

# Meeting Agenda

**STATE OF NEVADA BOARD TO REVIEW CLAIMS  
AGENDA  
MARCH 13, 2025**

The State of Nevada Board to Review Claims (Board) meeting will be video-conferenced and will begin promptly at 10:00 AM on Thursday, March 13, 2025 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 DECEMBER 12, 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 PETROLEUM FUND COVERAGE WITH REDUCTION (FOR POSSIBLE ACTION)**

**Site Specific Board Determination No. C2025-01**

Proposed Site-Specific Board Determination to provide reduced Petroleum Fund Coverage for Circle K Store #2700542, 3500 E Charleston Blvd, Las Vegas, Nevada

Petroleum Fund Case ID No. 2024000001, Facility ID No. 8-000130

**RECOMMENDATION:**

Adoption of Site-Specific Board Determination No. C2025-01 as proposed, granting coverage under the State of Nevada Petroleum Fund to Circle K Store #2700542 for \$540,000.00. This represents \$1,000,000.00 in coverage for one gasoline UST system, with a 40% reduction and a 10% copayment.

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

**Site Specific Board Determination No. C2025-02**

Proposed Site Specific Board Determination (SSBD) to provide reduced Petroleum Fund Coverage for Circle K Store #2701365, 3200 Fremont Street, Las Vegas, Nevada  
Facility ID No. 8-000120, Petroleum Fund Case ID No. 2024000022

**RECOMMENDATION:**

Adoption of Site-Specific Board Determination No. C2025-02, as proposed, granting coverage under the State of Nevada Petroleum Fund to Circle K Store #2701365 for \$540,000.00. This represents \$1,000,000.00 in coverage for one gasoline UST system, with a 40% reduction and 10% copayment.

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

**Site Specific Board Determination No. C2025-03**

Proposed Site-Specific Board Determination (SSBD) to provide reduced Petroleum Fund Coverage for Circle K Store #2701791, 3901E Lake Mead Blvd, Las Vegas, Nevada  
Petroleum Fund Case ID No. 2024000031, Facility ID No. 8-000329

**RECOMMENDATION:**

Adoption of Site-Specific Board Determination No. C2025-03 as proposed, granting coverage under the State of Nevada Petroleum Fund to Circle K Store #2701791 for \$1,080,000.00. This represents \$2,000,000.00 in coverage for two gasoline UST systems, with a 40% reduction and a 10% copayment.

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

**Site Specific Board Determination No. C2025-04**

Proposed Site-Specific Board Determination (SSBD) to provide reduced Petroleum Fund Coverage for PJ's Food and Gas, 1455 Cornell Avenue, Lovelock, Nevada 89419  
Petroleum Fund Case ID No. 2024000033, Facility ID No. 5-000175

**RECOMMENDATION:**

Adoption of Site-Specific Board Determination No. C2025-04 as proposed, granting coverage under the State of Nevada Petroleum Fund to PJ's Food and Gas for \$1,080,000.00. This represents \$3,000,000.00 in coverage for two gasoline UST systems and one diesel UST system, with a 60% reduction and a 10% copayment.

**9. SITE SPECIFIC BOARD DETERMINATION FOR ADDITIONAL CLEANUP ALLOTMENT (FOR POSSIBLE ACTION)**

**Site Specific Board Determination No. C2025-05**

Proposed Site-Specific Board Determination (SSBD) to provide an Additional Allotment of Cleanup Funding in accordance with Board Policy Resolution 2023- 01, for 7-Eleven Store #27607, located at 600 Las Vegas Boulevard North, Las Vegas, Nevada.

Petroleum Fund Case ID No. 1999000243, Facility ID No. 8-001149

**RECOMMENDATION:**

Adoption of Site-Specific Board Determination No. C2025-05 as proposed, granting additional cleanup funding in accordance with Board Policy Resolution 2023-01 under the State of Nevada Petroleum Fund to 7-Eleven Store #27607 for \$900,000.00. This represents \$1,000,000.00 in coverage, minus a 10% copayment.

**10. PROPOSED AMENDMENTS TO BOARD POLICY RESOLUTION 2015-01 (BID POLICY) (FOR DISCUSSION)**

Staff will introduce proposed amendments to Board Policy Resolution 2015-01. This policy provides clarification of the bid process required by NAC 445C.270.4(e).



**11. 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 - MARCH 13, 2025**

**HEATING OIL**

|                     |    |   | <b><u>REQUESTED</u></b>   | <b><u>RECOMMENDED</u></b> |
|---------------------|----|---|---------------------------|---------------------------|
| FOR POSSIBLE ACTION | 1. | 2012000017; 80792 Churchill County School District: Old High School | \$5,882.43                | \$5,879.75                |
| FOR POSSIBLE ACTION | 2. | 2025000001; 80857 Scott Douglass: Residence Of 2795 W. Plumb Lane   | \$20,275.36               | \$19,887.36               |
| <b>SUB TOTAL:</b>   |    |   | <b><u>\$26,157.79</u></b> | <b><u>\$25,767.11</u></b> |

**ONGOING CASES**

|                     |    |   | <b><u>REQUESTED</u></b> | <b><u>RECOMMENDED</u></b> |
|---------------------|----|---|-------------------------|---------------------------|
| FOR POSSIBLE ACTION | 1. | 1992000126; 80876 Clark County School District: Rc White (arville) Transportation Satellite   | \$22,352.70             | \$22,352.70               |
| FOR POSSIBLE ACTION | 2. | 1993000102; 80861 Rebel Oil Company: Rebel Store #2008  | \$233,011.71            | \$195,729.04              |
| FOR POSSIBLE ACTION | 3. | 1995000039; 80862 Al Park Petroleum, Inc.: Crescent Valley Market                             | \$10,660.39             | \$9,594.35                |
| FOR POSSIBLE ACTION | 4. | 1995000042; 80839 Fbf, Inc.: Gas 4 Less   | \$25,670.45             | \$24,386.93               |
| FOR POSSIBLE ACTION | 5. | 2007000014; 80874 Raiders Oz Business, Llc: Former Ace Cab/frias Transportation               | \$58,385.52             | \$51,691.97               |
| FOR POSSIBLE ACTION | 6. | 2007000016; 80863 Golden Gate Petroleum Of Nevada Llc: Golden Gate Petroleum #43 - Sun Valley | \$13,394.86             | \$12,055.37               |

|                                  |     |                   |   |                            |                            |
|----------------------------------|-----|-------------------|---|----------------------------|----------------------------|
| FOR POSSIBLE ACTION              | 7.  | 2009000024; 80848 | Sjk Investments, Llc: Chuck's Circle C                      | \$26,089.30                | \$22,988.73                |
| FOR POSSIBLE ACTION              | 8.  | 2011000009; 80864 | Cimarron West: Cimarron West                                | \$12,010.60                | \$10,809.54                |
| FOR POSSIBLE ACTION              | 9.  | 2013000019; 80865 | Hardy Enterprises, Inc.: Elko Sinclair #53                  | \$32,046.20                | \$28,276.08                |
| FOR POSSIBLE ACTION              | 10. | 2014000025; 80868 | Superior Campgrounds Of America, Llc: Silver City RV Resort | \$11,219.72                | \$9,895.25                 |
| FOR POSSIBLE ACTION              | 11. | 2016000009; 80835 | 7-Eleven, Inc: 7-Eleven #13685                              | \$35,659.63                | \$32,074.54                |
| FOR POSSIBLE ACTION              | 12. | 2016000023; 80869 | Al Park Petroleum, Inc.: Pit Stop #1                        | \$32,034.96                | \$23,016.21                |
| FOR POSSIBLE ACTION              | 13. | 2016000027; 80836 | Terrible Herbst, Inc.: Terrible Herbst #272                 | \$16,889.50                | \$13,680.49                |
| FOR POSSIBLE ACTION              | 14. | 2017000015; 80847 | Ellen 5, Llc: Auto Center (green Valley Grocery #63)        | \$13,237.76                | \$11,913.98                |
| FOR POSSIBLE ACTION              | 15. | 2017000035; 80852 | Rebel Oil Company: Rebel Store #2177                        | \$93,197.00                | \$83,877.30                |
| FOR POSSIBLE ACTION              | 16. | 2018000005; 80844 | Rebel Oil Company: Rebel Store # 2153                       | \$20,814.90                | \$18,733.41                |
| FOR POSSIBLE ACTION              | 17. | 2018000009; 80870 | Reed Incorporated: Pacific Pride                            | \$36,249.63                | \$32,447.92                |
| FOR POSSIBLE ACTION              | 18. | 2019000044; 80833 | 7-Eleven, Inc: 7-Eleven #15829                              | \$24,138.30                | \$21,724.47                |
| FOR POSSIBLE ACTION              | 19. | 2020000015; 80849 | Canyon Plaza, Llc: Gas 2 Go                                 | \$29,467.16                | \$15,360.42                |
| FOR POSSIBLE ACTION              | 20. | 2021000014; 80854 | Pilot Travel Centers Llc: Pilot Travel Centers LLC #341     | \$16,277.38                | \$14,646.25                |
| FOR POSSIBLE ACTION              | 21. | 2021000026; 80829 | 7-Eleven, Inc: 7-Eleven #25578                              | \$16,876.60                | \$15,188.94                |
| FOR POSSIBLE ACTION              | 22. | 2022000015; 80851 | Rebel Oil Company: Rebel Store #2197                        | \$26,959.22                | \$19,410.64                |
| FOR POSSIBLE ACTION              | 23. | 2022000018; 80855 | Pilot Travel Centers Llc: Pilot Travel Centers LLC #341     | \$53,509.94                | \$35,829.05                |
| FOR POSSIBLE ACTION              | 24. | 2022000035; 80834 | 7-Eleven, Inc: 7-Eleven #29407                              | \$18,977.39                | \$17,079.65                |
| FOR POSSIBLE ACTION              | 25. | 2023000018; 80878 | Reed Incorporated: R Place #1                               | \$18,534.62                | \$16,681.16                |
| FOR POSSIBLE ACTION              | 26. | 2023000028; 80845 | Anderson Dairy, Inc.: Anderson Dairy INC                    | \$5,816.00                 | \$5,234.40                 |
| FOR POSSIBLE ACTION              | 27. | 2024000008; 80867 | Midjit Market, Inc.: Green Valley Grocery #58               | \$59,763.83                | \$43,029.95                |
| <b>SUB TOTAL:</b>                |     |                   |   | <b><u>\$963,245.27</u></b> | <b><u>\$807,708.74</u></b> |
| <b>RECOMMENDED CLAIMS TOTAL:</b> |     |                   |   | <b><u>\$989,403.06</u></b> | <b><u>\$833,475.85</u></b> |

## 12. 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. | 2024000027; 80828 3655 Warren Way Llc: Residence Of 3655 Warren Way               | \$19,974.38         | \$19,724.38         |
| FOR DISCUSSION       | 2. | 2024000028; 80830 No California Llc: Residence Of 1053 Washington Street          | \$54,203.25         | \$53,453.25         |
| FOR DISCUSSION       | 3. | 2024000029; 80831 No California Llc: Residence Of 1045 Washington Street          | \$27,993.08         | \$27,743.08         |
| FOR DISCUSSION       | 4. | 2024000030; 80832 601 N Carson Llc: Northern Nevada Coin Shop                     | \$34,689.39         | \$34,439.39         |
| FOR DISCUSSION       | 5. | 2024000034; 80838 Perry Intervivos Trust: Residence Of 449 Games Drive            | \$25,958.67         | \$25,708.67         |
| FOR DISCUSSION       | 6. | 2024000035; 80837 Pechnik Trust Robert & Linda: Residence Of 801 Pine Ridge Drive | \$28,498.98         | \$28,248.98         |
| FOR DISCUSSION       | 7. | 2024000036; 80842 Emerald Bay Properties Llc: Residence Of 3522 Arcadia Drive     | \$30,867.29         | \$30,617.29         |
| FOR DISCUSSION       | 8. | 2025000002; 80858 Sara Miller: Residence Of 360 Sunset Drive                      | \$32,372.35         | \$32,122.35         |
| FOR DISCUSSION       | 9. | 2025000003; 80850 Harvey Lambert: Residence Of 445 Games Drive                    | \$27,054.07         | \$26,804.07         |
| SUB TOTAL:           |    |   | <u>\$281,611.46</u> | <u>\$278,861.46</u> |
| <u>ONGOING CASES</u> |    |   | <u>REQUESTED</u>    | <u>PAID</u>         |
| FOR DISCUSSION       | 1. | 1999000023; 80846 Nevada Ready Mix Corp: Nevada Ready Mix                         | \$27,795.38         | \$24,295.84         |
| FOR DISCUSSION       | 2. | 1999000066; 80856 HP Management, Llc: Former Haycock Petroleum                    | \$19,000.00         | \$17,076.89         |
| FOR DISCUSSION       | 3. | 2019000014; 80843 Western Cab Co: Western Cab CO                                  | \$7,709.50          | \$6,938.55          |
| FOR DISCUSSION       | 4. | 2022000012; 80859 Neissan Koroghli: City C-Store (7-11)                           | \$6,357.00          | \$5,721.30          |

|                              |                       |                       |
|------------------------------|-----------------------|-----------------------|
| SUB TOTAL:                   | <u>\$60,861.88</u>    | <u>\$54,032.58</u>    |
| DIRECT PAYMENT CLAIMS TOTAL: | <u>\$342,473.34</u>   | <u>\$332,894.04</u>   |
| BOARD MEETING CLAIMS TOTAL:  | <u>\$1,331,876.40</u> | <u>\$1,166,369.89</u> |

### **13. EXECUTIVE SUMMARY (FOR DISCUSSION)**

NDEP will brief the Board on Fund coverage activities, Fund expenditures, and tank enrollment status.

### **14. 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.

### **15. CONFIRMATION OF NEXT BOARD MEETING DATE (FOR DISCUSSION) JUNE 12, 2025 (THURSDAY) AT 10:00 AM**

### **16. 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:

Department of Conservation and Natural Resources, Richard H. Bryan Bldg., 901 S. Stewart St., 1st floor, Carson City, NV 89701

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

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 Rd., Ste. 200, Las Vegas, NV 89119

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 March 13, 2025, Board to Review Claims meeting will be available via video/teleconference. Meeting access information is listed below:

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_NjRkZGMjN2Q0ZWZWRiMi00NzNjLWJhN2MtZjE0MDFhNjQ3Yzk5%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8caa-1544d2703980%22%2c%22Oid%22%3a%22ee1e0b0-f0d7-4894-ac9e-799c32c17775%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NjRkZGMjN2Q0ZWZWRiMi00NzNjLWJhN2MtZjE0MDFhNjQ3Yzk5%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8caa-1544d2703980%22%2c%22Oid%22%3a%22ee1e0b0-f0d7-4894-ac9e-799c32c17775%22%7d)

Meeting ID: 281 575 005 502

Dial in by phone:

+1 775-321-6111,,772663632#

Phone conference ID: 772 663 632#

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 Alexa Salls by email at [asalls@ndep.nv.gov](mailto:asalls@ndep.nv.gov), by calling (775) 687-9368, 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 March 10, 2025.

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 Alexa Salls by sending a request in writing via email to [asalls@ndep.nv.gov](mailto:asalls@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) 687-9368.

Agenda Item 1:  
Call to Order and Roll Call

# Agenda Item 2: Public Comment

(FOR DISCUSSION)



**Agenda Item 3:**  
**Approval of December 12, 2024 Minutes**  
(FOR POSSIBLE ACTION)

**STATE OF NEVADA BOARD TO REVIEW CLAIMS  
MEETING MINUTES - DECEMBER 12, 2024**

**1. CALL TO ORDER**

**Chair Tappan** called the meeting to order at 10:00 a.m. The meeting was conducted via video/phone conference.

**Megan Slayden** provided an overview of the meeting procedures.

**A. BOARD MEMBERS PRESENT**

Maureen Tappan, Chair – Representative of the General Public  
LeRoy Perks – Representative of the Independent Retailers of Petroleum  
Jason Case – Representative of Independent Petroleum Dealers  
Karen Stoll – Department of Motor Vehicles  
Jennifer Carr – Nevada Division of Environmental Protection  
Mike Dzyak – State Fire Marshal's Office

**BOARD MEMBERS NOT PRESENT**

Rod Smith, Vice-Chair – Representative of Petroleum Refiners

**OTHERS PRESENT**

Katie Armstrong – Legal Counsel, State of Nevada Attorney General's Office  
Jeff Collins, Megan Slayden, Don Warner, Gregory Johnson, Kim Valdez, Jonathan McRae, Kevin Salls, Tristin Alishio, Ben Moan, Ruby Wood, Dean Peterson, Grant Spoering, Kandis Harvey, Alexa Salls, Ally Hernandez, Michael Mazziotta, and John Karr – Nevada Division of Environmental Protection (NDEP)

Rex Heppe – Broadbent & Associates, Inc.  
Keith Stewart – Stewart Environmental, Inc.  
Matt Grandjean – Stantec Consulting Services, Inc.

In addition to the above-named participants, one additional guest called into the meeting by telephone and was not identified by name.

**2. PUBLIC COMMENT**

There were no public comments.

**3. APPROVAL OF THE SEPTEMBER 12, 2024, MINUTES**

**Chair Tappan** called for changes to the minutes. There were no changes requested.

**LeRoy Perks moved to approve the September 12, 2024, minutes as presented. Jennifer Carr seconded the motion. Motion carried unanimously.**

**4. STATUS OF THE FUND**

**Megan Slayden** provided the summary of revenues into the Fund for the entire State Fiscal Year 2024. The balance forward from State Fiscal Year 2023 was \$7.5 million. Approximately \$411,600 was received for 2024 tank system enrollment fees. Approximately \$13,780,177 was generated by the \$0.0075 Petroleum Fund fee. The Fund earned approximately \$415,373 in interest. Total revenue received by the Fund for State Fiscal Year 2024 minus the balance forward amount for State Fiscal Year 2025 was \$14,607,149.51. Expenditures for State Fiscal Year 2024 include Board member salaries of approximately \$1,400. In-state travel costs for Board members totaled approximately \$258. Board meeting operating costs totaled approximately \$964. The annual transfer to the State Highway Fund was approximately \$8,143,510. Funds transferred to NDEP for program administration, staff salaries and ongoing program maintenance totaled approximately \$1,444,948. Funding for State led petrochemical cleanups totaled \$201,452. The annual transfer to the account for management of air quality totaled \$97,705. Payment to the Department of Motor Vehicles for assessing the cleanup fee was \$12,714. Reimbursement of Petroleum Fund claims totaled approximately \$4,704,198. Total expenditures of the Fund for State Fiscal Year 2024 balance out with the revenue collected at \$14,607,149.51.

