

**STATE OF NEVADA BOARD TO REVIEW CLAIMS
AGENDA
SEPTEMBER 10, 2009**

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, 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 (Thursday) September 10, 2009 at the following locations:

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

Las Vegas: College of Southern Nevada, 3200 East Cheyenne Avenue, Room No. 2638.

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 JUNE 11, 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 reports to the Board the receipts, expenditures, liabilities, and current balance of the State of Nevada Petroleum Fund (Fund).

VI. DETERMINATION OF FUND COVERAGE

- A.** Resolution to Provide Reduced Petroleum Fund Coverage to Mick and Mac’s Food Mart, 902 S. Boulder Hwy, Henderson, NV, Facility ID No. 8-0001384, Petroleum Fund Case ID No. 2009000028
Resolution No. 2009-06
- B.** Resolution to Provide Reduced Petroleum Fund Coverage to Stop & Save Mini Mart & Gas, 99 S. Martin Luther King Blvd., Las Vegas, NV, Facility ID No. 8-001630, Petroleum Fund Case ID No. 2009000023
Resolution No. 2009-07

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 –SEPTEMBER 10, 2009**

<u>HEATING OIL</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
1.	1992000102H	Lyon County School District: Yerington Elementary	\$11,213.40	\$11,039.78
2.	2006000020H	Bruno Benna: Benna Residence	\$1,942.05	\$1,942.05
3.	2007000013H	Churchill County School District: Bus Barn	\$14,594.90	\$14,594.90
4.	2009000018H	Phil Satre: Satre Property	\$18,640.27	\$18,640.27
5.	2009000021H	Regional Transportation Comm.: 4th Street Bus Station	\$7,009.00	\$7,009.00
6.	2009000022H	Regional Transportation Comm: 4th Street Bus Station	\$5,403.00	\$4,862.70
7.	2009000026H	Brett Barker: Barker Property	\$4,903.20	\$4,634.60
8.	2009000027H	Claude Hutchison: Hutchison Residence	\$7,196.39	\$6,946.39
HEATING OIL SUB TOTAL:			<u>\$70,902.21</u>	<u>\$69,669.69</u>

NEW CASES, OTHER PRODUCTS

			<u>REQUESTED</u>	<u>RECOMMENDED</u>
1.	2008000021	The M Resort, LLC: Vegas Valley Travel Center	\$466,057.28	\$419,451.55
2.	2009000009	Tom Schwarz: Zak's Mini Mart	\$67,841.09	\$38,715.18
3.	2009000012	United Parcel Services: UPS Reno Hub	\$37,952.42	\$34,157.18
4.	2009000017	D&J Holdings, LLC: Convenience Corner Shell	\$35,918.91	\$31,980.52
5.	2009000019	Rebel Oil Company, Inc.: Rebel #8	\$17,983.24	\$16,184.92
6.	2009000020	Western Energetix, LLC: W. Energetix Bulk Plant	\$24,874.59	\$17,560.88
7.	2009000024	Parampreet Inv., LLC: Chuck's Circle C	\$25,952.92	\$23,357.63

