# Meeting Agenda

# 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** | | | | **REQUESTED** | **RECOMMENDED** |
|---|---|---|---|---|---|
| FOR POSSIBLE ACTION | 1. | 2012000017; 80567 | Churchill County School District: Old High School | $7,302.83 | $7,302.83 |
| | | | **SUB TOTAL:** | **$7,302.83** | **$7,302.83** |

| **NEW CASES** | | | | **REQUESTED** | **RECOMMENDED** |
|---|---|---|---|---|---|
| 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 |
| | | | **SUB TOTAL:** | **$105,201.60** | **$75,497.60** |

| **ONGOING CASES** | | | | **REQUESTED** | **RECOMMENDED** |
|---|---|---|---|---|---|
| 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 |
| | | | **SUB TOTAL:** | **$665,656.01** | **$601,265.03** |
| | | | **RECOMMENDED CLAIMS TOTAL:** | **$778,160.44** | **$684,065.46** |

## 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**

| HEATING OIL | | | | REQUESTED | PAID |
|---|---|---|---|---|---|
| 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 |
| | | | **SUB TOTAL:** | **$159,782.39** | **$158,782.39** |

| ONGOING CASES | | | | REQUESTED | PAID |
|---|---|---|---|---|---|
| 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 |
| | | | **SUB TOTAL:** | **$285,697.89** | **$263,095.16** |
| | | | **DIRECT PAYMENT CLAIMS TOTAL:** | **$445,480.28** | **$421,877.55** |
| | | | **BOARD MEETING CLAIMS TOTAL:** | **$1,223,640.72** | **$1,105,943.01** |

## 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

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, 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, 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 8, 2023 Minutes

(FOR POSSIBLE ACTION)

# STATE OF NEVADA BOARD TO REVIEW CLAIMS BOARD
# MEETING MINUTES
# JUNE 8, 2023

## 1. CALL TO ORDER

**Chair Tappan** called the meeting to order at 10:00 a.m. The meeting was held in the Tahoe Room of the Richard H. Bryan Building located at 901 South Stewart Street, Carson City, NV and video-conferenced to the NDEP Las Vegas Office located at 375 East Warm Springs Road, Suite 200, Las Vegas, NV. Remote participation was also available via Microsoft Teams.

### A. BOARD MEMBERS PRESENT

Maureen Tappan, Chair – Representative of the General Public
Rod Smith, Vice-Chair – Representative of Petroleum Refiners
LeRoy Perks – Representative of the Independent Retailers of Petroleum
Jason Case – Representative of Independent Petroleum Dealers
Karen Stoll – Department of Motor Vehicles
Jennifer Carr – Nevada Division of Environmental Protection
Mike Dzyak – State Fire Marshal's Office
Katie Armstrong – Legal Counsel for State of Nevada, Attorney General's Office

**BOARD MEMBERS NOT PRESENT**

N/A

**OTHERS PRESENT**

Jeff Collins, Jeff Kinder, Michael Cabble, Kim Valdez, Megan Slayden, Don Warner, Jonathan McRae, Tristin Alishio, Ben Moan, and Chuck Enberg, John Karr, and Michael Mazziotta – Nevada Division of Environmental Protection (NDEP)
Matt Grandjean – Stantec
Kathleen Johnson – The Westmark Group
Joseph Rodriguez - State Fire Marshal's Office
Rex Heppe – Terracon Consultants, Inc.
Kelly Paige Arrup - The Westmark Group
Kurt Goebel – Converse Consultants
Harold Crutcher – Red Rock Mini Mart
Jeremy Holst - Broadbent & Associates
Stephanie Holst – Broadbent & Associates
Keith Stewart – Stewart Environmental, Inc.
Linette McMonagle – Atlas/ATC

No additional participants called into the meeting using the teleconference number.

## 2. PUBLIC COMMENT

**Chair Tappan** introduced Jennifer Carr, NDEP Administrator, who has filled the Board member seat vacated by Greg Lovato. **Ms. Carr** provided a brief background of her time with NDEP, which spans 27 years.

There were no public comments.

## 3. APPROVAL OF THE MARCH 9, 2023 MINUTES

**Chair Tappan** called for changes to the minutes.

**Vice Chair Smith moved to approve the March 9, 2023 minutes as presented. LeRoy Perks seconded the motion. Motion carried unanimously.**

## 4. STATUS OF THE FUND

**Michael Cabble, NDEP**, provided a summary of Petroleum Fund revenues and expenditures. He stated that the balance forward for State Fiscal Year 2022 was $7,500,000. Approximately $402,800 has been received in tank enrollment fees for Enrollment Year 2023 thus far. Approximately $9,280,684 has been generated by the $0.0075 Petroleum Fund fee. The Fund has earned approximately $73,820 in interest. During the last quarter, the Fund received funds derived from the Eagle Gas cleanup in the amount of $1,292,480.42. Total revenue received by the Fund for this fiscal year is $18,549,783.88. Board member salaries currently total approximately $1,177. In-state travel costs for Board Members total approximately $176. Board meeting operating costs total approximately $893. Money transferred to NDEP for program administration, state-led cleanups, staff salaries and other maintenance totals $1,663,111. Grant award payments made so far this year total $136,704. The fee paid to the DMV for the $0.0075 petroleum fee collection totals $12,714. The reimbursement of Petroleum Fund claims thus far total $3,745,063. Total expenditures from the Fund total $5,559,838.31, which currently leaves a current available balance in the Petroleum Fund of $12,989,945.57.

**LeRoy Perks** asked for clarification that the proceeds from the Eagle Gas cleanup litigation are deposited into the general account. **Mr. Cabble** confirmed that the funds are deposited into the Petroleum Fund account.

In response to a further question from **Mr. Perks**, **Mr. Cabble** stated that the funds are not used for pet projects. Any reimbursements collected from Fund expenditures of the Fund are returned directly to the Fund. At the end of year, whatever remains in excess of the $7.5 million cap are subject to transfers in accordance with statute.

**Vice Chair Smith** asked how close the Eagle Gas litigation award came to covering the expenses. **Mr. Cabble** clarified that the Petroleum Fund funded the bulk of the cleanup, however a few other programs also provided funding. The recovered costs lined up quite nicely. The judgment was for $1.6 million with interest accrual. The actual cleanup costs were in line with this total.

## 5. SITE SPECIFIC BOARD DETERMINATION NO. C2023-01

**Don Warner, NDEP**, presented this item, which proposes reduced coverage for Mountain View Hospital diesel release. The facility is located at 3100 North Tenaya Way, Las Vegas, Nevada and has three 10,000-gallon storage tank systems containing diesel fuel. One of the three underground storage tanks (USTs), Tank No. 1, had a release from the product line and is being considered for coverage at this time. As part of the facility infrastructure, a powerhouse building has been constructed at the property. The powerhouse building contains various equipment and infrastructure that is required for the facility to operate. During normal operations, the equipment in the powerhouse building is operated by power supplied through a municipal energy grid. However, to ensure continued operation of the equipment in the powerhouse building during disruptions to the municipal energy grid, diesel fuel is also stored onsite. The diesel fuel stored in the USTs is supplied to various equipment in the powerhouse building through a combination of underground and above ground piping.

The UST associated with this application identified as Tank No. 1 is located to the south of the powerhouse building. The diesel fuel stored in Tank No. 1 is transferred via four suction pumps to various equipment located within the powerhouse building. Suction Pumps No. 1 and No. 2 transfer diesel fuel from Tank No. 1 to a 200-gallon above

ground storage tank (AST) that is used to convey fuel to an emergency generator. Suction Pumps No. 3 and No. 4 also transfer diesel fuel from Tank No. 1 directly to two boiler units located within the powerhouse building. Mountain View Hospital engineering representatives perform routine shift inspections of the equipment in the powerhouse building. During a shift inspection performed on December 12, 2021, a representative observed a leak occurring from a pressure gauge along a section of the above ground piping associated with Tank No. 1 down-gradient of Suction Pump No. 4 that supplies fuel to the boiler units within the powerhouse building. Upon observing the leak, system operations were immediately ceased. The pressure gauge was replaced. According to a Mountain View Hospital representative, the pressure gauge failure was a result of operational wear and tear. Two diesel fuel releases have occurred near one another associated with Tank No. 1 and in the interior of the powerhouse. The first release occurred in 2014 from the emergency generator system because of an overfill switch failing during the transfer of diesel fuel from a 10,000-gallon UST to a 200-gallon AST. The second release, being evaluated today, occurred in 2021 when a pressure gauge failed along the piping associated with the UST that supplied diesel to the boiler units. Both the 2014 and the 2021 releases remain open cleanup cases with NDEP.

To delineate the extent of the petroleum hydrocarbon contamination associated with the 2014 release, Environmental Site Assessment activities were performed at the property from 2014 through 2016. It was estimated that approximately 1,320 cubic yards of petroleum hydrocarbon-impacted soil remained in place associated with the 2014 release. Based on information obtained from the UST automatic tank gauging system, approximately 450 gallons of diesel fuel were released during the December 2021 release. The impacts of the 2021 release have comingled with the petroleum hydrocarbon impacted soil from the 2014 release. The Tank No. 1 impacted soil associated with the 2021 release is eligible for Fund coverage, however, the leak associated with the 2014 release was denied coverage because the source of the release occurred at the failed overfill switch on the 200-gallon AST that was not enrolled in the Fund at the time of the release discovery. Therefore, in accordance with Board Policy Resolution No. 99-22, NDEP staff's recommendation to the Board is the adoption of Site Specific Board Determination No. C2023-01, as proposed, granting coverage under the State of Nevada Petroleum Fund to Mountain View Hospital with a 20% reduction, due a non-Fund-eligible release source that is comingled with a Fund-eligible release source and a 10% copayment, for a total of $720,000. The certified environmental manager (CEM) and owner/operator will not be contesting NDEP's reduction recommendation.

**Chair Tappan** invited questions from the Board.

**Vice Chair Smith** asked for clarification on the reference to personal damages: "…cost of $720,000 for damages to a person…" **Mr. Cabble** stated that when coverage is awarded for a storage tank, this involves two fund allocations. One is $1 million that may be applied toward cleanup and the second to third party damages, which is what is referred to in the coverage recommendation. In the statute, this is referred to as damages, other than the operator or the State. The reduction applies to both. The full amount is $1 million. Typically, there is a 10% copayment. When a reduction is applied, the reduction percentage is taken off the top of the $1 million. In this case, that equates to 20% along with the 10% copayment. Broken down, this results in $720,000 for cleanup and $720,000 for third party damages, if applicable.

**Mr. Perks** inquired about an estimated cost for cleanup. **Mr. Warner** said this question would be referred to the CEM. **Jeremy Holst, Broadbent & Associates,** stated that they do not anticipate the cleanup to be substantial, as it is comingled with an existing issue at the site. They were in the process of obtaining a no further action decision for the release by leaving the impacted soil in place when the new release occurred. Closing the case with contamination in place will likely still be the plan moving forward; however, shortly after the new release occurred, Mountain View Hospital had a scheduled substantial upgrade to the powerhouse building, which is currently ongoing. This includes removal of two existing USTs at the site. One has already been removed and the one associated with this request is being planned for removal in July, once the emergency generators are placed on the other UST being installed. They have not yet completed any environmental site assessment activities, given that the area is so small and there is not currently available access amidst the ongoing construction. It is anticipated to be a limited investigation, with the new release anticipated to be well within the footprint of the original release of 2,700 gallons.

**Mr. Perks** commented that a 20% reduction seems excessive, given that the first release was as a result of a mechanical failure and the operator was doing everything right at the time.

**Vice Chair Smith** asked for clarification that either way, there are sufficient funds to address the problem. **Mr. Warner** stated that this was the impression he received from Mr. Holst, who seemed to indicate that the $720,000 would be sufficient to cover the costs. **Mr. Cabble** added that with the resolution that this Site Specific Board Determination references, the first release was not eligible and therefore, not covered. Because the new release falls within the footprint of the original release, funding being considered would essentially cover an old release that was not eligible for coverage, and this is why the reduction is recommended.

**Vice Chair Smith** asked why the original release is still an open case. **Mr. Warner** said this is because the cleanup is still in process, however the Fund is not covering reimbursement for the original cost. The responsible party must fund the cleanup. **Mr. Cabble** clarified that the Petroleum Fund refers to its sites as cases. The cleanup program also refers to its cleanup projects as cases. There is a cleanup case or "event," for both releases. One event was in 2014 and the second in 2021, so there are still two cases being worked in terms of cleanup and assessment, but only one is a Fund-eligible. In essence, there is one Fund case and two cleanup cases.

**Mr. Perks** asked for clarification that the 2014 case was not eligible, because it involved an above ground failure of a mechanical equipment component. **Mr. Cabble** stated that there are two systems involved with the emergency generator setup. This includes the underground system and the above ground system, from the day tank (above ground storage tank) to the generator. The determination was made in the original denial letter that they are two separate systems. While the underground system was registered, the above ground system was not. The release occurred within the above ground portion of the system. Statute and regulation allow for an above ground storage tank system to be enrolled and registered with the Fund; however, the above ground portion of the system was not enrolled at that time.

**Mr. Perks** asked when it became permissible that above ground systems would be onboard. **Mr. Cabble** said he was unsure whether it was part of the original statute in 1989 or 1995, however, it was early on.

There being no further questions from the Board, **Chair Tappan** invited a motion.

**Vice Chair Smith moved to approve Site Specific Board Determination No. C2023-01, as proposed, granting coverage under the State of Nevada Petroleum Fund to the Mountain View Hospital for one UST system with a 20% reduction in addition to a 10% copayment. Mike Dzyak seconded the motion. Motion carried unanimously.**

## 6. SITE SPECIFIC BOARD DETERMINATION NO. C2023-02

**Megan Slayden, NDEP,** presented this item, which is a request for an additional allotment of funding under the statutes passed under Assembly Bill 40 during the 2021 legislative session. This is the first time a request for an additional allotment has been received. Fund staff does not yet have a policy resolution established for this type of request, so they have referenced each applicable statute in this Site Specific Board Determination. A draft policy for future requests will be presented in the next agenda item for discussion. For this request, each of the statutes will be reviewed for Board consideration.

Site Specific Board Determination No. C2023-02 proposes to provide an additional allotment of funding to the former Red Rock Mini Mart, Petroleum Fund Case 1996000064, Facility ID 8-000161. The subject site, located at 5525 West Charleston Boulevard, Las Vegas, NV was previously awarded coverage for two releases from storage tanks, with a 3% reduction and a 5% copayment. The operator has requested an additional allotment of funding in accordance with Subsection 4 of NRS 445C.380, provided as attachment A. Attachment B includes the operator's request which was prepared by the CEM. Petroleum Fund staff has reviewed the request and prepared this Site Specific Board Determination to assist the Board determine eligibility. Each statute will be addressed and documentation referenced by staff is included as attachments in the binders provided to the board members.

Subsection 4 of NRS 445C.380 states, "**The Board may approve an operator to receive an additional allotment of not more than $1,000,000 from the Fund for cleaning up discharged petroleum at the site of a storage tank if:**

a) **The Division requires additional cleanup to occur in compliance with any of the requirements of the Division concerning the cleanup of discharged petroleum."**

The NDEP case officer has requested that closure activities occur at the site in correspondence dated May 19, 2023, which is provided as Attachment D.

Subsection 4, paragraph (b) of NRS 445C.380, states, "**The Board determines that:**

1) **The operator is in compliance with any requirements of the Division concerning the cleanup of discharged petroleum."**

The case officer has concurred with this statement, as provided in Attachment C in the binders.

Item (2) of the same paragraph states, **"The operator has obtained approval from the Division for a plan and a schedule to clean up the discharged petroleum."**

The Division has concurred with the plan and schedule via email. This correspondence is included as Attachment E.

Subparagraph (3) and (4) relate to one another and state the following, **"(3) Except as otherwise provided in subparagraph (4), the operator is not liable pursuant to Subsection 1 of NRS 445C.390. (4) If the operator is liable pursuant to subsection 1 of NRS 445C.390, the operator has complied with subsection 2 of NRS 445C.390."**

NRS 445C.390 speaks to operator negligence and/or violence of federal and state requirements proximately causing a discharge to the environment. Staff have not found this to be the case, so these subparagraphs are not applicable.

**Moving on to subparagraph (5), "The facility where the storage tank is located has complied with the applicable provisions of NRS 459.800 to 459.856, inclusive, for the immediately preceding three years."**

The statutes cited in this subparagraph reference storage tank requirements. The tank systems at this site were removed in the mid-1990s and there are no new tanks onsite. Therefore, this section does not apply.

Subparagraph (6) states, "**The operator has not received money for damages pursuant to subsection 1 before July 1, 2021;"**

A review of the NDEP files has shown that this operator has not received monies for damages.

**Subsection 4, paragraph (c) of NRS 445C.380 states, "The amount paid to the operator pursuant to subsection 1 for cleaning up the storage tank has been exhausted."**

Claim No. 80401 was approved for reimbursement at the March 2023 Board meeting and exhausted the remaining funds for the case.

Lastly, Subsection 6 of NRS 445C.380 states, **"If the Board approves an additional allotment for cleaning up discharged petroleum at the site of a storage tank pursuant to subsection 4 or 5, for each such allotment… (b) An operator which is a small business shall pay an amount equal to 5% of the allotment for the costs of cleaning up discharged petroleum at the site..."**

This operator was previously determined to be a small business by the Board, so a 5% copayment will be applied to future claims approved for payment.

Based on a review of the documentation provided with the request for an additional allotment of cleanup funding, staff recommend that the Board approve the allotment of funding in the amount of $921,500 for the former Red Rock Mini Mart. This represents $1 million in funding minus a 3% reduction and a 5% copayment. The Board has the authority to approve a value of not greater than $1 million for this allotment. A cost schedule for the remaining cleanup activities at the site has been provided in the request from the operator.

**Mr. Cabble** commented that this is a new process commensurate with statutes adopted during the 2021 legislative session under Assembly Bill 40. A draft policy will be discussed in the next agenda item. The goal was to provide an overview of requirements. Staff's goal is to demonstrate that they have reviewed each requirement as well as documentation that either supports the requirement or was not applicable. It is staff's belief that each of the requirements have been met and they recommend the extra allotment.

**Mr. Perks** commented that prior to 2021, the extra $1 million was awarded via third-party funding. **Mr. Cabble** clarified that there was a separate policy resolution that was rescinded, having been called out during the audit. It was determined to conflict with statute and because of that, new statutes were proposed and adopted by the legislature as a replacement for the rescinded policy. In summary, funding no longer comes from third-party damages and is applied to cleanup.

**Vice Chair Smith** asked whether this is a permissible request on only one-time basis. **Mr. Cabble** stated that Subsection 4 outlines the first additional allotment. Prior initial coverage is approved based on the number of tanks that leak. If three tanks leak, up to $3 million may have been approved. Once those initial funds are exhausted, Subsection 4 allows the first additional allotment. If the additional $1 million is expended, the owner/operator can make an additional request. This is governed under Subsection 5, which involves an additional request to the Board, accompanied by fulfillment of all the same requirements of Subsection 4. The Board ultimately decides whether to approve additional funding allotments. There is not a set restriction on the number of requests that can be made.

One of the more significant statute requirements when considering additional allotments is the plan and schedule. An operator who seeks additional funding from the Board must be able to demonstrate a specific plan for use of the funds being requested. The focus of this specific case requests funding to carry out closure activities onsite. The remediation and assessment have been completed. Next steps include abandoning the monitoring wells and obtaining the no further action determination.

**Chair Tappan** referenced Attachment B, Table No. 1, which shows the estimated cost of closure with a 15% contingency is approximately $305,000. The Board should determine whether it wants to grant the full $1 million or the projected estimate.

**Mr. Perks** commented that initial cleanups are approved for the full $1 million, and the Board may not wish to commence with regulating dollars and cents. Should the estimate not be accurate, the owner/operator will have to request additional funds for Board approval. He suggested that staff be allowed to manage that aspect of the process.

**Vice Chair Smith** stated that based on the information received and what is known about current laws and statutes, allocation of the $1 million seemed to be the proper course.

**Jennifer Carr** thanked staff and the CEM for compiling a very helpful package. Particularly helpful was the letter from Jeremy Holst that detailed the statute elements in conjunction with providing feedback supporting the requirements had been met and with which the Division concurred.

In terms of processing additional allotments beyond the first $1 million (subsection 4), it will be incumbent on the agency and the Board to ask tough questions about the need for additional funding at that time. This case involved a groundwater cleanup, which is expensive and time intensive. As such, she appreciates the reason for seeking additional funding. She noted that NDEP is filing a new position that will look at long-term cases to determine whether technologies or other approaches may assist in the speed of cleanups in order to avoid drawn-out and very expensive cases.

There being no further Board comments, **Chair Tappan** invited a motion.

**LeRoy Perks moved to approve adoption of Site Specific Board Determination No. C2023-02 as proposed, granting additional cleanup funding in accordance with Subsections 4 and 6 of NRS 445C.380 under the State of Nevada Petroleum Fund to Red Rock Mini Mart for $921,500. This represents $1,000,000 in coverage minus a 3% reduction and a 5% copayment. Vice Chair Smith seconded the motion. Motion carried unanimously.**

**Vice Chair Smith** stated that it would be interesting to know the final costs of cleanup cases. **Mr. Cabble** stated that during the audit and with regard to the previous third-party policy, a list was provided for how many cases had been shifted to third party funding for an extra $1 million. At that point in time, there were approximately 30 such cases. When considering that there have been approximately 1,800 total cases, exceeding the initial coverage amount has not been generally common. That said and as discussed in prior meetings, there is acknowledgment regarding the effects of inflation and rising costs, which may drive overall cleanup costs higher in the future. In response to **Vice Chair Smith's** request, **Mr. Cabble** stated that he could run a query and provide the totals to the Board. **Vice Chair Smith** suggested a report of cost of cleanups closed over the past five years is sufficient.

