after normal business** hours **thator when** NDEP offices are closed (weekends, holidays, etc.), the CEM **should use their judgment to implement methods—must call the NDEP Spill Hotline to request support** to expedite mitigation/corrective action activities and minimize project costs. The emergency/initial abatement period ends once equipment is demobilized from the site and/or the excavation is backfilled.

If additional assessment and/or remediation work is required for the site by the case officer, those activities must be requested through cost proposals as outlined in Sections 1.7.1 through 1.7.6 of these guidelines.

APPENDIX G
REIMBURSABLE CEM MARKUP

REIMBURSABLE CEM MARKUP

NDEP will recommend Fund reimbursement for up to ~~15~~**8%** CEM **administrative** markup on ~~some~~ non-CEM services and items, **which must be reflected on the CEM's invoice and billed to the claimant. Markup may be claimed for each subcontractor invoice up to \$15,000, as follows:**

~~Services and Items Qualified for Reimbursement of CEM Markup~~

- ~~• The first \$3,000 in invoiced laboratory analytical fees for a project.~~
- ~~• Select non-CEM invoices that sum to less than \$3,000. For example, if an invoice from a drilling company sums to less than \$3,000, CEM markup is qualified for reimbursement. If the invoice is for \$3,000 or more, no CEM markup is qualified for reimbursement. The claimant will not be reimbursed for CEM markup for the first \$2,999.99 of an invoice that sums to \$3,000 or more.~~

Services and Items Not Qualified for Reimbursement of CEM Markup

- **Services and items greater than \$15,000; however, the value up to \$15,000 is eligible for markup.**~~Laboratory analytical fees which exceed the first accrued \$3,000 invoiced for the project.~~
- **Subcontractor invoices that have been split into multiple invoices (i.e., progress billing) that have a cumulative total greater than \$15,000 for the same service or item.**~~Non-CEM invoices equaling or exceeding \$3,000.~~
- Shipping costs.
- Rental costs associated with vehicles, equipment, etc.
- Any non-CEM invoices not recommended for reimbursement.
- **Utilities that are not billed to the CEM.**~~Utilities.~~
- Fuel costs.
- Subcontracted work typically conducted as CEM activities (e.g., groundwater sampling).
- Permit fees.
- Lodging, per diem, and mileage expenses.
- Equipment usage or consumable materials established under Appendices A or C.

~~*For activities conducted by a company affiliated with a CEM, markup by the affiliated vendor/contractor will only be allowed in accordance with the Guidelines (at a maximum of 15% and only for invoices less than \$3,000). A copy of the vendor invoice (in addition to the invoice of the CEM-affiliated company) are required in order to document that markup meets the requirements of the Guidelines.~~

Note: Services and items provided on an invoice by a company subcontracted by the CEM or by a CEM's vendor cannot contain administrative markup. The CEM invoice submitted for reimbursement can apply an administrative markup up to 8% for the subcontractor or vendor invoice. No other markup is allowed. A copy of the subcontractor and/or vendor invoice is required as backup in order to document that markup meets the requirements of these guidelines.

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APPENDIX H
ACRONYMS/DEFINITIONS

ACRONYMS/DEFINITIONS

AS	Air Sparge
Bid Threshold	Bid value established in accordance with NAC 445C.270(4)(e) and Board Policy Resolution No. 2015-01
BS	Bachelor of Science
Board	Board to Review Claims (Petroleum Board)
CAP	Corrective Action Plan
Case Officer	To mean NDEP leaking UST or remediation regulatory case officer, unless otherwise specified
CEM	Certified Environmental Manager
CFR	Code of Federal Regulations
COPC	Contaminant of Potential Concern
Fund	Fund for Cleaning Up Discharges of Petroleum
HHRA	Human Health Risk Assessment
LNAPL	Light Non-Aqueous Phase Liquid
MS	Master of Science
NAC	Nevada Administrative Code
NDEP	Nevada Division of Environmental Protection
NEA	Nevada Environmental Activities
NFA	No Further Action
NPDES	National Pollutant Discharge Elimination System
NRS	Nevada Revised Statute
NTEP	Not-to-Exceed Proposal
OSHA	Occupational Safety and Health Administration
OVM	Organic Vapor Meter
PID	Photo Ionization Detector
RAO	Remedial Action Objectives
RAS	Remedial Alternative Study
RBCA	Risk-Based Corrective Action
ROI	Radius of Influence
RSO	Remediation System Optimization
SNHD	Southern Nevada Health District
SVE	Soil Vapor Extraction
UIC	Underground Injection Control
UST	Underground Storage Tank

**Agenda Item 6:
Adoption of Equipment Cost Schedule for
Grant Paid UST Upgrades**

(FOR POSSIBLE ACTION)

Nevada Petroleum Fund
Grant Program for Underground Storage Tank (UST) System Upgrades
Equipment Cost Schedule and Limitations

In accordance with NAC 445C.350(3), the Board to Review Claims has approved the below cost schedule to be applied to UST equipment purchased with grant funding for upgrades approved by the Division of Environmental Protection (Division). NAC 445C.200 defines an “upgrade” as the purchase and installation of spill buckets, containment sumps, and any other equipment approved by the Division that is subject to periodic testing and may require replacement to prevent a release to the environment. Below is a list of approved UST upgrade equipment eligible for purchase and installation using a Petroleum Fund grant described in NAC 445C.320.

UST Upgrade Equipment*	Maximum Allowed
Spill Prevention:	
Single-Wall Spill Bucket	\$1,200
Double-Wall Spill Bucket or Field Replaceable Spill Bucket**	\$1,800
Overfill Prevention:	
Automatic Shut Off Device for UST Fill Pipe (e.g., Flapper Valve)	\$1,500
Containment Sumps***:	
Submersible Turbine Pump (STP) Sump	\$3,500
Under Dispenser Containment (UDC) Sump	\$2,500
Piping Transition Sump	\$3,000

* All UST upgrade equipment purchased and installed using grant funding must be capable of periodic testing in accordance with 40 CFR 280.35.

** Double-wall spill buckets must be equipped with an interstitial monitoring device. Field replaceable spill buckets include those that can be replaced in the field without breaking concrete or excavation.

*** Containment sumps exceeding the table maximum may be approved by the Division and must be of double-walled construction with interstitial monitoring. Over-sized single-wall sumps (e.g., some transition sumps) must be approved by the Board to Review Claims.

In addition to the equipment listed in the above table, the Division will consider, on a case-by-case basis, the purchase and installation of the following UST system components that may also be subject to periodic testing requirements, with limitations:

- **Alternative Overfill Device** - Automatic tank gauge (ATG) monitoring console with an external overfill alarm that can be seen and heard by a fuel delivery driver at the location he/she is filling the UST(s). The ATG purchase and installation must include inventory probes capable of detecting fuel levels in the tank that will trigger an alarm prior to the tank overflowing in accordance with 40 CFR 280.20(c)(ii)(B).
- **Double-wall product piping** – Will only be considered when the containment sumps are replaced at both ends of the piping run and the entire run of piping is replaced and monitored interstitially (40 CFR 280.20).
- **Replacement of containment sump penetration boots** (e.g., piping or electrical penetration locations) – When sump replacement is not possible (e.g., long lead-time for sump orders, site restrictions, etc.), the Fund will consider paying for replacement of sump penetration boots to allow periodic testing of the containment sump. The operator should consider replacement of all penetration boots within the sump, and the replaced penetration boots must meet the following requirements:
 - They must be warrantied by the manufacturer for at least 3 years for installation (periodic testing interval for containment sumps) and installed by a technician certified by the manufacturer.
 - Materials and sealants required to install the boots must be UL listed for use with petroleum fuels.
 - Replacement sump penetration boots must be approved for use by the implementing agency’s UST program.

- The sumps must pass periodic testing in accordance with the Petroleum Equipment Institute's Recommended Practice (RP) 1200 (or equivalent) following installation of the penetration boots. Failed tests and following repairs will not be paid for by the UST upgrade grant.

The above cost schedule is specific to the price of the equipment itself and does not include applicable tax, freight, and shipping costs. Additionally, ancillary components and materials required for the proper installation of the above equipment and applicable labor, excavation, old equipment disposal, site restoration, and post-installation testing costs are not included in the above maximum values. **These additional costs, however, are eligible for grant funding and will be paid in accordance with the Division approved cost estimate provided by a Division-certified handler of underground storage tanks (NAC 445C.340(1)(d)).**

The total grant award allowed for a single site is \$90,000. Any costs exceeding this amount shall be paid by the operator. Grant funding will be prioritized for purchase and installation of equipment listed in the table above, and alternative overfill devices or double-walled product piping will be funded secondary to UST upgrade equipment. Vent ball-float valves used for tank overfill prevention are not eligible under this program grant.

**Agenda Item 7:
Adoption of Consent Items
(FOR POSSIBLE ACTION)**

**STATE BOARD TO REVIEW CLAIMS
REQUESTED/RECOMMENDED AMOUNTS - SEPTEMBER 8, 2022**

The Board may approve all items in the following list as a consent agenda unless a listed item is marked with an asterisk (*). Items may be marked with an asterisk if a member of the public has requested to address the claim before the Board or the item is associated with a Fund Site Specific Board Determination (SSBD). In the case of an item being marked with an asterisk pending a SSBD, the item is considered part of the consent agenda upon approval of that (SSBD). In addition to asterisked items, a Board member may request an item be moved from the list for immediate discussion prior to approval or moved to a discussion agenda item and tabled for the next meeting.

A dagger (†) indicates previously disallowed monies have been successfully appealed (i.e. the requested amount may be less than the recommended amount)

An omega (ω) indicates Board approved reimbursement monies have been subtracted from the amount requested due to new information

<u>HEATING OIL</u>				<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2012000017; 80304	Churchill County School District: Old High School	\$8,802.48	\$8,802.48
FOR POSSIBLE ACTION	2.	2021000028; 80328	Jonathon King: Jonathan H & Eve M King Family Trust Residential Heating Oil Tank	\$2,276.40	\$2,276.40
FOR POSSIBLE ACTION	3.	2021000040; 80176	Glendale Ave Properties, LLC: Glendale Ave. Properties, LLC	\$18,259.12	\$16,611.62
SUB TOTAL:				<u>\$29,338.00</u>	<u>\$27,690.50</u>

<u>ONGOING CASES</u>				<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	1992000126; 80322	Clark County School District: Rc White (Arville) Transportation Satellite	\$26,212.92	\$26,212.92
FOR POSSIBLE ACTION	2.	1994000027; 80330	7-Eleven Inc: 7-Eleven #19653	\$61,212.97	\$61,212.97
FOR POSSIBLE ACTION	3.	1995000039; 80303	Al Park Petroleum Inc: Crescent Valley Market	\$4,503.85	\$3,867.14
FOR POSSIBLE ACTION	4.	1996000064; 80323	The Esslinger Family Trust: Red Rock Mini Mart	\$6,574.68	\$2,872.39
FOR POSSIBLE ACTION	5.	1998000075; 80221	55 McDermitt Crude, LLC: McDermitt Motel & Convenience Store	\$17,823.88	\$16,041.49
FOR POSSIBLE ACTION	6.	1999000014; 80306	Al Park Petroleum Inc: Pit Stop #7 Conoco	\$7,790.76	\$7,011.68
FOR POSSIBLE ACTION	7.	2004000039; 80157	Clark County Department Of Aviation: Frmr National Car Rental	\$47,809.94	\$47,809.94
FOR POSSIBLE ACTION	8.	2007000016; 80308	Golden Gate Petroleum Of Nevada, LLC: Golden Gate Sun Valley #43	\$6,379.25	\$5,741.33

FOR POSSIBLE ACTION	9.	2008000019; 80266	One Panou LLC: Golden Market #3	\$21,213.52	\$19,092.17
FOR POSSIBLE ACTION	10.	2009000024; 80066	Parampreet Investment LLC: Chucks Circle C Market	\$142,702.12	\$126,693.25
FOR POSSIBLE ACTION	11.	2010000009; 80309	Hpt Ta Properties Trust: Mill City Travel Center	\$26,208.52	\$21,228.90
FOR POSSIBLE ACTION	12.	2011000009; 80278	Cimarron West: Cimarron West	\$18,237.92	\$16,414.13
FOR POSSIBLE ACTION	13.	2012000012; 80319	Clark County Department Of Aviation: Former Smart Mart	\$8,922.83	\$8,030.55
FOR POSSIBLE ACTION	14.	2013000004; 80331	7-Eleven Inc: 7-Eleven #29665	\$9,813.87	\$8,832.48
FOR POSSIBLE ACTION	15.	2013000019; 80312	Hardy Enterprises INC: Elko Sinclair #53	\$30,799.18	\$27,708.35
FOR POSSIBLE ACTION	16.	2013000021; 80300	7-Eleven Inc: 7-Eleven #27700	\$26,541.06	\$23,886.95
FOR POSSIBLE ACTION	17.	2014000004; 80305	Alsaker Corp: Broadway Colt Service Center	\$11,462.95	\$10,316.65
FOR POSSIBLE ACTION	18.	2014000007; 80284	7-Eleven Inc: 7-Eleven #29658	\$11,987.50	\$10,788.75
FOR POSSIBLE ACTION	19.	2014000025; 80313	Superior Campgrounds Of America, LLC: Silver City Rv Resort	\$28,238.56	\$25,414.70
FOR POSSIBLE ACTION	20.	2016000009; 80329	7-Eleven Inc: 7-Eleven #13685	\$7,798.83	\$7,018.95
FOR POSSIBLE ACTION	21.	2016000012; 80320	DLF Corporation: Mr Ds Fastlane	\$17,390.99	\$15,651.89
FOR POSSIBLE ACTION	22.	2016000023; 80315	Al Park Petroleum Inc: Pit Stop #1	\$10,229.83	\$7,365.47
FOR POSSIBLE ACTION	23.	2018000009; 80316	Reed Incorporated: Pacific Pride	\$6,175.72	\$5,461.38
FOR POSSIBLE ACTION	24.	2020000015; 80324	Canyon Plaza, LLC: Gas 2 Go	\$13,736.70	\$7,417.82
FOR POSSIBLE ACTION	25.	2021000026; 80285	7-Eleven Inc: 7-Eleven #25578	\$30,264.77	\$27,238.29
SUB TOTAL:				<u>\$600,033.12</u>	<u>\$539,330.54</u>
RECOMMENDED CLAIMS TOTAL:				<u>\$629,371.12</u>	<u>\$567,021.04</u>

Case: #1992000126
Claim #: 80322

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$26,212.92 from the Petroleum Fund for cleanup costs.

	\$2,712,830.01	Amount Requested to Date
	(\$160,571.38)	Amount Disallowed, Past Claims
	(\$40,000.00)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,465,423.70)</u>	Amount Paid to Date
SUB TOTAL	\$26,212.92	Amount Requested this Meeting
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$26,212.92</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/30/2022 and 06/14/2022

Summary of work completed: 1st Quarter 2022 report preparation, April and May Monthly Groundwater Sampling Events, 2nd Quarter 2022 Groundwater Sampling Event, Laboratory Disposal Analysis, Coordination for soil and water disposal from well installations.