NEW CASES, OTHER PRODUCTS SUB TOTAL: **\$676,580.45 **\$581,407.86****

ON GOING CASES/OTHER PRODUCTS

			<u>REQUESTED</u>	<u>RECOMMENDED</u>
1.	1992000014	BP West Coast Products, LLC: ARCO #6068	\$5,029.25	\$4,853.37
2.	1992000087	Anderson Dairy, Inc.: Anderson Dairy	\$3,523.60	\$3,523.60
3.	1992000127	City of Las Vegas: Former Obie's Texaco	\$10,040.00	\$7,214.74
4.	1993000051	BP West Coast Products, LLC: ARCO #4950	\$3,532.24	\$3,532.24
5.	1993000102	Rebel Oil Company: Rebel #8	\$41,461.28	\$45,790.49
6.	1993000103	Russell Yardley: Charlie Brown Construction	\$8,032.40	\$7,871.75
7.	1993000115	City of Fallon: Former Bootlegger Texaco	\$10,915.20	\$10,910.20
8.	1994000003	Allied Washoe: Allied Petroleum	\$14,491.14	\$11,667.69
9.	1994000012	Wirtz Beverage of NV, Inc.: DeLuca Liquor & Wine	\$40,357.13	\$40,319.71
10.	1994000028	7-Eleven, Inc.: 7-Eleven #20084	\$7,620.96	\$7,485.25
11.	1994000037	Param Investments and/or Broadbent: Gofer Market	\$17,357.00	\$17,347.00
12.†	1994000065	Avis Rent A Car Systems: Avis Rent A Car	\$36,008.00	\$36,880.91
13.†	1994000086	Falconi Motors, Inc.: Falconi's Tropicana Honda	\$36,306.40	\$36,384.79
14.	1994000113	Pilot Travel Centers: Frmr Unocal Truck Stop #6328	\$34,400.19	\$32,991.84
15.	1994000120	Conoco Phillips Company: Union 76 #3846	\$10,336.10	\$9,302.49
16.	1994000122	Ron or Gary Michelsen: Mike's Gas-A-Mart	\$52,802.26	\$52,802.26
17.	1994000125	Conoco Phillips Company: Union 76 #5558	\$3,111.63	\$3,111.63
18.	1995000012	Model T Casino: Parker's Model T	\$59,774.97	\$53,797.48
19.†	1995000028	Gita Corporation: Gita Corporation Facility	\$1,050.00	\$1,346.18
20.	1995000029	BP West Coast Products, LLC: ARCO #1903	\$2,308.63	\$1,869.54
21.	1995000042	FBF, Inc.: Fayeghi Texaco	\$10,982.51	\$9,884.26
22.	1995000074	Vera Hester: Glendale Service Facility	\$7,960.00	\$7,101.00
23.	1995000105	Redman Petroleum Corp.: Redman Petroleum	\$7,171.75	\$6,454.57
24.	1996000007	Seven Crown Resorts, Inc.: Lake Mead Marina	\$1,150.00	\$1,035.00
25.	1996000026	Moapa Valley Credit Union: Former Russ Auto	\$15,238.69	\$10,971.85
26.	1996000063	Joan Pennachio: V&V Automotive	\$5,048.80	\$4,543.92
27.	1996000064	H&A Esslinger Trust: Red Rock Mini Mart	\$23,993.25	\$12,099.80
28.	1996000100	Conoco Phillips Company: Circle K #1246	\$74,863.39	\$44,835.18

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

29.	1996000101	Conoco Phillips Company: Circle K #695	\$25,102.29	\$22,592.07
30.	1996000102	Conoco Phillips Company: Circle K #542	\$135,790.48	\$67,351.78
31.	1997000008	Ewing Brothers, Inc.: Ewing Brothers Facility	\$4,257.50	\$3,831.75
32.	1997000024	BP West Coast Products, LLC: ARCO #399	\$6,216.68	\$2,902.33
33.	1997000093	Conoco Phillips Company: Union 76 #5257	\$2,947.50	\$1,591.65
34.	1998000046	Willdens Automotive Holdings: Allstate Rent A Car	\$13,944.22	\$12,549.80
35.	1998000053	7-Eleven, Inc.: 7-Eleven #27361	\$6,056.25	\$1,362.65
36.†	1998000068	Conoco Phillips Company: Conoco #28003	\$68,196.20	\$150,967.53
37.	1998000073	City of Reno: City of Reno Police Station	\$10,854.80	\$10,854.80
38.	1998000075	Anne Dufurrena: McDermit Service Motel	\$7,752.55	\$6,861.20
39.	1998000080	Seven Crown Resorts: Echo Bay Resort	\$20,499.04	\$18,449.14
40.	1999000007	7-Eleven, Inc.: 7-Eleven #21850	\$28,773.21	\$25,537.11
41.	1999000011	Terrible Herbst Oil Company: Terrible Herbst #133	\$6,994.40	\$6,294.96
42.	1999000012	BP West Coast Products, LLC: ARCO #5319	\$12,383.63	\$6,203.71
43.	1999000015	Terrible Herbst Oil Company: Terrible Herbst #144	\$7,798.15	\$6,958.94
44.	1999000017	Reed, Inc.: Reed R-Place Shell	\$34,756.14	\$30,619.02
45.	1999000022	Terrible Herbst Oil Company: Terrible Herbst #129	\$23,347.13	\$21,012.42
46.	1999000029	Terrible Herbst Oil Company: Terrible Herbst #136	\$17,361.31	\$15,570.72
47.	1999000048	Estate of Robert Cowan: Former Lightning Lube	\$22,422.34	\$22,401.36
48.	1999000052	Estate of Martin Wessel: Ted's Chevron	\$24,471.25	\$22,024.11
49.	1999000061	Rich Sorani: Former Rich's Unocal	\$30,509.06	\$30,509.06
50.	1999000066	HP Management, LLC: Former Haycock Petroleum	\$11,464.54	\$10,318.08
51.	1999000086	Terrible Herbst Oil Company: Terrible Herbst #126	\$26,646.38	\$22,973.31
52.	1999000090	HP Management, LLC: Former Haycock Petroleum	\$12,807.33	\$11,486.10
53.	1999000104	Terrible Herbst Oil Company: Terrible Herbst #118	\$13,503.40	\$12,054.06
54.	1999000135	Terrible Herbst Oil Company: Terrible Herbst #106	\$9,319.05	\$8,387.14
55.	1999000137	Terrible Herbst Oil Company: Terrible Herbst #152	\$6,323.10	\$5,690.79
56.	1999000162	Terrible Herbst Oil Company: Terrible Herbst #159	\$6,556.75	\$5,901.07
57.	1999000167	City of Las Vegas: Fire Station #1	\$14,915.75	\$14,915.75
58.†	1999000186	Gloria Pilger: Former D&G Oil Facility	\$26,314.16	\$27,561.96
59.	1999000199	Mary Ann Ferguson: Lakeshore Orbit Station	\$32,274.62	\$29,047.16
60.	1999000204	Berry-Hinckley Industries: Trailside General Store	\$14,708.68	\$13,237.81
61.	1999000224	BP West Coast Products, LLC: ARCO #5326	\$104,437.03	\$85,340.37
62.	1999000244	7-Eleven, Inc.: 7-Eleven #22070	\$32,348.26	\$26,923.70
63.	1999000257	University of Nevada: Newlands Agriculture	\$17,287.87	\$17,287.87
64.	1999000273	V.K. Leavitt: The Waterhole	\$47,826.93	\$21,515.92
65.	1999000275	Conoco Phillips Company: Circle K #1248	\$12,188.22	\$9,872.46
66.	1999000276	Robert Harris: Pecos Station Texaco	\$12,985.10	\$11,686.59
67.	2004000011	William Rodriguez: Four Way Truck Stop	\$39,687.33	\$28,526.27
68.	2004000013	Jesse Jhawar: Nevada Nanak Petroleum	\$6,119.75	\$3,299.93
69.	2005000002	Carson Valley Oil Co., Inc.: Carson Valley Oil	\$18,360.99	\$16,524.89

