

**STATE PETROLEUM BOARD MEETING TO REVIEW CLAIMS
BOARD MEETING MINUTES
March 9, 2006**

Note: Copies of the recorded meeting on cassette tape can be obtained from Ms. Victoria Joncas, NDEP, 901 South Stewart Street, Carson City, Nevada 89701 or by calling (775) 687-9367.

I. CALL TO ORDER

Chairman Haycock called the meeting to order from the Las Vegas location at 10:00 a.m. The meeting was conducted via videoconference with locations in Las Vegas at the Grant Sawyer Building, 555 East Washington Avenue, Room 4406 and in Carson City at the Legislative Counsel Bureau Chambers at the State Legislative Building, 401 South Carson Street, Room 2134.

A. BOARD MEMBERS PRESENT - Present in Carson City were, Mr. Edgar Roberts; Ms. Linda Bowman; Mr. Mike Miller; Mr. Leo Drozdoff; and, Mr. Ken Tyler.

Others present were Mr. Gil Cerruti; Ms. Victoria Joncas; Mr. Art Gravenstein; Mr. Steve Fischenich; Mr. Hayden Bridwell of NDEP; and representatives from Broadbent and Associates Mr. Doug Guerrant; McGinnley and Associates Mr. Joe McGinnley; Allied Washoe Glenn Hibl; Allied Washoe Mr. Mike Cox; and AMEC Mr. Don Swigonski.

B. BOARD MEMBERS PRESENT - Present in Las Vegas were, Mr. John Haycock (Chairman); Ms. JoAnne Blystone; Mr. David Newton from the Attorney General's Office.

Others present were Ms. Shannon Harbour, a staff member in the Las Vegas NDEP Office; and, representatives from Stewart Environmental Mr. Keith Stewart; from Broadbent and Associates, Mr. Kirk Stowers; and, from ATC Associates Inc., Mr. Rex Heppe; Ewing Bros. Mr. Jay Ewing, and Mr. Kris Everett

II. APPROVAL OF THE AGENDA

Mr. Cerruti announced that there were two errata sheets to the agenda, which change the recommended amounts under old cases. In addition, a handout was available which contains 40 CFR 280.61 and 280.62. Also included were the revised pages 21 through 24 of the proposed regulation regarding NAC 590.

Chairman Haycock moved to approve the Agenda. Ms. Bowman seconded. Motion carried unanimously.

III. APPROVAL OF THE DECEMBER 8, 2005 MINUTES

Ms. Blystone moved to approve the Minutes. Mr. Miller seconded the Motion. Motion carried unanimously.

IV. STATUS OF THE FUND

Mr. Cerruti reported that the balance forward from fiscal year 2005 was \$13,000,000. Receipts for the \$100-per-tank fee amount to approximately \$421,000. The per-gallon-fee has not been collected during this fiscal year; thus, the revenue is at \$2,546 which is a result of refunds. The interest earned was \$218,000. for a total revenue of about \$13.75 million for the Fund this year. The expenditures, which primarily consist of reimbursement of claims in the amount of \$3,800,000, amount to \$4,200,000. There are current liabilities of \$1,100,000 which brings the total liabilities and expenditures to \$5,300,000. This provides a remaining Fund amount of \$8,400,000 as of early February. Today, staff is recommending the approval of \$1.69 million in reimbursement. This will reduce the Fund to approximately \$1.72 million available for the next meeting, before going under the \$5,000,000 statutory limit. The two meetings reimbursements combined probably amount to about \$3.4 million. The Fund has \$8.4 million now and it will drop down to around \$5,000,000. A decision will then be made whether to reinstate collection of the per-gallon-fee. Mr. Cerruti indicated that he won't know until late May, or early June.

Mr. Cerruti reported that a letter has been provided to the Department of Public Safety and Motor Vehicles placing them on notice that on June 30, 2006 the Fund balance will be approximately \$4.7 million and that the per-gallon-fee should be reinstated. That's based on numbers we have today. As we get closer to the next Board Meeting those figures will be refined.