Site Summary Report

Case Number: 1992000126 Site Name: Rc White (Arville) Transportation Satellite

Site Status

Synopsis: MARCH 7, 1992 ONE 1000 WASTE OIL UNDERGROUND STORAGE TANK (UST) WAS REMOVED FROM THE SITE (IDENTIFIED ON THE APPLICATION AS TANK 4). APRIL 7, 1992 THREE MORE USTS WERE CLOSED. THESE ADDITIONAL TANKS WERE IDENTIFIED AS: A 12,000 GALLON DIESEL TANK (TANK #1), A 12,000 GALLON UNLEADED GASOLINE TANK (TANK #2), AND A 6,000 GALLON UNLEADED GASOLINE (TANK #3); EACH HAD RELEASE SOURCES IDENTIFIED AS THE PIPING AND DISPENSERS. COVERAGE WAS GRANTED WITH A \$10,000 DEDUCTIBLE DUE TO THE FACILITY BEING OPERATED BY A POLITICAL SUBDIVISION OF STATE.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$4,000,000.00
Amount Fund Will Pay	\$3,960,000.00
Amount Requested	\$2,712,830.01
Amount Disallowed	\$160,571.38
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$40,000.00
Amount Recommended	\$2,512,258.63
Amount Paid	\$2,486,045.71

Site Identification

Date Submitted:	06/10/1992	DEP Facility Number:	8-000825
Site Name	Rc White (Arville) Transportation Satellite		
Site Contact		Telephone:	
Site Address	4499 Arville St Las Vegas, NV 89103		
County:	Clark County		
Owner/Operator Name:	Clark County School District		
Contact Name of Owner/Operator:	Lori Olson	Telephone:	(702)799-0990 Ext: 5
	Environmental Services Henderson, NV 89074		
Prime Contractor	Converse Consultants		
Contact Name	Robert Gegenheimer		
Contractor Address	6610 West Arby Avenue Suite 104 Las Vegas, NV 89118		
Telephone:	(702)269-8336 Ext: 2	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	Closed	Regulated UST	See Synopsis
002	12000	51	Regulated UST	See Synopsis
003	12000	51	Regulated UST	See Synopsis
004	12000	51	Regulated UST	See Synopsis

Case: #1994000027
Claim #: 80330

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$61,212.97 from the Petroleum Fund for cleanup costs.

	\$2,496,883.35	Amount Requested to Date
	(\$79,645.77)	Amount Disallowed, Past Claims
	(\$30,000.00)	Deductible/Co-Payment Satisfied to Date
	(\$2,060,802.65)	Amount Paid to Date
SUB TOTAL	<u>\$61,212.97</u>	Amount Requested this Meeting
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$61,212.97</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 08/25/2021 and 03/30/2022

Summary of work completed: Project management, scheduling and client invoicing. Quarterly monitoring, sampling and reporting, quarterly permit reporting, reimbursement packages preparation, annual NTEP and HASP preparation, AS/SVE remediation system operations, routine repairs, maintenance, and data evaluation. Respond to CCDAQ's request to renew the 5-year air emissions permit with an application for a Certificate of Exemption. Repair well vault for MW-25

Site Summary Report

Case Number: 1994000027 Site Name: 7-Eleven #19653

Site Status

Synopsis: CONTAMINATION DISCOVERED DECEMBER 1992 FROM THE PIPING AND TURBINE PUMPS OF (2) 10,000-GALLON USTS AND (1) 6,000-GALLON UST, EACH CONTAINING GASOLINE AT THE TIME OF RELEASE.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,970,000.00
Amount Requested	\$2,496,883.35
Amount Disallowed	\$79,645.77
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$30,000.00
Amount Recommended	\$2,387,237.58
Amount Paid	\$2,326,024.61

Site Identification

Date Submitted:	09/03/1993	DEP Facility Number:	8-000599
Site Name	7-Eleven #19653	Telephone:	
Site Contact			
Site Address	2725 Las Vegas Blvd N North Las Vegas, NV 89030		
County:	Clark County		
Owner/Operator Name:	7-Eleven INC		
Contact Name of Owner/Operator:	William Latt 500 Speedway Drive Enon, OH 45323	Telephone:	(937)460-8488
Prime Contractor	Stantec Consulting Services, Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	3010 West Charleston Boulevard, Suite 100 Las Vegas, NV 89102		
Telephone:	(702)878-8010	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	6000	Closed	Regulated UST	See Synopsis
003	10000	45	Regulated UST	See Synopsis
002	10000	45	Regulated UST	See Synopsis

Case: #1995000039
Claim #: 80303

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$3,867.14 from the Petroleum Fund for cleanup costs.

	\$1,955,315.23	Amount Requested to Date
	(\$94,708.57)	Amount Disallowed, Past Claims
	(\$117,990.84)	Board Reduction, Past Claims
	(\$173,811.20)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,466,809.05)</u>	Amount Paid to Date
SUB TOTAL	\$4,503.85	Amount Requested this Meeting
	<u>(\$207.03)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$4,296.82	
	<u>(\$429.68)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$3,867.14	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/30/2022 and 06/30/2022

Summary of work completed: Project management, prepare petroleum fund documentation, coordinate and conduct 2nd quarter groundwater sampling event, begin preparation of 1st half GMR.

Site Summary Report

Case Number: 1995000039 Site Name: Crescent Valley Market

Site Status

Synopsis: 40% REDUCTION FOR ALL WORK PERFORMED PRIOR TO 12-9-09. FULL COVERAGE THEREAFTER. TOTAL REIMBURSABLE CAP IS \$1,487,536.77. SEE NDEP LETTER DATED 3-23-11.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,652,818.63
Amount Fund Will Pay	\$2,387,536.77
Amount Requested	\$1,955,315.23
Amount Disallowed	\$94,915.60
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$117,990.84
Pending Copay/Deductible	\$429.68
Copay/Deductible	\$173,811.20
Amount Recommended	\$1,540,830.41
Amount Paid	\$1,536,963.27

Site Identification

Date Submitted:	09/21/1994	DEP Facility Number:	6-000318
Site Name	Crescent Valley Market	Telephone:	(775)738-3835
Site Contact	Galen Schorsch		
Site Address	3093 Crescent Ave Crescent Valley, NV 89821		
County:	Eureka County		
Owner/Operator Name:	AL Park Petroleum INC		
Contact Name of Owner/Operator:	Galen Schorsch P. O. Box 1600 Elko, NV 89803	Telephone:	(775)738-3835
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	5410 Longley Lane Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	3000	Closed	Regulated UST	See Synopsis
002	3000	55	Regulated UST	See Synopsis

Case: #1996000064
Claim #: 80323

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$2,872.39 from the Petroleum Fund for cleanup costs.

	\$2,229,678.01	Amount Requested to Date
	(\$67,282.32)	Amount Disallowed, Past Claims
	(\$228,181.45)	Board Reduction, Past Claims
	(\$50,000.00)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,820,367.43)</u>	Amount Paid to Date
SUB TOTAL	\$6,574.68	Amount Requested this Meeting
	<u>(\$197.24)</u>	Board Reduction, This Meeting
SUB TOTAL	\$6,377.44	
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$2,872.39</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/22/2022 and 06/30/2022

Summary of work completed: Project management; quarterly report preparation; quarterly groundwater monitoring; and preparation of Fund documents.

Site Summary Report

Case Number: 1996000064 Site Name: Red Rock Mini Mart

Site Status

Synopsis: TWO GASOLINE RELEASES IMPRINTED UPON THIRD OLDER, NON- REIMBURSIBLE RELEASE: 21% REDUCTION. SMALL BUSINESS DESIGNATION; COPAY IS CAPPED @ \$50,000; MAXIMUM REIMBURSEMENT = \$1,530,000 3/14/13 BOARD MEETING REDUCED REDUCTION FROM 21% TO 3% PURSUANT TO N

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,890,000.00
Amount Requested	\$2,229,678.01
Amount Disallowed	\$67,282.32
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$228,378.69
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$50,000.00
Amount Recommended	\$1,872,389.56
Amount Paid	\$1,869,517.17

Site Identification

Date Submitted:	04/29/1996	DEP Facility Number:	8-000161
Site Name	Red Rock Mini Mart	Telephone:	(480)694-1890
Site Contact	Harold T. Crutcher		
Site Address	5525 W Charleston Blvd Las Vegas, NV 89146		
County:	Clark County		
Owner/Operator Name:	The Esslinger Family Trust		
Contact Name of Owner/Operator:	Harold T. Crutcher 12932 North 136th Street Scottsdale, AZ 85259	Telephone:	(480)694-1890
Prime Contractor	Broadbent And Associates, Inc.		
Contact Name	Jeremy Holst		
Contractor Address	8 West Pacific Avenue Henderson, NV 89015		
Telephone:	(702)353-5743	% Board Reduction:	3.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	Closed	Regulated UST	See Synopsis
002	10000	49	Regulated UST	See Synopsis

Case: #1998000075
Claim #: 80221

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$16,041.49 from the Petroleum Fund for cleanup costs.

	\$589,688.41	Amount Requested to Date
	(\$12,307.65)	Amount Disallowed, Past Claims
	(\$55,955.69)	Deductible/Co-Payment Satisfied to Date
	(\$503,601.19)	Amount Paid to Date
SUB TOTAL	<u>\$17,823.88</u>	Amount Requested this Meeting
	(\$1,782.39)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$16,041.49</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/06/2022 and 07/01/2022

Summary of work completed: Project management and client communication, conduct well development at new wells, conduct 1st quarter groundwater sampling event, conduct well survey, prepare SPF documentation, review and prep 1st quarter data, conduct 2nd quarter ground water sampling event, prepare 1st quarter GMR

Site Summary Report

Case Number: 1998000075 Site Name: McDermitt Motel & Convenience Store

Site Status

Synopsis: CORROSION HOLES OBSERVED IN TANKS DURING REMOVAL.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$589,688.41
Amount Disallowed	\$12,307.65
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,782.39
Copay/Deductible	\$55,955.69
Amount Recommended	\$519,642.68
Amount Paid	\$503,601.19

Site Identification

Date Submitted:	06/01/1998	DEP Facility Number:	5-000056
Site Name	McDermitt Motel & Convenience Store		
Site Contact	Narinder Mall	Telephone:	(775)421-6484
Site Address	55 Us-95 N Mc Dermitt, NV 89421		
County:	Humboldt County		
Owner/Operator Name:	55 McDermitt Crude, LLC		
Contact Name of Owner/Operator:	Narinder Mall	Telephone:	(775)421-6484
	1620 West Winnemucca Boulevard Winnemucca, NV 89445		
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	5410 Longley Lane Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
8	6000	22	Regulated UST	See Synopsis
7	10000	22	Regulated UST	See Synopsis

Case: #1999000014
Claim #: 80306

STAFF RECOMMENDATION

September 08, 2022

Staff recommends this claim be reimbursed \$7,011.68 from the Petroleum Fund for cleanup costs.

	\$1,101,670.22	Amount Requested to Date
	(\$65,172.93)	Amount Disallowed, Past Claims
	(\$71,518.04)	Board Reduction, Past Claims
	(\$95,718.87)	Deductible/Co-Payment Satisfied to Date
	(\$820,184.27)	Amount Paid to Date
SUB TOTAL	<u>\$7,790.76</u>	Amount Requested this Meeting
	(\$779.08)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$7,011.68</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/30/2022 and 06/30/2022

Summary of work completed: Project management, client communication. prepare and submit 1st quarter GMR, prepare petroleum fund documentation, coordinate and conduct groundwater 2nd quarter groundwater sampling vent, prepare draft 2nd quarter GMR, NDEP communication.

Site Summary Report

Case Number: 1999000014 Site Name: Pit Stop #7 Conoco

Site Status

Synopsis: FOAV ISSUED ON 12/14/98 FOR LUST NON-COMPLIANCE. 2ND FOAV ISSUED ON 2/3/09. 40% REDUCTION FOR ALL WORK CONDUCTED PRIOR TO 12-9-09, FULL COVERAGE THEREAFTER. REIMBURSABLE CAP =\$725,400.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,625,400.00
Amount Requested	\$1,101,670.22
Amount Disallowed	\$65,172.93
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$71,518.04
Pending Copay/Deductible	\$779.08
Copay/Deductible	\$95,718.87
Amount Recommended	\$868,481.30
Amount Paid	\$861,469.62

Site Identification

Date Submitted:	09/10/1998	DEP Facility Number:	6-000009
Site Name	Pit Stop #7 Conoco	Telephone:	(775)738-3835
Site Contact	Galen Schorsch		
Site Address	1600 Idaho St Elko, NV 89801		
County:	Elko County		
Owner/Operator Name:	AL Park Petroleum INC		
Contact Name of Owner/Operator:	Galen Schorsch PO Box 1600 Elko, NV 89803	Telephone:	(775)738-3835
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	5410 Longley Lane Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	Closed	Regulated UST	See Synopsis

Case: #2004000039
Claim #: 80157

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$47,809.94 from the Petroleum Fund for cleanup costs.

	\$2,130,159.73	Amount Requested to Date
	(\$157,215.19)	Amount Disallowed, Past Claims
	(\$20,000.00)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,813,801.26)</u>	Amount Paid to Date
SUB TOTAL	\$47,809.94	Amount Requested this Meeting
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$47,809.94</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/03/2021 and 11/12/2021

Summary of work completed: Well abandonments and site closure

Site Summary Report

Case Number: 2004000039 Site Name: Frmr National Car Rental

Site Status

Synopsis: FAULTY PIPING: REPLACED IN 1993. POLITICAL SUBDIVISION OF THE STATE - CO-PAY IS CAPPED AT \$10,000. SSB D C2015-01, APPROVED AT THE JUNE 2015 BOARD MEETING, GRANTS ACCESS TO THIRD PARTY LIABILITY FUNDS.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,980,000.00
Amount Requested	\$2,130,159.73
Amount Disallowed	\$157,215.19
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$20,000.00
Amount Recommended	\$1,951,526.69
Amount Paid	\$1,903,716.75

Site Identification

Date Submitted:	02/18/2004	DEP Facility Number:	8-000416
Site Name	Frmr National Car Rental		
Site Contact	Mr. Michael P. Nelson	Telephone:	(702)261-5166
Site Address	5233 Rent A Car Rd Las Vegas, NV 89119		
County:	Clark County		
Owner/Operator Name:	Clark County Department Of Aviation		
Contact Name of Owner/Operator:	Michael P Nelson	Telephone:	(702)261-5166
	PO Box 11005 Las Vegas, NV 89111		
Prime Contractor	Converse Consultants		
Contact Name	Keith Houk		
Contractor Address	6411 Arby Avenue, Suite 104 Las Vegas, NV 89118		
Telephone:	(702)249-6024	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
7901-01	20000	Closed	Regulated UST	See Synopsis

Case: #2007000016
Claim #: 80308

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$5,741.33 from the Petroleum Fund for cleanup costs.

	\$648,433.02	Amount Requested to Date
	(\$1,246.49)	Amount Disallowed, Past Claims
	(\$64,080.72)	Deductible/Co-Payment Satisfied to Date
	(\$572,476.45)	Amount Paid to Date
SUB TOTAL	<u>\$6,379.25</u>	Amount Requested this Meeting
	(\$637.92)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$5,741.33</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/06/2022 and 06/30/2022

Summary of work completed: Project management and client communication, conduct 2nd quarter groundwater sampling event, prepare draft 1st quarter GMR and well installation, prepare petroleum fund documentation, NDEP communication, prepare and submit 1st quarter GMR.

Site Summary Report

Case Number: 2007000016 Site Name: Golden Gate Sun Valley #43

Site Status

Synopsis: INITIAL 2006 RELEASE WAS DISCOVERED DURING A PHASE II ESA . DURING A TIGHTNESS TEST, A LEAK WAS DISCOVERED IN THE VENT LINE AND SUBSEQUENTLY REPAIRED ON A 10,000 GALLON GASOLINE UST. A SECOND RELEASE WAS AWARDED COVERAGE UNDER CASE 2020000056. THIS RELEASE OCCURRED FROM PIPING BENEATH A DISPENSER ASSOCIATED TO A 12,000 GALLON REGULAR UNLEADED GASOLINE UST. GROUNDWATER APPEARS TO BE IMPACTED BY BOTH RELEASES, AND THE CONTAMINANT PLUMES ARE COMINGLED PER THE CEM. SINCE BOTH RELEASES WERE IDENTIFIED AS ELIGIBLE FOR COVERAGE AND NEITHER CASE H...