## 7. BOARD DISCUSSION FOR PROPOSED POLICY RESOLUTION NO. 2023-01

**Mr. Cabble** provided a review of the draft Board Policy Resolution No. 2023-01, which is intended to provide consistency to the request for additional allotments of cleanup funding and facilitate an efficient approval process. Board and public input are welcomed for the draft language. Once finalized, there will be a future presentation to the Board with a request for adoption, likely during September's meeting. The need for the resolution was recognized by staff when considering what documentation we would need to collect regarding the request discussed in Agenda Item No. 6. Additionally, NDEP has been approached by other CEMs who are requesting general guidance on how to demonstrate their operators have met the requirements for additional funding allotments. Some of these sites have either reached or are quickly approaching funding caps. The goal is to provide consistency by identifying specific documentation an operator or representative must provide to NDEP and the Board for approval. The policy focuses on three subsections of the Nevada Revised Statute under 445C Section 380. These include Subsection 4, which addresses the initial request for an additional allotment; Subsection 5, which addresses additional requests for allotments of cleanup funds; and Subsection 6, which states that additional allotments are subject to the same copayments as was applicable in the original coverage decision.

Mr. Cabble provided a review of the findings:

- All additional allotments must be approved by the Board.
- Maximum allotment amount is $1 million.
- The Division must still require cleanup activities to be performed onsite.
- The operator must demonstrate compliance with applicable Division cleanup requirements.
- The operator must provide a plan to move the cleanup forward and include the most likely path to closure.
- The operator must be able to demonstrate that the source of the contamination has been identified and/or removed and that the remediation method selected will clean up the source area and/or any remaining contamination to the soil or groundwater.
- The plan must be submitted and approved by the Division, including an estimate of costs.
- All prior cleanup funding must have been exhausted.

Subsection 5 discusses that all funding previously awarded under Subsection 4 must be expended and all requirements of Subsection 4 must be met. Each time there is a supplemental $1 million request, the owner/operator and/or its representative must come before the Board and repeat the request process, including updating the plan

and providing a new cost estimate. Subsection 6 states that the operator is responsible for its cost share allocation with each allotment approved by the Board. In summary, for staff and ultimately the Board, to make a decision, any request must include all documentation necessary to make a determination on each governing statute.

**Mr. Cabble** listed items necessary that would be provided for the Board's review:

- If the request is not directly submitted by the operator, the claimant must sign and complete a certification statement that they understand what is contained in the request, the supporting documentation being provided, and that they agree with the request being made on their behalf.
- The request for an additional allotment of cleanup funding must include NDEP correspondence requiring additional cleanup, including a directive for additional assessment, remediation, or closure activities.
- There must be a written statement of concurrence from the cleanup case officer that the operator is in compliance with all cleanup directives at the time of the request.
- There must be a written Division-approved plan and schedule, for which requirements are laid out in the Item No. 4 of the resolution. The cost estimate should reflect the activities outlined in the plan.
- NRS 445C.390 discusses gross negligence or misconduct resulting in a release. If a release had occurred because of neglect, coverage should have been denied. Section 390 goes one step further with language applicable to any new release which has occurred after cleanup has commenced at a site and clarifies that additional funding should be denied under this scenario.
- If an operator is conducting cleanup at a facility where there are also active storage tanks, the statutory requirement states that the Division must review the last three years of compliance records. The facility must demonstrate compliance with the storage tank statutes governed under NRS 459.800 through 459.856. A statement from the storage tank program or compliance records such as inspection reports or letters must indicate that the facility is in significant operational compliance and has complied with storage tank requirements the past three years. If violations are identified, follow-up correspondence will be reviewed to determine if the violations have been addressed, indicating the facility had complied with storage tank requirements. Having a violation within the last three-year period does not necessarily preclude additional funding; however, there must be documentation to support that any identified issues have been addressed.

Once staff have received the request and supporting documentation, staff will do the following: Perform a file review to ensure the operator has not received funding for third-party damages (statutory requirement); ensure all prior cleanup funding has been exhausted; and if the requirements of Subsections 4 and 5 appear to be met, draft a site-specific board determination. After vetting and confirmation that requirements have been met, staff will bring the request along with the site-specific board determination to the Board for adoption. If sufficient documentation is not provided from the operator, the request will likely not be presented to the Board. This decision may be appealed for further review. The Board has the ultimate decision-making authority, regardless of staff's recommendation.

**Mr. Cabble** suggested that the Board and Chair concur with the opening of a public comment period. There have been a few comments received over the past couple weeks from CEMs who expressed concern with some of the draft language.

**Chair Tappan** welcomed questions or comments from the Board.

**Vice Chair Smith** asked how the third party $1 million fits into this agenda item. **Mr. Cabble** clarified that this is specific to cleanup funding. The statute does not permit additional fund allocation for third party damages. The most voiced concern brought up when discussing repeal of the prior third-party liability resolution, is that additional funds are needed for cleanup of the site. There was not a concern raised regarding the fact that $1 million may not cover the costs incurred in lawsuits. The statutes are specific to cleanup only. If a site was awarded coverage, the operator received $1 million for cleanup and $1 million for liability. If they expend the $1 million for cleanup, they

can request the additional $1 million under these statutes, and the $1 million initially granted for liability also remains available. In response to a request for clarification from **Vice Chair Smith**, **Mr. Cabble** confirmed that an extra $1 million for liability is not awarded with the additional allocation provided for cleanup.

There being no further Board questions, **Chair Tappan** opened the item for public comment.

**Keith Stewart, Stewart Environmental,** addressed the requirement for UST compliance. He noted that he is the CEM for 12 of 48 cases on the consent agenda in today's meeting. Of these 12, 9 of the cases have a claimant that neither owns nor operates the UST site. He provided an example scenario whereby a claimant owns a property in 2015 and discovers a release, possibly due to a phase II for a property transfer. The claimant takes responsibility and submits an application. The property is later sold. Now, the new owner/operator have nothing to do with the cleanup, and cleanup remains the responsibility of the claimant, who is not responsible for the UST management. In terms of the policy resolution requirement to show three years of UST compliance, the previously mentioned 9 claimants would be doing a responsible cleanup for a property they do not own. It is likely that in 30 to 35% of cases, the claimant is not the operator or owner. There is no way to force the current UST operator to be in compliance. If these requirements are put in place, there is no way for many claimants to submit for the additional $1 million, as they will not be able to ensure that the operator is still in compliance. Instead, the Board should consider that if a new release occurs, UST compliance would be reviewed as part of the new application review.

**Mr. Stewart** shared an analogy in the purchase of a car and obtaining the required insurance. Three years after the purchase, the car is sold. Now, your insurance is asking for records that the new owner is compliant with safety and oil changes, or you are at risk of losing your insurance.

**Mr. Perks** commented that the sale of a property, for which there is ongoing cleanup, would have extra burden on the contract to sell. It would need to ensure that the new owner stays in compliance or be obligated to take over the cleanup.

**Mr. Cabble** addressed the requirement that the facility demonstrate compliance. He presented three possible scenarios: The first applicable scenario is that the operator doing the cleanup and being reimbursed by the Fund also owns the USTs. The intent of the statute was meant to address this scenario. Under this scenario, the statute absolutely applies. Compliance with storage tank requirements is meant to prevent releases and if they do happen, to stop them and address them timely. That said, the language of the current statute must be abided by, and the language identifies facility compliance versus operator compliance. This means that the Division is held to ensuring that the facility has complied with the storage tank statutes. A second scenario would involve an operator who is performing cleanup and being reimbursed by the Fund for a site that no longer has storage tanks. The statute would not be applicable in this scenario.

**Mr. Cabble** stated that he was recently informed by Mr. Stewart and others of a third scenario maybe not considered in the statute language, as reflected in Mr. Stewart's analogy and Mr. Perks' comment. He and staff have since evaluated how they intend to implement the policy while adhering to statute in the scenario where the operator conducting the cleanup and being reimbursed by the Fund is not the same operator of the active storage tanks onsite. The Division cannot unilaterally decide that the intent of the language was applicable to the operator instead of the facility. They must follow the written law. In assessing the concerns brought forth, he reviewed the storage tank statutes under NRS 459.800 through 459.856, particularly regarding definitions of compliance. Subsection 3 of NRS 459.856 includes language that the Department can compel compliance with storage tank statutes by either an injunction or other appropriate remedy. Storage tank programs, including Southern Nevada Health District, Washoe County Health District, or NDEP will go through various enforcement practices when a violation is identified. Regardless of the operator at the site, the regulations and violations must be addressed. When those compliance issues are addressed, a determination can be made the facility has complied with the storage tank requirements. In the scenario where the storage tank facility is not compliant and the cleanup operator and UST operator are different

entities, a couple factors must be addressed before a request for additional cleanup funding can be submitted. The cleanup operator may need to wait for enforcement of the violation to be complete or they will have to pursue alternative means to compel the other operator to comply with the storage tank program.

**Mr. Cabble** stated that it is important to keep in mind that, like an insurance company, the Fund must consider liability when covering releases from storage tanks. A noncompliant operator or facility represent a high risk. The Division does not want to be on the hook for covering either an ineligible release, or an extended cleanup due to an ongoing release. If a storage tank operator having nothing to do with the cleanup has been in violation in the last three years, this does not necessarily preclude an extra allotment of cleanup funds being approved for the cleanup operator. However, the violation must be addressed, and the facility must have complied following the violation in the past three years before Board consideration can be made. If the facility is out of compliance at the time cleanup funding is exhausted, the cleanup operator will have to work with the other entity involved or wait out the enforcement process.

**Mr. Stewart** stated that while he understands the explanation, it will likely lead to legal action. He has personally been involved in 30 to 40 gas station sales where there has been contamination. The claimant receives the reimbursement and once this is written into the contract, the new operator has nothing to do with the prior release. A few of these cases are currently ongoing. During the December meeting, a similar scenario was being discussed. Although the claimant no longer has responsibility for the storage tanks at the site, they received a 20% reduction, because the current operator was not in compliance. In a scenario where a claimant is appropriately completing remediation but there is lack of full compliance from the operator, the claimant will likely sue the operator. It is not practical to force an operator to remain in compliance after the sale, especially for sites that have been sold in the past 3-10 years.

**Jonathan McRae, NDEP's Underground Storage Tanks (UST) Compliance & Leaking USTs Program Supervisor,** stated that he oversees the contracts with Southern Nevada Health District and Washoe County Health District regarding the Underground Storage Tank Program. The Board should be made aware that owners with active gas stations are compelled to comply under the compliance and enforcement process, which follows a 90-day, three strikes procedure prior to delivery prohibition. In his eight years of experience in his position, nearly every owner has complied because they want to dispense fuel. Most operators are typically compelled to come into compliance once a violation has been identified. If they remain noncompliant, he will institute a delivery prohibition, which means the facility cannot receive more fuel to their tanks until compliance is met. Previous NDEP supervisors, current supervisor for the Petroleum Fund, himself, other operators, Washoe County, and Southern Nevada Health District have worked hard to ensure that requirements are followed. It behooves owners to be in compliance in order to avoid Fund reductions due to comingled plumes.

**Chair Tappan** commented that the Board's hands are tied, due to the obligation to comply with the statute. **Mr. Cabble** added that in order to change language in a statute, it would have to be presented as a bill draft request for the next legislative session, which is two years from now. If over the next year, the statute proves to be problematic, the Board may consider submitting a bill draft request.

**Chair Tappan** stated that if the Board approves the proposed policy resolution at its next meeting, they will have a year to monitor conditions and consider the statute language change submittal. **Mr. Perks** indicated he believes a statute change will likely be necessary but concurred with Mr. McRae that there are available tools with Washoe County and Clark County and throughout the state to enforce compliance. Ultimately, the CEMs will have the best grip on what is occurring onsite, and they could request help from the UST programs in addressing noncompliance with storage tanks. **Mr. Cabble** added that there is nothing to prevent an operator from communicating to a UST compliance program that there is a problem at the site for which they are attempting cleanup. An enforcement action will add awareness as to the underlying concerns.

**Ms. Carr** concurred with Mr. Perk's comments. She empathizes with Mr. Stewart's situation, where properties have changed hands prior to the change in law and where the purchase and sale agreement does not address this issue. However, a savvy seller, who is conducting the cleanup, would likely wish to have terms in the purchase and sale agreement that helps to cover them for this purpose moving forward. For those caught in this situation currently, the bridges will have to be crossed as they come. The NDEP and UST program is performing inspections and trying to ensure that facilities are in compliance on an ongoing operational basis. However, anyone can report ongoing issues, and claimants who are not current owners can assist in facilitating compliance in order to protect themselves.

It is unknown how many entities will be requesting the additional $1 million funding and how many cases are approaching their funding limits. It may be helpful to keep a closer review of facilities approaching their funding limit who may potentially be seeking the additional funding. It is possible to utilize components of the various programs and authorities of the Division to try to prevent problems from occurring.

**Mr. Cabble** stated that he would put together a list of active facilities, current coverage conditions, funding spent to date, and associated operators. This would be in addition to the list requested by Vice Chair Smith regarding how much has been spent on sites that have been closed over the past five years. The lists will be provided with the proposed resolution in September. **Ms. Carr** commented that this would be helpful to provide perspective. Perhaps Mr. Stewart can also assist in providing perspective on the cases he discussed during the meeting.

## 8. ADOPTION OF CONSENT AGENDA

**The Board reviewed all items as a consent agenda item. There was no discussion regarding an individual item.**

| **HEATING OIL** | | | | **REQUESTED** | **RECOMMENDED** |
|---|---|---|---|---|---|
| FOR POSSIBLE ACTION | 1. | 2012000017; 80473 | Churchill County School District: Old High School | $8,063.57 | $8,063.57 |
| FOR POSSIBLE ACTION | 2. | 2022000004; 80452 | Hinman 2005 Family Trust, W & C: Heating Oil Tank, 604 S. Wells Ave. | $31,808.94 | $14,766.64 |
| FOR POSSIBLE ACTION | 3. | 2023000003; 80488 | Ralph Menke: Menke Heating Oil | $7,720.03 | $7,470.03 |
| FOR POSSIBLE ACTION | 4. | 2023000010; 80507 | Stonebrook Multifamily Phase II, LLC: Stonebrook Multifamily Phase II LLC | $30,109.52 | $29,859.52 |
| | | | **SUB TOTAL:** | **$77,702.06** | **$60,159.76** |

| **NEW CASES** | | | | **REQUESTED** | **RECOMMENDED** |
|---|---|---|---|---|---|
| FOR POSSIBLE ACTION | 1. | 2019000009; 80506 | Circle K Stores, Inc.: Circle K Store #2701364 | $29,155.54 | $15,726.01 |
| FOR POSSIBLE ACTION | 2. | 2019000010; 80505 | Circle K Stores, Inc.: Circle K Store #2705399 | $82,989.11 | $64,960.15 |
| FOR POSSIBLE ACTION | 3. | 2022000015; 80436 | Rebel Oil Company: Rebel Store #2197 | $434,037.11 | $311,311.29 |
| | | | **SUB TOTAL:** | **$546,181.76** | **$391,997.45** |

| **OTHER CASES** | | | | **REQUESTED** | **RECOMMENDED** |
|---|---|---|---|---|---|
| FOR POSSIBLE ACTION | 1. | 1992000126; 80502 | Clark County School District: RC White (Arville) Transportation Satellite | $106,837.71 | $106,146.34 |
| FOR POSSIBLE ACTION | 2. | 1995000039; 80469 | Al Park Petroleum, Inc.: Crescent Valley Market | $16,794.51 | $15,115.06 |
| FOR POSSIBLE ACTION | 3. | 1995000042; 80370 | FBF Inc.: Gas 4 Less | $174,954.67 | $174,954.67 |
| FOR POSSIBLE ACTION | 4. | 1996000101; 80327 | Phillips 66 Company: Circle K Store #2700695 | $50,328.64 | $45,295.78 |
| FOR POSSIBLE ACTION | 5. | 1998000075; 80455 | 55 McDermitt Crude, LLC: McDermitt Motel & Convenience Store | $10,373.09 | $9,265.75 |
| FOR POSSIBLE ACTION | 6. | 1999000014; 80478 | Al Park Petroleum, Inc.: Pit Stop #7 Conoco | $9,946.48 | $8,779.10 |
| FOR POSSIBLE ACTION | 7. | 1999000023; 80492 | Nevada Ready Mix Corp: Nevada Ready Mix | $26,741.38 | $23,209.99 |
| FOR POSSIBLE ACTION | 8. | 2007000014; 80503 | Raiders Oz Business, LLC: Former Ace Cab/Frias Transportation | $67,794.77 | $61,015.29 |
| FOR POSSIBLE ACTION | 9. | 2007000016; 80470 | Golden Gate Petroleum of Nevada LLC: Golden Gate Sun Valley #43 | $7,504.24 | $6,649.60 |
| FOR POSSIBLE ACTION | 10. | 2008000019; 80427 | One Panou LLC: Golden Market #3 | $31,213.43 | $28,051.59 |
| FOR POSSIBLE ACTION | 11. | 2009000024; 80480 | SJK Investments LLC: Chucks Circle C Market | $14,891.47 | $13,402.32 |
| FOR POSSIBLE ACTION | 12. | 2010000009; 80471 | HPT Ta Properties Trust: Mill City Travel Center | $9,164.24 | $7,422.24 |
| FOR POSSIBLE ACTION | 13. | 2011000009; 80472 | Cimarron West: Cimarron West | $21,266.76 | $19,140.08 |
| FOR POSSIBLE ACTION | 14. | 2012000005; 80443 | Travel Systems, LLC: Zephyr Cove Resort | $69,090.75 | $61,899.58 |
| FOR POSSIBLE ACTION | 15. | 2012000012; 80479 | Clark County Department of Aviation: Former Smart Mart | $9,728.70 | $8,755.83 |

| | | | | | |
|---|---|---|---|---|---|
| FOR POSSIBLE ACTION | 16. | 2013000019; 80445 | Hardy Enterprises INC: Elko Sinclair #53 | $73,625.14 | $66,262.63 |
| FOR POSSIBLE ACTION | 17. | 2014000016; 80302 | Smitten Oil and Tire Co Inc: Former Smedley's Chevron | $9,241.90 | $8,317.71 |
| FOR POSSIBLE ACTION | 18. | 2014000025; 80477 | Superior Campgrounds of America, LLC: Silver City RV Resort | $16,965.67 | $13,279.59 |
| FOR POSSIBLE ACTION | 19. | 2015000009; 80474 | HPT Ta Properties Trust: Las Vegas Travel Center | $11,444.50 | $10,300.05 |
| FOR POSSIBLE ACTION | 20. | 2016000005; 80475 | Golden Gate S.e.t. Retail of Nevada, LLC: Golden Gate Petroleum 65 - Fallon | $6,574.42 | $5,916.98 |
| FOR POSSIBLE ACTION | 21. | 2016000023; 80476 | Al Park Petroleum, Inc.: Pit Stop #1 | $28,311.33 | $20,384.15 |
| FOR POSSIBLE ACTION | 22. | 2016000027; 80489 | Terrible Herbst Inc: Terrible Herbst #272 | $32,974.15 | $26,682.33 |
| FOR POSSIBLE ACTION | 23. | 2017000015; 80465 | Ellen 5 LLC: Green Valley Grocery #63 | $34,331.22 | $30,898.10 |
| FOR POSSIBLE ACTION | 24. | 2017000019; 80482 | Rebel Oil Company: Rebel Store #2197 | $8,388.50 | $7,549.65 |
| FOR POSSIBLE ACTION | 25. | 2017000035; 80495 | Rebel Oil Company: Rebel Store #2177 | $12,127.73 | $10,914.96 |
| FOR POSSIBLE ACTION | 26. | 2018000009; 80451 | Reed Incorporated: Pacific Pride | $88,983.03 | $77,663.82 |
| FOR POSSIBLE ACTION | 27. | 2019000014; 80485 | Western Cab Co: Western Cab CO | $9,859.98 | $7,261.65 |
| FOR POSSIBLE ACTION | 28. | 2020000015; 80463 | Canyon Plaza, LLC: Gas 2 Go | $70,048.17 | $37,390.89 |
| FOR POSSIBLE ACTION | 29. | 2020000016; 80378 | LV Petroleum LLC: Us Gas #7 | $39,287.13 | $35,236.92 |
| FOR POSSIBLE ACTION | 30. | 2021000027; 80496 | Horizon C Stores, LLC: Horizon Market #5 | $3,001.50 | $2,701.35 |
| | | | **SUB TOTAL:** | **$1,071,795.21** | **$949,864.00** |
| | | | **RECOMMENDED CLAIMS TOTAL:** | **$1,695,679.03** | **$1,402,021.21** |

**Vice Chair Smith moved for approval of the consent items. LeRoy Perks seconded the motion. Motion carried unanimously. Jason Case recused himself from the items relating to Rebel Oil Company for the vote.**

