

**STATE OF NEVADA BOARD TO REVIEW CLAIMS  
AGENDA  
SEPTEMBER 8, 2022**

The State of Nevada Board to Review Claims (Board) meeting will be video-conferenced and will begin promptly at 10:00 AM on Thursday, September 08, 2022 at the following locations:

Carson City: This meeting will be held by video/teleconference with limited physical location meeting space. Remote 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 five 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 JUNE 01, 2022 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. ADOPTION OF BOARD POLICY RESOLUTION 2022-02 (PETROLEUM FUND COST GUIDELINES) (FOR POSSIBLE ACTION)**

Staff will present for adoption Board Policy Resolution No. 2022-02, which includes new Cost Guidelines for certified environmental managers. If adopted, the new policy will replace Board Policy Resolution No. 2001-05. An additional public comment period will be provided for this agenda item.

**6. ADOPTION OF EQUIPMENT COST SCHEDULE FOR GRANT PAID UST UPGRADES (FOR POSSIBLE ACTION)**

NAC 445C.350(3) requires Petroleum Fund grant awards for underground storage tank (UST) upgrades to be paid by the NDEP pursuant to a cost schedule approved by the Board. Petroleum Fund staff will provide a cost schedule for the Board's consideration and adoption.

**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 - SEPTEMBER 8, 2022**

<u>HEATING OIL</u>				<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2012000017; 80304	Churchill County School District: Old High School	\$8,802.48	\$8,802.48
FOR POSSIBLE ACTION	2.	2021000028; 80328	Jonathon King: Jonathan H & Eve M King Family Trust Residential Heating Oil Tank	\$2,276.40	\$2,276.40
FOR POSSIBLE ACTION	3.	2021000040; 80176	Glendale Ave Properties, LLC: Glendale Ave. Properties, LLC	\$18,259.12	\$16,611.62
<b>SUB TOTAL:</b>				<b><u>\$29,338.00</u></b>	<b><u>\$27,690.50</u></b>
<u>ONGOING CASES</u>				<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	1992000126; 80322	Clark County School District: Rc White (Arville) Transportation Satellite	\$26,212.92	\$26,212.92
FOR POSSIBLE ACTION	2.	1994000027; 80330	7-Eleven Inc: 7-Eleven #19653	\$61,212.97	\$61,212.97
FOR POSSIBLE ACTION	3.	1995000039; 80303	Al Park Petroleum Inc: Crescent Valley Market	\$4,503.85	\$3,867.14
FOR POSSIBLE ACTION	4.	1996000064; 80323	The Esslinger Family Trust: Red Rock Mini Mart	\$6,574.68	\$2,872.39
FOR POSSIBLE ACTION	5.	1998000075; 80221	55 McDermitt Crude, LLC: McDermitt Motel & Convenience Store	\$17,823.88	\$16,041.49

FOR POSSIBLE ACTION	6.	1999000014; 80306	Al Park Petroleum Inc: Pit Stop #7 Conoco	\$7,790.76	\$7,011.68
FOR POSSIBLE ACTION	7.	2004000039; 80157	Clark County Department Of Aviation: Frmr National Car Rental	\$47,809.94	\$47,809.94
FOR POSSIBLE ACTION	8.	2007000016; 80308	Golden Gate Petroleum Of Nevada, LLC: Golden Gate Sun Valley #43	\$6,379.25	\$5,741.33
FOR POSSIBLE ACTION	9.	2008000019; 80266	One Panou LLC: Golden Market #3	\$21,213.52	\$19,092.17
FOR POSSIBLE ACTION	10.	2009000024; 80066	Parampreet Investment LLC: Chucks Circle C Market	\$142,702.12	\$126,693.25
FOR POSSIBLE ACTION	11.	2010000009; 80309	Hpt Ta Properties Trust: Mill City Travel Center	\$26,208.52	\$21,228.90
FOR POSSIBLE ACTION	12.	2011000009; 80278	Cimarron West: Cimarron West	\$18,237.92	\$16,414.13
FOR POSSIBLE ACTION	13.	2012000012; 80319	Clark County Department Of Aviation: Former Smart Mart	\$8,922.83	\$8,030.55
FOR POSSIBLE ACTION	14.	2013000004; 80331	7-Eleven Inc: 7-Eleven #29665	\$9,813.87	\$8,832.48
FOR POSSIBLE ACTION	15.	2013000019; 80312	Hardy Enterprises INC: Elko Sinclair #53	\$30,799.18	\$27,708.35
FOR POSSIBLE ACTION	16.	2013000021; 80300	7-Eleven Inc: 7-Eleven #27700	\$26,541.06	\$23,886.95
FOR POSSIBLE ACTION	17.	2014000004; 80305	Alsaker Corp: Broadway Colt Service Center	\$11,462.95	\$10,316.65
FOR POSSIBLE ACTION	18.	2014000007; 80284	7-Eleven Inc: 7-Eleven #29658	\$11,987.50	\$10,788.75
FOR POSSIBLE ACTION	19.	2014000025; 80313	Superior Campgrounds Of America, LLC: Silver City Rv Resort	\$28,238.56	\$25,414.70
FOR POSSIBLE ACTION	20.	2016000009; 80329	7-Eleven Inc: 7-Eleven #13685	\$7,798.83	\$7,018.95
FOR POSSIBLE ACTION	21.	2016000012; 80320	DLF Corporation: Mr Ds Fastlane	\$17,390.99	\$15,651.89
FOR POSSIBLE ACTION	22.	2016000023; 80315	Al Park Petroleum Inc: Pit Stop #1	\$10,229.83	\$7,365.47
FOR POSSIBLE ACTION	23.	2018000009; 80316	Reed Incorporated: Pacific Pride	\$6,175.72	\$5,461.38
FOR POSSIBLE ACTION	24.	2020000015; 80324	Canyon Plaza, LLC: Gas 2 Go	\$13,736.70	\$7,417.82
FOR POSSIBLE ACTION	25.	2021000026; 80285	7-Eleven Inc: 7-Eleven #25578	\$30,264.77	\$27,238.29
<b>SUB TOTAL:</b>				<b><u>\$600,033.12</u></b>	<b><u>\$539,330.54</u></b>
<b>RECOMMENDED CLAIMS TOTAL:</b>				<b><u>\$629,371.12</u></b>	<b><u>\$567,021.04</u></b>