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$648,433.02
Amount Disallowed	\$1,246.49
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$637.92
Copay/Deductible	\$64,080.72
Amount Recommended	\$582,467.89
Amount Paid	\$576,726.56

Site Identification

Date Submitted:	12/14/2006	DEP Facility Number:	4-000408
Site Name	Golden Gate Sun Valley #43	Telephone:	(775)850-3010
Site Contact	Graham Brown		
Site Address	5190 Sun Valley Blvd Sun Valley, NV 89433		
County:	Washoe County		
Owner/Operator Name:	Golden Gate Petroleum Of Nevada, LLC		
Contact Name of Owner/Operator:	Nacho Aguilar 16580 Wedge Parkway Reno, NV 89511	Telephone:	(775)850-3010
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	5410 Longley Lane Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
024	10000	Closed	Regulated UST	See Synopsis
030	12000	31	Regulated UST	Connection to piping under UDC, Pipe

Case: #2008000019
Claim #: 80266

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$19,092.17 from the Petroleum Fund for cleanup costs.

	\$725,458.40	Amount Requested to Date
	(\$20,546.94)	Amount Disallowed, Past Claims
	(\$68,369.77)	Deductible/Co-Payment Satisfied to Date
	(\$572,015.55)	Amount Paid to Date
SUB TOTAL	<u>\$21,213.52</u>	Amount Requested this Meeting
	(\$2,121.35)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$19,092.17</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 11/12/2021 and 06/30/2022

Summary of work completed: Project management; quarterly groundwater monitoring; quarterly status report preparation; preparation of 2022 NTEP; and preparation of Fund documents.

Site Summary Report

Case Number: 2008000019 Site Name: Golden Market #3

Site Status

Synopsis: CONTAMINATION WAS RE-DISCOVERED DURING A PHASE II ENVIRONMENTAL SITE ASSESSMENT, CONDUCTED DURING A PROPERTY TRANSACTION IN 2007. THE APPLICATION IDENTIFIED A LEAKING TURBINE ASSOCIATED TO THE NORTHENMOST 10,000 GALLON UNDERGROUND STORAGE TANK (UST) SYSTEM, WHICH CONTAINED GASOLINE AT THE TIME OF RELEASE.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$725,458.40
Amount Disallowed	\$20,546.94
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$2,121.35
Copay/Deductible	\$68,369.77
Amount Recommended	\$634,420.34
Amount Paid	\$615,328.17

Site Identification

Date Submitted:	04/16/2008	DEP Facility Number:	8-001393
Site Name	Golden Market #3	Telephone:	
Site Contact			
Site Address	3025 Las Vegas Blvd North North Las Vegas, NV 89030		
County:	Clark County		
Owner/Operator Name:	One Panou LLC		
Contact Name of Owner/Operator:	Amer (Jack) Panou 3025 North Las Vegas Blvd. Las Vegas, NV 89030	Telephone:	(702)285-3678
Prime Contractor	Broadbent & Associates		
Contact Name	Jonathan Bell		
Contractor Address	8 West Pacific Ave. Henderson, NV 89015		
Telephone:	(702)563-0600	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	Closed	Regulated UST	See Synopsis

Case: #2009000024
Claim #: 80066

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$126,693.25 from the Petroleum Fund for cleanup costs.

	\$1,313,872.63	Amount Requested to Date
	(\$10,912.71)	Amount Disallowed, Past Claims
	(\$116,025.76)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,044,232.04)</u>	Amount Paid to Date
SUB TOTAL	\$142,702.12	Amount Requested this Meeting
	<u>(\$1,931.84)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$140,770.28	
	<u>(\$14,077.03)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$126,693.25	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/07/2021 and 07/21/2022

Summary of work completed: Work tasks included operation and maintenance; budget change request preparation; preparation of 2022 NTEP; preparation of petroleum fund reimbursement claim; remediation permit reporting; quarterly monitoring and sampling (3rd and 4th quarters 2021 and 1st quarter 2022); quarterly monitoring reporting for 2nd, 3rd, and 4th quarters 2021 and 1st quarter 2022; CEM and technician oversight of remediation system conveyance piping installation and finalizing system design drawings; and preparing the Start-up Report. Initial preparation of discharge report, second quarter 2022 GW sampling, and 2nd Quarter Groundwater Monitoring Report.

Site Summary Report

Case Number: 2009000024 Site Name: Chucks Circle C Market

Site Status

Synopsis: GASOLINE IMPACTED GROUNDWATER DISCOVERED DURING PHASE 2 INVESTIGATION OF DIESEL RELEASE. LEAKING UNION DISCOVERED IN TURBINE SUMP. DIESEL RELEASE COVERED UNDER FUND CASE 2009000008. THIRD PARTY LIABILITY COVERAGE GRANTED AT MARCH 8, 2018 MEETING.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$1,313,872.63
Amount Disallowed	\$12,844.55
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$14,077.03
Copay/Deductible	\$116,025.76
Amount Recommended	\$1,170,925.29
Amount Paid	\$1,044,232.04

Site Identification

Date Submitted:	04/01/2009	DEP Facility Number:	4-000744
Site Name	Chucks Circle C Market	Telephone:	(775)972-8790
Site Contact	Aman Singh		
Site Address	20255 Cold Springs Dr Reno, NV 89508		
County:	Washoe County		
Owner/Operator Name:	Parampreet Investment LLC		
Contact Name of Owner/Operator:	Aman Singh	Telephone:	(775)972-8790
	20225 Cold Springs Drive Reno, NV 89508		
Prime Contractor	Stratus Environmental		
Contact Name	Trevor Hartwell		
Contractor Address	3330 Cameron Park Drive, Suite 550 Cameron Park, CA 95682		
Telephone:	(707)758-2455	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	5000	Closed	Regulated UST	See Synopsis

Case: #201000009
Claim #: 80309

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$21,228.90 from the Petroleum Fund for cleanup costs.

	\$1,310,181.76	Amount Requested to Date
	(\$58,518.84)	Amount Disallowed, Past Claims
	(\$120,012.89)	Board Reduction, Past Claims
	(\$110,544.14)	Deductible/Co-Payment Satisfied to Date
	(\$750,825.99)	Amount Paid to Date
SUB TOTAL	<u>\$26,208.52</u>	Amount Requested this Meeting
	(\$2,620.85)	Board Reduction, This Meeting
SUB TOTAL	<u>\$23,587.67</u>	
	(\$2,358.77)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$21,228.90</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/26/2022 and 07/01/2022

Summary of work completed: Project management,, client communication, conduct O&M on remediation system, review remediation system efficiency and field data, begin preparation of 1st quarter GMR, prepare petroleum fund documentation, prepare 1st quarter GMR, conduct 2nd quarter groundwater sampling event.

Site Summary Report

Case Number: 2010000009 Site Name: Mill City Travel Center

Site Status

Synopsis: GASOLINE DISCOVERED IN SUMP THAT IS ATTACHED TO TRENCH THAT HOUSES PIPING.
10% REDUCTION.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,620,000.00
Amount Requested	\$1,310,181.76
Amount Disallowed	\$58,518.84
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$122,633.74
Pending Copay/Deductible	\$2,358.77
Copay/Deductible	\$110,544.14
Amount Recommended	\$1,016,126.27
Amount Paid	\$994,897.37

Site Identification

Date Submitted:	11/16/2009	DEP Facility Number:	5-000016
Site Name	Mill City Travel Center	Telephone:	(775)538-7311
Site Contact	Jack Burnett		
Site Address	6000 Frontage Rd Mill City, NV 89418		
County:	Pershing County		
Owner/Operator Name:	Hpt Ta Properties Trust		
Contact Name of Owner/Operator:	Sarah Paulson 24601 Center Ridge Road Westlake, OH 44145	Telephone:	(440)808-4459
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	5410 Longley Lane Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	10.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	20000	Closed	Regulated UST	See Synopsis
002	20000	37	Regulated UST	See Synopsis

Case: #2011000009
Claim #: 80278

STAFF RECOMMENDATION

September 08, 2022

Staff recommends this claim be reimbursed \$16,414.13 from the Petroleum Fund for cleanup costs.

	\$1,193,521.19	Amount Requested to Date
	(\$14,181.97)	Amount Disallowed, Past Claims
	(\$116,110.14)	Deductible/Co-Payment Satisfied to Date
	(\$936,969.85)	Amount Paid to Date
SUB TOTAL	<u>\$18,237.92</u>	Amount Requested this Meeting
	(\$1,823.79)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$16,414.13</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 12/01/2021 and 06/30/2022

Summary of work completed: Project management and client communication, conduct O&M on site remediation system, evaluate data and pulsing efficacy and make adjustments as necessary, prepare 1st quarter GMR, prepare petroleum fund documentation, conduct 2nd quarter sampling, begin preparation of 2nd quarter report

Site Summary Report

Case Number: 2011000009 Site Name: Cimarron West

Site Status

Synopsis: CONTAMINATION DISCOVERED 12/8/2010 FROM FAULTY SPILL BUCKETS, AND FAULTY PRODUCT PIPING WITHIN TURBINE SUMPS AND UNDER DISPENSERS OF ONE 10,000 GALLON UST CONTAINING DIESEL, ONE 10,000-GALLON UST CONTAINING GASOLINE, AND ONE 6,000-GALLON UST CONTAINING GASOLINE. PER SSB 2012-01: CONTAMINATION FROM SPILL EVENTS MUST BE SEPARATED FROM OTHER CONTAMINATION TO MAINTAIN FULL COVERAGE.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,700,000.00
Amount Requested	\$1,193,521.19
Amount Disallowed	\$14,181.97
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,823.79
Copay/Deductible	\$116,110.14
Amount Recommended	\$1,056,868.39
Amount Paid	\$1,040,454.26

Site Identification

Date Submitted:	06/06/2011	DEP Facility Number:	6-000156
Site Name	Cimarron West	Telephone:	(775)738-9861
Site Contact	John Carpenter		
Site Address	1400 Mountain City Hwy Elko, NV 89801		
County:	Elko County		
Owner/Operator Name:	Cimarron West		
Contact Name of Owner/Operator:	Linda Meo P O Box 190 Elko, NV 89803	Telephone:	(775)738-9861
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	5410 Longley Lane Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	Closed	Regulated UST	See Synopsis
002	10000	37	Regulated UST	See Synopsis
003	6000	37	Regulated UST	See Synopsis

Case: #2012000012
Claim #: 80319

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$8,030.55 from the Petroleum Fund for cleanup costs.

	\$1,769,082.51	Amount Requested to Date
	(\$24,287.48)	Amount Disallowed, Past Claims
	(\$173,587.21)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,179,137.58)</u>	Amount Paid to Date
SUB TOTAL	\$8,922.83	Amount Requested this Meeting
	<u>(\$892.28)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$8,030.55	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/31/2022 and 06/30/2022

Summary of work completed: Project management, preparation of quarterly monitoring report; quarterly groundwater monitoring; correspondence with Petroleum Fund staff; and preparation of Fund documents.

Site Summary Report

Case Number: 2012000012 Site Name: Former Smart Mart

Site Status

Synopsis: LEAKING PRODUCT PIPING IN STP SUMP DISCOVERED DURING COMPLIANCE INSPECTION.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$1,769,082.51
Amount Disallowed	\$24,287.48
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$892.28
Copay/Deductible	\$173,587.21
Amount Recommended	\$1,570,315.54
Amount Paid	\$1,562,284.99

Site Identification

Date Submitted:	12/14/2011	DEP Facility Number:	8-001775
Site Name	Former Smart Mart		
Site Contact	Michael Nelson	Telephone:	(702)261-5166
Site Address	4207 S Las Vegas Blvd Las Vegas, NV 89119		
County:	Clark County		
Owner/Operator Name:	Clark County Department Of Aviation		
Contact Name of Owner/Operator:	Michael P. Nelson P.O. Box 11005 Las Vegas, NV 89111	Telephone:	(702)261-5166
Prime Contractor	Broadbent & Associates, Inc.		
Contact Name	William Wiggins		
Contractor Address	8 West Pacific Ave. Henderson, NV 89015		
Telephone:	(702)563-0600	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	27	Regulated UST	See Synopsis

Case: #2012000017
Claim #: 80304

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$8,802.48 from the Petroleum Fund for cleanup costs.

	\$456,672.68	Amount Requested to Date
	(\$1,997.97)	Amount Disallowed, Past Claims
	(\$10,250.00)	Deductible/Co-Payment Satisfied to Date
	(\$423,778.14)	Amount Paid to Date
SUB TOTAL	<u>\$8,802.48</u>	Amount Requested this Meeting
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$8,802.48</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/30/2022 and 06/30/2022

Summary of work completed: Prepare petroleum fund documentation, coordinate and conduct 2nd quarter groundwater sampling event.

Site Summary Report

Case Number: 2012000017 Site Name: Old High School

Site Status

Synopsis: CORROSION HOLES AND FREE PRODUCT WERE DISCOVERED DURING TANK REMOVAL. 5% COPAY TO BE CAPPED AT \$10,000

Contaminant: Heating Oil

Fund Coverage	\$1,250,250.00
Amount Fund Will Pay	\$1,240,000.00
Amount Requested	\$456,672.68
Amount Disallowed	\$1,997.97
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$10,250.00
Amount Recommended	\$444,415.71
Amount Paid	\$435,613.23

Site Identification

Date Submitted:	02/03/2012	DEP Facility Number:	E-000030
Site Name	Old High School	Telephone:	(775)428-7720
Site Contact	Ms. Christi Fielding		
Site Address	690 Maine Street Fallon, NV 89406		
County:	Churchill County		
Owner/Operator Name:	Churchill County School District		
Contact Name of Owner/Operator:	Christi Fielding 690 South Maine Street Fallon, NV 89406	Telephone:	(775)428-7720
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	5410 Longley Lane Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	10000	5	Non-Regulated	See Synopsis
002	1000	5	Non-Regulated	See Synopsis

Case: #2013000004
Claim #: 80331

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$8,832.48 from the Petroleum Fund for cleanup costs.

	\$488,508.51	Amount Requested to Date
	(\$1,108.98)	Amount Disallowed, Past Claims
	(\$47,758.56)	Deductible/Co-Payment Satisfied to Date
	(\$373,024.32)	Amount Paid to Date
SUB TOTAL	<u>\$9,813.87</u>	Amount Requested this Meeting
	(\$981.39)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$8,832.48</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 10/29/2021 and 03/30/2022

Summary of work completed: Project management, scheduling, client invoicing, annual HASP and NTEP preparation, quarterly monitoring, sampling and reporting, prepare petroleum fund claim packages and coordinate waste disposal.

Site Summary Report

Case Number: 2013000004 Site Name: 7-Eleven #29665

Site Status

Synopsis: ON 10/28/11 TANK #3 REPORTED A TEST FAIL ALARM. ON 10/31/11, THE TANK FAILED A PRECISION TIGHTNESS TEST. ON 11/2/11, THE TANK WAS PUMPED. TANK WAS CLOSED IN PLACE ON 2/1/12.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$488,508.51
Amount Disallowed	\$1,108.98
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$981.39
Copay/Deductible	\$47,758.56
Amount Recommended	\$438,659.58
Amount Paid	\$429,827.10

Site Identification

Date Submitted:	11/01/2012	DEP Facility Number:	8-000421
Site Name	7-Eleven #29665	Telephone:	(972)828-8968
Site Contact	Jose Rios		
Site Address	6310 E Lake Mead Blvd Las Vegas, NV 89156		
County:	Clark County		
Owner/Operator Name:	7-Eleven INC		
Contact Name of Owner/Operator:	William Latt 500 Speedway Drive Enon, OH 45323	Telephone:	(937)460-8488
Prime Contractor	Stantec Consulting Services, Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	3010 West Charleston Boulevard, Suite 100 Las Vegas, NV 89102		
Telephone:	(702)878-8010	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	Closed	Regulated UST	See Synopsis

Case: #2013000019
Claim #: 80312

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$27,708.35 from the Petroleum Fund for cleanup costs.

	\$1,244,896.26	Amount Requested to Date
	(\$45,263.91)	Amount Disallowed, Past Claims
	(\$116,883.31)	Deductible/Co-Payment Satisfied to Date
	(\$761,504.73)	Amount Paid to Date
SUB TOTAL	<u>\$30,799.18</u>	Amount Requested this Meeting
	(\$12.12)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$30,787.06</u>	
	(\$3,078.71)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$27,708.35</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/16/2022 and 07/14/2022

Summary of work completed: Project management and client communication, operation and monitoring of remediation system, follow up and discussion of SVE replacement, prepare 1st quarter GMR, prepare petroleum fund documentation, conduct 2nd quarter groundwater sampling event.