V. ADOPTION OF PETROLEUM FUND REGULATION

A. Resolution to Amend NAC Chapter 590 Resolution No. 2006-03

Mr. Cerruti gave a brief presentation on the background of this resolution. The resolution includes amended language to make these regulations consistent with NAC 459. The proposed amendment adds a definition for the term marina storage tank and adopts by reference sections of the International Fire Code. The proposed amendment also provides clarification and addresses redundancies.

Staff is proposing to amend NAC 590.700 through 590.790. Mr. Cerruti clarified that on page 21, of the Resolution, NAC 590.760(2)b all the blue insertions

should be stricken “including, without limitation, a description of the actions taken to prevent further discharge in accordance with the provisions of 40 C.F.R. §§ 280.61 and 280.62;”. This language is to be stricken from the resolution.

Using the resolution reference material provided, Mr. Cerruti reviewed the resolution to amend NAC Chapter 590. Referring to page 16 at the top and page 20 at the bottom are references to the Marina Storage Tanks. With the passage of the amended NAC 459, regulations were created for Above Ground Marina Storage Tanks as a separate class of Petroleum Storage Tanks. As we assess the compliance of USTs relative to 40 CFR 280, we'll talk about and assess compliance of Marina Tanks relative to regulations in NAC 459. References to inspection and leak detection requirements have been added to NAC 590. Additionally, adoption by reference of the International Fire Code 2003. Mr. Cerruti reviewed the inconsistencies relating to the term “registered” on the top of page 21, NAC 590.750 which will be changed to the word “regulated”. Next, the handout was reviewed. Adopted by reference in NAC 590 are sections of CFR 280.61 and 280.62. On page 16, item G, language to clarify that the UST system ends at the sheer valve under the dispenser is proposed. On page 20, specific inspection requirements are added for above-ground storage tanks. The retention period for records proposed is three years. On page 23 section 590.780-(1) recommends a 3-year time limit on invoice submissions, as well as a timelier filing of an initial application based on the fact that NDEP can then legitimize, verify and validate all the items with current information. Mr. Cerruti answered all questions in detail from the Board regarding these amendments.

Concern regarding the language inconsistency relating to the 3-year claim submission verbiage was expressed. A lengthy discussion followed. Mr. Cerruti summarized the claim review process, which occurs every time a claim is submitted.

At this point, Chairman Haycock requested comments from the public.

Mr. Stowers, Broadbent & Associates, requested to know the purpose for changing the initial application filing from the current 12-month period to a six-month period. Mr. Cerruti replied that because there is currently a 12-month claim filing period allowed there has been a delay in filing applications. A more expeditious filing of the application is desired. He noted that a spill report is filed within the first 24 hours.

Mr. Guerrant, Broadbent & Associates, stated that the information provided for public comment did not include the change from 12 months to 6 months for filing the initial application. He commented that situations do arise where it becomes difficult to submit things in a timely manner. In his opinion, six months may be problematic to submit applications.

Mr. Cerruti clarified that there is currently no time limit to submit an application. The language change will clarify the term “as soon as possible”. The staff is recommending six months. There is still a requirement of 12 months for the first claim.

Mr. Guerrant reiterated that, in his opinion, 12 months is a better time period for submitting the application for coverage.

Chairman Haycock, If it's the appetite of the Board or any Member of the Board to make a motion relative to action on this proposed Resolution or not.

Ms. Bowman stated, I would move to adopt the regulations with the exception of the proposed language that Mr. Drozdoff? indicated had been removed in section 590.760 Sub 2b. Also I would remove the proposed amendment to 590.780 Section One. Both of those proposed changes other than that I would adopt the regulation.

Chairman Haycock, point of clarification Linda, you referenced a regulation, Mr. Newton is telling me that it's not a regulation it's a resolution.

Ms. Bowman indicated what I'm looking at is the proposed Regulation. I was saying some of the proposed changes I would like made and then those three items. I don't know how else to reference them because the regulation is or the resolution seeks to adopt the proposed language.