## 9. DIRECT PAYMENT OF UNCONTESTED CLAIMS MADE PER 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 | | | | REQUESTED | RECOMMENDED |
|---|---|---|---|---|---|
| FOR POSSIBLE ACTION | 1. | 2018000016; 80462 | Regal Holdings of Nevada LLC: Regal Holdings of Nevada, LLC | $20,812.50 | $18,481.25 |
| FOR POSSIBLE ACTION | 2 | 2022000037; 80418 | Megan Walton And Will Schutte: Schutte-Walton Glenbrook LLC Residential Heating Oil Tank | $31,002.37 | $30,752.37 |
| FOR POSSIBLE ACTION | 3 | 2023000004; 80456 | William M. & Dagmar M. Copenhaver: Copenhaver Family Trust Residential Heating Oil Tank | $30,510.74 | $30,260.74 |
| FOR POSSIBLE ACTION | 4 | 2023000005; 80461 | Amelia Preston: Preston Residential Heating Oil Tank | $30,555.33 | $30,305.33 |
| FOR POSSIBLE ACTION | 5 | 2023000006; 80464 | Brian Rizman: 1801 California Ave Leaking Heating Oil Tank | $30,463.25 | $30,213.25 |
| FOR POSSIBLE ACTION | 6 | 2023000007; 80468 | Kathryn Hankins: Hankins Leaking Residential Heating Oil Tank | $21,593.74 | $21,343.74 |
| | | | **SUB TOTAL:** | **$164,937.93** | **$161,356.68** |

| ONGOING CASES | | | | REQUESTED | RECOMMENDED |
|---|---|---|---|---|---|
| FOR POSSIBLE ACTION | 1 | 1993000102; 80494 | Rebel Oil Company: Rebel Store #2008 | $73,810.00 | $73,810.00 |
| FOR POSSIBLE ACTION | 2 | 1994000015; 80487 | Pilger Family Holdings: Former D & G Oil Company | $11,069.20 | $10,878.70 |
| FOR POSSIBLE ACTION | 3 | 1999000066; 80490 | HP Management, LLC: Former Haycock Petroleum | $31,233.88 | $26,910.34 |
| FOR POSSIBLE ACTION | 4 | 2013000011; 80486 | Har Moor Investments, LLC: Village Shop #4 | $8,880.00 | $7,992.00 |
| FOR POSSIBLE ACTION | 5 | 2014000033; 80491 | Speedee Mart Inc.: Speedee Mart #108 | $23,100.09 | $20,790.08 |
| FOR POSSIBLE ACTION | 6 | 2018000005; 80484 | Rebel Oil Company: Rebel Store # 2153 | $9,198.00 | $8,278.20 |
| FOR POSSIBLE ACTION | 7 | 2019000002; 80483 | Rebel Oil Company: Rebel Store #2166 | $9,946.50 | $8,951.85 |
| FOR POSSIBLE ACTION | 8 | 2022000012; 80493 | Neissan Koroghli: City C-Store (7-11) | $25,906.50 | $23,315.85 |
| | | | **SUB TOTAL:** | **$193,144.17** | **$180,927.02** |

| | | |
|---|---|---|
| **DIRECT PAYMENT CLAIMS TOTAL:** | **$358,082.10** | **$341,283.70** |
| **BOARD MEETING CLAIMS TOTAL:** | **$2,053,761.13** | **$1,744,304.91** |

## 10. EXECUTIVE SUMMARY

**Mr. Cabble** stated that tank enrollment fees are tracked pursuant to the Federal Fiscal Year, which runs October 1, 2022 through September 30, 2023. Annual invoices for enrollment year 2023 were issued on August 17, 2022. Total facilities invoiced is 1,293 facilities. Approximately 97.5% of invoices have been paid. Since the Fund was created, a total of 1,804 remediation cases have applied for Fund coverage. Of those applications, 173 have been denied, due to ineligibility or other reasons. NDEP has closed 1,545 cases, which are no longer receiving Fund reimbursement. Currently, there are 84 active Fund cases. Since January 1, 2023, NDEP has received 10 new coverage applications for Fund coverage. There were 2 applications pending, one of which was approved for coverage under the first Site Specific Board Determination, and as such, one remains pending. Prior to this Board meeting, the Board to Review Claims has approved a cumulative total of $255,772,941.92 for reimbursement to Petroleum Fund operators. This includes $342,283.70 for direct payment claims paid since the last meeting. With today's Board approval of $1,402,021.21, the overall expenditure will increase to $257,174,963.13. A grant was approved over the last quarter in the full amount $46,704.19. This amount funded upgrades of three spill buckets and overfill prevention equipment for a site with three USTs.

**Mr. Cabble** stated that in accordance with the directive during the September 8, 2022 meeting to provide updates on the cost guideline revisions to the Board, no significant concerns have been raised over the last quarter. He asked whether this is an item for which the Board would like to continue to receive updates. The cost guideline went into effect in December 2022. **Vice Chair Smith** asked whether there has been any feedback. **Mr. Cabble** stated that minor issues have come up and been addressed within the database system. There were no substantial comments this quarter. There will likely be a request at some point that the initial abatement amount be increased. The reason is because Northern Nevada is down to one soil disposal facility. The site has demonstrated volatility in its pricing, nearly doubling since the policy was written. There has been feedback on this issue. Staff have been in contact with the facility; however, any relief in pricing is likely to be on hold until the end of summer, based on the comments provided by the facility's management. There will be another comment period following this item and CEMs are welcome to provide additional input regarding the Cost Guidelines amendments. **Chair Tappan** agreed with Vice Chair Smith that if something substantial arises, it could be included in the Executive Summary; however, a special category for each quarter is not necessary. **Mr. Cabble** added that significant items would likely come before the Board as an action item.

## 11. PUBLIC COMMENTS

There were no public comments.

## 12. CONFIRMATION OF NEXT BOARD MEETING DATE

It was confirmed the next meeting date would be September 14, 2023 at 10:00 a.m.

## 13. ADJOURNMENT

The meeting adjourned at 11:36 a.m.

# Agenda Item 4:
# Status of the Fund

(FOR DISCUSSION)

# Petroleum Discharge Cleanup Fund
## Balance Sheet - State Fiscal Year 2023
## As of 8/29/2023

| | | |
|---|---|---|
| **REVENUE** | | |
| Balance Forward | $ | 7,500,000.00 |
| Enrollment and Registration Fees | $ | 407,800.00 |
| Petroleum Fees | $ | 14,161,388.67 |
| Interest Earned | $ | 275,012.89 |
| Reimbursements Received | $ | 1,292,480.42 |
| Balance Forward to New Year | $ | (7,500,000.00) |
| *Total Revenue* | $ | 16,136,681.98 |
| **EXPENDITURES** | | |
| Board Salary | $ | 1,400.00 |
| In-State Travel | $ | 240.58 |
| Operating | $ | 998.05 |
| Transfer to Highway Fund | $ | 8,618,343.18 |
| Transfer to Division of Environmental Protection | $ | 1,410,156.02 |
| Senate Bill No. 89 | $ | 692,496.00 |
| GHG Program AB452 | $ | 58,511.41 |
| Petroleum Grant Program | $ | 136,704.19 |
| Department of Motor Vehicles Fee Collection Service | $ | 12,714.00 |
| Reimbursement of Claims | $ | 5,205,118.55 |
| *Total Expenditures* | $ | 16,136,681.98 |
| **LIABILITIES** | | |
| Petroleum Board Costs | $ | 1,361.37 |
| Highway Fund Budgeted Amount | $ | (381,656.82) |
| Pending Obligated Claims | $ | 8,717.74 |
| *Total Liabilities* | $ | (371,577.71) |
| **ACTUAL FUNDING AVAILABLE** | $ | - |

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Reviewed By — Date:

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Petroleum Fund Staff Approval — Date:

# Petroleum Discharge Cleanup Fund
## Balance Sheet - State Fiscal Year 2024
## As of 8/29/2023

| | | |
|---|---|---|
| **REVENUE** | | |
| Balance Forward | $ | 7,500,000.00 |
| Enrollment and Registration Fees | $ | 9,300.00 |
| Petroleum Fees | $ | - |
| Interest Earned | $ | - |
| Reimbursements Received | $ | - |
| Balance Forward to New Year | $ | - |
| *Total Revenue* | $ | 7,509,300.00 |
| **EXPENDITURES** | | |
| Board Salary | $ | 40.64 |
| In-State Travel | $ | - |
| Operating | $ | - |
| Transfer to Highway Fund | $ | - |
| Transfer to Division of Environmental Protection | $ | - |
| Senate Bill No. 89 | $ | - |
| GHG Program AB452 | $ | - |
| Petroleum Grant Program | $ | - |
| Department of Motor Vehicles Fee Collection Service | $ | - |
| Reimbursement of Claims | $ | 363,843.34 |
| *Total Expenditures* | $ | 363,883.98 |
| **LIABILITIES** | | |
| Petroleum Board Costs | $ | 3,959.36 |
| Highway Fund Budgeted Amount | $ | 9,000,000.00 |
| Pending Obligated Claims | $ | 8,717.74 |
| *Total Liabilities* | $ | 9,012,677.10 |
| **ACTUAL FUNDING AVAILABLE** | $ | 7,145,416.02 |

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Reviewed By — Date: 8/29/2023 | 2:35 PM PDT

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Michael Cabble
Petroleum Fund Staff Approval — Date: 8/29/2023 | 1:43 PM PDT

# Agenda Item 5:
# Adoption of Board Policy Resolution No. 2023-01

(FOR POSSIBLE ACTION)

STATE BOARD TO REVIEW CLAIMS
MEETING OF SEPTEMBER 14, 2023

Video conferenced from Carson City and Las Vegas, Nevada

SUBJECT: Policy Resolution No. 2023-01 Establishes criteria the Nevada Board to Review Claims (Board) will review when considering approval of additional funding allotments for cleaning up discharges of petroleum from storage tanks.

DISCUSSION: Nevada Revised Statute (NRS) 445C.380, subsections 4 through 6, allows the Board to approve additional allotments of cleanup money from the Fund for Cleaning Up Discharges of Petroleum (Fund) to an operator that has exhausted initial coverage provided in accordance with subsection 1 of NRS 445C.380. This resolution describes documentation to be included with an operator's request for an additional funding allotment, which will allow the Board to determine whether the requirements listed under subsections 4 through 6 of NRS 445C.380 have been met. The criteria established in this resolution will also create a consistent screening process for Fund staff prior to presenting a Site-Specific Board Determination (SSBD) for Board consideration and approval. The SSBD will include an attachment of the funding request and the documentation specified in this resolution.

RECOMMENDATION: **Adoption** of Policy Resolution No. 2023-01, as proposed.

STATE BOARD TO REVIEW CLAIMS
RESOLUTION No. 2023-01

Resolution Establishing Criteria Necessary to Approve Additional Allotments of Cleanup Funding for Releases of Petroleum from Storage Tanks Pursuant to Subsections 4 through 6 of NRS 445C.380

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

1. Subsection 4 of NRS 445C.380 states "The Board may approve an operator to receive an additional allotment of not more than $1,000,000 from the Fund for cleaning up discharged petroleum at the site of a storage tank if:
   (a) The Division requires additional cleanup to occur in compliance with any of the requirements of the Division concerning the cleanup of discharged petroleum.
   (b) The Board determines that:
      (1) The operator is in compliance with any requirements of the Division concerning the cleanup of discharged petroleum.
      (2) The operator has obtained approval from the Division for a plan and a schedule to clean up the discharged petroleum.
      (3) Except as otherwise provided in subparagraph (4), the operator is not liable pursuant to subsection 1 of NRS 445C.390.
      (4) If the operator is liable pursuant to subsection 1 of NRS 445C.390, the operator has complied with subsection 2 of NRS 445C.390.
      (5) The facility where the storage tank is located has complied with the applicable provisions of NRS 459.800 to 459.856, inclusive, for the immediately preceding 3 years; and
      (6) The operator has not received money for damages pursuant to subsection 1 before July 1, 2021; and
   (c) The amount paid to the operator pursuant to subsection 1 for cleaning up the storage tank has been exhausted."

2. Subsection 5 of NRS 445C.380 states "In addition to an allotment made pursuant to subsection 4, the Board may approve an operator to receive one or more additional allotments of not more than $1,000,000 per allotment from the Fund for cleaning up discharged petroleum at the site of a storage tank if:
   (a) The Division requires additional cleanup pursuant to paragraph (a) of subsection 4.
   (b) The Board determines that the conditions in paragraph (b) of subsection 4 are met; and
   (c) The amounts paid to the operator from the Fund for cleaning up discharged petroleum at the site of the storage tank have been exhausted."

3. Subsection 6 of NRS 445C.380 states "If the Board approves an additional allotment for cleaning up discharged petroleum at the site of a storage tank pursuant to subsection 4 or 5, for each such allotment:
   (a) An operator which is an agency, department, division or political subdivision of the State shall pay an amount equal to 10 percent or $10,000, whichever is less, of the allotment for the costs of cleaning up discharged petroleum at the site of the storage tank.

(b) An operator which is a small business shall pay an amount equal to 5 percent of the allotment for the costs of cleaning up discharged petroleum at the site of the storage tank.
(c) Any operator not described in paragraph (a) or (b) shall pay an amount equal to 10 percent of the allotment for the costs of cleaning up discharged petroleum at the site of the storage tank."

4. A request from the operator or their representative is required for the Board's consideration. The request must include supporting information addressing each of the items listed in subsections 4 or 5 of NRS 445C.380 to allow the Board to determine eligibility of additional funding.

5. The operator must provide the Board with a plan, schedule, and cost estimate for remaining assessment, cleanup, and closure activities for the site. Any costs proposed with the plan and schedule are an estimate and do not supersede, nor replace the cost control mechanisms established by the Board through regulation or resolution.

6. Exhaustion of cleanup funding or denial of an additional allotment of money from the Fund does not relieve the operator of their responsibility to continue cleanup of the site in accordance with requirements of the Division.

THEREFORE, BE IT RESOLVED THAT:

1. An operator seeking approval from the Board for an additional allotment of cleanup funding must first submit the request to the Division's Fund staff. The request shall list each statute identified in Items 2 through 6 below with a brief description explaining how the statute has been met or is not applicable for Board consideration. Supporting documentation shall also be included with the request.

   The request must be made by the operator's authorized representative (claimant) or the operator's certified environmental manager (CEM) on behalf of the claimant. If a CEM submits the request, it must include the following statement with the claimant's signature indicating approval:

   *I have reviewed this request, which is being submitted in accordance with NRS 445C.380, for an additional allotment of funding from the Fund for Cleaning Up Discharges of Petroleum to continue assessment, cleanup, and/or site closure activities. I agree with the statements and documentation provided within this request. I further understand that I will continue to be responsible for site cleanup and any future proposed costs not recommended for reimbursement by the Fund.*

2. The operator shall provide documentation demonstrating the Division requires additional assessment, cleanup, and/or closure activities be continued at the site (NRS 445C.380(4)(a)).

3. The operator must obtain a statement of concurrence from the Division cleanup case officer indicating the operator of the site is compliant with required assessment and cleanup directives (NRS 445C.380(4)(b)(1)).

4. The operator's request for an additional allotment of cleanup funding shall include a Division-approved plan, schedule, and cost estimate that consists of the following (NRS 445C.380(4)(b)(2)):

   (a) Aggressive, but realistic, deadlines for work plan submittals and initiation or continuation of corrective action and closure activities.
   (b) Full-scale free product recovery, if applicable.
   (c) Delineation and removal of petroleum hydrocarbon sources via excavation, to the extent practicable. If excavation of petroleum hydrocarbon sources is not practicable, the plan must identify an alternative approach to delineate and remediate the petroleum hydrocarbon source or determine why it's not a risk to human health and the environment.
   (d) Pilot testing and operation of an engineered treatment system or optimization of an existing treatment system subject to Division design review to effectively remove contaminant mass.
   (e) Outline how operation, monitoring, and maintenance of the remediation system will be conducted and reported to ensure the effectiveness of the remediation efforts.
   (f) Discussion of site closure goals and estimated timeline to obtain a no further action determination in accordance with Division requirements (groundwater exemption closure should be considered and included in the discussion).
   (g) Periodic review with the Division cleanup case officer to ensure the plan and schedule remains viable (semiannual reviews recommended).
   (h) A statement that changes in site conditions will be addressed via an updated/revised plan and schedule when required by the Division.
   (i) Any additional information requested by the Division or Board.

   Failure to comply with the Division-approved plan and schedule may result in reduction of coverage, a hold on processing claim payments, and/or denial of future requests from an operator for additional allotments of cleanup funding by the Board.

5. If a new release is discovered and the operator is liable pursuant NRS 445C.390, the operator must demonstrate compliance with all applicable federal and state requirements prior to requesting an additional allotment of cleanup funding (NRS 445C.380(4)(b)(3) and (4)).

6. If storage tanks remain in operation at the facility, it must be demonstrated that the storage tanks have been in compliance or have complied with storage tank requirements for the past 3 years (NRS 445C.380(4)(b)(5)).

   At a minimum, a statement of significant operational compliance from the storage tank program or compliance letters indicating no violations were found and/or instances of noncompliance have been addressed to the satisfaction of the storage tank program must be provided. Additionally, an operator seeking approval of an additional allotment of cleanup funding and who is responsible for the operation of active storage tanks at the site,

shall provide documentation that the employees responsible for activities related to the on-site storage tank system(s) are properly trained to maintain compliance with, but not limited to, periodic inspections, release detection, release reporting, and release response. Required Class A, B, and C operator training certificates may be used to demonstrate employee compliance training.

7. When a request is received for an additional allotment of cleanup funding, Fund staff will conduct a comprehensive review of the case file to determine whether the operator has previously received money for damages pursuant to subsection 1 of NRS 445C.380. If it is discovered the operator has been paid by the Fund for third party damages, that operator is not eligible to receive an additional allotment, and the request will not be placed before the Board for review (NRS 445C.380(4)(b)(6)).

8. Existing site cleanup funding provided under subsections 1 and 4 of NRS 445C.380 must be exhausted prior to an operator being eligible to request an additional funding allotment (NRS 445C.380(4)(c) and NRS 445C.380(5)(c)). The operator may request an additional funding allotment during the same meeting a pending claim will exhaust current cleanup funding if the claim is approved for payment by the Board. If site cleanup funding is exhausted between scheduled Board meetings, an operator may request an additional allotment of cleanup funding during the next scheduled meeting.

9. If a request for an additional allotment of cleanup funding appears to meet Division requirements, the Executive Secretary to the Board will add a Site-Specific Board Determination (SSBD) action item to the next scheduled meeting agenda. The SSBD will include a recommendation to approve the additional allotment. The Board will have final approval authority to determine whether the operator has addressed the requirements of subsection 4 or subsection 5 of NRS 445C.380. The Board reserves the right to adjust the staff recommendation based upon the facts of the case.

10. If the operator was previously awarded Fund coverage with a reduction due to noncompliance at the time of release discovery, the coverage reduction will be maintained for the additional allotment unless the operator pursues a reconsideration of the coverage reduction. The reconsideration must be evaluated by the Board at a meeting prior to or at the same time the operator is requesting an additional allotment of cleanup funding.

11. If the Board approves additional allotments of cleanup funding pursuant to subsection 4 or subsection 5 of NRS 445C.380, the operator will be responsible for payment of the allocation (copayment) outlined by subsection 6 of NRS 445C.380.

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 14, 2023.