Site Summary Report

Case Number: 2013000019 Site Name: Elko Sinclair #53

Site Status

Synopsis: TWO USTS FAILED TIGHTNESS TESTS. CONTAMINATION DISCOVERED DURING UST REMOVAL.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$6,000,000.00
Amount Fund Will Pay	\$5,400,000.00
Amount Requested	\$1,244,896.26
Amount Disallowed	\$45,276.03
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$3,078.71
Copay/Deductible	\$116,883.31
Amount Recommended	\$1,078,839.97
Amount Paid	\$1,051,131.62

Site Identification

Date Submitted:	08/16/2013	DEP Facility Number:	6-000103
Site Name	Elko Sinclair #53	Telephone:	(801)298-3409
Site Contact	Dennis Haggard		
Site Address	1790 Idaho St Elko, NV 89801		
County:	Elko County		
Owner/Operator Name:	Hardy Enterprises INC		
Contact Name of Owner/Operator:	Dennis Haggard P.O. Box 248 Bountiful, UT 84011	Telephone:	(801)298-1180
Prime Contractor	McGinley & Associates		
Contact Name	Justin Fike		
Contractor Address	5410 Longley Lane Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	Closed	Regulated UST	See Synopsis
002	12000	43	Regulated UST	See Synopsis
001	20000	37	Regulated UST	See Synopsis
004	12000	43	Regulated UST	See Synopsis
005	12000	43	Regulated UST	See Synopsis
006	12000	43	Regulated UST	See Synopsis

Case: #2013000021
Claim #: 80300

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$23,886.95 from the Petroleum Fund for cleanup costs.

	\$312,581.76	Amount Requested to Date
	(\$241.77)	Amount Disallowed, Past Claims
	(\$28,579.90)	Deductible/Co-Payment Satisfied to Date
	(\$245,328.57)	Amount Paid to Date
SUB TOTAL	<u>\$26,541.06</u>	Amount Requested this Meeting
	(\$2,654.11)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$23,886.95</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 09/24/2021 and 07/01/2022

Summary of work completed: Project management, scheduling and client invoicing. Preparing the final reimbursement packages. Receive the final NFA letter from the NDEP, save to the project file, documenting, uploading to ENFOS. Complete site closure and restoration field activities. Prepare the access agreement cancellation notice.

Site Summary Report

Case Number: 2013000021 Site Name: 7-Eleven #27700

Site Status

Synopsis: ALARM, FOLLOWED BY TIGHTNESS TEST FAILURE. SOIL & GW CONTAMINATION DISCOVERED.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,700,000.00
Amount Requested	\$312,581.76
Amount Disallowed	\$241.77
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$2,654.11
Copay/Deductible	\$28,579.90
Amount Recommended	\$281,105.98
Amount Paid	\$257,219.03

Site Identification

Date Submitted:	06/05/2013	DEP Facility Number:	8-001357
Site Name	7-Eleven #27700	Telephone:	(702)798-3039
Site Contact	Suzanne Hessey		
Site Address	5110 S Maryland Pkwy Las Vegas, NV 89119		
County:	Clark County		
Owner/Operator Name:	7-Eleven INC		
Contact Name of Owner/Operator:	William Latt	Telephone:	(937)863-6442
	500 Speedway Drive Enon, OH 45323		
Prime Contractor	Stantec Consulting Services, Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	3010 West Charleston Boulevard, Suite 100 Las Vegas, NV 89102		
Telephone:	(702)878-8010	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	Closed	Regulated UST	Tank, None
002	10000	35	Regulated UST	Tank, None
003	10000	35	Regulated UST	See Synopsis

Case: #2014000004
Claim #: 80305

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$10,316.65 from the Petroleum Fund for cleanup costs.

	\$1,569,672.05	Amount Requested to Date
	(\$9,371.02)	Amount Disallowed, Past Claims
	(\$154,883.85)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,254,713.68)</u>	Amount Paid to Date
SUB TOTAL	\$11,462.95	Amount Requested this Meeting
	<u>(\$1,146.30)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$10,316.65	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/23/2022 and 06/30/2022

Summary of work completed: Project management, client communication, conduct 2nd quarter groundwater sampling event, begin preparation of 1st quarter GMR, prepare petroleum fund documentation, NDEP discussion, summarize 2nd quarter data and prepare maps.

Site Summary Report

Case Number: 2014000004 Site Name: Broadway Colt Service Center

Site Status

Synopsis: INVENTORY RECONCILIATION LEAD TO DISCOVERY OF LEAKS IN LINES FROM AST TO FUEL DISPENSERS.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$1,569,672.05
Amount Disallowed	\$9,371.02
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,146.30
Copay/Deductible	\$154,883.85
Amount Recommended	\$1,404,270.88
Amount Paid	\$1,393,954.23

Site Identification

Date Submitted:	08/02/2013	DEP Facility Number:	5-000283
Site Name	Broadway Colt Service Center		
Site Contact	Damon Borden	Telephone:	(509)710-7749
Site Address	660 W Front St Battle Mountain, NV 89820		
County:	Lander County		
Owner/Operator Name:	Alsaker Corp		
Contact Name of Owner/Operator:	Damon Borden	Telephone:	(509)710-7749
	6409 E. Sharp Ave Spokane Valley, WA 99212		
Prime Contractor	McGinley & Associates		
Contact Name	Justin Fike		
Contractor Address	5410 Longley Lane Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	20000	45	Aboveground	See Synopsis
002	20000	55	Aboveground	See Synopsis

Case: #2014000007
Claim #: 80284

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$10,788.75 from the Petroleum Fund for cleanup costs.

	\$321,878.63	Amount Requested to Date
	(\$1,427.63)	Amount Disallowed, Past Claims
	(\$30,846.35)	Deductible/Co-Payment Satisfied to Date
	(\$263,802.13)	Amount Paid to Date
SUB TOTAL	<u>\$11,987.50</u>	Amount Requested this Meeting
	(\$1,198.75)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$10,788.75</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 08/27/2021 and 03/30/2022

Summary of work completed: Project management, scheduling and client invoicing, quarterly monitoring, sampling and reporting, semi-annual UIC reporting and annual permit renewal, prepare Petroleum Fund reimbursement claims, waste disposal, annual NTEP and HASP preparation. Continue preparing elements of the CSM report. Prepare a workplan for extended groundwater drawdown test and discuss the work scope with the NDEP.

Site Summary Report

Case Number: 2014000007 Site Name: 7-Eleven #29658

Site Status

Synopsis: REMOVAL OF TANKS REPORTEDLY DEMONSTRATED EVIDENCE OF FAILURES.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$321,878.63
Amount Disallowed	\$1,427.63
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,198.75
Copay/Deductible	\$30,846.35
Amount Recommended	\$288,405.90
Amount Paid	\$277,617.15

Site Identification

Date Submitted:	08/16/2013	DEP Facility Number:	8-001345
Site Name	7-Eleven #29658	Telephone:	(702)732-1361
Site Contact	Frank Higgins		
Site Address	3716 S Paradise Rd Las Vegas, NV 89169		
County:	Clark County		
Owner/Operator Name:	7-Eleven INC		
Contact Name of Owner/Operator:	William Latt 500 Speedway Drive Enon, OH 45323	Telephone:	(937)460-8488
Prime Contractor	Stantec Consulting Services, Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	3010 West Charleston Boulevard, Suite 100 Las Vegas, NV 89102		
Telephone:	(702)878-8010	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
004	10000	Closed	Regulated UST	See Synopsis

Case: #2014000025
Claim #: 80313

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$25,414.70 from the Petroleum Fund for cleanup costs.

	\$1,672,828.05	Amount Requested to Date
	(\$27,635.77)	Amount Disallowed, Past Claims
	(\$21,457.21)	Board Reduction, Past Claims
	(\$159,549.66)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,122,808.91)</u>	Amount Paid to Date
SUB TOTAL	\$28,238.56	Amount Requested this Meeting
	<u>(\$2,823.86)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$25,414.70	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/13/2022 and 07/21/2022

Summary of work completed: Project management, client communication conduct O&M on remediation system, evaluate data and make adjustments as necessary, conduct 2nd quarter groundwater sampling event, prepare and submit 1st quarter GMR, begin preparation of 2nd quarter GMR.

Site Summary Report

Case Number: 2014000025 Site Name: Silver City Rv Resort

Site Status

Synopsis: TANK #1 FAILED TIGHTNESS TEST. THE 40% REDUCTION REMOVED PURSUANT TO BOARD TO REVIEW CLAIMS MEETING DECISION ON JUNE 2, 2016. APPLICATION 2018000019 WAS RECEIVED ON JULY 19, 2018. THIS APPLICATION WAS FOR A DISCHARGE FROM THE PIPING OF 2 ADDITIONAL SYSTEMS (TANKS #2 AND #4). 2018000019 WAS MERGED INTO 2014000025 UPON APPROVAL.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,571,423.01
Amount Requested	\$1,672,828.05
Amount Disallowed	\$27,635.77
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$21,457.21
Pending Copay/Deductible	\$2,823.86
Copay/Deductible	\$159,549.66
Amount Recommended	\$1,460,227.10
Amount Paid	\$1,434,812.40

Site Identification

Date Submitted:	02/24/2014	DEP Facility Number:	2-000075
Site Name	Silver City Rv Resort		
Site Contact	Marci Appleton	Telephone:	(775)267-3359
Site Address	3165 Us Highway 395 N Minden, NV 89423		
County:	Douglas County		
Owner/Operator Name:	Superior Campgrounds Of America, LLC		
Contact Name of Owner/Operator:	Tom Day Sr. 265 N. Joy Street Corona, CA 92879	Telephone:	(909)241-7700
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	5410 Longley Lane Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	8000	Closed	Regulated UST	See Synopsis
004	15000	22	Regulated UST	Pipe
002	8000	38	Regulated UST	Pipe

Case: #2016000009
Claim #: 80329

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$7,018.95 from the Petroleum Fund for cleanup costs.

	\$322,173.05	Amount Requested to Date
	(\$3,946.84)	Amount Disallowed, Past Claims
	(\$31,042.72)	Deductible/Co-Payment Satisfied to Date
	(\$253,374.98)	Amount Paid to Date
SUB TOTAL	<u>\$7,798.83</u>	Amount Requested this Meeting
	(\$779.88)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$7,018.95</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 10/21/2021 and 03/30/2022

Summary of work completed: Project management, scheduling and client invoicing, annual HASP preparation, quarterly monitoring, sampling and reporting, preparation of reimbursement claim packages and NTEPs, waste disposal.

Site Summary Report

Case Number: 201600009 Site Name: 7-Eleven #13685

Site Status

Synopsis: CONTAMINATION DISCOVERED 4/24/2015 AND 11/17/15. SOURCE IDENTIFIED AS DEGRADATION OF TANK WALLS WITH AGE IN THREE 10,000-GALLON UST SYSTEMS EACH CONTAINING GASOLINE.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,700,000.00
Amount Requested	\$322,173.05
Amount Disallowed	\$3,946.84
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$779.88
Copay/Deductible	\$31,042.72
Amount Recommended	\$286,403.61
Amount Paid	\$279,384.66

Site Identification

Date Submitted:	04/20/2016	DEP Facility Number:	8-000586
Site Name	7-Eleven #13685	Telephone:	(702)452-3835
Site Contact	Audrey Welty		
Site Address	2577 N Pecos Rd Las Vegas, NV 89115		
County:	Clark County		
Owner/Operator Name:	7-Eleven INC		
Contact Name of Owner/Operator:	William Latt 500 Speedway Drive Enon, OH 45323	Telephone:	(937)460-8488
Prime Contractor	Stantec Consulting Services, Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	3010 West Charleston Boulevard, Suite 100 Las Vegas, NV 89102		
Telephone:	(702)878-8010	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
002	10000	Closed	Regulated UST	Tank
001	10000	35	Regulated UST	Tank
003	10000	35	Regulated UST	Tank

Case: #2016000012
Claim #: 80320

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$15,651.89 from the Petroleum Fund for cleanup costs.

	\$260,756.87	Amount Requested to Date
	(\$499.58)	Amount Disallowed, Past Claims
	(\$24,286.62)	Deductible/Co-Payment Satisfied to Date
	(\$160,089.83)	Amount Paid to Date
SUB TOTAL	<u>\$17,390.99</u>	Amount Requested this Meeting
	(\$1,739.10)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$15,651.89</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/30/2022 and 06/30/2022

Summary of work completed: Project management; groundwater sampling and quarterly monitoring report preparation; CSM preparation; NTEP preparation.

Site Summary Report

Case Number: 2016000012 Site Name: Mr Ds Fastlane

Site Status

Synopsis: CONTAMINATION WAS DISCOVERED APRIL 7, 2016. THE APPLICATION IDENTIFIED TANK #003 (PREMIUM), A 10,000 GALLON FIBERGLASS UNDERGROUND STORAGE TANK (UST) AS THE SOURCE OF THE RELEASE. ON OCTOBER 16, 2017, A SECOND 10,000 GALLON FIBERGLASS UST (TANK #002 - REGULAR UL) FAILED A TANK TIGHTNESS TEST. THIS TANK WAS REMOVED ALONG WITH TANKS #001, #003, AND #004 IN FEBRUARY 2018, AFTER WHICH PETROLEUM IMPACTED SOILS WERE IDENTIFIED. TWO NEW COMPARTMENTALIZED USTS REPLACED THE FOUR REMOVED 10,000 UST SYSTEMS.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$260,756.87
Amount Disallowed	\$499.58
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,739.10
Copay/Deductible	\$24,286.62
Amount Recommended	\$234,231.57
Amount Paid	\$218,579.68

Site Identification

Date Submitted:	07/22/2016	DEP Facility Number:	8-000683
Site Name	Mr Ds Fastlane		
Site Contact	David Larson	Telephone:	(702)564-5695
Site Address	432 S Boulder Hwy Henderson, NV 89015		
County:	Clark County		
Owner/Operator Name:	DLF Corporation		
Contact Name of Owner/Operator:	David Larson	Telephone:	(702)564-5695
	432 S. Boulder Highway Henderson, NV 89015		
Prime Contractor	Broadbent & Associates, Inc.		
Contact Name	William Wiggins		
Contractor Address	8 West Pacific Ave. Henderson, NV 89015		
Telephone:	(702)563-0600	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	10000	Closed	Regulated UST	Tank
002	10000	39	Regulated UST	Tank

Case: #2016000023
Claim #: 80315

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$7,365.47 from the Petroleum Fund for cleanup costs.

	\$862,125.95	Amount Requested to Date
	(\$59,285.63)	Amount Disallowed, Past Claims
	(\$158,522.11)	Board Reduction, Past Claims
	(\$63,408.84)	Deductible/Co-Payment Satisfied to Date
	(\$528,396.47)	Amount Paid to Date
SUB TOTAL	<u>\$10,229.83</u>	Amount Requested this Meeting
	(\$2,045.97)	Board Reduction, This Meeting
SUB TOTAL	<u>\$8,183.86</u>	
	(\$818.39)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$7,365.47</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/30/2022 and 06/30/2022

Summary of work completed: Project management and client communication, conduct O&M on LNAPL remediation system, conduct 1st half groundwater sampling event, prepare petroleum fund documentation

Site Summary Report

Case Number: 2016000023 Site Name: Pit Stop #1

Site Status

Synopsis: DISCHARGE DISCOVERED SEPTEMBER 29, 2015. THE APPLICATION IDENTIFIED THE UNDERGROUND PIPING ASSOCIATED TO A 14,000 GALLON ABOVEGROUND STORAGE TANK (AST) SYSTEM (TANK 005), CONTAINING GASOLINE AS THE SOURCE OF THE RELEASE. SSBD 2016-07 WAS APPROVED AT THE DECEMBER 8, 2016 BOARD MEETING, GRANTING COVERAGE WITH A 20% REDUCTION DUE TO A COMINGLED PLUME.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$720,000.00
Amount Requested	\$862,125.95
Amount Disallowed	\$59,285.63
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$160,568.08
Pending Copay/Deductible	\$818.39
Copay/Deductible	\$63,408.84
Amount Recommended	\$578,045.01
Amount Paid	\$570,679.54

Site Identification

Date Submitted:	09/19/2016	DEP Facility Number:	6-000317
Site Name	Pit Stop #1	Telephone:	(775)738-3835
Site Contact	Galen Schorsch		
Site Address	275 12th St Elko, NV 89801		
County:	Elko County		
Owner/Operator Name:	AL Park Petroleum INC		
Contact Name of Owner/Operator:	Galen Schorsch PO Box 1600 Elko, NV 89803	Telephone:	(775)738-3835
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	5410 Longley Lane Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	20.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
005	14000	38	Aboveground	Pipe, Underground product piping - Only piping was removed from service. Tank was re-plumbed into differen

Case: #2018000009
Claim #: 80316

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$5,461.38 from the Petroleum Fund for cleanup costs.

