

# Meeting Agenda

**STATE OF NEVADA BOARD TO REVIEW CLAIMS  
AGENDA  
SEPTEMBER 9, 2021**

The State of Nevada Board to Review Claims (Board) meeting will be video-conferenced and will begin promptly at 10:00 AM on Thursday, September 09, 2021 at the following locations:

Carson City: This meeting will be held by video/teleconference without a physical meeting location in accordance with Assembly Bill 253 (Amends NRS 241). Participation information is provided below the agenda.

Las Vegas: See above

The following items may be taken out of order and/or items may be combined for consideration. Items may also be removed from the agenda or the Board may delay discussion relating to an item on the agenda at any time.

Public comment may be limited to ten minutes per person at the discretion of the Chair.

Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the Board may refuse to consider public comment. See NRS 233B.126.

**1. CALL TO ORDER AND ROLL CALL**

**2. PUBLIC COMMENT (FOR DISCUSSION)**

Members of the public will be invited to speak before the Board on any issue related to the Petroleum Fund. No action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action.

**3. ELECTION OF BOARD VICE-CHAIR (FOR POSSIBLE ACTION)**

Nominations for a new Board Vice-Chair will be heard and a vote will follow.

**4. APPROVAL OF THE JUNE 03, 2021 MINUTES (FOR POSSIBLE ACTION)**

**5. STATUS OF THE FUND (FOR DISCUSSION)**

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

**6. AMENDMENT TO THE CEM COST GUIDELINES - TASKS J.1 AND J.2 (FOR POSSIBLE ACTION)**

The impacted soil disposal rate used to calculate maximum allowable non-CEM costs under Tasks J.1 and J.2 of the CEM Cost Guidelines will be amended to a rate of \$80 per ton. Staff will propose additional amendments to these tasks to allow adjustment of this rate in rural Nevada locations where there is a cost savings to the Fund by transporting impacted soil to a disposal facility located closer to the cleanup site. If the disposal facility has a disposal rate exceeding \$80 per ton, a cost analysis must be provided.

**RECOMMENDATION:**

Amend Tasks J.1 and J.2 of the CEM Cost Guidelines as proposed regarding initial abatement cleanup activities.

**7. REPEAL OF BOARD POLICY RESOLUTION 2007-10: POLICY TO REVIEW THIRD PARTY LIABILITY CLAIMS (FOR POSSIBLE ACTION)**

Staff will recommend to the Board repeal of Board Policy Resolution 2007-10 that previously replaced Board Policy Resolutions 94-018 and 2005-02. Terms defined in the policy are included in regulation. The current policy allows third party liability funding to be used for corrective action to prevent or mitigate third party damages. The recent passage of Assembly Bill 40 includes amendments to allow additional allotments of funding for corrective action without the use of third party liability funds, which makes this policy obsolete.

**RECOMMENDATION:**

Repeal of Policy Resolution 2007-10: Policy to Review Third Party Liability Claims

**8. DISCUSSION AND BOARD MEMBER INPUT ON PROPOSED PETROLEUM FUND REGULATION AMENDMENTS - NAC 445C (FOR DISCUSSION)**

Recent passage of Assembly Bill 40 includes an amendment allowing the Board to define "small business" in regulation. The current regulatory definition is outdated. Fund staff are proposing a new definition of "small business" for Board consideration as well as other amendments that clarify storage tank testing and record keeping requirements; establish deadlines for coverage application and claim submittals; revise requirements relating to proof of payment by an operator to a contractor or vendor after being paid by the Fund; and clarification on grant allocations to operators that have demonstrated a financial need to defray costs to upgrade storage tank systems.

**9. DISCUSSION AND SOLICITATION OF BOARD DIRECTION TO UPDATE THE CEM COST GUIDELINES (FOR DISCUSSION)**

Staff will request direction from the Board in addressing Division of Internal Audit recommendations #1 and #2 in DIA Report No. 21-04. The recommendations state project costs should be reconciled and rates should be established for CEM professional services. Staff will recommend revisions to the CEM Cost Guidelines be considered to address the recommendations of the report. Staff will provide three options for Board consideration.

**10. ADOPTION OF CONSENT ITEMS (FOR POSSIBLE ACTION)**

The Board may approve all items in the following list as a consent agenda unless a listed item is marked with an asterisk (\*). Items may be marked with an asterisk if a member of the public has requested to address the claim before the Board or the item is associated with a Fund Site Specific Board Determination (SSBD). In the case of an item being marked with an asterisk pending a SSBD, the item is considered part of the consent agenda upon approval of that (SSBD). In addition to asterisked items, a Board member may request an item be moved from the list for immediate discussion prior to approval or moved to a discussion agenda item and tabled for the next meeting.

A dagger (†) indicates previously disallowed monies have been successfully appealed (i.e. the requested amount may be less than the recommended amount)

An omega (ω) indicates Board approved reimbursement monies have been subtracted from the amount requested due to new information

**STATE BOARD TO REVIEW CLAIMS  
REQUESTED/RECOMMENDED AMOUNTS - SEPTEMBER 9, 2021**

<u>HEATING OIL</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2012000017; 80082 Churchill County School District: Old High School	\$6,813.54	\$6,813.54
FOR POSSIBLE ACTION	2.	2018000043; 80037 Mr. William Kennedy: William Kennedy Residential Heating Oil Tank	\$6,533.50	\$6,533.50
FOR POSSIBLE ACTION	3.	2021000024; 80093 Derek Amen: Derek Amen Residence	\$19,841.89	\$19,591.89
<b>SUB TOTAL:</b>			<b><u>\$33,188.93</u></b>	<b><u>\$32,938.93</u></b>
<u>NEW CASES</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2020000046; 79969 Midjit Market Inc: Green Valley Grocery #34	\$53,432.20	\$28,853.39
<b>SUB TOTAL:</b>			<b><u>\$53,432.20</u></b>	<b><u>\$28,853.39</u></b>
<u>ONGOING CASES</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	1992000126; 80088 Clark County School District: Rc White (Arville) Transportation Satellite	\$27,355.83	\$27,355.83

FOR POSSIBLE ACTION	2.	1995000039; 80071	Al Park Petroleum Inc: Crescent Valley Market	\$18,499.03	\$16,649.13
FOR POSSIBLE ACTION	3.	1996000064; 80076	The Esslinger Family Trust: Red Rock Mini Mart	\$28,220.65	\$27,017.56
FOR POSSIBLE ACTION	4.	1996000101; 79889	Phillips 66 Company: Circle K Store #2700695	\$45,719.76	\$41,147.78
FOR POSSIBLE ACTION	5.	1998000075; 80072	55 McDermitt Crude, LLC: McDermitt Motel & Convenience Store	\$6,753.93	\$6,078.54
FOR POSSIBLE ACTION	6.	1999000014; 80073	Al Park Petroleum Inc: Pit Stop #7 Conoco	\$5,936.08	\$5,342.47
FOR POSSIBLE ACTION	7.	1999000243; 80067	7-Eleven Inc: 7-Eleven #27607	\$59,666.03	\$53,699.43
FOR POSSIBLE ACTION	8.	2004000011; 80077	Hpt Ta Properties Trust: Wells Petro Truck Service	\$1,722.38	\$1,550.14
FOR POSSIBLE ACTION	9.	2007000014; 80091	Raiders Oz Business, LLC: Former Ace Cab/frias Transportation	\$35,345.77	\$31,568.53
FOR POSSIBLE ACTION	10.	2007000016; 80089	Golden Gate Petroleum Of Nevada LLC: Golden Gate Petroleum	\$5,205.00	\$4,684.50
FOR POSSIBLE ACTION	11.	2008000005; 79834	Avis Rent A Car System LLC: Avis Rent A Car	\$56,330.00	\$50,697.00
FOR POSSIBLE ACTION	12.	2010000009; 80080	Hpt Ta Properties Trust: Mill City Travel Center	\$24,154.93	\$19,565.50
FOR POSSIBLE ACTION	13.	2011000009; 80083	Cimarron West: Cimarron West	\$19,022.41	\$17,120.17
FOR POSSIBLE ACTION	14.	2012000012; 80059	Las Vegas Land Acquisition 2020 Co., LLC: Green Valley Grocery #61	\$49,574.61	\$44,617.15
FOR POSSIBLE ACTION	15.	2013000019; 80085	Hardy Enterprises INC: Elko Sinclair #53	\$22,857.02	\$20,571.32
FOR POSSIBLE ACTION	16.	2014000004; 80084	Alsaker Corp: Broadway Colt Service Center	\$13,633.97	\$12,270.57
FOR POSSIBLE ACTION	17.	2014000016; 80065	Smitten Oil And Tire Co Inc: Former Smedley's Chevron	\$4,276.27	\$3,848.64
FOR POSSIBLE ACTION	18.	2014000025; 80078	Superior Campgrounds Of America, LLC: Silver City Rv Resort	\$32,545.56	\$29,291.00
FOR POSSIBLE ACTION	19.	2016000005; 80075	Golden Gate S.e.t. Retail Of Nevada LLC: Golden Gate Petroleum 65 - Fallon	\$4,417.58	\$3,975.82
FOR POSSIBLE ACTION	20.	2016000012; 80060	DLF Corporation: Mr Ds Fastlane	\$7,159.14	\$6,443.23
FOR POSSIBLE ACTION	21.	2016000023; 80087	Al Park Petroleum Inc: Pit Stop #1	\$6,724.48	\$4,841.62
FOR POSSIBLE ACTION	22.	2018000009; 80074	Reed Incorporated: Pacific Pride	\$6,824.96	\$6,142.46
FOR POSSIBLE ACTION	23.	2019000024; 80038	Jacksons Food Stores Inc: Jacksons Food Stores #0169	\$16,886.84	\$12,158.52
FOR POSSIBLE ACTION	24.	2020000015; 80086	Canyon Plaza, LLC: Gas 2 Go	\$51,568.98	\$27,847.25
<b>SUB TOTAL:</b>				<b><u>\$550,401.21</u></b>	<b><u>\$474,484.16</u></b>
<b>RECOMMENDED CLAIMS TOTAL:</b>				<b><u>\$637,022.34</u></b>	<b><u>\$536,276.48</u></b>

**11. DIRECT PAYMENT OF UNCONTESTED CLAIMS MADE PER POLICY RESOLUTION 2017-02 (FOR DISCUSSION)**

**The Board to Review Claims authorizes NDEP to make claim payments prior to a Board meeting when the recommended payment value is uncontested. This authorized delegation is consistent with the findings in the memorandum from the Attorney General’s Office dated August 3, 2017 (Attachment A of Policy Resolution 2017-02). Below is a list of all quarterly claim payments made on the Board’s behalf in accordance with Policy Resolution No. 2017-02.**

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

**An omega (ω) indicates Board approved reimbursement monies have been subtracted from the amount requested due to new information**

<u>HEATING OIL</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	2021000011; 80028 Todd Courtney: Residential Heating Oil Tank 1401 Hillside Drive, Reno	\$20,109.58	\$19,859.58
FOR DISCUSSION	2.	2021000016; 80030 Scott Rottman: Rottman 2020 Trust Heating Oil Tank	\$19,965.62	\$19,715.62
FOR DISCUSSION	3.	2021000017; 80036 Dianne Robak: Triple R Trust Home Heating Oil Tank	\$15,668.61	\$15,418.61
FOR DISCUSSION	4.	2021000018; 80039 Rmp 36, LLC: Residential Heating Oil Tanks At 128 Stewart St And 503 & 505 Sinclair St, Reno	\$39,803.05	\$39,303.05
FOR DISCUSSION	5.	2021000019; 80040 David & Martha Schimmel: Residential Heating Oil Tank, 2100 S Arlington Ave, Reno	\$17,742.48	\$17,492.48
FOR DISCUSSION	6.	2021000020; 80041 345 Wheeler LLC: 345 Wheeler LLC Residential Heating Oil Tank	\$20,231.98	\$19,981.98
FOR DISCUSSION	7.	2021000021; 80068 Ronald Badley: Ronald William Badley Residence	\$25,933.02	\$25,683.02
FOR DISCUSSION	8.	2021000022; 80070 Abc Investors Group, Inc.: Abc Investors Group, Inc	\$21,366.71	\$21,116.71
FOR DISCUSSION	9.	2021000023; 80092 Robert Carr: Robert J. Carr Residence	\$29,951.15	\$29,701.15
<b>SUB TOTAL:</b>			<b><u>\$210,772.20</u></b>	<b><u>\$208,272.20</u></b>
 <u>ONGOING CASES</u>			 <u>REQUESTED</u>	 <u>PAID</u>
FOR DISCUSSION	1.	1993000102; 80049 Rebel Oil Company: Rebel Store #2008	\$18,560.96	\$18,560.96
FOR DISCUSSION	2.	1994000015; 80057 Pilger Family Holdings: Former D & G Oil Company	\$37,942.47	\$37,942.47

FOR DISCUSSION	3.	1994000027; 79972	7-Eleven Inc: 7-Eleven #19653	\$119,457.58	\$119,457.58
FOR DISCUSSION	4.	1999000022; 80033	Terrible Herbst Oil Company Inc: Terrible Herbst #129	\$9,510.45	\$8,559.41
FOR DISCUSSION	5.	1999000023; 80055	Nevada Ready Mix Corp: Nevada Ready Mix	\$17,251.00	\$15,485.40
FOR DISCUSSION	6.	1999000066; 80056	HP Management, LLC: Former Haycock Petroleum	\$23,589.75	\$21,174.07
FOR DISCUSSION	7.	1999000086; 80035	Terrible Herbst Oil Company Inc: Terrible Herbst #126	\$17,702.75	\$15,932.47
FOR DISCUSSION	8.	1999000104; 80031	Terrible Herbst Oil Company Inc: Terrible Herbst #118	\$12,812.38	\$11,531.14
FOR DISCUSSION	9.	2013000009; 80046	Western Petroleum: Western Petroleum Of Nevada	\$5,916.59	\$5,324.93
FOR DISCUSSION	10.	2013000011; 80045	Har Moor Investments, LLC: Village Shop #4	\$27,764.55	\$24,988.09
FOR DISCUSSION	11.	2014000025; 80005	Superior Campgrounds Of America, LLC: Silver City Rv Resort	\$25,838.06	\$23,254.25
FOR DISCUSSION	12.	2014000033; 80058	Speedee Mart INC: Speedee Mart #108	\$110,050.88	\$99,045.79
FOR DISCUSSION	13.	2016000027; 80032	Terrible Herbst Oil Company Inc: Terrible Herbst #272	\$35,774.93	\$28,977.70
FOR DISCUSSION	14.	2017000019; 80054	Rebel Oil Company: Rebel Store #2197	\$16,523.75	\$14,871.37
FOR DISCUSSION	15.	2017000035; 80053	Rebel Oil Company: Rebel Store #2177	\$25,140.25	\$22,625.71
FOR DISCUSSION	16.	2018000005; 80050	Rebel Oil Company: Rebel Store # 2153	\$7,853.75	\$7,068.37
FOR DISCUSSION	17.	2019000001; 80051	Rebel Oil Company: Rebel Store #2160	\$6,330.00	\$5,697.00
FOR DISCUSSION	18.	2019000002; 80052	Rebel Oil Company: Rebel Store #2166	\$7,113.75	\$6,402.37
FOR DISCUSSION	19.	2019000005; 80048	Fairway Chevrolet Co: Fairway Chevrolet CO	\$11,093.50	\$9,984.15
FOR DISCUSSION	20.	2019000014; 80047	Western Cab Co: Western Cab CO	\$12,630.50	\$11,367.45
FOR DISCUSSION	21.	2020000016; 80015	LV Petroleum LLC: Us Gas #7	\$39,735.76	\$35,719.88
<b>SUB TOTAL:</b>				<b><u>\$588,593.61</u></b>	<b><u>\$543,970.56</u></b>
<b>DIRECT PAYMENT CLAIMS TOTAL:</b>				<b><u>\$799,365.81</u></b>	<b><u>\$752,242.76</u></b>
<b>BOARD MEETING CLAIMS TOTAL:</b>				<b><u>\$1,436,388.15</u></b>	<b><u>\$1,288,519.24</u></b>

**12. EXECUTIVE SUMMARY (FOR DISCUSSION)**

NDEP will brief the Board on tank enrollment status, Fund coverage activities, Fund expenditures to-date, current audit progress, and Eagle Gas North cleanup status.

**13. PUBLIC COMMENT (FOR DISCUSSION)**

Members of the public will be invited to speak before the Board on any issue related to the Petroleum Fund. No action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action.

**14. CONFIRMATION OF NEXT BOARD MEETING DATE (FOR DISCUSSION)  
DECEMBER 9, 2021 (THURSDAY) AT 10:00 AM**

**15. ADJOURNMENT**

**This agenda will be posted no later than three working days prior to the meeting at the following locations:**

The Board to Review Claims meetings webpage at: <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/board-meeting-agendas-minutes> and the Department of Administration's website at: <https://notice.nv.gov>. Additional physical postings were requested at the following locations:

DCNR, Richard H. Bryan Bldg., 901 S. Stewart St., 1st floor, Carson City, NV 89701  
NDEP -Bureau of Corrective Actions, Richard H. Bryan Bldg., 901 S. Stewart St., 3rd floor, Carson City, NV 89701  
NDEP - Bureau of Corrective Actions, 375 E. Warm Springs Road, Suite 200, Las Vegas, NV 89119  
Legislative Counsel Bureau, Nevada Legislative Bldg., 401 S. Carson St., Carson City, NV 89701  
Legislative Counsel Bureau, Grant Sawyer Bldg., 555 E. Washington Ave., Rm #1003, Las Vegas, NV 89101  
Nevada State Library & Archives, 100 N. Stewart St., Carson City, NV 89701

**Viewing of and participation in the September 9, 2021 Board to Review Claims Meeting will be available via video/teleconference, and attendance by these means are encouraged. Meeting access information is listed below:**

**Videoconference:** <https://call.lifesizecloud.com/10345196>

**Teleconference: Call in by Phone (audio only)**

**United States: +1 (877) 422-8614**

**Meeting extension: 10345196#**

Members of the public that need prior assistance to participate in the meeting or wish to submit a written public comment to be read aloud during the meeting can contact Tristin Alishio by email at [talishio@ndep.nv.gov](mailto:talishio@ndep.nv.gov), by calling (775) 687-9369, or in writing at NDEP-BCA, Board to Review Claims, 901 S. Stewart St., Ste. 4001, Carson City, NV 89701 no later than September 7, 2021.

Note: Supporting material for this meeting and prior meeting minutes are posted on the Board to Review Claims meetings webpage at: <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/board-meeting-agendas-minutes>. Audio recordings of previous meetings are located in the Nevada Division of Environmental Protection (NDEP) Carson City office and can be obtained by contacting Tristin Alishio by email at [talishio@ndep.nv.gov](mailto:talishio@ndep.nv.gov), by calling (775) 687-9369, or in writing at NDEP-BCA, Board to Review Claims, 901 S. Stewart St., Ste. 4001, Carson City, NV 89701.



**Agenda Item 1:  
Call to Order and Roll Call**

**Agenda Item 2:  
Public Comment**  
(FOR DISCUSSION)

**Agenda Item 3:**  
**ELECTION OF BOARD VICE-CHAIR**  
(FOR POSSIBLE ACTION)

**Agenda Item 4:**  
**Approval of June 3, 2021 Minutes**  
(FOR POSSIBLE ACTION)

**STATE OF NEVADA BOARD TO REVIEW CLAIMS  
BOARD MEETING MINUTES  
JUNE 3, 2021**

**1. CALL TO ORDER**

**Chair Tappan** called the meeting to order at 10:00 a.m. The meeting was conducted via video/phone conference. **Mike Cabble** welcomed staff members Kim Valdez and Tristin Alishio.

**A. BOARD MEMBERS PRESENT**

Chair Maureen Tappan – Representative of the General Public  
Karen Stoll – Department of Motor Vehicles  
Greg Lovato – Nevada Division of Environmental Protection  
Mike Dzyak – State Fire Marshal’s Office  
Rod Smith – Representative of Petroleum Refiners  
LeRoy Perks – Representative of the Independent Retailers of Petroleum

**BOARD MEMBERS NOT PRESENT**

Vacant – Representative of Independent Petroleum Dealers

**OTHERS PRESENT**

Peter Handy, State Attorney General’s Office – Carson City  
Jeff Collins, Jeff Kinder, Michael Cabble, Kim Valdez, Megan Slayden, Don Warner,  
Diondre White, Ben Moan, Chuck Enberg, Kevin Barnes, Scott Smale and Tristin Alishio  
– Nevada Division of Environmental Protection (NDEP)  
Kathleen Johnson – The Westmark Group  
Sydney Veloz – The Westmark Group  
Kevin Paprocki – Converse Consultants  
Lori Porter – Vertical Iron Works  
Matt Granjean – Stantec  
Emma Niedholdt – The Westmark Group  
Peter Krueger – Nevada Petroleum Marketers & Convenience Store Association  
(NPM & CSA)  
Michael Cunningham - Vertical Iron Works

In addition to the above-named participants, there was an additional guest that called into the meeting by telephone but was not identified by name.

**2. PUBLIC COMMENT**

**Peter Krueger** spoke on behalf of the Nevada Petroleum Marketers & Convenience Store Association to thank NDEP staff for their work during the legislative session, particularly in the passage of Assembly Bill 40. The Association worked with staff to add two amendments from industry, including raising the Fund limit from \$1 million per tank. The Governor’s Office has also agreed to change the language for filling the industry membership vacancy from “Must submit three names,” to “submit up to three names.” This should make it easier to finally fill the vacant position. There is currently a name submitted for the position and hopefully by the next meeting, the long vacancy will be filled. **Chair Tappan** thanked Mr. Krueger for his comments and agreed regarding the excellent quality of the staff. The Board looks forward to having a new member in

September.

3. **APPROVAL OF THE MARCH 11, 2021 MINUTES**

Chair Tappan invited comments, questions, or changes to the minutes. There were no changes.

**Rod Smith Moved to approve the March 11, 2021 minutes. Greg Lovato seconded the motion. Motion carried unanimously.**

4. **STATUS OF THE FUND**

**Mr. Cabble** presented the status of the Fund for State Fiscal Year 2021 thus far. The balance forward from State Fiscal Year 2020 was \$7,500,000 with approximately \$418,800.00 received for tank system enrollment fees for enrollment year 2021. Approximately \$9,303,814 was generated by the \$0.0075 petroleum fee. The Fund has earned approximately \$53,286 in interest with total revenue at \$17,275,899.89. Expenditures include Board Member salaries of \$685. In-state travel costs total \$60. Board meeting operating costs totaled approximately \$1,874. Total funds transferred to NDEP and used for State-led cleanups, staff salaries and ongoing maintenance was approximately \$720,086. The fee paid to DMV for the collection of the \$0.0075 fee on behalf of the Fund is \$12,714. Reimbursement of Petroleum Fund claims totals \$6,177,928. Cumulative expenditures of the fund are \$6,913,347.65. This leaves a current balance for Fiscal Year 2021 of \$10,362,552.24.

**Chair Tappan** invited questions from the Board. There were no questions.

5. **CEM COST GUIDELINES - TASK J.2.**

**Mr. Cabble** stated that during the March meeting, there were concerns regarding Task J.2. of the CEM Cost Guidelines and its potential impacts at commercial storage tank facilities when carrying out initial abatement activities following UST system removal.

**Mr. Cabble** provided background on Task J.2., and why it was added to the CEM Cost Guidelines. Task J.2. was adopted by the Board in December of 2018 and was meant to serve as a cost control mechanism during initial abatement activities that occur immediately following the removal of a storage tank. During initial abatement, the onsite equipment used to remove the tank systems can also be used to excavate exposed contaminated soils. Removing these soils provides a benefit to the operator in shorter cleanup, and Fund benefits from a reduction of overall cleanup costs. As such, the Fund encourages initial abatement activities. However, one main challenge is that initial abatement occurs during the transition from an active storage tank to the subsequent cleanup. Active systems are regulated by release prevention compliance programs, such as NDEP's UST program and Southern Nevada Health District. Cleanups are overseen by NDEP's remediation and LUST case officers. As such, this period of time is not directly overseen by any one program and generally there is a lack of oversight during these activities.

Prior to March of 2016, there were no initial abatement tasks in the CEM Cost Guidelines. This meant that bids for work were not required and not-to-exceed proposals were not reviewed during this phase of work. This exposed a vulnerability within the Fund, which was discovered in 2015, when the Fund began receiving a group of claims from contractors that were significantly inflated over the typical amounts for this phase of a project. The first initial abatement task, J.1., was created as a cost control mechanism following receipt of those claims and was specific to heating oil tank cleanups. The amount of hours a consulting firm could claim for oversight of this phase of cleanup were established under the new task. Additionally, a formula was established to set a maximum

refundable amount that could be claimed from the Fund for contractor costs such as excavation, transport, and disposal of impacted soils. The formula includes the following components to set a maximum for subcontractor costs: Tons of contaminated soil removed from the site multiplied by the rate to treat or dispose of that soil multiplied by 3.75. The 3.75 multiplier is intended to cover excavation, transport, backfilling with clean soil, and any other costs during this phase of work. In addition to these costs, the Fund also reimburses soil sampling analyses from the laboratory. These analyses are not included in the formula under the J.1 task.

Task J.2. follows the success the program has had in managing the costs of the initial abatement under Task J.1. Task J.2 incorporates language specific to commercial storage tank facilities and increases the maximum amount of soil that can be removed during initial abatement activities. If during the soil removal work, the maximum is reached and additional impacted soil removal is warranted to prevent further migration of contamination, CEM staff can reach out to the NDEP case officer and request that additional soil be removed. This allows for flexibility within the task facilitating cleanup. There is, however, less flexibility under the CEM hours assigned. Task J.2. and initial abatement in general is only meant to mitigate contaminated soils that are likely to contribute to further contamination migration or prolong a cleanup. These activities should not be used to get a site to clean closure. They will not cover UST removal costs or upgrades to the site. The task is meant to address an immediate concern of saturated soils beneath a tank, piping, or dispenser while those areas are accessible, which is right after removal of the system. There are state and federal regulations for how to close a tank and when to remove it, as well as requiring sampling to determine whether a release has occurred. These requirements also state that a closure report be submitted to an implementing agency. None of these costs are eligible under J.2. They are required by law, are the responsibility of the operator and regardless of the existence of the Fund, these would be the responsibility of the operator.

When talking about excavation of contaminated soils, it is important to emphasize that there must be cause to remove any soils under the task. Causes include apparent staining of the soil, PID readings indicating elevated concentrations in the soil, and strong soil odors. Presumed impacted soils must be verified by soil sampling results and indicate a release has occurred and requires cleanup. For any further assessment or cleanup work required beyond the initial abatement phase, the CEM must transition into standard cost controls. This is the point where bids are required, work plans must be submitted, and NTEPs must be approved by the case officer prior to additional cleanup work being performed.

Fund staff have identified a disadvantage in the formula for the J.1 and J.2 tasks regarding the use of the soil disposal rate. In both the Northern and Southern Nevada regions, there is one primary disposal or treatment facility in each location. The Northern Nevada location charges a significantly higher rate than the Southern Nevada location. Since the Fund relies on the disposal rate in its formula under Task J.1 and J.2., Southern Nevada is at a disadvantage for the maximum amount of cleanup costs available to contractors of this work. **Mr. Cabbie** requests that the Board allow NDEP staff to evaluate and implement a maximum disposal cost rate. The goal would be to make the rate as equal as possible for the entire state. The rate would then be evaluated on a periodic basis.

**Chair Tappan** invited questions from the Board. **Lee Perks** inquired as to how soils are disposed of for cleanups in rural areas like Elko. **Mr. Cabbie** stated that there have been a few in this category and there are various other disposal facilities. In addition, in far eastern portions of the state, soils have gone to other states for disposal. Currently, the rate being considered statewide is \$80 per ton. If there are other disposal facilities outside of the state for use in rural areas which would charge a higher rate, it would be important for Fund staff to know this up front. There are allowances within the task for mileage to transport soils to a farther disposal location.

**Rod Smith** sought clarification on how this process fits in with the big picture in terms of paperwork, entering it into the system and receiving a claim payment. **Mr. Cabbie** stated that

initial abatement activities occur prior to coverage being awarded by the Fund. As such, there is much responsibility that falls on the owner of the site as well as the CEM overseeing cleanup. These activities are generally completed to a point where there is an unlikelihood for additional contaminate migration and then, after the fact, they submit a coverage application to the Fund. Fund staff review the application as they do any others received. If the application is complete and full coverage is awarded, the operator would then submit a claim using these tasks to recoup the costs, meaning that this is a true reimbursement mechanism. The first claim should be specifically for initial abatement activities only. On subsequent claims, the CEM and operator can proceed with their normal not-to-exceed proposal requests and concurrences and submit claims as they normally would for the remainder of the cleanup.

The task is purposely made restrictive so operators and CEMs consider what is truly necessary to prevent further contaminant migration and keep costs under control. If for some reason the site is denied coverage or receives a reduction, the operator will pay any costs not covered by the Fund since they have already been incurred. This is explicitly included in the language of this task. The first page of the task states that all this work occurs before Fund coverage is provided and the CEM needs to understand and communicate with the operator that if coverage is not awarded or is reduced, the operator must still pay the costs. Additionally, they will still be required to finish the cleanup.

**Mr. Smith** surmised that the issue between North and South is the multiplier times the costs incurred and the disposal of the soil. He inquired as to why they could not simply take the actual cost of transportation, rather than using a multiplier. **Mr. Cabbie** said the multiplier was evaluated using existing cleanups that had already been paid for. The data was examined to determine the ratio of the costs associated with excavation, transportation, disposal, and backfill, which correlates to how much soil is removed. Generally, the more soil removed, there is typically a diminishing cost, whereas the first few tons can be quite a bit more expensive. It was found that 3.75 was a good ratio and covered essentially all costs associated with transport, disposal, and site restoration. The Fund had to establish some kind of a cost control mechanism under this task. Otherwise, a contractor can charge any rate they want. This ratio forces one to pay attention to costs incurred, as there is limit to what will be reimbursement by the Fund.

**Greg Lovato** commented that the important thing about the task is being able to enable the owner and the CEM to reduce overall costs of cleanup quickly but with some control. This task will be helpful for putting people in control without having an excess of costs incurred without control. It strikes a good balance. He looks forward to comments from the CEM community and industry representatives before the Board makes a decision to move forward with changes to the Cost Guidelines. He asked for an example of how this task will help facilitate quick cleanup. **Mr. Cabbie** said he could not immediately provide a specific example. However, when the task was first introduced in 2018, it garnered much excitement. Mr. Cabbie was told directly by various individuals that they did not do some work initially, because they did not have a good idea of how much they would be reimbursed if they went forward. It is a gray area in the initial phases of cleanup. The operator is between programs and does not always have direct communication with NDEP, depending on where they are located and how the release was discovered, and whether new tank systems are going in immediately after the system is being removed. NDEP has paid for significant amounts of soil to come out of the ground. If secondary source soils are removed from the ground, potential for additional migration or leaching of contaminates into the groundwater or farther into the soil is significantly limited. Overall cleanup costs and duration should be reduced. The greatest struggle in this task is helping people to understand that the hours are set. This is a necessary cost control measure. There are approximately three days of full work allowed under the task, which should be adequate for the work being discussed.

**Mr. Perks** noted that transportation costs are high and asked how the Fund reconciles the costs between Carson City to Reno to Sparks. **Mr. Cabbie** stated that there are a number of factors involved, including how much soil comes out of the ground, which will potentially reduce



transportation costs. No matter how much soil is removed, they must still pay for equipment operators, et cetera. As the soils are moved more efficiently, costs can go down. The task includes a provision that if a small amount of soil is removed and the formula does not cover costs fully, there is a mechanism to get approval for additional costs. There have not been a significant number of these done in rural areas. If they were to become a consistent issue, the Fund would certainly reevaluate.

**Mr. Smith** stated that the dump costs and trucking costs are known. If trucking costs are known to be variable, he suggested that the costs be accepted for their actual amounts or to propose a maximum. Costs will vary greatly depending on how far the load must be hauled. **Mr. Cabbie** said he would first like to see real data that reflects this circumstance. To date, those costs have been covered. The reason the costs are outlined in the task is because contractors were charging whatever amount they deemed appropriate at the time. This is not an action item for today's meeting and staff is certainly willing to evaluate suggestions.

There being no further Board questions, **Chair Tappan** opened the discussion to public comment.

**Kathleen Johnson** of the Westmark Group shared her experience as a CEM with this abatement task. She agreed that initial abatement is a very transitional time in a project. There is also a balance with contractors onsite at that time. In her experience, the cost justification for exceptions have been an issue. An example would be an expedited lab turnaround. Because this is a transition period, they do not yet have an assigned case officer and approvals cannot be obtained in real time. That sets up a scenario of getting approvals after the fact. This is a gray area for CEMs. For the cost control measures on transportation, they have come close to the ceiling, as one site was just outside the metropolitan area. A remote site would have higher transportation costs. It is helpful that the task now provides definitions for an element that was obscure previously. **Mr. Cabbie** agreed that there is a transition period from the time a spill call comes in to when it is assigned and routed to a case officer. CEMs are urged to reach out to staff, even before they have been assigned a case officer; however, if staff cannot be reached and the data supports the need for quick turnarounds and additional excavation, Fund staff will be receptive when reviewing the claim.

**Jeff Collins**, Bureau of Corrective Actions Chief, reassured Ms. Johnson that when she finds herself in this situation in the field and is unable to contact the appropriate staff, she is free to contact him and someone will be assigned right away. Contacting bureau staff will serve as a record that the operator intends to do quick turnaround on soil sampling. In addition, the spill reporting hotline can be called, and the duty officer can be asked to use the call-down list to get a hold of a supervisor. **Ms. Johnson** thanked Mr. Collins for the information. She noted that while NDEP staff is always busy, calls are returned and questions are answered as needed.

There were no additional public comments. **Mr. Cabbie** reiterated that he is open to input on transport cost. However, until there is supporting activity that indicates the tasks breaks down and does not allow reimbursement of those costs, he is reluctant to make changes or pull it out as a separate reimbursable line item. He requested that the Fund be allowed to increase the disposal rate, which will in effect, increase the over cost of the formula, at least in Southern Nevada.

**Chair Tappan** noted that Mr. Cabbie requested the Board's approval to evaluate and implement maximum disposal cost rates. She asked the Board whether there was any problem with staff looking into this. There were no comments from the Board opposed to this. There is no vote required at this time, however perhaps between now and September, there will be additional input from the CEMs. She stated agreement with having the staff make an amendment, since the issue does not require a vote. **Mr. Cabbie** said that in accordance with the CEM Cost Guidelines policy resolution 2001-05, the language indicates that NDEP can make a recommendation for change and put this out to the regulated community. If there are no negative appeals or concerns regarding the change, it can be made, and the Board will be informed at its next meeting. The process would include informing the regulated community, operators, and CEMs that a rate for disposal will be

set. If there is general agreement with no negative comments, the update would be made, and the Board informed at the September meeting.

**Chair Tappan** asked for Board comments regarding the process set forth by Mr. Cabbie. There were no additional comments.

## 6. UPDATE BOARD ON SECOND PETROLEUM FUND PROGRAM AUDIT (21-04)

**Mr. Cabbie** stated that the Fund has now gone through two audits by the Governor's Finance Office, Division of Internal Audits. This presentation will focus on the second Division of Internal Audits report No. 21-04. In May of 2021, the Fund provided a letter to the DIA, indicating staff focus has been on Recommendation No. 2; the reason being that this recommendation had a much shorter implementation time than the other three. The initial finding in the report for Recommendation No. 2 states, "Establishing a rate schedule will ensure that the Fund pays consistent rates for CEM professional services and provides an objective basis to define costs paid by the Fund for CEM services." The report further contends that there may be a cost savings to the Fund of up to \$1 million annually by setting these rates.

