

**STATE OF NEVADA BOARD TO REVIEW CLAIMS  
AGENDA  
SEPTEMBER 14, 2023**

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 14, 2023 at the following locations:

Carson City: Richard H. Bryan Building Tahoe Room, 901 South Stewart Street, 2nd Floor, Carson City, NV. Remote participation information is also provided below this agenda.

Las Vegas: Red Rock Conference Room at 375 East Warm Springs Road, Suite 200, Las Vegas, NV. Remote participation information is also provided below this agenda.

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 08, 2023 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 NO. 2023-01 (FOR POSSIBLE ACTION)**

The Board will review and consider adoption of Board Policy Resolution #2023-01, which outlines criteria necessary to be submitted by an operator requesting an additional \$1 million funding allotment for cleanup of discharged petroleum at a storage tank site (NRS 445C.380).

**6. INCREASE TO NON-CEM COSTS FOR TASK J.1 OF THE COST GUIDELINES (FOR POSSIBLE ACTION)**

Staff will request board approval to increase the non-CEM cost limit in Work Scope Task J.1 of the Petroleum Fund Cost Guidelines to account for increasing costs for disposing petroleum impacted soil at the sole disposal facility in northern Nevada.

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 14, 2023**

**HEATING OIL**

			<b><u>REQUESTED</u></b>	<b><u>RECOMMENDED</u></b>
FOR POSSIBLE ACTION	1.	2012000017; 80567 Churchill County School District: Old High School	\$7,302.83	\$7,302.83
			<b>SUB TOTAL:</b>	<b><u>\$7,302.83</u></b>

**NEW CASES**

			<b><u>REQUESTED</u></b>	<b><u>RECOMMENDED</u></b>
FOR POSSIBLE ACTION	1.	2019000008; 80504 Circle K Stores, Inc.: Circle K Store #2701354	\$40,060.82	\$21,118.36
FOR POSSIBLE ACTION	2.	2022000018; 80466 Pilot Travel Centers LLC: Pilot Travel Centers LLC #341	\$23,595.99	\$16,989.11
FOR POSSIBLE ACTION	3.	2022000035; 80501 7-Eleven, Inc: 7-Eleven #29407	\$41,544.79	\$37,390.13
			<b>SUB TOTAL:</b>	<b><u>\$105,201.60</u></b>

**ONGOING CASES**

			<b><u>REQUESTED</u></b>	<b><u>RECOMMENDED</u></b>
FOR POSSIBLE ACTION	1.	1992000126; 80546 Clark County School District: Rc White (Arville) Transportation Satellite	\$21,317.62	\$21,227.62

FOR POSSIBLE ACTION	2.	1994000027; 80513	7-Eleven, Inc: 7-Eleven #19653	\$54,475.15	\$54,475.15
FOR POSSIBLE ACTION	3.	1995000042; 80542	FBF Inc.: Gas 4 Less	\$31,153.88	\$31,058.85
FOR POSSIBLE ACTION	4.	1996000064; 80540	The Esslinger Family Trust: Red Rock Mini Mart	\$15,159.66	\$13,969.63
FOR POSSIBLE ACTION	5.	1998000075; 80557	55 McDermitt Crude, LLC: McDermitt Motel & Convenience Store	\$7,974.29	\$7,106.83
FOR POSSIBLE ACTION	6.	1999000014; 80555	Al Park Petroleum, Inc.: Pit Stop #7 Conoco	\$8,012.48	\$7,211.23
FOR POSSIBLE ACTION	7.	1999000243; 80516	7-Eleven, Inc: 7-Eleven #27607	\$45,772.15	\$41,161.69
FOR POSSIBLE ACTION	8.	2004000011; 80563	Hpt Ta Properties Trust: Wells Petro Truck Service	\$80,249.55	\$72,224.59
FOR POSSIBLE ACTION	9.	2007000014; 80547	Raiders Oz Business, LLC: Former Ace Cab/frias Transportation	\$57,190.90	\$51,471.81
FOR POSSIBLE ACTION	10.	2007000016; 80558	Golden Gate Petroleum Of Nevada LLC: Golden Gate Sun Valley #43	\$6,648.50	\$5,983.65
FOR POSSIBLE ACTION	11.	2010000009; 80568	Hpt Ta Properties Trust: Mill City Travel Center	\$11,227.42	\$9,051.28
FOR POSSIBLE ACTION	12.	2012000012; 80543	Clark County Department Of Aviation: Former Smart Mart	\$15,943.47	\$14,250.29
FOR POSSIBLE ACTION	13.	2013000004; 80571	7-Eleven, Inc: 7-Eleven #29665	\$27,944.51	\$25,150.06
FOR POSSIBLE ACTION	14.	2014000004; 80457	Alsaker Corporation: Broadway Colt Service Center	\$18,026.66	\$16,223.99
FOR POSSIBLE ACTION	15.	2014000007; 80519	7-Eleven, Inc: 7-Eleven #29658	\$24,679.75	\$21,923.44
FOR POSSIBLE ACTION	16.	2014000025; 80564	Superior Campgrounds Of America, LLC: Silver City Rv Resort	\$17,400.94	\$15,660.85
FOR POSSIBLE ACTION	17.	2016000009; 80512	7-Eleven, Inc: 7-Eleven #13685	\$9,084.25	\$8,175.83
FOR POSSIBLE ACTION	18.	2018000009; 80570	Reed Incorporated: Pacific Pride	\$77,530.73	\$69,721.41
FOR POSSIBLE ACTION	19.	2019000044; 80572	7-Eleven, Inc: 7-Eleven #15829	\$46,013.95	\$41,412.55
FOR POSSIBLE ACTION	20.	2020000015; 80509	Canyon Plaza, LLC: Gas 2 Go	\$19,055.33	\$10,289.88
FOR POSSIBLE ACTION	21.	2021000014; 80460	Pilot Travel Centers LLC: Pilot Travel Centers LLC #341	\$57,662.90	\$51,695.66
FOR POSSIBLE ACTION	22.	2021000026; 80517	7-Eleven, Inc: 7-Eleven #25578	\$8,181.93	\$7,363.74
FOR POSSIBLE ACTION	23.	2021000027; 80549	Horizon C Stores, LLC: Horizon Market #5	\$4,950.00	\$4,455.00
<b>SUB TOTAL:</b>				<b><u>\$665,656.01</u></b>	<b><u>\$601,265.03</u></b>
<b>RECOMMENDED CLAIMS TOTAL:</b>				<b><u>\$778,160.44</u></b>	<b><u>\$684,065.46</u></b>

