

**STATE OF NEVADA BOARD TO REVIEW CLAIMS  
AGENDA  
MARCH 10, 2010**

Note: An audio recording of the meeting can be obtained from Mrs. Victoria Joncas, by sending a request to NDEP in writing to 901 South Stewart Street, Suite 4001, Carson City, NV 89701, via electronic mail to [vjoncas@ndep.nv.gov](mailto:vjoncas@ndep.nv.gov), or by calling (775) 687-9369.

The State of Nevada Board to Review Claims (Board) for Petroleum Releases meeting will be video-conferenced beginning at 10:00 a.m. on (Wednesday) March 10, 2010 at the following locations:

Carson City: Nevada Legislative Bldg., 401 S. Carson St., Rm 2135.

Las Vegas: Grant Sawyer Bldg., 555 E. Washington Ave., Rm 4412E.

Elko: Great Basin College, 1500 College Pkwy, Greenhaw Technical Arts Bldg., Rm 124

This agenda will be posted at the Grant Sawyer Building in Las Vegas, Legislative Counsel Bureau in Carson City, Washoe County Commission Chambers in Reno, Washoe County District Health Department – Environmental Health Services Division in Reno, Washoe County Library in Reno, Clark County Managers Office in Las Vegas, Nevada State Library & Archives in Carson City, State Fire Marshal's Office in Carson City, and Department of Conservation and Natural Resources in Carson City and Las Vegas.

You may find the agenda posted on our web site at: <http://ndep.nv.gov/bca/fundhome.htm>

The following items will be discussed and acted upon, but may be taken in different order to accommodate the interest and time of persons attending.

**I. CALL TO ORDER (ACTION)**

**A. BOARD MEMBERS PRESENT / ABSENT**

**II. APPROVAL OF THE AGENDA (ACTION)**

**III. APPROVAL OF THE DECEMBER 10, 2009 MINUTES (ACTION)**

**IV. PUBLIC FORUM (DISCUSSION)**

Members of the public will be invited to speak before the Board on any issue that was not included on the agenda.

**V. STATUS OF THE FUND (DISCUSSION)**

The Nevada Division of Environmental Protection (NDEP) reports to the Board the receipts, expenditures, liabilities, and current balance of the State of Nevada Petroleum Fund (Fund).

**VI. EXECUTIVE SUMMARY (DISCUSSION)**

Bureau of Corrective Action staff will report to the Board tank enrollments, reimbursement activity trends, the status of noncompliant facilities with claims withheld from presentation to the Board, and other items that warrant attention or may be of concern to the Board.

**VII. REQUEST TO RECONSIDER PAST BOARD DETERMINATIONS (ACTION)**

As part of a settlement agreement with Al Park Petroleum Inc., NDEP presents a recommendation for the Board to reconsider the Fund coverage level of the following cases:

Crescent Valley Market, Highway 306 and 2<sup>nd</sup> Street, Crescent Valley  
Facility ID No. 6-000318, Petroleum Fund Case ID No. 1995000039

Conoco Pit Stop #7, 1600 Idaho Street, Elko  
Facility ID No. 6-000009, Petroleum Fund Case ID No. 1999000014

Conoco Pit Stop, 501 East Front Street, Battle Mountain  
Facility ID No. 5-000326, Petroleum Fund Case ID No. 1999000064

**VIII. DETERMINATION OF FUND COVERAGE (ACTION)**

- A. Proposed Resolution to Provide Third Party Liability Coverage to Gofer Market, 4600 N. Virginia St., Reno, NV, Facility ID No. 4-000502, Petroleum Fund Case ID No. 1994000037  
**Resolution No. 2010-01**

**IX. ADOPTION OF CONSENT ITEMS (ACTION)**

**The Board will review all items as a consent calendar item, unless the item is marked by an asterisk (\*), or a member of the public wishes to speak in regards to the item.**