The focus of staff efforts was on the actual intent for setting the rate. The Fund intended to evaluate the cost savings that could be realized. Over 10,000 data points for a three-year period were evaluated. Data included hours requested on not-to-exceed proposals as well as the rates provided by CEMs for those proposals. These costs were summed up in terms of eventual payment by the Fund. The provided rates were used to establish a weighted average as well as a median. When an average rate was applied to the same hours on NTEPs, staff found that the Fund would actually spend more money annually than it does currently, approximately \$7,400. If using the median rate instead of the average, applied to the same hours requested in NTEPs, there would be a cost savings of approximately \$4,750. Neither of these costs are anywhere near the \$1 million identified in the report. The formula used to get to the \$1 million makes an assumption that all the costs reimbursed by the Fund are CEM costs. During the analysis, it was discovered that this is not the case. CEM costs make up approximately 25 percent of all reimbursed costs. The remaining 75 percent are spent on subcontractor and vendor costs, such as drilling activities, soil excavation, sampling analysis, and remediation systems themselves.

CEM rates and skill levels are comprised of what amounts a company will charge for its senior staff, project managers, engineers, geologists, technicians, and administrative staff. The DIA would like the Fund to set a specific dollar amount per hour for each level unilaterally across the state. Currently, the Fund allows CEMs to set rates on their own as driven by market conditions. Based on staff research, it was found that allowing CEMs to set rates on their own does not have a significant impact on the Fund in terms of costs spent.

Recommendation No. 1 in the report asks Fund staff to reconcile project costs. Specifically, the DIA would like staff to look at hours proposed and approved on a not-to-exceed proposal and then match them up on the invoices received for Petroleum Fund reimbursement. This is already done to an extent, but not to the extent that is being asked of the Fund at this time. There is potential that significant changes would have to be made in the program to do this and if setting a rate makes more sense to implement the changes for Recommendation No. 1, this is where staff would evaluate setting rates. For the other three recommendations, staff has taken very little action thus far. They have been focused on this analysis as well as the Assembly Bill 40 mentioned earlier in the meeting. The timeline for implementation of the other recommendations is January of next year.

**Greg Lovato** thanked the Bureau of Corrective Action and Fund staff for getting through the first audit and now this one. The audit response demonstrates the skill and effort of Fund staff to ensure

that the funds are spent wisely. The audit division is looking for simple policy prescriptions for complex market mechanisms, particularly in terms of professional rates. If the State were conducting the cleanup itself, it would be appropriate to cost bid and look at competitive rates, as is done with contracts where the State is directing the work. However, this is more like an insurance situation, where professionals have the ability to charge more with the customer making up the cost, if they choose. They are not convinced that having NDEP setting professional skill level rates is a superior approach to letting the market do this. He would like to hear the views of Board members. NDEP will go before the Executive Branch Audit Committee on June 29th, and he would like to be able to share the Board members' comments at that time.

**Chair Tappan** invited comments from the Board. **Mr. Perks** described setting rates as a scary situation. The Labor Commission does this often and they do not take the average. They generally take the higher end of the rate average. Setting rates also means setting profit margins, overhead margins, and employee wage margins. This is a much different science than merely coming up with a rate. It would have to be consistent with how the Labor Commission does it. **Mr. Smith** stated that the market will handle the problem and that the NDEP should not enter this arena. **Chair Tappan** agreed that the market should be allowed to determine the rates. Mr. Lovato agreed with Mr. Perks' comments. It would not be a simple task to accommodate the complexities of data; additional staff would be required for these efforts. It will be useful to also have input from the petroleum marketers and the CEM community.

**Mr. Cabbie** stated that the second audit report will be going before the Executive Branch Audit Committee on June 29th. Members may attend, if interested.

7. **ADOPTION OF CONSENT ITEMS**

The Board may approve all items in the following list as a consent agenda unless a listed item is marked with an asterisk (\*). Items may be marked with an asterisk if a member of the public has requested to address the claim before the Board or the item is associated with a Fund Site Specific Board Determination (SSBD). In the case of an item being marked with an asterisk pending a SSBD, the item is considered part of the consent agenda upon approval of that (SSBD). In addition to asterisked items, a Board member may request an item be moved from the list for immediate discussion prior to approval or moved to a discussion agenda item and tabled for the next meeting.

A dagger (†) indicates previously disallowed monies have been successfully appealed (i.e. the requested amount may be less than the recommended amount)

An omega (ω) indicates Board approved reimbursement monies have been subtracted from the amount requested due to new information

**STATE BOARD TO REVIEW CLAIMS  
REQUESTED/RECOMMENDED AMOUNTS - JUNE 3, 2021**

**HEATING OIL**

			<b><u>REQUESTED</u></b>	<b><u>RECOMMENDED</u></b>
FOR POSSIBLE ACTION	1.	2012000017; 79998 Churchill County School District: Old High School	\$5,088.98	\$5,088.98
FOR POSSIBLE ACTION	2.	2020000012; 79961 Washoe County School District: Diedrichsen Elementary School	\$18,310.13	\$15,255.43
FOR POSSIBLE ACTION	3.	2021000008; 80001 Vertical Iron Works: Vertical Iron Works	\$9,795.50	\$9,545.50
		<b>SUB TOTAL:</b>	<b><u>\$33,194.61</u></b>	<b><u>\$29,889.91</u></b>

**ONGOING CASES**

			<b><u>REQUESTED</u></b>	<b><u>RECOMMENDED</u></b>
FOR POSSIBLE ACTION	1.	1992000126; 80020 Clark County School District: Rc White (Arville) Transportation Satellite	\$68,126.64	\$68,126.64
FOR POSSIBLE ACTION	2.	1993000011; 80023 7-Eleven INC: 7-Eleven #29646	\$12,252.56	\$12,252.56
FOR POSSIBLE ACTION	3.	1993000103; 79970 Charlie Brown Construction: Charlie Brown Const.	\$2,699.00	\$2,645.02
FOR POSSIBLE ACTION	4.	1995000039; 79991 Al Park Petroleum Inc: Crescent Valley Market	\$24,456.70	\$22,011.03
FOR POSSIBLE ACTION	5.	1996000064; 80012 The Esslinger Family Trust: Red Rock Mini Mart	\$27,003.64	\$26,189.69
FOR POSSIBLE ACTION	6.	1997000071; 79975 7-Eleven INC: 7-Eleven #25586	\$79,575.91	\$71,618.32

FOR POSSIBLE ACTION	7.	1998000075; 79993	55 McDermitt Crude, LLC: McDermitt Motel & Convenience Store	\$4,763.37	\$4,241.13
FOR POSSIBLE ACTION	8.	1999000014; 79994	Al Park Petroleum Inc: Pit Stop #7 Conoco	\$6,667.30	\$6,000.57
FOR POSSIBLE ACTION	9.	1999000243; 79881	7-Eleven INC: 7-Eleven #27607	\$23,090.32	\$20,741.93
FOR POSSIBLE ACTION	10.	2004000011; 79995	Hpt Ta Properties Trust: Wells Petro Truck Service	\$2,203.51	\$1,983.16
FOR POSSIBLE ACTION	11.	2004000039; 79955	Clark County Dept Of Aviation: Fmr National Car Rental	\$17,208.24	\$17,208.24
FOR POSSIBLE ACTION	12.	2007000014; 80027	Raiders Oz Business, LLC: Former Ace Cab/Frias Transportation	\$312,521.73	\$281,203.83
FOR POSSIBLE ACTION	13.	2007000016; 80004	Golden Gate Petroleum Of Nevada LLC: Golden Gate Petroleum	\$13,970.94	\$12,573.85
FOR POSSIBLE ACTION	14.	2008000019; 80016	One Panou LLC: Golden Market #3	\$9,677.90	\$8,463.51
FOR POSSIBLE ACTION	15.	2009000024; 79902	Parampreet Investment LLC: Chucks Circle C Market	\$23,156.99	\$20,626.46
FOR POSSIBLE ACTION	16.	2010000009; 79996	Hpt Ta Properties Trust: Mill City Travel Center	\$21,590.93	\$17,488.66
FOR POSSIBLE ACTION	17.	2011000009; 79997	Cimarron West: Cimarron West	\$23,848.44	\$21,360.10
FOR POSSIBLE ACTION	18.	2012000003; 80006	7-Eleven INC: 7-Eleven #26627	\$22,006.91	\$15,844.98
FOR POSSIBLE ACTION	19.	2012000005; 80009	Travel Systems, LLC: Zephyr Cove Resort	\$83,193.94	\$74,569.35
FOR POSSIBLE ACTION	20.	2012000012; 79971	Las Vegas Land Acquisition 2020 Co., LLC: Green Valley Grocery #61	\$40,341.04	\$36,274.47
FOR POSSIBLE ACTION	21.	2013000019; 80002	Hardy Enterprises INC: Elko Sinclair #53	\$34,082.97	\$30,674.67
FOR POSSIBLE ACTION	22.	2014000004; 79999	Alsaker Corp: Broadway Colt Service Center	\$25,689.28	\$23,060.21
FOR POSSIBLE ACTION	23.	2014000007; 79976	7-Eleven INC: 7-Eleven #29658	\$28,522.59	\$25,670.33
FOR POSSIBLE ACTION	24.	2014000016; 80000	Smitten Oil And Tire Co Inc: Former Smedley's Chevron	\$11,300.64	\$10,170.58
FOR POSSIBLE ACTION	25.	2016000005; 80025	Golden Gate S.e.t. Retail Of Nevada LLC: Golden Gate Petroleum 65 - Fallon	\$3,497.63	\$3,147.87
FOR POSSIBLE ACTION	26.	2016000009; 79973	7-Eleven INC: 7-Eleven #13685	\$28,110.13	\$25,299.12
FOR POSSIBLE ACTION	27.	2016000012; 80011	DLF Corporation: Mr. Ds Fastlane	\$6,686.83	\$6,018.15
FOR POSSIBLE ACTION	28.	2016000023; 80026	Al Park Petroleum Inc: Pit Stop #1	\$3,241.25	\$2,315.70
FOR POSSIBLE ACTION	29.	2017000015; 80017	Ellen 5 LLC: Green Valley Grocery #63	\$50,086.87	\$45,062.02
FOR POSSIBLE ACTION	30.	2018000009; 80024	Reed Incorporated: Pacific Pride	\$10,400.73	\$9,271.56
FOR POSSIBLE ACTION	31.	2019000024; 79736	Jacksons Food Stores INC: Jacksons Food Stores #0169	\$45,346.91	\$32,649.78
FOR POSSIBLE ACTION	32.	2020000015; 80014	Canyon Plaza, LLC: Gas 2 Go	\$51,025.68	\$27,553.87
<b>SUB TOTAL:</b>				<b><u>\$1,116,347.52</u></b>	<b><u>\$982,317.36</u></b>
<b>RECOMMENDED CLAIMS TOTAL:</b>				<b><u>\$1,149,542.13</u></b>	<b><u>\$1,012,207.27</u></b>

**Chair Tappan** asked whether any member of the Board needed to recuse him or herself from any item on the consent list. There were no requests for recusal. As such, she invited a motion to approve the consent items as listed.

**Mr. Smith moved for approval of the consent items as listed. Mr. Perks seconded the motion. Motion carried unanimously.**

**8. DIRECT PAYMENT OF UNCONTESTED CLAIMS MADE PER POLICY RESOLUTION 2017-02**

The Board to Review Claims authorizes NDEP to make claim payments prior to a Board meeting when the recommended payment value is uncontested. This authorized delegation is consistent with the findings in the memorandum from the Attorney General’s Office dated August 3, 2017 (Attachment A of Policy Resolution 2017-02). Below is a list of all quarterly claim payments made on the Board’s behalf in accordance with Policy Resolution No. 2017-02.

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

An omega (ω) indicates Board approved reimbursement monies have been subtracted from the amount requested due to new information

<u>HEATING OIL</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	202000032; 79870 661 Lake Property LLC: 661 Lake Street Heating Oil Tank	\$18,044.96	\$17,989.96
FOR DISCUSSION	2.	202000037; 79871 661 Lake Property LLC: 121 E. 6th Street Heating Oil UST And 615 Lake Street Heating Oil UST	\$20,611.04	\$20,611.04
FOR DISCUSSION	3.	202000047; 79974 Cai Development Company: Cai Investments, Inc.	\$8,876.89	\$8,376.89
FOR DISCUSSION	4.	202000049; 79875 Glenn Ryan: Glenn Ernest Ryan Residence	\$21,373.32	\$21,123.32
FOR DISCUSSION	5.	202000049; 79962 Glenn Ryan: Glenn Ernest Ryan Residence	\$2,080.00	\$2,080.00
FOR DISCUSSION	6.	202100001; 79950 Mary Schmidt: Mary Schmidt Residence	\$20,163.06	\$19,913.06
FOR DISCUSSION	7.	202100002; 79956 Trevor O'Sullivan: Heating Oil Tank - 721 Lander Street	\$18,078.70	\$17,828.70
FOR DISCUSSION	8.	202100003; 79964 Alan & Stacie Smith: Residential Heating Oil Tank 505 Ridge Street	\$12,646.30	\$12,396.30
FOR DISCUSSION	9.	202100004; 79963 Sharon Jacobs-Firschein: Residential Heating Oil Tank 14350 Rim Rock Drive	\$20,246.48	\$19,996.48
FOR DISCUSSION	10.	202100005; 79966 Lane Simonian: Residential Heating Oil Tank 2800 W Moana Lane	\$20,381.99	\$20,131.99
FOR DISCUSSION	11.	202100006; 79967 Thomas Johnson: Residential Heating Oil Tank, Johnson Living Trust	\$21,071.14	\$20,821.14
FOR DISCUSSION	12.	202100007; 79968 Andrew Koyama: Residential Heating Oil Tank At 7 Lane Circle	\$16,905.53	\$16,655.53
FOR DISCUSSION	13.	202100012; 79992 Rodger Liles: Residential Heating Oil Tanks 555 & 557 Ballentyne Way	\$32,565.08	\$32,065.08
FOR DISCUSSION	14.	202100013; 80029 Martin Giudici: Residential Heating Oil Tank At 2701 Pioneer Drive, Reno	\$12,430.98	\$12,180.98
<b>SUB TOTAL:</b>			<b><u>\$245,475.47</u></b>	<b><u>\$242,170.47</u></b>

<u>ONGOING CASES</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	1993000102; 79984 Rebel Oil Company: Rebel Store #2008	\$2,702.50	\$2,702.50
FOR DISCUSSION	2.	1994000015; 79981 Pilger Family Holdings: Former D & G Oil Company	\$39,185.80	\$39,185.80
FOR DISCUSSION	3.	1999000022; 79959 Terrible Herbst, INC.: Terrible Herbst #129	\$5,333.75	\$4,800.37

FOR DISCUSSION	4.	1999000023; 79983	Nevada Ready Mix Corp: Nevada Ready Mix	\$16,406.25	\$14,725.13
FOR DISCUSSION	5.	1999000066; 79982	HP Management, LLC: Former Haycock Petroleum	\$32,059.43	\$28,795.89
FOR DISCUSSION	6.	1999000086; 79958	Terrible Herbst, INC.: Terrible Herbst #126	\$11,217.50	\$10,095.75
FOR DISCUSSION	7.	1999000104; 79960	Terrible Herbst, INC.: Terrible Herbst #118	\$968.75	\$871.87
FOR DISCUSSION	8.	2012000012; 79952	Las Vegas Land Acquisition 2020 Co., LLC: Green Valley Grocery #61	\$34,533.34	\$29,847.59
FOR DISCUSSION	9.	2013000004; 79884	7-Eleven INC: 7-Eleven #29665	\$48,393.64	\$43,554.28
FOR DISCUSSION	10.	2013000009; 79979	Western Petroleum: Western Petroleum Of Nevada	\$5,463.25	\$4,916.93
FOR DISCUSSION	11.	2013000011; 79978	Har Moor Investments, LLC: Village Shop #4	\$18,069.96	\$16,217.96
FOR DISCUSSION	12.	2014000025; 79942	Superior Campgrounds Of America LLC: Silver City Rv Resort	\$28,696.35	\$25,826.71
FOR DISCUSSION	13.	2014000033; 79977	Speedee Mart INC: Speedee Mart #108	\$19,721.50	\$17,704.35
FOR DISCUSSION	14.	2016000027; 79957	Terrible Herbst, INC.: Terrible Herbst #272	\$15,625.11	\$12,607.74
FOR DISCUSSION	15.	2017000019; 79990	Rebel Oil Company: Rebel Store #2197	\$23,109.82	\$20,798.84
FOR DISCUSSION	16.	2017000035; 79989	Rebel Oil Company: Rebel Store #2177	\$67,371.13	\$60,634.02
FOR DISCUSSION	17.	2018000005; 79985	Rebel Oil Company: Rebel Store # 2153	\$5,296.25	\$4,766.63
FOR DISCUSSION	18.	2019000001; 79987	Rebel Oil Company: Rebel Store #2160	\$5,829.25	\$5,230.13
FOR DISCUSSION	19.	2019000002; 79988	Rebel Oil Company: Rebel Store #2166	\$6,623.75	\$5,961.37
FOR DISCUSSION	20.	2019000004; 79986	Rebel Oil Company: Rebel Store #2142	\$3,998.00	\$3,598.20
FOR DISCUSSION	21.	2019000005; 79980	Fairway Chevrolet Co: Fairway Chevrolet CO	\$13,121.57	\$11,764.41
FOR DISCUSSION	22.	2019000014; 80003	Western Cab Co: Western Cab CO	\$23,541.50	\$21,187.35
			<b>SUB TOTAL:</b>	<b><u>\$427,268.40</u></b>	<b><u>\$385,793.82</u></b>
			<b>DIRECT PAYMENT CLAIMS TOTAL:</b>	<b><u>\$672,743.87</u></b>	<b><u>\$627,964.29</u></b>
			<b>BOARD MEETING CLAIMS TOTAL:</b>	<b><u>\$1,822,286.00</u></b>	<b><u>\$1,640,171.56</u></b>

**Chair Tappan** invited questions on any of the items listed. There were none.

## 9. EXECUTIVE SUMMARY

**Mr. Cabble** stated annual invoices for enrollment year 2021 were issued on August 17, 2020. Total facilities invoiced as of May 19, 2021 is 1,273 facilities. Approximately 1,242 facilities have paid the enrollment fee, which is just under 98 percent. Since the Fund was created, a total of 1,735 remediation cases have applied for Fund coverage. Of those applications, 173 have been denied due to ineligibility or other reasons. Of the cases that were provided Fund coverage, 1,452 cases have since been closed and no longer receive Fund reimbursement. Currently, there are 106 active Fund cases. Since January 1, 2021, NDEP has received 17 new coverage applications for Fund coverage. Four applications are currently pending. Prior to this Board meeting, the Board to Review Claims has approved a cumulative total of \$246,320,468.56. This includes \$627,964.29 for direct payment claims since the last Board meeting. With today's approval of \$1,012,207.27, the cumulative Fund expenditure will increase to \$247,332,675.83. This quarter, there were no grant payments made or applications received.

**Mr. Cabble** addressed Assembly Bill 40. The legislative session ended this past weekend, and the AB 40 was passed by both houses. The main purpose of the bill was to remove the small business definition from statute and redefine it within regulation. This was done to address concerns of the initial audit under Report No. 19-05. Another change made in statute was reducing the copayment from 10 percent to 5 percent for small businesses.

In addition to removing the small business definition from statute and into regulation, revisions were made to the operator and storage tank definitions. The definition of an operator was expanded beyond the current operator of a storage tank, and now includes past storage tank operators and the current owners of a property where they are responsible for a corrective action of a release. Product piping was added to the storage tank definition to clarify that releases come not only from tanks but from the piping as well. Also clarified in statute were testing requirements for storage tank operators prior to receiving coverage. The amendment for testing was also driven by recommendations within the first audit report.

Lastly, amendments were introduced by industry and adopted by the legislature to allow additional allotments of \$1 million for cleanups at facilities. This amendment comes with many stipulations that NDEP outlined during session. One benefit of the amendment is additional cleanup money will be available above the initial coverage limits, which eliminates the need to use third-party funds for cleanup as allowed by policy resolution 2007-10. With the adoption of the statute amendments, the Fund plans to retire this portion of the third-party claims policy resolution. By doing so and in combination with redefining small business, staff believe the remaining two recommendations of the initial audit (19-05) will be resolved. If AB 40 is signed into law by the Governor, staff will start work on drafting new regulations. The goal is to bring the revised regulations before the Board for adoption by the end of the year. If there are other regulation changes the Board would like to see made, those could be provided now or during the workshop and comment process. **Mr. Cabble** specifically referred to Mr. Perks' concerns with the grant program. As the process progresses, the public will be permitted to submit comments.

**Mr. Perks** stated that when defining a small business, utilizing revenue as a measurement will be difficult during this volatile time. He likes the idea of coming up with a fuel throughput number to classify a gas station. He would be interested in the workshops in looking at the grant. There are a number of things that could be done to make the process more consumer friendly.

**Mr. Cabble** asked Board members to consider and submit input on whether to include within the small business criteria just the fueling activities and convenience store goods versus secondary business activities like gaming or maintenance shops that may also be under the operator's business name. Should income from these secondary business activities be included in the calculation? **Mr. Perks** stated that gas operations should be a standalone entity. The other possible elements like U-



Haul rentals, shops, or gambling are much more predicated on the operator. It may look like the operator is making more money, but the gasoline business can actually lower profits. He believes the Board's responsibility lies with just the fueling operations.

**Mr. Smith** asked whether the third-party issue is retroactive. **Mr. Cable** said that at this point, they need to wait for the bill to be formally adopted and passed. At that point, they can look at the current policy. For anybody who has been awarded coverage under that policy, it would stand as is and this would apply to others moving forward. **Mr. Smith** asked for clarification that those operators that used third-party money for cleanup previously have lost those funds? **Mr. Cable** Responded that yes, that is correct. There is a declaration signed by the operator at the time third-party funds are released for cleanup that says third-party money used for cleanup will not be available for use in the event of future third-party damages.

**Mr. Lovato** stated that AB 40 passed unanimously out of both houses and that was not a common occurrence during this session. It has been sitting with the Governor since June 1st and he has ten days to sign, so the bill will likely pass. The additional funds that the petroleum marketers requested will be replacing the third-party liability, but many of the safeguards written into statute should be familiar to Board members. Currently, when accessing the third-party liability funds, many of the safeguards staff use were adopted into the statute. In terms of the changes that were made relating to small business, there was also a letter received from petroleum marketers in 2019 that includes specific recommendations on how to define small business. NDEP will revisit that letter. Overall, the bill was a good collaboration with input from petroleum marketers, extended consultant team, and staff.

10. **PUBLIC COMMENT**

There were no requests to speak.

11. **CONFIRMATION OF NEXT BOARD MEETING DATE**

It was confirmed the next meeting date would be Thursday, September 9, 2021 at 10:00 a.m.

12. **ADJOURNMENT**

The meeting adjourned at 11:28 a.m.

**Agenda Item 5:  
Status of the Fund**  
(FOR DISCUSSION)

Petroleum Discharge Cleanup Fund  
Balance Sheet - State Fiscal Year 2021  
As of June 30, 2021 (End of Year)

**REVENUE**

Balance Forward	\$ 9,635,055.00
Transfer to Highway Fund	\$ (2,135,055.00)
<b>Total Balance Forward</b>	<b>\$ 7,500,000.00</b>

Enrollment and Registration Fees	\$ 423,100.00
Petroleum Fees	\$ 13,200,710.30
Interest Earned	\$ 55,970.49
Reimbursement of Expenses	\$ 74,138.42
Balance Forward to New Year	\$ (7,500,000.00)
<b>Total Revenue</b>	<b>\$ 13,753,919.21</b>

**EXPENDITURES**

Board Salary	\$ 720.71
In-State Travel	\$ 60.39
Operating	\$ 1,960.69
Transfer to Highway Fund (Closing)	\$ 5,458,961.29
Transfer to Department of Environmental Protection	\$ 869,543.08
Senate Bill No. 89	\$ 94,675.50
Petroleum Grant Program	\$ 52,661.84
Department of Motor Vehicles Fee Collection Service	\$ 12,714.00
Reimbursement of Claims	\$ 7,262,621.71
<b>Total Expenditures</b>	<b>\$ 13,753,919.21</b>

**LIABILITIES**

Petroleum Board Costs	\$ 1,258.21
Highway Fund Budgeted Amount	\$ 105,983.71
Pending Obligated Claims	\$ 8,717.74
<b>Total Liabilities</b>	<b>\$ 115,959.66</b>

**ACTUAL FUNDING AVAILABLE**

<b>\$</b>	<b>-</b>
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DocuSigned by:

*Susan Genzler*

8/24/2021 | 12:54 PM PDT

Prepared By

DocuSigned by:

*Katie Bradley*

8/24/2021 | 1:34 PM PDT

Reviewed By

DocuSigned by:

*Mike Cobble*

8/24/2021 | 1:59 PM PDT

Petroleum Fund Staff Approval

Date:

Petroleum Discharge Cleanup Fund  
Balance Sheet - State Fiscal Year 2022  
As of August 23, 2021

**REVENUE**

Balance Forward	\$	7,500,000.00
Enrollment and Registration Fees	\$	10,100.00
Petroleum Fees	\$	-
Interest Earned	\$	-
Balance Forward to New Year	\$	-
<b>Total Revenue</b>	<b>\$</b>	<b>7,510,100.00</b>

**EXPENDITURES**

Board Salary	\$	35.70
In-State Travel	\$	-
Operating	\$	-
Transfer to Highway Fund	\$	-
Transfer to Department of Environmental Protection Senate Bill No. 89	\$	-
Petroleum Grant Program	\$	-
Department of Motor Vehicles Fee Collection Service	\$	-
Reimbursement of Claims	\$	679,756.47
<b>Total Expenditures</b>	<b>\$</b>	<b>679,792.17</b>

**LIABILITIES**

Petroleum Board Costs	\$	3,964.30
Highway Fund Budgeted Amount	\$	-
Pending Obligated Claims	\$	8,717.74
<b>Total Liabilities</b>	<b>\$</b>	<b>12,682.04</b>

**ACTUAL FUNDING AVAILABLE**

**\$ 6,830,307.83**

DocuSigned by:

*Susan Gengler*

8/24/2021 | 12:54 PM PDT

Prepared By

EB123D9FCA0A485...

Date:

DocuSigned by:

*Katie Bradley*

8/24/2021 | 1:34 PM PDT

Reviewed By

EB19BB508D7E45C...

Date:

DocuSigned by:

*Mike Cabble*

8/24/2021 | 1:59 PM PDT

Petroleum Fund Staff Approval

Date:

**Agenda Item 6:  
AMENDMENT TO THE CEM COST  
GUIDELINES - TASKS J.1 AND J.2**

(FOR POSSIBLE ACTION)

**J. INITIAL ABATEMENT ACTIVITIES**

DRAFT

**TASK J.1: INITIAL ABATEMENT FOR HEATING OIL TANK CLEANUP ACTIVITY**  
*Fund Coverage provided ONLY if a LUST/Corrective Action Case Number is Assigned*

**Scope of Work:** This task consists of all personnel time and maximum allowable contractor costs to conduct initial abatement work on heating oil tank removal and cleanup projects prior to engaging in standard cost controls established through NTEPs and bids. Because the CEM provides direct oversight of the contractor during this phase, it is the CEM’s responsibility to ensure the CEM costs and contractor costs are consistent with this task table. Detailed non-CEM invoices must be provided to NDEP in the reimbursement claim to support initial abatement costs. Details include, but are not limited to, contractor’s timesheets, daily activity logs and any transportation, lodging, equipment and/or rental costs. The soil disposal invoice must also be included.

To minimize safety concerns with having an open excavation and facilitate rapid initial abatement activities, the Fund will reimburse rapid turnaround results for laboratory analyses for soils that have apparent petroleum impacts. Rapid turnaround times should not be pursued if there are not obvious signs of a discharge to the environment. The initial abatement period ends once equipment used to remove the tank system(s) is demobilized from the site and/or the excavation is backfilled. If additional assessment and remediation work is required for the site, those activities must be requested through an NTEP and performed under regulatory case officer concurrence (refer to Appendix F).

SKILL LEVEL/ACTIVITY	ACTIVITY/COSTS	TOTAL HRS
Project Manager/ Senior Engineer/ Senior Geologist	Coordination Activities and Project Management	2
Staff Engineer/ Staff Geologist	Oversight of Excavation Activities and Generation of Required Reports	24
Technician or Staff Geologist	Prepare field equipment, recover samples from pit(s), decontaminate equipment, deliver or ship samples for analyses	4
Administration/Clerical	Word processing and administrative support	4
Drafter	Drafting	2
<u>All Non-CEM Activities*</u> (Not to include Tank Removal or Laboratory Analyses Costs)	$[\text{Soil Removed (tons)}] \times \$80 [\text{Disposal Cost per ton}^{**} \text{ Disposal Rate}] \times [3.75^{***}] = \text{\$ \$ Maximum Allowable Non-CEM Cost}$ <p>Maximum Allowable Soil Removal = 48 tons (approximately 32 yards<sup>3</sup>) per storage tank. Where multiple storage tanks are removed from a site, the total volume of soil removed shall not exceed 210 tons (approximately 140 yards<sup>3</sup>).</p>	N/A
Tank Removal	\$2,000 maximum to defray removal costs (Applies only if a LUST/Corrective Action Case Number is Assigned to Project)	N/A
<b>TOTAL HOURS FOR TASK</b>		<b>36</b>

\* Activities include, but are not limited to, excavating, transporting and disposal of impacted soil, importing and placement of backfill, site restoration and ALL supplemental charges

\*\* Actual Disposal Cost (no mark-up)

\*\*\* Multiplier is the average contractor costs for Nevada heating oil projects based upon the amount of soil disposed from

Typical activities included in total hours for above task:

- Coordination and excavation oversight of soils that have apparent petroleum impacts
- Backfilling of tank pit
- Collection of soil samples for analyses
- Time to deliver samples to laboratory or prepare shipping package
- Project management
- Travel time if site is located within metropolitan area of consultant
- Coordination of disposal of contaminated soils
- Consultant coordination of traffic control plan and placement of traffic barriers (if necessary)
- Vehicle mileage, CEM in-house supplies, per diem and vendor markup may be added to above table as necessary

Additional considerations for the above task:

- “Soils that have apparent petroleum impacts” must be evident by soils saturated with petroleum product, have elevated volatile organic compounds identified via field equipment (e.g. PID), or obvious petroleum staining with strong odor. Costs associated with excavation, disposal, and sampling of impacted soils will not be reimbursed if the initial storage tank closure sample results are below NDEP action levels.
- For large cleanup sites where multiple heating oil storage tanks are removed from separate tank excavations (i.e. tank pits), an additional 1.5 hours may be requested for oversight of the fourth tank pit and each additional pit thereafter (Staff Engineer/Staff Geologist skill level). The above additional hours may not be requested at a site for the removal of three or less storage tanks, regardless of the number of tank excavation pits.
- For large cleanup sites where multiple heating oil storage tanks are removed from separate tank excavations (i.e. tank pits), an additional 0.5 hours may be requested for sampling of the fourth tank pit and each additional pit thereafter (Staff Geologist/Technician skill level). The above additional hours may not be requested at a site for the removal of three or less storage tanks, regardless of the number of tank excavation pits.
- Drafting hours in the task table above should be reserved for large heating oil tank system removal projects (e.g. schools, hospitals, casinos) that require detailed drawings to make informed decisions about closure or further remediation beyond the scope of this task. Drawings must be in a scaled electronic format and display the following: former tank and piping locations, sample locations and depth, surrounding structures, sensitive receptors where appropriate, and off-property impacts. **These types of drawings are not typically associated with, nor required, for small residential heating oil tank (<1,100 gallon) sites.**
- If the CEM believes the site can be closed or future corrective action costs would be significantly reduced by excavating additional soil beyond the “maximum allowable soil removal” referenced in the table above, **he/she must request and obtain written approval for a specific tonnage/volume of additional excavation from the regulatory case officer, Fund staff, or**



**NDEP supervisor.** Any additional excavation approved by the regulatory case officer, as part of initial abatement, must be invoiced using the same formula for Maximum Allowable Non-CEM Costs.

If the regulatory case officer does not provide approval for additional soil excavation, any further excavation is considered beyond the scope of initial abatement. The CEM must contact the regulatory case officer to initiate the required cost control measures established through a NTEP and bids, when the cost meets the bid criteria. Work beyond the scope of initial abatement must be conducted in accordance with a corrective action plan approved by the NDEP.

- If the volume of excavated soil is relatively small, forcing the maximum allowable Non-CEM costs down to a value that does not cover the actual Non-CEM expenses, the CEM may request that the regulatory case officer increase the maximum allowable cost to cover the actual expenses incurred.
- If the site is located outside of the metropolitan area of the consultant, additional hours for consultant travel time (billed at technician rate), mileage, and per diem may be included with an initial abatement claim submittal. State mileage and per diem rates apply (Appendix B).
- **Nevada disposal facilities should be used for impacted soil disposal, when possible. If the site is located in a rural area of the state where transport costs to a Nevada disposal facility will cause the Non-CEM costs to exceed the maximum allowed by the formula in the table above, an out-of-state disposal facility located closer to the site may be used. The disposal rate of the out-of-state facility must be equal to or less than the disposal rate in the task table unless the cost analysis outlined below is provided and approved.**
- **If the soil disposal rate of an out-of-state facility or a Nevada disposal facility in close proximity to a rural site is greater than \$80 per ton, a cost analysis must be submitted for reimbursement consideration. The cost analysis must demonstrate that costs associated with transporting impacted soils to a Nevada disposal facility with a rate equal to or less than \$80 per ton will exceed the Maximum Allowable Non-CEM Cost provided by the formula in the table above and using the disposal facility with a higher disposal rate will result in a cost savings to the Fund.**

If this Task can be performed in less time than summarized in the above table, the reduced level of effort/hours must be applied. **If it is necessary to propose additional time to perform this Task, justification must be provided and concurred with by the case officer.**

## TASK J.2: INITIAL ABATEMENT FOR REGULATED UNDERGROUND STORAGE TANK CLEANUP ACTIVITIES

**Scope of Work:** This task consists of all personnel time and maximum allowable contractor costs to conduct initial abatement work on discharges from regulated underground storage tank (UST) systems prior to engaging in standard cost controls established through NTEPs and bids. Initial abatement specifically includes the following: initial assessment immediately after UST removal (i.e. UST closure sampling required by the implementing agency); initial excavation of soils that have been confirmed by laboratory analysis to be above 100 mg/Kg for TPH and total greater than 3 cubic yards; further excavation of soils with apparent petroleum impacts caused by the removed USTs; and confirmation sampling following the removal of impacted soils. “Soils that have apparent petroleum impacts” must be evident by soils saturated with petroleum product, have elevated volatile organic compounds identified via field equipment (e.g. PID), or obvious petroleum staining with strong odor. Costs associated with excavation/disposal of soils and confirmation sampling will not be reimbursed if the initial UST closure samples are below NDEP action levels (i.e. petroleum contamination must be confirmed by laboratory analysis of the UST closure samples prior to excavation activities).