**Ms. Slayden** gave a summary of the current State Fiscal Year, which began July 1st, 2024. For the summary of revenues into the Fund for State Fiscal Year 2025 thus far, the balance forward from State Fiscal year 2024 was \$7,500,000. Approximately \$394,400 has been received for tank system registration fees for enrollment year 2025. Approximately \$2,528,626 has been generated by the \$0.0075 Petroleum Fund fee. Total revenue received this fiscal year thus far is \$10,423,026. Expenditures for State Fiscal Year 2025 include Board member salaries of approximately \$477. In-state travel costs for Board Members total approximately \$61. Board meeting operating costs total approximately \$506. Money transferred to NDEP for program administration, staff salaries and ongoing program maintenance totals \$486,713. Funding for State-led petrochemical cleanups totals approximately \$47,623. Reimbursement of Petroleum Fund claims thus far totals approximately \$1,671,544. Expenditures thus far for Fiscal Year 2025 total \$2,206,924.74. Total funding currently available within the Fund for State Fiscal Year 2025 is \$8,216,101.26.

**Chair Tappan** invited questions regarding the status of the Fund. No questions were posed.

**5. SITE SPECIFIC BOARD DETERMINATION FOR ADDITIONAL CLEANUP ALLOTMENT**

**Gregory Johnson** presented this item, stating that Site Specific Board Determination (SSBD) No. C2024-05 proposes to provide an additional allotment of funding to Zephyr Cove Resort for Petroleum Fund Case ID No. 2012000005, Facility ID No. 2-000112. The subject site, Zephyr Cove Resort, located at 760 U.S. Highway 50, Zephyr Cove, Nevada was previously awarded coverage for a release from a faulty product piping and submersible turbine pump connections. The operator has requested an additional allotment of funding in accordance with Board Policy Resolution 2023-01, provided as Appendix A in the Board binders. Appendix B includes the operator's request which was prepared by their Certified Environmental Manager (CEM). On September 10, 2024, the operator submitted a request for an additional allotment of funding, in accordance with Subsection 4 of NRS 445C.380, which addressed each item listed in statute. The

request is provided in Appendix B. On August 29, 2023, the NDEP case officer completed a review and provided comments for the remaining cleanup and closure activities presented in Stantec's Biosparge Remediation Workplan, dated June 29, 2023. The accompanying email and letter are included in Appendix B.

Also included in the request is email correspondence, which demonstrates that on August 13, 2024, the NDEP case officer concurred that the operator is in compliance with the requirements from the Division concerning cleanup directives. On November 14, 2024, the NDEP case officer requested continued remediation activities occur at the site. A copy of the accompanying letter is included as Appendix C. The operator is not liable, pursuant to NRS 445C.390 and has not received money for damages pursuant to NRS 445C.380.1. The facility is in compliance with the applicable provisions of NRS 459.800 to 459.856 inclusive. In addition, Claim No. 80742 was approved for payment during the September 12th, 2024, Board meeting, which exhausted all available cleanup funding for the case. Based on a review of the documentation provided with the request for an additional allotment of cleanup funding, staff recommends that the Board approve funding in the amount of \$900,000 for Zephyr Cove Resort. This represents \$1 million in funding, minus a 10 percent copayment. The Board has the authority to approve no greater than \$1 million for this allotment.

**Chair Tappan** invited questions from Board members. There being no questions, she invited a motion.

**LeRoy Perks moved to adopt Site-Specific Board Determination No. C2024-05 as proposed, granting additional cleanup funding in accordance with Board Policy Resolution 2023-01 under the State of Nevada Petroleum Fund to Zephyr Cove Resort \$900,000.00. This represents \$1,000,000.00 in coverage, minus a 10 percent copayment. Mike Dzyak seconded the motion. Motion carried unanimously.**

## **6. SITE SPECIFIC BOARD DETERMINATION FOR ADDITIONAL CLEANUP ALLOTMENT**

**Chair Tappan** clarified that this agenda item was originally listed on the agenda as a Site Specific Board Determination for Petroleum Fund coverage with reduction for possible action, however, this has been corrected to state that it is a Site Specific Board Determination for an additional allotment of cleanup funding. She asked Ms. Armstrong for confirmation that the Board may proceed with a vote on this agenda item. **Katie Armstrong, Legal Counsel, State of Nevada Attorney General's Office**, confirmed that the original agenda contained a misprint, which included both the incorrect reference to reduction in coverage as well as the correct language referencing an additional allotment of cleanup funding. As such, proper notification has been provided.

**Gregory Johnson** presented this item, which included a request for an additional allotment of funding under Board Policy Resolution 2023-01. Site-Specific Board Determination No. C2024-06 proposes to provide an additional allotment of funding to Rebel Store No. 2008 for Petroleum Fund Case ID No. 1993000102, Facility ID No. 8-000523. The subject site, located at 3235 Las Vegas Boulevard North, Las Vegas, Nevada, was previously awarded coverage for a release from two gasoline underground storage tanks (USTs). The operator is requesting an additional allotment of funding in accordance with Board Policy Resolution 2023-01, provided as Appendix A in the Board's binders. Appendix B includes the operator's request, which was prepared by their CEM. Petroleum Fund staff have reviewed the request and provided the SSBD

to help the Board determine eligibility. On November 20, 2024, the operator submitted a request for an additional allotment of funding, in accordance Subsection 4 of NRS 445C.380, which addressed each item listed in the statute. This request is provided as Appendix B in the Board binders.

On November 22, 2024, the NDEP case officer concurred with cleanup and closure activities presented in Stewart Environmental, Inc's Remedial Action Plan, dated August 26, 2024. The NDEP case officer further supported the plan and schedule proposed by the operator's CEM in the same correspondence. A copy of the letter is included as Appendix C in the Board binders. The operator is not liable pursuant to NRS 445C.390 and has not received money for damages pursuant to NRS 445C.380.1. The facility is in compliance with the applicable provisions of NRS 459.800 to 459.856 inclusive. In addition, Claim Number 80802 is pending approval for payment this December 12th, 2024, Board meeting, which will exhaust all available cleanup funding for the case. Based on a review of the documentation provided with the request for an additional allotment of cleanup funding, staff recommends the Board approve the allotment of funding in the amount of \$900,000 for Rebel Store No. 2008. This represents \$1 million in funding, minus a 10 percent copayment. The Board has the authority to approve a value of not greater than \$1 million for this allotment.

**Chair Tappan** invited questions from Board members.

**Jennifer Carr** noted that this case begins with remedial case number originating in 1993; she is hopeful that this approval represents closure on this case. She encouraged the operator and the CEM to remain in close contact with the case manager.

There being no additional questions, **Chair Tappan** invited a motion.

**LeRoy Perks moved to Adopt Site-Specific Board Determination No. C2024-06 as proposed, granting additional cleanup funding in accordance with Board Policy Resolution 2023-01 under the State of Nevada Petroleum Fund to Rebel Store No. #2008 for \$900,000.00. This represents \$1,000,000.00 in coverage, minus a 10 percent copayment. Jennifer Carr seconded the motion. Motion carried unanimously. Jason Case recused himself.**

7. **ADOPTION OF CONSENT ITEMS**

The Board reviewed all items as a consent agenda item. There was no discussion regarding an individual item.

**HEATING OIL**

| <u>HEATING OIL</u>  |   |                   |   | <u>REQUESTED</u>   | <u>RECOMMENDED</u> |
|---------------------|---|-------------------|---|--------------------|--------------------|
| FOR POSSIBLE ACTION | 1 | 2024000024; 80799 | David McNinch: Residence Of 5155 Ross Drive       | \$15,841.56        | \$15,841.56        |
| FOR POSSIBLE ACTION | 2 | 2024000025; 80809 | James Walsh: Residence Of 620 Lester Avenue       | \$33,619.10        | \$33,369.10        |
| FOR POSSIBLE ACTION | 3 | 2024000026; 80820 | Webb Living Trust: Residence Of 619 W 10th Street | \$33,286.83        | \$33,036.83        |
| SUB TOTAL:          |   |                   |   | <u>\$82,747.49</u> | <u>\$82,247.49</u> |

**NEW CASES**

| <u>NEW CASES</u>    |   |                   |                                       | <u>REQUESTED</u> | <u>RECOMMENDED</u> |
|---------------------|---|-------------------|---------------------------------------|------------------|--------------------|
| FOR POSSIBLE ACTION | 1 | 2024000013; 80818 | Dats Trucking Inc: Las Vegas Cardlock | \$42,086.50      | \$22,726.71        |
| SUB TOTAL:          |   |                   |                                       | \$42,086.50      | \$22,726.71        |

**ONGOING CASES**

| <u>ONGOING CASES</u> |   |                   |   | <u>REQUESTED</u> | <u>RECOMMENDED</u> |
|----------------------|---|-------------------|---|------------------|--------------------|
| FOR POSSIBLE ACTION  | 1 | 1992000126; 80815 | Clark County School District: RC White (Arville)<br>Transportation Satellite                                      | \$31,789.07      | \$31,789.07        |
| FOR POSSIBLE ACTION  | 2 | 1993000102; 80802 | Rebel Oil Company: Rebel Store #2008  | \$5,992.50       | \$5,620.00         |
| FOR POSSIBLE ACTION  | 3 | 1994000027; 80821 | 7-Eleven, Inc: 7-Eleven #19653  | \$44,527.11      | \$44,527.11        |
| FOR POSSIBLE ACTION  | 4 | 1995000039; 80789 | Al Park Petroleum, Inc.: Crescent Valley Market   | \$7,488.23       | \$6,724.83         |
| FOR POSSIBLE ACTION  | 5 | 1995000042; 80712 | Fbf, Inc.: Gas 4 Less   | \$97,167.92      | \$92,309.52        |
| FOR POSSIBLE ACTION  | 6 | 1996000064; 80807 | The Esslinger Family Trust: Red Rock Mini Mart<br>55 McDermitt Crude, Llc: McDermitt Motel &<br>Convenience Store | \$1,300.00       | \$1,197.95         |
| FOR POSSIBLE ACTION  | 7 | 1998000075; 80706 |   | \$23,624.35      | \$19,731.91        |
| FOR POSSIBLE ACTION  | 8 | 1999000066; 80795 | HP Management, Llc: Former Haycock Petroleum  | \$39,915.38      | \$35,248.84        |

|                           |    |                   |  |                       |                       |
|---------------------------|----|-------------------|--|-----------------------|-----------------------|
| FOR POSSIBLE ACTION       | 9  | 1999000086; 80785 | Terrible Herbst, Inc.: Terrible Herbst #126  | \$27,223.25           | \$24,247.80           |
| FOR POSSIBLE ACTION       | 10 | 2007000014; 80816 | Raiders Oz Business, Llc: Former Ace Cab/frias<br>Transportation<br>Golden Gate Petroleum Of Nevada Llc: Golden Gate | \$57,112.16           | \$51,400.94           |
| FOR POSSIBLE ACTION       | 11 | 2007000016; 80790 | Petroleum #43 - Sun Valley   | \$6,359.40            | \$5,723.46            |
| FOR POSSIBLE ACTION       | 12 | 2008000019; 80810 | One Panou, Llc: Golden Market #3   | \$17,091.16           | \$15,382.04           |
| FOR POSSIBLE ACTION       | 13 | 2009000024; 80786 | SJK Investments, Llc: Chuck's Circle C   | \$70,625.71           | \$63,294.92           |
| FOR POSSIBLE ACTION       | 14 | 2010000009; 80805 | HPT TA Properties Trust: Mill City Travel Center   | \$10,463.55           | \$8,313.07            |
| FOR POSSIBLE ACTION       | 15 | 2011000009; 80791 | Cimarron West: Cimarron West   | \$6,602.23            | \$5,942.01            |
| FOR POSSIBLE ACTION       | 16 | 2013000019; 80819 | Hardy Enterprises, Inc.: Elko Sinclair #53<br>Superior Campgrounds Of America, Llc: Silver City RV                   | \$34,402.81           | \$29,303.15           |
| FOR POSSIBLE ACTION       | 17 | 2014000025; 80804 | Resort   | \$15,663.08           | \$14,096.77           |
| FOR POSSIBLE ACTION       | 18 | 2015000009; 80774 | HPT TA Properties Trust: Las Vegas Travel Center   | \$115,296.55          | \$103,766.89          |
| FOR POSSIBLE ACTION       | 19 | 2016000023; 80806 | Al Park Petroleum, Inc.: Pit Stop #1   | \$33,954.30           | \$24,445.44           |
| FOR POSSIBLE ACTION       | 20 | 2016000027; 80784 | Terrible Herbst, Inc.: Terrible Herbst #272  | \$9,356.85            | \$7,579.05            |
| FOR POSSIBLE ACTION       | 21 | 2017000015; 80811 | Ellen 5, Llc: Auto Center (green Valley Grocery #63)   | \$14,503.12           | \$12,961.83           |
| FOR POSSIBLE ACTION       | 22 | 2018000009; 80803 | Reed Incorporated: Pacific Pride   | \$53,390.17           | \$48,051.15           |
| FOR POSSIBLE ACTION       | 23 | 2018000018; 80768 | Primadonna Company, Llc: Whiskey Pete's Stateline Stop   | \$75,904.84           | \$60,060.28           |
| FOR POSSIBLE ACTION       | 24 | 2019000009; 80737 | Circle K Stores, Inc.: Circle K Store #2701364   | \$35,151.97           | \$18,878.89           |
| FOR POSSIBLE ACTION       | 25 | 2020000015; 80812 | Canyon Plaza, Llc: Gas 2 Go  | \$33,601.69           | \$18,144.91           |
| FOR POSSIBLE ACTION       | 26 | 2021000014; 80813 | Pilot Travel Centers Llc: Pilot Travel Centers LLC #341  | \$6,212.94            | \$5,591.65            |
| FOR POSSIBLE ACTION       | 27 | 2022000018; 80814 | Pilot Travel Centers Llc: Pilot Travel Centers LLC #341  | \$10,474.71           | \$7,541.79            |
| FOR POSSIBLE ACTION       | 28 | 2023000013; 80664 | Terrible Herbst, Inc.: Terrible Herbst #3  | \$96,579.98           | \$86,921.98           |
| FOR POSSIBLE ACTION       | 29 | 2023000018; 80801 | Reed Incorporated: R Place #1  | \$54,365.15           | \$48,928.63           |
| FOR POSSIBLE ACTION       | 30 | 2024000008; 80808 | Midjit Market, Inc.: Green Valley Grocery #58  | \$24,000.03           | \$17,280.02           |
| SUB TOTAL:                |    |                   |  | <u>\$1,060,140.21</u> | <u>\$915,005.90</u>   |
| RECOMMENDED CLAIMS TOTAL: |    |                   |  | <u>\$1,184,974.20</u> | <u>\$1,019,980.10</u> |

**Jennifer Carr moved for approval of the consent items requested, recommended amounts dated 12/12/24. LeRoy Perks seconded the motion. Motion carried unanimously. Jason Case recused himself from Item No. 2.**

8. **DIRECT PAYMENT OF UNCONTESTED CLAIMS MADE PER POLICY RESOLUTION 2017-02**

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.

