

Meeting Agenda

**STATE OF NEVADA BOARD TO REVIEW CLAIMS
AGENDA
DECEMBER 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, December 14, 2023 at the following locations:

Carson City: Richard H. Bryan Building, Bonnie Conference Room, 901 South Stewart Street, 1st 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 SEPTEMBER 14, 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. SITE SPECIFIC BOARD DETERMINATION FOR ADDITIONAL CLEANUP ALLOTMENT (FOR POSSIBLE ACTION)

Site Specific Board Determination No. C2023-03

Proposed Site Specific Board Determination to provide an Additional Allotment of Cleanup Funding in accordance with subsections 4 and 6 of NRS 445C.380 and Board Policy Resolution 2023-01, for Rebel Store #2177, located at 6400 West Lake Mead Boulevard, Las Vegas, Nevada
Petroleum Fund Case ID No. 2017000035, Facility ID No. 8-001928

RECOMMENDATION:

Adoption of Site-Specific Board Determination No. C2023-03 as proposed, granting additional cleanup funding in accordance with subsections 4 and 6 of NRS 445C.380 and Board Policy Resolution 2023-01 under the State of Nevada Petroleum Fund to Rebel Store #2177 for \$900,000.00. This represents \$1,000,000.00 in coverage minus a 10% copayment.

6. 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 - DECEMBER 14, 2023**

<u>NEW CASES</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2021000032; 80522 Circle K Stores, Inc.: Circle K Store #2700755	\$87,977.07	\$77,612.28
FOR POSSIBLE ACTION	2.	2022000030; 80539 Mountain View Hospital: Mountain View Hospital	\$11,220.00	\$8,078.40
SUB TOTAL:			<u>\$99,197.07</u>	<u>\$85,690.68</u>
<u>ONGOING CASES</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	1992000126; 80628 Clark County School District: Rc White (Arville) Transportation Satellite	\$20,010.60	\$19,945.60
FOR POSSIBLE ACTION	2.	1994000027; 80632 7-Eleven, Inc: 7-Eleven #19653	\$75,094.51	\$74,541.07
FOR POSSIBLE ACTION	3.	1995000042; 80583 FBF Inc.: Gas 4 Less	\$20,860.87	\$20,853.59
FOR POSSIBLE ACTION	4.	1996000064; 80616 The Esslinger Family Trust: Red Rock Mini Mart	\$3,037.50	\$2,799.06
FOR POSSIBLE ACTION	5.	1996000101; 80598 Phillips 66 Company: Circle K Store #2700695	\$71,886.25	\$62,912.11
FOR POSSIBLE ACTION	6.	1999000014; 80619 Al Park Petroleum, Inc.: Pit Stop #7 Conoco	\$7,412.48	\$6,671.23
FOR POSSIBLE ACTION	7.	1999000243; 80635 7-Eleven, Inc: 7-Eleven #27607	\$30,524.44	\$26,946.68

FOR POSSIBLE ACTION	8.	2007000014; 80621	Raiders Oz Business, LLC: Former Ace Cab/frias Transportation	\$46,749.72	\$38,436.49
FOR POSSIBLE ACTION	9.	2007000016; 80607	Golden Gate Petroleum Of Nevada LLC: Golden Gate Sun Valley #43	\$8,030.44	\$7,227.40
FOR POSSIBLE ACTION	10.	2008000009; 80581	Pilot Travel Centers LLC: Flying J Travel Plaza #770	\$45,546.71	\$36,892.84
FOR POSSIBLE ACTION	11.	2008000019; 80550	One Panou, LLC: Golden Market #3	\$15,013.72	\$13,422.35
FOR POSSIBLE ACTION	12.	2009000024; 80545	Sjk Investments LLC: Chuck's Circle C	\$16,942.33	\$14,781.54
FOR POSSIBLE ACTION	13.	2010000009; 80615	Hpt Ta Properties Trust: Mill City Travel Center	\$10,364.60	\$8,357.02
FOR POSSIBLE ACTION	14.	2011000009; 80622	Cimarron West: Cimarron West	\$9,626.17	\$8,663.55
FOR POSSIBLE ACTION	15.	2012000005; 80610	Travel Systems, LLC: Zephyr Cove Resort	\$46,950.72	\$42,255.65
FOR POSSIBLE ACTION	16.	2012000012; 80617	Clark County Department Of Aviation: Former Smart Mart	\$21,649.73	\$19,484.76
FOR POSSIBLE ACTION	17.	2013000019; 80623	Hardy Enterprises, Inc.: Elko Sinclair #53	\$34,346.49	\$30,911.84
FOR POSSIBLE ACTION	18.	2014000004; 80609	Alsaker Corporation: Broadway Colt Service Center	\$4,623.82	\$4,161.44
FOR POSSIBLE ACTION	19.	2014000007; 80634	7-Eleven, Inc: 7-Eleven #29658	\$22,061.75	\$19,855.57
FOR POSSIBLE ACTION	20.	2014000025; 80626	Superior Campgrounds Of America, LLC: Silver City Rv Resort	\$15,591.41	\$14,032.27
FOR POSSIBLE ACTION	21.	2017000019; 80596	Rebel Oil Company: Rebel Store #2197	\$6,627.50	\$5,964.75
FOR POSSIBLE ACTION	22.	2018000005; 80594	Rebel Oil Company: Rebel Store # 2153	\$12,833.50	\$11,550.15
FOR POSSIBLE ACTION	23.	2018000009; 80630	Reed Incorporated: Pacific Pride	\$80,205.35	\$72,184.81
FOR POSSIBLE ACTION	24.	2019000002; 80595	Rebel Oil Company: Rebel Store #2166	\$13,389.50	\$12,050.55
FOR POSSIBLE ACTION	25.	2019000044; 80631	7-Eleven, Inc: 7-Eleven #15829	\$35,205.61	\$31,685.05
FOR POSSIBLE ACTION	26.	2020000015; 80618	Canyon Plaza, LLC: Gas 2 Go	\$10,207.40	\$5,512.00
FOR POSSIBLE ACTION	27.	2020000016; 80481	LV Petroleum, LLC: Us Gas #7	\$24,759.44	\$22,283.50
FOR POSSIBLE ACTION	28.	2021000026; 80633	7-Eleven, Inc: 7-Eleven #25578	\$13,247.80	\$11,923.02
FOR POSSIBLE ACTION	29.	2022000015; 80597	Rebel Oil Company: Rebel Store #2197	\$24,006.61	\$17,219.96
FOR POSSIBLE ACTION	30.	2022000035; 80611	7-Eleven, Inc: 7-Eleven #29407	\$59,986.85	\$53,988.17
SUB TOTAL:				<u>\$806,793.82</u>	<u>\$717,514.02</u>
RECOMMENDED CLAIMS TOTAL:				<u>\$905,990.89</u>	<u>\$803,204.70</u>

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

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

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

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

<u>HEATING OIL</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	2023000011; 80573 James Hardesty: Residential Heating Oil Tank At 5300 Valley Vista Drive	\$8,159.25	\$8,159.25
FOR DISCUSSION	2.	2023000014; 80576 Danielle Saenz: Residential Heating Oil Tank At 551 Claremont St	\$30,494.84	\$30,244.84
FOR DISCUSSION	3.	2023000015; 80578 Kimberly Martinez: Residential Heating Oil Tank At 1386 Marlette Circle	\$21,508.93	\$21,258.93
FOR DISCUSSION	4.	2023000017; 80580 John Steinmetz: Residential Heating Oil Tank At 14465 Virginia Foothills Drive	\$26,106.69	\$25,856.69
FOR DISCUSSION	5.	2023000017; 80582 John Steinmetz: Residential Heating Oil Tank At 14465 Virginia Foothills Drive	\$10,083.75	\$10,083.75
FOR DISCUSSION	6.	2023000019; 80584 Janice Kozma: 580 & 590 Genoa Ave Residential Heating Oil Tanks	\$55,773.05	\$55,273.05
FOR DISCUSSION	7.	2023000020; 80585 Janice Kozma: Residential Heating Oil Tanks At 1560 & 1562 W 6th Street	\$46,913.13	\$46,413.13
FOR DISCUSSION	8.	2023000021; 80586 Denise Nunley: Residential Heating Oil Tank At 4000 Jasper Lane	\$33,052.13	\$32,802.13
FOR DISCUSSION	9.	2023000022; 80600 James Kress: Residential Heating Oil Tank At 50 Sonora Circle	\$23,868.21	\$23,618.21
SUB TOTAL:			<u>\$255,959.98</u>	<u>\$253,709.98</u>
 <u>ONGOING CASES</u>			 <u>REQUESTED</u>	 <u>PAID</u>
FOR DISCUSSION	1.	1995000039; 80553 Al Park Petroleum, Inc.: Crescent Valley Market	\$8,308.01	\$7,477.21

FOR DISCUSSION	2.	1999000023; 80601	Nevada Ready Mix Corp: Nevada Ready Mix	\$22,716.16	\$20,444.54
FOR DISCUSSION	3.	1999000066; 80592	HP Management, LLC: Former Haycock Petroleum	\$33,585.54	\$30,226.99
FOR DISCUSSION	4.	1999000086; 80591	Terrible Herbst, Inc.: Terrible Herbst #126	\$3,476.25	\$3,128.63
FOR DISCUSSION	5.	1999000186; 80588	Pilger Family Holdings: Former D & G Oil Company	\$85,770.00	\$77,193.00
FOR DISCUSSION	6.	2011000009; 80559	Cimarron West: Cimarron West	\$29,171.62	\$26,081.74
FOR DISCUSSION	7.	2013000011; 80587	Har Moor Investments, LLC: Village Shop #4	\$7,706.00	\$6,935.40
FOR DISCUSSION	8.	2013000019; 80560	Hardy Enterprises, Inc.: Elko Sinclair #53	\$44,957.76	\$40,461.98
FOR DISCUSSION	9.	2014000033; 80593	Speedee Mart Inc.: Speedee Mart #108	\$11,378.45	\$10,240.61
FOR DISCUSSION	10.	2016000023; 80556	Al Park Petroleum, Inc.: Pit Stop #1	\$18,780.64	\$13,522.06
FOR DISCUSSION	11.	2016000027; 80541	Terrible Herbst, Inc.: Terrible Herbst #272	\$12,137.90	\$9,768.29
FOR DISCUSSION	12.	2018000018; 80508	Primadonna Company, LLC: Whiskey Pete's Stateline Stop	\$110,383.55	\$88,287.34
FOR DISCUSSION	13.	2019000014; 80590	Western Cab Co: Western Cab CO	\$7,168.50	\$6,451.65
FOR DISCUSSION	14.	2022000012; 80589	Neissan Koroghli: City C-Store (7-11)	\$6,086.50	\$5,477.85
			SUB TOTAL:	<u>\$401,626.88</u>	<u>\$345,697.29</u>
			DIRECT PAYMENT CLAIMS TOTAL:	<u>\$657,586.86</u>	<u>\$599,407.27</u>
			BOARD MEETING CLAIMS TOTAL:	<u>\$1,563,577.75</u>	<u>\$1,402,611.97</u>

8. 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.

9. 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.

10. CONFIRMATION OF NEXT BOARD MEETING DATE (FOR DISCUSSION) MARCH 14, 2024 (THURSDAY) AT 10:00 AM

11. 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 December 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_YjkkxOGQ0OTQtNjZhMC00MjcZLTg2ODQtMzNmNGFjNmE5OTZj%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, 264313464# United States, Reno
Phone Conference ID: 264 313 464#

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 December 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 September 14, 2023 Minutes
(FOR POSSIBLE ACTION)

**STATE OF NEVADA BOARD TO REVIEW CLAIMS
MEETING MINUTES - SEPTEMBER 14, 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 S. 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
LeRoy Perks – Representative of the Independent Retailers of Petroleum
Jason Case – Representative of Independent Dealers in Petroleum
Karen Stoll – Department of Motor Vehicles
Jeffrey Kinder – Nevada Division of Environmental Protection

BOARD MEMBERS NOT PRESENT

Rod Smith, Vice-Chair – Representative of Refiners of Petroleum
Mike Dzyak – State Fire Marshal's Office

OTHERS PRESENT

Katie Armstrong – Legal Counsel, State Attorney General's Office
Peter Krueger, Sarah Collins - Nevada Petroleum Marketers & Convenience Store Association
Jeff Collins, Michael Cabbie, Megan Slayden, Don Warner, Kim Valdez, Tristin Alishio, Ben Moan, Chuck Enberg, John Karr, and Michael Mazziotta– Nevada Division of Environmental Protection
William Thompson – Southern Nevada Health District
Keith Stewart – Stewart Environmental
Caitlin Jelle, Brett Bottenberg – Universal Engineering Sciences
Matt Grandjean – Stantec
Kurt Goebel – Converse Consultants

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

2. PUBLIC COMMENT

Peter Krueger of Nevada Petroleum Marketers & Convenience Store Association, representing tank owners and operators, cited discussion at the June meeting regarding prior passage of statutes under Assembly Bill 40. The Association supported the legislation originating from NDEP and was particularly supportive of the provisions that would permit the Board to consider an additional \$1 million of coverage, should a claimant meet certain requirements. However, he brought forth a circumstance in which some Association members sold sites years ago, which were in compliance with all federal and state regulations regarding underground storage tanks (USTs) at that time. Many contracts included provisions that a discharge discovered at or after the sale is the responsibility of the former owner (claimant). The former site owners are unable to satisfy the requirements, as they are no longer identified as the current site operators for the USTs. As such, they are unable to take advantage

of included provisions within the proposed resolution on the agenda for adoption today. He requested that the Board delay adoption of Board Resolution 2023-01 until the December meeting.

LeRoy Perks commented that the term “operator” is causing the problem, as it excludes the previous operator, thus preventing them from receiving state funding. **Mr. Krueger** agreed and stated that there is a potential workaround, which would involve a modification of the definition of operator.

Chair Tappan noted that the item will be addressed in greater detail under Agenda Item 5. **Michael Cabbie** added that during Agenda Item 5, he will address requests made by the Board during the last meeting, including the estimated number of sites that may be affected by concerns raised by Mr. Krueger. He suggested an additional public comment period be opened under agenda item 5 to further discuss these concerns.

3. APPROVAL OF THE JUNE 8, 2023 MINUTES

Chair Tappan called for changes to the minutes.

Jeffrey Kinder made a typographical correction on page 5, item 6.

LeRoy Perks moved to approve the June 8, 2023 minutes as amended. Jeffrey Kinder seconded the motion. Motion carried unanimously.

4. STATUS OF THE FUND

Mr. Cabbie noted the Board packets contain two balance sheets, including end of year numbers for State Fiscal Year 2023, which ended June 30th, 2023, and the current numbers for State Fiscal Year 2024.

The summary of the Fund for Fiscal Year 2023 includes a balance forward from State Fiscal Year 2022 of \$7,500,000. Approximately \$407,800 was received in 2023 for tank enrollment fees. Approximately \$14,161,389 was generated by the \$0.0075 Petroleum Fund fee. The Fund earned approximately \$275,013 in interest. Approximately \$1,292,480 was reimbursed to the Fund for state-led cleanups. Total revenue received for the Fund for this State Fiscal Year 2023 minus the balance forward for the new fiscal year is \$16,136,681.98. Expenditures for State Fiscal Year 2023 include Board member salaries of approximately \$1,400. In-state travel costs for Board Members total approximately \$241. Board meeting operating costs total \$999. Income transferred to the State Highway Fund was \$8,618,343.18. Money transferred to NDEP for program administration, state-led cleanup, staff salaries and ongoing program maintenance totals \$2,102,652. The new annual transfer to the account for management of air quality was \$58,511.41. Grant award payments total \$136,704 for UST upgrades. 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 approximately \$5,205,119. Total expenditures from the Fund for Fiscal Year 2023 balance out with revenue collected, at \$16,136,681.98.

The current fiscal year began July 1, 2023. The balance forward from Fiscal Year 2023 was \$7,500,000. Approximately \$9,300 was received for tank system enrollment fees, with total revenues thus far totaling \$7,509,300. Board salaries total \$41. The reimbursement of Petroleum Fund claims thus far total approximately \$363,843. Total expenditures total \$363,883.98. The balance in the Fund available for cleanup funding is \$7,145,416.02.

5. ADOPTION OF BOARD POLICY RESOLUTION NO. 2023-01

Mr. Cabble referred to the June 2023 Board meeting, where this policy was discussed at length. During those discussions, the following questions were raised by members of the Board: How many cases are expected to request an additional allotment of cleanup funding? Of the sites that were likely to request additional funding, how many have a cleanup operator being reimbursed by the Fund (claimant) that differs from the operator of active USTs onsite? How much does the Fund generally spend on a cleanup case?

To answer Board member questions, staff provided a couple of lists in the meeting packet. The lists are focused on regulated sites and larger cleanup cases, which have been awarded \$1 million per tank system and did not include smaller heating oil cases. The first list discussed was requested by Rod Smith, which identifies Petroleum Fund cases closed in the past five years and the amounts spent on each. Upon review, 77 regulated underground tank cases closed in the last five years. Each case listed includes approved cleanup coverage, third-party funding provided for cleanup under prior policy resolutions, the total amount paid by the Fund, remaining case amount unpaid, and the number of tanks covered. The number of tanks generally dictates the amount of cleanup coverage initially awarded and any third-party funds would have been in addition to initial coverage. Mr. Cabble noted the prior resolution that allowed third-party liability money to be moved to cleanup is no longer valid and was replaced by requirements adopted under Assembly Bill (AB) 40 in NRS 445C.380, on which Policy Resolution 2023-01 is based.

In response to a question from **Mr. Perks** as to whether heating tanks were included, **Mr. Cabble** clarified that the lists are specific to regulated USTs. The policy resolution to be discussed specifically addresses cases that will exceed \$1 million in Petroleum Fund coverage. Small heating oil tanks are not considered in the statute.

Mr. Cabble concluded that approximately 10% of the cases on the list have exceeded the \$1 million coverage amount. In the past, the Fund could award additional money for cleanup by using the third-party allocation, which is no longer available. Now, the Board must focus on the newer statutes in place under Subsection 4 of NRS 445C.380, which were adopted under AB 40. The remaining cases on the list were closed under \$1 million or under their original awarded coverage amount.

Mr. Cabble reviewed the Board packet list entitled, "Petroleum Fund cases near funding cap." The amount of \$150,000 was used by staff to anticipate which cases are most likely to come before the Board to request additional allotments of cleanup funding within the next one to two years. Answering one of the Board questions from the June meeting, **Mr. Cabble** indicated there are twelve cases most likely to reach their funding cap soon. He further explained that a highlighted "Yes" in the second to last column of the table means that the cleanup operator receiving Petroleum Fund reimbursement is different from the UST operator for the site. There are seven cases that meet the criterion nearing their funding cap and have a cleanup operator (claimant) that is different from the UST operator. Lastly, **Mr. Cabble** explained that of the seven cases identified, three are nearing closure and will likely close without an extra allotment request. This leaves four cases with the potential for additional funding requests from the Board where the Fund claimant is different from the UST operator.

Mr. Cabble further noted one of the four cases identified on the list has exhausted its funding. They did submit an additional allotment request to Fund staff for review prior to the meeting. Unfortunately, they are the first example of the cleanup operator being different than the UST operator, and the UST operator was not in compliance with requirements at the time the request was received. The claimant has been notified they will have to wait out the UST enforcement process before the request is presented to the Board.

The UST operator has been issued a letter of notice of noncompliance. The UST operator has submitted partial documentation toward addressing the compliance issues but has not yet addressed all of the issues to allow the UST program to make a determination that the site is back in compliance. Until the facility has complied with UST requirements, a recommendation cannot be brought forward. This is the contention discussed today by Mr. Krueger and those he represents. This topic was also discussed at length during the last quarterly meeting.

Mr. Cabbie reiterated that four sites will likely come before the Board in the next year or two. One of these has already fallen into the narrative of having a cleanup operator different from the UST operator, and the UST facility does not currently comply with state requirements. The Fund is sympathetic to this situation and has actively sought to have discussion and determine whether any flexibility exists within the statutes that allows the Fund to move away from “the facility” (terminology used in statute), to the operator. That flexibility was not identified. As such, this site will have to go through the enforcement process. Staff will do all they can to facilitate a speedy process to bring the site back into compliance with UST statutes.

Mr. Perks stated that the claimant must continue the cleanup process regardless, and asked whether the claimant will be reimbursed when the site comes back into compliance. **Mr. Cabbie** confirmed that if awarded the additional allotment, the costs spent on cleanup will be reimbursable. The operator is not out of pocket in the sense that the Fund is going to deny payment of costs incurred between when funding was exhausted and an additional allotment awarded. All costs can be recovered after-the-fact. The primary issue is the process of being awarded additional funding is delayed due to the UST compliance issue.

Mr. Perks commented that the process of coming into compliance could theoretically take a year or more, as the claimant continues to pay out of pocket. He asked about the possibility of enforcing a 90-day limit. **Mr. Cabbie** deferred back to the discussion that occurred during the last meeting, where the UST program supervisor reviewed the issue. A typical noncompliance resolution timeline is around 90 days. Most UST facility operators come into compliance within the 90-day period. It is not likely that a site will be navigating the process for one or more years.

Mr. Perks asked what can be done to help the claimant in the meantime. **Mr. Cabbie** acknowledged that there is only so much the Fund can do. At some point, responsibility falls between the operators. The cleanup operator must perform cleanup and there are established regulations to guide this process, regardless of funding. The UST compliance operator must follow similar directives on the UST compliance side. The Petroleum Fund is not the warden, so to speak, charged with telling everyone what to do. The regulatory processes will play out within their own programs.

Mr. Cabbie stated that he is prepared to present a resolution for adoption at this time. Mr. Krueger has asked the Board to reconsider and not adopt the resolution; however, the Board should be aware the resolution does nothing to make an interpretation of regulation. The purpose of this resolution is to provide guidance to those seeking the additional allotment by identifying what must be provided in a submittal in accordance with the statute. Failure to pass the resolution will not change the operator situation discussed earlier. It just means that claimants will be referred to the statutes when preparing a request, which could lead to ambiguity and misinterpretation of the requirements. Incomplete submittals will cause delays. The goal is to provide clear and concise guidance on the requirements.

Chair Tappan welcomed additional Board Member questions. There being no additional questions, she opened the item to public comments.

Jeff Collins, NDEP, Bureau of Corrective Actions Chief, stated that with all due respect to Mr. Krueger and the concerns discussed during the last Board meeting, delaying a vote on the resolution to the next

meeting doesn't make any sense. He will compel the Board to make a decision on either acceptance or denial during this meeting. The resolution will provide transparency for the regulated public, rather than requiring them to rely on the statute, which may not provide complete explanation of the Fund's expectations. The resolution clarifies the statute language in greater detail. Denying the resolution will eliminate transparency, and Fund staff are still required to make decisions based on the statute. It does not make sense to delay approval in search of a workaround that the program does not believe exists, particularly given that only four sites may have additional allocations postponed. Instead, time should be allowed to test the statute language, and if there are more cases impacted over the next couple years then what has been presented today, it will become incumbent on Fund staff to seek statutory changes.

