

**STATE OF NEVADA BOARD TO REVIEW CLAIMS
AGENDA
SEPTEMBER 6, 2018**

The State of Nevada Board to Review Claims (Board) meeting will be video-conferenced and will begin promptly at 11:00 AM on Thursday, September 06, 2018 at the following locations:

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

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

The public is invited to attend either location.

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 Chairman.

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 JUNE 14, 2018 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 3RD PARTY LIABILITY (FOR POSSIBLE ACTION)

Site Specific Board Determination No. C2018-07

Proposed Site Specific Board Determination (SSBD) to Provide Third Party Liability Coverage for Carson Valley Oil, 4551 Goni Road, Carson City, Nevada
Petroleum Fund Case ID No. 2005000002, Facility ID No. 1-000024

RECOMMENDATION:

Adoption of Site Specific Board Determination No. C2018-07 as proposed, granting third party liability Fund coverage to the subject site for \$900,000.00, which represents \$1,000,000.00 in additional Fund coverage with a 10% copayment.

6. SITE SPECIFIC BOARD DETERMINATION FOR 3RD PARTY LIABILITY (FOR POSSIBLE ACTION)

Site Specific Board Determination No. C2018-08

Proposed Site Specific Board Determination (SSBD) to Provide Third Party Liability Coverage for 7-Eleven Store No. 22070, 7291 South Las Vegas Boulevard, Las Vegas, Nevada
Petroleum Fund Case ID No. 1999000244, Facility ID No. 8-000578

RECOMMENDATION:

Adoption of Site Specific Board Determination No. C2018-08 as proposed, granting third party liability Fund coverage to the subject site for \$900,000.00, which represents \$1,000,000.00 in additional Fund coverage with a 10% copayment.

7. UPCOMING REVISION OF CEM COST GUIDELINES (FOR DISCUSSION)

Petroleum Fund staff intend to update the CEM Cost Guidelines approved by Policy Resolution #2001-05. General updates will include language to describe the current NTEP, claims, and proof of payment processes managed through NDEP's online database. Additional tasks and amendment of current tasks will also be proposed and presented for adoption during the December 12, 2018 Board Meeting.

8. ADOPTION OF CONSENT ITEMS (FOR POSSIBLE ACTION)

The Board will review all items as consent items, unless marked with an asterisk (*) indicates a nonconsent item, which either a member of the public has requested to address before the Board or the item is associated with a Fund Site Specific Board Determination. Upon Board adoption of the relevant Site Specific Board Determination, the nonconsent item is considered to be a consent item.

A dagger (†) indicated 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

**STATE BOARD TO REVIEW CLAIMS
REQUESTED/RECOMMENDED AMOUNTS - SEPTEMBER 6, 2018**

<u>HEATING OIL</u>				<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2007000013	Churchill County School District: Churc. Co. S.d. Bus Barn	\$1,098.00	\$1,098.00
FOR POSSIBLE ACTION	2.	2012000017	Churchill County School District: Old High School	\$4,420.17	\$4,420.17
FOR POSSIBLE ACTION	3.	2017000042	Washoe County School District: Reno High School	\$7,109.55	\$6,859.55
FOR POSSIBLE ACTION	4.	2018000025	Carrie Jensen: Carrie Jane Jensen Residence	\$11,067.95	\$10,817.95
SUB TOTAL:				<u>\$23,695.67</u>	<u>\$23,195.67</u>

<u>NEW CASES</u>				<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2017000039	7-Eleven INC: 7-Eleven #27438	\$11,344.32	\$10,209.89
FOR POSSIBLE ACTION	2.	2018000009	Reed Incorporated: Pacific Pride	\$24,365.66	\$21,929.09
SUB TOTAL:				<u>\$35,709.98</u>	<u>\$32,138.98</u>

<u>ONGOING CASES</u>				<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	1992000126	Clark County School District: Rc White (Arville) Transportation Satellite	\$15,258.26	\$15,258.26
FOR POSSIBLE ACTION	2.	1993000011	7-Eleven INC: 7-Eleven #29646	\$19,339.73	\$19,339.73

