

# Meeting Agenda

**STATE OF NEVADA BOARD TO REVIEW CLAIMS  
AGENDA  
JUNE 8, 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, June 08, 2023 at the following locations:

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

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

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

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

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

**1. CALL TO ORDER AND ROLL CALL**

**2. PUBLIC COMMENT (FOR DISCUSSION)**

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

**3. APPROVAL OF THE MARCH 09, 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 PETROLEUM FUND COVERAGE WITH REDUCTION (FOR POSSIBLE ACTION)**

**Site Specific Board Determination No. C2023-01**

Proposed Site Specific Board Determination to provide reduced Petroleum Fund Coverage for Mountain View Hospital, 3100 North Tenaya Way, Las Vegas, Nevada  
Facility ID No. 8-001750, Petroleum Fund Case ID No. 2022000030

**RECOMMENDATION:**

Adoption of Site Specific Board Determination No. C2023-01, as proposed, granting coverage under the State of Nevada Petroleum Fund to the Mountain View Hospital for one UST system with a 20% reduction, in addition to a 10% co-payment.

**6. SITE SPECIFIC BOARD DETERMINATION FOR ADDITIONAL CLEANUP ALLOTMENT (FOR POSSIBLE ACTION)**

**Site Specific Board Determination No. C2023-02**

Proposed Site Specific Board Determination to provide an Additional Allotment of Cleanup Funding in accordance with subsections 4 and 6 of NRS 445C.380 for Red Rock Mini Market, formerly located at 5525 West Charleston Blvd., Las Vegas, Nevada  
Petroleum Fund Case ID No.1996000064, Facility ID No. 8-000161

**RECOMMENDATION:**

Adoption of Site-Specific Board Determination No. C2023-02 as proposed, granting additional cleanup funding in accordance with subsections 4 and 6 of NRS 445C.380 under the State of Nevada Petroleum Fund to Red Rock Mini Mart for \$921,500.00. This represents \$1,000,000.00 in coverage minus a 3% reduction and a 5% copayment.

**7. BOARD DISCUSSION FOR PROPOSED POLICY RESOLUTION NO. 2023-01 (FOR DISCUSSION)**

Staff will propose a new policy to establish criteria the Nevada Board to Review Claims would review when considering approval of additional funding allotments for cleaning up discharges of petroleum from storage tanks in accordance with subsections 4, 5, and 6 of NRS 445C.380.

A third public comment period will be added for this agenda item.

**8. 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 - JUNE 8, 2023**

<u>HEATING OIL</u>				<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2012000017; 80473	Churchill County School District: Old High School	\$8,063.57	\$8,063.57
FOR POSSIBLE ACTION	2.	2022000004; 80452	Hinman 2005 Family Trust, W & C: Heating Oil Tank, 604 S. Wells Ave.	\$31,808.94	\$14,766.64
FOR POSSIBLE ACTION	3.	2023000003; 80488	Ralph Menke: Menke Heating Oil	\$7,720.03	\$7,470.03
FOR POSSIBLE ACTION	4.	2023000010; 80507	Stonebrook Multifamily Phase II, LLC: Stonebrook Multifamily Phase II LLC	\$30,109.52	\$29,859.52
<b>SUB TOTAL:</b>				<b><u>\$77,702.06</u></b>	<b><u>\$60,159.76</u></b>
<u>NEW CASES</u>				<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2019000009; 80506	Circle K Stores, Inc.: Circle K Store #2701364	\$29,155.54	\$15,726.01
FOR POSSIBLE ACTION	2.	2019000010; 80505	Circle K Stores, Inc.: Circle K Store #2705399	\$82,989.11	\$64,960.15
FOR POSSIBLE ACTION	3.	2022000015; 80436	Rebel Oil Company: Rebel Store #2197	\$434,037.11	\$311,311.29



**SUB TOTAL:                    \$546,181.76                    \$391,997.45**

**ONGOING CASES**

			<b><u>REQUESTED</u></b>	<b><u>RECOMMENDED</u></b>	
FOR POSSIBLE ACTION	1.	1992000126; 80502	Clark County School District: Rc White (Arville) Transportation Satellite	\$106,837.71	\$106,146.34
FOR POSSIBLE ACTION	2.	1995000039; 80469	Al Park Petroleum, Inc.: Crescent Valley Market	\$16,794.51	\$15,115.06
FOR POSSIBLE ACTION	3.	1995000042; 80370	FBF Inc.: Gas 4 Less	\$174,954.67	\$174,954.67
FOR POSSIBLE ACTION	4.	1996000101; 80327	Phillips 66 Company: Circle K Store #2700695	\$50,328.64	\$45,295.78
FOR POSSIBLE ACTION	5.	1998000075; 80455	55 McDermitt Crude, LLC: McDermitt Motel & Convenience Store	\$10,373.09	\$9,265.75
FOR POSSIBLE ACTION	6.	1999000014; 80478	Al Park Petroleum, Inc.: Pit Stop #7 Conoco	\$9,946.48	\$8,779.10
FOR POSSIBLE ACTION	7.	1999000023; 80492	Nevada Ready Mix Corp: Nevada Ready Mix	\$26,741.38	\$23,209.99
FOR POSSIBLE ACTION	8.	2007000014; 80503	Raiders Oz Business, LLC: Former Ace Cab/frias Transportation	\$67,794.77	\$61,015.29
FOR POSSIBLE ACTION	9.	2007000016; 80470	Golden Gate Petroleum Of Nevada LLC: Golden Gate Sun Valley #43	\$7,504.24	\$6,649.60
FOR POSSIBLE ACTION	10.	2008000019; 80427	One Panou LLC: Golden Market #3	\$31,213.43	\$28,051.59
FOR POSSIBLE ACTION	11.	2009000024; 80480	Sjk Investments LLC: Chucks Circle C Market	\$14,891.47	\$13,402.32
FOR POSSIBLE ACTION	12.	2010000009; 80471	Hpt Ta Properties Trust: Mill City Travel Center	\$9,164.24	\$7,422.24
FOR POSSIBLE ACTION	13.	2011000009; 80472	Cimarron West: Cimarron West	\$21,266.76	\$19,140.08
FOR POSSIBLE ACTION	14.	2012000005; 80443	Travel Systems, LLC: Zephyr Cove Resort	\$69,090.75	\$61,899.58
FOR POSSIBLE ACTION	15.	2012000012; 80479	Clark County Department Of Aviation: Former Smart Mart	\$9,728.70	\$8,755.83
FOR POSSIBLE ACTION	16.	2013000019; 80445	Hardy Enterprises INC: Elko Sinclair #53	\$73,625.14	\$66,262.63
FOR POSSIBLE ACTION	17.	2014000016; 80302	Smitten Oil And Tire Co Inc: Former Smedley's Chevron	\$9,241.90	\$8,317.71
FOR POSSIBLE ACTION	18.	2014000025; 80477	Superior Campgrounds Of America, LLC: Silver City Rv Resort	\$16,965.67	\$13,279.59
FOR POSSIBLE ACTION	19.	2015000009; 80474	Hpt Ta Properties Trust: Las Vegas Travel Center	\$11,444.50	\$10,300.05
FOR POSSIBLE ACTION	20.	2016000005; 80475	Golden Gate S.e.t. Retail Of Nevada, LLC: Golden Gate Petroleum 65 - Fallon	\$6,574.42	\$5,916.98
FOR POSSIBLE ACTION	21.	2016000023; 80476	Al Park Petroleum, Inc.: Pit Stop #1	\$28,311.33	\$20,384.15
FOR POSSIBLE ACTION	22.	2016000027; 80489	Terrible Herbst Inc: Terrible Herbst #272	\$32,974.15	\$26,682.33
FOR POSSIBLE ACTION	23.	2017000015; 80465	Ellen 5 LLC: Green Valley Grocery #63	\$34,331.22	\$30,898.10
FOR POSSIBLE ACTION	24.	2017000019; 80482	Rebel Oil Company: Rebel Store #2197	\$8,388.50	\$7,549.65
FOR POSSIBLE ACTION	25.	2017000035; 80495	Rebel Oil Company: Rebel Store #2177	\$12,127.73	\$10,914.96
FOR POSSIBLE ACTION	26.	2018000009; 80451	Reed Incorporated: Pacific Pride	\$88,983.03	\$77,663.82
FOR POSSIBLE ACTION	27.	2019000014; 80485	Western Cab Co: Western Cab CO	\$9,859.98	\$7,261.65
FOR POSSIBLE ACTION	28.	2020000015; 80463	Canyon Plaza, LLC: Gas 2 Go	\$70,048.17	\$37,390.89

FOR POSSIBLE ACTION	29.	2020000016; 80378	LV Petroleum LLC: Us Gas #7	\$39,287.13	\$35,236.92
FOR POSSIBLE ACTION	30.	2021000027; 80496	Horizon C Stores, LLC: Horizon Market #5	\$3,001.50	\$2,701.35
			<b>SUB TOTAL:</b>	<b><u>\$1,071,795.21</u></b>	<b><u>\$949,864.00</u></b>
			<b>RECOMMENDED CLAIMS TOTAL:</b>	<b><u>\$1,695,679.03</u></b>	<b><u>\$1,402,021.21</u></b>

**9. 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.	2018000016; 80462 Regal Holdings Of Nevada LLC: Regal Holdings Of Nevada, LLC	\$20,812.50	\$18,481.25
FOR DISCUSSION	2.	2022000037; 80418 Megan Walton And Will Schutte: Schutte-Walton Glenbrook LLC Residential Heating Oil Tank	\$31,002.37	\$30,752.37
FOR DISCUSSION	3.	2023000004; 80456 William M. & Dagmar M. Copenhaver: Copenhaver Family Trust Residential Heating Oil Tank	\$30,510.74	\$30,260.74
FOR DISCUSSION	4.	2023000005; 80461 Amelia Preston: Preston Residential Heating Oil Tank	\$30,555.33	\$30,305.33
FOR DISCUSSION	5.	2023000006; 80464 Brian Rizman: 1801 California Ave Leaking Heating Oil Tank	\$30,463.25	\$30,213.25
FOR DISCUSSION	6.	2023000007; 80468 Kathryn Hankins: Hankins Leaking Residential Heating Oil Tank	\$21,593.74	\$21,343.74
<b>SUB TOTAL:</b>			<b><u>\$164,937.93</u></b>	<b><u>\$161,356.68</u></b>
 <u>ONGOING CASES</u>			 <u>REQUESTED</u>	 <u>PAID</u>
FOR DISCUSSION	1.	1993000102; 80494 Rebel Oil Company: Rebel Store #2008	\$73,810.00	\$73,810.00
FOR DISCUSSION	2.	1994000015; 80487 Pilger Family Holdings: Former D & G Oil Company	\$11,069.20	\$10,878.70
FOR DISCUSSION	3.	1999000066; 80490 HP Management, LLC: Former Haycock Petroleum	\$31,233.88	\$26,910.34
FOR DISCUSSION	4.	2013000011; 80486 Har Moor Investments, LLC: Village Shop #4	\$8,880.00	\$7,992.00
FOR DISCUSSION	5.	2014000033; 80491 Speedee Mart Inc.: Speedee Mart #108	\$23,100.09	\$20,790.08

FOR DISCUSSION	6.	2018000005; 80484	Rebel Oil Company: Rebel Store # 2153	\$9,198.00	\$8,278.20
FOR DISCUSSION	7.	2019000002; 80483	Rebel Oil Company: Rebel Store #2166	\$9,946.50	\$8,951.85
FOR DISCUSSION	8.	2022000012; 80493	Neissan Koroghli: City C-Store (7-11)	\$25,906.50	\$23,315.85
			<b>SUB TOTAL:</b>	<b><u>\$193,144.17</u></b>	<b><u>\$180,927.02</u></b>
			<b>DIRECT PAYMENT CLAIMS TOTAL:</b>	<b><u>\$358,082.10</u></b>	<b><u>\$342,283.70</u></b>
			<b>BOARD MEETING CLAIMS TOTAL:</b>	<b><u>\$2,053,761.13</u></b>	<b><u>\$1,744,304.91</u></b>

**10. 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.

**11. 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.

**12. CONFIRMATION OF NEXT BOARD MEETING DATE (FOR DISCUSSION)  
SEPTEMBER 14, 2023 (THURSDAY) AT 10:00 AM**

**13. 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 June 8, 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\\_YWZlZmEzYWYtZDc3Ny00OGM0LWI5ZmUtYzYzMjBiN2JhMWFi%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22f5d90261-50cc-4af0-a3bb-e68b8276e5d2%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YWZlZmEzYWYtZDc3Ny00OGM0LWI5ZmUtYzYzMjBiN2JhMWFi%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,  
Phone Conference ID: 395 014 503#

The agency can accommodate limited seating at the meeting locations and requests advanced notice to accommodate attendees. Members of the public that need prior assistance to participate in the meeting or wish to submit a written public comment to be read aloud during the meeting should contact Tristin Alishio by email at [talishio@ndep.nv.gov](mailto:talishio@ndep.nv.gov), by calling (775) 687-9369, or in writing at NDEP-BCA, Board to Review Claims, 901 S. Stewart St., Ste. 4001, Carson City, NV 89701 no later than June 5, 2023.

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

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

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



**Agenda Item 3:**  
**Approval of March 9, 2023 Minutes**  
(FOR POSSIBLE ACTION)

**STATE OF NEVADA BOARD TO REVIEW CLAIMS  
BOARD MEETING MINUTES  
March 9, 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 Red Rock Conference Room located at 375 East Warm Springs Road, Suite 200, Las Vegas, NV. Remote participation was also available via Microsoft Teams.

**A. BOARD MEMBERS PRESENT**

Maureen Tappan, Chair – Representative of the General Public  
Rod Smith, Vice-Chair – Representative of Petroleum Refiners  
Karen Stoll – Department of Motor Vehicles  
Jeffrey Kinder – Nevada Division of Environmental Protection  
LeRoy Perks – Representative of the Independent Retailers of Petroleum  
Mike Dzyak – State Fire Marshal’s Office  
Jason Case – Representative of Independent Petroleum Dealers

**OTHERS PRESENT**

Greg Ott, Board Legal Counsel, State Attorney General’s Office  
Jennifer Carr, Jeff Collins, Michael Cabble, Kim Valdez, Megan Slayden, Don Warner,  
Jonathan McRae, Tristin Alishio, Ben Moan, Chuck Enberg, Michael Mazziotta, John  
Karr, Grant Busse, and Nicole Whited – Nevada Division of Environmental Protection  
(NDEP)  
Brian Northam – Southern Nevada Health District  
Jeremy Holst – Broadbent & Associates  
Rex Hepe – Terracon Consultants  
Keith Stewart – Stewart Environmental  
Stephanie Holst – Broadbent & Associates  
Jeffrey Lowden – Regal Holdings of Nevada LLC  
Ray Madole - Madole Construction

**2. PUBLIC COMMENT**

There were no public comments.

**3. APPROVAL OF THE DECEMBER 8, 2022 MINUTES**

**Vice Chair Rod Smith** commented that the agenda indicated the meeting was to be conducted via remote video/phone, however, those in attendance were present in person. **Mike Cabble** stated that he would adjust the language.

**Leroy Perks moved to approve the December 8, 2022 minutes. Rod Smith seconded the motion. Motion carried unanimously.**

4. **STATUS OF THE FUND**

**Mr. Cabbie** stated that the balance forward for State Fiscal Year 2023 was \$7,500,000. Approximately \$396,800 has been received from tank system enrollment fees for enrollment year 2023 thus far. Approximately \$6,057,569 has been generated by the \$0.0075 Petroleum Fund fee. The Fund has earned approximately \$73,820 in interest. Total revenue received by the Fund for this fiscal year is \$14,028,188.80. Board member salaries currently total approximately \$812. In-state travel costs for Board members total approximately \$111. Board meeting operating costs total approximately \$733. Money transferred to NDEP for program administration, state-led cleanups, staff salaries, and other program maintenance total \$1,040,633. A Petroleum Fund grant program payment for UST upgrades was made in the last quarter totaling \$90,000. The fee paid to the DMV for the \$0.0075 petroleum fee collection is \$12,714. The reimbursement of Petroleum Fund claims thus far is approximately \$2,611,785. Total expenditures from the Fund total \$3,756,787.98, which leaves a current available balance of \$10,271,400.82.

5. **REQUEST BY REGAL HOLDINGS OF NEVADA LLC TO PETITION THE BOARD TO REIMBURSE HEATING OIL TANK REMOVAL AND CLEANUP EXPENSES**

**Mr. Cabbie** provided a brief background. Regal Holdings of Nevada, LLC, requested to petition the Board to reimburse costs associated with the remediation of soil following the release of a 500-gallon heating oil storage tank. Regal Holdings of Nevada, LLC is specifically requesting payment of a single invoice for work performed by Madole Construction. This work included removal of the tank, excavation of impacted soil, transportation of the soil to Waste Management's Lockwood Landfill for disposal, as well as backfilling the excavation. Based on the records provided to staff, approximately 47 tons of impacted soil were removed during excavation. The total cost for the invoice was \$20,812.50. Staff are required to follow specific regulations and policy resolutions adopted by the Board when making reimbursement determinations. Recommendations for paying invoices must be in accordance with these regulations and policies.

**Mr. Cabbie** gave a summary of facts that have prevented the Fund from authorizing payment of the invoice. The cleanup work conducted for the storage tank was not performed as an initial abatement action. The tank was removed in May of 2017 with excavation of impacted soil not occurring until September of 2019. When a heating oil cleanup is not performed as an initial abatement action, other cost control mechanisms are required. Specifically, there is a requirement for the operator to secure three bids for corrective action costs, if such costs will exceed \$6,000 (this \$6,000 threshold has since been increased to \$7,000). The regulations do allow the Division to provide approval to perform tasks for corrective action in lieu of obtaining bids; however, such a request has not been made to date. Staff were informed by the operator that the bids were secured, yet upon request, no bids have been provided.

In addition, staff have not been provided with all documentation required for a complete claim. The case was issued a no further action determination by NDEP, which means that no additional remediation is required. The Petroleum Fund case was closed 12 months after the determination. This means that the operator may no longer submit a claim unless they request a waiver of the 12-month final claim submittal deadline. On July 20, 2022, Mr. Lowden submitted a request to waive the 12-month claim submittal deadline in accordance with Board Policy Resolution 2022-01. The policy does authorize the executive secretary, Mr. Cabbie, to waive the 12-month deadline, if good cause is provided.

In response to the request to waive the 12-month submittal deadline, Mr. Cabbie requested additional information from the operator, including documentation of the three bids as well as other invoice documentation. The intent of the document request prior to providing a waiver was to ensure a complete final claim would be received and provide staff the information needed to determine what costs were eligible for payout. To this date, Mr. Cabbie had not received the requested documentation and thus, has not found good cause to provide the waiver. He requests that the Board take into consideration the facts of the case, Mr. Lowden's presentation, and decide whether or not to waive the claim submittal deadline as well as the three-bid requirement.

**Mr. Perks** indicated he would recuse himself from voting on any action for this item but asked whether he would be permitted to participate in the discussion. **Gregg Ott, Attorney General's Office**, cited Nevada Revised Statute (NRS) 281A.420, which prevents voting upon or advocating for passage or failure, but does allow participation in the form of providing information only.

**Jeffrey Lowden, representative of Regal Holdings of Nevada LLC**, provided a brief background and history of the property, which he purchased with Raymond Pezonella. They subsequently formed Regal Holdings of Nevada, LLC and shared a 50-50 partnership for the property. Mr. Pezonella hired Madole Construction Co., Inc. for remediation of the site and paid approximately \$21,000 from his personal funds. Mr. Pezonella sold his business during the pendency of the development of the property to Nova Geotechnical (another consulting firm). Approximately two years after Mr. Pezonella sold his business, he fell ill, requiring a splenectomy. Mr. Pezonella ultimately deceased, with his estate passing to his widow, Nancy Pezonella. Mr. Lowden was unaware that Mr. Pezonella had not filed the correct paperwork for reimbursement of the cleanup costs and is requesting the costs identified on the Madole Construction invoice to reimburse Nancy Pezonella.

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

**Jeffrey Kinder** asked Mr. Cabbie to clarify what is being asked of the Board, waiving the three-bid process as well as waiving the 12-month claim submittal deadline. **Mr. Cabbie** stated that he was not comfortable authorizing the waiver of the 12-month claim deadline. Instead, he thought the Board should hear the appeal presented by Mr. Lowden. The original claim submitted in 2020 included more substantial documentation, including CEM invoices from multiple consulting firms, including Pezonella and Associates, Nova, and a third consulting firm. Due to turnover of CEMs, it has been difficult to identify which costs were eligible for reimbursement. Ultimately, the costs associated with CEM services are not being requested, so today's focus is on the reimbursement of the Madole Construction invoice in the amount of \$20,812.50. Taking into account the circumstances presented by Mr. Lowden for why the claim was not submitted timely, the Board could consider waiving the 12-month claim deadline.

An additional issue to consider is whether the costs of services provided are reasonable. The price for invoiced services does fall in line with the typical cost of cleanup for a tank of this size. The Division has authority to waive the three-bid requirement, however, such a waiver is generally received upfront, prior to performance of the work. Given the facts, Mr. Cabbie felt it would be more appropriate for the Board to make the determination regarding both waiver requirements, as the Board has been created within the Division.

In response to a question from **Mr. Perks**, there was confirmation that Mr. Pezonella was the original CEM.

**Vice Chair Smith** commented that this case appears to have been under state purview the whole time and has not surfaced out of the blue. **Mr. Cabble** confirmed the State was aware of this tank removal and provided a brief historical outline. The case has had two NDEP cleanup case officers, both of which are no longer with the NDEP. The tank came out in May of 2017. Site constraints and limited access prevented immediate remediation. Following tank removal, a limited assessment was performed in September of 2017 to determine contamination depths. Remediation was not performed until 2019. Since that time, a claim has been submitted with some difficulties in obtaining documentation, which further delayed payment. Due to CEM turnover, the requested documents are not available. The facts of the case the Board should consider are as follows:

- The release is from an old heating oil tank, which is eligible for Fund coverage.
- Removal of impacted soils was untimely, but the soil was eventually removed and disposed.
- NDEP did close the case, meaning that no additional cleanup is required.
- Due to the number of entities involved in the ownership and operation of the property, it appears that the required documentation for proof of three bids is no longer available.
- A processed check for payment of the \$20,812.50 Madole Construction invoice has been provided and verified paid by Regal Holdings of Nevada LLC.
- With the exception of Task J.1 of the Petroleum Fund Cost Guidelines, the Fund does not generally pay for removal of the tank itself, which is included on the invoice. If the Board were inclined to pay the invoice, this may be an item for discussion by the Board to consider whether or not to reimburse the invoice in its entirety. Because the assessment did not occur timely and the bids have not been provided, **Mr. Cabble** contends that removal of the tank should not be eligible for reimbursement.

**Mr. Perks** asked whether the tank is classified as a residential heating oil tank and what the deductible amount is for residential heating oil tank remediation. **Mr. Cabble** confirmed that it was a residential heating oil tank, and the deductible is \$250.

In response to a question from **Vice Chair Smith**, **Mr. Cabble** confirmed that in the timeline of the remediation, there were fees associated with lab analyses and CEM oversight. These additional fees have been requested in the claim; however, much of the necessary documentation is missing. **Mr. Smith** followed up by asking if those costs would be sought for reimbursement at a later date. **Mr. Lowden** clarified that the request for reimbursement of the Madole Construction invoice is the only cost being requested. No additional costs would be requested at a later date.

**Mr. Cabble** confirmed **Chair Tappan's** understanding that no payments have been made by NDEP for the case to date.

**Chair Tappan** cited the correspondence from **Mr. Lowden** to **Mr. Cabble** stating that **Mr. Pezonella** paid the approximately \$21,000 invoice out of pocket. However, the owner indicates that the check was from Regal Holdings. **Mr. Lowden** clarified that the originating funds were personal to **Mr. Pezonella** and loaned to Regal Holdings to pay the invoice.

**Chair Tappan** expressed surprise that **Mr. Pezonella** failed to timely pursue the reimbursement. **Ray Madole, Madole Construction** surmised that **Mr. Pezonella** was likely relying on those who worked for him, including **Ross Brown**, to organize and submit the necessary documentation. **Mr. Pezonella** was also suffering from health problems at the time. **Mr. Lowden** added that there were a number of factors involved, including the sale of the business to **Nova**, who owed **Mr. Pezonella** hundreds of thousands of dollars on the sale. Litigation regarding the purchase was ongoing. In addition, **Mr. Pezonella** was being audited by the IRS and was suffering with ill health that eventually resulted in his death.

**Vice Chair Smith** commented that all the factors involved represent issues internal to the companies involved and not necessarily an NDEP issue. **Mr. Madole** noted that Mr. Cabbie previously indicated that this item would have been qualified for reimbursement, had the paperwork been timely submitted. **Mr. Lowden** added that Regal Holdings relied on engineering personnel to do its job in terms of submitting the appropriate paperwork.

**Vice Chair Smith** questioned which entity the Fund would reimburse the funds to, if anyone. **Mr. Lowden** stated that they could reimburse Regal Holdings of Nevada LLC and he would reimburse Mrs. Pezonella. In the alternative, they could pay Mrs. Pezonella directly.

**Mr. Cabbie** clarified that the program currently identifies Regal Holdings of Nevada, LLC as the operator. Mr. Lowden is listed as the claimant at the facility. If approved by the Board, the payment would be issued to Regal Holdings of Nevada LLC. To pay Mrs. Pezonella directly, all designations would have to be transferred to her name. In addition, she would have to register as a vendor with the State Controller's Office in order for the Fund to pay her directly. **Mr. Lowden** stated that he has purchased Mrs. Pezonella out of Regal Holdings of Nevada. The contract provides that any funds from the Petroleum Fund will be passed directly to her. The agreement document can be submitted into the record, if requested.

**Mr. Cabbie** clarified that reimbursement would cover the contractor costs specific to removal of the contaminated soil, disposal and backfilling the excavation. The invoice indicates that a portion of the payment went to removal of the tank and therefore, a reduction would be warranted, as this would not otherwise be paid for by the Fund.