Jason Case commented that Rebel Oil Company is one of the four cases cited. Prior to Mr. Cabble's clarification, his understanding had previously been that as a claimant nearing the available reimbursement limit and with the UST operator out of compliance, the cleanup process would just continue as required with no opportunity down the road for reimbursement should the operator eventually come into compliance. With **Mr. Cabble's** clarification, Mr. Case now understands that once an operator comes into compliance, there is indeed an opportunity to request the additional allotment from the Fund to cover prior cleanup costs. **Mr. Cabble** confirmed this understanding.

Mr. Krueger stated that based on discussion with Mr. Cabble, he agrees that the role of the Association is not to stand in the way of the resolution to provide greater clarification. The purpose is to look for alternatives. There seems to be general agreement that a fix to the overall concerns cannot be made until the legislature reconvenes in February of 2025. He believes there may be an alternative and would like to explore that possibility. Unfortunately, the situation reflects that the legislature, industry, and NDEP did not look hard enough at the wording in Section 380 of NRS 445C, which defines the eligibility and refers to the word "operator." He is not opposed to adoption of the resolution, if there is a path forward for interested parties to meet with NDEP. This would be followed by a decision by the administrator or director to ask the Governor for an emergency regulation, which would not change the requirements, but provide clarity of term definitions, such as for the operator. Emergency regulations are only valid for 120 days. During this period, NDEP would work on development of a NAC regulation. Such a regulation could be adopted that would meet the legislative intent of Assembly Bill 40 while granting the claimant the ability to continue to submit claims. He stated that he would withdraw opposition to passage of the resolution in hopes that NDEP will work with the Association. He described a similar case with the Department of Insurance and an Assembly Bill that poses negative consequences. In that case, the Governor did approve an emergency regulation.

Mr. Cabble noted that the definition for operator is included under the Petroleum Fund statutes and regulations. The term that poses the challenge currently is "facility," which is not directly defined in statute. However, the term "site" is defined. The site includes "facility." When speaking about a "facility," unfortunately, it is independent of the operator. Fund staff is certainly open to ways to address this. However, delaying passage of the resolution will not serve to move this process forward, but will delay guidance for operators seeking funding.

Chair Tappan invited Mr. Cabble to formally present the resolution.

Mr. Cabble stated that as per discussion in the June meeting, the resolution is meant to bring consistency to the request and approval process for an operator seeking the additional \$1 million in cleanup funding. It follows the Petroleum Fund statutes nearly line by line. The resolution identifies the documentation necessary for Board members to determine whether the statute has been met. It focuses primarily on Subsections 4 and 5 of NRS 445C.380.

Much of the policy language was reviewed in the last meeting and has not changed, however there

were a few sections that received updates and **Mr. Cabbie** reviewed them as follows:

Page 3, Item 1 under “Therefore, be it resolved that,” there was a second sentence added to ensure that the operator’s request lists out each statute to be considered and provides a brief description of how the statute is met or is not applicable to the case. Similar formatting was submitted in a request during the June meeting and the Board requested to include a similar format in the resolution.

Other minor revisions include a listing of each statute. These are reflected in Items 2 through 8.

Page 4, Item 6 includes language for more flexibility meant to clarify that UST noncompliance in the past three-year period does not prevent additional funding. It simply means that noncompliance issues must be addressed and the relevant records of such must be provided.

Mr. Cabbie concluded by stating there are a few other minor text edits that do not alter the intent of the original language. He offered to provide more details at the Board’s request and invited additional questions.

Mr. Perks referred to page 2, Item 6 language, “The operator has not received money for damages pursuant to Subsection 1 before July 1, 2021.” **Mr. Cabbie** stated that this is the actual statute language and was not written by Fund staff. What the statement means is that if the Fund has paid out money for damages, generally as a result of a lawsuit to a third-party (an entity other than those performing the cleanup), the operator is not eligible for an additional allotment under this policy. Situations where damages are paid could be the result of a cleanup not progressing as it should, or the operator has been recalcitrant. As a result, the Fund has incurred undue liability. There are no such open cases that staff are aware of that fit into this scenario.

Mr. Kinder thanked Mr. Cabbie and Fund staff for the work they did with the data, which has provided greater insight into the discussion as well as their work on the resolution. Statutory language challenges do happen from time to time. This resolution is important to provide clarity for eligible facilities.

A final opportunity for public comments was offered. There were no further public comments.

Mr. Perks acknowledged the value of the resolution. He asked for Fund staff input on the possibility of addressing the terms “operator” and “facility,” and whether there is intent to address this through the legislature in 2025. **Mr. Cabbie** stated that there are processes for changing statutes. Staff have already evaluated the existing statutes and this evaluation is reflected in the language of the resolution. If there is discussion to move forward with additional changes in the next session, such a request could come from the Board or from outside entities. For example, Mr. Krueger’s Association may choose to introduce a bill. During the last meeting, it was discussed that state agencies are limited in the number of bills that may be introduced into a legislative session. It is up to agency administrators, directors, and the Governor to decide which get through. Potential bill proposals will have to be developed and submitted by mid-2024.

Mr. Kinder stated that as a public agency, they are available to meet with stakeholders and would be seeking the best possible outcome. This may include a statutory change or interim opportunity for discussion.

Chair Tappan invited a motion on the resolution.

LeRoy Perks moved to approve Board Policy Resolution No. 2023-01. Jason Case seconded the motion. Motion carried unanimously.

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

Mr. Cabbie stated that this task sets funding limits for initial abatement for cleanup activities associated with smaller heating oil tanks generally located on residential properties. In prior meetings, it has been discussed that there is one disposal facility in Northern Nevada that accepts petroleum impacted soils from these cleanups. Over the past four years, the facility has increased its rates substantially. The proposal is for the Board to approve an increase for non-CEM costs by \$4,200 for sites with one tank that has leaked and is eligible for coverage. For sites with more than one tank, an additional \$4,200 is proposed. The intent is to keep pace with the rate increases for disposal. The rates are based upon data reviewed and claims submitted.

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

LeRoy Perks moved to adopt the increase to non-CEM costs as proposed by staff related to Task J.1 of the Cost Guidelines. Jeffrey Kinder seconded the motion. Motion carried unanimously.

7. **ADOPTION OF CONSENT AGENDA**

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

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

HEATING OIL

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

NEW CASES

		<u>REQUESTED</u>	<u>RECOMMENDED</u>
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:	<u>\$105,201.60</u>	<u>\$75,497.60</u>

ONGOING CASES

		<u>REQUESTED</u>	<u>RECOMMENDED</u>
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:	<u>\$665,656.01</u>	<u>\$601,265.03</u>
		RECOMMENDED CLAIMS TOTAL:	<u>\$778,160.44</u>	<u>\$684,065.46</u>

LeRoy Perks moved for approval of the consent items. Jeffrey Kinder seconded the motion. Motion carried unanimously.

8. **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

			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	2023000008; 80511 Robert & Martha Tote: Tote Living Trust Leaking Residential Heating Oil Tank	\$27,016.25	\$26,766.25
FOR DISCUSSION	2.	2023000008; 80520 Robert & Martha Tote: Tote Living Trust Leaking Residential Heating Oil Tank	\$43,160.17	\$43,160.17
FOR DISCUSSION	3.	2023000009; 80510 Sindlinger Capital LLC: Sindlinger Capital LLC Residential Heating Oil Tank	\$31,517.96	\$31,267.96
FOR DISCUSSION	4.	2023000011; 80515 James Hardesty: Residential Heating Oil Tank At 5300 Valley Vista Drive	\$27,549.67	\$27,299.67
FOR DISCUSSION	5.	2023000012; 80514 Packer Family Trust: Packer Family Trust Leaking Residential Heating Oil Tank	\$30,538.34	\$30,288.34
		SUB TOTAL:	<u>\$159,782.39</u>	<u>\$158,782.39</u>

ONGOING CASES

			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	1993000102; 80537 Rebel Oil Company: Rebel Store #2008	\$103,639.50	\$103,639.50
FOR DISCUSSION	2.	1994000015; 80524 Pilger Family Holdings: Former D & G Oil Company	\$9,189.77	\$9,189.77
FOR DISCUSSION	3.	1999000023; 80530 Nevada Ready Mix Corp: Nevada Ready Mix	\$17,901.69	\$16,012.62
FOR DISCUSSION	4.	1999000066; 80527 HP Management, LLC: Former Haycock Petroleum	\$27,008.09	\$24,293.78
FOR DISCUSSION	5.	2013000011; 80531 Har Moor Investments, LLC: Village Shop #4	\$63,718.00	\$56,086.20
FOR DISCUSSION	6.	2014000033; 80529 Speedee Mart Inc.: Speedee Mart #108	\$12,278.93	\$10,961.04
FOR DISCUSSION	7.	2017000019; 80536 Rebel Oil Company: Rebel Store #2197	\$2,627.50	\$2,364.75
FOR DISCUSSION	8.	2018000005; 80534 Rebel Oil Company: Rebel Store # 2153	\$4,150.50	\$3,735.45
FOR DISCUSSION	9.	2019000002; 80535 Rebel Oil Company: Rebel Store #2166	\$5,072.75	\$4,565.47
FOR DISCUSSION	10.	2019000014; 80532 Western Cab Co: Western Cab CO	\$8,123.00	\$7,243.20
FOR DISCUSSION	11.	2022000012; 80533 Neissan Koroghli: City C-store (7-11)	\$15,267.50	\$13,569.30
FOR DISCUSSION	12.	2022000015; 80538 Rebel Oil Company: Rebel Store #2197	\$16,720.66	\$11,434.08
		SUB TOTAL:	<u>\$285,697.89</u>	<u>\$263,095.16</u>

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**

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 1,309 facilities. Approximately 98% of the facilities have paid the required enrollment fees. Since the Fund was created, a total of 1,807 remediation cases have applied for 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 active Fund cases. Since January 1, 2023, NDEP has received 13 new coverage applications, and all have been reviewed. Prior to this Board meeting, the Board to Review Claims has approved a cumulative total of \$257,596,840.68 for reimbursement to Petroleum Fund operators. This includes \$421,877.55 for direct payment claims paid since the last meeting. With today's Board approval of \$684,065.46, the overall expenditure will increase to \$258,280,906.14. No grant applications for UST upgrades have been received in the past quarter.

10. **PUBLIC COMMENT**

There were no public comments.

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

It was confirmed that the next meeting date would be December 14, 2023 at 10 a.m.

12. **ADJOURNMENT**

The meeting adjourned at 11:16 a.m.

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

Petroleum Discharge Cleanup Fund
Balance Sheet - State Fiscal Year 2024
As of 11/27/2023

REVENUE

Balance Forward	\$ 7,500,000.00
Enrollment and Registration Fees	\$ 397,900.00
Petroleum Fees	\$ 2,462,800.23
Interest Earned	\$ -
Reimbursements Received	\$ -
Balance Forward to New Year	\$ -
Total Revenue	\$ 10,360,700.23

EXPENDITURES

Board Salary	\$ 345.08
In-State Travel	\$ 54.37
Operating	\$ 450.17
Transfer to Highway Fund	\$ -
Transfer to Division of Environmental Protection	\$ 415,753.52
State Led Petrochemical Cleanup	\$ 17,327.45
Transfer to Greenhouse Gas Program	\$ -
Petroleum Grant Program	\$ -
Department of Motor Vehicles Fee Collection Service	\$ -
Reimbursement of Claims	\$ 1,647,316.07
Total Expenditures	\$ 2,081,246.66

LIABILITIES

Petroleum Board Costs	\$ 3,150.38
Highway Fund Budgeted Amount	\$ 9,000,000.00
Pending Obligated Claims	\$ -
Total Liabilities	\$ 9,003,150.38

ACTUAL FUNDING AVAILABLE

\$ 8,279,453.57



Nov 30, 2023

Prepared By

Date:

Morgan Friend

Nov 30, 2023

Reviewed By

Date:

Michael Cabble

Nov 30, 2023

Michael Cabble (Nov 30, 2023 08:53 PST)

Petroleum Fund Staff Approval

Date:

**Agenda Item 5:
Site Specific Board Determination No.
C2023-03**

(FOR POSSIBLE ACTION)

STATE BOARD TO REVIEW CLAIMS

MEETING OF DECEMBER 14, 2023

Video-conferenced in Carson City and Las Vegas, Nevada
Summary of Site-Specific Board Determination No. C2023-03

- SUBJECT:** Proposed Site Specific Board Determination to provide an Additional Allotment of Cleanup Funding in accordance with subsections 4 and 6 of NRS 445C.380 and Board Policy Resolution 2023-01, for Rebel Store #2177, located at 6400 West Lake Mead Boulevard, Las Vegas, Nevada
Petroleum Fund Case ID No. 2017000035, Facility ID No. 8-001928
- DISCUSSION:** The subject site, identified as Rebel Store #2177, is located at 6400 West Lake Mead Boulevard, Las Vegas, Nevada. The operator has requested the Board to Review Claims approve an additional allotment of funding to continue cleanup of a release of discharged petroleum from the storage tank system. The request was made in accordance with subsection 4 of NRS 445C.380 and Board Policy Resolution 2023-01 (Appendix A). Petroleum Fund staff evaluated the request for funding and based on the reviewed documentation, recommend the Board to Review Claims provide additional funding to the site for cleanup.
- RECOMMENDATION:** **Adoption** of Site-Specific Board Determination No. C2023-03 as proposed, granting additional cleanup funding in accordance with subsections 4 and 6 of NRS 445C.380 and Board Policy Resolution 2023-01 under the State of Nevada Petroleum Fund to Rebel Store #2177 for \$900,000.00. This represents \$1,000,000.00 in coverage minus a 10% copayment.

STATE BOARD TO REVIEW CLAIMS

Site Specific Board Determination C2023-03
Site Specific Board Determination to provide an Additional Allotment of Funding for
Rebel Store #2177, located at 6400 West Lake Mead Boulevard., Las Vegas, Nevada
Petroleum Fund Case ID No. 2017000035
Facility ID No. 8-001928

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

1. The subject site, identified as Rebel Store #2177, located at 6400 West Lake Mead Boulevard, Las Vegas, Nevada, was previously awarded coverage for a release from one underground storage tank.
2. 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.”
3. On July 11, 2023, the operator submitted a request for an additional allotment of funding, in accordance with subsection 4 of NRS 445C.380, which addressed each item listed in statute. The request was not presented to the Board at the September meeting because the underground storage tanks (USTs) onsite were not compliant with UST requirements at the time the request was received. It is noted the operator of the USTs onsite is unaffiliated with Rebel Oil Company. The facility has since come into compliance with UST requirements and a revised request was submitted September 19, 2023. The revised request is provided in Appendix B and the most recent UST program letter indicating site compliance is provided in Appendix C.
4. On July 5, 2023, the Nevada Division of Environmental Protection (NDEP) case officer concurred that the operator is in compliance with the requirements from the Division concerning cleanup directives. The case officer further supported the plan and schedule proposed by the operator’s certified environmental manager in the same email correspondence. The July 5, 2023 email is included in the request (Appendix B).
5. On April 25, 2023, the NDEP case officer requested continued remediation activities occur at the site (Appendix B). On October 13, 2023, the case officer concurred with terminating remediation and

moving on to post-remediation monitoring. A copy of the letter is included in Appendix C.

6. Claim #80495 was approved for payment during the June 8, 2023 Board meeting, which exhausted all available cleanup funding for the case.
7. 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... (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.."
8. Based on a review of documentation provided with the request for an additional allotment of cleanup funding, staff recommend that the subject facility receive the additional allotment.
9. The Board may approve an operator to receive an additional allotment of not more than \$1,000,000.

THEREFORE, BE IT RESOLVED THAT:

1. The Division requires additional cleanup and closure activities be performed to further address the storage tank release at this site.
2. The operator is in compliance with the requirements of the Division concerning the cleanup of discharged petroleum.
3. The operator has obtained approval from the Division for a plan and a schedule to clean up the discharged petroleum.
4. The operator is not liable pursuant to NRS 445C.390.
5. The facility has complied with applicable provisions of NRS 459.800 to 459.856, inclusive.
6. The operator has not received money for damages pursuant to NRS 445C.380(1) before July 1, 2021.
7. The amounts paid to the operator from the Fund for cleaning up discharged petroleum at the site have been exhausted.
8. The Board grants additional funding to Rebel Store #2177, Fund Case ID No. 2017000035 for \$900,000.00. This represents \$1,000,000.00 in coverage with a 10% copayment.

I, Maureen Tappan, Chair, do hereby certify that the foregoing is a full, true, and correct copy of a Site Specific Board Determination adopted by the Nevada State Board to Review Claims on December 14, 2023.

Maureen Tappan, Chair
State Board to Review Claims

APPENDIX A

Board Policy Resolution 2023-01

Establishes Criteria the Nevada Board to Review Claims will Review when Considering Approval of Additional Allotments for Cleaning up Discharges of Petroleum from Storage Tanks

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

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

APPENDIX B

Request from the Operator for an Additional Allotment of Funding for Cleanup



STEWART ENVIRONMENTAL, INC.

September 19, 2023
File No.: 19-534.7

Ms. Megan Slayden, ESIII
Bureau of Corrective Actions
Petroleum Fund Branch
Nevada Division of Environmental Protection
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701

Reference: Revised Request For Additional Allotment of Fund Cleanup Money
Rebel Store #2177
6400 West Lake Mead Blvd., Las Vegas Nevada
Facility ID #8-001928
Case #2017000035

Dear Ms. Slayden:

Stewart Environmental, Inc. (SEI), is providing this revised request to the Nevada Division of Environmental Protection (NDEP) for an additional allotment of cleanup money from the Fund for Cleaning Up Discharges of Petroleum (Fund). This request is for Rebel Store #2177 located at 6400 West Lake Mead Blvd., in Las Vegas, Nevada. The claimant (Rebel Oil Company) has exhausted the initial coverage amount of \$900,000, and will require another approximate \$257,000 to complete the remaining three months of remedial actions, perform at least one year of pre closure monitoring, and to properly abandon the remedial system and the groundwater monitor and remedial wells.

The gasoline release from the Rebel Store #2177 impacted limited subsurface soil, but had a significant impact to the groundwater beneath the site, adjacent city streets, and on to two off site properties. The depth to groundwater is approximately 58 feet below ground surface and the dissolved groundwater gasoline plume was extensive. SEI installed a groundwater air sparge and soil ventilation system and started operation on February 2, 2021. Despite the fact that two of the new and innovative remedial equipment components failed and were not operable for approximately nine months, the remedial system will be eligible for termination in January of 2024.

The initial \$900,000 coverage amount has been exhausted, and additional funds will be needed to approve future claims. There are approximately \$50,000 in ongoing cleanup costs that are pending and would be submitted following the approval of additional funding. SEI is presenting the following request to the NDEP and the Fund Board for approval at the December of 2023 Fund Board Meeting.

Nevada Revised Statute (NRS) 445C.380

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.

10300 West Charleston Boulevard, Suite 13-B32 / Las Vegas, Nevada 89135-1037
Telephone: (702)254-6731 / Fax: (702)254-6446
Email Address: StewEnvir@aol.com

- (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 455C.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 regulations 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.

The Following are requirements of NRS 445C.380 for review and approval by the Fund Staff and the State Fund Board:

1. An operator must first submit the request for approval from the Board for an additional allotment of

Ms. Megan Slayden, ESIII
September 19, 2023
Page Three

cleanup funding first to the Executive Secretary of the Board. This document is the request and is submitted by the operator's Certified Environmental Manager, (CEM) on behalf of the claimant.

"I have reviewed the above request 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 further proposed costs not recommended for reimbursement by the Fund."

Ms. Dana Cason-Teepe: Dana Cason Teepe Date: 9.21.23

2. The operator shall provide documentation demonstrating the Division requires additional assessment, clean, and/or closure activities be continued at the site. **See attachment A.**
3. The operator must obtain a statement of concurrence from the Division cleanup case officer indicating that the operator of the site is compliant with the required assessment and cleanup directives. **See attachment A.**
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:
 - (a) Aggressive, but realistic, deadlines for work plan submittals and initiation of corrective action and closure activities.

SEI Response: SEI and the NDEP agree that we are expecting to operate the soil and groundwater remedial system for one more month as SEI will request to terminate the remedial actions in October of 2023. The groundwater monitor well concentrations are currently below NDEP Action Levels, but with the adjacent LVVWD Groundwater Municipal wells, the NDEP wants to operate the remedial system through October of 2023. The claimant is requesting an approximate \$267,617 to complete the project as detailed in Table 1.

(b) Full-scale free product recovery, if applicable.

SEI Response: No free product was discovered at the site.

(c) Delineation and removal of petroleum hydrocarbon sources via excavation, to the extent practicable.

SEI Response: The gasoline release was from a fueling dispenser through the subsurface soil, creating a very limited subsurface soil impact and into the groundwater at approximately 58 feet below ground surface.

(d) If excavation of petroleum hydrocarbon sources is not practicable, the plan must identify an alternative approach to delineate and remediate the petroleum hydrocarbon source.

SEI Response: Due to the very small volume of subsurface soil impacted and the extreme depth to groundwater, soil excavation was never a viable alternative for this site. The petroleum impacted soil is limited to a very narrow zone beneath the fuel dispenser. The soil and groundwater contaminant plume was delineated with multiple on and off site soil borings and groundwater monitor well installations.

- (e) 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.

SEI Response: SEI and the NDEP worked together on the design of a very efficient and innovative soil and groundwater remedial system that includes a groundwater air sparge system utilizing a rotary air blower and a computer timing system, and a rotary soil vacuum blower and remedial system. The remedial system began operation in February of 2021 and quickly reduced the groundwater contaminant concentrations to below NDEP Action Levels.

- (f) Outline how operation, monitoring, and maintenance of the remediation system will be conducted and reported to ensure the effectiveness of the remediation efforts.

SEI Response: SEI has already submitted and the NDEP has approved the Start Up Plan and Operation and Maintenance Plan for this site. All plan objectives are being complied with as this is an ongoing remedial project.

- (g) Discussion on site closure goals and estimated timeline to obtain a no further determination in accordance with Division requirements (groundwater exemption closure should be considered and included in the discussion).

SEI Response: The remedial system operation will terminate in October of 2023, and currently we are anticipating a Clean Closure. However, if during the one year of pre closure quarterly groundwater monitoring, the groundwater contaminant concentrations elevate above the NDEP Action Levels, SEI will be prepared to quickly prepare and submit a Groundwater Exemptive Closure PowerPoint Presentation, as SEI has successfully submitted several of these requests over the last few years.

- (h) Periodic review with the Division cleanup case officer to ensure the plan and schedule remains viable (semiannual reviews recommended).