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

**STATE BOARD TO REVIEW CLAIMS  
REQUESTED/RECOMMENDED AMOUNTS –MARCH 10, 2010**

<u>HEATING OIL</u>		<u>REQUESTED</u>	<u>RECOMMENDED</u>
1.	2006000020H Bruno Benna: Benna Residence	\$2,862.50	\$2,862.50
2.	2007000013H Churchill County School District: Bus Barn	\$46,659.95	\$46,659.95

**HEATING OIL: CONTINUED**

			<b><u>REQUESTED</u></b>	<b><u>RECOMMENDED</u></b>
3.	2009000015H	John or Mary Gardner: Gardner Residence	\$58,919.44	\$54,446.93
4.	2010000004H	Jeff Jacobsen: Jacobsen Residence	\$28,326.28	\$7,197.89
5.	2010000006H	City of Sparks	\$22,253.95	\$21,563.95
6.	2010000011H	Jack Westermeyer: Westermeyer Residence	\$12,101.93	\$11,352.29

**HEATING OIL SUB TOTAL:      \$171,124.05      \$144,083.51**

**NEW CASES, OTHER PRODUCTS**

			<b><u>REQUESTED</u></b>	<b><u>RECOMMENDED</u></b>
1.	2010000001	Smitten Oil & Tire Company: The Gas Store	\$24,879.37	\$22,391.43

**NEW CASES, OTHER PRODUCTS SUB TOTAL:      \$24,879.37      \$22,391.43**

**ON GOING CASES/OTHER PRODUCTS**

			<b><u>REQUESTED</u></b>	<b><u>RECOMMENDED</u></b>
1.	1993000010	7-Eleven, Inc.: 7-Eleven #20687	\$27,521.43	\$24,769.29
2.	1993000051	Atlantic Richfield Company: ARCO #4950	\$6,835.23	\$6,835.23
3.	1993000080	Shell Oil Products, US: Former Shell Station	\$258,820.45	\$132,893.03
4.	1993000102	Rebel Oil Company: Rebel #8	\$9,359.89	\$9,359.89
5.	1993000103	Russell Yardley: Charlie Brown Construction	\$5,049.51	\$4,948.52
6. †	1994000003	Allied Washoe: Allied Petroleum	\$8,798.54	\$14,280.30
7.	1994000012	Wirtz Beverage of NV, Inc.: DeLuca Liquor & Wine	\$18,474.25	\$18,474.25
8.*	1994000037	Param Investments and/or Broadbent: Gofer Market	\$107,844.84	\$97,278.32
9. †	1994000065	Avis Rent A Car Systems: Avis Rent A Car	\$27,556.29	\$27,610.29
10.	1994000067	Peppermill, Inc.: Former Peppermill Truck Stop	\$15,741.00	\$15,741.00
11.	1994000086	Falconi Motors, Inc.: Falconi's Tropicana Honda	\$29,946.06	\$29,787.60
12.	1994000113	Pilot Travel Centers, LLC: Former Unocal Truck Stop	\$53,001.66	\$47,415.81
13.	1994000120	Conoco Phillips Company: Union 76 #3846	\$21,582.49	\$19,424.24
14.	1994000122	Ron or Gary Michelsen: Mike's Gas-A-Mart	\$33,920.74	\$33,920.74
15.	1994000125	Conoco Phillips Company: Union 76 #5558	\$29,152.74	\$29,152.74
16.	1995000012	Model T Casino: Parker's Model T	\$71,472.87	\$63,346.65
17.*	1995000039	Al Park Petroleum, Inc.: Crescent Valley Market	\$54,548.94	\$27,308.79
18.	1995000042	FBF, Inc.: Fayeghi Texaco	\$10,379.36	\$9,341.42
19.	1995000074	Vera Hester: Glendale Service Facility	\$32,709.29	\$27,467.36
20. †	1995000094	Harrah's Operating Company: Former Caesar's Tahoe	\$0.00	\$458.55
21.	1995000105	Redman Petroleum Corp.: Redman Petroleum	\$5,032.81	\$4,529.53
22.	1995000142	7-Eleven, Inc.: 7-Eleven #29644	\$12,300.32	\$11,070.28
23.	1996000063	Joan Pennachio: V&V Automotive	\$4,257.56	\$3,831.81
24. †	1996000064	H & A Esslinger Trust: Red Rock Mini Mart	\$25,419.08	\$43,125.49
25.	1996000101	Conoco Phillips Company: Circle K #695	\$23,533.62	\$20,878.98
26.	1996000102	Conoco Phillips Company: Circle K #542	\$7,882.70	\$5,675.54
27.	1997000008	Ewing Brothers, Inc.: Ewing Brothers Facility	\$8,132.50	\$7,319.25
28.	1997000024	Atlantic Richfield Company: ARCO #399	\$5,320.15	\$4,788.13
29.	1997000093	Conoco Phillips Company: Union 76 #5257	\$7,001.29	\$3,780.69
30.	1998000046	Willdens Automotive Holdings: Allstate Rent A Car	\$101,326.09	\$90,036.63