To expedite the UST closure sampling and post-excavation confirmation sampling, the Petroleum Fund (Fund) will reimburse rapid turnaround results for laboratory analyses for soils that have apparent petroleum impacts. Rapid turnaround times should not be pursued if there are not obvious signs of a discharge to the environment. The initial abatement period ends once equipment used to remove the tank system(s) is demobilized from the site and/or the excavation is backfilled. If additional assessment and remediation work is required for the site, those activities must be requested through an NTEP and performed under regulatory case officer concurrence (refer to Appendix F).

Because the CEM provides direct oversight of the contractor(s) during this phase, it is the CEM’s responsibility to ensure the CEM costs and contractor costs are consistent with the below task table. Detailed non-CEM invoices must be provided to NDEP in the reimbursement claim to support initial abatement costs. Details include, but are not limited to, contractor’s timesheets, daily activity logs and any transportation, lodging, equipment and/or rental costs. Invoices, manifests, and soil profile analyses required for soil disposal must also be included with the reimbursement claim(s). **Note: A reimbursement claim for initial abatement costs associated with a regulated UST system cannot be submitted until a leaking underground storage tank (LUST) case officer/case number has been assigned and the Fund has approved coverage for the UST(s) that caused the discharge to the environment.**

NDEP strongly recommends the CEM contact a LUST case officer/supervisor or Fund staff at the time the discharge is observed, and after the UST closure sample analytical results are received, to obtain verbal concurrence for initial abatement activities. If initial abatement activities need to occur during hours that NDEP offices are closed (weekends, holidays, etc.), the CEM should use their judgment to implement methods to expedite cleanup and minimize project costs. The above activities may be performed prior to Fund coverage being established for the facility; however, the CEM must understand and inform the operator that any costs incurred under this task shall be borne by the operator if reimbursement coverage is denied. Additionally, if coverage is granted with a reduction, reimbursement by the Fund for these initial abatement activities will be reduced. For additional information on reductions or potential denial of Fund coverage, please review Policy Resolution #94-023 at: <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/board-policy-resolutions>

SKILL LEVEL/ACTIVITY	ACTIVITY/COSTS	TOTAL HRS
Project Manager/ Senior Engineer/ Senior Geologist	Coordination Activities and Project Management	2
Staff Engineer/ Staff Geologist	Oversight of Excavation Activities and Generation of Required Reports	24
Technician or Staff Geologist	Prepare field equipment, recover samples from beneath tank system(s), decontaminate equipment, deliver or ship samples for analyses	6
Administration/Clerical	Word processing and administrative support	2
<u>All Non-CEM Activities*</u> ( <i>Not to include Laboratory Analyses Costs</i> )	$[\text{Soil Removed (tons)}] \times \$80 [\text{Disposal Cost per ton}^{**} \text{Disposal Rate}] \times [3.75^{***}] = \underline{\$ \$ \text{Maximum Allowable Non-CEM Cost}}$ <p><b>Maximum Allowable Soil Removal = 210 tons (approximately 140 yards<sup>3</sup>)</b></p>	N/A
<b>TOTAL HOURS FOR TASK</b>		<b>34</b>

\* Activities include, but are not limited to, additional excavation following initial UST closure sampling; transport and disposal of impacted soil; import and replacement backfill for excavated petroleum impacted soils; and ALL supplemental charges

**\*\* Actual Disposal Cost (no mark up)**

**\*\*\* Multiplier is for contractor costs for removal, transport, and disposal of petroleum impacted soils**

Typical activities included in total hours for above task:

- Coordination and oversight of excavation and sampling activities
- Coordination and oversight for backfill activities
- Coordination and oversight of disposal/treatment of contaminated soils
- Collection of all soil samples for analyses
- Time to deliver samples to laboratory and/or prepare shipping package
- Project management
- Travel time if site is located within metropolitan area of consultant
- Consultant coordination of traffic control plan and placement of traffic barriers (if necessary)
- A description and incorporation of initial abatement activities within the UST closure report

Additional considerations for the above task:

- If the CEM believes the site can be closed **or future corrective action costs would be significantly reduced** by excavating ~~a small amount~~ **additional soil** beyond the “maximum allowable soil removal” referenced in the table above, **he/she must request and obtain written approval for a specific tonnage/volume of additional excavation from the regulatory case officer, Fund staff, or NDEP supervisor.** Any additional excavation approved by a regulatory case officer/supervisor or Fund staff, as part of initial abatement, must be invoiced using the same formula for Maximum Allowable Non-CEM Costs. If regulatory approval for the additional excavation is not provided, any further excavation is considered beyond the scope of initial abatement and the CEM must

contact the regulatory case officer to initiate the required cost control measures established through a NTEP and bids. Work beyond the scope of initial abatement must be conducted in accordance with a corrective action plan approved by the NDEP.

- If the volume of excavated soil is relatively small, forcing the maximum allowable Non-CEM costs down to a value that does not cover the actual Non-CEM expenses, the CEM may request that NDEP increase the maximum allowable cost to cover the actual expenses incurred.
- If the site is located outside of the metropolitan area of the consultant, additional hours for consultant travel time (billed at technician rate), mileage, and per diem may be included with an initial abatement claim submittal. State mileage and per diem rates apply (Appendix B).
- **Nevada disposal facilities should be used for impacted soil disposal, when possible. If the site is located in a rural area of the state where transport costs to a Nevada disposal facility will cause the Non-CEM costs to exceed the maximum allowed by the formula in the table above, an out-of-state disposal facility located closer to the site may be used. The disposal rate of the out-of-state facility should be equal to or less than the disposal rate in the task table unless the cost analysis outlined below is provided and approved.**
- **If the soil disposal rate of an out-of-state facility or a Nevada disposal facility in close proximity to a rural site is greater than \$80 per ton, a cost analysis must be submitted for reimbursement consideration. The cost analysis must demonstrate that costs associated with transporting impacted soils to a Nevada disposal facility with a rate equal to or less than \$80 per ton will exceed the Maximum Allowable Non-CEM Cost provided by the formula in the table above and using the disposal facility with a higher disposal rate will result in a cost savings to the Fund.**
- CEM in-house supplies necessary for field sample screening (e.g. PID) may be claimed under this task in accordance with rates provided in Appendix A

If this Task can be performed in less time than summarized in the above table, the reduced level of effort/hours must be applied.

Agenda Item 7:  
REPEAL OF BOARD POLICY  
RESOLUTION 2007-10: POLICY TO  
REVIEW THIRD PARTY LIABILITY CLAIMS  
(FOR POSSIBLE ACTION)

STATE BOARD TO REVIEW CLAIMS  
MEETING OF DECEMBER 6, 2007  
RESOLUTION NO. 2007-10  
Summary of Resolution

ITEM

V.A

SUBJECT: Resolution to Amend and Replace the Policy to Review Third Party Liability Claims (94-018 and 2005-02)

DISCUSSION: The Board to Review Claims (Board) adopted Resolution No. 94-018, which was revised by Resolution No. 2005-02.

Resolution No. 94-018 directed a consistent approach for State of Nevada Petroleum Fund (Fund) staff to follow in reviewing claims for third party liability. Clarification was needed because third party liability was not clearly defined in the relevant Nevada Revised Statutes, sections 590.880 and 590.890.

Resolution No. 2005-02 revised the limits of third party liability and deductible amounts as per the 1995 Nevada Legislature change of the fixed deductible used by the Fund to a 10 % copayment.

The proposed resolution addresses issues raised when the one million dollars is consumed by corrective actions and additional corrective actions are needed to reduce the potential for third party liability claims.

The proposed resolution allows the Board to further clarify the review of third party liability claims.

Attachment A shows the additions and deletions to Resolution No. 2005-02 with italics and brackets, respectively.

Attachment B will become the effective resolution upon adoption.

RECOMMENDATION: **Adoption** of Resolution No. 2007-10 as proposed, amending and replacing the Policy to Review Third Party Liability Claims

**ATTACHMENT A**

PROPOSED CHANGES  
TO RESOLUTION NO. 2005-02

STATE BOARD TO REVIEW CLAIMS

RESOLUTION NO. ~~[94-018]~~ 2007-10

Resolution to ~~[Adopt]~~ *Amend and Replace the*  
Policy Regarding the Review of Third Party Liability Claims

Whereas, the State Board to Review Claims (hereinafter referred to as the Board) Finds:

1. NRS 590.880 and NRS 590.890 discuss the reimbursement, "... for damages to a person other than this state or the operator of the tank ..." Such types of reimbursement are hereinafter referred to as Third Party Liability Claims.
2. In the past, the staff of the Petroleum Fund have interpreted the statute to mean that there is an additional liability to the responsible party and to the Fund whenever a contamination plume migrates off of the responsible party's premises ("offsite"). However, staff has enforced this requirement only in cases where the cost of cleanup exceeds the statutory limits for an "on-site" cleanup.
3. NAC 590.710(1)(b) defines damages as:  
  
"... any money the operator of a storage tank becomes legally obligated to pay as damages because of bodily injury or property damage to any person other than the state..."
4. The federal UST regulation~~[s( )~~ 40 CFR 280.92 ~~( )~~ defines bodily injury *as*:  
  
~~"[Bodily injury shall have]~~ ... the meaning given to this term by applicable state law; however, this term shall not include those liabilities which, consistent with standard insurance industry practices, are excluded from coverage in liability insurance policies for bodily injury."
5. NAC 590.710(2)(b) defines property damage as:  
  
"... any actual injury to real or tangible personal property, loss of use of the property, or both, occurring as a proximate result of a discharge."



6. Real property is defined by Black's Law Dictionary, 1096 (5th-Edition, 1979) as:

"Land, and generally whatever is erected or growing upon or affixed to land. Also rights issuing out of, annexed to, and exercisable within or about land. A general term for lands, tenements, and hereditaments; property which, on the death of the owner intestate, passes to his heir.

Real or immovable property consists of: Land, that which is affixed to land; that which is incidental or appurtenant to land; that which is immovable by law..."

7. Property damage therefore includes the impacts of contamination that has migrated underground. Additionally, any corrective action measures that are performed off-site may be considered as a third party liability action.
8. NRS 590.880(1) and NRS 590.890(1) describe the deductible payments that are to be paid by the storage tank operator prior to receiving any reimbursements from the Fund for third party liability claims. The first allotment described by these sections is for the cleanup of a contamination, and the second allotment described is for third party liability claims.
9. The federal UST regulation~~[s-( ]~~ 40 CFR 280.93(a) ~~)~~ establishes the required amount of third party liability:

"Owners or operators of petroleum underground storage tanks must demonstrate financial responsibility for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks in at least the following per-occurrence amounts:

(1) For owners or operators of petroleum underground storage tanks that are located at petroleum marketing facilities, or that handle an average of more than 10,000 gallons of petroleum per month...\$1 million."

10. The 1995 Legislature changed the deductible amounts to 10% and the Fund coverage limits to \$900,000 for the owner/operator, \$900,000 for impacted third parties, and \$1,800,000 annually for storage tanks in order to be consistent to the minimum financial assurances required by federal regulations. (Similar changes were implemented for heating oil storage tank coverage.) The statute is not clear as to whether multiple third party liability claims can be approved for a release, with each claim at the maximum allowed. However, it appears from reviewing the committee minutes that the Legislative intent is to provide no more coverage than is mandated by federal law (for tanks other than tanks for heating oil to be consumed on the premises).
11. *Because of the potential increase in the total liability of the Fund, Petroleum Fund and Corrective Actions staff agree to jointly review each case requesting coverage of third party liability claims (Appendix C).*
12. *Nevada Division of Environmental Protection, therefore, recommends that the following policy be adopted.*

THEREFORE BE IT RESOLVED:

That the State Board to Review Claims directs the staff of the Petroleum Fund to review third party liability claims in the following manner:

1. Third Party Damages may include both bodily injury and property damage that an owner/operator of a storage tank becomes legally obligated to pay.
2. Third Party Liability shall be recommended for coverage for all reimbursement requests related to legal obligations to pay for either bodily injury or for property damage, as described in this Resolution.
- ~~3. The first reimbursement allotment described by NRS 590.880(1) and 590.890(1) shall be recommended for reimbursement for corrective action measures that are performed without respect to the extent of plume migration from the underground storage tank system release.~~
- ~~The second reimbursement allotment described by NRS 590.880(1) and 590.890(1) will be recommended for reimbursement for either bodily injury or for property damage, as described in the findings of this Resolution. Off site Corrective Action measures will be included as property damage (as a cost to remediate the property to state cleanup levels for those constituents released from the underground storage tank system) once the first reimbursement allotment has been exhausted.]~~
3. *Corrective action measures reduce the potential for third party liability action.*
4. *Reimbursement claims for off-site and on-site corrective actions need not be separated.*
5. *First and third party liability costs may be reimbursed simultaneously.*
6. *Third party liability coverage may be used for corrective actions.*
7. *Owners may access funds for third liability claims after acknowledging that this will reduce the total funds available in the case of a third party liability lawsuit.*

~~[4.]~~ 8. The deductible for third party liability shall be assessed to the owner/operator once a request for reimbursement ~~[is made that]~~ is recommended for coverage as third party liability.

~~[5. The per occurrence (i.e., per spill) aggregate limit of third party liability is \$900,000, irrespective of the number of third party liability claims.]~~

~~[6. The staff of the Petroleum Fund will recommend for coverage third party liability status to all reimbursement requests that have not been reviewed by the Board using the above listed guidance]~~

9. *Petroleum Fund and Corrective Actions staff should jointly review each case requesting coverage of third party liability claims.*

I, John Haycock, Chairman, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the Nevada State Board to Review Claims on ~~[February 9, 1995]~~ *December 6, 2007.*

---

John Haycock, Chairman  
State Board to Review Claims

~~{(Amended by the Board to Review Claims, Resolution 2005-02, March 10, 2005)}~~

**ATTACHMENT "B"**

PROPOSED RESOLUTION NO. 2007-10

STATE BOARD TO REVIEW CLAIMS

RESOLUTION NO. 2007-10

Resolution to Amend and Replace the  
Policy Regarding the Review of Third Party Liability Claims

---

Whereas, the State Board to Review Claims (hereinafter referred to as the Board) Finds:

1. NRS 590.880 and NRS 590.890 discuss the reimbursement, "... for damages to a person other than this state or the operator of the tank ..." Such types of reimbursement are hereinafter referred to as Third Party Liability Claims.
2. In the past, the staff of the Petroleum Fund have interpreted the statute to mean that there is an additional liability to the responsible party and to the Fund whenever a contamination plume migrates off of the responsible party's premises ("offsite"). However, staff has enforced this requirement only in cases where the cost of cleanup exceeds the statutory limits for an "on-site" cleanup.
3. NAC 590.710(1)(b) defines damages as:  
  
"... any money the operator of a storage tank becomes legally obligated to pay as damages because of bodily injury or property damage to any person other than the state..."
4. The federal UST regulation 40 CFR 280.92 defines bodily injury as:  
  
"... the meaning given to this term by applicable state law; however, this term shall not include those liabilities which, consistent with standard insurance industry practices, are excluded from coverage in liability insurance policies for bodily injury."
5. NAC 590.710(2)(b) defines property damage as:  
  
"... any actual injury to real or tangible personal property, loss of use of the property, or both, occurring as a proximate result of a discharge."

6. Real property is defined by Black's Law Dictionary, 1096 (5th-Edition, 1979) as:

"Land, and generally whatever is erected or growing upon or affixed to land. Also rights issuing out of, annexed to, and exercisable within or about land. A general term for lands, tenements, and hereditaments; property which, on the death of the owner intestate, passes to his heir.

Real or immovable property consists of: Land, that which is affixed to land; that which is incidental or appurtenant to land; that which is immovable by law..."

7. Property damage therefore includes the impacts of contamination that has migrated underground. Additionally, any corrective action measures that are performed off-site may be considered as a third party liability action.
8. NRS 590.880(1) and NRS 590.890(1) describe the deductible payments that are to be paid by the storage tank operator prior to receiving any reimbursements from the Fund for third party liability claims. The first allotment described by these sections is for the cleanup of a contamination, and the second allotment described is for third party liability claims.
9. The federal UST regulation 40 CFR 280.93(a) establishes the required amount of third party liability:

"Owners or operators of petroleum underground storage tanks must demonstrate financial responsibility for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks in at least the following per-occurrence amounts:

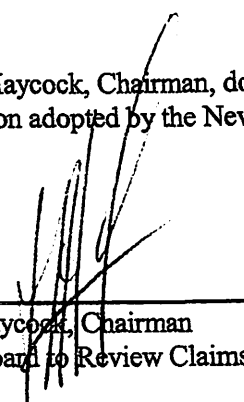
(1) For owners or operators of petroleum underground storage tanks that are located at petroleum marketing facilities, or that handle an average of more than 10,000 gallons of petroleum per month...\$1 million."
10. The 1995 Legislature changed the deductible amounts to 10% and the Fund coverage limits to \$900,000 for the owner/operator, \$900,000 for impacted third parties, and \$1,800,000 annually for storage tanks in order to be consistent to the minimum financial assurances required by federal regulations. (Similar changes were implemented for heating oil storage tank coverage.) The statute is not clear as to whether multiple third party liability claims can be approved for a release, with each claim at the maximum allowed. However, it appears from reviewing the committee minutes that the Legislative intent is to provide no more coverage than is mandated by federal law (for tanks other than tanks for heating oil to be consumed on the premises).
11. Because of the potential increase in the total liability of the Fund, Petroleum Fund and Corrective Actions staff agree to jointly review each case requesting coverage of third party liability claims (Appendix C).
12. Nevada Division of Environmental Protection, therefore, recommends that the following policy be adopted.

THEREFORE BE IT RESOLVED:

That the State Board to Review Claims directs the staff of the Petroleum Fund to review third party liability claims in the following manner:

1. Third Party Damages may include both bodily injury and property damage that an owner/operator of a storage tank becomes legally obligated to pay.
2. Third Party Liability shall be recommended for coverage for all reimbursement requests related to legal obligations to pay for either bodily injury or for property damage, as described in this Resolution.
3. Corrective action measures reduce the potential for third party liability action.
4. Reimbursement claims for off-site and on-site corrective actions need not be separated.
5. First and third party liability costs may be reimbursed simultaneously.
6. Third party liability coverage may be used for corrective actions.
7. Owners may access funds for third liability claims after acknowledging that this will reduce the total funds available in the case of a third party liability lawsuit.
8. The deductible for third party liability shall be assessed to the owner/operator once a request for reimbursement is recommended for coverage as third party liability.
9. Petroleum Fund and Corrective Actions staff should jointly review each case requesting coverage of third party liability claims.

I, John Haycock, Chairman, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the Nevada State Board to Review Claims on December 6, 2007.

  
\_\_\_\_\_  
John Haycock, Chairman  
State Board to Review Claims

**APPENDIX "C"**

**MEMO FROM  
NEVADA DIVISION OF ENVIRONMENTAL PROTECTION  
BUREAU OF CORRECTIVE ACTIONS**



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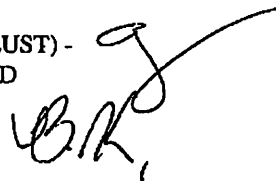
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**INTEROFFICE MEMORANDUM**

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**TO:** JIM NAJIMA, CHIEF, BUREAU OF CORRECTIVE ACTIONS (BCA),  
NEVADA DIVISION OF ENVIRONMENTAL PROTECTION (NDEP)

**FROM:** ART GRAVENSTEIN, LEAKING UNDERGROUND STORAGE TANK (LUST) -  
UNDERGROUND STORAGE TANK (UST) BRANCH SUPERVISOR, AND  
BENNETT KOTTLER, PETROLEUM CLAIMS BRANCH SUPERVISOR 

**SUBJECT:** REVIEW OF CASES INVOLVING THIRD PARTY LIABILITY CLAIMS

**DATE:** NOVEMBER 13, 2007

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The Petroleum Claims Branch (PET) is proposing to amend State of Nevada Petroleum Fund (Fund) Resolution 94-018, Resolution to Adopt Policy Regarding the Review of Third Party Liability Claims. A concern is that the time and cost spent on LUST cases may be increased by establishing a policy streamlining the allocation of additional funds for corrective actions beyond those typically provided for first party claims. In addition this policy has the potential to pose additional funding liability to the Fund. To address these concerns the LUST-UST and PET branches propose the following:

- A meeting with both branches to review the technical and financial status of each case requesting coverage for third party liability claims. This meeting is intended to be a collaborative effort to clarify the remediation goals of the NDEP and other parties.
- Responsible parties, their representatives, and where appropriate, other decision makers at the subject facility are encouraged to participate.
- Where feasible, we encourage the use of various approaches intended to promote improved speed, quality, and cost effectiveness of site characterization and cleanup.
- Although a review meeting may occur at any time coverage may be potentially sought for third party liability claims, it is most beneficial to hold a meeting before additional financial coverage is necessary.

Agenda Item 8:  
DISCUSSION AND BOARD MEMBER  
INPUT ON PROPOSED PETROLEUM  
FUND REGULATION AMENDMENTS -  
NAC 445C

(FOR DISCUSSION)

**Section 1. NAC 445C.210 is hereby amended to read as follows:**

NAC 445C.210 Interpretation of certain statutory terms. (NRS 445C.310)

1. For the purposes of NRS 445C.150 to 445C.410, inclusive, the Board interprets:

(a) “Costs for cleaning up” to mean any expense of corrective action necessitated by a discharge from a storage tank. The term does not include:

- (1) The expense of any bond posted to release a writ of attachment;
- (2) Any expense incurred by an operator to investigate or defend any claim or suit, except any such expense incurred at the request of the Board;
- (3) Any expense taxed against the operator as costs of suit in a suit or administrative proceeding;
- (4) Any award of prejudgment interest, except for interest awarded on that part of the judgment paid by the Fund;
- (5) Any expense of repairing, replacing or upgrading any storage tank or its contents;
- (6) Any expense incurred by an operator during the transportation, loading or unloading of a portable storage tank; and
- (7) Any loss of income or revenue of the business of an operator that is incurred by an operator during a corrective action necessitated by a discharge.

(b) “Damages” to mean any money the operator of a storage tank becomes legally obligated to pay as damages because of bodily injury or property damage to any person other than the State or the operator caused by a discharge. The term does not include:

- (1) Any expense excluded from the definition contained in paragraph (a);
- (2) Any obligation of the operator imposed pursuant to any statute providing benefits for workers’ compensation, disability or unemployment compensation;
- (3) Any bodily injury to an employee of the operator, or the spouse, parent, brother or sister of the employee, arising out of and in the course of the employee’s employment by the operator. This exclusion applies whether the operator may be liable as an employer or in any other capacity, and to any obligation to share damages with or reimburse another person who must pay damages because of the injury;
- (4) Any obligation of the operator imposed by a contractual assumption of liability; or
- (5) Any expense incurred by an operator during the transportation, loading or unloading of a portable storage tank.

(c) “Emergency action” to mean any action that:

- (1) Stops the release of petroleum;
- (2) Identifies or mitigates existing or potential hazards from fire, explosion, vapor or other hazards associated with a release; or
- (3) Prevents the migration of petroleum which poses a substantial imminent threat to the environment.

(d) “Marina storage tank” to mean a petroleum storage tank used to provide fuel to water vessels, at least 90 percent of which is either above ground level or in or over water and which has a capacity of at least 110 gallons but not more than 12,000 gallons. The term includes all piping connected to the tank, except piping, valves, hoses, filters and nozzles associated with the fuel dispenser.

(e) “Site” to mean the facility, whether situated on a single parcel or on multiple adjacent parcels, where the *storage* tank is located.

(f) “Small business” to mean a business which *meets all of the following criteria, and may include an operator that becomes responsible for the management and cleanup of the discharge but was not affiliated with the business causing the discharge:*

(1) ~~Receives less than \$500,000~~ *Receives \$4,000,000 or less* in gross annual receipts *or total income, whichever is greater*, from the site where the *storage* tank is located, based upon the average ~~annual gross receipts~~ for the following period:

~~(I)~~ *(I)* If the business has been in operation for ~~5~~ *3* or more fiscal years on the date on which the discharge is discovered, the ~~5~~ *3* fiscal years immediately preceding the date on which the discharge was discovered; or

~~(II)~~ *(II)* If the business has been in operation for less than ~~5~~ *3* fiscal years on the date the discharge is discovered, the total number of years the business has been in operation.

(2) ~~and~~ *Has a combined annual fuel throughput of 1,000,000 gallons or less during the previous two years;*

(3) *Employs 150 or fewer full-time or part-time employees ;*

(4) *Is registered with the Nevada Secretary of State and the registration is in good standing.*

(g) “Storage tank” to mean any tank, including any connected pipes, except piping above the dispenser shear valve, used to contain an accumulation of petroleum. The term does not include any tank that is:

(1) Exempted from the provisions of NRS 445C.150 to 445C.410, inclusive, unless the operator of the *storage* tank chooses to register it pursuant to paragraph (b) of subsection 1 of NRS 445C.410;

(2) Excluded from the definition of “underground storage tank” in 40 C.F.R. § 280.12, except:

~~(I)~~ *(I)* ~~that a~~ *A* farm or residential tank having a capacity of 1,100 gallons or less and that is used for storing motor fuel for noncommercial purposes is a storage tank; *and*

~~(II)~~ *(II)* *A tank used for storing heating oil for consumptive use on the premises where stored is a storage tank.*

(3) Permanently closed in accordance with NAC 459.9972 and 40 C.F.R. § 280.71; or

(4) Not federally regulated which is permanently closed in accordance with a rule or an ordinance of a local governmental entity.

2. As used in this section:

(a) “Bodily injury” means any injury, sickness, disease or death suffered by a person as a proximate result of a discharge.

(b) “Property damage” means any actual injury to real or tangible personal property, loss of use of the property, or both, occurring as a proximate result of a discharge.

(c) “Suit” means any civil proceeding in which damages are sought for which the Fund is potentially liable. The term includes any arbitration proceeding in which such damages are sought, to which the operator must submit or to which he or she submits with the consent of the Board.

## **Sec. 2. NAC 445C.220 is hereby amended to read as follows:**

NAC 445C.220 Designation as “small business.” (NRS 445C.310) To be designated as a small business as described in paragraph (f) of subsection 1 of NAC 445C.210, an operator must submit the following to the Division:

1. Copies of forms reporting federal income tax which show the operator's gross annual receipts *or total income* for the following period:

(a) If the business has been in operation for ~~{5}~~3 or more fiscal years on the date on which the discharge is discovered, the ~~{5}~~3 fiscal years immediately preceding the date on which the discharge was discovered; or

(b) If the business has been in operation for less than ~~{5}~~3 fiscal years on the date the discharge is discovered, the total number of years the business has been in operation.

2. *The annual volume of petroleum sold at the petroleum dispensing location during the 2 years immediately preceding the date of discharge.*

3. *An application for coverage by the Fund, as described in NAC 445C.270, or notification of a change in operator on a form approved by the Division;*

4. *If requested by the Division, the operator must demonstrate registration with the Secretary of State;*

~~{2-}~~5. Any other information requested by the Division which is necessary to determine whether the operator is a small business.

### **Sec. 3. NAC 445C.230 is hereby amended to read as follows:**

NAC 445C.230 Adoption by reference of certain provisions of Code of Federal Regulations and International Fire Code. (NRS 445C.310) The Board hereby adopts by reference:

1. The provisions of 40 C.F.R. §§ ~~{280.12, 280.40 to 280.45}~~280.10 to 280.74, inclusive, ~~{280.50, 280.53, 280.70 and 280.71}~~and 280.240 to 280.245, inclusive, as they existed on ~~{July 1, 1990, and the provisions of 40 C.F.R. §§ 280.61 and 280.62 as they existed on January 1, 2006}~~July 15, 2015. A copy of the volume containing these provisions may be:

(a) ~~{obtained}~~Obtained at a cost of ~~{\$50}~~\$56 by mail from the Superintendent of Documents, U.S. Government ~~{Printing}~~Publishing Office, P.O. Box 979050, St. Louis, Missouri 63197-9000, or by toll-free telephone at (866) 512-1800~~{-}~~, or at the Internet address <https://bookstore.gpo.gov>; and

(b) Viewed in electronic format at the Internet address <https://ecfr.federalregister.gov/>.

2. The provisions of chapters 2, 22 and 34 of the International Fire Code, 2003 edition. A copy of the volume containing these provisions may be obtained at a cost of \$70 from the International Code Council at the Internet address <http://www.iccsafe.org>.

### **Sec 4. NAC 445C.250 is hereby amended to read as follows:**

NAC 445C.250 Testing and inspection of storage tanks; *records retention*. (NRS 445C.310, 445C.360)

1. Except as otherwise provided in this section, each operator of a registered *underground* storage tank shall comply with the provisions of NAC 459.994.

2. The operator of a registered storage tank that is above ground shall perform or cause to be performed an inspection of the storage tank at least once each month. The monthly inspection must include, without limitation:

(a) Visual inspection of the aboveground storage tank system to identify cracks or other defects in the secondary containment area and product transfer area;

(b) Visual inspection of the exterior surfaces of the tanks, piping, valves, pumps and other equipment for cracks, corrosion, releases and maintenance deficiencies and to identify

malfunctioning equipment, needed maintenance and needed revisions to current operating practices;

(c) Visual inspection of the elevated tanks or tanks on concrete slabs; and

(d) Unless the secondary containment of the tank has a sound concrete floor ~~[or]~~, liner, *or is of double-walled construction*:

(1) ~~[Visual inspection of]~~ *Visually inspect* the area between the outer shell of the tank or the floor of the tank and the containment area; or

(2) ~~[Vapor]~~ *Conduct vapor* monitoring of the soil directly beneath the tank bottom or perimeter and the water table.

*3. The operator of a registered storage tank that is above ground shall conduct the following testing annually if any portion of the distribution piping is underground and cannot be visually inspected:*

*(a) Hire a Division certified tester to perform a line tightness test in accordance with 40 CFR 280.44(b), and*

*(b) If the underground portion of the distribution piping is constructed of metal and in contact with the ground, hire a qualified cathodic protection tester to verify the metallic piping is adequately protected from corrosion in accordance with 40 CFR 280.31. If the metallic piping is not protected from corrosion, the operator must upgrade the piping in accordance with 40 CFR 280.21(c), or repair the existing cathodic protection system.*

~~[3.]~~4. A registered portable storage tank must be inspected visually by the operator immediately before and after the portable storage tank is relocated.

~~[4.]~~5. A marina storage tank must be tested and inspected in accordance with the provisions of NAC 459.9938.

~~[5.]~~6. The operator of a registered storage tank shall maintain a record of each *test and* inspection conducted pursuant to this section on a form approved by the Division *in accordance with the following schedule*:

*(a) Underground storage tanks – not less than 12 months in accordance with 40 CFR 280.45;*

*(b) ~~[for at least]~~ Above ground storage tanks - 3 years after the date of the test or inspection;*

*(c) Records of maintenance and repairs for above ground storage tanks performed as a result of testing and inspection – 3 years;*

*(d) Records listed in paragraphs (a)–(c) must be provided to the Division upon request.*

**Sec 5. NAC 445C.270 is hereby amended to read as follows:**

NAC 445C.270 Discharges: Duties of operators; submission and contents of application for coverage; maintenance of records. (NRS 445C.310, 445C.360)

1. The operator of a storage tank shall report any *suspected release or* discharge *to the environment* promptly in accordance with the requirements of NAC 445A.347 and 40 C.F.R. §§ 280.50, 280.53 and 280.61.

2. As soon as possible ~~[after]~~, *but not more than 12 months after* the discharge *is discovered*, the operator shall submit to the Division an application for coverage by the Fund for the discharge. The application for coverage must be submitted on the form prescribed by the Division and must include:

(a) A written description of how, when and where the discharge occurred;

(b) A description of any damage known to the operator to have been caused by the discharge; and

(c) If the services of a person certified as an environmental manager pursuant to ~~NAC 459.972~~*NAC 459.9704* have been obtained, the name of that person.

*(d) Documentation pursuant to subsections 1 – 5 of NAC 445C.220, if the operator is requesting a small business designation.*

3. The operator shall take all reasonable steps to protect the site of the discharge from further damage in accordance with the provisions of 40 C.F.R. §§ 280.61 and 280.62.

4. The operator shall:

(a) Prepare and maintain a record of all costs incurred by him or her in cleaning up the discharge.

(b) Permit the Division to inspect any property or records relating to the discharge or damage caused by the discharge.

(c) Notify the Division if the cost of:

(1) An emergency action; or

(2) The initial response actions and abatement measures prescribed by 40 C.F.R. §§ 280.61 and 280.62,

↳ will exceed \$5,000.

(d) If the operator is seeking reimbursement by the Fund for the costs of cleaning up the *storage* tank or of liability for damages, unless an employee of the operator will be providing services that are exempted from the provisions of NAC 459.970 to 459.9729, inclusive, by subsection 1 of NAC 459.9718, obtain the services of a person who is certified as an environmental manager pursuant to ~~NAC 459.972~~*NAC 459.9704*.

(e) Obtain approval from the Division or secure not less than three competitive bids for a task included in a corrective action that costs more than ~~[\$3,000]~~*\$6,000*, an amount which may be adjusted annually by the Division and published on the website of the Division on or before March 1 of each year to reflect the change in the Consumer Price Index for All Urban Consumers published by the United States Department of Labor between December ~~1989~~*2018* and December of the immediately preceding year and rounded to the nearest \$1,000, if:

(1) The corrective action necessitated by a discharge from a storage tank is not an emergency *or initial abatement measure* pursuant to paragraph (c) of subsection 1 of NAC 445C.210; and

(2) The operator is seeking reimbursement by the Fund for the costs of cleaning up the *storage* tank or of liability for damages.

**Sec 6. NAC 445C.290 is hereby amended to read as follows:**

NAC 445C.290 Discharges: Authority of Administrator of Division. (NRS 445C.310) If a discharge occurs from a storage tank, the Administrator of the Division may, at such times as are reasonably required:

1. Question the operator of the *storage* tank, under oath, about any matter relating to the discharge; and

2. Examine the books and records of the operator.

**Sec 7. NAC 445C.310 is hereby amended to read as follows:**

NAC 445C.310 Form of claim for reimbursement; time limitations for filing claims; payment to operator, vendor or contractor; payment required of operator; payment of per diem allowance and travel expenses. (NRS 445C.310)



1. An operator, vendor or contractor who seeks to be reimbursed by the Fund for costs for cleaning up or liability for damages resulting from a discharge must submit to the Division a verified claim for reimbursement in the form prescribed by the Board along with any supporting documents required to substantiate his or her eligibility for reimbursement.

**2. An operator, vendor or contractor must submit:**

**(a) The initial claim ~~[must be submitted]~~ within 12 months after the date on which the operator, vendor or contractor knew or should have known ~~[of the]~~ a discharge *occurred*;**

**(b) *Subsequent claims within 12 months of performing cleanup activities for which reimbursement is being requested;***

**(c) ~~[and the]~~ The final claim ~~[must be submitted]~~ within 12 months after the completion of the corrective action necessitated by the discharge.**

The Board will not accept a claim after ~~[either deadline]~~ ***the deadlines listed in paragraphs (a)-(c) of subsection 2*** unless the operator, vendor or contractor demonstrates good cause for the failure to comply with the deadline.

~~[2.]~~**3.** The operator, ***vendor or contractor*** shall provide any additional information required by the Board in order to determine his or her eligibility for payment from the Fund.

