

Meeting Agenda

**STATE OF NEVADA BOARD TO REVIEW CLAIMS
AGENDA
DECEMBER 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, December 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. APPROVAL OF THE SEPTEMBER 09, 2021 MINUTES (FOR POSSIBLE ACTION)

4. 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.

5. SITE SPECIFIC BOARD DETERMINATION FOR RECONSIDERATION (FOR POSSIBLE ACTION)

Request for Reconsideration of Previous Site Specific Board Determination No. C2019-02

Whiskey Pete's Stateline Stop; Petroleum Fund Case 2018000018

RECOMMENDATION:

Petroleum Fund staff recommend the Board to Review Claims reconsider Site Specific Board Determination (SSBD) C2019-02 in accordance with Board Policy Resolution No. 2012-06. On June 4, 2019, the Board approved SSBD C2019-02 providing reduced Petroleum Fund coverage to Whiskey Pete's Stateline Stop. The operator has prepared a Compliance Plan and Schedule, which has been approved by NDEP. The Board has authority to reconsider the existing coverage reduction of 45% and may choose to eliminate the reduction entirely, decrease it, or kept the reduction percentage the same.

6. LEGISLATIVE COUNSEL BUREAU PROPOSED DRAFT REGULATIONS: R049-21 (FOR DISCUSSION)

Staff are providing to the Board to Review Claims the proposed draft regulation submitted to the Legislative Counsel Bureau following discussions during the September 9, 2021 Board meeting. The Board may provide additional input prior to staff issuing a notice of public hearing. NDEP will also request a public hearing date from the Board.

7. **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 - DECEMBER 9, 2021**

<u>HEATING OIL</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2012000017; 80121 Churchill County School District: Old High School	\$1,982.57	\$1,982.57
			SUB TOTAL:	<u>\$1,982.57</u>
 <u>NEW CASES</u>			 <u>REQUESTED</u>	 <u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2019000044; 80110 7-Eleven Inc: 7-Eleven #15829	\$18,930.97	\$17,037.87
FOR POSSIBLE ACTION	2.	2021000009; 80106 7-Eleven Inc: 7-Eleven #27111	\$7,884.75	\$7,096.27
			SUB TOTAL:	<u>\$26,815.72</u>
 <u>ONGOING CASES</u>			 <u>REQUESTED</u>	 <u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	1993000103; 80143 Charlie Brown Construction: Charlie Brown Const.	\$5,678.48	\$5,564.91
FOR POSSIBLE ACTION	2.	1994000027; 80109 7-Eleven Inc: 7-Eleven #19653	\$95,062.76	\$95,042.13

FOR POSSIBLE ACTION	3.	1995000039; 80112	Al Park Petroleum Inc: Crescent Valley Market	\$23,584.46	\$21,226.01
FOR POSSIBLE ACTION	4.	1996000064; 80146	The Esslinger Family Trust: Red Rock Mini Mart	\$12,168.12	\$11,090.13
FOR POSSIBLE ACTION	5.	1997000071; 80101	7-Eleven Inc: 7eleven #25586	\$17,616.68	\$15,855.01
FOR POSSIBLE ACTION	6.	1998000075; 80115	55 McDermitt Crude, LLC: McDermitt Motel & Convenience Store	\$6,766.90	\$6,090.21
FOR POSSIBLE ACTION	7.	1999000014; 80117	Al Park Petroleum Inc: Pit Stop #7 Conoco	\$5,036.71	\$4,524.04
FOR POSSIBLE ACTION	8.	1999000022; 80099	Terrible Herbst Oil Company Inc: Terrible Herbst #129	\$4,537.50	\$4,083.75
FOR POSSIBLE ACTION	9.	1999000086; 80096	Terrible Herbst Oil Company Inc: Terrible Herbst #126	\$12,151.78	\$10,936.60
FOR POSSIBLE ACTION	10.	1999000104; 80097	Terrible Herbst Oil Company Inc: Terrible Herbst #118	\$1,821.25	\$1,639.13
FOR POSSIBLE ACTION	11.	1999000199; 79844	Village Springs, LLC: Lakeshore Orbit Station	\$64,499.73	\$64,499.73
FOR POSSIBLE ACTION	12.	1999000243; 80118	7-Eleven Inc: 7-Eleven #27607	\$46,516.55	\$41,807.65
FOR POSSIBLE ACTION	13.	2004000011; 80125	Hpt Ta Properties Trust: Wells Petro Truck Service	\$3,527.50	\$3,174.75
FOR POSSIBLE ACTION	14.	2007000014; 80154	Raiders Oz Business, LLC: Former Ace Cab/frias Transportation	\$37,224.72	\$33,502.25
FOR POSSIBLE ACTION	15.	2007000016; 80124	Golden Gate Petroleum Of Nevada LLC: Golden Gate Petroleum	\$4,061.25	\$3,655.13
FOR POSSIBLE ACTION	16.	2009000020; 79789	Western Energetix LLC: Battle Mountain Bulk Plant #3006/flyers #772	\$17,337.50	\$14,827.05
FOR POSSIBLE ACTION	17.	2010000009; 80123	Hpt Ta Properties Trust: Mill City Travel Center	\$27,725.65	\$22,457.78
FOR POSSIBLE ACTION	18.	2011000009; 80122	Cimarron West: Cimarron West	\$21,874.69	\$19,687.22
FOR POSSIBLE ACTION	19.	2013000004; 80095	7-Eleven Inc: 7-Eleven #29665	\$18,341.97	\$16,507.77
FOR POSSIBLE ACTION	20.	2013000019; 80120	Hardy Enterprises INC: Elko Sinclair #53	\$25,534.51	\$22,981.06
FOR POSSIBLE ACTION	21.	2013000021; 80102	7-Eleven Inc: 7-Eleven #27700	\$7,065.00	\$6,358.50
FOR POSSIBLE ACTION	22.	2014000004; 80148	Alsaker Corp: Broadway Colt Service Center	\$15,750.56	\$14,175.50
FOR POSSIBLE ACTION	23.	2014000007; 80094	7-Eleven Inc: 7-Eleven #29658	\$16,597.43	\$14,937.69
FOR POSSIBLE ACTION	24.	2014000016; 80116	Smitten Oil And Tire Co Inc: Former Smedley's Chevron	\$4,737.78	\$4,264.00
FOR POSSIBLE ACTION	25.	2014000025; 80119	Superior Campgrounds Of America, LLC: Silver City Rv Resort	\$30,590.29	\$27,531.26
FOR POSSIBLE ACTION	26.	2015000009; 80153	Hpt Ta Properties Trust: Las Vegas Travel Center	\$2,307.50	\$2,076.75
FOR POSSIBLE ACTION	27.	2016000005; 80114	Golden Gate S.e.t. Retail Of Nevada LLC: Golden Gate Petroleum 65 - Fallon	\$3,064.49	\$2,758.04
FOR POSSIBLE ACTION	28.	2016000012; 80144	DLF Corporation: Mr Ds Fastlane	\$7,061.29	\$6,355.16
FOR POSSIBLE ACTION	29.	2016000023; 80113	Al Park Petroleum Inc: Pit Stop #1	\$8,302.80	\$5,978.02
FOR POSSIBLE ACTION	30.	2016000027; 80098	Terrible Herbst Oil Company Inc: Terrible Herbst #272	\$8,472.75	\$6,862.92
FOR POSSIBLE ACTION	31.	2018000009; 80111	Reed Incorporated: Pacific Pride	\$10,561.20	\$9,505.08
FOR POSSIBLE ACTION	32.	2018000018; 80069	Primadonna Company LLC: Whiskey Pete's Stateline Stop	\$157,440.83	\$76,190.62
FOR POSSIBLE ACTION	33.	2020000015; 80145	Canyon Plaza, LLC: Gas 2 Go	\$43,564.08	\$23,521.58
FOR POSSIBLE ACTION	34.	2020000016; 80062	LV Petroleum LLC: Us Gas #7	\$82,782.10	\$74,136.78

FOR POSSIBLE ACTION	35.	2020000046; 80064	Midjit Market Inc: Green Valley Grocery #34	\$31,921.52	\$17,237.62
				SUB TOTAL:	
				<u>\$881,288.33</u>	<u>\$711,041.83</u>
				RECOMMENDED CLAIMS TOTAL:	
				<u>\$910,086.62</u>	<u>\$737,158.54</u>

8. 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.	2021000025; 80100	Michael Matheus: Michael Powell Matheus Residence	\$19,927.63	\$19,677.63
FOR DISCUSSION	2.	2021000028; 80107	Jonathon King: Jonathan H & Eve M King Family Trust Residential Heating Oil Tank	\$19,134.09	\$18,884.09
FOR DISCUSSION	3.	2021000029; 80108	Lucas & Amanda Stewart: Residential Heating Oil Tank, 14585 Rim Rock Road	\$21,442.12	\$21,192.12
FOR DISCUSSION	4.	2021000033; 80147	Elena Corpus: Residential Heating Oil Tank At 955 Belgrave Ave	\$14,926.76	\$14,676.76
FOR DISCUSSION	5.	2021000034; 80150	Marilyn Newton: Residential Heating Oil Tank At 340 Country Drive, Reno	\$17,519.09	\$17,269.09
SUB TOTAL:				<u>\$92,949.69</u>	<u>\$91,699.69</u>

<u>ONGOING CASES</u>				<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	1993000102; 80133	Rebel Oil Company: Rebel Store #2008	\$70,323.31	\$70,323.31
FOR DISCUSSION	2.	1994000015; 80127	Pilger Family Holdings: Former D & G Oil Company	\$29,203.67	\$29,203.67
FOR DISCUSSION	3.	1999000023; 80135	Nevada Ready Mix Corp: Nevada Ready Mix	\$26,854.46	\$23,588.23
FOR DISCUSSION	4.	1999000066; 80136	HP Management, LLC: Former Haycock Petroleum	\$28,137.97	\$25,324.17
FOR DISCUSSION	5.	2008000019; 80063	One Panou LLC: Golden Market #3	\$15,897.31	\$13,983.07

FOR DISCUSSION	6.	2012000012; 80105	Las Vegas Land Acquisition 2020 Co., LLC: Green Valley Grocery #61	\$6,671.50	\$6,004.35
FOR DISCUSSION	7.	2013000009; 80128	Western Petroleum: Western Petroleum Of Nevada	\$8,473.25	\$7,625.93
FOR DISCUSSION	8.	2013000011; 80129	Har Moor Investments, LLC: Village Shop #4	\$18,209.38	\$16,388.44
FOR DISCUSSION	9.	2014000033; 80134	Speedee Mart INC: Speedee Mart #108	\$29,679.50	\$26,711.55
FOR DISCUSSION	10.	2017000019; 80139	Rebel Oil Company: Rebel Store #2197	\$20,426.18	\$18,383.56
FOR DISCUSSION	11.	2017000035; 80140	Rebel Oil Company: Rebel Store #2177	\$19,550.94	\$17,595.85
FOR DISCUSSION	12.	2018000005; 80137	Rebel Oil Company: Rebel Store # 2153	\$18,648.75	\$16,783.87
FOR DISCUSSION	13.	2019000001; 80138	Rebel Oil Company: Rebel Store #2160	\$3,837.50	\$3,453.75
FOR DISCUSSION	14.	2019000002; 80141	Rebel Oil Company: Rebel Store #2166	\$7,557.50	\$6,801.75
FOR DISCUSSION	15.	2019000005; 80132	Fairway Chevrolet Co: Fairway Chevrolet CO	\$6,293.25	\$5,663.93
FOR DISCUSSION	16.	2019000014; 80130	Western Cab Co: Western Cab CO	\$5,008.00	\$4,507.20
			SUB TOTAL:	<u>\$314,772.47</u>	<u>\$292,342.63</u>
			DIRECT PAYMENT CLAIMS TOTAL:	<u>\$407,722.16</u>	<u>\$384,042.32</u>
			BOARD MEETING CLAIMS TOTAL:	<u>\$1,317,808.78</u>	<u>\$1,121,200.86</u>

9. EXECUTIVE SUMMARY (FOR DISCUSSION)

NDEP will brief the Board on tank enrollment status, Fund coverage activities, Fund expenditures to-date, and progress towards revising current regulations and CEM Cost Guidelines to address audit recommendations.

10. 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.

**11. CONFIRMATION OF NEXT BOARD MEETING DATE (FOR DISCUSSION)
MARCH 10, 2022 (THURSDAY) AT 10:00 AM**

12. 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/environmentalcleanup/petroleum-fund/boardmeetingagendasminutes> 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 December 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/10640947>

Teleconference: Call in by Phone (audio only)

United States: +1 (877) 422-8614

Meeting extension: 10640947#

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, 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 December 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/environmentalcleanup/petroleumfund/boardmeetingagendasminutes>. Audio recordings of previous meetings are located at 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, 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:
Approval of September 9, 2021 Minutes
(FOR POSSIBLE ACTION)

**STATE OF NEVADA BOARD TO REVIEW CLAIMS BOARD MEETING
MINUTES
SEPTEMBER 9, 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.

A. BOARD MEMBERS PRESENT

Chair, Maureen Tappan – Representative of the General Public
Vice-Chair, Rod Smith – Representative of Petroleum Refiners
Karen Stoll – Department of Motor Vehicles
Greg Lovato – Nevada Division of Environmental Protection
LeRoy Perks – Representative of the Independent Retailers of Petroleum

BOARD MEMBERS NOT PRESENT

Jason Case – Representative of Independent Petroleum Dealers
Mike Dzyak – State Fire Marshal's Office

OTHERS PRESENT

Ian Carr, State Attorney General's Office – Carson City
Jeff Kinder, Michael Cabbie, Kim Valdez, Megan Slayden, Don Warner, Jonathan McRae, Tristin Alishio, Ben Moan, Diondrae White, Chuck Enberg, and Kevin Barnes – Nevada Division of Environmental Protection (NDEP)
Peter Krueger - Nevada Petroleum Marketers & Convenience Store Association (NPM & CSA)
Elliot Malin - Nevada Petroleum Marketers & Convenience Store Association (NPM & CSA)
Warren Lowman – Division of Internal Audits
Brian Northam – Southern Nevada Health District
Jeremy Holst – Broadbent & Associates, Inc.
Kirk Stowers – Broadbent & Associates, Inc.
Randy Miller - Broadbent & Associates, Inc.
Douglas Guerrant - Broadbent & Associates, Inc.
Kurt Goebel, Converse Consultants
Caitlin Jelle - McGinley & Associates
Emma Niedholdt – Westmark Group

In addition to the above-named participants, two additional guests called into the meeting by telephone and were not identified by name.

2. PUBLIC COMMENT

Kurt Goebel, Converse Consultants, introduced himself as someone working in the industry in Nevada for 30 years. He outlined concerns and comments noted in the January DIA audit of the Petroleum Fund. Regarding reconciling project costs, environmental work is not black and white accounting. It is not evident which subsurface conditions will be encountered during field work and precise predictions of time required to sample soil, sample a well, drill a well, repair a mechanical issue and troubleshoot a problem cannot always be made. The hours for staff categories will result in varying ratios. In regard to establishing a rate schedule for professional services, there is already a cap for professional service costs based on hours per task. If specific billing rates are also set for CEM services, which are chosen by the consumer, this is considered price fixing, which is illegal. CEM services are a professional service and professional services, especially for the purposes of consumer protection, are based on qualifications. In terms of the third category called strengthening CEM certification requirements, some of the statements made in the report regarding the CEM program are inaccurate.

There is a difference when talking about the State Petroleum Fund and CEM programs. While many states do have petroleum funds, few have full CEM programs. Nevada was the first state in the country to enact consumer protection for environmental services by requiring a CEM program in 1992. The program covers more than just UST and Petroleum Fund services. Currently 47 states have no consumer protection program for these services. The report compares Nevada's CEM program to Colorado, Utah, and California. California has no CEM consumer protection program for environmental work. Requiring an RG or a PE to sign a report does not mean they have environmental knowledge.

Environmental services are a multidisciplinary group that includes engineering, geology, hydrology, chemistry, biology, industrial hygiene, air quality, physics and more. An engineer or geologist does not have a corner on the market, and they are not necessarily more qualified than someone certified specifically in environmental services. Utah has a certified UST consultant program specific to UST work, which was established in the 1990's and codified into regulation, similar to Nevada. Its purpose is to protect consumers specific to UST work and not beyond. Colorado's program includes a voluntary recognized environmental professional program, developed in 2018. It enables qualified individuals to bill at a higher rate specific to petroleum fund work. It does not govern environmental work and is not regulatorily required by the state to do environmental work and protect the consumer. Nevada's CEM program is something to be proud of. It is unique as it covers more than just the Petroleum Fund. However, if there is a desire to strengthen the program, he would like to be included in the conversation.

Chair Tappan invited further public comments. There were none.

3. ELECTION OF BOARD VICE-CHAIR

Chair Tappan welcomed nominations. **Greg Lovato** nominated Rod Smith for Vice Chair, citing Mr. Smith's experience, knowledge, and work on the Board.

Greg Lovato moved to nominate Rod Smith as Vice Chair. Chair Tappan supported the nomination and requested a vote. Mr. Smith was elected Vice Chair unanimously.

4. **APPROVAL OF THE JUNE 3, 2021 MINUTES**

Chair Tappan called for any modifications to the minutes. There were no proposed changes.

Vice Chair Smith moved to approve the June 3, 2021 minutes as presented. LeRoy Perks seconded the motion. Motion carried unanimously.

5. **STATUS OF THE FUND**

Mr. Cabble presented the status of the Fund end of year totals. The balance forward from State Fiscal Year 2020 was \$7,500,000 with approximately \$423,100 received for tank system enrollment fees for enrollment year 2021. Approximately \$13,200,710 were generated by the \$0.0075 petroleum fee. The Fund has earned approximately \$55,970 in interest. The Fund received a settlement this year of \$74,138.42. Total revenue for Fiscal Year 2021 minus balance forward to the new year was \$13,753,919.21. Expenditures include Board Member salaries of approximately \$721. In-state travel costs total approximately \$60. Board meeting operating costs totaled approximately \$1,961. Total funds transferred to NDEP and used for program administration, State-led cleanups, staff salaries and ongoing maintenance was approximately \$964,219. Money administered through the UST upgrade grant program was \$52,662. 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 totaled approximately \$7,262,622. Annual transfer to the State Highway Fund is \$5,458,961.29. Total expenditures for the Fund for State Fiscal Year 2021 (balanced with revenue collected) were \$13,753,919.21. The current balance available for claims is \$6,830,307.83.

Chair Tappan invited questions from the Board. **Mr. Lovato** noted that this year, the transfer to the Highway Fund at closing was close to \$5.5 million. The totals in years past were in the range of \$2 million and above. This year, in the legislative session, the administration brought and passed AB 452, which provides for up to \$500,000 per year of funding that would go to the State Highway Fund to be redirected to greenhouse gas inventory efforts undertaken by NDEP and its Air Quality Planning Group. More requirements were placed on the Greenhouse Gas Inventory Planning Group in 2019, however, no additional funding was provided. This amount is meant to augment funding. The reason funds were drawn from this source is because the transportation sector is the largest source of greenhouse gas emissions in Nevada. Currently, the Division has budgeted for one full-time position, which typically funds at a level of approximately \$100,000.

Vice Chair Smith asked for clarification on the approximately \$74,000 total under reimbursement for expenses budget item. **Mr. Cabble** stated that from time to time, NDEP will take on a cleanup project in the event of a recalcitrant or absent operator. There is flexibility within the statute that allows for petrochemical and other petroleum cleanups to be carried out by the State. This is accomplished with use of State dollars via the Petroleum Fund. There is a cost recovery obligation to recover those costs and the \$74,000 was the result of a settlement.

6. **AMENDMENT TO CEM COST GUIDELINES- TASK J.1 AND J.2**

Mr. Cabble noted that during the June meeting, there was discussion regarding the implementation of Tasks J.1. and J.2. of the CEM cost guidelines. During that meeting, Mr. Cabble provided background and justification for the tasks and how they came about. Also during the meeting, staff requested that the Board allow them to establish a disposal rate. Currently, the Fund utilizes a rate charged from a disposal facility. This creates a discrepancy between the two primary disposal

facilities in northern Nevada versus southern Nevada. The intent was to equalize the cost across the State in a more uniform manner. There were also concerns from Board Members regarding transportation costs of impacted soils, especially when located in rural Nevada. Staff reached out to CEMs to solicit input on the changes. Comments were few and were generally neutral or positive. One necessary clarification on the comments was that the new \$80 disposal rate is specific to what a disposal facility could charge to treat or otherwise dispose of the soils. It does not include costs associated with excavation, transportation, and site restoration. For those costs, the multiplier is 3.75. Combined with the tonnage of soil removed, these values are multiplied together in the task's formula to establish maximum non-CEM or subcontractor costs. The proposed changes include this set disposal rate, additional language providing more flexibility with regard to transportation of impacted soil in rural Nevada, and a few other minor text updates. Staff recommends amendment of tasks J.1. and J.2. of the CEM Cost Guidelines, as proposed, regarding initial abatement cleanup activities.

Chair Tappan welcomed Board questions.

Vice Chair Smith inquired as to whether numbers ever come in below the maximum. **Mr. Cabbie** stated that the formula establishes a maximum that can be paid. What is being looked at are the actual invoices that come in from a contractor and those are the actual costs incurred. Under these tasks, the Fund is generally reimbursing less than the maximum. The Fund does not reimburse beyond the maximum reimbursement threshold, so costs that go over would not be reimbursed. **Vice Chair Smith** commented that the Fund should be reimbursing all true costs, even if they go over the maximum. **Mr. Cabbie** explained that when initial abatement activities take place, usually between the UST compliance and cleanup programs, regulatory oversight is not as robust as it would be further along in the cleanup process because no work plans are being submitted, reviewed, or approved. This is work being overseen by the CEM and performed by a contractor. In the past, contractors and CEMs were charging rates far above the market standard. Setting a maximum the Fund will pay upfront prevents the potential for overpayment of inflated or unnecessary initial abatement activities. The task is meant to mitigate contaminants, not to necessarily close a site or get it to a clean closure in this phase of work. **Vice Chair Smith** commented that it is difficult to predict hours of work required. **Mr. Cabbie** acknowledged that this has been a major concern among CEMs in terms of the fact that rigid hours are established under the task. CEM hours will be discussed in further detail during the course of this meeting under a separate agenda item, which may ultimately lead to major revision to the current Cost Guidelines or new Guidelines. It may make sense in some situations to allow additional hours, and that will be further evaluated in the Cost Guidelines revision. For now, it is crucial that CEMs have open communication with NDEP in terms of preapprovals and initial abatement activities so they understand what work can be accomplished under the set hours.

Mr. Lovato stated that the original purpose of the task and now the modification is to balance the need to perform abatement and the need for oversight and approval of only necessary work. The goals are to provide reasonable assistance for initial abatement. Beyond this, the requirement is to obtain approval from the case officer to keep going. The intent is not to limit necessary cleanup but is meant as a check. **Mr. Cabbie** added that during the transition period, if the hours have run out, this does not mean that assistance ends, but that the CEM must shift into other cost control measures. Additional hours can be requested via these mechanisms. There are challenges with accomplishing this quickly while equipment is still in the field, and this will be looked at further when the CEM Cost Guidelines are being evaluated for revision.

Mr. Perks stated that this is a preapproved amount and if they go over this amount, approval is required. **Mr. Cabbie** reviewed the potential for flexibility. The hours of CEMs are generally set,

with three days of field time. This is just in terms of overseeing excavation of impacted soil. It does not include demolition, removal of concrete or removal of the tanks. To go beyond the hours of CEM oversight, one would have to transition into the normal cost mechanisms established using Not to Exceed Proposals (NTEPs). The other component involves subcontractor costs. The CEM has oversight, however contractor hours and how much soil actually comes out of the ground is what drives the amount the Fund will pay. There is a maximum volume set at 140 cubic yards or 210 tons. This figure is derived by evaluating a standard gas site with three tanks 8 to 10 feet in diameter and a footprint of 25 by 30 feet. The maximum essentially allows excavation of the entire floor to a depth of 5 feet. When considering that a tank is buried 3 to 5 feet deep and that a tank has an 8 to 10 feet diameter, going down another 5 feet is approaching a depth of 20 feet, which is reaching the limits of equipment typically used onsite for a tank pull. One of the key cost saving mechanisms under this task is to use the equipment already onsite. If there is a need to go beyond those limits, the CEM can reach out to the case officer for additional approval to excavate additional impacted soil above the task limit.

Mr. Perks referred to the eastern part of the state and asked if case officer permission is required for hauling out of state. **Mr. Cabbie** stated that this process is described in the new amendments to the task. The Fund encourages the use of Nevada disposal facilities, however if circumstances necessitate using an out of state resource, this is permissible. Costs should remain at the \$80 disposal per ton rate. If the disposal costs exceed this amount, a cost analysis is required, but can be covered.

Mr. Lovato moved to approve amendments to Task J.1. and J.2. of the CEM Cost Guidelines as proposed regarding initial abatement cleanup activities. Vice Chair Smith seconded the motion. Motion carried unanimously.

7. REPEAL OF BOARD POLICY RESOLUTION 2007-10: POLICY TO REVIEW THIRD POLICY CLAIMS

Mr. Cabbie provided a brief history of the Policy Resolution. The two initial versions were focused on providing definitions to clarifying intent from statutes. The current policy is more focused on addressing an issue where the whole cleanup funding allotment for a site is consumed by corrective action costs and additional cleanup is needed to reduce the potential for third party liability claims.

Fund staff recommends that the Board consider repealing Board Policy Resolution 2007-10 for the following reasons:

1. Many definitions within the policy can now be found in current state and federal regulations.
2. The current policy allows an operator to access third party liability funding for cleanup; however, any of this funding used for cleanup will no longer be available in the event of a third party lawsuit.
3. A new option for operators that was not previously available at the time of the last revision of the Policy, now allows an additional \$1 million allotment to be used for cleanup without accessing third party funding.

Mr. Cabbie reviewed the similarities between the Policy Resolution and the recently passed Assembly Bill (AB) 40. AB40 contains processes largely unchanged from the Policy Resolution and codifies those procedures in law. There is no requirement to give up any future third party

funding in order to cleanup a case. For this reason, specifically, Fund staff believes the Policy Resolution to be obsolete. The Policy has also been identified as a concern under Recommendation Number 2 of the Division of Internal Audits Report Number 19-05. Staff believes that repeal of this Policy Resolution will address the concern of the audit report. Staff recommends repeal.

Mr. Perks asked whether third party coverage would be eliminated. **Mr. Cabbie** stated that Nevada Revised Statutes NRS 445C.370 and 380 spell out how the Fund will pay allotments for cleanup and third party damages. A site that has been awarded coverage initially will still have funding for cleanup and third party damages, but if they expend the cleanup allotment of \$1 million per tank for cleanup, the new statute will allow additional funding to be provided for cleanup without giving up the third party funding. In order to receive the additional cleanup funding, there is a list of requirements that need to be met.

LeRoy Perks moved to repeal Policy Resolution 2007-10. Vice Chair Smith seconded the motion.

Discussion:

Mr. Lovato asked for confirmation that the action is to repeal and replace the Resolution. **Mr. Cabbie** stated that at the time the agenda was prepared, it was uncertain whether the Policy Resolution would be entirely replaced or amended and carried forward. In staff's eyes, the policy does not contain enough substance to be retained and the recommendation is simply for repeal. The statutes under AB40 will drive the process for additional funding for cleanup. **Mr. Lovato** asked counsel to weigh in to ensure proper procedure. **Ian Carr, State Attorney General's Office**, stated that in accordance with **Mr. Cabbie's** recommendations, it appears that the measure is properly agendized as a full repeal. The provisions of AB40 will indeed control once the resolution is repealed.

Motion carried unanimously.

8. PROPOSED PETROLEUM FUND REGULATION AMENDMENTS – NAC 445C

Mr. Cabbie reviewed the status of the process thus far. One workshop has been held to solicit comment on the draft proposal with 29 individuals in attendance other than staff. The intent of today's discussion is to collect Board Member input. Based on comments received, staff will determine whether additional amendments are warranted. Once staff is comfortable with the language, they will provide it to the Legislative Council Bureau, who will have 30 days to review the language to ensure consistency with statute and other regulations. After that review, the proposed regulation will advance into the register for administrative regulations. It will be assigned a tracking number. At that point, a public hearing date will be determined, during which the Board would adopt the regulation, if they choose to do so. In the meantime, there is a requirement for an additional 30-day comment period.

In response to a question from **Mr. Lovato**, **Mr. Cabbie** confirmed that this same version of the regulations presented today was also presented during the workshop last week.

Mr. Cabbie provided an overview of the amendments as follows:

Section 1 NAC 445C.210 Paragraph F

This is the most significant amendment. Staff initially looked at revisions in an effort to address an audit concern in 2019. The revision is commensurate with AB40, which removed the definition of small business from statute and provides that the Board will define it in regulation. The current definition is \$500,000 in gross annual receipts. There was agreement from the Board and the regulated community that this amount is substantially low.

The definition of small business serves two purposes within the Fund:

- 1) Establishing a lower copayment and maximum paid towards cleanup and third party damages as small business; and
- 2) The definition is also proposed to be used to satisfy the financial need requirement when considering eligibility for an underground storage tank grant from the Fund.

NDEP is proposing to raise the monetary cap from \$500,000 to \$4 million. The \$4 million value is already used as a threshold by the Department of Taxation for its commerce tax and was used by Nevada as an upper limit for small businesses seeking financial assistance during the pandemic. It is an eight-times increase over the previous limit and a four-times higher increase than what would be calculated with the U.S. Bureau of Labor statistics. In addition to the \$4 million cap, the business must have an annual throughput of 1 million gallons of fuel or less averaged over two years, and the business must be registered with the Secretary of State.

Section 2 NAC 445C.220

Included here are the required documents an operator must submit to Fund staff for them to make a determination as to whether or not a business qualifies as a small business.

Section 4 NAC 445C.250

This section includes an update of testing requirements for above ground storage tank systems. There is a Board Policy resolution in place that speaks to registration of above ground storage tanks and a reduction schedule due to noncompliance; however, the testing requirements were never brought into the regulation. Subsection 6 also sets additional requirements to maintain records of testing for all storage tanks registered in the Fund and states these records must be submitted to NDEP upon request.

Section 5 NAC 445C.270

With regard to submitting applications for Fund coverage, the language previously stated, “As soon as possible after the discharge.” Applications are sometimes being submitted years after the discharge is discovered, which creates conflict with claim submittal deadlines. Claims are required to be submitted within 12 months. The language has been updated to match both requirements to a 12-month time period. Discovered releases must be reported timely; the applications for coverage should also be submitted shortly thereafter. Other amendments consist primarily of citation updates and minor text clarifications.

Section 7 NAC 445C.310

Subsection 2 requires all claims to be submitted within 12 months of work being performed. Subsections 4, 5 and 6 clarify who can be paid and clarify proof of payment requirements. Subsection 4 adds that the Board can make a payment to a CEM. Subsection 5 states that if the payment is made to the CEM, they are subject to the same requirements as an operator and

responsible for providing the required proof of payment documentation. Subsection 5, Paragraph C is new to this section. It was added to address the audit concern in the Division of Internal Audit Report 21-04. Findings under Recommendation Number 4 reflected significant concern regarding copayments established under statute not being reviewed by Fund staff or submitted to Fund staff. This new section specifically requires an operator or CEM to demonstrate to the Division proof of payment of the required operator cost allocation, pursuant to NRS 445C.370 and NRS 445C.380, is being made. Subsection 6 addresses what will occur if proof of payment documentation is not received. If staff cannot substantiate that money paid by the Board to an operator was distributed appropriately, staff will require reimbursement of the unsubstantiated funds, up to the entire claim amount. The Board will also not approve payment for any additional claims until the Fund is reimbursed.

Section 8 NAC 445C.330

Includes clarifying text.

Section 9 NAC 445C.340

Extends the grant period, which is an issue that has received criticism from the start of the program. Currently the grant application submittal period is three months, from January to March. The period has been extended to nine months.

Further portions of this section address financial need. Paragraph D addressed permits and notifications and has been eliminated and will be left to the contractor doing the work.

Paragraph F previously detailed the requirements to establish a financial need. The language caused frustration, in that it required utilizing specific accounting practices. The revisions will now rely more on the small business definition, where there are standardized tax forms submitted to the federal IRS. This will provide consistency and ease of assessment.

Section 10 NAC 445C.350

Previous language under Subsection 4 stated that an applicant was only eligible for one grant. It was found that limiting a recipient to one grant allocation also potentially limits the upgrades at a facility. There is value to allowing additional allocations to be made. For each allocation, the applicant will still need to go through the same application process. In light of opening the door to additional allocations, there will be caps on operators with more than one facility. The cap is equivalent to the full \$90,000 cap for two facilities for a total of \$180,000.

Section 11 NAC 445C.360

Language is revised to state that equipment should be compatible with the substance stored in the tank system and should be installed in accordance with federal UST regulations. Once the equipment is in the ground, documentation must be submitted demonstrating that it can pass testing. The intent of the program is to assist operators with expenses that were brought on by new testing requirements. If the testing revealed failures, that equipment would need to be replaced causing a significant financial burden to operators.

Following the above introduction to the proposed amendments, **Mr. Cable** summarized public comments received following the September 2, 2021 workshop. Regarding the small business definition, the \$4 million cap on a business that provides other services besides a fueling operation

was a concern. With regard to grants for UST upgrades, there is concern about the requirement for three bids. Operators have difficulty telling a contractor what exactly they need or what equipment is currently onsite. Without a structured solicitation process, the bids come in all over the board. Operators generally have a go-to contractor who is familiar with the site. They may be hesitant to use a less familiar contractor. That said, the State's current standard is to obtain three bids for work it will pay for. This is not to say the Fund will continue to require 3 bids, but another cost control would be required if it were removed. Examples and suggestions are welcome.

Mr. Cabble noted that Mr. Perks has previously discussed establishing a schedule for equipment costs. While such a suggestion could be entertained, assistance is needed with this specific effort.

Mr. Cabble concluded his presentation and invited questions.

Mr. Perks addressed the small business definitions. While he understands the \$4 million limit, consideration should also be given regarding the volatility of gasoline prices. It may be helpful to have a clause in regard to inflation, so that it automatically grows with inflation. There is also a huge disparity in taxes across the state.

Mr. Perks addressed the specific example, of Fallon RV Park. Fallon RV operates the park for the owner of the property, but they are also the operators of the gas station and store, and they received a small piece of the pie to collect all the money. The operator is still the little guy, and all the money is going to the owner. Another example where issues exist is with Speedway. State law allows them to have seven slot machines, however this store has over 20, because they were grandfathered in. They keep the store open to keep gaming viable and they have less care regarding the gas portion of the business. Carlin has a cardlock without employees, strictly selling gas and pumping 700,000 to 800,000 gallons per month. Each of these examples are classified the same. Last year, gasoline prices were under \$2 per gallon. At this time, the state average is over \$4 per gallon. This means that a small business will move into and out of the small business categorization strictly based on the rise and fall of gas prices. He proposes that the regulation allow the small business cap to be flexible, commensurate with gas prices at the time.

Mr. Cabble stated that in order to develop that flexibility, there must be a reliable and consistent source of information that tracks the price per gallon rate. The throughput records would also have to be used to further adjust the figure. **Mr. Perks** commented that the \$4 million cap is very low considering the current price of gas. Thus far, when looking for average prices, he has found graphs from the Department of Energy. He would rely on Mr. Krueger and his sources to identify average prices for the state. **Mr. Cabble** agreed that the comments are valid; however, he needs more information to determine how to develop a standard mechanism for adjustments. He added that business records will be required for the past three years and will be based on an annual average, which should help with rises and falls. **Mr. Perks** suggested that the assessment be based solely on the gas pricing and not on other aspects, such as retail stores or gaming.

Vice Chair Smith asked for clarification on worrying about the gas dollar amounts, as opposed to specific volume of product throughput. **Mr. Cabble** said this has been discussed, however there are circumstances where no throughput records are available, such as an instance where an operator inherits a property on which a release occurred some years ago. There must be a mechanism to separate them from the rest of the operators to make them eligible as a small business. **Vice Chair Smith** said this is a separate circumstance and should be separated. **Mr. Cabble** stated that the Fund cannot create two different small business definitions under the same regulation and that a circumstance where an owner purchases a property not knowing there are tanks present does occur

with some frequency. The original definition established both in statute and regulation was done under a financial cap. This means it was vetted by legislation and the Board at the time.

Karen Stoll noted that a large source of funding for the Fund is based on gallons. Perhaps the basis for establishing a small business should be based on the gallons of activity by the station, rather than gross receipts, particularly if the Fund is not going to require audited financial statements to prove the actual gross receipts.

Mr. Lovato addressed the small business definition and how it originally came into the statute. It was NDEP's understanding that part of the reason small business received different treatment in the Petroleum Fund statutes when they were first put in place was a federal requirement for financial assurance. This was the State of Nevada's response to provide a financial assurance mechanism that would satisfy federal requirements. The reason the statute was put in place was that many small businesses could not afford their own financial assurance. Petroleum marketers and others figured out how to put this together. Additional consideration for small businesses was afforded, as they may receive lower deductibles and copays. This was followed by the grant component. He understands the points made by Mr. Perks and Mr. Smith regarding tying it solely to fuel throughput. There is a practicality to this approach. However, when affording special treatment to some business over others (small businesses), it is difficult to completely ignore the actual wealth of the business. For example, it is not reasonable for a business with \$50 to \$100 million in revenue, but only doing a small portion of gas sales to be afforded small business advantages. He agrees that picking a number and disallowing flexibility may not be the best approach.

Mr. Perks contemplated what type of business would be large like what Mr. Lovato described, but also have a low throughput. He suggested a hotel possibly. **Mr. Cabbie** provided a couple other examples such as emergency generators used at a casino or hospital. **Mr. Perks** recognized his focus has been on the gas station industry and realized the Fund has to consider other types of facilities as well. He reiterated the need to have a mechanism to manage the sales cap through the volatility of gas prices. **Mr. Cabbie** agreed that coming up with a tool to do this would be beneficial but was not sure where to start. An inflation calculator could be considered but it does not account for volatility or sales of fuel. He invited additional input from other Board members. **Vice Chair Smith** read the language, "A business that has less than \$4 million gross annual receipts," which leaves out casinos. The language specifically lays out a throughput of one million or less. This addresses both concerns. **Mr. Perks** stated that there should be an adjustment of the \$4 million according to the price of gas. **Mr. Cabbie** restated that argument for having monetary figures in the definition, in that different operators are at different ends of the spectrum and the intent is to keep the process as fair as possible. Perhaps staff can get some helpful data from Mr. Krueger in terms of gas price trends over the past year. Then sales numbers could be applied to the difference in price per gallon. The point of today's discussion is to determine whether the Board is supportive of including an adjustment to the \$4 million cap. In terms of coming up with a number to base per gallon price, this is something staff can work on crafting.

Mr. Lovato noted that one of the criticisms from the initial audit was that funding was not going to small businesses. However, this was an artifact of the definition of small business in the statute as opposed to the program being administered incorrectly. It would be helpful to have more industry data to determine the feasibility of a more flexible structure. **Chair Tappan** concurred with Mr. Lovato, noting that it would be useful to know the percentage of enrolled people that fall under the threshold of less than \$4 million in gas, one million gallons of throughput, and fewer than 150 employees. It is the small businesses that are the true subjects of this targeted assistance. It would also be helpful to include factors of inflation, to demonstrate that the Fund is cognizant of ongoing and changing conditions.

Chair Tappan asked whether Mr. Cabbie has sufficient input regarding the small business aspects. **Mr. Cabbie** stated that he believes staff have sufficient input and will attempt to evaluate where operators in the state currently fall using the outlined definitions. Interest has been expressed in finding a way to let the cap be adjusted based on sales/throughput. He will explore that option before submitting a draft to LCB. **Mr. Cabbie** inquired of Mr. Carr whether further workshops would be required based upon the potential adjustments. **Mr. Carr** stated that based on the Administrative Procedures Act, the workshop having been conducted with the regulation still being in draft format, the proposal as amended should be submitted to the LCB. This will allow them to inspect it and determine whether or not it is substantive modification such that it warrants re-workshopping the regulation. **Mr. Cabbie** suggested that the proposed changes be reflected in the draft in a distinct color of text and **Mr. Carr** agreed with this approach.

Mr. Lovato stated that in the mine reclamation program, there is a yearly adjustment of reclamation cost estimates in response to underlying fuel costs. They must certainly have agreed upon a specific index. This index of fuel costs may be publicly available and helpful in these efforts.

Chair Tappan invited final input from the Board. **Mr. Perks** referenced Section 7, 310, Subsection 5(a), which refers to immediately paying the vendor or contractor. "Immediately," is ambiguous. He likes it, but it is not specific. **Mr. Cabbie** stated that LCB may wish to have specific time frames. Currently there are two time frames for an operator to submit proof of payment. They must pay the vendor or contractor within 30 days and must submit documentation of such payment within 60 days. Since his time with the program, Mr. Cabbie has received no complaints in terms of payment being received timely. It puts the Fund in a bad position to receive a proof of payment at 59 days when the payment was made 32 days after payment from the Fund. Currently, Fund staff are supposed to bring this to the Board's attention, require reimbursement of the full claim amount and then freeze up payments for a span of two Board meetings. In practice, this makes little sense. The point being conveyed in the section is that when a payment goes to an operator from the Board, it is expected that the payment will be made to contractors as soon as possible. **Mr. Perks** reiterated the need for specificity, such as five days, particularly as the term "as soon as possible" may not be easily enforceable.

Vice Chair Smith referred to page 6 [Section 7, NAC 445C.310.2] and read, "An operator, vendor or contractor must submit the initial claim within 12 months after the date which the operator, vendor or contractor knew or should have known of a discharge." Going back to a recent conversation regarding a 40 percent reduction on an operator, due to not investigating a potential leak, **Vice Chair Smith** asked how this would be handled. **Mr. Cabbie** stated that considering this language, Fund staff would be looking for records within the coverage application that states when a discharge to the environment was identified. This could be based on discovery of free product, soil sampling results, or groundwater sample results. **Vice Chair Smith** commented that the phrasing, "Knew or should have known," is ambiguous. **Mr. Cabbie** reiterated that staff will be relying on the records for clarification. **Chair Tappan** suggested the possibility of adding "as per the record" as a way to clarify the language. **Vice Chair Smith** further suggested "or as records demonstrate" as an alternative. **Chair Tappan** clarified that the purpose of this discussion is to merely provide staff with feedback and suggestions.

Mr. Perks referred to Section 9, bid requirements for grants. The three-bid standard is a standard for state projects; however, these are private projects. When the state directs bids, they provide a set of plans, specifications, and list of materials. If the Fund is going to continue this requirement, plans and specifications should also be required to ensure that the contractors are all bidding under the same conditions. **Mr. Lovato** stated Mr. Perks' comments provide good experience and

information that should be considered when setting these requirements. However, staff must also consider a mechanism to control contractor costs for grant work.

Chair Tappan commented that when the Board approved the grant program several years ago, the Board felt that there would be significant volume of people going after the grants. However, this was clearly not the case. It may be due to the three-bid process or for other reasons. It is clear that the process needs to be easier for those who are entitled to apply. She suggested the possibility of a modification of language which recommends up to three bids for the completion of anticipated work and perhaps incorporating unit costs. Are bids required? **Mr. Cabbie** stated that there is flexibility. They do not necessarily have to require three bids; however, they must have a cost control mechanism. He is not opposed to setting an equipment schedule. It would be helpful to have input from more than one contractor. **Mr. Perks** commented that he has done dozens of grants with the State of California and has never had to bid against another contractor. The operator selects the contractor, who submits the documentation to the State of California, who makes the determination. He has yet to be denied. A unit cost would work well in knowing exactly what the Fund will pay for the equipment. **Mr. Cabbie** stated that there is then the cost of labor associated with the unit cost. **Mr. Perks** stated that some of the labor costs can be built into the unit cost quotes, which would set a maximum. If the operator wants something that costs more, the operator pays the difference.

Megan Slayden stated that the grant program pays labor hours, but not oversight hours for work onsite. That is why this does not have a task in the CEM cost guidelines and is not considered a CEM task but is something that UTHs should be doing. UTHs do not have cost guidelines. The question then is how to work with someone who took the time to pick the spill buckets and other equipment. There are no established rules for UTHs to perform such work. **Mr. Cabbie** stated that the process would involve establishing a fixed price, rather than an adjustment. The question is whether the Board is comfortable moving to an equipment schedule versus three bids. The three bids process is clunky. It is common that Fund staff have to contact the contractor multiple times for clarifications on items not included in one bid versus another bid. **Mr. Lovato** stated a fixed price approach is reasonable. **Chair Tappan** agreed, noting that the lack of grant participation is likely a result of the three-bid process. **Vice-Chair Smith** generally agreed, but also stated that using a bid process should not necessarily mean the low bid must be used. **Mr. Cabbie** stated that staff will look into using an equipment schedule approach instead of bids and determine its feasibility in the grant program.

In response to a question from **Mr. Perks**, **Mr. Cabbie** stated that above ground tanks are not included in the program. The purpose of the program is centered on upgrade requirements under federal storage tank rules.

Mr. Perks asked about the expiration of a grant period. **Mr. Cabbie** stated that the program was formed around periodic testing, with UST regulations put in place in 2015 and requiring that operators will have to do periodic testing. Most sites were grandfathered in and allowed to commence the testing three years later, in 2018. That afforded them time to potentially upgrade the site to pass the upcoming testing. Everyone with a storage tank system older than three years should have completed this testing by now. The intent was to allow operators to come into compliance with the requirement as a one-time boost. The question is whether once the Fund pays to upgrade equipment at a site, should it do so continuously? This was not the original intent. The original intent was to bring a site to a level of compliance with the regulations. Testing will continue to be required every three years. **Mr. Perks** stated that the grant program should continue indefinitely, as equipment upgrades become available on an ongoing basis in the industry. **Chair Tappan** stated that if money is available in the Fund, she is not opposed to eligibility of more than

one grant in future years. **Mr. Perks** agreed. **Mr. Cabbie** clarified that they would still be relying on application requirements.

Mr. Perks referred to 445C.350 Section 2 and questioned the amounts of \$38,000, \$64,000, and \$90,000, commenting that tanks do not tell anything about a site, other than the total number on the site. **Mr. Cabbie** stated that he would take Board member input regarding scrapping this approach and going with a single cap limit. It is notable that for grants provided thus far, most of them, even with three to four tanks, come in under the \$90,000 threshold. **Mr. Perks** suggested that for simplification, there should just be one number to work toward. **Chair Tappan** commented that it is worth exploring a feasible number.

9. **BOARD DIRECTION TO UPDATE TO CEM COST GUIDELINES**

Mr. Cabbie stated that the Petroleum Fund program has gone through two audits for the Governor's Finance Office Division of Internal Audits. The purpose of this agenda item was to focus discussion on the first two recommendations of the Division of Internal Audits Report No. 21-04, which addresses reconciling project costs and establishing rates for professional services. Staff has evaluated options, including providing additional context to the Division of Internal Audits on how the current system works by allowing professionals to set rates based on market conditions. The analysis looked at potential cost savings based on averaging rates or using a median rate. Overall, staff found that professional-set rates did not substantially change the amount of money the Fund was paying out on claims. On May 17, 2021, NDEP provided an update to the Division of Internal Audits in preparation of the six-month follow up report. This was presented during the last Board meeting, where members seemed to be okay with essentially allowing market rates to set professional service costs. Following the meeting, NDEP attended the Executive Branch Audit Committee meeting on June 29th, 2021, at which the Division of Internal Audit staff presented its six-month follow-up report. Subsequent to the presentation, the Executive Audit Branch Committee members indicated that they would like to see more progress by NDEP in addressing the audit findings. They also advised that NDEP reevaluate the establishment of rates for professional services.

In response, NDEP staff looked at options to satisfy the report findings. This includes the possibility of establishing billable rates for CEM services at varying skill levels, such as clerical staff, staff geologists, engineers, and project managers. Once established, the consulting company would not be permitted to deviate from these rates and Fund staff would be tasked with establishing rates and revising the cost guidelines on a more frequent basis in order to keep pace with market conditions. These evaluations and revisions would require additional staff time, which is the main downside when compared with the current system. If rates were to be established in this manner, CEMs would have to format their invoices to not only show NTEP but also identify each individual task billed under the NTEP and further identify the number of hours for each task. Staff would have to verify that the new skill level rate is included for each skill level, for each task, and then compare those to the rates/tasks on the invoice. This would require a manual review of NTEPs and CEM invoices side by side.

In terms of context, NDEP receives 60 to 90 claims per quarter, most of which are reviewed within a 30-day time period. A manual comparison will double or triple the time it takes to review a single claim. There is not adequate staff capacity for this undertaking. It would also result in lagging payments and lengthen overall project cleanup timing. As a compromise, staff would like to propose another option that will allow continued use of the current database structure, which facilitates review by two staff members, yet is believed to meet the intent of the audit report

recommendations and still provide flexibility for consulting companies in overseeing the projects. Rather than developing a rate for skill levels, tasks would be developed, and existing tasks would be consolidated into a project event. Examples include installation of monitoring wells or well sampling. Essentially the tasks would describe the scope of work, identify a deliverable, and an overall task cost would be set. Invoices could be reconciled against the overall task cost. This approach will allow staff to utilize the tools currently available to streamline the review process while retaining transparency. If the Board agrees with this approach, NDEP will request a meeting with the Division of Internal Audits to discuss any concerns they may have. Following that discussion, staff's intent would be to provide draft revised cost guidelines to the Board at the December meeting.

Chair Tappan stated that the idea of the overall task costs is a much more efficient approach for the team overall. **Mr. Lovato** acknowledged staff's efforts in coming up with an efficient and creative approach. They have demonstrated that setting a rate based on averages would not result in substantial savings to the Fund. It would be helpful to hear from the contractors in terms of their specific concerns. There will be more input from the auditors as well.

There was consensus to allow staff to explore the option of setting an overall task cost that outlines the scope of work and reconcile received invoice costs to the tasks.

10. **ADOPTION OF CONSENT ITEMS**

The Board reviewed all items as a consent calendar item. There were no items marked by an asterisk (*), or members of the public who wished to speak regarding the item.

A dagger (†) indicates previously disallowed monies have been 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.

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

HEATING OIL

			<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
		SUB TOTAL:	<u>\$33,188.93</u>	<u>\$32,938.93</u>

NEW CASES

			<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
		SUB TOTAL:	<u>\$53,432.20</u>	<u>\$28,853.39</u>

ONGOING CASES

			<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
SUB TOTAL:				<u>\$550,401.21</u>	<u>\$474,484.16</u>
RECOMMENDED CLAIMS TOTAL:				<u>\$637,022.34</u>	<u>\$536,276.48</u>

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.

11. DIRECT PAYMENT OF UNCONTESTED CLAIMS (POLICY 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 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
			SUB TOTAL:	<u>\$210,772.20</u>	<u>\$208,272.20</u>

<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
SUB TOTAL:				<u>\$588,593.61</u>	<u>\$543,970.56</u>
DIRECT PAYMENT CLAIMS TOTAL:				<u>\$799,365.81</u>	<u>\$752,242.76</u>

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

12. EXECUTIVE SUMMARY

Mr. Cabbie stated annual invoices for enrollment year 2021 were issued on August 17, 2020. Total facilities invoiced to date is 1,291 facilities. Approximately 1,258 facilities have paid the enrollment fee, which is just under 97.4 percent. Invoices for the new enrollment year, 2022 went out on August 19, 2021. 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 active Fund cases. Since January 1, 2021, NDEP has received 24 new coverage applications for Fund coverage. Two applications are currently pending. Prior to this Board meeting, the Board to Review Claims has approved a cumulative total of \$248,084,918.59. This includes \$752,242.76 for direct payment claims since the last Board meeting. With today's approval of \$536,276.48, the cumulative Fund expenditure will increase to \$248,621,195.07. One UST upgrade grant payment has been made this quarter in the amount of \$52,661.81. Upgrades include new spill buckets, overfill prevention devices, turbine containment sumps, product piping, and four new dispenser sumps.

There are two remaining recommendations from the first audit report issued in 2019. The regulation updates will satisfy recommendation number one regarding the small business definition. Repeal of Board Policy Resolution 2007-10 will assist in closing out the second audit recommendation. Regarding the four new recommendations in the January 2021 audit report, adoption of the proposed regulations and revising the cost guidelines will help to satisfy Recommendations 1, 2 and 4 of that report. The recommendation to strengthen CEM certification requirements is still under review and being evaluated by NDEP's certification program, who will likely pursue a regulation change to address those concerns as well.

Mr. Cabbie provided a brief summary of the Eagle Gas North cleanup status. The cleanup ended some time ago. 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.

13. PUBLIC COMMENT

Peter Krueger, Nevada Petroleum Marketers & Convenience Store Association, addressed the two hours of discussion on Agenda Item 8 and commended Mr. Cabbie for the workshop conducted recently, which was productive. The grant program was created by the legislature in 2017 to address small operators, mostly in unincorporated portions of Clark County and Washoe County, Highways 95 and 93 up the eastern portion of the state. The independent gas station operators are fragile. Pressure on owner operators for system upgrades and latest EPA requirements is significant. They must also accommodate EMV chip and pin requirements at gas pumps at tremendous cost. Additionally, the Department of Agriculture is working through E15 regulations. The Division is urged to seek an extension from the Internal Audit Department for Items 8 and 9. The purpose of the Fund is to keep the environment clean. He recognizes the importance of the audits; however, the Fund is an important tool in keeping the environment clean and that needs to be considered when addressing the audit concerns. A request to extend the deadline should be pursued.

Warren Lowman, Administrator of the Division of Internal Audits, thanked Mr. Lovato and Mr. Cabbie for working diligently over the last couple of years towards resolution of the audit recommendations. In regard to Agenda Item 9, the Division looks forward to meeting with

Mr. Cabble to discuss the intent of the audit recommendations and the proposed resolutions. The monies involved are public funds and transparency is nonnegotiable. The goal from the beginning was to support “mom and pop” businesses and be available to assure cleanup on spills and pollution. The Fund has been seen as a publicly financed insurance policy for environmental cleanup. Over time and depending on what definition of small business is used, the original intent to support small businesses may or may not be effective. It should not be seen as a corporate welfare opportunity. There are public responsibilities, and the Board is encouraged to continue towards protection of the public while working with businesses. What Mr. Cabble presented was well-grounded, well-founded, and defensible in a public arena. The suggestions have a great deal of validity. **Mr. Lowman** thanked Mr. Krueger and his organization for the proposed amendment in AB40 that was the impetus for reaching a solution on how to get the additional resources that are necessary for cleanup and protect the public’s interests with respect to third party liability.