	\$294,330.30	Amount Requested to Date
	(\$1,837.24)	Amount Disallowed, Past Claims
	(\$28,631.74)	Deductible/Co-Payment Satisfied to Date
	(\$236,931.64)	Amount Paid to Date
SUB TOTAL	<u>\$6,175.72</u>	Amount Requested this Meeting
	(\$107.52)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$6,068.20</u>	
	(\$606.82)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$5,461.38</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 06/20/2022 and 06/30/2022

Summary of work completed: Prepare permits for drilling, coordinate and conduct 2nd quarter sampling, prepare and submit 1st quarter GMR.

Site Summary Report

Case Number: 2018000009 Site Name: Pacific Pride

Site Status

Synopsis: DISCHARGE WAS DISCOVERED MARCH 2, 2018 AS A RESULT OF A PHASE II ENVIRONMENTAL SITE ASSESSMENT. THE APPLICATION IDENTIFIES THE SHEAR VALVE ASSOCIATED WITH DIESEL DISPENSER #3 AND CONNECTED TO A 15,000 GALLON ABOVEGROUND STORAGE TANK (AST) SYSTEM CONTAINING DIESEL; AND THE SHEAR VALVE ASSOCIATED TO THE REGULAR GASOLINE DISPENSER #3 AND CONNECTED TO A 15,000 GALLON AST SYSTEM CONTAINING GASOLINE AS THE SOURCES OF THE RELEASE.

Contaminant: Diesel, Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$294,330.30
Amount Disallowed	\$1,944.76
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$606.82
Copay/Deductible	\$28,631.74
Amount Recommended	\$263,041.45
Amount Paid	\$257,580.07

Site Identification

Date Submitted:	05/25/2018	DEP Facility Number:	5-000378
Site Name	Pacific Pride		
Site Contact	Bryan Reed	Telephone:	(775)296-0155
Site Address	3600 W Winnemucca Blvd Winnemucca, NV 89445		
County:	Humboldt County		
Owner/Operator Name:	Reed Incorporated		
Contact Name of Owner/Operator:	Bryan Reed 802 Avenue E Ely, NV 89301	Telephone:	(775)289-4463
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	5410 Longley Lane Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	15000	52	Aboveground	The shear valve associated with diesel dispenser #3
001	15000	52	Aboveground	The shear valve associated with the regular gasoline dispenser #5

Case: #202000015
Claim #: 80324

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$7,417.82 from the Petroleum Fund for cleanup costs.

	\$282,203.87	Amount Requested to Date
	(\$862.60)	Amount Disallowed, Past Claims
	(\$107,041.82)	Board Reduction, Past Claims
	(\$16,056.27)	Deductible/Co-Payment Satisfied to Date
	(\$144,506.48)	Amount Paid to Date
SUB TOTAL	<u>\$13,736.70</u>	Amount Requested this Meeting
	(\$5,494.68)	Board Reduction, This Meeting
SUB TOTAL	<u>\$8,242.02</u>	
	(\$824.20)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$7,417.82</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/30/2022 and 06/30/2022

Summary of work completed: Project management; quarterly groundwater sampling; quarterly monitoring report preparation; procurement of a license agreement with the City of Las Vegas for installation of groundwater monitoring wells in right-of-way; and preparation of Petroleum Fund documents.

Site Summary Report

Case Number: 2020000015 Site Name: Gas 2 Go

Site Status

Synopsis: GASOLINE RELEASE FROM 10,000 GALLON PREMIUM TANK (TANK #3) DISCOVERED FOLLOWING TANK REMOVAL ON JANUARY 23, 2020 (INSTALLED 1991).

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$540,000.00
Amount Requested	\$282,203.87
Amount Disallowed	\$862.60
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$112,536.50
Pending Copay/Deductible	\$824.20
Copay/Deductible	\$16,056.27
Amount Recommended	\$151,924.30
Amount Paid	\$144,506.48

Site Identification

Date Submitted:	06/05/2020	DEP Facility Number:	8-001529
Site Name	Gas 2 Go		
Site Contact	Matthew Becker	Telephone:	(702)878-1903
Site Address	6390 W Lake Mead Blvd Las Vegas, NV 89108		
County:	Clark County		
Owner/Operator Name:	Canyon Plaza, LLC		
Contact Name of Owner/Operator:	Matthew Becker	Telephone:	(702)878-1903
	50 South Jones Boulevard, Suite 100 Las Vegas, NV 89107		
Prime Contractor	Broadbent & Associates, Inc.		
Contact Name	Stephanie Holst		
Contractor Address	8 W. Pacific Avenue Henderson, NV 89052		
Telephone:	(702)563-0600	% Board Reduction:	40.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	10000	Closed	Regulated UST	Tank

Case: #2021000026
Claim #: 80285

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$27,238.29 from the Petroleum Fund for cleanup costs.

	\$56,579.53	Amount Requested to Date
	(\$10.00)	Amount Disallowed, Past Claims
	(\$2,630.48)	Deductible/Co-Payment Satisfied to Date
	<u>(\$23,674.28)</u>	Amount Paid to Date
SUB TOTAL	\$30,264.77	Amount Requested this Meeting
	<u>(\$3,026.48)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$27,238.29	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 09/24/2021 and 06/03/2022

Summary of work completed: Project management, scheduling and client invoicing, annual HASP preparation, quarterly monitoring, samplign and reporting, waste disposal. Additional site assessment workplan preparation. Fieldwork preparation including drilling contractor bidding, scheduling, NDWR and Clark County encroachment permit applications, coordinating public and private utility clearance, and coordinating traffic control. Conduct field activities, groundwater sampling, coordinate surveying and waste disposal. Prepare the additional assessment report. Complete preparing the Petroleum Fund application for coverage. Prepare the initial reimbursement package and 2021 NTEP. Prepare a sensitive receptor survey report.

Site Summary Report

Case Number: 2021000026 Site Name: 7-Eleven #25578

Site Status

Synopsis: DISCHARGE WAS DISCOVERED ON OCTOBER 29, 2020 DURING TANK REMOVAL ACTIVITIES. TANK FAILURE OF TWO 10,000 GALLON UNDERGROUND STORAGE TANKS CONTAINING GASOLINE WAS THE SOURCE OF THE RELEASE. A THIRD TANK REMOVED FROM THE SITE WAS NOT COVERED UNDER THE FUND BECAUSE THERE WAS NOT ENOUGH EVIDENCE TO SUPPORT THE TANK HAD FAILED.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$56,579.53
Amount Disallowed	\$10.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$3,026.48
Copay/Deductible	\$2,630.48
Amount Recommended	\$50,912.57
Amount Paid	\$23,674.28

Site Identification

Date Submitted:	09/02/2021	DEP Facility Number:	8-000590
Site Name	7-Eleven #25578	Telephone:	(702)641-6908
Site Contact	Amrik Singh		
Site Address	4151 Boulder Hwy Las Vegas, NV 89121		
County:	Clark County		
Owner/Operator Name:	7-Eleven INC		
Contact Name of Owner/Operator:	William Latt 500 Speedway Drive Enon, OH 45323	Telephone:	(937)460-8488
Prime Contractor	Stantec Consulting Services, Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	3010 West Charleston Boulevard, Suite 100 Las Vegas, NV 89102		
Telephone:	(702)878-8010	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	9728	Closed	Regulated UST	Tank
001	9728	37	Regulated UST	Tank
002	9728	37	Regulated UST	Tank

Case: #2021000028
Claim #: 80328

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$2,276.40 from the Petroleum Fund for cleanup costs.

	\$21,410.49	Amount Requested to Date
	(\$250.00)	Deductible/Co-Payment Satisfied to Date
	<u>\$0.00</u>	Amount Paid to Date
SUB TOTAL	\$2,276.40	Amount Requested this Meeting
	<u>\$0.00</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$2,276.40	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 06/01/2022 and 06/01/2022

Summary of work completed: Site restoration of soil remediation lawn area.

Site Summary Report

Case Number: 2021000028 **Site Name:** Jonathan H & Eve M King Family Trust Residential Heating Oil Tank

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING REMOVAL OF 500-GALLON STEEL UNDERGROUND STORAGE TANK, CONTAINING HEATING OIL AT THE TIME OF RELEASE. 56.19 TONS OF CONTAMINATED SOIL REMOVED DURING INITIAL ABATEMENT ACTIVITIES.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$21,410.49
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$250.00
Amount Recommended	\$21,160.49
Amount Paid	\$18,884.09

Site Identification

Date Submitted:	09/16/2021	DEP Facility Number:	D-001224
Site Name	Jonathan H & Eve M King Family Trust Residential Heating Oil Tank		
Site Contact	Jonathon King	Telephone:	(775)745-2270
Site Address	8505 Bellhaven Road Reno, NV 89511		
County:	Washoe County		
Owner/Operator Name:	Jonathon King		
Contact Name of Owner/Operator:	Jonathan King	Telephone:	(775)745-2270
	8505 Bellhaven Rd Reno, NV 89511		
Prime Contractor	Reno Drain Oil Service		
Contact Name	Steven Aguilar		
Contractor Address	11970 Interstate 80 E Sparks, NV 89434		
Telephone:	(775)342-0351	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
8505 Bellhaven Tank	500	43	Non-Regulated	Tank

Case: #2021000040
Claim #: 80176

STAFF RECOMMENDATION
September 08, 2022

Staff recommends this claim be reimbursed \$16,611.62 from the Petroleum Fund for cleanup costs.

	\$18,259.12	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$18,259.12</u>	Amount Requested this Meeting
	<u>(\$1,397.50)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$16,861.62	
	<u>(\$250.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$16,611.62	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 11/19/2021 and 01/27/2022

Summary of work completed: Work activities conducted include the following: removal, transport, and disposal of a 500 gallon heating oil UST, over-excavation and disposal of petroleum hydrocarbon soil (23.75 tons), confirmation soil sampling of excavation sidewalls and bottom, submittal of confirmation soil samples to lab for analysis of TPH, SVOCs, and VOCs, backfill and soil compaction of the excavation, preparation and submittal of UST Closure and Attachment B Release Report, NDEP Spill Report # 211115-02 dated December 10, 2021, preparation and submittal of Initial Abatement Claim.

Site Summary Report

Case Number: 2021000040 Site Name: Glendale Ave. Properties, LLC

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM CORROSION HOLES IN STEEL SHELL OF 500-GALLON, NON-REGULATED UNDERGROUND STORAGE TANK, CONTAINING HEATING OIL AT THE TIME OF RELEASE. 23.75 TONS OF CONTAMINATED MATERIAL REMOVED DURING INITIAL ABATEMENT ACTIVITIES.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$18,259.12
Amount Disallowed	\$1,397.50
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$250.00
Copay/Deductible	\$0.00
Amount Recommended	\$16,611.62
Amount Paid	\$0.00

Site Identification

Date Submitted:	12/29/2021	DEP Facility Number:	D-001319
Site Name	Glendale Ave. Properties, LLC	Telephone:	(310)858-2200
Site Contact	Rick Shephard		
Site Address	1280 Glendale Ave. Sparks, NV 89431		
County:	Washoe County		
Owner/Operator Name:	Glendale Ave Properties, LLC		
Contact Name of Owner/Operator:	Rick Shephard 11601 Wilshire Blvd. Los Angeles, CA 90025	Telephone:	(310)858-2200
Prime Contractor	Broadbent & Associates		
Contact Name	Brandon Reiff		
Contractor Address	5450 Louie Lane Suite: 101 Reno, NV 89511		
Telephone:	(775)313-2096	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
Heating Oil Tank	500	58	Non-Regulated	Tank

**Agenda Item 8:
Direct Payment of Uncontested Claims
(Board Policy 2017-02)**

(FOR DISCUSSION)

The Board to Review Claims authorizes NDEP to make claim payments prior to a Board meeting when the recommended payment value is uncontested. This authorized delegation is consistent with the findings in the memorandum from the Attorney General's Office dated August 3, 2017 (Attachment A of Policy Resolution 2017-02). Below is a list of all quarterly claim payments made on the Board's behalf in accordance with Policy Resolution No. 2017-02.

A dagger (†) indicates previously disallowed monies have been successfully appealed where the requested amount is less than the recommended amount.

An omega (ω) indicates Board approved reimbursement monies have been subtracted from the amount requested due to new information

<u>HEATING OIL</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	2022000013; 80282 Equity Trust Company: 960 Keystone Avenue Residential Heating Oil Tank	\$26,363.19	\$25,863.19
FOR DISCUSSION	2.	2022000014; 80283 Sachidevi Lake: Sachidevi Lake	\$30,104.59	\$29,854.59
FOR DISCUSSION	3.	2022000016; 80287 David Fernandes: Coffee Cup Investments LLC	\$33,001.80	\$32,501.80
FOR DISCUSSION	4.	2022000017; 80286 Whitney Stodtmeister: Rw Stodtmeister Living Trust	\$21,327.70	\$21,077.70
			SUB TOTAL:	<u>\$110,797.28</u>
				<u>\$109,297.28</u>
<u>ONGOING CASES</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	1993000102; 80295 Rebel Oil Company: Rebel Store #2008	\$10,103.25	\$10,103.25
FOR DISCUSSION	2.	1994000015; 80290 Pilger Family Holdings: Former D & G Oil Company	\$12,112.33	\$12,112.33
FOR DISCUSSION	3.	1999000023; 80293 Nevada Ready Mix Corp: Nevada Ready Mix	\$21,084.23	\$18,280.56
FOR DISCUSSION	4.	1999000066; 80294 HP Management, LLC: Former Haycock Petroleum	\$25,686.17	\$23,077.05
FOR DISCUSSION	5.	2013000011; 80291 Har Moor Investments, LLC: Village Shop #4	\$18,768.25	\$16,891.43
FOR DISCUSSION	6.	2014000033; 80292 Speedee Mart Inc.: Speedee Mart #108	\$18,880.47	\$16,992.42
FOR DISCUSSION	7.	2017000019; 80297 Rebel Oil Company: Rebel Store #2197	\$15,835.86	\$14,252.27
FOR DISCUSSION	8.	2017000035; 80299 Rebel Oil Company: Rebel Store #2177	\$38,999.43	\$35,099.49
FOR DISCUSSION	9.	2018000005; 80296 Rebel Oil Company: Rebel Store # 2153	\$5,137.00	\$4,623.30
FOR DISCUSSION	10.	2019000002; 80298 Rebel Oil Company: Rebel Store #2166	\$5,734.50	\$5,161.05
FOR DISCUSSION	11.	2019000005; 80248 Fairway Chevrolet Co: Fairway Chevrolet CO	\$14,133.50	\$12,720.15
FOR DISCUSSION	12.	2019000014; 80289 Western Cab Co: Western Cab CO	\$5,053.00	\$4,547.70
FOR DISCUSSION	13.	2019000044; 80281 7-Eleven Inc: 7-Eleven #15829	\$29,365.91	\$26,429.32

SUB TOTAL:	<u>\$220,893.90</u>	<u>\$200,290.32</u>
DIRECT PAYMENT CLAIMS TOTAL:	<u>\$331,691.18</u>	<u>\$309,587.60</u>
BOARD MEETING CLAIMS TOTAL:	<u>\$961,062.30</u>	<u>\$876,608.64</u>

Case: #1993000102
Claim #: 80295

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 18, 2022

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$2,497,768.03	Amount Requested to Date
	(\$27,274.04)	Amount Disallowed, Past Claims
	(\$30,000.00)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,265,103.52)</u>	Amount Paid to Date
SUB TOTAL	\$10,103.25	Amount Requested this Meeting
	<u>\$0.00</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$10,103.25	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/25/2022 and 06/27/2022

Summary of work completed: Project management and coordination, semi annual monitor well sampling, preparation of status report, preparation of NTEP, remedial system design, bid documents, and laboratory analysis.