_____

Maureen Tappan, Chair
Nevada Board to Review Claims

**Petroleum Fund cases near funding cap (<$150,000 remaining):**

| Site | Fund Coverage Approved | Spent to Date | Remaining Reimbursement Available | Percent Spent | Fund Case Operator Different form UST Operator? | Cleanup Comments |
|---|---|---|---|---|---|---|
| 1 | $990,000.00 | $990,000.00 | $0.00 | 100.00% | Yes | |
| 2 | $900,000.00 | $900,000.00 | $0.00 | 100.00% | Yes | |
| 3 | $1,800,000.00 | $1,797,692.42 | $2,307.58 | 99.87% | N/A - USTs Closed | |
| 4 | $1,980,000.00 | $1,957,725.20 | $22,274.80 | 98.88% | Yes | Case Near Closure |
| 5 | $1,429,267.66 | $1,388,585.06 | $40,682.60 | 97.15% | N/A - USTs Closed | |
| 6 | $900,000.00 | $830,467.97 | $69,532.03 | 92.27% | Yes | |
| 7 | $900,000.00 | $816,208.94 | $83,791.06 | 90.69% | Yes | Cleanup Case Closed (NFA) |
| 8 | $1,800,000.00 | $1,700,773.33 | $99,226.67 | 94.49% | Yes | Case Near Closure |
| 9 | $3,600,000.00 | $3,499,213.93 | $100,786.07 | 97.20% | No | |
| 10 | $720,000.00 | $610,556.05 | $109,443.95 | 84.80% | Yes | |
| 11 | $2,738,608.07 | $2,627,021.95 | $111,586.12 | 95.93% | No | |
| 12 | $900,000.00 | $769,036.20 | $130,963.80 | 85.45% | No | |

Petroleum Fund cases closed in the past 5 years and amount spent on cleanup.

| Site | Fund Case Closure Date | Clean Up Funding Awarded | Third Party Used For Cleanup | Amount Paid by the Fund | Funding Not Spent | No. of Tanks Covered |
|---|---|---|---|---|---|---|
| 1 | 1/8/2018 | $900,000.00 | $0.00 | $766,750.73 | $133,249.27 | 1 |
| 2 | 2/12/2018 | $990,000.00 | $0.00 | $803,631.20 | $186,368.80 | 1 |
| 3 | 6/27/2018 | $900,000.00 | $0.00 | $18,951.43 | $881,048.57 | 1 |
| 4 | 7/2/2018 | $1,800,000.00 | $0.00 | $10,209.89 | $1,789,790.11 | 2 |
| 5 | 7/26/2018 | $900,000.00 | $900,000.00 | $1,007,109.65 | $792,890.35 | 1 |
| 6 | 8/1/2018 | $720,000.00 | $0.00 | $19,053.40 | $700,946.60 | 1 |
| 7 | 9/21/2018 | $2,160,000.00 | $0.00 | $234,919.99 | $1,925,080.01 | 3 |
| 8 | 4/1/2019 | $742,500.00 | $742,500.00 | $1,147,294.64 | $337,705.36 | 1 |
| 9 | 4/1/2019 | $900,000.00 | $0.00 | $158,770.67 | $741,229.33 | 1 |
| 10 | 4/1/2019 | $900,000.00 | $0.00 | $100,652.78 | $799,347.22 | 1 |
| 11 | 5/14/2019 | $1,980,000.00 | $0.00 | $933,079.83 | $1,046,920.17 | 2 |
| 12 | 5/14/2019 | $900,000.00 | $0.00 | $34,328.49 | $865,671.51 | 1 |
| 13 | 7/2/2019 | $900,000.00 | $0.00 | $117,488.06 | $782,511.94 | 1 |
| 14 | 7/13/2019 | $1,980,000.00 | $0.00 | $150,236.47 | $1,829,763.53 | 2 |
| 15 | 7/19/2019 | $1,749,247.00 | $0.00 | $797,216.88 | $952,030.12 | 2 |
| 16 | 8/2/2019 | $855,000.00 | $0.00 | $225,321.51 | $629,678.49 | 1 |
| 17 | 9/25/2019 | $2,700,000.00 | $0.00 | $197,440.07 | $2,502,559.93 | 3 |
| 18 | 10/17/2019 | $720,000.00 | $0.00 | $211,284.72 | $508,715.28 | 1 |
| 19 | 10/29/2019 | $900,000.00 | $0.00 | $250,425.22 | $649,574.78 | 1 |
| 20 | 10/29/2019 | $900,000.00 | $0.00 | $194,701.25 | $705,298.75 | 1 |
| 21 | 11/4/2019 | $1,800,000.00 | $0.00 | $177,763.06 | $1,622,236.94 | 2 |
| 22 | 12/23/2019 | $2,700,000.00 | $0.00 | $848,700.37 | $1,851,299.63 | 3 |
| 23 | 12/23/2019 | $900,000.00 | $0.00 | $472,768.43 | $427,231.57 | 1 |
| 24 | 12/23/2019 | $1,800,000.00 | $0.00 | $411,468.23 | $1,388,531.77 | 2 |
| 25 | 12/23/2019 | $861,111.88 | $0.00 | $94,524.90 | $766,586.98 | 1 |
| 26 | 12/23/2019 | $900,000.00 | $0.00 | $37,440.98 | $862,559.02 | 1 |
| 27 | 1/6/2020 | $990,000.00 | $990,000.00 | $1,870,855.20 | $109,144.80 | 1 |
| 28 | 1/16/2020 | $810,000.00 | $0.00 | $64,527.78 | $745,472.22 | 1 |
| 29 | 3/5/2020 | $900,000.00 | $0.00 | $50,213.20 | $849,786.80 | 1 |

| Site | Fund Case Closure Date | Clean Up Funding Awarded | Third Party Used For Cleanup | Amount Paid by the Fund | Funding Not Spent | No. of Tanks Covered |
|---|---|---|---|---|---|---|
| 62 | 3/21/2022 | $900,000.00 | $0.00 | $826,663.22 | $73,336.78 | 1 |
| 63 | 4/8/2022 | $970,000.00 | $970,000.00 | $1,396,291.52 | $543,708.48 | 1 |
| 64 | 4/8/2022 | $540,000.00 | $0.00 | $49,519.40 | $490,480.60 | 1 |
| 65 | 5/13/2022 | $900,000.00 | $0.00 | $773,887.95 | $126,112.05 | 1 |
| 66 | 6/15/2022 | $900,000.00 | $0.00 | $72,719.02 | $827,280.98 | 1 |
| 67 | 6/15/2022 | $1,800,000.00 | $0.00 | $35,035.25 | $1,764,964.75 | 2 |
| 68 | 6/22/2022 | $949,614.31 | $1,000,000.00 | $972,537.22 | $977,077.09 | 1 |
| 69 | 7/19/2022 | $2,700,000.00 | $0.00 | $177,743.13 | $2,522,256.87 | 3 |
| 70 | 9/28/2022 | $1,620,000.00 | $0.00 | $770,553.44 | $849,446.56 | 3 |
| 71 | 9/28/2022 | $2,700,000.00 | $0.00 | $281,105.98 | $2,418,894.02 | 3 |
| 72 | 9/28/2022 | $900,000.00 | $0.00 | $34,560.43 | $865,439.57 | 1 |
| 73 | 10/20/2022 | $990,000.00 | $990,000.00 | $1,951,526.69 | $28,473.31 | 1 |
| 74 | 12/30/2022 | $4,950,000.00 | $0.00 | $3,349,428.82 | $1,600,571.18 | 5 |
| 75 | 2/23/2023 | $900,000.00 | $0.00 | $236,893.40 | $663,106.60 | 1 |
| 76 | 3/22/2023 | $1,800,000.00 | $0.00 | $245,162.07 | $1,554,837.93 | 2 |
| 77 | 5/3/2023 | $900,000.00 | $0.00 | $19,628.77 | $880,371.23 | 1 |

# Agenda Item 6:
# Increase to Non-CEM Costs for Task J.1 of the Cost Guidelines

(FOR POSSIBLE ACTION)

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

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, 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:** **$6,300.00**

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~~$27,200.00**
**Heating Oil Tank Removal Defrayment:** **$2,000.00**

**Total Fund Reimbursable Task Cost for a Single Tank System:** **~~$31,300.00~~$35,500***
*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 a 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 <u>not</u> 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:
    - Up to $3,000 in CEM oversight and sampling costs.
    - Up to ~~$23,000~~**$27,200** 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.

# Agenda Item 7:
# Adoption of Consent Items

(FOR POSSIBLE ACTION)

# STATE BOARD TO REVIEW CLAIMS
# REQUESTED/RECOMMENDED AMOUNTS - SEPTEMBER 14, 2023

**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**

| **HEATING OIL** | | | | **REQUESTED** | **RECOMMENDED** |
|---|---|---|---|---|---|
| FOR POSSIBLE ACTION | 1. | 2012000017; 80567 | Churchill County School District: Old High School | $7,302.83 | $7,302.83 |
| | | | **SUB TOTAL:** | **$7,302.83** | **$7,302.83** |

| **NEW CASES** | | | | **REQUESTED** | **RECOMMENDED** |
|---|---|---|---|---|---|
| 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 |
| | | | **SUB TOTAL:** | **$105,201.60** | **$75,497.60** |

| **ONGOING CASES** | | | | **REQUESTED** | **RECOMMENDED** |
|---|---|---|---|---|---|
| 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 |
| | | | **SUB TOTAL:** | **$665,656.01** | **$601,265.03** |
| | | | **RECOMMENDED CLAIMS TOTAL:** | **$778,160.44** | **$684,065.46** |

Case: #1992000126
Claim #: 80546

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $21,227.62 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $2,906,532.48 | Amount Requested to Date |
| | ($161,262.75) | Amount Disallowed, Past Claims |
| | ($40,000.00) | Deductible/Co-Payment Satisfied to Date |
| | ($2,663,330.10) | Amount Paid to Date |
| SUB TOTAL | $21,317.62 | Amount Requested this Meeting |
| | ($90.00) | Amount Disallowed this Meeting |
| SUB TOTAL | $21,227.62 | |
| | $0.00 | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $21,227.62 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 04/07/2023 and 06/13/2023

**Summary of work completed:** 1st Quarter 2023 Report Preparation, April and June Monthly Groundwater Events, 2nd Quarter 2023 Groundwater Event, Petroleum Fund reporting (cost proposals, proof of payments, and claims)

# 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** | $2,906,532.48 |
| **Amount Disallowed** | $161,352.75 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $0.00 |
| **Copay/Deductible** | $40,000.00 |
| **Amount Recommended** | $2,705,179.73 |
| **Amount Paid** | $2,683,952.11 |

## 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<br>Las Vegas, NV 89103 | | |
| **County:** | Clark County | | |
| **Owner/Operator Name:** | Clark County School District | | |
| **Contact Name of Owner/Operator:** | Lori Olson<br>Environmental Services<br>Henderson, NV 89074 | **Telephone:** | (702)799-0990 Ext: 5 |
| **Prime Contractor** | Converse Consultants | | |
| **Contact Name** | Robert Gegenheimer | | |
| **Contractor Address** | 6610 West Arby Avenue, Suite 104<br>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 | 52 | Regulated UST | See Synopsis |
| 003 | 12000 | 52 | Regulated UST | See Synopsis |
| 004 | 12000 | 52 | Regulated UST | See Synopsis |

Case: #1994000027
Claim #: 80513

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $54,475.15 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $2,622,155.97 | Amount Requested to Date |
| | ($79,645.77) | Amount Disallowed, Past Claims |
| | ($30,000.00) | Deductible/Co-Payment Satisfied to Date |
| | ($2,192,813.09) | Amount Paid to Date |
| SUB TOTAL | $54,475.15 | Amount Requested this Meeting |
| | $0.00 | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $54,475.15 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 09/24/2022 and 03/31/2023

**Summary of work completed:** Project management, scheduling and client invoicing. Quarterly monitoring, sampling and reporting, coordinating traffic control and associated permitting, waste disposal, quarterly permit reporting, reimbursement packages preparation, annual NTEP and HASP preparation, AS/SVE remediation system operations, routine repairs, maintenance, and data evaluation. Prepare a sensitive receptor survey update report.

# 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** | $2,622,155.97 |
| **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** | $2,512,510.20 |
| **Amount Paid** | $2,458,035.05 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 09/03/1993 | **DEP Facility Number:** | 8-000599 |
| **Site Name** | 7-Eleven #19653 | | |
| **Site Contact** | | **Telephone:** | |
| **Site Address** | 2725 Las Vegas Blvd N<br>North Las Vegas, NV 89030 | | |
| **County:** | Clark County | | |
| **Owner/Operator Name:** | 7-Eleven, INC | | |
| **Contact Name of Owner/Operator:** | William Latt<br>500 Speedway Drive<br>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<br>Las Vegas, NV 89102 | | |
| **Telephone:** | (702)525-5919 | **% 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 | 46 | Regulated UST | See Synopsis |
| 002 | 10000 | 46 | Regulated UST | See Synopsis |

Case: #1995000042
Claim #: 80542

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $31,058.85 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $2,967,078.81 | Amount Requested to Date |
| | ($47,511.05) | Amount Disallowed, Past Claims |
| | ($261,391.93) | Deductible/Co-Payment Satisfied to Date |
| | ($2,627,021.95) | Amount Paid to Date |
| SUB TOTAL | $31,153.88 | Amount Requested this Meeting |
| | ($95.03) | Amount Disallowed this Meeting |
| SUB TOTAL | $31,058.85 | |
| | $0.00 | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $31,058.85 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 04/02/2023 and 07/13/2023

**Summary of work completed:** Project management; installation, operations, and maintenance of an ozone air sparge remediation system; quarterly groundwater monitoring and status report preparation; and preparation of Fund documents.

# Site Summary Report

**Case Number:** 1995000042 **Site Name:** Gas 4 Less

## Site Status

**Synopsis:** IT IS BELIEVED THAT THE CONTAMINATION ORIGINATED FROM THE PIPING SYSTEM. COPAYEES: FBF, INC. & BROADBENT & ASSOC. 2/20/97. 3RD PARTY COVERAGE GRANTED TO FIRST RELEASE. FULL COVERAGE FOR ADDITIONAL RELEASE GRANTED 5-21-08.

**Contaminant:** Gasoline (containing <= 10% ethanol)

| | |
|---|---|
| **Fund Coverage** | $3,000,000.00 |
| **Amount Fund Will Pay** | $2,738,608.07 |
| **Amount Requested** | $2,967,078.81 |
| **Amount Disallowed** | $47,606.08 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $0.00 |
| **Copay/Deductible** | $261,391.93 |
| **Amount Recommended** | $2,658,080.80 |
| **Amount Paid** | $2,627,021.95 |

## Site Identification

**Date Submitted:** 10/25/1994 **DEP Facility Number:** 8-000251

**Site Name** Gas 4 Less

**Site Contact** Mahmoodreza Radeh **Telephone:** (702)643-6465

**Site Address** 3283 Las Vegas Blvd N
Las Vegas, NV 89115

**County:** Clark County

**Owner/Operator Name:** FBF Inc.

**Contact Name of Owner/Operator:** Mahmoodreza Radeh **Telephone:** (702)883-3859
3283 Las Vegas Boulevard North
Las Vegas, NV 89115

**Prime Contractor** Broadbent And Associates, Inc.

**Contact Name** Jonathan Bell

**Contractor Address** 113 Falls Court Suite 700
Boerne, TX 78006

**Telephone:** (702)563-0600 **% Board Reduction:** 0.00

## Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type | Leak Location |
|---|---|---|---|---|
| 001 | 8000 | 8 | Regulated UST | See Synopsis |
| 002 | 4000 | 8 | Regulated UST | See Synopsis |

Case: #1996000064
Claim #: 80540

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $13,969.63 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $2,265,924.92 | Amount Requested to Date |
| | ($70,214.48) | Amount Disallowed, Past Claims |
| | ($228,923.34) | Board Reduction, Past Claims |
| | ($50,000.00) | Deductible/Co-Payment Satisfied to Date |
| | ($1,840,850.26) | Amount Paid to Date |
| SUB TOTAL | $15,159.66 | Amount Requested this Meeting |
| | ($454.79) | Board Reduction, This Meeting |
| SUB TOTAL | $14,704.87 | |
| | ($735.24) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $13,969.63 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 11/30/2022 and 02/28/2023

**Summary of work completed:** Project management; preparation of a conceptual site model, cross-sections, and fate & transport model; preparation of a closure Power Point presentation; 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** | $3,000,000.00 |
| **Amount Fund Will Pay** | $2,811,500.00 |
| **Amount Requested** | $2,265,924.92 |
| **Amount Disallowed** | $70,214.48 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $229,378.13 |
| **Pending Copay/Deductible** | $735.24 |
| **Copay/Deductible** | $50,000.00 |
| **Amount Recommended** | $1,903,969.63 |
| **Amount Paid** | $1,890,000.00 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 04/29/1996 | **DEP Facility Number:** | 8-000161 |
| **Site Name** | Red Rock Mini Mart | | |
| **Site Contact** | Harold T. Crutcher | **Telephone:** | (480)694-1890 |
| **Site Address** | 5525 W Charleston Blvd<br>Las Vegas, NV 89146 | | |
| **County:** | Clark County | | |
| **Owner/Operator Name:** | The Esslinger Family Trust | | |
| **Contact Name of Owner/Operator:** | Harold T. Crutcher<br>12932 North 136th Street<br>Scottsdale, AZ 85259 | **Telephone:** | (480)694-1890 |
| **Prime Contractor** | Broadbent And Associates, Inc. | | |
| **Contact Name** | Jeremy Holst | | |
| **Contractor Address** | 8 West Pacific Avenue<br>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 | 50 | Regulated UST | See Synopsis |

Case: #1998000075
Claim #: 80557

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $7,106.83 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $621,886.42 | Amount Requested to Date |
| | ($12,479.12) | Amount Disallowed, Past Claims |
| | ($60,143.30) | Deductible/Co-Payment Satisfied to Date |
| | ($541,289.71) | Amount Paid to Date |
| SUB TOTAL | $7,974.29 | Amount Requested this Meeting |
| | ($77.81) | Amount Disallowed this Meeting |
| SUB TOTAL | $7,896.48 | |
| | ($789.65) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $7,106.83 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 04/20/2023 and 06/30/2023

**Summary of work completed:** Conduct groundwater sampling 2nd quarter event including coordination/planning, travel to/from site, and sampling of 10 wells, prepare 1st quarter GMR, prepare petroleum fund documentation

# 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** | $621,886.42 |
| **Amount Disallowed** | $12,556.93 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $789.65 |
| **Copay/Deductible** | $60,143.30 |
| **Amount Recommended** | $548,396.54 |
| **Amount Paid** | $541,289.71 |

## 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** 6995 Sierra Center Parkway
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 | 23 | Regulated UST | See Synopsis |
| 7 | 10000 | 23 | Regulated UST | See Synopsis |

Case: #1999000014
Claim #: 80555

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $7,211.23 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $1,125,153.12 | Amount Requested to Date |
| | ($65,364.85) | Amount Disallowed, Past Claims |
| | ($71,518.04) | Board Reduction, Past Claims |
| | ($98,025.80) | Deductible/Co-Payment Satisfied to Date |
| | ($840,946.60) | Amount Paid to Date |
| SUB TOTAL | $8,012.48 | Amount Requested this Meeting |
| | ($801.25) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $7,211.23 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 04/30/2023 and 05/31/2023

**Summary of work completed:** Coordinate and conduct 2nd quarter 2023 groundwater sampling event at 12 wells, prepare 1st quarter groundwater monitoring report, prepare petroleum fund documentation.

# 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** | $1,125,153.12 |
| **Amount Disallowed** | $65,364.85 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $71,518.04 |
| **Pending Copay/Deductible** | $801.25 |
| **Copay/Deductible** | $98,025.80 |
| **Amount Recommended** | $889,443.18 |
| **Amount Paid** | $882,231.95 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 09/10/1998 | **DEP Facility Number:** | 6-000009 |
| **Site Name** | Pit Stop #7 Conoco | | |
| **Site Contact** | Pam Williams | **Telephone:** | (775)934-3818 |
| **Site Address** | 1600 Idaho St<br>Elko, NV 89801 | | |
| **County:** | Elko County | | |
| **Owner/Operator Name:** | AL Park Petroleum, Inc. | | |
| **Contact Name of Owner/Operator:** | Pam Williams<br>379 Westby Drive<br>Spring Creek, NV 89815 | **Telephone:** | (775)934-3818 |
| **Prime Contractor** | McGinley & Associates | | |
| **Contact Name** | Caitlin Jelle | | |
| **Contractor Address** | 6995 Sierra Center Parkway<br>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: #1999000243
Claim #: 80516

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $41,161.69 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $1,997,658.31 | Amount Requested to Date |
| | ($56,887.91) | Amount Disallowed, Past Claims |
| | ($397,897.10) | Board Reduction, Past Claims |
| | ($149,710.11) | Deductible/Co-Payment Satisfied to Date |
| | ($1,264,439.69) | Amount Paid to Date |
| SUB TOTAL | $45,772.15 | Amount Requested this Meeting |
| | ($36.94) | Amount Disallowed this Meeting |
| SUB TOTAL | $45,735.21 | |
| | ($4,573.52) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $41,161.69 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 09/27/2022 and 03/31/2023

**Summary of work completed:** Project management, scheduling and client invoicing. Quarterly monitoring, sampling and reporting, quarterly and annual permit reporting, annual NTEP and HASP preparation, reimbursement package preparation, DPE remediation system operations, routine repairs, maintenance and data evaluation.

# Site Summary Report

**Case Number:** 1999000243 **Site Name:** 7-Eleven #27607

## Site Status

**Synopsis:** DETERIORATED TANK. 2ND REIMBURSEMENT GRANTED 12-15-10 ; 40% REDUCTION REMOVED 12/13/12.

**Contaminant:** Gasoline (containing <= 10% ethanol)

| | |
|---|---|
| **Fund Coverage** | $2,000,000.00 |
| **Amount Fund Will Pay** | $1,429,267.66 |
| **Amount Requested** | $1,997,658.31 |
| **Amount Disallowed** | $56,924.85 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $397,897.10 |
| **Pending Copay/Deductible** | $4,573.52 |
| **Copay/Deductible** | $149,710.11 |
| **Amount Recommended** | $1,388,552.73 |
| **Amount Paid** | $1,347,391.04 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 07/05/2002 | **DEP Facility Number:** | 8-001149 |
| **Site Name** | 7-Eleven #27607 | | |
| **Site Contact** | Rich Davies | **Telephone:** | (702)388-0940 |
| **Site Address** | 600 Las Vegas Blvd N<br>Las Vegas, NV 89101 | | |
| **County:** | Clark County | | |
| **Owner/Operator Name:** | 7-Eleven, INC | | |
| **Contact Name of Owner/Operator:** | William Latt<br>500 Speedway Drive<br>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<br>Las Vegas, NV 89102 | | |
| **Telephone:** | (702)525-5919 | **% 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: #2004000011
Claim #: 80563

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $72,224.59 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $2,305,728.16 | Amount Requested to Date |
| | ($24,345.03) | Amount Disallowed, Past Claims |
| | ($183,131.02) | Board Reduction, Past Claims |
| | ($201,800.25) | Deductible/Co-Payment Satisfied to Date |
| | ($1,753,157.69) | Amount Paid to Date |
| SUB TOTAL | $80,249.55 | Amount Requested this Meeting |
| | ($8,024.96) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $72,224.59 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 06/30/2022 and 06/30/2023

**Summary of work completed:** Oversee monitoring well abandonment, remediation system removal, and stie decommissioning and cleanup, prepare final closure documentation for BCA, prepare petroleum fund documentation.

# Site Summary Report

**Case Number:** 2004000011 **Site Name:** Wells Petro Truck Service

## Site Status

**Synopsis:** PRE 9/13/12 BOARD MEETING: CORRODED PRODUCT PIPING ON A S T SYSTEMS. 20% REIMBURSEMENT REDUCTION. 9/13/12 BOARD MEETING: ELIMINATION OF 20% COVERAGE REDUCTION - FULL COVERAGE RESULTING IN $3,676,050 CAP.