~~[3.]~~**4.** The Board may authorize payment from the Fund to:

(a) An operator;

**(b) *An operator's certified environmental manager***

~~[(b)]~~**(c)** A vendor;

~~[(e)]~~**(d)** A contractor; or

~~[(d)]~~**(e)** Any combination of persons listed in paragraph (a), (b) or (c), jointly.

~~[4.]~~**5.** If money from the Fund is paid to an operator ***or certified environmental manager*** before ~~[the operator pays]~~ ***payment is made to*** a vendor or contractor, or both, the operator ***or certified environmental manager*** shall:

(a) ~~[Not more than 30 days after receiving the money from the Fund,]~~ ***Immediately*** pay the vendor or contractor, or both, ***upon receipt of the money paid by the Board***; and

(b) Not more than 60 days after receiving the money from the Fund, provide the Division with confirmation that, in accordance with paragraph (a), the operator ***or certified environmental manager*** made payment to the vendor or contractor, or both, of the money paid ~~[to the operator]~~ by the Board. If confirmation of payment is not received by the Division within 60 days after the operator ***or certified environmental manager*** receives the money from the Fund, the Board will not approve ~~[or pay]~~ ***payment of*** any subsequent claims until the second meeting of the Board after confirmation of payment is received.

***(c) Demonstrate to the Division payment of the required operator cost allocation pursuant to NRS 445C.370 and NRS 445C.380. For final claim submittals, payment of the required operator cost allocation may be required by the Division prior to payment of the remaining Fund allocation approved by the Board.***

~~[5.]~~**6.** If an operator ***or certified environmental manager*** fails to ~~[pay]~~ ***demonstrate payment to*** a vendor or contractor for costs approved and paid by the Board ~~[within 30 days]:~~

(a) The operator ***or certified environmental manager*** shall reimburse the ~~[Board for the money]~~ ***Fund unsubstantiated monies, up to the full claim amount*** paid by the Board; and

(b) The Board will not approve ~~[or pay any]~~ ***payment of*** subsequent claim unless the operator ***or certified environmental manager*** reimburses the ~~[Board]~~ ***Fund***. Any subsequent claim, including the claim associated with the reimbursed money, may be presented to the Board for



approval and payment only after the operator *or certified environmental manager* reimburses the ~~[Board]~~Fund.

~~[6.]~~7. If an operator *or certified environmental manager* is entitled to receive payment for his or her necessary expenses for the costs of cleaning up, the Board will authorize payment of the per diem allowance and travel expenses at the same rate provided for state officers and employees generally.

~~[7.]~~8. As used in this section, “claim” or “claim for reimbursement” means a request for reimbursement by the Fund of a sum of money, accompanied by the required supporting documents. The term does not include an application for coverage under the Fund.

**Sec 8. NAC 445C.330 is hereby amended to read as follows:**

NAC 445C.330 Grants for purchase and installation of upgrades: Information to be provided by operator. (NRS 445C.310) An operator of one or more storage tanks is eligible to apply to the Division for a grant from the money made available pursuant to NAC 445C.320 if the operator provides information to demonstrate:

1. That the applicable storage tanks are registered storage tanks and the applicant is the operator, pursuant to NRS 445C.250, who registered the storage tanks.

2. That the operator is a small business ~~[as that term is defined in NRS 233B.0382.]~~*as defined in 445C.210.*

3. That the operator independently operates and owns or leases the petroleum dispensing location where the applicable storage tanks are installed and operated.

4. Except as otherwise provided in this subsection, that all storage tanks operated by the operator in this State are operated in compliance with the provisions of NAC 459.9921 to 459.999, inclusive. The ~~[Director of the State Department of Conservation and Natural Resources]~~*Administrator of the Division* may grant a waiver from the requirements of this subsection if the ~~[Director]~~*Administrator* determines that the purchase and installation of the anticipated upgrades to the storage tanks which are the subject of the application will result in the operator’s compliance with the provisions of this subsection.

5. That the operator has submitted three bids for the applicable upgrades, in the manner specified by paragraph (e) of subsection 1 of NAC 445C.340.

~~[6.— In accordance with the provisions of paragraph (f) of subsection 1 of NAC 445C.340, that the operator is unable to finance the purchase and installation of the applicable upgrades.]~~

**Sec 9. NAC 445C.340 is hereby amended to read as follows:**

NAC 445C.340 Grants for purchase and installation of upgrades: Application requirements. (NRS 445C.310)

1. An eligible operator who wishes to apply for a grant of money made available pursuant to NAC 445C.320 must submit to the Division on or after ~~[January]~~*July* 1 but before ~~[March 31]~~*April 1* of the applicable *state fiscal* year a complete grant application which must include, but is not limited to, the following information:

- (a) The number of storage tanks for which upgrades are needed;
- (b) A description of the necessity for the upgrades;
- (c) A plan and schedule for the initiation and completion of the purchase and installation of the upgrades;

~~[(d) A complete list of the permits and notifications that are required before initiating and completing the purchase and installation of the upgrades and an explanation of how the applicant will obtain the permits and make the notifications;]~~

~~[(e)](d) Three bids for the completion of anticipated work using bid forms and procedures approved by the Division, unless waived by the [Director of the State Department of Conservation and Natural Resources] *Administrator of the Division* for good cause;~~

~~[(f) Demonstration of the financial need of the applicant, including, without limitation:~~

~~—— (1) A current balance sheet and income statement prepared in conformity with generally accepted accounting principles;~~

~~—— (2) If the documents required by subparagraph (1) are not available:~~

~~—— (I) A current balance sheet containing, at a minimum, the unrestricted cash or equivalents, investment securities and outstanding debt; and~~

~~—— (II) A current income statement containing, at a minimum, the gross sales, cost of goods sold, operating expenses, depreciation, interest expense and amortization;~~

~~—— (3) The three previous years of filed tax returns of the small business, or the three previous years of filed tax returns of the individual owner, if the entity is a sole proprietor;~~

~~—— (4) Three credit reports of the small business or of the individual owner, if the entity is a sole proprietor;~~

~~—— (5) Any funding or credit denial letters; and~~

~~—— (6) Any other information the Division determines is necessary to make a determination of the financial need of the applicant;]~~

*(e) Documentation that the applicant is a small business pursuant to subsections 1, 2, 4, and 5 of NAC 445C.220;*

~~[(g)](f) Verification that the applicable storage tanks are available for public use;~~

~~[(h)](g) A list of all other operating storage tanks owned or operated by the grant applicant in other locations;~~

~~[(i)](h) The total number of employees employed by the applicant at all petroleum dispensing locations owned or operated by the applicant;~~

~~[(j)](i) The volume of petroleum sold at the petroleum dispensing location annually during the 2 years immediately preceding the date of application;~~

~~[(k)](j) A list of all petroleum dispensing locations available for public use that are located not more than 15 miles from the applicable petroleum dispensing location; and~~

~~[(l)](k) Any other information which the Division determines is necessary to evaluate the eligibility of the applicant.~~

2. All records acquired by the Division relating to the earnings, revenue and other internal financial matters of any applicant are confidential and will not be revealed in whole or in part except:

(a) For the necessary administration of NAC 445C.320 to 445C.380, inclusive; or

(b) Upon the order of a court of competent jurisdiction.

**Sec 10. NAC 445C.350 is hereby amended to read as follows:**

NAC 445C.350 Grants for purchase and installation of upgrades: Division to review applications, rank applicants, award grants, allocate available grant money. (NRS 445C.310)

1. The Division shall review the applications submitted pursuant to NAC 445C.340 to 445C.380, inclusive, and rank the eligible applications according to:

(a) The demonstrated financial need of the applicant. The greater the demonstrated financial need of the applicant, the higher the ranking which must be assigned to the application.

(b) The annual volume of petroleum dispensed at the applicable fuel dispensing location of the applicant during the 2 years immediately preceding the year in which the application is submitted. The less annual volume of petroleum dispensed, the higher the ranking which must be assigned to the application.

(c) The proximity to the applicant's petroleum dispensing location of other petroleum dispensing locations available for public use. The more remote the applicant's petroleum dispensing location, the higher the ranking which must be assigned to the application.

2. The amount of a grant awarded to an applicant:

(a) For upgrades to a petroleum dispensing location with a single storage tank must not exceed \$38,000;

(b) For upgrades to a petroleum dispensing location with two storage tanks must not exceed \$64,000; and

(c) For upgrades to a petroleum dispensing location with three or more storage tanks must not exceed \$90,000.

3. The Division shall annually allocate the available grant money, beginning with the highest ranked applicant, until there is no more grant money available for that year. An applicant that is otherwise eligible to receive grant money but is not ranked high enough to receive money during any particular year may submit a new application during a subsequent application period.

4. An applicant may receive ~~[only one]~~ *multiple* grant ~~[allocation per]~~ *allocations for each* petroleum dispensing location, *not to exceed the maximum amounts specified in subsection 2 of this section. A separate application must be submitted for each allocation and the applicant must continue to meet the requirements of NAC 445C.340.*

*5. An applicant with two or more petroleum dispensing locations may apply for a grant at one or more locations. Approved allocations for each location will be awarded in accordance with subsection 2. The total amount paid to a single grant recipient with 2 or more petroleum dispensing locations must not exceed \$180,000.*

**Sec 11. NAC 445C.360 is hereby amended to read as follows:**

NAC 445C.360 Grants for purchase and installation of upgrades: Requirements for recipient and Division. (NRS 445C.310)

1. A recipient shall ~~[notify the Division before commencing the purchase and installation of upgrades which are]~~ *only purchase and install Division approved upgrade equipment. Equipment that is* financed in whole or in part by grant money *must be installed pursuant to 40 CFR 280.20 and compatible with fuels stored in the tank system pursuant to 40 CFR 280.32.*

2. The Division shall:

(a) Inspect and approve the completed installation of the upgrades; or

(b) In lieu of inspecting and approving the completed installation of the upgrades as described in paragraph (a), authorize the recipient to submit to the Division materials that demonstrate that the purchase and installation of the upgrades complies with the requirements of NAC 445C.320 to 445C.380, inclusive.

3. A recipient shall submit to the Division:

(a) All invoices related to the upgrades not later than 30 days after the installation of the upgrades is complete.

(b) Documentation ~~[that the recipient obtained all necessary permits and provided all required notifications not later than 60 days after installation of the upgrade is complete.]~~ *of post-installation testing for upgraded equipment. Testing is required in accordance with 40 CFR 280.35.*

(c) Upon request, any other documents that the Division determines necessary to verify that the recipient has complied with the provisions of NAC 445C.320 to 445C.380, inclusive.

4. A recipient shall retain all records relating to the upgrades financed in whole or in part by grant money for at least 3 years after the date on which the installation of the upgrades is complete.

**Agenda Item 9:  
DISCUSSION AND SOLICITATION OF  
BOARD DIRECTION TO UPDATE THE  
CEM COST GUIDELINES**

**(FOR DISCUSSION)**

Division of Internal Audits Report No. 21-04  
(Executive Summary and Implementation Schedule)



State of Nevada  
Governor's Office of Finance  
Division of Internal Audits

**Audit Report**

**Division of Environmental Protection  
Petroleum Fund**

\*\*\*\*\*

**Certified Environmental Managers  
Oversight**

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**More transparency in Petroleum Fund cleanup costs  
can be achieved by improved oversight of Certified  
Environmental Managers.**

DIA Report No. 21-04  
January 28, 2021

**EXECUTIVE SUMMARY**  
**Division of Environmental Protection**  
**Petroleum Fund**

**Introduction** .....page 1

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**Objective: Improve Oversight of Certified Environmental Managers**

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**Reconcile Project Costs** .....page 2

Claimants seeking reimbursement from the Petroleum Fund (Fund) for expenses incurred in spill remediation projects sometimes submit claims without all information necessary to match approved cleanup activities. Reconciling invoiced project costs will ensure transparency throughout the project cycle. The Nevada Division of Environmental Protection (NDEP) created Cost Guidelines to provide guidance informing the Not-To-Exceed-Proposals (NTEP) preparation and review process. NTEPs identify required remediation tasks and include the levels of effort deemed necessary by the Certified Environmental Manager (CEM). In addition to hours for professional services, NTEPs include CEM equipment and material, vehicle mileage, per diem, and markup.

Examination of 24 sampled projects shows improvements are needed for reconciliation of claims associated with assessment and remediation tasks. Invoiced skill levels do not always correspond to NTEP task skill levels defined in the Cost Guidelines, which precludes traceability to authorized hours on corresponding NTEPs. Additionally, CEM invoices do not include the itemized tasks referenced on the approved NTEP, leading to confusion when reconciling invoices associated with multiple NTEP tasks.

**Establish a Rate Schedule for Professional Services** .....page 9

Rates submitted by CEMs for professional services on NTEPs are not subject to a specific rate or range of rates based on established criteria. Establishing a rates schedule for professional services will ensure the Fund pays consistent rates for CEMs. The Cost Guidelines provide CEMs latitude for proposing rates charged for professional services. DIA's review of 18 underground storage tank projects showed a significant variance in rates, 45%, for certain skill levels. For example, average billing rates of staff geologists/staff engineers among four different CEMs revealed that overpayment through rate inflation may amount to as much as \$1 million annually. Other states have established rate schedules to minimize rate variability for projects and professional services. which suggests that NDEP could establish a rate schedule that is applicable to all consultants, and reduce costs associated with rate inflation for remediation projects.

**Strengthen Certified Environmental Manager Certification Requirements** .....page 12

Given the scientific nature of spill remediation projects, NDEP's responsibility to ensure qualified CEMs for project management and qualified staff for project oversight is imperative. Strengthening CEM certification requirements will ensure individuals hired to manage remediation projects have a strong working knowledge of geological and engineering principles needed to carryout projects. In addition to examination, NDEP evaluates a combination of applicants' education and experience to determine if they meet criteria for CEM certification. The Division of



Internal Audit (DIA) surveyed remediation professionals in Nevada and was advised some CEMs may not be qualified to properly assess and design remediation plans. A state survey indicated that CEM certification in Nevada is not as robust as other states. Additional expertise may be needed internally as well to ensure adequate oversight of CEM proposals.

**Perform Random Verification of Proofs of Payment.....** page 15

Some of the proof of payment scenarios in the Fund’s reimbursement process may allow owner/operators to avoid paying its obligatory co-payment under the coverage terms. Performing random verification of proofs of payment will ensure that owner/operators are fulfilling their financial obligations for assessment and remediation activities. NDEP established proof of payment guidelines that identify various scenarios for invoice billing and reimbursement payments. However, NDEP is not privy to the contract between the owner/operator and CEMs, and guidelines do not provide proof of payment transparency in all scenarios. Such scenarios could allow a reimbursement to the owner/operator, net of the owner/operator’s co-payment obligation, to be accepted as payment-in-full by the CEM even though the CEM submits “proof-of payment” that it received 100% of its billed amount. NDEP should perform periodic reviews to ensure that appropriate co-payments have been made by the owner/operator.

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**Appendix A.....** page 19  
Scope and Methodology, Background, Acknowledgments

**Appendix B.....** page 21  
Response and Implementation Plan

**Appendix C.....**page 26  
Timetable for Implementing Audit Recommendations

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## Appendix C

### Timetable for Implementing Audit Recommendations

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In consultation with the Nevada Division of Environmental Protection (NDEP), the Division of Internal Audits categorized the recommendations contained within this report into two separate implementation time frames (i.e., *Category 1* – less than six months; *Category 2* – more than six months). NDEP should begin taking steps to implement all recommendations as soon as possible. NDEP’s target completion dates are incorporated from Appendix B.

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**Category 1: Recommendations with an anticipated  
implementation period less than six months.**

<u>Recommendation</u>	<u>Time Frame</u>
2. Establish rates for professional services. (page 11)	Jul 2021

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**Category 2: Recommendations with an anticipated  
implementation period exceeding six months.**

<u>Recommendations</u>	<u>Time Frame</u>
1. Reconcile project costs. (page 8)	Jan 2022
3. Strengthen CEM certification requirements. (page 14)	Jan 2022
4. Perform random verification of proofs of payment. (page 17)	Jan 2022

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The Division of Internal Audits shall evaluate the action taken by NDEP concerning the report recommendations within six months from the issuance of this report. The Division of Internal Audits must report the results of its evaluation to the Executive Branch Audit Committee and NDEP.

**Agenda Item 10:**  
**Adoption of Consent Items**  
(FOR POSSIBLE ACTION)

**STATE BOARD TO REVIEW CLAIMS  
REQUESTED/RECOMMENDED AMOUNTS - SEPTEMBER 9, 2021**

The Board may approve all items in the following list as a consent agenda unless a listed item is marked with an asterisk (\*). Items may be marked with an asterisk if a member of the public has requested to address the claim before the Board or the item is associated with a Fund Site Specific Board Determination (SSBD). In the case of an item being marked with an asterisk pending a SSBD, the item is considered part of the consent agenda upon approval of that (SSBD). In addition to asterisked items, a Board member may request an item be moved from the list for immediate discussion prior to approval or moved to a discussion agenda item and tabled for the next meeting.

A dagger (†) indicates previously disallowed monies have been successfully appealed (i.e. the requested amount may be less than the recommended amount)

An omega (ω) indicates Board approved reimbursement monies have been subtracted from the amount requested due to new information

<u>HEATING OIL</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2012000017; 80082 Churchill County School District: Old High School	\$6,813.54	\$6,813.54
FOR POSSIBLE ACTION	2.	2018000043; 80037 Mr. William Kennedy: William Kennedy Residential Heating Oil Tank	\$6,533.50	\$6,533.50
FOR POSSIBLE ACTION	3.	2021000024; 80093 Derek Amen: Derek Amen Residence	\$19,841.89	\$19,591.89
<b>SUB TOTAL:</b>			<b><u>\$33,188.93</u></b>	<b><u>\$32,938.93</u></b>
 <u>NEW CASES</u>			 <u>REQUESTED</u>	 <u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2020000046; 79969 Midjit Market Inc: Green Valley Grocery #34	\$53,432.20	\$28,853.39
<b>SUB TOTAL:</b>			<b><u>\$53,432.20</u></b>	<b><u>\$28,853.39</u></b>
 <u>ONGOING CASES</u>			 <u>REQUESTED</u>	 <u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	1992000126; 80088 Clark County School District: Rc White (Arville) Transportation Satellite	\$27,355.83	\$27,355.83
FOR POSSIBLE ACTION	2.	1995000039; 80071 Al Park Petroleum Inc: Crescent Valley Market	\$18,499.03	\$16,649.13
FOR POSSIBLE ACTION	3.	1996000064; 80076 The Esslinger Family Trust: Red Rock Mini Mart	\$28,220.65	\$27,017.56
FOR POSSIBLE ACTION	4.	1996000101; 79889 Phillips 66 Company: Circle K Store #2700695	\$45,719.76	\$41,147.78

FOR POSSIBLE ACTION	5.	1998000075; 80072	55 McDermitt Crude, LLC: McDermitt Motel & Convenience Store	\$6,753.93	\$6,078.54
FOR POSSIBLE ACTION	6.	1999000014; 80073	Al Park Petroleum Inc: Pit Stop #7 Conoco	\$5,936.08	\$5,342.47
FOR POSSIBLE ACTION	7.	1999000243; 80067	7-Eleven Inc: 7-Eleven #27607	\$59,666.03	\$53,699.43
FOR POSSIBLE ACTION	8.	2004000011; 80077	Hpt Ta Properties Trust: Wells Petro Truck Service	\$1,722.38	\$1,550.14
FOR POSSIBLE ACTION	9.	2007000014; 80091	Raiders Oz Business, LLC: Former Ace Cab/frias Transportation	\$35,345.77	\$31,568.53
FOR POSSIBLE ACTION	10.	2007000016; 80089	Golden Gate Petroleum Of Nevada LLC: Golden Gate Petroleum	\$5,205.00	\$4,684.50
FOR POSSIBLE ACTION	11.	2008000005; 79834	Avis Rent A Car System LLC: Avis Rent A Car	\$56,330.00	\$50,697.00
FOR POSSIBLE ACTION	12.	2010000009; 80080	Hpt Ta Properties Trust: Mill City Travel Center	\$24,154.93	\$19,565.50
FOR POSSIBLE ACTION	13.	2011000009; 80083	Cimarron West: Cimarron West	\$19,022.41	\$17,120.17
FOR POSSIBLE ACTION	14.	2012000012; 80059	Las Vegas Land Acquisition 2020 Co., LLC: Green Valley Grocery #61	\$49,574.61	\$44,617.15
FOR POSSIBLE ACTION	15.	2013000019; 80085	Hardy Enterprises INC: Elko Sinclair #53	\$22,857.02	\$20,571.32
FOR POSSIBLE ACTION	16.	2014000004; 80084	Alsaker Corp: Broadway Colt Service Center	\$13,633.97	\$12,270.57
FOR POSSIBLE ACTION	17.	2014000016; 80065	Smitten Oil And Tire Co Inc: Former Smedley's Chevron	\$4,276.27	\$3,848.64
FOR POSSIBLE ACTION	18.	2014000025; 80078	Superior Campgrounds Of America, LLC: Silver City Rv Resort	\$32,545.56	\$29,291.00
FOR POSSIBLE ACTION	19.	2016000005; 80075	Golden Gate S.e.t. Retail Of Nevada LLC: Golden Gate Petroleum 65 - Fallon	\$4,417.58	\$3,975.82
FOR POSSIBLE ACTION	20.	2016000012; 80060	DLF Corporation: Mr Ds Fastlane	\$7,159.14	\$6,443.23
FOR POSSIBLE ACTION	21.	2016000023; 80087	Al Park Petroleum Inc: Pit Stop #1	\$6,724.48	\$4,841.62
FOR POSSIBLE ACTION	22.	2018000009; 80074	Reed Incorporated: Pacific Pride	\$6,824.96	\$6,142.46
FOR POSSIBLE ACTION	23.	2019000024; 80038	Jacksons Food Stores Inc: Jacksons Food Stores #0169	\$16,886.84	\$12,158.52
FOR POSSIBLE ACTION	24.	2020000015; 80086	Canyon Plaza, LLC: Gas 2 Go	\$51,568.98	\$27,847.25
<b>SUB TOTAL:</b>				<b><u>\$550,401.21</u></b>	<b><u>\$474,484.16</u></b>
<b>RECOMMENDED CLAIMS TOTAL:</b>				<b><u>\$637,022.34</u></b>	<b><u>\$536,276.48</u></b>

Case: #1992000126  
Claim #: 80088

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$27,355.83 from the Petroleum Fund for cleanup costs.

	\$2,557,858.16	Amount Requested to Date
	(\$160,571.38)	Amount Disallowed, Past Claims
	(\$40,000.00)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,309,308.94)</u>	Amount Paid to Date
SUB TOTAL	\$27,355.83	Amount Requested this Meeting
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$27,355.83</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/16/2021 and 06/30/2021

**Summary of work completed:** 1st Quarter 2021 Report Preparation, Well Installation waste disposal, April and May monthly groundwater sampling events, and 2nd Quarter 2021 groundwater sampling event.

## Site Summary Report

**Case Number:** 1992000126    **Site Name:** Rc White (Arville) Transportation Satellite

### Site Status

**Synopsis:** MARCH 7, 1992 ONE 1000 WASTE OIL UNDERGROUND STORAGE TANK (UST) WAS REMOVED FROM THE SITE (IDENTIFIED ON THE APPLICATION AS TANK 4). APRIL 7, 1992 THREE MORE USTS WERE CLOSED. THESE ADDITIONAL TANKS WERE IDENTIFIED AS: A 12,000 GALLON DIESEL TANK (TANK #1), A 12,000 GALLON UNLEADED GASOLINE TANK (TANK #2), AND A 6,000 GALLON UNLEADED GASOLINE (TANK #3); EACH HAD RELEASE SOURCES IDENTIFIED AS THE PIPING AND DISPENSERS. COVERAGE WAS GRANTED WITH A \$10,000 DEDUCTIBLE DUE TO THE FACILITY BEING OPERATED BY A POLITICAL SUBDIVISION OF STATE.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$4,000,000.00
<b>Amount Fund Will Pay</b>	\$3,960,000.00
<b>Amount Requested</b>	\$2,557,858.16
<b>Amount Disallowed</b>	\$160,571.38
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$40,000.00
<b>Amount Recommended</b>	\$2,357,286.78
<b>Amount Paid</b>	\$2,329,930.95

### Site Identification

<b>Date Submitted:</b>	06/10/1992	<b>DEP Facility Number:</b>	8-000825
<b>Site Name</b>	Rc White (Arville) Transportation Satellite		
<b>Site Contact</b>		<b>Telephone:</b>	
<b>Site Address</b>	4499 Arville St Las Vegas, NV 89103		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Clark County School District		
<b>Contact Name of Owner/Operator:</b>	Lori Olson	<b>Telephone:</b>	(702)799-6496 Ext: 5
	Business & Finance Division Las Vegas, NV 89121		
<b>Prime Contractor</b>	Converse Consultants		
<b>Contact Name</b>	Robert Gegenheimer		
<b>Contractor Address</b>	6610 West Arby Avenue Suite 104 Las Vegas, NV 89118		
<b>Telephone:</b>	(702)269-8336 Ext: 2	<b>% Board Reduction:</b>	0.00

### Site Characteristics

<b>Alt ID</b>	<b>Tank Cap. (Gallons)</b>	<b>Tank Age (Years)</b>	<b>Tank Type</b>	<b>Leak Location</b>
001	12000	Closed	Regulated UST	See Synopsis
002	12000	50	Regulated UST	See Synopsis
003	12000	50	Regulated UST	See Synopsis
004	12000	50	Regulated UST	See Synopsis

Case: #1995000039  
Claim #: 80071

**STAFF RECOMMENDATION**

September 09, 2021

Staff recommends this claim be reimbursed \$16,649.13 from the Petroleum Fund for cleanup costs.

	\$1,900,715.49	Amount Requested to Date
	(\$94,708.57)	Amount Disallowed, Past Claims
	(\$117,990.84)	Board Reduction, Past Claims
	(\$166,951.71)	Deductible/Co-Payment Satisfied to Date
	(\$1,405,073.62)	Amount Paid to Date
SUB TOTAL	<u>\$18,499.03</u>	Amount Requested this Meeting
	(\$1,849.90)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$16,649.13</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/18/2021 and 06/30/2021

**Summary of work completed:** Client communication and project management, Conduct O&M on site remediation system, evaluate data and make adjustments on necessary, prep for 2nd Quarter sampling, conduct 2nd quarter groundwater sampling event, coordinate purge water disposal, prepare petroleum fund documentation



## Site Summary Report

Case Number: 1995000039 Site Name: Crescent Valley Market

### Site Status

**Synopsis:** 40% REDUCTION FOR ALL WORK PERFORMED PRIOR TO 12-9-09. FULL COVERAGE THEREAFTER. TOTAL REIMBURSABLE CAP IS \$1,487,536.77. SEE NDEP LETTER DATED 3-23-11.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$2,652,818.63
<b>Amount Fund Will Pay</b>	\$2,387,536.77
<b>Amount Requested</b>	\$1,900,715.49
<b>Amount Disallowed</b>	\$94,708.57
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$117,990.84
<b>Pending Copay/Deductible</b>	\$1,849.90
<b>Copay/Deductible</b>	\$166,951.71
<b>Amount Recommended</b>	\$1,491,876.97
<b>Amount Paid</b>	\$1,475,227.84

### Site Identification

<b>Date Submitted:</b>	09/21/1994	<b>DEP Facility Number:</b>	6-000318
<b>Site Name</b>	Crescent Valley Market		
<b>Site Contact</b>	Galen Schorsch	<b>Telephone:</b>	(775)738-3835
<b>Site Address</b>	3093 Crescent Ave Crescent Valley, NV 89821		
<b>County:</b>	Eureka County		
<b>Owner/Operator Name:</b>	AL Park Petroleum INC		
<b>Contact Name of Owner/Operator:</b>	Galen Schorsch P. O. Box 1600 Elko, NV 89803	<b>Telephone:</b>	(775)738-3835
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	5410 Longley Lane Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	3000	Closed	Regulated UST	See Synopsis
002	3000	54	Regulated UST	See Synopsis

Case: #1996000064  
Claim #: 80076

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$27,017.56 from the Petroleum Fund for cleanup costs.

	\$2,190,020.60	Amount Requested to Date
	(\$66,179.82)	Amount Disallowed, Past Claims
	(\$226,375.43)	Board Reduction, Past Claims
	(\$50,000.00)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,761,972.57)</u>	Amount Paid to Date
SUB TOTAL	\$28,220.65	Amount Requested this Meeting
	(\$367.50)	Amount Disallowed this Meeting
	<u>(\$835.59)</u>	Board Reduction, This Meeting
SUB TOTAL	\$27,017.56	
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$27,017.56</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/31/2021 and 06/30/2021

**Summary of work completed:** Project management; O&M of remediation system; securement of a City of Las Vegas Encroachment Permit for well MW-108 that was relocated into the public right-of-way due to redevelopment of the area; preparation of quarterly groundwater monitoring reports; quarterly groundwater sampling; preparation of new graphs and a Mann-Kendall analysis; and preparation of Fund documents.

## Site Summary Report

Case Number: 1996000064 Site Name: Red Rock Mini Mart

### Site Status

**Synopsis:** TWO GASOLINE RELEASES IMPRINTED UPON THIRD OLDER, NON- REIMBURSIBLE RELEASE: 21% REDUCTION. SMALL BUSINESS DESIGNATION; COPAY IS CAPPED @ \$50,000; MAXIMUM REIMBURSEMENT = \$1,530,000 3/14/13 BOARD MEETING REDUCED REDUCTION FROM 21% TO 3% PURSUANT TO N

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,890,000.00
<b>Amount Requested</b>	\$2,190,020.60
<b>Amount Disallowed</b>	\$66,547.32
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$227,211.02
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$50,000.00
<b>Amount Recommended</b>	\$1,838,139.87
<b>Amount Paid</b>	\$1,811,122.31

### Site Identification

<b>Date Submitted:</b>	04/29/1996	<b>DEP Facility Number:</b>	8-000161
<b>Site Name</b>	Red Rock Mini Mart	<b>Telephone:</b>	(480)694-1890
<b>Site Contact</b>	Harold T. Crutcher		
<b>Site Address</b>	5525 W Charleston Blvd Las Vegas, NV 89146		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	The Esslinger Family Trust		
<b>Contact Name of Owner/Operator:</b>	Harold T. Crutcher 12932 North 136th Street Scottsdale, AZ 85259	<b>Telephone:</b>	(480)694-1890
<b>Prime Contractor</b>	Broadbent And Associates, Inc.		
<b>Contact Name</b>	Jeremy Holst		
<b>Contractor Address</b>	8 West Pacific Avenue Henderson, NV 89015		
<b>Telephone:</b>	(702)353-5743	<b>% Board Reduction:</b>	3.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	Closed	Regulated UST	See Synopsis
002	10000	48	Regulated UST	See Synopsis

Case: #1996000101  
Claim #: 79889

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$41,147.78 from the Petroleum Fund for cleanup costs.

	\$2,598,555.65	Amount Requested to Date
	(\$43,382.70)	Amount Disallowed, Past Claims
	(\$250,945.31)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,258,507.88)</u>	Amount Paid to Date
SUB TOTAL	\$45,719.76	Amount Requested this Meeting
	<u>(\$4,571.98)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$41,147.78	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 11/13/2019 and 11/05/2020

**Summary of work completed:** Includes remediation system checks, quarterly remedial reports, and quarterly groundwater monitoring sampling and reporting.

## Site Summary Report

Case Number: 1996000101 Site Name: Circle K Store #2700695

### Site Status

**Synopsis:** DISCHARGE DISCOVERED OCTOBER 12, 1995. SOURCE OF THE CONTAMINATION DESCRIBED AS THE DISPENSERS OF THREE LEAKING UNDERGROUND STORAGE TANK (UST) SYSTEMS (TANK 1, TANK 2, TANK 3). EACH UST SYSTEM WAS 10,000 GALLONS AND CONTAINED GASOLINE AT THE TIME OF RELEASE. CASE SUBJECT TO 10% COPAYMENT.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$3,000,000.00
<b>Amount Fund Will Pay</b>	\$2,700,000.00
<b>Amount Requested</b>	\$2,598,555.65
<b>Amount Disallowed</b>	\$43,382.70
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$4,571.98
<b>Copay/Deductible</b>	\$250,945.31
<b>Amount Recommended</b>	\$2,299,655.66
<b>Amount Paid</b>	\$2,258,507.88

### Site Identification

<b>Date Submitted:</b>	05/22/1996	<b>DEP Facility Number:</b>	8-000129
<b>Site Name</b>	Circle K Store #2700695	<b>Telephone:</b>	
<b>Site Contact</b>			
<b>Site Address</b>	428 S Valley View Blvd Las Vegas, NV 89107		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Phillips 66 Company		
<b>Contact Name of Owner/Operator:</b>	Eli Gurian 3900 Kilroy Airport Way, Suite #210 Long Beach, CA 90806	<b>Telephone:</b>	(562)290-1537
<b>Prime Contractor</b>	Atc Group Services LLC		
<b>Contact Name</b>	Adam Katlein		
<b>Contractor Address</b>	921 American Pacific Drive, Ste 309 Henderson, NV 89014		
<b>Telephone:</b>	(586)839-7892	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	Closed	Regulated UST	See Synopsis
002	10000	44	Regulated UST	See Synopsis
003	6000	44	Regulated UST	See Synopsis

Case: #1998000075  
Claim #: 80072

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$6,078.54 from the Petroleum Fund for cleanup costs.

	\$535,692.13	Amount Requested to Date
	(\$12,307.65)	Amount Disallowed, Past Claims
	(\$51,663.06)	Deductible/Co-Payment Satisfied to Date
	(\$464,967.49)	Amount Paid to Date
SUB TOTAL	<u>\$6,753.93</u>	Amount Requested this Meeting
	(\$675.39)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$6,078.54</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/24/2021 and 06/09/2021

**Summary of work completed:** Project management and client communication, Conduct 2nd Qtr groundwater sampling, Begin preparation of 1st Qtr GMR, Prepare SPF documentation, Project management and NDEP communication, Update 1Q GMR to include work plan for well rehab per NDEP convo

## Site Summary Report

Case Number: 1998000075 Site Name: McDermitt Motel & Convenience Store

### Site Status

Synopsis: CORROSION HOLES OBSERVED IN TANKS DURING REMOVAL.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$535,692.13
Amount Disallowed	\$12,307.65
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$675.39
Copay/Deductible	\$51,663.06
Amount Recommended	\$471,046.03
Amount Paid	\$464,967.49

### Site Identification

Date Submitted:	06/01/1998	DEP Facility Number:	5-000056
Site Name	McDermitt Motel & Convenience Store		
Site Contact	Narinder Mall	Telephone:	(775)421-6484
Site Address	55 Us-95 N Mc Dermitt, NV 89421		
County:	Humboldt County		
Owner/Operator Name:	55 McDermitt Crude, LLC		
Contact Name of Owner/Operator:	Narinder Mall	Telephone:	(775)421-6484
	1620 West Winnemucca Boulevard Winnemucca, NV 89445		
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	5410 Longley Lane Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
8	6000	21	Regulated UST	See Synopsis
7	10000	21	Regulated UST	See Synopsis

Case: #1999000014  
Claim #: 80073

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$5,342.47 from the Petroleum Fund for cleanup costs.