**ON GOING CASES/OTHER PRODUCTS: CONTINUED****REQUESTED**      **RECOMMENDED**

31.	1998000068	Conoco Phillips Company: Conoco #28003	\$9,139.60	\$8,225.64
32.	1998000073	City of Reno: City of Reno Police Station	\$8,400.08	\$8,400.08
33.	1998000080	Seven Crown Resorts: Echo Bay Resort	\$18,682.55	\$16,814.30
34.	1999000007	7-Eleven, Inc.: 7-Eleven #21850	\$9,334.85	\$8,401.36
35.	1999000011	Terrible Herbst Oil Company: Terrible Herbst #133	\$7,037.82	\$6,333.12
36.*	1999000014	Al Park Petroleum, Inc.: Conoco Pit Stop #7	\$114,164.66	\$54,932.41
37.	1999000015	Terrible Herbst Oil Company: Terrible Herbst #144	\$9,567.30	\$7,880.94
38.	1999000017	Reed, Inc.: Reed R-Place Shell	\$26,196.62	\$23,576.96
39.	1999000022	Terrible Herbst Oil Company: Terrible Herbst #129	\$15,348.00	\$13,813.20
40.	1999000029	Terrible Herbst Oil Company: Terrible Herbst #136	\$11,690.19	\$10,521.17
41.	1999000048	Estate of Robert Cowan: Former Lightning Lube	\$19,370.16	\$19,341.90
42.	1999000052	Estate of Martin Wessel: Ted's Chevron	\$6,134.65	\$5,521.19
43.	1999000061	Rich Sorani: Former Rich's Unocal	\$4,877.94	\$4,877.94
44.*	1999000064	Al Park Petroleum, Inc.: Conoco Pit Stop	\$63,997.06	\$55,311.40
45.	1999000066	HP Management, LLC: Former Haycock Petroleum	\$13,236.10	\$11,912.49
46.	1999000086	Terrible Herbst Oil Company: Terrible Herbst #126	\$27,342.62	\$24,608.36
47.	1999000090	HP Management, LLC: Former Haycock Petroleum	\$11,123.16	\$10,010.85
48.	1999000104	Terrible Herbst Oil Company: Terrible Herbst #118	\$10,269.85	\$8,538.30
49.	1999000135	Terrible Herbst Oil Company: Terrible Herbst #106	\$3,328.35	\$1,547.78
50.	1999000137	Terrible Herbst Oil Company: Terrible Herbst #152	\$10,140.98	\$7,380.84
51.	1999000155	Varney Padgett: Old Washoe Station	\$5,380.00	\$4,842.00
52.	1999000162	Terrible Herbst Oil Company: Terrible Herbst #159	\$2,575.50	\$2,287.98
53.	1999000167	City of Las Vegas: Fire Station #1	\$2,279.46	\$2,279.46
54.	1999000186	Gloria Pilger: Former D&G Oil Facility	\$59,589.42	\$51,830.47
55.	1999000199	Mary Ann Ferguson: Lakeshore Orbit Station	\$47,324.87	\$42,686.81
56.†	1999000257	University of Nevada: Newlands Agriculture	\$17,395.07	\$17,645.07
57.	1999000273	V.K. Leavitt: The Waterhole	\$63,860.79	\$33,386.92
58.	1999000275	Conoco Phillips Company: Circle K #1248	\$12,342.47	\$9,997.40
59.	2004000011	William Rodriguez: Four Way Truck Stop	\$48,327.20	\$34,795.58
60.	2004000013	Jesse Jhawar: Nevada Nanak Petroleum	\$4,115.76	\$2,172.75
61.	2004000014	Atlantic Richfield Company: ARCO #437	\$202,681.55	\$167,392.74
62.†	2004000025	New Castle Corporation: Former ARCO #1580	\$0.00	\$14,445.66
63.	2005000002	Carson Valley Oil Co., Inc.: Carson Valley Oil	\$19,875.16	\$17,887.65
64.	2005000004	7-Eleven, Inc.: 7-Eleven #21285	\$7,302.75	\$6,572.47
65.	2005000018	Atlantic Richfield Company: ARCO #1718	\$31,580.09	\$28,422.08
66.	2005000021	B-H Ind. dba Terrible's: Former Berry-Hinckley #95	\$1,255.04	\$1,129.53
67.	2005000025	Bordertown, Inc.: Winner's Corner	\$45,260.48	\$40,734.43
68.	2005000039	Petrosun Fuel, Inc.: Taylor Street Market	\$3,210.65	\$2,889.59
69.	2005000044	Ewing Brothers, Inc.: Ewing Brothers Facility	\$20,836.92	\$16,877.90
70.	2006000016	Dansk Inv. and/or Broadbent: USA Pet. Station #207	\$4,183.60	\$2,983.39
71.	2007000002	Consolidated Nevada Corp.: Berry-Hinckley #201	\$6,628.96	\$5,966.06
72.	2007000003	7-Eleven, Inc.: 7-Eleven #29648	\$6,445.50	\$3,480.57
73.	2007000014	Ace Cab Company, Inc.: Ace Cab Company	\$56,107.50	\$50,496.75
74.	2007000016	TOC Holdings Company: Former Time Oil #6-100	\$8,662.33	\$7,796.10
75.	2007000023	7-Eleven, Inc.: 7-Eleven #29643	\$12,885.40	\$9,113.25
76.	2008000017	Big Daddy's Oil, LLC: Flamingo AM/PM #82153	\$24,705.06	\$12,851.25
77.	2008000019	Stop N Shop 2 Land, LLC: Stop N Shop #2	\$9,490.80	\$7,625.21
78.	2009000009	Tom Schwarz: Zak's Mini Mart	\$73,716.86	\$53,076.14
79.	2009000017	D&J Holdings, LLC: Convenience Corner Shell	\$21,582.83	\$18,974.54

