

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

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

The State of Nevada Board to Review Claims (Board) for Petroleum Releases meeting will be video-conferenced beginning at 2:00 p.m. on (Wednesday) December 15, 2010 at the following locations:

Carson City: Nevada Department of Transportation, 1263 S. Stewart St., Room 302

Las Vegas: Nevada Department of Transportation, 123 E. Washington Ave., Bldg. A, Room A

This agenda will be posted at the Grant Sawyer Building in Las Vegas, Legislative Counsel Bureau in Carson City, Washoe County Commission Chambers in Reno, Washoe County District Health Department – Environmental Health Services Division in Reno, Washoe County Library in Reno, Clark County Managers Office in Las Vegas, Nevada State Library & Archives in Carson City, State Fire Marshal's Office in Carson City, and Department of Conservation and Natural Resources in Carson City and Las Vegas.

You may find the agenda posted on our web site at: <http://ndep.nv.gov/bca/fundhome.htm>

The following items will be discussed and acted upon, but may be taken in different order to accommodate the interest and time of persons attending.

**I. CALL TO ORDER (ACTION)**

**A. BOARD MEMBERS PRESENT / ABSENT**

**II. APPROVAL OF THE AGENDA (ACTION)**

**III. APPROVAL OF THE SEPTEMBER 8, 2010 MINUTES (ACTION)**

**IV. PUBLIC FORUM (DISCUSSION)**

Members of the public will be invited to speak before the Board on any issue that was not included on the agenda.

**V. STATUS OF THE FUND (DISCUSSION)**

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

**VI. DETERMINATION OF FUND COVERAGE (ACTION)**

- A. Resolution No. 2010-07**  
Proposed Resolution to Waive the 12 Month Final Claim Submittal Deadline for 7-Eleven #21850, 3575 E. Lake Mead Blvd., N. Las Vegas, NV, Facility ID No. 8-000603, Petroleum Fund Case ID No. 1997000007
- B. Resolution No. 2010-08**  
Proposed Resolution to Grant Reduced Petroleum Fund Coverage to Circle K 1791, 3901 E. Lake Mead Blvd., Las Vegas, NV, Facility ID No. 8-000329, Petroleum Fund Case ID No. 200500036
- C. Resolution No. 2010-09**  
Proposed Resolution to Provide Third Party Liability Coverage for 7-Eleven #27607, 600 N. Las Vegas Blvd., Las Vegas, NV, Facility ID No. 8-001149, Petroleum Fund Case ID No. 1999000243

**VII. ADOPTION OF CONSENT ITEMS (ACTION)**

The Board will review all items as a consent calendar item, unless the item is marked by an asterisk (\*), or a member of the public wishes to speak in regards to the item.

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

**STATE BOARD TO REVIEW CLAIMS  
REQUESTED/RECOMMENDED AMOUNTS – DECEMBER 15, 2010**

| <u>HEATING OIL</u>                          |             |   | <u>REQUESTED</u>          | <u>RECOMMENDED</u>        |
|---|-------------|---|---------------------------|---------------------------|
| 1.  | 1992000102H | Lyon County School District: Yerington Elementary | \$33,024.60               | \$33,024.60               |
| 2.  | 2006000020H | Bruno Benna: Benna Residence                      | \$705.00                  | \$705.00                  |
| 3.  | 2007000013H | Churchill County School District: Bus Barn        | \$5,409.00                | \$5,409.00                |
| <b>HEATING OIL SUB TOTAL:</b>               |             |   | <b><u>\$39,138.60</u></b> | <b><u>\$39,138.60</u></b> |
| <u>NEW CASES, OTHER PRODUCTS</u>            |             |   | <u>REQUESTED</u>          | <u>RECOMMENDED</u>        |
| 1.  | 2010000013  | Argyris Enterprises, LLC: City Stop #12           | \$43,284.45               | \$37,381.36               |
| <b>NEW CASES, OTHER PRODUCTS SUB TOTAL:</b> |             |   | <b><u>\$43,284.45</u></b> | <b><u>\$37,381.36</u></b> |