**Contaminant:** Gasoline (containing <= 10% ethanol)

| | |
|---|---|
| **Fund Coverage** | $4,084,500.00 |
| **Amount Fund Will Pay** | $3,676,050.00 |
| **Amount Requested** | $2,305,728.16 |
| **Amount Disallowed** | $24,345.03 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $183,131.02 |
| **Pending Copay/Deductible** | $8,024.96 |
| **Copay/Deductible** | $201,800.25 |
| **Amount Recommended** | $1,888,426.90 |
| **Amount Paid** | $1,816,202.31 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 10/03/2003 | **DEP Facility Number:** | 6-000329 |
| **Site Name** | Wells Petro Truck Service | | |
| **Site Contact** | | **Telephone:** | |
| **Site Address** | 174 Us-93<br>Wells, NV 89835 | | |
| **County:** | Elko County | | |
| **Owner/Operator Name:** | Hpt Ta Properties Trust | | |
| **Contact Name of Owner/Operator:** | Sarah Paulson<br>24601 Center Ridge Road<br>Westlake, OH 44145 | **Telephone:** | (440)808-4459 |
| **Prime Contractor** | McGinley & Associates, Inc. | | |
| **Contact Name** | Joseph McGinley | | |
| **Contractor Address** | 815 Maestro Drive<br>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 | 43 | Aboveground | See Synopsis |
| 002 | 20000 | 43 | Aboveground | See Synopsis |
| 003 | 20000 | 43 | Aboveground | See Synopsis |
| 004 | 20000 | 43 | Aboveground | See Synopsis |
| 005 | 12000 | 43 | Aboveground | See Synopsis |

Case: #2007000014
Claim #: 80547

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $51,471.81 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $4,868,512.85 | Amount Requested to Date |
| | ($37,219.82) | Amount Disallowed, Past Claims |
| | ($477,410.21) | Deductible/Co-Payment Satisfied to Date |
| | ($4,126,478.71) | Amount Paid to Date |
| SUB TOTAL | $57,190.90 | Amount Requested this Meeting |
| | ($5,719.09) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $51,471.81 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 04/03/2023 and 07/22/2023

**Summary of work completed:** 1st Quarter 2023 Report Preparation, 2nd Quarter Groundwater Sampling Event, Pulse-Ox maintenance and O&M, Installation of the oxygen concentrators, Hydrogen peroxide deliveries, dilutions, and installation.

# Site Summary Report

**Case Number:** 2007000014 **Site Name:** Former Ace Cab/frias Transportation

## Site Status

**Synopsis:** INITIAL APPLICATION (2007000014) - THREE USTS WERE REMOVED FROM THE SITE ON SEPTEMBER 20, 2006. THE BOTTOM OF TANK #1 WAS OBSERVED TO BE CORRODED. SAMPLING REVEALED TPH ABOVE THE STATE ACTION LEVEL. 2ND $1,000,000 PROVIDED 6/9/11 (THIRD PART LIABILITY). A SECOND APPLICATION (2017000001) WAS RECEIVED ON JANUARY 19, 2017 FOR TWO TANK RELEASES. TANK #1 WAS ALREADY COVERED AND NOT ELIGIBLE FOR ADDITIONAL COVERAGE. TANK #3 (INSTALLED IN 1996) WAS ADDED ON 4/4/17 UNDER THE EXISTING CASE NUMBER OF 2007000014. NEW APPLICATION (2019000038) F...

**Contaminant:** Gasoline (containing <= 10% ethanol)

| | |
|---|---|
| **Fund Coverage** | $6,000,000.00 |
| **Amount Fund Will Pay** | $5,400,000.00 |
| **Amount Requested** | $4,868,512.85 |
| **Amount Disallowed** | $37,219.82 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $5,719.09 |
| **Copay/Deductible** | $477,410.21 |
| **Amount Recommended** | $4,348,163.73 |
| **Amount Paid** | $4,296,691.92 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 11/30/2006 | **DEP Facility Number:** | 8-000204 |
| **Site Name** | Former Ace Cab/frias Transportation | | |
| **Site Contact** | Don Webb | **Telephone:** | (510)610-7667 |
| **Site Address** | 5010 S Valley View Blvd<br>Las Vegas, NV 89118 | | |
| **County:** | Clark County | | |
| **Owner/Operator Name:** | Raiders Oz Business, LLC | | |
| **Contact Name of Owner/Operator:** | Greg Gilbert<br>1475 Raiders Way<br>Henderson, NV 89052 | **Telephone:** | (702)669-4600 |
| **Prime Contractor** | Converse Consultants | | |
| **Contact Name** | Kurt Goebel | | |
| **Contractor Address** | 6610 W. Arby, Suite 104<br>Las Vegas, NV 89118 | | |
| **Telephone:** | (702)271-6839 Ext: 2 | **% 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 |
| 001 | 10000 | Closed | Regulated UST | Tank |
| 003 | 10000 | 35 | Regulated UST | Tank |
| 003 | 10000 | 16 | Regulated UST | Pipe |
| 001 | 20000 | 26 | Regulated UST | tank fill riser |

Case: #2007000016
Claim #: 80558

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $5,983.65 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $674,577.01 | Amount Requested to Date |
| | ($1,453.92) | Amount Disallowed, Past Claims |
| | ($66,647.45) | Deductible/Co-Payment Satisfied to Date |
| | ($595,577.03) | Amount Paid to Date |
| SUB TOTAL | $6,648.50 | Amount Requested this Meeting |
| | ($664.85) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $5,983.65 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 04/30/2023 and 07/12/2023

**Summary of work completed:** Prepare 1st quarter groundwater monitoring report, prepare petroleum fund documentation, coordinate and conduct 2nd quarter groundwater sampling event.

# 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** | $674,577.01 |
| **Amount Disallowed** | $1,453.92 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $664.85 |
| **Copay/Deductible** | $66,647.45 |
| **Amount Recommended** | $605,810.79 |
| **Amount Paid** | $599,827.14 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 12/14/2006 | **DEP Facility Number:** | 4-000408 |
| **Site Name** | Golden Gate Sun Valley #43 | | |
| **Site Contact** | Graham Brown | **Telephone:** | (775)850-3010 |
| **Site Address** | 5190 Sun Valley Blvd<br>Sun Valley, NV 89433 | | |
| **County:** | Washoe County | | |
| **Owner/Operator Name:** | Golden Gate Petroleum Of Nevada LLC | | |
| **Contact Name of Owner/Operator:** | Nacho Aguilar<br>16580 Wedge Parkway<br>Reno, NV 89511 | **Telephone:** | (775)850-3010 |
| **Prime Contractor** | McGinley & Associates | | |
| **Contact Name** | Caitlin Jelle | | |
| **Contractor Address** | 6995 Sierra Center Parkway<br>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 | 32 | Regulated UST | Connection to piping under UDC, Pipe |

Case: #2010000009
Claim #: 80568

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $9,051.28 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $1,357,460.49 | Amount Requested to Date |
| | ($58,520.77) | Amount Disallowed, Past Claims |
| | ($126,238.68) | Board Reduction, Past Claims |
| | ($116,147.36) | Deductible/Co-Payment Satisfied to Date |
| | ($801,254.88) | Amount Paid to Date |
| SUB TOTAL | $11,227.42 | Amount Requested this Meeting |
| | ($53.00) | Amount Disallowed this Meeting |
| | ($1,117.44) | Board Reduction, This Meeting |
| SUB TOTAL | $10,056.98 | |
| | ($1,005.70) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $9,051.28 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 03/28/2023 and 06/30/2023

**Summary of work completed:** Prepare 1st quarter groundwater monitoring report, coordinate and conduct 2nd quarter groundwater sampling event, prepare petroleum fund documentation

# 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. SSBD 2010-06, APPROVED DURING SEPTEMBER 2010 BOARD MEETING

**Contaminant:** Gasoline (containing <= 10% ethanol)

| | |
|---|---|
| **Fund Coverage** | $2,000,000.00 |
| **Amount Fund Will Pay** | $1,620,000.00 |
| **Amount Requested** | $1,357,460.49 |
| **Amount Disallowed** | $58,573.77 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $127,356.12 |
| **Pending Copay/Deductible** | $1,005.70 |
| **Copay/Deductible** | $116,147.36 |
| **Amount Recommended** | $1,054,377.54 |
| **Amount Paid** | $1,045,326.26 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 11/16/2009 | **DEP Facility Number:** | 5-000016 |
| **Site Name** | Mill City Travel Center | | |
| **Site Contact** | Jack Burnett | **Telephone:** | (775)538-7311 |
| **Site Address** | 6000 Frontage Rd<br>Mill City, NV 89418 | | |
| **County:** | Pershing County | | |
| **Owner/Operator Name:** | Hpt Ta Properties Trust | | |
| **Contact Name of Owner/Operator:** | Sarah Paulson<br>24601 Center Ridge Road<br>Westlake, OH 44145 | **Telephone:** | (440)808-4459 |
| **Prime Contractor** | McGinley & Associates | | |
| **Contact Name** | Caitlin Jelle | | |
| **Contractor Address** | 6995 Sierra Center Parkway<br>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 | 38 | Regulated UST | See Synopsis |
| 002 | 20000 | 38 | Regulated UST | See Synopsis |

Case: #2012000012
Claim #: 80543

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $14,250.29 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $1,820,425.28 | Amount Requested to Date |
| | ($24,595.15) | Amount Disallowed, Past Claims |
| | ($177,988.66) | Deductible/Co-Payment Satisfied to Date |
| | ($1,218,750.59) | Amount Paid to Date |
| SUB TOTAL | $15,943.47 | Amount Requested this Meeting |
| | ($109.82) | Amount Disallowed this Meeting |
| SUB TOTAL | $15,833.65 | |
| | ($1,583.36) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $14,250.29 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 04/25/2023 and 06/30/2023

**Summary of work completed:** Project management; preparation of a Fate & Transport Model, Conceptual Site Model, and request for closure presentation; preparation of a quarterly monitoring status report; solicit bids for closure activities; 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** | $1,820,425.28 |
| **Amount Disallowed** | $24,704.97 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $1,583.36 |
| **Copay/Deductible** | $177,988.66 |
| **Amount Recommended** | $1,616,148.29 |
| **Amount Paid** | $1,601,898.00 |

## 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<br>Las Vegas, NV 89119 | | |
| **County:** | Clark County | | |
| **Owner/Operator Name:** | Clark County Department Of Aviation | | |
| **Contact Name of Owner/Operator:** | Michael P. Nelson<br>P.O. Box 11005<br>Las Vegas, NV 89111 | **Telephone:** | (702)261-5166 |
| **Prime Contractor** | Broadbent & Associates, Inc. | | |
| **Contact Name** | William Wiggins | | |
| **Contractor Address** | 8 West Pacific Ave.<br>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 | 28 | Regulated UST | See Synopsis |

Case: #2012000017
Claim #: 80567

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $7,302.83 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $472,039.08 | Amount Requested to Date |
| | ($1,997.97) | Amount Disallowed, Past Claims |
| | ($10,250.00) | Deductible/Co-Payment Satisfied to Date |
| | ($440,644.19) | Amount Paid to Date |
| SUB TOTAL | $7,302.83 | Amount Requested this Meeting |
| | $0.00 | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $7,302.83 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 06/23/2023 and 07/11/2023

**Summary of work completed:** Coordinate and conduct 1st half sampling event, prepare petroleum fund documentation

# 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** | $472,039.08 |
| **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** | $459,782.11 |
| **Amount Paid** | $452,479.28 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 02/03/2012 | **DEP Facility Number:** | E-000030 |
| **Site Name** | Old High School | | |
| **Site Contact** | Ms. Christi Fielding | **Telephone:** | (775)428-7720 |
| **Site Address** | 690 Maine Street<br>Fallon, NV 89406 | | |
| **County:** | Churchill County | | |
| **Owner/Operator Name:** | Churchill County School District | | |
| **Contact Name of Owner/Operator:** | Christi Fielding<br>690 South Maine Street<br>Fallon, NV 89406 | **Telephone:** | (775)428-7720 |
| **Prime Contractor** | McGinley & Associates | | |
| **Contact Name** | Caitlin Jelle | | |
| **Contractor Address** | 6995 Sierra Center Parkway<br>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 | 6 | Non-Regulated | See Synopsis |
| 002 | 1000 | 6 | Non-Regulated | See Synopsis |

Case: #2013000004
Claim #: 80571

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $25,150.06 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $533,265.02 | Amount Requested to Date |
| | ($1,108.98) | Amount Disallowed, Past Claims |
| | ($50,421.15) | Deductible/Co-Payment Satisfied to Date |
| | ($396,987.60) | Amount Paid to Date |
| SUB TOTAL | $27,944.51 | Amount Requested this Meeting |
| | ($2,794.45) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $25,150.06 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 10/13/2022 and 07/24/2023

**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. Prepare a fate and transport modeling investigation and discussions with the NDEP regarding data interpretation. Continue preparing a groundwater exemption closure evaluation, including generating detailed cross-sections and estimating the residual TPH-impacted soil volume, depth and extent.

# 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** | $533,265.02 |
| **Amount Disallowed** | $1,108.98 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $2,794.45 |
| **Copay/Deductible** | $50,421.15 |
| **Amount Recommended** | $478,940.44 |
| **Amount Paid** | $453,790.38 |

## Site Identification

**Date Submitted:** 11/01/2012 **DEP Facility Number:** 8-000421

**Site Name** 7-Eleven #29665

**Site Contact** Jose Rios **Telephone:** (972)828-8968

**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 **Telephone:** (937)460-8488
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)525-5919 **% 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: #2014000004
Claim #: 80457

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $16,223.99 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $1,592,266.38 | Amount Requested to Date |
| | ($9,371.02) | Amount Disallowed, Past Claims |
| | ($156,486.92) | Deductible/Co-Payment Satisfied to Date |
| | ($1,269,141.23) | Amount Paid to Date |
| SUB TOTAL | $18,026.66 | Amount Requested this Meeting |
| | ($1,802.67) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $16,223.99 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 10/19/2022 and 07/11/2023

**Summary of work completed:** Prepare draft closure presentation, prepare petroleum fund documentation, prepare Bioscreen (modeling) for closure presentation, finalize and submit closure presentation, project management and client communication, prepare well abandonment RFB and solicit bids, monitoring well abandonment, coordinate final waste removal.

# 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** | $1,592,266.38 |
| **Amount Disallowed** | $9,371.02 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $1,802.67 |
| **Copay/Deductible** | $156,486.92 |
| **Amount Recommended** | $1,424,605.77 |
| **Amount Paid** | $1,408,381.78 |

## 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<br>Battle Mountain, NV 89820 | | |
| **County:** | Lander County | | |
| **Owner/Operator Name:** | Alsaker Corporation | | |
| **Contact Name of Owner/Operator:** | Damon Borden<br>6409 E. Sharp Ave<br>Spokane Valley, WA 99212 | **Telephone:** | (509)710-7749 |
| **Prime Contractor** | McGinley & Associates, Inc. | | |
| **Contact Name** | Justin Fike | | |
| **Contractor Address** | 6995 Sierra Center Pkwy<br>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 | 46 | Aboveground | See Synopsis |
| 002 | 20000 | 56 | Aboveground | See Synopsis |

Case: #2014000007
Claim #: 80519

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $21,923.44 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $378,011.38 | Amount Requested to Date |
| | ($1,445.63) | Amount Disallowed, Past Claims |
| | ($35,188.60) | Deductible/Co-Payment Satisfied to Date |
| | ($302,882.38) | Amount Paid to Date |
| SUB TOTAL | $24,679.75 | Amount Requested this Meeting |
| | ($320.37) | Amount Disallowed this Meeting |
| SUB TOTAL | $24,359.38 | |
| | ($2,435.94) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $21,923.44 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 10/12/2022 and 03/31/2023

**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. Prepare for a second groundwater drawdown test, including developing field procedures, coordinating rental of a holding tank and waste disposal. Conduct the second groundwater drawdown test fieldwork and prepare the associated report.

# 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** | $378,011.38 |
| **Amount Disallowed** | $1,766.00 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $2,435.94 |
| **Copay/Deductible** | $35,188.60 |
| **Amount Recommended** | $338,620.84 |
| **Amount Paid** | $316,697.40 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 08/16/2013 | **DEP Facility Number:** | 8-001345 |
| **Site Name** | 7-Eleven #29658 | | |
| **Site Contact** | Frank Higgins | **Telephone:** | (702)732-1361 |
| **Site Address** | 3716 S Paradise Rd<br>Las Vegas, NV 89169 | | |
| **County:** | Clark County | | |
| **Owner/Operator Name:** | 7-Eleven, INC | | |
| **Contact Name of Owner/Operator:** | William Latt<br>500 Speedway Drive<br>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<br>Las Vegas, NV 89102 | | |
| **Telephone:** | (702)525-5919 | **% 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 #: 80564

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $15,660.85 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $1,752,851.18 | Amount Requested to Date |
| | ($30,014.00) | Amount Disallowed, Past Claims |
| | ($21,457.21) | Board Reduction, Past Claims |
| | ($168,397.92) | Deductible/Co-Payment Satisfied to Date |
| | ($1,202,443.17) | Amount Paid to Date |
| SUB TOTAL | $17,400.94 | Amount Requested this Meeting |
| | ($1,740.09) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $15,660.85 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 01/06/2023 and 07/06/2023

**Summary of work completed:** Coordinate and conduct 2nd quarter groundwater monitoring event, coordinate waste (purge water) disposal, prepare 1st quarter groundwater monitoring report, prepare petroleum fund documentation

# 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** | $1,752,851.18 |
| **Amount Disallowed** | $30,014.00 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $21,457.21 |
| **Pending Copay/Deductible** | $1,740.09 |
| **Copay/Deductible** | $168,397.92 |
| **Amount Recommended** | $1,530,107.51 |
| **Amount Paid** | $1,514,446.66 |

## 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<br>Minden, NV 89423 | | |
| **County:** | Douglas County | | |
| **Owner/Operator Name:** | Superior Campgrounds Of America, LLC | | |
| **Contact Name of Owner/Operator:** | Tom Day Sr.<br>265 N. Joy Street<br>Corona, CA 92879 | **Telephone:** | (909)241-7700 |
| **Prime Contractor** | McGinley & Associates | | |
| **Contact Name** | Caitlin Jelle | | |
| **Contractor Address** | 6995 Sierra Center Parkway<br>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 | 23 | Regulated UST | Pipe |
| 002 | 8000 | 39 | Regulated UST | Pipe |

Case: #2016000009
Claim #: 80512

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $8,175.83 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $345,539.01 | Amount Requested to Date |
| | ($3,946.84) | Amount Disallowed, Past Claims |
| | ($33,250.77) | Deductible/Co-Payment Satisfied to Date |
| | ($273,247.47) | Amount Paid to Date |
| SUB TOTAL | $9,084.25 | Amount Requested this Meeting |
| | ($908.42) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $8,175.83 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 10/14/2022 and 03/31/2023

**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. Initial discussion with the NDEP and 7-Eleven developing a groundwater exemption closure request.

# Site Summary Report

**Case Number:** 2016000009 **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** | $345,539.01 |
| **Amount Disallowed** | $3,946.84 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $908.42 |
| **Copay/Deductible** | $33,250.77 |
| **Amount Recommended** | $307,432.98 |
| **Amount Paid** | $299,257.15 |

## Site Identification

**Date Submitted:** 04/20/2016 **DEP Facility Number:** 8-000586

**Site Name** 7-Eleven #13685

**Site Contact** Audrey Welty **Telephone:** (702)452-3835

**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 **Telephone:** (937)460-8488
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)525-5919 **% 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 | 36 | Regulated UST | Tank |
| 003 | 10000 | 36 | Regulated UST | Tank |

Case: #2018000009
Claim #: 80570

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $69,721.41 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $484,871.31 | Amount Requested to Date |
| | ($4,709.66) | Amount Disallowed, Past Claims |
| | ($40,263.09) | Deductible/Co-Payment Satisfied to Date |
| | ($341,613.87) | Amount Paid to Date |
| SUB TOTAL | $77,530.73 | Amount Requested this Meeting |
| | ($62.50) | Amount Disallowed this Meeting |
| SUB TOTAL | $77,468.23 | |
| | ($7,746.82) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $69,721.41 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 03/24/2023 and 07/12/2023

**Summary of work completed:** Operation of mobile remediation system (SVE/AS), collection of vapor samples, coordinate and conduct 2 monthly and 1 quarterly groundwater sampling events, data evaluation, case officer updates, data entry, preparation of 1st quarter GMR, preparation of petroleum fund documentation

# 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** | $484,871.31 |
| **Amount Disallowed** | $4,772.16 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $7,746.82 |
| **Copay/Deductible** | $40,263.09 |
| **Amount Recommended** | $431,983.71 |
| **Amount Paid** | $362,262.30 |

## 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 **Telephone:** (775)289-4463
802 Avenue E
Ely, NV 89301

**Prime Contractor** McGinley & Associates

**Contact Name** Caitlin Jelle

**Contractor Address** 6995 Sierra Center Parkway
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 | 53 | Aboveground | The shear valve associated with diesel dispenser #3 |
| 001 | 15000 | 53 | Aboveground | The shear valve associated with the regular gasoline dispenser #5 |

Case: #2019000008
Claim #: 80504

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $21,118.36 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $40,060.82 | Amount Requested to Date |
| | $0.00 | Deductible/Co-Payment Satisfied to Date |
| | $0.00 | Amount Paid to Date |
| SUB TOTAL | $40,060.82 | Amount Requested this Meeting |
| | ($952.76) | Amount Disallowed this Meeting |
| | ($15,643.22) | Board Reduction, This Meeting |
| SUB TOTAL | $23,464.84 | |
| | ($2,346.48) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $21,118.36 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 08/05/2019 and 04/04/2023

**Summary of work completed:** 1) Provide a technical work plan to Diondra White of NDEP for the soil and groundwater investigation, 2) Coordinate and conduct a site-wide subsurface private utility survey by Subsurface Surveys & Associates, 3) Prepare drilling health and safety plan 4) coordinate public and private utility clearance, 5) Drilling of soil borings SB1, SB2, and SB3 and the installation of Groundwater Monitoring Wells MW1, MW2, and MW3, 6) profile, transport, and disposal of soil and water waste, 7) 1st low-flow groundwater sampling event (3 wells sampled on 1/23/23), 8) 2nd low-flow groundwater sampling event (3 wells sampled on 3/20/23), and 9)NTEP Preparation

# Site Summary Report

**Case Number:** 2019000008 **Site Name:** Circle K Store #2701354

## Site Status

**Synopsis:** GASOLINE DISCHARGE CONFIRMED OCTOBER 11, 2018, DURING TANK REMOVAL ACTIVITIES, FOLLOWING A FAILED TANK TIGHTNESS TEST FOR TANK #2 (MIDDLE TANK) ON MARCH 23, 2018. SITE SPECIFIC BOARD DETERMINATION C2020-05 WAS APPROVED AT THE DECEMBER 10, 2020 MEETING, GRANTING COVERAGE WITH A 40% REDUCTION FOR FAILURE TO COMPLY WITH RELEASE RESPONSE ACTIONS.

