

**STATE OF NEVADA BOARD TO REVIEW CLAIMS  
AGENDA  
DECEMBER 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, December 08, 2022 at the following locations:

Carson City: This meeting will be held by video/teleconference in the Bryan Building, 2nd Floor, Tahoe Room, 901 South Stewart Street, Carson City, NV. Remote participation information is posted below this agenda.

Las Vegas: This meeting will be video streamed to the Red Rock Conference Room at 375 East Warm Springs Road, Suite 200, Las Vegas, NV

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 SEPTEMBER 08, 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. SITE SPECIFIC BOARD DETERMINATION FOR PETROLEUM FUND COVERAGE WITH REDUCTION (FOR POSSIBLE ACTION)**

**Site Specific Board Determination No. C2022-01**

Proposed Site-Specific Board Determination (SSBD) to Provide Reduced Petroleum Fund Coverage for Pilot Travel Centers, LLC #341, 3812 East Craig Rd, North Las Vegas, Nevada  
Petroleum Fund Case ID No. 2022000018, Facility ID No. 8-001634

**RECOMMENDATION:**

Adoption of Site-Specific Board Determination No. C2022-01 as proposed, granting coverage under the State of Nevada Petroleum Fund to Pilot Travel Centers, LLC #341 for \$720,000.00. This represents \$1,000,000.00 in coverage for one gasoline UST system, with a 20% reduction and a 10% copayment.

**6. SITE SPECIFIC BOARD DETERMINATION FOR PETROLEUM FUND COVERAGE WITH REDUCTION (FOR POSSIBLE ACTION)**

**Site Specific Board Determination No. C2022-02**

Proposed Site-Specific Board Determination (SSBD) to Provide Reduced Petroleum Fund Coverage for Rebel Store #2197, 4665 East Sunset Road, Henderson, Nevada  
Petroleum Fund Case ID No. 2022000015, Facility ID No. 8-001781

**RECOMMENDATION:**

Adoption of Site-Specific Board Determination No. C2022-02 as proposed, granting coverage under the State of Nevada Petroleum Fund to Rebel Store #2197 for \$720,000.00. This represents \$1,000,000.00 in coverage for one gasoline UST system, with a 20% reduction and a 10% copayment.

**7. AMEND BOARD POLICY RESOLUTION 2017-01 (FOR POSSIBLE ACTION)**

This Resolution provides criteria for aboveground storage tank (AST) registration and recommended coverage reductions for certain AST business practices. Amendments to the resolution are being proposed to incorporate state regulation updates and the addition of suspected release reporting and investigation requirements for Petroleum Fund registered ASTs.

**8. 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 8, 2022**

<u>HEATING OIL</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2022000010; 80388 Thunderbird Motel: Thunderbird Motel	\$15,567.09	\$15,567.09
			<b>SUB TOTAL:</b>	<b><u>\$15,567.09</u></b>
 <u>NEW CASES</u>			 <u>REQUESTED</u>	 <u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2021000014; 80374 Pilot Travel Centers LLC: Pilot Travel Centers LLC #341	\$105,021.33	\$90,264.47
			<b>SUB TOTAL:</b>	<b><u>\$105,021.33</u></b>
 <u>ONGOING CASES</u>			 <u>REQUESTED</u>	 <u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	1992000126; 80392 Clark County School District: Rc White (Arville) Transportation Satellite	\$32,332.32	\$32,332.32
FOR POSSIBLE ACTION	2.	1993000102; 80363 Rebel Oil Company: Rebel Store #2008	\$90,422.00	\$90,422.00
FOR POSSIBLE ACTION	3.	1994000027; 80373 7-Eleven, Inc: 7-Eleven #19653	\$70,797.47	\$70,797.47