In response to a question from **Jason Case** regarding corrective action costs paid by the operator, **Mr. Cabbie** stated that there is a cost share for the actual cleanup work and based upon the type of tank covered by the Petroleum Fund, there are varying deductibles. This case involves a small residential heating oil tank, and the deductible is \$250. For commercial facilities, there is a 10 percent copayment of the claim amount.

**Mr. Perks** noted that a couple of heating oil cleanups are included in the approved reimbursements for other cases. **Mr. Cabbie** confirmed that there are five heating oil cases on the direct payment list for agenda item #7, with varying costs.

**Chair Tappan** acknowledged the lack of proof for the three-bid process and asked whether Mr. Lowden could provide the names of the two other contractors that provided bids and whether written confirmation could be obtained. She expressed concern for setting a precedent that an applicant asserts they have completed the three-bid process, but do not have the necessary documented proof. **Mr. Lowden** and **Mr. Madole** were unable to identify the names of the other bid companies. **Chair Tappan** cited the long periods of delay in the operator's responses to written requests for information from Fund staff. **Mr. Lowden** reiterated that this was during a period of illness and eventually death of Mr. Pezonella and it was difficult for other individuals to gather the necessary documents afterward.

**Mr. Kinder** noted that the Fund has just completed a multiyear process involving two audits from the Governor's finance office. This request and its potential approval would likely be the subject of a future audit. **Mr. Cabbie** concurred that this was a possibility.

**Mr. Case**, referring to requested versus paid values for heating oil tanks, asked for clarification as to whether the Fund pays for tank removal and what that value is typically for that task. His

understanding was it may be \$250 line item. **Mr. Cabbie** clarified costs for removal of a heating oil tank may be defrayed and paid by the Fund up to \$2,000 if impacted soil removal is immediately performed following a tank's removal. This provides an incentive for faster cleanup and is called the initial abatement phase of a project. Coverage for initial abatement activities by the Fund is outlined in the J.1 Task of the Cost guidelines. The requested value in a claim is the total cost for cleanup activities requested by the operator. The approved value is the value the Fund agrees to pay based on regulations and policies. The \$250 line item referred to by Mr. Case is the deductible for a small heating oil tank system that is applied to the initial claim's approved value paid by the Fund. The \$250 value is not specific to the tank removal costs.

In response to a question from **Chair Tappan**, **Mr. Cabbie** stated that clarification is required from the contractor to determine whether the excavation hole was backfilled immediately after the tank was removed. This information is not included with the documentation submitted thus far. **Mr. Madole** stated that the proximity of the tank to existing structures precluded soil removal at the time of tank removal. The tank was removed, and the hole was backfilled, due to concerns with stability of the structure. Based on this statement, **Mr. Cabbie** indicated that initial abatement ended once the tank pit was backfilled. **Chair Tappan** asked whether this resulted in increased cost due to the need to re-excavate the soil. She further asked about the changes in stability between 2017 and 2019 that allowed the eventual re-excavation. **Mr. Madole** stated that the soil was later reevaluated and the analysis confirmed that the strength of the soil, the depth of excavation, and proximity to the building were sufficient to allow the excavation and backfill. **Chair Tappan** questioned if that took two years to get done. **Mr. Madole** indicated the analysis shouldn't have taken 2 years, and the delay was more likely due to scheduling around the winter season and weather concerns.

**Mr. Perks** commented that the costs submitted are in line with typical amounts for this type of work. Therefore, the focus of the discussion should be on the timeline. The delays were largely due to the sale of the company in the midst of the case as well as the unfortunate death of Mr. Pezonella. **Mr. Cabbie** stated that the most significant roadblock to reimbursement beyond establishing good cause for missing the 12-month claim submittal deadline is the lack of the three-bid submission. When a cleanup of a heating oil tank is not performed during initial abatement and the tank pit is backfilled, the bid process ensures future cleanup costs such as mobilization, excavation, transport and disposal of contaminated soil are better controlled when the operator's contractors return to the site. Should the Board lean towards paying costs on the invoice, it would be helpful if Mr. Madole could estimate the costs associated with coming back to the site and digging up soil that was previously backfilled following the tank removal, as these are not included on the invoice. These costs should be excluded since bids have not been provided, however the remainder of costs fall in line with typical expenses routinely submitted. **Mr. Perks** stated that the documents indicate a single mobilization at \$500. **Mr. Cabbie** pointed out that the invoice also lacks the cost for removal of the tank. **Chair Tappan** also noted that the documents cite removal of oil tanks, as in plural. **Mr. Madole** clarified that three tanks were removed from the site and removal of all are included in the application for reimbursement. **Chair Tappan** inquired as to the typical charge for removal of three tanks. **Mr. Madole** estimated the cost to be \$200 per hour for five hours for a total of \$1,000. One tank had a 500-gallon capacity and the other two were smaller. **Mr. Cabbie** commented that the tank removal in question, as estimated by Mr. Madole, combined with the mobilization costs would total approximately \$1,500.

**Vice Chair Smith** reiterated that the requirement for submission of required paperwork was not followed. **Mr. Cabbie** added that staff must also follow specific requirements for review of bid submissions prior to the performance of work.

**Chair Tappan** summarized the issues for the Board's consideration is setting aside the three-bid requirement and paying an invoice that was submitted after the 12-month deadline all while considering the amount of time that elapsed between tank removal and cleanup. She inquired as to whether any member of the Board was prepared to make a motion.

**Jason Case** cited the multiple acquisitions and Mr. Pezonella's untimely death. While there is a lack of submission of all documents, there appears to be good cause, particularly in that the invoice is in line with typical costs of such cleanup actions and no additional cleanup is required.

**Jason Case moved to reimburse the \$20,812.50 invoice less the \$1,000 tank removal and \$500 mobilization cost.**

**Discussion:**

**Vice Chair Smith** voiced support for the motion, however he recommended less specificity with the amounts and recommended a 10 percent reduction.

**Chair Tappan** recommended that there also be a specific requirement that any reimbursed amount not go to Regal, but directly to Mrs. Pezonella. **Vice Chair Smith** advised against addressing that specific issue and leaving it to the reimbursed parties to address. **Mr. Lowden** said he would be happy to provide legal documentation in this respect, guaranteeing that the funds would pass directly to Mrs. Pezonella.

**Motion failed for lack of a second.**

**Rod Smith moved to pay the reimbursement with a 10 percent reduction.**

**Mr. Cabbie** assisted with clarified language that the motion be to pay the Madole Construction invoice in the amount of \$20,812.50 less a 10 percent reduction and \$250 co-pay. **Rod Smith** concurred with the clarified motion language.

**Jason Case seconded the motion.**

**Discussion:**

**Mr. Kinder** acknowledged the complicated circumstances of the case. There were three tanks removed and delays with soil excavation. However, these actions have been completed and no further remediation actions are required. As such, the State has met its environmental goals.

**Motion carried unanimously. Mr. Perks abstained.**



6. **ADOPTION OF CONSENT AGENDA**

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

**ONGOING CASES**

			<b><u>REQUESTED</u></b>	<b><u>RECOMMENDED</u></b>	
FOR POSSIBLE ACTION	1.	1992000126; 80441	Clark County School District: RC White (Arville) Transportation Satellite	\$33,214.82	\$33,214.82
FOR POSSIBLE ACTION	2.	1993000102; 80428	Rebel Oil Company: Rebel Store #2008	\$11,240.25	\$11,240.25
FOR POSSIBLE ACTION	3.	1995000039; 80395	Al Park Petroleum, Inc.: Crescent Valley Market	\$8,423.76	\$7,581.38
FOR POSSIBLE ACTION	4.	1995000042; 80454	FBF INC: Gas 4 Less	\$84,360.00	\$84,360.00
FOR POSSIBLE ACTION	5.	1996000064; 80401	The Esslinger Family Trust: Red Rock Mini Mart	\$13,530.50	\$10,280.39
FOR POSSIBLE ACTION	6.	1998000075; 80448	55 McDermitt Crude, LLC: McDermitt Motel & Convenience Store	\$7,287.00	\$6,474.01
FOR POSSIBLE ACTION	7.	1999000022; 80438	Terrible Herbst Inc: Terrible Herbst #129	\$15,338.25	\$13,777.43
FOR POSSIBLE ACTION	8.	1999000086; 80439	Terrible Herbst Inc: Terrible Herbst #126	\$18,203.81	\$16,356.43
FOR POSSIBLE ACTION	9.	1999000104; 80437	Terrible Herbst Inc: Terrible Herbst #118	\$13,287.75	\$11,958.97
FOR POSSIBLE ACTION	10.	2007000014; 80440	Raiders Oz Business, LLC: Former Ace Cab/Frias Transportation	\$88,626.15	\$79,667.02
FOR POSSIBLE ACTION	11.	2007000016; 80446	Golden Gate Petroleum of Nevada LLC: Golden Gate Sun Valley #43	\$5,591.50	\$4,949.88
FOR POSSIBLE ACTION	12.	2008000009; 79904	Pilot Travel Centers LLC: Flying J Travel Plaza #770	\$182,780.92	\$145,404.38
FOR POSSIBLE ACTION	13.	2009000024; 80431	SIK Investments LLC: Chucks Circle C Market	\$39,345.22	\$35,203.70
FOR POSSIBLE ACTION	14.	2010000009; 80449	HPT Ta Properties Trust: Mill City Travel Center	\$10,582.39	\$8,571.73
FOR POSSIBLE ACTION	15.	2011000009; 80444	Cimarron West: Cimarron West	\$8,886.39	\$7,971.12
FOR POSSIBLE ACTION	16.	2012000012; 80400	Clark County Department of Aviation: Former Smart Mart	\$10,682.40	\$9,477.49
FOR POSSIBLE ACTION	17.	2014000025; 80447	Superior Campgrounds of America, LLC: Silver City RV Resort	\$22,820.13	\$20,425.47
FOR POSSIBLE ACTION	18.	2016000012; 80416	DLF Corporation: Mr. Ds Fastlane	\$742.50	\$668.25
FOR POSSIBLE ACTION	19.	2016000027; 80435	Terrible Herbst Inc: Terrible Herbst #272	\$44,776.42	\$35,684.30
FOR POSSIBLE ACTION	20.	2017000015; 80241	Ellen 5 LLC: Green Valley Grocery #63	\$35,391.29	\$31,664.30
FOR POSSIBLE ACTION	21.	2017000019; 80433	Rebel Oil Company: Rebel Store #2197	\$22,101.72	\$19,891.55
FOR POSSIBLE ACTION	22.	2017000035; 80434	Rebel Oil Company: Rebel Store #2177	\$30,215.06	\$27,193.55
FOR POSSIBLE ACTION	23.	2018000005; 80429	Rebel Oil Company: Rebel Store # 2153	\$11,315.00	\$10,183.50
FOR POSSIBLE ACTION	24.	2018000009; 80394	Reed Incorporated: Pacific Pride	\$24,027.25	\$21,557.03
FOR POSSIBLE ACTION	25.	2019000002; 80430	Rebel Oil Company: Rebel Store #2166	\$34,361.25	\$30,925.13
FOR POSSIBLE ACTION	26.	2019000044; 80361	7-Eleven, Inc: 7-Eleven #15829	\$21,473.37	\$19,326.03

FOR POSSIBLE ACTION	27.	2020000015; 80402	Canyon Plaza, LLC: Gas 2 Go	\$27,392.79	\$14,748.57
FOR POSSIBLE ACTION	28.	2021000014; 80399	Pilot Travel Centers LLC: Pilot Travel Centers LLC #341	\$47,771.52	\$41,244.35
FOR POSSIBLE ACTION	29.	2021000027; 80268	Horizon C Stores, LLC: Horizon Market #5	\$34,645.81	\$30,993.13
			<b>SUB TOTAL</b>	<b><u>\$908,415.22</u></b>	<b><u>\$790,994.16</u></b>
			<b>RECOMMENDED CLAIMS TOTAL:</b>	<b><u>\$908,415.22</u></b>	<b><u>\$790,994.16</u></b>

**Jeff Kinder moved for approval of the consent agenda. Rod Smith seconded the motion. Motion carried unanimously.**

DRAFT

7. **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.

<b><u>HEATING OIL</u></b>			<b><u>REQUESTED</u></b>	<b><u>PAID</u></b>
FOR DISCUSSION	1. 2022000025; 80403	Hand Up Homes for Youth NV: Hand Up Homes for Youth NV	\$13,221.53	\$12,971.53
FOR DISCUSSION	2. 2022000034; 80398	SBJ Enterprises LLC: 4th Street at Goodsell LLC Residential Heating Oil Tank	\$26,471.65	\$26,221.65
FOR DISCUSSION	3. 2022000036; 80404	Gerald & Gloria Sbriglia: Gerald and Gloria Sbriglia Residential Heating Oil Tank	\$28,624.20	\$28,374.20
FOR DISCUSSION	4. 2023000001; 80421	RMP 7 LLC: RMP 7 LLC	\$21,593.74	\$21,343.74
FOR DISCUSSION	5. 2023000002; 80442	Nicole Commons: 1001 Sonora Drive Residential Heating Oil Tank	\$23,339.21	\$23,089.21
<b>SUB TOTAL</b>			<b><u>\$113,250.33</u></b>	<b><u>\$112,000.33</u></b>
 <b><u>ONGOING CASES</u></b>			<b><u>REQUESTED</u></b>	<b><u>PAID</u></b>
FOR DISCUSSION	1. 1994000015; 80420	Pilger Family Holdings: Former D & G Oil Company	\$10,908.94	\$10,908.94
FOR DISCUSSION	2. 1999000023; 80432	Nevada Ready Mix Corp: Nevada Ready Mix	\$27,575.46	\$24,817.91
FOR DISCUSSION	3. 1999000066; 80422	HP Management, LLC: Former Haycock Petroleum	\$37,718.78	\$33,946.90
FOR DISCUSSION	4. 2013000011; 80419	Har Moor Investments, LLC: Village Shop #4	\$20,788.75	\$18,709.87
FOR DISCUSSION	5. 2014000033; 80423	Speedee Mart Inc.: Speedee Mart #108	\$23,861.86	\$21,475.67
FOR DISCUSSION	6. 2018000018; 80345	Primadonna Company, LLC: Whiskey Pete's Stateline Stop	\$150,380.51	\$120,543.40
FOR DISCUSSION	7. 2019000005; 80425	Fairway Chevrolet Company: Fairway Chevrolet CO	\$19,515.00	\$17,563.50
FOR DISCUSSION	8. 2019000014; 80424	Western Cab Co: Western Cab CO	\$7,534.75	\$6,781.27
FOR DISCUSSION	9. 2022000012; 80426	Neissan Koroghli: City C-Store (7-11)	\$1,669.25	\$1,502.33
<b>SUB TOTAL:</b>			<b><u>\$299,953.30</u></b>	<b><u>\$256,249.79</u></b>
<b>DIRECT PAYMENT CLAIMS TOTAL:</b>			<b><u>\$413,203.63</u></b>	<b><u>\$368,250.12</u></b>
<b>BOARD MEETING CLAIMS TOTAL:</b>			<b><u>\$1,321,618.85</u></b>	<b><u>\$1,159,244.28</u></b>

8. **EXECUTIVE SUMMARY**

**Mr. Cabble** stated that tank enrollment fees are tracked pursuant to the Federal Fiscal Year (FFY), which runs October 1, 2022 through September 30, 2023. Annual invoices for enrollment year 2023 were issued on August 17, 2022. Total facilities invoiced are 1,284 facilities. Approximately 97 percent of invoices have been paid.

Since the Fund was created, a total of 1,798 remediation cases have applied for Fund coverage. Of those applications, 173 have been denied, due to ineligibility or other reasons. NDEP has closed 1,537 cases, which no longer receive Fund reimbursement. Currently, there are 85 active Fund cases. Since January 1, 2023, NDEP has received 4 new applications for Fund coverage and 3 applications are currently pending. Prior to this Board meeting, the Board to Review Claims has approved a cumulative total of \$254,639,664.06 for reimbursement to Petroleum Fund operators. This includes \$368,250.12 for direct payment claims paid over the last quarter. With today's Board approval of \$790,994.16, the overall expenditure will increase to \$255,430,658.22.

One UST upgrade grant was approved during the last quarter for the full amount of \$90,000. This amount funded three new turbine sumps, four dispenser sumps, and new product piping between the sumps.

Approximately one week after the Board's last meeting, Fund staff attended an Executive Branch Audit Committee (EBAC) meeting. The Division of Internal Audits (DIA) provided an annual report to the EBAC for DIA Report Number 21-04, which noted all audit items have been addressed and recommendations were fully implemented by NDEP. Following the meeting, DIA staff also confirmed that the items in the prior audit Report (#19-05) had also been addressed. As such, no further action is required by NDEP at this time.

**Mr. Kinder** commended Mr. Cabble and staff for the extensive work done over the extended audit period.

**Mr. Cabble** continued his summary. Per the September 8, 2022 Board meeting, he was required to provide updates on feedback received regarding the newly adopted cost guidelines. There have been a few unanticipated issues, primarily with the online system, but these issues have been addressed. The CEMs have been patient through this process. There were some delays in cost proposals and claim submittals, however, all were ultimately submitted, reviewed, and approved for the March meeting. Other concerns by CEMs have been resolved through discussions, and staff have also created a new user guide for the online system to submit cost proposals. They have also updated the claim submittal user guide to address some of the concerns.

9. **PUBLIC COMMENTS**

There were no public comments.

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

It was confirmed the next meeting date would be Thursday, June 8, 2023.

12. **ADJOURNMENT**

The meeting was adjourned at 11:12 a.m.

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

**Petroleum Discharge Cleanup Fund**  
**Balance Sheet - State Fiscal Year 2023**  
**As of 5/22/2023**

**REVENUE**

Balance Forward	\$ 7,500,000.00
Enrollment and Registration Fees	\$ 402,800.00
Petroleum Fees	\$ 9,280,683.79
Interest Earned	\$ 73,819.67
Reimbursements Received	\$ 1,292,480.42
Balance Forward to New Year	\$ -
<b>Total Revenue</b>	<b>\$ 18,549,783.88</b>

**EXPENDITURES**

Board Salary	\$ 1,177.12
In-State Travel	\$ 175.73
Operating	\$ 893.37
Transfer to Highway Fund	\$ -
Transfer to Division of Environmental Protection	\$ 1,178,711.07
Senate Bill No. 89	\$ 484,399.70
GHG Program AB452	\$ -
Petroleum Grant Program	\$ 136,704.19
Department of Motor Vehicles Fee Collection Service	\$ 12,714.00
Reimbursement of Claims	\$ 3,745,063.13
<b>Total Expenditures</b>	<b>\$ 5,559,838.31</b>

**LIABILITIES**

Petroleum Board Costs	\$ 1,759.78
Highway Fund Budgeted Amount	\$ 9,000,000.00
Pending Obligated Claims	\$ 8,717.74
<b>Total Liabilities</b>	<b>\$ 9,010,477.52</b>

**ACTUAL FUNDING AVAILABLE**

<b>\$ 12,989,945.57</b>
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DocuSigned by: <i>Morgan Friend</i>	5/22/2023   12:34 PM PDT
Prepared By	Date:
DocuSigned by: <i>JT</i>	5/22/2023   2:02 PM PDT
Reviewed By	Date:
DocuSigned by: <i>Michael Cable</i>	5/22/2023   2:06 PM PDT
Petroleum Fund Staff Approval	Date:

**Agenda Item 5:  
Site Specific Board Determination No.  
C2023-01**

(FOR POSSIBLE ACTION)

STATE BOARD TO REVIEW CLAIMS  
MEETING OF JUNE 8, 2023  
Video conferenced in Carson City and Las Vegas, Nevada  
Summary of Site Specific Board Determination

SUBJECT: Proposed Site Specific Board Determination to provide reduced Petroleum Fund Coverage for Mountain View Hospital, 3100 North Tenaya Way, Las Vegas, Nevada

Facility ID No. 8-001750, Petroleum Fund Case ID No. 2022000030

DISCUSSION: The subject site, identified as Mountain View Hospital is located at 3100 North Tenaya Way, Las Vegas, Nevada.

Due to UST systems with comingled contamination from both Fund eligible and non-Fund eligible release sources, NDEP recommends that the Board to Review Claims (Board) grant coverage with a 20% reduction. This recommendation is consistent with Board Policy Resolution No. 99-22, which addresses comingled petroleum storage tank releases from Fund eligible and non-Fund eligible events where the percentage or volume of the non-Fund eligible contaminant contribution has not been identified.

RECOMMENDATION: **Adoption** of Site Specific Board Determination No. C2023-01, as proposed, granting coverage under the State of Nevada Petroleum Fund to the Mountain View Hospital for one UST system with a 20% reduction, in addition to a 10% co-payment.



STATE BOARD TO REVIEW CLAIMS

Site Specific Board Determination C2023–01

Site Specific Board Determination to Provide Reduced Petroleum Fund Coverage  
for Mountain View Hospital, 3100 North Tenaya Way, Las Vegas, Nevada  
Petroleum Fund Case ID No. 2022000030  
Facility ID No. 8-001750

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

1. Mountain View Hospital, located at 3100 North Tenaya Way, Las Vegas, Nevada, has two 10,000-gallon underground storage tank (UST) systems, containing diesel fuel.

As part of the facility infrastructure, a powerhouse building has been constructed at the property. The powerhouse building contains various equipment and infrastructure that is required for the facility to operate. During normal operations, the equipment in the powerhouse building is operated by power supplied through the municipal energy grid. However, to ensure continued operation of the equipment in the powerhouse building during disruptions to the municipal energy grid, diesel fuel is stored on-site in two 10,000-gallon USTs identified as Tank #1 and Tank #2. The diesel fuel stored in the USTs is supplied to various equipment in the powerhouse building through a combination of underground and aboveground piping.

2. The UST associated with this application is identified as Tank #1 and is located to the south of the powerhouse building. The diesel fuel that is stored in Tank #1 is transferred via four suction pumps to various equipment located within the powerhouse building. Suction Pumps #1 and #2 transfer diesel fuel from Tank #1 to a 200-gallon aboveground storage tank (AST) that is used to convey fuel to an emergency generator. Suction Pumps #3 and #4 transfer diesel fuel from Tank #1 directly to two boiler units located within the powerhouse building.
3. Mountain View Hospital engineering representatives perform routine shift inspections of the equipment located in the powerhouse building. During a shift inspection performed on December 12, 2021, a representative observed a leak occurring from a pressure gauge along a section of the above-ground piping associated with Tank #1 down-gradient of Suction Pump #4 that supplies fuel to the boiler units within the powerhouse building.
4. Upon observing the leak, system operations were immediately shut down. Due to the routine nature of the inspections performed as part of engineering operations, the duration at which the leak occurred is believed to be minimal. The pressure gauge was replaced and according to a Mountain View Hospital representative the pressure gauge failure was a result of operational wear and tear.
5. Two diesel fuel releases have occurred near one another associated with Tank #1 and within the interior of the powerhouse. The first release occurred in 2014 from the emergency generator system because of an overfill switch failing during the transfer of diesel fuel from a 10,000-gallon UST to a 200-gallon AST. The second release occurred in 2021 when a pressure gauge failed along the piping

associated with the UST that supplied diesel to the boiler units. The Petroleum Fund application is being submitted to seek reimbursement for costs associated with the 2021 release.

6. Both the 2014 and the 2021 release remain open cases with NDEP. To delineate the extent of petroleum hydrocarbon contamination associated with the 2014 release, Environmental Site Assessment activities were performed at the property from 2014 through 2016. It was estimated that approximately 1,320 cubic yards of petroleum hydrocarbon impacted soil remain in place associated with the 2014 release.
7. Based on information obtained from the UST automatic gauging system, approximately 450 gallons of diesel fuel was released during the December 2021 release.
8. The impacts of the 2021 release have commingled with the petroleum hydrocarbon impacted soil with the 2014 release. The Tank #1 impacted soil associated with the 2021 release is eligible for Fund coverage, however, the leak associated with the 2014 release was not eligible for Fund coverage.
9. Board Policy Resolution No. 99-22 directs Fund staff to recommend a 20% coverage reduction for sites that have not identified the percentage of contamination from a non-Fund eligible release source that is comingled with a Fund eligible release source (Attachment A).
10. The Board has the authority to provide coverage for this case at a level other than that recommended by Petroleum Fund Staff.

THEREFORE BE IT RESOLVED THAT:

1. Soil contamination associated with Tank #1 that is related to the failed pressure gauge along a section of above ground piping within the powerhouse building is eligible for Fund coverage.
2. The 2014 release associated with the same UST system is ineligible for Fund coverage.
3. Pursuant to Board Policy Resolution No. 99-22, which addresses comingled contamination from Fund eligible and non-Fund eligible release sources, the Board grants Fund coverage to Mountain View Hospital, Petroleum Fund Case No. 2022000030, with a 20% reduction, in addition to a 10% co-payment, to remediate the diesel release discovered at the facility.
4. The maximum amount that the Board will reimburse for the discharge from the eligible underground storage tank system for this case is \$720,000.00 (maximum cap of \$1,000,000 less the 20% reduction, and 10% co-payment) for cleanup cost and \$720,000.00 for damages to a person other than this state or the operator of the tank (third party liabilities).

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 June 8, 2023.

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Maureen Tappan, Chair  
State Board to Review Claims

**ATTACHMENT A**

**Board Resolution No. 99-22**

**Resolution to Adopt a Policy Providing Reduced Petroleum Fund Coverage for Petroleum Storage Tank Systems with Comingled Contamination from both Fund Eligible and Non-Fund Eligible Release Sources**

STATE BOARD TO REVIEW CLAIMS

MEETING OF JUNE 14, 2012

Video conferenced from Carson City and Las Vegas, Nevada

ITEM: VIII.B

SUBJECT: Resolution to Adopt a Policy Providing Reduced Petroleum Fund Coverage for Petroleum Storage Tank Systems with Comingled Contamination from both Fund Eligible and Non-Fund Eligible Release Sources.