SEI Response: SEI is in Periodic contact at least six times a year by either telephone or personal meeting with the NDEP Case Officer in addition to the NDEP quarterly written reviews of the quarterly status reports. The schedule and plan remains viable for this project.

- (i) A statement that changes in site conditions will be addressed via an updated/revised plan and schedule when required by the Division.

SEI Response: SEI and Rebel Oil Company will immediately provide an updated/revised plan and schedule to the Division if site conditions change or is requested by the Division. However, this project is in the final stages of remediation and it is unlikely that site conditions will change at this stage of the project.

- (j) Any additional information requested by the Division or 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.

Ms. Megan Slayden, ESIII
September 19, 2023
Page Five

SEI Response: Rebel Oil Company is the claimant and has been since 2017. Rebel Oil Company sold this store to Rebel Land & Development, LLC, in December of 2015, and as of December 31, 2022, Rebel Oil Company has no liability or responsibility if there is a new release at the facility. Rebel Oil Company is the claimant for the current release, but does not own or operate the facility and has no responsibility for the facilities UST compliance or if a new release is discovered.

6. If active storage tanks remain in operation on site, the operator must be able to demonstrate the storage tanks were compliant with Division requirements the past 3 years. 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, the operator shall provide documentation that the employee's 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. Class A, B, and C operator training certificates required by regulation are acceptable.

SEI Response: Active storage tanks remain in operation on site. However, as previously stated in this request, Rebel Oil Company sold this store to a company named Rebel Land and Development, LLC, that is not affiliated with Rebel Oil Company in December of 2015. So Rebel Oil Company the claimant, is NOT the site owner or operator and has no responsibility for the ongoing operation of the USTs after 2015. Based on this fact, Rebel Oil Company cannot provide any information regarding the current site employees or their responsibilities. Since this station is still in operation, the Southern Nevada Health District (SNHD) and NDEP compliance inspections must have resulted in employee training compliance with current UST regulations.

SEI did request all UST related records from the SNHD for years 2021 through 2023, for proof of UST compliance for the last three years. These SNHD letters for 2021 and 2022 are included in Attachment B, and indicate full UST compliance after correcting non compliance items during those years. SEI was not provided the letter of compliance for the year 2023. SEI understands that the site is not currently in compliance, however the Fund Staff can approve this request once the site achieves UST compliance.

SEI requests the NDEP and the Fund Board to review and approve this request for additional funds to continue the clean up of this site. Please contact SEI and the undersigned if you have any questions regarding this letter or the response at (702) 254-6731 or stewenvir@aol.com.

"I hereby certify that I am responsible for the services described in this document and for the preparation of this document. The services described in this document have been provided in a manner consistent with the current standards of the profession and to the best of my knowledge comply with all applicable federal, state and local statutes, regulations and ordinances."

Sincerely,
STEWART ENVIRONMENTAL, INC.



Keith R. Stewart, C.E.M. #1111 (expires 10/5/24)
President

cc: Ms. Dana Cason-Teepe, Rebel Oil Company, ROC
Mr. Chuck Enberg, NDEP
Mr. Chittal Shah, Rebel Land & Development, LLC

Ms. Megan Slayden, ESIII
September 19, 2023
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Enclosures

Attachment A: NDEP Concurrence Letters
Attachment B: SNHD UST Compliance Letters
Table 1: Rebel Store #2177 Cost Estimate to Closure

ATTACHMENT A
NDEP CONCURRENCE LETTERS

RE: Request for Additional Monies to Close-out 8-001928 (Pet. Fund ID: 2017000035)

From: Charles Enberg (cenberg@ndep.nv.gov)

To: stewenvir@aol.com

Cc: mcabble@ndep.nv.gov; dwarner@ndep.nv.gov; m.slayden@ndep.nv.gov; bmoan@ndep.nv.gov

Date: Wednesday, July 5, 2023 at 09:06 AM PDT

Keith,

The AS/SVE system installed here has been a success in that it has brought the concentrations of benzene and MTBE to below the State Action Levels (SALs). Because this Site is located near a municipal well field, it important to run it long enough that the concentrations of benzene and MTBE are below detection limits, while running to try ensuring no or little rebound will occur once the system is shut-off and a year of post remediation monitoring begins. The monies being asked for are to enable the remediation system to be run to the end of 2023, and then the one-year of post-remediation monitoring running through 2024. At this point an expected clean closure, however, if levels rebound above slightly above the SALs, a groundwater exemption closure be required. With the required well abandonment, a final No Further Action determination would happen late second quarter to early third quarter 2025 because of City of Las Vegas requirements for asphalt repair for the four monitoring wells to be abandoned in West Lake Mead Boulevard. During the oversight of the assessment and eventual installation and remediation of this Site I found that both CEM companies that Rebel Oil has employed at this site were very responsive in meeting deadlines and working with me. Site lithology and the actual size of the plume made the actual delineation and discovery of source difficult, and a higher percentage of money was spent delineating and locating the source, however the information gained allowed the installation of a better remediation system. **I firmly support Rebel Oil's request for additional funding.** If you need any additional information, please do not hesitate to contact me.

Sincerely,

Chuck Enberg

Environmental Scientist III

Remediation & Leaking UST Branch, Bureau of Corrective Actions

Nevada Division of Environmental Protection

Department of Conservation and Natural Resources

375 E. Warm Springs Road, Suite 200

Las Vegas, NV 89119

cenberg@ndep.nv.gov

(O) 702-668-3918

19-534-7



NEVADA DIVISION OF
ENVIRONMENTAL
PROTECTION

STATE OF NEVADA
Department of Conservation & Natural Resources

Joe Lombardo, Governor
James A. Settelmeier, Director
Jennifer L. Carr, Administrator

April 25, 2023

Dana Cason Teepe
Rebel Oil Company
2200 South Highland Drive
Las Vegas, NV 89102

Subject: NDEP Response: First Quarter Status Report for 2023; Concurrence

Facility: Rebel Oil Company #77
6400 West Lake Mead Boulevard
Las Vegas, Nevada

Spill Report No.: 151120-02
Facility ID: 8-001928
Assessor's Parcel No.: 138-23-301-007
Petroleum Fund No.: 2017000035

Dear Dana Cason Teepe:

The Nevada Division of Environmental Protection (NDEP) has reviewed the *First Quarter Status Report for 2023* (Report) for the referenced facility (Site) dated April 19, 2023, and prepared by Keith Stewart, Certified Environmental Manager (CEM) of Stewart Environmental, Inc. (SEI) on behalf of Rebel Oil Company.

The Report summarizes the monitoring and sampling of thirteen Site monitoring wells on March 15 and 16, 2023. Depth to groundwater in Site monitoring wells ranged from 53.83 to 58.54 feet below ground surface. The estimated groundwater flow direction was towards the northeast at a gradient of 0.007 feet/foot. No dissolved phase contaminants were detected in groundwater samples above the U.S. Environmental Protection Agency (EPA) Maximum Contaminant Levels (MCLs) and/or the Nevada State Action Levels (SALs).

The soil vapor extraction (SVE) system operated for 52 out of a possible 52 days this quarter (100% operation) after replacement of the SVE motor. Approximately 355 gallons of groundwater were removed from the moisture knock-out tank. The SVE unit operated at flowrates ranging from 133 to 162 actual cubic feet per minute and at vacuums ranging from 30 to 40 inches of water. This quarter a total of 1,252 pounds of hydrocarbon mass was removed, including 0.8 pounds of benzene, 0.8 pounds of toluene, 0.6 pounds of ethyl benzene, and 2.2 pounds of total xylenes. The air sparge system operated 43 out of a possible 52 days (83% operation) this quarter. The air sparge (AS) system injected air at pressures ranging between 2 and 24 pounds per square inch and operated at injection air flow rates

ranging from less than 2 cubic feet per minute (cfm) to 10 cfm.

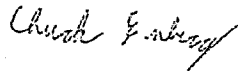
SEI recommends continuing quarterly groundwater monitoring and sampling and continued operation of the AS/ SVE remediation system.

NDEP concurs with the recommendations in the reviewed Report.

The next quarterly report is due no later than **July 28, 2023**. NDEP requests all report documents be submitted in digital portable document format (pdf) via email, upload to a file transfer protocol (ftp) site, or link to an online document site. Please be advised that NDEP has a 100-megabyte limit for e-mail attachments.

If you have any questions or concerns regarding this letter, please contact the undersigned at 702-668-3918 or cenberg@ndep.nv.gov.

Sincerely,



Chuck Enberg
Environmental Scientist III
Bureau of Corrective Actions, NDEP

cc Benjamin Moan, Remediation & LUST Supervisor, Las Vegas Office, bmoan@ndep.nv.gov
Brian Northam, Environmental Health Supervisor, Environmental Compliance Section, Southern Nevada Health District, northam@SNHD.org
Bruno Stephani, Southern Nevada Health District, stephani@snhd.org
Carlito Rayos, Hazmat Coordinator, Clark County Office of Emergency Management, Carlito.Rayos@ClarkCountyNV.gov
Carolyn Levering, Emergency Manager, City of Las Vegas, Office of Emergency Management, oem@LasVegasNevada.gov
Clark County Emergency Management, OEM@clarkcountynv.gov
Dana Cason Teepe, dana@rebeloil.com
Don Warner, Bureau of Corrective Actions, Petroleum Fund Staff, dwarner@ndep.nv.gov
Herb Sequera, Environmental Health Manager, Southern Nevada Health District, sequera@snhd.org
James Prieur, Senior Hydrogeologist, Las Vegas Valley Water District, prieurj@snwa.com
Jeremy Holst, Broadbent & Associates, jholst@broadbentinc.com
John Solvic, Planning Manager, Water Quality, Clark County Water Quality Reclamation District, jsolvic@cleanwaterteam.com
Jonathan McRae, UST/LUST Supervisor, jmcrac@ndep.nv.gov
Joseph R. Leedy, Principal Planner, Water Quality, Clark County Water Quality Reclamation District, jleedy@cleanwaterteam.com
Keith Stewart, Stewart Environmental, Inc., 10300 West Charleston Boulevard, Suite 13-B32, Las Vegas, NV 89135, stewenvir@aol.com
Linly Hazlett, Southern Nevada Health District, hazlett@snhd.org
Lynn M. Cintron, Sr. Administrative Assistant, Environmental Compliance Section, Southern Nevada Health District, Cintron@SNHD.org
Mcgan Slayden, Bureau of Corrective Actions, Petroleum Fund Staff, m.slayden@ndep.nv.gov
Mike Cabbie, NDEP, Petroleum Fund Supervisor, mcabbie@ndep.nv.gov
Mr. Chittal Shah, Rebel Land Development Company, cshah@anabioil.com
Ms. Irene Torres, Becker Enterprises, itorres@beckerlv.com
Scott Smale, DoD and Remediation Branch Supervisor, ssmale@ndep.nv.gov
Sheri McMahon, Environmental Officer, City of Las Vegas Public Works / Engineering Planning, smcmahon@lasvegasnevada.gov
Todd Tietjen, Regional Water Quality Program Manager, Southern Nevada Water Authority, todd.tietjen@snwa.com
cc CCW Brittnae Pines, LLC., 206 Marine Avenue, #5809, Newport Beach, CA 92662
Lake Mead Blvd Tic Owner 1, LLC, c/o Epport, Richmond, And Robbins, LLP, 1875 Century Park East, Suite 800, Los Angeles, CA 90067
Martinez Revocable Trust, P. O. Box 22531, Carmel, CA 93922

ATTACHMENT B
SNHD UST COMPLIANCE LETTERS



August 2, 2021

Chittal Shah
Rebel Store #2177
1450 N. Benson Ave.
Upland, CA 91786

RE: Underground Storage Tank Compliance Inspection for the Following Facility: Rebel Store #2177 at
6400 W Lake Mead Blvd, Las Vegas, NV
Facility ID: 8-001928

Dear Owner/Operator:

Southern Nevada Health District (SNHD) has received the information requested subsequent to inspecting your facility (May 24, 2021). Based on the reviewed documentation, no further action is required at this time. You are reminded that you must continue to monitor your tanks and piping at least every 30 days and keep these records for at least 12 months. Additionally, your automatic line leak detectors will require annual testing.

NDEP recommends that 30-day monitoring be conducted at the beginning of each month. If an alarm or failed test is observed, you must immediately investigate the problem or contact your service company. **If neither you nor the service company is able to expeditiously (within 24 hrs.) resolve the monitoring system issues, you are required to contact the NDEP UST Program and report the failed test or fuel alarm as a suspected release.** NDEP personnel will discuss with you the proper course of action to take.

Please remember that having a failed test or system alarm does not mean you are out of compliance with UST regulations; the very function of leak detection equipment is to alert you to a possible problem with your UST system. **Neglecting to report or take immediate action to resolve the cause of alarms or test failures will result in your facility being out of compliance with federal regulation 40 CFR 280.50.** Records for any and all work/maintenance performed on your UST monitoring system must be maintained for at least one year.

Lastly, containment sumps and spill buckets are often overlooked during routine maintenance. Please inspect these areas (particularly after service, storm events, and/or delivery) for liquids and debris. If observed, promptly remove and properly dispose of liquid/debris accumulations.

Please forward a copy of this letter to on-site personnel responsible for UST system operations/maintenance.

If you have any questions regarding this matter, please contact me by email at porter@snhd.org or by telephone at (702)759-1397.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Porter".

Aaron Porter
Environmental Health Specialist
Southern Nevada Health District

cc Brian Northam, Environmental Health Supervisor, Environmental Compliance Section, Southern Nevada Health District, 280 S. Decatur Blvd., Las Vegas, NV 89107, northam@SNHD.org
Lynn M. Cintron, Sr. Administrative Assistant, Environmental Compliance Section, Southern Nevada Health District, 280 S. Decatur Blvd., Las Vegas, NV 89107, Cintron@SNHD.org
Summer Ireifej, Chief Administrative Officer, 1450 North Benson Avenue, Upland, CA 91786, sireifej@careenterprises.net



June 17, 2022

Chittal Shah
Rebel Store #2177
1450 N. Benson Ave.
Upland, CA 91786

RE: Underground Storage Tank Compliance Inspection for the Following Facility: Rebel Store #2177 at
6400 W Lake Mead Blvd, Las Vegas, NV
Facility ID: 8-001928

Dear Owner/Operator:

Southern Nevada Health District (SNHD) has received the information requested subsequent to inspecting your facility (April 15, 2022). Based on the reviewed documentation, no further action is required at this time. You are reminded that you must continue to monitor your tanks and piping at least every 30 days and keep these records for at least 12 months. Additionally, your automatic line leak detectors will require annual testing.

NDEP recommends that 30-day monitoring be conducted at the beginning of each month. If an alarm or failed test is observed, you must immediately investigate the problem or contact your service company. **If neither you nor the service company is able to expeditiously (within 24 hrs.) resolve the monitoring system issues, you are required to contact the NDEP UST Program and report the failed test or fuel alarm as a suspected release.** NDEP personnel will discuss with you the proper course of action to take.

Please remember that having a failed test or system alarm does not mean you are out of compliance with UST regulations; the very function of leak detection equipment is to alert you to a possible problem with your UST system. **Neglecting to report or take immediate action to resolve the cause of alarms or test failures will result in your facility being out of compliance with federal regulation 40 CFR 280.50.** Records for any and all work/maintenance performed on your UST monitoring system must be maintained for at least one year.

Lastly, containment sumps and spill buckets are often overlooked during routine maintenance. Please inspect these areas (particularly after service, storm events, and/or delivery) for liquids and debris. If observed, promptly remove and properly dispose of liquid/debris accumulations.

Please forward a copy of this letter to on-site personnel responsible for UST system operations/maintenance.

If you have any questions regarding this matter, please contact me by email at zinser@snhd.org or by telephone at (702)759-0657.

Sincerely,

A handwritten signature in black ink that reads 'Darren Zinser'.

Darren Zinser
Environmental Health Specialist
Southern Nevada Health District

cc Brian Northam, Environmental Health Supervisor, Environmental Compliance Section, Southern Nevada Health District, 280 S. Decatur Blvd., Las Vegas, NV 89107, northam@SNHD.org
Lynn M. Cintron, Sr. Administrative Assistant, Environmental Compliance Section, Southern Nevada Health District, 280 S. Decatur Blvd., Las Vegas, NV 89107, Cintron@SNHD.org
Summer Ireifej, Chief Administrative Officer, 1450 North Benson Avenue, Upland, CA 91786, sireifej@careenterprises.net

TABLE 1
REBEL STORE #2177 COST ESTIMATE TO
CLOSURE

Table 1
Rebel Store #2177 Cost Estimate to Closure
July 2023 through January of 2024 – Remedial Operations

Task Description	Quantity	Rate	Cost
F.1 Remediation System Operation & Maintenance – Monthly	4	\$1,800	\$7,200
F.2 CEM – Conducted Monthly Remediation System Maintenance	4	\$1,500	\$6,000
Anemometer, PID, Air Sample Pump, Air Bags – Monthly Sample Equipment	4	\$215	\$860
Air Sample Monthly Laboratory Analysis	4	\$333	\$1,332
NV Energy – Monthly Power for Remedial System	4	\$800	\$3,200
F.4 Quarterly Groundwater Monitor Well Sampling Event – 18 Wells	2	\$4,140	\$8,280
Well Pump, DO Meter, Temp/PH/Conductivity Meter, Water Level Probe – Quarterly Sample Equipment	2	\$515	\$1,030
Quarterly Groundwater Monitor Well Laboratory Analysis	2	\$1,620	\$3,240
F.3 Remediation System Permit Report Preparation – Quarterly	2	\$800	\$1,600
F.5 Groundwater Monitoring / Remediation Status Report – Quarterly	2	\$2,700	\$5,400
I.2 Petroleum Fund Submittal – Quarterly	2	\$1,400	\$2,800
Total = \$40,942			

October 2023 through December of 2024 – Quarterly Pre Closure Monitoring and Sampling

Task Description	Quantity	Rate	Cost
F.4 Quarterly Groundwater Monitor Well Sampling Event – 18 Wells	5	\$4,140	\$20,700
Well Pump, DO Meter, Temp/PH/Conductivity Meter/Water Level Meter – Quarterly Sample Equipment	5	\$515	\$2,575
Quarterly Groundwater Monitor Well Laboratory Analysis	5	\$1,620	\$8,100
F.3 Remediation System Permit Report Preparation – Quarterly	5	\$800	\$4,000
F.5 Groundwater Monitoring / Remediation Status Report – Quarterly	5	\$2,700	\$13,500
I.2 Petroleum Fund Submittal – Quarterly	5	\$1,400	\$7,000
Total = \$55,875			

January 2025 through June 2025 Site Closure Operations

Task Description	Quantity	Rate	Cost
G.3 Site Closure Presentation	1	\$4,100	\$4,100
G.4 Coordination of Permanent Well Closure – 18 Wells, 22 Remediation Wells	1	\$6,500	\$6,500
Licensed Well Driller Fees – Estimate	L.S.	\$35,000	\$35,000
G.5 Remediation System Decommissioning and Site Restoration	1	\$6,500	\$6,500
NV Contractors Fees – Estimate Includes Road Repair for City of Las Vegas	L.S.	\$60,000	\$60,000
G.6 Shape File Preparation	1	\$1,400	\$1,400
Shape File Contractor	1	\$4,500	\$4,500
I.2 Petroleum Fund Submittal – Quarterly	2	\$1,400	\$2,800

Cost = \$120,800

Total Additional Fee Estimate = \$217,617

Total Approximate Fee Not Yet Invoiced to Fund for September 2023 Claim = \$50,000

Total Approximate Fee Requested Beyond Initial \$900,000 = \$267,617

APPENDIX C

Letter of Concurrence from Remediation Case Officer and Letter of Compliance from
Underground Storage Tank Program Received After the Additional Allotment Request Submittal



October 13, 2023

Dana Cason Teepe
Rebel Oil Company
2200 South Highland Drive
Las Vegas, NV 89102

Subject: NDEP Response: Third Quarter Status Report for 2023

Facility: Rebel Oil Company #77
6400 West Lake Mead Boulevard
Las Vegas, Nevada

Assessor's Parcel No.: 138-23-301-007

Spill Report No.: 151120-02

Facility ID: 8-001928

Petroleum Fund No.: 2017000035

Dear Dana Cason Teepe:

The Nevada Division of Environmental Protection (NDEP) has reviewed the *Third Quarter Status Report for 2023* (Report) for the referenced facility (Site) dated October 9, 2023, and prepared by Keith Stewart, Certified Environmental Manager (CEM) of Stewart Environmental, Inc. on behalf of Rebel Oil Company.

The Report summarizes the monitoring and sampling of 18 Site monitoring wells on September 13 and 14, 2023. Depth to groundwater in Site monitoring wells ranged from 55.08 to 59.62 feet below ground surface (ft bgs). The estimated groundwater flow direction was towards the northeast at a gradient of 0.013 feet/foot. No dissolved phase contaminants were detected in groundwater samples above the U.S. Environmental Protection Agency (EPA) Maximum Contaminant Levels (MCLs) and/or the Nevada State Action Levels (SALs) for the analytes of benzene, toluene, ethyl benzene, and total xylenes (BTEX) and methyl tert- butyl ether (MTBE).

On September 5, 2023, during a normal scheduled site check it was discovered that the SVE unit had malfunctioned and was off. Based on the vacuum blower's hour meter the malfunction had occurred on September 1, 2023. The soil vapor extraction (SVE) system operated for 58 out of a possible 92 days this quarter (63% operation). The SVE unit operated at flowrates ranging from 118 to 137 actual cubic feet per minute (cfm) and at a vacuum of 30 to 32 inches of water. This quarter, a total of 58 pounds of hydrocarbon mass was removed, including 0.6 pounds of benzene, 0.6 pounds of toluene, 0.6 pounds of ethyl benzene, and 0.6 pounds of total xylenes. The air sparge system operated 63 out of a possible 92 days (68% operation) this quarter and was shut down on September 5, 2023, after discovery of the

vacuum blower malfunction. The air sparge (AS) system injected air at pressures ranging between 2 and 18 pounds per square inch and operated at injection air flow rate ranging from less than 2 cfm to 10 cfm.

The Report recommends that the vacuum blower not be repaired, and that remediation be terminated. **The NDEP concurs with this recommendation to terminate remediation and start the one year of post remediation monitoring starting with the fourth quarter 2023 sampling event.** It should be noted that all groundwater monitoring wells have been below the detection limit of 2 µg/L for benzene and MTBE since the 4Q22 monitoring and sampling event.

The next quarterly report is due no later than **January 28, 2024**. NDEP requests all report documents be submitted in digital portable document format (pdf) via email, upload to a file transfer protocol (ftp) site, or link to an online document site. Please be advised that NDEP has a 100-megabyte limit for email attachments.

If you have any questions or concerns regarding this letter, please contact the undersigned at 702-668-3918 or cenberg@ndep.nv.gov.