Ms. Bowman; do we have to do all or none? Is that what Mr. Cerruti is saying?

Chairman Haycock steps in, I think what Ms. Bowman is wanting to do is to adopt the resolution subject to the following changes in the regulations which is referenced in the resolution.

Ms. Bowman stated that's correct.

Chairman Haycock if we understand the Motion, I would look for a second to that Motion. The Motion was seconded by Ms. Blystone.

Mr. Drozdoff asked Mr. Cerruti if he desired to postpone action on the Resolution.

Mr. Cerruti stated that he would accept Ms. Bowman's motions, at this time.

Chairman Haycock called for the question, all in favor say I. Motion carried unanimously.

VI. DETERMINATION OF FUND ELIGIBILITY / COVERAGE

A. Resolution to Reduce Petroleum Fund Coverage for Ewing Bros., Inc., 1300 North A Street, Las Vegas; State Facility #8-000358, Petroleum Fund Case No. 2005000044, Resolution No. 2006-01

Mr. Cerruti explained that originally this case came to the staff and it was determined that a ten percent reduction was applicable. Since that time, the consultant for the owner, Mr. Stewart, has objected to staff's ten percent reduction. He has requested that this matter be brought before the Board. Mr. Cerruti gave a brief history of the case.

On June 17, 2005 an application for the above site was received from Stewart Environmental at the bequest of Ewing Brothers. The application stated that in April 2005 a gasoline release had been discovered in a ground water monitoring well. The follow-up UST tank and line tightness test indicated the product piping failed. The tank was tight, but the product piping failed. Subsequent excavation revealed that a corroded fuel supply line piping elbow on a 10,000 gallon gasoline UST in the vicinity of the dispenser was the source of a release. A photo of this was available in Attachment B, the top two photographs. Prior to responding to the request for petroleum fund coverage for this site, an NDEP review of the leaking underground storage tank and underground storage tank files was performed. The following was discovered: Beginning in February 1996, 10 years ago, Clark County Health District (CCHD) notified Ewing Brothers that a site assessment was required due to a petroleum release that was occurring. In April, 1996, CCHD followed up with another letter which indicated that no response to the February letter had been received. No other correspondence relative to these two letters could be located. On December 23, 1998, the federal regulations for upgrading older, non-compliant UST systems became effective. In this particular case, it meant that corrosion protection was required. One month later on January 21, 1999, CCHD inspected the Ewing Brothers facility. Four days later on January 25, 1999, CCHD notified Ewing Brothers that they were out of compliance with 40 CFR 280, relative to corrosion protection requirement for bare steel piping lines. Attachment C is that letter. On March 15, 1999, CCHD sent two letters to Ewing Brothers. The first re-stated that they were out of compliance with the federal upgrade requirements for corrosion protection on bare steel piping. The second letter stated that Ewing Brothers was to schedule a meeting with CCHD to discuss their time table for upgrading and to discuss any improvements which had been completed by Ewing Brothers to-date. Three days later on March 18, 1999, Ewing Brothers responded and informed CCHD that they had scheduled a contractor to upgrade the piping system. The date scheduled for upgrading was April 12, 1999, three and one-half months after the corrosion regulations took effect. On March 30, 1999 the CCHD responded by requiring Ewing Brothers to: 1) sign a letter stating that all deficiencies would be corrected

and inspected; 2) acknowledge that the subject UST systems would be taken out of service until the upgrade work was performed, and had been inspected and approved by CCHD; and 3) agree that if corrective actions were not completed satisfactory, CCHD would request NDEP to take enforcement actions. The agreement was to be submitted to CCHD no later than May 1, 1999. Mr. Cerruti stated that no agreement has been located. The records in CCHD stop some where between 1997 and 1999. On April 6, 1999, Ewing Brothers accepted by signing a proposal from PMSI to, and I quote "excavate dirt around two sump pump motors, and insert a sheet metal sleeve. Break out concrete at the site of three dispensers, and install a non-corrosive sleeve around product piping to isolate from the soil. Also repair concrete at three dispensers". On May 11, 1999, following an inspection by CCHD, Ewing Brothers received an inspection report letter from CCHD, and it states and I quote this, "The UST system conforms with the US EPA 1998 Performance Standards".