14. **CONFIRMATION OF NEXT BOARD MEETING**

The next meeting is scheduled for December 9th.

Chair Tappan stated that the Board may choose to have an intermediary meeting and general training for the new Board member. The meeting would include a vote on the regulation under Agenda Item 8, potentially as a virtual meeting. This would be dependent on the submittal to LCB, their review, the 30-day public comment period, and staff workload.

15. **ADJOURNMENT**

The meeting adjourned at 1:15 p.m.

**Agenda Item 4:
Status of the Fund**
(FOR DISCUSSION)

Petroleum Discharge Cleanup Fund
Balance Sheet - State Fiscal Year 2022
As of November 17, 2021

REVENUE

Balance Forward	\$ 7,500,000.00
Enrollment and Registration Fees	\$ 383,800.00
Petroleum Fees	\$ 2,779,180.11
Interest Earned	\$ 14,196.00
Balance Forward to New Year	\$ -
Total Revenue	\$ 10,677,176.11

EXPENDITURES

Board Salary	\$ 314.88
In-State Travel	\$ 58.80
Operating	\$ 556.46
Transfer to Highway Fund	\$ -
Transfer to Division of Environmental Protection Senate Bill No. 89	\$ 343,100.40
Petroleum Grant Program	\$ -
Department of Motor Vehicles Fee Collection Service	\$ -
Reimbursement of Claims	\$ 1,600,075.27
Total Expenditures	\$ 1,944,105.81

LIABILITIES

Petroleum Board Costs	\$ 3,069.86
Highway Fund Budgeted Amount	\$ 8,000,000.00
Pending Obligated Claims	\$ 8,717.74
Total Liabilities	\$ 8,011,787.60

ACTUAL FUNDING AVAILABLE

\$ 8,733,070.30

DocuSigned by:

Susan Genzler

11/18/2021 | 11:59 AM PST

Prepared By

FD123D9FCA0A485...

Date:

DocuSigned by:

Sheryl Fontaine

11/22/2021 | 2:11 PM PST

Reviewed By

7530D407CC3F482...

Date:

DocuSigned by:

Mike Cabbie

11/26/2021 | 8:54 PM PST

Petroleum Fund Staff Approval

Date:

**Agenda Item 5:
Request for Reconsideration of Previous
Site Specific Board Determination No.
C2019-02**

(FOR POSSIBLE ACTION)

ATTACHMENT A

Request for Reconsideration of Site Specific Board Determination
C2019-02

Mike Cabble

From: Elizabeth Guth <eguth@affinitygaming.com>
Sent: Monday, November 22, 2021 12:19 PM
To: Mike Cabble; Lonnie Mercer
Cc: Benjamin Moan; Don Warner
Subject: RE: December 9th Board meeting

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon Mike,

In accordance with Board Policy Resolution 2012-06, I would like to request reconsideration of the existing SSBD for the Whiskey Pete's site (Facility ID No. 8-000772 and Petroleum Fund ID 2018000018). We would like to be on the agenda for the December 9th meeting to make this request to the Board. Lonnie is currently incorporating edits to the Compliance Plan and Schedule based on Ben's feedback, and we will provide a final version of the Compliance Plan and Schedule to Ben and you by Wednesday, November 24th. Please let us know if you have any questions.

Please let me know if you need anything additional.

Regards,
Elizabeth



Elizabeth Guth

Vice President – Insurance & Benefits

p: 702.341.2419 **m:** 702.202-8565
a: 3755 Breakthrough Way | Suite 300 Las Vegas, NV 89135
W: www.affinitygaming.com



ATTACHMENT B

Site Specific Board Determination C2019-02
Provide Reduced Petroleum Fund Coverage for Whiskey Pete's Stateline Stop
100 West Primm Boulevard, Primm, Nevada

STATE BOARD TO REVIEW CLAIMS

MEETING OF JUNE 4, 2019

Video conferenced in Carson City and Las Vegas, Nevada
Summary of Site Specific Board Determination No. C2019-02

SUBJECT: Proposed Site Specific Board Determination (SSBD) to provide reduced Petroleum Fund Coverage for Whiskey Pete's Stateline Stop, Primm, Nevada Facility ID No. 8-000772, Petroleum Fund Case ID No. 2018000018

DISCUSSION: The subject site owned by Primadonna Company, LLC is located at 100 West Primm Boulevard, Primm, Nevada.

This facility currently has six underground storage tanks (UST) enrolled in the State of Nevada Petroleum Fund (three systems containing gasoline and three systems containing diesel). On February 16, 2018, Primadonna/Affinity Gaming reported a suspected release of gasoline from a leaking 87-octane slave tank. Upon confirmation of the release, it was discovered that the subject UST system was non-compliant with multiple UST requirements.

In addition, there are at least four other known releases that have occurred at this facility which have contributed to petroleum impacted soil and groundwater. These releases have resulted in a comingled petroleum plume beneath the site contributed to by both non-Fund eligible and Fund eligible release sources.

Due to the release from the 10,000-gallon 87-octane slave tank system with multiple non-compliance issues and the comingled contamination of non-Fund eligible and Fund eligible release sources, the Nevada Division of Environmental Protection (NDEP) recommends that the Board to Review Claims (Board) grant Petroleum Fund coverage with a 40% reduction, plus an additional 20% reduction. This recommendation is consistent with Board Policy Resolutions 94-023 and 99-022 that addresses reductions in coverage for failure to comply with regulatory requirements and coverage of comingled contaminant plumes.

RECOMMENDATION: **Adoption** of Site Specific Board Determination No. C2019-02, as proposed, granting coverage under the State of Nevada Petroleum Fund to Whiskey Pete's Stateline Stop for one 10,000-gallon gasoline UST system (87-slave tank) with a 40% reduction, plus an additional 20% coverage reduction due to a non-Fund eligible release source that is comingled with a Fund eligible release source, and a 10% copayment.

STATE BOARD TO REVIEW CLAIMS

Site Specific Board Determination C2019-02

Site Specific Board Determination to Provide Reduced Petroleum Fund Coverage
for Whiskey Pete's Stateline Stop, 100 West Primm Boulevard, Primm, Nevada
Petroleum Fund Case ID No. 2018000018
Facility ID No. 8-000772

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

1. Whiskey Pete's Stateline Stop, owned by Primadonna Company, LLC, located at 100 West Primm Boulevard, Primm Nevada, has six underground storage tank systems containing gasoline and diesel.
2. On February 16, 2018, tank tightness tests were performed on the master and slave underground storage tanks (USTs) that stores 87-octane unleaded gasoline. While the 87-master tank passed tightness testing, the 87-slave tank failed its tightness test, was emptied, and placed out of service on the same day.
3. Following the failed tightness test, Containment Solutions performed an inspection of the 87-slave tank on April 3, 2018. The inspection identified five cracks in the tank walls. Containment Solutions subsequently repaired the 87-slave tank and Service Station Compliance Testing performed a tightness test on April 16, 2018 to confirm that the repairs were effective. The repaired tank passed testing.
4. Immediately following the tank inspection on April 3, 2018, Environmental Resources Management (ERM) performed soil inspection and sampling adjacent to the 87-slave tank. On April 4, 2018, an excavation was advanced on the west side of the tank. During excavation activities, soil samples were collected for submittal to the laboratory. Laboratory analytical results indicated that petroleum hydrocarbon constituents were above NDEP Reportable Concentrations for TPH, naphthalene and BTEX compounds confirming a release to the environment had occurred.
5. On April 24, 2018, Southern Nevada Health District (SNHD) issued a letter that verified that the UST upgrades/repairs had been approved in accordance with federal UST regulations and the 87-slave tank was subsequently returned to service.
6. Review of the monthly Statistical Inventory Reconciliation (SIR) Reports from January 2017 through February 2018 indicated that there was a potential problem with the 87-master/slave UST system in August 2017. From August 2017 through February 2018, the SIR reports for the 87 master/slave UST system showed a "Fail" for the Tank and Line Status. In addition, the October 2017 through January 2018 SIR reports noted, "Losing trend exceeds regulatory parameters (gallons). Follow the state specific guidelines for non-passing SIR results and perform loss investigation protocol as outlined in the enclosed checklist or the Veeder-Root manual." That is six months of SIR reports indicating that there was a potential problem with the 87-master/slave UST system before the system was inspected in February 2018. An estimated 37,000 gallons of gasoline appears to have been released to the environment during this time.
7. When the SIR reports indicated a potential problem in August 2017, a suspected release was not reported to NDEP or SNHD as required by federal regulation, nor was the suspected release investigated and confirmed within 7 days or another reasonable time period specified by the implementing agency.

8. Title 40 of the Code of Federal Regulations (40 CFR) §280.50 Reporting of Suspected releases., states: *“Owners and operators of UST systems must report to the implementing agency within 24 hours, or another time period specified by the implementing agency, and follow the procedures in 280.52 for...(c) Monitoring results from a release detection method required under 280.41 and 280.42 that indicate a release may have occurred...”*
9. 40 CFR §280.52 Release investigation and confirmation steps. Requires that: *“...owners and operators must immediately investigate and confirm all suspected releases of regulated substances requiring reporting under Section 280.50 within 7 days, or another reasonable time period specified by the implementing agency...”*
10. The soil assessment/excavation that was conducted in April 2018 was limited to the west side of the slave tank and soil samples were collected to a depth of 17 feet below the ground surface. The samples collected at 17 feet below the ground surface had the highest hydrocarbon concentrations. Since the excavation was only conducted on the west side of the tank due to the presence of subsurface utilities, the extent of the petroleum impacted soils was not defined vertically or horizontally.
11. In March and April 2019, additional investigation activities were conducted to further assess the extent of soil and groundwater contamination related to 87-slave tank release. The findings of this investigation indicated that petroleum contamination migrated vertically through the soil and impacted groundwater at approximately 90-feet below ground surface.
12. There are four other known releases which have occurred at the site that have contributed to petroleum impacted soil and groundwater. Most of the petroleum hydrocarbon impacted soil has been removed by excavation. However, some impacted soil remains in place and groundwater contamination remains and is currently being monitored by conducting quarterly sampling.
13. The “Former Gasoline Dispenser Island” release received Fund coverage and was closed in July 2013. The “Gasoline Chase Pipe” release was denied Fund coverage. It is Fund Staff’s understanding that the remaining releases have been covered by a Primadonna Company third party insurance carrier or not at all.
14. In accordance with Board Resolution No. 94-023 (Attachment A), Petroleum Fund staff is required to propose reductions in Fund coverage for violations of federal UST regulations. In the case of more than one noncompliance determination, the staff recommendation to the Board will list each as a separate item for the Board’s consideration and will recommend to the Board that any reimbursement awarded be reduced by the largest percentage associated with any single item. The proposed percent reductions associated with the violations at the site are as follows:

LUST.001 – Failure to comply with Release Reporting, Investigation and Confirmation.
(40 CFR §280.50 – §280.53) – 40% Reduction
15. In addition and in accordance with Board Policy Resolution No. 99-022 (Attachment B), a 20% reduction in coverage will be added to any coverage reduction established under Board resolution 94-023 when there is comingled contamination from both Fund eligible and non-Fund eligible release sources.

16. Therefore, in accordance with Board Policy Resolution 94-023 and 99-022, NDEP recommends that the subject facility receive Fund coverage with a 40% reduction for violations of federal UST regulations, plus an additional 20% coverage reduction due to a non-Fund eligible release source that is comingled with a Fund eligible release source, and a 10% copayment.
17. The Board has the authority to provide coverage for this case at a level other than that recommended by Petroleum Fund Staff.

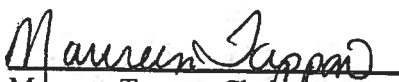
THEREFORE BE IT RESOLVED THAT:

- 1) The application identified a 10,000-gallon gasoline UST (87-octane slave tank) as the source of the release.
- 2) The Board finds that the underground storage tank system was enrolled in the Petroleum Fund at the time the owner/operator knew or should have known of the release.
- 3) The UST system was out of compliance with UST regulations at the time of the release discovery. The owner failed to comply with required federal UST regulations (40 CFR §280.50 – §280.53). In accordance with Board Policy Resolution 94-023, NDEP staff recommended a 40% reduction to the Board for non-compliance violations associated with this facility and related to the April 2018 gasoline release.

Pursuant to the authority given in Board Policy Resolution No. 94-023 for the Board to adjust NDEP staff recommendations based on the facts of the case, the Board adjusts the NDEP staff recommendation to a 25% reduction.

- 4) Pursuant to Board Policy Resolution 99-022, an additional 20% coverage reduction is applied due to a non-Fund eligible release source that comingled with a Fund eligible release source with non-compliance issues.
- 5) The maximum amount that the Board will reimburse for the cleanup costs associated with the 87-slave tank release is \$495,000.00 (maximum cap of \$1,000,000.00 for the tank system less a cumulative 45% reduction for UST non-compliance issues and non-Fund eligible release sources comingled with a Fund eligible release source, and a 10% copayment) and \$495,000.00 for damages to a person other than this state or the operator of the tank (third party liabilities).

I, Maureen Tappan, Chair, do hereby certify that the foregoing is a full, true, and correct copy of a Site Specific Board Determination adopted by the Nevada State Board to Review Claims on June 4, 2019.


Maureen Tappan, Chair
State Board to Review Claim

ATTACHMENT A

Board Resolution No. 94-023

**Resolution to Adopt a Policy Regarding the Reduction in Reimbursement for Failure to Comply with
Regulatory Guidelines**

STATE BOARD TO REVIEW CLAIMS

MEETING OF NOVEMBER 30, 1994
Las Vegas, Nevada

ITEM: IV. A.

SUBJECT: Proposed policy on the reduction in reimbursement for failure to comply with regulatory guidelines

DISCUSSION: While a majority of underground storage tank owners/operators fall into the category of being in compliance with the regulations governing underground storage tanks, a sub-population exists of owners/operators who are not in compliance.

Compliance with the regulatory requirements ensures that the environmental damage accompanying a release and the concurrent remediation costs will be held to a minimum. In the absence of compliance, the probability that environmental damage and cost will be larger tends to increase. This is based on analyses of remediations within the State of Nevada and is taken in the context of the entire underground storage tank population as a whole, and not to any one site.

The costs of cleanups have been greater where ongoing contamination has been undetected and has increased its boundaries over time due to gradient-driven migration. To extend the Petroleum Fund benefits in an equitable and fair manner, a determination may be made as to what contributions, if any, an owner/operator's action or inactions may have made to the cleanup cost. A key element in this determination is the owner/operator's compliance with the pollution prevention provisions of the UST regulations at the time of and leading up to leak discovery.

The Board is required to deny all reimbursements for a claim when a person's actions are proximate cause to a discharge to the environment (NRS 590.900(1)). However, the Board may choose to apply a reduction in reimbursement relative to the impact of a claimant's noncompliance for issues that are not proximate cause for a discharge. In order to reduce staff bias, a Board-directed reduction schedule is proposed. Such a schedule could then be adjusted by the Board at its discretion based upon the facts warranted by each case.

A draft policy was distributed to all Certified Environmental Consultants in April, 1994. Comments received were incorporated in a revision that was re-distributed in August, 1994. The draft policy presented at the September 29, 1994, Board meeting incorporated the comments received.

At its September 29, 1994, meeting, the Board decided to defer decision on this issue until after a designated task force meeting discussed the issue further. The task force was formed in order to discuss significant issues raised during the meeting and to allow additional opportunity for input.

The task force met on October 11, 1994, and consisted of members from industry, the consulting community, the Board, and NDEP. Consensus was achieved on many items which have been included in the revised draft policy. However, significant issues which still remain include:

1. The use of a reimbursement reduction when other fines/enforcement mechanisms exist.
2. Reducing reimbursement levels may limit or stop cleanups.
3. Consultants may feel the impacts of reimbursement reductions since they often delay billings to coincide with reimbursements.
4. Delaying implementation of a reimbursement policy to allow for additional regulatory education for small owners in rural areas.
5. Using a fine-based penalty rather than a reduction in reimbursement.

RECOMMENDATION: Adoption of Resolution No. 94-023 as proposed.

STATE BOARD TO REVIEW CLAIMS

RESOLUTION NO. 94-023

Resolution to Adopt a Policy
Regarding the Reduction in Reimbursement for Failure to Comply
with Regulatory Guidelines

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

1. NRS 590.900(1) requires:

"Any person who, through willful or wanton misconduct, through gross negligence or through violation of any applicable statute or regulation including specifically any state or federal standard pertaining to the preparation or maintenance of sites for storage tanks, proximately causes a discharge is liable to the division for any cost in cleaning up the discharge or paying for it to be cleaned up."

2. Non-compliance to certain regulations may not necessarily be proximate cause for a discharge as defined in Finding No. 1, but may still result in increased costs for site remediation.
3. Delays in the discovery and/or remediation of a contamination may not be a proximate cause as defined in Finding No. 1, but may still result in increased costs for site remediation.
4. NRS 590.830(1) requires the Board to, "...review each claim presented and authorize payment to the extent warranted by the facts of the case." [emphasis added]
5. Attachment "A", which is made a part of this Resolution, contains a Reimbursement Reduction Schedule for failure to comply with pertinent underground storage tank regulations.
6. Attachment "B", which is made a part of this Resolution, contains the procedures for the staff of the Nevada Division of Environmental Protection Agency to implement a reimbursement reduction policy.

THEREFORE BE IT RESOLVED:

1. That a determination (using the procedures outlined in Attachment "B" of this Resolution) be made of claimants applying for reimbursement from the State of Nevada Petroleum Fund as to that claimant's compliance to the underground storage tank regulations.

2. That when a determination of non-compliance is made, the staff of the Nevada Division of Environmental Protection will recommend to the Board that any reimbursement awarded be reduced in accordance with the Reimbursement Reduction Schedule specified in Attachment "A" of this Resolution.
3. That the Board reserves the right to adjust each staff recommendation based upon the facts of each case.
4. That the staff of the NDEP apply this policy on all outstanding unreviewed reimbursement requests upon the date of adoption.

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 November 30, 1994.

~~John Haycock, Chairman~~
~~State Board to Review Claims~~

ATTACHMENT A

**NEVADA STATE BOARD TO REVIEW CLAIMS
REIMBURSEMENT REDUCTION POLICY**

Staff recommendations for reduction(s) in reimbursement will be submitted to the State of Nevada Board to Review Claims if a determination of non-compliance with the Underground Storage Tank Regulations is made pursuant to the procedures in Attachment B. Recommendations to the Board will be based on the following criteria:

Leaking Underground Storage Tank (LUST) Regulations.

Non-compliance with the LUST regulations for preventing petroleum releases will be assessed as follows:

LUST.001 Failure to comply with Release Reporting, Investigation and Confirmation. 40 CFR 280.50 - 280.53.

* 40 percent reduction

LUST.002 Failure to comply with Release Response and Corrective Action. 40 CFR 280.60 - 280.65; 280.67.

* 40 percent reduction

LUST.003 Failure to comply with the Corrective Action Plan as evidenced by a Finding of Alleged Violation. 40 CFR 280.66.

* 40 percent reduction

Underground Storage Tank (UST) Regulations.

Non-compliance at the time of leak discovery with the UST regulations for preventing petroleum releases will be assessed as follows:

- UST.001 Failure to comply with UST Design, Construction, Installation, Notification, or Change in Service. 40 CFR 280.20 - 280.21; 280.70 - 280.71
- * 10 percent reduction
- UST.002 Failure to comply with UST General Operating Requirements. 40 CFR 280.30 - 280.34
- * 10 percent reduction
- UST.003 Failure to comply with General Requirements for all UST Systems, Release Detection. 40 CFR 280.40 - 280.45
- * 20 percent reduction
- UST.004 Failure to comply with Out-of-Service UST Systems and Closure Requirements. 40 CFR 280.72 - 280.74.
- * 10 percent reduction
- UST.005 Failure to comply with Financial Responsibility when required. 40 CFR 280.90 - 280.111; NRS 590.850.
(Responsible parties of tanks not enrolled in the Petroleum Fund are not eligible for reimbursement)
- * 20 percent reduction

Note: Where non-compliance was the proximate cause of a discharge to the environment, the responsible party is not eligible for reimbursement.

ATTACHMENT B

**STATE BOARD TO REVIEW CLAIMS
REIMBURSEMENT REDUCTION POLICY - IMPLEMENTATION PROCEDURES**

NON-COMPLIANCE - definition

Non-compliance is the determination by NDEP staff that the requirement(s) of the regulation(s) cited (40 CFR 280; NAC 459) has/have not been fulfilled as described below.

DATE OF LEAK DISCOVERY - definition

Date of leak discovery is the date that the responsible party knew or should have known that there was contamination caused as a result of his tank system.

CLAIM REVIEW AND DETERMINATION

Prior to presentation to the Board, each claim and/or case evaluation shall be reviewed by the technical case manager for any factual evidence of **non-compliance existing at the time of or any time after leak discovery.**

The review process shall include but not be limited to the review of any

- a. FOAV's, 14 day notices, or notification letters of non-compliance issued by a regulatory entity,
- b. Information supplied by a regulatory entity or certified environmental manager (CEM),
- c. Information obtained from an inspection of the facility,
- d. Statements containing material facts.

The regulatory staff shall make a determination of compliance based on his/her review and send the owner a notification letter of apparent non-compliance as described in these procedures.

In the absence of information to the contrary, the facility will be determined to be in compliance at the time of, or after, leak discovery.

The owner, with a copy to both the owner's agent and appropriate regulatory staff, will be advised by certified mail of a determination of apparent non-compliance no less than 30 days prior to presentation of a claim to the Board. This notification will advise the owner that his claim(s) for reimbursement will not be presented to the Board until there has been resolution of the non-compliance issue in accordance with applicable enforcement policy.

ATTACHMENT B
Implementation Procedures

2

ACTION TAKEN FOR APPARENT NON-COMPLIANCE (LUST - leaking underground storage tank)

Upon making the determination that a facility is in apparent non-compliance, the regulatory entity will notify the facility owner in writing of this determination and the reasons for such determination based on policy. The owner will be allowed 15 days to submit an intent to comply, and 90 days to comply.

At the end of 90 days, if such evidence has not been received by the regulatory entity, a notification will be sent by certified mail to the owner advising him that he has been found to be non-compliant. This may result in the issuance of a Finding of Alleged Violation (FOAV).

A LUST notification and a FOAV will contain the advisory that the processing of any claim for reimbursement will be delayed pending the receipt of a response from the owner, and any Petroleum Fund reimbursement may be reduced for a FOAV or determination of non-compliance.

ACTION TAKEN FOR APPARENT NON-COMPLIANCE (UST - underground storage tank)

Upon making the determination (in accordance with UST regulations) that a federally regulated facility is in apparent non-compliance, the regulatory entity will notify the facility owner in writing of this determination and the reasons for such determination based on regulations. The owner will be allowed 30 days to comply, submit an intent to comply, or show proof that he was in compliance.

At the end of 30 days, if such evidence has not been received by the regulatory entity, notification will be sent by certified mail to the owner advising him that he has been found to be non-compliant.

A UST notification will contain the advisory that the processing of any claim for reimbursement will be delayed pending the receipt of a response from the owner, and any Petroleum Fund reimbursement may be reduced for a determination of non-compliance.

PRESENTATION TO THE BOARD

The staff of the Petroleum Fund shall present to the Board, as a non-consensual agenda item, all claims where the claim review has resulted in a reimbursement reduction recommendation. All reimbursement reduction recommendations will be made according to the schedule of reductions as defined in Attachment A. An owner may request and be granted a postponement of the presentation of his/her case to the Board at any time.

ATTACHMENT B
Implementation Procedures

3

BOARD DETERMINATION OF REIMBURSEMENT REDUCTION

Any reimbursement reduction determined by the Board shall become effective commencing with the claim such determination was made.

The reimbursement reduction will also apply to all subsequent claims for that case, unless otherwise directed by the Board.

Both the owner and the owner's agent will be notified of the Board's action.

PROCEDURES FOR USING AND MODIFYING THE SCHEDULE OF REIMBURSEMENT REDUCTION RECOMMENDATIONS (ATTACHMENT A)

Attachment A shall set forth the percentage reduction recommendations that the staff of the Petroleum Fund shall present to the Board.

In the case of more than one non-compliance determination, the staff recommendation to the Board will list each as a separate item for the Board's consideration and will recommend to the Board that any reimbursement awarded be reduced by the largest percentage associated with any single item.

Modification of attachment A shall be by Board action.

Prior to any modification becoming effective, a 90 day period shall elapse from the time of the Board action revising Attachment A. Any revision shall not be retroactive, but apply only to those claims submitted or reviewed by the Board from the effective date onward.

APPEAL

The Board to Review Claims is the final authority within the NDEP of the reimbursement awarded to each claimant. In cases of disagreement with recommendations or conclusions made by the staff of NDEP, the case will be placed on the agenda of a regularly scheduled Board meeting so that evidence and other information may be presented to the Board for their review.

ATTACHMENT B

Board Resolution No. 99-022

Resolution to Adopt a Policy Providing Reduced Petroleum Fund Coverage for Petroleum Storage Tank Systems with Comingled Contamination from both Fund Eligible and Non-Fund Eligible Release Sources

STATE BOARD TO REVIEW CLAIMS

MEETING OF JUNE 14, 2012

Video conferenced from Carson City and Las Vegas, Nevada

ITEM: VIII.B

SUBJECT: Resolution to Adopt a Policy Providing Reduced Petroleum Fund Coverage for Petroleum Storage Tank Systems with Comingled Contamination from both Fund Eligible and Non-Fund Eligible Release Sources.

DISCUSSION: On June 30, 1999, The State Board to Review Claims (herein referred to as the Board) adopted Resolution #99-22, authorizing staff of the Petroleum Fund (herein referred to as the Fund) to recommend a 20% reduction in Fund coverage for petroleum storage tank releases which were the result of both Fund eligible releases and non-Fund eligible spill/overflow events, and where the percentage or volume of the non-Fund eligible contaminant contribution could not be calculated.

Board Resolution #99-22 is hereby amended to authorize Fund staff to recommend a standard 20% reimbursement reduction at sites where the percentage of contamination from any non-Fund eligible release source cannot be readily determined.

This Resolution shall not apply to cases where the volume of non-Fund eligible contamination can be removed and remediated separately from the Fund eligible contamination. Further, if the percentage of non-Fund eligible contamination can be calculated but not removed and remediated separately, Fund staff will recommend a percentage reduction in coverage pursuant to the calculated percentage. If reimbursement for the Fund eligible release is reduced pursuant to Board Resolution #94-023 due to non-compliance issues, that reduction will be added to any coverage reduction recommended pursuant to Resolution #99-22. Cases granted coverage pursuant to any of the above scenarios will also be subject to a 10% co-payment.

RECOMMENDATION: Adoption of Amended Resolution No. 99-22 as proposed.

STATE BOARD TO REVIEW CLAIMS

RESOLUTION No. 99-22, AMENDED

Resolution to Adopt a Policy Providing Reduced Petroleum Fund Coverage for Petroleum Storage Tank Systems with Comingled Contamination from both Fund Eligible and Non-Fund Eligible Release Sources

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

1. Petroleum Fund (hereinafter referred to as the Fund) coverage is often requested at sites when contamination resulting from Fund eligible petroleum storage tank system releases and from non-Fund eligible petroleum storage tank release events from the same site has been discovered coincidentally.
2. In some cases, the percentage of contamination attributed to the non-Fund eligible release event may be readily apparent. An example of such a situation would include a site where contamination has not impacted groundwater and the volume of contaminated soil associated with the non-Fund eligible release source (i.e. contamination resulting from product delivery spill events to an underground petroleum storage tank system not equipped with spill prevention equipment) can be observed and measured in the field. In this case, the non-Fund eligible portion of the soil contamination can then be removed and remediated separately from the Fund eligible contamination. Costs associated with the remediation of the non-Fund eligible contamination is subsequently not requested for reimbursement, while costs associated with the Fund eligible contamination can be covered and reimbursed, as applicable.
3. In some cases, the volume of non-Fund eligible contamination cannot be remediated separately from the Fund eligible contamination. However, if the claimant has identified the amount or percentage of non-Fund eligible contamination, reduced Fund coverage can be granted based upon a percent reduction, calculated pursuant to the percentage of contamination associated with the non-Fund eligible release events. Typically, the percentage of non-Fund eligible release contribution is calculated by the owner's Certified Environmental Manager and presented to Fund staff. Upon concurrence, staff may then present to the Board a recommendation for a respective reduced percentage of Fund coverage.
4. In cases where groundwater has been impacted by both Fund eligible and non-Fund eligible release events, it may not be possible to calculate the percentage of contribution from each of the separate release sources.

5. Non-Fund eligible petroleum storage tank system release sources include, but are not limited to, the following:
- Releases resulting from a lack of spill and/or overfill prevention equipment.
 - Releases resulting from the known operation of a petroleum storage tank system with faulty spill prevention equipment and/or faulty overfill prevention equipment, if not repaired or replaced pursuant to regulatory agency directives.
 - Product dispenser releases which emanate from above the shear valve (NAC 590.710(g)).
 - Releases which emanate from petroleum storage tank systems which are not enrolled in the Fund at the time of release discovery (NAC 590.730(4)).
 - Petroleum storage tank system releases which were discovered prior to the establishment of the Fund.
 - Non-accidental releases caused from petroleum storage tank system, owner, operator or vendor neglect.
 - Releases caused by vandalism.
 - Releases from failed petroleum storage tank components which are covered under a manufacturer or vendor warranty.
6. Board Resolution #99-22, originally adopted by the Board on June 30, 1999, authorizes Fund staff to recommend a 20% coverage reduction as a standard reduction for cases in which contamination at a site associated with an accidental (Fund eligible) release from a Fund-enrolled petroleum storage tank system and from non-Fund eligible spill/overfill events has been discovered coincidentally, and where the actual amount of contamination due to the non-Fund eligible release event cannot be readily identified.
7. Board Resolution #99-22 is hereby amended to authorize Fund staff to recommend a 20% coverage reduction for cases in which contamination is associated with both Fund-eligible petroleum storage tank releases and non-Fund eligible petroleum tank releases, and where the percentage or volume of contaminant contribution from the non-Fund eligible releases cannot be determined. If coverage for the Fund eligible release is reduced pursuant to Board Resolution #94-023 due to non-compliance issues, that reduction will be added to any coverage reduction recommended pursuant to Resolution #99-22.
8. Cases granted coverage pursuant to any of the above scenarios will also be subject to a 10% co-payment.

THEREFORE BE IT RESOLVED THAT:

Fund staff may recommend to the Board a 20% coverage reduction for sites at which contamination resulting from Fund eligible petroleum storage tank system releases and from non-Fund eligible release events from the same site has been discovered coincidentally, and where the percentage of non-Fund eligible contribution is unknown or cannot otherwise be readily identified.

This Resolution shall not apply to cases where the volume of non-Fund eligible contamination will be removed and remediated separately from the Fund eligible contamination.

If the percentage of non-Fund eligible contamination can be calculated but not removed and remediated separately, Fund staff will recommend a percentage reduction in coverage pursuant to the calculated percentage.

If coverage for the Fund eligible release is reduced pursuant to Board Resolution #94-023 due to non-compliance issues, that reduction will be added to any coverage reduction recommended pursuant to Resolution #99-22.

Cases granted coverage pursuant to any of the above scenarios will also be subject to a 10% co-payment.

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 June 14, 2012.



John Haycock, Chairman
State Board to Review Claims

ATTACHMENT C

Board Policy Resolution No. 2012-06
Resolution to Address Criteria for the Nevada Board to Review Claims to Reconsider a Previously
Established Site Specific Board Determination

STATE BOARD TO REVIEW CLAIMS

MEETING OF JUNE 14, 2012 AMENDED SEPTEMBER 15, 2016
Video-conferenced in Carson City & Las Vegas, Nevada

ITEM: VII.A 10

SUBJECT: Resolution No. 2012-06 – Addresses criteria for the Nevada Board to Review Claims (Board) to reconsider a previously established Site Specific Board Determination (SSBD).

DISCUSSION: A typical SSBD establishes the Petroleum Fund (Fund) coverage reduction that a tank owner/operator will realize, in most cases, as a result of noncompliance. At the March 8, 2012 Board meeting, the Board requested that NDEP draft a resolution which outlines criteria to be evaluated when a tank owner/operator requests the Board to reconsider a previously established SSBD.

The Board puts forth a significant level of effort on each of its SSBDs. It weighs NDEP's position, the tank owner's position, and then thoughtfully deliberates with an eye toward equity, fairness and consistency before voting and establishing a formal determination on the given issue. Because the Board gives such serious consideration to each SSBD brought before it, it makes sense that a request for reconsideration of an existing SSBD should be based on guidance criteria to increase consistency and minimize duplication of effort by the Board. The current Board Policy Resolution No. 2012-06 provides for two guidance criteria for reconsideration of an existing SSBD, when requested.

As a result of the discussions and decisions made in the June 2, 2016 Board meeting, NDEP is proposing to add a third guidance criterion that will allow for reconsideration of an existing SSBD. This additional criterion requires the storage tank owner/operator to prepare and comply with an NDEP approved Compliance Plan and Schedule (Plan) for site assessment, corrective action, and closure. This guidance criterion may be applied at any subsequent Board meeting following the Board meeting whereby the reduction in Fund coverage was established by the Board.

The proposed resolution amendment recommends a new guidance criterion for NDEP to apply when recommending the Board reconsider an existing SSBD.

RECOMMENDATION: Adoption of Amended Policy Resolution No. 2012-06 as proposed, clarifying criteria to be considered when a request is made for the Board to reconsider an existing Site Specific Board Determination.

STATE BOARD TO REVIEW CLAIMS

RESOLUTION No. 2012-06 - Amended

Resolution to Establish Criteria for Reconsideration of a Site Specific Board Determination

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

1. Although not the key objective, the Petroleum Fund (Fund) has historically been effective in serving as an Underground Storage Tank (UST) compliance encouragement tool. UST regulations address storage tank system integrity, which is necessary to help prevent petroleum releases into the environment. The NDEP UST regulations are NAC 459.9921 through 459.999 [Storage Tanks] and include 40 CFR 280 [Storage Tank Regulations]. The general approach of the Fund is to reward petroleum storage tank owners/operators who maintain UST compliance with full Fund coverage when an accidental release occurs and reduce, or in some cases, deny Fund coverage to owners/operators whose lack of compliance causes the release.
2. This resolution allows the Fund to also function as a compliance encouragement tool for Leaking Underground Storage Tank (LUST) requirements. LUST regulations address the corrective actions, or remediation activities, which must be employed to clean up a petroleum release in the environment. The NDEP LUST regulations are NAC 445A.226 through 445A.22755 [Action Levels for Contaminated Sites] and include 40 CFR 280 [Storage Tank Regulations].
3. The Board gives thoughtful consideration and exerts a significant level of effort for each Site Specific Board Determination (SSBD) it deliberates and votes on. These SSBDs typically include Petroleum Fund (Fund) coverage decisions.
4. The Board has, on occasion, reconsidered an existing SSBD when requested.
5. The Board should not be tasked with unduly duplicating its work unless:
 - a. New information associated with the release is provided and good reason exists for why that information was not presented to the Board when it deliberated and voted on the original SSBD.
 - b. The storage tank owner/operator is actively implementing a NDEP-approved Corrective Action Plan (CAP) and can demonstrate five consecutive years of compliance, simultaneously, with both the UST regulations and the LUST regulations.
 - i. This entails the direct implementation of the approved CAP for a minimum of five consecutive years wherein corrective actions (remediation activities) are conducted and UST compliance is concurrently maintained.

- ii. Compliance with the UST/LUST regulations is determined by demonstrating the site has not received a formal enforcement action (Finding of Alleged Violation and Order), the site has not had a Delivery Prohibition (Red Tag) put on its tanks, and the site has not had NDEP-led cleanup costs expended on it or associated with it.
- c. The storage tank owner/operator agrees to prepare and comply with an NDEP-approved Compliance Plan and Schedule (Plan) that outlines deadlines and associated requirements for expedited source delineation, site characterization, cleanup and closure. An owner/operator may request the Board to reconsider a reduction determination following NDEP approval of his/her Plan, which may be as soon as the Board meeting following the initial reduction determination. The Plan shall:
 - i. Establish aggressive, but realistic, deadlines for work plan submittals and initiation of corrective actions;
 - ii. Include full-scale free product recovery, if applicable;
 - iii. Address potentially mobile sources of petroleum hydrocarbon contamination via excavation, to the extent practicable;
 - iv. Aggressively address, using alternate approach, any petroleum hydrocarbon contamination not accessible via reasonable excavation efforts;
 - v. Effectively reduce groundwater impacts through successful completion of a representative pilot test and operation of an engineered treatment system subject to NDEP design review;
 - vi. Outline how operation, monitoring and maintenance of the remediation system will be conducted and reported to ensure the effectiveness of the remediation efforts;
 - vii. Include a UST compliance training policy and management plan designed to ensure that all employees responsible for activities related to the on-site UST system(s) are properly trained in UST compliance items, including but not limited to, periodic inspections, release detection, release response and release reporting;
 - viii. Require a semiannual meeting, at a minimum, with NDEP to ensure the Plan remains viable, providing an approvable updated/revised Plan when required that adequately addresses changed conditions; and

- ix. Failure to comply with the NDEP-approved Plan will result in the reinstatement of the original coverage reduction and render the owner/operator ineligible for future requests for a Board reconsideration related to the site's coverage reduction status.
6. Dissatisfaction with the amount of Fund coverage approved in an existing SSBD should not constitute grounds for reconsideration.
7. The Board recognizes that varying economic conditions can affect a tank owner's ability to fund a clean-up, however, it is unclear which, if any, economic indicator should trigger the Board to reconsider an existing SSBD. Also, to ensure fair treatment of all Fund-covered tank owners/operators, both small businesses and large corporations would be eligible for the same economic reduction reconsideration. The economy and economic distress realized by tank owners should therefore not constitute grounds for reconsideration.
8. The Board has predominantly taken into consideration UST compliance when making past SSBDs, which has enabled the Fund to maintain its effectiveness as a compliance encouragement tool. This resolution will expand the compliance encouragement to LUST activities which address the NDEP-required corrective actions that are implemented when a release to the environment occurs.
9. A storage tank owner/operator may request the Board to reconsider an existing SSBD at any time. NDEP will use the criteria specified in this resolution to facilitate a recommendation to the Board whether the SSBD should be reconsidered.

THEREFORE BE IT RESOLVED THAT:

In response to a storage tank owner/operator's request for the Nevada Board to Review Claims (Board) to reconsider an existing Site Specific Board Determination (SSBD), NDEP will use the following criteria to recommend to the Board whether to reconsider or not reconsider the SSBD:

1. NDEP recommends the Board reconsider an existing SSBD if one of the following three criteria is met:
 - a. New information associated with the release is provided and good reason exists for why that information was not presented to the Board when it deliberated and voted on the original SSBD.
 - b. The storage tank owner/operator is actively implementing a NDEP-approved Corrective Action Plan (CAP) and can demonstrate five consecutive years of compliance, simultaneously, with both the Underground Storage Tank (UST) regulations and the Leaking Underground Storage Tank (LUST) regulations.

- i. This entails the direct implementation of the approved CAP for a minimum of five consecutive years wherein corrective actions (remediation efforts) are conducted while concurrently maintaining UST compliance.
 - ii. Compliance with the UST/LUST regulations is determined by demonstrating the site has not received a formal enforcement action (Finding of Alleged Violation and Order), the site has not had a Delivery Prohibition (Red Tag) on its tanks, and the site has not had NDEP-led cleanup costs expended on it or associated with it.
 - c. The storage tank owner/operator agrees to prepare and comply with an NDEP-approved Compliance Plan and Schedule (Plan) that outlines deadlines and associated requirements for expedited source delineation, site characterization, cleanup and closure. An owner/operator may request the Board to reconsider a reduction determination following NDEP approval of his/her Plan, which may be as soon as the Board meeting following the initial reduction determination. The Plan shall:
 - i. Establish aggressive, but realistic, deadlines for work plan submittals and initiation of corrective actions;
 - ii. Include full-scale free product recovery, if applicable;
 - iii. Address potentially mobile sources of petroleum hydrocarbon contamination via excavation, to the extent practicable;
 - iv. Aggressively address, using alternate approach, petroleum hydrocarbon contamination not accessible via reasonable excavation efforts;
 - v. Effectively reduce groundwater impacts through successful completion of a representative pilot test and operation of an engineered treatment system subject to NDEP design review;
 - vi. Outline how operation, monitoring and maintenance of the remediation system will be conducted and reported to ensure the effectiveness of the remediation efforts;
 - vii. Include a UST compliance training policy and management plan designed to ensure that all employees responsible for activities related to the on-site UST system(s) are properly trained in UST compliance items, including but not limited to, periodic inspections, release detection, release response and release reporting;

- viii. Require a semiannual meeting, at a minimum, with NDEP to ensure the Plan remains viable, providing an approvable updated/revised Plan when required that adequately addresses changed conditions; and
 - ix. Failure to comply with the NDEP-approved Plan will result in the reinstatement of the original coverage reduction and render the owner/operator ineligible for future requests for a Board reconsideration related to the site's coverage reduction status.
2. NDEP recommends the Board does not consider the following criteria to constitute grounds for reconsideration of an existing SSBD:
- a. Dissatisfaction with an existing Fund coverage determination made by the Board
 - b. Economic conditions
3. Upon reconsideration, if the Board approves to reduce or eliminate an existing SSBD Fund coverage reduction, the new Fund coverage conditions will be applied to all reimbursable costs incurred beginning on the day of Board approval.

I, George Ross, 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 September 15, 2016.



George Ross, Chairman
State Board to Review Claims

ATTACHMENT D

NDEP-Approved Compliance Plan and Schedule

COMPLIANCE PLAN AND SCHEDULE

Whiskey Pete's Stateline Stop 100 West Primm Boulevard Primm, Nevada

NDEP Facility ID: 8-000772

Spill Report No.: 110913-06

Spill Report No.: 180216-02

Petroleum Fund ID: 2018000018

Prepared for

The Primadonna Company, LLC
3755 Breakthrough Way, Suite 300
Las Vegas, NV 89135

Prepared by

Geosyntec Consultants, Inc.
9480 South Eastern Avenue, Suite 217
Las Vegas, NV 89123

Project: SLC1003

November 24, 2021



Compliance Plan and Schedule

Whiskey Pete's Stateline Stop

100 West Primm Boulevard
Primm, Nevada

NDEP Facility ID: 8-000772

Spill Report No.: 110913-06

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Lonnie Mercer, P.G.
Senior Geologist
Nevada CEM #2465 (10-10-2022)



Brent C. Robinson, P.E.
Senior Principal

NEVADA CERTIFIED ENVIRONMENTAL MANAGER JURAT

I, Lonnie Mercer, hereby certify that I am responsible for the services described in this document and for the preparation of this document. The services described in this document have been provided in a manner consistent with the current standards of the profession and to the best of my knowledge comply with all applicable federal, state, and local statutes, regulations, and ordinances.

Project Number: SLC1003

November 24, 2021

TABLE OF CONTENTS

1. INTRODUCTION	1
1.1 Background	1
1.1.1 Initial Discovery and 2011 Excavation Activities.....	1
1.1.2 Site Characterization of the 2011 Excavation Area	2
1.1.3 87 Slave Tank Release and Fund Coverage	2
1.1.4 Corrective Actions.....	2
2. COMPLIANCE PLAN AND SCHEDULE	4
3. SUMMARY.....	10
4. REFERENCES	11

FIGURES

- Figure 1 Site Location Map
Figure 2 Site Layout, Wells, and LNAPL Plume Extent
Figure 3 SVE/Biosparge System Layout

APPENDICES

- Appendix A Construction Drawings SVE and Biosparge System
Appendix B UST Compliance Documents

1. INTRODUCTION

An Application for Coverage under the State of Nevada Petroleum Fund (Fund) was submitted on June 21, 2018 to the Nevada Division of Environmental Protection (NDEP) for a discharge of a petroleum substance to the environment at the Whiskey Pete's Stateline Stop (the Site). On June 4, 2019, the Board to Review Claims (Board) granted coverage with a 45% reduction pursuant to Fund Policy Resolution Nos. 94-023 and 99-022 (NDEP, 2019).

This Compliance Plan and Schedule outlines deadlines and associated requirements for site assessment, corrective action, and closure in accordance with Fund Policy Resolution No. 2012-06 (amended September 15, 2016). If the Compliance Plan and Schedule is approved by NDEP, The Primadonna Company, LLC (Primadonna) will request that the Board reconsider the previously established Site-Specific Board Determination (SSBD) in accordance with Fund Policy Resolution No. 2012-06 (amended September 15, 2016).

NDEP identifies the Site as Facility ID No. 8-000772. Two NDEP Spill Report Numbers (110913-06 and 180216-02) and Petroleum Fund ID 2018000018 are associated with this Site. The Site is located on portions of Clark County parcels 237-08-301-002 and 237-08-301-003 in Primm, Nevada. Figure 1 illustrates the Site location.

The property is owned by the Primm South Real Estate Company, which leases the land to Primadonna. Primadonna owns and operates the Site and the adjacent Whiskey Pete's Hotel & Casino. Primadonna is a wholly owned subsidiary of Affinity Gaming (Affinity) and has retained Geosyntec Consultants, Inc. (Geosyntec) to prepare this document.

1.1 Background

1.1.1 Initial Discovery and 2011 Excavation Activities

Petroleum hydrocarbon-impacted soil was discovered on September 9, 2011 during utility trenching activities at the Site. Soil sample results from this area identified the presence of total petroleum hydrocarbons (TPH) above the NDEP Reportable Concentration (RC) of 100 milligrams per kilogram (mg/kg), and the release discovery was reported to NDEP on September 13, 2011. NDEP identified this release as Spill Report Number 110913-06, which generally encompasses petroleum hydrocarbon impacts associated with historical releases at the Site and is referred to as the 2011 Excavation Area.

Initial site characterization and soil remediation activities were performed by The Westmark Group (Westmark) and included the removal of an estimated 31,132 tons of petroleum hydrocarbon-impacted soil from the 2011 Excavation Area. Impacted soil was transported off site for use in asphalt material by Las Vegas Paving Corporation. Details regarding these activities were presented in the *Initial Abatement Report for the 2011 Excavation Area* (Westmark, 2012) and the *Initial Abatement Report for the 2011 Excavation Area - Addendum 1* (Westmark, 2013).

1.1.2 Site Characterization of the 2011 Excavation Area

Subsequent to the 2011 excavation activities, a phased approach for site characterization and remediation was implemented, including close involvement and communications with NDEP. The initial characterization phase focused on delineation of the extent of soil and groundwater impacts. The delineation work involved groundwater monitoring well installation and quarterly sampling of the wells that were installed in phases between March 2013 and July 2018.

1.1.3 87 Slave Tank Release and Fund Coverage

In February 2018, a new release from a Site underground storage tank (UST) containing 87-octane gasoline was identified. This UST is referred to as the 87 Slave Tank. Soil sampling was performed adjacent to the 87 Slave Tank in April 2018 and identified the presence of petroleum hydrocarbon constituents above NDEP RCs (ERM, 2018). NDEP assigned Spill Report Number 180216-02 to the 87 Slave Tank release and requested an investigation to assess the nature and extent of soil and groundwater impacts in the vicinity of the 87 Slave Tank.

The 87 Slave Tank investigation results along with quarterly groundwater monitoring data indicated that groundwater impacts associated with the 87 Slave Tank release and historical releases (i.e., 2011 Excavation Area) were commingled (ERM, 2019). Based on this finding, NDEP requested that releases 110913-06 (2011 Excavation Area) and 180216-02 (87 Slave Tank) be managed together. As noted above, Primadonna applied for Fund coverage in association with the 87 Slave Tank release on June 21, 2018, and the Board granted coverage on June 4, 2019 with a 45% reduction (NDEP, 2019).

1.1.4 Corrective Actions

Since June 2019, site assessment and monitoring activities have continued at the Site with an aim to evaluate, design, and implement corrective actions. To date, the following activities have been conducted in association with corrective actions at the Site:

- **Corrective Action Plan (CAP):** The CAP summarized a screening of remedial alternatives and proposed a preferred remedial alternative to address petroleum hydrocarbon impacts to soil and groundwater at the Site. Biosparging combined with soil vapor extraction (SVE) followed by natural source zone depletion (NSZD) was proposed as the preferred remedial alternative. The CAP also proposed deployment of hydrocarbon absorbent socks in wells with measurable light non-aqueous phase liquid (LNAPL) to provide passive LNAPL recovery. The CAP was submitted to NDEP on April 30, 2020 (Geosyntec, 2020b). NDEP provided concurrence of the CAP in an August 18, 2020 letter.
- **LNAPL Recovery:** Hydrocarbon absorbent socks were first deployed in wells containing LNAPL during Second Quarter 2020 and have been checked and replaced on a routine schedule (at least quarterly) since that time.
- **SVE Pilot Testing:** Following NDEP approval of the *Soil Vapor Extraction Pilot Testing Work Plan* (Geosyntec, 2020a) in March 2020, SVE pilot testing was performed in September 2020 in the area immediately north of the 87 Slave Tank (Geosyntec, 2020c).

The pilot test indicated that SVE would be an effective technology for remediating petroleum hydrocarbon impacts in the vadose zone in the area of the 87 Slave Tank. The pilot test also provided data to aid the design of the SVE/biosparge system, including radius of influence for SVE and treatment for extracted vapors.

- **SVE/Biosparge System:** The system design documents and bid specifications were submitted to NDEP on May 10, 2021, and NDEP issued a design concurrence letter on May 20, 2021. Procurement activities associated with SVE/biosparge system installation (e.g., bid requests, bid walk, bid evaluation, and contracting) were performed between June and September 2021. Permitting and preparation activities for system installation are currently being performed. System installation activities are anticipated for First Quarter 2022.
- **NSZD Study:** The *Natural Source Zone Depletion Study Work Plan* (Geosyntec, 2020d) detailed the scope and objectives for assessing baseline NSZD rates prior to the startup of the SVE/biosparge system. NDEP provided concurrence of the *NSZD Study Work Plan* on January 21, 2021. Field activities for the NSZD study were initiated in June 2021 and are expected to be completed in December 2021, with a summary report to be completed in January 2022.

2. COMPLIANCE PLAN AND SCHEDULE

Fund Policy Resolution No. 2012-06 (amended September 15, 2016) stipulates that an owner/operator prepare and comply with an NDEP-approved Compliance Plan and Schedule. This section outlines items that meet the requirements of Item 5.c. of Fund Policy Resolution No. 2012-06 (amended September 15, 2016). Figure 2 depicts the Site layout, well locations, and inferred extent of the LNAPL plume. Figure 3 illustrates the layout of the SVE/biosparge system. Construction drawings for the SVE/biosparge system are included in Appendix A.

i. Establish aggressive, but realistic, deadlines for work plan submittal and initiation of corrective actions:

As outlined in Section 1.1.4, corrective actions have been initiated at the Site in accordance with the CAP, which received NDEP concurrence. The CAP includes a combination of corrective actions with the main categories being SVE, biosparging, NSZD, and LNAPL recovery. As described in the CAP, SVE and biosparging will be implemented in tandem as the central component of corrective actions. Manual LNAPL recovery using hydrocarbon absorbent socks supplements SVE/biosparging. Once LNAPL migration and mobility are sufficiently reduced by SVE/biosparging and manual LNAPL recovery, corrective actions are anticipated to transition to NSZD, which is expected to be more cost effective.

Work associated with SVE/biosparge system installation is currently underway after design activities were completed during February through May 2021 and procurement activities (e.g., bid requests, bid walk, bid evaluation, and contracting) were performed between June and September 2021. Preparation activities for system installation that are currently being performed include construction of system equipment by Mako Industries and permitting associated with system installation and operation (e.g., air, electrical, etc.). Drilling and construction of remediation wells, construction activities associated with system installation, and system startup are planned for First Quarter 2022 based on the anticipated timeframes for permit approvals and system equipment delivery. The initial SVE/biosparge system will be operated in 2022 with system expansion anticipated after sufficient data have been acquired from operation of the initial system. This phased approach will allow for design adjustments and flexibility with future system expansion.

Manual LNAPL recovery using hydrocarbon absorbent socks has been conducted since Second Quarter 2020. Manual LNAPL recovery will continue at wells with measurable LNAPL (i.e., greater than 0.01 feet thickness) while the SVE/biosparge system is operated.

Field activities for the NSZD study were initiated in June 2021 and are expected to be completed in December 2021 with a summary report to be completed in January 2022. The NSZD study will establish baseline NSZD rates prior to startup of the SVE/biosparge system. NSZD monitoring methods can be implemented on an as-needed basis to assess changes to NSZD rates based on operation of the SVE/biosparge system (e.g., after startup, prior to or following shutdown, etc.).

Target dates for completion of planned corrective actions are as follows:

- NSZD study summary report submittal to NDEP – January 31, 2022
- SVE/biosparge system installation and startup (Phase 1) – March 31, 2022
- SVE/biosparge system expansion (Phase 2) design submittal to NDEP – January 31, 2023
- Phase 2 SVE/biosparge system installation – July 31, 2023

Source areas of petroleum hydrocarbon impacts in soil and groundwater at the Site have been characterized, but the LNAPL and dissolved phase plumes are not fully delineated in the southwestern, northern, and eastern portions of the Site. While the plumes are not fully delineated, plume and risk characterization are sufficient to establish that potential risks posed by groundwater impacts to sensitive receptors are negligible. The potential need for additional wells to further delineate groundwater impacts will be assessed in the future based on data obtained from ongoing monitoring and changes observed in response to corrective actions. Target dates for further plume delineation activities are as follows:

- Plume delineation work plan submittal to NDEP – July 31, 2023
- Installation of additional monitoring wells for plume delineation (if needed) – December 31, 2023

Geosyntec will review the SVE/biosparge system performance monitoring data as well as routine groundwater monitoring data to assess the effectiveness of corrective actions. If site conditions warrant changes to the CAP and this Compliance Plan and Schedule, Primadonna and Geosyntec will communicate proposed changes to NDEP and seek concurrence prior to implementation.

ii. Include full-scale free product recovery, if applicable:

Manual LNAPL recovery was initiated during Second Quarter 2020 and is ongoing. As detailed in the CAP, biosparging is a well-established remedial technology to address LNAPL impacts. Biosparging will be implemented during First Quarter 2022. In addition, NSZD is occurring at the Site, and the NSZD study will document estimated LNAPL degradation rates. During CAP preparation, other methods of LNAPL recovery (e.g., skimming, dual-phase extraction, etc.) were considered but were not proposed for implementation based on the evaluation criteria for remedial technology selection (e.g., practicability, risk, cost, and benefits).

