

**STATE OF NEVADA BOARD TO REVIEW CLAIMS  
AGENDA  
MARCH 13, 2019**

The State of Nevada Board to Review Claims (Board) meeting will be video-conferenced and will begin promptly at 10:00 AM on Wednesday, March 13, 2019 at the following locations:

Carson City: Laxalt Building, 401 N. Carson St., 2nd Floor Chambers

Las Vegas: NDEP Office Building, 2030 E. Flamingo Rd., Suite 230, Red Rock Conference Room

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 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 DECEMBER 6, 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 PETROLEUM FUND COVERAGE WITH REDUCTION (FOR POSSIBLE ACTION)**

**Site Specific Board Determination No. C2019-01**

Proposed Site Specific Board Determination (SSBD) to Provide Reduced Petroleum Fund Coverage for Wolf Fastop, 1625 North Virginia Street, Reno, NV Petroleum Fund Case ID No. 2018000035, Facility ID No. 4-000633

**RECOMMENDATION:**

Adoption of Site Specific Board Determination No. C2019-01 as proposed, granting coverage under the State of Nevada Petroleum Fund to the Wolf Fastop for one UST system with a 10% reduction and a 10% copayment.

**6. 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 (†) 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

**STATE BOARD TO REVIEW CLAIMS  
REQUESTED/RECOMMENDED AMOUNTS - MARCH 13, 2019**

<u>HEATING OIL</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2012000017 Churchill County School District: Old High School	\$5,594.10	\$5,594.10
FOR POSSIBLE ACTION	2.	2018000037 Costa Family Trust: James P. Costa Property	\$10,329.89	\$10,079.89
FOR POSSIBLE ACTION	3.	2018000041 Adolf Allesch: Adolf S. Allesch Property	\$12,772.76	\$12,522.76
			<b>SUB TOTAL:</b>	
			<b><u>\$28,696.75</u></b>	<b><u>\$28,196.75</u></b>

<u>ONGOING CASES</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	1992000126 Clark County School District: Rc White (Arville) Transportation Satellite	\$17,367.79	\$16,492.22
FOR POSSIBLE ACTION	2.	1993000011 7-Eleven INC: 7-Eleven #29646	\$11,037.00	\$11,037.00
FOR POSSIBLE ACTION	3.	1993000102 Rebel Oil Company: Rebel Store #2008	\$2,415.67	\$2,415.67
FOR POSSIBLE ACTION	4.	1993000103 Charlie Brown Construction: Charlie Brown Const.	\$6,489.21	\$6,310.43
FOR POSSIBLE ACTION	5.	1994000012 Breakthru Beverage: Frmr Deluca Liquor & Wine	\$78,592.85	\$77,971.30
FOR POSSIBLE ACTION	6.	1994000027 7-Eleven INC: 7-Eleven #19653	\$32,581.39	\$32,525.61
FOR POSSIBLE ACTION	7.	1994000037 Param Investments LLC: Go-Fer Supermarket	\$8,788.25	\$8,761.25