Site Summary Report

Case Number: 1993000102 Site Name: Rebel Store #2008

Site Status

Synopsis: TWO USTS RELEASED GASOLINE IN 1992. PIPING FROM ONE TANK SYSTEM FAILED AND THE TANK FAILED IN THE SECOND SYSTEM. ONE ALLOTMENT OF THIRD PARTY LIABILITY FUNDS HAS BEEN APPROVED FOR CLEANUP ACTIVITIES FOR THIS CASE.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,970,000.00
Amount Requested	\$2,497,768.03
Amount Disallowed	\$27,274.04
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$30,000.00
Amount Recommended	\$2,451,708.24
Amount Paid	\$2,451,708.24

Site Identification

Date Submitted:	03/15/1993	DEP Facility Number:	8-000523
Site Name	Rebel Store #2008	Telephone:	(702)382-5866
Site Contact	Dana Cason Teepe		
Site Address	3225 Las Vegas Blvd N Las Vegas, NV 89115		
County:	Clark County		
Owner/Operator Name:	Rebel Oil Company	Telephone:	(702)382-5866 Ext: 2
Contact Name of Owner/Operator:	Dana Cason Teepe 2200 S Highland Drive Las Vegas, NV 89102		
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	Closed	Regulated UST	See Synopsis
002	10000	41	Regulated UST	See Synopsis

Case: #1994000015
Claim #: 80290

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 18, 2022

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$2,023,952.06	Amount Requested to Date
	(\$77,183.34)	Amount Disallowed, Past Claims
	(\$20,000.00)	Deductible/Co-Payment Satisfied to Date
	(\$1,341,540.43)	Amount Paid to Date
SUB TOTAL	<u>\$12,112.33</u>	Amount Requested this Meeting
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$12,112.33</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/14/2022 and 07/05/2022

Summary of work completed: Project management, quarterly well monitoring and sampling, laboratory analysis, status report preparation, petroleum fund claim preparation, and drafting services.

Site Summary Report

Case Number: 1994000015 **Site Name:** Former D & G Oil Company

Site Status

Synopsis: CONTAMINATION WAS DISCOVERED FEBRUARY 3, 1993, FROM A 10,000 GALLON UNDERGROUND STORAGE TANK CONTAINING DIESEL FUEL AND IDENTIFIED AS TANK 3. THE LOCATION OF THE LEAK WAS NOTED ON THE APPLICATION AS THE TANK. THIS CASE WAS GRANTED COVERAGE ON SEPTEMBER 9, 1993, WITH A \$10,000 DEDUCTIBLE. THIRD PARTY LIABILITY COVERAGE WAS GRANTED AT THE DECEMBER 8, 2016 BOARD MEETING, PURSUANT TO SSBD 2016-06.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,980,000.00
Amount Requested	\$2,023,952.06
Amount Disallowed	\$77,183.34
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$20,000.00
Amount Recommended	\$1,926,768.72
Amount Paid	\$1,926,768.72

Site Identification

Date Submitted:	02/04/1993	DEP Facility Number:	8-000147
Site Name	Former D & G Oil Company	Telephone:	(760)447-5192
Site Contact	Pilger, Jessica		
Site Address	6176 Las Vegas Blvd Las Vegas, NV 89119		
County:	Clark County		
Owner/Operator Name:	Pilger Family Holdings		
Contact Name of Owner/Operator:	Jessica Pilger 5127 Crown Street San Diego, CA 92110	Telephone:	(702)641-5216
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	10000	Closed	Regulated UST	See Synopsis

Case: #1999000023
Claim #: 80293

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 22, 2022

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$739,558.82	Amount Requested to Date
	(\$2,888.97)	Amount Disallowed, Past Claims
	(\$71,558.55)	Deductible/Co-Payment Satisfied to Date
	<u>(\$324,425.62)</u>	Amount Paid to Date
SUB TOTAL	\$21,084.23	Amount Requested this Meeting
	<u>(\$772.50)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$20,311.73	
	<u>(\$2,031.17)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$18,280.56	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/06/2022 and 06/27/2022

Summary of work completed: Project management, preparation of quarterly status report, preparation of petroleum fund claim, drafting services, remedial system monitoring, quarterly well sampling and monitoring, and laboratory analysis.

Site Summary Report

Case Number: 1999000023 Site Name: Nevada Ready Mix

Site Status

Synopsis: CONTAMINATION DISCOVERED AUGUST 21, 1998. THE APPLICATION IDENTIFIES A THREE UNDERGROUND STORAGE TANK (UST) SYSTEMS AS THE CAUSE OF THE RELEASE. THE DISPENSER PUMPS AND PIPING WERE THE SOURCE IDENTIFIED FOR THE 8,000 GALLON UST (TANK 1) CONTAINING DIESEL AND THE 8,000 GALLON UST (TANK 2) CONTAINING GASOLINE. THE WASTE OIL CONTAMINATION EMANATED FROM CORROSION HOLES IN THE 500 GALLON UST (TANK 3). COVERAGE GRANTED WITH A 10% COPAYMENT.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,700,000.00
Amount Requested	\$739,558.82
Amount Disallowed	\$3,661.47
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$71,558.55
Amount Recommended	\$662,307.63
Amount Paid	\$662,307.63

Site Identification

Date Submitted:	11/06/1998	DEP Facility Number:	8-000272
Site Name	Nevada Ready Mix		
Site Contact	Miller, Randy	Telephone:	(702)457-1115
Site Address	601 W Bonanza Rd Las Vegas, NV 89106		
County:	Clark County		
Owner/Operator Name:	Nevada Ready Mix Corp		
Contact Name of Owner/Operator:	Larry Miller 151 Cassia Way Henderson, NV 89014	Telephone:	(702)457-1115
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	8000	Closed	Regulated UST	See Synopsis
002	8000	71	Regulated UST	See Synopsis
003	500	56	Regulated UST	See Synopsis

Case: #1999000066
Claim #: 80294

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 18, 2022

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$3,696,378.30	Amount Requested to Date
	(\$8,601.72)	Amount Disallowed, Past Claims
	(\$366,209.05)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,809,351.54)</u>	Amount Paid to Date
SUB TOTAL	\$25,686.17	Amount Requested this Meeting
	<u>(\$45.00)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$25,641.17	
	<u>(\$2,564.12)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$23,077.05	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/22/2022 and 07/05/2022

Summary of work completed: Project coordination and management, operation and maintenance of remedial system, quarterly well monitoring and sampling, laboratory analysis, quarterly status report preparation, preparation of petroleum fund claim, and drafting services.

Site Summary Report

Case Number: 1999000066 **Site Name:** Former Haycock Petroleum

Site Status

Synopsis: TWO RELEASES: ONE FROM A 25,000 GALLON DIESEL AST SYSTEM (LEAKING VALVE) AND ONE FROM A 20,000 GALLON GASOLINE AST (UNDERGROUND PIPING).

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$4,000,000.00
Amount Fund Will Pay	\$3,600,000.00
Amount Requested	\$3,696,378.30
Amount Disallowed	\$8,646.72
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$366,209.05
Amount Recommended	\$3,318,958.41
Amount Paid	\$3,318,958.41

Site Identification

Date Submitted:	03/30/1999	DEP Facility Number:	8-001512
Site Name	Former Haycock Petroleum		
Site Contact	John Haycock	Telephone:	(702)219-5643
Site Address	715 W Bonanza Rd Las Vegas, NV 89106		
County:	Clark County		
Owner/Operator Name:	HP Management, LLC		
Contact Name of Owner/Operator:	John Haycock	Telephone:	(702)219-5643
	P.O. Box 100 Pmb 380 Mammoth Lakes, CA 93546		
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	25000	55	Aboveground	See Synopsis
006	20000	55	Aboveground	See Synopsis

Case: #2013000011
Claim #: 80291

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 18, 2022

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$873,509.16	Amount Requested to Date
	(\$10,366.88)	Amount Disallowed, Past Claims
	(\$84,437.42)	Deductible/Co-Payment Satisfied to Date
	<u>(\$457,480.70)</u>	Amount Paid to Date
SUB TOTAL	\$18,768.25	Amount Requested this Meeting
	<u>(\$1,876.82)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$16,891.43	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/22/2022 and 06/27/2022

Summary of work completed: Project management, prepare quarterly status report, quarterly well sampling and monitoring, annual NDEP permit fee, preparation of petroleum fund claim, and laboratory analysis.

Site Summary Report

Case Number: 2013000011 Site Name: Village Shop #4

Site Status

Synopsis: JULY 2012 SITE ASSESSMENT FOR POTENTIAL PROPERTY SALE IDENTIFIED BENZENE IN GROUNDWATER. TESTING IDENTIFIED A LEAK IN PIPING BENEATH DISPENSER #2 WHICH WAS REPAIRED OCTOBER 12, 2012.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$873,509.16
Amount Disallowed	\$10,366.88
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$84,437.42
Amount Recommended	\$775,181.54
Amount Paid	\$775,181.54

Site Identification

Date Submitted:	12/21/2012	DEP Facility Number:	8-001804
Site Name	Village Shop #4	Telephone:	(970)376-1300
Site Contact	John Moorman		
Site Address	2151 N Rancho Dr Las Vegas, NV 89106		
County:	Clark County		
Owner/Operator Name:	Har Moor Investments, LLC		
Contact Name of Owner/Operator:	John Moorman P.O. Box 2831 Edwards, CO 81632	Telephone:	(970)376-1300
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	26	Regulated UST	See Synopsis

Case: #2014000033
Claim #: 80292

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 18, 2022

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$859,947.74	Amount Requested to Date
	(\$4,316.50)	Amount Disallowed, Past Claims
	(\$83,675.09)	Deductible/Co-Payment Satisfied to Date
	<u>(\$344,101.21)</u>	Amount Paid to Date
SUB TOTAL	\$18,880.47	Amount Requested this Meeting
	<u>(\$1,888.05)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$16,992.42	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/19/2022 and 06/27/2022

Summary of work completed: Project management, prepare quarterly status report, remedial system operation and maintenance, quarterly well sampling and monitoring, petroleum fund claim preparation, and laboratory analysis.

Site Summary Report

Case Number: 2014000033 Site Name: Speedee Mart #108

Site Status

Synopsis: CONTAMINATION DISCOVERED, LEAK IN PIPING UNDERLYING DISPENSER

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$859,947.74
Amount Disallowed	\$4,316.50
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$83,675.09
Amount Recommended	\$770,068.10
Amount Paid	\$770,068.10

Site Identification

Date Submitted:	01/16/2015	DEP Facility Number:	8-001779
Site Name	Speedee Mart #108	Telephone:	(702)450-2726
Site Contact	Paul Orluske		
Site Address	4701 W Lake Mead Blvd Las Vegas, NV 89108		
County:	Clark County		
Owner/Operator Name:	Speedee Mart Inc.		
Contact Name of Owner/Operator:	Brad Emery 1188 Wigwam Parkway Henderson, NV 89074	Telephone:	(702)450-2726
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	15000	26	Regulated UST	See Synopsis

Case: #2017000019
Claim #: 80297

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 18, 2022

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$651,080.58	Amount Requested to Date
	(\$16,887.44)	Amount Disallowed, Past Claims
	(\$61,835.73)	Deductible/Co-Payment Satisfied to Date
	<u>(\$101,122.87)</u>	Amount Paid to Date
SUB TOTAL	\$15,835.86	Amount Requested this Meeting
	<u>(\$1,583.59)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$14,252.27	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/07/2022 and 06/27/2022

Summary of work completed: Project management and coordination, remedial system operation and maintenance and monitoring, quarterly monitoring and sampling, preparation of quarterly report, preparation of petroleum submittal, and laboratory analysis.

Site Summary Report

Case Number: 2017000019 Site Name: Rebel Store #2197

Site Status

Synopsis: DISCHARGE DISCOVERED JULY 19, 2016 AS A RESULT OF A PHASE II ENVIRONMENTAL SITE ASSESSMENT. THE APPLICATION IDENTIFIES A FAILED SHEAR VALVE AND LEAKING UNDER DISPENSER CONTAINMENT ASSOCIATED TO A 12,000 GALLON UNDERGROUND STORAGE TANK (UST) SYSTEM CONTAINING GASOLINE AS THE SOURCE OF THE RELEASE.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$651,080.58
Amount Disallowed	\$16,887.44
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$61,835.73
Amount Recommended	\$570,773.82
Amount Paid	\$570,773.82

Site Identification

Date Submitted:	05/17/2018	DEP Facility Number:	8-001781
Site Name	Rebel Store #2197	Telephone:	(702)434-2505
Site Contact	Helene Dickerson		
Site Address	4665 E Sunset Rd Henderson, NV 89014		
County:	Clark County		
Owner/Operator Name:	Rebel Oil Company	Telephone:	(702)382-5866 Ext: 2
Contact Name of Owner/Operator:	Dana Cason Teepe 2200 S Highland Dr Las Vegas, NV 89102		
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	26	Regulated UST	The shear valve failed allowing fuel to enter the UDC. Based on the location of the hydrocarbon con

Case: #2017000035
Claim #: 80299

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 18, 2022

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$1,010,926.90	Amount Requested to Date
	(\$73,438.84)	Amount Disallowed, Past Claims
	(\$89,848.86)	Deductible/Co-Payment Satisfied to Date
	<u>(\$547,843.52)</u>	Amount Paid to Date
SUB TOTAL	\$38,999.43	Amount Requested this Meeting
	<u>(\$3,899.94)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$35,099.49	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/18/2022 and 07/01/2022

Summary of work completed: Project management and coordination, manage SVE unit repair and remedial system start up and monitoring, preparation of quarterly report, preparation of petroleum fund claim, carbon change out services, quarterly sample analysis, operation and maintenance, traffic control services, and laboratory analysis.

Site Summary Report

Case Number: 2017000035 Site Name: Rebel Store #2177

Site Status

Synopsis: DISCHARGE DISCOVERED ON JUNE 12, 2017 FOLLOWING A PHASE II ENVIRONMENTAL SITE ASSESSMENT. THE APPLICATION IDENTIFIED THE SHEAR VALVE A PIPING BENEATH DISPENSER 3/4 SEEPING INTO A LEAKING UNDER DISPENSER CONTAINMENT ASSOCIATED TO A 12,000 GALLON UNDERGROUND STORAGE TANK (UST) SYSTEM CONTAINING GASOLINE AS THE SOURCE OF THE CONTAMINATION.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$1,010,926.90
Amount Disallowed	\$73,438.84
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$89,848.86
Amount Recommended	\$843,739.26
Amount Paid	\$843,739.26

Site Identification

Date Submitted:	01/24/2018	DEP Facility Number:	8-001928
Site Name	Rebel Store #2177	Telephone:	
Site Contact			
Site Address	6400 W Lake Mead Blvd Las Vegas, NV 89108		
County:	Clark County		
Owner/Operator Name:	Rebel Oil Company		
Contact Name of Owner/Operator:	Dana Cason Teepe 2200 S Highland Dr Las Vegas, NV 89102	Telephone:	(702)382-5866
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
1	12000	23	Regulated UST	The shear valve and piping beneath dispenser 3/4 were documented as seeping into the Under-Dispenser

Case: #2018000005
Claim #: 80296

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 18, 2022

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$228,662.77	Amount Requested to Date
	(\$2,161.99)	Amount Disallowed, Past Claims
	(\$22,136.40)	Deductible/Co-Payment Satisfied to Date
	(\$86,289.50)	Amount Paid to Date
SUB TOTAL	<u>\$5,137.00</u>	Amount Requested this Meeting
	(\$513.70)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$4,623.30</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/25/2022 and 06/27/2022

Summary of work completed: Project management and coordination, quarterly monitoring and sampling, prepare quarterly status report, prepare petroleum fund submittal, traffic control services, and laboratory analysis.