Additional LNAPL recovery techniques may be considered if SVE/biosparge remediation and NSZD are insufficient to mitigate further migration of the LNAPL plume. Delineation of the northern extent of the LNAPL plume, operation and expansion of the SVE/biosparge system, and NSZD rate measurements will be completed prior to evaluating the need for additional LNAPL recovery methods.

iii. Address potentially mobile sources of petroleum hydrocarbon contamination via excavation, to the extent practicable:

As noted above in Section 1.1.1, an estimated 31,132 tons of petroleum hydrocarbon-impacted soil were excavated in the 2011 Excavation Area during initial abatement activities. Despite the advancement of this deep and large excavation (which reached depths up to 50 feet below ground surface), petroleum hydrocarbon impacts remained in place due to the depth of groundwater. Additional excavation is not warranted to address petroleum hydrocarbon impacts in soil and groundwater at the Site based on the depth to groundwater (approximately 85 to 90 feet below ground surface) and the proximity of soil impacts to active USTs. Soil impacts associated with the 87 Slave Tank are adjacent and below the active USTs, which causes the impacts to be inaccessible by reasonable excavation efforts.

iv. Aggressively address, using alternate approach, any petroleum hydrocarbon contamination not accessible via reasonable excavation efforts:

SVE and biosparging are an aggressive approach to addressing petroleum hydrocarbon impacts in soil and groundwater at the Site. Less aggressive approaches were considered as part of CAP preparation but were not selected for implementation because of Primadonna's desire to remediate the Site in a timely and aggressive manner. SVE and biosparging will be implemented as described in the CAP and outlined in this Compliance Plan and Schedule.

v. Effectively reduce groundwater impacts through successful completion of a representative pilot test and operation of an engineered treatment system subject to NDEP review:

SVE and biosparging will be implemented as described in the CAP and outlined in this Compliance Plan and Schedule. As noted above in Section 1.1.4, SVE pilot testing was performed in September 2020 and indicated that SVE would be an effective technology for remediating petroleum hydrocarbon impacts in the vadose zone in the area of the 87 Slave Tank. The pilot test also provided data to aid the design of the initial SVE/biosparge system. The phased approach to SVE/biosparge implementation will further enable design adjustments and flexibility with future system expansion after sufficient data have been acquired from operation of the initial system.

vi. Outline how operation, monitoring and maintenance of the remediation system will be conducted and reported to ensure the effectiveness of the remediation efforts:

Monitoring and maintenance of the SVE/biosparge system will be performed to maintain system operation and to optimize performance. Details regarding system monitoring and maintenance will be detailed in the Startup and Performance Monitoring Plan (to be submitted to NDEP during Fourth Quarter 2021) and the Operations and Maintenance (O&M) Manual (to be submitted to NDEP during First Quarter 2022). This section includes a general summary of system monitoring and maintenance.

The following describes general procedures that will be implemented to optimize SVE operations:

- Perform routine O&M activities for the SVE system on a weekly basis. The O&M Manual will detail the operation requirements for the thermal oxidizer and routine system readings.
- Collect quarterly samples from the SVE influent (pre- and post-dilution) and effluent for laboratory analysis. Assess compliance with air permit limits and use the analytical data to evaluate concentration trends and estimate mass removal.
- On a weekly basis, collect VOC, flow rate, and vacuum measurements for all extraction wells and the combined system flow. Water levels in the knock-out tanks will also be recorded weekly.
- Collect vacuum readings from nearby monitoring wells on a monthly basis. The list of wells to monitor will be based on the measured radius of influence following system startup.
- On a quarterly basis, evaluate potential adjustments to SVE operations based on O&M and routine groundwater monitoring data.

The following describes general procedures that will be implemented to optimize biosparge operations:

- Perform routine O&M activities for the biosparge system on a weekly basis.
- On a monthly basis, collect data such as air injection flow rate, well head pressure, regulated pressure, concentrations of VOCs (using a photoionization detector) and fixed gases (using a landfill gas meter) at the injection wells. Injection timer cycles and duration and air compressor operating parameters will also be recorded.
- On a monthly basis, collect dissolved oxygen (DO) and pressure measurements from groundwater wells within the injection area. The list of wells to monitor will be based on a measured radius of influence following system startup.
- On a quarterly basis, evaluate potential adjustments to biosparge operation based on O&M and routine groundwater monitoring data.

vii. Include a UST compliance training policy and management plan designed to ensure that all employees responsible for activities related to the on-site UST system(s) are properly trained in UST compliance items, including but not limited to, periodic inspections, release detection, release response and release reporting:

Following the 87 Slave Tank release, Primadonna improved policies and management of UST compliance in an effort to meet UST regulations, to prevent releases from UST systems, and to promptly detect and respond to potential future releases. The policies and management changes that Primadonna implemented have formed a foundation to enable ongoing UST compliance.

Primadonna conducts inspections and testing to ensure that UST systems are properly maintained. Primadonna contracts with a third party (IDECO) to perform monthly walkthroughs, which include inspections and maintenance of spill prevention and release detection equipment. In addition to monthly walkthroughs, IDECO also performs semiannual inspections and maintenance of containment sumps (turbine sumps, fill sumps, spill buckets, and under-dispenser containment) and release detection equipment. In addition, Primadonna conducts the following testing:

- Automatic line leak detector and line tightness testing on an annual basis
- Tank tightness testing on an annual basis (tank tightness tests have also been performed following earthquakes in the region)
- Hydrostatic testing on containment sumps and overflow protection every three years
- Veeder-Root equipment certification on an annual basis

Primadonna has standard operating procedures (SOPs) and management plans to maintain UST compliance. Primadonna currently has more than 20 Class A, B, and C operators and routinely conducts UST operator training, including Class C operator training for all Site employees. Primadonna performs monthly UST release detection with two methods conducted by different third-party vendors (continuous in-tank leak detection [CITLD] by Warren Rogers Associates and statistical inventory reconciliation [SIR] by Gilbarco Veeder-Root). The use of two methods and vendors provides redundancy for monthly UST release detection.

The following UST compliance related documents are included in Appendix B:

- Example Monthly and Semiannual Inspection Reports
- Daily and Monthly Fuel Inventory Audit SOP
- Example Monthly Tank Summary with Comments
- Example CITLD Continual Reconciliation Report
- UST Training Information and List of UST Operators (please note that Darric Carter is an IDECO employee that is a Class B operator for the Site)

viii. Require a semiannual meeting, at a minimum, with NDEP to ensure the Plan remains viable, providing an approvable updated/revised Plan when required that adequately addresses changed conditions:

Semiannual meetings will be coordinated with NDEP to discuss corrective action activities at the Site and to address changed conditions.

- ix. Failure to comply with the NDEP-approved Plan will result in the reinstatement of the original coverage reduction and render the owner/operator ineligible for future requests for a Board reconsideration related to the site's coverage reduction status:**

Primadonna acknowledges this condition of Fund Policy Resolution No. 2012-06 (amended September 15, 2016) and is committed to follow through with implementation of this Compliance Plan and Schedule.

3. SUMMARY

This Compliance Plan and Schedule outlines deadlines and associated requirements for site assessment, corrective action, and closure in accordance with Fund Policy Resolution No. 2012-06 (amended September 15, 2016). Corrective actions have been initiated at the Site, and Primadonna is moving forward with a plan for SVE, biosparging, LNAPL recovery, and NSZD to address petroleum hydrocarbon impacts in soil and groundwater. Along with advancing corrective actions, Primadonna has implemented policies and procedures to maintain UST compliance and to prevent future UST releases. If the Compliance Plan and Schedule is approved by NDEP, Primadonna will request that the Board reconsider the previously established SSBD in accordance with Fund Policy Resolution No. 2012-06 (amended September 15, 2016).

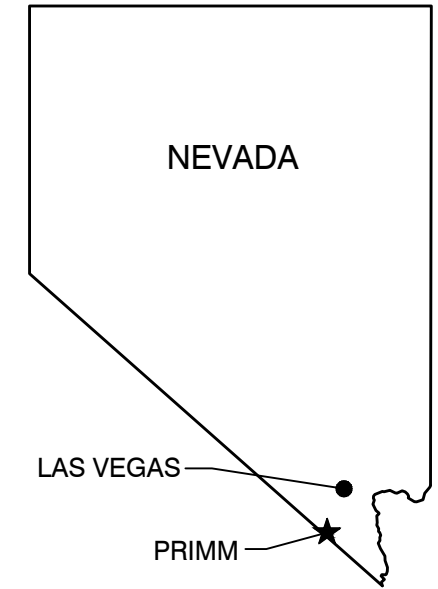
4. REFERENCES

- ERM 2018. *87 Slave Tank Release Evaluation Report – Whiskey Pete’s Stateline Stop*. July 18, 2018.
- ERM 2019. *87 Slave Tank Investigation – Whiskey Pete’s Stateline Stop*. May 2, 2019.
- Geosyntec 2020a. *Soil Vapor Extraction Pilot Testing Work Plan – Whiskey Pete’s Stateline Stop*. February 17, 2020.
- Geosyntec 2020b. *Corrective Action Plan – Whiskey Pete’s Stateline Stop*. April 30, 2020.
- Geosyntec 2020c. *Soil Vapor Extraction Pilot Test Report – Whiskey Pete’s Stateline Stop*. November 20, 2020.
- Geosyntec 2020d. *Natural Source Zone Depletion Study Work Plan – Whiskey Pete’s Stateline Stop*. December 4, 2020.
- NDEP 2019. *Nevada Petroleum Fund Coverage Determination – 45% Reduction – Whiskey Pete’s Stateline Stop, 100 West Primm Boulevard, Primm Nevada. Facility ID No. 8-000772, Petroleum Fund Case ID No. 2018000018*. June 19, 2019.
- Westmark 2012. *Initial Abatement Report – 2011 Excavation Area*. June 29, 2012.
- Westmark 2013. *Initial Abatement Report for the 2011 Excavation Area – Addendum 1*. February 28, 2013.

FIGURES

O:\PROJECTS\AFFINITY GAMING\WHISKEY PETES\SLC1003\FIGURES\CLAIM REVIEW\FIGURE 1 - SITE LOCATION MAP 4-26-21 - Last Saved by: GRigard on 11/3/21

Aerial Photo Source: 2016 Clark County, NV GIS OpenWeb



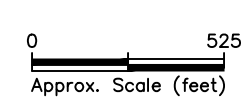
NEVADA

LAS VEGAS

PRIMM

LEGEND

- NEVADA - CALIFORNIA BORDER
- WHISKEY PETES PROPERTY LINE (APPROX)



SITE LOCATION MAP
 WHISKEY PETE'S STATELINE STOP
 PRIMM, NEVADA



FIGURE

1

PROJECT NO: SLC1003 NOVEMBER 2021



LEGEND

- NEVADA - CALIFORNIA BORDER
- WHISKEY PETE'S PROPERTY LINE
- ◆ GROUNDWATER MONITORING WELL
- LNAPL (INFERRED BASED ON WELLS WITH OBSERVED LNAPL)

0 140
Approx. Scale (feet)



SITE LAYOUT, WELLS, AND
LNAPL PLUME EXTENT
WHISKEY PETE'S STATELINE STOP
PRIMM, NEVADA



FIGURE

2

PROJECT NO: SLC1003








NOVEMBER 2021

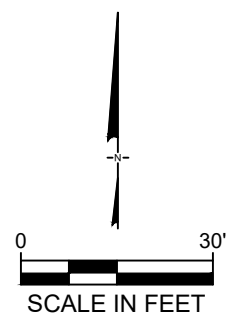
O:\PROJECTS\AFFINITY GAMING\WHISKEY PETE'S\SLC1003\FIGURES\COMPLIANCE PLAN\FIGURE 3 - LNAPL & REMEDIATION SYSTEM - Last Saved by: GRigard on 11/18/21




Aerial Photo Source: 2016 Clark County, NV GIS OpenWeb

LEGEND

-  LNAPL (INFERRED BASED ON WELLS WITH OBSERVED LNAPL)
-  GROUNDWATER MONITORING WELL
-  SOIL VAPOR PROBE
-  EXISTING SVE WELL
-  PROPOSED SVE WELL
-  PROPOSED BIOSPARGE WELL
-  SVE/BIOSPARGE TRENCH ALIGNMENT



SVE/BIOSPARGE SYSTEM LAYOUT WHISKEY PETE'S STATELINE STOP PRIMM, NEVADA	
	
PROJECT NO: SLC1003	NOVEMBER 2021
FIGURE 3	

APPENDIX A

CONSTRUCTION DRAWINGS

SVE AND BIOSPARGE SYSTEM

WHISKEY PETE'S HOTEL & CASINO, PRIMM, NEVADA

MAY 2021



VICINITY MAP



LOCATION MAP

INDEX TO PROJECT PLANS	
SHT NO.	SHEET TITLE
1	COVER SHEET
2	SPECIFICATIONS AND GENERAL NOTES
3	SITE PLAN
4	SVE-BISOPARGE - PLAN
5	TYPICAL DETAILS I
6	TYPICAL DETAILS II
7	PROCESS FLOW DIAGRAM

PROJECT LOCATION:
 WHISKEY PETE'S HOTEL & CASINO
 31900 S. LAS VEGAS BLVD
 PRIMM, NV 89019

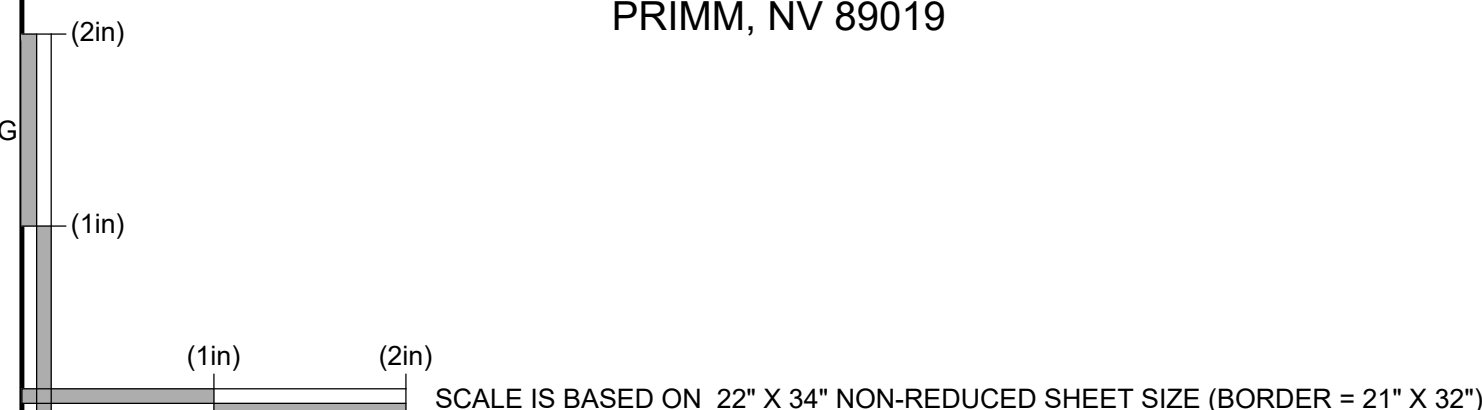
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PREPARED BY:
GEOSYNTEC CONSULTANTS
 215 S STATE ST SUITE 500
 SALT LAKE CITY, UT 84111
 801.618.0483

FOR BIDDING PURPOSES ONLY
 DRAFT DESIGN DRAWING - NOT FOR CONSTRUCTION

REV	DATE	DESCRIPTION	DRN	APP
TITLE: COVER SHEET				
PROJECT: CONSTRUCTION DRAWINGS SVE AND BIOSPARGE SYSTEM				
SITE: WHISKEY PETE'S HOTEL & CASINO, PRIMM, NEVADA				
		DESIGN BY: CL	DATE: MAY 2021	
		DRAWN BY: JD/SB	PROJECT NO.: SLC1003	
		CHECKED BY: TJC	FILE: SLC1003-01	
		REVIEWED BY: KC	DRAWING NO.:	
		APPROVED BY: ACB	<div style="display: flex; justify-content: space-around; align-items: center;"> 1 OF 7 </div>	

P:\CADD\AFFINITY GAMING\WHISKEY PETE'S HOTEL & CASINO\SLC1003-15 SVE&BIOSPARGES\DRAWINGS\SHEETS\SLC1003-01.DWG Last Edited by: Sberdy on 5/10/21



1. INTRODUCTION

THIS DRAWING AND SPECIFICATION PACKAGE INCLUDES INFORMATION FOR THE CONSTRUCTION AND INSTALLATION OF A SOIL VAPOR EXTRACTION AND BIOSPARGE SYSTEM AND ASSOCIATED WELLS, CONVEYANCES, AND MANIFOLD INFRASTRUCTURE.

2. GENERAL NOTES

- 2.1 PROJECT TEAM: OWNER - THE PRIMADONNA COMPANY, LLC... 2.2 THE WORD "CONTRACTOR" INCLUDES THE CONTRACTOR AND ALL SUBCONTRACTORS TO THE CONTRACTOR... 2.3 THE CONTRACTOR AND DRILLER SHALL VERIFY ALL DIMENSIONS AND CONDITIONS SHOWN ON THESE DRAWINGS... 2.4 ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS... 2.5 THE CONTRACTOR AND DRILLER SHALL EVALUATE AND UNDERSTAND THE SCOPE OF WORK FOR THE PROJECT... 2.6 NO CHANGES ARE TO BE MADE ON THESE PLANS WITHOUT THE KNOWLEDGE AND CONSENT OF THE PROJECT MANAGER AND ENGINEER... 2.7 CONVENTIONAL INDUSTRY STANDARD DETAILS SHALL APPLY WHERE NO SPECIAL DETAIL IS SHOWN... 2.8 THE CONTRACTOR AND DRILLER SHALL COORDINATE ALL WORK AND MATERIALS PROVIDED BY HIS SUBCONTRACTORS... 2.9 ALL EXISTING UTILITIES ARE NOT NECESSARILY SHOWN ON THE DRAWINGS... 2.10 CONTRACTOR AND DRILLER SHALL COORDINATE WITH PROJECT MANAGER PRIOR TO CONSTRUCTION ACTIVITIES.

3. BASIS OF DESIGN

3.1 DESIGN OBJECTIVES

THE SOIL VAPOR EXTRACTION (SVE) AND BIOSPARGE SYSTEM WILL BE OPERATED TO REMEDIATE SOIL IMPACTED WITH PETROLEUM HYDROCARBON (TPH). DESIGN OBJECTIVES INCLUDE: THE INSTALLATION OF THREE VAPOR CONTROL SVE WELLS AND ASSOCIATED CONVEYANCE PIPING; CONVEYANCE PIPING FOR TWO SPARE VAPOR CONTROL WELLS; FOUR BIOSPARGE INJECTION WELLS AND ASSOCIATED CONVEYANCE PIPING; AN SVE AND BIOSPARGE MANIFOLD; AND AN SVE TREATMENT COMPOUND.

3.2 DESIGN PARAMETERS

WELL HEAD VACUUM: 80 INCHES OF WATER COLUMN (IN H2O)
RADIUS OF INFLUENCE (ROI) FOR REMEDIATION: 50 FEET
EXTRACTION FLOW RATE: APPROXIMATELY 250 ACTUAL CUBIC FEET PER MINUTE (ACFM) IN TOTAL

4. SPECIFICATIONS

4.1 GENERAL

- A. THE CONTRACTOR AND DRILLER SHALL VERIFY ALL FIELD DIMENSIONS AND ALL CONDITIONS BEFORE STARTING WORK AND THROUGHOUT CONSTRUCTION ACTIVITIES... B. ALL MATERIAL USED FOR CONSTRUCTION SHALL BE NEW UNLESS OTHERWISE APPROVED IN WRITING BY THE ENGINEER... C. UNLESS SPECIFICALLY NOTED ON THE DRAWINGS ALL MATERIAL SHALL BE PROVIDED AND INSTALLED BY THE CONTRACTOR... D. THE CONTRACTOR AND DRILLER SHALL HAVE ALL CURRENT AND APPLICABLE LICENSES AS REQUIRED BY THE WORK PERFORMED... E. THE CONTRACTOR AND DRILLER SHALL SETUP A PRE-CONSTRUCTION MEETING WITH THE PROJECT MANAGER PRIOR TO COMMENCING ON-SITE WORK... F. THE CONTRACTOR SHALL RESTORE ALL EXCAVATED OR DISTURBED AREAS TO THE ORIGINAL CONDITION... G. THE CONTRACTOR AND DRILLER ARE BOTH RESPONSIBLE FOR PROTECTING ALL SITE IMPROVEMENTS FROM DAMAGE... H. THE CONTRACTOR AND DRILLER SHALL WARRANTEE ALL MATERIAL AND CONSTRUCTION FOR A PERIOD OF ONE YEAR... I. THE CONTRACTOR AND DRILLER AGREE THAT THEY SHALL ASSUME SOLE RESPONSIBILITY OF AREAS IN WHICH THEY ARE CONDUCTING CONSTRUCTION WORK... J. AT LEAST 48 HOURS PRIOR TO COMMENCING ANY SUBSURFACE ACTIVITIES... K. THE CONTRACTOR AND DRILLER SHALL PAY SPECIAL ATTENTION TO AREAS WHERE SUBSURFACE ACTIVITIES CROSS UTILITIES... L. IF EXCAVATIONS ARE TO REMAIN OPEN AFTER NORMAL WORKING HOURS... M. EXCAVATED ASPHALT AND CONCRETE SHALL BE SEGREGATED FROM EXCAVATED SOILS... N. WHEN CONDUCTING SUBSURFACE ACTIVITIES... O. THE CONTRACTOR SHALL RECONSTRUCT SURFACES OF DISTURBED AREAS TO MATCH EXISTING ADJACENT SURFACES... P. ALL WORK SHALL BE CONDUCTED MONDAY THROUGH THURSDAY... Q. THE CONTRACTOR AND DRILLER SHALL NOT ALLOW EXCESSIVE FUGITIVE DUST TO BE GENERATED.

4.2 BIOSPARGE AND SVE CONVEYANCE TRENCH EXCAVATION

- A. ALL BIOSPARGE AND SVE CONVEYANCES SHALL BE BELOW GRADE, EXCEPT WHERE CONVEYANCES DAYLIGHT AT THE TREATMENT COMPOUND.

- B. CONTRACTOR SHALL PERFORM SAW-CUTTING OF PCC AND AC FOR TRENCHING AS SHOWN ON THE DRAWINGS... C. DEPTH AND POSITION OF SUBSURFACE CONVEYANCES SHALL BE DOCUMENTED BY FIELD SURVEY... D. MARKER TAPE SHALL BE PLACED ABOVE SLURRY PRIOR TO CONSTRUCTION OF OVERLYING PCC OR AC... E. ALL TRENCHES SHALL BE INSPECTED BY THE PROJECT MANAGER PRIOR TO CONVEYANCE PLACEMENT... F. ALL SOIL EXCAVATED DURING TRENCHING OR OTHER RELATED ACTIVITIES SHALL BE CONTAINERIZED ON SITE AT A LOCATION SPECIFIED BY THE PROJECT MANAGER.

4.3 BIOSPARGE AND SVE CONVEYANCES

- A. ALL BIOSPARGE CONVEYANCES FOR INJECTED AIR SHALL BE 3/4-INCH GOODYEAR BRAND ORTAC 250 OR ORTAC 300... B. CONVEYANCE AND FITTING DIMENSIONS SHALL BE AS SHOWN ON THE DRAWINGS... C. ALL SVE CONVEYANCES SHALL BE POLYVINYL CHLORIDE (PVC) PIPE... D. ALL TRENCHES, PIPE, BACKFILL, AND SURFACE COMPLETIONS SHALL BE CONSTRUCTED TO THE LINES, GRADES, AND DIMENSIONS SHOWN AND DESCRIBED IN THESE CONSTRUCTION DRAWINGS... E. TO THE EXTENT PRACTICAL, HORIZONTAL SVE CONVEYANCES SHALL BE CONSTRUCTED TO HAVE A MINIMUM 0.5% SLOPE DRAINING TOWARD THE WELLS... F. PVC CONVEYANCE FITTINGS SHALL BE SOLVENT WELDED PER ASTM D 1785... G. THE CONTRACTOR SHALL PROVIDE IDENTIFICATION (SIGNS OR LABELS) ON ALL SYSTEM CONVEYANCES... H. PRIOR TO CONVEYANCE INSTALLATION, THE CONTRACTOR SHALL VERIFY THE CONVEYANCE ROUTES AND ADJUST FOR OBSTRUCTIONS... I. ALL SVE CONVEYANCES SHALL BE VACUUM TESTED WITH AIR AT APPROXIMATELY 100 INCHES OF WATER COLUMN... J. LEAK TESTING SHALL BE REPEATED AFTER REPAIRS ARE MADE UNTIL PASSING RESULTS ARE OBSERVED... K. CONTRACTOR SHALL CONSTRUCT THE EXTRACTION WELL SURFACE COMPLETIONS AND CONNECT EXTRACTION WELL CASINGS TO CONVEYANCES... L. THE SVE AND BIOSPARGE EQUIPMENT PROVIDER WILL BE RESPONSIBLE FOR OFFLOADING, PLACEMENT, AND CONNECTION OF THEIR EQUIPMENT... M. SPARE SVE CONVEYANCES AND AIR HOSES SHALL BE CONSTRUCTED AS SHOWN ON THE DRAWINGS... N. AIR HOSES SHALL BE DAYLIGHTED WITHIN THE FOOTPRINT OF THE TREATMENT COMPOUND.

4.4 BIOSPARGE WELL AND SVE WELL CONSTRUCTION

- A. A PROFESSIONAL DRILLER LICENSED IN THE STATE OF NEVADA WITH A VALID STATE DRILLER'S LICENSE SHALL CONSTRUCT THE BIOSPARGE AND SVE WELLS... B. BIOSPARGE AND SVE WELLS SHALL BE INSTALLED IN SEPARATE BOREHOLES, SPACED APPROXIMATELY 10 FEET APART... C. ALL BIOSPARGE WELLS SHALL BE INSTALLED IN H2O TRAFFIC RATED, FLUSH-MOUNTED WELL VAULTS... D. ALL SVE WELLS SHALL BE INSTALLED IN H2O TRAFFIC-RATED, FLUSH-MOUNTED WELL VAULTS... E. ACTUAL WELL SCREEN INTERVALS MAY BE ADJUSTED IN THE FIELD BASED ON SOIL CLASSIFICATION... F. DRILLER SHALL CONSTRUCT WELLS WITH STUB-UPS WITH TEMPORARY CAPS.

4.5 MANIFOLDS

- A. THE SVE MANIFOLD SHALL BE CONSTRUCTED WITH THE MATERIALS SPECIFIED AND CONFIGURATIONS SHOWN WITHIN THESE CONSTRUCTION DRAWINGS... B. THE AIR INJECTION MANIFOLD WILL BE CONSTRUCTED BY THE BIOSPARGE EQUIPMENT PROVIDER AT NO EXPENSE TO THE CONTRACTOR.

4.6 TREATMENT COMPOUND FENCE AND PROPANE ENCLOSURE

- A. ALL FENCING SHALL BE CHAIN LINK F88 AND SHALL BE CONSTRUCTED TO THE LINES AND DIMENSIONS SHOWN ON THE DRAWINGS... B. CHAIN LINK FENCE LINE SHALL BE 80" HIGH... C. FENCE SHALL HAVE A TOP TENSION WIRE AND A BOTTOM RAIL... D. GATE SHALL BE DOUBLE-SWING, WITH TWO 8-FOOT WIDE PANELS... E. FENCE SHALL INCLUDE PRIVACY SLATTING... F. ALL SOIL EXCAVATED DURING FENCE POST INSTALLATION OR OTHER ACTIVITIES SHALL BE CONTAINERIZED ON SITE... G. CONTRACTOR SHALL INSTALL K-RAIL BARRICADES AROUND THE TWO 1,000 GALLON PROPANE TANKS ADJACENT TO THE TREATMENT COMPOUND.

4.7 ELECTRICAL POWER SUPPLY

- A. THE CONTRACTOR SHALL PROVIDE ELECTRICAL POWER SUPPLY TO THE TREATMENT COMPOUND... B. CONTRACTOR SHALL ALSO REMOVE AN EXISTING DISCONNECT AND SHALL DIRECT-WIRE THE CURRENT POWER SUPPLY TO THE MONORAIL LIGHTING SYSTEM... C. A NEW DISCONNECT SHALL BE INSTALLED FOR THE MONORAIL LIGHTING... D. THE ELECTRICAL LINE SHALL BE CONSTRUCTED IN A COMMON TRENCH WITH THE SVE AND BIOSPARGE CONVEYANCES... E. CONTRACTOR SHALL PREPARE DETAILED ELECTRICAL DESIGN AND PERFORM ALL LOAD CALCULATIONS... F. CONTRACTOR IS RESPONSIBLE FOR OBTAINING AN ELECTRICAL PERMIT FOR THE POWER SUPPLY FROM COUNTY OF CLARK... G. ALL ELECTRICAL WORK SHALL BE PERFORMED BY A PROPERLY LICENSED STATE-CERTIFIED ELECTRICIAN.

4.8 BIOSPARGE AND SVE/THERMOX/CATOX TREATMENT UNIT

- A. THE EQUIPMENT VENDORS WILL BE RESPONSIBLE FOR PLACEMENT AND COMMISSIONING OF THEIR RESPECTIVE EQUIPMENT, AS SPECIFIED IN THESE DRAWINGS, AT NO COST TO THE CONTRACTOR.

4.9 WASTE MATERIALS

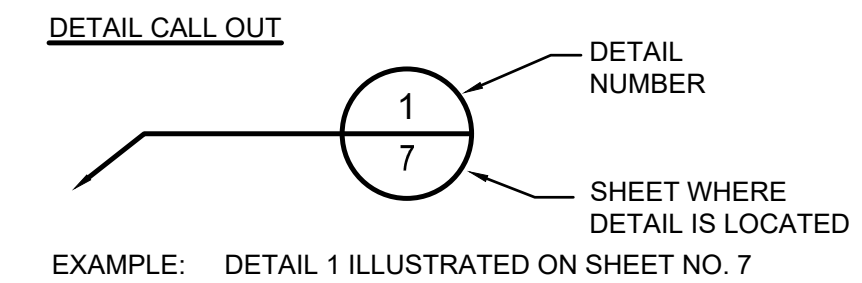
- A. THE COST FOR DISPOSAL OF SOIL, DECONTAMINATION WATER AND WASTE WILL BE THE RESPONSIBILITY OF THE OWNER... B. EXCAVATED PCC AND AC SHALL BE SEGREGATED FROM EXCAVATED SOILS AND SHALL BE TRANSPORTED TO AN APPROVED RECYCLING FACILITY BY THE PARTY RESPONSIBLE FOR CONDUCTING THE ASSOCIATED SCOPE OF WORK.

4.10 CONSTRUCTION SCHEDULE

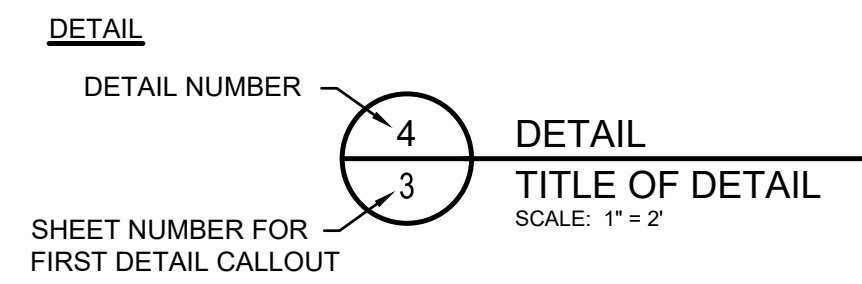
- A. THE CONTRACTOR AND DRILLER SHALL PREPARE AND SUBMIT CONSTRUCTION SCHEDULES AT LEAST 5 BUSINESS DAYS PRIOR TO ANY WORK AT THE SITE. THE SCHEDULES ARE SUBJECT TO APPROVAL BY THE PROJECT MANAGER.

5. SAFETY/CLEAN-UP

- 5.1 ALL CONSTRUCTION AREAS SHALL BE CLEARLY MARKED WITH CAUTION TAPE, DELINEATORS, BARRICADES, CONES, PLATES, OR OTHER APPROVED SAFETY MARKERS... 5.2 THE CONTRACTOR AND DRILLER MUST PROVIDE THE PROJECT MANAGER A SITE-SPECIFIC HEALTH AND SAFETY PLAN (HASP) PRIOR TO BEGINNING FIELD ACTIVITIES... 5.3 THE CONTRACTOR AND DRILLER MUST PERFORM ALL WORK IN ACCORDANCE WITH ALL APPLICABLE FEDERAL OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REGULATIONS... 5.4 THE CONTRACTOR AND DRILLER SHALL MAINTAIN A CLEAN AND ORDERLY SITE... 5.5 THE CONTRACTOR AND DRILLER SHALL BE RESPONSIBLE FOR REQUIRED PERSONAL PROTECTIVE EQUIPMENT (PPE) INCLUDING BUT NOT LIMITED TO STEEL-TOED BOOTS, SAFETY GLASSES, HARD HATS, AND SAFETY VESTS.



EXAMPLE: DETAIL 1 ILLUSTRATED ON SHEET NO. 7

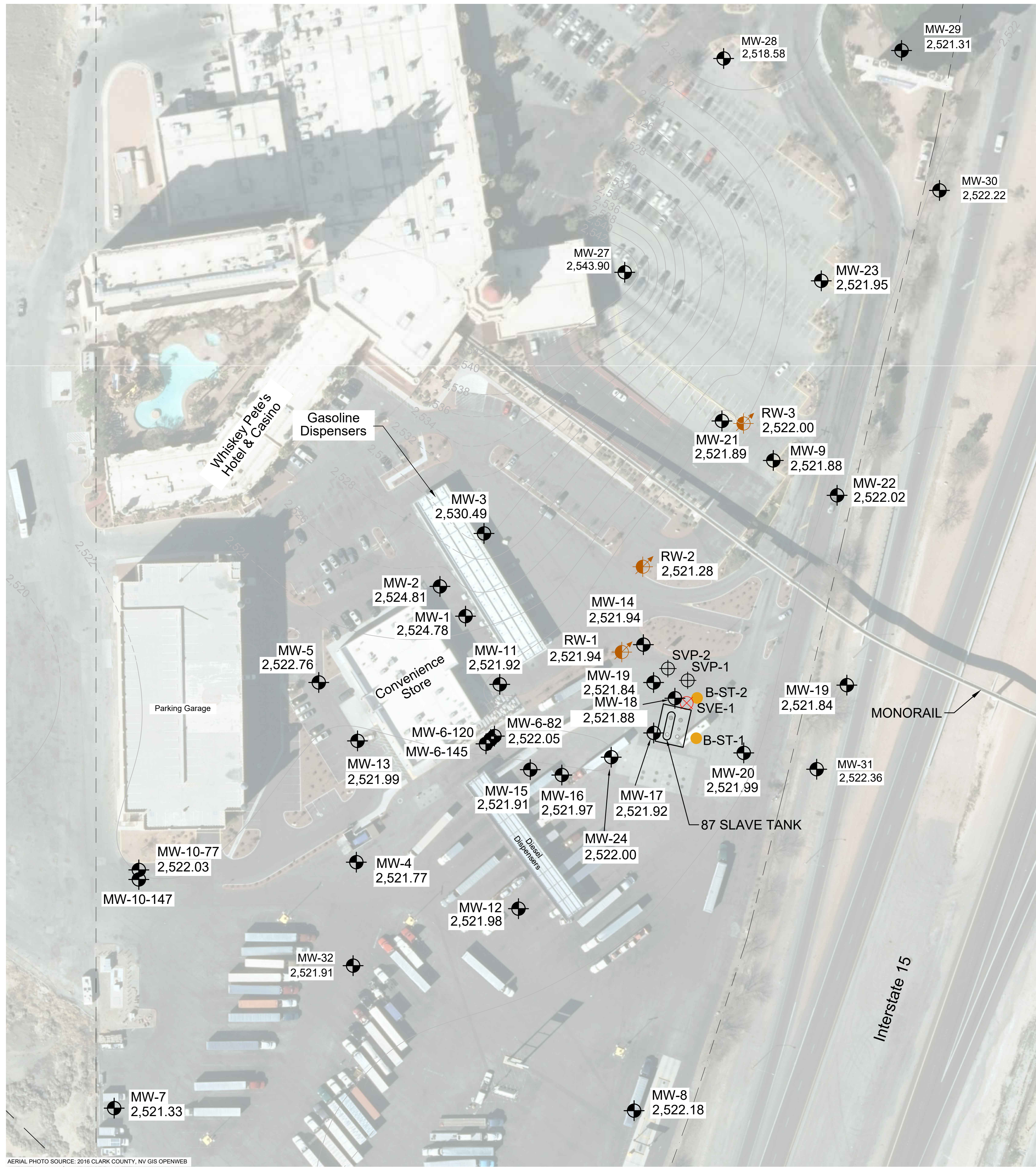


EXAMPLE: DETAIL NUMBER 4, FIRST CALLED OUT ON SHEET NO. 3

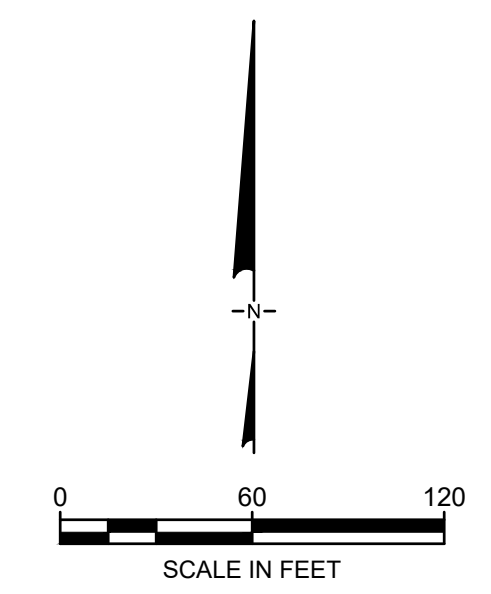
DETAIL IDENTIFICATION LEGEND

Table with columns: REV, DATE, DESCRIPTION, DRN, APP. Includes logos for Geosyntec consultants and Affinity GAMING CONSULTANTS. Title: SPECIFICATIONS AND GENERAL NOTES. Project: CONSTRUCTION DRAWINGS SVE AND BIOSPARGE SYSTEM. Site: WHISKEY PETE'S HOTEL & CASINO, PRIMM, NEVADA. Design by: CL, Date: MAY 2021, Drawn by: JD/SB, Project No.: SLC1003, Checked by: TJC, File: SLC1003-03, Reviewed by: KC, Drawing No.: 2 OF 7, Approved by: ACB.

FOR BIDDING PURPOSES ONLY
DRAFT DESIGN DRAWING - NOT FOR CONSTRUCTION



LEGEND	
	WHISKEY PETE'S PROPERTY LINE
	PRIOR SOIL BORING
	SOIL VAPOR PROBE
	EXISTING SVE WELL
	GROUNDWATER MONITORING WELL AND 2Q/2019 WATER ELEVATION (FT MSL)
	LNAPL RECOVERY WELL
	GROUNDWATER ELEVATION CONTOUR (2-FT. INTERVAL); DASHED WHERE INFERRED
	INTERPRETED GROUNDWATER FLOW DIRECTION

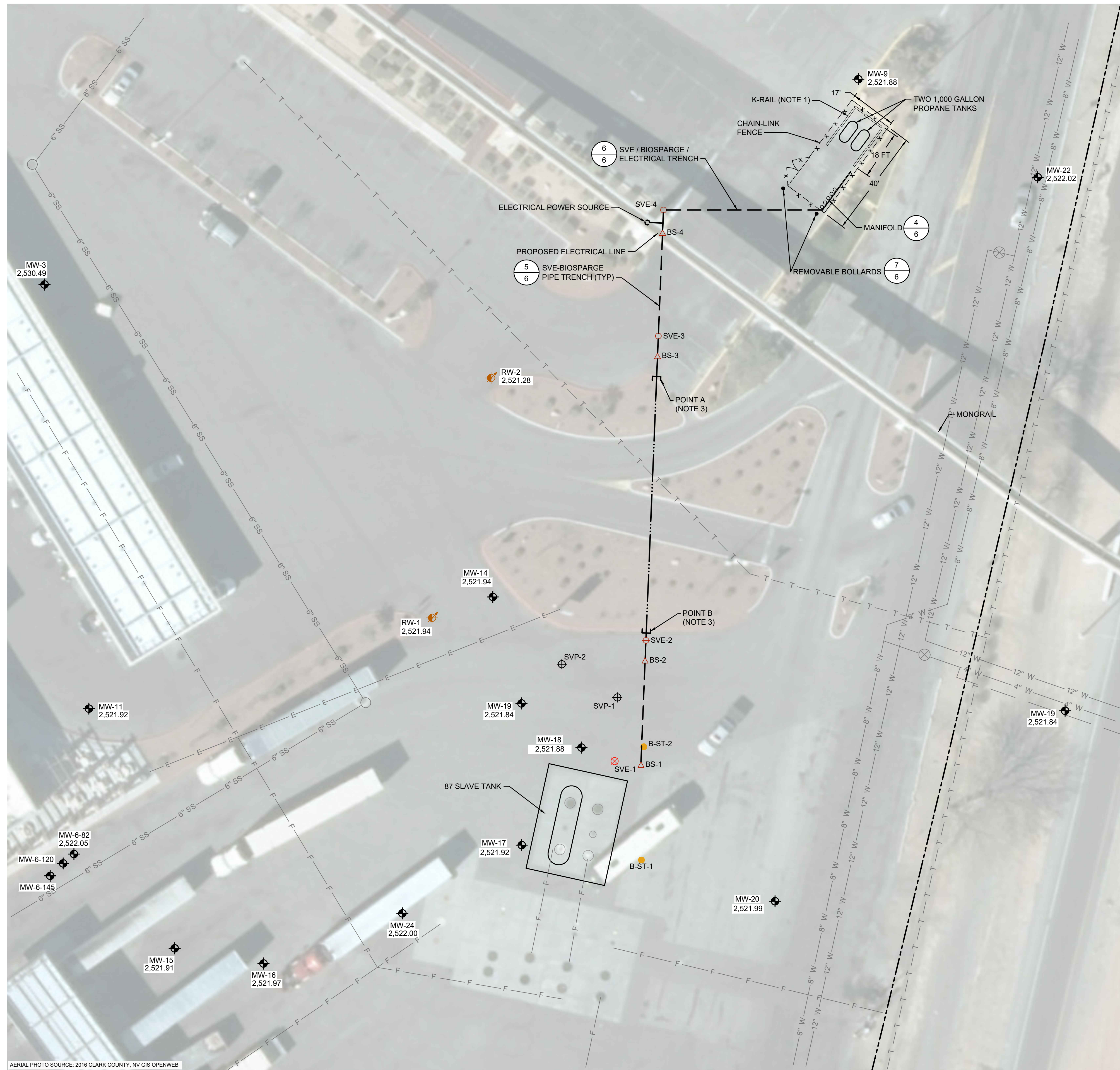


FOR BIDDING PURPOSES ONLY
DRAFT DESIGN DRAWING - NOT FOR CONSTRUCTION

REV	DATE	DESCRIPTION	DRN	APP
 215 S STATE ST SUITE 500 SALT LAKE CITY, UT 84111 801.618.0483				
 3755 BREAKTHROUGH WAY #300 LAS VEGAS, NV 89135 PHONE: 702.341.2400				
TITLE: SITE PLAN				
PROJECT: CONSTRUCTION DRAWINGS SVE AND BIOSPARGE SYSTEM				
SITE: WHISKEY PETE'S HOTEL & CASINO, PRIMM, NEVADA				
DESIGN BY:	CL	DATE:	MAY 2021	
DRAWN BY:	JD/SB	PROJECT NO.:	SLC1003	
CHECKED BY:	TJC	FILE:	SLC1003-04	
REVIEWED BY:	KC	DRAWING NO.:	3 OF 7	
APPROVED BY:	ACB			

P:\CADD\AFFINITY GAMING\WHISKEY PETE'S HOTEL & CASINO\SLC1003-16 SVE&BIOSPARGES\DRAWINGS\SHEET\SLC1003-04.DWG Last Edited by: JDuran on 4/15/21

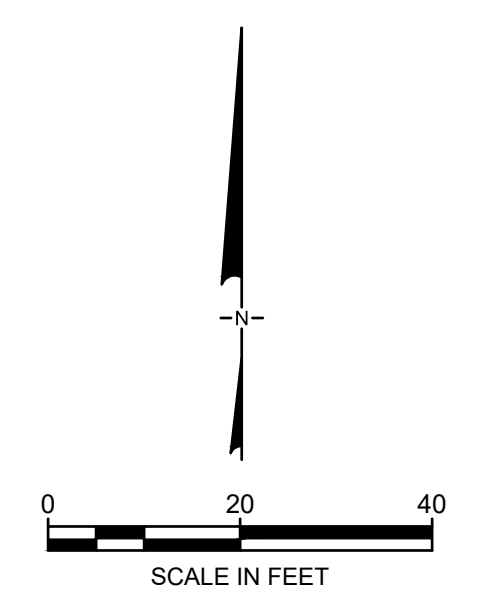
AERIAL PHOTO SOURCE: 2016 CLARK COUNTY, NV GIS OPENWEB
SCALE IS BASED ON 22" X 34" NON-REDUCED SHEET SIZE (BORDER = 21" X 32")



LEGEND

	WHISKEY PETE'S PROPERTY LINE
	EXISTING TELECOMMUNICATIONS LINE
	EXISTING ELECTRIC LINE
	EXISTING 6-IN SANITARY SEWER LINE
	EXISTING 4-IN WATER LINE
	EXISTING 8-IN WATER LINE
	EXISTING 12-IN WATER LINE
	EXISTING FUEL LINE
	PRIOR SOIL BORING
	SOIL VAPOR PROBE
	EXISTING SVE WELL
	PROPOSED SVE WELL
	PROPOSED BIOSPARGE WELL
	GROUNDWATER MONITORING WELL
	LNAPL RECOVERY WELL
	SVE/BIOSPARGE TRENCH ALIGNMENT - OPEN TRENCH
	SVE/BIOSPARGE TRENCH ALIGNMENT - DIRECTIONAL BORING
	SVE / BIOSPARGE / ELECTRICAL TRENCH

- ### NOTES
- K-RAIL SHALL BE XX CONCRETE BARRIER OR EQUIVALENT.
 - LOCATIONS OF UNDERGROUND IRRIGATION LINES IN LANDSCAPED AREAS AND ELECTRICAL LINES FOR PARKING LOT LIGHTS ARE NOT SHOWN ON THIS FIGURE. ALL UTILITIES SHOWN ON THIS FIGURE ARE APPROXIMATE AND MUST BE FIELD VERIFIED PRIOR TO CONSTRUCTION.
 - DIRECTIONAL BORING SHALL BE PERFORMED BETWEEN POINT A AND POINT B AT MINIMUM. DIRECTIONAL BORING FOR THE OTHER LOCATIONS IS ALSO ALLOWABLE WITH ENGINEER'S WRITTEN APPROVAL.