DISCUSSION: On June 30, 1999, The State Board to Review Claims (herein referred to as the Board) adopted Resolution #99-22, authorizing staff of the Petroleum Fund (herein referred to as the Fund) to recommend a 20% reduction in Fund coverage for petroleum storage tank releases which were the result of both Fund eligible releases and non-Fund eligible spill/overflow events, and where the percentage or volume of the non-Fund eligible contaminant contribution could not be calculated.

Board Resolution #99-22 is hereby amended to authorize Fund staff to recommend a standard 20% reimbursement reduction at sites where the percentage of contamination from any non-Fund eligible release source cannot be readily determined.

This Resolution shall not apply to cases where the volume of non-Fund eligible contamination can be removed and remediated separately from the Fund eligible contamination. Further, if the percentage of non-Fund eligible contamination can be calculated but not removed and remediated separately, Fund staff will recommend a percentage reduction in coverage pursuant to the calculated percentage. If reimbursement for the Fund eligible release is reduced pursuant to Board Resolution #94-023 due to non-compliance issues, that reduction will be added to any coverage reduction recommended pursuant to Resolution #99-22. Cases granted coverage pursuant to any of the above scenarios will also be subject to a 10% co-payment.

RECOMMENDATION: **Adoption** of Amended Resolution No. 99-22 as proposed.

## STATE BOARD TO REVIEW CLAIMS

### RESOLUTION No. 99-22, AMENDED

#### Resolution to Adopt a Policy Providing Reduced Petroleum Fund Coverage for Petroleum Storage Tank Systems with Comingled Contamination from both Fund Eligible and Non-Fund Eligible Release Sources

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

1. Petroleum Fund (hereinafter referred to as the Fund) coverage is often requested at sites when contamination resulting from Fund eligible petroleum storage tank system releases and from non-Fund eligible petroleum storage tank release events from the same site has been discovered coincidentally.
2. In some cases, the percentage of contamination attributed to the non-Fund eligible release event may be readily apparent. An example of such a situation would include a site where contamination has not impacted groundwater and the volume of contaminated soil associated with the non-Fund eligible release source (i.e. contamination resulting from product delivery spill events to an underground petroleum storage tank system not equipped with spill prevention equipment) can be observed and measured in the field. In this case, the non-Fund eligible portion of the soil contamination can then be removed and remediated separately from the Fund eligible contamination. Costs associated with the remediation of the non-Fund eligible contamination is subsequently not requested for reimbursement, while costs associated with the Fund eligible contamination can be covered and reimbursed, as applicable.
3. In some cases, the volume of non-Fund eligible contamination cannot be remediated separately from the Fund eligible contamination. However, if the claimant has identified the amount or percentage of non-Fund eligible contamination, reduced Fund coverage can be granted based upon a percent reduction, calculated pursuant to the percentage of contamination associated with the non-Fund eligible release events. Typically, the percentage of non-Fund eligible release contribution is calculated by the owner's Certified Environmental Manager and presented to Fund staff. Upon concurrence, staff may then present to the Board a recommendation for a respective reduced percentage of Fund coverage.
4. In cases where groundwater has been impacted by both Fund eligible and non-Fund eligible release events, it may not be possible to calculate the percentage of contribution from each of the separate release sources.

5. Non-Fund eligible petroleum storage tank system release sources include, but are not limited to, the following:
  - Releases resulting from a lack of spill and/or overfill prevention equipment.
  - Releases resulting from the known operation of a petroleum storage tank system with faulty spill prevention equipment and/or faulty overfill prevention equipment, if not repaired or replaced pursuant to regulatory agency directives.
  - Product dispenser releases which emanate from above the shear valve (NAC 590.710(g)).
  - Releases which emanate from petroleum storage tank systems which are not enrolled in the Fund at the time of release discovery (NAC 590.730(4)).
  - Petroleum storage tank system releases which were discovered prior to the establishment of the Fund.
  - Non-accidental releases caused from petroleum storage tank system, owner, operator or vendor neglect.
  - Releases caused by vandalism.
  - Releases from failed petroleum storage tank components which are covered under a manufacturer or vendor warranty.
6. Board Resolution #99-22, originally adopted by the Board on June 30, 1999, authorizes Fund staff to recommend a 20% coverage reduction as a standard reduction for cases in which contamination at a site associated with an accidental (Fund eligible) release from a Fund-enrolled petroleum storage tank system and from non-Fund eligible spill/overfill events has been discovered coincidentally, and where the actual amount of contamination due to the non-Fund eligible release event cannot be readily identified.
7. Board Resolution #99-22 is hereby amended to authorize Fund staff to recommend a 20% coverage reduction for cases in which contamination is associated with both Fund-eligible petroleum storage tank releases and non-Fund eligible petroleum tank releases, and where the percentage or volume of contaminant contribution from the non-Fund eligible releases cannot be determined. If coverage for the Fund eligible release is reduced pursuant to Board Resolution #94-023 due to non-compliance issues, that reduction will be added to any coverage reduction recommended pursuant to Resolution #99-22.
8. Cases granted coverage pursuant to any of the above scenarios will also be subject to a 10% co-payment.

THEREFORE BE IT RESOLVED THAT:

Fund staff may recommend to the Board a 20% coverage reduction for sites at which contamination resulting from Fund eligible petroleum storage tank system releases and from non-Fund eligible release events from the same site has been discovered coincidentally, and where the percentage of non-Fund eligible contribution is unknown or cannot otherwise be readily identified.

This Resolution shall not apply to cases where the volume of non-Fund eligible contamination will be removed and remediated separately from the Fund eligible contamination.

If the percentage of non-Fund eligible contamination can be calculated but not removed and remediated separately, Fund staff will recommend a percentage reduction in coverage pursuant to the calculated percentage.

If coverage for the Fund eligible release is reduced pursuant to Board Resolution #94-023 due to non-compliance issues, that reduction will be added to any coverage reduction recommended pursuant to Resolution #99-22.

Cases granted coverage pursuant to any of the above scenarios will also be subject to a 10% co-payment.

I, John Haycock, Chairman, 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 June 14, 2012.



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John Haycock, Chairman  
State Board to Review Claims

**Agenda Item 6:  
Site Specific Board Determination No.  
C2023-02**

**(FOR POSSIBLE ACTION)**



STATE BOARD TO REVIEW CLAIMS

MEETING OF JUNE 8, 2023

Video-conferenced in Carson City and Las Vegas, Nevada  
Summary of Site-Specific Board Determination No. C2023-02

**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 for Red Rock Mini Market, formerly located at 5525 West Charleston Blvd., Las Vegas, Nevada  
Petroleum Fund Case ID No.1996000064, Facility ID No. 8-000161

**DISCUSSION:** The subject site, identified as Red Rock Mini Market, is located at 5525 West Charleston Blvd., 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 former storage tank systems. The request was made in accordance with subsection 4 of NRS 445C.380. Petroleum Fund program staff have evaluated the request for funding and based on the documentation provided with the request, recommend that the Board to Review Claims provide additional funding to the site for cleanup.

**RECOMMENDATION:** **Adoption** of Site-Specific Board Determination No. C2023-02 as proposed, granting additional cleanup funding in accordance with subsections 4 and 6 of NRS 445C.380 under the State of Nevada Petroleum Fund to Red Rock Mini Mart for \$921,500.00. This represents \$1,000,000.00 in coverage minus a 3% reduction and a 5% copayment.

STATE BOARD TO REVIEW CLAIMS

Site Specific Board Determination C2023-02  
Site Specific Board Determination to provide an Additional Allotment of Funding for  
Red Rock Mini Mart, formerly located at 5525 West Charleston Blvd., Las Vegas, Nevada  
Petroleum Fund Case ID No. 1996000064  
Facility ID No. 8-000161

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

1. The subject site, identified as Red Rock Mini Mart, and located at 5525 West Charleston Blvd, Las Vegas, Nevada, was previously awarded coverage for two releases from storage tanks, with a 3% reduction.
2. The operator for this site has been designated as a small business by the Board.
3. The underground storage tanks at the site were permanently closed by removal.
4. Subsection 4 of NRS 445C.380 (Attachment A) 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.”
5. On May 11, 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 (Attachment C).
6. On May 19, 2023, the NDEP case officer requested closure activities occur at the site (Attachment D).
7. On May 22, 2023, the NDEP case officer concurred with the plan and schedule for closure activities at the site (Attachment E).
8. On May 22, 2023, the operator submitted a request for an additional allotment of funding, in accordance with subsection 4 of NRS 445C.380 (Attachment B), which addresses each item listed in statute.

9. Claim #80401 was approved for payment during the March 9, 2023, Board meeting, which exhausted all available cleanup funding for the case.
10. Subsection 6 of NRS 445C.380 states, “If the Board approves an additional allotment for cleaning up discharged petroleum at the site of a storage tank pursuant to subsection 4 or 5, for each such allotment... (b) An operator which is a small business shall pay an amount equal to 5% of the allotment for the costs of cleaning up discharged petroleum at the site...”
11. Based on review of documentation provided with the request for an additional allotment of cleanup funding, staff recommends that the subject facility receive the additional allotment.
12. The Board may approve an operator to receive an additional allotment of not more than \$1,000,000.00.

THEREFORE, BE IT RESOLVED THAT:

1. The Division requires additional cleanup and closure activities to be performed to reach a no further action determination for 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. Facility compliance with the applicable provisions of NRS 459.800 to 459.856, inclusive, for the immediately preceding 3 years are not applicable to this site because the storage tanks have been permanently closed.
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 Red Rock Mini Mart, Fund Case ID No. 1996000064 for \$921,500.00. This represents \$1,000,000.00 in coverage with a 3% reduction and a 5% 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 June 8, 2023.

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Maureen Tappan, Chair  
State Board to Review Claims

**ATTACHMENT A**

Subsections 4 and 6 of NRS 445C.380

**NRS 445C.380 - Allocation of costs resulting from discharge from other storage tanks; additional allotments from Fund; requirement to hold public hearings under certain circumstances.**

1. If the costs resulting from a discharge from any other storage tank exceed \$5,000, the costs must be paid as follows, to the extent applicable:
  - (a) By an operator which is an agency, department, division or political subdivision of the State, 10 percent or \$10,000, whichever is less, of the first \$1,000,000 for cleaning up each storage tank and of the first \$1,000,000 of liability for damages from each storage tank to any person other than this State or the operator of the storage tank, or both amounts. The balance of the first \$1,000,000 for cleaning up each storage tank or for damages from each storage tank must be paid from the Fund, but the total amount paid from the Fund pursuant to this paragraph in any one fiscal year for discharges from two or more storage tanks under the control of any one operator must not exceed \$1,980,000 for cleaning up the tanks and \$1,980,000 for damages.
  - (b) By an operator which is a small business, 5 percent of the first \$1,000,000 for cleaning up each storage tank and of the first \$1,000,000 of liability for damages from each storage tank to a person other than this State or the operator of the storage tank, or both amounts. The total amount paid by an operator pursuant to this paragraph must not exceed \$50,000 for cleaning up and \$50,000 for damages regardless of the number of storage tanks involved. The balance of the first \$1,000,000 for cleaning up each storage tank or for damages from each storage tank must be paid from the Fund, but the total amount paid from the Fund pursuant to this paragraph in any one fiscal year for discharges from two or more storage tanks under the control of any one operator must not exceed \$1,950,000 for cleaning up the storage tanks and \$1,950,000 for damages. For the purpose of this limitation, a group of operators more than 50 percent of whose net worth is beneficially owned by the same person or persons constitutes one operator.
  - (c) By all other operators:
    - (1) Ten percent of the first \$1,000,000 for cleaning up each storage tank and of the first \$1,000,000 of liability for damages from each storage tank to a person other than this State or the operator of the storage tank, or both amounts.
    - (2) Ninety percent of the first \$1,000,000 for cleaning up each storage tank and of the first \$1,000,000 of liability for damages from each storage tank must be paid from the Fund. The total amount paid from the Fund pursuant to subparagraph (2) in any one fiscal year for discharges from two or more storage tanks under the control of any one operator must not exceed \$1,800,000 for cleaning up the storage tanks and \$1,800,000 for damages. For the purpose of this limitation, a group of operators more than 50 percent of whose net worth is beneficially owned by the same person or persons constitutes one operator.
2. Any further cost for damages which is in excess of the amount paid pursuant to subsection 1 must be paid by the operator.
3. Except as otherwise provided in subsections 4 and 5, any further cost for cleaning up which is in excess of the amount paid pursuant to subsection 1 must be paid by the operator.
4. 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.
5. 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.
6. 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.
7. A political subdivision of the State that receives money from the Fund pursuant to subsection 1, 4 or 5 to pay for the costs of cleaning up shall hold one public hearing upon initiation of the cleanup and one public hearing every 3 months thereafter until the cleanup is completed to ensure that the cleanup complies with any requirements of the Division concerning the cost-effectiveness of cleaning up. The costs incurred by the political subdivision for the hearing must not be attributed to the political subdivision as part of the costs paid by the political subdivision pursuant to subsection 1, 4 or 5.
8. For the purposes of this section, the Board shall define by regulation "small business."
9. As used in this section, "site" means the facility, whether situated on a single parcel or on multiple adjacent parcels, where the storage tank is located.

(Added to NRS by [2015, 3605](#); A [2021, 1865](#))

**ATTACHMENT B**

Operator Request for Additional Funding in Accordance with Subsection 4 of NRS 445C.380



**BROADBENT**

8 West Pacific Ave., Henderson, NV 89015

[T] 702-563-0600 [F] 702-563-0610

[broadbentinc.com](http://broadbentinc.com)

**CREATING SOLUTIONS. BUILDING TRUST.**

May 22, 2023

Project No. 18-01-153-101

Nevada Division of Environmental Protection  
Bureau of Corrective Actions  
901 South Stewart Street, Suite 4001  
Carson City, Nevada 89701

Attn: Mr. Mike Cabble

Re: Request for Additional Funding Allotment, Former Red Rock Mini Mart Facility, 5525 West Charleston Boulevard, Las Vegas, Nevada. Facility ID #8-000161. Petroleum Fund ID #1996000064.

Dear Mr. Cabble,

This letter serves to request an additional funding allotment for the Former Red Rock Mini Mart Facility located at 5525 West Charleston Boulevard in Las Vegas, Nevada (Facility). Broadbent and Associates, Inc. (Broadbent) is making the additional funding allotment request on behalf of the claimant/operator, The Esslinger Family Trust. The additional funding allotment is being requested in accordance with Nevada Revised Statute (NRS) 445C.380(4).

The Fund for Cleaning Up Discharges of Petroleum (Fund) provided 2-million dollars in coverage for the assessment and remediation of two eligible releases that occurred at the Facility. As of Reimbursement Claim #80401, the approved funding associated with the two eligible releases has been exhausted. The funding was utilized to perform extensive environmental site assessment (ESA) activities as well as implement numerous remediation methods to address the historical releases. The environmental activities performed appear to have been successful in reducing the petroleum hydrocarbon contamination at the Facility to concentrations that support a "No Further Action" (NFA) decision in accordance with Nevada Administrative Code (NAC) 445A.22725(2). A Conceptual Site Model outlining the environmental activities performed at the Facility was presented to the Nevada Division of Environmental Protection (Division) in a Broadbent document dated February 6, 2023, entitled *Conceptual Site Model, Former Red Rock Mini Mart, 5525 West Charleston Boulevard, Las Vegas, Nevada* (CSM). In addition, on February 9, 2023, Broadbent submitted a closure presentation to the NDEP in draft format further supporting a NFA decision for the historical releases.

The Division provided a "preliminary decision to close the open LUST case" in a letter dated May 19, 2023. The May 19, 2023, letter further states that a no further action (NFA) letter will be issued by the Division once they have received confirmation that final closure activities have been completed, including the submittal of shapefiles, well abandonment logs, and confirmation that site closure and restoration is complete.

In accordance with NRS 445C.380(4), the Board to Review Claims (Board) may approve an operator to receive an additional allotment of not more than 1-million dollars from the Fund for cleaning up



discharged petroleum at the site of a storage tank if certain conditions are met. It is Broadbent's opinion, that the Former Red Rock Mini Mart qualifies for an additional allotment in accordance with the referenced NRS code. As a result, this letter serves to provide supporting documentation to request an additional funding allotment of 1-million dollars in accordance with NRS 445C.380(4).

## **COMPLIANCE WITH NRS 445C.380(4)**

**NRS 445C.380(4)(a) – The Division requires additional cleanup to occur in compliance with any of the requirements of the Division concerning the cleanup of discharged petroleum.**

It is anticipated future site closure activities will be required to receive a NFA decision from the Division. Based on discussions with the Division, it is anticipated that these activities will include the finalization of a presentation to support a NFA decision in accordance with NAC 445A.22725(2); preparation of a Geographic Information System (GIS) shapefile depicting the location of remnant dissolved benzene and methyl tertiary-butyl ether (MTBE) contamination; abandonment of the groundwater and remediation well network; and decommissioning of the soil vapor extraction (SVE) system and infrastructure. Although approval of a NFA decision has not been received from the Division, it is anticipated that further ESA or remediation activities will not be required to address the historical releases.

**NRS 445C.380(4)(b)(1) – The Board determines that the operator is in compliance with any requirements of the Division concerning the cleanup of discharged petroleum.**

It is Broadbent's opinion that the operator has implemented assessment and clean-up of the discharged petroleum in compliance with the requirements implemented by the Division. The environmental activities were performed in accordance with work plans prepared by Certified Environmental Manager (CEM) consulting firms (Broadbent and Converse Consultants) and executed in accordance with various approvals from the Division. Additionally, the operator has not received any correspondence indicating noncompliance with cleanup directives.

**NRS 445C.380(4)(b)(2) – The Board determines that the operator has obtained approval from the Division for a plan and a schedule to clean up the discharged petroleum.**

Table 1, attached, depicts a plan, timeline, and estimated cost for the implementation of the remaining environmental activities as required by the Division to receive a NFA decision for the historical releases. This plan was presented to the NDEP in correspondence dated May 19, 2023, and concurred by the case officer in email correspondence dated May 22, 2023. The estimated costs are based on Broadbent's experience and not on actual bids or scheduling provided by contractors for well abandonment or system decommissioning activities. Furthermore, the proposed scope of work assumes further assessment or corrective action activities will not be required to address the releases. As previously stated, a response from the Division to the CSM and closure presentation submitted in support of a NFA decision is currently pending.

**NRS 445C.380(4)(b)(3) – The Board determines that except as otherwise provided in subparagraph (4), the operator is not liable pursuant to subsection 1 of NRS 445C.390.**

NRS 445C.390 pertains to the liability for costs to clean up discharges caused by willful and wanton misconduct, gross negligence, or violation of statute or regulation. Based on a review of available files

by Broadbent, the two releases in which Fund coverage was previously provided were not the result of willful and wanton misconduct, gross negligence, or violation of statute or regulation.

**NRS 445C.380(4)(b)(4) – The Board determines that if the operator is liable pursuant to subsection 1 of NRS 445C.390, the operator has complied with subsection 2 of NRS 445C.390.**

As previously stated, it is Broadbent’s opinion that subsection 1 of NRS 445C.390 does not apply to the operator under this request for an additional funding allotment. As a result, NRS 445C.380(b)(4) cannot apply to the request for an additional funding allotment.

**NRS 445C.380(4)(b)(5) – The Board determines that 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.**

In general, NRS 459.800 through 459.856 provide statutes pertaining to the operation of storage tanks. The underground storage tank (UST) system was removed from the Facility in 1996. Storage tanks have not been in use at the Facility since they were removed. As a result, this statute does not apply for NRS 445C.380(b)(5).

**NRS 445C.380(4)(b)(6) – The Board determines that the operator has not received money for damages pursuant to subsection 1 before July 1, 2021.**

Based on a review of available files by Broadbent, documentation was not identified that showed the current operator received money for damages pursuant to 445C.380(1) during the course of the environmental activities performed to address the historical releases.

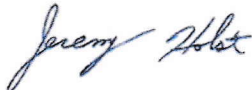
**NRS 445C.380(4)(c) – The amount paid to the operator pursuant to subsection 1 for cleaning up the storage tank has been exhausted.**

The approved funding associated with the two eligible releases was exhausted after the payment of Funds requested in Claim 80401 (approved during the March 9, 2023 meeting).

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Based on the information presented, it is Broadbent’s opinion that the Former Red Rock Mini Mart qualifies for an additional funding allotment in accordance with NRS 445C.380(4). As a result, Broadbent requests, on behalf of the Esslinger Family Trust, that an additional funding allotment of 1-million dollars be provided to complete the anticipated scope of work outlined as previously referenced.

Sincerely,  
BROADBENT & ASSOCIATES, INC.



Jeremy Holst, CEM-1845 (exp. 11/12/23)  
Associate Geologist

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 have provided, or 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.



Harold Crutcher  
Sole Trustee  
The Esslinger Family Trust

Enclosures: Table 1: Timeline for Anticipated Remaining Environmental Activities

**Table 1**  
**Timeline for Anticipated Remaining Environmental Activities**  
**Former Red Rock Mini Mart Facility**  
**Facility ID 8-000161; Petroleum Fund Case ID 1996000064**

Item 1 -Closure Documents (Completed After Available Funds Were Exhausted)		
<b>Proposed Timeline*</b>	<b>Tasks:</b> Preparation of a Conceptual Site Model (CSM), preparation of 2-dimensional cross-sections, preparation of fate and transport model using EPA BIOSCREEN Software, and preparation of a presentation requesting a "No Further Action" (NFA) decision for the release.	
	<b>Title</b>	<b>Amount</b>
<b>Completed Feb 2023</b>	CSM, Cross-sections, Fate and Transport Model, NFA Slideshow Preparation	\$15,000.00
		<i>Item 1 Total: \$15,000.00</i>
Item 2 -Closure Documents (To Be Completed)		
<b>Proposed Timeline*</b>	<b>Task:</b> Preparation of a GIS Shapefile	
	<b>Title</b>	<b>Amount</b>
<b>July 2023</b>	GIS Shape File	\$1,400.00
<b>July 2023</b>	NFA Closure Presentation (if required)	\$750.00
<b>July 2023</b>	Preparation of a Cost Proposal Change-Order for Preparation of Case Closure Documents	\$600.00
		<i>Item 2 Total: \$2,750.00</i>
Item 3 - Site Closure & Restoration		
<b>Proposed Timeline*</b>	<b>Tasks:</b> Solicit contractor bids, submit bid packets for NDEPaApproval, obtain Access Agreements for offsite work, abandon the monitor and remediation well network (26 onsite wells, 3 offsite wells, 1 well in ROW) , decommission the SVE system and infrastructure, and perform site restoration.	
	<b>Title</b>	<b>Amount</b>
<b>July 2023</b>	Preparation of a Cost Proposal for Site Closure & Restoration Activities	\$800.00
<b>July 2023</b>	Solicit Bids for Well Abandonment and System Decomission, Submit Bid Packages for NDEP approval (included in CEM costs below)	\$0.00
<b>Aug -Nov 2023</b>	Contractor Costs for Well Abandonment	\$100,000.00
<b>Aug -Nov 2023</b>	CEM Oversight for Well Abandonment	\$20,000.00
<b>Aug -Nov 2023</b>	Contractor Costs for System Decommission and Site Restoration	\$100,000.00
<b>Aug -Nov 2023</b>	CEM Oversight for System Decommission and Site Restoration	\$20,000.00
		<i>Item 3 Total: \$240,800.00</i>
Item 4 - Fund Reimbursement		
<b>Proposed Timeline*</b>	<b>Tasks:</b> Preparation of Reimbursement Claims.	
	<b>Title</b>	<b>Amount</b>
<b>Completed Jan-2023</b>	Reimbursement Claim Preparation (4th QTR 2022)	\$1,400.00
<b>July 2023</b>	Reimbursement Claim Preparation (for costs incurred Nov '22 through June '23)	\$1,400.00
<b>October 2023</b>	Reimbursement Claim Preparation (3rd QTR 2023)	\$1,400.00
<b>January 2024</b>	Reimbursement Claim Preparation (4th QTR 2023)	\$1,400.00
<b>April 2024</b>	Reimbursement Claim Preparation (1st QTR 2024 - <i>if required</i> )	\$1,400.00
		<i>Item 4 Total: \$7,000.00</i>
Total Estimated Remaining Project Costs		
	Estimated Cost to NFA	\$265,550.00
	Estimate Cost to Closure with 15% Contingency	\$305,382.50
	Small Business Copay (5%)	\$15,269.13
	Board Reduction (3%)	\$9,161.48
	Estimated Operator Responsibility	\$24,430.60

\*Timeline contingent on NDEP approvals of site closure documents and contractor availability

**ATTACHMENT C**

Email Correspondence from Case Officer Regarding Compliance with Cleanup Directives

## Megan Slayden

---

**From:** John Karr  
**Sent:** Thursday, May 11, 2023 10:37 AM  
**To:** Mike Cabble  
**Cc:** Megan Slayden; Benjamin Moan  
**Subject:** Re: Red Rock Mini Mart; Facility ID 8-000161; Fund Case ID 1996000064

Hi Michael,

For the facility, the only thing remaining is abandoning the wells and disconnecting/ dismantling the SVE system (site restoration).

I concur that we can move forward with closure. Documentation for the site shows no compliance issues and that Broadbent and the Esslinger group have been compliant and more than willing to remediate the site. It was the former operator who created the problem and the Esslinger's have taken full ownership of the problem and ensured clean up has been per NAC/ NDEP recommendations.

I will also update the file to reflect that Harold now holds the RP spot.

Jeremy (Broadbent) and the Esslinger's will be happy to know that they have done their due diligence and have gained closure for the site.