FOR POSSIBLE ACTION	4.	1995000042; 80326	FBF INC: Gas 4 Less	\$15,179.70	\$15,179.70
FOR POSSIBLE ACTION	5.	1996000064; 80376	The Esslinger Family Trust: Red Rock Mini Mart	\$7,556.75	\$7,330.05
FOR POSSIBLE ACTION	6.	1996000101; 80280	Phillips 66 Company: Circle K Store #2700695	\$30,302.91	\$27,027.21
FOR POSSIBLE ACTION	7.	1998000075; 80382	55 McDermitt Crude, LLC: McDermitt Motel & Convenience Store	\$6,563.63	\$5,907.27
FOR POSSIBLE ACTION	8.	1999000014; 80384	Al Park Petroleum Inc: Pit Stop #7 Conoco	\$5,523.94	\$4,971.55
FOR POSSIBLE ACTION	9.	1999000022; 80362	Terrible Herbst Inc: Terrible Herbst #129	\$20,380.99	\$18,342.89
FOR POSSIBLE ACTION	10.	1999000086; 80364	Terrible Herbst Inc: Terrible Herbst #126	\$14,133.53	\$12,720.18
FOR POSSIBLE ACTION	11.	1999000104; 80353	Terrible Herbst Inc: Terrible Herbst #118	\$17,468.07	\$15,721.26
FOR POSSIBLE ACTION	12.	1999000243; 80379	7-Eleven, Inc: 7-Eleven #27607	\$70,515.69	\$63,464.12
FOR POSSIBLE ACTION	13.	2007000014; 80273	Raiders Oz Business, LLC: Former Ace Cab/frias Transportation	\$142,490.84	\$128,241.76
FOR POSSIBLE ACTION	14.	2007000016; 80385	Golden Gate Petroleum Of Nevada, LLC: Golden Gate Sun Valley #43	\$6,399.75	\$5,759.77
FOR POSSIBLE ACTION	15.	2010000009; 80386	Hpt Ta Properties Trust: Mill City Travel Center	\$16,304.68	\$13,206.02
FOR POSSIBLE ACTION	16.	2011000009; 80387	Cimarron West: Cimarron West	\$20,181.02	\$18,162.92
FOR POSSIBLE ACTION	17.	2012000005; 80346	Travel Systems, LLC: Zephyr Cove Resort	\$36,508.54	\$32,848.69
FOR POSSIBLE ACTION	18.	2012000012; 80340	Clark County Department Of Aviation: Former Smart Mart	\$14,988.20	\$13,349.14
FOR POSSIBLE ACTION	19.	2013000004; 80356	7-Eleven, Inc: 7-Eleven #29665	\$16,812.00	\$15,130.80
FOR POSSIBLE ACTION	20.	2013000019; 80380	Hardy Enterprises INC: Elko Sinclair #53	\$32,074.16	\$28,866.74
FOR POSSIBLE ACTION	21.	2014000004; 80381	Alsaker Corp: Broadway Colt Service Center	\$4,567.67	\$4,110.90
FOR POSSIBLE ACTION	22.	2014000007; 80372	7-Eleven, Inc: 7-Eleven #29658	\$31,453.00	\$28,291.50
FOR POSSIBLE ACTION	23.	2014000025; 80383	Superior Campgrounds Of America, LLC: Silver City Rv Resort	\$22,836.39	\$20,514.50
FOR POSSIBLE ACTION	24.	2015000009; 80210	Hpt Ta Properties Trust: Las Vegas Travel Center	\$2,857.50	\$2,571.75
FOR POSSIBLE ACTION	25.	2016000005; 80314	Golden Gate S.e.t. Retail Of Nevada, LLC: Golden Gate Petroleum 65 - Fallon	\$2,706.00	\$2,435.40
FOR POSSIBLE ACTION	26.	2016000009; 80348	7-Eleven, Inc: 7-Eleven #13685	\$14,281.71	\$12,853.54
FOR POSSIBLE ACTION	27.	2016000012; 80371	DLF Corporation: Mr Ds Fastlane	\$11,402.50	\$10,262.25
FOR POSSIBLE ACTION	28.	2016000023; 80393	Al Park Petroleum Inc: Pit Stop #1	\$16,842.90	\$12,126.89
FOR POSSIBLE ACTION	29.	2016000027; 80276	Terrible Herbst Inc: Terrible Herbst #272	\$53,957.90	\$43,705.90
FOR POSSIBLE ACTION	30.	2017000019; 80360	Rebel Oil Company: Rebel Store #2197	\$15,567.94	\$13,877.02
FOR POSSIBLE ACTION	31.	2017000035; 80359	Rebel Oil Company: Rebel Store #2177	\$20,169.14	\$18,152.23
FOR POSSIBLE ACTION	32.	2018000005; 80355	Rebel Oil Company: Rebel Store # 2153	\$4,702.00	\$4,231.80
FOR POSSIBLE ACTION	33.	2019000002; 80358	Rebel Oil Company: Rebel Store #2166	\$6,172.00	\$5,554.80
FOR POSSIBLE ACTION	34.	2019000044; 80311	7-Eleven, Inc: 7-Eleven #15829	\$62,845.24	\$56,560.72
FOR POSSIBLE ACTION	35.	2020000015; 80377	Canyon Plaza, LLC: Gas 2 Go	\$58,626.49	\$31,658.30