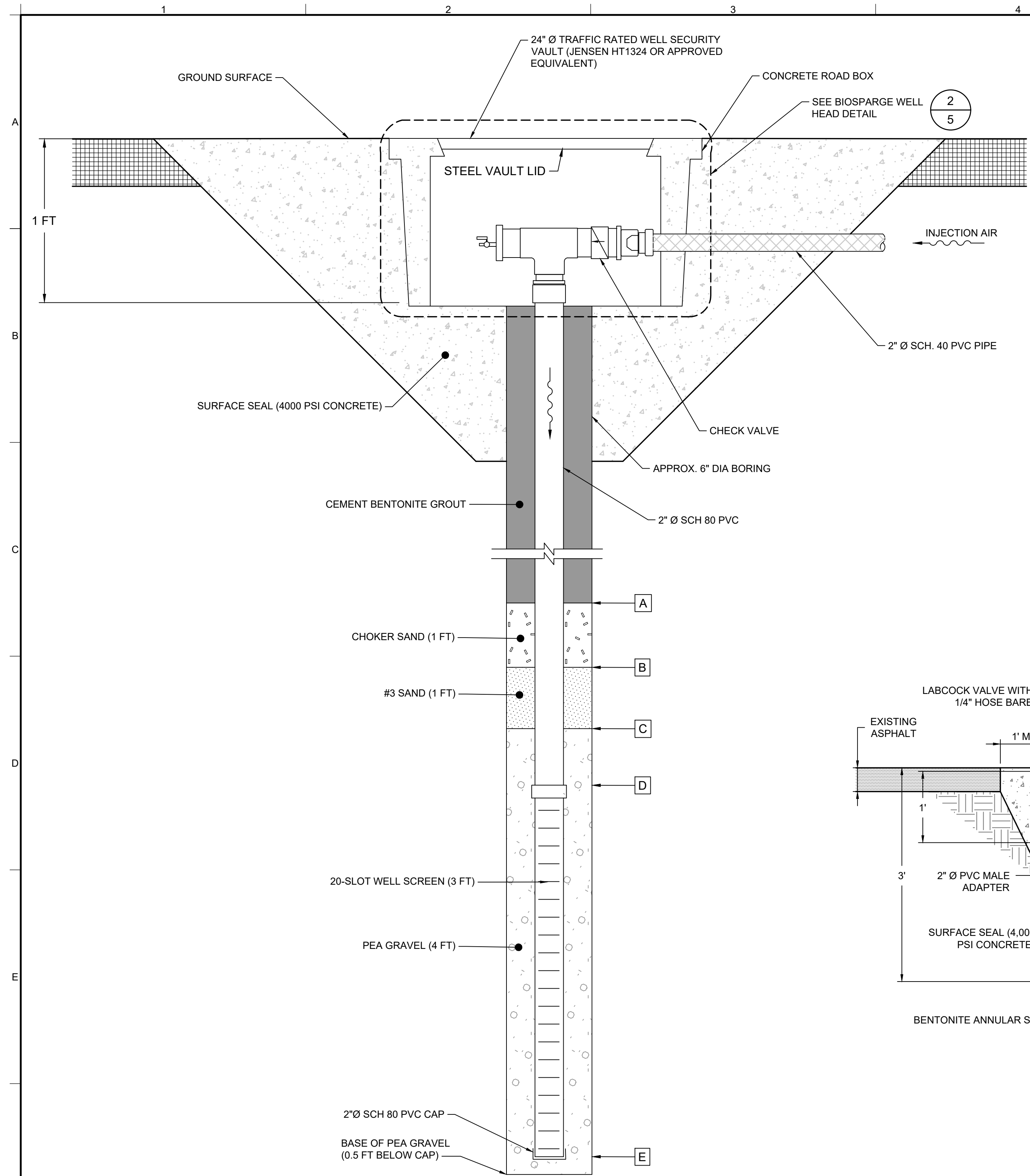
REV	DATE	DESCRIPTION	DRN	APP
215 S STATE ST SUITE 500 SALT LAKE CITY, UT 84111 801.618.0483		3755 BREAKTHROUGH WAY #300 LAS VEGAS, NV 89135 PHONE: 702.341.2400		
TITLE: SVE-BISOPARGE - PLAN				
PROJECT: CONSTRUCTION DRAWINGS SVE AND BIOSPARGE SYSTEM				
SITE: WHISKEY PETE'S HOTEL & CASINO, PRIMM, NEVADA				
DESIGN BY:	CL	DATE:	MAY 2021	
DRAWN BY:	JD/SB	PROJECT NO.:	SLC1003	
CHECKED BY:	TJC	FILE:	SLC1003-05	
REVIEWED BY:	KC	DRAWING NO.:	4 OF 7	
APPROVED BY:	ACB			

**FOR BIDDING PURPOSES ONLY
DRAFT DESIGN DRAWING - NOT FOR CONSTRUCTION**

P:\CADD\AFFINITY GAMING\WHISKEY PETE'S HOTEL & CASINO\SLC1003-16 SVE&BIOSPARGE\DRAWINGS\SHEET\SLC1003-05.DWG Last Edited by: JDuran on 4/16/21

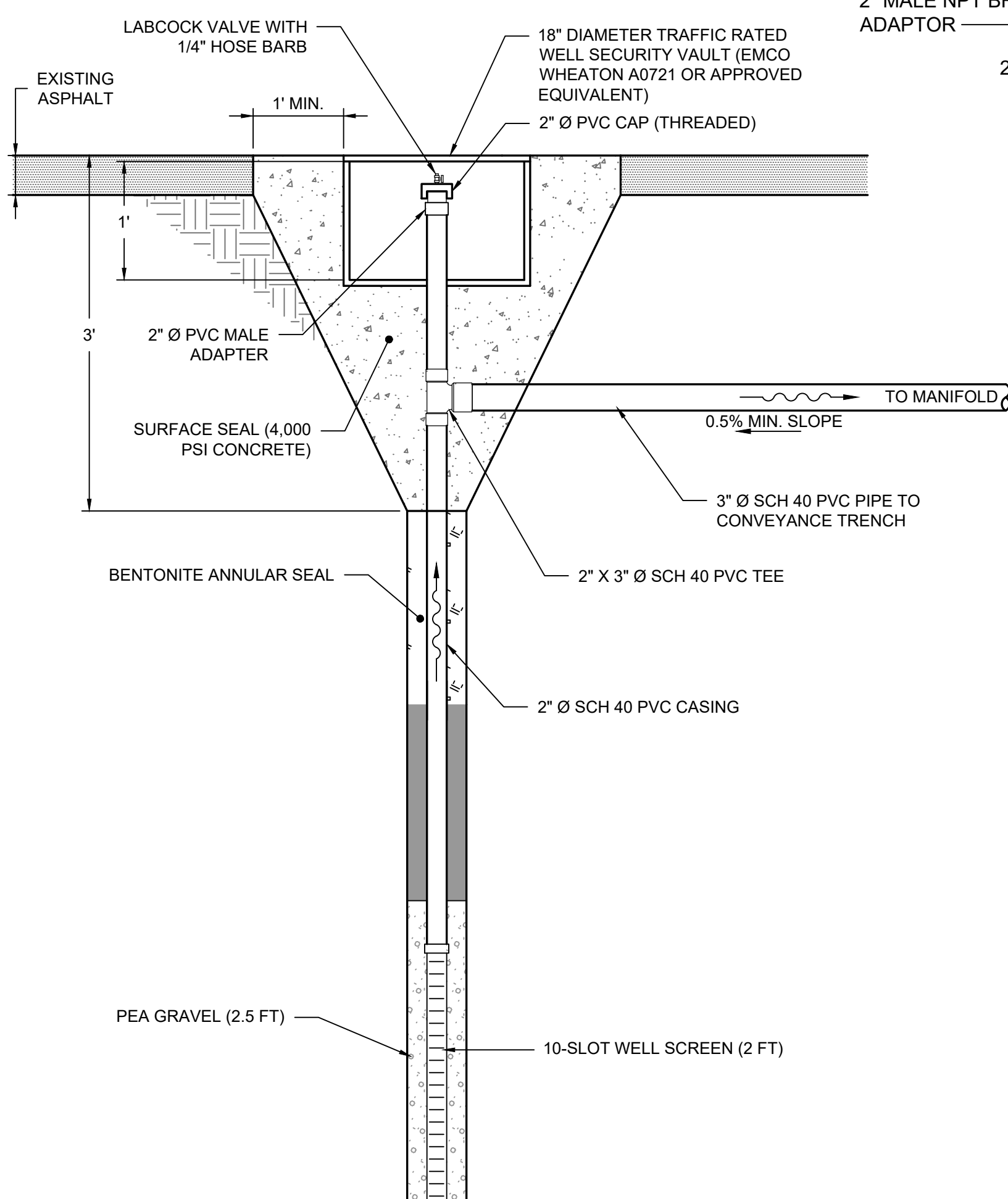
AERIAL PHOTO SOURCE: 2016 CLARK COUNTY, NV GIS OPENWEB

SCALE IS BASED ON 22" X 34" NON-REDUCED SHEET SIZE (BORDER = 21" X 32")

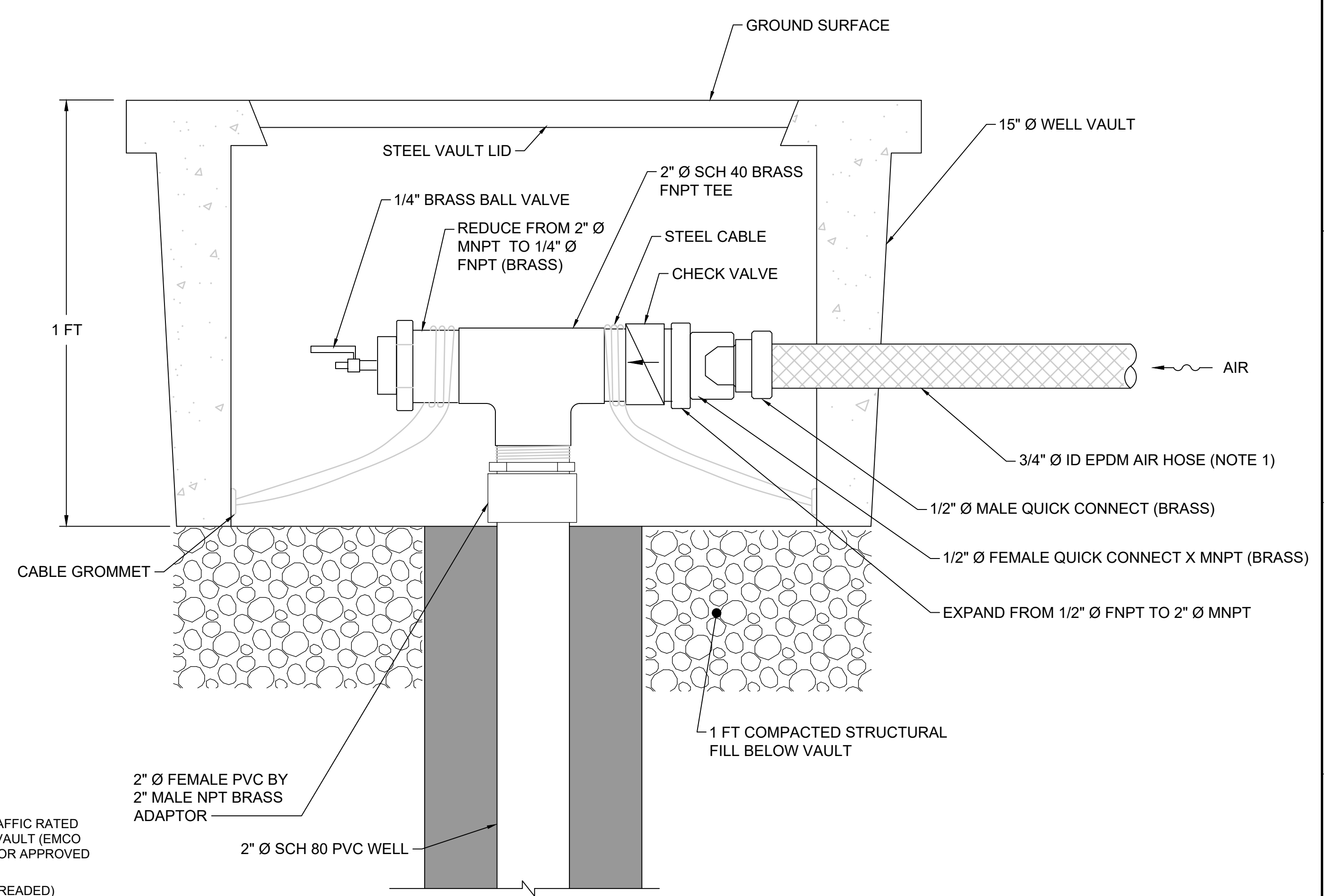


BIOSPARGE WELL FEATURE ELEVATION (FEET BELOW GROUND SURFACE)				
	BS-1	BS-2	BS-3	BS-4
ESTIMATED DEPTH OF WATER	89	89	90	89
A	98	98	99	98
B	99	99	100	99
C	100	100	101	100
D	101	101	102	101
E	104	104	105	104

1
4 **DETAIL**
BIOSPARGE INJECTION WELL CONSTRUCTION
SCALE: NTS
XREF: SLC1003-D11 - BIOSPARGE INJECTION WELL CONSTRUCTION.DWG





3
4 **DETAIL**
SVE WELL CONSTRUCTION
SCALE: NTS
XREF: SLC1003-D10 - SVE WELL CONSTRUCTION.DWG



2
4 **DETAIL**
BIOSPARGE INJECTION WELL HEAD CONSTRUCTION
SCALE: NTS
XREF: SLC1003-D12 - BIOSPARGE INJECTION WELL HEAD CONSTRUCTION.DWG

NOTES

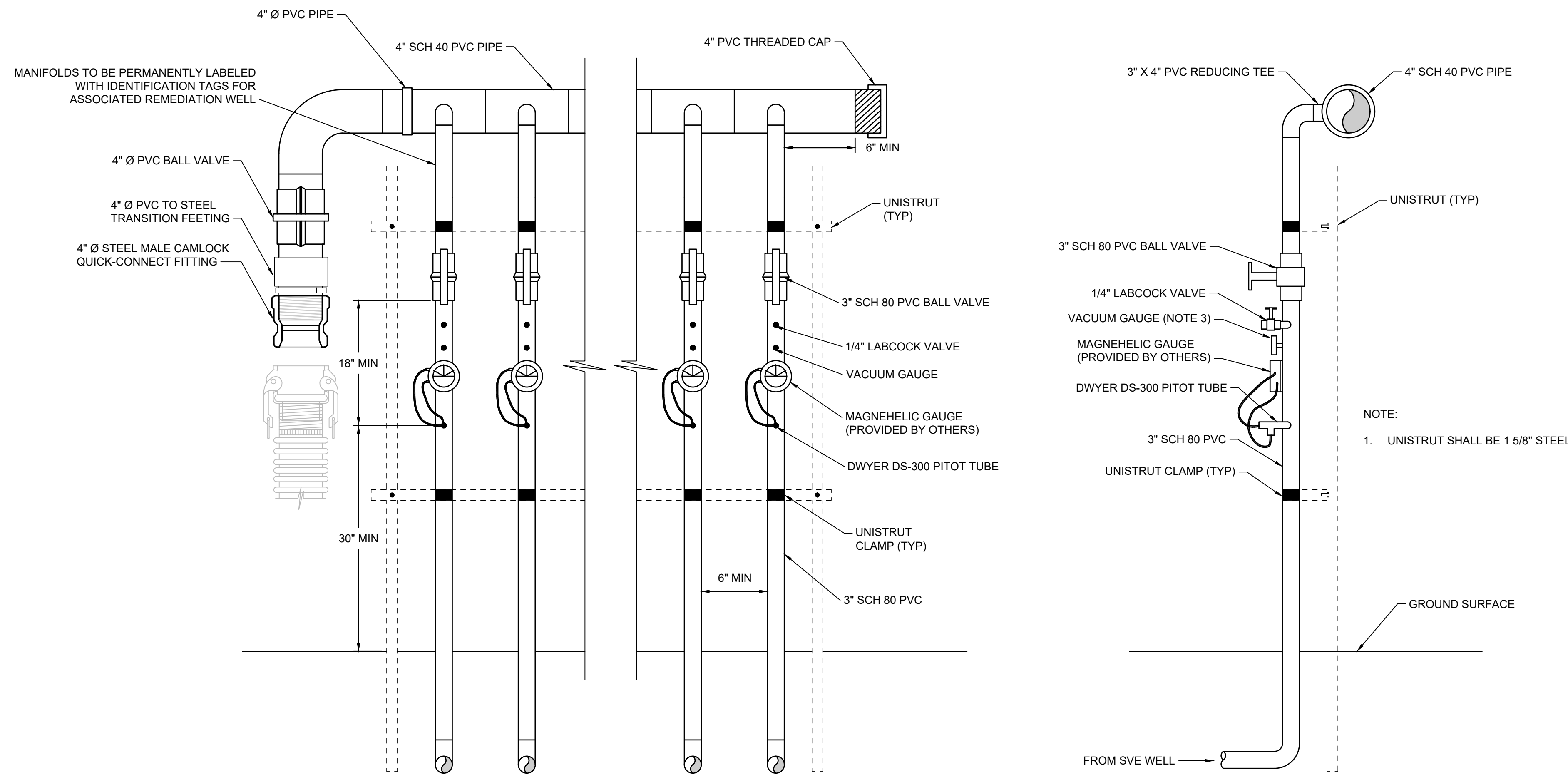
1. PROVIDE MINIMUM OF 2 FEET OF EXTRA COILED AIR HOSE WITHIN VAULT.
2. DRILLER SHALL CONSTRUCT THE BIOSPARGE AND SVE WELLS WITH STUB-UP CASINGS THAT TERMINATE IMMEDIATELY BELOW GRADE. CONTRACTOR SHALL CONSTRUCT THE SURFACE FEATURES OF THE WELLS, INCLUDING CONNECTIONS TO CONVEYANCES, CONCRETE, WELL VAULTS, AND WELLHEAD FEATURES. DRILLER SHALL PROVIDE TRENCH PLATES TO COVER WELLS UNTIL CONTRACTOR BEGINS SURFACE COMPLETION CONSTRUCTION.

REV	DATE	DESCRIPTION	DRN	APP
 				
TYPICAL DETAILS I				
CONSTRUCTION DRAWINGS SVE AND BIOSPARGE SYSTEM				
WHISKEY PETE'S HOTEL & CASINO, PRIMM, NEVADA				
DESIGN BY:	CL	DATE:	MAY 2021	
DRAWN BY:	JD/SB	PROJECT NO.:	SLC1003	
CHECKED BY:	TJC	FILE:	SLC1003-06	
REVIEWED BY:	KC	DRAWING NO.:	5 OF 7	
APPROVED BY:	ACB			

FOR BIDDING PURPOSES ONLY
DRAFT DESIGN DRAWING - NOT FOR CONSTRUCTION

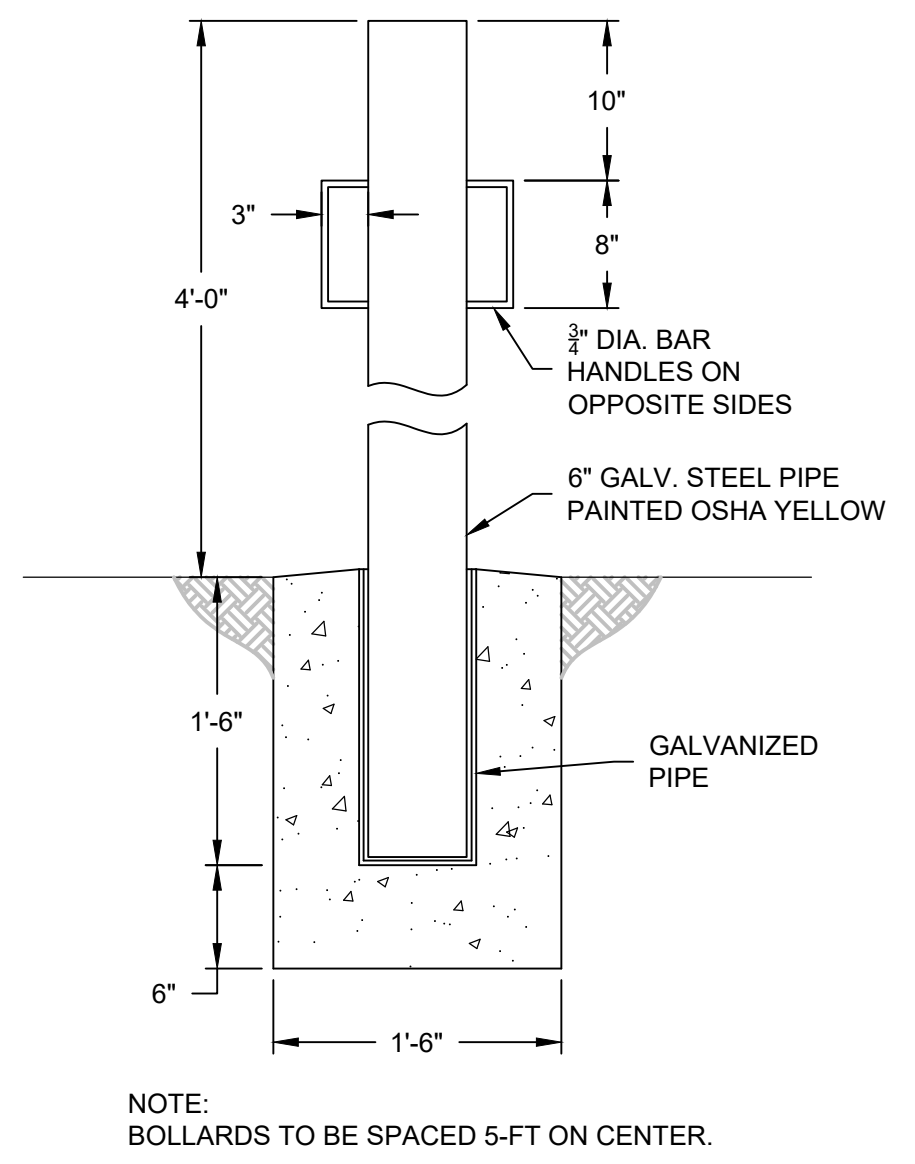
P:\CADD\AFFINITY GAMING\WHISKEY PETE'S HOTEL & CASINO\SLC1003-16 SVE&BIOSPARGE\DRAWINGS\SHEET\SLC1003-06.DWG Last Edited by: JDuran on 5/28/21

SCALE IS BASED ON 22" X 34" NON-REDUCED SHEET SIZE (BORDER = 21" X 32")



FRONT ELEVATION

SIDE ELEVATION

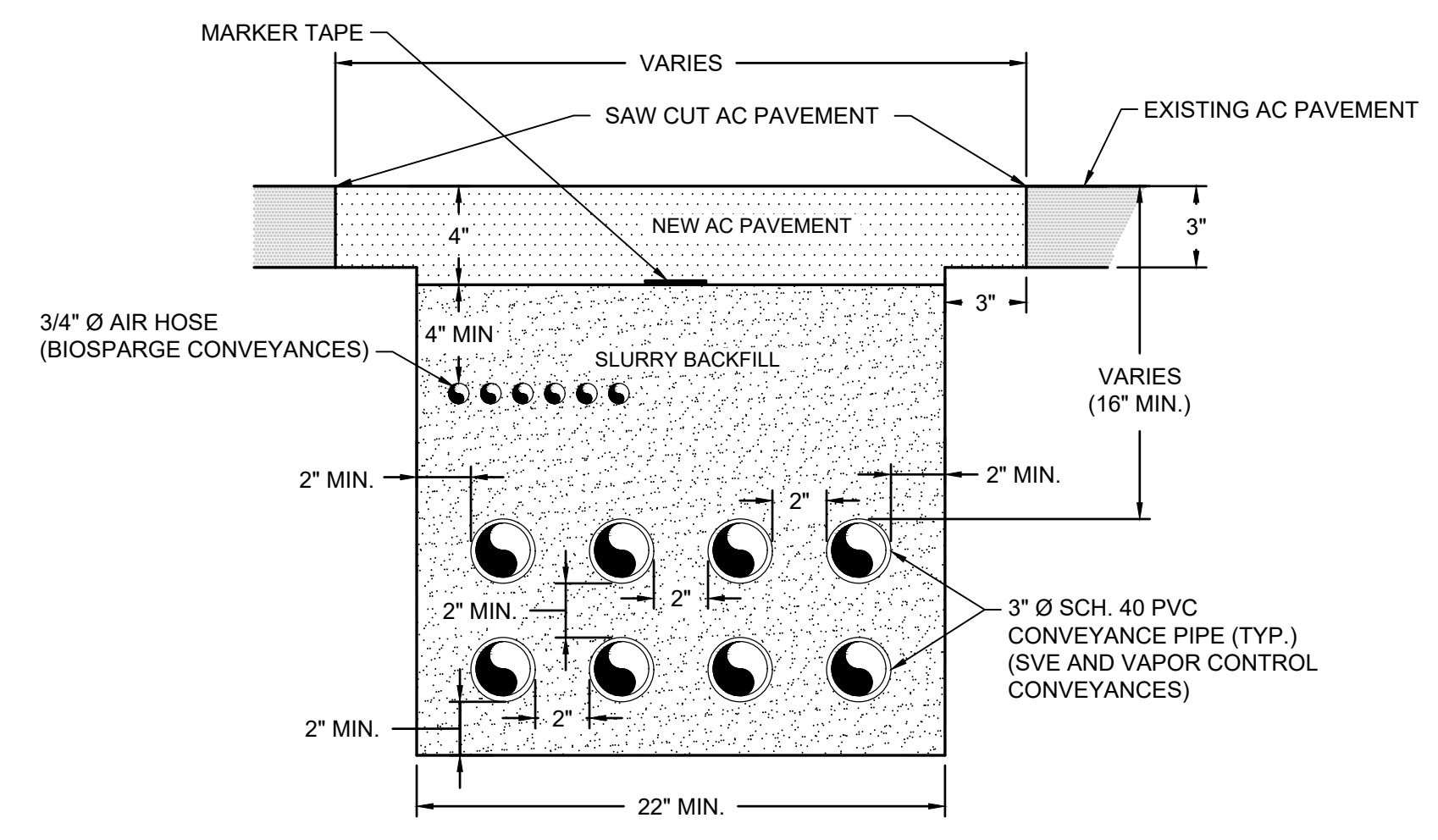


7
4 **DETAIL**
REMOVABLE BOLLARD
SCALE: NTS
XREF: SLC1003-007 - REMOVABLE BOLLARD.DWG

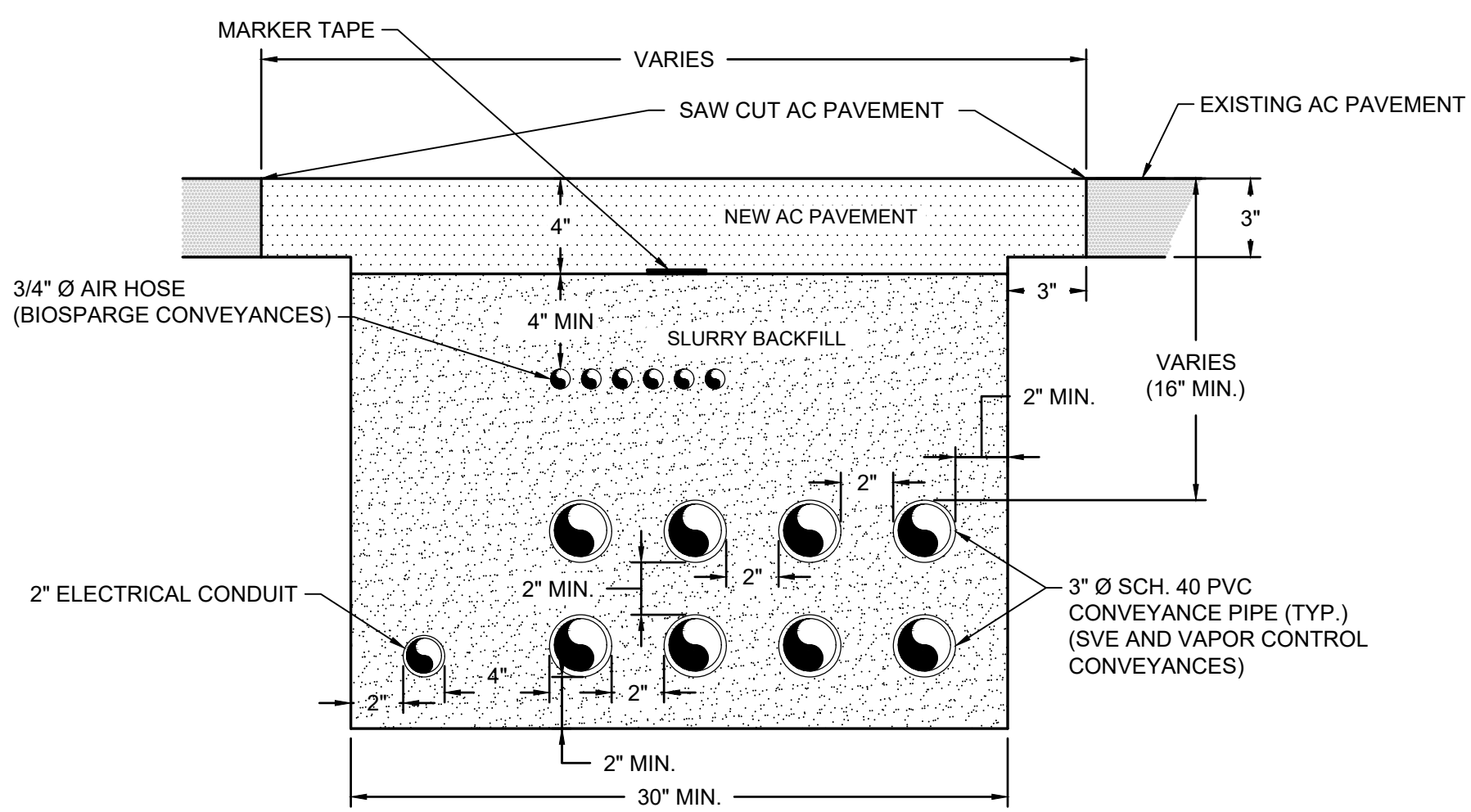
4
4 **DETAIL**
MANIFOLD
SCALE: NTS
XREF: SLC1003-003 - DPE MANIFOLD.DWG

NOTES



- UV PROTECTIVE COATING (E.G. PAINT) SHALL BE APPLIED TO ABOVE GROUND PVC PIPING.
- MANIFOLD LINES TO BE LABELED WITH PERMANENT METAL IDENTIFICATION TAGS.
- VACUUM GAUGES SHALL BE BACK-MOUNT, LIQUID-FILLED, DIAL TYPE WITH RANGE FROM 0 TO 100 INCHES OF WATER AND 1/4-INCH NPT THREAD. TAP PIPE TO MOUNT.
- ALL TRENCH COMPONENTS SHALL BE SECURED TO PREVENT FLOATING OR OTHER DISPLACEMENT DURING SLURRY BACKFILL.



5
4 **DETAIL**
SVE-BIOSPARGE PIPE TRENCH (TYP)
SCALE: NTS
XREF: SLC1003-004 - SVE-BIOSPARGE PIPE TRENCH.DWG

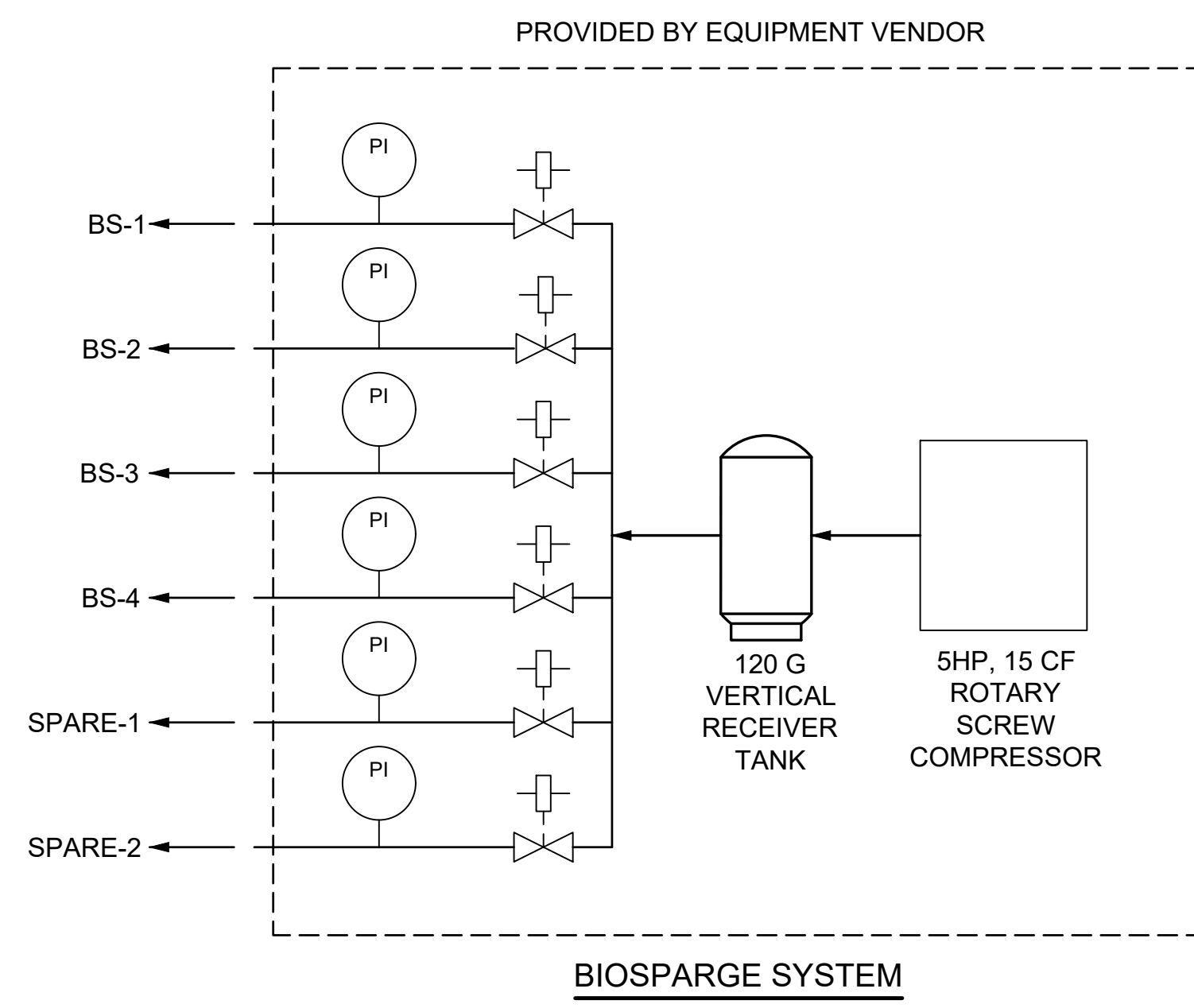
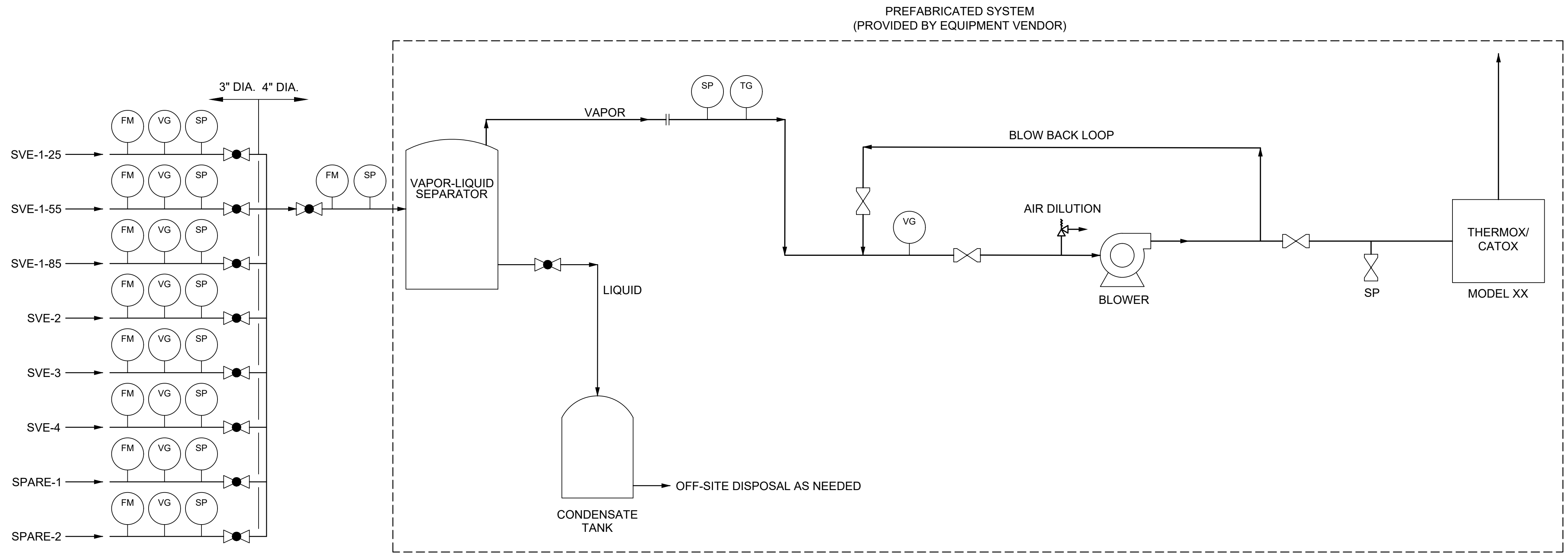


6
4 **DETAIL**
SVE/BIOSPARGE/ELECTRICAL TRENCH
SCALE: NTS
XREF: SLC1003-015 - SVE-BIOSPARGE-ELECTRICAL TRENCH.DWG

REV	DATE	DESCRIPTION	DRN	APP
 				
TYPICAL DETAILS II				
CONSTRUCTION DRAWINGS SVE AND BIOSPARGE SYSTEM				
WHISKEY PETE'S HOTEL & CASINO, PRIMM, NEVADA				
DESIGN BY:	CL	DATE:	MAY 2021	
DRAWN BY:	JD/SB	PROJECT NO.:	SLC1003	
CHECKED BY:	TJC	FILE:	SLC1003-06	
REVIEWED BY:	KC	DRAWING NO.:	6 OF 7	
APPROVED BY:	ACB			

FOR BIDDING PURPOSES ONLY
DRAFT DESIGN DRAWING - NOT FOR CONSTRUCTION

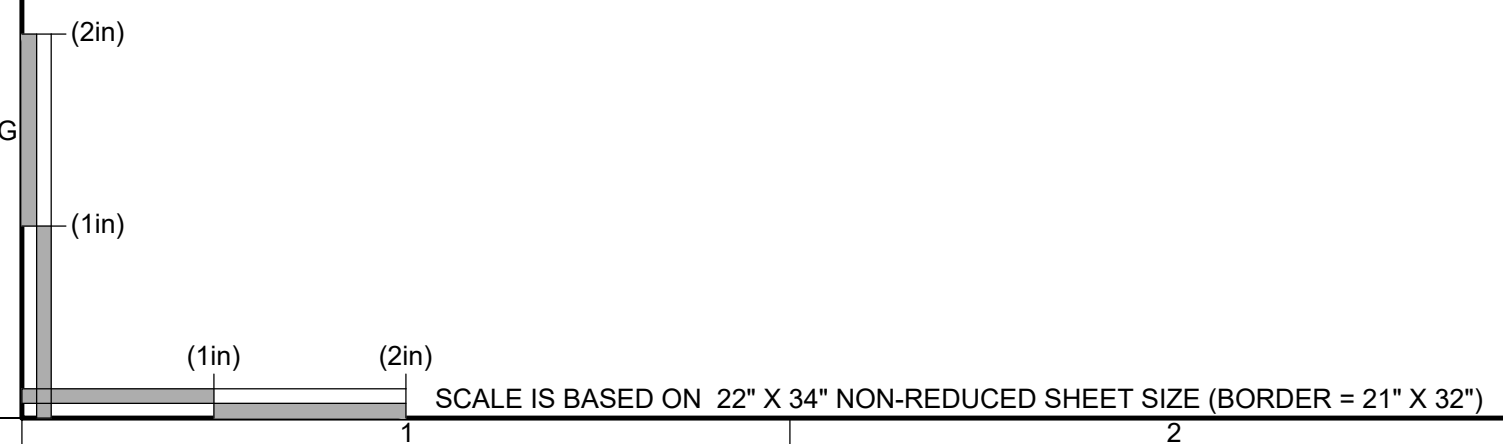
LEGEND	
	BLOWER
	FLOW METER
	PRESSURE INDICATOR
	TEMPERATURE GAUGE
	SAMPLE PORT
	VACUUM GAUGE
	BALL VALVE
	SOLENOID VALVE



REV	DATE	DESCRIPTION	DRN	APP
<p>TITLE: PROCESS FLOW DIAGRAM</p> <p>PROJECT: CONSTRUCTION DRAWINGS SVE AND BIOSPARGE SYSTEM</p> <p>SITE: WHISKEY PETE'S HOTEL & CASINO, PRIMM, NEVADA</p>				
DESIGN BY: CL		DATE: MAY 2021		
DRAWN BY: JD/SB		PROJECT NO.: SLC1003		
CHECKED BY: TJC		FILE: SLC1003-07		
REVIEWED BY: KC		DRAWING NO.:		
APPROVED BY: ACB		7 OF 7		

**FOR BIDDING PURPOSES ONLY
DRAFT DESIGN DRAWING - NOT FOR CONSTRUCTION**

P:\CADD\AFFINITY GAMING\WHISKEY PETE'S HOTEL & CASINO\SLC1003-15 SVE&BIOSPARGE\DRAWINGS\SHEET\SLC1003-07.DWG Last Edited by: sBardy on 5/20/21



APPENDIX B



UST COMPLIANCE INSPECTION REPORT

Station Name: PRIMM CENTER II - WHISKEY PETE
Address: 115 WEST PRIMM BLVD
City, St, Zip: PRIMM, NV 89019
Inspection Date/Time: Tue Jun 29 2021 11:35:13 GMT-0700 (PDT)
GPS Location: 35.609991;-115.391805;771.831469;41.099998;41.099998;0.016838;228.935684;1624991727616.000000
Inspector Name: JJIMENEZ@IDECONV.COM
Attendant Name:
Inspection Type: **MONTHLY**

Inspection Details

Is Spill Kit Complete?	Yes
Are All Fire Extinguishers Charged?	Na
Which Fire Extinguishers Need Service?	
Is Designated Operator Listing Current?	Yes
Are Recordkeeping Requirements Being Met?	Yes
Is Tank Monitor Operational?	Yes
Inspector Notes:	Cleaned and removed traces of liquid (PCW) from 87, Diesel (1), and (2)






Report Reviewed By (Class B Operator): DARRIC CARTER

Class B Operator Notes:

UST COMPLIANCE INSPECTION REPORT

INSPECTION IMAGES

All inspection images are sorted by repair priority. The following color code explains the various priorities.

Color Key	Description
	URGENT Attention Needed
	Replace, Attention Needed
	Clean, Suggested Replacement, or Repair
	No Repairs Needed
	Monitor on Next Inspection



UST COMPLIANCE INSPECTION REPORT

Station Name: PRIMM CENTER II - WHISKEY PETE
Address: 115 WEST PRIMM BLVD
City, St, Zip: PRIMM, NV 89019
Inspection Date/Time: Mon Aug 23 2021 12:19:38 GMT-0700 (PDT)
GPS Location: 35.612751:-115.391481:775.027462:110.000000:110.000000:0.587997:47.040554:1629746364416.000000
Inspector Name: JJIMENEZ@IDECONV.COM
Attendant Name:
Inspection Type: **FULL**






Inspection Details

Is Spill Kit Complete?	Yes
Are All Fire Extinguishers Charged?	Yes
Is Designated Operator Listing Current?	Yes
Are Recordkeeping Requirements Being Met?	Yes
Is Tank Monitor Operational?	Yes
Inspector Notes:	replaced diesel (2) fill cap. removed 4 gallons of liquid (F) from Diesel stp sump, dispensers #29, #32
Report Reviewed By (Class B Operator):	DARRIC CARTER
Class B Operator Notes:	

UST COMPLIANCE INSPECTION REPORT

INSPECTION IMAGES

All inspection images are sorted by repair priority. The following color code explains the various priorities.

Color Key	Description
	URGENT Attention Needed
	Replace, Attention Needed
	Clean, Suggested Replacement, or Repair
	No Repairs Needed
	Monitor on Next Inspection

UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE

OTHER

IMAGE 1 of 35

Recommended Repair

Attention Needed

Inspector Notes

#32 MASTER. HEAVY WEEPING ABOVE DIESEL SHEER

Class B Operator Notes

Repair leaking dispenser piping.

Image Date/Time

2021-08-23 15:01:14

GPS Location

35.549860;-115.415785;762.644
 340:3599.999023:3599.999023:
 0.000000:90.000000:162975606
 3744.000000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE DIESEL SPILL BUCKET IMAGE 2 of 35

Recommended Repair

Replace

Inspector Notes

DIESEL (2) MISSING SNOW PLOW RING

Class B Operator Notes

Replace the plow ring.

Image Date/Time

2021-08-23 13:36:04

GPS Location

35.609935;-115.391254;775.085
163:10.720000:10.720000:1.612
800:255.714783:162975095193
6.000000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE
HANGING HARDWARE 25
IMAGE 3 of 35

Recommended Repair

Replace

Inspector Notes

MISSING HANDWARMER

Class B Operator Notes

Replace the nozzle hand warmer.

Image Date/Time

2021-08-23 15:34:06

GPS Location

35.530983;-115.424301;772.545
 291:3500.000000:3500.000000:
 0.000000:90.000000:162975802
 9824.000000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE

OTHER

IMAGE 4 of 35

Recommended Repair

None At This Time

Inspector Notes

INSPECTION PORT LID DAMAGED

Class B Operator Notes

Image Date/Time

2021-08-23 12:20:25

GPS Location

35.611513;-115.392014:773.352
034:118.821999:118.821999:12.
156655:200.166229:162974636
4416.000000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE

DIESEL SPILL BUCKET

IMAGE 5 of 35

Recommended Repair

None At This Time

Image



Inspector Notes

DIESEL (3)

Class B Operator Notes

Image Date/Time

2021-08-23 12:24:07

GPS Location

35.612083;-115.391601:773.146
494:82.500000:82.500000:3.213
874:194.307358:162974662656
0.000000

UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE

DIESEL SPILL BUCKET

IMAGE 6 of 35

Recommended Repair

None At This Time

Inspector Notes

DIESEL (3)

Class B Operator Notes

Image Date/Time

2021-08-23 12:38:41

GPS Location

35.612626;-115.391613;774.785
618:47.542000:47.542000:1.565
790:70.988609:1629747544064.
000000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE DIESEL FILL SUMP IMAGE 7 of 35

Recommended Repair

None At This Time

Inspector Notes

DIESEL (3) 37IN

Class B Operator Notes

Image Date/Time

2021-08-23 12:40:08

GPS Location

35.610680;-115.391586;773.040
496:118.821999;118.821999;2.3
53412:329.371216;1629747544
064.000000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE	DIESEL FILL SUMP	IMAGE 8 of 35
--------------------------------	------------------	---------------

Recommended Repair

None At This Time

Inspector Notes

DIESEL (3) LIQUID INSIDE

Class B Operator Notes

The liquid was removed by the inspector.

Image Date/Time

2021-08-23 12:40:49

GPS Location

35.610061;-115.391215;774.206
 741:15.008000:15.008000:0.753
 096:315.451416:162974767513
 6.000000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE DIESEL STP SUMP IMAGE 9 of 35

Recommended Repair

None At This Time

Inspector Notes

DIESEL (3) 44IN

Class B Operator Notes

Image Date/Time

2021-08-23 12:56:46

GPS Location

35.610051:-115.391197:775.081
330:5.360000:5.360000:0.00000
0:0.000000:1629748592640.000
000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE	DIESEL STP SUMP	IMAGE 10 of 35
--------------------------------	-----------------	----------------

Recommended Repair

None At This Time

Inspector Notes

DIESEL (3). LIQUID INSIDE

Class B Operator Notes

The liquid was removed by the inspector.

Image Date/Time

2021-08-23 12:59:48

GPS Location

35.610069;-115.391076;774.852
 657;7.504000;7.504000;0.00000
 0;0.000000;1629748723712.000
 000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE
UNLEADED STP SUMP
IMAGE 11 of 35

Recommended Repair

None At This Time

Inspector Notes

44IN

Class B Operator Notes

Image Date/Time

2021-08-23 13:03:19

GPS Location

35.610083;-115.391136:775.009
 821:9.648000:9.648000:0.19000
 0:275.000000:1629748985856.0
 00000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE

DIESEL SPILL BUCKET

IMAGE 12 of 35

Recommended Repair

None At This Time

Image



Inspector Notes

Class B Operator Notes

Image Date/Time

2021-08-23 13:28:27

GPS Location

35.611662;-115.391998;773.266
747:116.253998;116.253998;2.5
41476:12.695444;16297505587
20.000000

UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE

DIESEL SPILL BUCKET

IMAGE 13 of 35

Recommended Repair

None At This Time

Image



Inspector Notes

Class B Operator Notes

Image Date/Time

2021-08-23 13:30:01

GPS Location

35.610291;-115.391253;774.380
 384:106.917000:106.917000:0.0
 00000:90.000000:16297505587
 20.000000

UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE

DIESEL SPILL BUCKET

IMAGE 14 of 35

Recommended Repair

None At This Time

Inspector Notes

DIESEL (2)

Class B Operator Notes

Image Date/Time

2021-08-23 13:35:03

GPS Location

35.609948;-115.391271;774.781
215:100.702003:100.702003:0.7
93620:179.254105:1629750951
936.000000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE

DIESEL SPILL BUCKET

IMAGE 15 of 35

Recommended Repair

None At This Time

Inspector Notes

DIESEL (2)

Class B Operator Notes

Image Date/Time

2021-08-23 13:40:19

GPS Location

35.609893;-115.391374;774.420
488:10.720000:10.720000:0.856
462:281.044006:162975121408
0.000000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE

DIESEL STP SUMP

IMAGE 16 of 35

Recommended Repair

None At This Time

Inspector Notes

44IN

Class B Operator Notes

Image Date/Time

2021-08-23 14:04:03

GPS Location

35.609903;-115.391193;773.629
319:36.929001:36.929001:0.000
000:90.000000:1629752655872.
000000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE DIESEL STP SUMP IMAGE 17 of 35

Recommended Repair

None At This Time

Inspector Notes

LIQUID INSIDE

Class B Operator Notes

The liquid was removed by the inspector.

Image Date/Time

2021-08-23 14:05:10

GPS Location

35.609888;-115.391105;774.853
 709:15.008000:15.008000:0.224
 761:2.932562:1629752655872.0
 00000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE DIESEL STP SUMP IMAGE 18 of 35

Recommended Repair
None At This Time

Inspector Notes
DIESEL (2). 44IN

Class B Operator Notes

Image Date/Time
2021-08-23 14:24:50

GPS Location
35.608717;-115.389571;772.136
037:6042.500977;6042.500977:
0.000000;90.000000;162975383
5520.000000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE

DIESEL STP SUMP

IMAGE 19 of 35

Recommended Repair

None At This Time

Inspector Notes

DIESEL (2) LIQUID INSIDE

Class B Operator Notes

The liquid was removed by the inspector.

Image Date/Time

2021-08-23 14:25:55

GPS Location

35.609913;-115.391126;773.295
 731:6.432000:6.432000:0.72604
 4:116.102051:1629753966592.0
 00000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE OTHER IMAGE 20 of 35

Recommended Repair

None At This Time

Inspector Notes

#30 LIQUID INSIDE

Class B Operator Notes

The liquid was removed by the inspector.

Image Date/Time

2021-08-23 14:48:26

GPS Location

35.549860;-115.415785:817.565
 505:3599.999023:3599.999023:
 0.000000:90.000000:162975527
 7312.000000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE

OTHER

IMAGE 21 of 35

Recommended Repair

None At This Time

Inspector Notes

#30

Class B Operator Notes

Image Date/Time

2021-08-23 14:49:00

GPS Location

35.609652;-115.391697;749.736
049:600.945007:600.945007:0.5
06321:268.698639:1629755277
312.000000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE

OTHER

IMAGE 22 of 35

Recommended Repair

None At This Time

Image



Inspector Notes

#25

Class B Operator Notes

Image Date/Time

2021-08-23 15:35:22

GPS Location

35.609872;-115.391782;778.065

118:2473.905029;2473.905029:

0.000000;90.000000;162975816

0896.000000

UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE

OTHER

IMAGE 23 of 35

Recommended Repair

None At This Time

Image



Inspector Notes

#25

Class B Operator Notes

Image Date/Time

2021-08-23 15:35:46

GPS Location

35.609872;-115.391782;778.065
118:125.796997:125.796997:0.0
00000:90.000000:16297581608
96.000000

UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE

DISPENSER PAN 34

IMAGE 24 of 35

Recommended Repair

None At This Time

Image



Inspector Notes

Class B Operator Notes

Image Date/Time

2021-08-23 16:03:19

GPS Location

35.611358;-115.392082;772.792
222;142.940002;142.940002;0.0
00000;90.000000;16297597337
60.000000

UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE	DISPENSER PAN 34	IMAGE 25 of 35
--------------------------------	------------------	----------------

Recommended Repair

None At This Time

Inspector Notes

Class B Operator Notes

Image Date/Time

2021-08-23 16:03:40

GPS Location

35.610119;-115.391659;772.782
 572:16.552999:16.552999:0.052
 745:344.469666:162975986483
 2.000000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE

DISPENSER PAN 56

IMAGE 26 of 35

Recommended Repair

None At This Time

Image



Inspector Notes

Class B Operator Notes

Image Date/Time

2021-08-23 16:06:16

GPS Location

35.610262;-115.391886;774.999
962:39.175999:39.175999:0.000
000:90.000000:1629759995904.
000000

UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE

DISPENSER PAN 56

IMAGE 27 of 35

Recommended Repair

None At This Time

Image



Image Date/Time

2021-08-23 16:06:41

GPS Location

35.610288;-115.391686;773.739
809:20.368000:20.368000:0.000
000:0.000000:1629759995904.0
00000

UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE	DISPENSER PAN 1112	IMAGE 28 of 35
--------------------------------	--------------------	----------------

Recommended Repair
None At This Time

Inspector Notes

Class B Operator Notes

Image Date/Time
2021-08-23 16:08:31

GPS Location
35.610324;-115.391795;772.905 323:4041.396973;4041.396973: 0.999958;2.000049;1629760126 976.000000



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE

DISPENSER PAN 1112

IMAGE 29 of 35

Recommended Repair

None At This Time

Inspector Notes

Class B Operator Notes

Image Date/Time

2021-08-23 16:08:54

GPS Location

35.610448;-115.391935;772.770
607:10.720000:10.720000:0.000
000:0.000000:1629760126976.0
00000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE	DISPENSER PAN 1314	IMAGE 30 of 35
--------------------------------	--------------------	----------------

Recommended Repair

None At This Time

Inspector Notes

Class B Operator Notes

Image Date/Time

2021-08-23 16:10:57

GPS Location

35.610347;-115.391845;772.773
 369:181.153000:181.153000:0.0
 00000:90.000000:16297602580
 48.000000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE

DISPENSER PAN 1314

IMAGE 31 of 35

Recommended Repair

None At This Time

Image



Inspector Notes

Class B Operator Notes

Image Date/Time

2021-08-23 16:11:17

GPS Location

35.610449;-115.391920:775.346
109:28.944000:28.944000:0.755
755:236.480515:162976025804
8.000000

UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE	DISPENSER PAN 1920	IMAGE 32 of 35
--------------------------------	--------------------	----------------

Recommended Repair

None At This Time

Inspector Notes

Class B Operator Notes

Image Date/Time

2021-08-23 16:13:57

GPS Location

35.610449;-115.391948;772.897
 621:25.728001:25.728001:1.034
 129:162.018906:162976038912
 0.000000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE	DISPENSER PAN 1920	IMAGE 33 of 35
--------------------------------	--------------------	----------------

Recommended Repair

None At This Time

Inspector Notes

Class B Operator Notes

Image Date/Time

2021-08-23 16:14:47

GPS Location

35.610721;-115.392144;772.615
 659;22.511999;22.511999;2.841
 291;184.514160;162976052019
 2.000000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE	DISPENSER PAN 2122	IMAGE 34 of 35
--------------------------------	--------------------	----------------

Recommended Repair

None At This Time

Inspector Notes

Class B Operator Notes

Image Date/Time

2021-08-23 16:17:00

GPS Location

35.611358;-115.392082;772.929
 904:123.210999;123.210999:0.0
 00000:0.000000:162976065126
 4.000000

Image



UST COMPLIANCE INSPECTION REPORT

PRIMM CENTER II - WHISKEY PETE

DISPENSER PAN 2122

IMAGE 35 of 35

Recommended Repair

None At This Time

Image



Inspector Notes

Class B Operator Notes

Image Date/Time

2021-08-23 16:17:19

GPS Location

35.610623;-115.392041:772.890
199:5.360000:5.360000:0.21127
0:32.927574:1629760651264.00
0000

Daily and Monthly Fuel Inventory Audit SOP

PURPOSE

This document describes the process to be used to complete the Daily Fuel Inventory Audit and monthly EPA/SIRs reporting utilizing the POS passport reports, veeder-root system measurements tapes and other supporting documents provided by the operations.

OBJECTIVES

The accounting department should perform the described procedures in this SOP to ensure the compliance with the applicable federal and state laws for the underground storage tanks (USTs), and to detect/reduce the loss in the fueling system timely.

The auditor is responsible for verification of the paperwork provided by the operations daily, and for performing the daily fuel inventory reconciliation as described in this SOP. Large unexplained fuel variances, alarm warnings, and presence of water in the UST should be investigated and reported to the management¹ timely.

Identifying and minimizing all sources of fuel inventory variances within a fueling operation clarifies a company's inventory, compliance, and financial status at any given time, drives down its liabilities, and eliminates waste.

DEFINITIONS

EPA - The federal Environmental Protection Agency (EPA)

BOL - bill of lading

Fuel Inventory Variance - is the difference between the amount of fuel available in a tank at any given time, according to recorded deliveries and sales, and the actual amount of fuel available in the tank. Fuel variances can be positive or negative

Gross Gallons delivered - In the U.S., the volume of motor fuel is considered normal at 60 degrees F. As the temperature goes lower than 60, the volume contracts. As the temperature goes above 60, the volume expands

Net Gallons delivered - the "gross" gallons—are automatically adjusted up or down to make up for the expansion or contraction of fuel above or below 60 F. The result of that calculation produces the temperature-corrected "net" gallons.

SIR (Statistical Inventory Reconciliation) - is a stand-alone leak detection method for underground storage tanks (USTs) that uses daily inventory, sales, and delivery information to provide a certified monthly compliance result. SIR is recognized within the petroleum industry as one of the most efficient and cost effective means available for UST leak detection and regulatory compliance.

VEEDER-ROOT TAPE DEFINITIONS:

Volume - the volume of fuel currently in the tank;

Ullage – the capacity of the UST – total volume that fits in the tank

¹ VP of Casino Operations, VP of Finance, General Manager, Engineering department, Director of Facilities, Director of Retail, and Gas Stations Manager

90% ullage – the total volume of fuel that is allowed to be added to the UST since the space must be left in the tank to allow the gas to expand and contract - not supposed to go over it;

TC Volume - temperature compensated volume – fuel volume adjusted for the difference in the temperature;

Height - is from the bottom of UST to the current level of fuel;

Water Vol - is identified by the sensors (or paste) - determines how much water is in the tank;

Water - inches - has to be no more than 2 inches - otherwise the fuel will not be delivered - water goes to the bottom of the UST. Note that alarm reading on the top of the Veeder-root tape should alert if there is any water in the tank, and the tape reading for the tank will have the details.

Temp – temperature of fuel – it could be different depending on the time of the day the veeder-root report is produced and the season – if the temperature is too high, the tanks might need to be vented - to let the heat out.

WARNINGS - these indicate that an alarm is imminent or that a system fault has occurred.

ALARMS - alarms indicate that a potentially dangerous situation may have occurred.

INSTRUCTIONS:

EXCEL WORKBOOK:

- Fuel Daily Inventory spreadsheet located at the Shared Primm Drive → GD → Fuel Inventory → 2018 → *month

BACKUP FROM THE OPERATIONS:

- "(Daily Book) Fuel Purchases" Report - Fuel Inventory - produced in CSS;
- Daily report - produced in CSS;
- Veeder-root end of day tape;
- BOLs and corresponding Invoices (if the invoice is not attached to BOL – download it from the Chevron business point website);
- Inventory Reconciliation Log - produced in CSS;
- Checklist signed by the gas station shift close supervisor – with comments on the variances (e.g. delivery is in process during the shift close)

STEPS TO COMPLETE THE DAILY INPUT

STEP #1: For the new month set up – ensure to input the “START ACTUAL INVENTORY = VOLUME” and “START ACTUAL INVENTORY = TC VOLUME” for each fuel grade (Diesel, Unleaded and Super):

- “START ACTUAL INVENTORY = VOLUME” on the 1st of the new month = “GROSS END STICK ACTUAL INVENTORY = VOLUME” on the last day of the prior month;
- “START ACTUAL INVENTORY = TC VOLUME” on the 1st of the new month = “GROSS END STICK ACTUAL INVENTORY = TC VOLUME” on the last day of the prior month.

STEP #2: Input the delivery information (if any noted) from the "(Daily Book) Fuel Purchases" Report - Fuel Inventory – for each fuel grade in the "GALLONS DELIVERED" column:

Whiskey Pete Chevron Pilot Truck Stop

Period: 6/1/2017 thru 2/28/2018

Fuel Grade	Gross Gallons	Net Gallons	Base Cost	Extended Cost	Tax Item
unknown	06/21/2017	\$28,917.57	Chevron		
Regular	8,700	8,700	2.451130	\$21,324.83	Nv Petro Fee
Supreme	3,100	3,100	2.611130	\$8,094.50	Ca Oil Spill

STEP #3: Input the delivery information from the BOL to the "BOL vs Audit" tab.

