

**STATE OF NEVADA BOARD TO REVIEW CLAIMS
AGENDA
MARCH 10, 2011**

Note: An audio recording of the meeting can be obtained from Mrs. Victoria Joncas, by sending a request to the Nevada Division of Environmental Protection (NDEP) in writing to 901 S. Stewart St., Ste. 4001, Carson City, NV 89701, via electronic mail to vjoncas@ndep.nv.gov, or by calling (775) 687-9369.

The State of Nevada Board to Review Claims (Board) meeting will begin promptly at 2:00 p.m. on Thursday March 10, 2011 at the following location:

Carson City: Department of Conservation and Natural Resources, Bryan Building,
901 S. Stewart St., 2nd Floor, Tahoe Hearing Room.

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 15, 2010 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)

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

VI. DETERMINATION OF FUND COVERAGE (ACTION)

A. Resolution No. 2011-01

Proposed Resolution to Waive the 12 Month Final Claim Submittal Deadline for 7-Eleven #20687, 1600 N. Rancho Dr., N. Las Vegas, NV, Facility ID No. 8-000609, Petroleum Fund Case ID No. 1993000010

VII. 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, 2011**

<u>HEATING OIL</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
1.	1992000102H	Lyon County School District: Yerington Elementary	\$75,355.13	\$75,332.67
2.	2006000020H	Bruno Benna: Benna Residence	\$1,390.00	\$1,390.00
3.	2007000013H	Churchill County School District: Bus Barn	\$5,910.50	\$5,910.50
4.	2011000004H	Whitney Hackstaff: Hackstaff Residence	\$12,437.92	\$12,187.92
HEATING OIL SUB TOTAL:			<u>\$95,093.55</u>	<u>\$94,821.09</u>

<u>NEW CASES, OTHER PRODUCTS</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
1.	2005000036	ConocoPhillips Company: Circle K #1791	\$19,165.27	\$13,765.78
2.	2011000003	7-Eleven, Inc.: 7-Eleven #29662	\$19,254.09	\$12,044.74
NEW CASES, OTHER PRODUCTS SUB TOTAL:			<u>\$38,419.36</u>	<u>\$25,810.52</u>

<u>ONGOING CASES/OTHER PRODUCTS</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
1.*	1993000010	7-Eleven, Inc.: 7-Eleven #20687	\$7,712.23	\$6,834.13
2.	1993000011	7-Eleven, Inc.: 7-Eleven #29646	\$45,643.69	\$44,020.69
3.	1993000102	Rebel Oil Company: Rebel #8	\$5,312.84	\$5,312.84
4.	1993000103	Russell Yardley: Charlie Brown Construction	\$14,877.41	\$14,579.86
5.	1993000115	City of Fallon: Former Bootlegger Texaco	\$12,820.00	\$11,906.50
6.†	1994000003	Allied Washoe: Allied Petroleum	\$8,311.98	\$9,137.65
7.	1994000012	Wirtz Beverage NV.: Former DeLuca Liquor & Wine	\$12,275.13	\$12,275.13
8.	1994000028	7-Eleven, Inc.: 7-Eleven #20084	\$27,067.05	\$20,076.51
9.	1994000029	7-Eleven, Inc.: 7-Eleven #20826	\$27,422.20	\$20,563.86
10.†	1994000065	Avis Rent A Car Systems: Avis Rent A Car	\$101,604.34	\$103,617.15
11.	1994000086	Falconi Motors, Inc.: Falconi's Tropicana Honda	\$21,287.43	\$20,274.34
12.	1994000113	Pilot Travel Centers, LLC: Former Unocal Truck Stop	\$304,614.67	\$304,614.67
13.	1994000120	ConocoPhillips Company: Union 76 #3846	\$7,179.75	\$6,461.77
14.	1994000122	Ron or Gary Michelsen: Mike's Gas-A-Mart	\$35,152.18	\$34,680.96