FOR POSSIBLE ACTION	8.	1994000113	Pilot Travel Centers LLC: Former Unocal Truck Stop #6328	\$46,940.54	\$46,466.90
FOR POSSIBLE ACTION	9.	1995000039	Al Park Petroleum Inc: Crescent Valley Market	\$59,296.44	\$31,291.85
FOR POSSIBLE ACTION	10.	1996000063	Joan Pennachio: V & V Automotive	\$6,736.27	\$6,163.14
FOR POSSIBLE ACTION	11.	1996000064	H & A Esslinger, LLC: Red Rock Mini Mart	\$33,524.40	\$32,518.67
FOR POSSIBLE ACTION	12.	1996000101	Phillips 66 Company: Circle K #695	\$12,246.76	\$11,022.08
FOR POSSIBLE ACTION	13.	1997000071	7-Eleven INC: 7-Eleven #25586	\$7,079.99	\$6,371.99
FOR POSSIBLE ACTION	14.	1998000034	Chevron Usa Products CO.: Chevron #9-4116	\$47,588.89	\$41,190.20
FOR POSSIBLE ACTION	15.	1999000014	Al Park Petroleum Inc: Pit Stop #7 Conoco	\$8,977.40	\$8,079.66
FOR POSSIBLE ACTION	16.	1999000022	Terrible Herbst, INC.: Terrible Herbst #129	\$2,253.00	\$2,027.70
FOR POSSIBLE ACTION	17.	1999000029	Terrible Herbst, INC.: Terrible Herbst #136 (Arco)	\$12,110.22	\$10,899.20
FOR POSSIBLE ACTION	18.	1999000064	Al Park Petroleum Inc: Pit Stop #4 (Conoco)	\$1,137.50	\$1,023.75
FOR POSSIBLE ACTION	19.	1999000086	Terrible Herbst, INC.: Terrible Herbst #126 (Arco)	\$10,893.78	\$9,804.40
FOR POSSIBLE ACTION	20.	1999000104	Terrible Herbst, INC.: Terrible Herbst #118 & #120 Lube	\$2,857.94	\$2,572.15
FOR POSSIBLE ACTION	21.	1999000135	Terrible Herbst, INC.: Terrible Herbst #106 (Gas) & #108 (Lube)	\$12,770.98	\$11,493.88
FOR POSSIBLE ACTION	22.	1999000137	Terrible Herbst, INC.: Terrible Herbst #152 (Gas) & #155 (Lube)	\$23,413.07	\$21,039.36
FOR POSSIBLE ACTION	23.	1999000199	Village Springs, LLC: Lakeshore Orbit Station	\$5,493.83	\$5,475.83
FOR POSSIBLE ACTION	24.	1999000243	7-Eleven INC: 7-Eleven #27607	\$14,127.78	\$12,715.00
FOR POSSIBLE ACTION	25.	1999000244	7-Eleven INC: 7-Eleven #22070	\$17,585.91	\$15,708.71
FOR POSSIBLE ACTION	26.	2005000002	Carson Valley Oil Co Inc: Carson Valley Oil CO	\$830.00	\$747.00
FOR POSSIBLE ACTION	27.	2005000036	Phillips 66 Company: Circle K #1791	\$3,262.80	\$2,349.22
FOR POSSIBLE ACTION	28.	2007000014	Ace Cab Company: Ace Cab Company	\$31,368.48	\$28,223.53
FOR POSSIBLE ACTION	29.	2008000018	Jacksons Food Stores INC: Jacksons Food Stores #0145	\$6,439.49	\$5,795.54
FOR POSSIBLE ACTION	30.	2008000019	One Panou LLC: Golden Market #3	\$13,304.74	\$11,974.27
FOR POSSIBLE ACTION	31.	2010000005	7-Eleven INC: 7-Eleven #27071	\$5,406.22	\$4,865.60
FOR POSSIBLE ACTION	32.	2010000007	Pecos Express: Pecos Station	\$3,172.85	\$2,815.07
FOR POSSIBLE ACTION	33.	2011000009	Cimarron West: Cimarron West	\$35,983.00	\$32,185.75
FOR POSSIBLE ACTION	34.	2012000004	7-Eleven INC: 7-Eleven #15426	\$27,993.90	\$25,179.11
FOR POSSIBLE ACTION	35.	2012000012	Dewey Has Gas, INC: Smart Mart	\$32,740.83	\$29,466.75
FOR POSSIBLE ACTION	36.	2013000003	7-Eleven INC: 7-Eleven #25586	\$6,703.69	\$6,033.32
FOR POSSIBLE ACTION	37.	2013000004	7-Eleven INC: 7-Eleven #29665	\$8,197.40	\$7,377.66
FOR POSSIBLE ACTION	38.	2013000020	7-Eleven INC: 7-Eleven #26395	\$24,263.47	\$21,592.32