**HEATING OIL**

|                     |   |                   |   | <b><u>REQUESTED</u></b>    | <b><u>PAID</u></b>         |
|---------------------|---|-------------------|---|----------------------------|----------------------------|
| FOR POSSIBLE ACTION | 1 | 2024000018; 80780 | Tietjen Family Trust: Residence Of 16675 Cheyenne Drive | \$15,485.59                | \$15,235.59                |
| FOR POSSIBLE ACTION | 2 | 2024000019; 80781 | Ruth Hanusa: Residence Of 620 Robin Street              | \$35,639.09                | \$35,389.09                |
| FOR POSSIBLE ACTION | 3 | 2024000020; 80783 | Eric Agerholm: Residence Of 2005 Carter Drive           | \$15,510.84                | \$15,260.84                |
| FOR POSSIBLE ACTION | 4 | 2024000021; 80782 | Bryce Wiele: Residence Of 1750 Royal Drive              | \$30,719.50                | \$30,469.50                |
| FOR POSSIBLE ACTION | 5 | 2024000023; 80787 | Bennet McMicking: Residence Of 1336 Wright Street       | \$21,195.93                | \$20,945.93                |
| FOR POSSIBLE ACTION | 6 | 2024000024; 80788 | David McNinch: Residence Of 5155 Ross Drive             | \$34,130.42                | \$33,880.42                |
| <b>SUB TOTAL:</b>   |   |                   |   | <b><u>\$152,681.37</u></b> | <b><u>\$151,181.37</u></b> |

**ONGOING CASES**

|                                     |   |                   |  | <b><u>REQUESTED</u></b>    | <b><u>PAID</u></b>         |
|-------------------------------------|---|-------------------|--|----------------------------|----------------------------|
| FOR POSSIBLE ACTION                 | 1 | 1999000023; 80796 | Nevada Ready Mix Corp: Nevada Ready Mix        | \$27,728.11                | \$24,955.30                |
| FOR POSSIBLE ACTION                 | 2 | 2017000035; 80798 | Rebel Oil Company: Rebel Store #2177           | \$13,413.00                | \$12,071.70                |
| FOR POSSIBLE ACTION                 | 3 | 2018000005; 80797 | Rebel Oil Company: Rebel Store # 2153          | \$12,571.50                | \$11,314.35                |
| FOR POSSIBLE ACTION                 | 4 | 2019000014; 80793 | Western Cab Co: Western Cab CO                 | \$7,980.00                 | \$7,182.00                 |
| FOR POSSIBLE ACTION                 | 5 | 2021000032; 80528 | Circle K Stores, Inc.: Circle K Store #2700755 | \$84,399.61                | \$75,314.98                |
| FOR POSSIBLE ACTION                 | 6 | 2022000012; 80750 | Neissan Koroghli: City C-Store (7-11)          | \$21,114.00                | \$19,002.60                |
| FOR POSSIBLE ACTION                 | 7 | 2022000015; 80794 | Rebel Oil Company: Rebel Store #2197           | \$20,637.55                | \$14,787.04                |
| FOR POSSIBLE ACTION                 | 8 | 2023000028; 80800 | Anderson Dairy, Inc.: Anderson Dairy INC       | \$9,916.00                 | \$8,924.40                 |
| <b>SUB TOTAL:</b>                   |   |                   |  | <b><u>\$197,759.77</u></b> | <b><u>\$173,552.37</u></b> |
| <b>DIRECT PAYMENT CLAIMS TOTAL:</b> |   |                   |  | <b><u>\$350,441.14</u></b> | <b><u>\$324,733.74</u></b> |

**BOARD MEETING CLAIMS TOTAL: \$1,535,415.34 \$1,344,713.84**



9. **EXECUTIVE SUMMARY**

**Ms. Slayden** stated that tank enrollment fees are tracked pursuant to the Federal Fiscal Year, which runs from October 1 through September 30. Annual invoices for enrollment year 2025 were issued on August 14, 2024. A total of 1,294 facilities have been invoiced as of December 1, 2024. Approximately 1,264 or about 98 percent of invoiced facilities have submitted the required tank enrollment fees. Since the inception of the Fund, a total of 1,852 remediation cases have applied for Fund coverage. Of those applications, 174 have been denied due to ineligibility or other reasons. Of the total cases provided Fund coverage, 1,606 cases have been closed and no longer receive Fund reimbursement. There are currently 70 active Fund cases. Since January 1, 2024, NDEP has received 30 new coverage applications for Fund coverage with 2 pending coverage determinations at this time. Prior to this Board meeting, the Board to Review Claims has approved a cumulative total of \$263,608,739.69 for reimbursement to petroleum storage tank operators for cleanup expenses. This includes \$324,733.74 for direct payment claims paid since the last Board meeting. With today's Board approval of claims in the amount of \$1,019,980.10, the cumulative expenditure will increase to \$264,628,719.79. There were no grants for UST upgrades this quarter.

**Chair Tappan** invited questions from the Board.

**LeRoy Perks** asked whether the 30 unpaid enrollment invoices are a result of site closures. **Ms. Slayden** stated that the reasons are unknown. Staff sends three notices in the months of August, October and November, which include requests for payment. The notices are followed up via subsequent emails. The 30 unpaid enrollment invoices have provided no responses to queries by staff. In general, when a site closes, staff will close out the invoices.

10. **PUBLIC COMMENT**

There were no public comments.

11. **CONFIRMATION OF NEXT BOARD MEETING**

It was confirmed that the next meeting date has been scheduled for Thursday, March 13, 2025, at 10:00 a.m.

12. **ADJOURNMENT**

**Chair Tappan** wished everyone happy holidays and expressed appreciation to staff and Board members.

The meeting adjourned at 10:30 a.m.

**Agenda Item 4:**  
**Status of the Fund**  
(FOR DISCUSSION)

Petroleum Discharge Cleanup Fund  
Balance Sheet - State Fiscal Year 2025  
As of 2/24/2025

**REVENUE**

|                                  |    |                      |
|----------------------------------|----|----------------------|
| Balance Forward                  | \$ | 7,500,000.00         |
| Enrollment and Registration Fees | \$ | 406,350.00           |
| Petroleum Fees                   | \$ | 6,209,695.12         |
| Interest Earned                  | \$ | 150,972.20           |
| Reimbursements Received          | \$ | -                    |
| Balance Forward to New Year      | \$ | -                    |
| <b>Total Revenue</b>             | \$ | <u>14,267,017.32</u> |

**EXPENDITURES**

|   |    |                     |
|---|----|---------------------|
| Board Salary  | \$ | 834.12              |
| In-State Travel                                     | \$ | 116.80              |
| Operating   | \$ | 725.81              |
| Transfer to Highway Fund                            | \$ | -                   |
| Transfer to Division of Environmental Protection    | \$ | 667,082.21          |
| State Led Petrochemical Cleanup                     | \$ | 76,216.69           |
| Transfer to Greenhouse Gas Program                  | \$ | -                   |
| Petroleum Grant Program                             | \$ | -                   |
| Department of Motor Vehicles Fee Collection Service | \$ | 12,714.00           |
| Reimbursement of Claims                             | \$ | <u>3,024,418.43</u> |
| <b>Total Expenditures</b>                           | \$ | <u>3,782,108.06</u> |

**LIABILITIES**

|                              |    |                     |
|------------------------------|----|---------------------|
| Petroleum Board Costs        | \$ | 2,323.27            |
| Highway Fund Budgeted Amount | \$ | 9,000,000.00        |
| Pending Obligated Claims     | \$ | -                   |
| <b>Total Liabilities</b>     | \$ | <u>9,002,323.27</u> |

**ACTUAL FUNDING AVAILABLE**

\$ 10,484,909.26



Feb 24, 2025

Prepared By

Date:



Feb 24, 2025

Megan Slayden (Feb 24, 2025 14:51 PST)

Petroleum Fund Staff Approval

Date:

**Agenda Item 5:**  
**Site Specific Board Determination No.**  
**C2025-01**

**(FOR POSSIBLE ACTION)**

STATE BOARD TO REVIEW CLAIMS  
MEETING OF MARCH 13, 2025

Video-conferenced in Carson City and Las Vegas, Nevada  
Summary of Site-Specific Board Determination No. C2025-01

**SUBJECT:** Proposed Site-Specific Board Determination (SSBD) to provide reduced Petroleum Fund Coverage for Circle K Store #2700542, 3500 E Charleston Blvd, Las Vegas, Nevada  
Petroleum Fund Case ID No. 2024000001, Facility ID No. 8-000130

**DISCUSSION:** The subject site, identified as Circle K Store #2700542, and owned by Circle K Stores Inc., is located at 3500 E Charleston Blvd, Las Vegas, Nevada. This facility consists of three underground storage tank (UST) systems, which contained gasoline at the time of release.  
Due to non-compliance with federal and state UST regulations, the Nevada Division of Environmental Protection (NDEP) recommends that the Board grant coverage for Tank #3 with a 40% reduction. This recommendation is consistent with Board Policy Resolution No. 94-023, which addresses reduction in reimbursement for failure to comply with UST regulatory requirements.

**RECOMMENDATION:** **Adoption** of Site-Specific Board Determination No. C2025-01 as proposed, granting coverage under the State of Nevada Petroleum Fund to Circle K Store #2700542 for \$540,000.00. This represents \$1,000,000.00 in coverage for one gasoline UST system, with a 40% reduction and a 10% copayment.

## STATE BOARD TO REVIEW CLAIMS

### Site Specific Board Determination C2025-01

Site Specific Board Determination to Provide Reduced Petroleum Fund Coverage for  
Circle K Store #2700542, 3500 E Charleston Blvd, Las Vegas, Nevada  
Petroleum Fund Case ID No. 2024000001  
Facility ID No. 8-000130

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Whereas, the State Board to Review Claims (hereinafter referred to as the Board) Finds:

1. The subject site, identified as Circle K Store #2700542, owned by Circle K Stores, Inc., and located at 3500 E Charleston Blvd, Las Vegas, Nevada, consists of three underground storage tank systems containing gasoline.
2. October 27, 2023, Tank #3, a 10,000-gallon single walled UST, containing gasoline, failed a tightness test and was taken out of service.
3. November 3, 2023, it was reported the drop tube was removed from Tank #3.
4. November 7, 2023, Tank #3 was drained of gasoline to six inches.
5. December 7, 2023, one soil boring was advanced to groundwater, observed at 19 feet below ground surface (bgs). Soil samples were collected in 5-foot intervals and a groundwater sample was collected. Soil and groundwater samples were analyzed for volatile organic compounds (VOC's), polycyclic aromatic hydrocarbons (PAHs), and total petroleum hydrocarbons (TPHs). Several VOCs, including benzene, exceeded the NDEP Reportable Concentrations (RCs) in soil and EPA Maximum Contaminant Levels (MCLs) in groundwater, confirming a release.
6. December 20, 2023, NDEP correspondence with Circle K Stores, Inc, noted the release appeared to have resulted in contamination and exceeded limits or quantities established by Nevada Administrative Code (NAC) 445A.347 or 445A.3473, requiring an evaluation of the release be provided per NAC 459.996 and NAC 459.9972.
7. December 20, 2023, gasoline within Tank #3 was measured at 4.5 inches, subsequently, it was drained to 0.75 inches.
8. January 3, 2024 – The regulatory agency sent a notice of violation (NOV) to Circle K Stores, Inc, which included violation of **280.70** - Failure to meet any of the temporary closure requirements. Documentation demonstrating compliance with UST regulations was requested to be submitted by 2/2/24. The regulatory agency sent additional NOV's on February 7, 2024 and April 17, 2024, regarding the same list of violations, and requested compliance documentation.
9. February 26, 2024, during a scheduled inspection, the regulatory agency discovered that fuel had been added to Tank #3 raising the level of fuel in the tank to 39-inches. On February 28, 2024, the regulatory agency sent a letter to Circle K Stores, Inc, requiring immediate removal of the fuel to <1-inch, and capping and locking of the failed UST.
10. April 22, 2024, the regulatory agency received the documentation requested after the January 3, 2024, site inspection. Based on a review of the documentation a determination of no further action was made.

11. Between July 3 and July 8, 2024, Tank #3 was repaired and relined. On July 10, 2024, the tank passed a tank tightness test, while empty, and passed a test on July 17, 2024, with product present. The tank was subsequently returned to service.
12. August 29, 2024, an application for coverage was submitted to NDEP. The application identified the source of release as a failed tank tightness test in Tank #3.
13. 40 CFR 280.62 (a) states "...Owners and Operators must perform the following initial abatement measures: (1) Remove as much of the regulated substance from the UST system as is necessary to prevent further release to the environment."
14. 40 CFR 280.45 states, "All UST system owners and operators must maintain records in accordance with 40 CFR 280.34 demonstrating compliance with all applicable requirements of this subpart."
15. 40 CFR 280.74 states, "Owners and operators must maintain records in accordance with 40 CFR 280.34 that are capable of demonstrating compliance with closure requirements under this subpart."
16. Board Policy Resolution No. 94-023 (Attachment A), states: "non-compliance to certain regulations may not necessarily be proximate cause for a discharge...but may still result in increased costs for remediation." Resolution 94-023 also states, "When a determination of non-compliance is made, the staff of the Nevada Division of Environmental Protection will recommend to the Board that any reimbursement awarded be reduced in accordance with the Reimbursement Reduction Schedule specified in Attachment A." In accordance with Board Policy Resolution 94-023, reductions for non-compliance with the LUST regulations for preventing petroleum releases will be assessed as follows:

LUST.002 - Failure to comply with Release Response and Corrective Action.  
40 CFR 280.60-280.65; 280.67: 40% Reduction

UST.003 - Failure to Comply with General Requirements for all UST Systems,  
Release Detection.  
40 CFR 280.40-280.45: 20% Reduction

UST.004 - Failure to Comply with UST Systems and Closure Requirements.  
40 CFR 280.72-280.74: 10% Reduction

17. Therefore, in accordance with Board Policy Resolution No. 94-023, NDEP recommends that the subject facility receive Fund coverage with a 40% reduction.
18. The Board has the authority to provide coverage for this case at a level other than that recommended by Fund staff.

THEREFORE, BE IT RESOLVED THAT:

1. The application identifies a 10,000-gallon single walled tank, Tank #3, containing gasoline at the time of release, as the source.
2. The UST System was out of compliance with regulatory requirements following release discovery. The owner is unable to demonstrate the following:

Site Specific Board Determination No. C2025-01

- a. Removal of as much of the regulated substance from the UST system as is necessary to prevent further release to the environment (40 CFR 280.60-280.65; 280.67).
  - b. Records that can demonstrate compliance with general requirements for all UST systems (40 CFR 280.40-280.45).
  - c. Implementation of Out-of-Service UST Systems and closure requirements (40 CFR 280.72-280.74).
3. Board Policy Resolution 94-023 requires NDEP staff to recommend a 40% reduction to the Board.
4. The maximum amount that the Board will reimburse for the cleanup costs associated with this release is \$540,000.00. This represents \$1,000,000.00 in coverage for one gasoline UST system, with a 40% reduction and a 10% copayment.

I, Maureen Tappan, Chair, do hereby certify that the foregoing is a full, true, and correct copy of a Site-Specific Board Determination adopted by the Nevada State Board to Review Claims on March 13, 2025.

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Maureen Tappan, Chair  
State Board to Review Claims



ATTACHMENT A

Board Resolution No. 94-023

Resolution to Adopt a Policy Regarding the Reduction in Reimbursement for Failure to Comply with  
Regulatory Guidelines

STATE BOARD TO REVIEW CLAIMS

MEETING OF NOVEMBER 30, 1994  
Las Vegas, Nevada

ITEM: IV. A.

SUBJECT: Proposed policy on the reduction in reimbursement for failure to comply with regulatory guidelines

DISCUSSION: While a majority of underground storage tank owners/operators fall into the category of being in compliance with the regulations governing underground storage tanks, a sub-population exists of owners/operators who are not in compliance.

Compliance with the regulatory requirements ensures that the environmental damage accompanying a release and the concurrent remediation costs will be held to a minimum. In the absence of compliance, the probability that environmental damage and cost will be larger tends to increase. This is based on analyses of remediations within the State of Nevada and is taken in the context of the entire underground storage tank population as a whole, and not to any one site.

The costs of cleanups have been greater where ongoing contamination has been undetected and has increased its boundaries over time due to gradient-driven migration. To extend the Petroleum Fund benefits in an equitable and fair manner, a determination may be made as to what contributions, if any, an owner/operator's action or inactions may have made to the cleanup cost. A key element in this determination is the owner/operator's compliance with the pollution prevention provisions of the UST regulations at the time of and leading up to leak discovery.

The Board is required to deny all reimbursements for a claim when a person's actions are proximate cause to a discharge to the environment (NRS 590.900(1)). However, the Board may choose to apply a reduction in reimbursement relative to the impact of a claimant's noncompliance for issues that are not proximate cause for a discharge. In order to reduce staff bias, a Board-directed reduction schedule is proposed. Such a schedule could then be adjusted by the Board at its discretion based upon the facts warranted by each case.

A draft policy was distributed to all Certified Environmental Consultants in April, 1994. Comments received were incorporated in a revision that was re-distributed in August, 1994. The draft policy presented at the September 29, 1994, Board meeting incorporated the comments received.

At its September 29, 1994, meeting, the Board decided to defer decision on this issue until after a designated task force meeting discussed the issue further. The task force was formed in order to discuss significant issues raised during the meeting and to allow additional opportunity for input.

The task force met on October 11, 1994, and consisted of members from industry, the consulting community, the Board, and NDEP. Consensus was achieved on many items which have been included in the revised draft policy. However, significant issues which still remain include:

1. The use of a reimbursement reduction when other fines/enforcement mechanisms exist.
2. Reducing reimbursement levels may limit or stop cleanups.
3. Consultants may feel the impacts of reimbursement reductions since they often delay billings to coincide with reimbursements.
4. Delaying implementation of a reimbursement policy to allow for additional regulatory education for small owners in rural areas.
5. Using a fine-based penalty rather than a reduction in reimbursement.

RECOMMENDATION: Adoption of Resolution No. 94-023 as proposed.

STATE BOARD TO REVIEW CLAIMS

RESOLUTION NO. 94-023

Resolution to Adopt a Policy  
Regarding the Reduction in Reimbursement for Failure to Comply  
with Regulatory Guidelines

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Whereas, the State Board to Review Claims (the Board) Finds:

1. NRS 590.900(1) requires:

"Any person who, through willful or wanton misconduct, through gross negligence or through violation of any applicable statute or regulation including specifically any state or federal standard pertaining to the preparation or maintenance of sites for storage tanks, proximately causes a discharge is liable to the division for any cost in cleaning up the discharge or paying for it to be cleaned up."

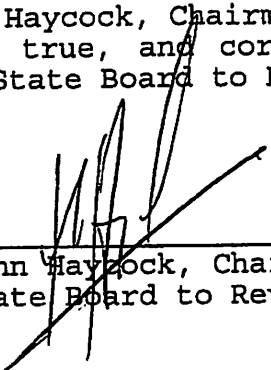
2. Non-compliance to certain regulations may not necessarily be proximate cause for a discharge as defined in Finding No. 1, but may still result in increased costs for site remediation.
3. Delays in the discovery and/or remediation of a contamination may not be a proximate cause as defined in Finding No. 1, but may still result in increased costs for site remediation.
4. NRS 590.830(1) requires the Board to, "...review each claim presented and authorize payment to the extent warranted by the facts of the case." [emphasis added]
5. Attachment "A", which is made a part of this Resolution, contains a Reimbursement Reduction Schedule for failure to comply with pertinent underground storage tank regulations.
6. Attachment "B", which is made a part of this Resolution, contains the procedures for the staff of the Nevada Division of Environmental Protection Agency to implement a reimbursement reduction policy.

THEREFORE BE IT RESOLVED:

1. That a determination (using the procedures outlined in Attachment "B" of this Resolution) be made of claimants applying for reimbursement from the State of Nevada Petroleum Fund as to that claimant's compliance to the underground storage tank regulations.