Mr. Cerruti pointed out that this was a form letter that was sent by CCHD, they were in no way able to make this statement for the items of the pipe that the inspector could not visually see. On May 21, 1999 a UST file note indicates that a federal 7530 form had been submitted to CCHD that indicated that all upgrades had been performed. Five years later on February 10, 2004 a compliance inspection performed by CCHD indicated that the required annual line tightness test results and line leak detector test results were unavailable for inspection. The following year, a compliance inspection performed by CCHD indicated that no later than May 28, 2005, Ewing Brothers was to submit to CCHD monthly tank leak detection results, annual line and line leak detector test results. There is no record these were ever received. On June 7, 2005 Ewing Brothers had performed a tank and line tightness test. The line test failed. Ewing Brothers called in a spill report based on this failed line tightness test. On June 22, 2005 an application for petroleum fund coverage was received by NDEP. A review of the files indicated that the subject tanks were enrolled in the fund at the time of leak discovery. Based on all the preceding facts, staff determined that the tanks had been operated in violation of 40 CFR 280.21. The physical evidence of the corroded, unprotected pipe supported that conclusion, and coverage was granted with a ten percent reduction per Board Resolution 94-023. On January 11, 2006, Ewing Brothers requested that the Board review staff's recommendation. Staff is recommending that the ten percent reduction be upheld.

Ms. Bowman wanted to know, do you feel you're constrained to only recommend a ten percent reduction based on these facts?

Mr. Cerruti indicated at this point in time, yes. If I had to go down this pathway again it would be a different recommendation.

Ms. Bowman asked, is there someone from Ewing Brothers here.

Chairman Haycock stated, "Yes there is".

Chairman Haycock wanted to know what happened in April that led staff to discover the release.

Mr. Cerruti stated, the April date was on the application. He clarified that according to the application; “a gasoline release had been discovered in April 2005, during the installation of ground water monitoring wells utilized to evaluate a previous used oil release adjacent to the gasoline UST”.

Mr. Stewart, Stewart Environmental, was in attendance to represent Ewing Brothers. He introduced Mr. Ewing, Ewing Brothers, who was also in attendance to answer questions. Mr. Stewart stated that in 1996 there were multiple tanks at this site. He stated the 1996 call for action was not in relation to the tank in question today. There was a used oil tank which was removed. An assessment was performed. This matter was reviewed by the Board several months ago. An assessment was requested. Stewart Environmental was hired to complete the additional assessment. During the performance regarding this assessment of the used oil tank, gasoline was discovered down gradient of this tank in question, which is a 10,000 gallon gasoline tank. Once this was discovered, a UST test was scheduled. When the test was performed, it was ascertained that there was a release from the 10,000 gallon gasoline tank.

Mr. Stewart reviewed matters related to the corrosion compliance. He discussed the difficulty in hiring a contractor, due to the unusual demand for services during the period when companies were working to comply with the new UST regulations. Mr. Stewart indicated that they didn't get someone on board until around March of 1999. Mr. Stewart indicated that Mr. Cerruti has mentioned an agreement letter with CCHD that was never submitted. Mr. Stewart stated that Mr. Ewing has proof that he held the meeting with the CCHD relating to the agreement which has not been located. The result of the meeting was that both parties were in agreement that the contractor would perform corrosion protection of all known, steel unprotected parts. Mr. Stewart stated that the concern is that when the tanks were installed, somewhere between the dispenser and the tank, a steel elbow was installed on fiberglass piping. This was inspected and approved by CCHD many years ago. The unknown part was the part which leaked. This part was unknown to all parties based on the fact that the owner/operator hired a UST contractor to complete the UST work and that a steel elbow was placed on the piping and was inspected and approved and then buried underground. A review of this Board was requested. Years later, this part is the discussion of this case, and that the CCHD had given him a full compliance letter. Mr. Stewart stated that Ewing Brothers wanted to bring this to the Board's attention prior to accepting the ten percent reduction.