	\$1,077,015.54	Amount Requested to Date
	(\$65,152.93)	Amount Disallowed, Past Claims
	(\$71,518.04)	Board Reduction, Past Claims
	(\$93,440.87)	Deductible/Co-Payment Satisfied to Date
	(\$799,682.27)	Amount Paid to Date
SUB TOTAL	<u>\$5,936.08</u>	Amount Requested this Meeting
	(\$593.61)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$5,342.47</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/16/2021 and 07/16/2021

**Summary of work completed:** Project management and client communication, Begin preparation of 2nd quarter GMR, Coordinate and conduct 2nd Qtr groundwater sampling event, Prepare and submit 1st quarter GMR, Prepare petroleum fund documentation.



## Site Summary Report

Case Number: 1999000014 Site Name: Pit Stop #7 Conoco

### Site Status

**Synopsis:** FOAV ISSUED ON 12/14/98 FOR LUST NON-COMPLIANCE. 2ND FOAV ISSUED ON 2/3/09. 40% REDUCTION FOR ALL WORK CONDUCTED PRIOR TO 12-9-09, FULL COVERAGE THEREAFTER. REIMBURSABLE CAP =\$725,400.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,625,400.00
<b>Amount Requested</b>	\$1,077,015.54
<b>Amount Disallowed</b>	\$65,152.93
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$71,518.04
<b>Pending Copay/Deductible</b>	\$593.61
<b>Copay/Deductible</b>	\$93,440.87
<b>Amount Recommended</b>	\$846,310.09
<b>Amount Paid</b>	\$840,967.62

### Site Identification

<b>Date Submitted:</b>	09/10/1998	<b>DEP Facility Number:</b>	6-000009
<b>Site Name</b>	Pit Stop #7 Conoco	<b>Telephone:</b>	(775)738-3835
<b>Site Contact</b>	Galen Schorsch		
<b>Site Address</b>	1600 Idaho St Elko, NV 89801		
<b>County:</b>	Elko County		
<b>Owner/Operator Name:</b>	AL Park Petroleum INC		
<b>Contact Name of Owner/Operator:</b>	Galen Schorsch PO Box 1600 Elko, NV 89803	<b>Telephone:</b>	(775)738-3835
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	5410 Longley Lane Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	Closed	Regulated UST	See Synopsis

Case: #1999000243  
Claim #: 80067

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$53,699.43 from the Petroleum Fund for cleanup costs.

	\$1,709,383.04	Amount Requested to Date
	(\$56,792.27)	Amount Disallowed, Past Claims
	(\$397,897.10)	Board Reduction, Past Claims
	(\$119,502.77)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,039,819.76)</u>	Amount Paid to Date
SUB TOTAL	\$59,666.03	Amount Requested this Meeting
	<u>(\$5,966.60)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$53,699.43	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/21/2020 and 09/29/2020

**Summary of work completed:** Project management, scheduling and client invoicing. Quarterly monitoring, sampling and reporting, quarterly and annual permit reporting, annual NTEP and HASP preparation, reimbursement package preparation, DPE remediation system operations and maintenance, free-product gauging and recovery.

## Site Summary Report

Case Number: 1999000243 Site Name: 7-Eleven #27607

### Site Status

**Synopsis:** DETERIORATED TANK. 2ND REIMBURSEMENT GRANTED 12-15-10 ; 40% REDUCTION REMOVED 12/13/12.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,429,267.66
<b>Amount Requested</b>	\$1,709,383.04
<b>Amount Disallowed</b>	\$56,792.27
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$397,897.10
<b>Pending Copay/Deductible</b>	\$5,966.60
<b>Copay/Deductible</b>	\$119,502.77
<b>Amount Recommended</b>	\$1,129,224.30
<b>Amount Paid</b>	\$1,075,524.87

### Site Identification

<b>Date Submitted:</b>	07/05/2002	<b>DEP Facility Number:</b>	8-001149
<b>Site Name</b>	7-Eleven #27607	<b>Telephone:</b>	(702)388-0940
<b>Site Contact</b>	Rich Davies		
<b>Site Address</b>	600 Las Vegas Blvd N Las Vegas, NV 89101		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	7-Eleven INC		
<b>Contact Name of Owner/Operator:</b>	Jennifer Dart	<b>Telephone:</b>	(817)235-0971
	3200 Hackberry Road - Loc 0148 Irving, TX 75063		
<b>Prime Contractor</b>	Stantec Consulting Services, Inc.		
<b>Contact Name</b>	Matthew Grandjean		
<b>Contractor Address</b>	3010 West Charleston Boulevard Las Vegas, NV 89102		
<b>Telephone:</b>	(702)878-8010	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	Closed	Regulated UST	See Synopsis

Case: #2004000011  
Claim #: 80077

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$1,550.14 from the Petroleum Fund for cleanup costs.

	\$2,219,238.61	Amount Requested to Date
	(\$24,345.03)	Amount Disallowed, Past Claims
	(\$183,131.02)	Board Reduction, Past Claims
	(\$201,004.01)	Deductible/Co-Payment Satisfied to Date
	(\$1,745,991.55)	Amount Paid to Date
SUB TOTAL	<u>\$1,722.38</u>	Amount Requested this Meeting
	(\$172.24)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$1,550.14</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/30/2021 and 06/30/2021

**Summary of work completed:** SPF Documentation, case officer coordination and correspondence, closure preparation preparation, project management, repair broken fence at site, site closure conversations with NDEP

## Site Summary Report

Case Number: 2004000011 Site Name: Wells Petro Truck Service

### Site Status

**Synopsis:** PRE 9/13/12 BOARD MEETING: CORRODED PRODUCT PIPING ON A S T SYSTEMS. 20% REIMBURSEMENT REDUCTION. 9/13/12 BOARD MEETING: ELIMINATION OF 20% COVERAGE REDUCTION - FULL COVERAGE RESULTING IN \$3,676,050 CAP.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$4,084,500.00
<b>Amount Fund Will Pay</b>	\$3,676,050.00
<b>Amount Requested</b>	\$2,219,238.61
<b>Amount Disallowed</b>	\$24,345.03
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$183,131.02
<b>Pending Copay/Deductible</b>	\$172.24
<b>Copay/Deductible</b>	\$201,004.01
<b>Amount Recommended</b>	\$1,810,586.31
<b>Amount Paid</b>	\$1,809,036.17

### Site Identification

<b>Date Submitted:</b>	10/03/2003	<b>DEP Facility Number:</b>	6-000329
<b>Site Name</b>	Wells Petro Truck Service	<b>Telephone:</b>	
<b>Site Contact</b>			
<b>Site Address</b>	174 Us-93 Wells, NV 89835		
<b>County:</b>	Elko County		
<b>Owner/Operator Name:</b>	Hpt Ta Properties Trust		
<b>Contact Name of Owner/Operator:</b>	Sarah Paulson 24601 Center Ridge Road Westlake, OH 44145	<b>Telephone:</b>	(440)808-4459
<b>Prime Contractor</b>	McGinley & Associates, Inc.		
<b>Contact Name</b>	Joseph McGinley		
<b>Contractor Address</b>	815 Maestro Drive Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	41	Aboveground	See Synopsis
002	20000	41	Aboveground	See Synopsis
003	20000	41	Aboveground	See Synopsis
004	20000	41	Aboveground	See Synopsis
005	12000	41	Aboveground	See Synopsis

Case: #2007000014  
Claim #: 80091

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$31,568.53 from the Petroleum Fund for cleanup costs.

	\$4,437,149.40	Amount Requested to Date
	(\$36,434.36)	Amount Disallowed, Past Claims
	(\$436,536.92)	Deductible/Co-Payment Satisfied to Date
	(\$3,758,619.14)	Amount Paid to Date
SUB TOTAL	<u>\$35,345.77</u>	Amount Requested this Meeting
	(\$269.62)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$35,076.15</u>	
	(\$3,507.62)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$31,568.53</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/11/2021 and 07/07/2021

**Summary of work completed:** 1st Quarter 2021 groundwater report preparation, 2nd Quarter 2021 groundwater sampling event, oversight of PulseOx System installation, coordination of moving a remediation trailer to the site, injection point connections, and electrical design of the PulseOx System.

# Site Summary Report

Case Number: 2007000014 Site Name: Former Ace Cab/frias Transportation

## Site Status

**Synopsis:** INITIAL APPLICATION (2007000014) - THREE USTS WERE REMOVED FROM THE SITE ON SEPTEMBER 20, 2006. THE BOTTOM OF TANK #1 WAS OBSERVED TO BE CORRODED. SAMPLING REVEALED TPH ABOVE THE STATE ACTION LEVEL. 2ND \$1,000,000 PROVIDED 6/9/11 (THIRD PART LIABILITY). A SECOND APPLICATION (2017000001) WAS RECEIVED ON JANUARY 19, 2017 FOR TWO TANK RELEASES. TANK #1 WAS ALREADY COVERED AND NOT ELIGIBLE FOR ADDITIONAL COVERAGE. TANK #3 (INSTALLED IN 1996) WAS ADDED ON 4/4/17 UNDER THE EXISTING CASE NUMBER OF 2007000014. NEW APPLICATION (2019000038) F...

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$6,000,000.00
<b>Amount Fund Will Pay</b>	\$5,400,000.00
<b>Amount Requested</b>	\$4,437,149.40
<b>Amount Disallowed</b>	\$36,703.98
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$3,507.62
<b>Copay/Deductible</b>	\$436,536.92
<b>Amount Recommended</b>	\$3,960,400.88
<b>Amount Paid</b>	\$3,928,832.35

## Site Identification

<b>Date Submitted:</b>	11/30/2006	<b>DEP Facility Number:</b>	8-000204
<b>Site Name</b>	Former Ace Cab/frias Transportation		
<b>Site Contact</b>	Don Webb	<b>Telephone:</b>	(510)610-7667
<b>Site Address</b>	5010 S Valley View Blvd Las Vegas, NV 89118		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Raiders Oz Business, LLC		
<b>Contact Name of Owner/Operator:</b>	Greg Gilbert	<b>Telephone:</b>	(702)669-4600
	6623 Las Vegas Blvd S, Ste 380 Las Vegas, NV 89119		
<b>Prime Contractor</b>	Converse Consultants		
<b>Contact Name</b>	Kurt Goebel		
<b>Contractor Address</b>	6610 W. Arby, Suite 104 Las Vegas, NV 89118		
<b>Telephone:</b>	(702)271-6839 Ext: 2	<b>% Board Reduction:</b>	0.00

## Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	Closed	Regulated UST	See Synopsis
001	10000	Closed	Regulated UST	Tank
003	10000	33	Regulated UST	Tank
003	10000	14	Regulated UST	Pipe
001	20000	24	Regulated UST	tank fill riser

Case: #2007000016  
Claim #: 80089

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$4,684.50 from the Petroleum Fund for cleanup costs.

	\$610,975.72	Amount Requested to Date
	(\$1,126.49)	Amount Disallowed, Past Claims
	(\$60,464.42)	Deductible/Co-Payment Satisfied to Date
	(\$539,929.70)	Amount Paid to Date
SUB TOTAL	<u>\$5,205.00</u>	Amount Requested this Meeting
	(\$520.50)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$4,684.50</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 11/30/2020 and 05/31/2021

**Summary of work completed:** Project management and client communication, evaluate new release in comparison to existing release, prepare petroleum fund documentation and discuss merging cases with petroleum fund staff, prepare draft groundwater monitoring well installation work plan, revise and re-submit WP following NDEP case officer discussion



## Site Summary Report

Case Number: 2007000016 Site Name: Golden Gate Petroleum

### Site Status

**Synopsis:** INITIAL 2006 RELEASE WAS DISCOVERED DURING A PHASE II ESA . DURING A TIGHTNESS TEST, A LEAK WAS DISCOVERED IN THE VENT LINE AND SUBSEQUENTLY REPAIRED ON A 10,000 GALLON GASOLINE UST. A SECOND RELEASE WAS AWARDED COVERAGE UNDER CASE 2020000056. THIS RELEASE OCCURRED FROM PIPING BENEATH A DISPENSER ASSOCIATED TO A 12,000 GALLON REGULAR UNLEADED GASOLINE UST. GROUNDWATER APPEARS TO BE IMPACTED BY BOTH RELEASES, AND THE CONTAMINANT PLUMES ARE COMINGLED PER THE CEM. SINCE BOTH RELEASES WERE IDENTIFIED AS ELIGIBLE FOR COVERAGE AND NEITHER CASE H...

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,800,000.00
<b>Amount Requested</b>	\$610,975.72
<b>Amount Disallowed</b>	\$1,126.49
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$520.50
<b>Copay/Deductible</b>	\$60,464.42
<b>Amount Recommended</b>	\$548,864.31
<b>Amount Paid</b>	\$544,179.81

### Site Identification

<b>Date Submitted:</b>	12/14/2006	<b>DEP Facility Number:</b>	4-000408
<b>Site Name</b>	Golden Gate Petroleum		
<b>Site Contact</b>	Graham Brown	<b>Telephone:</b>	(775)850-3010
<b>Site Address</b>	5190 Sun Valley Blvd Sun Valley, NV 89433		
<b>County:</b>	Washoe County		
<b>Owner/Operator Name:</b>	Golden Gate Petroleum Of Nevada LLC		
<b>Contact Name of Owner/Operator:</b>	Dennis O'Keefe 16580 Wedge Pkwy Ste 300 Reno, NV 89511	<b>Telephone:</b>	(775)850-3010
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	5410 Longley Lane Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
024	10000	Closed	Regulated UST	See Synopsis
030	12000	30	Regulated UST	Connection to piping under UDC, Pipe

Case: #2008000005  
Claim #: 79834

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$50,697.00 from the Petroleum Fund for cleanup costs.

	\$1,999,641.70	Amount Requested to Date
	(\$31,961.53)	Amount Disallowed, Past Claims
	(\$191,135.02)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,719,175.65)</u>	Amount Paid to Date
SUB TOTAL	\$56,330.00	Amount Requested this Meeting
	<u>(\$5,633.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$50,697.00	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 09/30/2020 and 10/12/2020

**Summary of work completed:** Project coordination, site meetings, observe and perform abandonment of 48 groundwater monitor wells within city streets, closure submittal to NDEP, petroleum fund submittal, proof of payment submittal, and final submittal of ShapeFile.

## Site Summary Report

Case Number: 2008000005 Site Name: Avis Rent A Car

### Site Status

**Synopsis:** RELEASES WERE DISCOVERED DURING TANK REMOVAL. THE RELEASES EMANATED FROM THE TURBINES FROM THE GASOLINE AND DIESEL USTS. FACILITY HAS ONGOING CORRECTIVE ACTION UNDER CASE 1994000065.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,800,000.00
<b>Amount Requested</b>	\$1,999,641.70
<b>Amount Disallowed</b>	\$31,961.53
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$5,633.00
<b>Copay/Deductible</b>	\$191,135.02
<b>Amount Recommended</b>	\$1,769,872.65
<b>Amount Paid</b>	\$1,719,175.65

### Site Identification

<b>Date Submitted:</b>	08/31/2007	<b>DEP Facility Number:</b>	8-000217
<b>Site Name</b>	Avis Rent A Car	<b>Telephone:</b>	(979)496-3658
<b>Site Contact</b>	Rose Pelino		
<b>Site Address</b>	5164 Rent A Car Rd Las Vegas, NV 89119		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Avis Rent A Car System LLC		
<b>Contact Name of Owner/Operator:</b>	Anne Morrison 6 Sylvan Way, 3rd Floor Parsippany, NJ 07054	<b>Telephone:</b>	(973)496-3446
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 W. Charleston Blvd. Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	Closed	Regulated UST	See Synopsis
002	12000	40	Regulated UST	See Synopsis

Case: #201000009  
Claim #: 80080

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$19,565.50 from the Petroleum Fund for cleanup costs.

	\$1,210,768.94	Amount Requested to Date
	(\$58,518.84)	Amount Disallowed, Past Claims
	(\$110,276.97)	Board Reduction, Past Claims
	(\$101,781.81)	Deductible/Co-Payment Satisfied to Date
	(\$671,965.01)	Amount Paid to Date
SUB TOTAL	<u>\$24,154.93</u>	Amount Requested this Meeting
	(\$2,415.49)	Board Reduction, This Meeting
SUB TOTAL	<u>\$21,739.44</u>	
	(\$2,173.94)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$19,565.50</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/02/2021 and 06/30/2021

**Summary of work completed:** PROJECT MANAGMENT, CLIENT COMMUNICATION, O&M ON REMEDIATION SYSTEM, DATA EVALUATION AND SYSTEM ADJUSTMENTS, PREPARE 1ST QTR GMR, SPF DOCUMENTATION PREPARATION, CONDUCT 2ND QTR SAMPLING EVENT, TRAVEL EXPENSES FOR WORK CONDUCTED ONSITE FOR INSPECTIONS.

## Site Summary Report

Case Number: 2010000009 Site Name: Mill City Travel Center

### Site Status

**Synopsis:** GASOLINE DISCOVERED IN SUMP THAT IS ATTACHED TO TRENCH THAT HOUSES PIPING.  
10% REDUCTION.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,620,000.00
<b>Amount Requested</b>	\$1,210,768.94
<b>Amount Disallowed</b>	\$58,518.84
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$112,692.46
<b>Pending Copay/Deductible</b>	\$2,173.94
<b>Copay/Deductible</b>	\$101,781.81
<b>Amount Recommended</b>	\$935,601.89
<b>Amount Paid</b>	\$916,036.39

### Site Identification

<b>Date Submitted:</b>	11/16/2009	<b>DEP Facility Number:</b>	5-000016
<b>Site Name</b>	Mill City Travel Center	<b>Telephone:</b>	(775)538-7311
<b>Site Contact</b>	Jack Burnett		
<b>Site Address</b>	6000 Frontage Rd Mill City, NV 89418		
<b>County:</b>	Pershing County		
<b>Owner/Operator Name:</b>	Hpt Ta Properties Trust		
<b>Contact Name of Owner/Operator:</b>	Sarah Paulson 24601 Center Ridge Road Westlake, OH 44145	<b>Telephone:</b>	(440)808-4459
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	5410 Longley Lane Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	10.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	20000	Closed	Regulated UST	See Synopsis
002	20000	36	Regulated UST	See Synopsis

Case: #201100009  
Claim #: 80083

**STAFF RECOMMENDATION**

September 09, 2021

Staff recommends this claim be reimbursed \$17,120.17 from the Petroleum Fund for cleanup costs.

	\$1,105,556.70	Amount Requested to Date
	(\$13,319.81)	Amount Disallowed, Past Claims
	(\$107,321.45)	Deductible/Co-Payment Satisfied to Date
	(\$857,871.72)	Amount Paid to Date
SUB TOTAL	<u>\$19,022.41</u>	Amount Requested this Meeting
	(\$1,902.24)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$17,120.17</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/28/2021 and 07/13/2021

**Summary of work completed:** project management and client communication, conduct O&M on remediation system, data evaluation and plan for pulsing tests, prepare 1 QTR GMR, SPF documentation preparation, conduct 2nd qtr gw sampling, begin preparation of 2nd qtr GMR

# Site Summary Report

Case Number: 2011000009 Site Name: Cimarron West

## Site Status

**Synopsis:** CONTAMINATION DISCOVERED 12/8/2010 FROM FAULTY SPILL BUCKETS, AND FAULTY PRODUCT PIPING WITHIN TURBINE SUMPS AND UNDER DISPENSERS OF ONE 10,000 GALLON UST CONTAINING DIESEL, ONE 10,000-GALLON UST CONTAINING GASOLINE, AND ONE 6,000-GALLON UST CONTAINING GASOLINE. PER SSBD 2012-01: CONTAMINATION FROM SPILL EVENTS MUST BE SEPARATED FROM OTHER CONTAMINATION TO MAINTAIN FULL COVERAGE.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$3,000,000.00
<b>Amount Fund Will Pay</b>	\$2,700,000.00
<b>Amount Requested</b>	\$1,105,556.70
<b>Amount Disallowed</b>	\$13,319.81
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$1,902.24
<b>Copay/Deductible</b>	\$107,321.45
<b>Amount Recommended</b>	\$978,476.30
<b>Amount Paid</b>	\$961,356.13

## Site Identification

<b>Date Submitted:</b>	06/06/2011	<b>DEP Facility Number:</b>	6-000156
<b>Site Name</b>	Cimarron West		
<b>Site Contact</b>	John Carpenter	<b>Telephone:</b>	(775)738-9861
<b>Site Address</b>	1400 Mountain City Hwy Elko, NV 89801		
<b>County:</b>	Elko County		
<b>Owner/Operator Name:</b>	Cimarron West		
<b>Contact Name of Owner/Operator:</b>	Linda Meo P O Box 190 Elko, NV 89803	<b>Telephone:</b>	(775)738-9861
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	5410 Longley Lane Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	0.00

## Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	Closed	Regulated UST	See Synopsis
002	10000	36	Regulated UST	See Synopsis
003	6000	36	Regulated UST	See Synopsis

Case: #2012000012  
Claim #: 80059

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$44,617.15 from the Petroleum Fund for cleanup costs.

	\$1,690,148.15	Amount Requested to Date
	(\$24,219.97)	Amount Disallowed, Past Claims
	(\$161,635.35)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,116,330.75)</u>	Amount Paid to Date
SUB TOTAL	\$49,574.61	Amount Requested this Meeting
	<u>(\$4,957.46)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$44,617.15	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/05/2021 and 06/30/2021

**Summary of work completed:** Project management; remediation system operations, maintenance and repairs; preparation of a Clark County Department of Air Quality annual report; quarterly groundwater monitoring; additional characterization activities and report preparation; and preparation of Petroleum Fund documents



# Site Summary Report

Case Number: 2012000012 Site Name: Green Valley Grocery #61

## Site Status

Synopsis: LEAKING PRODUCT PIPING IN STP SUMP DISCOVERED DURING COMPLIANCE INSPECTION.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$1,690,148.15
Amount Disallowed	\$24,219.97
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$4,957.46
Copay/Deductible	\$161,635.35
Amount Recommended	\$1,499,335.37
Amount Paid	\$1,454,718.22

## Site Identification

Date Submitted:	12/14/2011	DEP Facility Number:	8-001775
Site Name	Green Valley Grocery #61	Telephone:	(415)734-0223
Site Contact	Seamus Comerford		
Site Address	4207 S Las Vegas Blvd Las Vegas, NV 89119		
County:	Clark County		
Owner/Operator Name:	Las Vegas Land Acquisition 2020 CO., LLC		
Contact Name of Owner/Operator:	Seamus Comerford 345 California Street, Suite 3300 San Francisco, CA 94104	Telephone:	(415)734-0223
Prime Contractor	Broadbent And Associates, Inc.		
Contact Name	William Wiggins		
Contractor Address	8 Pacific Ave Henderson, NV 89015		
Telephone:	(702)563-0600	% Board Reduction:	0.00

## Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	26	Regulated UST	See Synopsis

Case: #2012000017  
Claim #: 80082

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$6,813.54 from the Petroleum Fund for cleanup costs.

	\$439,200.67	Amount Requested to Date
	(\$1,997.97)	Amount Disallowed, Past Claims
	(\$10,250.00)	Deductible/Co-Payment Satisfied to Date
	(\$408,295.07)	Amount Paid to Date
SUB TOTAL	<u>\$6,813.54</u>	Amount Requested this Meeting
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$6,813.54</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/30/2021 and 07/07/2021

**Summary of work completed:** Prepare petroleum fund documentation, project Management and client communication, prepare for and conduct 2nd quarter groundwater sampling event

## Site Summary Report

Case Number: 2012000017 Site Name: Old High School

### Site Status

Synopsis: CORROSION HOLES AND FREE PRODUCT WERE DISCOVERED DURING TANK REMOVAL. 5% COPAY TO BE CAPPED AT \$10,000

Contaminant: Heating Oil

Fund Coverage	\$1,250,250.00
Amount Fund Will Pay	\$1,240,000.00
Amount Requested	\$439,200.67
Amount Disallowed	\$1,997.97
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$10,250.00
Amount Recommended	\$426,943.70
Amount Paid	\$420,130.16

### Site Identification

Date Submitted:	02/03/2012	DEP Facility Number:	E-000030
Site Name	Old High School	Telephone:	(775)428-7720
Site Contact	Ms. Christi Fielding		
Site Address	690 Maine Street Fallon, NV 89406		
County:	Churchill County		
Owner/Operator Name:	Churchill County School District		
Contact Name of Owner/Operator:	Christi Fielding 690 South Maine Street Fallon, NV 89406	Telephone:	(775)428-7720
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	5410 Longley Lane Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	10000	4	Non-Regulated	See Synopsis
002	1000	4	Non-Regulated	See Synopsis

Case: #2013000019  
Claim #: 80085

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$20,571.32 from the Petroleum Fund for cleanup costs.

	\$1,149,458.57	Amount Requested to Date
	(\$45,263.91)	Amount Disallowed, Past Claims
	(\$108,133.76)	Deductible/Co-Payment Satisfied to Date
	(\$682,758.75)	Amount Paid to Date
SUB TOTAL	<u>\$22,857.02</u>	Amount Requested this Meeting
	(\$2,285.70)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$20,571.32</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/17/2021 and 07/13/2021

**Summary of work completed:** project management, client communication, O&M on remediation system, data evaluation and adjustments, preparation of 1st Qtr GMR report, prepare SPF documentation, conduct 2nd qtr groundwater sampling event,

## Site Summary Report

Case Number: 2013000019 Site Name: Elko Sinclair #53

### Site Status

**Synopsis:** TWO USTS FAILED TIGHTNESS TESTS. CONTAMINATION DISCOVERED DURING UST REMOVAL.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$6,000,000.00
<b>Amount Fund Will Pay</b>	\$5,400,000.00
<b>Amount Requested</b>	\$1,149,458.57
<b>Amount Disallowed</b>	\$45,263.91
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$2,285.70
<b>Copay/Deductible</b>	\$108,133.76
<b>Amount Recommended</b>	\$992,956.96
<b>Amount Paid</b>	\$972,385.64

### Site Identification

<b>Date Submitted:</b>	08/16/2013	<b>DEP Facility Number:</b>	6-000103
<b>Site Name</b>	Elko Sinclair #53	<b>Telephone:</b>	(801)298-3409
<b>Site Contact</b>	Dennis Haggard		
<b>Site Address</b>	1790 Idaho St Elko, NV 89801		
<b>County:</b>	Elko County		
<b>Owner/Operator Name:</b>	Hardy Enterprises INC		
<b>Contact Name of Owner/Operator:</b>	Dennis Haggard P.O. Box 248 Bountiful, UT 84011	<b>Telephone:</b>	(801)298-1180
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Justin Fike		
<b>Contractor Address</b>	5410 Longley Lane Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	Closed	Regulated UST	See Synopsis
002	12000	42	Regulated UST	See Synopsis
001	20000	36	Regulated UST	See Synopsis
004	12000	42	Regulated UST	See Synopsis
005	12000	42	Regulated UST	See Synopsis
006	12000	42	Regulated UST	See Synopsis

Case: #2014000004  
Claim #: 80084

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$12,270.57 from the Petroleum Fund for cleanup costs.

	\$1,526,018.73	Amount Requested to Date
	(\$8,783.02)	Amount Disallowed, Past Claims
	(\$150,360.21)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,214,000.98)</u>	Amount Paid to Date
SUB TOTAL	\$13,633.97	Amount Requested this Meeting
	<u>(\$1,363.40)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$12,270.57	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/31/2021 and 07/21/2021

**Summary of work completed:** project management, client correspondence, O&M on system, data evaluation and turn system off, conduct 2nd Qtr gw sampling event, prepare 1st qtr GMR, SPF documentation preparation, 2nd qtr gmr preparation, coordinate purge water disposal

## Site Summary Report

Case Number: 2014000004 Site Name: Broadway Colt Service Center

### Site Status

**Synopsis:** INVENTORY RECONCILIATION LEAD TO DISCOVERY OF LEAKS IN LINES FROM AST TO FUEL DISPENSERS.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,800,000.00
<b>Amount Requested</b>	\$1,526,018.73
<b>Amount Disallowed</b>	\$8,783.02
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$1,363.40
<b>Copay/Deductible</b>	\$150,360.21
<b>Amount Recommended</b>	\$1,365,512.10
<b>Amount Paid</b>	\$1,353,241.53

### Site Identification

<b>Date Submitted:</b>	08/02/2013	<b>DEP Facility Number:</b>	5-000283
<b>Site Name</b>	Broadway Colt Service Center		
<b>Site Contact</b>	Damon Borden	<b>Telephone:</b>	(509)710-7749
<b>Site Address</b>	660 W Front St Battle Mountain, NV 89820		
<b>County:</b>	Lander County		
<b>Owner/Operator Name:</b>	Alsaker Corp		
<b>Contact Name of Owner/Operator:</b>	Damon Borden	<b>Telephone:</b>	(509)710-7749
	6409 E. Sharp Ave Spokane Valley, WA 99212		
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Justin Fike		
<b>Contractor Address</b>	5410 Longley Lane Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	20000	44	Aboveground	See Synopsis
002	20000	54	Aboveground	See Synopsis

Case: #2014000016  
Claim #: 80065

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$3,848.64 from the Petroleum Fund for cleanup costs.

	\$460,183.24	Amount Requested to Date
	(\$15.00)	Amount Disallowed, Past Claims
	(\$45,589.20)	Deductible/Co-Payment Satisfied to Date
	(\$387,348.96)	Amount Paid to Date
SUB TOTAL	<u>\$4,276.27</u>	Amount Requested this Meeting
	(\$427.63)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$3,848.64</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/23/2021 and 06/30/2021

**Summary of work completed:** project management and regulator communication, Begin preparation of 1st Qtr GMR, conduct 2nd Qtr groundwater sampling, prepare SPF documentation, coordinate purge water disposal, prepare and soil submit excavation report, Finalize and submit 1st QTR groundwater monitoring report, and begin preparation of 2nd QTR GMR



## Site Summary Report

Case Number: 2014000016 Site Name: Former Smedley's Chevron

### Site Status

**Synopsis:** GROUNDWATER CONTAMINATION DISCOVERED DURING PHASE II INVESTIGATION. ATTRIBUTED TO 2008 RELEASE.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$900,000.00
<b>Amount Requested</b>	\$460,183.24
<b>Amount Disallowed</b>	\$15.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$427.63
<b>Copay/Deductible</b>	\$45,589.20
<b>Amount Recommended</b>	\$414,151.41
<b>Amount Paid</b>	\$410,302.77

### Site Identification

<b>Date Submitted:</b>	11/18/2013	<b>DEP Facility Number:</b>	5-000228
<b>Site Name</b>	Former Smedley's Chevron	<b>Telephone:</b>	(775)423-5454
<b>Site Contact</b>	Ms. Fran Smitten		
<b>Site Address</b>	1625 West Williams Ave. Fallon, NV 89406		
<b>County:</b>	Churchill County		
<b>Owner/Operator Name:</b>	Smitten Oil And Tire CO INC		
<b>Contact Name of Owner/Operator:</b>	Fran Smitten P.O. Box 1235 Fallon, NV 89407	<b>Telephone:</b>	(775)423-5454
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	5410 Longley Lane Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	Closed	Regulated UST	See Synopsis

Case: #2014000025  
Claim #: 80078

**STAFF RECOMMENDATION**

September 09, 2021

Staff recommends this claim be reimbursed \$29,291.00 from the Petroleum Fund for cleanup costs.

	\$1,559,647.03	Amount Requested to Date
	(\$27,592.48)	Amount Disallowed, Past Claims
	(\$21,457.21)	Board Reduction, Past Claims
	(\$147,805.18)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,017,108.66)</u>	Amount Paid to Date
SUB TOTAL	\$32,545.56	Amount Requested this Meeting
	<u>(\$3,254.56)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$29,291.00	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/12/2020 and 07/27/2021

**Summary of work completed:** Project management and client communication, Conduct O&M on remediation system, Evaluate data and make adjustments, Conduct 2nd QTR groundwater sampling, Prepare and submit 1st QTR GMR, Prepare petroleum fund documentation, Assist with Petroleum Fund registration, and Begin preparation of 2nd Qtr GMR

## Site Summary Report

Case Number: 2014000025 Site Name: Silver City Rv Resort

### Site Status

**Synopsis:** TANK #1 FAILED TIGHTNESS TEST. THE 40% REDUCTION REMOVED PURSUANT TO BOARD TO REVIEW CLAIMS MEETING DECISION ON JUNE 2, 2016. APPLICATION 2018000019 WAS RECEIVED ON JULY 19, 2018. THIS APPLICATION WAS FOR A DISCHARGE FROM THE PIPING OF 2 ADDITIONAL SYSTEMS (TANKS #2 AND #4). 2018000019 WAS MERGED INTO 2014000025 UPON APPROVAL.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$3,000,000.00
<b>Amount Fund Will Pay</b>	\$2,571,423.01
<b>Amount Requested</b>	\$1,559,647.03
<b>Amount Disallowed</b>	\$27,592.48
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$21,457.21
<b>Pending Copay/Deductible</b>	\$3,254.56
<b>Copay/Deductible</b>	\$147,805.18
<b>Amount Recommended</b>	\$1,358,403.15
<b>Amount Paid</b>	\$1,329,112.15

### Site Identification

<b>Date Submitted:</b>	02/24/2014	<b>DEP Facility Number:</b>	2-000075
<b>Site Name</b>	Silver City Rv Resort		
<b>Site Contact</b>	Marci Appleton	<b>Telephone:</b>	(775)267-3359
<b>Site Address</b>	3165 Us Highway 395 N Minden, NV 89423		
<b>County:</b>	Douglas County		
<b>Owner/Operator Name:</b>	Superior Campgrounds Of America, LLC		
<b>Contact Name of Owner/Operator:</b>	Tom Day Sr. 265 N. Joy Street Corona, CA 92879	<b>Telephone:</b>	(909)241-7700
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	5410 Longley Lane Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	8000	Closed	Regulated UST	See Synopsis
004	15000	21	Regulated UST	Pipe
002	8000	37	Regulated UST	Pipe

Case: #2016000005  
Claim #: 80075

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$3,975.82 from the Petroleum Fund for cleanup costs.

	\$170,485.15	Amount Requested to Date
	(\$725.05)	Amount Disallowed, Past Claims
	(\$16,534.24)	Deductible/Co-Payment Satisfied to Date
	(\$146,172.15)	Amount Paid to Date
SUB TOTAL	<u>\$4,417.58</u>	Amount Requested this Meeting
	(\$441.76)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$3,975.82</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/26/2021 and 07/19/2021

**Summary of work completed:** Project management and client communication, conduct 2nd QTR groundwater sampling, prepare petroleum fund documentation, coordinate purge water disposal, finalize and submit 1st QTR GMR, begin preparation of 2nd QTR GMR.

## Site Summary Report

Case Number: 2016000005 Site Name: Golden Gate Petroleum 65 - Fallon

### Site Status

**Synopsis:** LEAK DISCOVERED WHEN UST SYSTEMS WERE REMOVED. LEAK OCCURRED FROM PRODUCT PIPING AND SHEAR VALVES.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$3,000,000.00
<b>Amount Fund Will Pay</b>	\$2,700,000.00
<b>Amount Requested</b>	\$170,485.15
<b>Amount Disallowed</b>	\$725.05
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$441.76
<b>Copay/Deductible</b>	\$16,534.24
<b>Amount Recommended</b>	\$152,784.10
<b>Amount Paid</b>	\$148,808.28

### Site Identification

<b>Date Submitted:</b>	02/24/2016	<b>DEP Facility Number:</b>	5-000228
<b>Site Name</b>	Golden Gate Petroleum 65 - Fallon		
<b>Site Contact</b>	Nacho Aguilar	<b>Telephone:</b>	(775)850-3010
<b>Site Address</b>	1625 West Williams Ave. Fallon, NV 89406		
<b>County:</b>	Churchill County		
<b>Owner/Operator Name:</b>	Golden Gate S.e.t. Retail Of Nevada LLC		
<b>Contact Name of Owner/Operator:</b>	Nacho Aguilar	<b>Telephone:</b>	(775)850-3010
	16580 Wedge Parkway #300 Reno, NV 89511		
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	5410 Longley Lane Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	Closed	Regulated UST	See Synopsis
002	12000	29	Regulated UST	See Synopsis
003	10000	29	Regulated UST	See Synopsis

Case: #2016000012  
Claim #: 80060

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$6,443.23 from the Petroleum Fund for cleanup costs.