FOR POSSIBLE ACTION	3.	1993000103	Charlie Brown Construction: Charlie Brown Const.	\$2,949.89	\$2,890.89
FOR POSSIBLE ACTION	4.	1994000027	7-Eleven INC: 7-Eleven #19653	\$41,928.73	\$41,928.73
FOR POSSIBLE ACTION	5.	1994000037	Param Investments LLC: Go-Fer Supermarket	\$16,269.42	\$16,219.75
FOR POSSIBLE ACTION	6.	1994000067	Peppermill Casinos INC: Frmr Peppermill Truckstop	\$7,375.53	\$7,375.53
FOR POSSIBLE ACTION	7.	1995000039	Al Park Petroleum Inc: Crescent Valley Market	\$35,707.55	\$26,507.29
FOR POSSIBLE ACTION	8.	1996000064	H & A Esslinger, LLC: Red Rock Mini Mart	\$15,497.56	\$14,835.22
FOR POSSIBLE ACTION	9.	1996000101	Phillips 66 Company: Circle K #695	\$25,603.99	\$23,043.59
FOR POSSIBLE ACTION	10.	1996000102	Phillips 66 Company: Circle K #542	\$18,253.47	\$13,140.97
FOR POSSIBLE ACTION	11.	1997000071	7-Eleven INC: 7-Eleven #25586	\$6,957.97	\$6,262.17
FOR POSSIBLE ACTION	12.	1998000068	Phillips 66 Company: Conoco #28003	\$30,094.61	\$26,680.18
FOR POSSIBLE ACTION	13.	1998000075	Phillip M. Stone: McDermitt Motel & Convenience Store	\$5,534.10	\$4,968.59
FOR POSSIBLE ACTION	14.	1999000052	Estate Of Martin T. Wessel: Ted's Chevron	\$16,630.93	\$14,967.84
FOR POSSIBLE ACTION	15.	1999000064	Al Park Petroleum Inc: Pit Stop #4 (Conoco)	\$4,562.12	\$4,105.91
FOR POSSIBLE ACTION	16.	1999000104	Terrible Herbst, INC.: Terrible Herbst #118 (Arco)	\$3,841.25	\$3,457.13
FOR POSSIBLE ACTION	17.	1999000114	City Of Fallon: Fallon Maint. Yard	\$7,278.75	\$6,550.87
FOR POSSIBLE ACTION	18.	1999000135	Terrible Herbst, INC.: Terrible Herbst #106 (Gas) & #108 (Lube)	\$11,208.92	\$10,088.03
FOR POSSIBLE ACTION	19.	1999000243	7-Eleven INC: 7-Eleven #27607	\$16,487.58	\$14,838.82
FOR POSSIBLE ACTION	20.	2004000011	Travel Centers Of America: Wells Petro Truck Service	\$25,450.90	\$22,905.81
FOR POSSIBLE ACTION	21.	2004000039	Clark County Dept Of Aviation: Frmr National Car Rental	\$119,838.42	\$119,785.63
FOR POSSIBLE ACTION	22.	2005000036	Phillips 66 Company: Circle K #1791	\$6,251.67	\$4,485.58
FOR POSSIBLE ACTION	23.	2007000014	Ace Cab Company: Ace Cab Company	\$23,323.42	\$20,991.08
FOR POSSIBLE ACTION	24.	2008000005	Avis Rent A Car System LLC: Avis Rent A Car	\$25,385.34	\$22,846.81
FOR POSSIBLE ACTION	25.	2008000009	Pilot Travel Centers LLC: Flying J Travel Plaza #770	\$27,384.67	\$19,716.20
FOR POSSIBLE ACTION	26.	2008000018	Jacksons Food Stores INC: Jacksons Food Stores #0145	\$5,540.84	\$4,986.76
FOR POSSIBLE ACTION	27.	2008000019	One Panou LLC: Golden Market #3	\$15,516.80	\$13,965.12
FOR POSSIBLE ACTION	28.	2009000024	Parampreet Investment LLC: Chucks Circle C Market	\$14,631.41	\$13,166.94
FOR POSSIBLE ACTION	29.	2010000005	7-Eleven INC: 7-Eleven #27071	\$15,460.96	\$13,914.86
FOR POSSIBLE ACTION	30.	2010000007	Pecos Express: Pecos Station	\$11,733.86	\$10,560.47
FOR POSSIBLE ACTION	31.	2010000009	Travel Centers Of America: Mill City Travel Center	\$9,821.53	\$7,955.44
FOR POSSIBLE ACTION	32.	2011000006	7-Eleven INC: 7-Eleven #29384	\$7,302.09	\$6,571.88
FOR POSSIBLE ACTION	33.	2012000003	7-Eleven INC: 7-Eleven #26627	\$22,635.04	\$16,297.23
FOR POSSIBLE ACTION	34.	2012000005	Travel Systems, LLC: Zephyr Cove Resort	\$15,810.88	\$14,229.79
FOR POSSIBLE ACTION	35.	2012000012	Dewey Has Gas, INC: Smart Mart	\$11,792.11	\$10,612.90
FOR POSSIBLE ACTION	36.	2013000003	7-Eleven INC: 7-Eleven #25586	\$6,957.92	\$6,262.13
FOR POSSIBLE ACTION	37.	2013000004	7-Eleven INC: 7-Eleven #29665	\$8,664.47	\$7,798.02