**Contaminant:** Gasoline (containing <= 10% ethanol)

| | |
|---|---|
| **Fund Coverage** | $1,000,000.00 |
| **Amount Fund Will Pay** | $540,000.00 |
| **Amount Requested** | $40,060.82 |
| **Amount Disallowed** | $952.76 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $15,643.22 |
| **Pending Copay/Deductible** | $2,346.48 |
| **Copay/Deductible** | $0.00 |
| **Amount Recommended** | $21,118.36 |
| **Amount Paid** | $0.00 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 07/29/2020 | **DEP Facility Number:** | 8-000118 |
| **Site Name** | Circle K Store #2701354 | | |
| **Site Contact** | Alan Cubberley | **Telephone:** | (330)634-2101 |
| **Site Address** | 1301 N Eastern Ave<br>Las Vegas, NV 89101 | | |
| **County:** | Clark County | | |
| **Owner/Operator Name:** | Circle K Stores, Inc. | | |
| **Contact Name of Owner/Operator:** | Anthony Bell<br>1100 Situs Court<br>Raleigh, NC 27606 | **Telephone:** | (803)629-1976 |
| **Prime Contractor** | Blaes Environmental Management, Inc. | | |
| **Contact Name** | Steven Woodhull | | |
| **Contractor Address** | 45 E. Monterey Way #200<br>Phoenix, AZ 85012 | | |
| **Telephone:** | (602)300-8307 | **% Board Reduction:** | 40.00 |

## Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type | Leak Location |
|---|---|---|---|---|
| 002 | 10000 | Closed | Regulated UST | Tank |

Case: #2019000044
Claim #: 80572

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $41,412.55 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $235,299.36 | Amount Requested to Date |
| | ($0.08) | Amount Disallowed, Past Claims |
| | ($18,928.54) | Deductible/Co-Payment Satisfied to Date |
| | ($143,927.47) | Amount Paid to Date |
| SUB TOTAL | $46,013.95 | Amount Requested this Meeting |
| | ($4,601.40) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $41,412.55 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 09/28/2022 and 05/31/2023

**Summary of work completed:** Project management, client invoicing and field scheduling. Annual NTEP and HASP preparation. Quarterly groundwater monitoring, sampling and reporting, and waste disposal. Reimbursement packages preparation. Continue preparing for additional assessment field activities including coordinating and scheduling with the selected drilling contractor, monitoring well permit application submittal and approval and private and public utility locationg. Conduct additional assessment field activities including coordinating public and private utility locating, soil sampling and monitoring well installation, waste disposal and surveying new wells. Prepare the additional assessment report. Prepare a workplan for pilot testing.

# 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** | $235,299.36 |
| **Amount Disallowed** | $0.08 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $4,601.40 |
| **Copay/Deductible** | $18,928.54 |
| **Amount Recommended** | $211,769.34 |
| **Amount Paid** | $170,356.79 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 09/02/2021 | **DEP Facility Number:** | 8-000618 |
| **Site Name** | 7-Eleven #15829 | | |
| **Site Contact** | Satinderpa S. Padda | **Telephone:** | (702)452-1749 |
| **Site Address** | 10 N Nellis Blvd<br>Las Vegas, NV 89110 | | |
| **County:** | Clark County | | |
| **Owner/Operator Name:** | 7-Eleven, INC | | |
| **Contact Name of Owner/Operator:** | William Latt<br>500 Speedway Drive<br>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<br>Las Vegas, NV 89102 | | |
| **Telephone:** | (702)525-5919 | **% 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 | 37 | Regulated UST | Tank |
| 002 | 9728 | 37 | Regulated UST | Tank |

Case: #2020000015
Claim #: 80509

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $10,289.88 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $457,326.65 | Amount Requested to Date |
| | ($1,749.00) | Amount Disallowed, Past Claims |
| | ($174,608.93) | Board Reduction, Past Claims |
| | ($26,191.33) | Deductible/Co-Payment Satisfied to Date |
| | ($235,722.06) | Amount Paid to Date |
| SUB TOTAL | $19,055.33 | Amount Requested this Meeting |
| | ($7,622.13) | Board Reduction, This Meeting |
| SUB TOTAL | $11,433.20 | |
| | ($1,143.32) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $10,289.88 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 02/28/2023 and 06/30/2023

**Summary of work completed:** Project management; LNAPL gauging and recovery events; quarterly groundwater monitoring; and preparation of 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** | $457,326.65 |
| **Amount Disallowed** | $1,749.00 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $182,231.06 |
| **Pending Copay/Deductible** | $1,143.32 |
| **Copay/Deductible** | $26,191.33 |
| **Amount Recommended** | $246,011.94 |
| **Amount Paid** | $235,722.06 |

## 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<br>Las Vegas, NV 89108 | | |
| **County:** | Clark County | | |
| **Owner/Operator Name:** | Canyon Plaza, LLC | | |
| **Contact Name of Owner/Operator:** | Matt Becker<br>50 South Jones Boulevard, Suite 100<br>Las Vegas, NV 89107 | **Telephone:** | (702)878-1903 |
| **Prime Contractor** | Broadbent & Associates, Inc. | | |
| **Contact Name** | Stephanie Holst | | |
| **Contractor Address** | 8 W. Pacific Avenue<br>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: #2021000014
Claim #: 80460

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $51,695.66 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $210,455.75 | Amount Requested to Date |
| | ($6,671.94) | Amount Disallowed, Past Claims |
| | ($14,612.09) | Deductible/Co-Payment Satisfied to Date |
| | ($131,508.82) | Amount Paid to Date |
| SUB TOTAL | $57,662.90 | Amount Requested this Meeting |
| | ($223.28) | Amount Disallowed this Meeting |
| SUB TOTAL | $57,439.62 | |
| | ($5,743.96) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $51,695.66 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 12/29/2022 and 06/30/2023

**Summary of work completed:** Project management; quarterly groundwater monitoring and status report preparation; LNAPL recovery; installation of LNAPL recovery system and startup; operations and maintenance of LNAPL recovery system; and preparation of Fund documents.

# Site Summary Report

**Case Number:** 2021000014 **Site Name:** Pilot Travel Centers LLC #341

## Site Status

**Synopsis:** DISCHARGE EMANATED FROM A LEAKING BALL VALVE WITHIN A TRANSITION SUMP ON THE TRUCKING SIDE OF THE PROPERTY (DIESEL ISLAND CONTAINING 21). THE BALL VALVE IS LOCATED ON A SINGLE, SHARED PIPELINE ASSOCIATED TO MULTIPLE TANKS. PER POLICY RESOLUTION 2014-01, WHEN A DISCHARGE EMANATES FROM A SYSTEM WITH THIS CONFIGURATION, FUND STAFF IS DIRECTED TO APPROVE COVERAGE FOR ONE DISCHARGE.

**Contaminant:** Diesel

| | |
|---|---|
| **Fund Coverage** | $1,000,000.00 |
| **Amount Fund Will Pay** | $900,000.00 |
| **Amount Requested** | $210,455.75 |
| **Amount Disallowed** | $6,895.22 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $5,743.96 |
| **Copay/Deductible** | $14,612.09 |
| **Amount Recommended** | $183,204.48 |
| **Amount Paid** | $131,508.82 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 02/24/2022 | **DEP Facility Number:** | 8-001634 |
| **Site Name** | Pilot Travel Centers LLC #341 | | |
| **Site Contact** | Chip Hughes | **Telephone:** | (865)474-2438 |
| **Site Address** | 3812 E Craig Rd<br>North Las Vegas, NV 89030 | | |
| **County:** | Clark County | | |
| **Owner/Operator Name:** | Pilot Travel Centers LLC | | |
| **Contact Name of Owner/Operator:** | Joey Cupp<br>5508 Lonas Road<br>Knoxville, TN 37909 | **Telephone:** | (865)588-7488 Ext: 2 |
| **Prime Contractor** | Broadbent & Associates, Inc. | | |
| **Contact Name** | Kyle Virva | | |
| **Contractor Address** | 12760 Stroh Ranch Way, Ste 101<br>Parker, CO 80134 | | |
| **Telephone:** | (561)309-1682 | **% Board Reduction:** | 0.00 |

## Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type | Leak Location |
|---|---|---|---|---|
| 003 | 20000 | 29 | Regulated UST | Ball valve leaked |
| 001 | 20000 | 29 | Regulated UST | Ball valve leaked |
| 002 | 20000 | 29 | Regulated UST | Ball valve leaked |

Case: #2021000026
Claim #: 80517

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $7,363.74 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $80,082.31 | Amount Requested to Date |
| | ($2,244.24) | Amount Disallowed, Past Claims |
| | ($6,965.62) | Deductible/Co-Payment Satisfied to Date |
| | ($62,690.52) | Amount Paid to Date |
| SUB TOTAL | $8,181.93 | Amount Requested this Meeting |
| | ($818.19) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $7,363.74 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 11/02/2022 and 03/31/2023

**Summary of work completed:** Project management, scheduling and client invoicing, annual HASP preparation, quarterly monitoring, sampling and reporting, waste disposal. Working with a traffic control subcontractor and Clark County for permit approval to sample wells within the right-of-way. Prepare reimbursement packages.

# 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** | $80,082.31 |
| **Amount Disallowed** | $2,244.24 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $818.19 |
| **Copay/Deductible** | $6,965.62 |
| **Amount Recommended** | $70,054.26 |
| **Amount Paid** | $62,690.52 |

## Site Identification

**Date Submitted:** 09/02/2021 **DEP Facility Number:** 8-000590

**Site Name** 7-Eleven #25578

**Site Contact** Amrik Singh **Telephone:** (702)641-6908

**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 **Telephone:** (937)460-8488
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)525-5919 **% 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 | 38 | Regulated UST | Tank |
| 002 | 9728 | 38 | Regulated UST | Tank |

Case: #2021000027
Claim #: 80549

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $4,455.00 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $63,156.35 | Amount Requested to Date |
| | ($254.00) | Amount Disallowed, Past Claims |
| | ($5,795.23) | Deductible/Co-Payment Satisfied to Date |
| | ($52,157.12) | Amount Paid to Date |
| SUB TOTAL | $4,950.00 | Amount Requested this Meeting |
| | ($495.00) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $4,455.00 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 03/27/2023 and 05/31/2023

**Summary of work completed:** Project management; disposal of soil and water from 2022 ESA work; well abandonment; and preparation of Fund documents.

# Site Summary Report

**Case Number:** 2021000027 **Site Name:** Horizon Market #5

## Site Status

**Synopsis:** THE PREMIUM UST PIPING FAILED TIGHTNESS TESTING ON FEBRUARY 8, 2021. AFTER FURTHER INVESTIGATION THE SOURCE OF THE DISCHARGE WAS IDENTIFIED AS A BREAK IN THE PRODUCT LINE ASSOCIATED WITH THE PREMIUM TANK SYSTEM. A PREVIOUS RELEASE ASSOCIATED WITH THE REGULAR UNLEADED TANK SYSTEM WAS IDENTIFIED AT THIS FACILITY IN MARCH 2015 AND SINCE BEEN ISSUED A NO FURTHER ACTION DETERMINATION ON AUGUST 15, 2015.

**Contaminant:** Gasoline (containing <= 10% ethanol)

| | |
|---|---|
| **Fund Coverage** | $1,000,000.00 |
| **Amount Fund Will Pay** | $900,000.00 |
| **Amount Requested** | $63,156.35 |
| **Amount Disallowed** | $254.00 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $495.00 |
| **Copay/Deductible** | $5,795.23 |
| **Amount Recommended** | $56,612.12 |
| **Amount Paid** | $52,157.12 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 09/15/2021 | **DEP Facility Number:** | 7-000778 |
| **Site Name** | Horizon Market #5 | | |
| **Site Contact** | Teri Champala | **Telephone:** | (775)727-4100 |
| **Site Address** | 840 E Highway 372<br>Pahrump, NV 89048 | | |
| **County:** | Nye County | | |
| **Owner/Operator Name:** | Horizon C Stores, LLC | | |
| **Contact Name of Owner/Operator:** | Teri Champala<br>2050 N Highway 160<br>Pahrump, NV 89048 | **Telephone:** | (775)727-4100 |
| **Prime Contractor** | Broadbent & Associates, Inc. | | |
| **Contact Name** | Stephanie Holst | | |
| **Contractor Address** | 8 W. Pacific Avenue<br>Henderson, NV 89052 | | |
| **Telephone:** | (702)563-0600 | **% Board Reduction:** | 0.00 |

## Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type | Leak Location |
|---|---|---|---|---|
| 002 | 10000 | 27 | Regulated UST | Pipe |

Case: #2022000018
Claim #: 80466

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $16,989.11 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $23,595.99 | Amount Requested to Date |
| | $0.00 | Deductible/Co-Payment Satisfied to Date |
| | $0.00 | Amount Paid to Date |
| SUB TOTAL | $23,595.99 | Amount Requested this Meeting |
| | ($4,719.20) | Board Reduction, This Meeting |
| SUB TOTAL | $18,876.79 | |
| | ($1,887.68) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $16,989.11 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 01/31/2022 and 06/30/2023

**Summary of work completed:** Project management; preparation of a R-Spill Response; preparation of an application for Petroleum Fund coverage; quarterly groundwater monitoring and status report preparation; and preparation of Petroleum Fund documents.

# Site Summary Report

**Case Number:** 2022000018 **Site Name:** Pilot Travel Centers LLC #341

## Site Status

**Synopsis:** GASOLINE DISCHARGE DISCOVERED DECEMBER 15, 2021, DURING RELEASE INVESTIGATION FOLLOWING REPLACEMENT OF A BALL VALVE ON JULY 8, 2021. CONTAMINATION EMANATED FROM PENETRATIONS IN THE ISOLATION SUMP CONTAINING THE FAILED BALL VALVE, FOR DISPENSERS 1-4 ON THE AUTO SIDE OF THE PROPERTY. FACILITY HAD MULTIPLE INELIGIBLE RELEASES ON THIS SIDE OF THE FACILITY. SITE SPECIFIC BOARD DETERMINATION C2022-01 WAS APPROVED DECEMBER 8, 2022, GRANTING COVERAGE WITH A 20% REDUCTION FOR COMINGLED CONTAMINATION.

**Contaminant:** Gasoline (containing <= 10% ethanol)

| | |
|---|---|
| **Fund Coverage** | $1,000,000.00 |
| **Amount Fund Will Pay** | $720,000.00 |
| **Amount Requested** | $23,595.99 |
| **Amount Disallowed** | $0.00 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $4,719.20 |
| **Pending Copay/Deductible** | $1,887.68 |
| **Copay/Deductible** | $0.00 |
| **Amount Recommended** | $16,989.11 |
| **Amount Paid** | $0.00 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 06/14/2022 | **DEP Facility Number:** | 8-001634 |
| **Site Name** | Pilot Travel Centers LLC #341 | | |
| **Site Contact** | Chip Hughes | **Telephone:** | (865)474-2438 |
| **Site Address** | 3812 E Craig Rd<br>North Las Vegas, NV 89030 | | |
| **County:** | Clark County | | |
| **Owner/Operator Name:** | Pilot Travel Centers LLC | | |
| **Contact Name of Owner/Operator:** | Joey Cupp<br>5508 Lonas Road<br>Knoxville, TN 37909 | **Telephone:** | (865)588-7488 Ext: 2 |
| **Prime Contractor** | Broadbent & Associates, Inc. | | |
| **Contact Name** | Kyle Virva | | |
| **Contractor Address** | 12760 Stroh Ranch Way, Ste 101<br>Parker, CO 80134 | | |
| **Telephone:** | (561)309-1682 | **% Board Reduction:** | 20.00 |

## Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type | Leak Location |
|---|---|---|---|---|
| 004 | 12000 | 29 | Regulated UST | Ball Valve failure |

Case: #2022000035
Claim #: 80501

**STAFF RECOMMENDATION**
September 14, 2023

Staff recommends this claim be reimbursed $37,390.13 from the Petroleum Fund for cleanup costs.

| | | |
|---|---|---|
| | $41,544.79 | Amount Requested to Date |
| | $0.00 | Deductible/Co-Payment Satisfied to Date |
| | $0.00 | Amount Paid to Date |
| SUB TOTAL | $41,544.79 | Amount Requested this Meeting |
| | ($0.20) | Amount Disallowed this Meeting |
| SUB TOTAL | $41,544.59 | |
| | ($4,154.46) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $37,390.13 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 03/22/2002 and 04/19/2023

**Summary of work completed:** Project management, client invoicing and field scheduling. Prepare the annual health and safety plan. Complete additional site assessment workplan preparation. Fieldwork preparation including drilling contractor bidding, utility clearance, fieldwork, NDWR well permit, drilling contractor bid package evaluation, award contract and coordinate field activities, coordinate waste disposal and surveying, prepare additional site assessment and release response reports, negotiate with agencies on a forward path. Groundwater monitoring and sampling. Prepare the petroleum fund application for coverage, 2022 cost proposal and initial reimbursement claim

# Site Summary Report

**Case Number:** 2022000035 **Site Name:** 7-Eleven #29407

## Site Status

**Synopsis:** DISCHARGE EMANATED FROM TWO 10,000-GALLON UNDERGROUND STORAGE TANK SYSTEMS CONTAINING GASOLINE. TANK FAILURE WAS THE SOURCE OF THE SOIL CONTAMINATION.

**Contaminant:** Gasoline (containing > 10% ethanol)

| | |
|---|---|
| **Fund Coverage** | $2,000,000.00 |
| **Amount Fund Will Pay** | $1,800,000.00 |
| **Amount Requested** | $41,544.79 |
| **Amount Disallowed** | $0.20 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $4,154.46 |
| **Copay/Deductible** | $0.00 |
| **Amount Recommended** | $37,390.13 |
| **Amount Paid** | $0.00 |

## Site Identification

**Date Submitted:** 01/05/2023 **DEP Facility Number:** 8-001356

**Site Name** 7-Eleven #29407

**Site Contact** Singh Aman **Telephone:** (702)734-0541

**Site Address** 815 E Twain Ave
Las Vegas, NV 89169

**County:** Clark County

**Owner/Operator Name:** 7-Eleven, INC

**Contact Name of Owner/Operator:** William Latt **Telephone:** (937)863-6442
P.O. Box 711 - Loc 148
Dallas, TX 75221

**Prime Contractor** Stantec Consulting Services, Inc.

**Contact Name** Matthew Grandjean

**Contractor Address** 3010 West Charleston Boulevard, Suite 100
Las Vegas, NV 89102

**Telephone:** (702)525-5919 **% Board Reduction:** 0.00

## Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type | Leak Location |
|---|---|---|---|---|
| 003 | 10000 | 34 | Regulated UST | Tank |
| 002 | 10000 | 34 | Regulated UST | 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**

| **HEATING OIL** | | | | **REQUESTED** | **PAID** |
|---|---|---|---|---|---|
| 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 |
| | | | **SUB TOTAL:** | **$159,782.39** | **$158,782.39** |

| **ONGOING CASES** | | | | **REQUESTED** | **PAID** |
|---|---|---|---|---|---|
| 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 |
| | | | **SUB TOTAL:** | **$285,697.89** | **$263,095.16** |
| | | | **DIRECT PAYMENT CLAIMS TOTAL:** | **$445,480.28** | **$421,877.55** |
| | | | **BOARD MEETING CLAIMS TOTAL:** | **$1,223,640.72** | **$1,105,943.01** |

Case: #1993000102
Claim #: 80537

**STAFF AUTHORIZED DIRECT PAYMENT**
Payment Date: August 17, 2023

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.

| | | |
|---|---|---|
| | $2,776,879.78 | Amount Requested to Date |
| | ($27,274.04) | Amount Disallowed, Past Claims |
| | ($30,000.00) | Deductible/Co-Payment Satisfied to Date |
| | ($2,366,765.77) | Amount Paid to Date |
| SUB TOTAL | $103,639.50 | Amount Requested this Meeting |
| | $0.00 | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $103,639.50 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 04/05/2023 and 07/05/2023

**Summary of work completed:** Project management, traffic control services, 1st Event 2023 groundwater monitor well sampling, preparation of Site Grading Plan, site grading, installation of 11 dual phase soil/groundwater remedial wells, drafting services, surveying services, 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** | $2,776,879.78 |
| **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** | $2,730,819.99 |
| **Amount Paid** | $2,730,819.99 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 03/15/1993 | **DEP Facility Number:** | 8-000523 |
| **Site Name** | Rebel Store #2008 | | |
| **Site Contact** | Dana Cason Teepe | **Telephone:** | (702)382-5866 |
| **Site Address** | 3225 Las Vegas Blvd N<br>Las Vegas, NV 89115 | | |
| **County:** | Clark County | | |
| **Owner/Operator Name:** | Rebel Oil Company | | |
| **Contact Name of Owner/Operator:** | Dana Cason Teepe<br>2200 S Highland Drive<br>Las Vegas, NV 89102 | **Telephone:** | (702)382-5866 Ext: 2 |
| **Prime Contractor** | Stewart Environmental, Inc. | | |
| **Contact Name** | Keith Stewart | | |
| **Contractor Address** | 10300 West Charleston Boulevard, Suite 13-B32<br>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 | 42 | Regulated UST | See Synopsis |

Case: #1994000015
Claim #: 80524

**STAFF AUTHORIZED DIRECT PAYMENT**
Payment Date: August 17, 2023

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.

| | | |
|---|---|---|
| | $2,064,288.81 | Amount Requested to Date |
| | ($77,373.84) | Amount Disallowed, Past Claims |
| | ($20,000.00) | Deductible/Co-Payment Satisfied to Date |
| | ($1,341,540.43) | Amount Paid to Date |
| SUB TOTAL | $9,189.77 | Amount Requested this Meeting |
| | $0.00 | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $9,189.77 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 04/14/2023 and 07/03/2023

**Summary of work completed:** Project management, preparation of petroleum fund claim for 2nd Quarter 2023, drafting services, preparation of Sensitive Receptor Survey, preparation of Site Closure presentation, and preparation of cost proposal.