FOR POSSIBLE ACTION	39.	2013000021	7-Eleven INC: 7-Eleven #27700	\$41,905.98	\$37,715.38
FOR POSSIBLE ACTION	40.	2014000007	7-Eleven INC: 7-Eleven #29658	\$8,730.23	\$7,857.21
FOR POSSIBLE ACTION	41.	2014000016	Smitten Oil And Tire Co Inc: Former Smitten Oil	\$1,698.00	\$1,528.20
FOR POSSIBLE ACTION	42.	2015000005	Elko Acquisitions LLC dba Red Lion Chevron: Red Lion Chevron	\$11,052.04	\$9,946.84
FOR POSSIBLE ACTION	43.	2016000005	Golden Gate S.e.t. Retail Of Nevada LLC: Golden Gate Facility #65 - Fallon	\$2,515.50	\$2,263.95
FOR POSSIBLE ACTION	44.	2016000012	DLF Corporation: Mr Ds Fastlane	\$1,557.50	\$1,401.75
FOR POSSIBLE ACTION	45.	2016000023	Al Park Petroleum Inc: Pit Stop #1	\$42,718.07	\$30,509.87
FOR POSSIBLE ACTION	46.	2016000027	Terrible Herbst, INC.: Terrible Herbst #272	\$14,286.20	\$11,571.82
FOR POSSIBLE ACTION	47.	2017000035	Rebel Oil Company: Rebel Store #2177	\$11,694.54	\$10,515.58
FOR POSSIBLE ACTION	48.	2018000005	Rebel Oil Company: Rebel Store # 2153	\$11,873.56	\$10,686.20
FOR POSSIBLE ACTION	49.	2018000009	Reed Incorporated: Pacific Pride	\$9,389.91	\$8,450.92
			<b>SUB TOTAL:</b>	<b><u>\$839,395.26</u></b>	<b><u>\$742,430.81</u></b>
			<b>RECOMMENDED CLAIMS TOTAL:</b>	<b><u>\$868,092.01</u></b>	<b><u>\$770,627.56</u></b>

**7. 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.	1993000020 University Of Nevada Reno: Albert Fragione Property	\$12,093.93	\$12,093.93
FOR DISCUSSION	2.	2004000041 University Of Nevada Reno: Unr Crisis Center	\$28,235.75	\$28,235.75
FOR DISCUSSION	3.	2018000034 University Of Nevada Reno: 1121 Evans Avenue	\$37,669.22	\$37,419.22
FOR DISCUSSION	4.	2018000040 Sonja Dresbach: Sonja M. Dresbach Residence	\$22,954.13	\$22,704.13
FOR DISCUSSION	5.	2018000044 University Of Nevada Reno: 1081 Evans Ave	\$3,513.50	\$3,263.50
<b>SUB TOTAL:</b>			<b><u>\$104,466.53</u></b>	<b><u>\$103,716.53</u></b>

<u>ONGOING CASES</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	1994000015 Pilger Family Holdings: Former D & G Oil Company	\$45,473.16	\$45,473.16
FOR DISCUSSION	2.	1997000008 Ewing Bros Inc: Ewing Bros INC	\$4,275.00	\$3,847.50
FOR DISCUSSION	3.	1999000023 Nevada Ready Mix Corp: Nevada Ready Mix	\$31,040.50	\$27,936.45
FOR DISCUSSION	4.	1999000066 HP Management, LLC: Former Haycock Petroleum	\$35,985.21	\$32,324.81
FOR DISCUSSION	5.	2004000011 Travel Centers Of America: Wells Petro Truck Service	\$30,386.81	\$27,348.13
FOR DISCUSSION	6.	2004000039 Clark County Dept Of Aviation: Frmr National Car Rental	\$133,319.12	\$26,703.84
FOR DISCUSSION	7.	2005000044 Ewing Bros Inc: Ewing Bros INC	\$18,584.04	\$16,725.64