Sincerely,



Chuck Enberg
Environmental Scientist III
Bureau of Corrective Actions, NDEP

cc Benjamin Moan, Remediation & LUST Supervisor, Las Vegas Office, bmoan@ndep.nv.gov
Brian Northam, Environmental Health Supervisor, Environmental Compliance Section, Southern Nevada Health District, northam@SNHD.org
Bruno Stephani, Southern Nevada Health District, stephani@snhd.org
Carlito Rayos, Hazmat Coordinator, Clark County Office of Emergency Management, Carlito.Rayos@ClarkCountyNV.gov
Carolyn Levering, Emergency Manager, City of Las Vegas, Office of Emergency Management, oem@LasVegasNevada.gov
Clark County Emergency Management, OEM@clarkcountynv.gov
Don Warner, Bureau of Corrective Actions, Petroleum Fund Staff, dwarner@ndep.nv.gov
James Prieur, Senior Hydrogeologist, Las Vegas Valley Water District, prieurj@snwa.com
Jeremy Holst, Broadbent & Associates, jholst@broadbentinc.com
John Solvie, Planning Manager, Water Quality, Clark County Water Quality Reclamation District, jsolvie@cleanwaterteam.com
Jonathan McRae, UST/LUST Supervisor, jmcrac@ndep.nv.gov
Joseph R. Leedy, Principal Planner, Water Quality, Clark County Water Quality Reclamation District, jleedy@cleanwaterteam.com
Keith Stewart, Stewart Environmental, Inc., 10300 West Charleston Boulevard, Suite 13-B32, Las Vegas, NV 89135, StewEnvir@aol.com
Linly Hazlett, Southern Nevada Health District, hazlett@snhd.org
Lynn M. Cintron, Sr. Administrative Assistant, Environmental Compliance Section, Southern Nevada Health District, Cintron@SNHD.org
Megan Slayden, Bureau of Corrective Actions, Petroleum Fund Staff, m.slayden@ndep.nv.gov
Mike Cabble, NDEP, Petroleum Fund Supervisor, mcabble@ndep.nv.gov
Mr. Chittal Shah, Rebel Land Development Company, cshah@anabioil.com
Ms. Irene Torres, Becker Enterprises, itorres@beckerlv.com
Scott Smale, DoD and Remediation Branch Supervisor, ssmale@ndep.nv.gov
Sherri McMahon, Environmental Officer, City of Las Vegas Public Works / Engineering Planning, smcmahon@lasvegasnevada.gov
Todd Tietjen, Regional Water Quality Program Manager, Southern Nevada Water Authority, todd.tietjen@snwa.com
cc CCW Brittnae Pines, LLC., 206 Marine Avenue, #5809, Newport Beach, Ca 92662
Lake Mead Blvd Tic Owner 1, LLC, c/o Epport, Richmond, And Robbins, LLP, 1875 Century Park East, Suite 800, Los Angeles, Ca 90067
Martinez Revocable Trust, P. O. Box 22531, Carmel, Ca 93922



NEVADA DIVISION OF
**ENVIRONMENTAL
PROTECTION**

STATE OF NEVADA
Department of Conservation & Natural Resources
Joe Lombardo, *Governor*
James A. Settelmeyer, *Director*
Jennifer L. Carr, *Administrator*

November 30, 2023

Chittal Shah
Rebel Store #2177
1450 N. Benson Ave.
Upland, CA 91786

RE: Underground Storage Tank Compliance Inspection for the Following Facility: Rebel Store #2177 at
6400 W Lake Mead Blvd, Las Vegas, NV
Facility ID: 8-001928

Dear Owner/Operator:

The Nevada Division of Environmental Protection (NDEP) has received the information requested subsequent to inspecting your facility (June 20, 2023). Based on the reviewed documentation, no further action is required at this time. You are reminded that you must continue to monitor your tanks and piping at least every 30 days and keep these records for at least 12 months. Additionally, your automatic line leak detectors will require annual testing.

NDEP recommends that 30-day monitoring be conducted at the beginning of each month. If an alarm or failed test is observed, you must immediately investigate the problem or contact your service company. **If neither you nor the service company is able to expeditiously (within 24 hrs.) resolve the monitoring system issues, you are required to contact the NDEP UST Program and report the failed test or fuel alarm as a suspected release.** NDEP personnel will discuss with you the proper course of action to take.

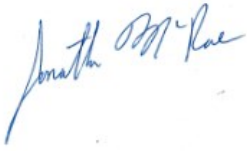
Please remember that having a failed test or system alarm does not mean you are out of compliance with UST regulations; the very function of leak detection equipment is to alert you to a possible problem with your UST system. **Neglecting to report or take immediate action to resolve the cause of alarms or test failures will result in your facility being out of compliance with federal regulation 40 CFR 280.50.** Records for any and all work/maintenance performed on your UST monitoring system must be maintained for at least one year.

Lastly, containment sumps and spill buckets are often overlooked during routine maintenance. Please inspect these areas (particularly after service, storm events, and/or delivery) for liquids and debris. If observed, promptly remove and properly dispose of liquid/debris accumulations.

Please forward a copy of this letter to on-site personnel responsible for UST system operations/maintenance.

If you have any questions regarding this matter, please contact me by email at jmcrae@ndep.nv.gov or by telephone at (775)687-9376.

Sincerely,

A handwritten signature in blue ink that reads "Jonathan McRae". The signature is written in a cursive style.

Jonathan McRae
Supervisor UST/LUST
Bureau of Corrective Actions, NDEP

cc Lynn M. Cintron, Sr. Administrative Assistant, Environmental Compliance Section, Southern Nevada Health District,
 Cintron@SNHD.org
 William Thompson, Environmental Health Supervisor environmental Compliance Section, Southern Nevada Health
 District, thompsonw@snhd.org
 Summer Ireifej, Chief Administrative Officer, 1450 North Benson Avenue, Upland, CA 91786,
 sireifej@carenterprises.net

**Agenda Item 6:
Adoption of Consent Items
(FOR POSSIBLE ACTION)**

**STATE BOARD TO REVIEW CLAIMS
REQUESTED/RECOMMENDED AMOUNTS - DECEMBER 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

NEW CASES

			<u>REQUESTED</u>	<u>RECOMMENDED</u>	
FOR POSSIBLE ACTION	1.	2021000032; 80522	Circle K Stores, Inc.: Circle K Store #2700755	\$87,977.07	\$77,612.28
FOR POSSIBLE ACTION	2.	2022000030; 80539	Mountain View Hospital: Mountain View Hospital	\$11,220.00	\$8,078.40
			SUB TOTAL:	<u>\$99,197.07</u>	<u>\$85,690.68</u>

ONGOING CASES

			<u>REQUESTED</u>	<u>RECOMMENDED</u>	
FOR POSSIBLE ACTION	1.	1992000126; 80628	Clark County School District: Rc White (Arville) Transportation Satellite	\$20,010.60	\$19,945.60
FOR POSSIBLE ACTION	2.	1994000027; 80632	7-Eleven, Inc: 7-Eleven #19653	\$75,094.51	\$74,541.07
FOR POSSIBLE ACTION	3.	1995000042; 80583	FBF Inc.: Gas 4 Less	\$20,860.87	\$20,853.59
FOR POSSIBLE ACTION	4.	1996000064; 80616	The Esslinger Family Trust: Red Rock Mini Mart	\$3,037.50	\$2,799.06
FOR POSSIBLE ACTION	5.	1996000101; 80598	Phillips 66 Company: Circle K Store #2700695	\$71,886.25	\$62,912.11
FOR POSSIBLE ACTION	6.	1999000014; 80619	Al Park Petroleum, Inc.: Pit Stop #7 Conoco	\$7,412.48	\$6,671.23
FOR POSSIBLE ACTION	7.	1999000243; 80635	7-Eleven, Inc: 7-Eleven #27607	\$30,524.44	\$26,946.68
FOR POSSIBLE ACTION	8.	2007000014; 80621	Raiders Oz Business, LLC: Former Ace Cab/frias Transportation	\$46,749.72	\$38,436.49
FOR POSSIBLE ACTION	9.	2007000016; 80607	Golden Gate Petroleum Of Nevada LLC: Golden Gate Sun Valley #43	\$8,030.44	\$7,227.40
FOR POSSIBLE ACTION	10.	2008000009; 80581	Pilot Travel Centers LLC: Flying J Travel Plaza #770	\$45,546.71	\$36,892.84

FOR POSSIBLE ACTION	11.	2008000019; 80550	One Panou, LLC: Golden Market #3	\$15,013.72	\$13,422.35	
FOR POSSIBLE ACTION	12.	2009000024; 80545	Sjk Investments LLC: Chuck's Circle C	\$16,942.33	\$14,781.54	
FOR POSSIBLE ACTION	13.	2010000009; 80615	Hpt Ta Properties Trust: Mill City Travel Center	\$10,364.60	\$8,357.02	
FOR POSSIBLE ACTION	14.	2011000009; 80622	Cimarron West: Cimarron West	\$9,626.17	\$8,663.55	
FOR POSSIBLE ACTION	15.	2012000005; 80610	Travel Systems, LLC: Zephyr Cove Resort	\$46,950.72	\$42,255.65	
FOR POSSIBLE ACTION	16.	2012000012; 80617	Clark County Department Of Aviation: Former Smart Mart	\$21,649.73	\$19,484.76	
FOR POSSIBLE ACTION	17.	2013000019; 80623	Hardy Enterprises, Inc.: Elko Sinclair #53	\$34,346.49	\$30,911.84	
FOR POSSIBLE ACTION	18.	2014000004; 80609	Alsaker Corporation: Broadway Colt Service Center	\$4,623.82	\$4,161.44	
FOR POSSIBLE ACTION	19.	2014000007; 80634	7-Eleven, Inc: 7-Eleven #29658	\$22,061.75	\$19,855.57	
FOR POSSIBLE ACTION	20.	2014000025; 80626	Superior Campgrounds Of America, LLC: Silver City Rv Resort	\$15,591.41	\$14,032.27	
FOR POSSIBLE ACTION	21.	2017000019; 80596	Rebel Oil Company: Rebel Store #2197	\$6,627.50	\$5,964.75	
FOR POSSIBLE ACTION	22.	2018000005; 80594	Rebel Oil Company: Rebel Store # 2153	\$12,833.50	\$11,550.15	
FOR POSSIBLE ACTION	23.	2018000009; 80630	Reed Incorporated: Pacific Pride	\$80,205.35	\$72,184.81	
FOR POSSIBLE ACTION	24.	2019000002; 80595	Rebel Oil Company: Rebel Store #2166	\$13,389.50	\$12,050.55	
FOR POSSIBLE ACTION	25.	2019000044; 80631	7-Eleven, Inc: 7-Eleven #15829	\$35,205.61	\$31,685.05	
FOR POSSIBLE ACTION	26.	2020000015; 80618	Canyon Plaza, LLC: Gas 2 Go	\$10,207.40	\$5,512.00	
FOR POSSIBLE ACTION	27.	2020000016; 80481	LV Petroleum, LLC: Us Gas #7	\$24,759.44	\$22,283.50	
FOR POSSIBLE ACTION	28.	2021000026; 80633	7-Eleven, Inc: 7-Eleven #25578	\$13,247.80	\$11,923.02	
FOR POSSIBLE ACTION	29.	2022000015; 80597	Rebel Oil Company: Rebel Store #2197	\$24,006.61	\$17,219.96	
FOR POSSIBLE ACTION	30.	2022000035; 80611	7-Eleven, Inc: 7-Eleven #29407	\$59,986.85	\$53,988.17	
				SUB TOTAL:	<u>\$806,793.82</u>	<u>\$717,514.02</u>
				RECOMMENDED CLAIMS TOTAL:	<u>\$905,990.89</u>	<u>\$803,204.70</u>

Case: #1992000126
Claim #: 80628

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$19,945.60 from the Petroleum Fund for cleanup costs.

	\$2,926,543.08	Amount Requested to Date
	(\$161,352.75)	Amount Disallowed, Past Claims
	(\$40,000.00)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,684,557.72)</u>	Amount Paid to Date
SUB TOTAL	\$20,010.60	Amount Requested this Meeting
	<u>(\$65.00)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$19,945.60	
	<u>\$0.00</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$19,945.60	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/17/2023 and 10/11/2023

Summary of work completed: 2nd Quarter 2023 Report Preparation, July and September monthly groundwater sampling events, 3rd Quarter 2023 sampling event, 55-gallon drum delivery, and petroleum fund reporting.

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	\$2,926,543.08
Amount Disallowed	\$161,417.75
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$40,000.00
Amount Recommended	\$2,725,125.33
Amount Paid	\$2,705,179.73

Site Identification

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

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	Closed	Regulated UST	See Synopsis
002	12000	52	Regulated UST	See Synopsis
003	12000	52	Regulated UST	See Synopsis
004	12000	52	Regulated UST	See Synopsis

Case: #1994000027
Claim #: 80632

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$74,541.07 from the Petroleum Fund for cleanup costs.

	\$2,697,250.48	Amount Requested to Date
	(\$79,645.77)	Amount Disallowed, Past Claims
	(\$30,000.00)	Deductible/Co-Payment Satisfied to Date
	(\$2,247,288.24)	Amount Paid to Date
SUB TOTAL	<u>\$75,094.51</u>	Amount Requested this Meeting
	(\$281.28)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$74,813.23</u>	
	\$0.00	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$74,541.07</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 12/19/2022 and 10/06/2023

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 cost proposal and HASP preparation, AS/SVE remediation system operations, utility costs, routine repairs, maintenance, and data evaluation.

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	\$2,697,250.48
Amount Disallowed	\$79,927.05
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$30,000.00
Amount Recommended	\$2,587,051.27
Amount Paid	\$2,512,510.20

Site Identification

Date Submitted:	09/03/1993	DEP Facility Number:	8-000599
Site Name	7-Eleven #19653	Telephone:	
Site Contact			
Site Address	2725 Las Vegas Blvd N North Las Vegas, NV 89030		
County:	Clark County		
Owner/Operator Name:	7-Eleven, INC		
Contact Name of Owner/Operator:	William Latt 500 Speedway Drive Enon, OH 45323	Telephone:	(937)460-8488
Prime Contractor	Stantec Consulting Services, Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	3010 West Charleston Boulevard, Suite 100 Las Vegas, NV 89102		
Telephone:	(702)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 #: 80583

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$20,853.59 from the Petroleum Fund for cleanup costs.

	\$2,987,939.68	Amount Requested to Date
	(\$47,606.08)	Amount Disallowed, Past Claims
	(\$261,391.93)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,658,080.80)</u>	Amount Paid to Date
SUB TOTAL	\$20,860.87	Amount Requested this Meeting
	<u>(\$7.28)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$20,853.59	
	\$0.00	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$20,853.59</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/28/2023 and 07/31/2023

Summary of work completed: Project management; remediation system installation; preparation of quarterly groundwater monitoring report; O&M of remediation system; 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	\$2,987,939.68
Amount Disallowed	\$47,613.36
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$261,391.93
Amount Recommended	\$2,678,934.39
Amount Paid	\$2,658,080.80

Site Identification

Date Submitted:	10/25/1994	DEP Facility Number:	8-000251
Site Name	Gas 4 Less	Telephone:	(702)643-6465
Site Contact	Mahmoodreza Radeh		
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 3283 Las Vegas Boulevard North Las Vegas, NV 89115	Telephone:	(702)883-3859
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 #: 80616

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$2,799.06 from the Petroleum Fund for cleanup costs.

	\$2,268,962.42	Amount Requested to Date
	(\$70,214.48)	Amount Disallowed, Past Claims
	(\$229,378.13)	Board Reduction, Past Claims
	(\$50,735.24)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,854,819.89)</u>	Amount Paid to Date
SUB TOTAL	\$3,037.50	Amount Requested this Meeting
	(\$91.12)	Board Reduction, This Meeting
SUB TOTAL	<u>\$2,946.38</u>	
	(\$147.32)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$2,799.06</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 08/31/2023 and 08/31/2023

Summary of work completed: Project management; preparation of a shape file for closure; and preparation of a Cost Proposal Change Order.

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	\$2,268,962.42
Amount Disallowed	\$70,214.48
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$229,469.25
Pending Copay/Deductible	\$147.32
Copay/Deductible	\$50,735.24
Amount Recommended	\$1,906,768.69
Amount Paid	\$1,903,969.63

Site Identification

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

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	Closed	Regulated UST	See Synopsis
002	10000	50	Regulated UST	See Synopsis

Case: #1996000101
Claim #: 80598

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$62,912.11 from the Petroleum Fund for cleanup costs.

	\$2,751,073.45	Amount Requested to Date
	(\$43,655.38)	Amount Disallowed, Past Claims
	(\$263,553.17)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,371,978.65)</u>	Amount Paid to Date
SUB TOTAL	\$71,886.25	Amount Requested this Meeting
	<u>(\$1,983.90)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$69,902.35	
	<u>(\$6,990.24)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$62,912.11	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/30/2023 and 08/23/2023

Summary of work completed: Final system decommissioning and site restoration activities including right-of-way re-paving required by encroachment permit for Alta Drive and West Bonanza Road, specification changes to encroachment permit required by Clark County Supervisor for site restoration activities (UTAC paving and road sensors), utility clearances in right-of-way, system electrical panel removal, Health and Safety Plan update, cost proposal preparation, and preparation of petroleum fund reimbursement claims.

Site Summary Report

Case Number: 1996000101 Site Name: Circle K Store #2700695

Site Status

Synopsis: DISCHARGE DISCOVERED OCTOBER 12, 1995. SOURCE OF THE CONTAMINATION DESCRIBED AS THE DISPENSERS OF THREE LEAKING UNDERGROUND STORAGE TANK (UST) SYSTEMS (TANK 1, TANK 2, TANK 3). EACH UST SYSTEM WAS 10,000 GALLONS AND CONTAINED GASOLINE AT THE TIME OF RELEASE. CASE SUBJECT TO 10% COPAYMENT.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,700,000.00
Amount Requested	\$2,751,073.45
Amount Disallowed	\$45,639.28
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$6,990.24
Copay/Deductible	\$263,553.17
Amount Recommended	\$2,434,890.76
Amount Paid	\$2,371,978.65

Site Identification

Date Submitted:	05/22/1996	DEP Facility Number:	8-000129
Site Name	Circle K Store #2700695	Telephone:	
Site Contact			
Site Address	428 S Valley View Blvd Las Vegas, NV 89107		
County:	Clark County		
Owner/Operator Name:	Phillips 66 Company		
Contact Name of Owner/Operator:	Eli Gurian 3900 Kilroy Airport Way, Suite #210 Long Beach, CA 90806	Telephone:	(562)290-1537
Prime Contractor	Atc Group Services DBA Atlas Technical Consultants		
Contact Name	Anne Linette McMonagle		
Contractor Address	921 American Pacific Drive, Henderson, NV, Usa, Suite 309 Henderson, NV 89014		
Telephone:	(810)772-9841	% 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	46	Regulated UST	See Synopsis
003	6000	46	Regulated UST	See Synopsis

Case: #1999000014
Claim #: 80619

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$6,671.23 from the Petroleum Fund for cleanup costs.

	\$1,132,565.60	Amount Requested to Date
	(\$65,364.85)	Amount Disallowed, Past Claims
	(\$71,518.04)	Board Reduction, Past Claims
	(\$98,827.05)	Deductible/Co-Payment Satisfied to Date
	(\$848,157.83)	Amount Paid to Date
SUB TOTAL	<u>\$7,412.48</u>	Amount Requested this Meeting
	(\$741.25)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$6,671.23</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/31/2023 and 08/31/2023

Summary of work completed: Prepare and submit 2nd quarter groundwater monitoring report, prepare petroleum fund documentation (POP and Claims), coordinate and conducted 3rd quarter groundwater sampling event.

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	\$1,132,565.60
Amount Disallowed	\$65,364.85
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$71,518.04
Pending Copay/Deductible	\$741.25
Copay/Deductible	\$98,827.05
Amount Recommended	\$896,114.41
Amount Paid	\$889,443.18

Site Identification

Date Submitted:	09/10/1998	DEP Facility Number:	6-000009
Site Name	Pit Stop #7 Conoco	Telephone:	(775)934-3818
Site Contact	Pam Williams		
Site Address	1600 Idaho St Elko, NV 89801		
County:	Elko County		
Owner/Operator Name:	AL Park Petroleum, Inc.		
Contact Name of Owner/Operator:	Pam Williams 379 Westby Drive Spring Creek, NV 89815	Telephone:	(775)934-3818
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
001	10000	Closed	Regulated UST	See Synopsis

Case: #1999000243
Claim #: 80635

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$26,946.68 from the Petroleum Fund for cleanup costs.

	\$2,028,182.75	Amount Requested to Date
	(\$56,924.85)	Amount Disallowed, Past Claims
	(\$397,897.10)	Board Reduction, Past Claims
	(\$154,283.63)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,305,601.38)</u>	Amount Paid to Date
SUB TOTAL	\$30,524.44	Amount Requested this Meeting
	<u>(\$281.28)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$30,243.16	
	<u>(\$3,024.32)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$26,946.68	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 12/07/2022 and 09/19/2023

Summary of work completed: Project management, scheduling and client invoicing. Quarterly monitoring, sampling and reporting, waste disposal, quarterly and annual permit reporting, annual cost proposal and HASP preparation, reimbursement package preparation. DPE remediation system monthly site visits for safety check and cleaning, utility costs, routine repairs and equipment maintenance.

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	\$2,028,182.75
Amount Disallowed	\$57,206.13
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$397,897.10
Pending Copay/Deductible	\$3,024.32
Copay/Deductible	\$154,283.63
Amount Recommended	\$1,415,499.41
Amount Paid	\$1,388,552.73

Site Identification

Date Submitted:	07/05/2002	DEP Facility Number:	8-001149
Site Name	7-Eleven #27607	Telephone:	(702)388-0940
Site Contact	Rich Davies		
Site Address	600 Las Vegas Blvd N Las Vegas, NV 89101		
County:	Clark County		
Owner/Operator Name:	7-Eleven, INC		
Contact Name of Owner/Operator:	William Latt 500 Speedway Drive Enon, OH 45323	Telephone:	(937)460-8488
Prime Contractor	Stantec Consulting Services, Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	3010 West Charleston Boulevard, Suite 100 Las Vegas, NV 89102		
Telephone:	(702)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: #2007000014
Claim #: 80621

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$38,436.49 from the Petroleum Fund for cleanup costs.

	\$4,915,262.57	Amount Requested to Date
	(\$37,219.82)	Amount Disallowed, Past Claims
	(\$483,129.30)	Deductible/Co-Payment Satisfied to Date
	<u>(\$4,177,950.52)</u>	Amount Paid to Date
SUB TOTAL	\$46,749.72	Amount Requested this Meeting
	<u>(\$4,042.51)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$42,707.21	
	<u>(\$4,270.72)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$38,436.49	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/01/2023 and 10/10/2023

Summary of work completed: 2nd Quarter report preparation, 3rd quarter groundwater sampling event, O&M of Pulse-Ox systems, hydrogen peroxide deliveries, water disposal, petroleum fund reporting, down-hole camera for well MW-17, abandonment of well MW-17.