Respectfully,

---

**John Karr**

Environmental Scientist III  
Department of Conservation and Natural Resources  
Nevada Division of Environmental Protection  
Bureau of Corrective Actions  
375 E. Warm Springs Rd., Suite 200  
Las Vegas, NV 89119  
[jkarr@ndep.nv.gov](mailto:jkarr@ndep.nv.gov)  
(O) 702-668-3916



**ATTACHMENT D**

Letter from NDEP Requesting Closure Activities On Site





May 19, 2023

Harold Crutcher  
Esslinger Family Trust  
12932 N. 136th St.  
Scottsdale, AZ 85259

Subject: **Preliminary Decision to Close Open Case;  
Request to Properly Plug & Abandon all Site-related Monitoring and  
Remediation Wells and Conduct other Necessary Site Restoration Activities**

Facility: Former American Mini Mart/ Red Rock Mini Mart  
5525 W. Charleston Blvd.  
Las Vegas, NV 89102

Assessor's Parcel No.: 139-23-203-002

Facility ID: 8-000161

Petroleum Fund No.: 1996000064

Dear Harold Crutcher:

The Nevada Division of Environmental Protection (NDEP) has reviewed the *Closure Request Presentation* (Presentation) for the above-referenced site (Site) prepared by Jeremy Holst, Certified Environmental Manager (CEM) of Broadbent and Associates (Broadbent) on behalf of the Esslinger Family Trust. The February 2023 Presentation was submitted to evaluate the case for closure with residual groundwater contamination left in place.

The Presentaion summarizes activities conducted to satisfy the Nevada Administrative Code (NAC) 445A.22725(2). A no further action (NFA) is requested regarding the release of petroleum products from a former underground storage tank system at the Site. It is to be noted that Broadbent and the NDEP will present the case to the Nevada Petroleum Board (Board) on June 8, 2023, in an attempt to secure additional funds for site closure and restoration.

**Following review of the Presentation and case file, the NDEP has made a preliminary decision to close the open leaking underground storage tank case, 8-000161. As such, the Esslinger Family Trust is requested to conduct the following activities within 120 days of the date of this letter to enable development and distribution of an NFA letter:**

- **Submit geographical information system (GIS) shapefiles depicting the locations of groundwater with benzene and methyl tert butyl ether (MTBE) remaining above action levels. Please see Attachment A for shapefile formatting protocols;**
- **Properly plug and abandon all site-related monitoring and remediation wells per Nevada**



**Division of Water Resources (NDWR) regulations (NAC 534);**

- **Provide the undersigned case officer with copies of the certificates of abandonment (abandonment logs) filed with the NDWR;**
- **Cancel all applicable permits issued to the facility owner/operator of CEM with each respective appointing authority; and**
- **Conduct other site restoration activities, as needed.**

The NDEP will issue an NFA letter upon receipt of the referenced shapefiles, abandonment logs, and confirmation that the above activities have been completed, which are due by **September 18, 2023**. Please contact the undersigned case officer to request an extension if you are unable to meet this deadline.

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.

Please contact the undersigned in our Las Vegas office by telephone at (702) 668-3916 or via electronic mail at [jkarr@ndep.nv.gov](mailto:jkarr@ndep.nv.gov) if you have any questions or concerns regarding the contents of this letter.

Sincerely,



John Karr  
Environmental Scientist III  
Bureau of Corrective Actions  
Remediation and LUST Branch  
NDEP – Las Vegas

**Attachments:**

**Attachment A - Groundwater Closure Exemption, Shapefile Requirements**

ec Benjamin Moan, Remediation & LUST Supervisor, Las Vegas Office, [bmoan@ndep.nv.gov](mailto:bmoan@ndep.nv.gov)

Brian Northam, Environmental Health Supervisor, Environmental Compliance Section, Southern Nevada Health District, [northam@SNHD.org](mailto:northam@SNHD.org)

Bruno Stephani, Southern Nevada Health District, [stephani@snhd.org](mailto:stephani@snhd.org)

Carlito Rayos, Hazmat Coordinator, Clark County Office of Emergency Management, [Carlito.Rayos@ClarkCountyNV.gov](mailto:Carlito.Rayos@ClarkCountyNV.gov)

Chad Walling, Nevada Division of Water Resources, Well Drilling and Adjudications Section, [cwalling@water.nv.gov](mailto:cwalling@water.nv.gov)

Clark County Emergency Management, [OEM@clarkcountynv.gov](mailto:OEM@clarkcountynv.gov)

Don Warner, Bureau of Corrective Actions, Petroleum Fund Staff, [dwarner@ndep.nv.gov](mailto:dwarner@ndep.nv.gov)

Jeff Collins, Chief, NDEP Bureau of Corrective Actions, [jrcollins@ndep.nv.gov](mailto:jrcollins@ndep.nv.gov)

Jeremy Holst, Broadbent and Associates, Inc., 8 West Pacific Avenue, Henderson, NV 89015, [jholst@broadbentinc.com](mailto:jholst@broadbentinc.com)

John Guillory, P.E., Supervising Engineer, State of Nevada, D.C.N.R., Division of Water Resources, 400 Shadow Lane, Suite 201, Las Vegas, NV 89106, [jguillory@water.nv.gov](mailto:jguillory@water.nv.gov)

John Solvie, Planning Manager, Water Quality, Clark County Water Quality Reclamation District, [jsolvie@cleanwaterteam.com](mailto:jsolvie@cleanwaterteam.com)

Jonathan McRae, UST/LUST Supervisor, [jmcrac@ndep.nv.gov](mailto:jmcrac@ndep.nv.gov)

Joseph R. Leedy, Principal Planner, Water Quality, Clark County Water Quality Reclamation District, [jleedy@cleanwaterteam.com](mailto:jleedy@cleanwaterteam.com)

Linly Hazlett, Southern Nevada Health District, [hazlett@snhd.org](mailto: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  
Mike Simmons, Nevada Department of Transportation, msimmons@dot.state.nv.us  
Robert Piekarz, Nevada Department of Transportation, rpiekarz@dot.state.nv.us  
Scott Smale, DoD and Remediation Branch Supervisor, ssmale@ndep.nv.gov  
cc Ldr Partners, LLC, 3775 N. Freeway Blvd. Ste 101, Sacramento, CA 95834  
Lindell Living, LLC, 5055 W. Patrick Ln. Ste. 101, Las Vegas, NV 89118  
Smith & Shapiro - Registered Agent, 333 E. Serene Ave., Suite 130, Henderson, NV 89074

**ATTACHMENT E**

Case Officer Concurrence with Plan and Schedule

## Megan Slayden

---

**From:** Stephanie Holst <sholst@broadbentinc.com>  
**Sent:** Wednesday, May 24, 2023 1:32 PM  
**To:** Megan Slayden  
**Cc:** Jeremy Holst  
**Subject:** Fwd: Proposed Timeline for Closure Activities - Red Rock Mini Mart 8-000161, Fund ID 1996000064

**WARNING** - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Megan,

Here is the email from John.

**Stephanie Holst, CEM**  
**Senior Scientist**

t:702.563.0600 | m:702.353.5738  
sholst@broadbentinc.com

---

**From:** John Karr <jkarr@ndep.nv.gov>  
**Sent:** Monday, May 22, 2023, 9:35 AM  
**To:** Stephanie Holst <sholst@broadbentinc.com>  
**Cc:** Jeremy Holst <jholst@broadbentinc.com>  
**Subject:** Re: Proposed Timeline for Closure Activities - Red Rock Mini Mart 8-000161, Fund ID 1996000064

No changes necessary.

Both Ben Moan and Mike Cabble have reviewed the timeline and have approved the estimates.

Respectfully,

---

**John Karr**  
Environmental Scientist III  
Department of Conservation and Natural Resources  
Nevada Division of Environmental Protection  
Bureau of Corrective Actions  
375 E. Warm Springs Rd., Suite 200  
Las Vegas, NV 89119  
[jkarr@ndep.nv.gov](mailto:jkarr@ndep.nv.gov)  
(O) 702-668-3916



---

**From:** Stephanie Holst <sholst@broadbentinc.com>

**Sent:** Friday, May 19, 2023 4:18 PM

**To:** John Karr <jkarr@ndep.nv.gov>

**Cc:** Jeremy Holst <jholst@broadbentinc.com>

**Subject:** Proposed Timeline for Closure Activities - Red Rock Mini Mart 8-000161, Fund ID 1996000064

**WARNING** - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

John,

In an effort to keep this moving along, we went ahead and finalized the timeline - please find our submittal attached. Happy to make any changes as you see fit, just let me know.

Thank you & have a great weekend!

**Stephanie Holst, CEM**  
**Senior Scientist**

8 W Pacific Ave, Henderson, NV 89015

t:702.563.0600 | m:702.353.5738

sholst@broadbentinc.com | broadbentinc.com



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**Agenda Item 7:  
Board Discussion for Proposed Policy  
Resolution No. 2023-01**

(FOR DISCUSSION)

STATE BOARD TO REVIEW CLAIMS  
MEETING OF SEPTEMBER XX, 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 make a determination that 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 consideration and Board 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 requesting approval from the Board for an additional allotment of cleanup funding must first submit the request to the Executive Secretary of the Board. A 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 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 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.
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.

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.
  - (b) Full-scale free product recovery, if applicable.
  - (c) Delineation and removal of petroleum hydrocarbon sources via excavation, to the extent practicable.
  - (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.
  - (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.
  - (f) Outline how operation, monitoring, and maintenance of the remediation system will be conducted and reported to ensure the effectiveness of the remediation efforts.
  - (g) 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).
  - (h) Periodic review with the Division cleanup case officer to ensure the plan and schedule remains viable (semiannual reviews recommended).
  - (i) A statement that changes in site conditions will be addressed via an updated/revised plan and schedule when required by the Division.
  - (j) Any additional information requested by the Division or Board.

Failure to comply with the Division-approved plan and schedule may result in 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.
6. If 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.
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 or not 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.

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. 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. Upon receiving a request for an additional allotment of cleanup funding, 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 by Fund staff to approve the additional allotment if all Division requirements appear to be met. The Board will have final approval authority if it determines 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 XX, 2023.

---

Maureen Tappan, Chair  
Nevada Board to Review Claims

ATTACHMENT A  
Nevada Revised Statute 445C.380

DRAFT

**NRS 445C.380 Allocation of costs resulting from discharge from other storage tanks; additional allotments from Fund; requirement to hold public hearings under certain circumstances.**

1. If the costs resulting from a discharge from any other storage tank exceed \$5,000, the costs must be paid as follows, to the extent applicable:
  - (a) By an operator which is an agency, department, division or political subdivision of the State, 10 percent or \$10,000, whichever is less, of the first \$1,000,000 for cleaning up each storage tank and of the first \$1,000,000 of liability for damages from each storage tank to any person other than this State or the operator of the storage tank, or both amounts. The balance of the first \$1,000,000 for cleaning up each storage tank or for damages from each storage tank must be paid from the Fund, but the total amount paid from the Fund pursuant to this paragraph in any one fiscal year for discharges from two or more storage tanks under the control of any one operator must not exceed \$1,980,000 for cleaning up the tanks and \$1,980,000 for damages.
  - (b) By an operator which is a small business, 5 percent of the first \$1,000,000 for cleaning up each storage tank and of the first \$1,000,000 of liability for damages from each storage tank to a person other than this State or the operator of the storage tank, or both amounts. The total amount paid by an operator pursuant to this paragraph must not exceed \$50,000 for cleaning up and \$50,000 for damages regardless of the number of storage tanks involved. The balance of the first \$1,000,000 for cleaning up each storage tank or for damages from each storage tank must be paid from the Fund, but the total amount paid from the Fund pursuant to this paragraph in any one fiscal year for discharges from two or more storage tanks under the control of any one operator must not exceed \$1,950,000 for cleaning up the storage tanks and \$1,950,000 for damages. For the purpose of this limitation, a group of operators more than 50 percent of whose net worth is beneficially owned by the same person or persons constitutes one operator.
  - (c) By all other operators:
    - (1) Ten percent of the first \$1,000,000 for cleaning up each storage tank and of the first \$1,000,000 of liability for damages from each storage tank to a person other than this State or the operator of the storage tank, or both amounts.
    - (2) Ninety percent of the first \$1,000,000 for cleaning up each storage tank and of the first \$1,000,000 of liability for damages from each storage tank must be paid from the Fund.
      - ↳ The total amount paid from the Fund pursuant to subparagraph (2) in any one fiscal year for discharges from two or more storage tanks under the control of any one operator must not exceed \$1,800,000 for cleaning up the storage tanks and \$1,800,000 for damages. For the purpose of this limitation, a group of operators more than 50 percent of whose net worth is beneficially owned by the same person or persons constitutes one operator.
2. Any further cost for damages which is in excess of the amount paid pursuant to subsection 1 must be paid by the operator.
3. Except as otherwise provided in subsections 4 and 5, any further cost for cleaning up which is in excess of the amount paid pursuant to subsection 1 must be paid by the operator.
4. 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.
5. 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.
6. 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.
7. A political subdivision of the State that receives money from the Fund pursuant to subsection 1, 4 or 5 to pay for the costs of cleaning up shall hold one public hearing upon initiation of the cleanup and one public hearing every 3 months thereafter until the cleanup is completed to ensure that the cleanup complies with any requirements of the Division concerning the cost-effectiveness of cleaning up. The costs incurred by the political subdivision for the hearing must not be attributed to the political subdivision as part of the costs paid by the political subdivision pursuant to subsection 1, 4 or 5.
8. For the purposes of this section, the Board shall define by regulation “small business.”
9. As used in this section, “site” means the facility, whether situated on a single parcel or on multiple adjacent parcels, where the storage tank is located.

(Added to NRS by [2015, 3605](#); A [2021, 1865](#))

**Agenda Item 8:  
Adoption of Consent Items**  
(FOR POSSIBLE ACTION)

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

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

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



**ONGOING CASES**

			<b><u>REQUESTED</u></b>	<b><u>RECOMMENDED</u></b>	
FOR POSSIBLE ACTION	1.	1992000126; 80502	Clark County School District: Rc White (Arville) Transportation Satellite	\$106,837.71	\$106,146.34
FOR POSSIBLE ACTION	2.	1995000039; 80469	Al Park Petroleum, Inc.: Crescent Valley Market	\$16,794.51	\$15,115.06
FOR POSSIBLE ACTION	3.	1995000042; 80370	FBF Inc.: Gas 4 Less	\$174,954.67	\$174,954.67
FOR POSSIBLE ACTION	4.	1996000101; 80327	Phillips 66 Company: Circle K Store #2700695	\$50,328.64	\$45,295.78
FOR POSSIBLE ACTION	5.	1998000075; 80455	55 McDermitt Crude, LLC: McDermitt Motel & Convenience Store	\$10,373.09	\$9,265.75
FOR POSSIBLE ACTION	6.	1999000014; 80478	Al Park Petroleum, Inc.: Pit Stop #7 Conoco	\$9,946.48	\$8,779.10
FOR POSSIBLE ACTION	7.	1999000023; 80492	Nevada Ready Mix Corp: Nevada Ready Mix	\$26,741.38	\$23,209.99
FOR POSSIBLE ACTION	8.	2007000014; 80503	Raiders Oz Business, LLC: Former Ace Cab/frias Transportation	\$67,794.77	\$61,015.29
FOR POSSIBLE ACTION	9.	2007000016; 80470	Golden Gate Petroleum Of Nevada LLC: Golden Gate Sun Valley #43	\$7,504.24	\$6,649.60
FOR POSSIBLE ACTION	10.	2008000019; 80427	One Panou LLC: Golden Market #3	\$31,213.43	\$28,051.59
FOR POSSIBLE ACTION	11.	2009000024; 80480	Sjk Investments LLC: Chucks Circle C Market	\$14,891.47	\$13,402.32
FOR POSSIBLE ACTION	12.	2010000009; 80471	Hpt Ta Properties Trust: Mill City Travel Center	\$9,164.24	\$7,422.24
FOR POSSIBLE ACTION	13.	2011000009; 80472	Cimarron West: Cimarron West	\$21,266.76	\$19,140.08
FOR POSSIBLE ACTION	14.	2012000005; 80443	Travel Systems, LLC: Zephyr Cove Resort	\$69,090.75	\$61,899.58
FOR POSSIBLE ACTION	15.	2012000012; 80479	Clark County Department Of Aviation: Former Smart Mart	\$9,728.70	\$8,755.83
FOR POSSIBLE ACTION	16.	2013000019; 80445	Hardy Enterprises INC: Elko Sinclair #53	\$73,625.14	\$66,262.63
FOR POSSIBLE ACTION	17.	2014000016; 80302	Smitten Oil And Tire Co Inc: Former Smedley's Chevron	\$9,241.90	\$8,317.71
FOR POSSIBLE ACTION	18.	2014000025; 80477	Superior Campgrounds Of America, LLC: Silver City Rv Resort	\$16,965.67	\$13,279.59
FOR POSSIBLE ACTION	19.	2015000009; 80474	Hpt Ta Properties Trust: Las Vegas Travel Center	\$11,444.50	\$10,300.05
FOR POSSIBLE ACTION	20.	2016000005; 80475	Golden Gate S.e.t. Retail Of Nevada, LLC: Golden Gate Petroleum 65 - Fallon	\$6,574.42	\$5,916.98
FOR POSSIBLE ACTION	21.	2016000023; 80476	Al Park Petroleum, Inc.: Pit Stop #1	\$28,311.33	\$20,384.15
FOR POSSIBLE ACTION	22.	2016000027; 80489	Terrible Herbst Inc: Terrible Herbst #272	\$32,974.15	\$26,682.33
FOR POSSIBLE ACTION	23.	2017000015; 80465	Ellen 5 LLC: Green Valley Grocery #63	\$34,331.22	\$30,898.10
FOR POSSIBLE ACTION	24.	2017000019; 80482	Rebel Oil Company: Rebel Store #2197	\$8,388.50	\$7,549.65
FOR POSSIBLE ACTION	25.	2017000035; 80495	Rebel Oil Company: Rebel Store #2177	\$12,127.73	\$10,914.96
FOR POSSIBLE ACTION	26.	2018000009; 80451	Reed Incorporated: Pacific Pride	\$88,983.03	\$77,663.82
FOR POSSIBLE ACTION	27.	2019000014; 80485	Western Cab Co: Western Cab CO	\$9,859.98	\$7,261.65
FOR POSSIBLE ACTION	28.	2020000015; 80463	Canyon Plaza, LLC: Gas 2 Go	\$70,048.17	\$37,390.89
FOR POSSIBLE ACTION	29.	2020000016; 80378	LV Petroleum LLC: Us Gas #7	\$39,287.13	\$35,236.92
FOR POSSIBLE ACTION	30.	2021000027; 80496	Horizon C Stores, LLC: Horizon Market #5	\$3,001.50	\$2,701.35

<b>SUB TOTAL:</b>	<b><u>\$1,071,795.21</u></b>	<b><u>\$949,864.00</u></b>
<b>RECOMMENDED CLAIMS TOTAL:</b>	<b><u>\$1,695,679.03</u></b>	<b><u>\$1,402,021.21</u></b>

Case: #1992000126  
Claim #: 80502

**STAFF RECOMMENDATION**

June 08, 2023

Staff recommends this claim be reimbursed \$106,146.34 from the Petroleum Fund for cleanup costs.

	\$2,885,214.86	Amount Requested to Date
	(\$160,571.38)	Amount Disallowed, Past Claims
	(\$40,000.00)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,557,183.76)</u>	Amount Paid to Date
SUB TOTAL	\$106,837.71	Amount Requested this Meeting
	<u>(\$691.37)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$106,146.34	
	<u>\$0.00</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$106,146.34	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 12/30/2022 and 04/11/2023

**Summary of work completed:** 4th Quarter 2022 report preparation, drilling of 6 deep screened monitoring wells, disposal of wastes from well drilling, well development, 2 monthly groundwater sampling events (January and March), and 1 quarterly groundwater sampling event (1st Quarter 2023).

## 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)

<b>Fund Coverage</b>	\$4,000,000.00
<b>Amount Fund Will Pay</b>	\$3,960,000.00
<b>Amount Requested</b>	\$2,885,214.86
<b>Amount Disallowed</b>	\$161,262.75
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$40,000.00
<b>Amount Recommended</b>	\$2,683,952.11
<b>Amount Paid</b>	\$2,577,805.77

### Site Identification

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

### Site Characteristics

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

Case: #1995000039  
Claim #: 80469

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$15,115.06 from the Petroleum Fund for cleanup costs.

	\$1,980,533.50	Amount Requested to Date
	(\$94,915.60)	Amount Disallowed, Past Claims
	(\$117,990.84)	Board Reduction, Past Claims
	(\$175,083.26)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,478,257.57)</u>	Amount Paid to Date
SUB TOTAL	\$16,794.51	Amount Requested this Meeting
	<u>(\$1,679.45)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$15,115.06	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 10/28/2022 and 04/14/2023

**Summary of work completed:** Prepare petroleum fund documentation, project management and client communication, prepare and submit 4th quarter GMR, conduct 4th quarter groundwater sampling event. Task F.4 including coordination of groundwater sampling event, collection of 9 groundwater samples, and travel to CV from Reno and to Elko.

## 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)

<b>Fund Coverage</b>	\$2,652,818.63
<b>Amount Fund Will Pay</b>	\$2,387,536.77
<b>Amount Requested</b>	\$1,980,533.50
<b>Amount Disallowed</b>	\$94,915.60
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$117,990.84
<b>Pending Copay/Deductible</b>	\$1,679.45
<b>Copay/Deductible</b>	\$175,083.26
<b>Amount Recommended</b>	\$1,563,526.85
<b>Amount Paid</b>	\$1,548,411.79

### Site Identification

<b>Date Submitted:</b>	09/21/1994	<b>DEP Facility Number:</b>	6-000318
<b>Site Name</b>	Crescent Valley Market	<b>Telephone:</b>	(775)934-3818
<b>Site Contact</b>	Pam Williams		
<b>Site Address</b>	3093 Crescent Ave Crescent Valley, NV 89821		
<b>County:</b>	Eureka County		
<b>Owner/Operator Name:</b>	AL Park Petroleum, Inc.		
<b>Contact Name of Owner/Operator:</b>	Pam Williams 379 Westby Drive Spring Creek, NV 89815	<b>Telephone:</b>	(775)934-3818
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	6995 Sierra Center Parkway Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	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: #1995000042  
Claim #: 80370

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$174,954.67 from the Petroleum Fund for cleanup costs.

	\$2,935,924.93	Amount Requested to Date
	(\$47,511.05)	Amount Disallowed, Past Claims
	(\$261,391.93)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,452,067.28)</u>	Amount Paid to Date
SUB TOTAL	\$174,954.67	Amount Requested this Meeting
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$174,954.67</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/31/2022 and 02/28/2023

**Summary of work completed:** Project management; May 2022 semi-annual groundwater sampling event and report preparation; installation of ozone sparge wells and remediation system; collection of background water samples for UIC permit; preparation of a UIC permit application; and generation of Cost Proposals and reimbursement claims.

## 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)

<b>Fund Coverage</b>	\$3,000,000.00
<b>Amount Fund Will Pay</b>	\$2,738,608.07
<b>Amount Requested</b>	\$2,935,924.93
<b>Amount Disallowed</b>	\$47,511.05
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$261,391.93
<b>Amount Recommended</b>	\$2,627,021.95
<b>Amount Paid</b>	\$2,452,067.28

### Site Identification

<b>Date Submitted:</b>	10/25/1994	<b>DEP Facility Number:</b>	8-000251
<b>Site Name</b>	Gas 4 Less	<b>Telephone:</b>	(702)643-6465
<b>Site Contact</b>	Mahmoodreza Radeh		
<b>Site Address</b>	3283 Las Vegas Blvd N Las Vegas, NV 89115		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	FBF Inc.		
<b>Contact Name of Owner/Operator:</b>	Mahmoodreza Radeh 3283 Las Vegas Boulevard North Las Vegas, NV 89115	<b>Telephone:</b>	(702)883-3859
<b>Prime Contractor</b>	Broadbent & Associates		
<b>Contact Name</b>	Jonathan Bell		
<b>Contractor Address</b>	8 West Pacific Ave. Henderson, NV 89015		
<b>Telephone:</b>	(702)563-0600	<b>% Board Reduction:</b>	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: #1996000101  
Claim #: 80327

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$45,295.78 from the Petroleum Fund for cleanup costs.

	\$2,679,187.20	Amount Requested to Date
	(\$43,655.38)	Amount Disallowed, Past Claims
	(\$258,520.31)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,326,682.87)</u>	Amount Paid to Date
SUB TOTAL	\$50,328.64	Amount Requested this Meeting
	<u>(\$5,032.86)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$45,295.78	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 10/18/2021 and 09/02/2022

**Summary of work completed:** Well abandonment of all on-site and off-site wells, limited resurfacing/encroachment permit coordination with Clark County and City of Las Vegas, traffic control for right-of-way wells, Nevada Energy closeout paperwork, revised HASP for well abandonment and system decommissioning, carbon vessel removal and system decommissioning, NTEP preparation and petroleum fund claims, waiver request, general project management.

## 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)

<b>Fund Coverage</b>	\$3,000,000.00
<b>Amount Fund Will Pay</b>	\$2,700,000.00
<b>Amount Requested</b>	\$2,679,187.20
<b>Amount Disallowed</b>	\$43,655.38
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$5,032.86
<b>Copay/Deductible</b>	\$258,520.31
<b>Amount Recommended</b>	\$2,371,978.65
<b>Amount Paid</b>	\$2,326,682.87

### Site Identification

<b>Date Submitted:</b>	05/22/1996	<b>DEP Facility Number:</b>	8-000129
<b>Site Name</b>	Circle K Store #2700695	<b>Telephone:</b>	
<b>Site Contact</b>			
<b>Site Address</b>	428 S Valley View Blvd Las Vegas, NV 89107		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Phillips 66 Company		
<b>Contact Name of Owner/Operator:</b>	Eli Gurian 3900 Kilroy Airport Way, Suite #210 Long Beach, CA 90806	<b>Telephone:</b>	(562)290-1537
<b>Prime Contractor</b>	Atc Group Services DBA Atlas Technical Consultants		
<b>Contact Name</b>	Anne Linette McMonagle		
<b>Contractor Address</b>	921 American Pacific Drive, Henderson, NV, Usa, Suite 309 Henderson, NV 89014		
<b>Telephone:</b>	(810)772-9841	<b>% Board Reduction:</b>	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: #1998000075  
Claim #: 80455

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$9,265.75 from the Petroleum Fund for cleanup costs.

