

**STATE OF NEVADA BOARD TO REVIEW CLAIMS  
AGENDA  
JUNE 15, 2010**

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](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 2:00 p.m. on (Tuesday) June 15, 2010 at the following locations:

Carson City: Nevada Legislative Bldg., 401 S. Carson St., Rm 2134.

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

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 MARCH 10, 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. 2010-02**  
Proposed Resolution to Provide Third Party Liability Coverage to Glendale Service Facility, 2300 E. Glendale Blvd., Glendale, NV,  
Facility ID No. 8-001085, Petroleum Fund Case ID No. 1995000074
- B. Resolution No. 2010-03**  
Proposed Resolution to Provide Third Party Liability Coverage to Former D&G Oil Facility, 6176 Las Vegas Blvd. S., Las Vegas, NV  
Facility ID No. 8-000147, Petroleum Fund Case ID No. 1999000186
- C. Resolution No. 2010-04**  
Proposed Resolution to Deny Petroleum Fund Coverage  
to the following six facilities owned by the ConocoPhillips Company:

Union 76 4616, 530 N. Las Vegas Blvd., Las Vegas, NV  
Facility ID No. 8-000749, Petroleum Fund Case ID No. 1999000006

Circle K 1302, 4380 E. Bonanza Rd., Las Vegas, NV  
Facility ID No. 8-000123, Petroleum Fund Case ID No. 2005000029

Circle K 8650, 4375 Spring Mountain Rd., Las Vegas, NV  
Facility ID No. 8-000937, Petroleum Fund Case ID No. 2005000032

Circle K 1951, 5685 S. Eastern Ave., Las Vegas, NV  
Facility ID No. 8-000938, Petroleum Fund Case ID No. 2005000034

Circle K 1791, 3901 E. Lake Mead Blvd., Las Vegas, NV  
Facility ID No. 8-000329, Petroleum Fund Case ID No. 2005000036

Union 76 5614, 190 W. Plumb Ln., Reno, NV  
Facility ID No. 4-000419, Petroleum Fund Case ID No. 2006000015

**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 – JUNE 15, 2010**

| <b>HEATING OIL</b> |             |   | <b>REQUESTED</b> | <b>RECOMMENDED</b> |
|--------------------|-------------|---|------------------|--------------------|
| 1.                 | 1992000102H | Lyon County School District: Yerington Elementary | \$18,312.83      | \$18,292.83        |
| 2.                 | 2006000020H | Bruno Benna: Benna Residence                      | \$1,907.50       | \$1,907.50         |
| 3.                 | 2007000013H | Churchill County School District: Bus Barn        | \$7,323.53       | \$7,323.53         |
| 4. †               | 2009000015H | John or Mary Gardner: Gardner Residence           | \$0.00           | \$4,289.50         |
| 5.                 | 2009000027H | Claude Hutchison: Hutchison Residence             | \$1,865.00       | \$1,293.33         |

**HEATING OIL: CONTINUED**

|      |             |  | <b><u>REQUESTED</u></b> | <b><u>RECOMMENDED</u></b> |
|------|-------------|--|-------------------------|---------------------------|
| 6. † | 201000004H  | Jeff Jacobsen: Jacobsen Residence      | \$0.00                  | \$21,618.39               |
| 7.   | 2010000014H | Lance & Joanne Eklund: Eklund Property | \$16,768.11             | \$15,477.78               |
| 8.   | 2010000015H | Joanne Blessing: Blessing Property     | \$15,075.33             | \$14,739.79               |

**HEATING OIL SUB TOTAL:           **\$61,252.30**           **\$84,942.65****

**NEW CASES, OTHER PRODUCTS**

|    |            |  | <b><u>REQUESTED</u></b> | <b><u>RECOMMENDED</u></b> |
|----|------------|--|-------------------------|---------------------------|
| 1. | 2009000023 | Samir Shushani: Stop & Save Mini Mart        | \$17,398.50             | \$9,233.19                |
| 2. | 2010000005 | 7-Eleven, Inc.: 7-Eleven #27071              | \$31,676.65             | \$28,493.49               |
| 3. | 2010000007 | Pecos Express, Inc.: Pecos Express           | \$36,977.09             | \$33,256.88               |
| 4. | 2010000012 | Golden Gate Pet. of NV: Golden Gate Pet. #30 | \$23,291.24             | \$20,962.12               |