Site Summary Report

Case Number: 2018000005 Site Name: Rebel Store # 2153

Site Status

Synopsis: DISCHARGE DISCOVERED ON OCTOBER 7, 2015 AS A RESULT OF A PHASE II ENVIRONMENTAL SITE ASSESSMENT. THE APPLICATION IDENTIFIES THE SPILL BUCKET ASSOCIATED TO A 6,000 GALLON UNDERGROUND STORAGE TANK (UST) SYSTEM CONTAINING DIESEL (TANK 005), AND THE SPILL BUCKET ASSOCIATED TO A 12,000 GALLON UST CONTAINING GASOLINE AS THE SOURCES OF THE RELEASE.

Contaminant: Diesel, Gasoline (containing > 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$228,662.77
Amount Disallowed	\$2,161.99
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$22,136.40
Amount Recommended	\$203,850.68
Amount Paid	\$203,850.68

Site Identification

Date Submitted:	07/13/2018	DEP Facility Number:	8-001429
Site Name	Rebel Store # 2153	Telephone:	(702)555-5555
Site Contact	Pending		
Site Address	4595 E Tropicana Ave Las Vegas, NV 89121		
County:	Clark County		
Owner/Operator Name:	Rebel Oil Company		
Contact Name of Owner/Operator:	Dana Cason Teepe 2200 S Highland Dr Las Vegas, NV 89102	Telephone:	(702)382-5866
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
005	6000	30	Regulated UST	Spill Bucket
002	12000	30	Regulated UST	Spill Bucket

Case: #2019000002
Claim #: 80298

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 18, 2022

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$197,531.66	Amount Requested to Date
	(\$841.42)	Amount Disallowed, Past Claims
	(\$19,095.59)	Deductible/Co-Payment Satisfied to Date
	(\$58,103.77)	Amount Paid to Date
SUB TOTAL	<u>\$5,734.50</u>	Amount Requested this Meeting
	(\$573.45)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$5,161.05</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/02/2022 and 05/31/2022

Summary of work completed: Project management and coordination, quarterly sampling and monitoring, preparation of quarterly status report, preparation of petroleum fund claim, and laboratory analysis.

Site Summary Report

Case Number: 2019000002 Site Name: Rebel Store #2166

Site Status

Synopsis: A PHASE II SITE ASSESSMENT IDENTIFIED A RELEASE TO THE ENVIRONMENT IN OCTOBER 2015. A SOURCE FOR THE CONTAMINATION WAS LATER IDENTIFIED THROUGH FURTHER CHARACTERIZATION AND SITE REPAIR HISTORY. THE 8,000 GALLON MID-GRADE GASOLINE PIPING HAD A RELEASE AND THE VAPOR RECOVERY LINE ASSOCIATED WITH THE SYSTEM WAS ALSO QUESTIONABLE. REPAIRS WERE DOCUMENTED IN MARCH 2013.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$197,531.66
Amount Disallowed	\$841.42
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$19,095.59
Amount Recommended	\$177,021.20
Amount Paid	\$177,021.20

Site Identification

Date Submitted:	06/13/2019	DEP Facility Number:	8-001721
Site Name	Rebel Store #2166	Telephone:	(453)423-6555
Site Contact	Dana Cason-Teppe		
Site Address	4115 S Decatur Blvd Las Vegas, NV 89103		
County:	Clark County		
Owner/Operator Name:	Rebel Oil Company		
Contact Name of Owner/Operator:	Dana Cason-Teppe 2200 S Highland Dr Las Vegas, NV 89102	Telephone:	(702)382-5866
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
004-M	8000	27	Regulated UST	Pipe

Case: #2019000005
Claim #: 80248

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 18, 2022

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$234,449.87	Amount Requested to Date
	(\$6,149.00)	Amount Disallowed, Past Claims
	(\$21,416.72)	Deductible/Co-Payment Satisfied to Date
	(\$92,191.13)	Amount Paid to Date
SUB TOTAL	<u>\$14,133.50</u>	Amount Requested this Meeting
	(\$1,413.35)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$12,720.15</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/31/2022 and 06/27/2022

Summary of work completed: Project management and coordination, preparation of NTEP, quarterly status report preparation, preparation of petroleum fund claim, quarterly monitor well sampling, and laboratory analysis.

Site Summary Report

Case Number: 2019000005 Site Name: Fairway Chevrolet CO

Site Status

Synopsis: RELEASE OF GASOLINE DISCOVERED JANUARY 16, 2019 DURING SYSTEM REMOVAL ACTIVITIES. RELEASE OCCURRED FROM THE UNION ON THE GASOLINE PUMP BETWEEN THE PUMP AND THE BALL VALVE.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$234,449.87
Amount Disallowed	\$6,149.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$21,416.72
Amount Recommended	\$205,470.80
Amount Paid	\$205,470.80

Site Identification

Date Submitted:	07/16/2019	DEP Facility Number:	8-000363
Site Name	Fairway Chevrolet CO	Telephone:	(702)755-8900
Site Contact	John Gibbons		
Site Address	3100 E Sahara Ave Las Vegas, NV 89104		
County:	Clark County		
Owner/Operator Name:	Fairway Chevrolet CO		
Contact Name of Owner/Operator:	John Gibbons 3100 East Sahara Avenue Las Vegas, NV 89104	Telephone:	(702)641-1400 Ext: 1
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
000	20000	Closed	Regulated UST	Pipe

Case: #2019000014
Claim #: 80289

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 18, 2022

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$218,210.01	Amount Requested to Date
	(\$21,315.69)	Deductible/Co-Payment Satisfied to Date
	(\$7,036.43)	Amount Paid to Date
SUB TOTAL	<u>\$5,053.00</u>	Amount Requested this Meeting
	(\$505.30)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$4,547.70</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/02/2022 and 06/27/2022

Summary of work completed: Project management, submit quarter status report, petroleum fund preparation, quarterly monitoring and sampling, and laboratory analysis.

Site Summary Report

Case Number: 2019000014 Site Name: Western Cab CO

Site Status

Synopsis: CONTAMINATION DISCOVERED ON APRIL 9, 2019 DURING TANK REMOVAL ACTIVITIES. THE SOURCE OF THE CONTAMINATION WAS DETERMINED TO BE THE FUEL FLEX LINE CONNECTING THE SHEAR VALVE TO THE DOUBLE-WALL FIBERGLASS PIPING OF A 12,000-GALLON UST SYSTEM STORING GASOLINE.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$218,210.01
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$21,315.69
Amount Recommended	\$196,389.02
Amount Paid	\$196,389.02

Site Identification

Date Submitted:	08/14/2019	DEP Facility Number:	8-001122
Site Name	Western Cab CO	Telephone:	(702)595-1946
Site Contact	Martha Sarver		
Site Address	801 S Main St Las Vegas, NV 89101		
County:	Clark County		
Owner/Operator Name:	Western Cab CO		
Contact Name of Owner/Operator:	Martha Sarver P.O. Box 36550 Las Vegas, NV 89133	Telephone:	(702)595-1946
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
01	12000	Closed	Regulated UST	Pipe

Case: #2019000044
Claim #: 80281

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 22, 2022

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$104,966.80	Amount Requested to Date
	(\$0.08)	Amount Disallowed, Past Claims
	(\$7,560.09)	Deductible/Co-Payment Satisfied to Date
	(\$68,040.72)	Amount Paid to Date
SUB TOTAL	<u>\$29,365.91</u>	Amount Requested this Meeting
	(\$2,936.59)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$26,429.32</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/04/2021 and 07/29/2021

Summary of work completed: Excavation, loading, hauling and disposal of petroleum hydrocarbon impacted soil following removal of the UST system

Site Summary Report

Case Number: 2019000044 Site Name: 7-Eleven #15829

Site Status

Synopsis: AUGUST 2018, PREMIUM TANK (TANK 1) FAILED TIGHTNESS TESTING, SOIL BORINGS CONFIRMED DISCHARGE. JULY 2020, FREE PRODUCT FOUND IN MONITORING WELL. AUGUST 2020 TANK 2 AND TANK 3 FAILED TIGHTNESS TESTING. DISCHARGE EMANATED FROM 3, 10,000-GALLON, REGULATED UNDERGROUND STORAGE TANK SYSTEMS, CONTAINING GASOLINE AT THE TIME OF RELEASE DISCOVERY. ALL 3 TANK SYSTEMS REMOVED FROM GROUND IN FEBRUARY 2021.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,700,000.00
Amount Requested	\$104,966.80
Amount Disallowed	\$0.08
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$7,560.09
Amount Recommended	\$94,470.04
Amount Paid	\$94,470.04

Site Identification

Date Submitted:	09/02/2021	DEP Facility Number:	8-000618
Site Name	7-Eleven #15829	Telephone:	(702)452-1749
Site Contact	Satinderpa S. Padda		
Site Address	10 N Nellis Blvd Las Vegas, NV 89110		
County:	Clark County		
Owner/Operator Name:	7-Eleven INC		
Contact Name of Owner/Operator:	William Latt 500 Speedway Drive Enon, OH 45323	Telephone:	(937)460-8488
Prime Contractor	Stantec Consulting Services, Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	3010 West Charleston Boulevard, Suite 100 Las Vegas, NV 89102		
Telephone:	(702)878-8010	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	9728	Closed	Regulated UST	Tank
003	9728	36	Regulated UST	Tank
002	9728	36	Regulated UST	Tank

Case: #2022000013
Claim #: 80282

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: July 06, 2022

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$26,363.19	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$26,363.19</u>	Amount Requested this Meeting
	(\$500.00)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$25,863.19</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/02/2022 and 05/31/2022

Summary of work completed: Release discovered by Reno Drain Oil Service at time of home heating oil tank removals. RDO confirmed these were home heating oil tanks visually confirming return lines to the heating oil furnace inside the home. The home heating oil tanks, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in single wall steel tank shells. For documentation of tank removals, site and sample location maps, remediation and laboratory results see the closing report. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tanks. Contaminated soil was removed and delivered to the Waste Management Biopit. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

Site Summary Report

Case Number: 2022000013 **Site Name:** 960 Keystone Avenue Residential Heating Oil Tank

Site Status

Synopsis: DISCHARGE DISCOVERED DURING TANK REMOVAL ACTIVITIES ON APRIL 15, 2022, AND APRIL 28, 2022. DISCHARGE EMANATED FROM HOLES IN THE TANK WALLS OF TWO 350-GALLON NON-REGULATED UNDERGROUND STORAGE TANK SYSTEMS, CONTAINING HEATING OIL AT THE TIME OF RELEASE. INITIAL ABATEMENT ACTIVITIES REMOVED APPROXIMATELY 58.15 TONS OF CONTAMINATED MATERIALS AT THE FACILITY.

Contaminant: Heating Oil

Fund Coverage	\$500,500.00
Amount Fund Will Pay	\$500,000.00
Amount Requested	\$26,363.19
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$500.00
Amount Recommended	\$25,863.19
Amount Paid	\$25,863.19

Site Identification

Date Submitted:	06/08/2022	DEP Facility Number:	D-001334
Site Name	960 Keystone Avenue Residential Heating Oil Tank		
Site Contact	Todd Courtney	Telephone:	(408)835-5911
Site Address	960 Keystone Avenue Reno, NV 89503		
County:	Washoe County		
Owner/Operator Name:	Equity Trust Company		
Contact Name of Owner/Operator:	Todd Courtney	Telephone:	(408)835-5911
	5464 Fossilstone Drive Sparks, NV 89436		
Prime Contractor	Reno Drain Oil Service		
Contact Name	Steven Aguilar		
Contractor Address	11970 Interstate 80 E Sparks, NV 89434		
Telephone:	(775)342-0351	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
960 Keystone Tank	350	70	Non-Regulated	Tank
960 Keystone Tank #2	350	70	Non-Regulated	Tank

Case: #2022000014
Claim #: 80283

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: July 06, 2022

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$30,104.59	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$30,104.59</u>	Amount Requested this Meeting
	(\$250.00)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$29,854.59</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/08/2022 and 04/18/2022

Summary of work completed: Release discovered by Reno Drain Oil Service at time of home heating oil tank removals. RDO confirmed these were home heating oil tanks visually confirming return lines to the heating oil furnace inside the home. The home heating oil tanks, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in single wall steel tank shells. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tanks. Contaminated soil was removed and delivered to the Waste Management Biopit. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

Site Summary Report

Case Number: 2022000014 Site Name: Sachidevi Lake

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A NON-REGULATED 300-GALLON UNDERGROUND STORAGE TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. APPROXIMATELY 72.64 TONS OF CONTAMINATED SOIL WAS REMOVED.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$30,104.59
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$250.00
Amount Recommended	\$29,854.59
Amount Paid	\$29,854.59

Site Identification

Date Submitted:	06/08/2022	DEP Facility Number:	D-001329
Site Name	Sachidevi Lake	Telephone:	(201)336-2950
Site Contact	Sachidevi Lake		
Site Address	1421 Lander Street Reno, NV 89523		
County:	Washoe County		
Owner/Operator Name:	Sachidevi Lake		
Contact Name of Owner/Operator:	Sachidevi Lake 6900 Sharlands Avenue #1012 Reno, NV 89523	Telephone:	(201)336-2950
Prime Contractor	Reno Drain Oil Service		
Contact Name	Steven Aguilar		
Contractor Address	11970 Interstate 80 E Sparks, NV 89434		
Telephone:	(775)342-0351	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
1421 Lander Tank	300	87	Non-Regulated	Tank

Case: #2022000016
Claim #: 80287

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: July 06, 2022

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$33,001.80	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$33,001.80</u>	Amount Requested this Meeting
	<u>(\$500.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$32,501.80	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/08/2022 and 04/29/2022

Summary of work completed: Release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace in side the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in single wall steel tanks shell. During remediation activities RDO encountered a second tank adjacent to the first tank both at a depth of 7 feet and removed that tank as well. It appeared to have leaked as well. For documentation of tank removals, site and sample location maps, remediation and laboratory results see the closing report. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tanks. Contaminated soil was removed and delivered to the Waste Management Biopit. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

Site Summary Report

Case Number: 2022000016 Site Name: Coffee Cup Investments LLC

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES ON MARCH 9, 2022. DISCHARGE EMANATED FROM HOLES IN THE SHELLS OF TWO 250-GALLON NON-REGULATED UNDERGROUND STORAGE TANK SYSTEMS CONTAINING HEATING OIL AT THE TIME OF RELEASE. APPROXIMATELY 94.07 TONS OF CONTAMINATED MATERIAL REMOVED DURING INITIAL ABATEMENT ACTIVITIES.