ONGOING CASES/OTHER PRODUCTS: CONTINUED**REQUESTED****RECOMMENDED**

			REQUESTED	RECOMMENDED
15.	1995000012	N. Nevada Asset Holdings: Parker's Model T	\$45,901.52	\$40,107.76
16.	1995000042	FBF, Inc.: Fayeghi Texaco	\$5,688.03	\$5,000.87
17.	1995000074	Vera Hester: Glendale Service Facility	\$29,768.54	\$26,739.71
18.	1995000105	Redman Petroleum Corp.: Redman Petroleum	\$7,266.48	\$4,090.50
19.	1995000142	7-Eleven, Inc.: 7-Eleven #29644	\$13,826.53	\$12,443.87
20.	1996000010	Shell Oil Products US: Texaco #0175	\$33,297.06	\$20,719.00
21.	1996000026	Moapa Valley Credit Union: Former Russ Auto Repair	\$3,600.71	\$2,592.51
22.	1996000063	Joan Pennachio: V&V Automotive	\$9,670.41	\$8,703.37
23.	1996000064	H&A Esslinger, LLC: Red Rock Mini Mart	\$30,213.46	\$23,314.41
24.	1996000101	ConocoPhillips Company: Circle K #695	\$16,749.89	\$15,074.90
25.	1996000102	ConocoPhillips Company: Circle K #542	\$4,729.50	\$2,840.04
26.	1997000008	Ewing Brothers, Inc.: Ewing Brothers Facility	\$4,217.50	\$3,795.75
27.	1997000093	ConocoPhillips Company: Union 76 #5257	\$10,926.85	\$5,552.20
28.	1998000046	Willdens Automotive Holdings: Allstate Rent A Car	\$34,338.93	\$30,986.18
29.	1998000053	7-Eleven, Inc.: 7-Eleven #27361	\$4,397.16	\$989.36
30.	1998000068	ConocoPhillips Company: Conoco #28003	\$28,898.24	\$25,894.12
31.	1998000073	City of Reno: City of Reno Police Station	\$5,000.71	\$5,000.71
32.	1998000080	Seven Crown Resorts: Echo Bay Resort	\$19,610.33	\$17,595.30
33.	1999000011	Terrible Herbst Oil Company: Terrible Herbst #133	\$22,018.55	\$13,464.67
34.	1999000014	Al Park Petroleum: Conoco Pit Stop #7	\$40,060.40	\$35,095.05
35.	1999000015	Terrible Herbst Oil Company: Terrible Herbst #144	\$8,516.33	\$7,537.35
36.	1999000017	Reed, Inc.: Reed R-Place Shell	\$32,779.15	\$21,189.21
37.	1999000022	Terrible Herbst Oil Company: Terrible Herbst #129	\$9,567.26	\$8,600.44
38.	1999000029	Terrible Herbst Oil Company: Terrible Herbst #136	\$17,148.55	\$15,104.52
39.	1999000048	Estate of Robert Cowan: Former Lightning Lube	\$9,964.41	\$9,964.41
40.	1999000052	Estate of Martin Wessel: Ted's Chevron	\$3,516.56	\$3,119.00
41.	1999000061	Rich Sorani: Former Rich's Unocal	\$4,429.00	\$4,429.00
42.	1999000066	HP Management, LLC: Former Haycock Petroleum	\$12,070.66	\$10,863.59
43.	1999000086	Terrible Herbst Oil Company: Terrible Herbst #126	\$55,537.05	\$49,427.51
44.	1999000090	HP Management, LLC: Former Haycock Petroleum	\$40,485.88	\$36,437.29
45.	1999000114	City of Fallon: Fallon Maintenance Yard	\$4,664.75	\$3,361.90
46.	1999000135	Terrible Herbst Oil Company: Terrible Herbst #106	\$16,999.30	\$8,627.04
47.	1999000137	Terrible Herbst Oil Company: Terrible Herbst #152	\$17,263.35	\$15,133.48
48.	1999000162	Terrible Herbst Oil Company: Terrible Herbst #159	\$19,456.44	\$10,619.37
49.	1999000167	City of Las Vegas: Fire Station #1	\$13,556.43	\$13,556.43
50.	1999000186	Gloria Pilger: Former D&G Oil Facility	\$24,163.72	\$21,704.07
51.	1999000199	Mary Ann Ferguson: Lakeshore Orbit Station	\$29,694.02	\$28,673.02
52.	1999000257	University of Nevada: Newlands Agriculture	\$2,777.50	\$2,623.50
53.	1999000273	V.K. Leavitt: The Waterhole	\$36,900.53	\$15,665.54
54.	1999000275	ConocoPhillips Company: Circle K #1248	\$3,260.96	\$2,641.37
55.	2004000011	William Rodriguez: Four Way Truck Stop	\$67,477.14	\$47,727.59
56.	2004000013	Nevada Nanak Petroleum, Inc.: NV Nanak Petroleum	\$2,052.41	\$1,108.30
57.	2004000025	New Castle Corporation: ARCO #1580	\$110,389.43	\$97,958.19
58.	2005000002	Carson Valley Oil Co., Inc.: Carson Valley Oil	\$14,982.98	\$13,484.68
59.	2005000021	B-H Ind. dba Terrible's: Former Berry-Hinckley #95	\$5,689.40	\$4,738.05
60.	2005000025	Bordertown, Inc.: Winner's Corner	\$33,001.44	\$29,176.48
61.	2005000039	Petrosun Fuel, Inc.: Taylor Street Market	\$18,538.30	\$16,684.47
62.	2005000044	Ewing Brothers, Inc.: Ewing Brothers Facility	\$21,054.33	\$17,054.01
63.	2006000007	7-Eleven, Inc.: 7-Eleven #33022	\$17,518.70	\$15,525.77
64.	2006000017	7-Eleven, Inc.: 7-Eleven #26994	\$11,556.98	\$8,321.02

