

**STATE OF NEVADA BOARD TO REVIEW CLAIMS**  
**AGENDA**  
**JUNE 13, 2024**

The State of Nevada Board to Review Claims (Board) meeting will be video-conferenced and will begin promptly at 10:00 AM on Thursday, June 13, 2024 at the following locations:

Carson City: Richard H. Bryan Building, 901 South Stewart Street, Bonnie B. Bryan Boardroom (Suite 1002), Carson City, NV

Las Vegas: NDEP Las Vegas Office, 375 East Warm Springs Road, Red Rock Conference Room (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 MARCH 07, 2024 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 ADDITIONAL CLEANUP ALLOTMENT (FOR POSSIBLE ACTION)**

**Site Specific Board Determination No. C2024-01**

Proposed Site Specific Board Determination to provide an Additional Allotment of Cleanup Funding in accordance with subsections 4 and 6 of NRS 445C.380 and Board Policy Resolution 2023-01, for Speedee Mart #108, located at 4701 West Lake Mead Boulevard, Las Vegas, Nevada  
Petroleum Fund Case ID No. 2014000033, Facility ID No. 8-001779

**RECOMMENDATION:**

Adoption of Site-Specific Board Determination No. C2024-01 as proposed, granting additional cleanup funding in accordance with subsections 4 and 6 of NRS 445C.380 and Board Policy Resolution 2023-01 under the State of Nevada Petroleum Fund to Speedee Mart #108 for \$900,000.00. This represents \$1,000,000.00 in coverage minus a 10% copayment.

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

**Site Specific Board Determination No. C2024-02**

Proposed Site Specific Board Determination (SSBD) to provide reduced Petroleum Fund Coverage for Green Valley Grocery #58, Logandale, Nevada

Facility ID No. 8-001067, Petroleum Fund Case ID No. 2024000008

**RECOMMENDATION:**

Adoption of Site Specific Board Determination No. C2024-02, as proposed, granting coverage under the State of Nevada Petroleum Fund to Green Valley Grocery #58 for UST #3 and associated underground piping for \$540,000 which represents \$1,000,000 less a 40% reduction and 10% copayment.

**7. DRAFT APPENDIX A-2 OF THE COST GUIDELINES (FOR DISCUSSION)**

Staff will present a draft of Appendix A-2 for Board review. This appendix is a new addition, currently in development for inclusion into the Petroleum Fund Cost Guidelines and will establish reimbursement limitations for CEM-owned mobile remediation systems.

**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 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 - JUNE 13, 2024**

<b><u>HEATING OIL</u></b>		<b><u>REQUESTED</u></b>	<b><u>RECOMMENDED</u></b>
FOR POSSIBLE ACTION	1. 2024000004; 80683 City Of Reno: Residential Heating Oil Tank At 75 Cowan Drive	\$26,509.94	\$26,197.44
		<b>SUB TOTAL:</b>	<b>\$26,197.44</b>
<b><u>NEW CASES</u></b>		<b><u>REQUESTED</u></b>	<b><u>RECOMMENDED</u></b>
FOR POSSIBLE ACTION	1. 2023000028; 80698 Anderson Dairy, Inc.: Anderson Dairy INC	\$29,369.50	\$23,480.55
		<b>SUB TOTAL:</b>	<b>\$23,480.55</b>
<b><u>ONGOING CASES</u></b>		<b><u>REQUESTED</u></b>	<b><u>RECOMMENDED</u></b>
FOR POSSIBLE ACTION	1. 1992000126; 80696 Clark County School District: Rc White (arville) Transportation Satellite	\$27,856.10	\$27,856.10
FOR POSSIBLE ACTION	2. 1995000039; 80701 Al Park Petroleum, Inc.: Crescent Valley Market	\$8,762.29	\$7,886.06
FOR POSSIBLE ACTION	3. 1995000042; 80713 Fbf, Inc.: Gas 4 Less	\$858.03	\$858.03