**NEW CASES, OTHER PRODUCTS SUB TOTAL:           **\$109,343.48**           **\$91,945.68****

**ON GOING CASES/OTHER PRODUCTS**

|       |            |   | <b><u>REQUESTED</u></b> | <b><u>RECOMMENDED</u></b> |
|-------|------------|---|-------------------------|---------------------------|
| 1.    | 1992000087 | Anderson Dairy, Inc.: Anderson Dairy                | \$23,242.80             | \$22,924.50               |
| 2.    | 1993000011 | 7-Eleven, Inc.: 7-Eleven #29646                     | \$52,169.20             | \$52,169.20               |
| 3.    | 1993000102 | Rebel Oil Company: Rebel #8                         | \$13,936.00             | \$13,936.00               |
| 4.    | 1993000103 | Russell Yardley: Charlie Brown Construction         | \$3,736.85              | \$3,662.11                |
| 5.    | 1993000115 | City of Fallon: Former Bootlegger Texaco            | \$10,235.10             | \$10,144.35               |
| 6.    | 1994000003 | Allied Washoe: Allied Petroleum                     | \$14,507.06             | \$14,413.94               |
| 7.    | 1994000027 | 7-Eleven, Inc.: 7-Eleven #19653                     | \$45,678.02             | \$45,678.02               |
| 8.    | 1994000028 | 7-Eleven, Inc.: 7-Eleven #20084                     | \$23,399.68             | \$23,399.68               |
| 9.    | 1994000029 | 7-Eleven, Inc.: 7-Eleven #20826                     | \$64,936.20             | \$48,702.15               |
| 10.   | 1994000037 | Param Investments and/or Broadbent: Gofer Market    | \$42,382.05             | \$42,200.08               |
| 11.   | 1994000065 | Avis Rent A Car Systems: Avis Rent A Car            | \$32,445.25             | \$30,398.56               |
| 12.   | 1994000067 | Peppermill, Inc.: Former Peppermill Truck Stop      | \$23,983.00             | \$23,156.00               |
| 13.   | 1994000086 | Falconi Motors, Inc.: Falconi's Tropicana Honda     | \$413,339.51            | \$413,261.12              |
| 14. † | 1994000113 | Pilot Travel Centers, LLC: Former Unocal Truck Stop | \$117,322.85            | \$117,447.20              |
| 15.   | 1994000120 | Conoco Phillips Company: Union 76 #3846             | \$14,123.58             | \$12,711.22               |
| 16.   | 1994000122 | Ron or Gary Michelsen: Mike's Gas-A-Mart            | \$34,108.07             | \$34,108.07               |
| 17.   | 1995000012 | N. Nevada Asset Holdings: Parker's Model T          | \$105,677.44            | \$95,109.69               |
| 18.   | 1995000039 | Al Park Petroleum, Inc.: Crescent Valley Market     | \$250,851.19            | \$188,702.75              |
| 19.   | 1995000042 | FBF, Inc.: Gas for Less                             | \$16,591.11             | \$14,920.30               |
| 20.   | 1995000074 | Vera Hester: Glendale Service Facility              | \$69,771.25             | \$62,794.12               |
| 21.   | 1995000105 | Redman Petroleum Corp.: Redman Petroleum            | \$5,789.80              | \$5,204.20                |
| 22.   | 1995000142 | 7-Eleven, Inc.: 7-Eleven #29644                     | \$14,572.43             | \$13,094.31               |
| 23.   | 1996000026 | Moapa Valley Credit Union: Former Russ Auto         | \$16,457.35             | \$11,849.30               |
| 24.   | 1996000063 | Joan Pennachio: V&V Automotive                      | \$3,975.40              | \$3,577.86                |
| 25.   | 1996000064 | H & A Esslinger Trust: Red Rock Mini Mart           | \$74,035.29             | \$56,266.42               |
| 26.   | 1996000101 | Conoco Phillips Company: Circle K #695              | \$20,595.64             | \$18,346.46               |
| 27.   | 1996000102 | Conoco Phillips Company: Circle K #542              | \$12,081.41             | \$8,698.62                |
| 28.   | 1997000008 | Ewing Brothers, Inc.: Ewing Brothers Facility       | \$6,567.50              | \$5,793.75                |
| 29.   | 1997000093 | Conoco Phillips Company: Union 76 #5257             | \$4,965.47              | \$2,681.35                |
| 30.   | 1998000046 | Willdens Automotive Holdings: Allstate Rent A Car   | \$23,100.89             | \$20,155.20               |
| 31.   | 1998000053 | 7-Eleven, Inc.: 7-Eleven #27361                     | \$20,021.39             | \$4,504.81                |
| 32.   | 1998000068 | Conoco Phillips Company: Conoco #28003              | \$10,905.46             | \$9,814.91                |
| 33.   | 1998000073 | City of Reno: City of Reno Police Station           | \$9,226.20              | \$9,226.20                |