	\$223,842.08	Amount Requested to Date
	(\$425.50)	Amount Disallowed, Past Claims
	(\$21,625.74)	Deductible/Co-Payment Satisfied to Date
	(\$136,141.85)	Amount Paid to Date
SUB TOTAL	<u>\$7,159.14</u>	Amount Requested this Meeting
	(\$715.91)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$6,443.23</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/02/2021 and 06/30/2021

**Summary of work completed:** Project management; preparation of a quarterly monitoring report; coordination of purge water drum removal; and preparation of Fund documents.

# Site Summary Report

Case Number: 2016000012 Site Name: Mr Ds Fastlane

## Site Status

**Synopsis:** CONTAMINATION WAS DISCOVERED APRIL 7, 2016. THE APPLICATION IDENTIFIED TANK #003 (PREMIUM), A 10,000 GALLON FIBERGLASS UNDERGROUND STORAGE TANK (UST) AS THE SOURCE OF THE RELEASE. ON OCTOBER 16, 2017, A SECOND 10,000 GALLON FIBERGLASS UST (TANK #002 - REGULAR UL) FAILED A TANK TIGHTNESS TEST. THIS TANK WAS REMOVED ALONG WITH TANKS #001, #003, AND #004 IN FEBRUARY 2018, AFTER WHICH PETROLEUM IMPACTED SOILS WERE IDENTIFIED. TWO NEW COMPARTMENTALIZED USTS REPLACED THE FOUR REMOVED 10,000 UST SYSTEMS.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,800,000.00
<b>Amount Requested</b>	\$223,842.08
<b>Amount Disallowed</b>	\$425.50
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$715.91
<b>Copay/Deductible</b>	\$21,625.74
<b>Amount Recommended</b>	\$201,074.93
<b>Amount Paid</b>	\$194,631.70

## Site Identification

<b>Date Submitted:</b>	07/22/2016	<b>DEP Facility Number:</b>	8-000683
<b>Site Name</b>	Mr Ds Fastlane		
<b>Site Contact</b>	David Larson	<b>Telephone:</b>	(702)564-5695
<b>Site Address</b>	432 S Boulder Hwy Henderson, NV 89015		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	DLF Corporation		
<b>Contact Name of Owner/Operator:</b>	David Larson	<b>Telephone:</b>	(702)564-5695
	432 S. Boulder Highway Henderson, NV 89015		
<b>Prime Contractor</b>	Broadbent And Associates, Inc.		
<b>Contact Name</b>	William Wiggins		
<b>Contractor Address</b>	8 Pacific Ave Henderson, NV 89015		
<b>Telephone:</b>	(702)563-0600	<b>% Board Reduction:</b>	0.00

## Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	10000	Closed	Regulated UST	Tank
002	10000	38	Regulated UST	Tank

Case: #2016000023  
Claim #: 80087

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$4,841.62 from the Petroleum Fund for cleanup costs.

	\$818,237.91	Amount Requested to Date
	(\$59,275.63)	Amount Disallowed, Past Claims
	(\$150,447.57)	Board Reduction, Past Claims
	(\$60,179.03)	Deductible/Co-Payment Satisfied to Date
	(\$499,328.13)	Amount Paid to Date
SUB TOTAL	<u>\$6,724.48</u>	Amount Requested this Meeting
	(\$1,344.90)	Board Reduction, This Meeting
SUB TOTAL	<u>\$5,379.58</u>	
	(\$537.96)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$4,841.62</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/30/2021 and 06/09/2021

**Summary of work completed:** Project management and client communications. Conduct O&M on LNAPL system and collect measurements. Conduct 1st half groundwater sampling. Begin preparation of 1st half report.



## Site Summary Report

Case Number: 2016000023 Site Name: Pit Stop #1

### Site Status

**Synopsis:** DISCHARGE DISCOVERED SEPTEMBER 29, 2015. THE APPLICATION IDENTIFIED THE UNDERGROUND PIPING ASSOCIATED TO A 14,000 GALLON ABOVEGROUND STORAGE TANK (AST) SYSTEM (TANK 005), CONTAINING GASOLINE AS THE SOURCE OF THE RELEASE. SSBD 2016-07 WAS APPROVED AT THE DECEMBER 8, 2016 BOARD MEETING, GRANTING COVERAGE WITH A 20% REDUCTION DUE TO A COMINGLED PLUME.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$720,000.00
<b>Amount Requested</b>	\$818,237.91
<b>Amount Disallowed</b>	\$59,275.63
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$151,792.47
<b>Pending Copay/Deductible</b>	\$537.96
<b>Copay/Deductible</b>	\$60,179.03
<b>Amount Recommended</b>	\$546,452.82
<b>Amount Paid</b>	\$541,611.20

### Site Identification

<b>Date Submitted:</b>	09/19/2016	<b>DEP Facility Number:</b>	6-000317
<b>Site Name</b>	Pit Stop #1		
<b>Site Contact</b>	Galen Schorsch	<b>Telephone:</b>	(775)738-3835
<b>Site Address</b>	275 12th St Elko, NV 89801		
<b>County:</b>	Elko County		
<b>Owner/Operator Name:</b>	AL Park Petroleum INC		
<b>Contact Name of Owner/Operator:</b>	Galen Schorsch PO Box 1600 Elko, NV 89803	<b>Telephone:</b>	(775)738-3835
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	5410 Longley Lane Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	20.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
005	14000	37	Aboveground	Pipe, Underground product piping - Only piping was removed from service. Tank was re-plumbed into differen

Case: #2018000009  
Claim #: 80074

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$6,142.46 from the Petroleum Fund for cleanup costs.

	\$261,459.56	Amount Requested to Date
	(\$1,151.04)	Amount Disallowed, Past Claims
	(\$25,348.36)	Deductible/Co-Payment Satisfied to Date
	(\$207,381.24)	Amount Paid to Date
SUB TOTAL	<u>\$6,824.96</u>	Amount Requested this Meeting
	(\$682.50)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$6,142.46</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/04/2021 and 06/30/2021

**Summary of work completed:** Project management and client communication, coordinate purge water disposal, begin 1Q GMR, project management and client/regulator communications, prepare and submit 1st QTR GMR, conduct 2nd quarter groundwater sampling,

# Site Summary Report

Case Number: 2018000009 Site Name: Pacific Pride

## Site Status

**Synopsis:** DISCHARGE WAS DISCOVERED MARCH 2, 2018 AS A RESULT OF A PHASE II ENVIRONMENTAL SITE ASSESSMENT. THE APPLICATION IDENTIFIES THE SHEAR VALVE ASSOCIATED WITH DIESEL DISPENSER #3 AND CONNECTED TO A 15,000 GALLON ABOVEGROUND STORAGE TANK (AST) SYSTEM CONTAINING DIESEL; AND THE SHEAR VALVE ASSOCIATED TO THE REGULAR GASOLINE DISPENSER #3 AND CONNECTED TO A 15,000 GALLON AST SYSTEM CONTAINING GASOLINE AS THE SOURCES OF THE RELEASE.

**Contaminant:** Diesel, Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,800,000.00
<b>Amount Requested</b>	\$261,459.56
<b>Amount Disallowed</b>	\$1,151.04
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$682.50
<b>Copay/Deductible</b>	\$25,348.36
<b>Amount Recommended</b>	\$234,172.13
<b>Amount Paid</b>	\$228,029.67

## Site Identification

<b>Date Submitted:</b>	05/25/2018	<b>DEP Facility Number:</b>	5-000378
<b>Site Name</b>	Pacific Pride		
<b>Site Contact</b>	Bryan Reed	<b>Telephone:</b>	(775)296-0155
<b>Site Address</b>	3600 W Winnemucca Blvd Winnemucca, NV 89445		
<b>County:</b>	Humboldt County		
<b>Owner/Operator Name:</b>	Reed Incorporated		
<b>Contact Name of Owner/Operator:</b>	Bryan Reed	<b>Telephone:</b>	(775)289-4463
	802 Avenue E Ely, NV 89301		
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	5410 Longley Lane Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	0.00

## Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	15000	51	Aboveground	The shear valve associated with diesel dispenser #3
001	15000	51	Aboveground	The shear valve associated with the regular gasoline dispenser #5

Case: #2018000043  
Claim #: 80037

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$6,533.50 from the Petroleum Fund for cleanup costs.

	\$60,531.12	Amount Requested to Date
	(\$439.96)	Amount Disallowed, Past Claims
	(\$250.00)	Deductible/Co-Payment Satisfied to Date
	(\$29,946.65)	Amount Paid to Date
SUB TOTAL	<u>\$6,533.50</u>	Amount Requested this Meeting
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$6,533.50</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 11/28/2018 and 04/30/2021

**Summary of work completed:** Preparation of reimbursement claims and proof of payments, preparation of monitoring well installation and groundwater monitoring summary report.

## Site Summary Report

**Case Number:** 2018000043    **Site Name:** William Kennedy Residential Heating Oil Tank

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A 500 GALLON TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY.

**Contaminant:** Heating Oil

<b>Fund Coverage</b>	\$250,250.00
<b>Amount Fund Will Pay</b>	\$250,000.00
<b>Amount Requested</b>	\$60,531.12
<b>Amount Disallowed</b>	\$439.96
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$250.00
<b>Amount Recommended</b>	\$59,841.16
<b>Amount Paid</b>	\$53,307.66

### Site Identification

<b>Date Submitted:</b>	02/22/2019	<b>DEP Facility Number:</b>	C-000071
<b>Site Name</b>	William Kennedy Residential Heating Oil Tank		
<b>Site Contact</b>	William Kennedy	<b>Telephone:</b>	(775)721-2689
<b>Site Address</b>	260 River Road Dayton, NV 89403		
<b>County:</b>	Lyon County		
<b>Owner/Operator Name:</b>	Mr. William Kennedy		
<b>Contact Name of Owner/Operator:</b>	William Kennedy	<b>Telephone:</b>	(775)721-2689
	260 River Road Dayton, NV 89403		
<b>Prime Contractor</b>	Broadbent & Associates, INC		
<b>Contact Name</b>	Brandon Reiff		
<b>Contractor Address</b>	5450 Louie Lane Suite: 101 Reno, NV 89511		
<b>Telephone:</b>	(775)313-2096	<b>% Board Reduction:</b>	0.00

### Site Characteristics

<b>Alt ID</b>	<b>Tank Cap. (Gallons)</b>	<b>Tank Age (Years)</b>	<b>Tank Type</b>	<b>Leak Location</b>
Heating Oil Tank	500	66	Non-Regulated	Tank

Case: #2019000024  
Claim #: 80038

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$12,158.52 from the Petroleum Fund for cleanup costs.

	\$96,970.32	Amount Requested to Date
	(\$16,016.69)	Board Reduction, Past Claims
	(\$6,406.68)	Deductible/Co-Payment Satisfied to Date
	<u>(\$57,660.11)</u>	Amount Paid to Date
SUB TOTAL	\$16,886.84	Amount Requested this Meeting
	<u>(\$3,377.37)</u>	Board Reduction, This Meeting
SUB TOTAL	\$13,509.47	
	<u>(\$1,350.95)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$12,158.52	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 10/31/2020 and 04/30/2021

**Summary of work completed:** closure and well abandonment activities

## Site Summary Report

Case Number: 2019000024 Site Name: Jacksons Food Stores #0169

### Site Status

**Synopsis:** COVERAGE FOR THIS CASE WAS DETERMINED DURING THE JUNE 11, 2020 BOARD MEETING. PETROLEUM FUND STAFF RECOMMENDED A 20% REDUCTION DUE TO A NON-FUND ELIGIBLE RELEASE SOURCE THAT COMMINGLED WITH A FUND ELIGIBLE RELEASE SOURCE. THE BOARD ACCEPTED THE STAFF RECOMMENDED REDUCTION OF 20%.

**Contaminant:** Diesel, Gasoline (containing > 10% ethanol)

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,440,000.00
<b>Amount Requested</b>	\$96,970.32
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$19,394.06
<b>Pending Copay/Deductible</b>	\$1,350.95
<b>Copay/Deductible</b>	\$6,406.68
<b>Amount Recommended</b>	\$69,818.63
<b>Amount Paid</b>	\$57,660.11

### Site Identification

<b>Date Submitted:</b>	10/30/2019	<b>DEP Facility Number:</b>	1-000018
<b>Site Name</b>	Jacksons Food Stores #0169	<b>Telephone:</b>	(208)955-6282
<b>Site Contact</b>	Richard Wright		
<b>Site Address</b>	1102 N Carson St Carson City, NV 89701		
<b>County:</b>	Carson City County		
<b>Owner/Operator Name:</b>	Jacksons Food Stores INC		
<b>Contact Name of Owner/Operator:</b>	Richard Wright 3450 E. Commerical Court Meridian, ID 83642	<b>Telephone:</b>	(208)955-6282
<b>Prime Contractor</b>	Broadbent & Associates, Inc.		
<b>Contact Name</b>	Scott Keesey		
<b>Contractor Address</b>	5450 Louie Lane, #101 Reno, NV 89511		
<b>Telephone:</b>	(775)327-4216	<b>% Board Reduction:</b>	20.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	39	Regulated UST	Pipe
004	10000	39	Regulated UST	Pipe

Case: #202000015  
Claim #: 80086

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$27,847.25 from the Petroleum Fund for cleanup costs.

	\$186,437.88	Amount Requested to Date
	(\$852.00)	Amount Disallowed, Past Claims
	(\$53,606.76)	Board Reduction, Past Claims
	(\$8,041.01)	Deductible/Co-Payment Satisfied to Date
	(\$72,369.13)	Amount Paid to Date
SUB TOTAL	<u>\$51,568.98</u>	Amount Requested this Meeting
	(\$20,627.59)	Board Reduction, This Meeting
SUB TOTAL	<u>\$30,941.39</u>	
	(\$3,094.14)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$27,847.25</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/30/2021 and 06/30/2021

**Summary of work completed:** Project management; correspondence with NDEP; preparation of a work plan for additional ESA activities; solicitation of drilling bids; LNAPL gauging; change order preparation; installation of seven groundwater monitoring wells and one air sparge well; and preparation of Petroleum Fund documents.



# Site Summary Report

Case Number: 2020000015 Site Name: Gas 2 Go

## Site Status

**Synopsis:** GASOLINE RELEASE FROM 10,000 GALLON PREMIUM TANK (TANK #3) DISCOVERED FOLLOWING TANK REMOVAL ON JANUARY 23, 2020 (INSTALLED 1991).

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$540,000.00
<b>Amount Requested</b>	\$186,437.88
<b>Amount Disallowed</b>	\$852.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$74,234.35
<b>Pending Copay/Deductible</b>	\$3,094.14
<b>Copay/Deductible</b>	\$8,041.01
<b>Amount Recommended</b>	\$100,216.38
<b>Amount Paid</b>	\$72,369.13

## Site Identification

<b>Date Submitted:</b>	06/05/2020	<b>DEP Facility Number:</b>	8-001529
<b>Site Name</b>	Gas 2 Go	<b>Telephone:</b>	(702)878-1903
<b>Site Contact</b>	Matthew Becker		
<b>Site Address</b>	6390 W Lake Mead Blvd Las Vegas, NV 89108		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Canyon Plaza, LLC		
<b>Contact Name of Owner/Operator:</b>	Matthew Becker	<b>Telephone:</b>	(702)878-1903
	50 South Jones Boulevard, Suite 100 Las Vegas, NV 89107		
<b>Prime Contractor</b>	Broadbent And Associates, Inc.		
<b>Contact Name</b>	Stephanie Holst		
<b>Contractor Address</b>	8 West Pacific Avenue Henderson, NV 89015		
<b>Telephone:</b>	(702)563-0600	<b>% Board Reduction:</b>	40.00

## Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	10000	Closed	Regulated UST	Tank

Case: #202000046  
Claim #: 79969

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$28,853.39 from the Petroleum Fund for cleanup costs.

	\$53,432.20	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$53,432.20</u>	Amount Requested this Meeting
	<u>(\$21,372.88)</u>	Board Reduction, This Meeting
SUB TOTAL	\$32,059.32	
	<u>(\$3,205.93)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$28,853.39</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 08/25/2020 and 09/30/2020

**Summary of work completed:** Project management; initial assessment immediately after UST removal; collection of soil samples; oversight of excavation activities; and report preparation.

# Site Summary Report

Case Number: 2020000046 Site Name: Green Valley Grocery #34

## Site Status

**Synopsis:** RELEASE FROM HOLE IN TANK OF 10,000-GALLON, REGULATED, UNDERGROUND STORAGE TANK SYSTEM CONTAINING PREMIUM GASOLINE. INITIAL ABATEMENT ACTIVITIES REMOVED ~372 TONS OF PETROLEUM-IMPACTED SOIL.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$540,000.00
<b>Amount Requested</b>	\$53,432.20
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$21,372.88
<b>Pending Copay/Deductible</b>	\$3,205.93
<b>Copay/Deductible</b>	\$0.00
<b>Amount Recommended</b>	\$28,853.39
<b>Amount Paid</b>	\$0.00

## Site Identification

<b>Date Submitted:</b>	12/03/2020	<b>DEP Facility Number:</b>	8-001366
<b>Site Name</b>	Green Valley Grocery #34	<b>Telephone:</b>	(702)337-0771
<b>Site Contact</b>	Ed Montalvo		
<b>Site Address</b>	6055 W Flamingo Rd Las Vegas, NV 89103		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Midjit Market INC		
<b>Contact Name of Owner/Operator:</b>	David Crawford 1580 S Jones Blvd Las Vegas, NV 89146	<b>Telephone:</b>	(702)367-0056 Ext: 1
<b>Prime Contractor</b>	Broadbent And Associates, Inc.		
<b>Contact Name</b>	Jeremy Holst		
<b>Contractor Address</b>	8 West Pacific Avenue Henderson, NV 89015		
<b>Telephone:</b>	(702)353-5743	<b>% Board Reduction:</b>	40.00

## Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	10000	Closed	Regulated UST	Tank

Case: #2021000024  
Claim #: 80093

**STAFF RECOMMENDATION**  
September 09, 2021

Staff recommends this claim be reimbursed \$19,591.89 from the Petroleum Fund for cleanup costs.

	\$19,841.89	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$19,841.89</u>	Amount Requested this Meeting
	(\$250.00)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$19,591.89</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/09/2021 and 08/03/2021

**Summary of work completed:** Release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace in side the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in single wall steel tank shell. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tank. Contaminated soil was removed and delivered to Nevada Thermal Service for thermal treatment processing. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

# Site Summary Report

Case Number: 2021000024 Site Name: Derek Amen Residence

## Site Status

**Synopsis:** DISCHARGE DISCOVERED DURING TANK REMOVAL ACTIVITIES ON JULY 14, 2021. CONTAMINATION EMANATED FROM CORROSION HOLES IN SHELL OF STEEL 550-GALLON NON-REGULATED UNDERGROUND STORAGE TANK, CONTAINING HEATING OIL AT THE TIME OF RELEASE. INITIAL ABATEMENT MEASURES REMOVED 53 TONS OF SOURCE MATERIAL.

**Contaminant:** Heating Oil

<b>Fund Coverage</b>	\$250,250.00
<b>Amount Fund Will Pay</b>	\$250,000.00
<b>Amount Requested</b>	\$19,841.89
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$250.00
<b>Copay/Deductible</b>	\$0.00
<b>Amount Recommended</b>	\$19,591.89
<b>Amount Paid</b>	\$0.00

## Site Identification

<b>Date Submitted:</b>	08/03/2021	<b>DEP Facility Number:</b>	D-001220
<b>Site Name</b>	Derek Amen Residence	<b>Telephone:</b>	(775)842-7038
<b>Site Contact</b>	Derek Amen		
<b>Site Address</b>	1175 Marsh Avenue Reno, NV 89509		
<b>County:</b>	Washoe County		
<b>Owner/Operator Name:</b>	Derek Amen	<b>Telephone:</b>	(775)842-7038
<b>Contact Name of Owner/Operator:</b>	Derek Amen 1175 Marsh Ave. Reno, NV 89509		
<b>Prime Contractor</b>	Reno Drain Oil Service		
<b>Contact Name</b>	Steven Aguilar		
<b>Contractor Address</b>	11970 Interstate 80 E Sparks, NV 89434		
<b>Telephone:</b>	(775)342-0351	<b>% Board Reduction:</b>	0.00

## Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
1175 Marsh Tank	550	61	Non-Regulated	Tank

**Agenda Item 11:  
Direct Payment of Uncontested Claims  
(Board Policy 2017-02)**

(FOR DISCUSSION)

The Board to Review Claims authorizes NDEP to make claim payments prior to a Board meeting when the recommended payment value is uncontested. This authorized delegation is consistent with the findings in the memorandum from the Attorney General's Office dated August 3, 2017 (Attachment A of Policy Resolution 2017-02). Below is a list of all quarterly claim payments made on the Board's behalf in accordance with Policy Resolution No. 2017-02.

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

An omega (ω) indicates Board approved reimbursement monies have been subtracted from the amount requested due to new information

<u>HEATING OIL</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	2021000011; 80028 Todd Courtney: Residential Heating Oil Tank 1401 Hillside Drive, Reno	\$20,109.58	\$19,859.58
FOR DISCUSSION	2.	2021000016; 80030 Scott Rottman: Rottman 2020 Trust Heating Oil Tank	\$19,965.62	\$19,715.62
FOR DISCUSSION	3.	2021000017; 80036 Dianne Robak: Triple R Trust Home Heating Oil Tank	\$15,668.61	\$15,418.61
FOR DISCUSSION	4.	2021000018; 80039 Rmp 36, LLC: Residential Heating Oil Tanks At 128 Stewart St And 503 & 505 Sinclair St, Reno	\$39,803.05	\$39,303.05
FOR DISCUSSION	5.	2021000019; 80040 David & Martha Schimmel: Residential Heating Oil Tank, 2100 S Arlington Ave, Reno	\$17,742.48	\$17,492.48
FOR DISCUSSION	6.	2021000020; 80041 345 Wheeler LLC: 345 Wheeler LLC Residential Heating Oil Tank	\$20,231.98	\$19,981.98
FOR DISCUSSION	7.	2021000021; 80068 Ronald Badley: Ronald William Badley Residence	\$25,933.02	\$25,683.02
FOR DISCUSSION	8.	2021000022; 80070 Abc Investors Group, Inc.: Abc Investors Group, Inc	\$21,366.71	\$21,116.71
FOR DISCUSSION	9.	2021000023; 80092 Robert Carr: Robert J. Carr Residence	\$29,951.15	\$29,701.15
<b>SUB TOTAL:</b>			<b><u>\$210,772.20</u></b>	<b><u>\$208,272.20</u></b>

<u>ONGOING CASES</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	1993000102; 80049 Rebel Oil Company: Rebel Store #2008	\$18,560.96	\$18,560.96
FOR DISCUSSION	2.	1994000015; 80057 Pilger Family Holdings: Former D & G Oil Company	\$37,942.47	\$37,942.47
FOR DISCUSSION	3.	1994000027; 79972 7-Eleven Inc: 7-Eleven #19653	\$119,457.58	\$119,457.58
FOR DISCUSSION	4.	1999000022; 80033 Terrible Herbst Oil Company Inc: Terrible Herbst #129	\$9,510.45	\$8,559.41
FOR DISCUSSION	5.	1999000023; 80055 Nevada Ready Mix Corp: Nevada Ready Mix	\$17,251.00	\$15,485.40
FOR DISCUSSION	6.	1999000066; 80056 HP Management, LLC: Former Haycock Petroleum	\$23,589.75	\$21,174.07
FOR DISCUSSION	7.	1999000086; 80035 Terrible Herbst Oil Company Inc: Terrible Herbst #126	\$17,702.75	\$15,932.47

FOR DISCUSSION	8.	1999000104; 80031	Terrible Herbst Oil Company Inc: Terrible Herbst #118	\$12,812.38	\$11,531.14
FOR DISCUSSION	9.	2013000009; 80046	Western Petroleum: Western Petroleum Of Nevada	\$5,916.59	\$5,324.93
FOR DISCUSSION	10.	2013000011; 80045	Har Moor Investments, LLC: Village Shop #4	\$27,764.55	\$24,988.09
FOR DISCUSSION	11.	2014000025; 80005	Superior Campgrounds Of America, LLC: Silver City Rv Resort	\$25,838.06	\$23,254.25
FOR DISCUSSION	12.	2014000033; 80058	Speedee Mart INC: Speedee Mart #108	\$110,050.88	\$99,045.79
FOR DISCUSSION	13.	2016000027; 80032	Terrible Herbst Oil Company Inc: Terrible Herbst #272	\$35,774.93	\$28,977.70
FOR DISCUSSION	14.	2017000019; 80054	Rebel Oil Company: Rebel Store #2197	\$16,523.75	\$14,871.37
FOR DISCUSSION	15.	2017000035; 80053	Rebel Oil Company: Rebel Store #2177	\$25,140.25	\$22,625.71
FOR DISCUSSION	16.	2018000005; 80050	Rebel Oil Company: Rebel Store # 2153	\$7,853.75	\$7,068.37
FOR DISCUSSION	17.	2019000001; 80051	Rebel Oil Company: Rebel Store #2160	\$6,330.00	\$5,697.00
FOR DISCUSSION	18.	2019000002; 80052	Rebel Oil Company: Rebel Store #2166	\$7,113.75	\$6,402.37
FOR DISCUSSION	19.	2019000005; 80048	Fairway Chevrolet Co: Fairway Chevrolet CO	\$11,093.50	\$9,984.15
FOR DISCUSSION	20.	2019000014; 80047	Western Cab Co: Western Cab CO	\$12,630.50	\$11,367.45
FOR DISCUSSION	21.	2020000016; 80015	LV Petroleum LLC: Us Gas #7	\$39,735.76	\$35,719.88
<b>SUB TOTAL:</b>				<b><u>\$588,593.61</u></b>	<b><u>\$543,970.56</u></b>
<b>DIRECT PAYMENT CLAIMS TOTAL:</b>				<b><u>\$799,365.81</u></b>	<b><u>\$752,242.76</u></b>
<b>BOARD MEETING CLAIMS TOTAL:</b>				<b><u>\$1,436,388.15</u></b>	<b><u>\$1,288,519.24</u></b>



Case: #1993000102  
Claim #: 80049

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 03, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$2,404,009.97	Amount Requested to Date
	(\$27,274.04)	Amount Disallowed, Past Claims
	(\$30,000.00)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,265,103.52)</u>	Amount Paid to Date
SUB TOTAL	\$18,560.96	Amount Requested this Meeting
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$18,560.96</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/03/2021 and 06/28/2021

**Summary of work completed:** Project management and coordination, site observation, set up and perform five hour aquifer test, prepare remediation pilot test petroleum fund bids, quarterly well monitoring and sampling, prepare quarterly status report, prepare petroleum fund submittal, prepare NTEP, abandonment of monitor well MW-37, and laboratory analysis.

## Site Summary Report

Case Number: 1993000102 Site Name: Rebel Store #2008

### Site Status

**Synopsis:** TWO USTS RELEASED GASOLINE IN 1992. PIPING FROM ONE TANK SYSTEM FAILED AND THE TANK FAILED IN THE SECOND SYSTEM. ONE ALLOTMENT OF THIRD PARTY LIABILITY FUNDS HAS BEEN APPROVED FOR CLEANUP ACTIVITIES FOR THIS CASE.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$3,000,000.00
<b>Amount Fund Will Pay</b>	\$2,970,000.00
<b>Amount Requested</b>	\$2,404,009.97
<b>Amount Disallowed</b>	\$27,274.04
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$30,000.00
<b>Amount Recommended</b>	\$2,357,950.18
<b>Amount Paid</b>	\$2,357,950.18

### Site Identification

<b>Date Submitted:</b>	03/15/1993	<b>DEP Facility Number:</b>	8-000523
<b>Site Name</b>	Rebel Store #2008	<b>Telephone:</b>	(702)382-5866
<b>Site Contact</b>	Dana Cason Teepe		
<b>Site Address</b>	3225 Las Vegas Blvd N Las Vegas, NV 89115		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Rebel Oil Company		
<b>Contact Name of Owner/Operator:</b>	Dana Cason Teepe 2200 S Highland Drive Las Vegas, NV 89102	<b>Telephone:</b>	(702)382-5866 Ext: 2
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 W. Charleston Blvd. Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	Closed	Regulated UST	See Synopsis
002	10000	40	Regulated UST	See Synopsis

Case: #1994000015  
Claim #: 80057

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 03, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$1,946,838.35	Amount Requested to Date
	(\$77,127.09)	Amount Disallowed, Past Claims
	(\$20,000.00)	Deductible/Co-Payment Satisfied to Date
	(\$1,341,540.43)	Amount Paid to Date
SUB TOTAL	<u>\$37,942.47</u>	Amount Requested this Meeting
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$37,942.47</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/14/2021 and 07/02/2021

**Summary of work completed:** Project management and coordination, quarterly well monitoring and sampling, remedial well sampling, VES and GWTS monitoring and sampling, laboratory analysis, carbon change out services, quarterly status report preparation, petroleum fund preparation, and drafting services.

## Site Summary Report

Case Number: 1994000015 Site Name: Former D & G Oil Company

### Site Status

**Synopsis:** CONTAMINATION WAS DISCOVERED FEBRUARY 3, 1993, FROM A 10,000 GALLON UNDERGROUND STORAGE TANK CONTAINING DIESEL FUEL AND IDENTIFIED AS TANK 3. THE LOCATION OF THE LEAK WAS NOTED ON THE APPLICATION AS THE TANK. THIS CASE WAS GRANTED COVERAGE ON SEPTEMBER 9, 1993, WITH A \$10,000 DEDUCTIBLE. THIRD PARTY LIABILITY COVERAGE WAS GRANTED AT THE DECEMBER 8, 2016 BOARD MEETING, PURSUANT TO SSBD 2016-06.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,980,000.00
<b>Amount Requested</b>	\$1,946,838.35
<b>Amount Disallowed</b>	\$77,127.09
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$20,000.00
<b>Amount Recommended</b>	\$1,849,711.26
<b>Amount Paid</b>	\$1,849,711.26

### Site Identification

<b>Date Submitted:</b>	02/04/1993	<b>DEP Facility Number:</b>	8-000147
<b>Site Name</b>	Former D & G Oil Company	<b>Telephone:</b>	(760)447-5192
<b>Site Contact</b>	Pilger, Jessica		
<b>Site Address</b>	6176 Las Vegas Blvd Las Vegas, NV 89119		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Pilger Family Holdings		
<b>Contact Name of Owner/Operator:</b>	Jessica Pilger 5127 Crown Street San Diego, CA 92110	<b>Telephone:</b>	(702)641-5216
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 W. Charleston Blvd. Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	10000	Closed	Regulated UST	See Synopsis

Case: #1994000027  
Claim #: 79972

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: July 28, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$2,285,384.50	Amount Requested to Date
	(\$79,617.52)	Amount Disallowed, Past Claims
	(\$30,000.00)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,910,545.02)</u>	Amount Paid to Date
SUB TOTAL	\$119,457.58	Amount Requested this Meeting
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$119,457.58</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 12/19/2019 and 10/30/2020

**Summary of work completed:** Project management, scheduling and client invoicing. Quarterly monitoring, sampling and reporting, quarterly permit reporting, reimbursement packages preparation, annual NTEP and HASP preparation, AS/SVE remediation system operations, maintenance, and data evaluation. Prepare a workplan for additional remediation well installations and system expansion and begin preparing for fieldwork.

## Site Summary Report

Case Number: 1994000027 Site Name: 7-Eleven #19653

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED DECEMBER 1992 FROM THE PIPING AND TURBINE PUMPS OF (2) 10,000-GALLON USTS AND (1) 6,000-GALLON UST, EACH CONTAINING GASOLINE AT THE TIME OF RELEASE.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$3,000,000.00
<b>Amount Fund Will Pay</b>	\$2,970,000.00
<b>Amount Requested</b>	\$2,285,384.50
<b>Amount Disallowed</b>	\$79,617.52
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$30,000.00
<b>Amount Recommended</b>	\$2,175,766.98
<b>Amount Paid</b>	\$2,175,766.98

### Site Identification

<b>Date Submitted:</b>	09/03/1993	<b>DEP Facility Number:</b>	8-000599
<b>Site Name</b>	7-Eleven #19653	<b>Telephone:</b>	
<b>Site Contact</b>			
<b>Site Address</b>	2725 Las Vegas Blvd N North Las Vegas, NV 89030		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	7-Eleven INC		
<b>Contact Name of Owner/Operator:</b>	Jennifer Dart 3200 Hackberry Road - Loc 0148 Irving, TX 75063	<b>Telephone:</b>	(817)235-0971
<b>Prime Contractor</b>	Stantec Consulting Services, Inc.		
<b>Contact Name</b>	Matthew Grandjean		
<b>Contractor Address</b>	3010 West Charleston Boulevard Las Vegas, NV 89102		
<b>Telephone:</b>	(702)878-8010	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	6000	Closed	Regulated UST	See Synopsis
003	10000	44	Regulated UST	See Synopsis
002	10000	44	Regulated UST	See Synopsis

Case: #1999000022  
Claim #: 80033

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 09, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$1,460,918.42	Amount Requested to Date
	(\$50,600.27)	Amount Disallowed, Past Claims
	(\$140,080.77)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,203,993.42)</u>	Amount Paid to Date
SUB TOTAL	\$9,510.45	Amount Requested this Meeting
	<u>(\$951.04)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$8,559.41	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/01/2021 and 07/01/2021

**Summary of work completed:** Preparation of groundwater monitoring reports; preparation and field activities to conduct groundwater monitoring event; preparation and submittal of claim packet; and preparation and submittal of proof of payment documentation.

## Site Summary Report

Case Number: 1999000022 Site Name: Terrible Herbst #129

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED SEPTEMBER 15, 1998. THE APPLICATION IDENTIFIED THE SOURCE OF RELEASE AS THE TANK OF A 10,000 GALLON UNDERGROUND STORAGE TANK (UST) SYSTEM (TANK 001) CONTAINING GASOLINE. COVERAGE WAS ISSUED WITH A 10% COPAYMENT.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,800,000.00
<b>Amount Requested</b>	\$1,460,918.42
<b>Amount Disallowed</b>	\$50,600.27
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$140,080.77
<b>Amount Recommended</b>	\$1,269,286.34
<b>Amount Paid</b>	\$1,269,286.34

### Site Identification

<b>Date Submitted:</b>	11/05/1998	<b>DEP Facility Number:</b>	8-000658
<b>Site Name</b>	Terrible Herbst #129		
<b>Site Contact</b>		<b>Telephone:</b>	
<b>Site Address</b>	4895 Spring Mountain Rd Las Vegas, NV 89102		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Terrible Herbst Oil Company INC		
<b>Contact Name of Owner/Operator:</b>	Bob Laszcik	<b>Telephone:</b>	(702)798-6400
	5195 Las Vegas Blvd. South Las Vegas, NV 89119		
<b>Prime Contractor</b>	The Westmark Group		
<b>Contact Name</b>	Kathleen Johnson		
<b>Contractor Address</b>	7145 South Buffalo Drive, Suite C105 Las Vegas, NV 89113		
<b>Telephone:</b>	(702)305-2650	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	Closed	Regulated UST	See Synopsis



Case: #1999000023  
Claim #: 80055

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 03, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$645,938.54	Amount Requested to Date
	(\$2,198.66)	Amount Disallowed, Past Claims
	(\$62,648.88)	Deductible/Co-Payment Satisfied to Date
	(\$324,425.62)	Amount Paid to Date
SUB TOTAL	<u>\$17,251.00</u>	Amount Requested this Meeting
	(\$45.00)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$17,206.00</u>	
	(\$1,720.60)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$15,485.40</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/06/2021 and 07/02/2021

**Summary of work completed:** Project management and coordination, remedial system monitoring, quarterly status report preparation, petroleum fund preparation, drafting services, quarterly sampling and monitoring, and laboratory analysis.