Chairman Haycock asked Mr. Cerruti a question about the reliance by the claimant on this letter that came out in May of 1999. That essentially indicated the opinion of the CCHD that Ewing Brothers was in compliance.

Mr. Cerruti you stated in your opening comments that the letter from CCHD was a kind of form letter that just gives a statement of opinion. It's not binding or anything. On the other hand these claimants are in the towing business, not underground professionals and certainly not tank system professionals. They have to rely on something whether it's their certified contractor or the CCHD to tell them they're in compliance at some point. Chairman Haycock asked a question, should they rely on these sources to tell them there in compliance or not?

Mr. Cerruti requested clarification on the compliance letter from CCHD which had been received by Ewing Brothers. Mr. Cerruti stated his opinion regarding the limitations of a letter of this type in which the areas underground have not been seen. A short discussion followed.

When asked about the missing test reports, Mr. Ewing indicated that he did not have the reports.

Board member Ms. Bowman requested to know if Petroleum Systems and Maintenance (PSMI) had been contacted regarding what they contracted to put in and what their recollection was. Mr. Stewart stated that PSMI would not have had the ability to know that somewhere on a fiberglass line, there was a steel part.

It was pointed out by Chairman Haycock that if the tank tests were completed, the matter would have been discovered earlier and could have been mitigated on a lower level.

Ms. Bowman moved to approve the staff recommendation on this case. Mr. Roberts seconded the Motion. Discussion followed.

Mr. Ewing, Ewing Brothers, stated that they are not in the underground storage business, but are in the towing business. When the tanks were installed, they relied on approved, certified contractors to install the tanks. These tanks were approved. When the 1998 upgrades were completed, bids were obtained and it was assumed that everything was compliant. As far as the line testing, this would need to be checked.

Motion carried unanimously.

B. Resolution to Waive 12 Month Final Claim Submittal Deadline for the Former Keystone Shell Station, 690 Keystone Avenue, Reno, State Facility # 4-000336, Petroleum Fund Case No. 1997000038, Resolution No. 2006-04

Mr. Bridwell, NDEP Staff Member, stated that this resolution is in association with the Old Cases: C, claim #38. He stated that on January 15, 1997, NDEP granted Shell Oil Products USA, full fund coverage for the subject site. On November 2, 2004, NDEP granted regulatory site closure to this site. On November 4, 2005, the final reimbursement claim was received. The receipt was

just outside of the 12-month final claim submittal deadline stipulated in 590.78-(1). Shell has indicated that the reason for the delay was due to them not being able to supply their consultant with the necessary documentation to prepare and submit the claim in a timely manner. The site has been closed in compliance with NDEP clean-up standards. The delay was not caused by nor did it result in a delay in remediation activities. NDEP is recommending that the Board waive the 12-month final claims submittal deadline for the subject site. If the Board agrees to this recommendation, Shell Oil Products USA will receive \$7,578.45 in reimbursement pursuant to today's meeting.

Ms. Bowman moved to adopt the recommendation of the staff on Resolution 2006-04. Ms. Blystone seconded the Motion. Motion carried unanimously.

C. Resolution to Waive the 12 Month Final Claim Submittal Deadline for the Former Union 76 Station #0077, 401 East Fourth Street, Reno, State Facility #4-000415, Petroleum Fund Case No. 2005000024, Resolution No. 2006-05