- Investigate any discrepancies between the daily audit and the BOLs fuel volumes by contacting the Gas Station supervisor or manager.

STEP #4: Input the delivery information from the INVOICES (if invoice is available) to the monthly "Invoice Register" file:

- If the invoice is not printed by the operations, go to the Chevron Business point website and print it from the Business transactions tab - Invoices:

<https://businesspoint.chevron.com/sm/login.fcc?TYPE=33554433&REALMOID=06-08975578-cc93-44e9-a3c7-56edf86c628c&GUID=&SMAUTHREASON=0&METHOD=GET&SMAGENTNAME=-SM-yHlvTnjNw2Lurw%2bLUeOndtIJUYrzBI9%2fVyLIQTefZhKSDGbh0415rIXff%2fWo3DJ&TARGET=-SM-https%3a%2f%2fbusinesspoint%2echevron%2ecom%2fCBPWebApp%2fappmanager%2fCBPPortal%2fCBPDesktop>

- Ensure to input the BOL information from the BOL and the invoices – from the actual invoice- as there could be a discrepancy which will require investigation;
- If the BOL doesn't match the invoice – notify the accounting supervisor.

STEP #5: Input the daily sales for each fuel type from the Daily report - produced in CSS:

- For Unleaded and Super tabs, input the **Plus or Mid-Grade (name depends on the property)** gallons pumped from the Daily Report;
- For Unleaded, input the Regular gallons sales;
- For Super, input the Supreme gallons sales;
- For Diesel, input the Diesel gallons sales:

Daily Report

(1) Day

Pumps/Consoles							
Description	Service	Last Retail	Gallons Sales	Pump Test	Net Gal's Net Sales	Sales Tax Check Sum	Avg Retail
Regular	Self	4.259	171.72	0.00	171.72		4.259
			\$731.36	\$0.00	\$731.36	\$0.00	
Mid Grade	Self	4.359	15.54	0.00	15.54		4.359
			\$67.72	\$0.00	\$67.72	\$0.00	
Premium	Self	4.459	22.13	0.00	22.13		4.450
			\$98.49	\$0.00	\$98.49	\$0.20	
Diesel	Self	3.699	108.85	0.00	108.85		3.699
			\$402.65	\$0.00	\$402.65	(\$0.01)	
			318.24	0.00	318.24		
			\$1,300.22	\$0.00	\$1,300.22		

Pumps/Consoles							
Description	Service	Last Retail	Gallons Sales	Pump Test	Net Gal's Net Sales	Sales Tax Check Sum	Avg Retail
Regular	Self	4.259	2,763.73	0.00	2,763.73		4.259
			\$11,770.74	\$0.00	\$11,770.74	(\$0.02)	
Plus	Self	4.359	276.04	0.00	276.04		4.359
			\$1,203.24	\$0.00	\$1,203.24	\$0.01	
Supreme	Self	4.459	514.14	0.00	514.14		4.459
			\$2,292.55	\$0.00	\$2,292.55	\$0.00	
			3,553.91	0.00	3,553.91		
			\$15,266.53	\$0.00	\$15,266.53		

- Check your total Gallons pumped per Grade against the Inventory Reconciliation Log - produced in CSS – ensure that the total sales match.

STEP #6: Input the **GROSS END ACTUAL INVENTORY = VOLUME** and **NET END ACTUAL INVENTORY = TC VOLUME** for each fuel type from the end of day veeder-root tape:

- GROSS END ACTUAL INVENTORY = Totals on the receipt = "Volume"
- NET END ACTUAL INVENTORY = TC VOLUME = Totals on the receipt = "TC Volume"

INVENTORY REPORT
Texaco 4/25/11
 T 1:87-2
 VOLUME = 8747 GALS
 ULLAGE = 3285 GALS
 90% ULLAGE = 2081 GALS
 TC VOLUME = 8667 GALS
 HEIGHT = 65.27 INCH
 WATER VOL = 0 GALS
 WATER = 0.00 INCH
 TEMP = 73.0 DEG F

T 2:87-1
 VOLUME = 8827 GALS
 ULLAGE = 3205 GALS
 90% ULLAGE = 2001 GALS
 TC VOLUME = 8754 GALS
 HEIGHT = 65.88 INCH
 WATER VOL = 0 GALS
 WATER = 0.00 INCH
 TEMP = 71.8 DEG F

T 3:87-3
 VOLUME = 8948 GALS
 ULLAGE = 3084 GALS
 90% ULLAGE = 1880 GALS
 TC VOLUME = 8871 GALS
 HEIGHT = 66.70 INCHES
 WATER VOL = 14 GALS
 WATER = 0.77 INCHES
 TEMP = 72.2 DEG F

T 4:91-1
 VOLUME = 8195 GALS
 ULLAGE = 3837 GALS
 90% ULLAGE = 2633 GALS
 TC VOLUME = 8191 GALS
 HEIGHT = 61.68 INCHES
 WATER VOL = 0 GALS
 WATER = 0.00 INCHES
 TEMP = 71.0 DEG F

T 5:91-2
 VOLUME = 8181 GALS
 ULLAGE = 3851 GALS
 90% ULLAGE = 2647 GALS
 TC VOLUME = 8118 GALS
 HEIGHT = 61.60 INCHES
 WATER VOL = 0 GALS
 WATER = 0.00 INCHES
 TEMP = 71.0 DEG F

T 6:DIESEL
 VOLUME = 8429 GALS
 ULLAGE = 3603 GALS
 90% ULLAGE = 2399 GALS
 TC VOLUME = 8386 GALS
 HEIGHT = 63.28 INCHES
 WATER VOL = 0 GALS
 WATER = 0.00 INCHES
 TEMP = 71.4 DEG F

MANIFOLDED TANKS
 INVENTORY TOTALS

T 1:87-2
 T 2:87-1
 T 3:87-3
 VOLUME = 26522 GALS
 TC VOLUME = 26292 GALS

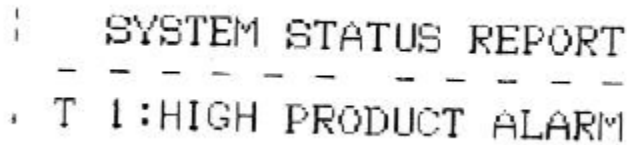
T 4:91-1
 T 5:91-2
 VOLUME = 16376 GALS
 TC VOLUME = 16249 GALS

STEP #7: Indicate the water level in each tank in inches from the veeder-root tape report:

T 5:91-2
 VOLUME = 8181 GALS
 ULLAGE = 3851 GALS
 90% ULLAGE = 2647 GALS
 TC VOLUME = 8118 GALS
 HEIGHT = 61.60 INCHES
 WATER VOL = 0 GALS
 WATER = 0.00 INCHES
 TEMP = 71.0 DEG F

- Note that the water level should **always** be zero, if it's not – we might have a potential issue and therefore the management should be notified immediately through the Accounting Exception Notice – see **STEP #10** below for details.

STEP #8: Fill out the “ALARM READING” column.



SYSTEM STATUS REPORT

T 1:HIGH PRODUCT ALARM

Note that if there are no issues, the status will be “All functions normal” or no status at all on the tape.

For all the alarm indications noted on the inventory tape (other than blank, “all functions normal”, and “Low Product Alarm” – for Pilot), create an accounting exception – see **STEP #10** below for details.

STEP #9: Investigate large inventory variances and include the results of the investigation in the comments column (the variances that exceed 600 gallons).

A fuel variance is the difference between the calculated amount of fuel available in a tank at any given time, according to recorded deliveries and sales, and the actual amount of fuel available in the tank. Fuel variances can be positive or negative.

The possible reasons for the variances are:

- Physical fuel loss that happens during incidents within a fueling system;
- Adjusted losses due to poor or inaccurate data. Note that the gas station manager/supervisor manually inputs the fuel deliveries for both gross and net, and the ending gross volume from the veeder-root tape to the CSS. Therefore, it’s important to perform the match between the CSS reports, the BOLs, and the invoices – to ensure that all three match. If the amounts were inputted incorrectly in the POS system – issue an accounting exception. If the information on the POS report is incorrect – (e.g. delivery or ending inventory) – ensure to use the correct information and indicate it in the comments section;
- Timing variances – could happen if the delivery is in process at the time the shift is being closed at the gas station – note that the closing supervisor will indicate such instances on the checklist to help explain the variance; ensure that all timing variances are cleared on the following day. The veeder-root system is set up to close the day at the following time:
 - 1) PWP – 9:30pm
 - 2) PV PC – 6:00 am
 - 3) Texaco -5:30 amNote that the POS passport system at Texaco is configured at the same time as the veeder-root system. The shift close at PWP Stateline and PV PC is manually done by the gas station supervisor and the time on the POS Passport reports may vary from the time on the veeder-root reports. This also could cause a small timing variance.
- Unadjusted sensors in UST – this could be identified by comparing the BOL against the veeder-root tape attached to it which indicates the amount in gallons “increased”. It’s normal if the increased volume on the veeder-root tape is smaller than the volume on the delivery document since the sales could be happening during the delivery process. However, if it’s larger – it could potentially indicate an issue with the sensor and needs to be brought up to management’s attention for sensor calibration.

STEP #10: Issue an accounting exception in the “2018 Exception Notice FUEL” file.

- Open the “2018 Exception Notice FUEL” file
- Insert Revenue date in first available row in column A. This will create an exception number in the next column.

- Complete columns D - H using dropdown menus where provided.
- Click on or move to the exception #.
- Click the "Create Exception" button. This will create an exception sheet with the header info filled-in.
- Print the exception, attach back up and send out.
- For the Fuel Alarm notifications – ensure to attach a scanned copy of the veeder-root tape with the Alarm status and/or water level in the tank.
- Ensure to issue an accounting exception for the missing documents from the operations – like BOL

Note that the exceptions that are issued due to the Alarms, Warnings and Water level noted in any of the tanks – would need to be emailed to the “Fuel Alarm Notification” distribution group (primmfuelalarmnotification@affinitygaming.com) – to ensure that the appropriate actions are taken timely. It is a responsibility of the Financial Controller or above to ensure that the follow-up on such exceptions have been performed and to escalate the issue if needed.

STEPS TO BE COMPLETED MONTHLY BY THE CONTROLLER OR ABOVE FOR THE SIR FILING

STEP #1: Review the EPA worksheets for accuracy, reasonableness and completeness:

- Review the EPA worksheets for each location and fuel type and grade to ensure that the variances are reasonable and there are no losing trends that have not been yet addressed in the daily review process;
- Review the accounting exceptions issued for the fuel alarms, water level and/or unresolved/unexplained large daily variances –ensure that these exceptions have been addressed and actions taken by the operations;
- Review the “Invoice Register” workbook for any discrepancies between the physical BOLs and the Invoices we received from Chevron. Call Chevron dispatch to obtain the explanation and/or resolution of those discrepancies;

STEP #2: Submit the EPA worksheets to Gilbarco to obtain the SIR reports:

- Send email with attached EPA files for all Primm locations to data@veeder.com and scott.johnson@gilbarco.com by the 3rd day of the following month;
- Once Gilbarco sends the SIRs back (within 2-5 business days), analyze the difference between the submitted EPAs and the received SIRs to ensure that the gross method “over and short” column in both reports (submitted and received) are the same for the exception of rounding (note that Gilbarco rounds up the sales which could cause a small variance). Note that Gilbarco uses the Gross deliveries and Gross Ending inventory in the SIR report, however they do look at the temperature adjusted analysis as well for their conclusion on the pass/fail test.
- If you noted a discrepancy between the SIRs received and submitted EPAs – please send the email with details to Scott Johnson (scott.johnson@gilbarco.com) – he is our account manager at Gilbarco;
- Ensure to obtain the corrected SIRs – if there are any variances due to Gilbarco error;
- Review the SIRs for any “Fail” results and ensure that the actions have been taken by the operations to address the issue
- Update the SIR reports distribution group about the status of the review and comparison of Gilbarco SIRs against the submitted EPA worksheets.

PetroNetwork S3

CITLDS Continual Reconciliation Report - 09/03/2021

This report provides the results of continual reconciliation testing for tanks and associated lines for monthly monitoring.

Tank Owner	PRIMM VALLEY RESORTS
	115 WEST PRIMM BOULEVARD
	PRIMM, NV 89019
Facility Name	Whiskey Petes Stateline Stop - 513 - W90664
Facility Location	115 West Primm Blvd.
	Primm, NV 89019

Tank Monitoring Report

Tank ID – Product	Tank Capacity	Test Dates	System Status Pass Fail Inconclusive	Monthly Monitoring Period
04-D	60000 (3M)	08/23/2021-09/03/2021	Pass	08/05/2021-09/03/2021

Line Monitoring Report

Associated Tank ID – Product	Tank System Capacity	Test Dates	System Status Pass Fail Inconclusive	Monthly Monitoring Period
04-D	60000 (3M)	08/23/2021-09/03/2021	Pass	08/05/2021-09/03/2021

Monthly Monitoring Data Quality Report

Associated Tank ID – Product	Tank System Capacity	Test Dates	Minimum Detectable Leak (gph)	Threshold (gph)
04-D	60000 (3M)	08/23/2021-09/03/2021	0.110	0.055

Monthly Summary with Comments

PRIMM VALLEY RESORTS

July, 2021

Tank	Product	Status
WHISKEY PETES CHEVRON - 115 W PRIMM BOULEVARD - PRIMM - NV		
101	Unleaded	P
102	Premium	P
105	Unleaded	P
PRIMM VALLEY TEXACO - I-15, EXIT #1 - PRIMM - NV		
201	Unleaded	P
202	Unleaded	P
203	Unleaded	P
204	Premium	P
205	Premium	P
206	Diesel	P
PRIMM CENTER CHEVRON - 31900 LAS VEGAS BLVD S - PRIMM - NV		
301	UNLEADED	P
301A	UNLEADED	P
302	PREMIUM	P
303	DIESEL	P

Summary

Total Tanks	13	100.0 %	Fail	0	0.0 %	Not Analyzed	0	0.0 %
Pass	13	100.0 %	Inconclusive	0	0.0 %	No Data	0	0.0 %

Legend: P - Pass *F* - Fail Inc - Inconclusive ND - No Data Submitted NA - Not Analyzed



CLASS

C

UST

TRAINING

INFORMATION

Energy Policy Act of 2005

*Established operator
training requirements and
3 classes of operator:*

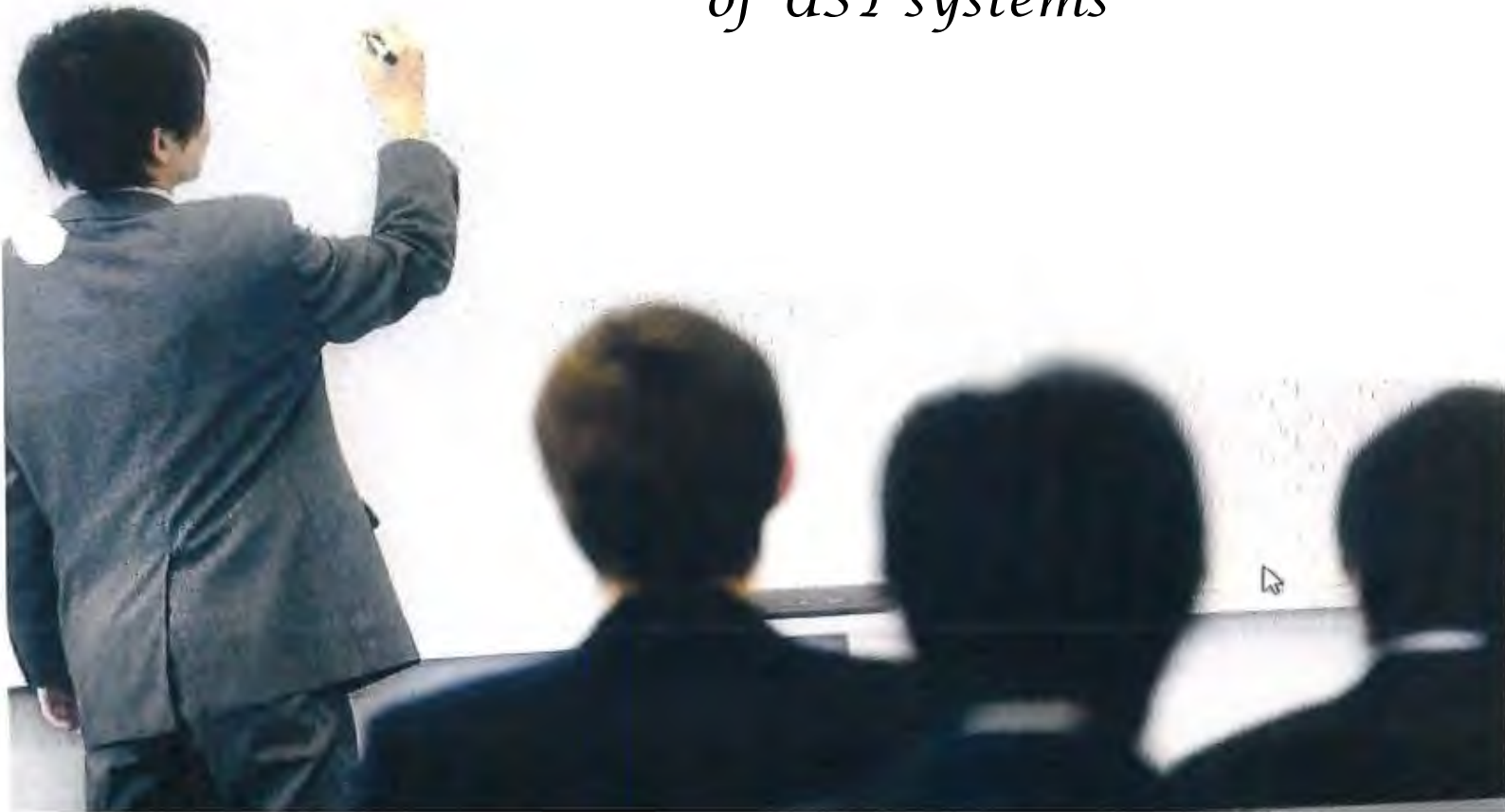
- > *Class A*
- > *Class B*
- > *Class C*



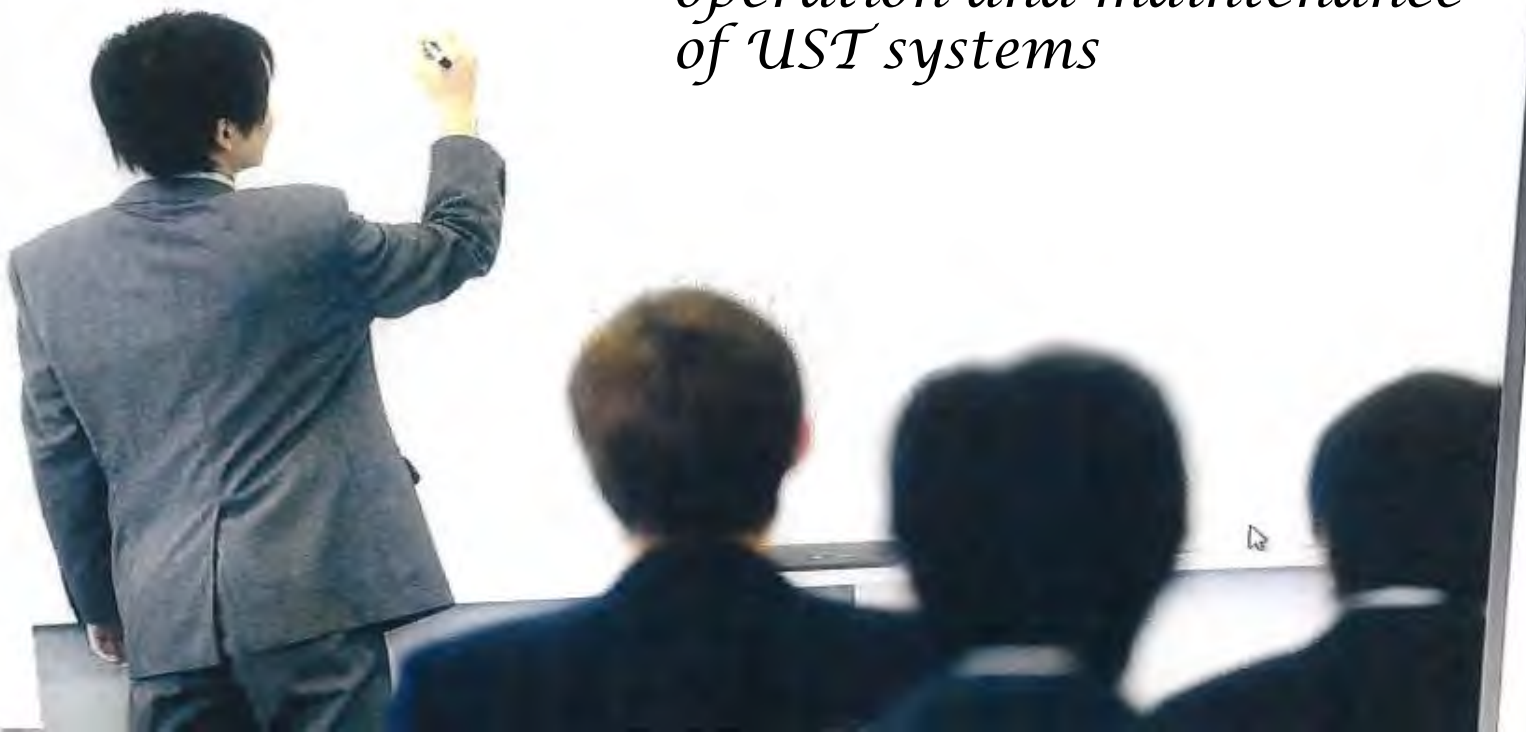
A Certified Class A, B or C Operator must be present during all normal operating hours



*Class **A** Operator: Persons having primary responsibility for on-site operation and maintenance of UST systems*



*Class **B** Operator: Persons having daily on-site responsibility for the operation and maintenance of UST systems*



Class C Operator: Daily on-site employees having **primary responsibility for addressing emergencies** presented by spill or release from UST system



STATE OF NEVADA

Department of Conservation & Natural Resources

Designated Operators : Class A, B, and C

Facility Name:	_____	Facility ID:	_____
Facility Address:	_____	Phone #:	_____
UST Owner Name:	_____		
Operator Name:	_____	Date of Designation:	_____
Operator Signature:	_____		
Training Company/Text Name:	_____		
Operator Training Completion Date:	_____		
Operator Name:	_____	Date of Designation:	_____
Operator Signature:	_____		
Training Company/Text Name:	_____		
Operator Training Completion Date:	_____		
Operator Name:	_____	Date of Designation:	_____
Operator Signature:	_____		
Operator Name:	_____	Date of Designation:	_____
Operator Signature:	_____		

Designation and Training of Class A, B and C Operator documented

Attach documentation that demonstrates that each operator listed above has completed an applicable training program. Completed within 30 days of designation for Class A and B operators. Class C operators must be trained in approved training program prior to their designation.

Class C Operator Training

=

Trained to take action in response to emergencies

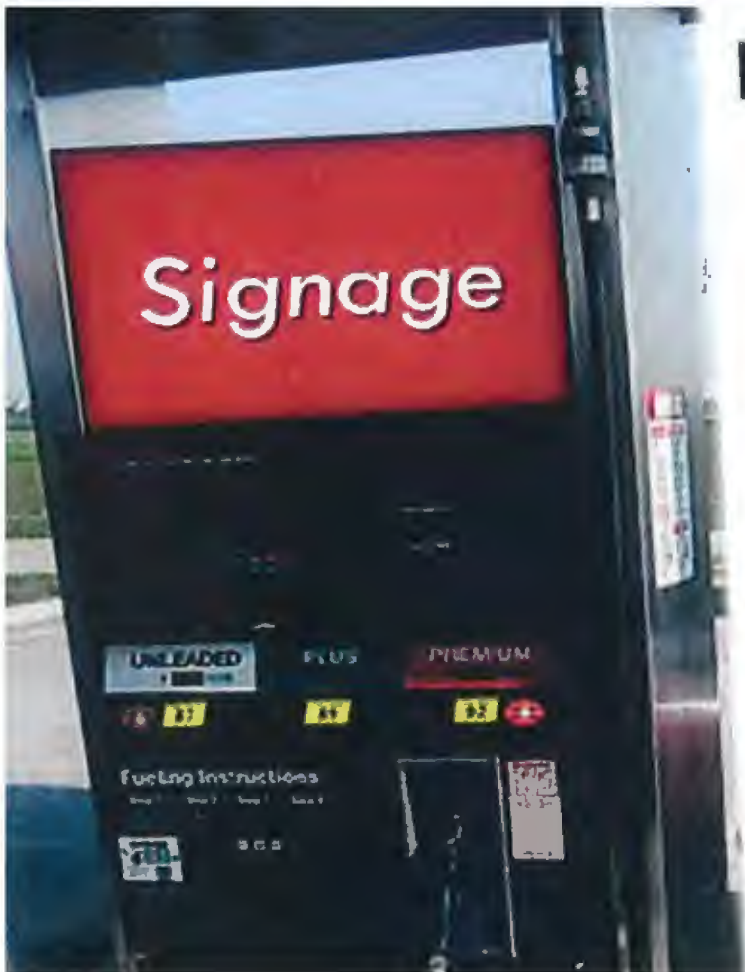
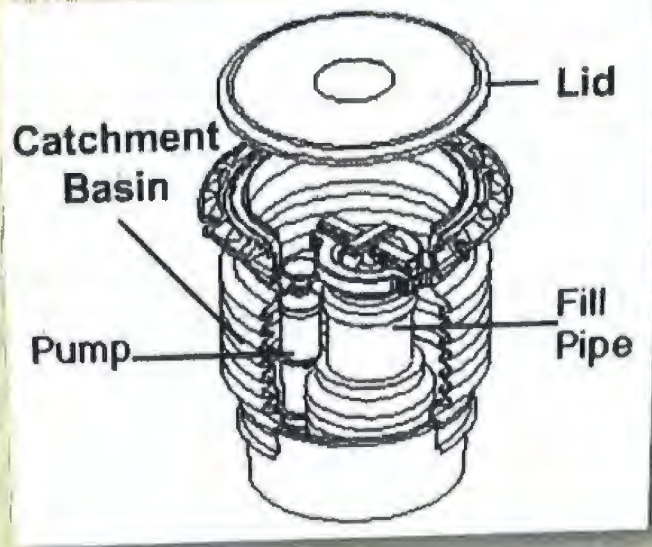
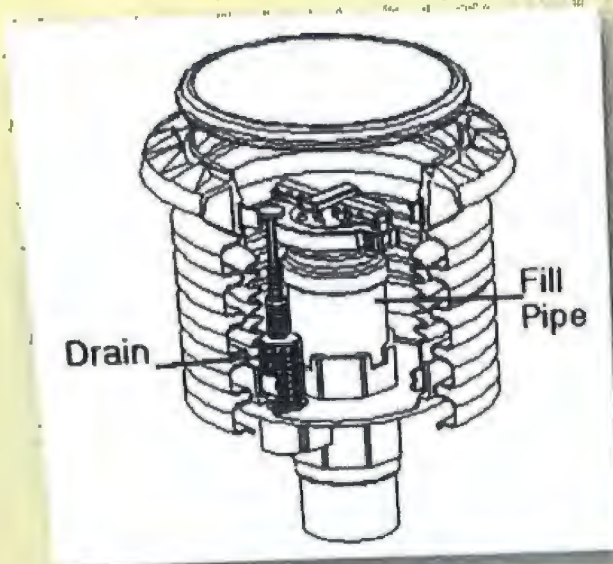


- › *ATG constantly measures volume*
- › *Alert system sounds at 90% capacity*
- › *Notifies delivery driver*

OVERFILL
PREVENTION

Spill Prevention

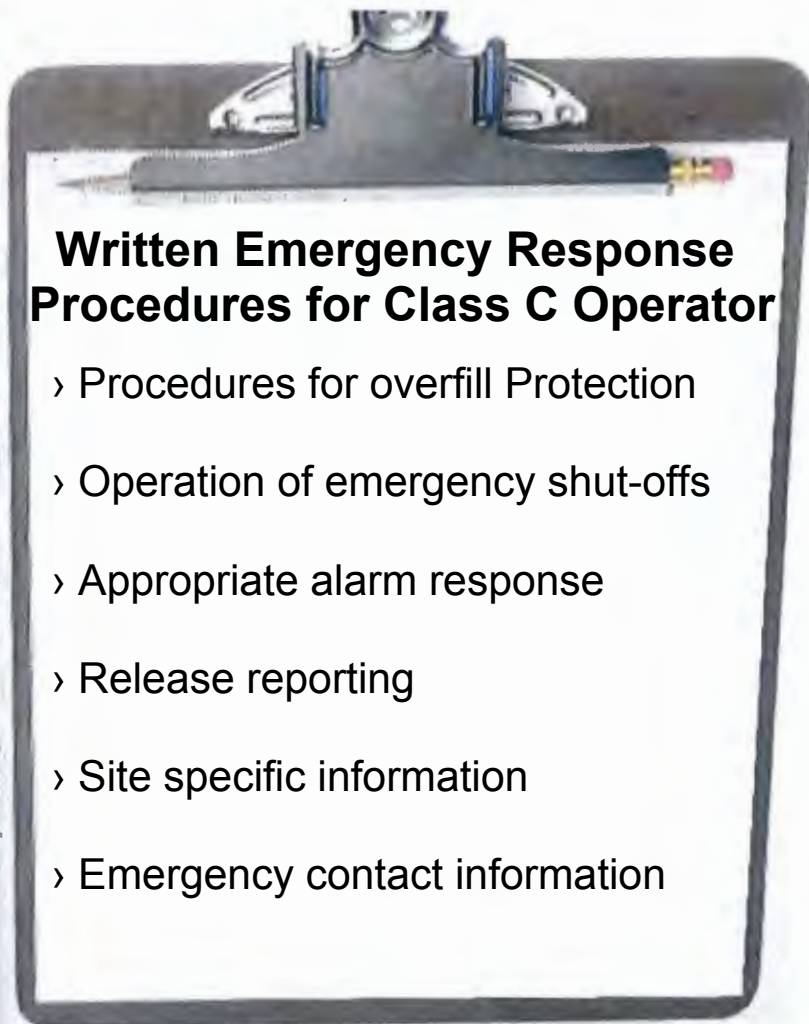
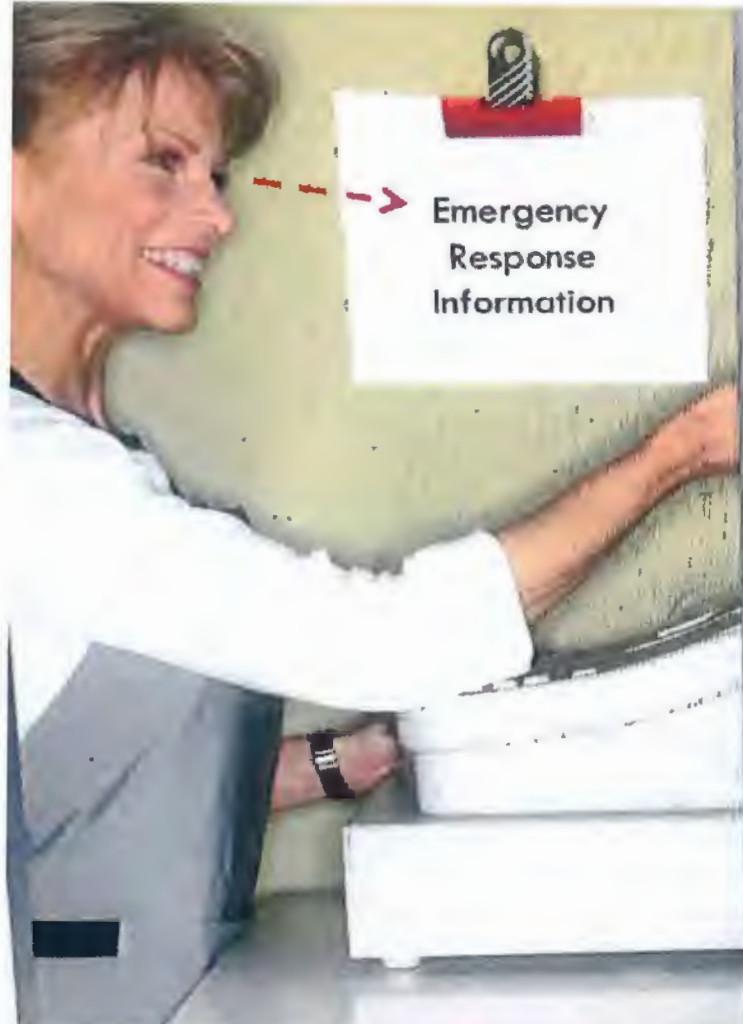
Spill Bucket or Catchment Basins



No attendant present

=

- › Emergency shut -off procedures
- › Class B contact information
- › Emergency response contact
- › 911



**Take
Action**

Release Reporting

The following release must be reported within one (1) working day:

- › A release to the soil or other surfaces of land in a quantity greater than twenty five (25) gallons or two hundred (200) lbs
- › A discovery of a release in at least three (3) cubic yards of soil during excavation of soil, subsurface exploration or any other subsurface activity
- › A discovery of a release in or on the groundwater during subsurface exploration, monitoring of groundwater or any other subsurface activity
- › A confirmed release from an underground storage tank

SUSPECTED RELEASES

Suspected release must be investigated immediately, for example:

- › unexplained loss of inventory
- › ATG report indicating line or tank leak
- › vapor inside building



System Tests by Licensed Contractor

- › line and tank tightness test
- › if results show a leak exist, then appropriate repairs should be made by licensed contractor
- › an ICC certified employee must be present to supervise the work at all times

Site Assessment by Licensed Engineer or Geologist

- › sample types and likely contaminated locations
- › Site Assessor will provide documentation

What to report.....

- › owner/operator contact info
- › date, time, location
- › duration of spill or release
- › source/cause of the spill or release
- › description of the event
- › type of product
- › estimated volume
- › action taken



Release Detection Purpose

The purpose of release detection is to ensure that releases from storage tanks are detected early to minimize potential harmful resulting effects and to regulate storage tank systems in order to protect the public health, safety and welfare and the environment of the state.

The EPA established requirements for UST release detection in 1988

A release detection system can tell you if:

- ✓ no release has occurred
- ✓ a release has occurred
- ✓ a second or subsequent release occurred
- ✓ there are potential subrogation issues

6 Tank Release Detection Methods

1. Tank Tightness Test with Inventory Control
2. Manual Tank Gauging (MTG)
3. Automatic Tank Gauge (ATG)
4. Vapor Monitoring (VM) or Groundwater Monitoring
5. Interstitial Monitoring (IM)
6. Statistical Inventory Reconciliation (SIR)



Inventory Control

How are you getting data?

ATG



Sticking



Automatic Tank Gauge

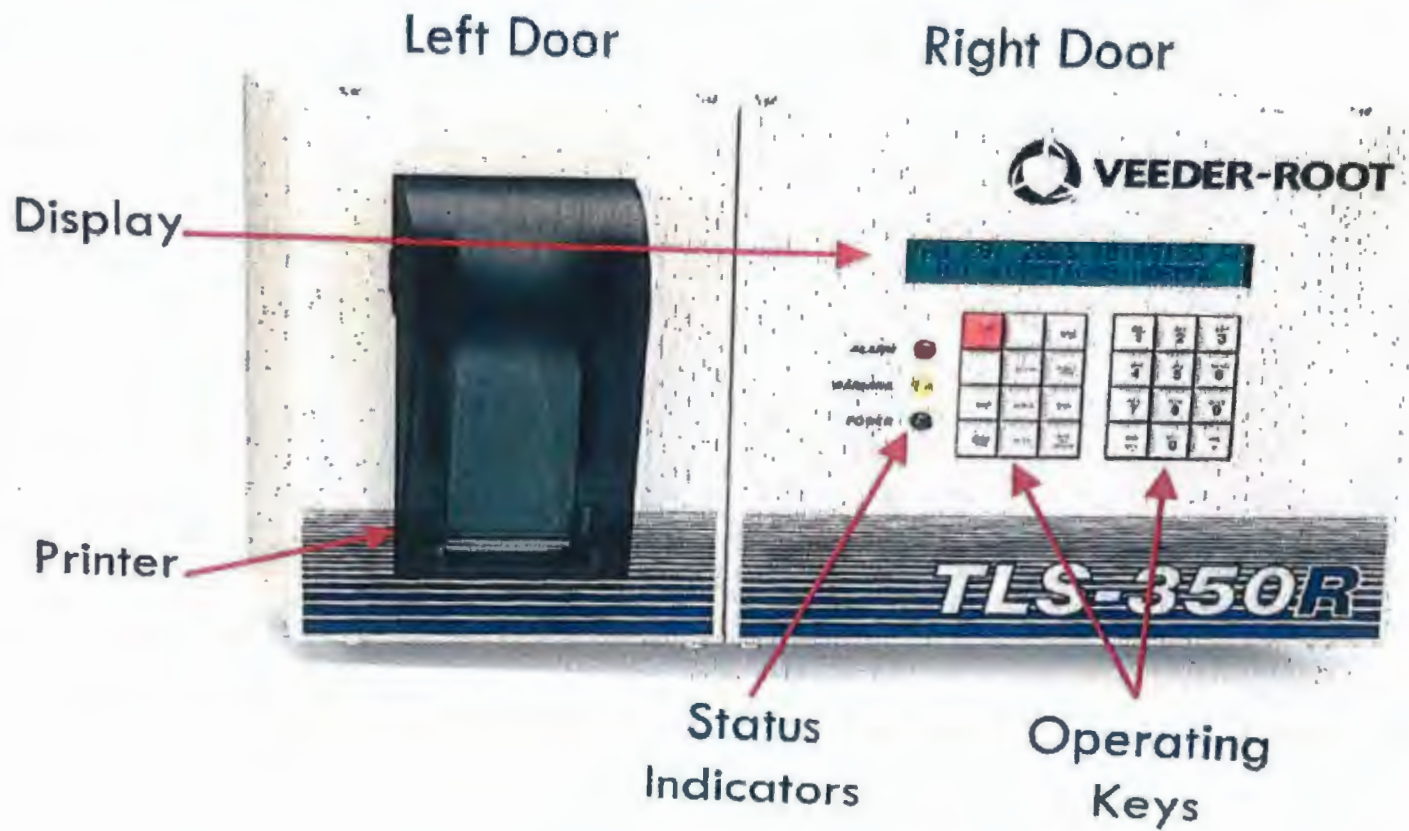


Automatic Tank Gauge

- › The automatic product level monitor test can detect a 0.2 gallon per hour leak rate from any portion of the tank that routinely contains product
- › The ATG must be installed, calibrated and in compliance with the protocol of the third party evaluation
- › A BEST BUSINESS PRACTICE IS to mount all ATG monitors no more than six (6) feet from the floor and must remain unobstructed and accessible
- › All ATG systems should be equipped with printers
 - systems with remote printers are acceptable



Console Overview



ATG In-Tank Probe



- › Electronics in top cylinder-shaped canister
- › Two floats (water and product)
- › Placed vertical in tank
- › Driveway plate port marked " Warning No Fill "
- › Wire leading from top of probe to ATG console



FULLEST PERIODIC TEST
PASSED EACH MONTH:

JAN 31, 2007 11:44 PM
TEST LENGTH 26 HOURS
STARTING VOLUME = 3837
PERCENT VOLUME = 37.8
TEST TYPE = CSLD

FEB 20, 2004 3:34 PM
TEST LENGTH 17 HOURS
STARTING VOLUME = 5186
PERCENT VOLUME = 51.1
TEST TYPE = CSLD

MAR 31, 2007 5:52 AM
TEST LENGTH 25 HOURS
STARTING VOLUME = 4054
PERCENT VOLUME = 39.9
TEST TYPE = CSLD

APR 30, 2007 9:03 PM
TEST LENGTH 25 HOURS
STARTING VOLUME = 3613
PERCENT VOLUME = 35.6
TEST TYPE = CSLD

MAY 16, 2004 5:53 AM
TEST LENGTH 29 HOURS
STARTING VOLUME = 5535
PERCENT VOLUME = 54.5
TEST TYPE = CSLD

JUN 27, 2007 4:35 AM
TEST LENGTH 26 HOURS
STARTING VOLUME = 4006
PERCENT VOLUME = 39.5
TEST TYPE = CSLD

VEEDER-ROOT TLS-350

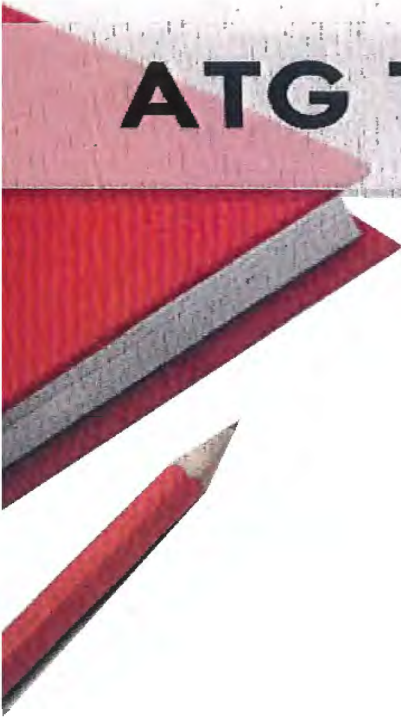
CSLD

(Continuous Statistical Leak Detection)
0.2 gph continuous tank leak test

**Fullest Periodic Test
History Report**

Missing Months

ATG Tests and Results

- 
- › Check your printouts and the status report from the console.
 - › Retain leak test printouts for at least one (1) year
 - › Must show passing test per tank, per month
 - › Set ATG to run test frequently to ensure one (1) passing test per month

Calibration and Maintenance Records

- › Maintain written documentation of all calibration, maintenance and repair of release detection equipment for at least one (1) year
- › Keep all performance claims supplied by the installer vendor, or manufacturer for at least five (5) years

Appropriate Action

=

Passed

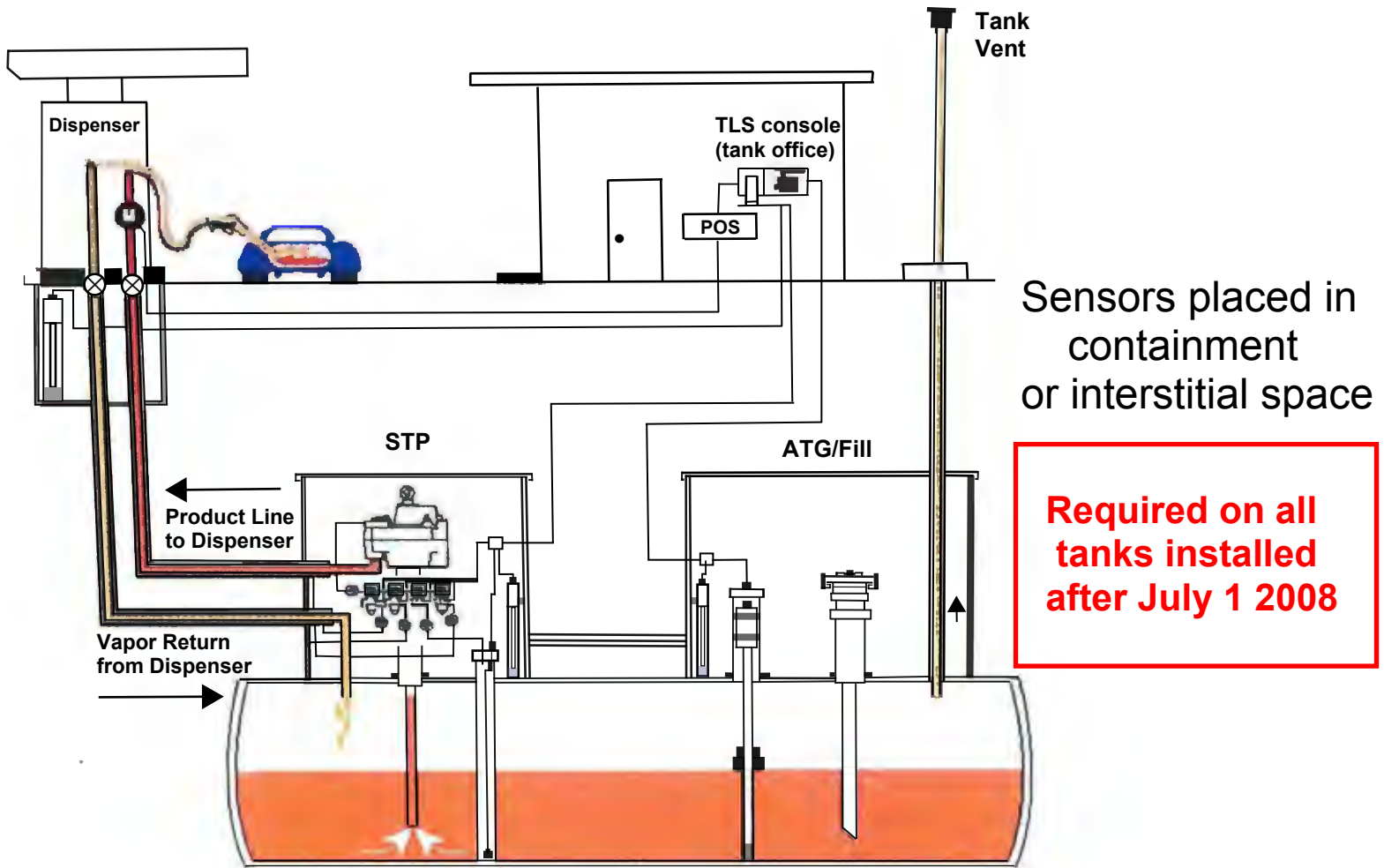
Properly file and maintain record for
minimum of 1 year

Invalid

Fix equipment and test again

Doing nothing is a violation!

Interstitial Monitoring



Interstitial Monitoring

- > Check sensors per manufacturer
 - Annually
- > Placement of sensors important
 - Lowest point between tank and secondary barrier
- > Log all alarm conditions
- > Maintain records of repairs/calibration
- > Report failures that can't be corrected within twenty four (24) hours to State regulatory agency



Statistical Inventory Reconciliation

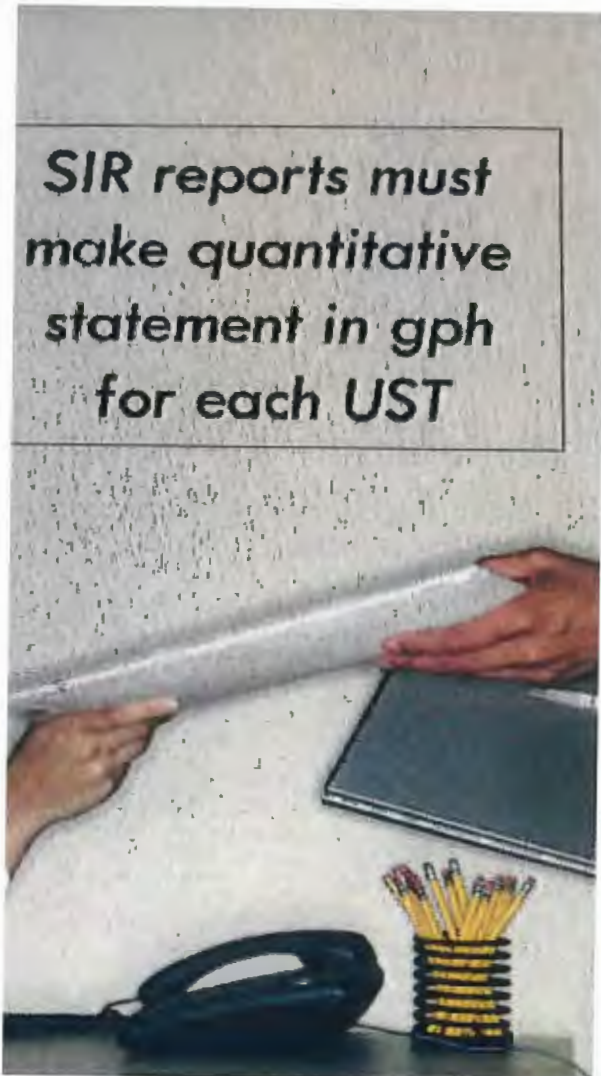
- ✓ SIR capable of required 0.2 gph leak rate
 - Tank tightness test 0.1 gph
 - Line tightness test of 0.08 gph
- ✓ Trained staff collects daily inventory records
- ✓ Submit monthly to approved SIR provider
 - Performs statistical analysis
- ✓ Review SIR results upon receipt
- ✓ "Failure" must be reported to State regulatory agency



SIR reports must make quantitative statement in gph for each UST

SIR Reports

- › Leak threshold
- › Minimum detectable leak rate
- › Indicated Leak rate
- › Pass, Fail, or Inconclusive



Pass = No action necessary

Failure = Suspected release...take
action!

Inconclusive = Incomplete/bad
data...take action!

CLASS C EMERGENCY SHUTOFF

A class C operator is an on-site employee whose primary responsibility is emergency response. All Class C operators must pass an approved training course and receive site specific instructions. The following site specific checklist must be completed for each Class C operator.

1. Emergency Shut-Off Procedures

This facility is equipped with two (2) emergency shutoff switches.