FOR POSSIBLE ACTION 36. 2021000026; 80369 7-Eleven, Inc: 7-Eleven #25578

\$15,320.85

\$11,777.95

**SUBTOTAL:**

**\$1,011,245.42**

**\$898,467.31**

**RECOMMENDED CLAIMS TOTAL:**

**\$1,131,833.84**

**\$1,004,298.87**

**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.**

**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.	2022000010; 80288 Thunderbird Motel: Thunderbird Motel	\$21,258.73	\$21,008.73
FOR DISCUSSION	2.	2022000019; 80337 Kramer Properties: Best Bet Motel	\$12,692.14	\$12,442.14
FOR DISCUSSION	3.	2022000020; 80332 Chenault Revocable Living Trust: Chenault Living Trust	\$27,728.91	\$27,478.91
FOR DISCUSSION	4.	2022000021; 80333 Chad & Lori Strawn: Strawn, Chad & Lori	\$25,149.24	\$24,899.24
FOR DISCUSSION	5.	2022000022; 80335 Sbj Enterprises LLC: 4186 Del Curto Drive Residential Heating Oil Tank	\$13,278.90	\$13,028.90
FOR DISCUSSION	6.	2022000023; 80334 Carlo Piraino / Linda Peterson-Rivera: Piraino Property	\$16,244.16	\$15,994.16
FOR DISCUSSION	7.	2022000024; 80338 Lorrain Carroll: 860 Brookfield Drive	\$35,233.70	\$34,983.70
FOR DISCUSSION	8.	2022000026; 80341 William Devine: Residential Heating Oil Tank At 130 Bret Harte Ave	\$18,628.66	\$18,378.66
FOR DISCUSSION	9.	2022000027; 80342 Gregg & Deborah Nimmo: Nimmo Family Trust, Residential Heating Oil Tank	\$26,005.39	\$25,755.39
FOR DISCUSSION	10.	2022000028; 80343 Henry Cavallera: Cavallera Trust	\$39,074.80	\$38,574.80
FOR DISCUSSION	11.	2022000029; 80344 Breckenridge Property Fund 2016, LLC: Breckenridge Property Fund	\$24,999.98	\$24,749.98
FOR DISCUSSION	12.	2022000031; 80366 Karel Wilkins: Residential Heating Oil Tank At 2325 Fir Avenue	\$13,539.56	\$13,289.56
FOR DISCUSSION	13.	2022000032; 80365 Robert Ternan: Residential Heating Oil Tank At 340 Sunset Dr.	\$26,789.95	\$26,539.95
			<b>SUB TOTAL:</b>	<b><u>\$300,624.12</u></b>
				<b><u>\$297,124.12</u></b>

**ONGOING CASES**

FOR DISCUSSION  
FOR DISCUSSION  
FOR DISCUSSION  
FOR DISCUSSION  
FOR DISCUSSION  
FOR DISCUSSION  
FOR DISCUSSION  
FOR DISCUSSION  
FOR DISCUSSION

1. 1994000015; 80347 Pilger Family Holdings: Former D & G Oil Company
2. 1999000023; 80351 Nevada Ready Mix Corp: Nevada Ready Mix
3. 1999000066; 80367 HP Management, LLC: Former Haycock Petroleum
4. 1999000243; 80336 7-Eleven, Inc: 7-Eleven #27607
5. 2013000011; 80349 Har Moor Investments, LLC: Village Shop #4
6. 2014000033; 80350 Speedee Mart Inc.: Speedee Mart #108
7. 2019000005; 80352 Fairway Chevrolet Company: Fairway Chevrolet CO
8. 2019000014; 80354 Western Cab Co: Western Cab CO
9. 2022000012; 80368 Neissan Koroghli: City C-Store (7-11)

**REQUESTED**

**PAID**

\$9,168.84  
\$21,827.52  
\$25,579.38  
\$52,495.82  
\$15,917.25  
\$20,149.02  
\$15,399.00  
\$6,908.25  
\$25,859.25

\$9,168.84  
\$19,644.77  
\$23,021.44  
\$47,246.24  
\$14,325.53  
\$18,134.12  
\$13,859.10  
\$6,217.43  
\$23,273.33

**SUB TOTAL:**

**\$193,304.33**

**\$174,890.80**

**DIRECT PAYMENT CLAIMS TOTAL:**

**\$493,928.45**

**\$472,014.92**

**BOARD MEETING CLAIMS TOTAL:**

**\$1,625,762.29**

**\$1,476,313.79**

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

NDEP will brief the Board on Fund tank enrollment status, coverage activities, claim reimbursement expenditures to-date, and other quarterly program accomplishments.

**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)  
MARCH 9, 2023 (THURSDAY) 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:**

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 December 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:**

Microsoft Teams meeting

**Join on your computer, mobile app or room device**

[Click here to join the meeting](#)

Meeting ID: 253 078 179 959

Passcode: 45ZqqN

[Download Teams](#) | [Join on the web](#)

**Or call in (audio only)**

[+1 775-321-6111](tel:+17753216111), [295389081#](tel:+1295389081) United States, Reno

Phone Conference ID: 295 389 081#



The agency can accommodate limited seating at the meeting locations 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 December 5, 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.