FOR POSSIBLE ACTION	38.	2013000019	Hardy Enterprises INC: Elko Sinclair #53	\$16,634.50	\$14,971.05
FOR POSSIBLE ACTION	39.	2013000020	7-Eleven INC: 7-Eleven #26395	\$40,157.20	\$36,141.48
FOR POSSIBLE ACTION	40.	2014000007	7-Eleven INC: 7-Eleven #29658	\$11,554.67	\$10,399.20
FOR POSSIBLE ACTION	41.	2014000010	7-Eleven INC: 7-Eleven #29667	\$24,429.08	\$21,986.17
FOR POSSIBLE ACTION	42.	2014000025	Superior Campgrounds Of America LLC: Silver City Rv Resort	\$117,806.96	\$105,943.10
FOR POSSIBLE ACTION	43.	2015000005	Elko Acquisitions LLC dba Red Lion Chevron: Red Lion Chevron	\$27,829.36	\$25,046.42
FOR POSSIBLE ACTION	44.	2015000009	Travel Centers Of America: Las Vegas Travel Center	\$720.00	\$648.00
FOR POSSIBLE ACTION	45.	2015000013	7-Eleven INC: 7-Eleven #16896	\$7,316.54	\$6,584.89
FOR POSSIBLE ACTION	46.	2016000005	Golden Gate S.e.t. Retail Of Nevada LLC: Golden Gate Facility #65 - Fallon	\$4,151.68	\$3,736.51
FOR POSSIBLE ACTION	47.	2016000009	7-Eleven INC: 7-Eleven #13685	\$10,348.46	\$9,313.61
FOR POSSIBLE ACTION	48.	2016000021	7-Eleven INC: 7-Eleven #29647	\$29,595.88	\$26,636.29
FOR POSSIBLE ACTION	49.	2017000015	Gmr National A Nevada General Partnership: 24x7 Mini Mart	\$49,162.32	\$35,396.87
FOR POSSIBLE ACTION	50.	2017000035	Rebel Oil Company: Rebel Store #2177	\$126,518.39	\$113,866.55
			SUB TOTAL:	<u>\$1,140,507.73</u>	<u>\$1,020,182.29</u>
			RECOMMENDED CLAIMS TOTAL:	<u>\$1,199,913.38</u>	<u>\$1,075,516.94</u>

9. 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.

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.	2018000020 Stephen & Destinie Adams: Stephens H. Adams Residence	\$13,529.98	\$13,279.98
FOR DISCUSSION	2.	2018000021 Lisa Carlson: Urban Flats, LLC Series 3	\$12,208.77	\$11,958.77
FOR DISCUSSION	3.	2018000022 Richard & Nona Perry: Baker Family Trust	\$9,435.95	\$9,185.95
FOR DISCUSSION	4.	2018000023 Wanda Stevens: Edwin O. Steven Residence	\$14,213.46	\$13,963.46
SUB TOTAL:			<u>\$49,388.16</u>	<u>\$48,388.16</u>

<u>ONGOING CASES</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	1994000015 Pilger Family Holdings: Former D & G Oil Company	\$44,552.31	\$44,552.31
FOR DISCUSSION	2.	1997000008 Ewing Bros Inc: Ewing Bros INC	\$5,267.39	\$4,740.65
FOR DISCUSSION	3.	1998000034 Chevron Usa Products CO.: Chevron #9-4116	\$155,025.96	\$136,316.49
FOR DISCUSSION	4.	1998000034 Chevron Usa Products CO.: Chevron #9-4116	\$472,199.68	\$423,138.31
FOR DISCUSSION	5.	1999000014 Al Park Petroleum Inc: Pit Stop #7 Conoco	\$25,084.26	\$22,575.83
FOR DISCUSSION	6.	1999000023 Nevada Ready Mix Corp: Nevada Ready Mix	\$16,507.22	\$14,856.50
FOR DISCUSSION	7.	1999000066 HP Management, LLC: Former Haycock Petroleum	\$43,410.76	\$39,040.51
FOR DISCUSSION	8.	1999000199 Village Springs, LLC: Lakeshore Orbit Station	\$12,092.84	\$12,092.84
FOR DISCUSSION	9.	1999000273 V. K. Leavitt: The Waterhole	\$15,783.96	\$14,205.56
FOR DISCUSSION	10.	2005000044 Ewing Bros Inc: Ewing Bros INC	\$16,345.63	\$14,711.07
FOR DISCUSSION	11.	2008000018 Jacksons Food Stores INC: Jacksons Food Stores #0145	\$16,640.59	\$14,976.53
FOR DISCUSSION	12.	2011000009 Cimarron West: Cimarron West	\$28,782.78	\$17,604.45
FOR DISCUSSION	13.	2012000012 Dewey Has Gas, INC: Smart Mart	\$187,869.42	\$168,887.90
FOR DISCUSSION	14.	2013000009 Western Petroleum: Western Petroleum	\$19,293.16	\$17,363.84