**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.	2023000008; 80511 Robert & Martha Tote: Tote Living Trust Leaking Residential Heating Oil Tank	\$27,016.25	\$26,766.25
FOR DISCUSSION	2.	2023000008; 80520 Robert & Martha Tote: Tote Living Trust Leaking Residential Heating Oil Tank	\$43,160.17	\$43,160.17
FOR DISCUSSION	3.	2023000009; 80510 Sindlinger Capital LLC: Sindlinger Capital LLC Residential Heating Oil Tank	\$31,517.96	\$31,267.96
FOR DISCUSSION	4.	2023000011; 80515 James Hardesty: Residential Heating Oil Tank At 5300 Valley Vista Drive	\$27,549.67	\$27,299.67
FOR DISCUSSION	5.	2023000012; 80514 Packer Family Trust: Packer Family Trust Leaking Residential Heating Oil Tank	\$30,538.34	\$30,288.34
			<b>SUB TOTAL:</b>	<b><u>\$159,782.39</u></b>
				<b><u>\$158,782.39</u></b>

<u>ONGOING CASES</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	1993000102; 80537 Rebel Oil Company: Rebel Store #2008	\$103,639.50	\$103,639.50
FOR DISCUSSION	2.	1994000015; 80524 Pilger Family Holdings: Former D & G Oil Company	\$9,189.77	\$9,189.77
FOR DISCUSSION	3.	1999000023; 80530 Nevada Ready Mix Corp: Nevada Ready Mix	\$17,901.69	\$16,012.62
FOR DISCUSSION	4.	1999000066; 80527 HP Management, LLC: Former Haycock Petroleum	\$27,008.09	\$24,293.78

FOR DISCUSSION	5.	2013000011; 80531	Har Moor Investments, LLC: Village Shop #4	\$63,718.00	\$56,086.20
FOR DISCUSSION	6.	2014000033; 80529	Speedee Mart Inc.: Speedee Mart #108	\$12,278.93	\$10,961.04
FOR DISCUSSION	7.	2017000019; 80536	Rebel Oil Company: Rebel Store #2197	\$2,627.50	\$2,364.75
FOR DISCUSSION	8.	2018000005; 80534	Rebel Oil Company: Rebel Store # 2153	\$4,150.50	\$3,735.45
FOR DISCUSSION	9.	2019000002; 80535	Rebel Oil Company: Rebel Store #2166	\$5,072.75	\$4,565.47
FOR DISCUSSION	10.	2019000014; 80532	Western Cab Co: Western Cab CO	\$8,123.00	\$7,243.20
FOR DISCUSSION	11.	2022000012; 80533	Neissan Koroghli: City C-Store (7-11)	\$15,267.50	\$13,569.30
FOR DISCUSSION	12.	2022000015; 80538	Rebel Oil Company: Rebel Store #2197	\$16,720.66	\$11,434.08
			<b>SUB TOTAL:</b>	<b><u>\$285,697.89</u></b>	<b><u>\$263,095.16</u></b>
			<b>DIRECT PAYMENT CLAIMS TOTAL:</b>	<b><u>\$445,480.28</u></b>	<b><u>\$421,877.55</u></b>
			<b>BOARD MEETING CLAIMS TOTAL:</b>	<b><u>\$1,223,640.72</u></b>	<b><u>\$1,105,943.01</u></b>

**9. EXECUTIVE SUMMARY (FOR DISCUSSION)**

NDEP will brief the Board on Fund tank enrollment status, year-to-date case coverage status, claim reimbursement expenditures to-date, and other quarterly program activities.

**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 14, 2023 (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

In addition to the physical meeting locations, viewing of and participation in the September 14, 2023 Board to Review Claims Meeting will be available via video/teleconference. Meeting access information is listed below:

**Microsoft Teams meeting**

Join on your computer, smart phone, or tablet using the following link:

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_ZGNhMjhmMGQtZmY1MC00NWE5LTg3YjMtODQzYTlmNTg1OTA2%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22f5d90261-50cc-4af0-a3bb-e68b8276e5d2%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZGNhMjhmMGQtZmY1MC00NWE5LTg3YjMtODQzYTlmNTg1OTA2%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22f5d90261-50cc-4af0-a3bb-e68b8276e5d2%22%7d)

Or call in (audio only)

+1 775-321-6111,405462711# United States, Reno  
Phone Conference ID: 405 462 711#

The agency can accommodate limited seating at the meeting locations and requests advanced notice to accommodate attendees. 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](mailto:talishio@ndep.nv.gov), by calling (775) 687-9369, or in writing at NDEP-BCA, Board to Review Claims, 901 S. Stewart St., Ste. 4001, Carson City, NV 89701 no later than September 11, 2023.

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](mailto: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.