FOR POSSIBLE ACTION	4.	1996000064; 80709	The Esslinger Family Trust: Red Rock Mini Mart	\$14,797.59
FOR POSSIBLE ACTION	5.	1999000014; 80703	Al Park Petroleum, Inc.: Pit Stop #7 Conoco	\$3,510.00
FOR POSSIBLE ACTION	6.	1999000023; 80689	Nevada Ready Mix Corp: Nevada Ready Mix	\$21,663.69
FOR POSSIBLE ACTION	7.	1999000086; 80716	Terrible Herbst, Inc.: Terrible Herbst #126	\$2,925.00
FOR POSSIBLE ACTION	8.	1999000114; 80673	City Of Fallon: Fallon Maint. Yard	\$34,788.18
FOR POSSIBLE ACTION	9.	2007000014; 80697	Raiders Oz Business, Llc: Former Ace Cab/frias Transportation	\$57,006.84
FOR POSSIBLE ACTION	10.	2007000016; 80704	Golden Gate Petroleum Of Nevada Llc: Golden Gate Store #43	\$6,093.95
FOR POSSIBLE ACTION	11.	2010000009; 80721	Hpt Ta Properties Trust: Mill City Travel Center	\$23,017.82
FOR POSSIBLE ACTION	12.	2011000009; 80707	Cimarron West: Cimarron West	\$8,703.47
FOR POSSIBLE ACTION	13.	2013000019; 80708	Hardy Enterprises, Inc.: Elko Sinclair #53	\$29,842.78
FOR POSSIBLE ACTION	14.	2014000025; 80719	Superior Campgrounds Of America, Llc: Silver City Rv Resort	\$17,356.06
FOR POSSIBLE ACTION	15.	2014000033; 80684	Speedee Mart Inc.: Speedee Mart #108	\$42,321.87
FOR POSSIBLE ACTION	16.	2015000009; 80722	Hpt Ta Properties Trust: Las Vegas Travel Center	\$5,591.00
FOR POSSIBLE ACTION	17.	2016000009; 80641	7-Eleven, Inc: 7-Eleven #13685	\$22,299.45
FOR POSSIBLE ACTION	18.	2016000023; 80702	Al Park Petroleum, Inc.: Pit Stop #1	\$15,339.90
FOR POSSIBLE ACTION	19.	2016000027; 80720	Terrible Herbst, Inc.: Terrible Herbst #272	\$14,190.75
FOR POSSIBLE ACTION	20.	2017000015; 80544	Ellen 5, Llc: Auto Center (green Valley Grocery #63)	\$211,410.90
FOR POSSIBLE ACTION	21.	2018000009; 80723	Reed Incorporated: Pacific Pride	\$74,660.97
FOR POSSIBLE ACTION	22.	2018000018; 80685	Primadonna Company, Llc: Whiskey Pete's Stateline Stop	\$58,017.69
FOR POSSIBLE ACTION	23.	2019000002; 80695	Rebel Oil Company: Rebel Store #2166	\$41,938.00
FOR POSSIBLE ACTION	24.	2020000015; 80710	Canyon Plaza, Llc: Gas 2 Go	\$40,332.06
FOR POSSIBLE ACTION	25.	2020000016; 80714	LV Petroleum, Llc: Us Gas #7	\$18,494.05
FOR POSSIBLE ACTION	26.	2021000014; 80715	Pilot Travel Centers Llc: Pilot Travel Centers LLC #341	\$14,672.11
FOR POSSIBLE ACTION	27.	2022000018; 80718	Pilot Travel Centers Llc: Pilot Travel Centers LLC #341	\$32,805.89
FOR POSSIBLE ACTION	28.	2023000018; 80724	Reed Incorporated: R Place #1	\$22,382.12

**SUB TOTAL: \$894,109.17**

**RECOMMENDED CLAIMS TOTAL: \$949,988.61**

**\$772,184.83**

**\$821,862.82**

**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.	2024000005; 80681	\$26,484.33	\$26,234.33
FOR DISCUSSION	2.	2024000006; 80680	\$31,168.23	\$30,918.23
FOR DISCUSSION	3.	2024000007; 80682	\$26,576.00	\$26,326.00
FOR DISCUSSION	4.	2024000009; 80699	\$32,856.39	\$32,606.39
		Maria Mederos-Ayala: Residence Of 800 Cordone Avenue		
		Patrick Andersen: Residential Heating Oil Tank At 515 5th Street		
		Karen Robinson: Residence Of 2590 Knob Hill Drive		
		Truckee Meadows Habitat For Humanity: Residence Of 13905 Mount Vida Street		

**SUB TOTAL: \$117,084.95**

<u>ONGOING CASES</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	1993000102; 80694	\$64,647.75	\$64,647.75
FOR DISCUSSION	2.	1995000012; 80552	\$51,026.68	\$45,924.01
FOR DISCUSSION	3.	1999000066; 80690	\$30,593.07	\$27,533.76
FOR DISCUSSION	4.	2017000035; 80693	\$10,208.50	\$8,445.15
FOR DISCUSSION	5.	2018000005; 80691	\$9,511.50	\$8,560.35
FOR DISCUSSION	6.	2019000014; 80688	\$8,780.00	\$7,902.00
FOR DISCUSSION	7.	2022000012; 80687	\$7,157.00	\$6,441.30
FOR DISCUSSION	8.	2022000015; 80692	\$20,166.81	\$14,520.11
		Rebel Oil Company: Rebel Store #2008		
		Model T Casino Resort Llc: Parker's Model T		
		HP Management, Llc: Former Haycock Petroleum		
		Rebel Oil Company: Rebel Store #2177		
		Rebel Oil Company: Rebel Store # 2153		
		Western Cab Co: Western Cab CO		
		Neissan Koroghli: City C-Store (7-11)		
		Rebel Oil Company: Rebel Store #2197		

<b>SUB TOTAL:</b>	<u>\$202,091.31</u>	<u>\$183,974.43</u>
<b>DIRECT PAYMENT CLAIMS TOTAL:</b>	<u>\$319,176.26</u>	<u>\$300,059.38</u>
<b>BOARD MEETING CLAIMS TOTAL:</b>	<u>\$1,269,164.87</u>	<u>\$1,121,922.20</u>

## 10. EXECUTIVE SUMMARY (FOR DISCUSSION)

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

## 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) SEPTEMBER 12, 2024 (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

In addition to the physical meeting locations, viewing of and participation in the June 13, 2024 Board to Review Claims Meeting will be available via video/teleconference. Meeting access information is listed below:

### Microsoft Teams meeting

Join on your computer, mobile app or room device:

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_YTc1NWU2YTgtOWI3My00NWJLWJhZTEtNWM4ZTFhOGU3NTJk%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22eee1e0b0-fd7-4894-ac9e-799c32c17775%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YTc1NWU2YTgtOWI3My00NWJLWJhZTEtNWM4ZTFhOGU3NTJk%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22eee1e0b0-fd7-4894-ac9e-799c32c17775%22%7d)

Or call in (audio only)

+1 775-321-6111,,417763435# United States, Reno  
Phone Conference ID: 417 763 435#

The agency can accommodate limited seating at the meeting locations and requests advanced notice to accommodate attendees. 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, or in writing at NDEP-BCA, Board to Review Claims, 901 S. Stewart St., Ste. 4001, Carson City, NV 89701 no later than June 10, 2024.

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.