2. That when a determination of non-compliance is made, the staff of the Nevada Division of Environmental Protection will recommend to the Board that any reimbursement awarded be reduced in accordance with the Reimbursement Reduction Schedule specified in Attachment "A" of this Resolution.
3. That the Board reserves the right to adjust each staff recommendation based upon the facts of each case.
4. That the staff of the NDEP apply this policy on all outstanding unreviewed reimbursement requests upon the date of adoption.

I, John Haycock, Chairman, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the Nevada State Board to Review Claims on November 30, 1994.



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John Haycock, Chairman  
State Board to Review Claims

## ATTACHMENT A

### NEVADA STATE BOARD TO REVIEW CLAIMS REIMBURSEMENT REDUCTION POLICY

Staff recommendations for reduction(s) in reimbursement will be submitted to the State of Nevada Board to Review Claims if a determination of non-compliance with the Underground Storage Tank Regulations is made pursuant to the procedures in Attachment B. Recommendations to the Board will be based on the following criteria:

#### Leaking Underground Storage Tank (LUST) Regulations.

Non-compliance with the LUST regulations for preventing petroleum releases will be assessed as follows:

LUST.001     Failure to comply with Release Reporting,  
Investigation and Confirmation. 40 CFR 280.50 -  
280.53.

\* 40 percent reduction

LUST.002     Failure to comply with Release Response and  
Corrective Action. 40 CFR 280.60 - 280.65;  
280.67.

\* 40 percent reduction

LUST.003     Failure to comply with the Corrective Action  
Plan as evidenced by a Finding of Alleged  
Violation. 40 CFR 280.66.

\* 40 percent reduction

ATTACHMENT A  
Reimbursement Reduction Policy

2

Underground Storage Tank (UST) Regulations.

Non-compliance at the time of leak discovery with the UST regulations for preventing petroleum releases will be assessed as follows:

- UST.001    Failure to comply with UST Design, Construction, Installation, Notification, or Change in Service. 40 CFR 280.20 - 280.21; 280.70 - 280.71
- \*    10 percent reduction
- UST.002    Failure to comply with UST General Operating Requirements. 40 CFR 280.30 - 280.34
- \*    10 percent reduction
- UST.003    Failure to comply with General Requirements for all UST Systems, Release Detection. 40 CFR 280.40 - 280.45
- \*    20 percent reduction
- UST.004    Failure to comply with Out-of-Service UST Systems and Closure Requirements. 40 CFR 280.72 - 280.74.
- \*    10 percent reduction
- UST.005    Failure to comply with Financial Responsibility when required. 40 CFR 280.90 - 280.111; NRS 590.850.  
          (Responsible parties of tanks not enrolled in the Petroleum Fund are not eligible for reimbursement)
- \*    20 percent reduction

Note: Where non-compliance was the proximate cause of a discharge to the environment, the responsible party is not eligible for reimbursement.

## **ATTACHMENT B**

### **STATE BOARD TO REVIEW CLAIMS REIMBURSEMENT REDUCTION POLICY - IMPLEMENTATION PROCEDURES**

#### **NON-COMPLIANCE - definition**

Non-compliance is the determination by NDEP staff that the requirement(s) of the regulation(s) cited ( 40 CFR 280; NAC 459) has/have not been fulfilled as described below.

#### **DATE OF LEAK DISCOVERY - definition**

Date of leak discovery is the date that the responsible party knew or should have known that there was contamination caused as a result of his tank system.

#### **CLAIM REVIEW AND DETERMINATION**

Prior to presentation to the Board, each claim and/or case evaluation shall be reviewed by the technical case manager for any factual evidence of **non-compliance existing at the time of or any time after leak discovery.**

The review process shall include but not be limited to the review of any

- a. FOAV's, 14 day notices, or notification letters of non-compliance issued by a regulatory entity,
- b. Information supplied by a regulatory entity or certified environmental manager (CEM),
- c. Information obtained from an inspection of the facility,
- d. Statements containing material facts.

The regulatory staff shall make a determination of compliance based on his/her review and send the owner a notification letter of apparent non-compliance as described in these procedures.

In the absence of information to the contrary, the facility will be determined to be in compliance at the time of, or after, leak discovery.

The owner, with a copy to both the owner's agent and appropriate regulatory staff, will be advised by certified mail of a determination of apparent non-compliance no less than 30 days prior to presentation of a claim to the Board. This notification will advise the owner that his claim(s) for reimbursement will not be presented to the Board until there has been resolution of the non-compliance issue in accordance with applicable enforcement policy.



**ATTACHMENT B**  
**Implementation Procedures**

2

**ACTION TAKEN FOR APPARENT NON-COMPLIANCE (LUST - leaking underground storage tank)**

Upon making the determination that a facility is in apparent non-compliance, the regulatory entity will notify the facility owner in writing of this determination and the reasons for such determination based on policy. The owner will be allowed 15 days to submit an intent to comply, and 90 days to comply.

At the end of 90 days, if such evidence has not been received by the regulatory entity, a notification will be sent by certified mail to the owner advising him that he has been found to be non-compliant. This may result in the issuance of a Finding of Alleged Violation (FOAV).

A LUST notification and a FOAV will contain the advisory that the processing of any claim for reimbursement will be delayed pending the receipt of a response from the owner, and any Petroleum Fund reimbursement may be reduced for a FOAV or determination of non-compliance.

**ACTION TAKEN FOR APPARENT NON-COMPLIANCE (UST - underground storage tank)**

Upon making the determination (in accordance with UST regulations) that a federally regulated facility is in apparent non-compliance, the regulatory entity will notify the facility owner in writing of this determination and the reasons for such determination based on regulations. The owner will be allowed 30 days to comply, submit an intent to comply, or show proof that he was in compliance.

At the end of 30 days, if such evidence has not been received by the regulatory entity, notification will be sent by certified mail to the owner advising him that he has been found to be non-compliant.

A UST notification will contain the advisory that the processing of any claim for reimbursement will be delayed pending the receipt of a response from the owner, and any Petroleum Fund reimbursement may be reduced for a determination of non-compliance.

**PRESENTATION TO THE BOARD**

The staff of the Petroleum Fund shall present to the Board, as a non-consensual agenda item, all claims where the claim review has resulted in a reimbursement reduction recommendation. All reimbursement reduction recommendations will be made according to the schedule of reductions as defined in Attachment A. An owner may request and be granted a postponement of the presentation of his/her case to the Board at any time.

**ATTACHMENT B**  
**Implementation Procedures**

3

**BOARD DETERMINATION OF REIMBURSEMENT REDUCTION**

Any reimbursement reduction determined by the Board shall become effective commencing with the claim such determination was made.

The reimbursement reduction will also apply to all subsequent claims for that case, unless otherwise directed by the Board..

Both the owner and the owner's agent will be notified of the Board's action.

**PROCEDURES FOR USING AND MODIFYING THE SCHEDULE OF REIMBURSEMENT REDUCTION RECOMMENDATIONS (ATTACHMENT A)**

Attachment A shall set forth the percentage reduction recommendations that the staff of the Petroleum Fund shall present to the Board.

In the case of more than one non-compliance determination, the staff recommendation to the Board will list each as a separate item for the Board's consideration and will recommend to the Board that any reimbursement awarded be reduced by the largest percentage associated with any single item.

Modification of attachment A shall be by Board action.

Prior to any modification becoming effective, a 90 day period shall elapse from the time of the Board action revising Attachment A. Any revision shall not be retroactive, but apply only to those claims submitted or reviewed by the Board from the effective date onward.

**APPEAL**

The Board to Review Claims is the final authority within the NDEP of the reimbursement awarded to each claimant. In cases of disagreement with recommendations or conclusions made by the staff of NDEP, the case will be placed on the agenda of a regularly scheduled Board meeting so that evidence and other information may be presented to the Board for their review.

**Agenda Item 6:**  
**Site Specific Board Determination No.**  
**C2025-02**

(FOR POSSIBLE ACTION)

## STATE BOARD TO REVIEW CLAIMS

MEETING OF MARCH 13, 2025

Video conferenced in Carson City and Las Vegas, Nevada  
Summary of Site-Specific Board Determination No. C2025-02

**SUBJECT:** Proposed Site Specific Board Determination (SSBD) to provide reduced Petroleum Fund Coverage for Circle K Store #2701365, Las Vegas, Nevada Facility ID No. 8-000120, Petroleum Fund Case ID No. 2024000022

**DISCUSSION:** The subject site owned by Circle K Stores, Inc., and identified as Circle K Store #2701365 is located at 3200 Fremont Street, Las Vegas, Nevada and includes three underground storage tank (UST) systems. Two USTs containing gasoline and one UST containing diesel.

Due to non-compliance with Federal and State UST regulations, the Nevada Division of Environmental Protection (NDEP) recommends that the Board grant coverage of one gasoline UST system (Tank #1) with a 40% reduction. This recommendation is consistent with Board Policy Resolution No. 94-023, which addresses reduction in reimbursement for failure to comply with UST regulatory requirements.

**RECOMMENDATION:** **Adoption** of Site-Specific Board Determination No. C2025-02, as proposed, granting coverage under the State of Nevada Petroleum Fund to Circle K Store #2701365 for \$540,000.00. This represents \$1,000,000.00 in coverage for one gasoline UST system, with a 40% reduction and 10% copayment.

## STATE BOARD TO REVIEW CLAIMS

### Site Specific Board Determination C2025-02

Site-Specific Board Determination to Provide Reduced Petroleum Fund Coverage  
for Circle K Store #2701365, 3200 Fremont Street, Las Vegas, Nevada  
Petroleum Fund Case ID No. 2024000022  
Facility ID No. 8-000120

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Whereas, the Nevada Board to Review Claims (hereinafter referred to as the Board) Finds:

1. Circle K Store #2701365, owned by Circle K Stores, Inc., located at 3200 Fremont Street, Las Vegas, Nevada, has three underground storage tank (UST) systems. Two USTs containing gasoline and one UST containing diesel.
2. The coverage application identified the release occurred from UST #1; a 10,000-gallon single walled fiberglass reinforced plastic tank containing gasoline due to a failure associated with the tank shell. The tank shell failure of UST #1 was confirmed by a failing tank tightness test performed on April 22, 2024 (Spill Report # 240422-05). The report stated that the tank failed somewhere below the product level portion of the tank detected by acoustic sounding equipment. After identifying that the tank shell had failed, the drop tube was removed and fill port capped and locked the same day. However, no documentation was provided demonstrating that the tank was pumped out to less than one inch of product. The tank was taken out of service by Circle K Stores, Inc. and reported to NDEP as temporarily closed.
3. June 26, 2024, two soil borings were advanced to groundwater northeast and southwest of the tank basin to 30 feet below ground surface. Soil samples were collected in 5-foot intervals and groundwater samples were collected. Soil and groundwater samples were analyzed for volatile organic compounds, polycyclic aromatic hydrocarbons and total petroleum hydrocarbons. According to analytical data, benzene exceeded the NDEP Reportable Concentrations in soil and groundwater, confirming a release.
4. The interior of Tank #1 was relined on July 19, 2024.
5. The initial post-reline tank tightness test was conducted while the tank was empty on July 22, 2024, and reported the tank to be tight. A secondary post-reline tank tightness test was conducted on Tank #1 on August 5, 2024, that reported the tank to be tight. Tank #1 has been active since August 28, 2024.
6. December 5, 2024, an application for coverage was submitted to NDEP. The application identified the source of the release as a failure of the tank shell.
7. 40 CFR 280.45 states, "All UST system owners and operators must maintain records in accordance with 280.34 demonstrating compliance with all applicable requirements of this subpart."
8. 40 CFR 280.62 (a) states, "...Unless directed to do otherwise by the implementing agency, owners and operators must perform the following abatement measures: (1) Remove as much of the regulated substance from the UST system as is necessary to prevent further release to the environment."
9. 40 CFR 280.74 states, "...Owners and Operators must maintain records in accordance with 280.34 that are capable of demonstrating compliance with closure requirements under this subpart."
10. 40 CFR 280.70 states, "when an UST system is temporarily closed, owners and operators must

continue operation and maintenance of corrosion protection in accordance with 280.31, and any release detection in accordance with subpart D. Subparts E and F must be complied with if a release is suspected or confirmed. However, release detection is not required as long as the UST system is empty. The UST system is empty when all materials have been removed using commonly employed practices so that no more than 2.5 cm (one inch) of residue, or 0.3 percent by weight of the total capacity of the UST system, remain in the system.

11. Board Policy Resolution No. 94-023 (Attachment A), states: "Non-compliance with certain regulations may not necessarily be proximate cause for a discharge... but may still result in increased costs for site remediation." Resolution 94-023 also states, "When a determination of non-compliance is made, the staff of the Nevada Division of Environmental Protection will recommend to the Board that any reimbursement awarded be reduced in accordance with the Reimbursement Reduction Schedule specified in Attachment A."
12. In accordance with Board Policy Resolution No. 94-023, reductions for non-compliance with Federal underground storage tank regulations are assessed as follows:
  - LUST.002 - Failure to comply with Release Response and Corrective Action.  
40 CFR 280.60-280.65; 280.67: 40% Reduction
  - UST.003 - Failure to comply with General Requirements for all UST Systems,  
Release Detection. 40 CFR 280.40-280.45: 20% Reduction
  - UST.004 - Failure to Comply with UST Systems and Closure Requirements.  
40 CFR 280.72-280.74: 10% Reduction
13. In accordance with Board Policy Resolution No. 94-023, NDEP recommends that the subject facility receive Fund coverage with a 40% reduction for violation of Federal Regulations.
14. The Board has the authority to provide coverage for this case at a level other than that recommended by Petroleum Fund Staff.

**THEREFORE BE IT RESOLVED THAT:**

1. The Board finds that the underground storage tank systems were enrolled in the Petroleum Fund at the time of the release.
2. The application identifies the source of the release as UST #1, a 10,000-gallon single walled fiberglass reinforced plastic UST containing gasoline.
3. The UST System at the facility was out of compliance with regulatory requirements following release discovery. The owner is unable to demonstrate the following:
  - a. Removal of as much of the regulated substance from the UST system as is necessary to prevent further release to the environment (40 CFR 280.60-280.65; 280.67).
  - b. Records that can demonstrate compliance with general requirements for all UST systems (40 CFR 280.40-280.45).
  - c. Implementation of Out-of-Service UST Systems and closure requirements (40 CFR 280.72-280.74).

Site Specific Board Determination No. C2025-02

4. Pursuant to Board Policy Resolution No. 94-023, the Board grants coverage to Circle K Store #2701365, Petroleum Fund Case No. 2024000022, with a 40% reduction and 10% copayment for the gasoline release.
5. The maximum amount that the Board will reimburse for the cleanup costs associated with this release is \$540,000.00 (maximum cap of \$1,000,000.00 for the tank system less a 40% reduction, and 10% co-payment) and \$540,000.00 in third party liability funds.

I, Maureen Tappan, Chair, do hereby certify that the foregoing is a full, true, and correct copy of a Site Specific Board Determination adopted by the Nevada State Board to Review Claims on March 13, 2025.

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Maureen Tappan, Chair  
State Board to Review Claims

**ATTACHMENT A**

**Board Resolution No. 94-023**

**Resolution to Adopt a Policy Regarding the Reduction in Reimbursement for Failure to Comply with  
Regulatory Guidelines**



STATE BOARD TO REVIEW CLAIMS

MEETING OF NOVEMBER 30, 1994  
Las Vegas, Nevada

ITEM: IV. A.

SUBJECT: Proposed policy on the reduction in reimbursement for failure to comply with regulatory guidelines

DISCUSSION: While a majority of underground storage tank owners/operators fall into the category of being in compliance with the regulations governing underground storage tanks, a sub-population exists of owners/operators who are not in compliance.

Compliance with the regulatory requirements ensures that the environmental damage accompanying a release and the concurrent remediation costs will be held to a minimum. In the absence of compliance, the probability that environmental damage and cost will be larger tends to increase. This is based on analyses of remediations within the State of Nevada and is taken in the context of the entire underground storage tank population as a whole, and not to any one site.

The costs of cleanups have been greater where ongoing contamination has been undetected and has increased its boundaries over time due to gradient-driven migration. To extend the Petroleum Fund benefits in an equitable and fair manner, a determination may be made as to what contributions, if any, an owner/operator's action or inactions may have made to the cleanup cost. A key element in this determination is the owner/operator's compliance with the pollution prevention provisions of the UST regulations at the time of and leading up to leak discovery.

The Board is required to deny all reimbursements for a claim when a person's actions are proximate cause to a discharge to the environment (NRS 590.900(1)). However, the Board may choose to apply a reduction in reimbursement relative to the impact of a claimant's noncompliance for issues that are not proximate cause for a discharge. In order to reduce staff bias, a Board-directed reduction schedule is proposed. Such a schedule could then be adjusted by the Board at its discretion based upon the facts warranted by each case.

A draft policy was distributed to all Certified Environmental Consultants in April, 1994. Comments received were incorporated in a revision that was re-distributed in August, 1994. The draft policy presented at the September 29, 1994, Board meeting incorporated the comments received.

At its September 29, 1994, meeting, the Board decided to defer decision on this issue until after a designated task force meeting discussed the issue further. The task force was formed in order to discuss significant issues raised during the meeting and to allow additional opportunity for input.

The task force met on October 11, 1994, and consisted of members from industry, the consulting community, the Board, and NDEP. Consensus was achieved on many items which have been included in the revised draft policy. However, significant issues which still remain include:

1. The use of a reimbursement reduction when other fines/enforcement mechanisms exist.
2. Reducing reimbursement levels may limit or stop cleanups.
3. Consultants may feel the impacts of reimbursement reductions since they often delay billings to coincide with reimbursements.
4. Delaying implementation of a reimbursement policy to allow for additional regulatory education for small owners in rural areas.
5. Using a fine-based penalty rather than a reduction in reimbursement.

RECOMMENDATION: Adoption of Resolution No. 94-023 as proposed.