<u>ONGOING CASES/OTHER PRODUCTS: CONTINUED</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
65.	2007000002	Consolidated Nevada Corp.: Berry-Hinckley #201	\$4,176.05	\$3,758.45
66.	2007000014	Ace Cab Company, Inc.: Ace Cab Company	\$359,538.39	\$323,584.55
67.	2007000016	TOC Holdings Company: Former Time Oil #6-100	\$9,806.04	\$8,507.73
68.	2007000023	7-Eleven, Inc.: 7-Eleven #29643	\$20,848.99	\$15,011.27
69.	2008000017	Big Daddy's Oil, LLC: Flamingo AM/PM #82153	\$22,909.53	\$12,371.15
70.	2008000018	B-H Ind. dba Terrible's: Terrible Herbst #830	\$33,691.27	\$25,139.80
71.	2008000019	Stop N Shop 2 Land, LLC: Stop N Shop #2	\$8,996.78	\$7,431.30
72.	2009000009	Tom Schwarz: Zak's Mini Mart	\$18,736.64	\$13,474.40
73.	2009000017	D&J Holdings, LLC: Convenience Corner Shell	\$188,824.39	\$169,624.25
74.	2009000020	Western Energetix, LLC: Western Energetix Bulk Plant	\$8,727.55	\$7,854.80
75.	2009000024	Parampreet Investment, LLC: Chuck's Circle C	\$115,642.96	\$102,960.42
76.	2009000028	Vegas Rainbows, Inc.: Mick & Mac's Food Mart	\$17,146.80	\$12,246.16
77.	2010000001	Smitten Oil & Tire Company: The Gas Store	\$1,688.13	\$1,519.32
78.	2010000003	Big Wheel Properties, LLC: Big Wheel Travel Center	\$15,806.50	\$14,225.85
79.	2010000005	7-Eleven, Inc.: 7-Eleven #27071	\$5,986.25	\$5,387.62
80.	2010000007	Pecos Express, Inc.: Pecos Express	\$9,673.41	\$8,701.57
81.	2010000009	TA Operating: Mill City Travel Center	\$16,876.51	\$14,219.35
82.	2010000010	Petrosun Fuel, Inc.: Victorian Food Mart	\$3,870.75	\$3,483.67
83.	2010000018	TA Operating: Mill City Travel Center	\$36,899.63	\$31,940.67
84.	2011000001	Short Line Express Market: Short Line Express	\$44,316.91	\$39,885.22

ONGOING CASES/OTHER PRODUCTS SUB TOTAL: \$2,610,638.14 \$2,276,740.49

REQUESTED RECOMMENDED
CLAIMS TOTAL: \$2,744,151.05 \$2,397,372.10

VIII. 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.

**IX. CONFIRMATION OF NEXT BOARD MEETING DATE (DISCUSSION)
JUNE 9, 2011 (THURSDAY) at 10:00 am**

X. 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 S. Stewart St., Ste. 4001, Carson City, NV 89701, facsimile (775) 687-8335, or by calling (775) 687-9369, no later than February 24, 2011.