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	\$4,915,262.57
Amount Disallowed	\$41,262.33
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$4,270.72
Copay/Deductible	\$483,129.30
Amount Recommended	\$4,386,600.22
Amount Paid	\$4,348,163.73

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 Las Vegas, NV 89118		
County:	Clark County		
Owner/Operator Name:	Raiders Oz Business, LLC		
Contact Name of Owner/Operator:	Greg Gilbert	Telephone:	(702)669-4600
	1475 Raiders Way Henderson, NV 89052		
Prime Contractor	Converse Consultants		
Contact Name	Kurt Goebel		
Contractor Address	6610 W. Arby, Suite 104 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	17	Regulated UST	Pipe
001	20000	27	Regulated UST	tank fill riser

Case: #2007000016
Claim #: 80607

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$7,227.40 from the Petroleum Fund for cleanup costs.

	\$682,607.45	Amount Requested to Date
	(\$1,453.92)	Amount Disallowed, Past Claims
	(\$67,312.30)	Deductible/Co-Payment Satisfied to Date
	(\$601,560.68)	Amount Paid to Date
SUB TOTAL	<u>\$8,030.44</u>	Amount Requested this Meeting
	(\$803.04)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$7,227.40</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 06/30/2023 and 08/31/2023

Summary of work completed: Preparation of 2nd quarter GMR, cost proposal preparation, preparation of petroleum fund documentation, coordinate and conduct 3rd quarter groundwater sampling event including drums and waste disposal.

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	\$682,607.45
Amount Disallowed	\$1,453.92
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$803.04
Copay/Deductible	\$67,312.30
Amount Recommended	\$613,038.19
Amount Paid	\$605,810.79

Site Identification

Date Submitted:	12/14/2006	DEP Facility Number:	4-000408
Site Name	Golden Gate Sun Valley #43	Telephone:	(775)850-3010
Site Contact	Graham Brown		
Site Address	5190 Sun Valley Blvd Sun Valley, NV 89433		
County:	Washoe County		
Owner/Operator Name:	Golden Gate Petroleum Of Nevada LLC		
Contact Name of Owner/Operator:	Nacho Aguilar 16580 Wedge Parkway Reno, NV 89511	Telephone:	(775)850-3010
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	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
024	10000	Closed	Regulated UST	See Synopsis
030	12000	32	Regulated UST	Connection to piping under UDC, Pipe

Case: #2008000009
Claim #: 80581

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$36,892.84 from the Petroleum Fund for cleanup costs.

	\$952,993.93	Amount Requested to Date
	(\$48,240.71)	Amount Disallowed, Past Claims
	(\$144,736.80)	Board Reduction, Past Claims
	(\$71,446.98)	Deductible/Co-Payment Satisfied to Date
	(\$643,022.73)	Amount Paid to Date
SUB TOTAL	<u>\$45,546.71</u>	Amount Requested this Meeting
	(\$4,554.67)	Board Reduction, This Meeting
SUB TOTAL	<u>\$40,992.04</u>	
	(\$4,099.20)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$36,892.84</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 12/31/2022 and 09/30/2023

Summary of work completed: closure request and well abandonment

Site Summary Report

Case Number: 2008000009 Site Name: Flying J Travel Plaza #770

Site Status

Synopsis: CONTAMINATION DUE TO SPILL BUCKETS. 40% REDUCTION FOR 2 GASOLINE UST SYSTEMS, FULL COVERAGE FOR 2 DIESEL UST SYSTEMS RESULTING IN 20% OVERALL REDUCTION. REDUCTION ADJUSTED AT JUNE 2018 BOARD MEETING TO 10% FOR ENTIRE CASE.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$4,000,000.00
Amount Fund Will Pay	\$2,749,338.69
Amount Requested	\$952,993.93
Amount Disallowed	\$48,240.71
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$149,291.47
Pending Copay/Deductible	\$4,099.20
Copay/Deductible	\$71,446.98
Amount Recommended	\$679,915.57
Amount Paid	\$643,022.73

Site Identification

Date Submitted:	04/01/2011	DEP Facility Number:	5-000254
Site Name	Flying J Travel Plaza #770	Telephone:	
Site Contact			
Site Address	1880 W Winnemucca Blvd Winnemucca, NV 89445		
County:	Humboldt County		
Owner/Operator Name:	Pilot Travel Centers LLC		
Contact Name of Owner/Operator:	Joey Cupp P.O. Box 10146 Knoxville, TN 37939	Telephone:	(865)474-2826
Prime Contractor	Broadbent & Associates, Inc.		
Contact Name	Scott Keeseey		
Contractor Address	5450 Louie Lane, #101 Reno, NV 89511		
Telephone:	(775)327-4216	% Board Reduction:	10.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	Closed	Regulated UST	See Synopsis
002	12000	32	Regulated UST	See Synopsis
003	12000	32	Regulated UST	See Synopsis
004	20000	32	Regulated UST	See Synopsis

Case: #2008000019
Claim #: 80550

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$13,422.35 from the Petroleum Fund for cleanup costs.

	\$771,685.55	Amount Requested to Date
	(\$20,591.94)	Amount Disallowed, Past Claims
	(\$73,607.96)	Deductible/Co-Payment Satisfied to Date
	(\$619,159.31)	Amount Paid to Date
SUB TOTAL	<u>\$15,013.72</u>	Amount Requested this Meeting
	(\$100.00)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$14,913.72</u>	
	(\$1,491.37)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$13,422.35</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/27/2023 and 06/30/2023

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

Site Summary Report

Case Number: 2008000019 Site Name: Golden Market #3

Site Status

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

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$771,685.55
Amount Disallowed	\$20,691.94
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,491.37
Copay/Deductible	\$73,607.96
Amount Recommended	\$675,894.28
Amount Paid	\$662,471.93

Site Identification

Date Submitted:	04/16/2008	DEP Facility Number:	8-001393
Site Name	Golden Market #3	Telephone:	
Site Contact			
Site Address	3025 Las Vegas Blvd North North Las Vegas, NV 89030		
County:	Clark County		
Owner/Operator Name:	One Panou, LLC		
Contact Name of Owner/Operator:	Amer (Jack) Panou 3025 North Las Vegas Blvd. Las Vegas, NV 89030	Telephone:	(702)285-3678
Prime Contractor	Broadbent 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	10000	Closed	Regulated UST	See Synopsis

Case: #2009000024
Claim #: 80545

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$14,781.54 from the Petroleum Fund for cleanup costs.

	\$1,385,051.65	Amount Requested to Date
	(\$13,074.55)	Amount Disallowed, Past Claims
	(\$135,503.46)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,219,531.31)</u>	Amount Paid to Date
SUB TOTAL	\$16,942.33	Amount Requested this Meeting
	<u>(\$518.40)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$16,423.93	
	<u>(\$1,642.39)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$14,781.54	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/13/2023 and 07/18/2023

Summary of work completed: Work was associated with operation and maintenance for the second quarter; Preparing second quarter discharge reporting; Conducting second quarter monitoring and sampling; Preparing for third quarter monitoring and sampling; Completing first quarter groundwater monitoring and sampling reporting; preparing second quarter groundwater monitoring and sampling reporting; and preparing reimbursement request for first quarter.

Site Summary Report

Case Number: 2009000024 Site Name: Chuck's Circle C

Site Status

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

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$1,385,051.65
Amount Disallowed	\$13,592.95
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,642.39
Copay/Deductible	\$135,503.46
Amount Recommended	\$1,234,312.85
Amount Paid	\$1,219,531.31

Site Identification

Date Submitted:	04/01/2009	DEP Facility Number:	4-000744
Site Name	Chuck's Circle C	Telephone:	(916)871-9038
Site Contact	Savinder Singh		
Site Address	20255 Cold Springs Dr Reno, NV 89508		
County:	Washoe County		
Owner/Operator Name:	Sjk Investments LLC		
Contact Name of Owner/Operator:	Savinder Singh 20225 Cold Springs Drive Reno, NV 89508	Telephone:	(916)871-9038
Prime Contractor	Stratus Engineering Associates LLC		
Contact Name	Trevor Hartwell		
Contractor Address	3330 Cameron Park Drive, Suite 850 Cameron Park, CA 95682		
Telephone:	(707)758-2455	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	5000	40	Regulated UST	See Synopsis

Case: #201000009
Claim #: 80615

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$8,357.02 from the Petroleum Fund for cleanup costs.

	\$1,367,825.09	Amount Requested to Date
	(\$58,573.77)	Amount Disallowed, Past Claims
	(\$127,356.12)	Board Reduction, Past Claims
	(\$117,153.06)	Deductible/Co-Payment Satisfied to Date
	(\$810,306.16)	Amount Paid to Date
SUB TOTAL	<u>\$10,364.60</u>	Amount Requested this Meeting
	(\$47.29)	Amount Disallowed this Meeting
	<u>(\$1,031.73)</u>	Board Reduction, This Meeting
SUB TOTAL	\$9,285.58	
	(\$928.56)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$8,357.02</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 06/24/2023 and 10/02/2023

Summary of work completed: Coordinate and conduct 3rd quarter groundwater monitoring event, prepare 2nd quarter GMR and submit to NDEP, prepare cost proposal 2-4Q and prepare petroleum fund documentation associated with claims.

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	\$1,367,825.09
Amount Disallowed	\$58,621.06
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$128,387.85
Pending Copay/Deductible	\$928.56
Copay/Deductible	\$117,153.06
Amount Recommended	\$1,062,734.56
Amount Paid	\$1,054,377.54

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 Mill City, NV 89418		
County:	Pershing County		
Owner/Operator Name:	Hpt Ta Properties Trust		
Contact Name of Owner/Operator:	Sarah Paulson 24601 Center Ridge Road Westlake, OH 44145	Telephone:	(440)808-4459
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	6995 Sierra Center Parkway 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: #201100009
Claim #: 80622

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$8,663.55 from the Petroleum Fund for cleanup costs.

	\$1,282,653.15	Amount Requested to Date
	(\$14,403.47)	Amount Disallowed, Past Claims
	(\$125,862.36)	Deductible/Co-Payment Satisfied to Date
	(\$998,658.10)	Amount Paid to Date
SUB TOTAL	<u>\$9,626.17</u>	Amount Requested this Meeting
	(\$962.62)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$8,663.55</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/31/2023 and 09/30/2023

Summary of work completed: Prepare 2nd quarter groundwater monitoring report, prepare cost proposal, prepare petroleum fund documentation associated with claim and POPs, coordinate and conduct 3rd quarter groundwater sampling event.

Site Summary Report

Case Number: 2011000009 Site Name: Cimarron West

Site Status

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

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,700,000.00
Amount Requested	\$1,282,653.15
Amount Disallowed	\$14,403.47
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$962.62
Copay/Deductible	\$125,862.36
Amount Recommended	\$1,136,887.80
Amount Paid	\$1,128,224.25

Site Identification

Date Submitted:	06/06/2011	DEP Facility Number:	6-000156
Site Name	Cimarron West	Telephone:	(775)738-9861
Site Contact	John Carpenter		
Site Address	1400 Mountain City Hwy Elko, NV 89801		
County:	Elko County		
Owner/Operator Name:	Cimarron West		
Contact Name of Owner/Operator:	Linda Meo P O Box 190 Elko, NV 89803	Telephone:	(775)738-9861
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	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
001	10000	Closed	Regulated UST	See Synopsis
002	10000	38	Regulated UST	See Synopsis
003	6000	38	Regulated UST	See Synopsis

Case: #2012000005
Claim #: 80610

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$42,255.65 from the Petroleum Fund for cleanup costs.

	\$4,076,565.34	Amount Requested to Date
	(\$141,599.13)	Amount Disallowed, Past Claims
	(\$388,801.55)	Deductible/Co-Payment Satisfied to Date
	<u>(\$3,464,367.97)</u>	Amount Paid to Date
SUB TOTAL	\$46,950.72	Amount Requested this Meeting
	<u>(\$4,695.07)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$42,255.65	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 12/14/2022 and 09/18/2023

Summary of work completed: Cost Proposal #ZC-2022-02: Project management, scheduling and client invoicing. Quarterly groundwater monitoring and sampling event field activities and prepare the associated monitoring reports. Conduct monthly beach area grab groundwater sampling events. Reimbursement package, annual CP, and CP change order preparation. Coordinate waste disposal. Update recommendations in the Remedial Alternatives Evaluation report, inquiring regarding a response from the NDEP, initial locating of equipment vendors. Cost Proposal #ZC-2023: Project management, scheduling and client invoicing. Annual update of the health and safety plan. Quarterly groundwater monitoring and sampling event field activities and prepare the associated monitoring reports. Conduct monthly beach area grab groundwater sampling events. Reimbursement package and annual CP preparation. Coordinate waste disposal. Workplan preparation and implementing the biosparging remediation system planning, design, purchase and installation. Prepare and submit NV Energy power drop, TRPA construction and fire operational permit applications. Request equipment quotes from vendors. Discussions regarding the new air sparge well locations. Prepare the drilling contractor request for bid package, evaluate submittals and award the contract. Coordinate with drilling contractor including submitting well permit applications.

Site Summary Report

Case Number: 2012000005 Site Name: Zephyr Cove Resort

Site Status

Synopsis: CORROSION HOLES IN STEEL PRODUCT PIPING ASSOCIATED WITH TWO TANKS. THIRD PARTY LIABILITY FUNDS ALLOTTED AT 9/15/16 BOARD MEETING. 2ND AND FINAL ALLOTMENT OF 3RD PARTY LIABILITY APPROVED DURING 12/8/16 BOARD MEETING.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$4,000,000.00
Amount Fund Will Pay	\$3,600,000.00
Amount Requested	\$4,076,565.34
Amount Disallowed	\$141,599.13
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$4,695.07
Copay/Deductible	\$388,801.55
Amount Recommended	\$3,541,469.58
Amount Paid	\$3,499,213.93

Site Identification

Date Submitted:	09/23/2011	DEP Facility Number:	2-000112
Site Name	Zephyr Cove Resort	Telephone:	(775)589-4934
Site Contact	Maggie Garcia-Nook		
Site Address	760 Us-50 Zephyr Cove, NV 89448		
County:	Douglas County		
Owner/Operator Name:	Travel Systems, LLC		
Contact Name of Owner/Operator:	Jennifer Kugler 2400 Market Street Philadelphia, PA 19103	Telephone:	(267)593-8183
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
002	10000	38	Regulated UST	See Synopsis

Case: #2012000012
Claim #: 80617

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$19,484.76 from the Petroleum Fund for cleanup costs.

	\$1,842,075.01	Amount Requested to Date
	(\$24,704.97)	Amount Disallowed, Past Claims
	(\$179,572.02)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,233,000.88)</u>	Amount Paid to Date
SUB TOTAL	\$21,649.73	Amount Requested this Meeting
	<u>(\$2,164.97)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$19,484.76	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/28/2023 and 09/30/2023

Summary of work completed: Project management; coordination and observation of utility location by GPRS; solicit bids for site closure activities; perform oversight of remediation system decommissioning; and prepare 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	\$1,842,075.01
Amount Disallowed	\$24,704.97
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$2,164.97
Copay/Deductible	\$179,572.02
Amount Recommended	\$1,635,633.05
Amount Paid	\$1,616,148.29

Site Identification

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

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	28	Regulated UST	See Synopsis

Case: #2013000019
Claim #: 80623

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$30,911.84 from the Petroleum Fund for cleanup costs.

	\$1,429,899.81	Amount Requested to Date
	(\$45,276.03)	Amount Disallowed, Past Claims
	(\$135,027.73)	Deductible/Co-Payment Satisfied to Date
	(\$884,342.45)	Amount Paid to Date
SUB TOTAL	<u>\$34,346.49</u>	Amount Requested this Meeting
	(\$3,434.65)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$30,911.84</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/18/2023 and 09/30/2023

Summary of work completed: Conduct O&M for dual technology remediation system, evaluate remediation metrics and make adjustments as necessary, coordinate and conduct 3rd quarter groundwater monitoring event, prepare 2nd quarter groundwater monitoring report, prepare cost proposal and petroleum fund documentation associated with claims

Site Summary Report

Case Number: 2013000019 Site Name: Elko Sinclair #53

Site Status

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

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$6,000,000.00
Amount Fund Will Pay	\$5,400,000.00
Amount Requested	\$1,429,899.81
Amount Disallowed	\$45,276.03
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$3,434.65
Copay/Deductible	\$135,027.73
Amount Recommended	\$1,245,343.16
Amount Paid	\$1,214,431.32

Site Identification

Date Submitted:	08/16/2013	DEP Facility Number:	6-000103
Site Name	Elko Sinclair #53	Telephone:	(801)298-3409
Site Contact	Dennis Haggard		
Site Address	1790 Idaho St Elko, NV 89801		
County:	Elko County		
Owner/Operator Name:	Hardy Enterprises, Inc.		
Contact Name of Owner/Operator:	Dennis Haggard P.O. Box 248 Bountiful, UT 84011	Telephone:	(801)298-1180
Prime Contractor	McGinley & Associates, Inc.		
Contact Name	Justin Fike		
Contractor Address	6995 Sierra Center Pkwy Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	Closed	Regulated UST	See Synopsis
002	12000	44	Regulated UST	See Synopsis
001	20000	38	Regulated UST	See Synopsis
004	12000	44	Regulated UST	See Synopsis
005	12000	44	Regulated UST	See Synopsis
006	12000	44	Regulated UST	See Synopsis

Case: #2014000004
Claim #: 80609

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$4,161.44 from the Petroleum Fund for cleanup costs.

	\$1,596,890.20	Amount Requested to Date
	(\$9,371.02)	Amount Disallowed, Past Claims
	(\$158,289.59)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,285,365.22)</u>	Amount Paid to Date
SUB TOTAL	\$4,623.82	Amount Requested this Meeting
	<u>(\$462.38)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$4,161.44	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/18/2023 and 07/31/2023

Summary of work completed: Coordinate and oversee well abandonment and final waste disposal.

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	\$1,596,890.20
Amount Disallowed	\$9,371.02
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$462.38
Copay/Deductible	\$158,289.59
Amount Recommended	\$1,428,767.21
Amount Paid	\$1,424,605.77

Site Identification

Date Submitted:	08/02/2013	DEP Facility Number:	5-000283
Site Name	Broadway Colt Service Center		
Site Contact	Damon Borden	Telephone:	(509)710-7749
Site Address	660 W Front St Battle Mountain, NV 89820		
County:	Lander County		
Owner/Operator Name:	Alsaker Corporation		
Contact Name of Owner/Operator:	Damon Borden	Telephone:	(509)710-7749
	6409 E. Sharp Ave Spokane Valley, WA 99212		
Prime Contractor	McGinley & Associates, Inc.		
Contact Name	Justin Fike		
Contractor Address	6995 Sierra Center Pkwy 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 #: 80634

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$19,855.57 from the Petroleum Fund for cleanup costs.

	\$400,073.13	Amount Requested to Date
	(\$1,766.00)	Amount Disallowed, Past Claims
	(\$37,624.54)	Deductible/Co-Payment Satisfied to Date
	(\$324,805.82)	Amount Paid to Date
SUB TOTAL	<u>\$22,061.75</u>	Amount Requested this Meeting
	(\$2,206.18)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$19,855.57</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/26/2023 and 09/19/2023

Summary of work completed: Cost Proposal 29658.23: 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. Preparing the elements of a Conceptual Site Model for inclusion into the groundwater exemption closure request. Cost Proposal 29658.23A: Project management, scheduling and client invoicing, prepare the fate and transport model, discussions with the NDEP regarding modeling approaches, prepare the groundwater exemption closure request.

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	\$400,073.13
Amount Disallowed	\$1,766.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$2,206.18
Copay/Deductible	\$37,624.54
Amount Recommended	\$358,476.41
Amount Paid	\$338,620.84

Site Identification

Date Submitted:	08/16/2013	DEP Facility Number:	8-001345
Site Name	7-Eleven #29658	Telephone:	(702)732-1361
Site Contact	Frank Higgins		
Site Address	3716 S Paradise Rd Las Vegas, NV 89169		
County:	Clark County		
Owner/Operator Name:	7-Eleven, INC		
Contact Name of Owner/Operator:	William Latt 500 Speedway Drive Enon, OH 45323	Telephone:	(937)460-8488
Prime Contractor	Stantec Consulting Services, Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	3010 West Charleston Boulevard, Suite 100 Las Vegas, NV 89102		
Telephone:	(702)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 #: 80626

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$14,032.27 from the Petroleum Fund for cleanup costs.

	\$1,768,442.59	Amount Requested to Date
	(\$30,014.00)	Amount Disallowed, Past Claims
	(\$21,457.21)	Board Reduction, Past Claims
	(\$170,138.01)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,218,104.02)</u>	Amount Paid to Date
SUB TOTAL	\$15,591.41	Amount Requested this Meeting
	<u>(\$1,559.14)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$14,032.27	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/18/2023 and 10/18/2023

Summary of work completed: Prepare and submit 2nd quarter groundwater monitoring report, prepare petroleum fund documentation (cost proposals and claims), coordinate and conduct 3rd quarter groundwater sampling event.

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	\$1,768,442.59
Amount Disallowed	\$30,014.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$21,457.21
Pending Copay/Deductible	\$1,559.14
Copay/Deductible	\$170,138.01
Amount Recommended	\$1,544,139.78
Amount Paid	\$1,530,107.51

Site Identification

Date Submitted:	02/24/2014	DEP Facility Number:	2-000075
Site Name	Silver City Rv Resort		
Site Contact	Marci Appleton	Telephone:	(775)267-3359
Site Address	3165 Us Highway 395 N Minden, NV 89423		
County:	Douglas County		
Owner/Operator Name:	Superior Campgrounds Of America, LLC		
Contact Name of Owner/Operator:	Tom Day Sr. 265 N. Joy Street Corona, CA 92879	Telephone:	(909)241-7700
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	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
001	8000	Closed	Regulated UST	See Synopsis
004	15000	23	Regulated UST	Pipe
002	8000	40	Regulated UST	Pipe

Case: #2017000019
Claim #: 80596

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$5,964.75 from the Petroleum Fund for cleanup costs.