# 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** | $2,064,288.81 |
| **Amount Disallowed** | $77,373.84 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $0.00 |
| **Copay/Deductible** | $20,000.00 |
| **Amount Recommended** | $1,966,914.97 |
| **Amount Paid** | $1,966,914.97 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 02/04/1993 | **DEP Facility Number:** | 8-000147 |
| **Site Name** | Former D & G Oil Company | | |
| **Site Contact** | Pilger, Jessica | **Telephone:** | (760)447-5192 |
| **Site Address** | 6176 Las Vegas Blvd S<br>Las Vegas, NV 89119 | | |
| **County:** | Clark County | | |
| **Owner/Operator Name:** | Pilger Family Holdings | | |
| **Contact Name of Owner/Operator:** | Jessica Pilger<br>5127 Crown Street<br>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<br>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 #: 80530

**STAFF AUTHORIZED DIRECT PAYMENT**
Payment Date: August 17, 2023

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.

| | | |
|---|---|---|
| | $833,604.87 | Amount Requested to Date |
| | ($4,613.97) | Amount Disallowed, Past Claims |
| | ($81,108.91) | Deductible/Co-Payment Satisfied to Date |
| | ($347,635.61) | Amount Paid to Date |
| SUB TOTAL | $17,901.69 | Amount Requested this Meeting |
| | ($109.89) | Amount Disallowed this Meeting |
| SUB TOTAL | $17,791.80 | |
| | ($1,779.18) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $16,012.62 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 04/05/2023 and 07/03/2023

**Summary of work completed:** Project management, Remediation System Operation and Maintenance (April thru June 2023), CEM-Conducted Monthly System Maintenance (April thru June 2023) 2nd Quarter 2023 Groundwater Well Sampling and/or free product removal, drafting services, 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** | $833,604.87 |
| **Amount Disallowed** | $4,723.86 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $0.00 |
| **Copay/Deductible** | $81,108.91 |
| **Amount Recommended** | $745,992.92 |
| **Amount Paid** | $745,992.92 |

## 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<br>Las Vegas, NV 89106 | | |
| **County:** | Clark County | | |
| **Owner/Operator Name:** | Nevada Ready Mix Corp | | |
| **Contact Name of Owner/Operator:** | Larry Miller<br>151 Cassia Way<br>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<br>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 | 72 | Regulated UST | See Synopsis |
| 003 | 500 | 57 | Regulated UST | See Synopsis |

Case: #1999000066
Claim #: 80527

**STAFF AUTHORIZED DIRECT PAYMENT**
Payment Date: August 17, 2023

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.

| | | |
|---|---|---|
| | $3,817,918.43 | Amount Requested to Date |
| | ($9,980.22) | Amount Disallowed, Past Claims |
| | ($378,093.03) | Deductible/Co-Payment Satisfied to Date |
| | ($2,809,351.54) | Amount Paid to Date |
| SUB TOTAL | $27,008.09 | Amount Requested this Meeting |
| | ($15.00) | Amount Disallowed this Meeting |
| SUB TOTAL | $26,993.09 | |
| | ($2,699.31) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $24,293.78 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 04/25/2023 and 07/03/2023

**Summary of work completed:** Project management, Remediation System Operation and Monitoring (April thru June 2023), CEM Conducted Monthly Remediation System Maintenance (April thru June 2023), 2nd Quarter 2023 Remediation System Permit Report preparation, 2nd Quarter 2023 Well Sampling and/or Free Product Removal, 2nd Quarter 2023 Groundwater Monitoring Remedition Status report preparation, preparation of 2nd Quarter 2023 petroleum fund submittal, drafting services, and laboratory analysis.

# 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** | $3,817,918.43 |
| **Amount Disallowed** | $9,995.22 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $0.00 |
| **Copay/Deductible** | $378,093.03 |
| **Amount Recommended** | $3,427,130.87 |
| **Amount Paid** | $3,427,130.87 |

## 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 | 56 | Aboveground | See Synopsis |
| 006 | 20000 | 56 | Aboveground | See Synopsis |

Case: #2013000011
Claim #: 80531

**STAFF AUTHORIZED DIRECT PAYMENT**
Payment Date: August 17, 2023

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.

| | | |
|---|---|---|
| | $982,813.16 | Amount Requested to Date |
| | ($10,366.88) | Amount Disallowed, Past Claims |
| | ($90,872.84) | Deductible/Co-Payment Satisfied to Date |
| | ($457,480.70) | Amount Paid to Date |
| SUB TOTAL | $63,718.00 | Amount Requested this Meeting |
| | ($1,400.00) | Amount Disallowed this Meeting |
| SUB TOTAL | $62,318.00 | |
| | ($6,231.80) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $56,086.20 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 05/30/2023 and 07/10/2023

**Summary of work completed:** Project management, preparation of site closure presentation, preparation of cost proposal, preparation of petroleum fund submittal for 2nd Quarter of 2023, permanent well closure, and remediation system decommissioning and site reestoration.

# 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** | $982,813.16 |
| **Amount Disallowed** | $11,766.88 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $0.00 |
| **Copay/Deductible** | $90,872.84 |
| **Amount Recommended** | $872,295.14 |
| **Amount Paid** | $872,295.14 |

## Site Identification

**Date Submitted:** 12/21/2012 **DEP Facility Number:** 8-001804

**Site Name** Village Shop #4

**Site Contact** John Moorman **Telephone:** (970)376-1300

**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 **Telephone:** (970)376-1300
P.O. Box 2831
Edwards, CO 81632

**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 | 27 | Regulated UST | See Synopsis |

Case: #2014000033
Claim #: 80529

**STAFF AUTHORIZED DIRECT PAYMENT**
Payment Date: August 17, 2023

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.

| | | |
|---|---|---|
| | $939,337.64 | Amount Requested to Date |
| | ($4,316.50) | Amount Disallowed, Past Claims |
| | ($92,274.24) | Deductible/Co-Payment Satisfied to Date |
| | ($344,101.21) | Amount Paid to Date |
| SUB TOTAL | $12,278.93 | Amount Requested this Meeting |
| | ($100.00) | Amount Disallowed this Meeting |
| SUB TOTAL | $12,178.93 | |
| | ($1,217.89) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $10,961.04 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 04/19/2023 and 07/02/2023

**Summary of work completed:** Project management, CEM Conducted Monthly Remediation System Maintenance for April 2023, 2nd Quarter 2023 Remediation System Permit Report preparation, 2nd Quarter 2023 Well Sampling Permit Report preparation, 2nd Quarter 2023 Well Sampling and/or Free Product Removal, 2nd Quarter 2023 Groundwater Monitoring Remediation Status Report preparation, 2nd Quarter 2023 petroleum fund submittal 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** | $939,337.64 |
| **Amount Disallowed** | $4,416.50 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $0.00 |
| **Copay/Deductible** | $92,274.24 |
| **Amount Recommended** | $841,429.01 |
| **Amount Paid** | $841,429.01 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 01/16/2015 | **DEP Facility Number:** | 8-001779 |
| **Site Name** | Speedee Mart #108 | | |
| **Site Contact** | Paul Orluske | **Telephone:** | (702)450-2726 |
| **Site Address** | 4701 W Lake Mead Blvd<br>Las Vegas, NV 89108 | | |
| **County:** | Clark County | | |
| **Owner/Operator Name:** | Speedee Mart Inc. | | |
| **Contact Name of Owner/Operator:** | Brad Emery<br>1188 Wigwam Parkway<br>Henderson, NV 89074 | **Telephone:** | (702)610-9844 |
| **Prime Contractor** | Stewart Environmental, Inc. | | |
| **Contact Name** | Keith Stewart | | |
| **Contractor Address** | 10300 West Charleston Boulevard, Suite 13-B32<br>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 | 27 | Regulated UST | See Synopsis |

Case: #2017000019
Claim #: 80536

**STAFF AUTHORIZED DIRECT PAYMENT**
Payment Date: August 17, 2023

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.

| | | |
|---|---|---|
| | $699,766.24 | Amount Requested to Date |
| | ($17,036.47) | Amount Disallowed, Past Claims |
| | ($68,010.23) | Deductible/Co-Payment Satisfied to Date |
| | ($142,441.09) | Amount Paid to Date |
| SUB TOTAL | $2,627.50 | Amount Requested this Meeting |
| | ($262.75) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $2,364.75 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 06/19/2023 and 07/03/2023

**Summary of work completed:** Project management, Groundwater Monitoring Well Sampling and/or Free Product Removal, 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. THERE WAS A SECOND RELEASE FROM ANOTHER GASOLINE TANK IN JUNE OF 2021. SEE CASE ID 2022000015.

**Contaminant:** Gasoline (containing <= 10% ethanol)

| | |
|---|---|
| **Fund Coverage** | $1,000,000.00 |
| **Amount Fund Will Pay** | $900,000.00 |
| **Amount Requested** | $699,766.24 |
| **Amount Disallowed** | $17,036.47 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $0.00 |
| **Copay/Deductible** | $68,010.23 |
| **Amount Recommended** | $614,456.79 |
| **Amount Paid** | $614,456.79 |

## Site Identification

**Date Submitted:** 05/17/2018 **DEP Facility Number:** 8-001781

**Site Name** Rebel Store #2197

**Site Contact** Helene Dickerson **Telephone:** (702)434-2505

**Site Address** 4665 E Sunset Rd
Henderson, NV 89014

**County:** Clark County

**Owner/Operator Name:** Rebel Oil Company

**Contact Name of Owner/Operator:** Dana Cason Teepe **Telephone:** (702)382-5866 Ext: 2
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 | Closed | Regulated UST | The shear valve failed allowing fuel to enter the UDC. Based on the location of the hydrocarbon con |

Case: #2018000005
Claim #: 80534

**STAFF AUTHORIZED DIRECT PAYMENT**
Payment Date: August 17, 2023

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.

| | | |
|---|---|---|
| | $258,028.27 | Amount Requested to Date |
| | ($2,161.99) | Amount Disallowed, Past Claims |
| | ($25,171.60) | Deductible/Co-Payment Satisfied to Date |
| | ($100,704.80) | Amount Paid to Date |
| SUB TOTAL | $4,150.50 | Amount Requested this Meeting |
| | ($415.05) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $3,735.45 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 05/30/2023 and 05/30/2023

**Summary of work completed:** Project management, quarterly sampling and monitoring for 2nd Quarter 2023, 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** | $258,028.27 |
| **Amount Disallowed** | $2,161.99 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $0.00 |
| **Copay/Deductible** | $25,171.60 |
| **Amount Recommended** | $230,279.63 |
| **Amount Paid** | $230,279.63 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 07/13/2018 | **DEP Facility Number:** | 8-001429 |
| **Site Name** | Rebel Store # 2153 | | |
| **Site Contact** | Pending | **Telephone:** | (702)555-5555 |
| **Site Address** | 4595 E Tropicana Ave<br>Las Vegas, NV 89121 | | |
| **County:** | Clark County | | |
| **Owner/Operator Name:** | Rebel Oil Company | | |
| **Contact Name of Owner/Operator:** | Dana Cason Teepe<br>2200 S Highland Dr<br>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<br>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 | 31 | Regulated UST | Spill Bucket |
| 002 | 12000 | 31 | Regulated UST | Spill Bucket |

Case: #2019000002
Claim #: 80535

**STAFF AUTHORIZED DIRECT PAYMENT**
Payment Date: August 17, 2023

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.

| | | |
|---|---|---|
| | $253,084.16 | Amount Requested to Date |
| | ($841.42) | Amount Disallowed, Past Claims |
| | ($24,717.01) | Deductible/Co-Payment Satisfied to Date |
| | ($94,583.70) | Amount Paid to Date |
| SUB TOTAL | $5,072.75 | Amount Requested this Meeting |
| | ($507.28) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $4,565.47 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 03/31/2023 and 05/30/2023

**Summary of work completed:** Project management, Groundwater Monitoring Well Sampling and/or Free Product Removal for 2nd Quarter 2023, traffic control services, 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** | $253,084.16 |
| **Amount Disallowed** | $841.42 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $0.00 |
| **Copay/Deductible** | $24,717.01 |
| **Amount Recommended** | $227,018.45 |
| **Amount Paid** | $227,018.45 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 06/13/2019 | **DEP Facility Number:** | 8-001721 |
| **Site Name** | Rebel Store #2166 | | |
| **Site Contact** | Dana Cason-Teppe | **Telephone:** | (453)423-6555 |
| **Site Address** | 4115 S Decatur Blvd<br>Las Vegas, NV 89103 | | |
| **County:** | Clark County | | |
| **Owner/Operator Name:** | Rebel Oil Company | | |
| **Contact Name of Owner/Operator:** | Dana Cason Teepe<br>2200 S Highland Dr<br>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<br>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 | 28 | Regulated UST | Pipe |

Case: #2019000014
Claim #: 80532

**STAFF AUTHORIZED DIRECT PAYMENT**
Payment Date: August 28, 2023

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.

| | | |
|---|---|---|
| | $250,635.99 | Amount Requested to Date |
| | ($1,791.48) | Amount Disallowed, Past Claims |
| | ($24,072.14) | Deductible/Co-Payment Satisfied to Date |
| | ($14,298.08) | Amount Paid to Date |
| SUB TOTAL | $8,123.00 | Amount Requested this Meeting |
| | ($75.00) | Amount Disallowed this Meeting |
| SUB TOTAL | $8,048.00 | |
| | ($804.80) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $7,243.20 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 06/19/2023 and 07/03/2023

**Summary of work completed:** Project management, 2nd Quarter 2023 Well Sampling and/or Free Product Removal, 2nd Quarter 2023 Groundwater Monitoring Remediation Status Report, preparation of petroleum fund submittal for 2nd Quarter 2023, 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** | $250,635.99 |
| **Amount Disallowed** | $1,866.48 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $0.00 |
| **Copay/Deductible** | $24,072.14 |
| **Amount Recommended** | $223,892.57 |
| **Amount Paid** | $223,892.57 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 08/14/2019 | **DEP Facility Number:** | 8-001122 |
| **Site Name** | Western Cab CO | | |
| **Site Contact** | Martha Sarver | **Telephone:** | (702)595-1946 |
| **Site Address** | 801 S Main St<br>Las Vegas, NV 89101 | | |
| **County:** | Clark County | | |
| **Owner/Operator Name:** | Western Cab CO | | |
| **Contact Name of Owner/Operator:** | Martha Sarver<br>P.O. Box 36550<br>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<br>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: #2022000012
Claim #: 80533

**STAFF AUTHORIZED DIRECT PAYMENT**
Payment Date: August 17, 2023

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.

| | | |
|---|---|---|
| | $68,702.50 | Amount Requested to Date |
| | ($5,343.49) | Deductible/Co-Payment Satisfied to Date |
| | $0.00 | Amount Paid to Date |
| SUB TOTAL | $15,267.50 | Amount Requested this Meeting |
| | ($190.50) | Amount Disallowed this Meeting |
| SUB TOTAL | $15,077.00 | |
| | ($1,507.70) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $13,569.30 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 04/14/2023 and 07/03/2023

**Summary of work completed:** Project management, 2ns Quater 2023 Well Sampling and/or Free Product Removal, 2nd Quarter 2023 Groundwater Monitoring Remediation Status Report, preparation of petroleum fund claim for 2nd Quarter 2023, site characterization report preparation (small scale investigation, preparation of cost proposal, surveying services, and laboratory analysis.

# Site Summary Report

**Case Number:** 2022000012 **Site Name:** City C-Store (7-11)

## Site Status

**Synopsis:** A LEAKING GASOLINE PIPE BENEATH THE SHEAR VALVE ON FUEL DISPENSER 1/2 WAS DISCOVERED DURING A SITE INSPECTION ON JANUARY 19, 2022 AND IS THE SOURCE OF THE SOIL CONTAMINATION.

**Contaminant:** Gasoline (containing <= 10% ethanol)

| | |
|---|---|
| **Fund Coverage** | $1,000,000.00 |
| **Amount Fund Will Pay** | $900,000.00 |
| **Amount Requested** | $68,702.50 |
| **Amount Disallowed** | $190.50 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $0.00 |
| **Copay/Deductible** | $5,343.49 |
| **Amount Recommended** | $61,660.81 |
| **Amount Paid** | $61,660.81 |

## Site Identification

**Date Submitted:** 09/06/2022 **DEP Facility Number:** 8-001419

**Site Name** City C-Store (7-11)

**Site Contact** Neissan Koroghli **Telephone:** (702)290-6479

**Site Address** 228 Las Vegas Blvd N
Las Vegas, NV 89101

**County:** Clark County

**Owner/Operator Name:** Neissan Koroghli

**Contact Name of Owner/Operator:** Neissan Koroghli **Telephone:** (702)290-6479
2796 Brands Hatch Court
Henderson, NV 89052

**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 | 12000 | 31 | Regulated UST | Fuel pipe beneath the shear valve on dispenser 1/2 |

Case: #2022000015
Claim #: 80538

**STAFF AUTHORIZED DIRECT PAYMENT**
Payment Date: August 17, 2023

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.

| | | |
|---|---|---|
| | $450,757.77 | Amount Requested to Date |
| | ($1,660.32) | Amount Disallowed, Past Claims |
| | ($86,475.36) | Board Reduction, Past Claims |
| | ($34,590.14) | Deductible/Co-Payment Satisfied to Date |
| | ($311,311.29) | Amount Paid to Date |
| SUB TOTAL | $16,720.66 | Amount Requested this Meeting |
| | ($840.00) | Amount Disallowed this Meeting |
| | ($3,176.13) | Board Reduction, This Meeting |
| SUB TOTAL | $12,704.53 | |
| | ($1,270.45) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $11,434.08 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 04/29/2023 and 07/03/2023

**Summary of work completed:** Project management, Remediation System Operations and Monitoring (April thru June 2023), CEM-Conducted Remediation System Maintenance (April thru June 2023), Groundwater Monitoring Well Sampling and/or Free Product Removal for 2nd Quarter 2023, and laboratory analysis.

# Site Summary Report

**Case Number:** 2022000015 **Site Name:** Rebel Store #2197

## Site Status

**Synopsis:** FAILURE OF A 12,000 GALLON GASOLINE TANK (TANK 002). CRACKS IDENTIFIED AT TIME OF REMOVAL. THIS IS THE SECOND TANK TO FAIL AT THIS SITE. ANOTHER GASOLINE UST FAILED IN JULY 2016. SEE CASE ID 2017000019.