Mr. Bridwell also presented this resolution. He stated that the Former Union 76 Station #77 was located on part of a one-square block parcel that also included motels, a business complex and associated parking lots, that was purchased by the City of Reno. All structures on the one-block area were demolished to accommodate construction of the Reno Events Center. During demolition of the Former Union 76 Station, contaminated soil was identified, excavated, and disposed of under the oversight of NDEP. NDEP granted regulatory site closure to the Former Union 76 Station cleanup on January 7, 2005. On March 9, 2005, NDEP granted full coverage to the City of Reno for clean-up activities at the Former Union 76 Station. On January 19, 2006, NDEP received the initial and final reimbursement claim for this site. This was slightly past the 12-month claim submittal deadline stipulated in NAC 590.780-(1). Mr. Bridwell stated that AMEC Earth and Environmental has explained that they had responsibility for cleanup on the entire parcel. AMEC chose to wait until all bills for the entire project and parcel were received to accurately submit the costs. Mr. Bridwell pointed out the delay was not caused by nor resulted in a delay in remediation activities. NDEP is recommending that the Board waive the 12-month final claims submittal deadline. If the Board agrees, the City of Reno will receive \$80,730.38 in reimbursement, pursuant to today's meeting. This is associated with Item #1 on claims for New Cases.

Ms. Bowman moved to adopt the staff recommendation for Resolution of 2006-05. Ms. Blystone seconded the Motion. Motion carried unanimously.

VII. EQUIPMENT TRANSFER / SALES

A. Transfer of Remediation Equipment from the S&S Deli and Mini Mart Facility #1999000242 to the Gas-N-Save Facility #2004000029, Resolution No. 2006-02

Mr. Cerruti explained that this is a transfer from one petroleum site to another. It transfers a \$4,000 piece of equipment from S&S Deli and Mini Mart to Gas-N-Save in Carson City.

Ms. Blystone moved for adoption of the Resolution. Ms. Bowman seconded the Motion. Motion carried unanimously.

VIII. ADOPTION OF CONSENT ITEMS

The consent agenda consists of:

Mr. Cerruti stated that the following: a) under New Cases, Other Products: VIII-B, item #1; City of Reno should be changed to consent item. b) under Old Cases: VIII-C, items #38 Shell Oil Products and #96 Ewing Brothers should be changed to consent items. There are also two corrections, which are listed on the errata sheets, these are: a) the amount in Old Cases: C, item #25, the corrected, recommended amount is \$18,335.34; and b) in Old Cases: C, item #54, the corrected amount recommended is \$15,570.73. This change made all items listed consent items.

**State Board to Review Claims
March 9, 2006**

Number	Case number	Description
<u>HEATING OIL: A</u>		
1.#	1992000102H	Lyon Co. School District: Yerington Elementary
2.#	2006000001H	Elko Co. School District: Former Elko Co. Hospital
<u>NEW CASES, OTHER PRODUCTS: B</u>		
1.#	2005000024	City of Reno: Former Union 76 #0077
2.#	2006000007	7-Eleven, Inc.: 7-eleven #33022
3.#	2006000008	Janice MacClean: MacClean Residence
<u>OLD CASES: C</u>		
1.#	1991000059	BP West Coast Products LLC: ARCO #2137
2.#	1992000014	BP West Coast Products LLC: ARCO #6068