FOR DISCUSSION	8.	2008000018	Jacksons Food Stores INC: Jacksons Food Stores #0145	\$19,697.96	\$17,728.16
FOR DISCUSSION	9.	2010000003	Sira Truck Holdings, Llp: Big Wheel Truck Center	\$7,722.50	\$6,950.25
FOR DISCUSSION	10.	2010000009	Travel Centers Of America: Mill City Travel Center	\$119,861.97	\$97,088.19
FOR DISCUSSION	11.	2013000009	Western Petroleum: Western Petroleum	\$22,509.42	\$20,258.48
FOR DISCUSSION	12.	2013000011	Har Moor Investments, LLC: Village Shop #4	\$22,832.93	\$20,543.33
FOR DISCUSSION	13.	2013000019	Hardy Enterprises INC: Elko Sinclair #53	\$15,863.99	\$14,251.10
FOR DISCUSSION	14.	2014000004	Alsaker Corp: Broadway Colt Service Center	\$20,830.36	\$18,747.32
FOR DISCUSSION	15.	2014000025	Superior Campgrounds Of America LLC: Silver City Rv Resort	\$52,419.41	\$46,771.25
FOR DISCUSSION	16.	2014000033	Speedee Mart Inc: Speedee Mart #108	\$16,278.31	\$14,650.48
FOR DISCUSSION	17.	2014000041	Forever Resorts: Callville Bay Resort Marina	\$6,965.00	\$6,268.50
FOR DISCUSSION	18.	2017000019	Rebel Oil Company: Rebel Store #2197	\$113,235.52	\$90,213.32
FOR DISCUSSION	19.	2017000027	John Edmond: Mlk Gas Mart	\$4,946.64	\$4,451.98
FOR DISCUSSION	20.	2018000029	Rebel Oil Company: Rebel Oil CO #25	\$23,251.86	\$20,926.67
			<b>SUB TOTAL:</b>	<b><u>\$745,479.71</u></b>	<b><u>\$559,208.56</u></b>
			<b>DIRECT PAYMENT CLAIMS TOTAL:</b>	<b><u>\$849,946.24</u></b>	<b><u>\$662,925.09</u></b>
			<b>BOARD MEETING CLAIMS TOTAL:</b>	<b><u>\$1,718,038.25</u></b>	<b><u>\$1,433,552.65</u></b>

**8. 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, the grant program for UST upgrades, and Eagle Gas North cleanup status.

**9. 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.

**10. CONFIRMATION OF NEXT BOARD MEETING DATE (FOR DISCUSSION)  
JUNE 13, 2019 (THURSDAY) AT 10:00 AM**

**11. 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  
Department of Conservation and Natural Resources, Richard H. Bryan Bldg., 901 S. Stewart St., 1<sup>st</sup> Floor, Carson City, NV 89701  
Legislative Counsel Bureau, Nevada Legislative Bldg., 401 S. Carson St., Carson City, NV 89701  
Legislative Counsel Bureau, Grant Sawyer Building, 555 E. Washington Ave., Rm. 1003, Las Vegas, NV 89101  
Nevada Division of Tourism, Paul Laxalt Bldg., 401 N. Carson St., Carson City, NV 89701  
Nevada Division of Environmental Protection, Bureau of Corrective Actions, 901 S. Stewart St., 3<sup>rd</sup> Floor, Carson City, NV 89701  
Nevada Division of Environmental Protection, Bureau of Corrective Actions, 2030 E. Flamingo Rd., Ste. 230, Las Vegas, NV 89119  
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  
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 89520  
Washoe County Library, 301 S. Center St., Reno, NV 89501

**You may also 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 March 6, 2019.

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](mailto:vjoncas@ndep.nv.gov), or by calling (775) 687-9369.