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

|      |            |   |              |              |
|------|------------|---|--------------|--------------|
| 1.†  | 1993000080 | Shell Oil Products, US: Former Shell, Reno          | \$0.00       | \$6,244.62   |
| 2.   | 1993000102 | Rebel Oil Company: Rebel #8                         | \$7,958.70   | \$7,958.70   |
| 3.   | 1993000103 | Russell Yardley: Charlie Brown Construction         | \$22,466.24  | \$22,016.92  |
| 4.   | 1993000115 | City of Fallon: Former Bootlegger Texaco            | \$10,018.60  | \$10,018.60  |
| 5.   | 1994000003 | Allied Washoe: Allied Petroleum                     | \$7,140.78   | \$5,570.78   |
| 6.   | 1994000012 | Wirtz Beverage NV.: Former DeLuca Liquor & Wine     | \$17,676.50  | \$17,676.50  |
| 7.   | 1994000037 | Param Investments and/or Broadbent: Gofer Market    | \$55,320.15  | \$55,135.15  |
| 8.   | 1994000065 | Avis Rent A Car Systems: Avis Rent A Car            | \$26,142.99  | \$23,003.49  |
| 9.   | 1994000086 | Falconi Motors, Inc.: Falconi's Tropicana Honda     | \$18,617.24  | \$17,905.11  |
| 10.  | 1994000113 | Pilot Travel Centers, LLC: Former Unocal Truck Stop | \$156,084.39 | \$156,084.30 |
| 11.  | 1994000120 | ConocoPhillips Company: Union 76 #3846              | \$6,653.65   | \$5,988.29   |
| 12.† | 1994000122 | Ron or Gary Michelsen: Mike's Gas-A-Mart            | \$25,871.73  | \$31,936.65  |
| 13.  | 1995000012 | N. Nevada Asset Holdings: Parker's Model T          | \$79,755.35  | \$71,142.93  |
| 14.  | 1995000042 | FBF, Inc.: Former Fayeghi Texaco                    | \$4,371.76   | \$3,934.59   |
| 15.  | 1995000074 | Vera Hester: Glendale Service Facility              | \$76,730.64  | \$73,145.02  |
| 16.  | 1995000105 | Redman Petroleum Corp.: Redman Petroleum            | \$7,060.74   | \$6,354.66   |
| 17.  | 1995000110 | Chevron USA Products Company: Chevron #9-2836       | \$60,972.85  | \$50,453.59  |
| 18.  | 1996000063 | Joan Pennachio: V&V Automotive                      | \$31,788.26  | \$28,609.44  |
| 19.  | 1996000101 | ConocoPhillips Company: Circle K #695               | \$22,867.53  | \$20,580.77  |
| 20.  | 1996000102 | ConocoPhillips Company: Circle K #542               | \$4,120.68   | \$2,613.19   |
| 21.  | 1997000008 | Ewing Brothers, Inc.: Ewing Brothers Facility       | \$5,042.50   | \$4,362.75   |
| 22.  | 1997000093 | ConocoPhillips Company: Union 76 #5257              | \$5,949.56   | \$3,739.26   |
| 23.  | 1998000046 | Willdens Automotive Holdings: Allstate Rent A Car   | \$52,305.49  | \$44,040.94  |
| 24.  | 1998000068 | ConocoPhillips Company: Conoco #28003               | \$8,109.15   | \$7,261.38   |
| 25.  | 1998000073 | City of Reno: City of Reno Police Station           | \$17,111.21  | \$17,054.26  |
| 26.  | 1998000080 | Seven Crown Resorts: Echo Bay Resort                | \$21,633.82  | \$19,470.43  |
| 27.* | 1999000007 | 7-Eleven, Inc.: 7-Eleven #21850                     | \$6,187.77   | \$5,568.99   |
| 28.  | 1999000017 | Reed, Inc.: Reed R-Place Shell                      | \$30,836.57  | \$26,543.64  |
| 29.  | 1999000048 | Estate of Robert Cowan: Former Lightning Lube       | \$15,769.24  | \$15,760.09  |
| 30.  | 1999000052 | Estate of Martin Wessel: Ted's Chevron              | \$7,625.04   | \$6,862.54   |
| 31.  | 1999000061 | Rich Sorani: Former Rich's Unocal                   | \$13,654.94  | \$13,654.94  |
| 32.  | 1999000066 | HP Management, LLC: Former Haycock Petroleum        | \$11,500.88  | \$10,350.80  |
| 33.  | 1999000090 | HP Management, LLC: Former Haycock Petroleum        | \$18,488.38  | \$16,639.54  |
| 34.  | 1999000114 | City of Fallon: Fallon Maintenance Yard             | \$4,977.76   | \$4,479.98   |
| 35.  | 1999000167 | City of Las Vegas: Fire Station #1                  | \$14,143.94  | \$14,143.94  |
| 36.  | 1999000186 | Gloria Pilger: Former D&G Oil Facility              | \$26,001.42  | \$23,401.28  |
| 37.  | 1999000199 | Mary Ann Ferguson: Lakeshore Orbit Station          | \$44,369.68  | \$44,219.68  |
| 38.  | 1999000257 | University of Nevada: Newlands Agriculture          | \$3,066.48   | \$3,066.48   |
| 39.  | 1999000273 | V.K. Leavitt: The Waterhole                         | \$37,798.57  | \$20,640.72  |
| 40.  | 1999000275 | Conoco Phillips Company: Circle K #1248             | \$3,711.92   | \$3,006.66   |
| 41.  | 2004000013 | Nevada Nanak Petroleum, Inc.: NV Nanak Petroleum    | \$2,479.74   | \$1,339.06   |
| 42.† | 2005000002 | Carson Valley Oil Co., Inc.: Carson Valley Oil      | \$15,621.24  | \$16,597.14  |
| 43.  | 2005000025 | Bordertown, Inc.: Winner's Corner                   | \$30,794.20  | \$27,714.78  |
| 44.  | 2005000039 | Petrosun Fuel, Inc.: Taylor Street Market           | \$2,937.00   | \$2,643.30   |
| 45.  | 2005000044 | Ewing Brothers, Inc.: Ewing Brothers Facility       | \$18,704.63  | \$13,802.76  |
| 46.  | 2007000002 | Consolidated Nevada Corp.: Berry-Hinckley #201      | \$4,588.00   | \$3,037.95   |
| 47.  | 2007000014 | Ace Cab Company, Inc.: Ace Cab Company              | \$147,018.00 | \$131,345.55 |
| 48.  | 2007000016 | TOC Holdings Company: Former Time Oil #6-100        | \$7,104.64   | \$6,394.18   |
| 49.  | 2007000023 | 7-Eleven, Inc.: 7-Eleven #29643                     | \$24,430.24  | \$17,589.77  |