## Site Summary Report

Case Number: 1999000023 Site Name: Nevada Ready Mix

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED AUGUST 21, 1998. THE APPLICATION IDENTIFIES A THREE UNDERGROUND STORAGE TANK (UST) SYSTEMS AS THE CAUSE OF THE RELEASE. THE DISPENSER PUMPS AND PIPING WERE THE SOURCE IDENTIFIED FOR THE 8,000 GALLON UST (TANK 1) CONTAINING DIESEL AND THE 8,000 GALLON UST (TANK 2) CONTAINING GASOLINE. THE WASTE OIL CONTAMINATION EMANATED FROM CORROSION HOLES IN THE 500 GALLON UST (TANK 3). COVERAGE GRANTED WITH A 10% COPAYMENT.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$3,000,000.00
<b>Amount Fund Will Pay</b>	\$2,700,000.00
<b>Amount Requested</b>	\$645,938.54
<b>Amount Disallowed</b>	\$2,243.66
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$64,369.48
<b>Amount Recommended</b>	\$579,325.40
<b>Amount Paid</b>	\$579,325.40

### Site Identification

<b>Date Submitted:</b>	11/06/1998	<b>DEP Facility Number:</b>	8-000272
<b>Site Name</b>	Nevada Ready Mix		
<b>Site Contact</b>	Miller, Randy	<b>Telephone:</b>	(702)457-1115
<b>Site Address</b>	601 W Bonanza Rd Las Vegas, NV 89106		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Nevada Ready Mix Corp		
<b>Contact Name of Owner/Operator:</b>	Larry Miller 151 Cassia Way Henderson, NV 89014	<b>Telephone:</b>	(702)457-1115
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 W. Charleston Blvd. Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	8000	Closed	Regulated UST	See Synopsis
002	8000	70	Regulated UST	See Synopsis
003	500	55	Regulated UST	See Synopsis

Case: #1999000066  
Claim #: 80056

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 02, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$3,586,934.31	Amount Requested to Date
	(\$8,538.72)	Amount Disallowed, Past Claims
	(\$355,480.59)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,809,351.54)</u>	Amount Paid to Date
SUB TOTAL	\$23,589.75	Amount Requested this Meeting
	<u>(\$63.00)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$23,526.75	
	<u>(\$2,352.68)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$21,174.07	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/06/2021 and 07/02/2021

**Summary of work completed:** Project management and coordination, operation and maintenance of remedial system, quarterly well monitoring and sampling, laboratory analysis, preparation of quarterly status report, preparation of petroleum fund submittal, and drafting services.

## Site Summary Report

**Case Number:** 1999000066    **Site Name:** Former Haycock Petroleum

### Site Status

**Synopsis:** TWO RELEASES: ONE FROM A 25,000 GALLON DIESEL AST SYSTEM (LEAKING VALVE) AND ONE FROM A 20,000 GALLON GASOLINE AST (UNDERGROUND PIPING).

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$4,000,000.00
<b>Amount Fund Will Pay</b>	\$3,600,000.00
<b>Amount Requested</b>	\$3,586,934.31
<b>Amount Disallowed</b>	\$8,601.72
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$357,833.27
<b>Amount Recommended</b>	\$3,220,499.32
<b>Amount Paid</b>	\$3,220,499.32

### Site Identification

<b>Date Submitted:</b>	03/30/1999	<b>DEP Facility Number:</b>	8-001512
<b>Site Name</b>	Former Haycock Petroleum		
<b>Site Contact</b>	John Haycock	<b>Telephone:</b>	(702)219-5643
<b>Site Address</b>	715 W Bonanza Rd Las Vegas, NV 89106		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	HP Management, LLC		
<b>Contact Name of Owner/Operator:</b>	John Haycock P.O. Box 100 Pmb 380 Mammoth Lakes, CA 93546	<b>Telephone:</b>	(702)219-5643
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 W. Charleston Blvd. Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	0.00

### Site Characteristics

<b>Alt ID</b>	<b>Tank Cap. (Gallons)</b>	<b>Tank Age (Years)</b>	<b>Tank Type</b>	<b>Leak Location</b>
001	25000	54	Aboveground	See Synopsis
006	20000	54	Aboveground	See Synopsis

Case: #1999000086  
Claim #: 80035

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 09, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$1,729,054.28	Amount Requested to Date
	(\$89,446.70)	Amount Disallowed, Past Claims
	(\$162,190.50)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,418,163.77)</u>	Amount Paid to Date
SUB TOTAL	\$17,702.75	Amount Requested this Meeting
	<u>(\$1,770.28)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$15,932.47	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/01/2021 and 07/01/2021

**Summary of work completed:** Semi-annual groundwater monitoring, sampling, and reporting; preparation and submittal of work plans; meetings with NDEP case officer; preparation of sensitive receptor survey; preparation and submittal of claim packet; proof of payment documentation preparation and submittal.

## Site Summary Report

Case Number: 1999000086 Site Name: Terrible Herbst #126

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED MAY 11, 1999. THE APPLICATION IDENTIFIED DETERIORATED FIBERGLASS PRODUCT PIPING ASSOCIATED TO TWO 12,000 GALLON UNDERGROUND STORAGE TANK SYSTEMS CONTAINING GASOLINE (TANK 1 AND TANK 2). COVERAGE FOR TANK 1 AWARDED JULY 26, 1999 AND COVERAGE FOR TANK 2 AWARDED JANUARY 25, 2000.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,800,000.00
<b>Amount Requested</b>	\$1,729,054.28
<b>Amount Disallowed</b>	\$89,446.70
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$162,190.50
<b>Amount Recommended</b>	\$1,475,646.80
<b>Amount Paid</b>	\$1,475,646.80

### Site Identification

<b>Date Submitted:</b>	05/24/1999	<b>DEP Facility Number:</b>	8-000657
<b>Site Name</b>	Terrible Herbst #126	<b>Telephone:</b>	(702)876-3474
<b>Site Contact</b>			
<b>Site Address</b>	1195 E Sahara Ave Las Vegas, NV 89104		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Terrible Herbst Oil Company INC		
<b>Contact Name of Owner/Operator:</b>	Bob Laszcik 5195 Las Vegas Blvd South Las Vegas, NV 89119	<b>Telephone:</b>	(702)876-3474
<b>Prime Contractor</b>	The Westmark Group		
<b>Contact Name</b>	Kathleen Johnson		
<b>Contractor Address</b>	7145 South Buffalo Drive, Suite C105 Las Vegas, NV 89113		
<b>Telephone:</b>	(702)305-2650	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	Closed	Regulated UST	See Synopsis
002	12000	44	Regulated UST	See Synopsis

Case: #1999000104  
Claim #: 80031

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 18, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$2,796,925.77	Amount Requested to Date
	(\$154,624.02)	Amount Disallowed, Past Claims
	(\$262,948.93)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,326,046.17)</u>	Amount Paid to Date
SUB TOTAL	\$12,812.38	Amount Requested this Meeting
	<u>(\$1,281.24)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$11,531.14	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/01/2021 and 07/01/2021

**Summary of work completed:** groundwater report preparation and submittal; preparation and conducting semi-annual groundwater monitoring event; preparation and submittal of claim packet; and proof of payment preparation and submittal.

# Site Summary Report

Case Number: 1999000104 Site Name: Terrible Herbst #118

## Site Status

**Synopsis:** CONTAMINATION DISCOVERED JUNE 10, 1999 DURING REMOVAL OF THE UNDERGROUND STORAGE TANK (UST) SYSTEMS. THE ORIGINAL APPLICATION IDENTIFIED CORROSION HOLES IN THE NORTHERNMOST 12,000 GALLON UST (TANK 1) CONTAINING GASOLINE AS THE SOURCE OF THE CONTAMINATION. AN AMENDED APPLICATION IDENTIFIED FISSURES IN THE FIBERGLASS PRODUCT PIPING ASSOCIATED TO A 12,000 GALLON UST SYSTEM (TANK 2) AND DISCOVERED DURING PIPING REMOVAL ACTIVITIES APRIL 17, 2000 AS THE SOURCE FOR THE SECOND RELEASE.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$3,000,000.00
<b>Amount Fund Will Pay</b>	\$2,700,000.00
<b>Amount Requested</b>	\$2,796,925.77
<b>Amount Disallowed</b>	\$154,624.02
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$262,948.93
<b>Amount Recommended</b>	\$2,378,071.58
<b>Amount Paid</b>	\$2,378,071.58

## Site Identification

<b>Date Submitted:</b>	07/30/1999	<b>DEP Facility Number:</b>	8-000655
<b>Site Name</b>	Terrible Herbst #118	<b>Telephone:</b>	
<b>Site Contact</b>			
<b>Site Address</b>	3650 W Sahara Ave Las Vegas, NV 89102		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Terrible Herbst Oil Company INC		
<b>Contact Name of Owner/Operator:</b>	Bob Laszcik 5195 Las Vegas Blvd. South Las Vegas, NV 89119	<b>Telephone:</b>	(702)798-6400
<b>Prime Contractor</b>	The Westmark Group		
<b>Contact Name</b>	Kathleen Johnson		
<b>Contractor Address</b>	7145 South Buffalo Drive, Suite C105 Las Vegas, NV 89113		
<b>Telephone:</b>	(702)305-2650	<b>% Board Reduction:</b>	0.00

## Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	Closed	Regulated UST	See Synopsis
002	12000	45	Regulated UST	See Synopsis



Case: #2013000009  
Claim #: 80046

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 02, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$845,554.22	Amount Requested to Date
	(\$17,317.38)	Amount Disallowed, Past Claims
	(\$82,232.03)	Deductible/Co-Payment Satisfied to Date
	<u>(\$539,592.72)</u>	Amount Paid to Date
SUB TOTAL	\$5,916.59	Amount Requested this Meeting
	<u>(\$591.66)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$5,324.93	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/27/2021 and 06/28/2021

**Summary of work completed:** Quarterly well monitoring and sampling, laboratory analysis, stature report preparation, petroleum fund submittal, and drafting services.

## Site Summary Report

**Case Number:** 2013000009    **Site Name:** Western Petroleum Of Nevada

### Site Status

**Synopsis:** AUGUST 2012 TIGHTNESS TEST FAILED. PRODUCT REMOVED NEXT DAY AND HAIRLINE FRACTURE INSIDE SINGLE WALL FIBERGLASS UST DISCOVERED AND REPAIRED ON NOVEMBER 14, 2012.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$900,000.00
<b>Amount Requested</b>	\$845,554.22
<b>Amount Disallowed</b>	\$17,317.38
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$82,823.69
<b>Amount Recommended</b>	\$745,413.15
<b>Amount Paid</b>	\$745,413.15

### Site Identification

<b>Date Submitted:</b>	12/21/2012	<b>DEP Facility Number:</b>	8-000176
<b>Site Name</b>	Western Petroleum Of Nevada		
<b>Site Contact</b>	Jim Johnson	<b>Telephone:</b>	(702)375-1736
<b>Site Address</b>	2051 E Sahara Ave Las Vegas, NV 89104		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Western Petroleum		
<b>Contact Name of Owner/Operator:</b>	Jim Johnson	<b>Telephone:</b>	(702)375-1736
	2051 East Sahara Avenue Las Vegas, NV 89104		
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 W. Charleston Blvd. Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	0.00

### Site Characteristics

<b>Alt ID</b>	<b>Tank Cap. (Gallons)</b>	<b>Tank Age (Years)</b>	<b>Tank Type</b>	<b>Leak Location</b>
001	10000	38	Regulated UST	See Synopsis

Case: #2013000011  
Claim #: 80045

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 02, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$784,832.27	Amount Requested to Date
	(\$10,366.88)	Amount Disallowed, Past Claims
	(\$74,670.09)	Deductible/Co-Payment Satisfied to Date
	<u>(\$457,480.70)</u>	Amount Paid to Date
SUB TOTAL	\$27,764.55	Amount Requested this Meeting
	<u>(\$2,776.46)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$24,988.09	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/22/2021 and 06/28/2021

**Summary of work completed:** Project management, prepare quarterly status report, prepare petroleum fund submittal, monthly operation and maintenance, weekly monitoring, quarterly sampling and monitoring, and laboratory analysis.

## Site Summary Report

Case Number: 2013000011 Site Name: Village Shop #4

### Site Status

**Synopsis:** JULY 2012 SITE ASSESSMENT FOR POTENTIAL PROPERTY SALE IDENTIFIED BENZENE IN GROUNDWATER. TESTING IDENTIFIED A LEAK IN PIPING BENEATH DISPENSER #2 WHICH WAS REPAIRED OCTOBER 12, 2012.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$900,000.00
<b>Amount Requested</b>	\$784,832.27
<b>Amount Disallowed</b>	\$10,366.88
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$77,446.55
<b>Amount Recommended</b>	\$695,372.34
<b>Amount Paid</b>	\$695,372.34

### Site Identification

<b>Date Submitted:</b>	12/21/2012	<b>DEP Facility Number:</b>	8-001804
<b>Site Name</b>	Village Shop #4	<b>Telephone:</b>	(970)376-1300
<b>Site Contact</b>	John Moorman		
<b>Site Address</b>	2151 N Rancho Dr Las Vegas, NV 89106		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Har Moor Investments, LLC		
<b>Contact Name of Owner/Operator:</b>	John Moorman P.O. Box 2831 Edwards, CO 81632	<b>Telephone:</b>	(970)376-1300
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 W. Charleston Blvd. Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	25	Regulated UST	See Synopsis

Case: #2014000025  
Claim #: 80005

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 02, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$1,559,647.03	Amount Requested to Date
	(\$27,592.48)	Amount Disallowed, Past Claims
	(\$21,457.21)	Board Reduction, Past Claims
	(\$148,475.93)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,017,108.66)</u>	Amount Paid to Date
SUB TOTAL	\$25,838.06	Amount Requested this Meeting
	<u>(\$2,583.81)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$23,254.25	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/10/2020 and 04/03/2021

**Summary of work completed:** PROJECT MANAGEMENT AND CLIENT COMMUNICATION, REMEDIATION SYSTEM O&M, SYSTEM ADJUSTMENTS, SPF DOCUMENTATIONS, 1 QTR GW SAMPLING, 4TH QTR GMR PREPARATION, SYSTEM REPAIR, ANALYTICAL FEES

## Site Summary Report

Case Number: 2014000025 Site Name: Silver City Rv Resort

### Site Status

**Synopsis:** TANK #1 FAILED TIGHTNESS TEST. THE 40% REDUCTION REMOVED PURSUANT TO BOARD TO REVIEW CLAIMS MEETING DECISION ON JUNE 2, 2016. APPLICATION 2018000019 WAS RECEIVED ON JULY 19, 2018. THIS APPLICATION WAS FOR A DISCHARGE FROM THE PIPING OF 2 ADDITIONAL SYSTEMS (TANKS #2 AND #4). 2018000019 WAS MERGED INTO 2014000025 UPON APPROVAL.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$3,000,000.00
<b>Amount Fund Will Pay</b>	\$2,571,423.01
<b>Amount Requested</b>	\$1,559,647.03
<b>Amount Disallowed</b>	\$27,592.48
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$21,457.21
<b>Pending Copay/Deductible</b>	\$3,254.56
<b>Copay/Deductible</b>	\$147,805.18
<b>Amount Recommended</b>	\$1,358,403.15
<b>Amount Paid</b>	\$1,329,112.15

### Site Identification

<b>Date Submitted:</b>	02/24/2014	<b>DEP Facility Number:</b>	2-000075
<b>Site Name</b>	Silver City Rv Resort		
<b>Site Contact</b>	Marci Appleton	<b>Telephone:</b>	(775)267-3359
<b>Site Address</b>	3165 Us Highway 395 N Minden, NV 89423		
<b>County:</b>	Douglas County		
<b>Owner/Operator Name:</b>	Superior Campgrounds Of America, LLC		
<b>Contact Name of Owner/Operator:</b>	Tom Day Sr. 265 N. Joy Street Corona, CA 92879	<b>Telephone:</b>	(909)241-7700
<b>Prime Contractor</b>	McGinley & Associates		
<b>Contact Name</b>	Caitlin Jelle		
<b>Contractor Address</b>	5410 Longley Lane Reno, NV 89511		
<b>Telephone:</b>	(775)829-2245	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	8000	Closed	Regulated UST	See Synopsis
004	15000	21	Regulated UST	Pipe
002	8000	37	Regulated UST	Pipe

Case: #2014000033  
Claim #: 80058

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 03, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$770,718.08	Amount Requested to Date
	(\$4,316.50)	Amount Disallowed, Past Claims
	(\$65,635.08)	Deductible/Co-Payment Satisfied to Date
	<u>(\$344,101.21)</u>	Amount Paid to Date
SUB TOTAL	\$110,050.88	Amount Requested this Meeting
	<u>(\$11,005.09)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$99,045.79	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/06/2021 and 07/09/2021

**Summary of work completed:** Project management and coordination, prepare quarterly status report, prepare petroleum fund submittal, remedial system operation and maintenance, quarterly well sampling, Health and Safety Plan update, utility clearance, remedial well installation and development, single system design, installation oversight, transfer AS remedial system, NTEP preparation, and laboratory analysis.

# Site Summary Report

Case Number: 2014000033 Site Name: Speedee Mart #108

## Site Status

Synopsis: CONTAMINATION DISCOVERED, LEAK IN PIPING UNDERLYING DISPENSER

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$770,718.08
Amount Disallowed	\$4,316.50
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$76,640.17
Amount Recommended	\$689,761.41
Amount Paid	\$689,761.41

## Site Identification

Date Submitted:	01/16/2015	DEP Facility Number:	8-001779
Site Name	Speedee Mart #108	Telephone:	(702)450-2726
Site Contact	Paul Orluske		
Site Address	4701 W Lake Mead Blvd Las Vegas, NV 89108		
County:	Clark County		
Owner/Operator Name:	Speedee Mart INC		
Contact Name of Owner/Operator:	Brad Emery 1188 Wigwam Parkway Henderson, NV 89074	Telephone:	(702)450-2726
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 W. Charleston Blvd. Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

## Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	15000	25	Regulated UST	See Synopsis



Case: #2016000027  
Claim #: 80032

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 18, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$349,062.17	Amount Requested to Date
	(\$916.70)	Amount Disallowed, Past Claims
	(\$58,472.04)	Board Reduction, Past Claims
	(\$25,389.84)	Deductible/Co-Payment Satisfied to Date
	(\$96,035.10)	Amount Paid to Date
SUB TOTAL	<u>\$35,774.93</u>	Amount Requested this Meeting
	(\$3,577.49)	Board Reduction, This Meeting
SUB TOTAL	<u>\$32,197.44</u>	
	(\$3,219.74)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$28,977.70</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/01/2021 and 07/02/2021

**Summary of work completed:** quarterly groundwater monitoring, sampling, and reporting; preparation and submittal of pilot study work plan; abandonment of well MW-2 as approved by NDEP; preparation and submittal of Fund proof of payment documentation and Fund claim packet preparing and submittal.

# Site Summary Report

Case Number: 2016000027 Site Name: Terrible Herbst #272

## Site Status

**Synopsis:** NDEP RECEIVED TWO SEPARATE COVERAGE APPLICATIONS. THE FIRST APPLICATION WAS RECEIVED IN MARCH 2013 FOR A SINGLE RELEASE DISCOVERED IN MAY 2012 AND THE SECOND COVERAGE APPLICATION WAS RECEIVED OCTOBER 2016 FOR THREE ADDITIONAL RELEASES DISCOVERED IN JANUARY 2016. THE RELEASE DISCOVERED IN MAY 2012 IS ASSOCIATED WITH MULTIPLE NON-COMPLIANCE ISSUES AND A 40% COVERAGE REDUCTION APPLIED. THE JANUARY 2016 RELEASE RECEIVED FULL COVERAGE FOR ALL THREE RELEASES. PER SSB D C2017-03 THE 40% COVERAGE REDUCTION FOR THE SINGLE RELEASE WILL BE WEIGHTED EQU...

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$4,000,000.00
<b>Amount Fund Will Pay</b>	\$3,240,000.00
<b>Amount Requested</b>	\$349,062.17
<b>Amount Disallowed</b>	\$916.70
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$62,049.53
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$25,389.84
<b>Amount Recommended</b>	\$281,997.84
<b>Amount Paid</b>	\$281,997.84

## Site Identification

<b>Date Submitted:</b>	11/01/2016	<b>DEP Facility Number:</b>	8-001810
<b>Site Name</b>	Terrible Herbst #272		
<b>Site Contact</b>	Bob Laszcik	<b>Telephone:</b>	(702)327-0302
<b>Site Address</b>	2395 N Rancho Dr Las Vegas, NV 89130		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Terrible Herbst Oil Company INC		
<b>Contact Name of Owner/Operator:</b>	Bob Laszcik	<b>Telephone:</b>	(702)798-6400
	5195 Las Vegas Boulevard South Las Vegas, NV 89199		
<b>Prime Contractor</b>	The Westmark Group		
<b>Contact Name</b>	Kathleen Johnson		
<b>Contractor Address</b>	7145 South Buffalo Drive, Suite C105 Las Vegas, NV 89113		
<b>Telephone:</b>	(702)305-2650	<b>% Board Reduction:</b>	10.00

## Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	10000	24	Regulated UST	Pipe
001	15000	24	Regulated UST	Pipe
002	10000	24	Regulated UST	Pipe
001	15000	24	Regulated UST	See Synopsis

Case: #2017000019  
Claim #: 80054

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 03, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$563,793.56	Amount Requested to Date
	(\$16,887.44)	Amount Disallowed, Past Claims
	(\$53,038.23)	Deductible/Co-Payment Satisfied to Date
	<u>(\$101,122.87)</u>	Amount Paid to Date
SUB TOTAL	\$16,523.75	Amount Requested this Meeting
	<u>(\$1,652.38)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$14,871.37	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/06/2021 and 06/28/2021

**Summary of work completed:** Project management and coordination, remedial system operation and maintenance, preparation of quarterly status report, preparation of petroleum fund submittal, quarterly monitoring and sampling, and laboratory analysis.

## Site Summary Report

Case Number: 2017000019 Site Name: Rebel Store #2197

### Site Status

**Synopsis:** DISCHARGE DISCOVERED JULY 19, 2016 AS A RESULT OF A PHASE II ENVIRONMENTAL SITE ASSESSMENT. THE APPLICATION IDENTIFIES A FAILED SHEAR VALVE AND LEAKING UNDER DISPENSER CONTAINMENT ASSOCIATED TO A 12,000 GALLON UNDERGROUND STORAGE TANK (UST) SYSTEM CONTAINING GASOLINE AS THE SOURCE OF THE RELEASE.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$900,000.00
<b>Amount Requested</b>	\$563,793.56
<b>Amount Disallowed</b>	\$16,887.44
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$54,690.61
<b>Amount Recommended</b>	\$492,215.51
<b>Amount Paid</b>	\$492,215.51

### Site Identification

<b>Date Submitted:</b>	05/17/2018	<b>DEP Facility Number:</b>	8-001781
<b>Site Name</b>	Rebel Store #2197	<b>Telephone:</b>	(702)434-2505
<b>Site Contact</b>	Helene Dickerson		
<b>Site Address</b>	4665 E Sunset Rd Henderson, NV 89014		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Rebel Oil Company	<b>Telephone:</b>	(702)382-5866 Ext: 2
<b>Contact Name of Owner/Operator:</b>	Dana Cason Teepe 2200 S Highland Dr Las Vegas, NV 89102		
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 W. Charleston Blvd. Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	25	Regulated UST	The shear valve failed allowing fuel to enter the UDC. Based on the location of the hydrocarbon con

Case: #2017000035  
Claim #: 80053

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 03, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$914,087.75	Amount Requested to Date
	(\$72,608.77)	Amount Disallowed, Past Claims
	(\$81,633.87)	Deductible/Co-Payment Satisfied to Date
	<u>(\$527,785.17)</u>	Amount Paid to Date
SUB TOTAL	\$25,140.25	Amount Requested this Meeting
	<u>(\$0.57)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$25,139.68	
	<u>(\$2,513.97)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$22,625.71	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/14/2021 and 06/28/2021

**Summary of work completed:** Project management and coordination, remedial system operation and maintenance, carbon change out services, quarterly sampling and monitoring, preparation of quarterly status report, preparation of petroleum fund, and laboratory analysis.

## Site Summary Report

Case Number: 2017000035 Site Name: Rebel Store #2177

### Site Status

**Synopsis:** DISCHARGE DISCOVERED ON JUNE 12, 2017 FOLLOWING A PHASE II ENVIRONMENTAL SITE ASSESSMENT. THE APPLICATION IDENTIFIED THE SHEAR VALVE A PIPING BENEATH DISPENSER 3/4 SEEPING INTO A LEAKING UNDER DISPENSER CONTAINMENT ASSOCIATED TO A 12,000 GALLON UNDERGROUND STORAGE TANK (UST) SYSTEM CONTAINING GASOLINE AS THE SOURCE OF THE CONTAMINATION.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$900,000.00
<b>Amount Requested</b>	\$914,087.75
<b>Amount Disallowed</b>	\$72,609.34
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$81,633.87
<b>Amount Recommended</b>	\$757,330.57
<b>Amount Paid</b>	\$757,330.57

### Site Identification

<b>Date Submitted:</b>	01/24/2018	<b>DEP Facility Number:</b>	8-001928
<b>Site Name</b>	Rebel Store #2177	<b>Telephone:</b>	
<b>Site Contact</b>			
<b>Site Address</b>	6400 W Lake Mead Blvd Las Vegas, NV 89108		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Rebel Oil Company		
<b>Contact Name of Owner/Operator:</b>	Dana Cason Teepe 2200 S Highland Dr Las Vegas, NV 89102	<b>Telephone:</b>	(702)382-5866
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 W. Charleston Blvd. Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
1	12000	22	Regulated UST	The shear valve and piping beneath dispenser 3/4 were documented as seeping into the Under-Dispenser

Case: #2018000005  
Claim #: 80050

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 03, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$162,492.27	Amount Requested to Date
	(\$2,161.99)	Amount Disallowed, Past Claims
	(\$15,247.66)	Deductible/Co-Payment Satisfied to Date
	(\$86,289.50)	Amount Paid to Date
SUB TOTAL	<u>\$7,853.75</u>	Amount Requested this Meeting
	(\$785.38)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$7,068.37</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/03/2021 and 06/28/2021

**Summary of work completed:** Project management and coordination, prepare quarterly status report, prepare petroleum fund submittal, quarterly sampling and monitoring, preparation of NTEP, well bid document, update Health and Safety Plan, and laboratory analysis.

## Site Summary Report

Case Number: 2018000005 Site Name: Rebel Store # 2153

### Site Status

**Synopsis:** DISCHARGE DISCOVERED ON OCTOBER 7, 2015 AS A RESULT OF A PHASE II ENVIRONMENTAL SITE ASSESSMENT. THE APPLICATION IDENTIFIES THE SPILL BUCKET ASSOCIATED TO A 6,000 GALLON UNDERGROUND STORAGE TANK (UST) SYSTEM CONTAINING DIESEL (TANK 005), AND THE SPILL BUCKET ASSOCIATED TO A 12,000 GALLON UST CONTAINING GASOLINE AS THE SOURCES OF THE RELEASE.

**Contaminant:** Diesel, Gasoline (containing > 10% ethanol)

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,800,000.00
<b>Amount Requested</b>	\$162,492.27
<b>Amount Disallowed</b>	\$2,161.99
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$16,033.04
<b>Amount Recommended</b>	\$144,297.24
<b>Amount Paid</b>	\$144,297.24

### Site Identification

<b>Date Submitted:</b>	07/13/2018	<b>DEP Facility Number:</b>	8-001429
<b>Site Name</b>	Rebel Store # 2153	<b>Telephone:</b>	(702)555-5555
<b>Site Contact</b>	Pending		
<b>Site Address</b>	4595 E Tropicana Ave Las Vegas, NV 89121		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Rebel Oil Company		
<b>Contact Name of Owner/Operator:</b>	Dana Cason Teepe 2200 S Highland Dr Las Vegas, NV 89102	<b>Telephone:</b>	(702)382-5866
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 W. Charleston Blvd. Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
005	6000	29	Regulated UST	Spill Bucket
002	12000	29	Regulated UST	Spill Bucket



Case: #2019000001  
Claim #: 80051

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 03, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$57,330.50	Amount Requested to Date
	(\$27.00)	Amount Disallowed, Past Claims
	(\$5,097.34)	Deductible/Co-Payment Satisfied to Date
	<u>\$0.00</u>	Amount Paid to Date
SUB TOTAL	\$6,330.00	Amount Requested this Meeting
	<u>(\$633.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$5,697.00	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/03/2021 and 06/28/2021

**Summary of work completed:** Project management and coordination, quarterly well sampling and monitoring, preparation of quarterly status report, preparation of petroleum fund submittal, and laboratory analysis.

# Site Summary Report

Case Number: 2019000001 Site Name: Rebel Store #2160

## Site Status

**Synopsis:** COVERAGE APPLICATION IDENTIFIES THE CAUSE OF THE RELEASE AS A FAILED SPILL BUCKET ASSOCIATED WITH A 6,000 GALLON GASOLINE UST.

**Contaminant:** Gasoline (containing > 10% ethanol)

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$900,000.00
<b>Amount Requested</b>	\$57,330.50
<b>Amount Disallowed</b>	\$27.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$5,730.34
<b>Amount Recommended</b>	\$51,573.16
<b>Amount Paid</b>	\$51,573.16

## Site Identification

<b>Date Submitted:</b>	08/05/2019	<b>DEP Facility Number:</b>	8-001562
<b>Site Name</b>	Rebel Store #2160	<b>Telephone:</b>	(702)382-5866
<b>Site Contact</b>	Dana Cason Teepe		
<b>Site Address</b>	4325 E Charleston Blvd Las Vegas, NV 89104		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Rebel Oil Company		
<b>Contact Name of Owner/Operator:</b>	Dana Cason Teepe 2200 S Highland Dr Las Vegas, NV 89102	<b>Telephone:</b>	(702)382-5866 Ext: 2
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 W. Charleston Blvd. Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	0.00

## Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	6000	28	Regulated UST	Spill Bucket

Case: #2019000002  
Claim #: 80052

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 03, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$138,035.41	Amount Requested to Date
	(\$841.42)	Amount Disallowed, Past Claims
	(\$13,008.03)	Deductible/Co-Payment Satisfied to Date
	(\$58,103.77)	Amount Paid to Date
SUB TOTAL	<u>\$7,113.75</u>	Amount Requested this Meeting
	(\$711.38)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$6,402.37</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/03/2021 and 06/28/2021

**Summary of work completed:** Project management and coordination, quarterly well sampling and monitoring, preparation of quarterly status report, preparation of petroleum fund submittal, and laboratory analysis.

## Site Summary Report

Case Number: 2019000002 Site Name: Rebel Store #2166

### Site Status

**Synopsis:** A PHASE II SITE ASSESSMENT IDENTIFIED A RELEASE TO THE ENVIRONMENT IN OCTOBER 2015. A SOURCE FOR THE CONTAMINATION WAS LATER IDENTIFIED THROUGH FURTHER CHARACTERIZATION AND SITE REPAIR HISTORY. THE 8,000 GALLON MID-GRADE GASOLINE PIPING HAD A RELEASE AND THE VAPOR RECOVERY LINE ASSOCIATED WITH THE SYSTEM WAS ALSO QUESTIONABLE. REPAIRS WERE DOCUMENTED IN MARCH 2013.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$900,000.00
<b>Amount Requested</b>	\$138,035.41
<b>Amount Disallowed</b>	\$841.42
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$13,719.41
<b>Amount Recommended</b>	\$123,474.58
<b>Amount Paid</b>	\$123,474.58

### Site Identification

<b>Date Submitted:</b>	06/13/2019	<b>DEP Facility Number:</b>	8-001721
<b>Site Name</b>	Rebel Store #2166	<b>Telephone:</b>	(453)423-6555
<b>Site Contact</b>	Dana Cason-Teppe		
<b>Site Address</b>	4115 S Decatur Blvd Las Vegas, NV 89103		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Rebel Oil Company		
<b>Contact Name of Owner/Operator:</b>	Dana Cason-Teppe 2200 S Highland Dr Las Vegas, NV 89102	<b>Telephone:</b>	(702)382-5866
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 W. Charleston Blvd. Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
004-M	8000	26	Regulated UST	Pipe

Case: #2019000005  
Claim #: 80048

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 02, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$204,588.87	Amount Requested to Date
	(\$6,149.00)	Amount Disallowed, Past Claims
	(\$18,734.63)	Deductible/Co-Payment Satisfied to Date
	(\$92,191.13)	Amount Paid to Date
SUB TOTAL	<u>\$11,093.50</u>	Amount Requested this Meeting
	(\$1,109.35)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$9,984.15</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/03/2021 and 06/28/2021

**Summary of work completed:** Project management and coordination, quarterly status report, preparation of petroleum fund submittal, quarterly well sampling, preparation of NTEP, free product monitor and removal, and laboratory analysis.

## Site Summary Report

Case Number: 2019000005 Site Name: Fairway Chevrolet CO

### Site Status

**Synopsis:** RELEASE OF GASOLINE DISCOVERED JANUARY 16, 2019 DURING SYSTEM REMOVAL ACTIVITIES. RELEASE OCCURRED FROM THE UNION ON THE GASOLINE PUMP BETWEEN THE PUMP AND THE BALL VALVE.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$900,000.00
<b>Amount Requested</b>	\$204,588.87
<b>Amount Disallowed</b>	\$6,149.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$19,843.98
<b>Amount Recommended</b>	\$178,595.89
<b>Amount Paid</b>	\$178,595.89

### Site Identification

<b>Date Submitted:</b>	07/16/2019	<b>DEP Facility Number:</b>	8-000363
<b>Site Name</b>	Fairway Chevrolet CO	<b>Telephone:</b>	(702)755-8900
<b>Site Contact</b>	John Gibbons		
<b>Site Address</b>	3100 E Sahara Ave Las Vegas, NV 89104		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Fairway Chevrolet CO		
<b>Contact Name of Owner/Operator:</b>	John Gibbons	<b>Telephone:</b>	(702)641-1400 Ext: 1
	3100 East Sahara Avenue Las Vegas, NV 89104		
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 W. Charleston Blvd. Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
000	20000	Closed	Regulated UST	Pipe

Case: #2019000014  
Claim #: 80047

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 02, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$194,178.76	Amount Requested to Date
	(\$18,154.82)	Deductible/Co-Payment Satisfied to Date
	(\$7,036.43)	Amount Paid to Date
SUB TOTAL	<u>\$12,630.50</u>	Amount Requested this Meeting
	(\$1,263.05)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$11,367.45</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/09/2021 and 06/28/2021

**Summary of work completed:** Project management and coordination, well surveying services, petroleum fund submittal, drum disposal, prepare quarterly status report, quarterly well sampling, prepare NTEP, preparation of Sensitive Receptor Survey, and laboratory analysis.