	\$706,393.74	Amount Requested to Date
	(\$17,036.47)	Amount Disallowed, Past Claims
	(\$68,272.98)	Deductible/Co-Payment Satisfied to Date
	(\$142,441.09)	Amount Paid to Date
SUB TOTAL	<u>\$6,627.50</u>	Amount Requested this Meeting
	(\$662.75)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$5,964.75</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/31/2023 and 10/02/2023

Summary of work completed: Project management, preparation of Groundwater Monitoring/Remediation Status Report Preparation for 2nd Quarter 2023, preparation of petroleum fund claim reimbursement for 2nd Quarter 2023, 3rd Quarter 2023 monitor well sampling, 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	\$706,393.74
Amount Disallowed	\$17,036.47
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$662.75
Copay/Deductible	\$68,272.98
Amount Recommended	\$620,421.54
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 2200 S Highland Dr 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 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 #: 80594

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$11,550.15 from the Petroleum Fund for cleanup costs.

	\$270,861.77	Amount Requested to Date
	(\$2,161.99)	Amount Disallowed, Past Claims
	(\$25,586.65)	Deductible/Co-Payment Satisfied to Date
	(\$100,704.80)	Amount Paid to Date
SUB TOTAL	<u>\$12,833.50</u>	Amount Requested this Meeting
	(\$1,283.35)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$11,550.15</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/31/2023 and 10/02/2023

Summary of work completed: Project management, preparation of 2nd Quarter 2023 Groundwater Monitoring/Remediation Report, preparation of petroleum fund claim for 2nd Quarter 2023, groundwater monitoring well sampling and/or free product removal for 3rd Quarter 2023, preparation of 3rd Quarter 2023 Groundwater Monitoring/Remediation Report, preparation of petroleum fund for 3rd Quarter 2023, traffic control services, and laboratory analysis.

Site Summary Report

Case Number: 2018000005 Site Name: Rebel Store # 2153

Site Status

Synopsis: DISCHARGE DISCOVERED ON OCTOBER 7, 2015 AS A RESULT OF A PHASE II ENVIRONMENTAL SITE ASSESSMENT. THE APPLICATION IDENTIFIES THE SPILL BUCKET ASSOCIATED TO A 6,000 GALLON UNDERGROUND STORAGE TANK (UST) SYSTEM CONTAINING DIESEL (TANK 005), AND THE SPILL BUCKET ASSOCIATED TO A 12,000 GALLON UST CONTAINING GASOLINE AS THE SOURCES OF THE RELEASE.

Contaminant: Diesel, Gasoline (containing > 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$270,861.77
Amount Disallowed	\$2,161.99
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,283.35
Copay/Deductible	\$25,586.65
Amount Recommended	\$241,829.78
Amount Paid	\$230,279.63

Site Identification

Date Submitted:	07/13/2018	DEP Facility Number:	8-001429
Site Name	Rebel Store # 2153	Telephone:	(702)555-5555
Site Contact	Pending		
Site Address	4595 E Tropicana Ave Las Vegas, NV 89121		
County:	Clark County		
Owner/Operator Name:	Rebel Oil Company		
Contact Name of Owner/Operator:	Dana Cason Teepe 2200 S Highland Dr Las Vegas, NV 89102	Telephone:	(702)382-5866
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
005	6000	32	Regulated UST	Spill Bucket
002	12000	32	Regulated UST	Spill Bucket

Case: #2018000009
Claim #: 80630

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$72,184.81 from the Petroleum Fund for cleanup costs.

	\$565,076.66	Amount Requested to Date
	(\$4,772.16)	Amount Disallowed, Past Claims
	(\$48,009.91)	Deductible/Co-Payment Satisfied to Date
	(\$411,335.28)	Amount Paid to Date
SUB TOTAL	<u>\$80,205.35</u>	Amount Requested this Meeting
	(\$8,020.54)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$72,184.81</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/31/2023 and 10/24/2023

Summary of work completed: Prepare cost proposals and other petroleum fund documentation, coordinate and conduct 3 months of remediations events including travel to/from Reno/Winnemucca, conducted quarterly and monthly groundwater sampling events, communicate with NDEP case officer and provide project updates per the Remedial Work Plan.

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	\$565,076.66
Amount Disallowed	\$4,772.16
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$8,020.54
Copay/Deductible	\$48,009.91
Amount Recommended	\$504,168.52
Amount Paid	\$431,983.71

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: #2019000002
Claim #: 80595

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$12,050.55 from the Petroleum Fund for cleanup costs.

	\$266,473.66	Amount Requested to Date
	(\$841.42)	Amount Disallowed, Past Claims
	(\$25,224.29)	Deductible/Co-Payment Satisfied to Date
	(\$94,583.70)	Amount Paid to Date
SUB TOTAL	<u>\$13,389.50</u>	Amount Requested this Meeting
	(\$1,338.95)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$12,050.55</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/31/2023 and 10/02/2023

Summary of work completed: Project management, preparation of Groundwater Monitoring/Remediation Report for 2nd Quarter 2023, preparation of petroleum fund reimbursement claim for 2nd Quarter 2023, groundwater well sampling and/or free product removal for 3rd Quarter 2023, preparation of groundwater monitoring/remediation report for 3rd Quarter 2023, preparation of petroleum fund reimbursement claim for 3rd 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	\$266,473.66
Amount Disallowed	\$841.42
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,338.95
Copay/Deductible	\$25,224.29
Amount Recommended	\$239,069.00
Amount Paid	\$227,018.45

Site Identification

Date Submitted:	06/13/2019	DEP Facility Number:	8-001721
Site Name	Rebel Store #2166	Telephone:	(453)423-6555
Site Contact	Dana Cason-Teppe		
Site Address	4115 S Decatur Blvd Las Vegas, NV 89103		
County:	Clark County		
Owner/Operator Name:	Rebel Oil Company		
Contact Name of Owner/Operator:	Dana Cason Teepe 2200 S Highland Dr Las Vegas, NV 89102	Telephone:	(702)382-5866
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
004-M	8000	28	Regulated UST	Pipe

Case: #2019000044
Claim #: 80631

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$31,685.05 from the Petroleum Fund for cleanup costs.

	\$270,504.97	Amount Requested to Date
	(\$0.08)	Amount Disallowed, Past Claims
	(\$23,529.94)	Deductible/Co-Payment Satisfied to Date
	(\$185,340.02)	Amount Paid to Date
SUB TOTAL	<u>\$35,205.61</u>	Amount Requested this Meeting
	(\$3,520.56)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$31,685.05</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/21/2023 and 09/19/2023

Summary of work completed: Cost Proposal #15829.23: Project management, client invoicing and field scheduling. Quarterly groundwater monitoring, sampling and reporting, coordinating waste disposal. Annual cost proposal and HASP preparation. Preparing reimbursement packages. Cost Proposal #15829.23A: Project management, client invoicing and field scheduling. Prepare a second 2023 cost proposal. Installation of new remediation wells, including completing permit forms, bidding and selecting the drilling contractor, field work and utility clearance.

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	\$270,504.97
Amount Disallowed	\$0.08
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$3,520.56
Copay/Deductible	\$23,529.94
Amount Recommended	\$243,454.39
Amount Paid	\$211,769.34

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 Las Vegas, NV 89110		
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	9728	Closed	Regulated UST	Tank
003	9728	37	Regulated UST	Tank
002	9728	37	Regulated UST	Tank

Case: #202000015
Claim #: 80618

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$5,512.00 from the Petroleum Fund for cleanup costs.

	\$467,534.05	Amount Requested to Date
	(\$1,749.00)	Amount Disallowed, Past Claims
	(\$182,231.06)	Board Reduction, Past Claims
	(\$27,334.65)	Deductible/Co-Payment Satisfied to Date
	(\$246,011.94)	Amount Paid to Date
SUB TOTAL	<u>\$10,207.40</u>	Amount Requested this Meeting
	(\$4,082.96)	Board Reduction, This Meeting
SUB TOTAL	<u>\$6,124.44</u>	
	(\$612.44)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$5,512.00</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/31/2023 and 09/30/2023

Summary of work completed: Project management; preparation of the 2Q 2023 groundwater monitoring status report; performance of 3Q 2023 groundwater monitoring and LNAPL retrieval; 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	\$467,534.05
Amount Disallowed	\$1,749.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$186,314.02
Pending Copay/Deductible	\$612.44
Copay/Deductible	\$27,334.65
Amount Recommended	\$251,523.94
Amount Paid	\$246,011.94

Site Identification

Date Submitted:	06/05/2020	DEP Facility Number:	8-001529
Site Name	Gas 2 Go	Telephone:	(702)878-1903
Site Contact	Matthew Becker		
Site Address	6390 W Lake Mead Blvd Las Vegas, NV 89108		
County:	Clark County		
Owner/Operator Name:	Canyon Plaza, LLC		
Contact Name of Owner/Operator:	Matt Becker	Telephone:	(702)878-1903
	50 South Jones Boulevard, Suite 100 Las Vegas, NV 89107		
Prime Contractor	Broadbent & Associates, Inc.		
Contact Name	Stephanie Holst		
Contractor Address	8 W. Pacific Avenue Henderson, NV 89052		
Telephone:	(702)563-0600	% Board Reduction:	40.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	10000	Closed	Regulated UST	Tank

Case: #202000016
Claim #: 80481

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$22,283.50 from the Petroleum Fund for cleanup costs.

	\$262,988.77	Amount Requested to Date
	(\$589.90)	Amount Disallowed, Past Claims
	(\$23,763.94)	Deductible/Co-Payment Satisfied to Date
	(\$178,155.61)	Amount Paid to Date
SUB TOTAL	<u>\$24,759.44</u>	Amount Requested this Meeting
	(\$2,475.94)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$22,283.50</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/27/2023 and 08/31/2023

Summary of work completed: Project management; quarterly groundwater monitoring and status report preparation; performance of 1Q, 2Q, and 3Q 2023 groundwater monitoring; preparation of a Bioscreen/Fate & Transport analysis report; and preparation of Petroleum Fund documents.

Site Summary Report

Case Number: 2020000016 Site Name: Us Gas #7

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM TWO UNDERGROUND STORAGE TANKS IN WHICH THERE WAS TANK FAILURE. BOTH TANKS WERE 10,000-GALLONS, ONE CONTAINING DIESEL AND ONE CONTAINING GASOLINE.

Contaminant: Diesel, Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$262,988.77
Amount Disallowed	\$589.90
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$2,475.94
Copay/Deductible	\$23,763.94
Amount Recommended	\$236,158.99
Amount Paid	\$213,875.49

Site Identification

Date Submitted:	09/23/2020	DEP Facility Number:	8-000132
Site Name	Us Gas #7	Telephone:	(702)845-6951
Site Contact	Val Amiel		
Site Address	798 W Mesquite Blvd Mesquite, NV 89027		
County:	Clark County		
Owner/Operator Name:	LV Petroleum, LLC	Telephone:	(702)683-8008
Contact Name of Owner/Operator:	Val Amiel 4495 W Hacienda Ave Las Vegas, NV 89008		
Prime Contractor	Broadbent & Associates		
Contact Name	Carlos Cobos		
Contractor Address	8 West Pacific Avenue Henderson, NV 89015		
Telephone:	(702)351-3157	% 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	38	Regulated UST	Tank

Case: #2021000026
Claim #: 80633

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$11,923.02 from the Petroleum Fund for cleanup costs.

	\$93,330.11	Amount Requested to Date
	(\$2,244.24)	Amount Disallowed, Past Claims
	(\$7,783.81)	Deductible/Co-Payment Satisfied to Date
	<u>(\$70,054.26)</u>	Amount Paid to Date
SUB TOTAL	\$13,247.80	Amount Requested this Meeting
	<u>(\$1,324.78)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$11,923.02	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/09/2023 and 09/19/2023

Summary of work completed: Project management, scheduling and client invoicing, annual HASP and cost proposal 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	\$93,330.11
Amount Disallowed	\$2,244.24
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,324.78
Copay/Deductible	\$7,783.81
Amount Recommended	\$81,977.28
Amount Paid	\$70,054.26

Site Identification

Date Submitted:	09/02/2021	DEP Facility Number:	8-000590
Site Name	7-Eleven #25578	Telephone:	(702)641-6908
Site Contact	Amrik Singh		
Site Address	4151 Boulder Hwy Las Vegas, NV 89121		
County:	Clark County		
Owner/Operator Name:	7-Eleven, INC		
Contact Name of Owner/Operator:	William Latt 500 Speedway Drive Enon, OH 45323	Telephone:	(937)460-8488
Prime Contractor	Stantec Consulting Services, Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	3010 West Charleston Boulevard, Suite 100 Las Vegas, NV 89102		
Telephone:	(702)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: #2021000032
Claim #: 80522

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$77,612.28 from the Petroleum Fund for cleanup costs.

	\$87,977.07	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$87,977.07</u>	Amount Requested this Meeting
	(\$1,741.20)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$86,235.87</u>	
	(\$8,623.59)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$77,612.28</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 10/23/2020 and 01/22/2023

Summary of work completed: This claim is comprised of costs associated with Release Discovery in 2020, monitor well MW-1 through MW-5 installation, groundwater sampling and free product removal, and associated reporting costs.

Site Summary Report

Case Number: 2021000032 Site Name: Circle K Store #2700755

Site Status

Synopsis: THE DISCHARGE WAS DISCOVERED ON SEPTEMBER 1, 2020, WHEN TWO TANKS FAILED TIGHTNESS TESTING. THE SOURCE WAS IDENTIFIED AS TWO LEAKING UNDERGROUND STORAGE TANKS CONTAINING GASOLINE.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$87,977.07
Amount Disallowed	\$1,741.20
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$8,623.59
Copay/Deductible	\$0.00
Amount Recommended	\$77,612.28
Amount Paid	\$0.00

Site Identification

Date Submitted:	07/25/2022	DEP Facility Number:	8-000128
Site Name	Circle K Store #2700755	Telephone:	(928)800-1434
Site Contact	Hal Hatfield		
Site Address	2885 S Decatur Blvd Las Vegas, NV 89102		
County:	Clark County		
Owner/Operator Name:	Circle K Stores, Inc.		
Contact Name of Owner/Operator:	Anthony Bell 1100 Situs Court, Suite 100 Raleigh, NC 27606	Telephone:	(803)629-1976
Prime Contractor	Encore Consulting LLC		
Contact Name	Lynn Niewiadomski		
Contractor Address	605 W Knox RD., Suite 110 Tempe, AZ 85284		
Telephone:	(480)258-1778	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	39	Regulated UST	Tank
002	10000	39	Regulated UST	Tank

Case: #2022000015
Claim #: 80597

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$17,219.96 from the Petroleum Fund for cleanup costs.

	\$474,764.38	Amount Requested to Date
	(\$2,500.32)	Amount Disallowed, Past Claims
	(\$89,651.49)	Board Reduction, Past Claims
	(\$35,860.59)	Deductible/Co-Payment Satisfied to Date
	(\$311,311.29)	Amount Paid to Date
SUB TOTAL	<u>\$24,006.61</u>	Amount Requested this Meeting
	(\$90.00)	Amount Disallowed this Meeting
	(\$4,783.32)	Board Reduction, This Meeting
SUB TOTAL	<u>\$19,133.29</u>	
	(\$1,913.33)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$17,219.96</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/09/2023 and 10/02/2023

Summary of work completed: Project management, bin rental and disposal services, Remediation System Operations and Monitoring (July thru September 2023), CEM-Conducted Monthly Remediation System Maintenance (July thru September 2023), Groundwater Monitoring Well/ Sampling and/or Free Product Removal for 3rd Quarter 2023, troubleshoot SVE VFD, 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	\$474,764.38
Amount Disallowed	\$2,590.32
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$94,434.81
Pending Copay/Deductible	\$1,913.33
Copay/Deductible	\$35,860.59
Amount Recommended	\$339,965.33
Amount Paid	\$322,745.37

Site Identification

Date Submitted:	10/03/2022	DEP Facility Number:	8-001781
Site Name	Rebel Store #2197	Telephone:	(702)458-6677
Site Contact	Chittal Shah		
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 2200 South Highland Drive Las Vegas, NV 89102	Telephone:	(702)382-5866
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	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: #2022000030
Claim #: 80539

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$8,078.40 from the Petroleum Fund for cleanup costs.

	\$11,220.00	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$11,220.00</u>	Amount Requested this Meeting
	<u>(\$2,244.00)</u>	Board Reduction, This Meeting
SUB TOTAL	\$8,976.00	
	<u>(\$897.60)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$8,078.40</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/28/2022 and 08/31/2022

Summary of work completed: Project management; assessment of site conditions pursuant to release discovery; preparation of a work plan for site assessment; and preparation of an application for Petroleum Fund coverage.

Site Summary Report

Case Number: 2022000030 Site Name: Mountain View Hospital

Site Status

Synopsis: COVERAGE GRANTED FOR ONE 10,000-GALLON DIESEL UST SYSTEM WITH A 20% REDUCTION DUE TO A NON-FUND ELIGIBLE RELEASE SOURCE THAT IS COMMINGLED WITH A FUND ELIGIBLE RELEASE SOURCE.

Contaminant: Diesel

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$720,000.00
Amount Requested	\$11,220.00
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$2,244.00
Pending Copay/Deductible	\$897.60
Copay/Deductible	\$0.00
Amount Recommended	\$8,078.40
Amount Paid	\$0.00

Site Identification

Date Submitted:	10/07/2022	DEP Facility Number:	8-001750
Site Name	Mountain View Hospital	Telephone:	(702)255-5035
Site Contact	Mitch Geiger		
Site Address	3100 N Tenaya Way Las Vegas, NV 89128		
County:	Clark County		
Owner/Operator Name:	Mountain View Hospital		
Contact Name of Owner/Operator:	Mitch Geiger	Telephone:	(702)962-9005
	3100 North Tenaya Way Las Vegas, NV 89128		
Prime Contractor	Broadbent And Associates, Inc.		
Contact Name	Jeremy Holst		
Contractor Address	8 West Pacific Avenue Henderson, NV 89015		
Telephone:	(702)353-5743	% Board Reduction:	20.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	28	Regulated UST	Failed pressure gauge along above ground piping down-gradient of suction pump #4 that extends to a b

Case: #2022000035
Claim #: 80611

STAFF RECOMMENDATION
December 14, 2023

Staff recommends this claim be reimbursed \$53,988.17 from the Petroleum Fund for cleanup costs.

	\$101,531.64	Amount Requested to Date
	(\$0.20)	Amount Disallowed, Past Claims
	(\$4,154.46)	Deductible/Co-Payment Satisfied to Date
	(\$37,390.13)	Amount Paid to Date
SUB TOTAL	<u>\$59,986.85</u>	Amount Requested this Meeting
	(\$5,998.68)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$53,988.17</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/27/2023 and 08/29/2023

Summary of work completed: Cost Proposal #29407.23: Project management, scheduling, and client invoicing. Prepare the annual health and safety plan. Quarterly groundwater monitoring, sampling and reporting. Waste disposal coordination. Reimbursement package and annual cost proposal preparation. Continue coordinating additional site assessment field activities including preparing monitoring well permit applications, working with the drilling contractor, conducting public and private utility clearance, fieldwork, and surveying. Prepare the additional site assessment report. Cost Proposal #29407.23A: Project management, scheduling, and client invoicing. Conduct weekly and monthly free-product gauging and recovery events. Prepare a workplan for additional site assessment. Prepare a cost proposal and access agreements to install wells on two adjacent properties.

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	\$101,531.64
Amount Disallowed	\$0.20
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$5,998.68
Copay/Deductible	\$4,154.46
Amount Recommended	\$91,378.30
Amount Paid	\$37,390.13

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 P.O. Box 711 - Loc 148 Dallas, TX 75221	Telephone:	(937)863-6442
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	35	Regulated UST	Tank
002	10000	35	Regulated UST	Tank

**Agenda Item 7:
Direct Payment of Uncontested Claims
(Board Policy 2017-02)**

(FOR DISCUSSION)

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

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

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

<u>HEATING OIL</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	2023000011; 80573 James Hardesty: Residential Heating Oil Tank At 5300 Valley Vista Drive	\$8,159.25	\$8,159.25
FOR DISCUSSION	2.	2023000014; 80576 Danielle Saenz: Residential Heating Oil Tank At 551 Claremont St	\$30,494.84	\$30,244.84
FOR DISCUSSION	3.	2023000015; 80578 Kimberly Martinez: Residential Heating Oil Tank At 1386 Marlette Circle	\$21,508.93	\$21,258.93
FOR DISCUSSION	4.	2023000017; 80580 John Steinmetz: Residential Heating Oil Tank At 14465 Virginia Foothills Drive	\$26,106.69	\$25,856.69
FOR DISCUSSION	5.	2023000017; 80582 John Steinmetz: Residential Heating Oil Tank At 14465 Virginia Foothills Drive	\$10,083.75	\$10,083.75
FOR DISCUSSION	6.	2023000019; 80584 Janice Kozma: 580 & 590 Genoa Ave Residential Heating Oil Tanks	\$55,773.05	\$55,273.05
FOR DISCUSSION	7.	2023000020; 80585 Janice Kozma: Residential Heating Oil Tanks At 1560 & 1562 W 6th Street	\$46,913.13	\$46,413.13
FOR DISCUSSION	8.	2023000021; 80586 Denise Nunley: Residential Heating Oil Tank At 4000 Jasper Lane	\$33,052.13	\$32,802.13
FOR DISCUSSION	9.	2023000022; 80600 James Kress: Residential Heating Oil Tank At 50 Sonora Circle	\$23,868.21	\$23,618.21
SUB TOTAL:			<u>\$255,959.98</u>	<u>\$253,709.98</u>
<u>ONGOING CASES</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	1995000039; 80553 Al Park Petroleum, Inc.: Crescent Valley Market	\$8,308.01	\$7,477.21
FOR DISCUSSION	2.	1999000023; 80601 Nevada Ready Mix Corp: Nevada Ready Mix	\$22,716.16	\$20,444.54
FOR DISCUSSION	3.	1999000066; 80592 HP Management, LLC: Former Haycock Petroleum	\$33,585.54	\$30,226.99
FOR DISCUSSION	4.	1999000086; 80591 Terrible Herbst, Inc.: Terrible Herbst #126	\$3,476.25	\$3,128.63
FOR DISCUSSION	5.	1999000186; 80588 Pilger Family Holdings: Former D & G Oil Company	\$85,770.00	\$77,193.00
FOR DISCUSSION	6.	2011000009; 80559 Cimarron West: Cimarron West	\$29,171.62	\$26,081.74

FOR DISCUSSION	7.	2013000011; 80587	Har Moor Investments, LLC: Village Shop #4	\$7,706.00	\$6,935.40
FOR DISCUSSION	8.	2013000019; 80560	Hardy Enterprises, Inc.: Elko Sinclair #53	\$44,957.76	\$40,461.98
FOR DISCUSSION	9.	2014000033; 80593	Speedee Mart Inc.: Speedee Mart #108	\$11,378.45	\$10,240.61
FOR DISCUSSION	10.	2016000023; 80556	Al Park Petroleum, Inc.: Pit Stop #1	\$18,780.64	\$13,522.06
FOR DISCUSSION	11.	2016000027; 80541	Terrible Herbst, Inc.: Terrible Herbst #272	\$12,137.90	\$9,768.29
FOR DISCUSSION	12.	2018000018; 80508	Primadonna Company, LLC: Whiskey Pete's Stateline Stop	\$110,383.55	\$88,287.34
FOR DISCUSSION	13.	2019000014; 80590	Western Cab Co: Western Cab CO	\$7,168.50	\$6,451.65
FOR DISCUSSION	14.	2022000012; 80589	Neissan Koroghli: City C-Store (7-11)	\$6,086.50	\$5,477.85
			SUB TOTAL:	<u>\$401,626.88</u>	<u>\$345,697.29</u>
			DIRECT PAYMENT CLAIMS TOTAL:	<u>\$657,586.86</u>	<u>\$599,407.27</u>
			BOARD MEETING CLAIMS TOTAL:	<u>\$1,563,577.75</u>	<u>\$1,402,611.97</u>

Case: #1995000039
Claim #: 80553

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 29, 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.