3.#	1992000034	PDQ Stores, Inc.: PDQ #508
4.#	1992000062	Allied Washoe: Allied Petroleum - Elko
5.#	1992000087	Anderson Dairy, Inc.: Anderson Dairy
6.#	1993000010	7-Eleven, Inc.: 7-Eleven #20687
7.#	1993000047	Rebel Oil Company: Joe's Auto
8.#	1993000051	BP West Coast Products LLC: ARCO #4950
9.#	1993000102	Rebel Oil Company: Rebel #8
10.#	1993000103	Russell Yardley: Charlie Brown Construction
11.#	1993000107	BP West Coast Products LLC: ARCO #5310
12.#	1993000114	Linda Hansen: Zintek Properties
13.#	1993000115	City of Fallon: Former Bootlegger Texaco
14.#	1994000003	Allied Washoe: Allied Petroleum - Reno
15.#	1994000012	American Mart Corp: DeLuca Liquor & Wine
16.#	1994000027	7-Eleven, Inc.: 7-Eleven #19653
17.#	1994000028	7-Eleven, Inc.: 7-Eleven #20084
18.#	1994000029	7-Eleven, Inc.: 7-Eleven #20826
19.#	1994000065	Avis Rent A Car Systems: Avis Rent A Car
20.#	1994000067	Peppermill Casinos, Inc.:Fmr. Mesquite Truckstop
21.#	1994000086	Falconi Motors, Inc.: Falconi's Tropicana Honda
22.#	1994000120	Conoco Phillips Company: Union 76 #3846
23.#	1994000122	Gary Michelson: Mike's Gas-A-Mart
24.#	1994000125	Conoco Phillips Company: Union 76 #5558
25.#	1995000012	Model T Casino: Parkers Model T
26.#	1995000022	Conoco Phillips Company: Union 76 #4370
27.#	1995000029	BP West Coast Products LLD: ARCO #1903
28.#	1995000042	FBF, Inc.: Fayeghi Texaco
29.#	1995000074	Vera Hester: Glendale Service Facility
30.#	1995000080	Churchill Co.: Churchill Co. Road Department
31.#	1995000105	Redman Petroleum Corp.: Redman Petroleum
32.#	1996000026	Moapa Valley Credit Union.: Former Russ Auto
33.#	1996000063	Joan Pennachio: V&V Automotive
34.#	1996000064	Karen Salamon: Red Rock Mini Mart
35.#	1996000101	Conoco Phillips Company: Circle K #695
36.#	1997000008	Ewing Brothers, Inc.: Ewing Brothers
37.#	1997000024	BP West Coast Products LLC: ARCO #399
38.#	1997000038	Shell Oil Products USA: Former Keystone Shell
39.#	1997000061	Berry-Hinckley Industries: Berry-Hinckley #60
40.#	1997000093	Conoco Phillips Company: Union 76 #5257
41.#	1998000016	Conoco Phillips Company: Circle K #1366
42.#	1998000025	Washoe Co. School Dist.: Getto Transportation
43.#	1998000046	N. & D. Willden: Allstate Rent A Car
44.#	1998000068	Conoco Phillips Company: Circle K #28003
45.#	1998000075	Robert Dufferrena: McDermitt Service & Motel
46.#	1998000080	Seven Crown Resorts: Echo Bay Resort
47.#	1999000007	7-Eleven, Inc.: 7-Eleven #21850
48.#	1999000011	Terrible Herbst Oil Co.: Terrible Herbst #133

OLD CASES: CONTINUED

49.#	1999000012	BP West Coast Products LLC: ARCO #5319
50.#	1999000015	Terrible Herbst Oil Co.: Terrible Herbst #144