# Site Summary Report

Case Number: 2019000014 Site Name: Western Cab CO

## Site Status

**Synopsis:** CONTAMINATION DISCOVERED ON APRIL 9, 2019 DURING TANK REMOVAL ACTIVITIES. THE SOURCE OF THE CONTAMINATION WAS DETERMINED TO BE THE FUEL FLEX LINE CONNECTING THE SHEAR VALVE TO THE DOUBLE-WALL FIBERGLASS PIPING OF A 12,000-GALLON UST SYSTEM STORING GASOLINE.

**Contaminant:** Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$1,000,000.00
<b>Amount Fund Will Pay</b>	\$900,000.00
<b>Amount Requested</b>	\$194,178.76
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$19,417.87
<b>Amount Recommended</b>	\$174,760.89
<b>Amount Paid</b>	\$174,760.89

## Site Identification

<b>Date Submitted:</b>	08/14/2019	<b>DEP Facility Number:</b>	8-001122
<b>Site Name</b>	Western Cab CO	<b>Telephone:</b>	(702)595-1946
<b>Site Contact</b>	Martha Sarver		
<b>Site Address</b>	801 S Main St Las Vegas, NV 89101		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	Western Cab CO		
<b>Contact Name of Owner/Operator:</b>	Martha Sarver P.O. Box 36550 Las Vegas, NV 89133	<b>Telephone:</b>	(702)595-1946
<b>Prime Contractor</b>	Stewart Environmental, Inc.		
<b>Contact Name</b>	Keith Stewart		
<b>Contractor Address</b>	10300 W. Charleston Blvd. Suite 13-B32 Las Vegas, NV 89135		
<b>Telephone:</b>	(702)254-6731	<b>% Board Reduction:</b>	0.00

## Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
01	12000	Closed	Regulated UST	Pipe



Case: #2020000016  
Claim #: 80015

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: July 28, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$109,510.60	Amount Requested to Date
	(\$6,977.48)	Deductible/Co-Payment Satisfied to Date
	<u>(\$62,797.36)</u>	Amount Paid to Date
SUB TOTAL	\$39,735.76	Amount Requested this Meeting
	<u>(\$47.00)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$39,688.76	
	<u>(\$3,968.88)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$35,719.88	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/24/2020 and 01/31/2021

**Summary of work completed:** Project management; correspondence with NDEP; design and installation of vapor extraction infrastructure; groundwater monitoring well installation; preparation of a characterization report; groundwater sampling; preparation of a large-scale characterization work plan; and preparation of Petroleum Fund documents.

# Site Summary Report

Case Number: 2020000016    Site Name: Us Gas #7

## Site Status

**Synopsis:** CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM TWO UNDERGROUND STORAGE TANKS IN WHICH THERE WAS TANK FAILURE. BOTH TANKS WERE 10,000-GALLONS, ONE CONTAINING DIESEL AND ONE CONTAINING GASOLINE.

**Contaminant:** Diesel, Gasoline (containing <= 10% ethanol)

<b>Fund Coverage</b>	\$2,000,000.00
<b>Amount Fund Will Pay</b>	\$1,800,000.00
<b>Amount Requested</b>	\$109,510.60
<b>Amount Disallowed</b>	\$47.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$6,977.48
<b>Amount Recommended</b>	\$98,517.24
<b>Amount Paid</b>	\$98,517.24

## Site Identification

<b>Date Submitted:</b>	09/23/2020	<b>DEP Facility Number:</b>	8-000132
<b>Site Name</b>	Us Gas #7	<b>Telephone:</b>	(702)845-6951
<b>Site Contact</b>	Val Amiel		
<b>Site Address</b>	798 W Mesquite Blvd Mesquite, NV 89027		
<b>County:</b>	Clark County		
<b>Owner/Operator Name:</b>	LV Petroleum LLC	<b>Telephone:</b>	(702)683-8008
<b>Contact Name of Owner/Operator:</b>	Val Amiel 4495 W Hacienda Ave Las Vegas, NV 89008		
<b>Prime Contractor</b>	Broadbent & Associates		
<b>Contact Name</b>	Kyle Virva		
<b>Contractor Address</b>	12760 Stroh Ranch Way, Suite 101 Parker, CO 80134		
<b>Telephone:</b>	(561)309-1682	<b>% Board Reduction:</b>	0.00

## Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
002	10000	Closed	Regulated UST	Tank
001	10000	36	Regulated UST	Tank

Case: #2021000011  
Claim #: 80028

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: June 16, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$20,109.58	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$20,109.58</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$19,859.58</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/02/2021 and 04/21/2021

**Summary of work completed:** Release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace in side the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in single wall steel tank shell. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tank. Contaminated soil was removed and delivered to Nevada Thermal Service for thermal treatment processing. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

## Site Summary Report

**Case Number:** 2021000011    **Site Name:** Residential Heating Oil Tank 1401 Hillside Drive, Reno

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A 500-GALLON TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. APPROXIMATELY 48.58 TONS OF CONTAMINATED SOIL WAS REMOVED.

**Contaminant:** Heating Oil

<b>Fund Coverage</b>	\$250,250.00
<b>Amount Fund Will Pay</b>	\$250,000.00
<b>Amount Requested</b>	\$20,109.58
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$250.00
<b>Amount Recommended</b>	\$19,859.58
<b>Amount Paid</b>	\$19,859.58

### Site Identification

<b>Date Submitted:</b>	04/02/2021	<b>DEP Facility Number:</b>	D-001204
<b>Site Name</b>	Residential Heating Oil Tank 1401 Hillside Drive, Reno		
<b>Site Contact</b>	Todd Courtney	<b>Telephone:</b>	(408)835-5911
<b>Site Address</b>	1401 Hillside Drive Reno, NV 89503		
<b>County:</b>	Washoe County		
<b>Owner/Operator Name:</b>	Todd Courtney		
<b>Contact Name of Owner/Operator:</b>	Todd Courtney	<b>Telephone:</b>	(408)835-5911
	1195 Willow St San Jose, CA 95125		
<b>Prime Contractor</b>	Reno Drain Oil Service		
<b>Contact Name</b>	Steven Aguilar		
<b>Contractor Address</b>	11970 Interstate 80 E Sparks, NV 89434		
<b>Telephone:</b>	(775)342-0351	<b>% Board Reduction:</b>	0.00

### Site Characteristics

<b>Alt ID</b>	<b>Tank Cap. (Gallons)</b>	<b>Tank Age (Years)</b>	<b>Tank Type</b>	<b>Leak Location</b>
1401 Hillside Dr Tank	500	74	Non-Regulated	Tank

Case: #2021000016  
Claim #: 80030

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: June 14, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$19,965.62	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$19,965.62</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$19,715.62	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/29/2021 and 04/29/2021

**Summary of work completed:** Release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace in side the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in single wall steel tank shell. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tank. Contaminated soil was removed and delivered to Nevada Thermal Service for thermal treatment processing. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

## Site Summary Report

Case Number: 2021000016 Site Name: Rottman 2020 Trust Heating Oil Tank

### Site Status

**Synopsis:** DISCHARGE DISCOVERED DURING REMOVAL OF 350-GALLON, NON-REGULATED, SINGLE WALL STEEL TANK, CONTAINING HEATING OIL AT THE TIME OF RELEASE DISCOVERY.

**Contaminant:** Heating Oil

<b>Fund Coverage</b>	\$250,250.00
<b>Amount Fund Will Pay</b>	\$250,000.00
<b>Amount Requested</b>	\$19,965.62
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$250.00
<b>Amount Recommended</b>	\$19,715.62
<b>Amount Paid</b>	\$19,715.62

### Site Identification

<b>Date Submitted:</b>	04/30/2021	<b>DEP Facility Number:</b>	D-001207
<b>Site Name</b>	Rottman 2020 Trust Heating Oil Tank		
<b>Site Contact</b>	Scott Rottman	<b>Telephone:</b>	(775)691-9549
<b>Site Address</b>	3301 Smith Drive Reno, NV 89509		
<b>County:</b>	Washoe County		
<b>Owner/Operator Name:</b>	Scott Rottman		
<b>Contact Name of Owner/Operator:</b>	Scott Rottman	<b>Telephone:</b>	(775)691-9549
	850 E. Williams Street Ofc Carson City, NV 89701		
<b>Prime Contractor</b>	Reno Drain Oil Service		
<b>Contact Name</b>	Steven Aguilar		
<b>Contractor Address</b>	11970 Interstate 80 E Sparks, NV 89434		
<b>Telephone:</b>	(775)342-0351	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
3301 Smith Dr Tank	350	73	Non-Regulated	Tank

Case: #2021000017  
Claim #: 80036

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: June 14, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$15,668.61	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$15,668.61</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$15,418.61	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/17/2021 and 05/14/2021

**Summary of work completed:** Release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace in side the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in single wall steel tank shell. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tank. Contaminated soil was removed and delivered to Nevada Thermal Service for thermal treatment processing. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

## Site Summary Report

**Case Number:** 2021000017    **Site Name:** Triple R Trust Home Heating Oil Tank

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A 350-GALLON TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. APPROXIMATELY 36.76 TONS OF CONTAMINATED SOIL WAS REMOVED.

**Contaminant:** Heating Oil

<b>Fund Coverage</b>	\$250,250.00
<b>Amount Fund Will Pay</b>	\$250,000.00
<b>Amount Requested</b>	\$15,668.61
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$250.00
<b>Amount Recommended</b>	\$15,418.61
<b>Amount Paid</b>	\$15,418.61

### Site Identification

<b>Date Submitted:</b>	05/11/2021	<b>DEP Facility Number:</b>	D-001209
<b>Site Name</b>	Triple R Trust Home Heating Oil Tank		
<b>Site Contact</b>	Dianne Robak	<b>Telephone:</b>	(775)225-3011
<b>Site Address</b>	14430 Rancheros Drive Reno, NV 89521		
<b>County:</b>	Washoe County		
<b>Owner/Operator Name:</b>	Dianne Robak		
<b>Contact Name of Owner/Operator:</b>	Dianne Robak	<b>Telephone:</b>	(775)225-3011
	59 Damonte Ranch Pkwy B222 Reno, NV 89521		
<b>Prime Contractor</b>	Reno Drain Oil Service		
<b>Contact Name</b>	Steven Aguilar		
<b>Contractor Address</b>	11970 Interstate 80 E Sparks, NV 89434		
<b>Telephone:</b>	(775)342-0351	<b>% Board Reduction:</b>	0.00

### Site Characteristics

<b>Alt ID</b>	<b>Tank Cap. (Gallons)</b>	<b>Tank Age (Years)</b>	<b>Tank Type</b>	<b>Leak Location</b>
14430 Rancheros Tank	350	57	Non-Regulated	Tank



Case: #2021000018  
Claim #: 80039

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 10, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$39,803.05	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$39,803.05</u>	Amount Requested this Meeting
	<u>(\$500.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$39,303.05	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/31/2021 and 05/26/2021

**Summary of work completed:** Release discovered by Reno Drain Oil Service at time of 2 home heating oil tank removals on this APN. RDO confirmed these were home heating oil tanks visually confirming return lines to the heating oil furnaces in side the home and duplex. The home heating oil tanks, which supplied heating oil to the heating oil furnace inside the home and duplex leaked from rust holes in the single wall steel tank shells. For documentation of the tank removals, site and sample location maps, remediation and laboratory results see the closing report. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tanks. Contaminated soil was removed and delivered to Nevada Thermal Service for thermal treatment processing. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

## Site Summary Report

**Case Number:** 2021000018    **Site Name:** Residential Heating Oil Tanks At 128 Stewart St And 503 & 505 Sinclair St, Reno

### Site Status

**Synopsis:** DISCHARGE DISCOVERED DURING TANK REMOVAL ACTIVITIES. ONE 500 GALLON TANK REMOVED FROM STEWART ST ADDRESS, ONE 600 GALLON TANK REMOVED FROM SINCLAIR ST ADDRESS. 147 TONS OF CONTAMINATED MATERIAL REMOVED DURING INITIAL ABATEMENT ACTIVITIES.

**Contaminant:** Heating Oil

<b>Fund Coverage</b>	\$500,500.00
<b>Amount Fund Will Pay</b>	\$500,000.00
<b>Amount Requested</b>	\$39,803.05
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$500.00
<b>Amount Recommended</b>	\$39,303.05
<b>Amount Paid</b>	\$39,303.05

### Site Identification

<b>Date Submitted:</b>	05/19/2021	<b>DEP Facility Number:</b>	D-001211
<b>Site Name</b>	Residential Heating Oil Tanks At 128 Stewart St And 503 & 505 Sinclair St, Reno		
<b>Site Contact</b>	Bryan Raydon	<b>Telephone:</b>	(530)448-6530
<b>Site Address</b>	128 Stewart St Reno, NV 89501		
<b>County:</b>	Washoe County		
<b>Owner/Operator Name:</b>	Rmp 36, LLC		
<b>Contact Name of Owner/Operator:</b>	Bryan Raydon	<b>Telephone:</b>	(530)448-6530
	955 S. Virginia St. Reno, NV 89509		
<b>Prime Contractor</b>	Reno Drain Oil Service		
<b>Contact Name</b>	Steven Aguilar		
<b>Contractor Address</b>	11970 Interstate 80 E Sparks, NV 89434		
<b>Telephone:</b>	(775)342-0351	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
503 & 505 Sinclair Tank	600	93	Non-Regulated	Tank
128 Stewart St Tank	500	93	Non-Regulated	Tank

Case: #2021000019  
Claim #: 80040

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: June 16, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$17,742.48	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$17,742.48</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$17,492.48	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/30/2021 and 05/27/2021

**Summary of work completed:** Release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace in side the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in single wall steel tank shell. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tank. Contaminated soil was removed and delivered to Nevada Thermal Service for thermal treatment processing. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

## Site Summary Report

**Case Number:** 2021000019    **Site Name:** Residential Heating Oil Tank, 2100 S Arlington Ave, Reno

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A 300-GALLON TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. APPROXIMATELY 54.39 TONS OF CONTAMINATED SOIL WAS REMOVED.

**Contaminant:** Heating Oil

<b>Fund Coverage</b>	\$250,250.00
<b>Amount Fund Will Pay</b>	\$250,000.00
<b>Amount Requested</b>	\$17,742.48
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$250.00
<b>Amount Recommended</b>	\$17,492.48
<b>Amount Paid</b>	\$17,492.48

### Site Identification

<b>Date Submitted:</b>	05/28/2021	<b>DEP Facility Number:</b>	D-001212
<b>Site Name</b>	Residential Heating Oil Tank, 2100 S Arlington Ave, Reno		
<b>Site Contact</b>	David Schimmel	<b>Telephone:</b>	(775)762-9615
<b>Site Address</b>	2100 S Arlington Ave Reno, NV 89509		
<b>County:</b>	Washoe County		
<b>Owner/Operator Name:</b>	David & Martha Schimmel		
<b>Contact Name of Owner/Operator:</b>	David Schimmel	<b>Telephone:</b>	(775)762-9615
	2100 S. Arlington Ave. Reno, NV 89509		
<b>Prime Contractor</b>	Reno Drain Oil Service		
<b>Contact Name</b>	Steven Aguilar		
<b>Contractor Address</b>	11970 Interstate 80 E Sparks, NV 89434		
<b>Telephone:</b>	(775)342-0351	<b>% Board Reduction:</b>	0.00

### Site Characteristics

<b>Alt ID</b>	<b>Tank Cap. (Gallons)</b>	<b>Tank Age (Years)</b>	<b>Tank Type</b>	<b>Leak Location</b>
2100 S Arlington Tank	300	58	Non-Regulated	Tank

Case: #2021000020  
Claim #: 80041

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 02, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$20,231.98	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$20,231.98</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$19,981.98	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/06/2021 and 05/26/2021

**Summary of work completed:** Release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace in side the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in single wall steel tank shell. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tank. Contaminated soil was removed and delivered to Nevada Thermal Service for thermal treatment processing. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

## Site Summary Report

**Case Number:** 2021000020    **Site Name:** 345 Wheeler LLC Residential Heating Oil Tank

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES ON 4/26/2021. DISCHARGE EMANATED FROM HOLES IN 300-GALLON SINGLE WALL STEEL TANK. INITIAL ABATEMENT MEASURES REMOVED 52.42 TONS OF IMPACTED SOIL.

**Contaminant:** Heating Oil

<b>Fund Coverage</b>	\$250,250.00
<b>Amount Fund Will Pay</b>	\$250,000.00
<b>Amount Requested</b>	\$20,231.98
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$250.00
<b>Amount Recommended</b>	\$19,981.98
<b>Amount Paid</b>	\$19,981.98

### Site Identification

<b>Date Submitted:</b>	06/03/2021	<b>DEP Facility Number:</b>	D-001210
<b>Site Name</b>	345 Wheeler LLC Residential Heating Oil Tank		
<b>Site Contact</b>	Bryan Raydon	<b>Telephone:</b>	(530)448-6530
<b>Site Address</b>	347 Wheeler Avenue Reno, NV 89502		
<b>County:</b>	Washoe County		
<b>Owner/Operator Name:</b>	345 Wheeler LLC		
<b>Contact Name of Owner/Operator:</b>	Bryan Raydon	<b>Telephone:</b>	(530)448-6530
	955 S. Virginia St. Reno, NV 89509		
<b>Prime Contractor</b>	Reno Drain Oil Service		
<b>Contact Name</b>	Steven Aguilar		
<b>Contractor Address</b>	11970 Interstate 80 E Sparks, NV 89434		
<b>Telephone:</b>	(775)342-0351	<b>% Board Reduction:</b>	0.00

### Site Characteristics

<b>Alt ID</b>	<b>Tank Cap. (Gallons)</b>	<b>Tank Age (Years)</b>	<b>Tank Type</b>	<b>Leak Location</b>
347 Wheeler Ave Tank	300	67	Non-Regulated	Tank

Case: #2021000021  
Claim #: 80068

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 09, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$25,933.02	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$25,933.02</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$25,683.02	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/14/2021 and 07/08/2021

**Summary of work completed:** Release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace in side the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in single wall steel tank shell. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tank. Contaminated soil was removed and delivered to Nevada Thermal Service for thermal treatment processing. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

# Site Summary Report

Case Number: 2021000021 Site Name: Ronald William Badley Residence

## Site Status

**Synopsis:** CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A 350-GALLON TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. APPROXIMATELY 64.57 TONS OF CONTAMINATED SOIL WAS REMOVED.

**Contaminant:** Heating Oil

<b>Fund Coverage</b>	\$250,250.00
<b>Amount Fund Will Pay</b>	\$250,000.00
<b>Amount Requested</b>	\$25,933.02
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$250.00
<b>Amount Recommended</b>	\$25,683.02
<b>Amount Paid</b>	\$25,683.02

## Site Identification

<b>Date Submitted:</b>	07/15/2021	<b>DEP Facility Number:</b>	D-001215
<b>Site Name</b>	Ronald William Badley Residence		
<b>Site Contact</b>	Ronald Badley	<b>Telephone:</b>	(775)846-4009
<b>Site Address</b>	610 Nixon Avenue Reno, NV 89509		
<b>County:</b>	Washoe County		
<b>Owner/Operator Name:</b>	Ronald Badley		
<b>Contact Name of Owner/Operator:</b>	Ronald Badley	<b>Telephone:</b>	(775)846-4009
	610 Nixon Ave Reno, NV 89509		
<b>Prime Contractor</b>	Reno Drain Oil Service		
<b>Contact Name</b>	Steven Aguilar		
<b>Contractor Address</b>	11970 Interstate 80 E Sparks, NV 89434		
<b>Telephone:</b>	(775)342-0351	<b>% Board Reduction:</b>	0.00

## Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
610 Nixon Tank	350	91	Non-Regulated	Tank



Case: #2021000022  
Claim #: 80070

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 10, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$21,366.71	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$21,366.71</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$21,116.71</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/07/2021 and 07/08/2021

**Summary of work completed:** Release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace in side the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in single wall steel tank shell. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tank. Contaminated soil was removed and delivered to Nevada Thermal Service for thermal treatment processing. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

# Site Summary Report

Case Number: 2021000022 Site Name: Abc Investors Group, INC

## Site Status

**Synopsis:** DISCHARGE DISCOVERED DURING TANK REMOVAL ACTIVITIES ON JUNE 9, 2021. CONTAMINATION EMANATED FROM A HOLE IN THE STEEL 350-GALLON UNDERGROUND STORAGE TANK, CONTAINING HEATING OIL AT THE TIME OF RELEASE. INITIAL ABATEMENT WAS PERFORMED AND 52.95 TONS OF TPH-CONTAMINATED SOIL WAS REMOVED AND TREATED.

**Contaminant:** Heating Oil

<b>Fund Coverage</b>	\$250,250.00
<b>Amount Fund Will Pay</b>	\$250,000.00
<b>Amount Requested</b>	\$21,366.71
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$250.00
<b>Amount Recommended</b>	\$21,116.71
<b>Amount Paid</b>	\$21,116.71

## Site Identification

<b>Date Submitted:</b>	07/20/2021	<b>DEP Facility Number:</b>	D-001214
<b>Site Name</b>	Abc Investors Group, INC	<b>Telephone:</b>	(775)224-2251
<b>Site Contact</b>	Rockne Hansen		
<b>Site Address</b>	629 Sinclair Street Reno, NV 89509		
<b>County:</b>	Washoe County		
<b>Owner/Operator Name:</b>	Abc Investors Group, Inc.		
<b>Contact Name of Owner/Operator:</b>	Rockne Hansen 316 California Ave. #222 Reno, NV 89509	<b>Telephone:</b>	(775)224-2251
<b>Prime Contractor</b>	Reno Drain Oil Service		
<b>Contact Name</b>	Steven Aguilar		
<b>Contractor Address</b>	11970 Interstate 80 E Sparks, NV 89434		
<b>Telephone:</b>	(775)342-0351	<b>% Board Reduction:</b>	0.00

## Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
629 Sinclair Tank	350	103	Non-Regulated	Tank

Case: #2021000023  
Claim #: 80092

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: August 23, 2021

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

	\$29,951.15	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$29,951.15</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$29,701.15	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/15/2021 and 07/26/2021

**Summary of work completed:** Release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace in side the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in single wall steel tank shell. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tank. Contaminated soil was removed and delivered to Nevada Thermal Service for thermal treatment processing. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

## Site Summary Report

Case Number: 2021000023 Site Name: Robert J. Carr Residence

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A 1,000-GALLON TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. APPROXIMATELY 86.60 TONS OF CONTAMINATED SOIL WAS REMOVED.

**Contaminant:** Heating Oil

<b>Fund Coverage</b>	\$250,250.00
<b>Amount Fund Will Pay</b>	\$250,000.00
<b>Amount Requested</b>	\$29,951.15
<b>Amount Disallowed</b>	\$0.00
<b>Misc Debit/Credit</b>	\$0.00
<b>Reduction Amount Paid</b>	\$0.00
<b>Pending Copay/Deductible</b>	\$0.00
<b>Copay/Deductible</b>	\$0.00
<b>Amount Recommended</b>	\$29,701.15
<b>Amount Paid</b>	\$29,701.15

### Site Identification

<b>Date Submitted:</b>	07/29/2021	<b>DEP Facility Number:</b>	D-001216
<b>Site Name</b>	Robert J. Carr Residence	<b>Telephone:</b>	(166)191-7694
<b>Site Contact</b>	Robert Carr		
<b>Site Address</b>	2500 Faretto Lane Reno, NV 89511		
<b>County:</b>	Washoe County		
<b>Owner/Operator Name:</b>	Robert Carr	<b>Telephone:</b>	(661)917-6940
<b>Contact Name of Owner/Operator:</b>	Robert Carr 2500 Faretto Lane Reno, NV 89511		
<b>Prime Contractor</b>	Reno Drain Oil Service		
<b>Contact Name</b>	Steven Aguilar		
<b>Contractor Address</b>	11970 Interstate 80 E Sparks, NV 89434		
<b>Telephone:</b>	(775)342-0351	<b>% Board Reduction:</b>	0.00

### Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
2500 Faretto Tank	1000	57	Non-Regulated	Tank

**Agenda Item 12:  
Execute Summary**  
(FOR DISCUSSION)

**STATE BOARD TO REVIEW CLAIMS  
SEPTEMBER 9, 2021 BOARD MEETING**

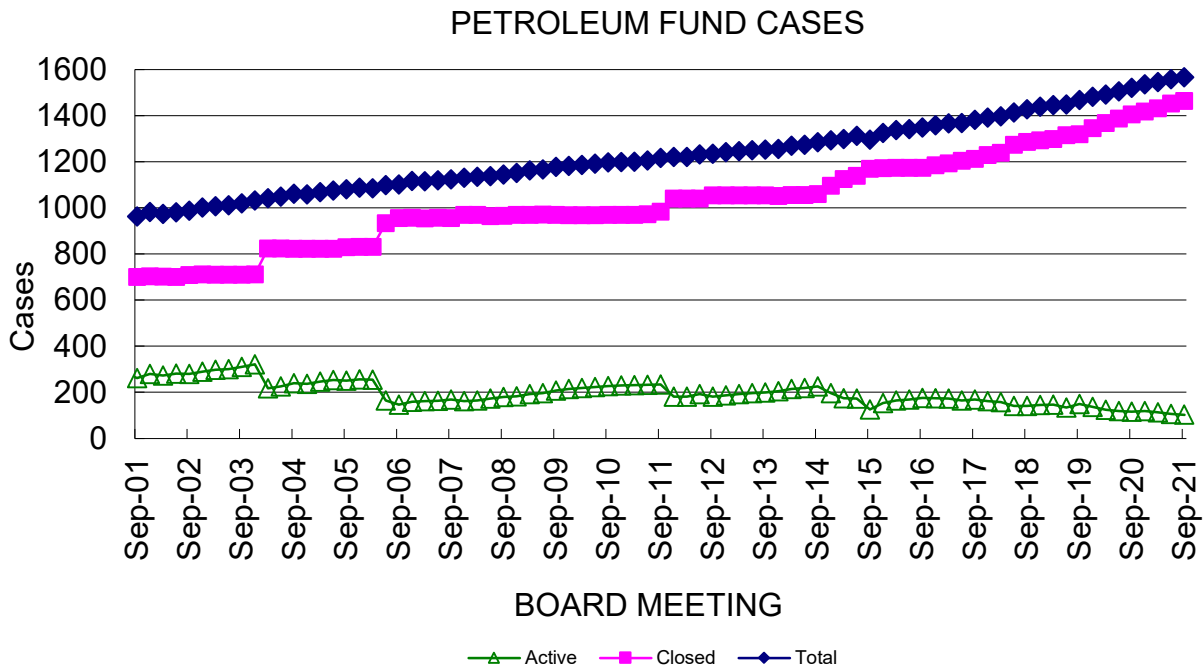
**EXECUTIVE SUMMARY REPORT**

The Petroleum Fund (Fund) was established in 1989 by the Nevada Legislature. The Fund facilitates the protection of Nevada’s environment, including its water resources, by allowing for prompt cleanup of petroleum discharges from storage tank systems. It also provides a mechanism for regulated underground petroleum storage tank operators to meet the federal financial responsibility requirements (40 CFR 280, Subpart H) that facilitate prompt remediation of petroleum discharges to the environment.

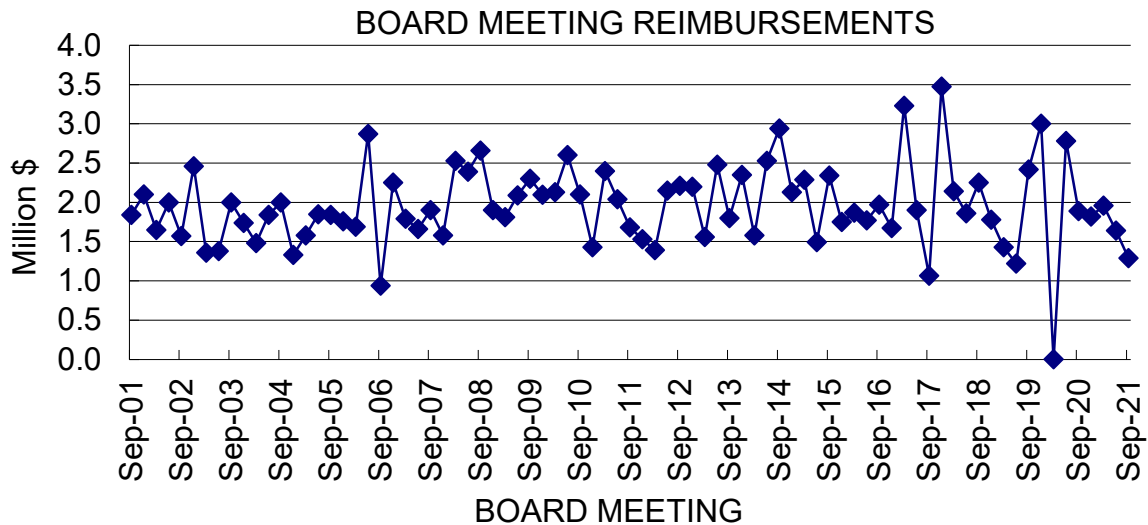
Tank enrollment fees are tracked pursuant to the Federal Fiscal Year (FFY). FFY 2021 runs October 1, 2020 through September 30, 2021. The annual tank system enrollment invoices for FFY 2021 were issued August 17, 2020. Additional invoices have also been generated for subsequent requests for tank enrollment. Currently, a total of 1,291 facilities have been invoiced at \$100 per petroleum tank system. As of August 24, 2021, 1,258 (~97.4%) of the facilities have submitted the required enrollment fees.

Note, annual enrollment invoices for enrollment year 2022 were generated August 19, 2021 in accordance with NAC 445C.240.2.

Since the Fund was created, a total of 1,741 remediation cases have applied for Fund coverage. Of those applications, 173 have been denied due to ineligibility or other reasons. Of the cases that were provided Fund coverage, 1,463 cases have since been closed and no longer receive Fund reimbursement. Currently, there are 103 open Fund cases. Since January 1, 2021, NDEP has received 24 new applications for Fund coverage. Two applications are currently under review and pending a coverage determination.



Prior to this Board meeting, the Board to Review Claims has approved a cumulative total of \$248,084,918.59 for reimbursement to petroleum storage tank operators throughout Nevada for cleanup expenses. This cumulative total includes 30 claims paid via the direct payment method since the June 2021 Board meeting, totaling \$752,242.76. With today's approval of \$536,276.48 in pending claims, the cumulative Fund expenditure will increase to \$248,621,195.07.



\* Note: The March 12, 2020 meeting was postponed and later cancelled. No claims were approved by the Board.

One UST upgrade grant award payment was processed during the past quarter. The award amount for the grant was for \$52,661.84 (Golden Market #3 8-001393). Upgrades will include new spill buckets, overflow prevention devices, turbine containment sumps, product piping, and four new dispenser sumps for three underground storage tank systems.

On January 24, 2019, the NDEP and Petroleum Fund staff were informed of a pending audit of the Petroleum Fund program by the Governor's Finance Office, Division of Internal Audits (DIA). Their findings and follow up recommendations can be reviewed in the June 25, 2019 DIA Report (No. 19-05). An annual status report was provided by NDEP to the DIA on October 23, 2020 and presented during the January 28, 2021 Executive Branch Audit Committee (EBAC) meeting. During the meeting, DIA staff noted that the NDEP had fully implemented 3 of the 5 recommendations made in the 19-05 audit report and two remained partially implemented.

NDEP staff have since made progress on the remaining two recommendations. Assembly Bill 40 allows the Board to define small business in regulation and removed the outdated definition from statute. The bill passed the 2021 legislative session. This was the first step towards amending the Fund's small business definition, which should address concerns raised by the DIA that the Fund is not covering enough small businesses (Recommendation #1 – Adhere to Legislative Intent for the Petroleum Fund). Amended regulations (NAC 445C), including an updated small business definition, have been drafted, will be workshopped to the regulated community September 2, 2021, and presented to the Board for initial input during the September 9, 2021 meeting. We hope to present a final draft to the Board for adoption by the end of 2021.

A formal request for an Attorney General Opinion (submitted February 3, 2021) was made by DAI staff to resolve Recommendation #2 (Follow Statute for Third Party Liability Funds) of DIA Report No. 19-05. Rather than wait for the AG Opinion, staff will recommend to the Board repeal of Board Policy Resolution 2007-10. This policy was called into question in the first audit. It allows third party liability funding to be

used for corrective action to prevent or mitigate third party damages. Upon review of this policy, staff found that many terms defined in the policy are already included in regulation and federal law governing storage tanks. Furthermore, the recent passage of Assembly Bill 40 includes amendments to allow additional allotments of funding for corrective action without the use of third party liability funds. Given the above, this policy is no longer required. If repealed by the Board during the September 9, 2021 meeting, staff believe Recommendation #2 will be fully implemented.

On July 8, 2020, NDEP was informed that the DIA would conduct a second audit of the Petroleum Fund program. Four additional findings/recommendations were reported to the EBAC on January 28, 2021 and can be reviewed in DIA Audit Report No. 21-04. On May 17, 2021, NDEP provided a summary to DIA of its progress towards addressing one of the four findings in preparation of a June 29, 2021 EBAC meeting. Recommendations #2 (Establish a Rate Schedule for Professional Services) had a shorter implementation period, so an analysis was conducted to better understand how much cost savings to the Fund would result from setting CEM professional rates. Our analysis did not support setting rates would result in significant cost saving to the Fund; however, DIA and EBAC committee members strongly recommended additional review and progress in addressing all four recommendations by January 2022.

Recommendation #3 (Strengthen CEM Certification Requirements) of the report is under review with NDEP's certification program. Recommendation #4 (Perform Random Verification of Proofs of Payment) is being addressed by including language in the proposed regulation amendments to require documentation of operator co-payments on reimbursed claims. Lastly, there is an agenda item included for the September 9, 2021 meeting to revisit Recommendation #2 (CEM rates) and discuss with the Board how to go about addressing Recommendation #1 (Reconcile Project Costs). To fully address Recommendations #1 and #2, staff will likely need to revise the CEM Cost Guidelines crafted under Board Policy Resolution 2001-05. To meet the January 2022 implementation date, the revised Cost Guidelines would need to be presented to the Board for adoption during the December 2021 meeting.

Eagle Gas North Cleanup Status: As of March 2019, remediation and monitoring activities have ceased at the property. A waiver request was approved by the State Controller's Office to allow the Division to pursue collections for the debt owed by Eagle Gas North. A debt collections contractor has been selected and should go before the Board of Examiners for final approval during the October 2021 meeting.



**Agenda Item 13:  
Public Comment**  
(FOR DISCUSSION)

**Agenda Item 14:**  
**Confirmation of Next Board Meeting Date**  
(FOR DISCUSSION)

**STATE BOARD TO REVIEW CLAIMS**  
**CONFIRMATION OF NEXT MEETING**

DATE	LOCATION
December 9, 2021 Thursday 10:00 AM	<u>Videoconference</u>  Video/teleconference information will be posted to our website prior to the meeting date - No physical meeting location scheduled.

Upcoming Board Meetings

March 10, 2022 - 10:00 AM

June 9, 2022 - 10:00 AM

September 8, 2022 - 10:00 AM