STATE BOARD TO REVIEW CLAIMS

RESOLUTION NO. 94-023

Resolution to Adopt a Policy  
Regarding the Reduction in Reimbursement for Failure to Comply  
with Regulatory Guidelines

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Whereas, the State Board to Review Claims (the Board) Finds:

1. NRS 590.900(1) requires:

"Any person who, through willful or wanton misconduct, through gross negligence or through violation of any applicable statute or regulation including specifically any state or federal standard pertaining to the preparation or maintenance of sites for storage tanks, proximately causes a discharge is liable to the division for any cost in cleaning up the discharge or paying for it to be cleaned up."

2. Non-compliance to certain regulations may not necessarily be proximate cause for a discharge as defined in Finding No. 1, but may still result in increased costs for site remediation.
3. Delays in the discovery and/or remediation of a contamination may not be a proximate cause as defined in Finding No. 1, but may still result in increased costs for site remediation.
4. NRS 590.830(1) requires the Board to, "...review each claim presented and authorize payment to the extent warranted by the facts of the case." [emphasis added]
5. Attachment "A", which is made a part of this Resolution, contains a Reimbursement Reduction Schedule for failure to comply with pertinent underground storage tank regulations.
6. Attachment "B", which is made a part of this Resolution, contains the procedures for the staff of the Nevada Division of Environmental Protection Agency to implement a reimbursement reduction policy.

THEREFORE BE IT RESOLVED:

1. That a determination (using the procedures outlined in Attachment "B" of this Resolution) be made of claimants applying for reimbursement from the State of Nevada Petroleum Fund as to that claimant's compliance to the underground storage tank regulations.

2. That when a determination of non-compliance is made, the staff of the Nevada Division of Environmental Protection will recommend to the Board that any reimbursement awarded be reduced in accordance with the Reimbursement Reduction Schedule specified in Attachment "A" of this Resolution.
3. That the Board reserves the right to adjust each staff recommendation based upon the facts of each case.
4. That the staff of the NDEP apply this policy on all outstanding unreviewed reimbursement requests upon the date of adoption.

I, John Haycock, Chairman, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the Nevada State Board to Review Claims on November 30, 1994.



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John Haycock, Chairman  
State Board to Review Claims

**ATTACHMENT A**

**NEVADA STATE BOARD TO REVIEW CLAIMS  
REIMBURSEMENT REDUCTION POLICY**

Staff recommendations for reduction(s) in reimbursement will be submitted to the State of Nevada Board to Review Claims if a determination of non-compliance with the Underground Storage Tank Regulations is made pursuant to the procedures in Attachment B. Recommendations to the Board will be based on the following criteria:

**Leaking Underground Storage Tank (LUST) Regulations.**

Non-compliance with the LUST regulations for preventing petroleum releases will be assessed as follows:

LUST.001    Failure to comply with Release Reporting, Investigation and Confirmation. 40 CFR 280.50 - 280.53.

\* 40 percent reduction

LUST.002    Failure to comply with Release Response and Corrective Action. 40 CFR 280.60 - 280.65; 280.67.

\* 40 percent reduction

LUST.003    Failure to comply with the Corrective Action Plan as evidenced by a Finding of Alleged Violation. 40 CFR 280.66.

\* 40 percent reduction

ATTACHMENT A  
Reimbursement Reduction Policy

2

Underground Storage Tank (UST) Regulations.

Non-compliance at the time of leak discovery with the UST regulations for preventing petroleum releases will be assessed as follows:

UST.001 Failure to comply with UST Design, Construction, Installation, Notification, or Change in Service. 40 CFR 280.20 - 280.21; 280.70 - 280.71

\* 10 percent reduction

UST.002 Failure to comply with UST General Operating Requirements. 40 CFR 280.30 - 280.34

\* 10 percent reduction

UST.003 Failure to comply with General Requirements for all UST Systems, Release Detection. 40 CFR 280.40 - 280.45

\* 20 percent reduction

UST.004 Failure to comply with Out-of-Service UST Systems and Closure Requirements. 40 CFR 280.72 - 280.74.

\* 10 percent reduction

UST.005 Failure to comply with Financial Responsibility when required. 40 CFR 280.90 - 280.111; NRS 590.850.  
(Responsible parties of tanks not enrolled in the Petroleum Fund are not eligible for reimbursement)

\* 20 percent reduction

Note: Where non-compliance was the proximate cause of a discharge to the environment, the responsible party is not eligible for reimbursement.

## **ATTACHMENT B**

### **STATE BOARD TO REVIEW CLAIMS REIMBURSEMENT REDUCTION POLICY - IMPLEMENTATION PROCEDURES**

#### **NON-COMPLIANCE - definition**

Non-compliance is the determination by NDEP staff that the requirement(s) of the regulation(s) cited ( 40 CFR 280; NAC 459) has/have not been fulfilled as described below.

#### **DATE OF LEAK DISCOVERY - definition**

Date of leak discovery is the date that the responsible party knew or should have known that there was contamination caused as a result of his tank system.

#### **CLAIM REVIEW AND DETERMINATION**

Prior to presentation to the Board, each claim and/or case evaluation shall be reviewed by the technical case manager for any factual evidence of non-compliance existing at the time of or any time after leak discovery.

The review process shall include but not be limited to the review of any

- a. FOAV's, 14 day notices, or notification letters of non-compliance issued by a regulatory entity,
- b. Information supplied by a regulatory entity or certified environmental manager (CEM),
- c. Information obtained from an inspection of the facility,
- d. Statements containing material facts.

The regulatory staff shall make a determination of compliance based on his/her review and send the owner a notification letter of apparent non-compliance as described in these procedures.

In the absence of information to the contrary, the facility will be determined to be in compliance at the time of, or after, leak discovery.

The owner, with a copy to both the owner's agent and appropriate regulatory staff, will be advised by certified mail of a determination of apparent non-compliance no less than 30 days prior to presentation of a claim to the Board. This notification will advise the owner that his claim(s) for reimbursement will not be presented to the Board until there has been resolution of the non-compliance issue in accordance with applicable enforcement policy.

**ATTACHMENT B**  
**Implementation Procedures**

2

**ACTION TAKEN FOR APPARENT NON-COMPLIANCE (LUST - leaking underground storage tank)**

Upon making the determination that a facility is in apparent non-compliance, the regulatory entity will notify the facility owner in writing of this determination and the reasons for such determination based on policy. The owner will be allowed 15 days to submit an intent to comply, and 90 days to comply.

At the end of 90 days, if such evidence has not been received by the regulatory entity, a notification will be sent by certified mail to the owner advising him that he has been found to be non-compliant. This may result in the issuance of a Finding of Alleged Violation (FOAV).

A LUST notification and a FOAV will contain the advisory that the processing of any claim for reimbursement will be delayed pending the receipt of a response from the owner, and any Petroleum Fund reimbursement may be reduced for a FOAV or determination of non-compliance.

**ACTION TAKEN FOR APPARENT NON-COMPLIANCE (UST - underground storage tank)**

Upon making the determination (in accordance with UST regulations) that a federally regulated facility is in apparent non-compliance, the regulatory entity will notify the facility owner in writing of this determination and the reasons for such determination based on regulations. The owner will be allowed 30 days to comply, submit an intent to comply, or show proof that he was in compliance.

At the end of 30 days, if such evidence has not been received by the regulatory entity, notification will be sent by certified mail to the owner advising him that he has been found to be non-compliant.

A UST notification will contain the advisory that the processing of any claim for reimbursement will be delayed pending the receipt of a response from the owner, and any Petroleum Fund reimbursement may be reduced for a determination of non-compliance.

**PRESENTATION TO THE BOARD**

The staff of the Petroleum Fund shall present to the Board, as a non-consensual agenda item, all claims where the claim review has resulted in a reimbursement reduction recommendation. All reimbursement reduction recommendations will be made according to the schedule of reductions as defined in Attachment A. An owner may request and be granted a postponement of the presentation of his/her case to the Board at any time.



**ATTACHMENT B  
Implementation Procedures**

3

**BOARD DETERMINATION OF REIMBURSEMENT REDUCTION**

Any reimbursement reduction determined by the Board shall become effective commencing with the claim such determination was made.

The reimbursement reduction will also apply to all subsequent claims for that case, unless otherwise directed by the Board..

Both the owner and the owner's agent will be notified of the Board's action.

**PROCEDURES FOR USING AND MODIFYING THE SCHEDULE OF REIMBURSEMENT REDUCTION RECOMMENDATIONS (ATTACHMENT A)**

Attachment A shall set forth the percentage reduction recommendations that the staff of the Petroleum Fund shall present to the Board.

In the case of more than one non-compliance determination, the staff recommendation to the Board will list each as a separate item for the Board's consideration and will recommend to the Board that any reimbursement awarded be reduced by the largest percentage associated with any single item.

Modification of attachment A shall be by Board action.

Prior to any modification becoming effective, a 90 day period shall elapse from the time of the Board action revising Attachment A. Any revision shall not be retroactive, but apply only to those claims submitted or reviewed by the Board from the effective date onward.

**APPEAL**

The Board to Review Claims is the final authority within the NDEP of the reimbursement awarded to each claimant. In cases of disagreement with recommendations or conclusions made by the staff of NDEP, the case will be placed on the agenda of a regularly scheduled Board meeting so that evidence and other information may be presented to the Board for their review.

**Agenda Item 7:**  
**Site Specific Board Determination No.**  
**C2025-03**

(FOR POSSIBLE ACTION)

STATE BOARD TO REVIEW CLAIMS

MEETING OF MARCH 13, 2025

Video-conferenced in Carson City and Las Vegas, Nevada  
Summary of Site-Specific Board Determination No. C2025-03

**SUBJECT:** Proposed Site-Specific Board Determination (SSBD) to provide reduced Petroleum Fund Coverage for Circle K Store #2701791, 3901E Lake Mead Blvd, Las Vegas, Nevada  
Petroleum Fund Case ID No. 2024000031, Facility ID No. 8-000329

**DISCUSSION:** The subject site, identified as Circle K Store #2701791, and owned by Circle K Stores Inc., is located at 3901 E Lake Mead, Las Vegas, Nevada.

This facility consists of three underground storage tank (UST) systems, two contained gasoline, and one contained diesel at the time of release.

Due to non-compliance with federal and state UST regulations, the Nevada Division of Environmental Protection (NDEP) recommends that the Board grant coverage for Tank #1, and Tank #2 with a 40% reduction. This recommendation is consistent with Board Policy Resolution No. 94-023, which addresses reduction in reimbursement for failure to comply with UST regulatory requirements.

**RECOMMENDATION:** **Adoption** of Site-Specific Board Determination No. C2025-03 as proposed, granting coverage under the State of Nevada Petroleum Fund to Circle K Store #2701791 for \$1,080,000.00. This represents \$2,000,000.00 in coverage for two gasoline UST systems, with a 40% reduction and a 10% copayment.

## STATE BOARD TO REVIEW CLAIMS

### Site Specific Board Determination C2025-03

Site Specific Board Determination to Provide Reduced Petroleum Fund Coverage for  
Circle K Store #2701791, 3901 E Lake Mead, Las Vegas, Nevada  
Petroleum Fund Case ID No. 2024000031  
Facility ID No. 8-000329

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Whereas, the State Board to Review Claims (hereinafter referred to as the Board) Finds:

1. The subject site, identified as Circle K Store #2701791 and owned by Circle K Stores, Inc., consists of three underground storage tank (UST) systems, two contained gasoline, and one contained diesel at the time of release.
2. April 2, 2024, Southern Nevada Health District (SNHD) conducted an inspection of the facility. During the inspection it was noted that there were active periodic test fail alarms for Tank #1 and Tank #2. SNHD sent a first notice of violation (NOV 1) to Circle K Stores, which included violation of 40 CFR 280.50(a)-(c) - Failure to report a suspected release within 24 hours to the implementing agency. Documentation demonstrating compliance with UST regulations was requested to be submitted by May 2, 2024. A second notice (NOV 2) was sent on May 29, 2024, to Circle K Stores, Inc, regarding the same violation, and requested compliance documentation.
3. April 22, 2024, Tank #2, a 10,000-gallon single-walled UST, containing gasoline, failed a precision tank tightness test. Documentation demonstrating the tank was placed in proper temporary closure (pumped to less than one inch of product, capped, and locked) was not provided with the application.
4. May 1, 2024, the drop tube and check valve were removed from Tank #2, lines were blown back, and the tank locked. Documentation demonstrating the tank was pumped to less than one inch of product was not provided with the application.
5. June 6, 2024, Tank #1, a 10,000-gallon single walled UST, containing gasoline, failed a precision tank tightness test. Documentation demonstrating the tank was placed in proper temporary closure (pumped to less than one inch of product, capped, and locked) was not provided with the application.
6. June 26, 2024, two soil borings, SB-1 and SB-2 were advanced to groundwater. Laboratory results demonstrated that soil and groundwater are contaminated.
7. Between July 20 and July 25, 2024, Tank #1 and Tank #2 were repaired and relined. On August 26, 2024, Tank #1 passed a tank tightness test and was returned to service August 30, 2024.
8. December 11, 2024, Tank #2 passed a tank tightness test and was returned to service on December 12, 2024.
9. December 13, 2024, an application for coverage was submitted to NDEP. The application identified the source of release as a crack in the tank shells of both Tank #1 and Tank #2.
10. 40 CFR 280.62 (a) states "...Owners and Operators must perform the following initial abatement measures: (1) Remove as much of the regulated substance from the UST system as is necessary to prevent further release to the environment."

11. 40 CFR 280.45 states, "All UST system owners and operators must maintain records in accordance with 40 CFR 280.34 demonstrating compliance with all applicable requirements of this subpart."
12. 40 CFR 280.74 states, "Owners and operators must maintain records in accordance with 280.34 that are capable of demonstrating compliance with closure requirements under this subpart."
13. Board Policy Resolution No. 94-023 (Attachment A), states: "non-compliance to certain regulations may not necessarily be proximate cause for a discharge...but may still result in increased costs for remediation." Resolution 94-023 also states, "When a determination of non-compliance is made, the staff of the Nevada Division of Environmental Protection will recommend to the Board that any reimbursement awarded be reduced in accordance with the Reimbursement Reduction Schedule specified in Attachment A." In accordance with Board Policy Resolution 94-023, reductions for non-compliance with the LUST regulations for preventing petroleum releases will be assessed as follows:

LUST.002 - Failure to comply with Release Response and Corrective Action.  
40 CFR 280.60-280.65; 280.67: 40% Reduction

UST.003 - Failure to Comply with General Requirements for all UST Systems,  
Release Detection.  
40 CFR 280.40-280.45 20% Reduction

UST.004 - Failure to Comply with Out-of-Service UST Systems and Closure Requirements.  
40 CFR 280.72-280.74: 10% Reduction

14. Therefore, in accordance with Board Policy Resolution No. 94-023, NDEP recommends that the subject facility receive Fund coverage with a 40% reduction for violation of Federal regulations.
15. The Board has the authority to provide coverage for this case at a level other than that recommended by Fund staff.

THEREFORE, BE IT RESOLVED THAT:

1. The application identifies two 10,000-gallon single walled tanks, Tank #1 and Tank #2, containing gasoline at the time of release, as the source.
2. The UST System was out of compliance with regulatory requirements following release discovery. The owner is unable to demonstrate the following:
  - a. Removal of as much of the regulated substance from the UST system as is necessary to prevent further release to the environment (40 CFR 280.60-280.65; 280.67).
  - b. Records that can demonstrate compliance with general requirements for all UST systems (40 CFR 280.40-280.45).
  - c. Implementation of Out-of-Service UST Systems and closure requirements (40 CFR 280.72-280.74).
3. Board Policy Resolution 94-023 requires NDEP staff to recommend a 40% reduction to the Board.

4. The maximum amount that the Board will reimburse for the cleanup costs associated with this release is \$1,080,000.00. This represents \$2,000,000.00 in coverage for two gasoline UST systems, with a 40% reduction and a 10% copayment.

I, Maureen Tappan, Chair, do hereby certify that the foregoing is a full, true, and correct copy of a Site-Specific Board Determination adopted by the Nevada State Board to Review Claims on March 13, 2025.

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Maureen Tappan, Chair  
State Board to Review Claims

ATTACHMENT A

Board Resolution No. 94-023

Resolution to Adopt a Policy Regarding the Reduction in Reimbursement for Failure to Comply with  
Regulatory Guidelines

STATE BOARD TO REVIEW CLAIMS

MEETING OF NOVEMBER 30, 1994  
Las Vegas, Nevada

ITEM: IV. A.

SUBJECT: Proposed policy on the reduction in reimbursement for failure to comply with regulatory guidelines

DISCUSSION: While a majority of underground storage tank owners/operators fall into the category of being in compliance with the regulations governing underground storage tanks, a sub-population exists of owners/operators who are not in compliance.

Compliance with the regulatory requirements ensures that the environmental damage accompanying a release and the concurrent remediation costs will be held to a minimum. In the absence of compliance, the probability that environmental damage and cost will be larger tends to increase. This is based on analyses of remediations within the State of Nevada and is taken in the context of the entire underground storage tank population as a whole, and not to any one site.

The costs of cleanups have been greater where ongoing contamination has been undetected and has increased its boundaries over time due to gradient-driven migration. To extend the Petroleum Fund benefits in an equitable and fair manner, a determination may be made as to what contributions, if any, an owner/operator's action or inactions may have made to the cleanup cost. A key element in this determination is the owner/operator's compliance with the pollution prevention provisions of the UST regulations at the time of and leading up to leak discovery.

The Board is required to deny all reimbursements for a claim when a person's actions are proximate cause to a discharge to the environment (NRS 590.900(1)). However, the Board may choose to apply a reduction in reimbursement relative to the impact of a claimant's noncompliance for issues that are not proximate cause for a discharge. In order to reduce staff bias, a Board-directed reduction schedule is proposed. Such a schedule could then be adjusted by the Board at its discretion based upon the facts warranted by each case.