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

|     |            | <b><u>REQUESTED</u></b>                                | <b><u>RECOMMENDED</u></b> |             |
|-----|------------|--|---------------------------|-------------|
| 34. | 1998000080 | Seven Crown Resorts: Echo Bay Resort                   | \$19,825.81               | \$17,708.23 |
| 35. | 1999000017 | Reed, Inc.: Reed R-Place Shell                         | \$59,913.49               | \$53,569.73 |
| 36. | 1999000037 | Longley Construction, Co.: Longley Construction        | \$13,210.06               | \$11,781.63 |
| 37. | 1999000042 | Chevron USA Products Company: Chevron #9-2567          | \$162,389.64              | \$56,299.43 |
| 38. | 1999000043 | Chevron USA Products Company: Chevron #9-7537          | \$49,409.64               | \$42,242.38 |
| 39. | 1999000044 | Chevron USA Products Company: Chevron #9-1481          | \$47,980.26               | \$20,927.74 |
| 40. | 1999000048 | Estate of Robert Cowan: Former Lightning Lube          | \$13,515.99               | \$13,515.99 |
| 41. | 1999000052 | Estate of Martin Wessel: Ted's Chevron                 | \$39,299.40               | \$35,369.46 |
| 42. | 1999000061 | Rich Sorani: Former Rich's Unocal                      | \$7,120.71                | \$7,120.71  |
| 43. | 1999000064 | Al Park Petroleum, Inc.: Conoco Pit Stop               | \$20,497.00               | \$18,447.30 |
| 44. | 1999000066 | HP Management, LLC: Former Haycock Petroleum           | \$11,378.16               | \$10,240.34 |
| 45. | 1999000090 | HP Management, LLC: Former Haycock Petroleum           | \$11,801.32               | \$10,576.18 |
| 46. | 1999000167 | City of Las Vegas: Fire Station #1                     | \$7,106.25                | \$7,106.25  |
| 47. | 1999000186 | Gloria Pilger: Former D&G Oil Facility                 | \$52,510.62               | \$49,033.52 |
| 48. | 1999000199 | Mary Ann Ferguson: Lakeshore Orbit Station             | \$41,303.14               | \$37,157.43 |
| 49. | 1999000204 | Berry Hinckley dba Terrible's: Former Trailside Store  | \$2,103.76                | \$1,893.39  |
| 50. | 1999000243 | 7-Eleven, Inc.: 7-Eleven #27607                        | \$51,174.25               | \$27,634.09 |
| 51. | 1999000244 | 7-Eleven, Inc.: 7-Eleven #22070                        | \$58,620.43               | \$52,750.96 |
| 52. | 1999000257 | University of Nevada: Newlands Agriculture             | \$19,306.39               | \$19,306.39 |
| 53. | 1999000273 | V.K. Leavitt: The Waterhole                            | \$51,013.21               | \$24,944.91 |
| 54. | 1999000275 | Conoco Phillips Company: Circle K #1248                | \$10,218.10               | \$8,276.66  |
| 55. | 2004000013 | Nevada Nanak Petroleum, Inc.: NV Nanak Petroleum       | \$3,576.95                | \$1,981.32  |