FOR DISCUSSION	15.	2013000011	Har Moor Investments, LLC: Village Shop #4	\$20,397.25	\$18,357.53
FOR DISCUSSION	16.	2014000004	Alsaker Corp: Broadway Colt Service Center	\$26,462.06	\$23,815.85
FOR DISCUSSION	17.	2014000016	Smitten Oil And Tire Co Inc: Former Smitten Oil	\$4,768.43	\$4,291.59
FOR DISCUSSION	18.	2014000025	Superior Campgrounds Of America LLC: Silver City Rv Resort	\$56,732.88	\$51,059.59
FOR DISCUSSION	19.	2014000033	Speedee Mart Inc: Speedee Mart #108	\$16,562.47	\$14,906.22
FOR DISCUSSION	20.	2014000041	Forever Resorts: Callville Bay Resort Marina	\$9,645.41	\$8,680.87
FOR DISCUSSION	21.	2016000023	Al Park Petroleum Inc: Pit Stop #1	\$38,582.91	\$27,743.96
FOR DISCUSSION	22.	2017000027	John Edmond: Milk Gas Mart	\$18,019.50	\$16,217.55
FOR DISCUSSION	23.	2017000041	Reno Seven Seas INC: Arco Am/pm	\$5,263.75	\$3,789.90
FOR DISCUSSION	24.	2017000043	Jeanne W Murr Living Trust: Jeanne W Murr Living Trust	\$17,166.52	\$12,359.90
			SUB TOTAL:	<u>\$1,272,457.14</u>	<u>\$1,126,285.75</u>
			DIRECT PAYMENT CLAIMS TOTAL:	<u>\$1,321,845.30</u>	<u>\$1,174,673.91</u>
			BOARD MEETING CLAIMS TOTAL:	<u>\$2,521,758.68</u>	<u>\$2,250,190.85</u>

10. EXECUTIVE SUMMARY (FOR DISCUSSION)

NDEP will brief the Board on Fund coverage activities, Fund expenditures, tank enrollment status, 1099 tax form determination from the Department of Agriculture, and Eagle Gas North cleanup status.

11. 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.

**12. CONFIRMATION OF NEXT BOARD MEETING DATE (FOR DISCUSSION)
DECEMBER 12, 2018 (WEDNESDAY) AT 10:00 AM**

13. ADJOURNMENT

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

Clark County Managers Office, 500 S. Grand Central Pkwy., Las Vegas, NV 89155
Grant Sawyer Building, 555 E. Washington Ave., Rm. 1003, Las Vegas, NV 89101
Legislative Counsel Bureau, 401 S. Carson St., Carson City, NV 89701
Nevada State Library & Archives, 100 N. Stewart St., Carson City, NV 89701
State Fire Marshal's Office, Stewart Facility, 107 Jacobsen Way, Carson City, NV 89701
State of Nevada - Environmental Protection, Bureau of Corrective Actions, 901 S. Stewart St., 1st and 3rd Floors, Carson City, NV 89701
State of Nevada - Environmental Protection, Bureau of Corrective Actions, 2030 E. Flamingo Rd., Ste. 230, Las Vegas, NV 89119
Washoe County Commission Chambers, 1001 E. 9th St., Bldg. A, Reno, NV 89512
Washoe County District Health Department - Environmental Health Services Division, 1001 E. 9th St., Bldg. B, Reno, NV 89512
Washoe County Library, 301 S. Center St., Reno, NV 89501

You may find the agenda posted on our web site at: <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/board-meeting-agendas-minutes> and the Department of Administration's website at <https://notice.nv.gov> under State Government, Department of Conservation and Natural Resources, State of Nevada Board to Review Claims.

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify, in writing, NDEP, State of Nevada Board to Review Claims, in care of 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 August 31, 2018.

Note : Supporting material for this meeting and audio recordings of previous meetings are located in the Carson City Nevada Division of Environmental Protection (NDEP) office and can be obtained from Victoria Joncas by sending a request in writing to 901 S. Stewart St., Ste. 4001, Carson City, NV 89701, via electronic mail to vjoncas@ndep.nv.gov, or by calling (775) 687-9369.