A draft policy was distributed to all Certified Environmental Consultants in April, 1994. Comments received were incorporated in a revision that was re-distributed in August, 1994. The draft policy presented at the September 29, 1994, Board meeting incorporated the comments received.

At its September 29, 1994, meeting, the Board decided to defer decision on this issue until after a designated task force meeting discussed the issue further. The task force was formed in order to discuss significant issues raised during the meeting and to allow additional opportunity for input.

The task force met on October 11, 1994, and consisted of members from industry, the consulting community, the Board, and NDEP. Consensus was achieved on many items which have been included in the revised draft policy. However, significant issues which still remain include:

1. The use of a reimbursement reduction when other fines/enforcement mechanisms exist.
2. Reducing reimbursement levels may limit or stop cleanups.
3. Consultants may feel the impacts of reimbursement reductions since they often delay billings to coincide with reimbursements.
4. Delaying implementation of a reimbursement policy to allow for additional regulatory education for small owners in rural areas.
5. Using a fine-based penalty rather than a reduction in reimbursement.

RECOMMENDATION: Adoption of Resolution No. 94-023 as proposed.

STATE BOARD TO REVIEW CLAIMS

RESOLUTION NO. 94-023

Resolution to Adopt a Policy  
Regarding the Reduction in Reimbursement for Failure to Comply  
with Regulatory Guidelines

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Whereas, the State Board to Review Claims (the Board) Finds:

1. NRS 590.900(1) requires:

"Any person who, through willful or wanton misconduct, through gross negligence or through violation of any applicable statute or regulation including specifically any state or federal standard pertaining to the preparation or maintenance of sites for storage tanks, proximately causes a discharge is liable to the division for any cost in cleaning up the discharge or paying for it to be cleaned up."

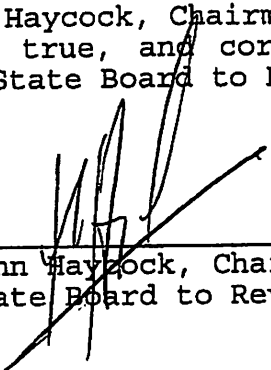
2. Non-compliance to certain regulations may not necessarily be proximate cause for a discharge as defined in Finding No. 1, but may still result in increased costs for site remediation.
3. Delays in the discovery and/or remediation of a contamination may not be a proximate cause as defined in Finding No. 1, but may still result in increased costs for site remediation.
4. NRS 590.830(1) requires the Board to, "...review each claim presented and authorize payment to the extent warranted by the facts of the case." [emphasis added]
5. Attachment "A", which is made a part of this Resolution, contains a Reimbursement Reduction Schedule for failure to comply with pertinent underground storage tank regulations.
6. Attachment "B", which is made a part of this Resolution, contains the procedures for the staff of the Nevada Division of Environmental Protection Agency to implement a reimbursement reduction policy.

THEREFORE BE IT RESOLVED:

1. That a determination (using the procedures outlined in Attachment "B" of this Resolution) be made of claimants applying for reimbursement from the State of Nevada Petroleum Fund as to that claimant's compliance to the underground storage tank regulations.

2. That when a determination of non-compliance is made, the staff of the Nevada Division of Environmental Protection will recommend to the Board that any reimbursement awarded be reduced in accordance with the Reimbursement Reduction Schedule specified in Attachment "A" of this Resolution.
3. That the Board reserves the right to adjust each staff recommendation based upon the facts of each case.
4. That the staff of the NDEP apply this policy on all outstanding unreviewed reimbursement requests upon the date of adoption.

I, John Haycock, Chairman, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the Nevada State Board to Review Claims on November 30, 1994.



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John Haycock, Chairman  
State Board to Review Claims

## ATTACHMENT A

### NEVADA STATE BOARD TO REVIEW CLAIMS REIMBURSEMENT REDUCTION POLICY

Staff recommendations for reduction(s) in reimbursement will be submitted to the State of Nevada Board to Review Claims if a determination of non-compliance with the Underground Storage Tank Regulations is made pursuant to the procedures in Attachment B. Recommendations to the Board will be based on the following criteria:

#### Leaking Underground Storage Tank (LUST) Regulations.

Non-compliance with the LUST regulations for preventing petroleum releases will be assessed as follows:

LUST.001     Failure to comply with Release Reporting,  
Investigation and Confirmation. 40 CFR 280.50 -  
280.53.

\* 40 percent reduction

LUST.002     Failure to comply with Release Response and  
Corrective Action. 40 CFR 280.60 - 280.65;  
280.67.

\* 40 percent reduction

LUST.003     Failure to comply with the Corrective Action  
Plan as evidenced by a Finding of Alleged  
Violation. 40 CFR 280.66.

\* 40 percent reduction

ATTACHMENT A  
Reimbursement Reduction Policy

2

Underground Storage Tank (UST) Regulations.

Non-compliance at the time of leak discovery with the UST regulations for preventing petroleum releases will be assessed as follows:

- UST.001    Failure to comply with UST Design, Construction, Installation, Notification, or Change in Service. 40 CFR 280.20 - 280.21; 280.70 - 280.71
- \*    10 percent reduction
- UST.002    Failure to comply with UST General Operating Requirements. 40 CFR 280.30 - 280.34
- \*    10 percent reduction
- UST.003    Failure to comply with General Requirements for all UST Systems, Release Detection. 40 CFR 280.40 - 280.45
- \*    20 percent reduction
- UST.004    Failure to comply with Out-of-Service UST Systems and Closure Requirements. 40 CFR 280.72 - 280.74.
- \*    10 percent reduction
- UST.005    Failure to comply with Financial Responsibility when required. 40 CFR 280.90 - 280.111; NRS 590.850.  
          (Responsible parties of tanks not enrolled in the Petroleum Fund are not eligible for reimbursement)
- \*    20 percent reduction

Note: Where non-compliance was the proximate cause of a discharge to the environment, the responsible party is not eligible for reimbursement.

## **ATTACHMENT B**

### **STATE BOARD TO REVIEW CLAIMS REIMBURSEMENT REDUCTION POLICY - IMPLEMENTATION PROCEDURES**

#### **NON-COMPLIANCE - definition**

Non-compliance is the determination by NDEP staff that the requirement(s) of the regulation(s) cited ( 40 CFR 280; NAC 459) has/have not been fulfilled as described below.

#### **DATE OF LEAK DISCOVERY - definition**

Date of leak discovery is the date that the responsible party knew or should have known that there was contamination caused as a result of his tank system.

#### **CLAIM REVIEW AND DETERMINATION**

Prior to presentation to the Board, each claim and/or case evaluation shall be reviewed by the technical case manager for any factual evidence of **non-compliance existing at the time of or any time after leak discovery.**

The review process shall include but not be limited to the review of any

- a. FOAV's, 14 day notices, or notification letters of non-compliance issued by a regulatory entity,
- b. Information supplied by a regulatory entity or certified environmental manager (CEM),
- c. Information obtained from an inspection of the facility,
- d. Statements containing material facts.

The regulatory staff shall make a determination of compliance based on his/her review and send the owner a notification letter of apparent non-compliance as described in these procedures.

In the absence of information to the contrary, the facility will be determined to be in compliance at the time of, or after, leak discovery.

The owner, with a copy to both the owner's agent and appropriate regulatory staff, will be advised by certified mail of a determination of apparent non-compliance no less than 30 days prior to presentation of a claim to the Board. This notification will advise the owner that his claim(s) for reimbursement will not be presented to the Board until there has been resolution of the non-compliance issue in accordance with applicable enforcement policy.

**ATTACHMENT B**  
**Implementation Procedures**

2

**ACTION TAKEN FOR APPARENT NON-COMPLIANCE (LUST - leaking underground storage tank)**

Upon making the determination that a facility is in apparent non-compliance, the regulatory entity will notify the facility owner in writing of this determination and the reasons for such determination based on policy. The owner will be allowed 15 days to submit an intent to comply, and 90 days to comply.

At the end of 90 days, if such evidence has not been received by the regulatory entity, a notification will be sent by certified mail to the owner advising him that he has been found to be non-compliant. This may result in the issuance of a Finding of Alleged Violation (FOAV).

A LUST notification and a FOAV will contain the advisory that the processing of any claim for reimbursement will be delayed pending the receipt of a response from the owner, and any Petroleum Fund reimbursement may be reduced for a FOAV or determination of non-compliance.

**ACTION TAKEN FOR APPARENT NON-COMPLIANCE (UST - underground storage tank)**

Upon making the determination (in accordance with UST regulations) that a federally regulated facility is in apparent non-compliance, the regulatory entity will notify the facility owner in writing of this determination and the reasons for such determination based on regulations. The owner will be allowed 30 days to comply, submit an intent to comply, or show proof that he was in compliance.

At the end of 30 days, if such evidence has not been received by the regulatory entity, notification will be sent by certified mail to the owner advising him that he has been found to be non-compliant.

A UST notification will contain the advisory that the processing of any claim for reimbursement will be delayed pending the receipt of a response from the owner, and any Petroleum Fund reimbursement may be reduced for a determination of non-compliance.

**PRESENTATION TO THE BOARD**

The staff of the Petroleum Fund shall present to the Board, as a non-consensual agenda item, all claims where the claim review has resulted in a reimbursement reduction recommendation. All reimbursement reduction recommendations will be made according to the schedule of reductions as defined in Attachment A. An owner may request and be granted a postponement of the presentation of his/her case to the Board at any time.

**ATTACHMENT B**  
**Implementation Procedures**

3

**BOARD DETERMINATION OF REIMBURSEMENT REDUCTION**

Any reimbursement reduction determined by the Board shall become effective commencing with the claim such determination was made.

The reimbursement reduction will also apply to all subsequent claims for that case, unless otherwise directed by the Board..

Both the owner and the owner's agent will be notified of the Board's action.

**PROCEDURES FOR USING AND MODIFYING THE SCHEDULE OF REIMBURSEMENT REDUCTION RECOMMENDATIONS (ATTACHMENT A)**

Attachment A shall set forth the percentage reduction recommendations that the staff of the Petroleum Fund shall present to the Board.

In the case of more than one non-compliance determination, the staff recommendation to the Board will list each as a separate item for the Board's consideration and will recommend to the Board that any reimbursement awarded be reduced by the largest percentage associated with any single item.

Modification of attachment A shall be by Board action.

Prior to any modification becoming effective, a 90 day period shall elapse from the time of the Board action revising Attachment A. Any revision shall not be retroactive, but apply only to those claims submitted or reviewed by the Board from the effective date onward.

**APPEAL**

The Board to Review Claims is the final authority within the NDEP of the reimbursement awarded to each claimant. In cases of disagreement with recommendations or conclusions made by the staff of NDEP, the case will be placed on the agenda of a regularly scheduled Board meeting so that evidence and other information may be presented to the Board for their review.



**Agenda Item 8:**  
**Site Specific Board Determination No.**  
**C2025-04**

(FOR POSSIBLE ACTION)

NEVADA STATE BOARD TO REVIEW CLAIMS  
MEETING OF MARCH 13, 2025

Video-conferenced in Carson City and Las Vegas, Nevada  
Summary of Site-Specific Board Determination No. C2025-04

SUBJECT: Proposed Site-Specific Board Determination (SSBD) to provide reduced Petroleum Fund Coverage for PJ's Food and Gas, 1455 Cornell Avenue, Lovelock, Nevada 89419  
Petroleum Fund Case ID No. 2024000033, Facility ID No. 5-000175

DISCUSSION: The subject site, identified as PJ's Food and Gas, and owned by Gurdeep Singh, is located at 1455 Cornell Avenue Lovelock, Nevada 89419. This facility consists of four underground storage tank (UST) systems, one which was in temporary closure (Tank #2), two which contained gasoline (Tanks #1 and #3), and one which contained diesel (Tank #4) at the time of release.

Due to non-compliance with federal and state UST regulations, the Nevada Division of Environmental Protection (NDEP) recommends that the Board grant coverage for tanks #1, #3 and #4 with a 60% reduction. This represents a 40% reduction due to non-compliance issues and an additional 20% reduction due to comingled eligible and ineligible contamination corresponding to Tank #2. This recommendation is consistent with Board Policy Resolution No. 94-023 and 99-022, which address reduction in reimbursement for failure to comply with UST regulatory requirements and comingled contamination from eligible and ineligible release sources.

RECOMMENDATION: **Adoption** of Site-Specific Board Determination No. C2025-04 as proposed, granting coverage under the State of Nevada Petroleum Fund to PJ's Food and Gas for \$1,080,000.00. This represents \$3,000,000.00 in coverage for two gasoline UST systems and one diesel UST system, with a 60% reduction and a 10% copayment.

## STATE BOARD TO REVIEW CLAIMS

### Site Specific Board Determination C2025-04

Site Specific Board Determination to Provide Reduced Petroleum Fund Coverage for  
PJ's Food and Gas, 1455 Cornell Avenue Lovelock, Nevada 89419  
Petroleum Fund Case ID No. 2024000033  
Facility ID No. 5-000175

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Whereas, the State Board to Review Claims (hereinafter referred to as the Board) Finds:

1. The subject site, identified as PJ's Food and Gas, and owned by Gurdeep Singh; and located at 1455 Cornell Avenue Lovelock, Nevada 89419, consists of four single-walled, underground storage tank systems constructed of steel. Two systems contained gasoline, one system contained diesel, and one system contained red dye diesel at the time of release.
2. On December 15, 2022, the Nevada Division of Environmental Protection (NDEP) performed an inspection of the facility; and on December 29, 2022, issued a First Notice of Violation (NOV 1) stating that the facility was not in compliance. The NOV requested 12 months of tank leak detection records, annual line leak detector certification, annual automatic tank gauge and mechanical equipment certification, annual product line tightness test certification, Cathodic Protection voltage and amperage logs, and monthly walk-through forms. The inspector issued a NOV 2 on January 18, 2023, and a NOV 3 on July 16, 2023, for the same violations.
3. On October 11, 2023, in response to the notices of violation, precision tank and line tightness testing was conducted on the four tank systems. The two 10,000-gallon gasoline tanks (Tanks #1 and #3) and one 5,000-gallon diesel tank (Tank #4) passed testing. It was noted that the red dye diesel tank (Tank #2) was untestable on this date.
4. December 5, 2023 – 60 Day Inspection Results for Cathodic Protection system shows the system running properly. Documentation demonstrating that the cathodic protection system was being monitored every 60 days was not available at the time of application.
5. According to NDEP records, Tank #2 was placed in temporary closure in 2018. However, monthly monitoring reports submitted with the application shows 3,875.3 gallons of product within the red dye diesel tank (Tank #2) on January 14, 2024. Closure documentation was not provided with the application.
6. On January 22, 2024 – a Phase 1 Environmental Site Assessment (ESA) Report was developed for a potential property transaction. The Phase 1 ESA Report identified the current and former USTs as a recognized environmental condition due to lack of closure documentation for former tanks, UST system currently out of compliance, and lack of a recent subsurface investigation.
7. On March 1, 2024 - a Phase II ESA was performed that included three borings advanced to groundwater, which was observed at 16 feet below ground surface. Soil samples were collected at several intervals at all three borings and one groundwater sample was collected per boring. Soil and groundwater samples demonstrated contamination to the environment had occurred. On March 6, 2024 Spill Report number 240306-02 was submitted for the contamination found during the Phase II ESA. Documentation demonstrating that the tanks were placed in proper temporary closure in accordance with federal regulations was not available at the time of application.

8. NDEP correspondence issued March 11, 2024, noted the release appeared to have resulted in contamination and exceeded limits or quantities established by Nevada Administrative Code (NAC) 445A.347 or 445A.3473, requiring an evaluation of the release be provided per NAC 459.996 and NAC 459.9972. Documentation demonstrating that additional investigation or remediation has been conducted at the site was not available at the time of application.
9. NDEP applied Red Tags to all fill ports on April 8, 2024. Additionally on that date, precision tank tightness testing was performed by a Nevada-certified underground tank tester. This investigation determined the source of the release was the tank shell and turbine of the two gasoline USTs (Tanks #1 and #3). The source of release was not determined for the 5,000-gallon diesel tank (Tank #4). Precision tank tightness testing was also performed on the red dye diesel tank (Tank #2) revealing a leak within the turbine and tank shell.
10. On August 30, 2024, the tank shells of Tanks #1, #3, and #4 were repaired and relined. The relining report includes documentation demonstrating that penetrations were found in the steel shell of all three tanks.
11. Precision tank tightness testing was performed for Tank #1, Tank #3, and Tank #4 on September 6, 2024, all three tanks passed tightness testing.
12. NDEP UST issued a letter on November 21, 2024, stating that the facility is in compliance and allowing the tanks to return to service.
13. December 18, 2024, an application for coverage was submitted to NDEP. The application identified the source of release as turbine fittings and tank shells for both Tank #1 and Tank #3 and the source for Tank #4 as the tank shell. The application for coverage did not include information for Tank #2.
14. According to NDEP records, Tank #2 was placed in temporary closure in 2018. However, a monthly monitoring report submitted with the application shows 3,875.3 gallons of product within the red dye diesel tank (Tank #2) on January 14, 2024. Documentation demonstrating this liquid was removed and the tank was returned to temporary closure was not provided with the application.
15. Documentation demonstrating that the cathodic protection system for the tanks was monitored every 60 days, in accordance with 40 CFR 280.31 was not provided with the application. The most recent monitoring of the cathodic protection system occurred on December 5, 2023.
16. Documentation demonstrating that the tanks and lines were monitored for releases, in accordance with 40 CFR 280.41 was not available at the time of application. This documentation is required by 40 CFR 280.34.
17. 40 CFR 280.34 (b) states, "Owners and operators must maintain the following information:... (2) Documentation of operation of corrosion protection equipment... (7) Documentation of compliance with release detection requirements..."
18. 40 CFR 280.45 states, "All UST system owners and operators must maintain records in accordance with 40 CFR 280.34 demonstrating compliance with all applicable requirements of this subpart."
19. 40 CFR 280.62(a) states "...Owners and Operators must perform the following initial abatement measures: (1) Remove as much of the regulated substance from the UST system as is necessary to prevent further release to the environment."