	\$613,912.13	Amount Requested to Date
	(\$12,401.31)	Amount Disallowed, Past Claims
	(\$59,113.77)	Deductible/Co-Payment Satisfied to Date
	<u>(\$532,023.96)</u>	Amount Paid to Date
SUB TOTAL	\$10,373.09	Amount Requested this Meeting
	<u>(\$77.81)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$10,295.28	
	<u>(\$1,029.53)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$9,265.75	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 08/04/2022 and 03/31/2023

**Summary of work completed:** Project management and client communication, finalize and submit 3Q GMR, prepare and submit 4Q GMR, prepare petroleum fund documentation, coordinate and conduct 1st quarter groundwater sampling event.

## Site Summary Report

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

### Site Status

Synopsis: CORROSION HOLES OBSERVED IN TANKS DURING REMOVAL.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$613,912.13
Amount Disallowed	\$12,479.12
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,029.53
Copay/Deductible	\$59,113.77
Amount Recommended	\$541,289.71
Amount Paid	\$532,023.96

### Site Identification

Date Submitted:	06/01/1998	DEP Facility Number:	5-000056
Site Name	McDermitt Motel & Convenience Store		
Site Contact	Narinder Mall	Telephone:	(775)421-6484
Site Address	55 Us-95 N Mc Dermitt, NV 89421		
County:	Humboldt County		
Owner/Operator Name:	55 McDermitt Crude, LLC		
Contact Name of Owner/Operator:	Narinder Mall	Telephone:	(775)421-6484
	1620 West Winnemucca Boulevard Winnemucca, NV 89445		
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	6995 Sierra Center Parkway Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
8	6000	23	Regulated UST	See Synopsis
7	10000	23	Regulated UST	See Synopsis

Case: #1999000014  
Claim #: 80478

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$8,779.10 from the Petroleum Fund for cleanup costs.

	\$1,117,140.64	Amount Requested to Date
	(\$65,172.93)	Amount Disallowed, Past Claims
	(\$71,518.04)	Board Reduction, Past Claims
	(\$97,050.34)	Deductible/Co-Payment Satisfied to Date
	(\$832,167.50)	Amount Paid to Date
SUB TOTAL	<u>\$9,946.48</u>	Amount Requested this Meeting
	(\$191.92)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$9,754.56</u>	
	(\$975.46)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$8,779.10</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 10/28/2022 and 02/28/2023

**Summary of work completed:** Finalize and submit 3Q GMR, prepare petroleum fund documentation, prepare and submit 4th quarter GMR, coordination and planning, travel to and from site, sampling of 10 wells.

## 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)

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,625,400.00
<b>Amount Requested</b>	\$1,117,140.64
<b>Amount Disallowed</b>	\$65,364.85
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$71,518.04
<b>Pending Copay/Deductible</b>	\$975.46
<b>Copay/Deductible</b>	\$97,050.34
<b>Amount Recommended</b>	\$882,231.95
<b>Amount Paid</b>	\$873,452.85

### Site Identification

<b>Date Submitted:</b>	09/10/1998	<b>DEP Facility Number:</b>	6-000009
<b>Site Name</b>	Pit Stop #7 Conoco	<b>Telephone:</b>	(775)934-3818
<b>Site Contact</b>	Pam Williams		
<b>Site Address</b>	1600 Idaho St Elko, NV 89801		
<b>County:</b>	Elko County		
<b>Owner/Operator Name:</b>	AL Park Petroleum, Inc.		
<b>Contact Name of Owner/Operator:</b>	Pam Williams 379 Westby Drive Spring Creek, NV 89815	<b>Telephone:</b>	(775)934-3818
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	6995 Sierra Center Parkway Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	0.00

### Site Characteristics

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

Case: #1999000023  
Claim #: 80492

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$23,209.99 from the Petroleum Fund for cleanup costs.

	\$815,703.18	Amount Requested to Date
	(\$3,661.47)	Amount Disallowed, Past Claims
	(\$78,530.02)	Deductible/Co-Payment Satisfied to Date
	(\$324,425.62)	Amount Paid to Date
SUB TOTAL	<u>\$26,741.38</u>	Amount Requested this Meeting
	(\$952.50)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$25,788.88</u>	
	(\$2,578.89)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$23,209.99</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 12/30/2022 and 04/04/2023

**Summary of work completed:** Project management and coordination, Remediation System O&M (January 2023 - March 2023), CEM Conducted Monthly System maintenance (January 2023 - March 2023), preparation of remediation system permit report, preparation of status report, preparation of petroleum fund claim, preparation of cost proposal, traffic control services, 1st Quarter 2023 Groundwater Well Sampling and/or free product removal, 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)

<b>Fund Coverage</b>	\$3,000,000.00
<b>Amount Fund Will Pay</b>	\$2,700,000.00
<b>Amount Requested</b>	\$815,703.18
<b>Amount Disallowed</b>	\$4,613.97
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$2,578.89
<b>Copay/Deductible</b>	\$78,530.02
<b>Amount Recommended</b>	\$729,980.30
<b>Amount Paid</b>	\$706,770.31

## Site Identification

<b>Date Submitted:</b>	11/06/1998	<b>DEP Facility Number:</b>	8-000272
<b>Site Name</b>	Nevada Ready Mix		
<b>Site Contact</b>	Miller, Randy	<b>Telephone:</b>	(702)457-1115
<b>Site Address</b>	601 W Bonanza Rd Las Vegas, NV 89106		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Nevada Ready Mix Corp		
<b>Contact Name of Owner/Operator:</b>	Larry Miller 151 Cassia Way Henderson, NV 89014	<b>Telephone:</b>	(702)457-1115
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	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: #2007000014  
Claim #: 80503

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$61,015.29 from the Petroleum Fund for cleanup costs.

	\$4,811,321.95	Amount Requested to Date
	(\$37,219.82)	Amount Disallowed, Past Claims
	(\$470,630.73)	Deductible/Co-Payment Satisfied to Date
	<u>(\$4,065,463.42)</u>	Amount Paid to Date
SUB TOTAL	\$67,794.77	Amount Requested this Meeting
	<u>(\$6,779.48)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$61,015.29	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 12/30/2022 and 04/20/2023

**Summary of work completed:** 4th Quarter 2022 report preparation, Pulse-Ox System O&M and Maintenance, permit report preparation, Health and Safety report update preparation. and 1st Quarter 2023 groundwater sampling event.

# 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)

<b>Fund Coverage</b>	\$6,000,000.00
<b>Amount Fund Will Pay</b>	\$5,400,000.00
<b>Amount Requested</b>	\$4,811,321.95
<b>Amount Disallowed</b>	\$37,219.82
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$6,779.48
<b>Copay/Deductible</b>	\$470,630.73
<b>Amount Recommended</b>	\$4,296,691.92
<b>Amount Paid</b>	\$4,235,676.63

## Site Identification

<b>Date Submitted:</b>	11/30/2006	<b>DEP Facility Number:</b>	8-000204
<b>Site Name</b>	Former Ace Cab/frias Transportation		
<b>Site Contact</b>	Don Webb	<b>Telephone:</b>	(510)610-7667
<b>Site Address</b>	5010 S Valley View Blvd Las Vegas, NV 89118		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Raiders Oz Business, LLC		
<b>Contact Name of Owner/Operator:</b>	Greg Gilbert	<b>Telephone:</b>	(702)669-4600
	1475 Raiders Way Henderson, NV 89052		
<b>Prime Contractor</b>	Converse Consultants		
<b>Contact Name</b>	Kurt Goebel		
<b>Contractor Address</b>	6610 W. Arby, Suite 104 Las Vegas, NV 89118		
<b>Telephone:</b>	(702)271-6839 Ext: 2	<b>% Board Reduction:</b>	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	34	Regulated UST	Tank
003	10000	16	Regulated UST	Pipe
001	20000	26	Regulated UST	tank fill riser

Case: #2007000016  
Claim #: 80470

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$6,649.60 from the Petroleum Fund for cleanup costs.

	\$667,928.51	Amount Requested to Date
	(\$1,338.12)	Amount Disallowed, Past Claims
	(\$65,908.61)	Deductible/Co-Payment Satisfied to Date
	(\$588,927.43)	Amount Paid to Date
SUB TOTAL	<u>\$7,504.24</u>	Amount Requested this Meeting
	(\$115.80)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$7,388.44</u>	
	(\$738.84)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$6,649.60</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/23/2023 and 02/28/2023

**Summary of work completed:** Project management and client communication, coordinate and conduct 1st quarter groundwater sampling event, prepare and submit 4th quarter GMR, prepare petroleum fund documentation.

## 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)

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,800,000.00
<b>Amount Requested</b>	\$667,928.51
<b>Amount Disallowed</b>	\$1,453.92
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$738.84
<b>Copay/Deductible</b>	\$65,908.61
<b>Amount Recommended</b>	\$599,827.14
<b>Amount Paid</b>	\$593,177.54

### Site Identification

<b>Date Submitted:</b>	12/14/2006	<b>DEP Facility Number:</b>	4-000408
<b>Site Name</b>	Golden Gate Sun Valley #43	<b>Telephone:</b>	(775)850-3010
<b>Site Contact</b>	Graham Brown		
<b>Site Address</b>	5190 Sun Valley Blvd Sun Valley, NV 89433		
<b>County:</b>	Washoe County		
<b>Owner/Operator Name:</b>	Golden Gate Petroleum Of Nevada LLC		
<b>Contact Name of Owner/Operator:</b>	Nacho Aguilar 16580 Wedge Parkway Reno, NV 89511	<b>Telephone:</b>	(775)850-3010
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	6995 Sierra Center Parkway Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	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: #2008000019  
Claim #: 80427

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$28,051.59 from the Petroleum Fund for cleanup costs.

	\$756,671.83	Amount Requested to Date
	(\$20,546.94)	Amount Disallowed, Past Claims
	(\$70,491.12)	Deductible/Co-Payment Satisfied to Date
	(\$591,107.72)	Amount Paid to Date
SUB TOTAL	<u>\$31,213.43</u>	Amount Requested this Meeting
	(\$45.00)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$31,168.43</u>	
	(\$3,116.84)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$28,051.59</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/25/2022 and 12/31/2022

**Summary of work completed:** Project management; work plan preparation; drilling activities; preparation of an Additional Characterization Report; quarterly monitoring (3Q, 4Q 2022); and quarterly status report preparation (2Q, 3Q, 4Q 2022).

## 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 NORTHEASTMOST 10,000 GALLON UNDERGROUND STORAGE TANK (UST) SYSTEM, WHICH CONTAINED GASOLINE AT THE TIME OF RELEASE.

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

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$900,000.00
<b>Amount Requested</b>	\$756,671.83
<b>Amount Disallowed</b>	\$20,591.94
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$3,116.84
<b>Copay/Deductible</b>	\$70,491.12
<b>Amount Recommended</b>	\$662,471.93
<b>Amount Paid</b>	\$634,420.34

### Site Identification

<b>Date Submitted:</b>	04/16/2008	<b>DEP Facility Number:</b>	8-001393
<b>Site Name</b>	Golden Market #3	<b>Telephone:</b>	
<b>Site Contact</b>			
<b>Site Address</b>	3025 Las Vegas Blvd North North Las Vegas, NV 89030		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	One Panou LLC		
<b>Contact Name of Owner/Operator:</b>	Amer (Jack) Panou 3025 North Las Vegas Blvd. Las Vegas, NV 89030	<b>Telephone:</b>	(702)285-3678
<b>Prime Contractor</b>	Broadbent & Associates		
<b>Contact Name</b>	Jonathan Bell		
<b>Contractor Address</b>	8 West Pacific Ave. Henderson, NV 89015		
<b>Telephone:</b>	(702)563-0600	<b>% Board Reduction:</b>	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 #: 80480

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$13,402.32 from the Petroleum Fund for cleanup costs.

	\$1,368,109.32	Amount Requested to Date
	(\$13,074.55)	Amount Disallowed, Past Claims
	(\$134,014.31)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,206,128.99)</u>	Amount Paid to Date
SUB TOTAL	\$14,891.47	Amount Requested this Meeting
	<u>(\$1,489.15)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$13,402.32	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/16/2023 and 04/06/2023

**Summary of work completed:** For the final invoice for 2022, we prepared the 4Q discharge report, submitted the 4Q Groundwater Monitoring Report, and prepared the previous claim package. For the first invoice for 2023, we continued monthly O&M, prepared the 1Q discharge reports, conducted the 1Q groundwater monitoring and sampling event, prepared the 1Q Groundwater Monitoring Report, and prepared and submitted the 2023 Cost Proposal.

## Site Summary Report

Case Number: 2009000024 Site Name: Chucks Circle C Market

### Site Status

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

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

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,800,000.00
<b>Amount Requested</b>	\$1,368,109.32
<b>Amount Disallowed</b>	\$13,074.55
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$1,489.15
<b>Copay/Deductible</b>	\$134,014.31
<b>Amount Recommended</b>	\$1,219,531.31
<b>Amount Paid</b>	\$1,206,128.99

### Site Identification

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

### Site Characteristics

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



Case: #201000009  
Claim #: 80471

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$7,422.24 from the Petroleum Fund for cleanup costs.

	\$1,346,233.07	Amount Requested to Date
	(\$58,519.79)	Amount Disallowed, Past Claims
	(\$125,322.35)	Board Reduction, Past Claims
	(\$115,322.67)	Deductible/Co-Payment Satisfied to Date
	(\$793,832.64)	Amount Paid to Date
SUB TOTAL	<u>\$9,164.24</u>	Amount Requested this Meeting
	(\$0.98)	Amount Disallowed this Meeting
	<u>(\$916.33)</u>	Board Reduction, This Meeting
SUB TOTAL	<u>\$8,246.93</u>	
	(\$824.69)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$7,422.24</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/27/2023 and 03/31/2023

**Summary of work completed:** Project management and client communication, prepare and submit 4th quarter GMR, prepare petroleum fund documentation, coordination and planning, travel time, conduct groundwater sampling event.

## Site Summary Report

Case Number: 2010000009 Site Name: Mill City Travel Center

### Site Status

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

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

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,620,000.00
<b>Amount Requested</b>	\$1,346,233.07
<b>Amount Disallowed</b>	\$58,520.77
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$126,238.68
<b>Pending Copay/Deductible</b>	\$824.69
<b>Copay/Deductible</b>	\$115,322.67
<b>Amount Recommended</b>	\$1,045,326.26
<b>Amount Paid</b>	\$1,037,904.02

### Site Identification

<b>Date Submitted:</b>	11/16/2009	<b>DEP Facility Number:</b>	5-000016
<b>Site Name</b>	Mill City Travel Center	<b>Telephone:</b>	(775)538-7311
<b>Site Contact</b>	Jack Burnett		
<b>Site Address</b>	6000 Frontage Rd Mill City, NV 89418		
<b>County:</b>	Pershing County		
<b>Owner/Operator Name:</b>	Hpt Ta Properties Trust		
<b>Contact Name of Owner/Operator:</b>	Sarah Paulson 24601 Center Ridge Road Westlake, OH 44145	<b>Telephone:</b>	(440)808-4459
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	6995 Sierra Center Parkway Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	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: #2011000009  
Claim #: 80472

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$19,140.08 from the Petroleum Fund for cleanup costs.

	\$1,243,855.36	Amount Requested to Date
	(\$14,211.56)	Amount Disallowed, Past Claims
	(\$120,837.71)	Deductible/Co-Payment Satisfied to Date
	(\$979,518.02)	Amount Paid to Date
SUB TOTAL	<u>\$21,266.76</u>	Amount Requested this Meeting
	(\$2,126.68)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$19,140.08</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/12/2023 and 04/07/2023

**Summary of work completed:** Project management and client communication, conduct 4th quarter groundwater sampling event, prepare petroleum fund documentation, replace repair blower and install, conduct O&M on system for re-start, replacing sound reducing rock drum (after freezing) evaluating data and making adjustments as necessary, travel time to/from site, conduct 1st quarter groundwater sampling,

# 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)

<b>Fund Coverage</b>	\$3,000,000.00
<b>Amount Fund Will Pay</b>	\$2,700,000.00
<b>Amount Requested</b>	\$1,243,855.36
<b>Amount Disallowed</b>	\$14,211.56
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$2,126.68
<b>Copay/Deductible</b>	\$120,837.71
<b>Amount Recommended</b>	\$1,102,142.51
<b>Amount Paid</b>	\$1,083,002.43

## Site Identification

<b>Date Submitted:</b>	06/06/2011	<b>DEP Facility Number:</b>	6-000156
<b>Site Name</b>	Cimarron West	<b>Telephone:</b>	(775)738-9861
<b>Site Contact</b>	John Carpenter		
<b>Site Address</b>	1400 Mountain City Hwy Elko, NV 89801		
<b>County:</b>	Elko County		
<b>Owner/Operator Name:</b>	Cimarron West		
<b>Contact Name of Owner/Operator:</b>	Linda Meo P O Box 190 Elko, NV 89803	<b>Telephone:</b>	(775)738-9861
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	6995 Sierra Center Parkway Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	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 #: 80443

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$61,899.58 from the Petroleum Fund for cleanup costs.

	\$4,029,614.62	Amount Requested to Date
	(\$141,285.69)	Amount Disallowed, Past Claims
	(\$381,923.82)	Deductible/Co-Payment Satisfied to Date
	<u>(\$3,402,468.39)</u>	Amount Paid to Date
SUB TOTAL	\$69,090.75	Amount Requested this Meeting
	<u>(\$313.44)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$68,777.31	
	<u>(\$6,877.73)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$61,899.58	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/04/2022 and 12/22/2022

**Summary of work completed:** 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 NTEP, and NTEP change order preparation. Coordinate waste disposal. Reviewing historical data to prepare additional maps, hydrographs, and tables requested by NDEP and discuss options on how to present the data with the NDEP. Reviewing the biotrap groundwater sample data. Continue researching remedial options for MTBE and preparing the Remedial Alternative Study. Prepare for, coordinate, travel to, and attend the semi-annual project progress meeting with all stakeholders at the project site.

## 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)

<b>Fund Coverage</b>	\$4,000,000.00
<b>Amount Fund Will Pay</b>	\$3,600,000.00
<b>Amount Requested</b>	\$4,029,614.62
<b>Amount Disallowed</b>	\$141,599.13
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$6,877.73
<b>Copay/Deductible</b>	\$381,923.82
<b>Amount Recommended</b>	\$3,499,213.93
<b>Amount Paid</b>	\$3,437,314.35

### Site Identification

<b>Date Submitted:</b>	09/23/2011	<b>DEP Facility Number:</b>	2-000112
<b>Site Name</b>	Zephyr Cove Resort		
<b>Site Contact</b>	Maggie Garcia-Nook	<b>Telephone:</b>	(775)589-4934
<b>Site Address</b>	760 Us-50 Zephyr Cove, NV 89448		
<b>County:</b>	Douglas County		
<b>Owner/Operator Name:</b>	Travel Systems, LLC		
<b>Contact Name of Owner/Operator:</b>	Jennifer Kugler 2400 Market Street Philadelphia, PA 19103	<b>Telephone:</b>	(267)593-8183
<b>Prime Contractor</b>	Stantec Consulting Services, Inc.		
<b>Contact Name</b>	Matthew Grandjean		
<b>Contractor Address</b>	3010 West Charleston Boulevard, Suite 100 Las Vegas, NV 89102		
<b>Telephone:</b>	(702)525-5919	<b>% Board Reduction:</b>	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 #: 80479

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$8,755.83 from the Petroleum Fund for cleanup costs.

	\$1,804,481.81	Amount Requested to Date
	(\$24,595.15)	Amount Disallowed, Past Claims
	(\$177,015.79)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,209,994.76)</u>	Amount Paid to Date
SUB TOTAL	\$9,728.70	Amount Requested this Meeting
	<u>(\$972.87)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$8,755.83	Allowable Amount, this Board Meeting

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

**Summary of work completed:** Project management; preparation of the 4Q 2022 status report; 1Q 2023 groundwater monitoring; and preparation of Fund documents.

# Site Summary Report

Case Number: 2012000012    Site Name: Former Smart Mart

## Site Status

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

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$1,804,481.81
Amount Disallowed	\$24,595.15
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$972.87
Copay/Deductible	\$177,015.79
Amount Recommended	\$1,601,898.00
Amount Paid	\$1,593,142.17

## Site Identification

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

## Site Characteristics

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



Case: #2012000017  
Claim #: 80473

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$8,063.57 from the Petroleum Fund for cleanup costs.

	\$464,736.25	Amount Requested to Date
	(\$1,997.97)	Amount Disallowed, Past Claims
	(\$10,250.00)	Deductible/Co-Payment Satisfied to Date
	(\$432,580.62)	Amount Paid to Date
SUB TOTAL	<u>\$8,063.57</u>	Amount Requested this Meeting
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$8,063.57</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 12/02/2022 and 03/31/2023

**Summary of work completed:** Project management and client communication, conduct 2nd half of groundwater sampling event, prepare petroleum fund documentation, prepare draft annual ground water monitoring report, finalize and submit annual GMR.

## Site Summary Report

Case Number: 2012000017 Site Name: Old High School

### Site Status

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

Contaminant: Heating Oil

Fund Coverage	\$1,250,250.00
Amount Fund Will Pay	\$1,240,000.00
Amount Requested	\$464,736.25
Amount Disallowed	\$1,997.97
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$10,250.00
Amount Recommended	\$452,479.28
Amount Paid	\$444,415.71

### Site Identification

Date Submitted:	02/03/2012	DEP Facility Number:	E-000030
Site Name	Old High School	Telephone:	(775)428-7720
Site Contact	Ms. Christi Fielding		
Site Address	690 Maine Street Fallon, NV 89406		
County:	Churchill County		
Owner/Operator Name:	Churchill County School District		
Contact Name of Owner/Operator:	Christi Fielding 690 South Maine Street Fallon, NV 89406	Telephone:	(775)428-7720
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	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	10000	6	Non-Regulated	See Synopsis
002	1000	6	Non-Regulated	See Synopsis

Case: #2013000019  
Claim #: 80445

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$66,262.63 from the Petroleum Fund for cleanup costs.

	\$1,350,595.56	Amount Requested to Date
	(\$45,276.03)	Amount Disallowed, Past Claims
	(\$123,169.44)	Deductible/Co-Payment Satisfied to Date
	(\$818,079.82)	Amount Paid to Date
SUB TOTAL	<u>\$73,625.14</u>	Amount Requested this Meeting
	(\$7,362.51)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$66,262.63</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 06/03/2022 and 04/07/2023

**Summary of work completed:** Project management and client communication, operation and monitoring of remediation system, finalize and submit 3rd QTR GMR, prepare petroleum fund documentation, conduct O&M on remediation system, prepare and submit 4th GMR, field and project location support, conduct O&M on remediation system, adjust system as necessary, discuss locations with site upgrade personnel, conduct 1st quarter groundwater sampling.

# 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)

<b>Fund Coverage</b>	\$6,000,000.00
<b>Amount Fund Will Pay</b>	\$5,400,000.00
<b>Amount Requested</b>	\$1,350,595.56
<b>Amount Disallowed</b>	\$45,276.03
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$7,362.51
<b>Copay/Deductible</b>	\$123,169.44
<b>Amount Recommended</b>	\$1,173,969.34
<b>Amount Paid</b>	\$1,107,706.71

## Site Identification

<b>Date Submitted:</b>	08/16/2013	<b>DEP Facility Number:</b>	6-000103
<b>Site Name</b>	Elko Sinclair #53	<b>Telephone:</b>	(801)298-3409
<b>Site Contact</b>	Dennis Haggard		
<b>Site Address</b>	1790 Idaho St Elko, NV 89801		
<b>County:</b>	Elko County		
<b>Owner/Operator Name:</b>	Hardy Enterprises INC		
<b>Contact Name of Owner/Operator:</b>	Dennis Haggard P.O. Box 248 Bountiful, UT 84011	<b>Telephone:</b>	(801)298-1180
<b>Prime Contractor</b>	McGinley & Associates, Inc.		
<b>Contact Name</b>	Justin Fike		
<b>Contractor Address</b>	6995 Sierra Center Pkwy Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	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: #2014000016  
Claim #: 80302

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$8,317.71 from the Petroleum Fund for cleanup costs.

	\$479,864.42	Amount Requested to Date
	(\$15.00)	Amount Disallowed, Past Claims
	(\$47,060.76)	Deductible/Co-Payment Satisfied to Date
	(\$400,592.95)	Amount Paid to Date
SUB TOTAL	<u>\$9,241.90</u>	Amount Requested this Meeting
	(\$924.19)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$8,317.71</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/30/2022 and 03/31/2023

**Summary of work completed:** Project management and client communication, prepare closure summary documentation for NDEP, solicit bids for well abandonment, prepare petroleum fund documentation, oversee well abandonment

## Site Summary Report

**Case Number:** 2014000016    **Site Name:** Former Smedley's Chevron

### Site Status

**Synopsis:** GROUNDWATER CONTAMINATION DISCOVERED DURING PHASE II INVESTIGATION. ATTRIBUTED TO 2008 RELEASE.

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

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$900,000.00
<b>Amount Requested</b>	\$479,864.42
<b>Amount Disallowed</b>	\$15.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$924.19
<b>Copay/Deductible</b>	\$47,060.76
<b>Amount Recommended</b>	\$431,864.47
<b>Amount Paid</b>	\$423,546.76

### Site Identification

<b>Date Submitted:</b>	11/18/2013	<b>DEP Facility Number:</b>	5-000228
<b>Site Name</b>	Former Smedley's Chevron	<b>Telephone:</b>	(775)423-5454
<b>Site Contact</b>	Ms. Fran Smitten		
<b>Site Address</b>	1625 West Williams Ave. Fallon, NV 89406		
<b>County:</b>	Churchill County		
<b>Owner/Operator Name:</b>	Smitten Oil And Tire CO INC		
<b>Contact Name of Owner/Operator:</b>	Fran Smitten P.O. Box 1235 Fallon, NV 89407	<b>Telephone:</b>	(775)423-5454
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	6995 Sierra Center Parkway Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	0.00

### Site Characteristics

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

Case: #2014000025  
Claim #: 80477

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$13,279.59 from the Petroleum Fund for cleanup costs.