This facility has the following type of Emergency Shutoff Switches installed:

- Push/Pull
- Light Switch
- Shunt Trip

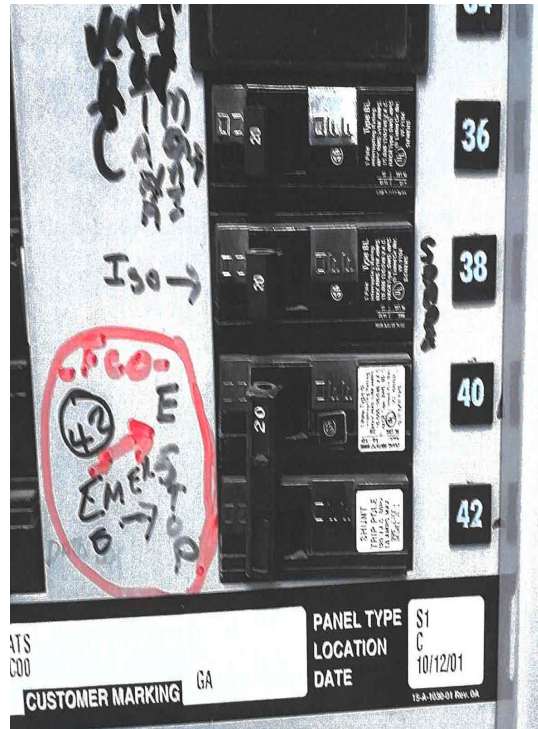
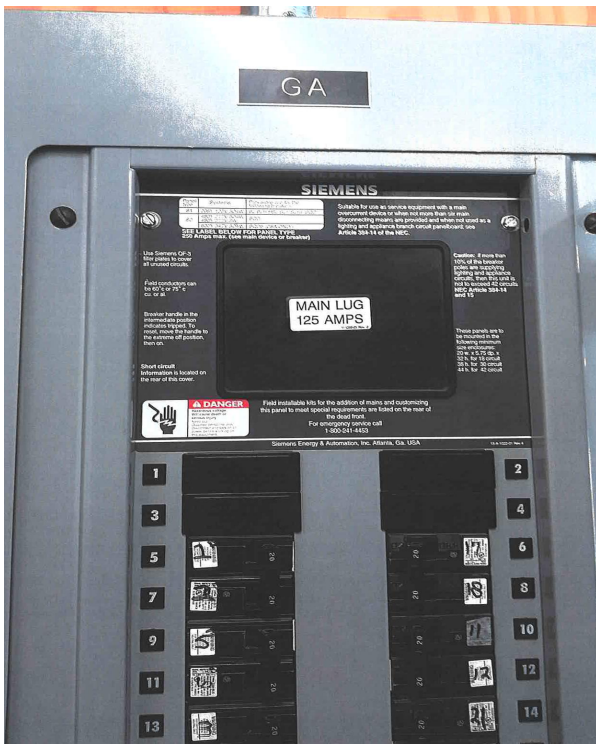
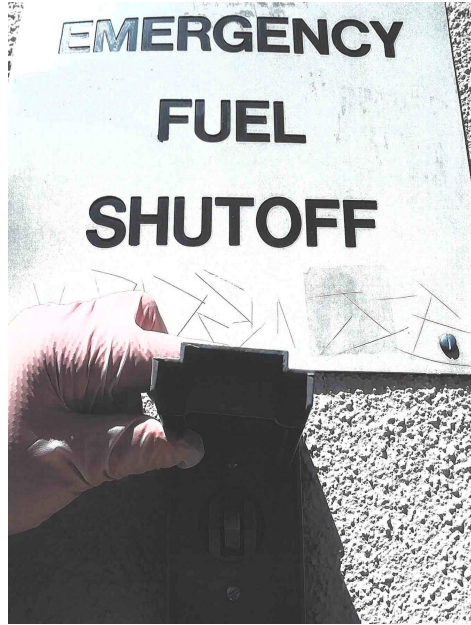
To use the Emergency Shutoff Switches:

- Push/Pull: Press the button to activate emergency shutoff
- Light Switch: Turn lever off similar to light switch in your home

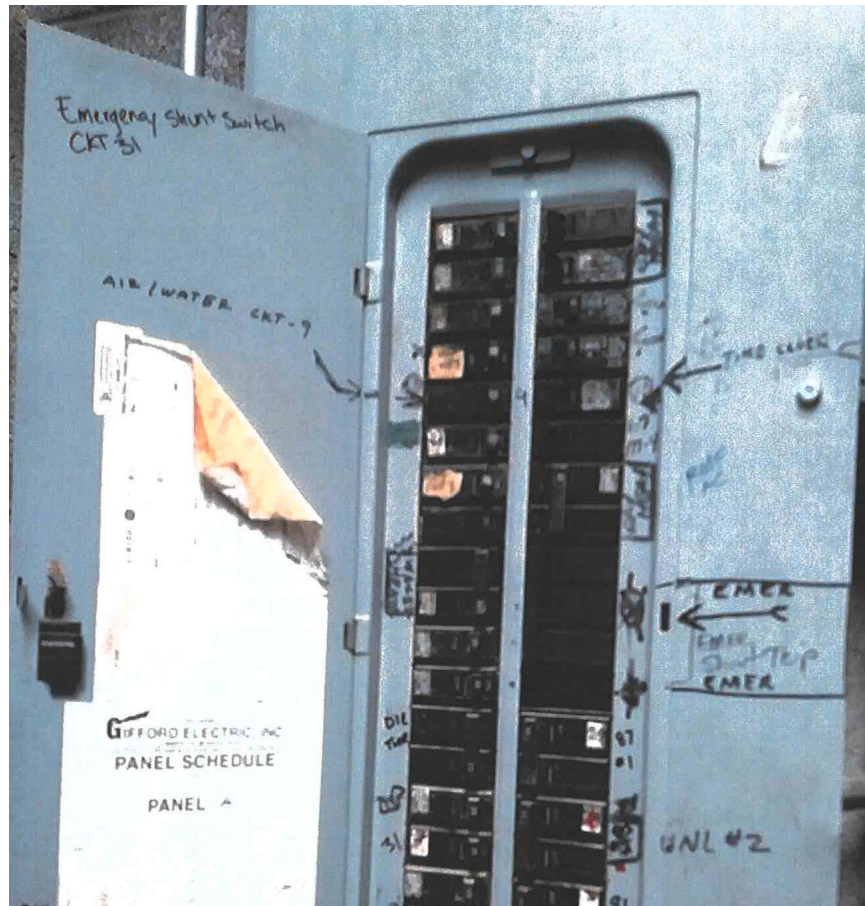
To reset the Emergency Shutoff Switches:

- Push/Pull: Pull the button to reset the emergency shutoff.
- Momentary: Press the reset button (inside WP Electrical Room) to reset emergency shutoff.
- Light Switch: Turn lever on similar to light switch in your home.
- Shunt Trip: Reset Shunt Trip breaker located in panel
(Circuit #42, PV Travel Ctr.) (Circuit #31, Chevron South)

PRIMM VALLEY TRAVEL CENTER CHEVRON



PRIMM VALLEY CHEVRON SOUTH EMERGENCY SHUT-OFF SWITCHES



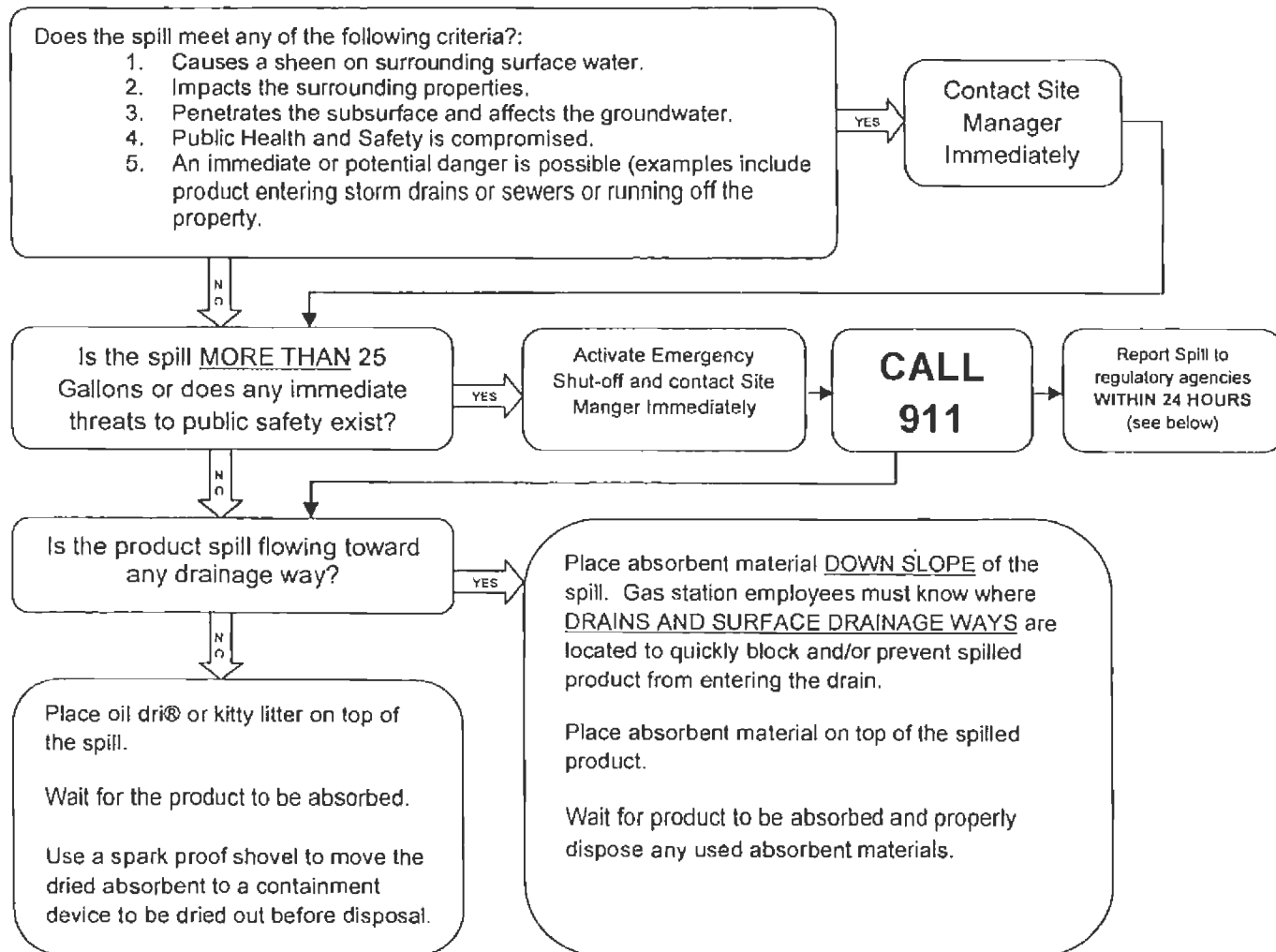
WHISKEY PETE'S CHEVRON STATION



EMERGENCY SHUTOFF RESET BUTTON

EMERGENCY SPILL RESPONSE PLAN

For above-ground spills:



To Report a Spill call Mr. Mike Necas, VP of Facilities at (702) 300-0989 or Mr. Dave Guido at (702) 344-8515

For sites within Clark County, NV Call:

Southern Nevada Health District
Environmental Health – UST Program
400 Shadow Lane
Las Vegas, NV
(702)759-0600

Nevada Division of Environmental Protection
Bureau of Corrective Actions – UST
2030 E. Flamingo Rd, Suite 230
Las Vegas, NV 89119
(888)331-6337 or (775)687-9485

EMERGENCY SPILL RESPONSE PLAN

For Suspected or Confirmed Underground Product Releases:

You should suspect a leak when you discover the following warning signals:

1. **Unusual operating conditions** (such as erratic behavior of the dispensing pump, sudden loss of product from the UST system, an unexplained presence of water in the tank). Check first to see if this problem results from equipment failure that can be repaired.
2. **Results from leak detection monitoring and testing that indicate a leak.**
What at first appears to be a leak may be the result of faulty equipment that is part of your UST system or its leak detection. Double check this equipment carefully for failures.
3. **The presence of product is discovered at the UST site or in the surrounding area** (i.e. free product or vapors in soils, basements, sewer and utility lines, and in monitoring wells or nearby surface water)

You need to call your appropriate regulatory authority (see below) WITHIN 24 HOURS and report suspected leaks. Then find out quickly if these suspected leaks are actual leaks using the following investigative steps:

1. Conduct tightness testing of the entire UST system.
2. Check the site for additional information on the presence and source of contamination.

All suspected releases must be investigated and confirmed **within 7 days** after notification of the state regulators by one of two steps:

1. Perform a system test
2. Site Assessment

If the release of product has been confirmed, UST owners should take the following steps:

1. Prevent further migration and remove as much free product from UST as is necessary to prevent further release.
2. Mitigate fire and safety hazards
3. Manage hazards posed by contaminated soils.
4. Measure for the presence of a release where contamination is most likely to be present.
5. Investigate the presence of free product.

Information regarding the confirmed release must be recorded and reported to regulators within 45 days of the confirmed release.

To Report a Spill call Mr. Mike Necas, VP of Facilities at (702) 300-0989 or Mr. Dave Guido at (702) 344-8515

For sites in Clark County, NV:

Southern Nevada Health District
Environmental Health – UST Program
400 Shadow Lane
Las Vegas, NV
(702)759-0600

All NV Counties:

Nevada Division of Environmental Protection
Bureau of Corrective Actions – UST
901 S. Stewart Street, Suite 4001
Carson City, NV 89701
(888)331-6337 or (775)687-9485

How to Use a Fire Extinguisher



Fire extinguishers. You pass them all the time as you walk the hallways at work or school, and hopefully at home too.

But no matter how many times you've seen them in your day-to-day life, you've probably given little thought as to how you actually use one. Maybe it never crossed your mind, or maybe you assume it's so simple it's not something you need to learn.

Well, it's true that using a fire extinguisher isn't rocket science by any stretch, but there are a few basics you need to be aware of – and probably aren't. According to FEMA, the majority of Americans don't know how to use an extinguisher, even if they have one in their home. This is a dangerous knowledge gap. Fires double in size every 60 seconds, so you don't want to be fumbling around in an emergency situation, reading over the instruction manual as a small flame on the stove grows into an inferno.

Today we'll talk about some guidelines for choosing an extinguisher and storing it in your house, and then discuss how to use it.

The Right Fire Extinguisher for the Right Fire

Fire extinguishers come in a wide variety of types — each one designed to put out a different kind of fire. Classification systems have been developed to help users know what sort of extinguisher they're working with. Because the majority of our readers are based stateside, I'll be focusing on the system used to classify extinguishers in the US.



Class A – Ordinary solid combustibles like wood, cloth, and paper products.



Class B – Flammable liquids and gases.



Class C – Electrical fires. (Do not use water to put out this kind of fire – you could get electrocuted!)



Class D – Flammable metals.



Class K – Oils and grease fires. (Never use water on a grease fire – it will cause the flames to explode and spread.)

Most fire extinguishers for homes and public spaces are classified as Class ABC extinguishers, meaning they're suitable for putting out wood and paper fires, flammable liquid fires, *and* electrical fires. ABC extinguishers use the dry chemical monoammonium phosphate as the extinguishing agent.

If you've worked in a commercial kitchen, you've probably seen [Class K extinguishers](#). The extinguishing agent in the Class K variety is a wet potassium acetate. (Interesting fact: Before the introduction of potassium acetate, sodium bicarbonate powder was the extinguishing agent of choice for grease and oil fires – that's why baking soda can work in a pinch).

How to Use a Fire Extinguisher

Alright. So you're familiar with the different kinds of fire extinguishers. It's time to get down to how to actually use one. If you chance to encounter a fire, mentally go through this checklist of questions before attempting to put it out with an extinguisher:

Are you taller than the fire? Fire extinguishers are designed to put out fires in the incipient stage. That's fireman talk for when the fire is just getting started. When it gets past the beginning stage, a fire becomes too large to fight with a portable extinguisher.

How do you know if the fire is still in the incipient stage?

Just give the flame the once over to see if it's taller than you.

It is? Hightail it out of there and call 911. Your fire extinguisher will likely be no match for the flames.

You're still taller than the fire? Proceed to the next question.

Do you have the right fire extinguisher for the type of fire? Remember, extinguishers are designed for certain fire types. If you're facing a grease fire, a simple A extinguisher (which contains only pressurized water) won't put it out.

Is the fire extinguisher pressurized? Check the gauge on the extinguisher to see if it's fully charged and pressurized. If the needle is in the green, you're good. If not, you won't have enough pressure to put the fire out. Forget it and get out of there.

Get in Position

If you can answer "yes" to all three of those questions, you're ready to put out the fire with the extinguisher.

If possible, position yourself with your back to an unobstructed exit so that you can get out quickly if you need to. The discharge range for extinguishers can run from 6-20 feet, and you want to be far enough away to not be in danger of being burned, and close enough that the discharge will be effective.

PASS!



To employ the extinguisher with proper technique, just remember the acronym "PASS."

- **Pull the pin.**
- **Aim the nozzle at the base of the fire.** Hitting the tops of the flame with the extinguisher won't be effective. You got to smother it at its base.
- **Squeeze the trigger.** In a controlled manner, squeeze the trigger to release the agent.

- **Sweep from side to side.** Sweep the nozzle from side to side until the fire is put out. Keep aiming at the base while you do so. Most extinguishers will give you about 10-20 seconds of discharge time.

Slowly back away. Even if the fire appears to be extinguished, don't turn your back on it. There might be unseen hot spots or hidden fires that can ignite into a large flame at any moment. You want to be on guard for that.

Once you've used a fire extinguisher, even if you didn't deplete all the pressure, you must get it recharged. Do so as soon as possible. If it's a disposable extinguisher, throw it away and replace.

If you can get some hands-on training with a fire extinguisher, it's highly recommended that you do so. But now you know the basics. Next time you see a fire extinguisher in the hallway, you can give it a nod of confidence as you *PASS* it by.

CLASS C TRAINING CHECKLIST

TOPICS A CLASS C OPERATOR MUST KNOW

- Proper steps to take for determining the severity of a spill or overfill.
- Best management practices, which are effective and practical methods the employee can use to prevent or reduce the possibility of a release from UST system including overfill prevention.
- Components of the monitoring system and the proper response for alarms
- Proper response and notification procedure in the event of a large spill.
- Proper response for a spill (mobile and still).
- Proper response if a spill is flowing towards drainage ways.
- Proper use of spill response kit.
- Proper disposal of contaminated spill response materials.
- Proper response and notification if an underground leak is suspected.

CLASS C TRAINING CHECKLIST

7. Spill Response Kit Components

Quantity	Description	Use
2	Absorbent Pillows	To soak up gasoline or diesel.
12	Absorbent Pads	To soak up gasoline or diesel.
4	Booms	To soak up and control the flow of spilled gasoline or diesel.
3	Container Seals	Used to seal the yellow spill container for disposal.
2	Disposal Bags	Place used pillows, pads, or booms in bag.
1	Gloves	Used to prevent skin contact with gasoline or diesel.
1	Goggles	Used to prevent eye contact with gasoline or diesel.



8. Spill Response Kit Usage

Small Spills (LESS THAN 1 GALLON)

1. If spill is not mobile (i.e., not moving) place kitty litter on affected area.
2. Block off area of spill and allow spilled product to be absorbed.
3. Once product has been absorbed, use a spark proof shovel to move it into a containment device to dry out prior to disposal.

Mobile Small Spills or Large Spills (GREATER THAN 1 GALLON)

1. Use spill kit absorbent pillows, pads, and booms to attempt to stop the flow and/or expansion of the spill.
2. Attempt to block off the area of spill.
3. Activate the Emergency Shutoff Switch (see step 1 in this section).
4. Use kitty litter and/or absorbent pillows and pads to soak up as much spilled product as possible.
5. Follow the Emergency Spill Response guidelines in this manual (see step 2 in this section).

CLASS C TRAINING CHECKLIST

Emergency Contact Information:

SITE NAME; PRIMM VALLEY TRAVEL CENTER CHEVRON

ADDRESS: 31881 S LAS VEGAS BLVD

CITY, STATE, ZIP: PRIMM, NV. 89019

SITE PHONE NUMBER: (702) 679-6627

CORPORATE EMERGENCY CONTACT: MIKE NECAS **PHONE:** (702)300-0989

STORE MANAGER: DAVID GUIDO **PHONE:** (702) 344-8515

STORE ASSIST MANAGER: AMBER FOX **PHONE;** (702) 491-8260

FIRE DEPARTEMENT: CALL 911

POLICE DEPARTMENT: CALL 911

For any questions relating to the operation of your UST system:

IDECO-NV, Inc.
660 Middlegate Rd
Henderson, NV 89011
(702) 736-8270 (24 hours a day/7 days a week)

CLASS C TRAINING CHECKLIST

Emergency Contact Information:

SITE NAME; PRIMM VALLEY CHEVRON SOUTH

ADDRESS: 31960 S LAS VEGAS BLVD

CITY, STATE, ZIP: PRIMM, NV. 89019

SITE PHONE NUMBER: (702) 679-6627

CORPORATE EMERGENCY CONTACT: MIKE NECAS **PHONE:** (702)300-0989

STORE MANAGER: DAVID GUIDO **PHONE:** (702) 344-8515

STORE ASSIST MANAGER: AMBER FOX **PHONE;** (702) 491-8260

FIRE DEPARTEMENT: CALL 911

POLICE DEPARTMENT: CALL 911

For any questions relating to the operation of your UST system:

IDECO-NV, Inc.
660 Middlegate Rd
Henderson, NV 89011
(702) 736-8270 (24 hours a day/7 days a week)

CLASS C TRAINING CHECKLIST

Emergency Contact Information:

SITE NAME; WHISKEY PETE'S CHEVRON

ADDRESS: 115 W PRIMM BLVD

CITY, STATE, ZIP: PRIMM, NV. 89019

SITE PHONE NUMBER: (702) 679-6627

CORPORATE EMERGENCY CONTACT: MIKE NECAS **PHONE:** (702)300-0989

STORE MANAGER: DAVID GUIDO **PHONE:** (702) 344-8515

STORE ASSIST MANAGER: AMBER FOX **PHONE;** (702) 491-8260

FIRE DEPARTEMENT: CALL 911

POLICE DEPARTMENT: CALL 911

For any questions relating to the operation of your UST system:

IDECO-NV, Inc.
660 Middlegate Rd
Henderson, NV 89011
(702) 736-8270 (24 hours a day/7 days a week)



Nevada Class C UST Operator Facility Specific Worksheet

The purpose of this worksheet is to document that the Class C Operators have been trained on facility specific underground storage tanks (UST) components. This worksheet **must be completed at that facility** where the Class C Operator will be working. This worksheet must be completed **BEFORE** the Class C Operator assumes responsibility for responding to emergencies and dispensing a regulated substance.

UST Facility Name: PRIMM VALLEY TRAVEL CENTER UST Facility ID# 209206

UST Facility Address: 31881 S LAS VEGAS BLVD, PRIMM NV. 89019

- I have shown the Class C Operator the Emergency Shut-off Switch.
NOTE: The emergency stop switch shut off power to all the dispenser and fuel pumps. The emergency stop switch is different from the STOP or ALL STOP button on the point-of-sale (POS) console. The emergency stop switch is required by the national fire codes. Contact a qualified petroleum storage system service contractor if you cannot locate the emergency stop switch.
- I have shown the Class C Operator the number to use to call the fire department for this facility and posted this number in a clearly visible location.
- I have shown the Class C Operator the list of company people who should be notified in an emergency and posted the list in a clearly visible location.
- I have shown the Class C Operator the tank monitor and provided instructions on how to respond to various alarm messages that may appear on the display.
NOTE: If you do not know how to read the display or what to expect if there is a problem with the storage system, look into the tank monitor manual to find this information or call a qualified petroleum system contractor and have him or her explain this information.

I have shown the Class C Operator the locations and proper identification of the following items:

- Dispenser
- Hose
- Nozzle
- Breakaway Coupling
- Emergency Shut-off Switch
- Overfill Alarm (if applicable)

A CLASS C OPERATOR MUST BE ON-SITE AT ALL TIMES DURING NORMAL WORKING HOURS

I hereby certify I have completed this worksheet together with the Class C Operator:

Designated Class A or Class B Operator Name: _____ Date: _____

Designated Class A or Class B Operator Signature: _____

I have completed this worksheet together with the person above:

Class C Operator Name: _____ Date: _____

Class C Operator Signature: _____



Nevada Class C UST Operator Facility Specific Worksheet

The purpose of this worksheet is to document that the Class C Operators have been trained on facility specific underground storage tanks (UST) components. This worksheet **must be completed at that facility** where the Class C Operator will be working. This worksheet must be completed **BEFORE** the Class C Operator assumes responsibility for responding to emergencies and dispensing a regulated substance.

UST Facility Name: PRIMM VALLEY CHEVRON SOUTH UST Facility ID# 309202

UST Facility Address: 31960 S LAS VEGAS BLVD, PRIMM , NV. 89019

- I have shown the Class C Operator the Emergency Shut-off Switch.
NOTE: The emergency stop switch shut off power to all the dispenser and fuel pumps. The emergency stop switch is different from the STOP or ALL STOP button on the point-of-sale (POS) console. The emergency stop switch is required by the national fire codes. Contact a qualified petroleum storage system service contractor if you cannot locate the emergency stop switch.
- I have shown the Class C Operator the number to use to call the fire department for this facility and posted this number in a clearly visible location.
- I have shown the Class C Operator the list of company people who should be notified in an emergency and posted the list in a clearly visible location.
- I have shown the Class C Operator the tank monitor and provided instructions on how to respond to various alarm messages that may appear on the display.
NOTE: If you do not know how to read the display or what to expect if there is a problem with the storage system, look into the tank monitor manual to find this information or call a qualified petroleum system contractor and have him or her explain this information.

I have shown the Class C Operator the locations and proper identification of the following items:

- Dispenser
- Hose
- Nozzle
- Breakaway Coupling
- Emergency Shut-off Switch
- Overfill Alarm (if applicable)

A CLASS C OPERATOR MUST BE ON-SITE AT ALL TIMES DURING NORMAL WORKING HOURS

I hereby certify I have completed this worksheet together with the Class C Operator:

Designated Class A or Class B Operator Name: _____ Date: _____

Designated Class A or Class B Operator Signature: _____

I have completed this worksheet together with the person above:

Class C Operator Name: _____ Date: _____

Class C Operator Signature: _____



Nevada Class C UST Operator Facility Specific Worksheet

The purpose of this worksheet is to document that the Class C Operators have been trained on facility specific underground storage tanks (UST) components. This worksheet **must be completed at that facility** where the Class C Operator will be working. This worksheet must be completed **BEFORE** the Class C Operator assumes responsibility for responding to emergencies and dispensing a regulated substance.

UST Facility Name: WHISKEY PETE'S CHEVRON UST Facility ID# 309203

UST Facility Address: 115 W PRIMM BLVD, PRIMM, NV. 89019

- I have shown the Class C Operator the Emergency Shut-off Switch.
NOTE: The emergency stop switch shut off power to all the dispenser and fuel pumps. The emergency stop switch is different from the STOP or ALL STOP button on the point-of-sale (POS) console. The emergency stop switch is required by the national fire codes. Contact a qualified petroleum storage system service contractor if you cannot locate the emergency stop switch.
- I have shown the Class C Operator the number to use to call the fire department for this facility and posted this number in a clearly visible location.
- I have shown the Class C Operator the list of company people who should be notified in an emergency and posted the list in a clearly visible location.
- I have shown the Class C Operator the tank monitor and provided instructions on how to respond to various alarm messages that may appear on the display.
NOTE: If you do not know how to read the display or what to expect if there is a problem with the storage system, look into the tank monitor manual to find this information or call a qualified petroleum system contractor and have him or her explain this information.

I have shown the Class C Operator the locations and proper identification of the following items:

- Dispenser
- Hose
- Nozzle
- Breakaway Coupling
- Emergency Shut-off Switch
- Overfill Alarm (if applicable)

A CLASS C OPERATOR MUST BE ON-SITE AT ALL TIMES DURING NORMAL WORKING HOURS

I hereby certify I have completed this worksheet together with the Class C Operator:

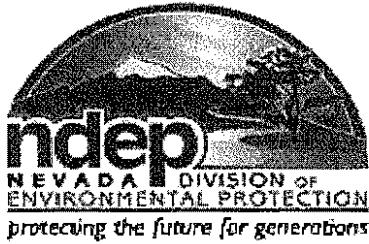
Designated Class A or Class B Operator Name: _____ Date: _____

Designated Class A or Class B Operator Signature: _____

I have completed this worksheet together with the person above:

Class C Operator Name: _____ Date: _____

Class C Operator Signature: _____



STATE OF NEVADA

Department of Conservation & Natural Resources

Designated Operators (Continued) : Additional Class C Operators

Facility Name:	<u>Whiskey Pates</u>	Facility ID:	<u>309203</u>
Facility Address:	<u>115 W. Primm Blvd, Primm NV 89019</u>		
UST Owner Name:	<u>PRIMADONA LLC</u>	Phone #:	<u>702-679-6666</u>

Additional Class C Operator

Operator Name:	<u>DAVID GUIDO</u>		
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>3/15/2001</u>

Additional Class C Operator

Operator Name:	_____		
Operator Signature:	_____	Date of Designation:	_____

Additional Class C Operator

Operator Name:	_____		
Operator Signature:	_____	Date of Designation:	_____

Additional Class C Operator

Operator Name:	_____		
Operator Signature:	_____	Date of Designation:	_____

Additional Class C Operator

Operator Name:	_____		
Operator Signature:	_____	Date of Designation:	_____

Attach documentation that demonstrates that each operator listed above has completed an applicable training program. Training must be completed within 30 days of designation for Class A and B operators. Class C operators must be trained by Class A/B operators or another approved training program prior to their designation.



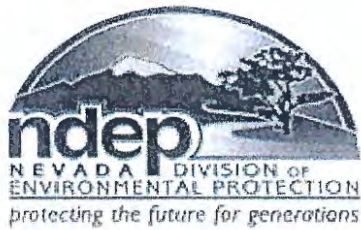
STATE OF NEVADA

Department of Conservation & Natural Resources

Designated Operators : Class A, B, and C

Facility Name:	<u>Whiskey Pete's Stateline Stop</u>	Facility ID:	<u>309203</u>
Facility Address:	<u>201 West Primm Blvd.</u>		
UST Owner Name:	<u>Primadonna Company LLC</u>	Phone #:	<u>(702)679-6666</u>
Class A Operator			
Operator Name:	<u>James McClelland</u>		
Operator Signature:	<u><i>James McClelland</i></u>	Date of Designation:	<u>5-13-18</u>
Training Company/Test Name:	<u>Petro Classroom</u>		
Operator Training Completion Date:	<u>5-13-18</u>		
Class B Operator			
Operator Name:	<u>DARRIC CARTER</u>		
Operator Signature:	<u><i>[Signature]</i></u>	Date of Designation:	<u>5-3-12</u>
Training Company/Test Name:	<u>BARKER LEMAR</u>		
Operator Training Completion Date:	<u>5-3-12</u>	<u>Not employed</u>	
Class C Operator			
Operator Name:	<u>Lois Wood</u>		
Operator Signature:	<u><i>Lois Wood</i></u>	Date of Designation:	<u>6-15-18</u>
Additional Class C Operator			
Operator Name:	<u>JASON OLORIZ</u>		
Operator Signature:	<u><i>[Signature]</i></u>	Date of Designation:	<u>6-23-18</u>

Attach documentation that demonstrates that each operator listed above has completed an applicable training program. Training must be completed within 30 days of designation for Class A and B operators. Class C operators must be trained by Class A/B operators or another approved training program prior to their designation.



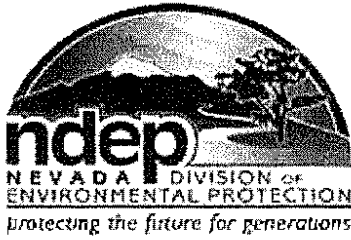
STATE OF NEVADA

Department of Conservation & Natural Resources

Designated Operators : Class A, B, and C

Facility Name:	<u>Whiskey Pete's Staldine</u>	Facility ID:	<u>309203</u>
Facility Address:	<u>115 W Primm Blvd, Primm, NV 89109</u>		
UST Owner Name:	<u>Primadonna Company LLC</u>	Phone #:	<u>(702) 679-6666</u>
Class A Operator			
Operator Name:	<u>Mike Necas</u>		
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>5/17/2018</u>
Training Company/Test Name:	<u>Petro Classroom A/B</u>		
Operator Training Completion Date:	<u>5/17/2018</u>		
Class B Operator			
Operator Name:	<u>DARRIC CARTER</u>	<u>Not employed</u>	
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>5-3-12</u>
Training Company/Test Name:	<u>BARKER LEMAR</u>		
Operator Training Completion Date:	<u>5-13-12</u>		
Class C Operator			
Operator Name:	<u>Annie Wolger</u>	<u>Not employed</u>	
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>7/12/18</u>
Additional Class C Operator			
Operator Name:	<u>DOLores KAW</u>		
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>7/12/18</u>

Attach documentation that demonstrates that each operator listed above has completed an applicable training program. Training must be completed within 30 days of designation for Class A and B operators. Class C operators must be trained by Class A/B operators or another approved training program prior to their designation.



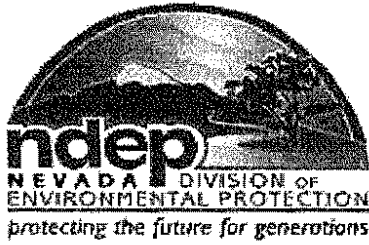
STATE OF NEVADA

Department of Conservation & Natural Resources

Designated Operators (Continued) : Additional Class C Operators

Facility Name:	<u>Whiskey Pete's Truck-Stop</u>	Facility ID:	<u>309203</u>
Facility Address:	<u>115 W PRimm BVD PRimm, NV 89019</u>		
UST Owner Name:	<u>Primadonna Co.</u>	Phone #:	<u>702-679-6666</u>
Additional Class C Operator			
Operator Name:	<u>Daniel Cage</u>		
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>9-21-21</u>
Additional Class C Operator			
Operator Name:	<u>FRANCIS SMITH</u>		
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>9-21-2021</u>
Additional Class C Operator			
Operator Name:	<u>Dolores Xaw</u>		
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>Sept. 21, 2021</u>
Additional Class C Operator			
Operator Name:	<u>Boderick Smith</u>		
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>9-21-21</u>
Additional Class C Operator			
Operator Name:	<u>Mary McCRA</u>		
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>9/21/21</u>

Attach documentation that demonstrates that each operator listed above has completed an applicable training program. Training must be completed within 30 days of designation for Class A and B operators. Class C operators must be trained by Class A/B operators or another approved training program prior to their designation.



STATE OF NEVADA

Department of Conservation & Natural Resources

Designated Operators (Continued) : Additional Class C Operators

Facility Name: Whiskey Pete's Chevron Facility ID: 309203
Facility Address: 115 W Primm Blvd. Primm, NV 89219
UST Owner Name: Primm Valley Resorts Phone #: 702 679 6666

Additional Class C Operator

Operator Name: Kyle FULTON Not Employed
Operator Signature: [Signature] Date of Designation: 4-20-2021

Additional Class C Operator

Operator Name: LeeAnn Field
Operator Signature: [Signature] Date of Designation: 5-8-2021

Additional Class C Operator

Operator Name: Mary McCARA
Operator Signature: [Signature] Date of Designation: 6/11/21

Additional Class C Operator

Operator Name: Nahom Bobitschik
Operator Signature: [Signature] Date of Designation: 09/30/21

Additional Class C Operator

Operator Name: Derrick Bailey
Operator Signature: [Signature] Date of Designation: 11/24/21

Attach documentation that demonstrates that each operator listed above has completed an applicable training program. Training must be completed within 30 days of designation for Class A and B operators. Class C operators must be trained by Class A/B operators or another approved training program prior to their designation.



STATE OF NEVADA

Department of Conservation & Natural Resources

Designated Operators (Continued) : Additional Class C Operators

Facility Name:	<u>Whiskey Peter Stateline</u>	Facility ID:	<u>309203</u>
Facility Address:	<u>115 West Primm Blvd, Primm NV 89019</u>		
UST Owner Name:	<u>Primm Valley Resorts</u>	Phone #:	<u>702 679 6666</u>
Additional Class C Operator			
Operator Name:	<u>Justin Matheson</u>		
Operator Signature:	<u><i>Justin Matheson</i></u>	Date of Designation:	<u>3-4-21</u>
Additional Class C Operator			
Operator Name:	<u>Jose Gonzalez</u>		
Operator Signature:	<u><i>Jose Gonzalez</i></u>	Date of Designation:	<u>3/8/21</u> <i>not employed</i>
Additional Class C Operator			
Operator Name:	<u>Frederick Godfrey 6394</u>		
Operator Signature:	<u><i>Frederick Godfrey</i></u>	Date of Designation:	<u>04/01/21</u>
Additional Class C Operator			
Operator Name:	<u>SOSAD BRUNELL</u>		
Operator Signature:	<u><i>SOSAD BRUNELL</i></u>	Date of Designation:	<u>4-14-21</u> <i>not employed</i>
Additional Class C Operator			
Operator Name:	<u>Johanna Sobczano</u>		
Operator Signature:	<u><i>Johanna Sobczano</i></u>	Date of Designation:	<u>4-14-21</u> <i>not employed</i>

Attach documentation that demonstrates that each operator listed above has completed an applicable training program. Training must be completed within 30 days of designation for Class A and B operators. Class C operators must be trained by Class A/B operators or another approved training program prior to their designation.



STATE OF NEVADA

Department of Conservation & Natural Resources

Designated Operators (Continued) : Additional Class C Operators

Facility Name:	<u>Whiskey Pete's Chevron</u>	Facility ID:	<u>309203</u>
Facility Address:	<u>115 w Primm Blvd, Primm NV 89019</u>		
UST Owner Name:	<u>Primm Valley Resorts</u>	Phone #:	<u>702 679 6666</u>
Additional Class C Operator			
Operator Name:	<u>DEANNA LOZANO</u>		
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>1-13-2021</u>
Additional Class C Operator			
Operator Name:	<u>Malaysia Bailey</u>		
Operator Signature:	<u>Malaysia B</u>	Date of Designation:	<u>1-20-21</u> <i>not employed</i>
Additional Class C Operator			
Operator Name:	<u>Tracy Anderson</u>		
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>3/23/21</u> <i>not employed</i>
Additional Class C Operator			
Operator Name:	<u>RIGNYNN RODRIGUES</u>		
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>03/23/21</u>
Additional Class C Operator			
Operator Name:	<u>SHARLEY MOLINA</u>		
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>3/23/21</u>

Attach documentation that demonstrates that each operator listed above has completed an applicable training program. Training must be completed within 30 days of designation for Class A and B operators. Class C operators must be trained by Class A/B operators or another approved training program prior to their designation.



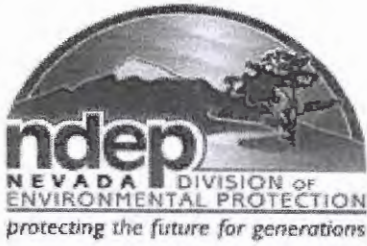
STATE OF NEVADA

Department of Conservation & Natural Resources

Designated Operators (Continued) : Additional Class C Operators

Facility Name:	<u>Calvin King Patis Cherson</u>	Facility ID:	<u>309203</u>
Facility Address:	<u>115 W Pimm Blvd</u>		
UST Owner Name:	<u>Pimm Valley Reports</u>	Phone #:	<u>702-697-6666</u>
Additional Class C Operator			
Operator Name:	<u>Isaura Gamba</u>		<u>Not employed</u>
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>9/28/19</u>
Additional Class C Operator			
Operator Name:	<u>Jaymie Schaffner</u>		<u>Not employed</u>
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>10-3-19</u>
Additional Class C Operator			
Operator Name:	<u>Litha Gulley</u>		<u>Not employed</u>
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>10/10/2019</u>
Additional Class C Operator			
Operator Name:	<u>Christina Martinez</u>		<u>Not employed</u>
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>10-25-19</u>
Additional Class C Operator			
Operator Name:	<u>Sonnie Rodriguez</u>		
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>11-12-19</u>

Attach documentation that demonstrates that each operator listed above has completed an applicable training program. Training must be completed within 30 days of designation for Class A and B operators. Class C operators must be trained by Class A/B operators or another approved training program prior to their designation.



STATE OF NEVADA

Department of Conservation & Natural Resources

Designated Operators (Continued) : Additional Class C Operators

Facility Name: WHISKEY PETE'S CHEVRON Facility ID: 309203
Facility Address: 115 W. PRIM BLVD. PRIMM NV. 89019
UST Owner Name: PRIMM VALLEY RESORTS Phone #: (702) 697-6666

Additional Class C Operator

Operator Name: ~~Uigaeese Palarta~~ not employed
Operator Signature: ~~[Signature]~~ Date of Designation: 9/1/19

Additional Class C Operator

Operator Name: ~~Kevin Pacharnik~~ not employed
Operator Signature: ~~[Signature]~~ Date of Designation: 9-10-19

Additional Class C Operator

Operator Name: ~~Elisa Brodie~~ not employed
Operator Signature: ~~Elisa Brodie~~ Date of Designation: 9/14/19

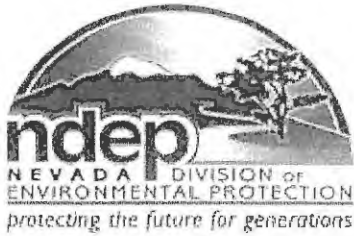
Additional Class C Operator

Operator Name: Fausto Comacho
Operator Signature: [Signature] Date of Designation: 9/14/19

Additional Class C Operator

Operator Name: ~~Peter Mangula~~ not employed
Operator Signature: ~~[Signature]~~ Date of Designation: 9/17/19

Attach documentation that demonstrates that each operator listed above has completed an applicable training program. Training must be completed within 30 days of designation for Class A and B operators. Class C operators must be trained by Class A/B operators or another approved training program prior to their designation.



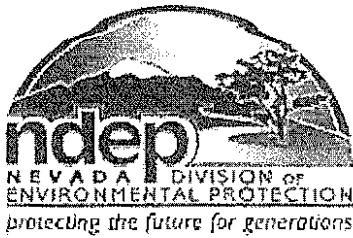
STATE OF NEVADA

Department of Conservation & Natural Resources

Designated Operators (Continued) : Additional Class C Operators

Facility Name:	<u>Whiskey Pecos State Line Stop</u>	Facility ID:	<u>309203</u>
Facility Address:	<u>201 W. PRIMM BLVD, PRIMM NV 89019</u>		
UST Owner Name:	<u>Primadonna Co.</u>	Phone #:	<u>702-679-6666</u>
Additional Class C Operator			
Operator Name:	<u>Destiny Hodges</u>		<u>NOT employed</u>
Operator Signature:	<u>Destiny H.</u>	Date of Designation:	<u>6-7-19</u>
Additional Class C Operator			
Operator Name:	<u>Daniel Cagle</u>		
Operator Signature:	<u>Daniel C</u>	Date of Designation:	<u>8-3-19</u>
Additional Class C Operator			
Operator Name:	<u>Charice Bell</u>		<u>NOT employed</u>
Operator Signature:	<u>Charice Bell</u>	Date of Designation:	<u>8-4-19</u>
Additional Class C Operator			
Operator Name:	<u>Flora Pastanya</u>		<u>NOT employed</u>
Operator Signature:	<u>Flora Pastanya</u>	Date of Designation:	<u>08-05-19</u>
Additional Class C Operator			
Operator Name:	<u>Lloyd Baruelo S</u>		
Operator Signature:	<u>Lloyd Baruelo</u>	Date of Designation:	<u>8-21-19</u>

Attach documentation that demonstrates that each operator listed above has completed an applicable training program. Training must be completed within 30 days of designation for Class A and B operators. Class C operators must be trained by Class A/B operators or another approved training program prior to their designation.



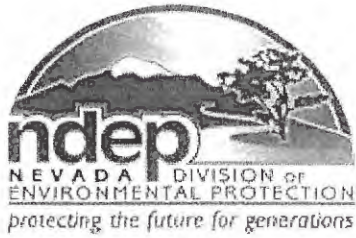
STATE OF NEVADA

Department of Conservation & Natural Resources

Designated Operators (Continued) : Additional Class C Operators

Facility Name:	<u>Whiskey Pecos State Line Stop</u>	Facility ID:	<u>309203</u>
Facility Address:	<u>201 W. PRIMM BLVD, PRIMM NV 89019</u>		
UST Owner Name:	<u>Primadonna Co.</u>	Phone #:	<u>702-679-6666</u>
Additional Class C Operator			
Operator Name:	<u>Lynn Guernich</u>		<u>Not employed</u>
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>2/8/19</u>
Additional Class C Operator			
Operator Name:	<u>Fabio Melina</u>		
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>2/2/19</u>
Additional Class C Operator			
Operator Name:	<u>Evoane ALGERO COFFIN</u>		<u>Not employed</u>
Operator Signature:	<u>Evoane ALGERO</u>	Date of Designation:	<u>5-14-19</u>
Additional Class C Operator			
Operator Name:	<u>SARAH FISHER</u>		<u>Not employed</u>
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>5/14/2019</u>
Additional Class C Operator			
Operator Name:	<u>Warisam V-Maitiam</u>		<u>Not employed</u>
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>08/1/2019</u>

Attach documentation that demonstrates that each operator listed above has completed an applicable training program. Training must be completed within 30 days of designation for Class A and B operators. Class C operators must be trained by Class A/B operators or another approved training program prior to their designation.



STATE OF NEVADA

Department of Conservation & Natural Resources

Designated Operators (Continued) : Additional Class C Operators

Facility Name:	<u>Whiskey Pete's State Line Stop</u>	Facility ID:	<u>309203</u>
Facility Address:	<u>201 W. PRIMM BLVD, PRIMM NV 89019</u>		
UST Owner Name:	<u>Primadonna Co.</u>	Phone #:	<u>702-679-6666</u>
Additional Class C Operator			
Operator Name:	Angelina Guzman		<u>not employed</u>
Operator Signature:	Angelina Guzman	Date of Designation:	<u>1/22/2019</u>
Additional Class C Operator			
Operator Name:	<u>Lenora Alfred</u>		
Operator Signature:	<u>Alfred</u>	Date of Designation:	<u>01/22/19</u>
Additional Class C Operator			
Operator Name:	Latoria Williams		<u>not employed</u>
Operator Signature:	Latoria Williams	Date of Designation:	<u>1-22-19</u>
Additional Class C Operator			
Operator Name:	KAREN LOUPE		<u>not employed</u>
Operator Signature:	Karen Loupe	Date of Designation:	<u>1-22-19</u>
Additional Class C Operator			
Operator Name:	Savannah Brady		<u>not employed</u>
Operator Signature:	Savannah Brady	Date of Designation:	<u>06/26/19</u>

Attach documentation that demonstrates that each operator listed above has completed an applicable training program. Training must be completed within 30 days of designation for Class A and B operators. Class C operators must be trained by Class A/B operators or another approved training program prior to their designation.



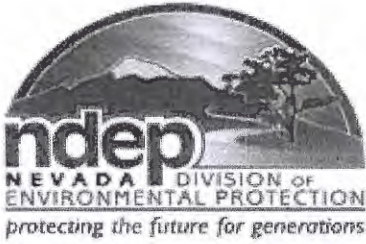
STATE OF NEVADA

Department of Conservation & Natural Resources

Designated Operators (Continued) : Additional Class C Operators

Facility Name:	<u>Whiskey Pete's Stateline</u>	Facility ID:	<u>309203</u>
Facility Address:	<u>115 West Primm Blvd, Primm NV 89019</u>		
UST Owner Name:	<u>Primm Valley Resorts</u>	Phone #:	<u>(702) 679-6666</u>
Additional Class C Operator			
Operator Name:	<u>Adeyvin Tella</u>	Date of Designation:	<u>NOT EMPLOYED 07/14/2018</u>
Operator Signature:	<u>[Signature]</u>		
Additional Class C Operator			
Operator Name:	<u>Ricardo Vargas Sanchez</u>	Date of Designation:	<u>NOT EMPLOYED 7/15/18</u>
Operator Signature:	<u>[Signature]</u>		
Additional Class C Operator			
Operator Name:	<u>Donell Whitfield</u>	Date of Designation:	<u>NOT EMPLOYED 15 July 2018</u>
Operator Signature:	<u>Donell Whitfield</u>		
Additional Class C Operator			
Operator Name:	<u>Aaron Watson</u>	Date of Designation:	<u>NOT EMPLOYED 7-15-2018</u>
Operator Signature:	<u>Aaron Watson</u>		
Additional Class C Operator			
Operator Name:	<u>CHARLES E DUNN</u>	Date of Designation:	<u>7-20-2018</u>
Operator Signature:	<u>[Signature]</u>		

Attach documentation that demonstrates that each operator listed above has completed an applicable training program. Training must be completed within 30 days of designation for Class A and B operators. Class C operators must be trained by Class A/B operators or another approved training program prior to their designation.



STATE OF NEVADA

Department of Conservation & Natural Resources

Designated Operators (Continued) : Additional Class C Operators

Facility Name: Whiskey Pete's Chevron Facility ID: 309203
Facility Address: 115 W. Primm Blvd.
UST Owner Name: Primm Valley Resorts Phone #: 702-679-6666

Additional Class C Operator

Operator Name: ~~David Ross~~ *not employed*
Operator Signature: ~~[Signature]~~ Date of Designation: 11/12/19

Additional Class C Operator

Operator Name: SESSEM MULIGETA AMARE N
Operator Signature: [Signature] Date of Designation: 19 Feb 2020

Additional Class C Operator

Operator Name: SESSEM MULIGETA AMARE *not employed*
Operator Signature: [Signature] Date of Designation: 19 Feb 2020

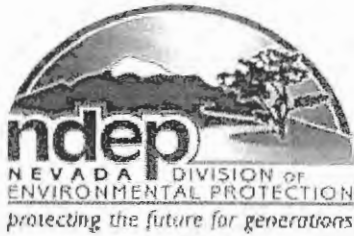
Additional Class C Operator

Operator Name: Kawanza Graves *Not employed*
Operator Signature: [Signature] Date of Designation: 7-10-20

Additional Class C Operator

Operator Name: Shirley Molina
Operator Signature: [Signature] Date of Designation: 7/11/20

Attach documentation that demonstrates that each operator listed above has completed an applicable training program. Training must be completed within 30 days of designation for Class A and B operators. Class C operators must be trained by Class A/B operators or another approved training program prior to their designation.



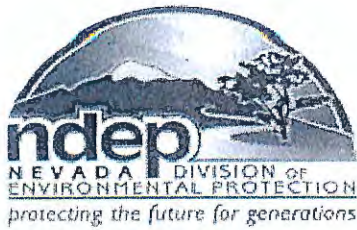
STATE OF NEVADA

Department of Conservation & Natural Resources

Designated Operators (Continued) : Additional Class C Operators

Facility Name:	<u>Whiskey Pecos State Line Stop</u>	Facility ID:	<u>309203</u>
Facility Address:	<u>201 W. PRIMM BLVD, PRIMM NV 89019</u>		
UST Owner Name:	<u>Primadonna Co.</u>	Phone #:	<u>702-679-6666</u>
Additional Class C Operator			
Operator Name:	<u>Kevin Bowman</u>		
Operator Signature:	<u>(KB) 50690</u>	Date of Designation:	<u>11-10-18</u>
Additional Class C Operator			
Operator Name:	_____		
Operator Signature:	_____	Date of Designation:	_____
Additional Class C Operator			
Operator Name:	FRANK LOVE	not employed	
Operator Signature:	Frank Love 11057	Date of Designation:	1-31-19
Additional Class C Operator			
Operator Name:	Thakos Kotjaramisuttked	not employed	
Operator Signature:	_____	Date of Designation:	08-22-19
Additional Class C Operator			
Operator Name:	Jung Li	not employed	
Operator Signature:	_____	Date of Designation:	08-21-19

Attach documentation that demonstrates that each operator listed above has completed an applicable training program. Training must be completed within 30 days of designation for Class A and B operators. Class C operators must be trained by Class A/B operators or another approved training program prior to their designation.



STATE OF NEVADA

Department of Conservation & Natural Resources

Designated Operators (Continued) : Additional Class C Operators

Facility Name:	<u>Whiskey Pete's Heaven</u>	Facility ID:	<u>309203</u>
Facility Address:	<u>115 W Primm Blvd, Primm NV 89019</u>		
UST Owner Name:	<u>Primm Valley Resorts</u>	Phone #:	<u>(702)679-6666</u>
Additional Class C Operator			
Operator Name:	<u>Francis Stark</u>		
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>7-14-18</u>
Additional Class C Operator			
Operator Name:	<u>Christine Appiolo</u>		
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>07-14-18</u>
Additional Class C Operator			
Operator Name:	<u>Kimberly Fox</u>		
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>7-14-18</u>
Additional Class C Operator			
Operator Name:	<u>Carol Miller</u>	<u>not employed</u>	
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>7-14-18</u>
Additional Class C Operator			
Operator Name:	<u>RAMON HAUBERA</u>	<u>not employed</u>	
Operator Signature:	<u>[Signature]</u>	Date of Designation:	<u>7/14/2018</u>

Attach documentation that demonstrates that each operator listed above has completed an applicable training program. Training must be completed within 30 days of designation for Class A and B operators. Class C operators must be trained by Class A/B operators or another approved training program prior to their designation.

**Agenda Item 6:
Legislative Counsel Bureau Proposed Draft
Regulations: R049-21**

(FOR DISCUSSION)

|

**PROPOSED REGULATION OF THE
DIVISION OF ENVIRONMENTAL PROTECTION OF THE
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES**

LCB FILE NO. R049-211

**The following document is the initial draft regulation proposed
by the agency submitted on 09/30/2021**

Proposed Regulation Amendments to Chapter 445C of the Nevada Administrative Code

(Fund for Cleaning Up Discharges of Petroleum)

EXPLANATION – Matter in *blue italics* is new; matter in ~~red brackets~~ is material to be deleted.

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~~) 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~~) 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 average throughput of 1,000,000 gallons or less for all petroleum products stored on site and sold to the public 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) ~~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~~ *or*
 - (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~~site during the 2 years immediately preceding the date of discharge.*

3. *An application for coverage by the Fund, as described in subsection 2 of 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 631979000, or by toll-free telephone at (866) 512-1800~~{.}~~, or at the ~~Internet~~internet address <https://bookstore.gpo.gov>; and

(b) Viewed in electronic format at the ~~Internet~~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 *discharge from a 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 discharge from a 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 a* 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. —[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) 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 ~~for good cause~~ (d) At least one cost estimate for storage tank upgrades prepared by a tank handler certified by the Division in accordance with NAC 459.9705;~~

~~[(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-)]~~2. 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.

4.3. A grant award paid by the Division to an applicant for upgrades will be in accordance with a cost schedule approved by the Board;

4. The total amount of a grant award to an applicant for upgrades to a petroleum dispensing location must not exceed \$90,000.

~~[(4.)]~~5. An applicant may receive ~~[only one]~~ multiple grant ~~[allocation per]~~ allocations for each petroleum dispensing location, *not to exceed the maximum amount specified in subsection 24 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.*

56. 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, subsections 3 and 4. 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, must be performed 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 7:
Adoption of Consent Items
(FOR POSSIBLE ACTION)

**STATE BOARD TO REVIEW CLAIMS
REQUESTED/RECOMMENDED AMOUNTS - DECEMBER 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

HEATING OIL

	<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION 1. 2012000017; 80121 Churchill County School District: Old High School	\$1,982.57	\$1,982.57
SUB TOTAL:	<u>\$1,982.57</u>	<u>\$1,982.57</u>

NEW CASES

	<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION 1. 2019000044; 80110 7-Eleven Inc: 7-Eleven #15829	\$18,930.97	\$17,037.87
FOR POSSIBLE ACTION 2. 2021000009; 80106 7-Eleven Inc: 7-Eleven #27111	\$7,884.75	\$7,096.27
SUB TOTAL:	<u>\$26,815.72</u>	<u>\$24,134.14</u>

ONGOING CASES

	<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION 1. 1993000103; 80143 Charlie Brown Construction: Charlie Brown Const.	\$5,678.48	\$5,564.91
FOR POSSIBLE ACTION 2. 1994000027; 80109 7-Eleven Inc: 7-Eleven #19653	\$95,062.76	\$95,042.13
FOR POSSIBLE ACTION 3. 1995000039; 80112 Al Park Petroleum Inc: Crescent Valley Market	\$23,584.46	\$21,226.01
FOR POSSIBLE ACTION 4. 1996000064; 80146 The Esslinger Family Trust: Red Rock Mini Mart	\$12,168.12	\$11,090.13
FOR POSSIBLE ACTION 5. 1997000071; 80101 7-Eleven Inc: 7eleven #25586	\$17,616.68	\$15,855.01

FOR POSSIBLE ACTION	6.	1998000075; 80115	55 McDermitt Crude, LLC: McDermitt Motel & Convenience Store	\$6,766.90	\$6,090.21
FOR POSSIBLE ACTION	7.	1999000014; 80117	Al Park Petroleum Inc: Pit Stop #7 Conoco	\$5,036.71	\$4,524.04
FOR POSSIBLE ACTION	8.	1999000022; 80099	Terrible Herbst Oil Company Inc: Terrible Herbst #129	\$4,537.50	\$4,083.75
FOR POSSIBLE ACTION	9.	1999000086; 80096	Terrible Herbst Oil Company Inc: Terrible Herbst #126	\$12,151.78	\$10,936.60
FOR POSSIBLE ACTION	10.	1999000104; 80097	Terrible Herbst Oil Company Inc: Terrible Herbst #118	\$1,821.25	\$1,639.13
FOR POSSIBLE ACTION	11.	1999000199; 79844	Village Springs, LLC: Lakeshore Orbit Station	\$64,499.73	\$64,499.73
FOR POSSIBLE ACTION	12.	1999000243; 80118	7-Eleven Inc: 7-Eleven #27607	\$46,516.55	\$41,807.65
FOR POSSIBLE ACTION	13.	2004000011; 80125	Hpt Ta Properties Trust: Wells Petro Truck Service	\$3,527.50	\$3,174.75
FOR POSSIBLE ACTION	14.	2007000014; 80154	Raiders Oz Business, LLC: Former Ace Cab/frias Transportation	\$37,224.72	\$33,502.25
FOR POSSIBLE ACTION	15.	2007000016; 80124	Golden Gate Petroleum Of Nevada LLC: Golden Gate Petroleum	\$4,061.25	\$3,655.13
FOR POSSIBLE ACTION	16.	2009000020; 79789	Western Energetix LLC: Battle Mountain Bulk Plant #3006/flyers #772	\$17,337.50	\$14,827.05
FOR POSSIBLE ACTION	17.	2010000009; 80123	Hpt Ta Properties Trust: Mill City Travel Center	\$27,725.65	\$22,457.78
FOR POSSIBLE ACTION	18.	2011000009; 80122	Cimarron West: Cimarron West	\$21,874.69	\$19,687.22
FOR POSSIBLE ACTION	19.	2013000004; 80095	7-Eleven Inc: 7-Eleven #29665	\$18,341.97	\$16,507.77
FOR POSSIBLE ACTION	20.	2013000019; 80120	Hardy Enterprises INC: Elko Sinclair #53	\$25,534.51	\$22,981.06
FOR POSSIBLE ACTION	21.	2013000021; 80102	7-Eleven Inc: 7-Eleven #27700	\$7,065.00	\$6,358.50
FOR POSSIBLE ACTION	22.	2014000004; 80148	Alsaker Corp: Broadway Colt Service Center	\$15,750.56	\$14,175.50
FOR POSSIBLE ACTION	23.	2014000007; 80094	7-Eleven Inc: 7-Eleven #29658	\$16,597.43	\$14,937.69
FOR POSSIBLE ACTION	24.	2014000016; 80116	Smitten Oil And Tire Co Inc: Former Smedley's Chevron	\$4,737.78	\$4,264.00
FOR POSSIBLE ACTION	25.	2014000025; 80119	Superior Campgrounds Of America, LLC: Silver City Rv Resort	\$30,590.29	\$27,531.26
FOR POSSIBLE ACTION	26.	2015000009; 80153	Hpt Ta Properties Trust: Las Vegas Travel Center	\$2,307.50	\$2,076.75
FOR POSSIBLE ACTION	27.	2016000005; 80114	Golden Gate S.e.t. Retail Of Nevada LLC: Golden Gate Petroleum 65 - Fallon	\$3,064.49	\$2,758.04
FOR POSSIBLE ACTION	28.	2016000012; 80144	DLF Corporation: Mr Ds Fastlane	\$7,061.29	\$6,355.16
FOR POSSIBLE ACTION	29.	2016000023; 80113	Al Park Petroleum Inc: Pit Stop #1	\$8,302.80	\$5,978.02
FOR POSSIBLE ACTION	30.	2016000027; 80098	Terrible Herbst Oil Company Inc: Terrible Herbst #272	\$8,472.75	\$6,862.92
FOR POSSIBLE ACTION	31.	2018000009; 80111	Reed Incorporated: Pacific Pride	\$10,561.20	\$9,505.08
FOR POSSIBLE ACTION	32.	2018000018; 80069	Primadonna Company LLC: Whiskey Pete's Stateline Stop	\$157,440.83	\$76,190.62
FOR POSSIBLE ACTION	33.	2020000015; 80145	Canyon Plaza, LLC: Gas 2 Go	\$43,564.08	\$23,521.58
FOR POSSIBLE ACTION	34.	2020000016; 80062	LV Petroleum LLC: Us Gas #7	\$82,782.10	\$74,136.78
FOR POSSIBLE ACTION	35.	2020000046; 80064	Midjit Market Inc: Green Valley Grocery #34	\$31,921.52	\$17,237.62
SUB TOTAL:				<u>\$881,288.33</u>	<u>\$711,041.83</u>

RECOMMENDED CLAIMS TOTAL:

\$910,086.62

\$737,158.54

Case: #1993000103
Claim #: 80143

STAFF RECOMMENDATION

December 09, 2021

Staff recommends this claim be reimbursed \$5,564.91 from the Petroleum Fund for cleanup costs.