51.#	1999000017	Reed Distributing: Reed R-Place Shell
52.#	1999000022	Terrible Herbst Oil Co.: Terrible Herbst #129
53.#	1999000029	Terrible Herbst Oil Co.: Terrible Herbst #136
54.#	1999000048	Cowan Estate: Former Lightning Lube
55.#	1999000061	Rich Sorani: Former Rich's Unocal
56.#	1999000066	Haycock Petroleum Company:Haycock Petroleum
57.#	1999000086	Terrible Herbst Oil Co.: Terrible Herbst #126
58.#	1999000089	Jerry Maeder: Jerry's Shell
59.#	1999000090	Haycock Petroleum Company:Haycock Petroleum
60.#	1999000104	Terrible Herbst Oil Co.: Terrible Herbst #118
61.#	1999000108	Gold Ranch Casino: Gold Ranch Casino
62.#	1999000114	City of Fallon: City of Fallon Maintenance Yard
63.#	1999000117	Berry-Hinckley Industries: Berry-Hinckley #45
64.#	1999000135	Terrible Herbst Oil Co.: Terrible Herbst #106
65.#	1999000137	Terrible Herbst Oil Co.: Terrible Herbst #152
66.#	1999000145	Jerry Appelhans: Gagne Coach Maintenance
67.#	1999000155	Varney Padgett: Old Washoe Station
68.#	1999000162	Terrible Herbst Oil Co.: Terrible Herbst #159
69.#	1999000167	City of Las Vegas: Fire Station #1
70.#	1999000182	Berry-Hinckley Industries: W. Mountain Oil #200
71.#	1999000186	Gloria Pilger: Former D&G Oil Facility
72.#	1999000199	Mary Ann Ferguson: Lakeshore Orbit Station
73.#	1999000204	Berry-Hinckley Industries: Trailside General Store
74.#	1999000220	7-Eleven, Inc.: 7-Eleven #22854
75.#	1999000224	BP West Coast Products LLC: ARCO #5326
76.#	1999000237	Ralph Lisle: Beatty General Store
77.#	1999000239	Callville Bay Marina: Callville Bay Marina
78.#	1999000242	Harjit Singh: S&S Deli & Mini Mart
79.#	1999000244	7-Eleven, Inc.: 7-Eleven #22070
80.#	1999000248	Ron Holman: Southern Wine & Spirits
81.#	1999000252	Berry-Hinckley Industries: Winner's Corner #14
82.#	1999000257	University of Nevada: Newlands Agriculture
83.#	1999000273	V.K. Leavitt: The Waterhole
84.#	1999000275	Conoco Phillips Company: Circle K #1248
85.#	1999000276	Robert Harris: Pecos Station Texaco
86.#	2004000014	BP West Coast Products LLC: ARCO #437
87.#	2004000025	BP West Coast Products LLC: ARCO #1580
88.#	2004000027	BP West Coast Products LLC: ARCO #5309
89.#	2004000029	V-R Property Management: Gas-N-Save
90.#	2004000035	Seven Crown Resorts: Echo Bay Marina
91.#	2005000002	Carson Valley Oil Co., Inc.: Carson Valley Oil
92.#	2005000018	BP West Coast Products LLC: ARCO #1718
93.#	2005000021	Berry-Hinckley Industries: Berry-Hinckley #95
94.#	2005000025	Bordertown, Inc.: Winner's Corner
95.#	2005000039	Time Oil Company: Taylor Street Market
96.#	2005000044	Ewing Brothers, Inc.: Ewing Brothers

Ms. Blystone moved for adoption of number 8, Heating Oil, #1 and #2, New to include #1 as a consent item, so it would be #1 through #3, Old Cases, #1 through #96, to include item #25 in the properly distributed errata sheet, #38

as a consent item, #54 to include the errata sheet and #96 as a consent item.
Ms. Bowman seconded the Motion.

Ms. Bowman stated that for purposes of the record she would abstain from consent items #4, Allied Washoe, #19, Avis Rent-A-Car and #43, the adjoining property to the Avis site. She will participate in all other items.

Chairman Haycock disclosed that he had a vested interest in the claimant in items #56 and #59 under Old Cases. He will abstain from voting on these two items, but will participate in all others.

Motion carried unanimously.

IX. EXECUTIVE SUMMARY

Mr. Cerruti reported for the fiscal year 2006, ten new cases have been received for evaluation of petroleum fund coverage. Since inception of the program, 1,264 cases have been evaluated. There are currently 254 active remediation sites expected to continue with requests for reimbursement. Of the total cases: 832 have been closed; 101 have been denied coverage; and, 41 cases have expired. A total of 36 cases are currently in a pending status, awaiting either submittal of information or staff evaluation for coverage. Not counting this Board meeting's authorizations, over \$123,500,000 has been reimbursed from the petroleum fund to owners and operators of sites.

This year, there are 1,414 facilities that were invoiced for a total of 4,348 tanks total. There are still 30 tanks that require proof of compliance for leak detection in order for them to enroll in the fund. There is a total invoiced amount of \$434,800. Of this, approximately 98.1% has been collected to date.

Ms. Bowman complemented on the presentations made at the Board meeting today.

X. PUBLIC FORUM

There were no requests to speak presented.

XI. CONFIRMATION OF NEXT MEETING DATE

A short discussion followed regarding scheduling the next meeting.

Ms. Blystone moved to hold the next meeting on June 20, 2006.
Ms. Bowman seconded the Motion. Motion carried unanimously.

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at 11:38 a.m.