ON GOING CASES/OTHER PRODUCTS: CONTINUED

			<u>REQUESTED</u>	<u>RECOMMENDED</u>
70.	2005000018	BP West Coast Products, LLC: ARCO #1718	\$45,479.13	\$40,834.07
71.	2005000021	B-H Ind. dba Terrible's: Former Berry-Hinckley #95	\$4,946.75	\$2,558.70
72.	2005000025	Bordertown, Inc.: Winner's Corner	\$38,309.74	\$34,478.77
73.	2005000039	Petrosun Fuel, Inc.: Taylor Street Market	\$6,779.14	\$6,101.22
74.	2005000044	Ewing Brothers, Inc.: Ewing Brothers Facility	\$17,906.79	\$14,504.48
75.	2006000016	USA Petroleum Corporation: USA Pet. Station #207	\$252,697.10	\$78,699.64
76.	2006000017	7-Eleven, Inc.: 7-Eleven #26994	\$48,856.66	\$31,536.06
77.	2007000002	Consolidated Nevada Corp.: Berry-Hinckley #201	\$7,263.27	\$6,536.94
78.	2007000014	Ace Cab Company, Inc.: Ace Cab Company	\$84,251.05	\$75,825.95
79.	2007000016	TOC Holdings Company: Former Time Oil #6-100	\$10,641.44	\$9,577.30
80.	2008000017	Big Daddy's Oil, LLC: Flamingo AM/PM #82153	\$26,154.30	\$14,123.32
81.	2008000018	B-H Ind. dba Terrible's: Terrible's Store #830	\$8,979.30	\$8,081.37
82.	2008000019	Stop N Shop 2 Land, LLC: Stop N Shop #2	\$8,309.30	\$7,457.85
83.	2008000023	Jacksons Food Stores, Inc.: Jacksons Food Store #27	\$4,474.63	\$4,022.67
ON GOING CASES/OTHER PRODUCTS SUB TOTAL:			<u>\$2,086,424.74</u>	<u>\$1,689,264.42</u>

REQUESTED **RECOMMENDED**

CLAIMS TOTAL: **\$2,833,907.40** **\$2,340,341.97**

VIII. EXECUTIVE SUMMARY (DISCUSSION)

Mr. Kottler reports 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)
DECEMBER 10, 2009 (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 South Stewart Street, Suite 4001, Carson City, NV 89701, facsimile (775) 687-8335, or by calling (775) 687-9369, no later than September 1, 2009.