	\$1,735,450.24	Amount Requested to Date
	(\$27,803.43)	Amount Disallowed, Past Claims
	(\$21,457.21)	Board Reduction, Past Claims
	(\$166,922.41)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,189,163.58)</u>	Amount Paid to Date
SUB TOTAL	\$16,965.67	Amount Requested this Meeting
	<u>(\$2,210.57)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$14,755.10	
	<u>(\$1,475.51)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$13,279.59	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/25/2023 and 03/31/2023

**Summary of work completed:** Project management and client communication, conduct O&M on site remediation system, evaluate pulsing data & make adjustments, operation and maintenance for remediation system, conduct 1st quarter groundwater sampling event, prepare petroleum fund documentation, travel time, inspection of remediation system repairs thus far.

## 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)

<b>Fund Coverage</b>	\$3,000,000.00
<b>Amount Fund Will Pay</b>	\$2,571,423.01
<b>Amount Requested</b>	\$1,735,450.24
<b>Amount Disallowed</b>	\$30,014.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$21,457.21
<b>Pending Copay/Deductible</b>	\$1,475.51
<b>Copay/Deductible</b>	\$166,922.41
<b>Amount Recommended</b>	\$1,514,446.66
<b>Amount Paid</b>	\$1,501,167.07

### Site Identification

<b>Date Submitted:</b>	02/24/2014	<b>DEP Facility Number:</b>	2-000075
<b>Site Name</b>	Silver City Rv Resort		
<b>Site Contact</b>	Marci Appleton	<b>Telephone:</b>	(775)267-3359
<b>Site Address</b>	3165 Us Highway 395 N Minden, NV 89423		
<b>County:</b>	Douglas County		
<b>Owner/Operator Name:</b>	Superior Campgrounds Of America, LLC		
<b>Contact Name of Owner/Operator:</b>	Tom Day Sr. 265 N. Joy Street Corona, CA 92879	<b>Telephone:</b>	(909)241-7700
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	6995 Sierra Center Parkway Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	8000	Closed	Regulated UST	See Synopsis
004	15000	23	Regulated UST	Pipe
002	8000	39	Regulated UST	Pipe



Case: #2015000009  
Claim #: 80474

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$10,300.05 from the Petroleum Fund for cleanup costs.

	\$192,739.29	Amount Requested to Date
	(\$1,757.25)	Amount Disallowed, Past Claims
	(\$17,953.75)	Deductible/Co-Payment Satisfied to Date
	(\$150,886.88)	Amount Paid to Date
SUB TOTAL	<u>\$11,444.50</u>	Amount Requested this Meeting
	(\$1,144.45)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$10,300.05</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 12/23/2022 and 03/31/2023

**Summary of work completed:** Prepare and submit summary of pilot testing activities, prepare cost proposal, conduct 2 day SVE pilot test with mobile remediation in accordance with approved work plan.

# Site Summary Report

Case Number: 201500009 Site Name: Las Vegas Travel Center

## Site Status

Synopsis: LEAK IN CONVEYANCE PIPING LEADING FROM THE TANK SYSTEM TO THE DISPENSERS.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$192,739.29
Amount Disallowed	\$1,757.25
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,144.45
Copay/Deductible	\$17,953.75
Amount Recommended	\$171,883.84
Amount Paid	\$161,583.79

## Site Identification

Date Submitted:	03/02/2015	DEP Facility Number:	8-000732
Site Name	Las Vegas Travel Center	Telephone:	(440)808-4459
Site Contact	Sarah Paulson		
Site Address	8050 Dean Martin Dr Las Vegas, NV 89139		
County:	Clark County		
Owner/Operator Name:	Hpt Ta Properties Trust		
Contact Name of Owner/Operator:	Sarah Paulson 24601 Center Ridge Road, Suite 200 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:	0.00

## Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
6322-1	20000	50	Regulated UST	See Synopsis
6322-2	10000	50	Regulated UST	Pipe

Case: #2016000005  
Claim #: 80475

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$5,916.98 from the Petroleum Fund for cleanup costs.

	\$188,711.69	Amount Requested to Date
	(\$725.05)	Amount Disallowed, Past Claims
	(\$18,141.21)	Deductible/Co-Payment Satisfied to Date
	(\$160,634.88)	Amount Paid to Date
SUB TOTAL	<u>\$6,574.42</u>	Amount Requested this Meeting
	(\$657.44)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$5,916.98</u>	Allowable Amount, this Board Meeting

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

**Summary of work completed:** Finalized closure presentation and submit to NDEP, project management and client communication, prepare closure summary documentation for NDEP, solicit bids for and coordinate monitoring well abandonment. prepare petroleum fund documentation.

## Site Summary Report

Case Number: 2016000005 Site Name: Golden Gate Petroleum 65 - Fallon

### Site Status

**Synopsis:** LEAK DISCOVERED WHEN UST SYSTEMS WERE REMOVED. LEAK OCCURRED FROM PRODUCT PIPING AND SHEAR VALVES.

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

<b>Fund Coverage</b>	\$3,000,000.00
<b>Amount Fund Will Pay</b>	\$2,700,000.00
<b>Amount Requested</b>	\$188,711.69
<b>Amount Disallowed</b>	\$725.05
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$657.44
<b>Copay/Deductible</b>	\$18,141.21
<b>Amount Recommended</b>	\$169,187.99
<b>Amount Paid</b>	\$163,271.01

### Site Identification

<b>Date Submitted:</b>	02/24/2016	<b>DEP Facility Number:</b>	5-000228
<b>Site Name</b>	Golden Gate Petroleum 65 - Fallon		
<b>Site Contact</b>	Nacho Aguilar	<b>Telephone:</b>	(775)850-3010
<b>Site Address</b>	1625 West Williams Ave. Fallon, NV 89406		
<b>County:</b>	Churchill County		
<b>Owner/Operator Name:</b>	Golden Gate S.e.t. Retail Of Nevada, LLC		
<b>Contact Name of Owner/Operator:</b>	Nacho Aguilar	<b>Telephone:</b>	(925)356-1040
	16580 Wedge Parkway #300 Reno, NV 89511		
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	6995 Sierra Center Parkway Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	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	31	Regulated UST	See Synopsis
003	10000	31	Regulated UST	See Synopsis

Case: #2016000023  
Claim #: 80476

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$20,384.15 from the Petroleum Fund for cleanup costs.

	\$907,280.18	Amount Requested to Date
	(\$59,285.63)	Amount Disallowed, Past Claims
	(\$163,936.66)	Board Reduction, Past Claims
	(\$65,574.66)	Deductible/Co-Payment Satisfied to Date
	(\$547,888.83)	Amount Paid to Date
SUB TOTAL	<u>\$28,311.33</u>	Amount Requested this Meeting
	(\$5,662.27)	Board Reduction, This Meeting
SUB TOTAL	<u>\$22,649.06</u>	
	(\$2,264.91)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$20,384.15</u>	Allowable Amount, this Board Meeting

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

**Summary of work completed:** Project management and client communication, conduct O&M on LNAPL recovery system, conduct 2nd half of groundwater sampling event, prepare petroleum fund documentation, conduct O&M on LNAPL recovery system under tasks F.01 & F.02, prepare and submit annual GMR, conduct monthly site visit to determine if system can be restarted-issues due to excess snow and freezing in winter, procure new valves for LNAPL recovery system, finalize and submit 2022 annual GMR.

# 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)

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$720,000.00
<b>Amount Requested</b>	\$907,280.18
<b>Amount Disallowed</b>	\$59,285.63
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$169,598.93
<b>Pending Copay/Deductible</b>	\$2,264.91
<b>Copay/Deductible</b>	\$65,574.66
<b>Amount Recommended</b>	\$610,556.05
<b>Amount Paid</b>	\$590,171.90

## Site Identification

<b>Date Submitted:</b>	09/19/2016	<b>DEP Facility Number:</b>	6-000317
<b>Site Name</b>	Pit Stop #1	<b>Telephone:</b>	(775)934-3818
<b>Site Contact</b>	Pam Williams		
<b>Site Address</b>	275 12th St Elko, NV 89801		
<b>County:</b>	Elko County		
<b>Owner/Operator Name:</b>	AL Park Petroleum, Inc.		
<b>Contact Name of Owner/Operator:</b>	Pam Williams 379 Westby Drive Spring Creek, NV 89815	<b>Telephone:</b>	(775)934-3818
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	6995 Sierra Center Parkway Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	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 #: 80489

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$26,682.33 from the Petroleum Fund for cleanup costs.

	\$512,340.48	Amount Requested to Date
	(\$1,638.43)	Amount Disallowed, Past Claims
	(\$75,007.78)	Board Reduction, Past Claims
	(\$40,272.00)	Deductible/Co-Payment Satisfied to Date
	(\$182,288.22)	Amount Paid to Date
SUB TOTAL	<u>\$32,974.15</u>	Amount Requested this Meeting
	(\$33.00)	Amount Disallowed this Meeting
	(\$3,294.12)	Board Reduction, This Meeting
SUB TOTAL	<u>\$29,647.03</u>	
	(\$2,964.70)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$26,682.33</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/10/2023 and 04/01/2023

**Summary of work completed:** Cost proposal preparation, First Quarter sampling and reporting, claim preparation, started preparing Initial LNAPL conceptual site model, waste profiling and disposal of IDW following pre-pilot testing field activities, Fourth Quarter sample analysis, report preparation and submittal.

## 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)

<b>Fund Coverage</b>	\$4,000,000.00
<b>Amount Fund Will Pay</b>	\$3,240,000.00
<b>Amount Requested</b>	\$512,340.48
<b>Amount Disallowed</b>	\$1,671.43
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$78,301.90
<b>Pending Copay/Deductible</b>	\$2,964.70
<b>Copay/Deductible</b>	\$40,272.00
<b>Amount Recommended</b>	\$413,641.93
<b>Amount Paid</b>	\$386,959.60

### Site Identification

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

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	10000	26	Regulated UST	Pipe
001	15000	26	Regulated UST	Pipe
002	10000	26	Regulated UST	Pipe
001	15000	26	Regulated UST	See Synopsis



Case: #2017000015  
Claim #: 80465

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$30,898.10 from the Petroleum Fund for cleanup costs.

	\$633,633.36	Amount Requested to Date
	(\$5,861.55)	Amount Disallowed, Past Claims
	(\$63,738.62)	Board Reduction, Past Claims
	(\$52,970.20)	Deductible/Co-Payment Satisfied to Date
	(\$372,519.11)	Amount Paid to Date
SUB TOTAL	<u>\$34,331.22</u>	Amount Requested this Meeting
	(\$3,433.12)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$30,898.10</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/31/2022 and 03/31/2023

**Summary of work completed:** Project management; preparation of 4th Q 2022 monitoring report; installation of a monitoring well and injection wells; trenching for the PulseOx remediation system expansion; 1st Q 2023 groundwater sampling; and preparation of Cost Proposals and Reimbursement Claims.

## Site Summary Report

Case Number: 2017000015 Site Name: Green Valley Grocery #63

### Site Status

**Synopsis:** DISCHARGE DISCOVERED MARCH 20, 2017. THE APPLICATION IDENTIFIES THE SHEAR VALVE AT MID-GRADE DISPENSER 5/6, ASSOCIATED TO A 10,000 GALLON UNDERGROUND STORAGE TANK (UST) SYSTEM CONTAINING GASOLINE AS THE SOURCE OF THE RELEASE. SSBD 2017-04 WAS APPROVED AT THE SEPTEMBER 14, 2017 BOARD MEETING AND PROVIDED COVERAGE WITH A 20% REDUCTION FOR NON-COMPLIANCE ISSUES.

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

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$842,635.23
<b>Amount Requested</b>	\$633,633.36
<b>Amount Disallowed</b>	\$5,861.55
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$63,738.62
<b>Pending Copay/Deductible</b>	\$3,433.12
<b>Copay/Deductible</b>	\$52,970.20
<b>Amount Recommended</b>	\$507,629.87
<b>Amount Paid</b>	\$476,731.77

### Site Identification

<b>Date Submitted:</b>	05/03/2017	<b>DEP Facility Number:</b>	8-001471
<b>Site Name</b>	Green Valley Grocery #63	<b>Telephone:</b>	(702)258-0488
<b>Site Contact</b>	Amit Sahgal		
<b>Site Address</b>	4030 W Charleston Blvd Las Vegas, NV 89102		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Ellen 5 LLC		
<b>Contact Name of Owner/Operator:</b>	Tedd Rosenstein 2500 W Sahara Ave Ste 211 Las Vegas, NV 89102	<b>Telephone:</b>	(702)362-4144
<b>Prime Contractor</b>	Broadbent & Associates		
<b>Contact Name</b>	Jonathan Bell		
<b>Contractor Address</b>	8 West Pacific Ave. Henderson, NV 89015		
<b>Telephone:</b>	(702)563-0600	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	10000	Closed	Regulated UST	Product shear valve and vapor recovery shear valve at mid-grade dispenser 5/6.

Case: #2017000019  
Claim #: 80482

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$7,549.65 from the Petroleum Fund for cleanup costs.

	\$697,138.74	Amount Requested to Date
	(\$17,036.47)	Amount Disallowed, Past Claims
	(\$67,171.38)	Deductible/Co-Payment Satisfied to Date
	(\$134,891.44)	Amount Paid to Date
SUB TOTAL	<u>\$8,388.50</u>	Amount Requested this Meeting
	(\$838.85)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$7,549.65</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/31/2023 and 04/03/2023

**Summary of work completed:** Project management and coordination, preparation of quarterly status report, preparation of cost proposal, preparation of petroleum fund submittal, quarterly sampling and monitoring, 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)

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$900,000.00
<b>Amount Requested</b>	\$697,138.74
<b>Amount Disallowed</b>	\$17,036.47
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$838.85
<b>Copay/Deductible</b>	\$67,171.38
<b>Amount Recommended</b>	\$612,092.04
<b>Amount Paid</b>	\$604,542.39

## Site Identification

<b>Date Submitted:</b>	05/17/2018	<b>DEP Facility Number:</b>	8-001781
<b>Site Name</b>	Rebel Store #2197	<b>Telephone:</b>	(702)434-2505
<b>Site Contact</b>	Helene Dickerson		
<b>Site Address</b>	4665 E Sunset Rd Henderson, NV 89014		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Rebel Oil Company	<b>Telephone:</b>	(702)382-5866 Ext: 2
<b>Contact Name of Owner/Operator:</b>	Dana Cason Teepe 2200 S Highland Dr Las Vegas, NV 89102		
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	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: #2017000035  
Claim #: 80495

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$10,914.96 from the Petroleum Fund for cleanup costs.

	\$1,073,438.83	Amount Requested to Date
	(\$73,438.84)	Amount Disallowed, Past Claims
	(\$98,787.22)	Deductible/Co-Payment Satisfied to Date
	(\$593,189.30)	Amount Paid to Date
SUB TOTAL	<u>\$12,127.73</u>	Amount Requested this Meeting
	(\$1,212.77)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$10,914.96</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 12/30/2022 and 02/27/2023

**Summary of work completed:** Project management, Remediation System O&M for January and February 2023, CEM-conducted Monthly System Maintenance for January and February 2023, traffic control services, preparation of cost proposal, preparation of remediation system permit report, preparation of quarterly status report, preparation of petroleum fund claim, and clean out MW-4A.

## Site Summary Report

Case Number: 2017000035 Site Name: Rebel Store #2177

### Site Status

**Synopsis:** DISCHARGE DISCOVERED ON JUNE 12, 2017 FOLLOWING A PHASE II ENVIRONMENTAL SITE ASSESSMENT. THE APPLICATION IDENTIFIED THE SHEAR VALVE A PIPING BENEATH DISPENSER 3/4 SEEPING INTO A LEAKING UNDER DISPENSER CONTAINMENT ASSOCIATED TO A 12,000 GALLON UNDERGROUND STORAGE TANK (UST) SYSTEM CONTAINING GASOLINE AS THE SOURCE OF THE CONTAMINATION.

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

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$900,000.00
<b>Amount Requested</b>	\$1,073,438.83
<b>Amount Disallowed</b>	\$73,438.84
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$1,212.77
<b>Copay/Deductible</b>	\$98,787.22
<b>Amount Recommended</b>	\$900,000.00
<b>Amount Paid</b>	\$889,085.04

### Site Identification

<b>Date Submitted:</b>	01/24/2018	<b>DEP Facility Number:</b>	8-001928
<b>Site Name</b>	Rebel Store #2177	<b>Telephone:</b>	
<b>Site Contact</b>			
<b>Site Address</b>	6400 W Lake Mead Blvd Las Vegas, NV 89108		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Rebel Oil Company		
<b>Contact Name of Owner/Operator:</b>	Dana Cason Teepe 2200 S Highland Dr Las Vegas, NV 89102	<b>Telephone:</b>	(702)382-5866
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
1	12000	24	Regulated UST	The shear valve and piping beneath dispenser 3/4 were documented as seeping into the Under-Dispenser

Case: #2018000009  
Claim #: 80451

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$77,663.82 from the Petroleum Fund for cleanup costs.

	\$407,340.58	Amount Requested to Date
	(\$2,019.76)	Amount Disallowed, Past Claims
	(\$31,633.78)	Deductible/Co-Payment Satisfied to Date
	<u>(\$263,950.05)</u>	Amount Paid to Date
SUB TOTAL	\$88,983.03	Amount Requested this Meeting
	<u>(\$2,689.90)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$86,293.13	
	<u>(\$8,629.31)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$77,663.82	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 08/15/2022 and 04/20/2023

**Summary of work completed:** Project management and client communication, conduct LNAPL recovery onsite, prepare draft 3Q GMR, prepare petroleum fund documentation, conduct LNAPL recovery tests, conduct weekly site visits for LNAPL measurement and recovery, prepare draft 4th quarter GMR, finalize and submit 4th quarter GMR (including case officer requested revisions), coordinate and conduct 3 (2 days) remediation events including travel time to/from Reno/Winnemucca and LNAPL measurement/recovery, prepare cost proposal. Groundwater monitoring well sampling including sampling of 11 wells and travel from Reno to Winnemucca.

# 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)

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,800,000.00
<b>Amount Requested</b>	\$407,340.58
<b>Amount Disallowed</b>	\$4,709.66
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$8,629.31
<b>Copay/Deductible</b>	\$31,633.78
<b>Amount Recommended</b>	\$362,262.30
<b>Amount Paid</b>	\$284,598.48

## Site Identification

<b>Date Submitted:</b>	05/25/2018	<b>DEP Facility Number:</b>	5-000378
<b>Site Name</b>	Pacific Pride		
<b>Site Contact</b>	Bryan Reed	<b>Telephone:</b>	(775)296-0155
<b>Site Address</b>	3600 W Winnemucca Blvd Winnemucca, NV 89445		
<b>County:</b>	Humboldt County		
<b>Owner/Operator Name:</b>	Reed Incorporated		
<b>Contact Name of Owner/Operator:</b>	Bryan Reed	<b>Telephone:</b>	(775)289-4463
	802 Avenue E Ely, NV 89301		
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	6995 Sierra Center Parkway Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	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: #2019000009  
Claim #: 80506

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$15,726.01 from the Petroleum Fund for cleanup costs.

	\$29,155.54	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$29,155.54</u>	Amount Requested this Meeting
	(\$33.31)	Amount Disallowed this Meeting
	<u>(\$11,648.89)</u>	Board Reduction, This Meeting
SUB TOTAL	\$17,473.34	
	<u>(\$1,747.33)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$15,726.01	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/19/2022 and 03/24/2023

**Summary of work completed:** 1) 4 quarters of groundwater monitoring and sampling for 10 wells, 1st, 2nd, 3rd, and 4th Qtr 2022 plus GW Reporting. 2) Revise the fixed based VE/AS Corrective Action Plan to Mobile VE/AS Remediation, 3) Fate and Transport (Biocreen) Model, and 4) Update the Conceptual Site Model for the site.

## Site Summary Report

Case Number: 2019000009 Site Name: Circle K Store #2701364

### Site Status

**Synopsis:** ON OCTOBER 11, 2011, THE MONTHLY STATISTICAL INVENTORY RECONCILIATION (SIR) REPORTS INDICATED A "FAIL" FOR TANK 2, A 10,000-GALLON REGULATED UNDERGROUND STORAGE TANK, CONTAINING PREMIUM GASOLINE. ON FEBRUARY 27, 2012, ALL THREE TANKS REPAIRED AT THIS SITE. TANK 2 WAS NOT CLOSED IN THE INTERIM. SSBD C2021-01 WAS APPROVED AT THE MARCH 11, 2021 BOARD MEETING, WHICH PROVIDES COVERAGE WITH A 40% REDUCTION.

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

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$540,000.00
<b>Amount Requested</b>	\$29,155.54
<b>Amount Disallowed</b>	\$33.31
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$11,648.89
<b>Pending Copay/Deductible</b>	\$1,747.33
<b>Copay/Deductible</b>	\$0.00
<b>Amount Recommended</b>	\$15,726.01
<b>Amount Paid</b>	\$0.00

### Site Identification

<b>Date Submitted:</b>	07/29/2020	<b>DEP Facility Number:</b>	8-000119
<b>Site Name</b>	Circle K Store #2701364	<b>Telephone:</b>	(330)634-2101
<b>Site Contact</b>	Alan Cubberley		
<b>Site Address</b>	3285 S Nellis Blvd Las Vegas, NV 89121		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Circle K Stores, Inc.		
<b>Contact Name of Owner/Operator:</b>	Alan Cubberley 1100 Situs Court Raleigh, NC 27606	<b>Telephone:</b>	(330)814-4032
<b>Prime Contractor</b>	Blaes Environmental Management, Inc.		
<b>Contact Name</b>	Steven Woodhull		
<b>Contractor Address</b>	45 E. Monterey Way #200 Phoenix, AZ 85012		
<b>Telephone:</b>	(602)300-8307	<b>% Board Reduction:</b>	40.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
002	10000	38	Regulated UST	Tank

Case: #2019000010  
Claim #: 80505

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$64,960.15 from the Petroleum Fund for cleanup costs.

	\$82,989.11	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$82,989.11</u>	Amount Requested this Meeting
	<u>(\$10,811.16)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$72,177.95	
	<u>(\$7,217.80)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$64,960.15</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 10/31/2016 and 03/24/2023

**Summary of work completed:** 1) The drilling and installation of monitoring wells MW1, MW2, and MW3 in October 2016, 2) Site Assessment Report, 3) Quarterly groundwater monitoring and sampling of 3 wells in 4Q2016, 2Q2017, 1Q2018, 1Q2022, 2Q2022, 3Q2022, and 4Q2022 plus Groundwater Monitoring Reports 4) LPH gauging and removal events for 1 well in Dec 2016, Jan 2017, Feb 2018, 5) The installation of 5 additional groundwater monitoring wells in Dec 2022, 6) Groundwater monitoring and sampling of 8 wells in Jan 2023, 7) Site Characterization Report

## Site Summary Report

Case Number: 2019000010 Site Name: Circle K Store #2705399

### Site Status

**Synopsis:** A NEW RELEASE OF REGULAR UNLEADED GASOLINE FROM THE TANK PORTION OF A 10,000-GALLON UST SYSTEM (TANK 001) WAS DISCOVERED ON SEPTEMBER 21, 2016. THIS TANK HAS HAD A PREVIOUS RELEASE (CASE 1994000120) WHICH RECEIVED COVERAGE, AND WAS REIMBURSED \$422,350.68 BY THE FUND. THE REMAINING AMOUNT AVAILABLE FOR REIMBURSEMENT IS \$477,649.32.

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

<b>Fund Coverage</b>	\$530,721.46
<b>Amount Fund Will Pay</b>	\$477,649.32
<b>Amount Requested</b>	\$82,989.11
<b>Amount Disallowed</b>	\$10,811.16
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$7,217.80
<b>Copay/Deductible</b>	\$0.00
<b>Amount Recommended</b>	\$64,960.15
<b>Amount Paid</b>	\$0.00

### Site Identification

<b>Date Submitted:</b>	12/17/2019	<b>DEP Facility Number:</b>	8-000753
<b>Site Name</b>	Circle K Store #2705399	<b>Telephone:</b>	(602)728-8000
<b>Site Contact</b>	Annette Toale		
<b>Site Address</b>	2308 Las Vegas Blvd S Las Vegas, NV 89104		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Circle K Stores, Inc.	<b>Telephone:</b>	(330)814-4032
<b>Contact Name of Owner/Operator:</b>	Alan Cubberley 1100 Situs Court Raleigh, NC 27606		
<b>Prime Contractor</b>	Blaes Environmental Management, Inc.		
<b>Contact Name</b>	Steven Woodhull		
<b>Contractor Address</b>	45 E. Monterey Way #200 Phoenix, AZ 85012		
<b>Telephone:</b>	(602)300-8307	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	41	Regulated UST	Tank

Case: #2019000014  
Claim #: 80485

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$7,261.65 from the Petroleum Fund for cleanup costs.

	\$242,512.99	Amount Requested to Date
	(\$23,265.29)	Deductible/Co-Payment Satisfied to Date
	(\$7,036.43)	Amount Paid to Date
SUB TOTAL	<u>\$9,859.98</u>	Amount Requested this Meeting
	(\$1,791.48)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$8,068.50</u>	
	(\$806.85)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$7,261.65</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/27/2023 and 04/03/2023

**Summary of work completed:** Project management and coordination, 1st Quarter 2023 Well Sampling and/or Free Product Removal, 1st Quarter 2023 Groundwater Monitoring Remediation Status Report, preparation of petroleum fund submittal, preparation of cost proposal, 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)

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$900,000.00
<b>Amount Requested</b>	\$242,512.99
<b>Amount Disallowed</b>	\$1,791.48
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$806.85
<b>Copay/Deductible</b>	\$23,265.29
<b>Amount Recommended</b>	\$216,649.37
<b>Amount Paid</b>	\$209,387.72

## Site Identification

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

## Site Characteristics

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

Case: #202000015  
Claim #: 80463

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$37,390.89 from the Petroleum Fund for cleanup costs.