	\$1,988,841.51	Amount Requested to Date
	(\$94,915.60)	Amount Disallowed, Past Claims
	(\$117,990.84)	Board Reduction, Past Claims
	(\$176,762.71)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,493,372.63)</u>	Amount Paid to Date
SUB TOTAL	\$8,308.01	Amount Requested this Meeting
	<u>(\$830.80)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$7,477.21	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/28/2023 and 07/03/2023

Summary of work completed: Coordinate and conduct 2nd quarter 2023 groundwater sampling event at 9 wells, prepare 1st quarter groundwater monitoring report, prepare petroleum fund documentation

Site Summary Report

Case Number: 1995000039 Site Name: Crescent Valley Market

Site Status

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

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,652,818.63
Amount Fund Will Pay	\$2,387,536.77
Amount Requested	\$1,988,841.51
Amount Disallowed	\$94,915.60
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$117,990.84
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$176,762.71
Amount Recommended	\$1,571,004.06
Amount Paid	\$1,571,004.06

Site Identification

Date Submitted:	09/21/1994	DEP Facility Number:	6-000318
Site Name	Crescent Valley Market	Telephone:	(775)934-3818
Site Contact	Pam Williams		
Site Address	3093 Crescent Ave Crescent Valley, NV 89821		
County:	Eureka County		
Owner/Operator Name:	AL Park Petroleum, Inc.		
Contact Name of Owner/Operator:	Pam Williams 379 Westby Drive Spring Creek, NV 89815	Telephone:	(775)934-3818
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
001	3000	Closed	Regulated UST	See Synopsis
002	3000	56	Regulated UST	See Synopsis

Case: #1999000023
Claim #: 80601

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 09, 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.

	\$856,321.03	Amount Requested to Date
	(\$4,723.86)	Amount Disallowed, Past Claims
	(\$82,888.09)	Deductible/Co-Payment Satisfied to Date
	<u>(\$347,635.61)</u>	Amount Paid to Date
SUB TOTAL	\$22,716.16	Amount Requested this Meeting
	<u>(\$2,271.62)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$20,444.54	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/13/2023 and 10/02/2023

Summary of work completed: Project management, Remediation System Operation and Maintenance (July thru September 2023), CEM-Conducted Monthly System Maintenance (July thru September 2023), 2nd Quarter 2023 Groundwater Monitoring/Remediation Status Report, preparation of 2nd Quarter 2023 Remediation System Permit report, preparation of petroleum fund reimbursement claim for 2nd Quarter 2023, 3rd Quarter 2023 Groundwater Well Sampling and/or free product preparation, preparation of petroleum fund for the 3rd Quarter of 2023, 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	\$856,321.03
Amount Disallowed	\$4,723.86
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$85,159.71
Amount Recommended	\$766,437.46
Amount Paid	\$766,437.46

Site Identification

Date Submitted:	11/06/1998	DEP Facility Number:	8-000272
Site Name	Nevada Ready Mix		
Site Contact	Miller, Randy	Telephone:	(702)457-1115
Site Address	601 W Bonanza Rd Las Vegas, NV 89106		
County:	Clark County		
Owner/Operator Name:	Nevada Ready Mix Corp		
Contact Name of Owner/Operator:	Larry Miller 151 Cassia Way Henderson, NV 89014	Telephone:	(702)457-1115
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	8000	Closed	Regulated UST	See Synopsis
002	8000	72	Regulated UST	See Synopsis
003	500	57	Regulated UST	See Synopsis

Case: #1999000066
Claim #: 80592

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 09, 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.

	\$3,851,503.97	Amount Requested to Date
	(\$9,995.22)	Amount Disallowed, Past Claims
	(\$380,792.34)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,809,351.54)</u>	Amount Paid to Date
SUB TOTAL	\$33,585.54	Amount Requested this Meeting
	<u>(\$3,358.55)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$30,226.99	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/13/2023 and 10/02/2023

Summary of work completed: Project management, Remediation System Operation and Monitoring (July - September 2023), CEM Conducted Monthly Remediation System Maintenance (July - September 2023), 3rd Quarter 2023 Remediation System Permit Report Preparation, 3rd Quarter 2023 Well Sampling and/or Free Product Removal, 3rd Quarter 2023 Groundwater Remediation Status Report Preparation, 3rd Quarter 2023 Petroleum Fund Reimbursement preparation, 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	\$3,851,503.97
Amount Disallowed	\$9,995.22
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$380,792.34
Amount Recommended	\$3,457,357.86
Amount Paid	\$3,457,357.86

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 P.O. Box 100 Pmb 380 Mammoth Lakes, CA 93546	Telephone:	(702)219-5643
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: #1999000086
Claim #: 80591

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 09, 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.

	\$1,853,658.06	Amount Requested to Date
	(\$89,701.70)	Amount Disallowed, Past Claims
	(\$176,048.03)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,458,176.98)</u>	Amount Paid to Date
SUB TOTAL	\$3,476.25	Amount Requested this Meeting
	<u>(\$347.62)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$3,128.63	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 09/01/2023 and 10/01/2023

Summary of work completed: Preparation and submittal of soil management plan; cost proposal preparation; and claim packet preparation.

Site Summary Report

Case Number: 1999000086 Site Name: Terrible Herbst #126

Site Status

Synopsis: CONTAMINATION DISCOVERED MAY 11, 1999. THE APPLICATION IDENTIFIED DETERIORATED FIBERGLASS PRODUCT PIPING ASSOCIATED TO TWO 12,000 GALLON UNDERGROUND STORAGE TANK SYSTEMS CONTAINING GASOLINE (TANK 1 AND TANK 2). COVERAGE FOR TANK 1 AWARDED JULY 26, 1999 AND COVERAGE FOR TANK 2 AWARDED JANUARY 25, 2000.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$1,853,658.06
Amount Disallowed	\$89,701.70
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$176,048.03
Amount Recommended	\$1,587,560.71
Amount Paid	\$1,587,560.71

Site Identification

Date Submitted:	05/24/1999	DEP Facility Number:	8-000657
Site Name	Terrible Herbst #126	Telephone:	(702)876-3474
Site Contact			
Site Address	1195 E Sahara Ave Las Vegas, NV 89104		
County:	Clark County		
Owner/Operator Name:	Terrible Herbst, Inc.		
Contact Name of Owner/Operator:	Ben Scott 3440 West Russell Road Las Vegas, NV 89118	Telephone:	(325)716-9344
Prime Contractor	The Westmark Group		
Contact Name	Kathleen Johnson		
Contractor Address	7145 South Buffalo Drive, Suite C105 Las Vegas, NV 89113		
Telephone:	(702)305-2650	% 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	46	Regulated UST	See Synopsis

Case: #1999000186
Claim #: 80588

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 09, 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.

	\$1,984,275.22	Amount Requested to Date
	(\$8,757.08)	Amount Disallowed, Past Claims
	(\$188,974.81)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,700,773.33)</u>	Amount Paid to Date
SUB TOTAL	\$85,770.00	Amount Requested this Meeting
	<u>(\$8,577.00)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$77,193.00	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 08/17/2023 and 10/02/2023

Summary of work completed: Project management, coordination of permanent well closure, remediation system decommissioning and site restoration, well abandonment services, vacuum out and recycle vapor phase carbon, petroleum fund claim reimbursement for 3rd Quarter 2023, and preparation of cost proposal.

Site Summary Report

Case Number: 1999000186 Site Name: Former D & G Oil Company

Site Status

Synopsis: FAULTY PRODUCT PIPING @ TURBINE. 3RD PARTY REIMBURSEMENT ALLOTMENT GRANTED AT 6-15-10 BOARD MEETING.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$1,984,275.22
Amount Disallowed	\$8,757.08
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$188,974.81
Amount Recommended	\$1,777,966.33
Amount Paid	\$1,777,966.33

Site Identification

Date Submitted:	01/09/2001	DEP Facility Number:	8-000147
Site Name	Former D & G Oil Company	Telephone:	(760)447-5192
Site Contact	Jessica Pilger		
Site Address	6176 Las Vegas Blvd S Las Vegas, NV 89119		
County:	Clark County		
Owner/Operator Name:	Pilger Family Holdings		
Contact Name of Owner/Operator:	Jessica Pilger	Telephone:	(760)447-5192
	5127 Crown Street San Diego, CA 92110		
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
002	10000	Closed	Regulated UST	See Synopsis

Case: #2011000009
Claim #: 80559

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: October 10, 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.

	\$1,282,653.15	Amount Requested to Date
	(\$14,211.56)	Amount Disallowed, Past Claims
	(\$123,927.01)	Deductible/Co-Payment Satisfied to Date
	(\$998,658.10)	Amount Paid to Date
SUB TOTAL	<u>\$29,171.62</u>	Amount Requested this Meeting
	(\$191.91)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$28,979.71</u>	
	(\$2,897.97)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$26,081.74</u>	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: Conduct weekly O&M on dual technology remediation system, coordinate and conduct 2nd quarter groundwater sampling event, prepare 1st quarter groundwater monitoring report, prepare petroleum fund documentation

Site Summary Report

Case Number: 2011000009 Site Name: Cimarron West

Site Status

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

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,700,000.00
Amount Requested	\$1,282,653.15
Amount Disallowed	\$14,403.47
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$962.62
Copay/Deductible	\$125,862.36
Amount Recommended	\$1,136,887.80
Amount Paid	\$1,128,224.25

Site Identification

Date Submitted:	06/06/2011	DEP Facility Number:	6-000156
Site Name	Cimarron West	Telephone:	(775)738-9861
Site Contact	John Carpenter		
Site Address	1400 Mountain City Hwy Elko, NV 89801		
County:	Elko County		
Owner/Operator Name:	Cimarron West		
Contact Name of Owner/Operator:	Linda Meo P O Box 190 Elko, NV 89803	Telephone:	(775)738-9861
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	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
001	10000	Closed	Regulated UST	See Synopsis
002	10000	38	Regulated UST	See Synopsis
003	6000	38	Regulated UST	See Synopsis

Case: #2013000011
Claim #: 80587

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 29, 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.

	\$990,519.16	Amount Requested to Date
	(\$11,766.88)	Amount Disallowed, Past Claims
	(\$97,104.64)	Deductible/Co-Payment Satisfied to Date
	<u>(\$457,480.70)</u>	Amount Paid to Date
SUB TOTAL	\$7,706.00	Amount Requested this Meeting
	<u>(\$770.60)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$6,935.40	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/24/2023 and 10/02/2023

Summary of work completed: Shapefile preparation, cost proposal preparation, and preparation of petroleum fund reimbursement claim for 3rd Quarter 2023.

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	\$990,519.16
Amount Disallowed	\$11,766.88
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$97,104.64
Amount Recommended	\$879,230.54
Amount Paid	\$879,230.54

Site Identification

Date Submitted:	12/21/2012	DEP Facility Number:	8-001804
Site Name	Village Shop #4	Telephone:	(970)376-1300
Site Contact	John Moorman		
Site Address	2151 N Rancho Dr Las Vegas, NV 89106		
County:	Clark County		
Owner/Operator Name:	Har Moor Investments, LLC		
Contact Name of Owner/Operator:	John Moorman P.O. Box 2831 Edwards, CO 81632	Telephone:	(970)376-1300
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	27	Regulated UST	See Synopsis

Case: #2013000019
Claim #: 80560

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: October 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.

	\$1,429,899.81	Amount Requested to Date
	(\$45,276.03)	Amount Disallowed, Past Claims
	(\$133,966.60)	Deductible/Co-Payment Satisfied to Date
	(\$884,342.45)	Amount Paid to Date
SUB TOTAL	<u>\$44,957.76</u>	Amount Requested this Meeting
	(\$4,495.78)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$40,461.98</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/12/2023 and 06/30/2023

Summary of work completed: Prepare 1st quarter GMR, conduct weekly O&M on dual technology remediation system, coordinate and conduct 2nd quarter groundwater sampling, prepare petroleum fund documentation

Site Summary Report

Case Number: 2013000019 Site Name: Elko Sinclair #53

Site Status

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

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$6,000,000.00
Amount Fund Will Pay	\$5,400,000.00
Amount Requested	\$1,429,899.81
Amount Disallowed	\$45,276.03
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$3,434.65
Copay/Deductible	\$135,027.73
Amount Recommended	\$1,245,343.16
Amount Paid	\$1,214,431.32

Site Identification

Date Submitted:	08/16/2013	DEP Facility Number:	6-000103
Site Name	Elko Sinclair #53	Telephone:	(801)298-3409
Site Contact	Dennis Haggard		
Site Address	1790 Idaho St Elko, NV 89801		
County:	Elko County		
Owner/Operator Name:	Hardy Enterprises, Inc.		
Contact Name of Owner/Operator:	Dennis Haggard P.O. Box 248 Bountiful, UT 84011	Telephone:	(801)298-1180
Prime Contractor	McGinley & Associates, Inc.		
Contact Name	Justin Fike		
Contractor Address	6995 Sierra Center Pkwy Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	Closed	Regulated UST	See Synopsis
002	12000	44	Regulated UST	See Synopsis
001	20000	38	Regulated UST	See Synopsis
004	12000	44	Regulated UST	See Synopsis
005	12000	44	Regulated UST	See Synopsis
006	12000	44	Regulated UST	See Synopsis

Case: #2014000033
Claim #: 80593

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 09, 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.

	\$950,716.09	Amount Requested to Date
	(\$4,416.50)	Amount Disallowed, Past Claims
	(\$93,492.13)	Deductible/Co-Payment Satisfied to Date
	<u>(\$344,101.21)</u>	Amount Paid to Date
SUB TOTAL	\$11,378.45	Amount Requested this Meeting
	<u>(\$1,137.84)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$10,240.61	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/20/2023 and 10/02/2023

Summary of work completed: Project management, perform one monthly remediation maintenance to keep remedial system operational, 3rd Quarter 2023 Well Sampling and/or Free Product Removal, 3rd Quarter 2023 Groundwater Monitoring Remediation Status Report, preparation of petroleum fund reimbursement claim for 3rd Quarter 2023, 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	\$950,716.09
Amount Disallowed	\$4,416.50
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$94,629.97
Amount Recommended	\$851,669.62
Amount Paid	\$851,669.62

Site Identification

Date Submitted:	01/16/2015	DEP Facility Number:	8-001779
Site Name	Speedee Mart #108	Telephone:	(702)450-2726
Site Contact	Paul Orluske		
Site Address	4701 W Lake Mead Blvd Las Vegas, NV 89108		
County:	Clark County		
Owner/Operator Name:	Speedee Mart Inc.		
Contact Name of Owner/Operator:	Brad Emery 1188 Wigwam Parkway Henderson, NV 89074	Telephone:	(702)610-9844
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	15000	27	Regulated UST	See Synopsis

Case: #2016000023
Claim #: 80556

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 29, 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.

	\$926,060.82	Amount Requested to Date
	(\$59,285.63)	Amount Disallowed, Past Claims
	(\$169,598.93)	Board Reduction, Past Claims
	(\$67,839.57)	Deductible/Co-Payment Satisfied to Date
	(\$568,272.98)	Amount Paid to Date
SUB TOTAL	<u>\$18,780.64</u>	Amount Requested this Meeting
	(\$3,756.13)	Board Reduction, This Meeting
SUB TOTAL	<u>\$15,024.51</u>	
	(\$1,502.45)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$13,522.06</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/19/2023 and 06/30/2023

Summary of work completed: Conduct maintenance on LNAPL recovery system (replace valves), Measure LNAPL onsite, Conduct 1st Half Groundwater sampling event including coordination, planning, and travel.

Site Summary Report

Case Number: 2016000023 Site Name: Pit Stop #1

Site Status

Synopsis: DISCHARGE DISCOVERED SEPTEMBER 29, 2015. THE APPLICATION IDENTIFIED THE UNDERGROUND PIPING ASSOCIATED TO A 14,000 GALLON ABOVEGROUND STORAGE TANK (AST) SYSTEM (TANK 005), CONTAINING GASOLINE AS THE SOURCE OF THE RELEASE. SSBD 2016-07 WAS APPROVED AT THE DECEMBER 8, 2016 BOARD MEETING, GRANTING COVERAGE WITH A 20% REDUCTION DUE TO A COMINGLED PLUME.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$720,000.00
Amount Requested	\$926,060.82
Amount Disallowed	\$59,285.63
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$173,355.06
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$67,839.57
Amount Recommended	\$624,078.11
Amount Paid	\$624,078.11

Site Identification

Date Submitted:	09/19/2016	DEP Facility Number:	6-000317
Site Name	Pit Stop #1	Telephone:	(775)934-3818
Site Contact	Pam Williams		
Site Address	275 12th St Elko, NV 89801		
County:	Elko County		
Owner/Operator Name:	AL Park Petroleum, Inc.		
Contact Name of Owner/Operator:	Pam Williams 379 Westby Drive Spring Creek, NV 89815	Telephone:	(775)934-3818
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	6995 Sierra Center Parkway Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	20.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
005	14000	39	Aboveground	Pipe, Underground product piping - Only piping was removed from service. Tank was re-plumbed into differen

Case: #2016000027
Claim #: 80541

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 09, 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.

	\$524,478.38	Amount Requested to Date
	(\$1,671.43)	Amount Disallowed, Past Claims
	(\$78,301.90)	Board Reduction, Past Claims
	(\$43,236.70)	Deductible/Co-Payment Satisfied to Date
	<u>(\$208,970.55)</u>	Amount Paid to Date
SUB TOTAL	\$12,137.90	Amount Requested this Meeting
	(\$78.28)	Amount Disallowed this Meeting
	<u>(\$1,205.96)</u>	Board Reduction, This Meeting
SUB TOTAL	\$10,853.66	
	<u>(\$1,085.37)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$9,768.29	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/01/2023 and 07/01/2023

Summary of work completed: Second Quarter sampling, reporting, and submittal; claim preparation and submittal; proof of payment preparation and submittal; continued preparing Initial LNAPL conceptual site model.

Site Summary Report

Case Number: 2016000027 Site Name: Terrible Herbst #272

Site Status

Synopsis: NDEP RECEIVED TWO SEPARATE COVERAGE APPLICATIONS. THE FIRST APPLICATION WAS RECEIVED IN MARCH 2013 FOR A SINGLE RELEASE DISCOVERED IN MAY 2012 AND THE SECOND COVERAGE APPLICATION WAS RECEIVED OCTOBER 2016 FOR THREE ADDITIONAL RELEASES DISCOVERED IN JANUARY 2016. THE RELEASE DISCOVERED IN MAY 2012 IS ASSOCIATED WITH MULTIPLE NON-COMPLIANCE ISSUES AND A 40% COVERAGE REDUCTION APPLIED. THE JANUARY 2016 RELEASE RECEIVED FULL COVERAGE FOR ALL THREE RELEASES. PER SSB D C2017-03 THE 40% COVERAGE REDUCTION FOR THE SINGLE RELEASE WILL BE WEIGHTED EQU...

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$4,000,000.00
Amount Fund Will Pay	\$3,240,000.00
Amount Requested	\$524,478.38
Amount Disallowed	\$1,749.71
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$79,507.86
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$43,236.70
Amount Recommended	\$423,410.22
Amount Paid	\$423,410.22

Site Identification

Date Submitted:	11/01/2016	DEP Facility Number:	8-001810
Site Name	Terrible Herbst #272		
Site Contact	Bob Laszcik	Telephone:	(702)327-0302
Site Address	2395 N Rancho Dr Las Vegas, NV 89130		
County:	Clark County		
Owner/Operator Name:	Terrible Herbst, Inc.		
Contact Name of Owner/Operator:	Ben Scott	Telephone:	(325)716-9344
	3440 West Russell Road Las Vegas, NV 89118		
Prime Contractor	The Westmark Group		
Contact Name	Kathleen Johnson		
Contractor Address	7145 South Buffalo Drive, Suite C105 Las Vegas, NV 89113		
Telephone:	(702)305-2650	% Board Reduction:	10.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	10000	27	Regulated UST	Pipe
001	15000	27	Regulated UST	Pipe
002	10000	27	Regulated UST	Pipe
001	15000	27	Regulated UST	See Synopsis

Case: #2018000018
 Claim #: 80508

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: October 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.

	\$789,381.89	Amount Requested to Date
	(\$15,593.81)	Amount Disallowed, Past Claims
	(\$246,445.38)	Board Reduction, Past Claims
	(\$41,695.91)	Deductible/Co-Payment Satisfied to Date
	(\$189,426.73)	Amount Paid to Date
SUB TOTAL	<u>\$110,383.55</u>	Amount Requested this Meeting
	(\$1,386.84)	Amount Disallowed this Meeting
	(\$10,899.67)	Board Reduction, This Meeting
SUB TOTAL	<u>\$98,097.04</u>	
	(\$9,809.70)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$88,287.34</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 09/29/2022 and 05/12/2023

Summary of work completed: This claim is for various activities associated with site investigation, monitoring, and remediation at Whiskey Pete's Stateline Stop. Work activities included preparation and submittal of various reports (Q3 2022 through Q1 2023 Groundwater Monitoring Reports and the SVE/biosparge system O&M manual). Field activities included quarterly groundwater monitoring in Q3 2022 through Q1 2023, LNAPL recovery activities (absorbent sock deployment in wells with LNAPL, well gauging, and sock changeouts), SVE/biosparge system construction (installation of system compound, electrical supply installation, and installation of propane tanks), and purchase of the SVE/biosparge equipment skid from Mako Industries.

Site Summary Report

Case Number: 2018000018 **Site Name:** Whiskey Pete's Stateline Stop

Site Status

Synopsis: COVERAGE GRANTED FOR ONE 10,000 GALLON GASOLINE UST SYSTEM (87 SLAVE TANK) WITH A 25% REDUCTION, PLUS AN ADDITIONAL 20% COVERAGE REDUCTION DUE TO A NON-FUND ELIGIBLE RELEASE SOURCE THAT IS COMMINGLED WITH A FUND ELIGIBLE RELEASE SOURCE. THIS SITE IS ALSO RECEIVING CLEANUP COST REIMBURSEMENT FROM A THIRD PARTY INSURANCE CARRIER (AIG). THEY HAVE AGREED TO COVER 55% OF INVOICED CLEANUP COSTS. THE CUMULATIVE FUND REDUCTION OF 45% AND 10% CO-PAYMENT WILL BE APPLIED TO THE REMAINING 45% OF TOTAL INVOICED ELIGIBLE COSTS. REFER TO THE AGREEMENT ...