20. 40 CFR 280.62(b) states “Within 20 days after release confirmation, or within another reasonable period of time determined by the implementing agency, owners and operators must submit a report to the implementing agency summarizing the initial abatement steps taken under paragraph (a) of this section and any resulting information or data.”
21. 40 CFR 280.70(a) states, “...The UST system is empty when all materials have been removed using commonly employed practices so that no more than 2.5 centimeters (one inch) of residue, or 0.3 percent by weight of the total capacity of the UST system, remain in the system....”
22. 40 CFR 280.74 states, “Owners and operators must maintain records in accordance with 40 CFR 280.34 that are capable of demonstrating compliance with closure requirements under this subpart.”
23. Board Policy Resolution No. 94-023 (Attachment A), states: “non-compliance to certain regulations may not necessarily be proximate cause for a discharge...but may still result in increased costs for remediation.” Resolution 94-023 also states, “When a determination of non-compliance is made, the staff of the Nevada Division of Environmental Protection will recommend to the Board that any reimbursement awarded be reduced in accordance with the Reimbursement Reduction Schedule specified in Attachment A.” In accordance with Board Policy Resolution 94-023, reductions for non-compliance with the LUST regulations for preventing petroleum releases will be assessed as follows:
  - LUST.002 – Failure to comply with Release Response and Corrective Action.  
40 CFR 280.60 – 280.65; 280.67: 40% Reduction
  - UST.001 – Failure to Comply with UST Design, Construction, Installation, Notification, or Change in Service  
40 CFR 280.20 – 280.21; 280.70 – 280.71: 10% Reduction
  - UST.002 – Failure to Comply with UST General Operating Requirements  
40 CFR 280.30-280.34: 20% Reduction
  - UST.003 - Failure to Comply with General Requirements for all UST Systems, Release Detection.  
40 CFR 280.40-280.45: 20% Reduction
  - UST.004 – Failure to comply with Out-Of-Service UST Systems and Closure Requirements  
40 CFR 280.72 – 280.74: 10% Reduction
24. Board Policy Resolution No. 99-022 (Attachment B), states, “Fund staff may recommend to the Board a 20% coverage reduction for sites at which contamination resulting from Fund eligible petroleum storage tank system release and from non-Fund eligible release events from the same site has been discovered coincidentally, and where the percentage of non-Fund eligible contribution is unknown or cannot otherwise be readily identified” and “If coverage for the Fund eligible release is reduced pursuant to Board Policy Resolution 94-023 due to non-compliance issues, that reduction will be added to any coverage reduction recommended pursuant to Resolution 99-22.”
25. Therefore, in accordance with Board Policy Resolutions No. 94-023 and 99-022, NDEP recommends that the subject facility receive Fund coverage with a 60% reduction.

26. The Board has the authority to provide coverage for this case at a level other than that recommended by Fund staff.

THEREFORE, BE IT RESOLVED THAT:

1. The application identifies three USTs: Two single-walled, steel, 10,000-gallon gasoline tanks (Tank #1 and Tank #3), and one single-walled, steel, 5,000-gallon diesel tank (Tank #4) as the sources of release.
2. The UST Systems were out of compliance with regulatory requirements following release discovery. The owner is unable to demonstrate the following:
  - a. Removal of as much of the regulated substance from the UST system as is necessary to prevent further release to the environment (40 CFR 280.60-280.65; 280.67).
  - b. Documentation substantiating that Tank #2 was in proper temporary closure (40 CFR 280.70; 280.74)
  - c. Records demonstrating compliance with general requirements for all UST systems (40 CFR 280.30-280.34).
  - d. Release detection records for tanks and piping (40 CFR 280.40 - 280.41; and 280.45)
3. Board Policy Resolutions 94-023 directs staff to recommend a 40% reduction due to non-compliance and Board Policy Resolution 99-022 directs staff to recommend an additional 20% reduction due to comingled contamination from eligible and ineligible release sources (Tank #2), a total of 60% reduction in reimbursement.
4. The maximum amount that the Board will reimburse for the cleanup costs associated with this release is \$1,080,000.00. This represents \$3,000,000.00 in coverage for two gasoline UST systems and one diesel UST system, with a 60% reduction and a 10% copayment.

I, Maureen Tappan, Chair, do hereby certify that the foregoing is a full, true, and correct copy of a Site-Specific Board Determination adopted by the Nevada State Board to Review Claims on March 13, 2025.

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Maureen Tappan, Chair  
State Board to Review Claims

ATTACHMENT A

Board Resolution No. 94-023

Resolution to Adopt a Policy Regarding the Reduction in Reimbursement for Failure to Comply with  
Regulatory Guidelines

STATE BOARD TO REVIEW CLAIMS

MEETING OF NOVEMBER 30, 1994  
Las Vegas, Nevada

ITEM: IV. A.

SUBJECT: Proposed policy on the reduction in reimbursement for failure to comply with regulatory guidelines

DISCUSSION: While a majority of underground storage tank owners/operators fall into the category of being in compliance with the regulations governing underground storage tanks, a sub-population exists of owners/operators who are not in compliance.

Compliance with the regulatory requirements ensures that the environmental damage accompanying a release and the concurrent remediation costs will be held to a minimum. In the absence of compliance, the probability that environmental damage and cost will be larger tends to increase. This is based on analyses of remediations within the State of Nevada and is taken in the context of the entire underground storage tank population as a whole, and not to any one site.

The costs of cleanups have been greater where ongoing contamination has been undetected and has increased its boundaries over time due to gradient-driven migration. To extend the Petroleum Fund benefits in an equitable and fair manner, a determination may be made as to what contributions, if any, an owner/operator's action or inactions may have made to the cleanup cost. A key element in this determination is the owner/operator's compliance with the pollution prevention provisions of the UST regulations at the time of and leading up to leak discovery.

The Board is required to deny all reimbursements for a claim when a person's actions are proximate cause to a discharge to the environment (NRS 590.900(1)). However, the Board may choose to apply a reduction in reimbursement relative to the impact of a claimant's noncompliance for issues that are not proximate cause for a discharge. In order to reduce staff bias, a Board-directed reduction schedule is proposed. Such a schedule could then be adjusted by the Board at its discretion based upon the facts warranted by each case.



A draft policy was distributed to all Certified Environmental Consultants in April, 1994. Comments received were incorporated in a revision that was re-distributed in August, 1994. The draft policy presented at the September 29, 1994, Board meeting incorporated the comments received.

At its September 29, 1994, meeting, the Board decided to defer decision on this issue until after a designated task force meeting discussed the issue further. The task force was formed in order to discuss significant issues raised during the meeting and to allow additional opportunity for input.

The task force met on October 11, 1994, and consisted of members from industry, the consulting community, the Board, and NDEP. Consensus was achieved on many items which have been included in the revised draft policy. However, significant issues which still remain include:

1. The use of a reimbursement reduction when other fines/enforcement mechanisms exist.
2. Reducing reimbursement levels may limit or stop cleanups.
3. Consultants may feel the impacts of reimbursement reductions since they often delay billings to coincide with reimbursements.
4. Delaying implementation of a reimbursement policy to allow for additional regulatory education for small owners in rural areas.
5. Using a fine-based penalty rather than a reduction in reimbursement.

RECOMMENDATION: Adoption of Resolution No. 94-023 as proposed.

STATE BOARD TO REVIEW CLAIMS

RESOLUTION NO. 94-023

Resolution to Adopt a Policy  
Regarding the Reduction in Reimbursement for Failure to Comply  
with Regulatory Guidelines

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Whereas, the State Board to Review Claims (the Board) Finds:

1. NRS 590.900(1) requires:

"Any person who, through willful or wanton misconduct, through gross negligence or through violation of any applicable statute or regulation including specifically any state or federal standard pertaining to the preparation or maintenance of sites for storage tanks, proximately causes a discharge is liable to the division for any cost in cleaning up the discharge or paying for it to be cleaned up."

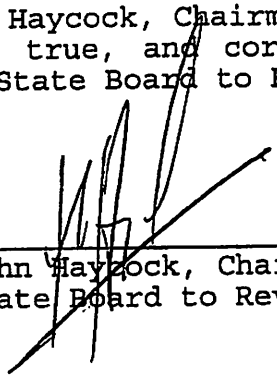
2. Non-compliance to certain regulations may not necessarily be proximate cause for a discharge as defined in Finding No. 1, but may still result in increased costs for site remediation.
3. Delays in the discovery and/or remediation of a contamination may not be a proximate cause as defined in Finding No. 1, but may still result in increased costs for site remediation.
4. NRS 590.830(1) requires the Board to, "...review each claim presented and authorize payment to the extent warranted by the facts of the case." [emphasis added]
5. Attachment "A", which is made a part of this Resolution, contains a Reimbursement Reduction Schedule for failure to comply with pertinent underground storage tank regulations.
6. Attachment "B", which is made a part of this Resolution, contains the procedures for the staff of the Nevada Division of Environmental Protection Agency to implement a reimbursement reduction policy.

THEREFORE BE IT RESOLVED:

1. That a determination (using the procedures outlined in Attachment "B" of this Resolution) be made of claimants applying for reimbursement from the State of Nevada Petroleum Fund as to that claimant's compliance to the underground storage tank regulations.

2. That when a determination of non-compliance is made, the staff of the Nevada Division of Environmental Protection will recommend to the Board that any reimbursement awarded be reduced in accordance with the Reimbursement Reduction Schedule specified in Attachment "A" of this Resolution.
3. That the Board reserves the right to adjust each staff recommendation based upon the facts of each case.
4. That the staff of the NDEP apply this policy on all outstanding unreviewed reimbursement requests upon the date of adoption.

I, John Haycock, Chairman, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the Nevada State Board to Review Claims on November 30, 1994.



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John Haycock, Chairman  
State Board to Review Claims

## ATTACHMENT A

### NEVADA STATE BOARD TO REVIEW CLAIMS REIMBURSEMENT REDUCTION POLICY

Staff recommendations for reduction(s) in reimbursement will be submitted to the State of Nevada Board to Review Claims if a determination of non-compliance with the Underground Storage Tank Regulations is made pursuant to the procedures in Attachment B. Recommendations to the Board will be based on the following criteria:

#### Leaking Underground Storage Tank (LUST) Regulations.

Non-compliance with the LUST regulations for preventing petroleum releases will be assessed as follows:

LUST.001     Failure to comply with Release Reporting,  
Investigation and Confirmation. 40 CFR 280.50 -  
280.53.

\* 40 percent reduction

LUST.002     Failure to comply with Release Response and  
Corrective Action. 40 CFR 280.60 - 280.65;  
280.67.

\* 40 percent reduction

LUST.003     Failure to comply with the Corrective Action  
Plan as evidenced by a Finding of Alleged  
Violation. 40 CFR 280.66.

\* 40 percent reduction

Underground Storage Tank (UST) Regulations.

Non-compliance at the time of leak discovery with the UST regulations for preventing petroleum releases will be assessed as follows:

- UST.001    Failure to comply with UST Design, Construction, Installation, Notification, or Change in Service. 40 CFR 280.20 - 280.21; 280.70 - 280.71
- \*    10 percent reduction
- UST.002    Failure to comply with UST General Operating Requirements. 40 CFR 280.30 - 280.34
- \*    10 percent reduction
- UST.003    Failure to comply with General Requirements for all UST Systems, Release Detection. 40 CFR 280.40 - 280.45
- \*    20 percent reduction
- UST.004    Failure to comply with Out-of-Service UST Systems and Closure Requirements. 40 CFR 280.72 - 280.74.
- \*    10 percent reduction
- UST.005    Failure to comply with Financial Responsibility when required. 40 CFR 280.90 - 280.111; NRS 590.850.  
          (Responsible parties of tanks not enrolled in the Petroleum Fund are not eligible for reimbursement)
- \*    20 percent reduction

Note: Where non-compliance was the proximate cause of a discharge to the environment, the responsible party is not eligible for reimbursement.

## **ATTACHMENT B**

### **STATE BOARD TO REVIEW CLAIMS REIMBURSEMENT REDUCTION POLICY - IMPLEMENTATION PROCEDURES**

#### **NON-COMPLIANCE - definition**

Non-compliance is the determination by NDEP staff that the requirement(s) of the regulation(s) cited ( 40 CFR 280; NAC 459) has/have not been fulfilled as described below.

#### **DATE OF LEAK DISCOVERY - definition**

Date of leak discovery is the date that the responsible party knew or should have known that there was contamination caused as a result of his tank system.

#### **CLAIM REVIEW AND DETERMINATION**

Prior to presentation to the Board, each claim and/or case evaluation shall be reviewed by the technical case manager for any factual evidence of non-compliance existing at the time of or any time after leak discovery.

The review process shall include but not be limited to the review of any

- a. FOAV's, 14 day notices, or notification letters of non-compliance issued by a regulatory entity,
- b. Information supplied by a regulatory entity or certified environmental manager (CEM),
- c. Information obtained from an inspection of the facility,
- d. Statements containing material facts.

The regulatory staff shall make a determination of compliance based on his/her review and send the owner a notification letter of apparent non-compliance as described in these procedures.

In the absence of information to the contrary, the facility will be determined to be in compliance at the time of, or after, leak discovery.

The owner, with a copy to both the owner's agent and appropriate regulatory staff, will be advised by certified mail of a determination of apparent non-compliance no less than 30 days prior to presentation of a claim to the Board. This notification will advise the owner that his claim(s) for reimbursement will not be presented to the Board until there has been resolution of the non-compliance issue in accordance with applicable enforcement policy.

**ATTACHMENT B**  
**Implementation Procedures**

2

**ACTION TAKEN FOR APPARENT NON-COMPLIANCE (LUST - leaking underground storage tank)**

Upon making the determination that a facility is in apparent non-compliance, the regulatory entity will notify the facility owner in writing of this determination and the reasons for such determination based on policy. The owner will be allowed 15 days to submit an intent to comply, and 90 days to comply.

At the end of 90 days, if such evidence has not been received by the regulatory entity, a notification will be sent by certified mail to the owner advising him that he has been found to be non-compliant. This may result in the issuance of a Finding of Alleged Violation (FOAV).

A LUST notification and a FOAV will contain the advisory that the processing of any claim for reimbursement will be delayed pending the receipt of a response from the owner, and any Petroleum Fund reimbursement may be reduced for a FOAV or determination of non-compliance.

**ACTION TAKEN FOR APPARENT NON-COMPLIANCE (UST - underground storage tank)**

Upon making the determination (in accordance with UST regulations) that a federally regulated facility is in apparent non-compliance, the regulatory entity will notify the facility owner in writing of this determination and the reasons for such determination based on regulations. The owner will be allowed 30 days to comply, submit an intent to comply, or show proof that he was in compliance.

At the end of 30 days, if such evidence has not been received by the regulatory entity, notification will be sent by certified mail to the owner advising him that he has been found to be non-compliant.

A UST notification will contain the advisory that the processing of any claim for reimbursement will be delayed pending the receipt of a response from the owner, and any Petroleum Fund reimbursement may be reduced for a determination of non-compliance.

**PRESENTATION TO THE BOARD**

The staff of the Petroleum Fund shall present to the Board, as a non-consensual agenda item, all claims where the claim review has resulted in a reimbursement reduction recommendation. All reimbursement reduction recommendations will be made according to the schedule of reductions as defined in Attachment A. An owner may request and be granted a postponement of the presentation of his/her case to the Board at any time.

**ATTACHMENT B**  
**Implementation Procedures**

3

**BOARD DETERMINATION OF REIMBURSEMENT REDUCTION**

Any reimbursement reduction determined by the Board shall become effective commencing with the claim such determination was made.

The reimbursement reduction will also apply to all subsequent claims for that case, unless otherwise directed by the Board..

Both the owner and the owner's agent will be notified of the Board's action.

**PROCEDURES FOR USING AND MODIFYING THE SCHEDULE OF REIMBURSEMENT REDUCTION RECOMMENDATIONS (ATTACHMENT A)**

Attachment A shall set forth the percentage reduction recommendations that the staff of the Petroleum Fund shall present to the Board.

In the case of more than one non-compliance determination, the staff recommendation to the Board will list each as a separate item for the Board's consideration and will recommend to the Board that any reimbursement awarded be reduced by the largest percentage associated with any single item.

Modification of attachment A shall be by Board action.

Prior to any modification becoming effective, a 90 day period shall elapse from the time of the Board action revising Attachment A. Any revision shall not be retroactive, but apply only to those claims submitted or reviewed by the Board from the effective date onward.

**APPEAL**

The Board to Review Claims is the final authority within the NDEP of the reimbursement awarded to each claimant. In cases of disagreement with recommendations or conclusions made by the staff of NDEP, the case will be placed on the agenda of a regularly scheduled Board meeting so that evidence and other information may be presented to the Board for their review.



ATTACHMENT B

Board Resolution No. 99-022

Resolution to Adopt a Policy Providing Reduced Petroleum Fund Coverage for Petroleum Storage Tank Systems with Comingled Contamination from both Fund Eligible and Non-Fund Eligible Release Sources

## STATE BOARD TO REVIEW CLAIMS

MEETING OF JUNE 14, 2012

Video conferenced from Carson City and Las Vegas, Nevada

ITEM: VIII.B

SUBJECT: Resolution to Adopt a Policy Providing Reduced Petroleum Fund Coverage for Petroleum Storage Tank Systems with Comingled Contamination from both Fund Eligible and Non-Fund Eligible Release Sources.

DISCUSSION: On June 30, 1999, The State Board to Review Claims (herein referred to as the Board) adopted Resolution #99-22, authorizing staff of the Petroleum Fund (herein referred to as the Fund) to recommend a 20% reduction in Fund coverage for petroleum storage tank releases which were the result of both Fund eligible releases and non-Fund eligible spill/overflow events, and where the percentage or volume of the non-Fund eligible contaminant contribution could not be calculated.