**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.	2022000013; 80282 Equity Trust Company: 960 Keystone Avenue Residential Heating Oil Tank	\$26,363.19	\$25,863.19
FOR DISCUSSION	2.	2022000014; 80283 Sachidevi Lake: Sachidevi Lake	\$30,104.59	\$29,854.59
FOR DISCUSSION	3.	2022000016; 80287 David Fernandes: Coffee Cup Investments LLC	\$33,001.80	\$32,501.80
FOR DISCUSSION	4.	2022000017; 80286 Whitney Stodtmeister: Rw Stodtmeister Living Trust	\$21,327.70	\$21,077.70
			<b>SUB TOTAL:</b>	<b><u>\$110,797.28</u></b>
				<b><u>\$109,297.28</u></b>

<u>ONGOING CASES</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	1993000102; 80295 Rebel Oil Company: Rebel Store #2008	\$10,103.25	\$10,103.25
FOR DISCUSSION	2.	1994000015; 80290 Pilger Family Holdings: Former D & G Oil Company	\$12,112.33	\$12,112.33
FOR DISCUSSION	3.	1999000023; 80293 Nevada Ready Mix Corp: Nevada Ready Mix	\$21,084.23	\$18,280.56
FOR DISCUSSION	4.	1999000066; 80294 HP Management, LLC: Former Haycock Petroleum	\$25,686.17	\$23,077.05
FOR DISCUSSION	5.	2013000011; 80291 Har Moor Investments, LLC: Village Shop #4	\$18,768.25	\$16,891.43
FOR DISCUSSION	6.	2014000033; 80292 Speedee Mart Inc.: Speedee Mart #108	\$18,880.47	\$16,992.42
FOR DISCUSSION	7.	2017000019; 80297 Rebel Oil Company: Rebel Store #2197	\$15,835.86	\$14,252.27
FOR DISCUSSION	8.	2017000035; 80299 Rebel Oil Company: Rebel Store #2177	\$38,999.43	\$35,099.49

FOR DISCUSSION	9.	2018000005; 80296	Rebel Oil Company: Rebel Store # 2153	\$5,137.00	\$4,623.30
FOR DISCUSSION	10.	2019000002; 80298	Rebel Oil Company: Rebel Store #2166	\$5,734.50	\$5,161.05
FOR DISCUSSION	11.	2019000005; 80248	Fairway Chevrolet Co: Fairway Chevrolet CO	\$14,133.50	\$12,720.15
FOR DISCUSSION	12.	2019000014; 80289	Western Cab Co: Western Cab CO	\$5,053.00	\$4,547.70
FOR DISCUSSION	13.	2019000044; 80281	7-Eleven Inc: 7-Eleven #15829	\$29,365.91	\$26,429.32
			<b>SUB TOTAL:</b>	<b><u>\$220,893.90</u></b>	<b><u>\$200,290.32</u></b>
			<b>DIRECT PAYMENT CLAIMS TOTAL:</b>	<b><u>\$331,691.18</u></b>	<b><u>\$309,587.60</u></b>
			<b>BOARD MEETING CLAIMS TOTAL:</b>	<b><u>\$961,062.30</u></b>	<b><u>\$876,608.64</u></b>

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

NDEP will brief the Board on Fund coverage activities, Fund expenditures, tank enrollment status, audit progress, and Eagle Gas collections progress.

**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)  
DECEMBER 8, 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/environmental-cleanup/petroleum-fund/board-meeting-agendas-minutes> and the Department of Administration's website at: <https://notice.nv.gov>. Additional physical postings were requested at the following locations:

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

**Viewing of and participation in the September 8, 2022 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/15577867>

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

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

**Meeting extension: 15577867#**

The agency can accommodate limited seating at the meeting location if requested in advance. 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 should contact Tristin Alishio by email at [talishio@ndep.nv.gov](mailto:talishio@ndep.nv.gov), by calling (775) 687-9369, in writing at NDEP-BCA, Board to Review Claims, 901 S. Stewart St., Ste. 4001, Carson City, NV 89701, or by facsimile (775) 687-8335 no later than September 6, 2022.

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