| 56. | 2004000039 | Clark Co. Dept. of Aviation: Frmr. National Car Rental | \$80,522.64               | \$78,216.67 |
| 57. | 2005000002 | Carson Valley Oil Co., Inc.: Carson Valley Oil         | \$22,054.54               | \$19,849.08 |
| 58. | 2005000025 | Bordertown, Inc.: Winner's Corner                      | \$70,346.47               | \$63,266.82 |
| 59. | 2005000039 | Petrosun Fuel, Inc.: Taylor Street Market              | \$3,584.50                | \$3,226.05  |
| 60. | 2005000044 | Ewing Brothers, Inc.: Ewing Brothers Facility          | \$41,306.66               | \$21,031.74 |
| 61. | 2006000007 | 7-Eleven, Inc.: 7-Eleven #33022                        | \$15,860.38               | \$14,274.34 |
| 62. | 2006000017 | 7-Eleven, Inc.: 7-Eleven #26994                        | \$14,620.01               | \$10,526.40 |
| 63. | 2007000002 | Consolidated Nevada Corp.: Berry-Hinckley #201         | \$5,056.39                | \$4,536.13  |
| 64. | 2007000003 | 7-Eleven, Inc.: 7-Eleven #29648                        | \$45,107.27               | \$23,670.95 |
| 65. | 2007000004 | 7-Eleven, Inc.: 7-Eleven #29660                        | \$29,629.29               | \$21,333.09 |
| 66. | 2007000014 | Ace Cab Company, Inc.: Ace Cab Company                 | \$24,249.44               | \$21,824.50 |
| 67. | 2007000016 | TOC Holdings Company: Former Time Oil #6-100           | \$5,880.78                | \$5,279.20  |
| 68. | 2007000023 | 7-Eleven, Inc.: 7-Eleven #29643                        | \$17,411.05               | \$12,535.96 |
| 69. | 2008000017 | Big Daddy's Oil, LLC: Flamingo AM/PM #82153            | \$99,759.78               | \$50,810.09 |
| 70. | 2008000023 | Jacksons Food Stores, Inc.: Jacksons Food Store #27    | \$16,372.80               | \$14,735.52 |
| 71. | 2009000009 | Tom Schwarz: Zak's Mini Mart                           | \$9,441.44                | \$5,717.84  |
| 72. | 2009000017 | D&J Holdings, LLC: Convenience Corner Shell            | \$22,414.67               | \$20,173.21 |
| 73. | 2009000020 | Western Energetix, LLC: Western Energetix Bulk Plant   | \$3,308.00                | \$2,977.20  |
| 74. | 2009000024 | Parampreet Investment, LLC: Chuck's Circle C           | \$37,949.54               | \$34,257.46 |
| 75. | 2009000028 | Vegas Rainbows, Inc.: Mick & Mac's Food Mart           | \$13,529.00               | \$11,567.30 |
| 76. | 2010000001 | Smitten Oil & Tire Company: The Gas Store              | \$13,686.39               | \$12,317.75 |
| 77. | 2010000003 | Big Wheel Properties, LLC: Big Wheel Travel Center     | \$5,581.47                | \$5,023.33  |

**ON GOING CASES/OTHER PRODUCTS SUB TOTAL:****\$2,945,677.53****\$2,424,087.12****REQUESTED****RECOMMENDED****CLAIMS TOTAL:****\$3,116,273.31****\$2,600,975.45**

**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 (ACTION)  
SEPTEMBER 9, 2010 (THURSDAY)**

**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 June 1, 2010.