**Contaminant:** Gasoline (containing <= 10% ethanol)

| | |
|---|---|
| **Fund Coverage** | $1,000,000.00 |
| **Amount Fund Will Pay** | $720,000.00 |
| **Amount Requested** | $450,757.77 |
| **Amount Disallowed** | $2,500.32 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $89,651.49 |
| **Pending Copay/Deductible** | $0.00 |
| **Copay/Deductible** | $34,590.14 |
| **Amount Recommended** | $322,745.37 |
| **Amount Paid** | $322,745.37 |

## Site Identification

**Date Submitted:** 10/03/2022 **DEP Facility Number:** 8-001781

**Site Name** Rebel Store #2197

**Site Contact** Chittal Shah **Telephone:** (702)458-6677

**Site Address** 4665 E Sunset Rd
Henderson, NV 89014

**County:** Clark County

**Owner/Operator Name:** Rebel Oil Company

**Contact Name of Owner/Operator:** Dana Cason Teepe **Telephone:** (702)382-5866
2200 South 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:** 20.00

## Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type | Leak Location |
|---|---|---|---|---|
| 001 | 12000 | Closed | Regulated UST | Tank |
| 002 | 12000 | 27 | Regulated UST | Tank |

Case: #2023000008
Claim #: 80511

**STAFF AUTHORIZED DIRECT PAYMENT**
Payment Date: July 03, 2023

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.

| | | |
|---|---|---|
| | $70,176.42 | Amount Requested to Date |
| | $0.00 | Deductible/Co-Payment Satisfied to Date |
| | $0.00 | Amount Paid to Date |
| SUB TOTAL | $27,016.25 | Amount Requested this Meeting |
| | ($250.00) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $26,766.25 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 11/23/2022 and 05/31/2023

**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 during the job walk before the home was demolished. 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:** 2023000008 **Site Name:** Tote Living Trust Leaking Residential Heating Oil Tank

## Site Status

**Synopsis:** CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A NON-REGULATED 1,000-GALLON UNDERGROUND STORAGE TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. APPROXIMATELY 152.86 TONS OF CONTAMINATED SOIL WAS REMOVED.

**Contaminant:** Heating Oil

| | |
|---|---|
| **Fund Coverage** | $250,250.00 |
| **Amount Fund Will Pay** | $250,000.00 |
| **Amount Requested** | $70,176.42 |
| **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** | $69,926.42 |
| **Amount Paid** | $69,926.42 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 04/28/2023 | **DEP Facility Number:** | D-001368 |
| **Site Name** | Tote Living Trust Leaking Residential Heating Oil Tank | | |
| **Site Contact** | Robert Tote | **Telephone:** | (775)721-8762 |
| **Site Address** | 3530 Fairview Road<br>Reno, NV 89511 | | |
| **County:** | Washoe County | | |
| **Owner/Operator Name:** | Robert & Martha Tote | | |
| **Contact Name of Owner/Operator:** | Robert Tote<br>1205 Rhodes Road<br>Reno, NV 89521 | **Telephone:** | (775)721-8762 |
| **Prime Contractor** | Reno Drain Oil Service | | |
| **Contact Name** | Steven Aguilar | | |
| **Contractor Address** | 11970 Interstate 80 E<br>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 |
|---|---|---|---|---|
| 3530 Fairview Dr Tank | 1000 | 68 | Non-Regulated | Tank |

Case: #2023000008
Claim #: 80520

**STAFF AUTHORIZED DIRECT PAYMENT**
Payment Date: August 17, 2023

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.

| | | |
|---|---|---|
| | $70,176.42 | Amount Requested to Date |
| | ($250.00) | Deductible/Co-Payment Satisfied to Date |
| | $0.00 | Amount Paid to Date |
| SUB TOTAL | $43,160.17 | Amount Requested this Meeting |
| | $0.00 | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $43,160.17 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 04/13/2023 and 05/31/2023

**Summary of work completed:** After the excavation and removal of 70.69 tons of contaminated soil on 03-16, 03-17 & 03-20-23 (As part of Claim 80511) a soil sample was obtained from the north, south, east and west sidewalls of the excavation at a depth of fourteen feet and from the bottom of the excavation at a depth of fifteen feet. The result of this testing indicated that the north sidewall had a TPH level of 15,650 mg/Kg (13,000 DRO, 750 ORO & 1,900 GRO), the south sidewall had a TPH level of 8,400 mg/Kg (6,700 DRO, 400 ORO & 1,300 GRO), the east sidewall had a TPH result of 5,750 mg/Kg (4,300 DRO, 250 ORO & 1,200 GRO), the west sidewall had a TPH level of 8,440 mg/Kg (6,800 DRO, 340 ORO & 1,300 GRO) and the bottom had a TPH level of 2,740 mg/Kg (1,900 DRO, 100 ORO & 740 GRO). See attachment# 11 thru 17. RDO directed Alpha Analytical Laboratory to perform 8260 and 8270 testing on the soil sample obtained from the north sidewall of the excavation because this was the area exhibiting the highest remaining TPH contamination. This testing was performed in an attempt to close the project based on constituents. The result of this testing indicated that the level of Naphthalene at 4.4 mg/Kg was above the constituent level listed in the NDEP petroleum in soil closure policy. See attachment# 18 thru 20. With consent of NDEP case officer Mr. Grant Busse, RDO returned to the site and removed an additional 48.40 tons of contaminated soil (see attachment #21 thru 24). Samples were again obtained from the four sidewalls at a depth of fifteen feet and from the bottom of the excavation at a depth of sixteen feet. The result of this testing indicated that the north sidewall remained contaminated with a TPH level of 11,770 mg/Kg (10,000 DRO, 370 ORO & 1,400 GRO), the south sidewall had a TPH result of 4,220 mg/Kg (3,500 DRO, 150 ORO & 570 GRO), the east sidewall had a TPH level of 6,450 mg/Kg (5,300 DRO, 250 ORO & 900 GRO), the west sidewall had a TPH level of 4,050 mg/Kg (3,400 DRO, 130 ORO & 520 GRO) and the bottom had a TPH level of 2,012 mg/KG (1,600 DRO, 82 ORO & 330 GRO). See attachment # 25 thru 31. RDO directed Alpha Analytical Laboratory to perform 8260 and 8270 testing on the second sample obtained from the north sidewall of the excavation because this was the area exhibiting the highest remaining TPH contamination. This testing was again performed in an attempt to close the project based on constituents. The result of this testing indicated that the level of Naphthalene at 2.6 mg/Kg was above the constituent level listed in the petroleum in soil closure policy. See attachment# 32 thru 34. With consent of NDEP case officer Mr. Grant Busse, RDO excavated an additional 33.87 tons of contaminated soil on 04-20 and 04-21-23 (see attachment# 35, 36 & 37). For the third and final time a soil sample was obtained from the north sidewall of the excavation, at a depth of fifteen feet. The result of this testing indicated that the level of contamination in the north sidewall had fallen to 36 mg/Kg (DRO). See attachment# 38, 39 & 40. RDO directed Alpha Analytical Laboratory to perform 8260 and 8270 testing on the second soil sample that had been obtained from the east sidewall of the excavation because this was the area now exhibiting the highest remaining TPH contamination. This testing was performed in an attempt to close the project based on constituents, and the result of this testing indicated that no constituent was detected at a level above the level listed in the petroleum in soil closure policy (see attachment# 41, 42 & 43).

# Site Summary Report

**Case Number:** 2023000008 **Site Name:** Tote Living Trust Leaking Residential Heating Oil Tank

## Site Status

**Synopsis:** CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A NON-REGULATED 1,000-GALLON UNDERGROUND STORAGE TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. APPROXIMATELY 152.86 TONS OF CONTAMINATED SOIL WAS REMOVED.

**Contaminant:** Heating Oil

| | |
|---|---|
| **Fund Coverage** | $250,250.00 |
| **Amount Fund Will Pay** | $250,000.00 |
| **Amount Requested** | $70,176.42 |
| **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** | $69,926.42 |
| **Amount Paid** | $69,926.42 |

## Site Identification

| | | | |
|---|---|---|---|
| **Date Submitted:** | 04/28/2023 | **DEP Facility Number:** | D-001368 |
| **Site Name** | Tote Living Trust Leaking Residential Heating Oil Tank | | |
| **Site Contact** | Robert Tote | **Telephone:** | (775)721-8762 |
| **Site Address** | 3530 Fairview Road<br>Reno, NV 89511 | | |
| **County:** | Washoe County | | |
| **Owner/Operator Name:** | Robert & Martha Tote | | |
| **Contact Name of Owner/Operator:** | Robert Tote<br>1205 Rhodes Road<br>Reno, NV 89521 | **Telephone:** | (775)721-8762 |
| **Prime Contractor** | Reno Drain Oil Service | | |
| **Contact Name** | Steven Aguilar | | |
| **Contractor Address** | 11970 Interstate 80 E<br>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 |
|---|---|---|---|---|
| 3530 Fairview Dr Tank | 1000 | 68 | Non-Regulated | Tank |

Case: #2023000009
Claim #: 80510

**STAFF AUTHORIZED DIRECT PAYMENT**
Payment Date: June 20, 2023

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.

| | | |
|---|---|---|
| | $31,517.96 | Amount Requested to Date |
| | $0.00 | Deductible/Co-Payment Satisfied to Date |
| | $0.00 | Amount Paid to Date |
| SUB TOTAL | $31,517.96 | Amount Requested this Meeting |
| | ($250.00) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $31,267.96 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 02/10/2023 and 05/24/2023

**Summary of work completed:** Release discovered by Reno Drain Oil Service at time of heating oil tank removal. RDO confirmed this was a heating oil tank visually confirming return lines to the heating oil furnace in side the office. The heating oil tank, which supplied heating oil to the heating oil furnace inside the office 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 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:** 2023000009 **Site Name:** Sindlinger Capital LLC Residential Heating Oil Tank

## Site Status

**Synopsis:** CONTAMINATION DISCOVERED DURING HEATING OIL TANK REMOVAL ON 2/17/23. DISCHARGE EMANATED FROM CORROSION HOLES IN 1,000 GALLON, STEEL, UNDERGROUND STORAGE TANK, USED TO STORE HEATING OIL AT THE TIME OF REMOVAL.

**Contaminant:** Heating Oil

| | |
|---|---|
| **Fund Coverage** | $250,250.00 |
| **Amount Fund Will Pay** | $250,000.00 |
| **Amount Requested** | $31,517.96 |
| **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** | $31,267.96 |
| **Amount Paid** | $31,267.96 |

## Site Identification

**Date Submitted:** 04/25/2023 **DEP Facility Number:** D-001367

**Site Name** Sindlinger Capital LLC Residential Heating Oil Tank

**Site Contact** Max Volger **Telephone:** (775)391-9901

**Site Address** 6850 South McCarran Boulevard
Reno, NV 89509

**County:** Washoe County

**Owner/Operator Name:** Sindlinger Capital LLC

**Contact Name of Owner/Operator:** Max Volger **Telephone:** (775)391-9901
8975 Double Diamond Parkway, Suite A13
Reno, NV 89521

**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 |
|---|---|---|---|---|
| 6850 S McCarran Tank | 1000 | 61 | Non-Regulated | Tank |

Case: #2023000011
Claim #: 80515

**STAFF AUTHORIZED DIRECT PAYMENT**
Payment Date: August 17, 2023

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.

| | | |
|---|---|---|
| | $27,549.67 | Amount Requested to Date |
| | $0.00 | Deductible/Co-Payment Satisfied to Date |
| | $0.00 | Amount Paid to Date |
| SUB TOTAL | $27,549.67 | Amount Requested this Meeting |
| | ($250.00) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $27,299.67 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 04/04/2023 and 06/05/2023

**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 the 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:** 2023000011 **Site Name:** Residential Heating Oil Tank At 5300 Valley Vista Drive

## Site Status

**Synopsis:** DISCHARGE DISCOVERED DURING TANK REMOVAL ACTIVITIES ON 4/14/2023. CONTAMINATION EMANATED FROM CORROSION HOLES IN SHELL OF A STEEL 1000-GALLON NON-REGULATED UNDERGROUND STORAGE TANK. INITIAL ABATEMENT ACTIVITIES REMOVED APPROXIMATELY 65.65 TONS OF CONTAMINATED SOIL.

**Contaminant:** Heating Oil

| | |
|---|---|
| **Fund Coverage** | $250,250.00 |
| **Amount Fund Will Pay** | $250,000.00 |
| **Amount Requested** | $27,549.67 |
| **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** | $27,299.67 |
| **Amount Paid** | $27,299.67 |

## Site Identification

**Date Submitted:** 06/13/2023 **DEP Facility Number:** D-001376

**Site Name** Residential Heating Oil Tank At 5300 Valley Vista Drive

**Site Contact** James Hardesty **Telephone:** (775)530-0405

**Site Address** 5300 Valley Vista Drive
Washoe County, NV 89431

**County:** Washoe County

**Owner/Operator Name:** James Hardesty

**Contact Name of Owner/Operator:** James Hardesty **Telephone:** (775)530-0405
5300 Valley Vista Way
Sparks, NV 89431

**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 |
|---|---|---|---|---|
| 5300 Valley View Dr Tank | 1000 | 42 | Non-Regulated | Tank |

Case: #2023000012
Claim #: 80514

**STAFF AUTHORIZED DIRECT PAYMENT**
Payment Date: August 17, 2023

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.

| | | |
|---|---|---|
| | $30,538.34 | Amount Requested to Date |
| | $0.00 | Deductible/Co-Payment Satisfied to Date |
| | $0.00 | Amount Paid to Date |
| SUB TOTAL | $30,538.34 | Amount Requested this Meeting |
| | ($250.00) | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL | $30,288.34 | Allowable Amount, this Board Meeting |

The above claim amount represents reimbursement for invoices submitted between 08/30/2022 and 06/05/2023

**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 the 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:** 2023000012 **Site Name:** Packer Family Trust Leaking Residential Heating Oil Tank

## Site Status

**Synopsis:** DISCHARGE DISCOVERED DURING TANK REMOVAL ACTIVITIES ON 4/13/2023. CONTAMINATION EMANATED FROM CORROSION HOLES IN SHELL OF STEEL 500-GALLON NON-REGULATED HEATING OIL TANK. INITIAL ABATEMENT MEASURES REMOVED 24.95 TONS OF CONTAMINATED SOIL.

**Contaminant:** Heating Oil

| | |
|---|---|
| **Fund Coverage** | $250,250.00 |
| **Amount Fund Will Pay** | $250,000.00 |
| **Amount Requested** | $30,538.34 |
| **Amount Disallowed** | $0.00 |
| **Misc Debit/Credit** | $0.00 |
| **Reduction Amount Paid** | $0.00 |
| **Pending Copay/Deductible** | $0.00 |
| **Copay/Deductible** | $0.00 |
| **Amount Recommended** | $30,288.34 |
| **Amount Paid** | $30,288.34 |

## Site Identification

**Date Submitted:** 06/13/2023 **DEP Facility Number:** D-001374

**Site Name** Packer Family Trust Leaking Residential Heating Oil Tank

**Site Contact** James Hardesty **Telephone:** (775)530-0405

**Site Address** 5354 Valley Vista Way
Sparks, NV 89431

**County:** Washoe County

**Owner/Operator Name:** Packer Family Trust

**Contact Name of Owner/Operator:** James Hardesty **Telephone:** (775)530-0405
5354 Valley Vista Way
Sparks, NV 89431

**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 |
|---|---|---|---|---|
| 5354 Valley Vista Tank | 500 | 47 | Non-Regulated | Tank |

# Agenda Item 9:
# Execute Summary

(FOR DISCUSSION)

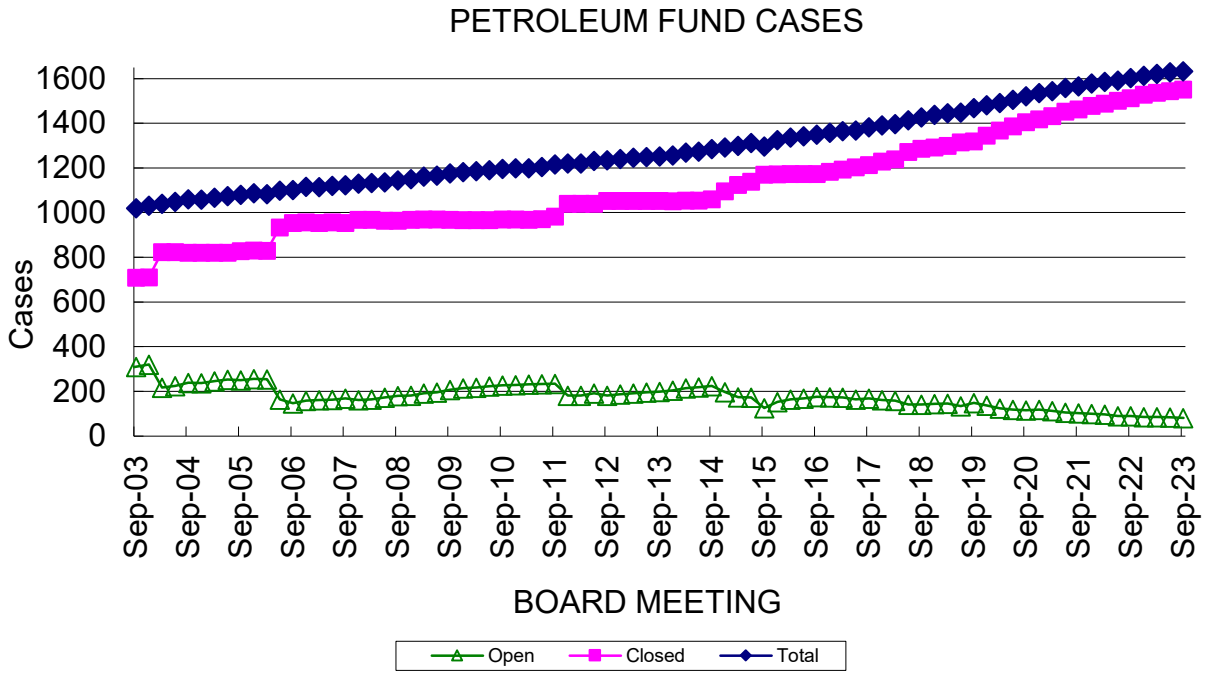
**STATE BOARD TO REVIEW CLAIMS**
**SEPTEMBER 14, 2023 BOARD MEETING**

**EXECUTIVE SUMMARY REPORT**

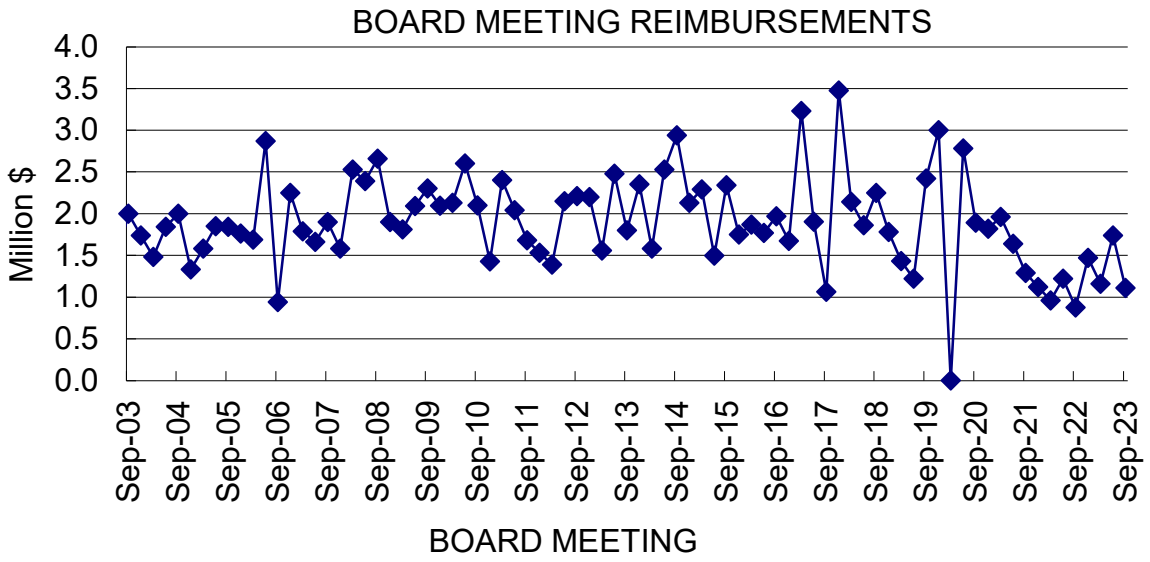
The Fund for Cleaning Up Discharges of Petroleum ("Petroleum Fund" or "Fund") was established in 1989 by the Nevada Legislature. The Petroleum Fund facilitates the protection of Nevada's environment, including its water resources, by allowing for prompt cleanup of petroleum discharges from storage tank 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 2023 runs October 1, 2022, through September 30, 2023. The annual tank system enrollment invoices for FFY 2023 were issued August 17, 2022. Additional invoices have also been generated for subsequent requests for tank enrollment. Currently, a total of 1,309 facilities have been invoiced at $100 per petroleum tank system. As of August 30, 2023, 1,281 (~97.9%) of the facilities have submitted the required enrollment fees.

**Program Case Summary** – Since the Fund was created, a total of 1,807 remediation cases have applied for Petroleum Fund coverage. Of those applications, 174 have been denied due to ineligibility or other reasons. Of the cases that were provided Fund coverage, 1,551 cases have since been closed and no longer receive Fund reimbursement. Currently, there are 82 open Fund cases. Since January 1, 2023, NDEP has received 13 new applications for Fund coverage. There are no applications currently under review and pending a coverage determination.



**Claims Reimbursement Summary** – Prior to this meeting, the Board to Review Claims approved a cumulative total of $257,596,840.68 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 2023 Board meeting, totaling $421,877.55. With today's approval of $684,065.46 in pending claims, the cumulative Fund expenditure will increase to $258,280,906.14.




* Note: The March 12, 2020 meeting was postponed and later cancelled. No claims were approved by the Board.

**Grant for UST Upgrades** – No UST upgrade grant payments were issued this quarter.

# 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 14, 2023<br>Thursday<br>10:00 AM | Videoconference<br><br>TBD - Meeting locations and remote participation information will be posted on the agenda at least 3 days prior to the meeting.<br><br>See Above |

Upcoming Board Meetings
December 14, 2023 - 10:00 AM
March 14, 2024 - 10:00 AM
June 13, 2024 - 10:00 AM
September 12, 2024 - 10:00 AM