Contaminant: Heating Oil

Fund Coverage	\$500,500.00
Amount Fund Will Pay	\$500,000.00
Amount Requested	\$33,001.80
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$500.00
Amount Recommended	\$32,501.80
Amount Paid	\$32,501.80

Site Identification

Date Submitted:	06/08/2022	DEP Facility Number:	D-001331
Site Name	Coffee Cup Investments LLC	Telephone:	(702)612-1470
Site Contact	David Fernandes		
Site Address	221 Vine Street Reno, NV 89503		
County:	Washoe County		
Owner/Operator Name:	David Fernandes		
Contact Name of Owner/Operator:	David Fernandes 8915 South Pecos Road #17a Henderson, NV 89074	Telephone:	(702)612-1470
Prime Contractor	Reno Drain Oil Service		
Contact Name	Steven Aguilar		
Contractor Address	11970 Interstate 80 E Sparks, NV 89434		
Telephone:	(775)342-0351	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
221 Vine Tank	250	76	Non-Regulated	Tank
221 Vine Tank #2	250	52	Non-Regulated	Tank

Case: #2022000017
Claim #: 80286

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: July 06, 2022

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$21,327.70	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$21,327.70</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$21,077.70	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/16/2022 and 04/26/2022

Summary of work completed: Release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace in side the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in single wall steel tank shell. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tank. Contaminated soil was removed and delivered to the Waste Management Biopit. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

Site Summary Report

Case Number: 2022000017 Site Name: Rw Stodtmeister Living Trust

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A NON-REGULATED 300-GALLON UNDERGROUND STORAGE TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. APPROXIMATELY 38.31 TONS OF CONTAMINATED SOIL WAS REMOVED.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$21,327.70
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$250.00
Amount Recommended	\$21,077.70
Amount Paid	\$21,077.70

Site Identification

Date Submitted:	06/13/2022	DEP Facility Number:	D-001330
Site Name	Rw Stodtmeister Living Trust	Telephone:	(775)657-0572
Site Contact	Whitney Stodtmeister		
Site Address	1140 Skyline Boulevard Reno, NV 89509		
County:	Washoe County		
Owner/Operator Name:	Whitney Stodtmeister		
Contact Name of Owner/Operator:	Whitney Stodtmeister 1140 Skyline Boulevard Reno, NV 89509	Telephone:	(775)657-0572
Prime Contractor	Reno Drain Oil Service		
Contact Name	Steven Aguilar		
Contractor Address	11970 Interstate 80 E Sparks, NV 89434		
Telephone:	(775)342-0351	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
1140 Skyline Blvd Tank	300	64	Non-Regulated	Tank

**Agenda Item 9:
Execute Summary**
(FOR DISCUSSION)

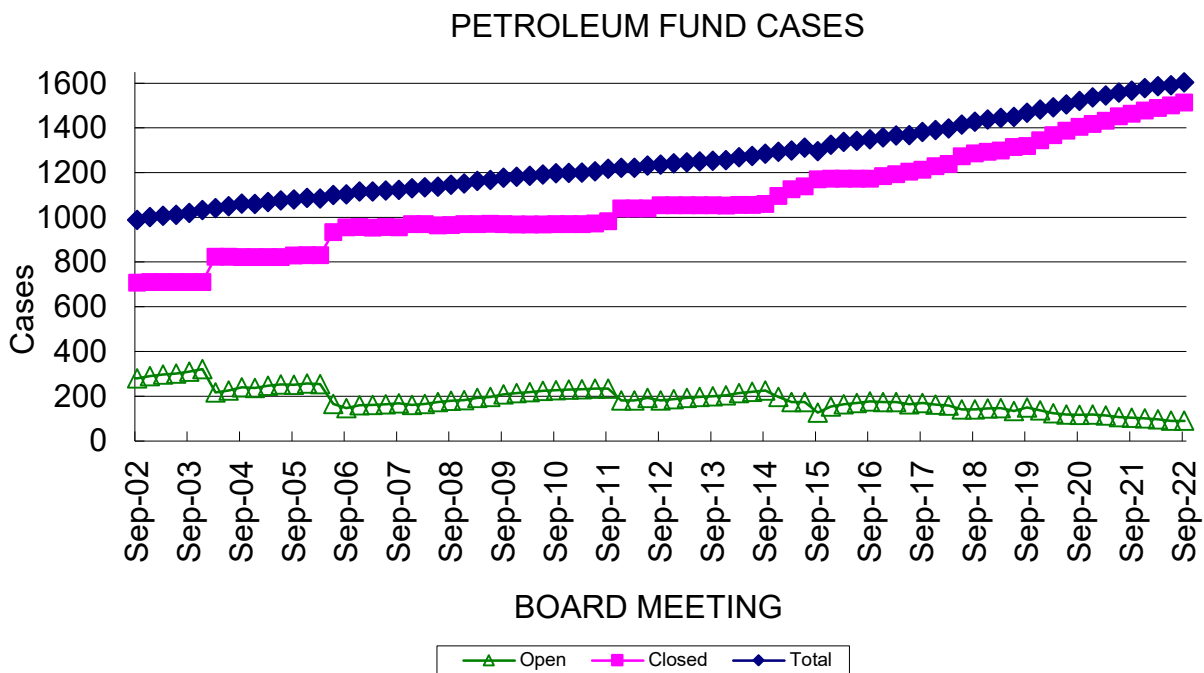
**STATE BOARD TO REVIEW CLAIMS
SEPTEMBER 8, 2022 BOARD MEETING**

EXECUTIVE SUMMARY REPORT

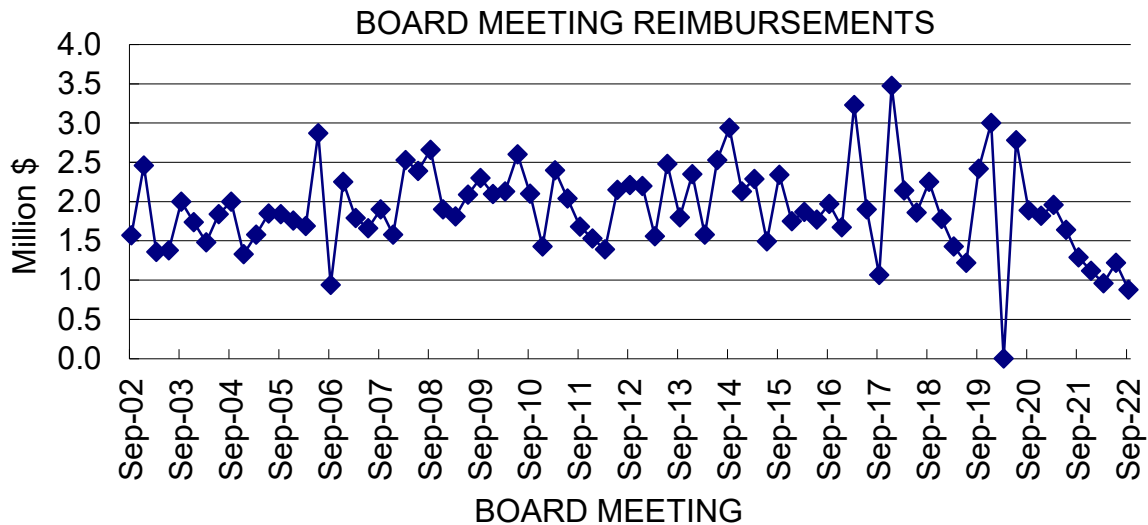
The Fund for Cleaning Up Discharges of Petroleum (“Petroleum Fund” or “Fund”) was established in 1989 by the Nevada Legislature. The Petroleum Fund facilitates the protection of Nevada’s environment, including its water resources, by allowing for prompt cleanup of petroleum discharges from storage tank systems. It also provides a mechanism for regulated underground petroleum storage tank operators to meet the federal financial responsibility requirements of 40 CFR 280, Subpart H. Authority for the Fund’s regulatory requirements is provided in Chapter 445C of the Nevada Revised Statutes (NRS) and adopted regulations under this authority are found in Chapter 445C of the Nevada Administrative Code (NAC).

Enrollment Summary – Tank enrollment fees are tracked pursuant to the Federal Fiscal Year (FFY). FFY 2022 runs October 1, 2021 through September 30, 2022. The annual tank system enrollment invoices for FFY 2022 were issued August 19, 2021. Additional invoices have also been generated for subsequent requests for tank enrollment. Currently, a total of 1,299 facilities have been invoiced at \$100 per petroleum tank system. As of August 23, 2022, 1,277 (~98%) of the facilities have submitted the required enrollment fees. Note, annual enrollment invoices for enrollment year 2023 were generated August 17, 2022 and mailed out to operators in accordance with NAC 445C.240.2.

Program Case Summary – Since the Fund was created, a total of 1,781 remediation cases have applied for Petroleum Fund coverage. Of those applications, 173 have been denied due to ineligibility or other reasons. Of the cases that were provided Fund coverage, 1,513 cases have since been closed and no longer receive Fund reimbursement. Currently, there are 90 open Fund cases. Since January 1, 2022, NDEP has received 24 new applications for Fund coverage. There are 5 applications currently under review and pending a coverage determination.



Claims Reimbursement Summary – Prior to this meeting, the Board to Review Claims has approved a cumulative total of \$252,228,079.11 for reimbursement to petroleum storage tank operators throughout Nevada for cleanup expenses. This cumulative total includes 17 claims paid via the direct payment method since the June 2022 Board meeting, totaling \$309,587.60. With today’s approval of \$567,021.04 in pending claims, the cumulative Fund expenditure will increase to \$252,795,100.15.



* Note: The March 12, 2020 meeting was postponed and later cancelled. No claims were approved by the Board.

Grant for UST Upgrades – There were no UST upgrade grant award payments processed during the past quarter.

Division of Internal Audits Status - On January 24, 2019, the NDEP and Petroleum Fund staff were informed of a pending audit of the Petroleum Fund program by the Governor’s Finance Office, Division of Internal Audits (DIA). Their findings and follow up recommendations can be reviewed in the June 25, 2019 DIA Report (No. 19-05). An annual status report was provided by NDEP to the DIA on October 23, 2020 and presented during the January 28, 2021 Executive Branch Audit Committee (EBAC) meeting. During the meeting, DIA staff noted that the NDEP had fully implemented 3 of the 5 recommendations made in the 19-05 audit report and two remained partially implemented.

NDEP staff have since made progress on the remaining two recommendations. The first finding concluded the Fund was not covering enough small businesses. NDEP explained this was a function of an outdated small business definition. Recommendation #1 of the report (Adhere to Legislative Intent for the Petroleum Fund) required the drafting of Assembly Bill 40, which allowed the Board to define small business in regulation and remove the outdated definition from statute. The bill passed during the 2021 legislative session (June 2021) and was codified in Chapter 445C of the NRS during spring 2022. This was the first step towards amending the Fund’s small business definition. Following the statute amendments, regulatory amendments to Chapter 445C of the NAC, including an updated small business definition, were adopted by the Board on March 10, 2022. Final approval of the regulation amendments was provided by the Legislative Commission on April 8, 2022. The revised regulations were filed with the Secretary of State and made effective on April 11, 2022. With the passage of Assembly Bill 40 and the recent regulation amendments redefining small business, staff believe these amendments will help address concerns raised by the DIA in Recommendation #1 of DIA Report No. 19-05. NDEP provided DIA staff a status update summarizing the above, which will be provided to the EBAC during their next meeting November 30, 2022.

Staff believe that Recommendation #2 (Follow Statute for Third Party Liability Funds) of DIA Report No. 19-05 was addressed during the September 9, 2021 Board meeting. During the meeting, staff made a recommendation to the Board to repeal Board Policy Resolution 2007-10. This policy was called into question in the audit because it allowed third party liability funding to be used for corrective action to prevent or mitigate third party damages. Upon review of this policy, staff found that many terms defined in the policy are already included in regulation and federal law governing storage tanks. Furthermore, the passage of Assembly Bill 40 included amendments to allow additional allotments of funding for corrective action without the use of third party liability funds. Given the above, the policy was repealed by the Board. Staff believe repeal of the policy has addressed the remaining findings of the report. NDEP provided DIA staff a status update summarizing the above, which will be provided to the EBAC during their next meeting on November 30, 2022.

On July 8, 2020, NDEP was informed that the DIA would conduct a second audit of the Petroleum Fund program. Four additional findings/recommendations were reported to the EBAC on January 28, 2021 and can be reviewed in DIA Audit Report No. 21-04. On May 17, 2021, NDEP provided a summary to DIA of its progress towards addressing one of the four findings in preparation of a June 29, 2021 EBAC meeting. Recommendation #2 (Establish a Rate Schedule for Professional Services) had a shorter implementation period than the other recommendations, so an analysis was conducted to better understand how much cost savings to the Fund would result from setting certified environmental manager (CEM) professional rates. Our analysis did not support setting rates would result in significant cost saving to the Fund; however, DIA and EBAC committee members strongly recommended additional review and significant progress in addressing all four recommendations.

Staff have since established cost controls for professional services via revision of the CEM Cost Guidelines. Most notably, staff have moved away from restricting the number of hours for professional services and instead established overall caps on costs the Fund will pay for oversight of cleanup activities by a CEM's staff at a site. Establishing a cap on many of the existing assessment and cleanup tasks common to remediation projects will provide cost controls yet provide consulting companies flexibility in how they bill their staff's time. Review and evaluation of previous NTEP data as well as recent inflation and material costs were used to develop a monetary lump sum cap for each cleanup task. Additionally, language for most tasks has been revised to identify expected oversight activities and deliverables instead of hour tables used in the previous tasks. Staff will present the revised CEM Cost Guidelines for Board consideration and adoption during the September 8, 2022 meeting. If adopted, staff believe Recommendation #2 of DIA Report No. 21-04 will be fully implemented.

The above revisions as well as other updates to the CEM Cost Guidelines will be used to address Recommendation #1 (Reconcile Project Costs) of DIA Report #21-04. The guidelines establish a format for requesting cleanup tasks that are required by a regulatory case officer and approved in a database system. Those tasks will be combined to create a maximum cost proposal cap for project phase activities. The guidelines also establish a format for invoices uploaded to the database system by a consultant. Staff will continue to work within the system to reconcile the invoiced project phase costs to the approved overall task costs. Updates to the current database system have begun and can be completed with the approval of the revised CEM Cost Guidelines. If adopted, staff believe Recommendation #1 of DIA Report No. 21-04 will be fully implemented.

Recommendation #3 (Strengthen CEM Certification Requirements) has been addressed by NDEP's Certification Program, who amended its regulations under LCB File No. R033-22. The regulations were adopted by the State Environmental Commission on June 15, 2022 and should be placed on the next meeting agenda for the state's Legislative Commission for final approval, which is anticipated. As such, this recommendation has been addressed and was noted as such in the DIA status report update.

Recommendation #4 (Perform Random Verification of Proofs of Payment) will be implemented under a new regulatory requirement for the operator to demonstrate their cost share (i.e. copayment) under NAC 445C.310(5)(c). Additionally, the operator will be required to demonstrate by receipt or other financial records that they have paid the invoices submitted in their claim to the Fund. This will be required for each claim submitted and prior to processing of subsequent claims rather than at random. Staff believe this process meets or exceeds the intent of Recommendation #4. This recommendation was noted as fully implemented in the DIA status report update scheduled to be heard during the November 30, 2022 EBAC meeting.

Eagle Gas North Cleanup Cost Recovery Status – As noted in the previous meeting’s executive summary, a relatively recent court order granted NDEP the legal authority to proceed with debt collection. On April 21, 2022, the NDEP, the Carson City Sheriff’s Office, and NDEP’s collection contractor proceeded to take actions to collect on the debt owed, which included seizure of the Eagle Gas north property, an operating Sinclair station property in the southern part of Carson City, and funds held in a bank account under the property owner’s name. These debt collection steps were necessary to recover costs for the Eagle Gas north property cleanup (approximately \$1.6 million judgement). The two properties seized are currently in escrow with two separate buyers and a total collections amount will be calculated after close of escrow at the end of September. This amount, in addition to funds seized from the bank account and on both premises will be calculated less the collection contractor’s 25% contingency fee and NDEP’s operations fees to maintain the properties since April. NDEP will provide this collections information during the December meeting.

Agenda Item 10: Public Comment

(FOR DISCUSSION)

Agenda Item 11:
Confirmation of Next Board Meeting Date
(FOR DISCUSSION)

STATE BOARD TO REVIEW CLAIMS
CONFIRMATION OF NEXT MEETING

DATE	LOCATION
December 8, 2022 Thursday 10:00 AM	<u>Videoconference</u> This meeting will be held by video/teleconference. Remote participation information will be posted on the agenda prior to the meeting.

Upcoming Board Meetings
December 8, 2022 - 10:00 AM
March 9, 2023 - 10:00 AM
June 8, 2023 - 10:00 AM