**ONGOING CASES/OTHER PRODUCTS: CONTINUED**

|      |            |  | <b><u>REQUESTED</u></b> | <b><u>RECOMMENDED</u></b> |
|------|------------|--|-------------------------|---------------------------|
| 50.  | 2008000017 | Big Daddy's Oil, LLC: Flamingo AM/PM #82153          | \$27,899.92             | \$16,312.22               |
| 51.  | 2009000009 | Tom Schwarz: Zak's Mini Mart                         | \$23,171.55             | \$16,683.51               |
| 52.  | 2009000017 | D&J Holdings, LLC: Convenience Corner Shell          | \$4,844.31              | \$4,359.88                |
| 53.  | 2009000020 | Western Energetix, LLC: Western Energetix Bulk Plant | \$15,531.00             | \$13,977.90               |
| 54.  | 2009000023 | Samir Shushani: Stop & Save Mini Mart                | \$15,224.50             | \$7,631.28                |
| 55.  | 2009000024 | Parampreet Investment, LLC: Chuck's Circle C         | \$101,554.44            | \$91,398.99               |
| 56.  | 2009000028 | Vegas Rainbows, Inc.: Mick & Mac's Food Mart         | \$14,118.25             | \$12,057.64               |
| 57.  | 2010000001 | Smitten Oil & Tire Company: The Gas Store            | \$5,946.88              | \$5,352.19                |
| 58.  | 2010000003 | Big Wheel Properties, LLC: Big Wheel Travel Center   | \$1,380.00              | \$1,242.00                |
| 59.  | 2010000007 | Pecos Express, Inc.: Pecos Express                   | \$9,079.23              | \$8,171.30                |
| 60.  | 2010000010 | Petrosun Fuel, Inc.: Victorian Food Mart             | \$2,573.25              | \$2,315.93                |
| 61.† | 2011000001 | Short Line Express Market: Short Line Express        | \$26,543.50             | \$30,714.52               |

**ONGOING CASES/OTHER PRODUCTS SUB TOTAL: \$1,491,447.62      \$1,351,323.45**

**REQUESTED      RECOMMENDED**

**CLAIMS TOTAL: \$1,573,870.67      \$1,427,843.41**

**VIII. EXECUTIVE SUMMARY (DISCUSSION)**

Bureau of Corrective Action staff will report to the Board tank enrollments, reimbursement activity trends, the status of noncompliant facilities with claims withheld from presentation to the Board, and other items that warrant attention or may be of concern to the Board.

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

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify, in writing, to NDEP, State of Nevada Board to Review Claims, in care of Mrs. Victoria Joncas, 901 S. Stewart St., Ste. 4001, Carson City, NV 89701, facsimile (775) 687-8335, or by calling (775) 687-9369, no later than November 29, 2010.