	\$438,271.32	Amount Requested to Date
	(\$943.22)	Amount Disallowed, Past Claims
	(\$146,911.97)	Board Reduction, Past Claims
	(\$22,036.79)	Deductible/Co-Payment Satisfied to Date
	(\$198,331.17)	Amount Paid to Date
SUB TOTAL	<u>\$70,048.17</u>	Amount Requested this Meeting
	(\$805.78)	Amount Disallowed this Meeting
	<u>(\$27,696.96)</u>	Board Reduction, This Meeting
SUB TOTAL	\$41,545.43	
	(\$4,154.54)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$37,390.89</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/31/2023 and 04/02/2023

**Summary of work completed:** Project management; work plan preparation for LNAPL recovery testing; preparation of 4Q 2022 quarterly monitoring report; performance of 1Q 2023 groundwater monitoring; performance of Phase I LNAPL Recovery Potential Testing; LNAPL gauging and recovery; and preparation of Petroleum Fund documents.

# Site Summary Report

Case Number: 2020000015 Site Name: Gas 2 Go

## Site Status

**Synopsis:** GASOLINE RELEASE FROM 10,000 GALLON PREMIUM TANK (TANK #3) DISCOVERED FOLLOWING TANK REMOVAL ON JANUARY 23, 2020 (INSTALLED 1991).

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

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$540,000.00
<b>Amount Requested</b>	\$438,271.32
<b>Amount Disallowed</b>	\$1,749.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$174,608.93
<b>Pending Copay/Deductible</b>	\$4,154.54
<b>Copay/Deductible</b>	\$22,036.79
<b>Amount Recommended</b>	\$235,722.06
<b>Amount Paid</b>	\$198,331.17

## Site Identification

<b>Date Submitted:</b>	06/05/2020	<b>DEP Facility Number:</b>	8-001529
<b>Site Name</b>	Gas 2 Go	<b>Telephone:</b>	(702)878-1903
<b>Site Contact</b>	Matthew Becker		
<b>Site Address</b>	6390 W Lake Mead Blvd Las Vegas, NV 89108		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Canyon Plaza, LLC		
<b>Contact Name of Owner/Operator:</b>	Matt Becker	<b>Telephone:</b>	(702)878-1903
	50 South Jones Boulevard, Suite 100 Las Vegas, NV 89107		
<b>Prime Contractor</b>	Broadbent & Associates, Inc.		
<b>Contact Name</b>	Stephanie Holst		
<b>Contractor Address</b>	8 W. Pacific Avenue Henderson, NV 89052		
<b>Telephone:</b>	(702)563-0600	<b>% Board Reduction:</b>	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 #: 80378

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$35,236.92 from the Petroleum Fund for cleanup costs.

	\$238,229.33	Amount Requested to Date
	(\$454.90)	Amount Disallowed, Past Claims
	(\$19,848.73)	Deductible/Co-Payment Satisfied to Date
	(\$142,918.69)	Amount Paid to Date
SUB TOTAL	<u>\$39,287.13</u>	Amount Requested this Meeting
	(\$135.00)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$39,152.13</u>	
	(\$3,915.21)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$35,236.92</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/02/2022 and 01/31/2023

**Summary of work completed:** Project management; quarterly groundwater sampling and reporting; preparation of a sensitive receptor survey; preparation of a conceptual site model; and preparation of 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)

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,800,000.00
<b>Amount Requested</b>	\$238,229.33
<b>Amount Disallowed</b>	\$589.90
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$3,915.21
<b>Copay/Deductible</b>	\$19,848.73
<b>Amount Recommended</b>	\$213,875.49
<b>Amount Paid</b>	\$178,638.57

## Site Identification

<b>Date Submitted:</b>	09/23/2020	<b>DEP Facility Number:</b>	8-000132
<b>Site Name</b>	Us Gas #7	<b>Telephone:</b>	(702)845-6951
<b>Site Contact</b>	Val Amiel		
<b>Site Address</b>	798 W Mesquite Blvd Mesquite, NV 89027		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	LV Petroleum LLC	<b>Telephone:</b>	(702)683-8008
<b>Contact Name of Owner/Operator:</b>	Val Amiel 4495 W Hacienda Ave Las Vegas, NV 89008		
<b>Prime Contractor</b>	Broadbent & Associates		
<b>Contact Name</b>	Carlos Cobos		
<b>Contractor Address</b>	8 West Pacific Avenue Henderson, NV 89015		
<b>Telephone:</b>	(702)351-3157	<b>% Board Reduction:</b>	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: #2021000027  
Claim #: 80496

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$2,701.35 from the Petroleum Fund for cleanup costs.

	\$58,206.35	Amount Requested to Date
	(\$254.00)	Amount Disallowed, Past Claims
	(\$5,495.08)	Deductible/Co-Payment Satisfied to Date
	<u>(\$49,455.77)</u>	Amount Paid to Date
SUB TOTAL	\$3,001.50	Amount Requested this Meeting
	<u>(\$300.15)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$2,701.35	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/31/2023 and 03/31/2023

**Summary of work completed:** Project management; preparation of a Cost Proposal; preparation of Fund claims for reimbursement; and the coordination and oversight of monitoring well abandonment.

# Site Summary Report

Case Number: 2021000027 Site Name: Horizon Market #5

## Site Status

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

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

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$900,000.00
<b>Amount Requested</b>	\$58,206.35
<b>Amount Disallowed</b>	\$254.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$300.15
<b>Copay/Deductible</b>	\$5,495.08
<b>Amount Recommended</b>	\$52,157.12
<b>Amount Paid</b>	\$49,455.77

## Site Identification

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

## Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
002	10000	26	Regulated UST	Pipe

Case: #2022000004  
Claim #: 80452

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$14,766.64 from the Petroleum Fund for cleanup costs.

	\$31,808.94	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$31,808.94</u>	Amount Requested this Meeting
	<u>(\$16,792.30)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$15,016.64	
	<u>(\$250.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$14,766.64</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/25/2021 and 05/31/2021

**Summary of work completed:** CEM - coordination of field activities following heating oil tank discharge, observe and direct soil overex and backfill, soil sampling, reporting Sub - tank removal, overex, soil transport and disposal, backfill

## Site Summary Report

**Case Number:** 2022000004    **Site Name:** Heating Oil Tank, 604 S. Wells Ave.

### Site Status

**Synopsis:** DISCHARGE DISCOVERED 3/17/2021 DURING REMOVAL OF 1,100 GALLON, STEEL, NON-REGULATED UNDERGROUND STORAGE TANK CONTAINING HEATING OIL. INITIAL ABATEMENT ACTIVITIES INCLUDED REMOVAL OF ABOUT 18 CUBIC YARDS OF CONTAMINATED MATERIAL.

**Contaminant:** Heating Oil

<b>Fund Coverage</b>	\$250,250.00
<b>Amount Fund Will Pay</b>	\$250,000.00
<b>Amount Requested</b>	\$31,808.94
<b>Amount Disallowed</b>	\$16,792.30
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$250.00
<b>Copay/Deductible</b>	\$0.00
<b>Amount Recommended</b>	\$14,766.64
<b>Amount Paid</b>	\$0.00

### Site Identification

<b>Date Submitted:</b>	03/17/2022	<b>DEP Facility Number:</b>	D-001206
<b>Site Name</b>	Heating Oil Tank, 604 S. Wells Ave.		
<b>Site Contact</b>	Rusty Hinman	<b>Telephone:</b>	(775)762-7042
<b>Site Address</b>	604 S. Wells Avenue Reno, NV 89502		
<b>County:</b>	Washoe County		
<b>Owner/Operator Name:</b>	Hinman 2005 Family Trust, W & C		
<b>Contact Name of Owner/Operator:</b>	Wayne "rusty" Hinman	<b>Telephone:</b>	(775)762-7042
	9922 Autumn Sage Drive Reno, NV 89521		
<b>Prime Contractor</b>	Broadbent & Associates, Inc.		
<b>Contact Name</b>	Scott Keesey		
<b>Contractor Address</b>	5450 Louie Lane, #101 Reno, NV 89511		
<b>Telephone:</b>	(775)327-4216	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
604 South Wells Tank	1100	73	Non-Regulated	Tank

Case: #2022000015  
Claim #: 80436

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$311,311.29 from the Petroleum Fund for cleanup costs.

	\$434,037.11	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$434,037.11</u>	Amount Requested this Meeting
	(\$1,660.32)	Amount Disallowed this Meeting
	<u>(\$86,475.36)</u>	Board Reduction, This Meeting
SUB TOTAL	\$345,901.43	
	(\$34,590.14)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$311,311.29</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 12/09/2021 and 04/03/2023

**Summary of work completed:** Project management and coordination, correspondence and coordination with NDEP and SNHD, removal and monitoring of free product, drilling services, well development, utility clearance, preparation of NDEP R Spill Report, transportation and disposal of drums and soil cuttings, preparation of NDEP requested Additional Assessment Workplan, preparation of UST removal bid, preparation of petroleum fund application, UST removal services, UST removal soil overexcavation, preparation of UST removal report, petroleum impacted soil transportation and disposal, soil backfill and compaction, asphalt resurfacing, preparation of Limited CAP, preparation of quarterly status report, preparation of petroleum fund submittal, preparation of cost proposal, surveying services, remove concrete and asphalt for well installation, remedial system installation and start up, 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)

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$720,000.00
<b>Amount Requested</b>	\$434,037.11
<b>Amount Disallowed</b>	\$1,660.32
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$86,475.36
<b>Pending Copay/Deductible</b>	\$34,590.14
<b>Copay/Deductible</b>	\$0.00
<b>Amount Recommended</b>	\$311,311.29
<b>Amount Paid</b>	\$0.00

## Site Identification

<b>Date Submitted:</b>	10/03/2022	<b>DEP Facility Number:</b>	8-001781
<b>Site Name</b>	Rebel Store #2197	<b>Telephone:</b>	(702)458-6677
<b>Site Contact</b>	Chittal Shah		
<b>Site Address</b>	4665 E Sunset Rd Henderson, NV 89014		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Rebel Oil Company		
<b>Contact Name of Owner/Operator:</b>	Dana Cason Teepe 2200 South Highland Drive Las Vegas, NV 89102	<b>Telephone:</b>	(702)382-5866
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	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: #2023000003  
Claim #: 80488

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$7,470.03 from the Petroleum Fund for cleanup costs.

	\$7,720.03	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$7,720.03</u>	Amount Requested this Meeting
	(\$250.00)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$7,470.03</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/15/2023 and 03/24/2023

**Summary of work completed:** Heating oil release remediation.

# Site Summary Report

Case Number: 2023000003 Site Name: Menke Heating Oil

## Site Status

**Synopsis:** DISCHARGE DISCOVERED JANUARY 20, 2023 DURING TANK REMOVAL ACTIVITIES. CONTAMINATION EMANATED FROM CORROSION OF THE SINGLE WALL STEEL 550 GALLON UNDERGROUND STORAGE TANK, CONTAINING HEATING OIL AT THE TIME OF RELEASE.

**Contaminant:** Heating Oil

<b>Fund Coverage</b>	\$250,250.00
<b>Amount Fund Will Pay</b>	\$250,000.00
<b>Amount Requested</b>	\$7,720.03
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$250.00
<b>Copay/Deductible</b>	\$0.00
<b>Amount Recommended</b>	\$7,470.03
<b>Amount Paid</b>	\$0.00

## Site Identification

<b>Date Submitted:</b>	02/07/2023	<b>DEP Facility Number:</b>	C-000092
<b>Site Name</b>	Menke Heating Oil	<b>Telephone:</b>	(775)813-8610
<b>Site Contact</b>	Ralph Menke		
<b>Site Address</b>	540 Farm District Road Fernley, NV 89408		
<b>County:</b>	Lyon County		
<b>Owner/Operator Name:</b>	Ralph Menke	<b>Telephone:</b>	(775)813-8610
<b>Contact Name of Owner/Operator:</b>	Ralph Menke 7630 Hillview Drive Reno, NV 89506		
<b>Prime Contractor</b>	Robison Engineering Company, Inc.		
<b>Contact Name</b>	Wallace Robison		
<b>Contractor Address</b>	35 High Ridge CT Reno, NV 89511		
<b>Telephone:</b>	(775)851-0506	<b>% Board Reduction:</b>	0.00

## Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	550	74	Non-Regulated	Tank

Case: #2023000010  
Claim #: 80507

**STAFF RECOMMENDATION**  
June 08, 2023

Staff recommends this claim be reimbursed \$29,859.52 from the Petroleum Fund for cleanup costs.

	\$30,109.52	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$30,109.52</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$29,859.52</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 10/31/2022 and 12/09/2022

**Summary of work completed:** Release discovered by Aspen Earthworks at time of home heating oil tank removed by during demo of the home and grading in the area for new construction. Reno Drain Oil Service was utilized as UTH and CEM to oversee tank removal and corrective action work on site. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in single wall steel tank shell. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Aspen Earthworks removed the leaking 300-gallon steel underground heating oil tank on 10-26-22. A soil sample was obtained beneath the removed tank that exhibited a TPH level of 15,180 mg/Kg. RDO reported the release to NDEP and received spill number 221030-01 then directed Alpha laboratory to perform additional testing required for profile to the Waste Management bio-remediation facility. RDO profiled the contaminated soil, Aspen Earthworks excavated and RDO delivered a total of 127.65 tons of contaminated soil to Waste Management as an act of initial abatement. RDO obtained confirmation samples from the four sidewalls and bottom of the excavation. The result of this testing indicated that no TPH contamination above the state action limit remained present within the excavation. Aspen Earthworks backfilled and compacted the excavation. Other

## Site Summary Report

Case Number: 2023000010 Site Name: Stonebrook Multifamily Phase II LLC

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A NON-REGULATED 300-GALLON UNDERGROUND STORAGE TANK CONTAINING HEATING OIL. APPROXIMATELY 127.65 TONS OF CONTAMINATED SOIL WAS REMOVED.

**Contaminant:** Heating Oil

<b>Fund Coverage</b>	\$250,250.00
<b>Amount Fund Will Pay</b>	\$250,000.00
<b>Amount Requested</b>	\$30,109.52
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$250.00
<b>Copay/Deductible</b>	\$0.00
<b>Amount Recommended</b>	\$29,859.52
<b>Amount Paid</b>	\$0.00

### Site Identification

<b>Date Submitted:</b>	05/04/2023	<b>DEP Facility Number:</b>	D-001357
<b>Site Name</b>	Stonebrook Multifamily Phase II LLC		
<b>Site Contact</b>	Brent Willie	<b>Telephone:</b>	(435)227-2410
<b>Site Address</b>	7744 Tierra Del Sol Parkway Sparks, NV 89436		
<b>County:</b>	Washoe County		
<b>Owner/Operator Name:</b>	Stonebrook Multifamily Phase II, LLC		
<b>Contact Name of Owner/Operator:</b>	Brent Willie	<b>Telephone:</b>	(435)227-2410
	299 South Main Street, Suite 2450 Salt Lake City, UT 84111		
<b>Prime Contractor</b>	Reno Drain Oil Service		
<b>Contact Name</b>	Steven Aguilar		
<b>Contractor Address</b>	11970 Interstate 80 E Sparks, NV 89434		
<b>Telephone:</b>	(775)342-0351	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
7744 Tierra Del Sol Pkwy Tank	300	78	Non-Regulated	Tank

**Agenda Item 9:  
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.	2018000016; 80462 Regal Holdings Of Nevada LLC: Regal Holdings Of Nevada, LLC	\$20,812.50	\$18,481.25
FOR DISCUSSION	2.	2022000037; 80418 Megan Walton And Will Schutte: Schutte-Walton Glenbrook LLC Residential Heating Oil Tank	\$31,002.37	\$30,752.37
FOR DISCUSSION	3.	2023000004; 80456 William M. & Dagmar M. Copenhaver: Copenhaver Family Trust Residential Heating Oil Tank	\$30,510.74	\$30,260.74
FOR DISCUSSION	4.	2023000005; 80461 Amelia Preston: Preston Residential Heating Oil Tank	\$30,555.33	\$30,305.33
FOR DISCUSSION	5.	2023000006; 80464 Brian Rizman: 1801 California Ave Leaking Heating Oil Tank	\$30,463.25	\$30,213.25
FOR DISCUSSION	6.	2023000007; 80468 Kathryn Hankins: Hankins Leaking Residential Heating Oil Tank	\$21,593.74	\$21,343.74
<b>SUB TOTAL:</b>			<b><u>\$164,937.93</u></b>	<b><u>\$161,356.68</u></b>
 <u>ONGOING CASES</u>			 <u>REQUESTED</u>	 <u>PAID</u>
FOR DISCUSSION	1.	1993000102; 80494 Rebel Oil Company: Rebel Store #2008	\$73,810.00	\$73,810.00
FOR DISCUSSION	2.	1994000015; 80487 Pilger Family Holdings: Former D & G Oil Company	\$11,069.20	\$10,878.70
FOR DISCUSSION	3.	1999000066; 80490 HP Management, LLC: Former Haycock Petroleum	\$31,233.88	\$26,910.34
FOR DISCUSSION	4.	2013000011; 80486 Har Moor Investments, LLC: Village Shop #4	\$8,880.00	\$7,992.00
FOR DISCUSSION	5.	2014000033; 80491 Speedee Mart Inc.: Speedee Mart #108	\$23,100.09	\$20,790.08
FOR DISCUSSION	6.	2018000005; 80484 Rebel Oil Company: Rebel Store # 2153	\$9,198.00	\$8,278.20
FOR DISCUSSION	7.	2019000002; 80483 Rebel Oil Company: Rebel Store #2166	\$9,946.50	\$8,951.85
FOR DISCUSSION	8.	2022000012; 80493 Neissan Koroghli: City C-Store (7-11)	\$25,906.50	\$23,315.85
<b>SUB TOTAL:</b>			<b><u>\$193,144.17</u></b>	<b><u>\$180,927.02</u></b>

**DIRECT PAYMENT CLAIMS TOTAL:                    \$358,082.10                    \$342,283.70**

**BOARD MEETING CLAIMS TOTAL:                    \$2,053,761.13                    \$1,744,304.91**

Case: #1993000102  
Claim #: 80494

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: May 23, 2023

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$2,673,240.28	Amount Requested to Date
	(\$27,274.04)	Amount Disallowed, Past Claims
	(\$30,000.00)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,366,765.77)</u>	Amount Paid to Date
SUB TOTAL	\$73,810.00	Amount Requested this Meeting
	<u>\$0.00</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$73,810.00	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 12/30/2022 and 04/03/2023

**Summary of work completed:** Project management and coordination, negotiation with NV Energy for power supply, prepare and submit NDEP and NPDES treated water permit application, preparation of quarterly status report, preparation of petroleum fund submittal, preparation of cost proposal, traffic control services, and drafting services.



## Site Summary Report

Case Number: 1993000102 Site Name: Rebel Store #2008

### Site Status

**Synopsis:** TWO USTS RELEASED GASOLINE IN 1992. PIPING FROM ONE TANK SYSTEM FAILED AND THE TANK FAILED IN THE SECOND SYSTEM. ONE ALLOTMENT OF THIRD PARTY LIABILITY FUNDS HAS BEEN APPROVED FOR CLEANUP ACTIVITIES FOR THIS CASE.

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

<b>Fund Coverage</b>	\$3,000,000.00
<b>Amount Fund Will Pay</b>	\$2,970,000.00
<b>Amount Requested</b>	\$2,673,240.28
<b>Amount Disallowed</b>	\$27,274.04
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$30,000.00
<b>Amount Recommended</b>	\$2,627,180.49
<b>Amount Paid</b>	\$2,627,180.49

### Site Identification

<b>Date Submitted:</b>	03/15/1993	<b>DEP Facility Number:</b>	8-000523
<b>Site Name</b>	Rebel Store #2008	<b>Telephone:</b>	(702)382-5866
<b>Site Contact</b>	Dana Cason Teepe		
<b>Site Address</b>	3225 Las Vegas Blvd N Las Vegas, NV 89115		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Rebel Oil Company		
<b>Contact Name of Owner/Operator:</b>	Dana Cason Teepe 2200 S Highland Drive Las Vegas, NV 89102	<b>Telephone:</b>	(702)382-5866 Ext: 2
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	Closed	Regulated UST	See Synopsis
002	10000	42	Regulated UST	See Synopsis

Case: #1994000015  
Claim #: 80487

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: May 23, 2023

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$2,055,099.04	Amount Requested to Date
	(\$77,183.34)	Amount Disallowed, Past Claims
	(\$20,000.00)	Deductible/Co-Payment Satisfied to Date
	(\$1,341,540.43)	Amount Paid to Date
SUB TOTAL	\$11,069.20	Amount Requested this Meeting
	(\$190.50)	Amount Disallowed this Meeting
SUB TOTAL	\$10,878.70	
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$10,878.70	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/14/2023 and 04/03/2023

**Summary of work completed:** Project management and coordination, 1st Quarter 2023 Well Sampling and/or Free Product Removal, 1st Quarter 2023 Groundwater Monitoring Remediation Status Report, preparation of petroleum fund claim, preparation of cost proposal, drafting services, and laboratory analysis.

## Site Summary Report

**Case Number:** 1994000015    **Site Name:** Former D & G Oil Company

### Site Status

**Synopsis:** CONTAMINATION WAS DISCOVERED FEBRUARY 3, 1993, FROM A 10,000 GALLON UNDERGROUND STORAGE TANK CONTAINING DIESEL FUEL AND IDENTIFIED AS TANK 3. THE LOCATION OF THE LEAK WAS NOTED ON THE APPLICATION AS THE TANK. THIS CASE WAS GRANTED COVERAGE ON SEPTEMBER 9, 1993, WITH A \$10,000 DEDUCTIBLE. THIRD PARTY LIABILITY COVERAGE WAS GRANTED AT THE DECEMBER 8, 2016 BOARD MEETING, PURSUANT TO SSBD 2016-06.

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

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,980,000.00
<b>Amount Requested</b>	\$2,055,099.04
<b>Amount Disallowed</b>	\$77,373.84
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$20,000.00
<b>Amount Recommended</b>	\$1,957,725.20
<b>Amount Paid</b>	\$1,957,725.20

### Site Identification

<b>Date Submitted:</b>	02/04/1993	<b>DEP Facility Number:</b>	8-000147
<b>Site Name</b>	Former D & G Oil Company	<b>Telephone:</b>	(760)447-5192
<b>Site Contact</b>	Pilger, Jessica		
<b>Site Address</b>	6176 Las Vegas Blvd S Las Vegas, NV 89119		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Pilger Family Holdings		
<b>Contact Name of Owner/Operator:</b>	Jessica Pilger 5127 Crown Street San Diego, CA 92110	<b>Telephone:</b>	(702)641-5216
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	0.00

### Site Characteristics

<b>Alt ID</b>	<b>Tank Cap. (Gallons)</b>	<b>Tank Age (Years)</b>	<b>Tank Type</b>	<b>Leak Location</b>
003	10000	Closed	Regulated UST	See Synopsis

Case: #1999000066  
Claim #: 80490

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: May 23, 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.

	\$3,790,910.34	Amount Requested to Date
	(\$8,646.72)	Amount Disallowed, Past Claims
	(\$375,102.99)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,809,351.54)</u>	Amount Paid to Date
SUB TOTAL	\$31,233.88	Amount Requested this Meeting
	<u>(\$1,333.50)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$29,900.38	
	<u>(\$2,990.04)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$26,910.34	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/22/2023 and 04/04/2023

**Summary of work completed:** Project management and Coordination, Remediation System Operation and Monitoring (January 2023 - March 2023), CEM Conducted Monthly Remediation System Maintenance (January 2023 - March 2023), 1st Quarter 2023 Remediation System Permit Report Preparation, 1st Quarter 2023 Well Sampling and/or Free Product Removal, 1st Quarter 2023 Groundwater Monitoring Remediation Status Report, Preparation of Petroleum Fund Submittal, Preparation of Cost Proposal, Drafting Services, Air Sparge Unit Relay Replacement, 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)

<b>Fund Coverage</b>	\$4,000,000.00
<b>Amount Fund Will Pay</b>	\$3,600,000.00
<b>Amount Requested</b>	\$3,790,910.34
<b>Amount Disallowed</b>	\$9,980.22
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$375,102.99
<b>Amount Recommended</b>	\$3,402,837.09
<b>Amount Paid</b>	\$3,402,837.09

### Site Identification

<b>Date Submitted:</b>	03/30/1999	<b>DEP Facility Number:</b>	8-001512
<b>Site Name</b>	Former Haycock Petroleum		
<b>Site Contact</b>	John Haycock	<b>Telephone:</b>	(702)219-5643
<b>Site Address</b>	715 W Bonanza Rd Las Vegas, NV 89106		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	HP Management, LLC		
<b>Contact Name of Owner/Operator:</b>	John Haycock	<b>Telephone:</b>	(702)219-5643
	P.O. Box 100 Pmb 380 Mammoth Lakes, CA 93546		
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	0.00

### Site Characteristics

<b>Alt ID</b>	<b>Tank Cap. (Gallons)</b>	<b>Tank Age (Years)</b>	<b>Tank Type</b>	<b>Leak Location</b>
001	25000	56	Aboveground	See Synopsis
006	20000	56	Aboveground	See Synopsis

Case: #2013000011  
Claim #: 80486

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: May 23, 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.

	\$919,095.16	Amount Requested to Date
	(\$10,366.88)	Amount Disallowed, Past Claims
	(\$89,984.84)	Deductible/Co-Payment Satisfied to Date
	<u>(\$457,480.70)</u>	Amount Paid to Date
SUB TOTAL	\$8,880.00	Amount Requested this Meeting
	<u>(\$888.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$7,992.00	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/17/2023 and 04/03/2023

**Summary of work completed:** Project management and coordination, 1st Quarter 2023 Well Sampling and/or Free Product Removal, 1st Quarter 2023 Groundwater Monitoring Remediation Status Report, preparation of petroleum fund claim, preparation of cost proposal, and laboratory analysis.