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$647,905.56
Amount Requested	\$789,381.89
Amount Disallowed	\$16,980.65
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$257,345.05
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$51,505.61
Amount Recommended	\$463,550.58
Amount Paid	\$463,550.58

Site Identification

Date Submitted:	05/08/2019	DEP Facility Number:	8-000772
Site Name	Whiskey Pete's Stateline Stop	Telephone:	(702)679-7767
Site Contact	Mike Necas		
Site Address	100 W Primm Blvd Primm, NV 89019		
County:	Clark County		
Owner/Operator Name:	Primadonna Company, LLC		
Contact Name of Owner/Operator:	Elizabeth Guth Affinity Gaming Las Vegas, NV 89135	Telephone:	(702)202-8565
Prime Contractor	Geosyntec Consultants, Inc.		
Contact Name	Lonnie Mercer		
Contractor Address	215 South State Street, Suite 500 Salt Lake City, UT 84111		
Telephone:	(801)448-3550	% Board Reduction:	10.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
005	10000	31	Regulated UST	Tank

Case: #2019000014
Claim #: 80590

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 09, 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.

	\$257,804.49	Amount Requested to Date
	(\$1,866.48)	Amount Disallowed, Past Claims
	(\$24,876.94)	Deductible/Co-Payment Satisfied to Date
	(\$14,298.08)	Amount Paid to Date
SUB TOTAL	<u>\$7,168.50</u>	Amount Requested this Meeting
	(\$716.85)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$6,451.65</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 09/17/2023 and 10/02/2023

Summary of work completed: Project management, 3rd Quarter 2023 Well Sampling and/or Free Product Removal, 3rd Quarter 2023 Groundwater Monitoring Remediation Status Report, preparation of petroleum fund claim reimbursement for 3rd 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	\$257,804.49
Amount Disallowed	\$1,866.48
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$25,593.79
Amount Recommended	\$230,344.22
Amount Paid	\$230,344.22

Site Identification

Date Submitted:	08/14/2019	DEP Facility Number:	8-001122
Site Name	Western Cab CO	Telephone:	(702)595-1946
Site Contact	Martha Sarver		
Site Address	801 S Main St Las Vegas, NV 89101		
County:	Clark County		
Owner/Operator Name:	Western Cab CO		
Contact Name of Owner/Operator:	Martha Sarver P.O. Box 36550 Las Vegas, NV 89133	Telephone:	(702)595-1946
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
01	12000	Closed	Regulated UST	Pipe

Case: #2022000012
Claim #: 80589

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 09, 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.

	\$74,789.00	Amount Requested to Date
	(\$190.50)	Amount Disallowed, Past Claims
	(\$6,851.19)	Deductible/Co-Payment Satisfied to Date
	<u>\$0.00</u>	Amount Paid to Date
SUB TOTAL	\$6,086.50	Amount Requested this Meeting
	<u>(\$608.65)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$5,477.85	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 09/17/2023 and 10/02/2023

Summary of work completed: Project management, 3rd Quarter 2023 Well Sampling and/or Free Product Removal, preparation of 3rd Quarter 2023 Groundwater Monitoring Remediation Status Report preparation of petroleum fund claim reimbursement for 3rd Quarter 2023, 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	\$74,789.00
Amount Disallowed	\$190.50
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$6,851.19
Amount Recommended	\$67,138.66
Amount Paid	\$67,138.66

Site Identification

Date Submitted:	09/06/2022	DEP Facility Number:	8-001419
Site Name	City C-Store (7-11)	Telephone:	(702)290-6479
Site Contact	Neissan Koroghli		
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	32	Regulated UST	Fuel pipe beneath the shear valve on dispenser 1/2

Case: #2023000011
Claim #: 80573

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: September 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.

	\$35,708.92	Amount Requested to Date
	(\$250.00)	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<hr/>	
	\$8,159.25	Amount Requested this Meeting
	\$0.00	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<hr/>	
	\$8,159.25	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/18/2023 and 06/05/2023

Summary of work completed: Utilize backhoe, operator, dump truck & driver, laborer, personnel and equipment transport vehicles, haul in clean backfill, place and compact.

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	\$35,708.92
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	\$35,458.92
Amount Paid	\$35,458.92

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: #2023000014
Claim #: 80576

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: September 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.

	\$30,494.84	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$30,494.84</u>	Amount Requested this Meeting
	(\$250.00)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$30,244.84</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/24/2023 and 07/31/2023

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 inside 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: 2023000014 Site Name: Residential Heating Oil Tank At 551 Claremont St

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A NON-REGULATED 300-GALLON UNDERGROUND STORAGE TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. APPROXIMATELY 45.59 TONS OF CONTAMINATED SOIL WAS REMOVED.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$30,494.84
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	\$30,244.84
Amount Paid	\$30,244.84

Site Identification

Date Submitted:	08/10/2023	DEP Facility Number:	D-001377
Site Name	Residential Heating Oil Tank At 551 Claremont St		
Site Contact	Danielle Saenz	Telephone:	(650)245-4004
Site Address	551 Claremont St Reno, NV 89502		
County:	Washoe County		
Owner/Operator Name:	Danielle Saenz		
Contact Name of Owner/Operator:	Danielle Saenz	Telephone:	(650)245-4004
	551 Claremont Street Reno, NV 89502		
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
551 Claremont Tank	300	82	Non-Regulated	Tank

Case: #2023000015
Claim #: 80578

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: October 10, 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.

	\$21,508.93	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$21,508.93</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$21,258.93	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/01/2023 and 07/31/2023

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 inside 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: 2023000015 **Site Name:** Residential Heating Oil Tank At 1386 Marlette Circle

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A NON-REGULATED 300-GALLON UNDERGROUND STORAGE TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. APPROXIMATELY 26.70 TONS OF CONTAMINATED SOIL WAS REMOVED.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$21,508.93
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$250.00
Amount Recommended	\$21,258.93
Amount Paid	\$21,258.93

Site Identification

Date Submitted:	09/11/2023	DEP Facility Number:	B-000054
Site Name	Residential Heating Oil Tank At 1386 Marlette Circle		
Site Contact	Kimberly Beatty-Martinez	Telephone:	(775)230-1436
Site Address	1386 Marlette Circle Gardnerville, NV 89460		
County:	Douglas County		
Owner/Operator Name:	Kimberly Martinez		
Contact Name of Owner/Operator:	Kimberly Martinez	Telephone:	(775)230-1436
	1386 Marlette Circle Gardnerville, NV 89460		
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
1386 Marlette Cir Tank	300	49	Non-Regulated	Tank

Case: #2023000017
Claim #: 80580

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: October 10, 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.

	\$36,190.44	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$26,106.69</u>	Amount Requested this Meeting
	(\$250.00)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$25,856.69</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/23/2023 and 07/31/2023

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 inside 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: 2023000017 **Site Name:** Residential Heating Oil Tank At 14465 Virginia Foothills Drive

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A NON-REGULATED 300-GALLON UNDERGROUND STORAGE TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. APPROXIMATELY 53.10 TONS OF CONTAMINATED SOIL WAS REMOVED.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$36,190.44
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	\$35,940.44
Amount Paid	\$35,940.44

Site Identification

Date Submitted:	09/12/2023	DEP Facility Number:	D-001378
Site Name	Residential Heating Oil Tank At 14465 Virginia Foothills Drive		
Site Contact	John Steinmetz	Telephone:	(702)238-9377
Site Address	14465 Virginia Foothills Drive Reno, NV 89521		
County:	Washoe County		
Owner/Operator Name:	John Steinmetz		
Contact Name of Owner/Operator:	John Steinmetz	Telephone:	(702)238-9377
	14465 Virginia Foothills Drive 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
14465 Virginia Foothills Tank	300	51	Non-Regulated	Tank

Case: #2023000017
Claim #: 80582

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 22, 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.

	\$36,190.44	Amount Requested to Date
	(\$250.00)	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$10,083.75</u>	Amount Requested this Meeting
	\$0.00	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$10,083.75</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/24/2023 and 07/31/2023

Summary of work completed: CEM oversight of backfill of excavation and site restoration and associated claim, dump truck and operator to haul equipment and backfill material to site, personnel and equipment to place and compact backfill material and topsoil.

Site Summary Report

Case Number: 2023000017 **Site Name:** Residential Heating Oil Tank At 14465 Virginia Foothills Drive

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A NON-REGULATED 300-GALLON UNDERGROUND STORAGE TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. APPROXIMATELY 53.10 TONS OF CONTAMINATED SOIL WAS REMOVED.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$36,190.44
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	\$35,940.44
Amount Paid	\$35,940.44

Site Identification

Date Submitted:	09/12/2023	DEP Facility Number:	D-001378
Site Name	Residential Heating Oil Tank At 14465 Virginia Foothills Drive		
Site Contact	John Steinmetz	Telephone:	(702)238-9377
Site Address	14465 Virginia Foothills Drive Reno, NV 89521		
County:	Washoe County		
Owner/Operator Name:	John Steinmetz		
Contact Name of Owner/Operator:	John Steinmetz	Telephone:	(702)238-9377
	14465 Virginia Foothills Drive 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
14465 Virginia Foothills Tank	300	51	Non-Regulated	Tank

Case: #2023000019
Claim #: 80584

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: October 18, 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.

	\$55,773.05	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$55,773.05</u>	Amount Requested this Meeting
	<u>(\$500.00)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$55,273.05	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/09/2023 and 09/23/2023

Summary of work completed: RDO confirmed these were home heating oil tanks visually confirming return lines to the heating oil furnaces inside each duplex. The home heating oil tanks, which supplied heating oil to the heating oil furnace inside each duplex leaked from rust holes in the single wall steel tank shells. For documentation of tank removals, site and sample location maps, remediation and laboratory results see the closing report. Heating oil contaminated soil was isolated to an area adjacent to each removed underground home heating oil tank. Contaminated soil was removed for 2 separate excavations as pictured in the report and delivered to the Waste Management Biopit. Confirmation samples were obtained from each excavation 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: 2023000019 Site Name: 580 & 590 Genoa Ave Residential Heating Oil Tanks

Site Status

Synopsis: DISCHARGE DISCOVERED DURING TANK REMOVAL ACTIVITIES PERFORMED ON JULY 20, 2023. CONTAMINATION EMANATED FROM CORROSION HOLES IN SHELL OF TWO 250-GALLON, NON-REGULATED, STEEL UNDERGROUND STORAGE TANKS, CONTAINING HEATING OIL AT THE TIME OF RELEASE. INITIAL ABATEMENT ACTIONS REMOVED 56.29 TONS OF SOILS FROM 580 GENOA AVE AND 46.89 TONS OF SOIL FROM 590 GENOA AVE.

Contaminant: Heating Oil

Fund Coverage	\$500,500.00
Amount Fund Will Pay	\$500,000.00
Amount Requested	\$55,773.05
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$500.00
Amount Recommended	\$55,273.05
Amount Paid	\$55,273.05

Site Identification

Date Submitted:	09/27/2023	DEP Facility Number:	D-001381
Site Name	580 & 590 Genoa Ave Residential Heating Oil Tanks		
Site Contact	Janice Kozma	Telephone:	(775)379-7904
Site Address	580 Genoa Ave Reno, NV 89503		
County:	Washoe County		
Owner/Operator Name:	Janice Kozma		
Contact Name of Owner/Operator:	Janice Kozma	Telephone:	(775)379-7904
	35 Keystone Avenue Reno, NV 89503		
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
580 Genoa Tank	250	62	Non-Regulated	Tank
590 Genoa Tank	250	62	Non-Regulated	Tank

Case: #2023000020
Claim #: 80585

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: October 18, 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.

	\$46,913.13	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$46,913.13</u>	Amount Requested this Meeting
	(\$500.00)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$46,413.13</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/09/2023 and 09/23/2023

Summary of work completed: RDO confirmed these were home heating oil tanks visually confirming return lines to the heating oil furnaces inside each duplex. The home heating oil tanks, which supplied heating oil to the heating oil furnace inside each duplex leaked from rust holes in the single wall steel tank shells. For documentation of tank removals, site and sample location maps, remediation and laboratory results see the closing report. Heating oil contaminated soil was isolated to an area adjacent to each removed underground home heating oil tank. Contaminated soil was removed for 2 separate excavations as pictured in the report and delivered to the Waste Management Biopit. Confirmation samples were obtained from each excavation 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: 2023000020 **Site Name:** Residential Heating Oil Tanks At 1560 & 1562 W 6th Street

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM TWO NON-REGULATED 250-GALLON UNDERGROUND STORAGE TANKS CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. A TOTAL OF 80.28 TONS OF CONTAMINATED SOIL WAS REMOVED.

Contaminant: Heating Oil

Fund Coverage	\$500,500.00
Amount Fund Will Pay	\$500,000.00
Amount Requested	\$46,913.13
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$500.00
Amount Recommended	\$46,413.13
Amount Paid	\$46,413.13

Site Identification

Date Submitted:	09/28/2023	DEP Facility Number:	D-001382
Site Name	Residential Heating Oil Tanks At 1560 & 1562 W 6th Street		
Site Contact	Janice Kozma	Telephone:	(775)379-7904
Site Address	1560 W 6th Street Reno, NV 89503		
County:	Washoe County		
Owner/Operator Name:	Janice Kozma		
Contact Name of Owner/Operator:	Janice Kozma	Telephone:	(775)379-7904
	35 Keystone Avenue Reno, NV 89503		
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
1560 W 6th Tank	250	62	Non-Regulated	Tank
1562 W 6th Tank	250	62	Non-Regulated	Tank

Case: #2023000021
Claim #: 80586

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 29, 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.

	\$33,052.13	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$33,052.13</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$32,802.13	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/28/2023 and 10/03/2023

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 inside 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: 2023000021 Site Name: Residential Heating Oil Tank At 4000 Jasper Lane

Site Status

Synopsis: DISCHARGE DISCOVERED DURING TANK REMOVAL ACTIVITIES ON JULY 25, 2023. CONTAMINATION EMANATED FROM CORROSION HOLES IN SHELL OF 300-GALLON NON-REGULATED STEEL UNDERGROUND STORAGE TANK. INITIAL ABATEMENT ACTIVITIES REMOVED APPROXIMATELY 50.51 TONS OF CONTAMINATED SOIL.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$33,052.13
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	\$32,802.13
Amount Paid	\$32,802.13

Site Identification

Date Submitted:	10/10/2023	DEP Facility Number:	D-001384
Site Name	Residential Heating Oil Tank At 4000 Jasper Lane		
Site Contact	Denise Nunley	Telephone:	(775)827-5961
Site Address	4000 Jasper Lane Reno, NV 89509		
County:	Washoe County		
Owner/Operator Name:	Denise Nunley		
Contact Name of Owner/Operator:	Denise Nunley	Telephone:	(775)827-5961
	4000 Jasper Lane Reno, NV 89509		
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
4000 Jasper Ln Tank	300	64	Non-Regulated	Tank

Case: #2023000022
Claim #: 80600

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 29, 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.

	\$23,868.21	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$23,868.21</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$23,618.21	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/29/2023 and 10/06/2023

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 inside 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: 2023000022 **Site Name:** Residential Heating Oil Tank At 50 Sonora Circle

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A NON-REGULATED 500-GALLON UNDERGROUND STORAGE TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. A TOTAL OF 21.36 TONS OF CONTAMINATED SOIL WAS REMOVED.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$23,868.21
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	\$23,618.21
Amount Paid	\$23,618.21

Site Identification

Date Submitted:	10/12/2023	DEP Facility Number:	D-001385
Site Name	Residential Heating Oil Tank At 50 Sonora Circle		
Site Contact	James Kress	Telephone:	(775)745-0572
Site Address	50 Sonora Circle Reno, NV 89509		
County:	Washoe County		
Owner/Operator Name:	James Kress		
Contact Name of Owner/Operator:	James Kress	Telephone:	(775)745-0572
	50 Sonora Circle Reno, NV 89509		
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
50 Sonora Tank	500	70	Non-Regulated	Tank

**Agenda Item 8:
Execute Summary**
(FOR DISCUSSION)

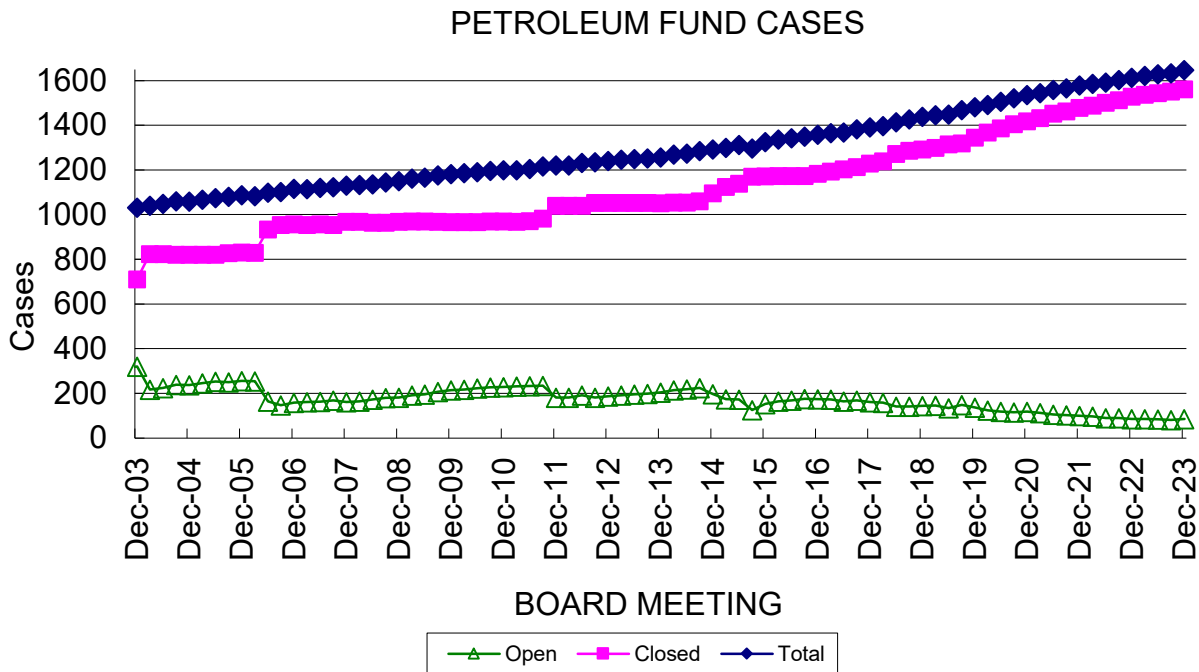
**STATE BOARD TO REVIEW CLAIMS
DECEMBER 14, 2023 BOARD MEETING**

EXECUTIVE SUMMARY REPORT

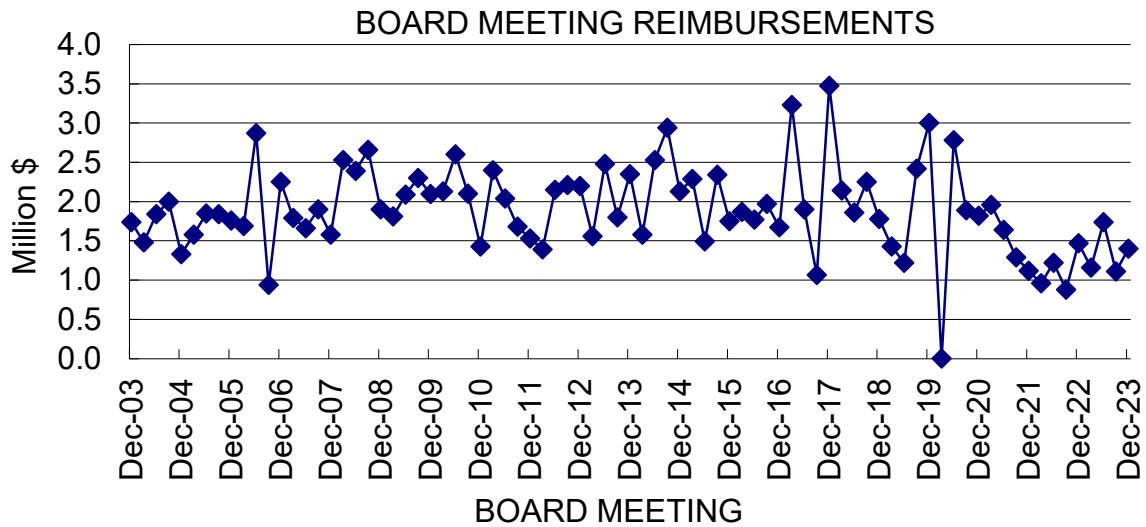
The Fund for Cleaning Up Discharges of Petroleum (“Petroleum Fund” or “Fund”) was established in 1989 by the Nevada Legislature. The Petroleum Fund facilitates the protection of Nevada’s environment, including its water resources, by allowing for prompt cleanup of petroleum discharges from storage tank 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 2024 runs October 1, 2023, through September 30, 2024. The annual tank system enrollment invoices for FFY 2024 were issued August 23, 2023. Additional invoices have also been generated for subsequent requests for tank enrollment. Currently, a total of 1,277 facilities have been invoiced at \$100 per petroleum tank system. As of December 4, 2023, 1,241 (~97.2%) of the facilities have submitted the required enrollment fees.

Program Case Summary – Since the Fund was created, a total of 1,821 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, 1,562 cases have since been closed and no longer receive Fund reimbursement. Currently, there are 85 open Fund cases. Since January 1, 2023, NDEP has received 27 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 \$258,880,313.41 for reimbursement to petroleum storage tank operators throughout Nevada for cleanup expenses. This cumulative total includes 23 claims paid via the direct payment method since the June 2023 Board meeting, totaling \$599,407.27. With today’s approval of \$803,204.70 in pending claims, the cumulative Fund expenditure will increase to \$259,683,518.11.



* 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 9:
Public Comment**
(FOR DISCUSSION)

Agenda Item 10:
Confirmation of Next Board Meeting Date
(FOR DISCUSSION)

STATE BOARD TO REVIEW CLAIMS
CONFIRMATION OF NEXT MEETING

DATE	LOCATION
March 14, 2024 Thursday 10:00 AM	<u>Videoconference</u> TBD - Meeting locations and remote participation information will be posted on the agenda at least 3 days prior to the meeting.

Upcoming Board Meetings

March 14, 2024 - 10:00 AM

June 13, 2024 - 10:00 AM

September 12, 2024 - 10:00 AM

December 12, 2024 - 10:00 AM