	\$1,415,629.09	Amount Requested to Date
	(\$8,965.76)	Amount Disallowed, Past Claims
	(\$24,285.27)	Board Reduction, Past Claims
	(\$20,000.00)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,281,760.15)</u>	Amount Paid to Date
SUB TOTAL	\$5,678.48	Amount Requested this Meeting
	<u>(\$113.57)</u>	Board Reduction, This Meeting
SUB TOTAL	\$5,564.91	
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$5,564.91</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 08/31/2021 and 09/30/2021

Summary of work completed: Project management; coordination of well abandonment activities; and preparation of Fund documents.

Site Summary Report

Case Number: 1993000103 **Site Name:** Charlie Brown Const.

Site Status

Synopsis: OCTOBER 29, 1991, THE CLARK COUNTY HEALTH DISTRICT (CCHD) WAS NOTIFIED OF AN ABANDONED LEAKING UNDERGROUND STORAGE TANK (UST) AT THE FACILITY. IN JANUARY 1993, FIVE USTS WERE CLOSED BY REMOVAL. ONE 10,000 GALLON DIESEL UST WAS FOUND TO HAVE HOLES IN THE TANK. AN APPLICATION WAS RECEIVED IN MARCH 1993. COVERAGE WAS GRANTED WITH A 2% REDUCTION - IDENTIFIED IN SSBD 94-006 - DUE TO THE DELAY IN APPLICATION AND THE POTENTIAL FOR CONTAMINANT MIGRATION. THIRD PARTY LIABILITY COVERAGE ALLOTMENT (MINUS \$10,000 DEDUCTIBLE AND 2% REDUCTION) PROVIDED...

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,940,000.00
Amount Requested	\$1,415,629.09
Amount Disallowed	\$8,965.76
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$24,398.84
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$20,000.00
Amount Recommended	\$1,362,368.23
Amount Paid	\$1,356,803.32

Site Identification

Date Submitted:	02/19/1993	DEP Facility Number:	8-000949
Site Name	Charlie Brown Const.	Telephone:	(702)399-6601
Site Contact	Russell Yardley		
Site Address	801 E Colton Ave North Las Vegas, NV 89030		
County:	Clark County		
Owner/Operator Name:	Charlie Brown Construction		
Contact Name of Owner/Operator:	Russell Yardley 801 Colton Avenue North Las Vegas, NV 89030	Telephone:	(702)399-6601
Prime Contractor	Broadbent And Associates, Inc.		
Contact Name	Jeremy Holst		
Contractor Address	8 West Pacific Avenue Henderson, NV 89015		
Telephone:	(702)353-5743	% Board Reduction:	2.00

Site Characteristics

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

Case: #1994000027
Claim #: 80109

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$95,042.13 from the Petroleum Fund for cleanup costs.

	\$2,380,447.26	Amount Requested to Date
	(\$79,617.52)	Amount Disallowed, Past Claims
	(\$30,000.00)	Deductible/Co-Payment Satisfied to Date
	(\$1,910,545.02)	Amount Paid to Date
SUB TOTAL	\$95,062.76	Amount Requested this Meeting
	(\$20.63)	Amount Disallowed this Meeting
SUB TOTAL	\$95,042.13	
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$95,042.13	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 09/04/2020 and 07/01/2021

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 for additional remediation well installations and system expansion including preparing the drilling contractor's request for bid package, evaluating submittals and awarding the contracts, utility clearance, obtain well permits, conduct fieldwork and prepare well construction logs.

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)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,970,000.00
Amount Requested	\$2,380,447.26
Amount Disallowed	\$79,638.15
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$30,000.00
Amount Recommended	\$2,270,809.11
Amount Paid	\$2,175,766.98

Site Identification

Date Submitted:	09/03/1993	DEP Facility Number:	8-000599
Site Name	7-Eleven #19653	Telephone:	
Site Contact			
Site Address	2725 Las Vegas Blvd N North Las Vegas, NV 89030		
County:	Clark County		
Owner/Operator Name:	7-Eleven INC		
Contact Name of Owner/Operator:	Jennifer Dart 3200 Hackberry Road - Loc 0148 Irving, TX 75063	Telephone:	(817)235-0971
Prime Contractor	Stantec Consulting Services, Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	3010 West Charleston Boulevard Las Vegas, NV 89102		
Telephone:	(702)878-8010	% Board Reduction:	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: #1995000039
Claim #: 80112

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$21,226.01 from the Petroleum Fund for cleanup costs.

	\$1,924,299.95	Amount Requested to Date
	(\$94,708.57)	Amount Disallowed, Past Claims
	(\$117,990.84)	Board Reduction, Past Claims
	(\$168,801.61)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,421,722.75)</u>	Amount Paid to Date
SUB TOTAL	\$23,584.46	Amount Requested this Meeting
	<u>(\$2,358.45)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$21,226.01	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/02/2021 and 09/30/2021

Summary of work completed: Prepare 1st half GMR. Coordinate purge water disposal. Prepare petroleum fund documentation. Conduct O&M on remediation system. Evaluate data and make adjustments on necessary (Building pulsing schedule) ,Replace fan on remediation system, conduct 3rd quarter groundwater sampling event

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)

Fund Coverage	\$2,652,818.63
Amount Fund Will Pay	\$2,387,536.77
Amount Requested	\$1,924,299.95
Amount Disallowed	\$94,708.57
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$117,990.84
Pending Copay/Deductible	\$2,358.45
Copay/Deductible	\$168,801.61
Amount Recommended	\$1,513,102.98
Amount Paid	\$1,491,876.97

Site Identification

Date Submitted:	09/21/1994	DEP Facility Number:	6-000318
Site Name	Crescent Valley Market	Telephone:	(775)738-3835
Site Contact	Galen Schorsch		
Site Address	3093 Crescent Ave Crescent Valley, NV 89821		
County:	Eureka County		
Owner/Operator Name:	AL Park Petroleum INC		
Contact Name of Owner/Operator:	Galen Schorsch P. O. Box 1600 Elko, NV 89803	Telephone:	(775)738-3835
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
001	3000	Closed	Regulated UST	See Synopsis
002	3000	54	Regulated UST	See Synopsis

Case: #1996000064
Claim #: 80146

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$11,090.13 from the Petroleum Fund for cleanup costs.

	\$2,202,188.72	Amount Requested to Date
	(\$66,547.32)	Amount Disallowed, Past Claims
	(\$227,211.02)	Board Reduction, Past Claims
	(\$50,000.00)	Deductible/Co-Payment Satisfied to Date
	(\$1,788,990.13)	Amount Paid to Date
SUB TOTAL	\$12,168.12	Amount Requested this Meeting
	(\$735.00)	Amount Disallowed this Meeting
	(\$342.99)	Board Reduction, This Meeting
SUB TOTAL	\$11,090.13	
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$11,090.13	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 06/29/2021 and 09/30/2021

Summary of work completed: Project management; quarterly groundwater monitoring and report preparation; 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)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,890,000.00
Amount Requested	\$2,202,188.72
Amount Disallowed	\$67,282.32
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$227,554.01
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$50,000.00
Amount Recommended	\$1,849,230.00
Amount Paid	\$1,838,139.87

Site Identification

Date Submitted:	04/29/1996	DEP Facility Number:	8-000161
Site Name	Red Rock Mini Mart	Telephone:	(480)694-1890
Site Contact	Harold T. Crutcher		
Site Address	5525 W Charleston Blvd Las Vegas, NV 89146		
County:	Clark County		
Owner/Operator Name:	The Esslinger Family Trust		
Contact Name of Owner/Operator:	Harold T. Crutcher 12932 North 136th Street Scottsdale, AZ 85259	Telephone:	(480)694-1890
Prime Contractor	Broadbent And Associates, Inc.		
Contact Name	Jeremy Holst		
Contractor Address	8 West Pacific Avenue Henderson, NV 89015		
Telephone:	(702)353-5743	% Board Reduction:	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: #1997000071
Claim #: 80101

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$15,855.01 from the Petroleum Fund for cleanup costs.

	\$1,080,508.22	Amount Requested to Date
	(\$2,380.80)	Amount Disallowed, Past Claims
	(\$106,051.07)	Deductible/Co-Payment Satisfied to Date
	(\$845,643.67)	Amount Paid to Date
SUB TOTAL	<u>\$17,616.68</u>	Amount Requested this Meeting
	(\$1,761.67)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$15,855.01</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/04/2021 and 08/27/2021

Summary of work completed: Project Management, scheduling and client invoicing, SVE/AS system quarterly permit reporting, prepare petroleum fund claim packages. Complete site closure and restoration activities including terminating the NPDES and NDWR permits, coordinating with the CLV to obtain an encroachment permit and schedule inspections to resurface wells located in the right-of-way, coordinating traffic control and utility clearance, and complete the well abandonment and remediation system removal fieldwork. Complete the well abandonment and site restoration report.

Site Summary Report

Case Number: 1997000071 Site Name: 7eleven #25586

Site Status

Synopsis: CASE PREVIOUSLY DENIED - GRANTED COVERAGE BASED ON NEW INFORMATION. CONTAMINATION FOUND DURING UST REMOVAL. 1/2 PAID THROUGH CASE #2013000003 UNTIL SEPTEMBER 30, 2019 WHEN CASES WERE MERGED TOGETHER. SITE REMEDIATION IS OCCURRING AS ONE PROJECT, CASES COMBINED TO FUND THE SITE APPROPRIATELY.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$1,080,508.22
Amount Disallowed	\$2,380.80
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,761.67
Copay/Deductible	\$106,051.07
Amount Recommended	\$970,314.68
Amount Paid	\$954,459.67

Site Identification

Date Submitted:	12/18/2012	DEP Facility Number:	8-000615
Site Name	7eleven #25586	Telephone:	(702)731-1511
Site Contact	Amandeep Singh		
Site Address	1705 S. Las Vegas Blvd Las Vegas, NV 89104		
County:	Clark County		
Owner/Operator Name:	7-Eleven INC		
Contact Name of Owner/Operator:	Jennifer Dart 3200 Hackberry Road - Loc 0148 Irving, TX 75063	Telephone:	(817)235-0971
Prime Contractor	Stantec Consulting Services, Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	3010 West Charleston Boulevard Las Vegas, NV 89102		
Telephone:	(702)878-8010	% Board Reduction:	0.00

Site Characteristics

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

Case: #1998000075
Claim #: 80115

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$6,090.21 from the Petroleum Fund for cleanup costs.

	\$542,459.03	Amount Requested to Date
	(\$12,307.65)	Amount Disallowed, Past Claims
	(\$52,338.45)	Deductible/Co-Payment Satisfied to Date
	(\$471,046.03)	Amount Paid to Date
SUB TOTAL	<u>\$6,766.90</u>	Amount Requested this Meeting
	(\$676.69)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$6,090.21</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/31/2021 and 09/30/2021

Summary of work completed: prepare well install NTEP, solicit bids for install and prepare bid summary. project management, prepare and submit 2nd QTR gmr and SPF documentation, conduct 3rd qtr sampling event, secure access agreement from neighboring property, coordinate monitoring well installation

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	\$542,459.03
Amount Disallowed	\$12,307.65
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$676.69
Copay/Deductible	\$52,338.45
Amount Recommended	\$477,136.24
Amount Paid	\$471,046.03

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 #: 80117

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$4,524.04 from the Petroleum Fund for cleanup costs.

	\$1,082,052.25	Amount Requested to Date
	(\$65,152.93)	Amount Disallowed, Past Claims
	(\$71,518.04)	Board Reduction, Past Claims
	(\$94,034.48)	Deductible/Co-Payment Satisfied to Date
	(\$805,024.74)	Amount Paid to Date
SUB TOTAL	<u>\$5,036.71</u>	Amount Requested this Meeting
	(\$10.00)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$5,026.71</u>	
	(\$502.67)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$4,524.04</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/31/2021 and 09/30/2021

Summary of work completed: Coordinate and conduct 3rd QTR groundwater sampling event, begin preparation of 3rd QTR groundwater monitoring report, prepare petroleum fund documentation, prepare 2nd GMR, project management and client communication.

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)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,625,400.00
Amount Requested	\$1,082,052.25
Amount Disallowed	\$65,162.93
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$71,518.04
Pending Copay/Deductible	\$502.67
Copay/Deductible	\$94,034.48
Amount Recommended	\$850,834.13
Amount Paid	\$846,310.09

Site Identification

Date Submitted:	09/10/1998	DEP Facility Number:	6-000009
Site Name	Pit Stop #7 Conoco	Telephone:	(775)738-3835
Site Contact	Galen Schorsch		
Site Address	1600 Idaho St Elko, NV 89801		
County:	Elko County		
Owner/Operator Name:	AL Park Petroleum INC		
Contact Name of Owner/Operator:	Galen Schorsch PO Box 1600 Elko, NV 89803	Telephone:	(775)738-3835
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
001	10000	Closed	Regulated UST	See Synopsis

Case: #1999000022
Claim #: 80099

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$4,083.75 from the Petroleum Fund for cleanup costs.

	\$1,465,455.92	Amount Requested to Date
	(\$50,600.27)	Amount Disallowed, Past Claims
	(\$141,031.81)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,203,993.42)</u>	Amount Paid to Date
SUB TOTAL	\$4,537.50	Amount Requested this Meeting
	<u>(\$453.75)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$4,083.75	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/12/2021 and 09/01/2021

Summary of work completed: Preparation of groundwater monitoring reports; laboratory analysis of samples collected during 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)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$1,465,455.92
Amount Disallowed	\$50,600.27
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$453.75
Copay/Deductible	\$141,031.81
Amount Recommended	\$1,273,370.09
Amount Paid	\$1,269,286.34

Site Identification

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

Site Characteristics

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

Case: #1999000086
Claim #: 80096

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$10,936.60 from the Petroleum Fund for cleanup costs.

	\$1,741,206.06	Amount Requested to Date
	(\$89,446.70)	Amount Disallowed, Past Claims
	(\$163,960.78)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,418,163.77)</u>	Amount Paid to Date
SUB TOTAL	\$12,151.78	Amount Requested this Meeting
	<u>(\$1,215.18)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$10,936.60	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 08/01/2021 and 10/01/2021

Summary of work completed: Semi-annual groundwater monitoring, sampling, and reporting; preparation and submittal of work plan; preparation and submittal 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)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$1,741,206.06
Amount Disallowed	\$89,446.70
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,215.18
Copay/Deductible	\$163,960.78
Amount Recommended	\$1,486,583.40
Amount Paid	\$1,475,646.80

Site Identification

Date Submitted:	05/24/1999	DEP Facility Number:	8-000657
Site Name	Terrible Herbst #126	Telephone:	(702)876-3474
Site Contact			
Site Address	1195 E Sahara Ave Las Vegas, NV 89104		
County:	Clark County		
Owner/Operator Name:	Terrible Herbst Oil Company INC		
Contact Name of Owner/Operator:	Bob Laszcik 5195 Las Vegas Blvd South Las Vegas, NV 89119	Telephone:	(702)876-3474
Prime Contractor	The Westmark Group		
Contact Name	Kathleen Johnson		
Contractor Address	7145 South Buffalo Drive, Suite C105 Las Vegas, NV 89113		
Telephone:	(702)305-2650	% Board Reduction:	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 #: 80097

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$1,639.13 from the Petroleum Fund for cleanup costs.

	\$2,798,747.02	Amount Requested to Date
	(\$154,624.02)	Amount Disallowed, Past Claims
	(\$264,230.17)	Deductible/Co-Payment Satisfied to Date
	(\$2,326,046.17)	Amount Paid to Date
SUB TOTAL	<u>\$1,821.25</u>	Amount Requested this Meeting
	(\$182.12)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$1,639.13</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/30/2021 and 09/01/2021

Summary of work completed: Semi-annual report preparation, 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)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,700,000.00
Amount Requested	\$2,798,747.02
Amount Disallowed	\$154,624.02
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$182.12
Copay/Deductible	\$264,230.17
Amount Recommended	\$2,379,710.71
Amount Paid	\$2,378,071.58

Site Identification

Date Submitted:	07/30/1999	DEP Facility Number:	8-000655
Site Name	Terrible Herbst #118		
Site Contact		Telephone:	
Site Address	3650 W Sahara Ave Las Vegas, NV 89102		
County:	Clark County		
Owner/Operator Name:	Terrible Herbst Oil Company INC		
Contact Name of Owner/Operator:	Bob Laszcik 5195 Las Vegas Blvd. South Las Vegas, NV 89119	Telephone:	(702)798-6400
Prime Contractor	The Westmark Group		
Contact Name	Kathleen Johnson		
Contractor Address	7145 South Buffalo Drive, Suite C105 Las Vegas, NV 89113		
Telephone:	(702)305-2650	% Board Reduction:	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: #1999000199
Claim #: 79844

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$64,499.73 from the Petroleum Fund for cleanup costs.

	\$3,403,755.46	Amount Requested to Date
	(\$4,326.64)	Amount Disallowed, Past Claims
	(\$50,000.00)	Deductible/Co-Payment Satisfied to Date
	<u>(\$3,250,306.50)</u>	Amount Paid to Date
SUB TOTAL	\$64,499.73	Amount Requested this Meeting
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$64,499.73</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/31/2020 and 10/22/2021

Summary of work completed: Project management & client communications. Prepare bid cert. & summaries for well abandonment & site restoration. Prepare petroleum fund documentation. Remove MW Wells, coordinate and oversee final well vault removal, remove remediation system

Site Summary Report

Case Number: 1999000199 Site Name: Lakeshore Orbit Station

Site Status

Synopsis: COVERAGE FOR GASOLINE RELEASE GRANTED ON 7-3-01. COVERAGE FOR 4 ADDITIONAL RELEASES FROM GASOLINE AND DIESEL SYSTEMS GRANTED ON 7-17-07. CORRODED STEEL PRODUCT PIPING.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$5,000,000.00
Amount Fund Will Pay	\$4,950,000.00
Amount Requested	\$3,403,755.46
Amount Disallowed	\$4,326.64
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$50,000.00
Amount Recommended	\$3,349,428.82
Amount Paid	\$3,284,929.09

Site Identification

Date Submitted:	05/31/2001	DEP Facility Number:	4-000185
Site Name	Lakeshore Orbit Station	Telephone:	
Site Contact			
Site Address	560 Lakeshore Blvd Incline Village, NV 89451		
County:	Washoe County		
Owner/Operator Name:	Village Springs, LLC		
Contact Name of Owner/Operator:	Catherine Ferguson 774 Mays Boulevard Incline Village, NV 89451	Telephone:	(775)831-2322
Prime Contractor	McGinley & Associates		
Contact Name	Justin Fike		
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
010	12000	Closed	Regulated UST	See Synopsis
011	10000	49	Regulated UST	See Synopsis
012	7500	49	Regulated UST	See Synopsis
013	5000	49	Regulated UST	See Synopsis
014	5000	49	Regulated UST	See Synopsis

Case: #1999000243
Claim #: 80118

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$41,807.65 from the Petroleum Fund for cleanup costs.

	\$1,755,899.59	Amount Requested to Date
	(\$56,792.27)	Amount Disallowed, Past Claims
	(\$397,897.10)	Board Reduction, Past Claims
	(\$125,469.37)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,093,519.19)</u>	Amount Paid to Date
SUB TOTAL	\$46,516.55	Amount Requested this Meeting
	<u>(\$63.61)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$46,452.94	
	<u>(\$4,645.29)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$41,807.65	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 09/14/2020 and 03/26/2021

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)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,429,267.66
Amount Requested	\$1,755,899.59
Amount Disallowed	\$56,855.88
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$397,897.10
Pending Copay/Deductible	\$4,645.29
Copay/Deductible	\$125,469.37
Amount Recommended	\$1,171,031.95
Amount Paid	\$1,129,224.30

Site Identification

Date Submitted:	07/05/2002	DEP Facility Number:	8-001149
Site Name	7-Eleven #27607	Telephone:	(702)388-0940
Site Contact	Rich Davies		
Site Address	600 Las Vegas Blvd N Las Vegas, NV 89101		
County:	Clark County		
Owner/Operator Name:	7-Eleven INC		
Contact Name of Owner/Operator:	Jennifer Dart 3200 Hackberry Road - Loc 0148 Irving, TX 75063	Telephone:	(817)235-0971
Prime Contractor	Stantec Consulting Services, Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	3010 West Charleston Boulevard Las Vegas, NV 89102		
Telephone:	(702)878-8010	% Board Reduction:	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 #: 80125

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$3,174.75 from the Petroleum Fund for cleanup costs.

	\$2,222,766.11	Amount Requested to Date
	(\$24,345.03)	Amount Disallowed, Past Claims
	(\$183,131.02)	Board Reduction, Past Claims
	(\$201,176.25)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,747,541.69)</u>	Amount Paid to Date
SUB TOTAL	\$3,527.50	Amount Requested this Meeting
	<u>(\$352.75)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$3,174.75	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/31/2021 and 09/30/2021

Summary of work completed: Project management and client/regulator communication, Prepare closure presentation, Prepare petroleum fund documentation.

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)

Fund Coverage	\$4,084,500.00
Amount Fund Will Pay	\$3,676,050.00
Amount Requested	\$2,222,766.11
Amount Disallowed	\$24,345.03
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$183,131.02
Pending Copay/Deductible	\$352.75
Copay/Deductible	\$201,176.25
Amount Recommended	\$1,813,761.06
Amount Paid	\$1,810,586.31

Site Identification

Date Submitted:	10/03/2003	DEP Facility Number:	6-000329
Site Name	Wells Petro Truck Service	Telephone:	
Site Contact			
Site Address	174 Us-93 Wells, NV 89835		
County:	Elko County		
Owner/Operator Name:	Hpt Ta Properties Trust		
Contact Name of Owner/Operator:	Sarah Paulson 24601 Center Ridge Road Westlake, OH 44145	Telephone:	(440)808-4459
Prime Contractor	McGinley & Associates, Inc.		
Contact Name	Joseph McGinley		
Contractor Address	815 Maestro Drive 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
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 #: 80154

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$33,502.25 from the Petroleum Fund for cleanup costs.

	\$4,474,374.12	Amount Requested to Date
	(\$36,703.98)	Amount Disallowed, Past Claims
	(\$440,044.54)	Deductible/Co-Payment Satisfied to Date
	<u>(\$3,790,187.67)</u>	Amount Paid to Date
SUB TOTAL	\$37,224.72	Amount Requested this Meeting
	<u>(\$3,722.47)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$33,502.25	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 06/29/2021 and 10/06/2021

Summary of work completed: 2nd Quarter 2021 Groundwater Report Preparation, 3rd Quarter Groundwater Sampling Event, Groundwater Extraction Event, Connection of tubing at trailer injection points, Electrical power relocation design, Installation of locks on trailers, and meeting with contractor and NV Energy.

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)

Fund Coverage	\$6,000,000.00
Amount Fund Will Pay	\$5,400,000.00
Amount Requested	\$4,474,374.12
Amount Disallowed	\$36,703.98
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$3,722.47
Copay/Deductible	\$440,044.54
Amount Recommended	\$3,993,903.13
Amount Paid	\$3,960,400.88

Site Identification

Date Submitted:	11/30/2006	DEP Facility Number:	8-000204
Site Name	Former Ace Cab/frias Transportation		
Site Contact	Don Webb	Telephone:	(510)610-7667
Site Address	5010 S Valley View Blvd Las Vegas, NV 89118		
County:	Clark County		
Owner/Operator Name:	Raiders Oz Business, LLC		
Contact Name of Owner/Operator:	Greg Gilbert	Telephone:	(702)669-4600
	6623 Las Vegas Blvd S, Ste 380 Las Vegas, NV 89119		
Prime Contractor	Converse Consultants		
Contact Name	Kurt Goebel		
Contractor Address	6610 W. Arby, Suite 104 Las Vegas, NV 89118		
Telephone:	(702)271-6839 Ext: 2	% Board Reduction:	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	15	Regulated UST	Pipe
001	20000	24	Regulated UST	tank fill riser

Case: #2007000016
Claim #: 80124

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$3,655.13 from the Petroleum Fund for cleanup costs.

	\$615,036.97	Amount Requested to Date
	(\$1,126.49)	Amount Disallowed, Past Claims
	(\$60,984.92)	Deductible/Co-Payment Satisfied to Date
	(\$544,614.20)	Amount Paid to Date
SUB TOTAL	<u>\$4,061.25</u>	Amount Requested this Meeting
	(\$406.12)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$3,655.13</u>	Allowable Amount, this Board Meeting

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

Summary of work completed: Project management and client/regulator communication, Solicit bids for well installation, Meet with petroleum fund staff to discuss well installation reimbursement, Evaluate well data to determine new well locations, Prepare petroleum fund documentation, Prepare work plan update

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)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$615,036.97
Amount Disallowed	\$1,126.49
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$406.12
Copay/Deductible	\$60,984.92
Amount Recommended	\$552,519.44
Amount Paid	\$548,864.31

Site Identification

Date Submitted:	12/14/2006	DEP Facility Number:	4-000408
Site Name	Golden Gate Petroleum		
Site Contact	Graham Brown	Telephone:	(775)850-3010
Site Address	5190 Sun Valley Blvd Sun Valley, NV 89433		
County:	Washoe County		
Owner/Operator Name:	Golden Gate Petroleum Of Nevada LLC		
Contact Name of Owner/Operator:	Nacho Aguilar 16580 Wedge Parkway, Suite 300 Reno, NV 89511	Telephone:	(775)850-3010
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
024	10000	Closed	Regulated UST	See Synopsis
030	12000	30	Regulated UST	Connection to piping under UDC, Pipe

Case: #2009000020
Claim #: 79789

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$14,827.05 from the Petroleum Fund for cleanup costs.

	\$227,319.16	Amount Requested to Date
	(\$1,746.95)	Amount Disallowed, Past Claims
	(\$20,823.47)	Deductible/Co-Payment Satisfied to Date
	(\$187,411.24)	Amount Paid to Date
SUB TOTAL	<u>\$17,337.50</u>	Amount Requested this Meeting
	(\$863.00)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$16,474.50</u>	
	(\$1,647.45)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$14,827.05</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/31/2020 and 10/31/2020

Summary of work completed: Case closure activities including well abandonment and petroleum fund filing.

Site Summary Report

Case Number: 2009000020 Site Name: Battle Mountain Bulk Plant #3006/flyers #772

Site Status

Synopsis: RELEASE FROM CORROSION HOLE IN BOTTOM OF ABOVE-GROUND TANK

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$227,319.16
Amount Disallowed	\$2,609.95
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,647.45
Copay/Deductible	\$20,823.47
Amount Recommended	\$202,238.29
Amount Paid	\$187,411.24

Site Identification

Date Submitted:	02/26/2009	DEP Facility Number:	5-000289
Site Name	Battle Mountain Bulk Plant #3006/flyers #772		
Site Contact		Telephone:	
Site Address	345 N 1st St Battle Mountain, NV 89820		
County:	Lander County		
Owner/Operator Name:	Western Energetix LLC		
Contact Name of Owner/Operator:	Amanda Appelt	Telephone:	(530)885-0401 Ext: 2
	2360 Lindbergh Street Auburn, CA 95602		
Prime Contractor	Broadbent & Assoc. Inc.		
Contact Name	Jef Peake		
Contractor Address	5450 Louie Ln #101 Reno, NV 89511		
Telephone:	(775)322-7969	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	19323	81	Aboveground	See Synopsis

Case: #201000009
Claim #: 80123

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$22,457.78 from the Petroleum Fund for cleanup costs.

	\$1,238,494.59	Amount Requested to Date
	(\$58,518.84)	Amount Disallowed, Past Claims
	(\$112,692.46)	Board Reduction, Past Claims
	(\$103,955.75)	Deductible/Co-Payment Satisfied to Date
	(\$691,530.51)	Amount Paid to Date
SUB TOTAL	<u>\$27,725.65</u>	Amount Requested this Meeting
	(\$2,772.56)	Board Reduction, This Meeting
SUB TOTAL	<u>\$24,953.09</u>	
	(\$2,495.31)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$22,457.78</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 06/30/2021 and 10/19/2021

Summary of work completed: Project management and client communications, Conduct O&M on remediation system, Evaluate data and make adjustments as necessary, Prepare draft 2nd quarter GMR, Prepare petroleum fund documentation , Finalize and submit 2nd Qtr GMR, conduct 3rd quarter groundwater sampling event, begin preparation of 3rd quarter GMR

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)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,620,000.00
Amount Requested	\$1,238,494.59
Amount Disallowed	\$58,518.84
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$115,465.02
Pending Copay/Deductible	\$2,495.31
Copay/Deductible	\$103,955.75
Amount Recommended	\$958,059.67
Amount Paid	\$935,601.89

Site Identification

Date Submitted:	11/16/2009	DEP Facility Number:	5-000016
Site Name	Mill City Travel Center	Telephone:	(775)538-7311
Site Contact	Jack Burnett		
Site Address	6000 Frontage Rd Mill City, NV 89418		
County:	Pershing County		
Owner/Operator Name:	Hpt Ta Properties Trust		
Contact Name of Owner/Operator:	Sarah Paulson 24601 Center Ridge Road Westlake, OH 44145	Telephone:	(440)808-4459
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	5410 Longley Lane Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	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: #2011000009
Claim #: 80122

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$19,687.22 from the Petroleum Fund for cleanup costs.

	\$1,127,431.39	Amount Requested to Date
	(\$13,319.81)	Amount Disallowed, Past Claims
	(\$109,223.69)	Deductible/Co-Payment Satisfied to Date
	(\$874,991.89)	Amount Paid to Date
SUB TOTAL	<u>\$21,874.69</u>	Amount Requested this Meeting
	(\$2,187.47)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$19,687.22</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/29/2021 and 09/30/2021

Summary of work completed: Prepare draft 2nd QTR report, Conduct final 2nd QTR O&M visit, Prepare petroleum fund documentation, Project management and client communication, Conduct O&M on site remediation system, Evaluate data and pulsing efficacy, Finalize and submit 2nd quarter GMR, conduct 3rd quarter groundwater sample event, begin preparation of 3rd quarter 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)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,700,000.00
Amount Requested	\$1,127,431.39
Amount Disallowed	\$13,319.81
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$2,187.47
Copay/Deductible	\$109,223.69
Amount Recommended	\$998,163.52
Amount Paid	\$978,476.30

Site Identification

Date Submitted:	06/06/2011	DEP Facility Number:	6-000156
Site Name	Cimarron West		
Site Contact	John Carpenter	Telephone:	(775)738-9861
Site Address	1400 Mountain City Hwy Elko, NV 89801		
County:	Elko County		
Owner/Operator Name:	Cimarron West		
Contact Name of Owner/Operator:	Linda Meo P O Box 190 Elko, NV 89803	Telephone:	(775)738-9861
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
001	10000	Closed	Regulated UST	See Synopsis
002	10000	36	Regulated UST	See Synopsis
003	6000	36	Regulated UST	See Synopsis

Case: #2012000017
Claim #: 80121

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$1,982.57 from the Petroleum Fund for cleanup costs.

	\$441,183.24	Amount Requested to Date
	(\$1,997.97)	Amount Disallowed, Past Claims
	(\$10,250.00)	Deductible/Co-Payment Satisfied to Date
	(\$415,108.61)	Amount Paid to Date
SUB TOTAL	<u>\$1,982.57</u>	Amount Requested this Meeting
	\$0.00	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$1,982.57</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/27/2021 and 09/30/2021

Summary of work completed: Project management and client communication, prepare petroleum fund documentation, review 2nd quarter data, NDEP communication.

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	\$441,183.24
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	\$428,926.27
Amount Paid	\$426,943.70

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: #2013000004
Claim #: 80095

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$16,507.77 from the Petroleum Fund for cleanup costs.

	\$463,013.35	Amount Requested to Date
	(\$1,108.98)	Amount Disallowed, Past Claims
	(\$44,356.23)	Deductible/Co-Payment Satisfied to Date
	(\$342,403.39)	Amount Paid to Date
SUB TOTAL	<u>\$18,341.97</u>	Amount Requested this Meeting
	(\$1,834.20)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$16,507.77</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 08/05/2020 and 07/01/2021

Summary of work completed: Project management, scheduling, client invoicing, annual HASP and NTEP preparation, quarterly monitoring, sampling and reporting, prepare petroleum fund claim packages and coordinate waste disposal. Complete the extended pilot test event field activities, prepare the associated report, negotiate data evaluation methods with the NDEP and revise the report based on NDEP's request and preliminary review.

Site Summary Report

Case Number: 2013000004 Site Name: 7-Eleven #29665

Site Status

Synopsis: ON 10/28/11 TANK #3 REPORTED A TEST FAIL ALARM. ON 10/31/11, THE TANK FAILED A PRECISION TIGHTNESS TEST. ON 11/2/11, THE TANK WAS PUMPED. TANK WAS CLOSED IN PLACE ON 2/1/12.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$463,013.35
Amount Disallowed	\$1,108.98
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,834.20
Copay/Deductible	\$44,356.23
Amount Recommended	\$415,713.94
Amount Paid	\$399,206.17

Site Identification

Date Submitted:	11/01/2012	DEP Facility Number:	8-000421
Site Name	7-Eleven #29665	Telephone:	(972)828-8968
Site Contact	Jose Rios		
Site Address	6310 E Lake Mead Blvd Las Vegas, NV 89156		
County:	Clark County		
Owner/Operator Name:	7-Eleven INC		
Contact Name of Owner/Operator:	Jennifer Dart	Telephone:	(817)235-0971
	3200 Hackberry Road - Loc 0148 Irving, TX 75063		
Prime Contractor	Stantec Consulting Services, Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	3010 West Charleston Boulevard Las Vegas, NV 89102		
Telephone:	(702)878-8010	% Board Reduction:	0.00

Site Characteristics

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

Case: #2013000019
Claim #: 80120

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$22,981.06 from the Petroleum Fund for cleanup costs.

	\$1,174,993.08	Amount Requested to Date
	(\$45,263.91)	Amount Disallowed, Past Claims
	(\$110,419.46)	Deductible/Co-Payment Satisfied to Date
	(\$703,330.07)	Amount Paid to Date
SUB TOTAL	<u>\$25,534.51</u>	Amount Requested this Meeting
	(\$2,553.45)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$22,981.06</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/16/2021 and 10/07/2021

Summary of work completed: Prepare petroleum fund documentation, Draft 2Q groundwater monitoring report, Project management and client communication, Conduct O&M on remediation system, Evaluate data and make adjustments as necessary, Finalize and submit 2nd Qtr GMR, Conduct 3rd quarter groundwater sampling event, begin preparation of 3rd Qtr GMR

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)

Fund Coverage	\$6,000,000.00
Amount Fund Will Pay	\$5,400,000.00
Amount Requested	\$1,174,993.08
Amount Disallowed	\$45,263.91
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$2,553.45
Copay/Deductible	\$110,419.46
Amount Recommended	\$1,015,938.02
Amount Paid	\$992,956.96

Site Identification

Date Submitted:	08/16/2013	DEP Facility Number:	6-000103
Site Name	Elko Sinclair #53	Telephone:	(801)298-3409
Site Contact	Dennis Haggard		
Site Address	1790 Idaho St Elko, NV 89801		
County:	Elko County		
Owner/Operator Name:	Hardy Enterprises INC		
Contact Name of Owner/Operator:	Dennis Haggard P.O. Box 248 Bountiful, UT 84011	Telephone:	(801)298-1180
Prime Contractor	McGinley & Associates		
Contact Name	Justin Fike		
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
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: #2013000021
Claim #: 80102

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$6,358.50 from the Petroleum Fund for cleanup costs.

	\$286,040.70	Amount Requested to Date
	(\$241.77)	Amount Disallowed, Past Claims
	(\$27,873.40)	Deductible/Co-Payment Satisfied to Date
	(\$238,970.07)	Amount Paid to Date
SUB TOTAL	<u>\$7,065.00</u>	Amount Requested this Meeting
	(\$706.50)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$6,358.50</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 10/16/2020 and 08/27/2021

Summary of work completed: Project management, scheduling and client invoicing, reimbursement package preparation, annual HASP and NTEP preparation. Receive a preliminary NFA from the NDEP. Coordinating site closure and restoration activities including preparing for well abandonment, securing an encroachment permit for one well in the right-of-way and coordinating traffic control. Prepare the drilling contractor request for bid package, evaluate submittals, award the contract and request a three bid waiver from the NDEP. Scheduling and coordinating permit approval with the drilling contractor.

Site Summary Report

Case Number: 2013000021 Site Name: 7-Eleven #27700

Site Status

Synopsis: ALARM, FOLLOWED BY TIGHTNESS TEST FAILURE. SOIL & GW CONTAMINATION DISCOVERED.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,700,000.00
Amount Requested	\$286,040.70
Amount Disallowed	\$241.77
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$706.50
Copay/Deductible	\$27,873.40
Amount Recommended	\$257,219.03
Amount Paid	\$250,860.53

Site Identification

Date Submitted:	06/05/2013	DEP Facility Number:	8-001357
Site Name	7-Eleven #27700	Telephone:	(702)798-3039
Site Contact	Suzanne Hessey		
Site Address	5110 S Maryland Pkwy Las Vegas, NV 89119		
County:	Clark County		
Owner/Operator Name:	7-Eleven INC		
Contact Name of Owner/Operator:	Jennifer Dart	Telephone:	(817)235-0971
	3200 Hackberry Road - Loc 0148 Irving, TX 75063		
Prime Contractor	Stantec Consulting Services, Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	3010 West Charleston Boulevard Las Vegas, NV 89102		
Telephone:	(702)878-8010	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	Closed	Regulated UST	Tank, None
002	10000	35	Regulated UST	Tank, None
003	10000	35	Regulated UST	See Synopsis

Case: #2014000004
Claim #: 80148

STAFF RECOMMENDATION

December 09, 2021

Staff recommends this claim be reimbursed \$14,175.50 from the Petroleum Fund for cleanup costs.

	\$1,541,769.29	Amount Requested to Date
	(\$8,783.02)	Amount Disallowed, Past Claims
	(\$151,723.61)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,226,271.55)</u>	Amount Paid to Date
SUB TOTAL	\$15,750.56	Amount Requested this Meeting
	<u>(\$1,575.06)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$14,175.50	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/29/2021 and 10/19/2021

Summary of work completed: Coordinate and conduct 3rd quarter groundwater sampling, draft 2nd quarter groundwater monitoring report, prepare petroleum fund documentation, coordinate purge water disposal, finalize and submit 2nd quarter GMR to NDEP, coordinate purge water disposal, coordinate 4th quarter sampling event.

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)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$1,541,769.29
Amount Disallowed	\$8,783.02
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,575.06
Copay/Deductible	\$151,723.61
Amount Recommended	\$1,379,687.60
Amount Paid	\$1,365,512.10

Site Identification

Date Submitted:	08/02/2013	DEP Facility Number:	5-000283
Site Name	Broadway Colt Service Center		
Site Contact	Damon Borden	Telephone:	(509)710-7749
Site Address	660 W Front St Battle Mountain, NV 89820		
County:	Lander County		
Owner/Operator Name:	Alsaker Corp		
Contact Name of Owner/Operator:	Damon Borden	Telephone:	(509)710-7749
	6409 E. Sharp Ave Spokane Valley, WA 99212		
Prime Contractor	McGinley & Associates		
Contact Name	Justin Fike		
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
001	20000	44	Aboveground	See Synopsis
002	20000	54	Aboveground	See Synopsis

Case: #2014000007
Claim #: 80094

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$14,937.69 from the Petroleum Fund for cleanup costs.

	\$309,891.13	Amount Requested to Date
	(\$1,427.63)	Amount Disallowed, Past Claims
	(\$29,186.61)	Deductible/Co-Payment Satisfied to Date
	(\$248,864.44)	Amount Paid to Date
SUB TOTAL	<u>\$16,597.43</u>	Amount Requested this Meeting
	(\$1,659.74)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$14,937.69</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 11/02/2020 and 08/17/2021

Summary of work completed: 2020 - Project management, scheduling and client invoicing, quarterly monitoring, sampling and reporting, semi-annual UIC reporting, prepare Petroleum Fund reimbursement claims, waste disposal, annual NTEP and HASP preparation. Complete preparing the additional site assessment report. 2021 - Project management, scheduling and client invoicing, quarterly monitoring, sampling and reporting, semi-annual UIC reporting, prepare Petroleum Fund reimbursement claims, waste disposal, annual NTEP and HASP preparation. Preparing elements of the CSM report.

Site Summary Report

Case Number: 201400007 Site Name: 7-Eleven #29658

Site Status

Synopsis: REMOVAL OF TANKS REPORTEDLY DEMONSTRATED EVIDENCE OF FAILURES.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$309,891.13
Amount Disallowed	\$1,427.63
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,659.74
Copay/Deductible	\$29,186.61
Amount Recommended	\$277,617.15
Amount Paid	\$262,679.46

Site Identification

Date Submitted:	08/16/2013	DEP Facility Number:	8-001345
Site Name	7-Eleven #29658	Telephone:	(702)732-1361
Site Contact	Frank Higgins		
Site Address	3716 S Paradise Rd Las Vegas, NV 89169		
County:	Clark County		
Owner/Operator Name:	7-Eleven INC		
Contact Name of Owner/Operator:	Jennifer Dart	Telephone:	(817)235-0971
	3200 Hackberry Road - Loc 0148 Irving, TX 75063		
Prime Contractor	Stantec Consulting Services, Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	3010 West Charleston Boulevard Las Vegas, NV 89102		
Telephone:	(702)878-8010	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
004	10000	Closed	Regulated UST	See Synopsis

Case: #2014000016
Claim #: 80116

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$4,264.00 from the Petroleum Fund for cleanup costs.

	\$464,921.02	Amount Requested to Date
	(\$15.00)	Amount Disallowed, Past Claims
	(\$46,016.83)	Deductible/Co-Payment Satisfied to Date
	(\$391,197.60)	Amount Paid to Date
SUB TOTAL	<u>\$4,737.78</u>	Amount Requested this Meeting
	(\$473.78)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$4,264.00</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/09/2021 and 09/30/2021

Summary of work completed: Project management and client communication, Prepare 2nd quarter GMR, Prepare petroleum fund documentation, Coordinate purge water disposal, Coordinate and conduct 3rd quarter groundwater sampling event, Finalize and submit 2nd quarter 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)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$464,921.02
Amount Disallowed	\$15.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$473.78
Copay/Deductible	\$46,016.83
Amount Recommended	\$418,415.41
Amount Paid	\$414,151.41

Site Identification

Date Submitted:	11/18/2013	DEP Facility Number:	5-000228
Site Name	Former Smedley's Chevron	Telephone:	(775)423-5454
Site Contact	Ms. Fran Smitten		
Site Address	1625 West Williams Ave. Fallon, NV 89406		
County:	Churchill County		
Owner/Operator Name:	Smitten Oil And Tire CO INC		
Contact Name of Owner/Operator:	Fran Smitten P.O. Box 1235 Fallon, NV 89407	Telephone:	(775)423-5454
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
001	12000	Closed	Regulated UST	See Synopsis

Case: #2014000025
Claim #: 80119

STAFF RECOMMENDATION

December 09, 2021

Staff recommends this claim be reimbursed \$27,531.26 from the Petroleum Fund for cleanup costs.

	\$1,590,237.32	Amount Requested to Date
	(\$27,592.48)	Amount Disallowed, Past Claims
	(\$21,457.21)	Board Reduction, Past Claims
	(\$151,059.74)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,046,399.66)</u>	Amount Paid to Date
SUB TOTAL	\$30,590.29	Amount Requested this Meeting
	<u>(\$3,059.03)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$27,531.26	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/20/2021 and 10/20/2021

Summary of work completed: Project management and client communication, Conduct O&M on remediation system, Evaluate data and make adjustments as necessary, Prepare 2nd Half NTEP, Conduct 3rd quarter groundwater sampling event, Prepare final 2nd quarter GMR & submit to NDEP, Prepare petroleum fund documentation, Coordinate purge water disposal, conduct site visit with NDEP

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)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,571,423.01
Amount Requested	\$1,590,237.32
Amount Disallowed	\$27,592.48
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$21,457.21
Pending Copay/Deductible	\$3,059.03
Copay/Deductible	\$151,059.74
Amount Recommended	\$1,385,934.41
Amount Paid	\$1,358,403.15

Site Identification

Date Submitted:	02/24/2014	DEP Facility Number:	2-000075
Site Name	Silver City Rv Resort		
Site Contact	Marci Appleton	Telephone:	(775)267-3359
Site Address	3165 Us Highway 395 N Minden, NV 89423		
County:	Douglas County		
Owner/Operator Name:	Superior Campgrounds Of America, LLC		
Contact Name of Owner/Operator:	Tom Day Sr. 265 N. Joy Street Corona, CA 92879	Telephone:	(909)241-7700
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
001	8000	Closed	Regulated UST	See Synopsis
004	15000	21	Regulated UST	Pipe
002	8000	38	Regulated UST	Pipe

Case: #2015000009
Claim #: 80153

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$2,076.75 from the Petroleum Fund for cleanup costs.

	\$178,437.29	Amount Requested to Date
	(\$1,757.25)	Amount Disallowed, Past Claims
	(\$17,437.25)	Deductible/Co-Payment Satisfied to Date
	(\$146,238.38)	Amount Paid to Date
SUB TOTAL	<u>\$2,307.50</u>	Amount Requested this Meeting
	(\$230.75)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$2,076.75</u>	Allowable Amount, this Board Meeting

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

Summary of work completed: Discussion with NV Energy regarding electrical drop, Begin bid packages for remediation system, Communications with the NDEP, Prepare petroleum fund documentation, Coordinate/Attempt to communication with NV Energy regarding pedestal installation

Site Summary Report

Case Number: 201500009 Site Name: Las Vegas Travel Center

Site Status

Synopsis: LEAK IN CONVEYANCE PIPING LEADING FROM THE TANK SYSTEM TO THE DISPENSERS.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$178,437.29
Amount Disallowed	\$1,757.25
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$230.75
Copay/Deductible	\$17,437.25
Amount Recommended	\$159,012.04
Amount Paid	\$156,935.29

Site Identification

Date Submitted:	03/02/2015	DEP Facility Number:	8-000732
Site Name	Las Vegas Travel Center	Telephone:	(440)808-4459
Site Contact	Sarah Paulson		
Site Address	8050 Dean Martin Dr Las Vegas, NV 89139		
County:	Clark County		
Owner/Operator Name:	Hpt Ta Properties Trust		
Contact Name of Owner/Operator:	Sarah Paulson 24601 Center Ridge Road, Suite 200 Westlake, OH 44145	Telephone:	(440)808-4459
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
6322-1	20000	48	Regulated UST	See Synopsis
6322-2	10000	48	Regulated UST	Pipe

Case: #2016000005
Claim #: 80114

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$2,758.04 from the Petroleum Fund for cleanup costs.

	\$173,549.64	Amount Requested to Date
	(\$725.05)	Amount Disallowed, Past Claims
	(\$16,976.00)	Deductible/Co-Payment Satisfied to Date
	(\$150,147.97)	Amount Paid to Date
SUB TOTAL	<u>\$3,064.49</u>	Amount Requested this Meeting
	(\$306.45)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$2,758.04</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/09/2021 and 10/21/2021

Summary of work completed: Project management and client communication, Coordinate and conduct 3rd quarter groundwater sampling, Prepare petroleum fund documentation, Finalize and submit 2nd QTR GMR, coordinate purge water disposal.

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)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,700,000.00
Amount Requested	\$173,549.64
Amount Disallowed	\$725.05
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$306.45
Copay/Deductible	\$16,976.00
Amount Recommended	\$155,542.14
Amount Paid	\$152,784.10

Site Identification

Date Submitted:	02/24/2016	DEP Facility Number:	5-000228
Site Name	Golden Gate Petroleum 65 - Fallon		
Site Contact	Nacho Aguilar	Telephone:	(775)850-3010
Site Address	1625 West Williams Ave. Fallon, NV 89406		
County:	Churchill County		
Owner/Operator Name:	Golden Gate S.e.t. Retail Of Nevada LLC		
Contact Name of Owner/Operator:	Nacho Aguilar	Telephone:	(775)850-3010
	16580 Wedge Parkway #300 Reno, NV 89511		
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
001	12000	Closed	Regulated UST	See Synopsis
002	12000	29	Regulated UST	See Synopsis
003	10000	29	Regulated UST	See Synopsis

Case: #2016000012
Claim #: 80144

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$6,355.16 from the Petroleum Fund for cleanup costs.

	\$230,903.37	Amount Requested to Date
	(\$425.50)	Amount Disallowed, Past Claims
	(\$22,341.65)	Deductible/Co-Payment Satisfied to Date
	(\$142,585.08)	Amount Paid to Date
SUB TOTAL	<u>\$7,061.29</u>	Amount Requested this Meeting
	(\$706.13)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$6,355.16</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/07/2021 and 09/30/2021

Summary of work completed: Project management; quarterly groundwater monitoring and report preparation; 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)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$230,903.37
Amount Disallowed	\$425.50
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$706.13
Copay/Deductible	\$22,341.65
Amount Recommended	\$207,430.09
Amount Paid	\$201,074.93

Site Identification

Date Submitted:	07/22/2016	DEP Facility Number:	8-000683
Site Name	Mr Ds Fastlane		
Site Contact	David Larson	Telephone:	(702)564-5695
Site Address	432 S Boulder Hwy Henderson, NV 89015		
County:	Clark County		
Owner/Operator Name:	DLF Corporation		
Contact Name of Owner/Operator:	David Larson	Telephone:	(702)564-5695
	432 S. Boulder Highway Henderson, NV 89015		
Prime Contractor	Broadbent & Associates, Inc.		
Contact Name	William Wiggins		
Contractor Address	8 West 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
003	10000	Closed	Regulated UST	Tank
002	10000	38	Regulated UST	Tank

Case: #2016000023
Claim #: 80113

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$5,978.02 from the Petroleum Fund for cleanup costs.

	\$826,540.71	Amount Requested to Date
	(\$59,275.63)	Amount Disallowed, Past Claims
	(\$151,792.47)	Board Reduction, Past Claims
	(\$60,716.99)	Deductible/Co-Payment Satisfied to Date
	(\$504,169.75)	Amount Paid to Date
SUB TOTAL	<u>\$8,302.80</u>	Amount Requested this Meeting
	(\$1,660.56)	Board Reduction, This Meeting
SUB TOTAL	<u>\$6,642.24</u>	
	(\$664.22)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$5,978.02</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 06/15/2021 and 09/30/2021

Summary of work completed: Finalize and submit 1st Half GMR, Project management and client communications, Conduct O&M on LNAPL system, Prepare petroleum fund documentation, draft 1st half GMR.

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)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$720,000.00
Amount Requested	\$826,540.71
Amount Disallowed	\$59,275.63
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$153,453.03
Pending Copay/Deductible	\$664.22
Copay/Deductible	\$60,716.99
Amount Recommended	\$552,430.84
Amount Paid	\$546,452.82

Site Identification

Date Submitted:	09/19/2016	DEP Facility Number:	6-000317
Site Name	Pit Stop #1		
Site Contact	Galen Schorsch	Telephone:	(775)738-3835
Site Address	275 12th St Elko, NV 89801		
County:	Elko County		
Owner/Operator Name:	AL Park Petroleum INC		
Contact Name of Owner/Operator:	Galen Schorsch PO Box 1600 Elko, NV 89803	Telephone:	(775)738-3835
Prime Contractor	McGinley & Associates		
Contact Name	Caitlin Jelle		
Contractor Address	5410 Longley Lane Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	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: #2016000027
Claim #: 80098

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$6,862.92 from the Petroleum Fund for cleanup costs.

	\$357,534.92	Amount Requested to Date
	(\$916.70)	Amount Disallowed, Past Claims
	(\$62,049.53)	Board Reduction, Past Claims
	(\$28,609.58)	Deductible/Co-Payment Satisfied to Date
	(\$96,035.10)	Amount Paid to Date
SUB TOTAL	<u>\$8,472.75</u>	Amount Requested this Meeting
	(\$847.28)	Board Reduction, This Meeting
SUB TOTAL	<u>\$7,625.47</u>	
	(\$762.55)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$6,862.92</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 08/01/2021 and 10/01/2021

Summary of work completed: Quarterly groundwater monitoring, sampling, and reporting; preparation and submittal of Fund proof of payment documentation and Fund claim packet preparation 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 SSBDC2017-03 THE 40% COVERAGE REDUCTION FOR THE SINGLE RELEASE WILL BE WEIGHTED EQU...