**ON GOING CASES/OTHER PRODUCTS: CONTINUED**

			<b><u>REQUESTED</u></b>	<b><u>RECOMMENDED</u></b>
80.	2009000019	Rebel Oil Company, Inc.: Rebel #8	\$30,788.82	\$27,709.93
81.	2009000020	Western Energetix, LLC: W. Energetix Bulk Plant	\$3,749.05	\$3,373.02
82.	2009000024	Parampreet Investment, LLC: Chuck's Circle C	\$22,013.48	\$19,812.14
83.	2009000028	John McSweeney: Mick & Mac's Food Mart	\$91,118.60	\$77,820.90
84.	2010000003	Big Wheel Properties, LLC: Big Wheel Travel Center	\$21,045.25	\$18,940.72

**ON GOING CASES/OTHER PRODUCTS SUB TOTAL:****\$2,410,621.46**      **\$1,961,097.04****REQUESTED**      **RECOMMENDED****CLAIMS TOTAL: \$2,606,624.88**      **\$2,127,571.98****X. CONFIRMATION OF NEXT BOARD MEETING DATE (ACTION)  
JUNE 10, 2010 (THURSDAY)****XI. ADJOURNMENT**

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify, in writing, to NDEP, State of Nevada Board to Review Claims, in care of Mrs. Victoria Joncas, 901 South Stewart Street, Suite 4001, Carson City, NV 89701, facsimile (775) 687-8335, or by calling (775) 687-9369, no later than March 1, 2010.