## Site Summary Report

Case Number: 2013000011 Site Name: Village Shop #4

### Site Status

**Synopsis:** JULY 2012 SITE ASSESSMENT FOR POTENTIAL PROPERTY SALE IDENTIFIED BENZENE IN GROUNDWATER. TESTING IDENTIFIED A LEAK IN PIPING BENEATH DISPENSER #2 WHICH WAS REPAIRED OCTOBER 12, 2012.

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

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$900,000.00
<b>Amount Requested</b>	\$919,095.16
<b>Amount Disallowed</b>	\$10,366.88
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$89,984.84
<b>Amount Recommended</b>	\$816,208.94
<b>Amount Paid</b>	\$816,208.94

### Site Identification

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

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	26	Regulated UST	See Synopsis

Case: #2014000033  
Claim #: 80491

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: May 23, 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.

	\$927,058.71	Amount Requested to Date
	(\$4,316.50)	Amount Disallowed, Past Claims
	(\$89,964.23)	Deductible/Co-Payment Satisfied to Date
	<u>(\$344,101.21)</u>	Amount Paid to Date
SUB TOTAL	\$23,100.09	Amount Requested this Meeting
	<u>(\$2,310.01)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$20,790.08	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/20/2023 and 04/03/2023

**Summary of work completed:** Project management and coordination, Remediation System Operation and Monitoring (January 2023 - March 2023), CEM Conducted Monthly Remediation System Maintenance (January 2023 - March 2023), 1st Quarter 2023 Remediation System Permit Report Preparation, 1st Quarter 2023 Well Sampling and/or Free Product Removal, 1st Quarter 2023 Groundwater Monitoring Remediation Status Report, preparation of petroleum fund submittal, preparation of cost proposal, 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	\$927,058.71
Amount Disallowed	\$4,316.50
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$89,964.23
Amount Recommended	\$830,467.97
Amount Paid	\$830,467.97

## Site Identification

Date Submitted:	01/16/2015	DEP Facility Number:	8-001779
Site Name	Speedee Mart #108	Telephone:	(702)450-2726
Site Contact	Paul Orlus		
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: #2018000005  
Claim #: 80484

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: May 23, 2023

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$253,877.77	Amount Requested to Date
	(\$2,161.99)	Amount Disallowed, Past Claims
	(\$24,251.80)	Deductible/Co-Payment Satisfied to Date
	<u>(\$100,704.80)</u>	Amount Paid to Date
SUB TOTAL	\$9,198.00	Amount Requested this Meeting
	<u>(\$919.80)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$8,278.20	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 12/30/2022 and 04/03/2023

**Summary of work completed:** Project management and coordination, preparation of quarterly report, preparation of petroleum fund submittal, preparation of cost proposal, quarterly sampling and monitoring, 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)

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,800,000.00
<b>Amount Requested</b>	\$253,877.77
<b>Amount Disallowed</b>	\$2,161.99
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$24,251.80
<b>Amount Recommended</b>	\$226,544.18
<b>Amount Paid</b>	\$226,544.18

### Site Identification

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

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
005	6000	31	Regulated UST	Spill Bucket
002	12000	31	Regulated UST	Spill Bucket

Case: #2018000016  
Claim #: 80462

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: March 21, 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.

	\$20,812.50	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$20,812.50</u>	Amount Requested this Meeting
	(\$2,081.25)	Board Reduction, This Meeting
SUB TOTAL	<u>\$18,731.25</u>	
	(\$250.00)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$18,481.25</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/19/2020 and 03/19/2020

**Summary of work completed:** 500 gallon heating oil UST removal, petroleum impacted soil excavation, petroleum impacted soil disposal, and excavation backfill

# Site Summary Report

Case Number: 2018000016 Site Name: Regal Holdings Of Nevada, LLC

## Site Status

Synopsis: DISCHARGE DISCOVERED DURING REMOVAL OF UNDERGROUND STORAGE TANK, USED FOR HEATING OIL AT THE RESIDENCE.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$18,481.25
Amount Requested	\$20,812.50
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$2,081.25
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$250.00
Amount Recommended	\$18,481.25
Amount Paid	\$18,481.25

## Site Identification

Date Submitted: 05/18/2018 DEP Facility Number: D-001010

Site Name: Regal Holdings Of Nevada, LLC

Site Contact: Jeffrey Lowden

Telephone: (775)827-6700

Site Address: 624 Ryland Street  
Reno, NV 89502

County: Washoe County

Owner/Operator Name: Regal Holdings Of Nevada LLC

Contact Name of Owner/Operator: Jeffrey Lowden

Telephone: (775)827-6700

3495 Lakeside Drive #249  
Reno, NV 89509

Prime Contractor: NDEP - Petroleum Fund

Contact Name: Petroleum Fund Administrator

Contractor Address: 901 S. Stewart Street  
Carson City, NV 89701

Telephone: (775)687-9488

% Board Reduction: 10.00

## Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
Heating Oil Tank	500	58	Non-Regulated	Tank

Case: #2019000002  
Claim #: 80483

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: May 23, 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.

	\$248,011.41	Amount Requested to Date
	(\$841.42)	Amount Disallowed, Past Claims
	(\$23,722.36)	Deductible/Co-Payment Satisfied to Date
	(\$94,583.70)	Amount Paid to Date
SUB TOTAL	<u>\$9,946.50</u>	Amount Requested this Meeting
	(\$994.65)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$8,951.85</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 12/30/2022 and 04/03/2023

**Summary of work completed:** Project management and coordination, preparation of quarterly report, preparation of cost proposal, preparation of petroleum fund claim, quarterly monitoring and sampling, 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)

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$900,000.00
<b>Amount Requested</b>	\$248,011.41
<b>Amount Disallowed</b>	\$841.42
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$23,722.36
<b>Amount Recommended</b>	\$222,452.98
<b>Amount Paid</b>	\$222,452.98

### Site Identification

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

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
004-M	8000	27	Regulated UST	Pipe

Case: #2022000012  
Claim #: 80493

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: May 23, 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.

	\$53,435.00	Amount Requested to Date
	(\$2,752.84)	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$25,906.50</u>	Amount Requested this Meeting
	(\$2,590.65)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$23,315.85</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/27/2023 and 04/06/2023

**Summary of work completed:** Project management and coordination, utility clearance, drill and install two groundwater monitor wells, soil sample collection, well development, 1st Quarter 2023 Well Sampling and/or Free Product removal, 1st Quarter 2023 Groundwater Monitoring Remediation Status Report preparation, petroleum fund claim preparation, preparation of cost proposal, 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)

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$900,000.00
<b>Amount Requested</b>	\$53,435.00
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$2,752.84
<b>Amount Recommended</b>	\$48,091.51
<b>Amount Paid</b>	\$48,091.51

### Site Identification

<b>Date Submitted:</b>	09/06/2022	<b>DEP Facility Number:</b>	8-001419
<b>Site Name</b>	City C-Store (7-11)	<b>Telephone:</b>	(702)290-6479
<b>Site Contact</b>	Neissan Koroghli		
<b>Site Address</b>	228 Las Vegas Blvd N Las Vegas, NV 89101		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Neissan Koroghli		
<b>Contact Name of Owner/Operator:</b>	Neissan Koroghli	<b>Telephone:</b>	(702)290-6479
	2796 Brands Hatch Court Henderson, NV 89052		
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	12000	31	Regulated UST	Fuel pipe beneath the shear valve on dispenser 1/2

Case: #2022000037  
Claim #: 80418

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: March 15, 2023

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$31,002.37	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$31,002.37</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$30,752.37</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/26/2022 and 01/05/2023

**Summary of work completed:** Hazardous materials contractor (Clauss) - removal and disposal of former heating oil UST, permitting fees associated with UST removal, mobilization/demobilization of all equipment and vehicles for project completion, tank contents removal and rendering tank inert prior to removal, disposal of tank contents and tank, removal and disposal of associated tank piping, initial soil sampling and analytical fees immediately following tank removal, over-excavation of impacted soil and associated mobilization/demobilization fees, backfill of UST excavation and site restoration, final site closure documentation preparation, materials (plastic sheeting and wattles), soil disposal fees (transportation, landfill fees, and equipment fees), and overhead fees. NV5 (Environmental Consultant) - Environmental consulting fees associated with correspondence with NDEP representatives, soil sampling (following UST removal and over-excavation), analytical fees, report preparation fees, and general consulting fees (correspondence with property owner and NDEP). Analytical Fees (Alpha) - analytical fees associated with soil samples collected from UST excavation (following UST removal and over-excavation) and re-issuance of report to show MDLs. TRPA Permit Fees Paid by Property Owner

## Site Summary Report

**Case Number:** 2022000037    **Site Name:** Schutte-Walton Glenbrook LLC Residential Heating Oil Tank

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A PIPE CONNECTION TO A NON-REGULATED 1,000 GALLON UNDERGROUND STORAGE TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. APPROXIMATELY 27.53 TONS OF CONTAMINATED SOIL WAS REMOVED.

**Contaminant:** Heating Oil

<b>Fund Coverage</b>	\$250,250.00
<b>Amount Fund Will Pay</b>	\$250,000.00
<b>Amount Requested</b>	\$31,002.37
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$250.00
<b>Amount Recommended</b>	\$30,752.37
<b>Amount Paid</b>	\$30,752.37

### Site Identification

<b>Date Submitted:</b>	12/23/2022	<b>DEP Facility Number:</b>	B-000053
<b>Site Name</b>	Schutte-Walton Glenbrook LLC Residential Heating Oil Tank		
<b>Site Contact</b>	Megan Walton	<b>Telephone:</b>	(415)269-0314
<b>Site Address</b>	2059 Pray Meadow Road Glenbrook, NV 89413		
<b>County:</b>	Douglas County		
<b>Owner/Operator Name:</b>	Megan Walton And Will Schutte		
<b>Contact Name of Owner/Operator:</b>	Megan Walton	<b>Telephone:</b>	(415)269-0314
	13 Aspen Court San Anselmo, CA 94960		
<b>Prime Contractor</b>	Nv5		
<b>Contact Name</b>	Pamela Raynak		
<b>Contractor Address</b>	10775 Pioneer Trail, Suite 213 Truckee Truckee, CA 96161		
<b>Telephone:</b>	(530)362-0032	<b>% Board Reduction:</b>	0.00

### Site Characteristics

<b>Alt ID</b>	<b>Tank Cap. (Gallons)</b>	<b>Tank Age (Years)</b>	<b>Tank Type</b>	<b>Leak Location</b>
001	1000	64	Non-Regulated	Pipe

Case: #2023000004  
Claim #: 80456

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: March 17, 2023

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$30,510.74	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$30,510.74</u>	Amount Requested this Meeting
	(\$250.00)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$30,260.74</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 08/25/2022 and 02/22/2023

**Summary of work completed:** Release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace in side the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in 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: 2023000004 Site Name: Copenhaver Family Trust Residential Heating Oil Tank

### 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 81.49 TONS OF CONTAMINATED SOIL WAS REMOVED.

**Contaminant:** Heating Oil

<b>Fund Coverage</b>	\$250,250.00
<b>Amount Fund Will Pay</b>	\$250,000.00
<b>Amount Requested</b>	\$30,510.74
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$250.00
<b>Amount Recommended</b>	\$30,260.74
<b>Amount Paid</b>	\$30,260.74

### Site Identification

<b>Date Submitted:</b>	02/23/2023	<b>DEP Facility Number:</b>	D-001359
<b>Site Name</b>	Copenhaver Family Trust Residential Heating Oil Tank		
<b>Site Contact</b>	William "mike" Copenhaver	<b>Telephone:</b>	(775)747-4100
<b>Site Address</b>	1321 University Terrace Reno, NV 89503		
<b>County:</b>	Washoe County		
<b>Owner/Operator Name:</b>	William M. & Dagmar M. Copenhaver		
<b>Contact Name of Owner/Operator:</b>	William Copenhaver	<b>Telephone:</b>	(775)750-4100
	1321 University Terrace Reno, NV 89503		
<b>Prime Contractor</b>	Reno Drain Oil Service		
<b>Contact Name</b>	Steven Aguilar		
<b>Contractor Address</b>	11970 Interstate 80 E Sparks, NV 89434		
<b>Telephone:</b>	(775)342-0351	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
1321 University Terr Tank	300	64	Non-Regulated	Tank

Case: #2023000005  
Claim #: 80461

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: March 17, 2023

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$30,555.33	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$30,555.33</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$30,305.33</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 08/25/2022 and 01/31/2023

**Summary of work completed:** Release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace in side the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in single wall steel tank shell. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tank. Contaminated soil was removed and delivered to the Waste Management Biopit. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

## Site Summary Report

Case Number: 2023000005 Site Name: Preston Residential Heating Oil Tank

### Site Status

**Synopsis:** RELEASE DISCOVERED ON 12/8/22 DURING TANK REMOVAL ACTIVITIES. CONTAMINATION EMANATED FROM HOLES IN LEAKING 300-GALLON, NON-REGULATED, STEEL UNDERGROUND STORAGE TANK, CONTAINING HEATING OIL AT THE TIME OF RELEASE. INITIAL ABATEMENT MEASURES REMOVED APPROXIMATELY 67 TONS OF CONTAMINATED SOIL.

**Contaminant:** Heating Oil

<b>Fund Coverage</b>	\$250,250.00
<b>Amount Fund Will Pay</b>	\$250,000.00
<b>Amount Requested</b>	\$30,555.33
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$250.00
<b>Amount Recommended</b>	\$30,305.33
<b>Amount Paid</b>	\$30,305.33

### Site Identification

<b>Date Submitted:</b>	02/27/2023	<b>DEP Facility Number:</b>	D-001361
<b>Site Name</b>	Preston Residential Heating Oil Tank		
<b>Site Contact</b>	Michael Foley	<b>Telephone:</b>	(775)762-2223
<b>Site Address</b>	515 Harbin Lane Reno, NV 89509		
<b>County:</b>	Washoe County		
<b>Owner/Operator Name:</b>	Amelia Preston		
<b>Contact Name of Owner/Operator:</b>	Amelia Preston	<b>Telephone:</b>	(775)762-2223
	515 Harbin Lane Reno, NV 89509		
<b>Prime Contractor</b>	Reno Drain Oil Service		
<b>Contact Name</b>	Steven Aguilar		
<b>Contractor Address</b>	11970 Interstate 80 E Sparks, NV 89434		
<b>Telephone:</b>	(775)342-0351	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
515 Harbin Tank	300	59	Non-Regulated	Tank

Case: #2023000006  
Claim #: 80464

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: May 23, 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.

	\$30,463.25	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$30,463.25</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$30,213.25</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 06/10/2022 and 02/27/2023

**Summary of work completed:** Release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace in side the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in 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:** 2023000006    **Site Name:** 1801 California Ave Leaking Heating Oil Tank

### 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. APPROXIMATELY 61.05 TONS OF CONTAMINATED SOIL WAS REMOVED.

**Contaminant:** Heating Oil

<b>Fund Coverage</b>	\$250,250.00
<b>Amount Fund Will Pay</b>	\$250,000.00
<b>Amount Requested</b>	\$30,463.25
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$0.00
<b>Amount Recommended</b>	\$30,213.25
<b>Amount Paid</b>	\$30,213.25

### Site Identification

<b>Date Submitted:</b>	03/24/2023	<b>DEP Facility Number:</b>	D-001364
<b>Site Name</b>	1801 California Ave Leaking Heating Oil Tank		
<b>Site Contact</b>	Brian Rizman	<b>Telephone:</b>	(908)489-3293
<b>Site Address</b>	1801 California Ave Reno, NV 89509		
<b>County:</b>	Washoe County		
<b>Owner/Operator Name:</b>	Brian Rizman		
<b>Contact Name of Owner/Operator:</b>	Brian Rizman	<b>Telephone:</b>	(908)489-3293
	1801 California Avenue Reno, NV 89509		
<b>Prime Contractor</b>	Reno Drain Oil Service		
<b>Contact Name</b>	Steven Aguilar		
<b>Contractor Address</b>	11970 Interstate 80 E Sparks, NV 89434		
<b>Telephone:</b>	(775)342-0351	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
1801 California Ave Tank	500	71	Non-Regulated	Tank

Case: #2023000007  
Claim #: 80468

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: May 23, 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.

	\$21,593.74	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$21,593.74</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$21,343.74</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 10/17/2022 and 03/24/2023

**Summary of work completed:** Release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace in side the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in 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: 2023000007 Site Name: Hankins Leaking Residential Heating Oil Tank

### Site Status

**Synopsis:** TANK REMOVED ON 2/14/2023. DISCHARGE DISCOVERED DURING TANK REMOVAL ACTIVITIES. CONTAMINATION EMANATED FROM CORROSION HOLES IN SHELL OF NON-REGULATED 350-GALLON STEEL UNDERGROUND STORAGE TANK, USED FOR HEATING OIL ON THE PREMISES. INITIAL ABATEMENT ACTIVITIES REMOVED APPROXIMATELY 28.44 TONS OF IMPACTED MATERIALS.

**Contaminant:** Heating Oil

<b>Fund Coverage</b>	\$250,250.00
<b>Amount Fund Will Pay</b>	\$250,000.00
<b>Amount Requested</b>	\$21,593.74
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$0.00
<b>Amount Recommended</b>	\$21,343.74
<b>Amount Paid</b>	\$21,343.74

### Site Identification

<b>Date Submitted:</b>	04/06/2023	<b>DEP Facility Number:</b>	D-001366
<b>Site Name</b>	Hankins Leaking Residential Heating Oil Tank		
<b>Site Contact</b>	Kathryn Hankins	<b>Telephone:</b>	(775)240-7994
<b>Site Address</b>	320 West Arroyo Reno, NV 89509		
<b>County:</b>	Washoe County		
<b>Owner/Operator Name:</b>	Kathryn Hankins		
<b>Contact Name of Owner/Operator:</b>	Kathryn Hankins	<b>Telephone:</b>	(775)240-7994
	320 West Arroyo Street Reno, NV 89509		
<b>Prime Contractor</b>	Reno Drain Oil Service		
<b>Contact Name</b>	Steven Aguilar		
<b>Contractor Address</b>	11970 Interstate 80 E Sparks, NV 89434		
<b>Telephone:</b>	(775)342-0351	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
320 W Arroyo Tank	350	78	Non-Regulated	Tank

**Agenda Item 10:  
Execute Summary**  
(FOR DISCUSSION)

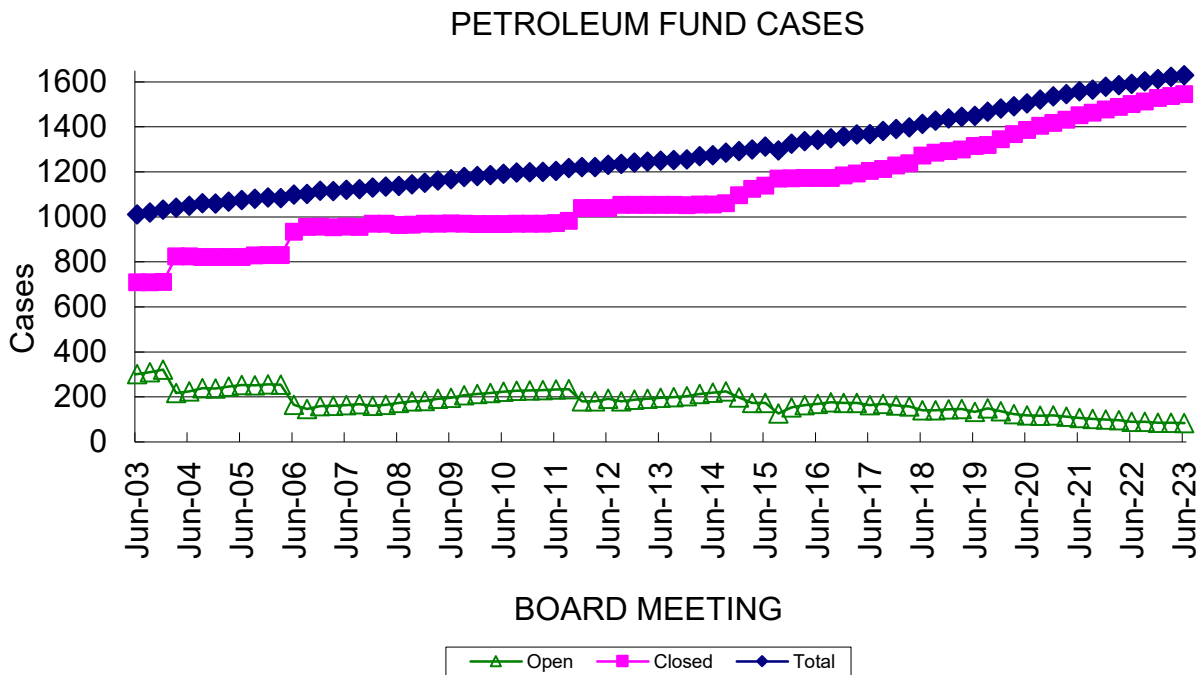
**STATE BOARD TO REVIEW CLAIMS  
JUNE 8, 2023 BOARD MEETING**

**EXECUTIVE SUMMARY REPORT**

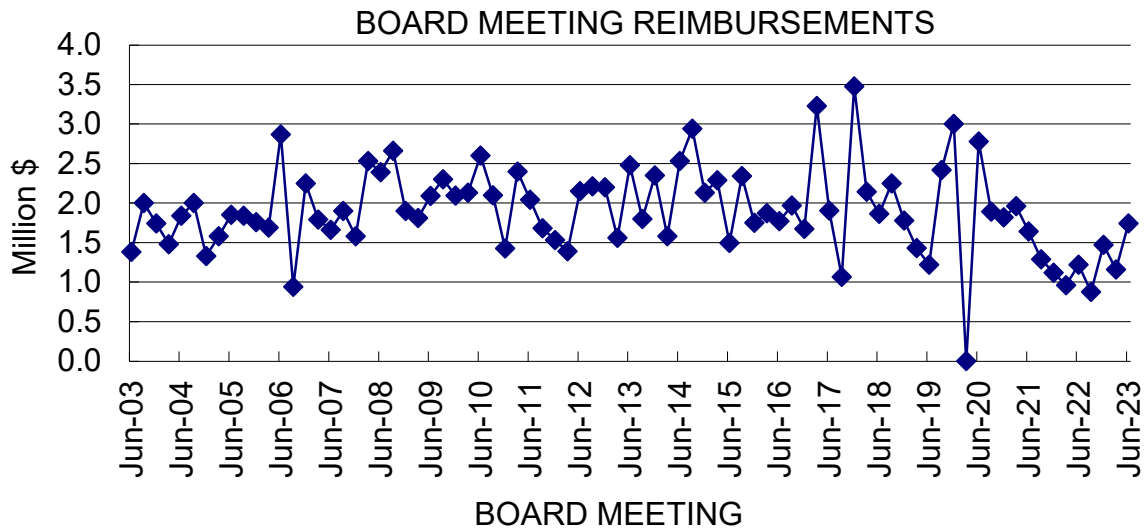
The Fund for Cleaning Up Discharges of Petroleum (“Petroleum Fund” or “Fund”) was established in 1989 by the Nevada Legislature. The Petroleum Fund facilitates the protection of Nevada’s environment, including its water resources, by allowing for prompt cleanup of petroleum discharges from storage tank systems. It also provides a mechanism for regulated underground petroleum storage tank operators to meet the federal financial responsibility requirements of 40 CFR 280, Subpart H. Authority for the Fund’s regulatory requirements is provided in Chapter 445C of the Nevada Revised Statutes (NRS) and adopted regulations under this authority are found in Chapter 445C of the Nevada Administrative Code (NAC).

**Enrollment Summary** – Tank enrollment fees are tracked pursuant to the Federal Fiscal Year (FFY). FFY 2023 runs October 1, 2022, through September 30, 2023. The annual tank system enrollment invoices for FFY 2023 were issued August 17, 2022. Additional invoices have also been generated for subsequent requests for tank enrollment. Currently, a total of 1,293 facilities have been invoiced at \$100 per petroleum tank system. As of May 24, 2023, 1,261 (~97.5%) of the facilities have submitted the required enrollment fees.

**Program Case Summary** – Since the Fund was created, a total of 1,804 remediation cases have applied for Petroleum Fund coverage. Of those applications, 173 have been denied due to ineligibility or other reasons. Of the cases that were provided Fund coverage, 1,545 cases have since been closed and no longer receive Fund reimbursement. Currently, there are 84 open Fund cases. Since January 1, 2023, NDEP has received 10 new applications for Fund coverage. There are 2 applications currently under review and pending a coverage determination (including one site-specific board determination on the June 8, 2023, agenda).



**Claims Reimbursement Summary** – Prior to this meeting, the Board to Review Claims approved a cumulative total of \$255,772,941.92 for reimbursement to petroleum storage tank operators throughout Nevada for cleanup expenses. This cumulative total includes 14 claims paid via the direct payment method since the March 2023 Board meeting, totaling \$342,283.70. With today’s approval of \$1,402,021.21 in pending claims, the cumulative Fund expenditure will increase to \$257,174,963.13.



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

**Grant for UST Upgrades** – One grant award payment for UST facility upgrades was processed during the past quarter. The award amount was \$46,704.19 (JJ’s Express 6-000029). Upgrades will include three new spill buckets and overfill prevention equipment for three underground storage tank systems.

**Cost Guidelines Update** – During the September 8, 2022, meeting, the Board directed the executive secretary to include quarterly updates and feedback on the Cost Guidelines following their adoption and implementation. No significant concerns were raised regarding the new cost guidelines this quarter.

**Agenda Item 11:  
Public Comment**  
(FOR DISCUSSION)

**Agenda Item 12:**  
**Confirmation of Next Board Meeting Date**  
(FOR DISCUSSION)



**STATE BOARD TO REVIEW CLAIMS**  
**CONFIRMATION OF NEXT MEETING**

DATE	LOCATION
September 14, 2023 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.  See Above

Upcoming Board Meetings

September 14, 2023 - 10:00 AM

December 14, 2023 - 10:00 AM

March 14, 2024 - 10:00 AM

June 13, 2024 - 10:00 AM