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$4,000,000.00
Amount Fund Will Pay	\$3,240,000.00
Amount Requested	\$357,534.92
Amount Disallowed	\$916.70
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$62,896.81
Pending Copay/Deductible	\$762.55
Copay/Deductible	\$28,609.58
Amount Recommended	\$288,860.76
Amount Paid	\$281,997.84

Site Identification

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

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	10000	25	Regulated UST	Pipe
001	15000	25	Regulated UST	Pipe
002	10000	25	Regulated UST	Pipe
001	15000	25	Regulated UST	See Synopsis

Case: #2018000009
Claim #: 80111

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$9,505.08 from the Petroleum Fund for cleanup costs.

	\$272,020.76	Amount Requested to Date
	(\$1,151.04)	Amount Disallowed, Past Claims
	(\$26,030.86)	Deductible/Co-Payment Satisfied to Date
	<u>(\$213,523.70)</u>	Amount Paid to Date
SUB TOTAL	\$10,561.20	Amount Requested this Meeting
	<u>(\$1,056.12)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$9,505.08	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/29/2021 and 10/07/2021

Summary of work completed: Project management and client communication, Coordinate and conduct 3rd quarter sampling event, Coordinate purge water disposal, Prepare petroleum fund documentation, prepare and submit 2nd quarter GMR

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)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$272,020.76
Amount Disallowed	\$1,151.04
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,056.12
Copay/Deductible	\$26,030.86
Amount Recommended	\$243,677.21
Amount Paid	\$234,172.13

Site Identification

Date Submitted:	05/25/2018	DEP Facility Number:	5-000378
Site Name	Pacific Pride		
Site Contact	Bryan Reed	Telephone:	(775)296-0155
Site Address	3600 W Winnemucca Blvd Winnemucca, NV 89445		
County:	Humboldt County		
Owner/Operator Name:	Reed Incorporated		
Contact Name of Owner/Operator:	Bryan Reed	Telephone:	(775)289-4463
	802 Avenue E Ely, NV 89301		
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	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: #2018000018
Claim #: 80069

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$76,190.62 from the Petroleum Fund for cleanup costs.

	\$441,282.24	Amount Requested to Date
	(\$10,323.98)	Amount Disallowed, Past Claims
	(\$123,082.84)	Board Reduction, Past Claims
	(\$15,043.46)	Deductible/Co-Payment Satisfied to Date
	(\$70,098.02)	Amount Paid to Date
SUB TOTAL	<u>\$157,440.83</u>	Amount Requested this Meeting
	(\$3,520.40)	Amount Disallowed this Meeting
	(\$69,264.19)	Board Reduction, This Meeting
SUB TOTAL	<u>\$84,656.24</u>	
	(\$8,465.62)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$76,190.62</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/28/2020 and 07/16/2021

Summary of work completed: This claim is for various activities associated with site investigation, monitoring, and remediation at Whiskey Pete's Stateline Stop. Work activities included preparation and submittal of various reports (Q1 through Q4 2020 Groundwater Monitoring Reports, Q1 through Q2 2021 Groundwater Monitoring Reports, SVE Pilot Test Work Plan, Conceptual Site Model, Corrective Action Plan, NSZD Work Plan, SVE Pilot Test Report, and SVE/biosparge design drawings and bid specifications). Field activities included quarterly groundwater monitoring between Q1 2020 and Q2 2021, SVE pilot testing (private utility locating, drilling, well and soil vapor probe construction, sampling, and pilot test activities), LNAPL recovery activities (absorbent sock deployment in wells with LNAPL, well gauging, and sock changeouts), and partial activities for the NSZD study (private utility locating, drilling, soil vapor probe construction, soil sampling, and groundwater and LNAPL sampling).

Site Summary Report

Case Number: 2018000018 **Site Name:** Whiskey Pete's Stateline Stop

Site Status

Synopsis: COVERAGE GRANTED FOR ONE 10,000 GALLON GASOLINE UST SYSTEM (87 SLAVE TANK) WITH A 25% REDUCTION, PLUS AN ADDITIONAL 20% COVERAGE REDUCTION DUE TO A NON-FUND ELIGIBLE RELEASE SOURCE THAT IS COMMINGLED WITH A FUND ELIGIBLE RELEASE SOURCE. THIS SITE IS ALSO RECEIVING CLEANUP COST REIMBURSEMENT FROM A THIRD PARTY INSURANCE CARRIER (AIG). THEY HAVE AGREED TO COVER 55% OF INVOICED CLEANUP COSTS. THE CUMULATIVE FUND REDUCTION OF 45% AND 10% CO-PAYMENT WILL BE APPLIED TO THE REMAINING 45% OF TOTAL INVOICED ELIGIBLE COSTS. REFER TO THE AGREEMENT ...

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$495,000.00
Amount Requested	\$441,282.24
Amount Disallowed	\$13,844.38
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$192,347.03
Pending Copay/Deductible	\$8,465.62
Copay/Deductible	\$15,043.46
Amount Recommended	\$211,581.75
Amount Paid	\$135,391.13

Site Identification

Date Submitted:	05/08/2019	DEP Facility Number:	8-000772
Site Name	Whiskey Pete's Stateline Stop	Telephone:	(702)679-7767
Site Contact	Mike Necas		
Site Address	100 W Primm Blvd Primm, NV 89019		
County:	Clark County		
Owner/Operator Name:	Primadonna Company LLC		
Contact Name of Owner/Operator:	Elizabeth Guth Affinity Gaming Las Vegas, NV 89135	Telephone:	(702)202-8565
Prime Contractor	Geosyntec Consultants, Inc.		
Contact Name	Lonnie Mercer		
Contractor Address	215 South State Street, Suite 500 Salt Lake City, UT 84111		
Telephone:	(801)448-3550	% Board Reduction:	45.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
005	10000	29	Regulated UST	Tank

Case: #2019000044
Claim #: 80110

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$17,037.87 from the Petroleum Fund for cleanup costs.

	\$18,930.97	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$18,930.97</u>	Amount Requested this Meeting
	<u>(\$1,893.10)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$17,037.87</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 10/02/2018 and 08/21/2019

Summary of work completed: Project management, client invoicing, field scheduling and complete preliminary assessment workplan preparation. Fieldwork preparation including drilling contractor bidding, utility clearance, fieldwork, NDWR well permit, drilling contractor bid package evaluation, award contract and coordinate field activities, coordinate waste disposal, report new confirmed release, prepare preliminary assessment and release response reports, negotiate with agencies on a forward path.

Site Summary Report

Case Number: 2019000044 Site Name: 7-Eleven #15829

Site Status

Synopsis: AUGUST 2018, PREMIUM TANK (TANK 1) FAILED TIGHTNESS TESTING, SOIL BORINGS CONFIRMED DISCHARGE. JULY 2020, FREE PRODUCT FOUND IN MONITORING WELL. AUGUST 2020 TANK 2 AND TANK 3 FAILED TIGHTNESS TESTING. DISCHARGE EMANATED FROM 3, 10,000-GALLON, REGULATED UNDERGROUND STORAGE TANK SYSTEMS, CONTAINING GASOLINE AT THE TIME OF RELEASE DISCOVERY. ALL 3 TANK SYSTEMS REMOVED FROM GROUND IN FEBRUARY 2021.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,700,000.00
Amount Requested	\$18,930.97
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,893.10
Copay/Deductible	\$0.00
Amount Recommended	\$17,037.87
Amount Paid	\$0.00

Site Identification

Date Submitted:	09/02/2021	DEP Facility Number:	8-000618
Site Name	7-Eleven #15829		
Site Contact	Satinderpa S. Padda	Telephone:	(702)452-1749
Site Address	10 N Nellis Blvd Las Vegas, NV 89110		
County:	Clark County		
Owner/Operator Name:	7-Eleven INC		
Contact Name of Owner/Operator:	Jennifer Dart PO Box 711 Dallas, TX 75221	Telephone:	(972)828-6592
Prime Contractor	Stantec Consulting Services, Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	3010 West Charleston Boulevard Las Vegas, NV 89102		
Telephone:	(702)878-8010	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	9728	Closed	Regulated UST	Tank
003	9728	35	Regulated UST	Tank
002	9728	35	Regulated UST	Tank

Case: #202000015
Claim #: 80145

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$23,521.58 from the Petroleum Fund for cleanup costs.

	\$230,001.96	Amount Requested to Date
	(\$852.00)	Amount Disallowed, Past Claims
	(\$74,234.35)	Board Reduction, Past Claims
	(\$11,135.15)	Deductible/Co-Payment Satisfied to Date
	(\$100,216.38)	Amount Paid to Date
SUB TOTAL	<u>\$43,564.08</u>	Amount Requested this Meeting
	(\$5.60)	Amount Disallowed this Meeting
	(\$17,423.39)	Board Reduction, This Meeting
SUB TOTAL	<u>\$26,135.09</u>	
	(\$2,613.51)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$23,521.58</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/02/2021 and 09/30/2021

Summary of work completed: Project management; well development; survey of new wells; quarterly groundwater monitoring and report preparation; weekly LNAPL gauging and recovery; preparation of an ESA report; and preparation of 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)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$540,000.00
Amount Requested	\$230,001.96
Amount Disallowed	\$857.60
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$91,657.74
Pending Copay/Deductible	\$2,613.51
Copay/Deductible	\$11,135.15
Amount Recommended	\$123,737.96
Amount Paid	\$100,216.38

Site Identification

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

Site Characteristics

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

Case: #202000016
Claim #: 80062

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$74,136.78 from the Petroleum Fund for cleanup costs.

	\$192,292.70	Amount Requested to Date
	(\$47.00)	Amount Disallowed, Past Claims
	(\$10,946.36)	Deductible/Co-Payment Satisfied to Date
	(\$62,797.36)	Amount Paid to Date
SUB TOTAL	<u>\$82,782.10</u>	Amount Requested this Meeting
	(\$407.90)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$82,374.20</u>	
	(\$8,237.42)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$74,136.78</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 09/01/2020 and 09/11/2021

Summary of work completed: Project management; preparation of an NTEP; updating of HASP; preparation of a work plan; soil boring and well installation; preparation of a groundwater monitoring report; coordination of well survey; groundwater monitoring; preparation of an additional characterization report; 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)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$192,292.70
Amount Disallowed	\$454.90
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$8,237.42
Copay/Deductible	\$10,946.36
Amount Recommended	\$172,654.02
Amount Paid	\$98,517.24

Site Identification

Date Submitted:	09/23/2020	DEP Facility Number:	8-000132
Site Name	Us Gas #7	Telephone:	(702)845-6951
Site Contact	Val Amiel		
Site Address	798 W Mesquite Blvd Mesquite, NV 89027		
County:	Clark County		
Owner/Operator Name:	LV Petroleum LLC	Telephone:	(702)683-8008
Contact Name of Owner/Operator:	Val Amiel 4495 W Hacienda Ave Las Vegas, NV 89008		
Prime Contractor	Broadbent & Associates		
Contact Name	Kyle Virva		
Contractor Address	12760 Stroh Ranch Way, Suite 101 Parker, CO 80134		
Telephone:	(561)309-1682	% Board Reduction:	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: #202000046
Claim #: 80064

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$17,237.62 from the Petroleum Fund for cleanup costs.

	\$85,353.72	Amount Requested to Date
	(\$21,372.88)	Board Reduction, Past Claims
	(\$3,205.93)	Deductible/Co-Payment Satisfied to Date
	(\$28,853.39)	Amount Paid to Date
SUB TOTAL	<u>\$31,921.52</u>	Amount Requested this Meeting
	(\$12,768.61)	Board Reduction, This Meeting
SUB TOTAL	<u>\$19,152.91</u>	
	(\$1,915.29)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$17,237.62</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 11/30/2020 and 09/30/2021

Summary of work completed: Project management; preparation of a ESA Work Plan; preparation of a HASP; drilling activities and installation of SVE-1; and preparation of Petroleum Fund documents.

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)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$540,000.00
Amount Requested	\$85,353.72
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$34,141.49
Pending Copay/Deductible	\$1,915.29
Copay/Deductible	\$3,205.93
Amount Recommended	\$46,091.01
Amount Paid	\$28,853.39

Site Identification

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

Site Characteristics

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

Case: #202100009
Claim #: 80106

STAFF RECOMMENDATION
December 09, 2021

Staff recommends this claim be reimbursed \$7,096.27 from the Petroleum Fund for cleanup costs.

	\$7,884.75	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$7,884.75</u>	Amount Requested this Meeting
	<u>(\$788.48)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$7,096.27</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/26/2021 and 08/27/2021

Summary of work completed: Project management, scheduling and client invoicing. Prepare the initial HASP and release response report. Additional site assessment workplan and fieldwork preparation including drilling contractor bidding, scheduling, NDWR well permit applications, and obtaining a waiver from the NDEP. Prepare the Petroleum Fund application for coverage, initial reimbursement package and NTEP.

Site Summary Report

Case Number: 2021000009 Site Name: 7-Eleven #27111

Site Status

Synopsis: DISCHARGE WAS DISCOVERED ON DECEMBER 22, 2020 DURING TANK REMOVAL ACTIVITIES. TANK FAILURE OF TWO 10,000-GALLON UNDERGROUND STORAGE TANKS CONTAINING GASOLINE WAS THE SOURCE OF THE RELEASE.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$7,884.75
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$788.48
Copay/Deductible	\$0.00
Amount Recommended	\$7,096.27
Amount Paid	\$0.00

Site Identification

Date Submitted:	05/11/2021	DEP Facility Number:	8-000629
Site Name	7-Eleven #27111	Telephone:	(702)876-9969
Site Contact	Noorullah Karimzada		
Site Address	6070 W Sahara Ave Las Vegas, NV 89146		
County:	Clark County		
Owner/Operator Name:	7-Eleven INC		
Contact Name of Owner/Operator:	Jennifer Dart PO Box 711 - Loc 148 Dallas, TX 75221	Telephone:	(972)828-6592
Prime Contractor	Stantec Consulting Services, Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	3010 West Charleston Boulevard Las Vegas, NV 89102		
Telephone:	(702)878-8010	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
002	10000	Closed	Regulated UST	Tank
003	10000	35	Regulated UST	Tank

**Agenda Item 8:
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.	2021000025; 80100 Michael Matheus: Michael Powell Matheus Residence	\$19,927.63	\$19,677.63
FOR DISCUSSION	2.	2021000028; 80107 Jonathon King: Jonathan H & Eve M King Family Trust Residential Heating Oil Tank	\$19,134.09	\$18,884.09
FOR DISCUSSION	3.	2021000029; 80108 Lucas & Amanda Stewart: Residential Heating Oil Tank, 14585 Rim Rock Road	\$21,442.12	\$21,192.12
FOR DISCUSSION	4.	2021000033; 80147 Elena Corpus: Residential Heating Oil Tank At 955 Belgrave Ave	\$14,926.76	\$14,676.76
FOR DISCUSSION	5.	2021000034; 80150 Marilyn Newton: Residential Heating Oil Tank At 340 Country Drive, Reno	\$17,519.09	\$17,269.09
			SUB TOTAL:	
			<u>\$92,949.69</u>	<u>\$91,699.69</u>
<u>ONGOING CASES</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	1993000102; 80133 Rebel Oil Company: Rebel Store #2008	\$70,323.31	\$70,323.31
FOR DISCUSSION	2.	1994000015; 80127 Pilger Family Holdings: Former D & G Oil Company	\$29,203.67	\$29,203.67
FOR DISCUSSION	3.	1999000023; 80135 Nevada Ready Mix Corp: Nevada Ready Mix	\$26,854.46	\$23,588.23
FOR DISCUSSION	4.	1999000066; 80136 HP Management, LLC: Former Haycock Petroleum	\$28,137.97	\$25,324.17
FOR DISCUSSION	5.	2008000019; 80063 One Panou LLC: Golden Market #3	\$15,897.31	\$13,983.07
FOR DISCUSSION	6.	2012000012; 80105 Las Vegas Land Acquisition 2020 Co., LLC: Green Valley Grocery #61	\$6,671.50	\$6,004.35
FOR DISCUSSION	7.	2013000009; 80128 Western Petroleum: Western Petroleum Of Nevada	\$8,473.25	\$7,625.93
FOR DISCUSSION	8.	2013000011; 80129 Har Moor Investments, LLC: Village Shop #4	\$18,209.38	\$16,388.44
FOR DISCUSSION	9.	2014000033; 80134 Speedee Mart INC: Speedee Mart #108	\$29,679.50	\$26,711.55
FOR DISCUSSION	10.	2017000019; 80139 Rebel Oil Company: Rebel Store #2197	\$20,426.18	\$18,383.56

FOR DISCUSSION	11.	2017000035; 80140	Rebel Oil Company: Rebel Store #2177	\$19,550.94	\$17,595.85
FOR DISCUSSION	12.	2018000005; 80137	Rebel Oil Company: Rebel Store # 2153	\$18,648.75	\$16,783.87
FOR DISCUSSION	13.	2019000001; 80138	Rebel Oil Company: Rebel Store #2160	\$3,837.50	\$3,453.75
FOR DISCUSSION	14.	2019000002; 80141	Rebel Oil Company: Rebel Store #2166	\$7,557.50	\$6,801.75
FOR DISCUSSION	15.	2019000005; 80132	Fairway Chevrolet Co: Fairway Chevrolet CO	\$6,293.25	\$5,663.93
FOR DISCUSSION	16.	2019000014; 80130	Western Cab Co: Western Cab CO	\$5,008.00	\$4,507.20
			SUB TOTAL:	<u>\$314,772.47</u>	<u>\$292,342.63</u>
			DIRECT PAYMENT CLAIMS TOTAL:	<u>\$407,722.16</u>	<u>\$384,042.32</u>
			BOARD MEETING CLAIMS TOTAL:	<u>\$1,317,808.78</u>	<u>\$1,121,200.86</u>

Case: #1993000102
Claim #: 80133

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 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.

	\$2,474,333.28	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	\$70,323.31	Amount Requested this Meeting
	<u>\$0.00</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$70,323.31	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 08/02/2021 and 09/27/2021

Summary of work completed: Project management and coordination, prepare and submit bid document, pick up supplies, prepare equipment and perform 56 hour straight remedial pilot test, includes pumping test and SVE test, water treatment, storage, testing, trucking, field report preparation, 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)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,970,000.00
Amount Requested	\$2,474,333.28
Amount Disallowed	\$27,274.04
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$30,000.00
Amount Recommended	\$2,428,273.49
Amount Paid	\$2,428,273.49

Site Identification

Date Submitted:	03/15/1993	DEP Facility Number:	8-000523
Site Name	Rebel Store #2008	Telephone:	(702)382-5866
Site Contact	Dana Cason Teepe		
Site Address	3225 Las Vegas Blvd N Las Vegas, NV 89115		
County:	Clark County		
Owner/Operator Name:	Rebel Oil Company	Telephone:	(702)382-5866 Ext: 2
Contact Name of Owner/Operator:	Dana Cason Teepe 2200 S Highland Drive Las Vegas, NV 89102		
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	10000	Closed	Regulated UST	See Synopsis
002	10000	40	Regulated UST	See Synopsis

Case: #1994000015
Claim #: 80127

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 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.

	\$1,976,042.02	Amount Requested to Date
	(\$77,127.09)	Amount Disallowed, Past Claims
	(\$20,000.00)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,341,540.43)</u>	Amount Paid to Date
SUB TOTAL	\$29,203.67	Amount Requested this Meeting
	<u>\$0.00</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$29,203.67	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/14/2021 and 09/30/2021

Summary of work completed: Project management, quarterly well monitoring and sampling, remedial well sampling, VES and GWTS monitoring and sampling, laboratory analysis, carbon change out services, quarterly status report 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)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,980,000.00
Amount Requested	\$1,976,042.02
Amount Disallowed	\$77,127.09
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$20,000.00
Amount Recommended	\$1,878,914.93
Amount Paid	\$1,878,914.93

Site Identification

Date Submitted:	02/04/1993	DEP Facility Number:	8-000147
Site Name	Former D & G Oil Company	Telephone:	(760)447-5192
Site Contact	Pilger, Jessica		
Site Address	6176 Las Vegas Blvd Las Vegas, NV 89119		
County:	Clark County		
Owner/Operator Name:	Pilger Family Holdings		
Contact Name of Owner/Operator:	Jessica Pilger 5127 Crown Street San Diego, CA 92110	Telephone:	(702)641-5216
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
003	10000	Closed	Regulated UST	See Synopsis

Case: #1999000023
Claim #: 80135

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 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.

	\$672,793.00	Amount Requested to Date
	(\$2,243.66)	Amount Disallowed, Past Claims
	(\$64,369.48)	Deductible/Co-Payment Satisfied to Date
	<u>(\$324,425.62)</u>	Amount Paid to Date
SUB TOTAL	\$26,854.46	Amount Requested this Meeting
	<u>(\$645.31)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$26,209.15	
	<u>(\$2,620.92)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$23,588.23	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 09/03/2020 and 10/04/2021

Summary of work completed: Project management and coordination, remedial system operations and monitoring, quarterly status report preparation, petroleum fund claim preparation, drafting services, quarterly well monitoring and sampling, 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)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,700,000.00
Amount Requested	\$672,793.00
Amount Disallowed	\$2,888.97
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$64,369.48
Amount Recommended	\$602,913.63
Amount Paid	\$602,913.63

Site Identification

Date Submitted:	11/06/1998	DEP Facility Number:	8-000272
Site Name	Nevada Ready Mix		
Site Contact	Miller, Randy	Telephone:	(702)457-1115
Site Address	601 W Bonanza Rd Las Vegas, NV 89106		
County:	Clark County		
Owner/Operator Name:	Nevada Ready Mix Corp		
Contact Name of Owner/Operator:	Larry Miller 151 Cassia Way Henderson, NV 89014	Telephone:	(702)457-1115
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	8000	Closed	Regulated UST	See Synopsis
002	8000	70	Regulated UST	See Synopsis
003	500	55	Regulated UST	See Synopsis

Case: #1999000066
Claim #: 80136

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 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.

	\$3,615,072.28	Amount Requested to Date
	(\$8,601.72)	Amount Disallowed, Past Claims
	(\$357,833.27)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,809,351.54)</u>	Amount Paid to Date
SUB TOTAL	\$28,137.97	Amount Requested this Meeting
	<u>(\$2,813.80)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$25,324.17	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/12/2021 and 10/04/2021

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

Fund Coverage	\$4,000,000.00
Amount Fund Will Pay	\$3,600,000.00
Amount Requested	\$3,615,072.28
Amount Disallowed	\$8,601.72
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$357,833.27
Amount Recommended	\$3,245,823.49
Amount Paid	\$3,245,823.49

Site Identification

Date Submitted:	03/30/1999	DEP Facility Number:	8-001512
Site Name	Former Haycock Petroleum		
Site Contact	John Haycock	Telephone:	(702)219-5643
Site Address	715 W Bonanza Rd Las Vegas, NV 89106		
County:	Clark County		
Owner/Operator Name:	HP Management, LLC		
Contact Name of Owner/Operator:	John Haycock P.O. Box 100 Pmb 380 Mammoth Lakes, CA 93546	Telephone:	(702)219-5643
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	25000	54	Aboveground	See Synopsis
006	20000	54	Aboveground	See Synopsis

Case: #2008000019
Claim #: 80063

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 19, 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.

	\$681,690.06	Amount Requested to Date
	(\$17,899.18)	Amount Disallowed, Past Claims
	(\$64,789.33)	Deductible/Co-Payment Satisfied to Date
	<u>(\$553,774.69)</u>	Amount Paid to Date
SUB TOTAL	\$15,897.31	Amount Requested this Meeting
	<u>(\$360.56)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$15,536.75	
	<u>(\$1,553.68)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$13,983.07	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 08/21/2020 and 07/31/2021

Summary of work completed: Project management; performance of LNAPL gauging & recovery; preparation of groundwater monitoring reports; update of HASP; management of waste disposal; groundwater monitoring; and preparation of Fund documents.

Site Summary Report

Case Number: 2008000019 Site Name: Golden Market #3

Site Status

Synopsis: CONTAMINATION WAS RE-DISCOVERED DURING A PHASE II ENVIRONMENTAL SITE ASSESSMENT, CONDUCTED DURING A PROPERTY TRANSACTION IN 2007. THE APPLICATION IDENTIFIED A LEAKING TURBINE ASSOCIATED TO THE NORTHEASTMOST 10,000 GALLON UNDERGROUND STORAGE TANK (UST) SYSTEM, WHICH CONTAINED GASOLINE AT THE TIME OF RELEASE.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$681,690.06
Amount Disallowed	\$18,259.74
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$64,789.33
Amount Recommended	\$597,087.31
Amount Paid	\$597,087.31

Site Identification

Date Submitted:	04/16/2008	DEP Facility Number:	8-001393
Site Name	Golden Market #3	Telephone:	
Site Contact			
Site Address	3025 Las Vegas Blvd North North Las Vegas, NV 89030		
County:	Clark County		
Owner/Operator Name:	One Panou LLC		
Contact Name of Owner/Operator:	Amer (Jack) Panou 3025 North Las Vegas Blvd. Las Vegas, NV 89030	Telephone:	(702)285-3678
Prime Contractor	Broadbent & Associates		
Contact Name	Jonathan Bell		
Contractor Address	8 West 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	31	Regulated UST	See Synopsis

Case: #2012000012
Claim #: 80105

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 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.

	\$1,696,819.65	Amount Requested to Date
	(\$24,219.97)	Amount Disallowed, Past Claims
	(\$166,592.81)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,160,947.90)</u>	Amount Paid to Date
SUB TOTAL	\$6,671.50	Amount Requested this Meeting
	<u>(\$667.15)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$6,004.35	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/31/2021 and 01/31/2021

Summary of work completed: Project management; preparation of the 4th Quarter 2020 groundwater monitoring report; and preparation of Fund documents. The invoice was found to have been inadvertently left off of Claim 79971.

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	\$1,696,819.65
Amount Disallowed	\$24,219.97
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$166,592.81
Amount Recommended	\$1,505,339.72
Amount Paid	\$1,505,339.72

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 & Associates, Inc.		
Contact Name	William Wiggins		
Contractor Address	8 West 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: #2013000009
Claim #: 80128

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 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.

	\$854,027.47	Amount Requested to Date
	(\$17,317.38)	Amount Disallowed, Past Claims
	(\$82,823.69)	Deductible/Co-Payment Satisfied to Date
	<u>(\$539,592.72)</u>	Amount Paid to Date
SUB TOTAL	\$8,473.25	Amount Requested this Meeting
	<u>(\$847.32)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$7,625.93	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/26/2021 and 09/27/2021

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

Site Summary Report

Case Number: 201300009 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)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$854,027.47
Amount Disallowed	\$17,317.38
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$82,823.69
Amount Recommended	\$753,039.08
Amount Paid	\$753,039.08

Site Identification

Date Submitted:	12/21/2012	DEP Facility Number:	8-000176
Site Name	Western Petroleum Of Nevada	Telephone:	(702)375-1736
Site Contact	Jim Johnson		
Site Address	2051 E Sahara Ave Las Vegas, NV 89104		
County:	Clark County		
Owner/Operator Name:	Western Petroleum		
Contact Name of Owner/Operator:	Jim Johnson 2051 East Sahara Avenue Las Vegas, NV 89104	Telephone:	(702)375-1736
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	10000	38	Regulated UST	See Synopsis

Case: #2013000011
Claim #: 80129

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 12, 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.

	\$803,041.65	Amount Requested to Date
	(\$10,366.88)	Amount Disallowed, Past Claims
	(\$77,446.55)	Deductible/Co-Payment Satisfied to Date
	<u>(\$457,480.70)</u>	Amount Paid to Date
SUB TOTAL	\$18,209.38	Amount Requested this Meeting
	<u>(\$1,820.94)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$16,388.44	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/23/2021 and 09/27/2021

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)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$803,041.65
Amount Disallowed	\$10,366.88
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$77,446.55
Amount Recommended	\$711,760.78
Amount Paid	\$711,760.78

Site Identification

Date Submitted:	12/21/2012	DEP Facility Number:	8-001804
Site Name	Village Shop #4	Telephone:	(970)376-1300
Site Contact	John Moorman		
Site Address	2151 N Rancho Dr Las Vegas, NV 89106		
County:	Clark County		
Owner/Operator Name:	Har Moor Investments, LLC		
Contact Name of Owner/Operator:	John Moorman P.O. Box 2831 Edwards, CO 81632	Telephone:	(970)376-1300
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	12000	25	Regulated UST	See Synopsis

Case: #2014000033
Claim #: 80134

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 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.

	\$800,397.58	Amount Requested to Date
	(\$4,316.50)	Amount Disallowed, Past Claims
	(\$76,640.17)	Deductible/Co-Payment Satisfied to Date
	<u>(\$344,101.21)</u>	Amount Paid to Date
SUB TOTAL	\$29,679.50	Amount Requested this Meeting
	<u>(\$2,967.95)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$26,711.55	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/14/2021 and 09/27/2021

Summary of work completed: Project management and coordination, complete remedial installation, soil disposal, remedial system start-up, remediation system AS Built and Operation & Maintenance Plan, prepare quarterly status report, remedial system operation and maintenance, quarterly well sampling and monitoring, 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	\$800,397.58
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	\$716,472.96
Amount Paid	\$716,472.96

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: #2017000019
Claim #: 80139

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 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.

	\$584,219.74	Amount Requested to Date
	(\$16,887.44)	Amount Disallowed, Past Claims
	(\$54,690.61)	Deductible/Co-Payment Satisfied to Date
	<u>(\$101,122.87)</u>	Amount Paid to Date
SUB TOTAL	\$20,426.18	Amount Requested this Meeting
	<u>(\$2,042.62)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$18,383.56	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/07/2021 and 09/27/2021

Summary of work completed: Project management and coordination, preparation of quarterly status report, remedial system operation and maintenance, petroleum fund preparation, carbon change out services, NDEP site inspection, 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)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$584,219.74
Amount Disallowed	\$16,887.44
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$54,690.61
Amount Recommended	\$510,599.07
Amount Paid	\$510,599.07

Site Identification

Date Submitted:	05/17/2018	DEP Facility Number:	8-001781
Site Name	Rebel Store #2197	Telephone:	(702)434-2505
Site Contact	Helene Dickerson		
Site Address	4665 E Sunset Rd Henderson, NV 89014		
County:	Clark County		
Owner/Operator Name:	Rebel Oil Company	Telephone:	(702)382-5866 Ext: 2
Contact Name of Owner/Operator:	Dana Cason Teepe 2200 S Highland Dr Las Vegas, NV 89102		
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	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 #: 80140

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 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.

	\$933,638.69	Amount Requested to Date
	(\$72,609.34)	Amount Disallowed, Past Claims
	(\$84,147.84)	Deductible/Co-Payment Satisfied to Date
	<u>(\$527,785.17)</u>	Amount Paid to Date
SUB TOTAL	\$19,550.94	Amount Requested this Meeting
	<u>(\$1,955.09)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$17,595.85	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/15/2021 and 09/27/2021

Summary of work completed: Project management and coordination, remedial system operation and maintenance, quarterly report preparation, petroleum fund preparation, programming of blower PLC, quarterly monitoring and sampling, NDEP site inspection, electrical system troubleshoot, 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)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$933,638.69
Amount Disallowed	\$72,609.34
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$84,147.84
Amount Recommended	\$774,926.42
Amount Paid	\$774,926.42

Site Identification

Date Submitted:	01/24/2018	DEP Facility Number:	8-001928
Site Name	Rebel Store #2177	Telephone:	
Site Contact			
Site Address	6400 W Lake Mead Blvd Las Vegas, NV 89108		
County:	Clark County		
Owner/Operator Name:	Rebel Oil Company		
Contact Name of Owner/Operator:	Dana Cason Teepe 2200 S Highland Dr Las Vegas, NV 89102	Telephone:	(702)382-5866
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
1	12000	23	Regulated UST	The shear valve and piping beneath dispenser 3/4 were documented as seeping into the Under-Dispenser

Case: #2018000005
Claim #: 80137

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 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.

	\$181,141.02	Amount Requested to Date
	(\$2,161.99)	Amount Disallowed, Past Claims
	(\$16,033.04)	Deductible/Co-Payment Satisfied to Date
	(\$86,289.50)	Amount Paid to Date
SUB TOTAL	<u>\$18,648.75</u>	Amount Requested this Meeting
	(\$1,864.88)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$16,783.87</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/21/2021 and 09/27/2021

Summary of work completed: Quarterly monitoring and sampling, quarterly report preparation, drill and install two groundwater monitor wells, well development, well survey, 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)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$181,141.02
Amount Disallowed	\$2,161.99
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$16,033.04
Amount Recommended	\$161,081.11
Amount Paid	\$161,081.11

Site Identification

Date Submitted:	07/13/2018	DEP Facility Number:	8-001429
Site Name	Rebel Store # 2153	Telephone:	(702)555-5555
Site Contact	Pending		
Site Address	4595 E Tropicana Ave Las Vegas, NV 89121		
County:	Clark County		
Owner/Operator Name:	Rebel Oil Company		
Contact Name of Owner/Operator:	Dana Cason Teepe 2200 S Highland Dr Las Vegas, NV 89102	Telephone:	(702)382-5866
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
005	6000	30	Regulated UST	Spill Bucket
002	12000	30	Regulated UST	Spill Bucket

Case: #2019000001
Claim #: 80138

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 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.

	\$61,168.00	Amount Requested to Date
	(\$27.00)	Amount Disallowed, Past Claims
	(\$5,730.34)	Deductible/Co-Payment Satisfied to Date
	<u>\$0.00</u>	Amount Paid to Date
SUB TOTAL	\$3,837.50	Amount Requested this Meeting
	<u>(\$383.75)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$3,453.75	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 08/02/2021 and 08/30/2021

Summary of work completed: Preparation of Not to Exceed Proposals and prepare NDEP requested site closure evaluation letter.

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)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$61,168.00
Amount Disallowed	\$27.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$5,730.34
Amount Recommended	\$55,026.91
Amount Paid	\$55,026.91

Site Identification

Date Submitted:	08/05/2019	DEP Facility Number:	8-001562
Site Name	Rebel Store #2160	Telephone:	(702)382-5866
Site Contact	Dana Cason Teepe		
Site Address	4325 E Charleston Blvd Las Vegas, NV 89104		
County:	Clark County		
Owner/Operator Name:	Rebel Oil Company		
Contact Name of Owner/Operator:	Dana Cason Teepe 2200 S Highland Dr Las Vegas, NV 89102	Telephone:	(702)382-5866 Ext: 2
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
003	6000	28	Regulated UST	Spill Bucket

Case: #2019000002
Claim #: 80141

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 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.

	\$145,592.91	Amount Requested to Date
	(\$841.42)	Amount Disallowed, Past Claims
	(\$13,719.41)	Deductible/Co-Payment Satisfied to Date
	(\$58,103.77)	Amount Paid to Date
SUB TOTAL	<u>\$7,557.50</u>	Amount Requested this Meeting
	(\$755.75)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$6,801.75</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 08/02/2021 and 09/27/2021

Summary of work completed: Project management and coordination, quarterly well sampling and analysis, preparation of quarterly status report, preparation of petroleum fund claim, preparation of NTEP, preparation of well bid, preparation of Site Characterization Work Plan, 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)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$145,592.91
Amount Disallowed	\$841.42
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$13,719.41
Amount Recommended	\$130,276.33
Amount Paid	\$130,276.33

Site Identification

Date Submitted:	06/13/2019	DEP Facility Number:	8-001721
Site Name	Rebel Store #2166	Telephone:	(453)423-6555
Site Contact	Dana Cason-Teppe		
Site Address	4115 S Decatur Blvd Las Vegas, NV 89103		
County:	Clark County		
Owner/Operator Name:	Rebel Oil Company		
Contact Name of Owner/Operator:	Dana Cason-Teppe 2200 S Highland Dr Las Vegas, NV 89102	Telephone:	(702)382-5866
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
004-M	8000	26	Regulated UST	Pipe

Case: #2019000005
Claim #: 80132

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 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.

	\$210,882.12	Amount Requested to Date
	(\$6,149.00)	Amount Disallowed, Past Claims
	(\$19,843.98)	Deductible/Co-Payment Satisfied to Date
	(\$92,191.13)	Amount Paid to Date
SUB TOTAL	<u>\$6,293.25</u>	Amount Requested this Meeting
	(\$629.32)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$5,663.93</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 08/02/2021 and 09/27/2021

Summary of work completed: Project coordination and management, quarterly status report preparation, petroleum fund preparation, quarterly monitor well sampling, 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)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$210,882.12
Amount Disallowed	\$6,149.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$19,843.98
Amount Recommended	\$184,259.82
Amount Paid	\$184,259.82

Site Identification

Date Submitted:	07/16/2019	DEP Facility Number:	8-000363
Site Name	Fairway Chevrolet CO	Telephone:	(702)755-8900
Site Contact	John Gibbons		
Site Address	3100 E Sahara Ave Las Vegas, NV 89104		
County:	Clark County		
Owner/Operator Name:	Fairway Chevrolet CO		
Contact Name of Owner/Operator:	John Gibbons 3100 East Sahara Avenue Las Vegas, NV 89104	Telephone:	(702)641-1400 Ext: 1
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
000	20000	Closed	Regulated UST	Pipe

Case: #2019000014
Claim #: 80130

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 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.

	\$199,186.76	Amount Requested to Date
	(\$19,417.87)	Deductible/Co-Payment Satisfied to Date
	(\$7,036.43)	Amount Paid to Date
SUB TOTAL	<u>\$5,008.00</u>	Amount Requested this Meeting
	(\$500.80)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$4,507.20</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 09/27/2021 and 09/27/2021

Summary of work completed: Project management and coordination, quarterly well sampling, prepare quarterly status report, petroleum fund submittal, 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)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$199,186.76
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$19,417.87
Amount Recommended	\$179,268.09
Amount Paid	\$179,268.09

Site Identification

Date Submitted:	08/14/2019	DEP Facility Number:	8-001122
Site Name	Western Cab CO	Telephone:	(702)595-1946
Site Contact	Martha Sarver		
Site Address	801 S Main St Las Vegas, NV 89101		
County:	Clark County		
Owner/Operator Name:	Western Cab CO		
Contact Name of Owner/Operator:	Martha Sarver P.O. Box 36550 Las Vegas, NV 89133	Telephone:	(702)595-1946
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
01	12000	Closed	Regulated UST	Pipe

Case: #2021000025
Claim #: 80100

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: September 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.

	\$19,927.63	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$19,927.63</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$19,677.63	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 06/15/2021 and 08/23/2021

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: 2021000025 **Site Name:** Michael Powell Matheus Residence

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A 500-GALLON TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. APPROXIMATELY 50.19 TONS OF CONTAMINATED SOIL WAS REMOVED.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$19,927.63
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$250.00
Amount Recommended	\$19,677.63
Amount Paid	\$19,677.63

Site Identification

Date Submitted:	08/26/2021	DEP Facility Number:	D-001223
Site Name	Michael Powell Matheus Residence		
Site Contact	Mike Matheus	Telephone:	(775)412-1855
Site Address	1640 Allen Street Reno, NV 89509		
County:	Washoe County		
Owner/Operator Name:	Michael Matheus		
Contact Name of Owner/Operator:	Michael Matheus	Telephone:	(775)412-1855
	1640 Allen St Reno, NV 89509		
Prime Contractor	Reno Drain Oil Service		
Contact Name	Steven Aguilar		
Contractor Address	11970 Interstate 80 E Sparks, NV 89434		
Telephone:	(775)342-0351	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
1640 Allen Tank	500	70	Non-Regulated	Tank

Case: #2021000028
Claim #: 80107

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 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.

	\$19,134.09	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$19,134.09</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$18,884.09	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 06/15/2021 and 09/07/2021

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: 2021000028 **Site Name:** Jonathan H & Eve M King Family Trust Residential Heating Oil Tank

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING REMOVAL OF 500-GALLON STEEL UNDERGROUND STORAGE TANK, CONTAINING HEATING OIL AT THE TIME OF RELEASE. 56.19 TONS OF CONTAMINATED SOIL REMOVED DURING INITIAL ABATEMENT ACTIVITIES.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$19,134.09
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$250.00
Amount Recommended	\$18,884.09
Amount Paid	\$18,884.09

Site Identification

Date Submitted:	09/16/2021	DEP Facility Number:	D-001224
Site Name	Jonathan H & Eve M King Family Trust Residential Heating Oil Tank		
Site Contact	Jonathon King	Telephone:	(775)745-2270
Site Address	8505 Bellhaven Road Reno, NV 89511		
County:	Washoe County		
Owner/Operator Name:	Jonathon King		
Contact Name of Owner/Operator:	Jonathon King	Telephone:	(775)745-2270
	8505 Bellhaven Rd Reno, NV 89511		
Prime Contractor	Reno Drain Oil Service		
Contact Name	Steven Aguilar		
Contractor Address	11970 Interstate 80 E Sparks, NV 89434		
Telephone:	(775)342-0351	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
8505 Bellhaven Tank	500	42	Non-Regulated	Tank

Case: #2021000029
Claim #: 80108

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: October 07, 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.

	\$21,442.12	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$21,442.12</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	\$21,192.12	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/14/2021 and 09/09/2021

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: 2021000029 **Site Name:** Residential Heating Oil Tank, 14585 Rim Rock Road

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A 500-GALLON TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. APPROXIMATELY 71.22 TONS OF CONTAMINATED SOIL WAS REMOVED.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$21,442.12
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$250.00
Amount Recommended	\$21,192.12
Amount Paid	\$21,192.12

Site Identification

Date Submitted:	09/29/2021	DEP Facility Number:	D-001226
Site Name	Residential Heating Oil Tank, 14585 Rim Rock Road		
Site Contact	Amanda Lucas	Telephone:	(775)721-8482
Site Address	14585 Rim Rock Dr. Reno, NV 89521		
County:	Washoe County		
Owner/Operator Name:	Lucas & Amanda Stewart		
Contact Name of Owner/Operator:	Lucas Stewart	Telephone:	(775)721-8482
	14585 Rim Roack Dr. Reno, NV 89521		
Prime Contractor	Reno Drain Oil Service		
Contact Name	Steven Aguilar		
Contractor Address	11970 Interstate 80 E Sparks, NV 89434		
Telephone:	(775)342-0351	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
14585 Rim Rock Dr Tank	500	44	Non-Regulated	Tank

Case: #2021000033
Claim #: 80147

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 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.

	\$14,926.76	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$14,926.76</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$14,676.76</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/20/2021 and 09/22/2021

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: 2021000033 **Site Name:** Residential Heating Oil Tank At 955 Belgrave Ave

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A 300-GALLON TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. APPROXIMATELY 29.23 TONS OF CONTAMINATED SOIL WAS REMOVED.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$14,926.76
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$250.00
Amount Recommended	\$14,676.76
Amount Paid	\$14,676.76

Site Identification

Date Submitted:	10/13/2021	DEP Facility Number:	D-001227
Site Name	Residential Heating Oil Tank At 955 Belgrave Ave		
Site Contact	Elena Corpus	Telephone:	(775)502-6985
Site Address	955 Belgrave Avenue Reno, NV 89502		
County:	Washoe County		
Owner/Operator Name:	Elena Corpus		
Contact Name of Owner/Operator:	Elena Corpus	Telephone:	(775)502-6985
	955 Belgrave Ave. Reno, NV 89502		
Prime Contractor	Reno Drain Oil Service		
Contact Name	Steven Aguilar		
Contractor Address	11970 Interstate 80 E Sparks, NV 89434		
Telephone:	(775)342-0351	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
955 Belgrave Tank	300	67	Non-Regulated	Tank

Case: #2021000034
Claim #: 80150

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: November 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.

	\$17,519.09	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$17,519.09</u>	Amount Requested this Meeting
	(\$250.00)	Applicable Deductible/10% Co-Payment, this Meeting
TOTAL	<u>\$17,269.09</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 08/02/2021 and 09/22/2021

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: 2021000034 **Site Name:** Residential Heating Oil Tank At 340 Country Drive, Reno

Site Status

Synopsis: DISCHARGE DISCOVERED 9/10/2021 DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM HOLE IN 300-GALLON, NON-REGULATED, STEEL TANK. INITIAL ABATEMENT ACTIVITIES REMOVED 47.95 TONS OF CONTAMINATED MATERIAL BY EXCAVATION.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$17,519.09
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$250.00
Amount Recommended	\$17,269.09
Amount Paid	\$17,269.09

Site Identification

Date Submitted:	10/13/2021	DEP Facility Number:	D-001228
Site Name	Residential Heating Oil Tank At 340 Country Drive, Reno		
Site Contact	Marilyn Newton	Telephone:	(775)848-3122
Site Address	340 Country Drive Reno, NV 89509		
County:	Washoe County		
Owner/Operator Name:	Marilyn Newton		
Contact Name of Owner/Operator:	Marilyn Newton	Telephone:	(775)848-3122
	340 Country Club Dr. Reno, NV 89509		
Prime Contractor	Reno Drain Oil Service		
Contact Name	Steven Aguilar		
Contractor Address	11970 Interstate 80 E Sparks, NV 89434		
Telephone:	(775)342-0351	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
340 Country Club Tank	300	73	Non-Regulated	Tank

**Agenda Item 9:
Execute Summary**
(FOR DISCUSSION)

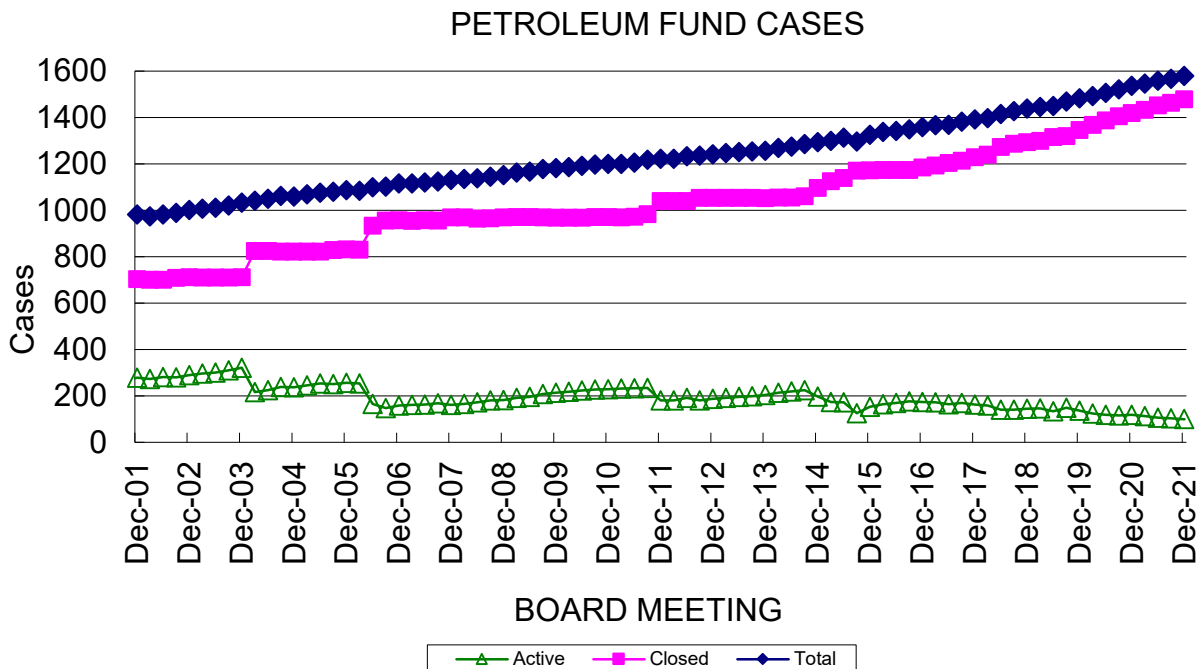
**STATE BOARD TO REVIEW CLAIMS
DECEMBER 9, 2021 BOARD MEETING**

EXECUTIVE SUMMARY REPORT

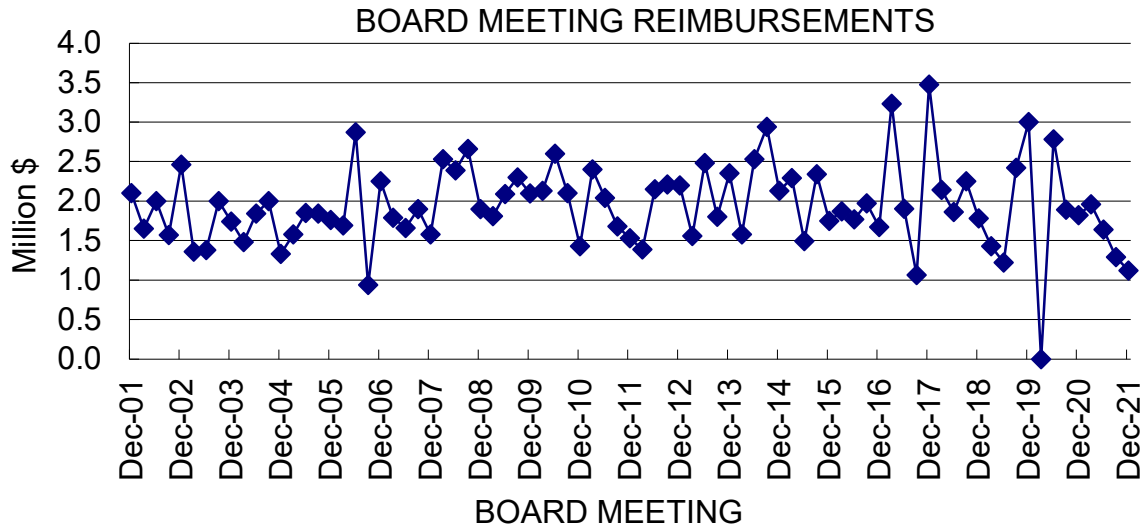
The Petroleum Fund (Fund) was established in 1989 by the Nevada Legislature. The Fund facilitates the protection of Nevada’s environment, including its water resources, by allowing for prompt cleanup of petroleum discharges from storage tank systems. It also provides a mechanism for regulated underground 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 2022 runs October 1, 2021 through September 30, 2022. The annual tank system enrollment invoices for FFY 2022 were issued August 19, 2021. Additional invoices have also been generated for subsequent requests for tank enrollment. Currently, a total of 1,238 facilities have been invoiced at \$100 per petroleum tank system. As of November 29, 2021, 1,204 (~97.3%) of the facilities have submitted the required enrollment fees.

Since the Fund was created, a total of 1,755 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, 1,478 cases have since been closed and no longer receive Fund reimbursement. Currently, there are 100 open Fund cases. Since January 1, 2021, NDEP has received 34 new applications for Fund coverage. Four 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 \$249,005,237.39 for reimbursement to petroleum storage tank operators throughout Nevada for cleanup expenses. This cumulative total includes 21 claims paid via the direct payment method since the September 2021 Board meeting, totaling \$384,042.32. With today's approval of \$737,158.54 in pending claims, the cumulative Fund expenditure will increase to \$249,742,395.93.



* Note: The March 12, 2020 meeting was postponed and later cancelled. No claims were approved by the Board.

There were no UST upgrade grant award payments processed during the past quarter.

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, were workshopped to the regulated community September 2, 2021, and presented to the Board for initial input during the September 9, 2021 meeting. Following the September meeting, staff submitted a draft of the regulations to the Legislative Counsel Bureau (LCB) on September 30, 2021. As of today's date (November 29, 2021), the regulations are still under review by LCB, and a proposed draft is not available. Staff have been told the proposed draft is forthcoming, and we anticipate being able to notice a public hearing to adopt the regulations in December 2021. This will start a 30-day public comment period that should allow the public hearing to occur as soon as January 2022.

Staff believe that Recommendation #2 (Follow Statute for Third Party Liability Funds) of DIA Report No. 19-05 was addressed during the September 9, 2021 Board meeting. During the meeting, staff made a recommendation to the Board to repeal Board Policy Resolution 2007-10. This policy was called into

question in the first audit because it allowed 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, the policy was repealed by the Board. Staff believe repeal of the policy has addressed the findings of the report.

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. Recommendation #2 (Establish a Rate Schedule for Professional Services) had a shorter implementation period than the other recommendations, so an analysis was conducted to better understand how much cost savings to the Fund would result from setting certified environmental manager (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.

Staff are currently revising the CEM Cost Guidelines to move away from restricting the number of hours for professional services and instead establishing an overall cost that the Fund would pay for individual work tasks required to clean up a site. Under each single task rate, consulting companies will have flexibility in how they bill hours for individual skill levels, yet still be held to a maximum task cap for overseeing cleanup work. A draft of the new Cost Guidelines should be available for review and comment by the regulated community in the first quarter of 2022.

The above revisions to the Cost Guidelines will also be used to address Recommendation #1 (Reconcile Project Costs) of DIA Report #21-04. The guidelines will establish a format for requesting cleanup tasks that are required by a regulatory case officer and approved in a database system. Those tasks will be used to create a maximum cap for project phase costs. The guidelines will also establish a format by which an invoice must be drafted and uploaded to the database system. Staff will work within the system to reconcile the invoiced project phase costs to the approved overall task costs. Updates to the current database system have begun and will evolve once the draft Cost Guidelines are reviewed by the regulated community.

Recommendation #3 (Strengthen CEM Certification Requirements) of the report is under review with NDEP's certification program. New regulations are in draft and will need to go through the same process as the Petroleum Fund regulations; however, the certification revisions will go before the State Environmental Commission for adoption.

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.

During the October 26, 2021 EBAC meeting, a general comment was made by DIA staff that there were no concerns about the progress agencies are making towards addressing outstanding audit concerns. NDEP was also recently informed that progress for both of the above audits will be revisited prior to the November 2022 EBAC meeting. Staff anticipate all remaining findings and recommendations to be addressed before the next EBAC meeting.

Eagle Gas North Cleanup Status: Remedial action was successful at the site and no further cleanup actions are occurring at this time. The State continues to pursue collection of the debt owed with available resources.

**Agenda Item 10:
Public Comment**
(FOR DISCUSSION)

Agenda Item 11:
Confirmation of Next Board Meeting Date
(FOR DISCUSSION)

STATE BOARD TO REVIEW CLAIMS
CONFIRMATION OF NEXT MEETING

DATE	LOCATION
March 10, 2022 Thursday 10:00 AM	<u>Videoconference</u> TBD
	TBD

Upcoming Board Meetings
June 9, 2022 - 10:00 AM
September 8, 2022 - 10:00 AM
December 8, 2022 - 10:00 AM