Board Resolution #99-22 is hereby amended to authorize Fund staff to recommend a standard 20% reimbursement reduction at sites where the percentage of contamination from any non-Fund eligible release source cannot be readily determined.

This Resolution shall not apply to cases where the volume of non-Fund eligible contamination can be removed and remediated separately from the Fund eligible contamination. Further, if the percentage of non-Fund eligible contamination can be calculated but not removed and remediated separately, Fund staff will recommend a percentage reduction in coverage pursuant to the calculated percentage. If reimbursement for the Fund eligible release is reduced pursuant to Board Resolution #94-023 due to non-compliance issues, that reduction will be added to any coverage reduction recommended pursuant to Resolution #99-22. Cases granted coverage pursuant to any of the above scenarios will also be subject to a 10% co-payment.

RECOMMENDATION: **Adoption** of Amended Resolution No. 99-22 as proposed.

## STATE BOARD TO REVIEW CLAIMS

### RESOLUTION No. 99-22, AMENDED

#### Resolution to Adopt a Policy Providing Reduced Petroleum Fund Coverage for Petroleum Storage Tank Systems with Comingled Contamination from both Fund Eligible and Non-Fund Eligible Release Sources

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Whereas, the State Board to Review Claims (hereinafter referred to as the Board) Finds:

1. Petroleum Fund (hereinafter referred to as the Fund) coverage is often requested at sites when contamination resulting from Fund eligible petroleum storage tank system releases and from non-Fund eligible petroleum storage tank release events from the same site has been discovered coincidentally.
2. In some cases, the percentage of contamination attributed to the non-Fund eligible release event may be readily apparent. An example of such a situation would include a site where contamination has not impacted groundwater and the volume of contaminated soil associated with the non-Fund eligible release source (i.e. contamination resulting from product delivery spill events to an underground petroleum storage tank system not equipped with spill prevention equipment) can be observed and measured in the field. In this case, the non-Fund eligible portion of the soil contamination can then be removed and remediated separately from the Fund eligible contamination. Costs associated with the remediation of the non-Fund eligible contamination is subsequently not requested for reimbursement, while costs associated with the Fund eligible contamination can be covered and reimbursed, as applicable.
3. In some cases, the volume of non-Fund eligible contamination cannot be remediated separately from the Fund eligible contamination. However, if the claimant has identified the amount or percentage of non-Fund eligible contamination, reduced Fund coverage can be granted based upon a percent reduction, calculated pursuant to the percentage of contamination associated with the non-Fund eligible release events. Typically, the percentage of non-Fund eligible release contribution is calculated by the owner's Certified Environmental Manager and presented to Fund staff. Upon concurrence, staff may then present to the Board a recommendation for a respective reduced percentage of Fund coverage.
4. In cases where groundwater has been impacted by both Fund eligible and non-Fund eligible release events, it may not be possible to calculate the percentage of contribution from each of the separate release sources.

5. Non-Fund eligible petroleum storage tank system release sources include, but are not limited to, the following:
- Releases resulting from a lack of spill and/or overfill prevention equipment.
  - Releases resulting from the known operation of a petroleum storage tank system with faulty spill prevention equipment and/or faulty overfill prevention equipment, if not repaired or replaced pursuant to regulatory agency directives.
  - Product dispenser releases which emanate from above the shear valve (NAC 590.710(g)).
  - Releases which emanate from petroleum storage tank systems which are not enrolled in the Fund at the time of release discovery (NAC 590.730(4)).
  - Petroleum storage tank system releases which were discovered prior to the establishment of the Fund.
  - Non-accidental releases caused from petroleum storage tank system, owner, operator or vendor neglect.
  - Releases caused by vandalism.
  - Releases from failed petroleum storage tank components which are covered under a manufacturer or vendor warranty.
6. Board Resolution #99-22, originally adopted by the Board on June 30, 1999, authorizes Fund staff to recommend a 20% coverage reduction as a standard reduction for cases in which contamination at a site associated with an accidental (Fund eligible) release from a Fund-enrolled petroleum storage tank system and from non-Fund eligible spill/overfill events has been discovered coincidentally, and where the actual amount of contamination due to the non-Fund eligible release event cannot be readily identified.
7. Board Resolution #99-22 is hereby amended to authorize Fund staff to recommend a 20% coverage reduction for cases in which contamination is associated with both Fund-eligible petroleum storage tank releases and non-Fund eligible petroleum tank releases, and where the percentage or volume of contaminant contribution from the non-Fund eligible releases cannot be determined. If coverage for the Fund eligible release is reduced pursuant to Board Resolution #94-023 due to non-compliance issues, that reduction will be added to any coverage reduction recommended pursuant to Resolution #99-22.
8. Cases granted coverage pursuant to any of the above scenarios will also be subject to a 10% co-payment.

THEREFORE BE IT RESOLVED THAT:

Fund staff may recommend to the Board a 20% coverage reduction for sites at which contamination resulting from Fund eligible petroleum storage tank system releases and from non-Fund eligible release events from the same site has been discovered coincidentally, and where the percentage of non-Fund eligible contribution is unknown or cannot otherwise be readily identified.

This Resolution shall not apply to cases where the volume of non-Fund eligible contamination will be removed and remediated separately from the Fund eligible contamination.

If the percentage of non-Fund eligible contamination can be calculated but not removed and remediated separately, Fund staff will recommend a percentage reduction in coverage pursuant to the calculated percentage.

If coverage for the Fund eligible release is reduced pursuant to Board Resolution #94-023 due to non-compliance issues, that reduction will be added to any coverage reduction recommended pursuant to Resolution #99-22.

Cases granted coverage pursuant to any of the above scenarios will also be subject to a 10% co-payment.

I, John Haycock, Chairman, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the Nevada State Board to Review Claims on June 14, 2012.



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John Haycock, Chairman  
State Board to Review Claims

**Agenda Item 9:**  
**Site Specific Board Determination No.**  
**C2025-05**

(FOR POSSIBLE ACTION)

## STATE BOARD TO REVIEW CLAIMS

MEETING OF MARCH 13, 2025

Video-conferenced in Carson City and Las Vegas, Nevada  
Summary of Site-Specific Board Determination No. C2025-05

- SUBJECT:** Proposed Site-Specific Board Determination (SSBD) to provide an Additional Allotment of Cleanup Funding in accordance with Board Policy Resolution 2023-01, for 7-Eleven Store #27607, located at 600 Las Vegas Boulevard North, Las Vegas, Nevada.  
Petroleum Fund Case ID No. 1999000243, Facility ID No. 8-001149
- DISCUSSION:** The subject site, identified as 7-Eleven Store #27607, is located at 600 Las Vegas Boulevard North, Las Vegas, Nevada. The operator has requested the Board to Review Claims approve an additional allotment of funding to continue cleanup of a release of petroleum from one storage tank system. The request was made in accordance with Board Policy Resolution 2023-01 (Appendix A). Petroleum Fund staff evaluated the request for funding and based on the reviewed documentation, recommend the Board provide additional funding to the site for cleanup.
- RECOMMENDATION:** **Adoption** of Site-Specific Board Determination No. C2025-05 as proposed, granting additional cleanup funding in accordance with Board Policy Resolution 2023-01 under the State of Nevada Petroleum Fund to 7-Eleven Store #27607 for \$900,000.00. This represents \$1,000,000.00 in coverage, minus a 10% copayment.

STATE BOARD TO REVIEW CLAIMS

Site Specific Board Determination C2025-05

Site-Specific Board Determination to Provide an Additional Allotment of Funding for  
7-Eleven Store #27607, 600 Las Vegas Boulevard North, Nevada  
Petroleum Fund Case ID No. 1999000243  
Facility ID No. 8-001149

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Whereas, the State Board to Review Claims (hereinafter referred to as the Board) Finds:

1. The subject site, identified as 7-Eleven Store #27607, located at 600 Las Vegas Boulevard North, Las Vegas, Nevada, was previously awarded coverage for a release from one gasoline underground storage tank (UST) system. The source of the release was identified as tank failure.
2. Subsection 4 of NRS 445C.380 states, “The Board may approve an operator to receive an additional allotment of not more than \$1,000,000 from the Fund for cleaning up discharged petroleum at the site of a storage tank if:
  - (a) The Division requires additional cleanup to occur in compliance with any of the requirements of the Division concerning the cleanup of discharged petroleum;
  - (b) The Board determines that:
    - (1) The operator is in compliance with any requirements of the Division concerning the cleanup of discharged petroleum;
    - (2) The operator has obtained approval from the Division for a plan and a schedule to clean up the discharged petroleum;
    - (3) Except as otherwise provided in subparagraph (4), the operator is not liable pursuant to subsection 1 of NRS 445C.390;
    - (4) If the operator is liable pursuant to subsection 1 of NRS 445C.390, the operator has complied with subsection 2 of NRS 445C.390;
    - (5) The facility where the storage tank is located has complied with the applicable provisions of NRS 459.800 to 459.856, inclusive, for the immediately preceding 3 years; and
    - (6) The operator has not received money for damages pursuant to subsection 1 before July 1, 2021; and
  - (c) The amount paid to the operator pursuant to subsection 1 for cleaning up the storage tank has been exhausted.”
3. On February 24, 2023, the case officer concurred with termination of remediation and commencement of post-remediation monitoring.
4. On October 29, 2024, the Nevada Division of Environmental Protection (NDEP) case officer concurred with the recommendation to continue groundwater monitoring through Fourth Quarter 2024. The NDEP case officer letter is included as an attachment in the request for additional funding allotment document.
5. On December 18, 2024, the operator submitted a request for an additional allotment of funding, in accordance with Policy Resolution 2023-01, which addressed each item listed in statute. The request is provided in Appendix B. NDEP case officer concurrence that the operator is in compliance with the requirements of the Division concerning cleanup directives at the 7-Eleven Store #27607 facility is an attachment in the request.



6. On January 13, 2025, the NDEP case officer concurred with the plan, schedule, and cost estimate proposed by the operator's certified environmental manager (Appendix C).
7. Claim #80733 was approved for payment at the September 12, 2024, Board meeting, which exhausted all available cleanup funding for the case.
8. Subsection 6 of NRS 445C.380 states, "If the Board approves an additional allotment for cleaning up discharged petroleum at the site of a storage tank pursuant to subsection 4 or 5, for each such allotment... (c) Any operator not described in paragraph (a) or (b) shall pay an amount equal to 10 percent of the allotment for the costs of cleaning up discharged petroleum at the site of the storage tank.."
9. Based on a review of documentation provided with the request for an additional allotment of cleanup funding, staff recommend that the subject facility receive the additional allotment.
10. The Board may approve an operator to receive an additional allotment of not more than \$1,000,000.

THEREFORE, BE IT RESOLVED THAT:

1. The Division requires additional cleanup and closure activities be performed to further address the storage tank release at this site.
2. The operator is in compliance with the requirements of the Division concerning the cleanup of discharged petroleum.
3. The operator has obtained approval from the Division for a plan and a schedule to clean up the discharged petroleum.
4. The operator is not liable pursuant to NRS 445C.390.
5. The facility has complied with applicable provisions of NRS 459.800 to 459.856, inclusive.
6. The operator has not received money for damages pursuant to NRS 445C.380(1) before July 1, 2021.
7. The amounts paid to the operator from the Fund for cleaning up discharged petroleum at the site have been exhausted.
8. The Board grants additional funding to 7-Eleven Store #27607, Fund Case ID No. 1999000243 in the amount of \$900,000.00. This represents \$1,000,000.00 in coverage with a 10% copayment.

I, Maureen Tappan, Chair, do hereby certify that the foregoing is a full, true, and correct copy of a Site-Specific Board Determination adopted by the Nevada State Board to Review Claims on March 13, 2025.

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Maureen Tappan, Chair  
State Board to Review Claims

## APPENDIX A

### Board Resolution No. 2023-01

Establishes Criteria the Nevada Board to Review Claims will review when Considering Approval of  
Additional Allotments for Cleaning up Discharges of Petroleum from Storage Tanks

STATE BOARD TO REVIEW CLAIMS  
MEETING OF SEPTEMBER 14, 2023

Video conferenced from Carson City and Las Vegas, Nevada

**SUBJECT:** Policy Resolution No. 2023-01 Establishes criteria the Nevada Board to Review Claims (Board) will review when considering approval of additional funding allotments for cleaning up discharges of petroleum from storage tanks.

**DISCUSSION:** Nevada Revised Statute (NRS) 445C.380, subsections 4 through 6, allows the Board to approve additional allotments of cleanup money from the Fund for Cleaning Up Discharges of Petroleum (Fund) to an operator that has exhausted initial coverage provided in accordance with subsection 1 of NRS 445C.380. This resolution describes documentation to be included with an operator's request for an additional funding allotment, which will allow the Board to determine whether the requirements listed under subsections 4 through 6 of NRS 445C.380 have been met. The criteria established in this resolution will also create a consistent screening process for Fund staff prior to presenting a Site-Specific Board Determination (SSBD) for Board consideration and approval. The SSBD will include an attachment of the funding request and the documentation specified in this resolution.

**RECOMMENDATION:** **Adoption** of Policy Resolution No. 2023-01, as proposed.

STATE BOARD TO REVIEW CLAIMS  
RESOLUTION No. 2023-01

Resolution Establishing Criteria Necessary to Approve Additional Allotments of  
Cleanup Funding for Releases of Petroleum from Storage Tanks  
Pursuant to Subsections 4 through 6 of NRS 445C.380

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Whereas, the Nevada Board to Review Claims (hereinafter referred to as the Board) Finds:

1. Subsection 4 of NRS 445C.380 states "The Board may approve an operator to receive an additional allotment of not more than \$1,000,000 from the Fund for cleaning up discharged petroleum at the site of a storage tank if:
  - (a) The Division requires additional cleanup to occur in compliance with any of the requirements of the Division concerning the cleanup of discharged petroleum.
  - (b) The Board determines that:
    - (1) The operator is in compliance with any requirements of the Division concerning the cleanup of discharged petroleum.
    - (2) The operator has obtained approval from the Division for a plan and a schedule to clean up the discharged petroleum.
    - (3) Except as otherwise provided in subparagraph (4), the operator is not liable pursuant to subsection 1 of NRS 445C.390.
    - (4) If the operator is liable pursuant to subsection 1 of NRS 445C.390, the operator has complied with subsection 2 of NRS 445C.390.
    - (5) The facility where the storage tank is located has complied with the applicable provisions of NRS 459.800 to 459.856, inclusive, for the immediately preceding 3 years; and
    - (6) The operator has not received money for damages pursuant to subsection 1 before July 1, 2021; and
  - (c) The amount paid to the operator pursuant to subsection 1 for cleaning up the storage tank has been exhausted."
2. Subsection 5 of NRS 445C.380 states "In addition to an allotment made pursuant to subsection 4, the Board may approve an operator to receive one or more additional allotments of not more than \$1,000,000 per allotment from the Fund for cleaning up discharged petroleum at the site of a storage tank if:
  - (a) The Division requires additional cleanup pursuant to paragraph (a) of subsection 4.
  - (b) The Board determines that the conditions in paragraph (b) of subsection 4 are met; and
  - (c) The amounts paid to the operator from the Fund for cleaning up discharged petroleum at the site of the storage tank have been exhausted."
3. Subsection 6 of NRS 445C.380 states "If the Board approves an additional allotment for cleaning up discharged petroleum at the site of a storage tank pursuant to subsection 4 or 5, for each such allotment:
  - (a) An operator which is an agency, department, division or political subdivision of the State shall pay an amount equal to 10 percent or \$10,000, whichever is less, of the allotment for the costs of cleaning up discharged petroleum at the site of the storage tank.

- (b) An operator which is a small business shall pay an amount equal to 5 percent of the allotment for the costs of cleaning up discharged petroleum at the site of the storage tank.
  - (c) Any operator not described in paragraph (a) or (b) shall pay an amount equal to 10 percent of the allotment for the costs of cleaning up discharged petroleum at the site of the storage tank."
- 4. A request from the operator or their representative is required for the Board's consideration. The request must include supporting information addressing each of the items listed in subsections 4 or 5 of NRS 445C.380 to allow the Board to determine eligibility of additional funding.
- 5. The operator must provide the Board with a plan, schedule, and cost estimate for remaining assessment, cleanup, and closure activities for the site. Any costs proposed with the plan and schedule are an estimate and do not supersede, nor replace the cost control mechanisms established by the Board through regulation or resolution.
- 6. Exhaustion of cleanup funding or denial of an additional allotment of money from the Fund does not relieve the operator of their responsibility to continue cleanup of the site in accordance with requirements of the Division.

THEREFORE, BE IT RESOLVED THAT:

1. An operator seeking approval from the Board for an additional allotment of cleanup funding must first submit the request to the Division's Fund staff. The request shall list each statute identified in Items 2 through 6 below with a brief description explaining how the statute has been met or is not applicable for Board consideration. Supporting documentation shall also be included with the request.

The request must be made by the operator's authorized representative (claimant) or the operator's certified environmental manager (CEM) on behalf of the claimant. If a CEM submits the request, it must include the following statement with the claimant's signature indicating approval:

*I have reviewed this request, which is being submitted in accordance with NRS 445C.380, for an additional allotment of funding from the Fund for Cleaning Up Discharges of Petroleum to continue assessment, cleanup, and/or site closure activities. I agree with the statements and documentation provided within this request. I further understand that I will continue to be responsible for site cleanup and any future proposed costs not recommended for reimbursement by the Fund.*

2. The operator shall provide documentation demonstrating the Division requires additional assessment, cleanup, and/or closure activities be continued at the site (NRS 445C.380(4)(a)).

3. The operator must obtain a statement of concurrence from the Division cleanup case officer indicating the operator of the site is compliant with required assessment and cleanup directives (NRS 445C.380(4)(b)(1)).
4. The operator's request for an additional allotment of cleanup funding shall include a Division-approved plan, schedule, and cost estimate that consists of the following (NRS 445C.380(4)(b)(2)):
  - (a) Aggressive, but realistic, deadlines for work plan submittals and initiation or continuation of corrective action and closure activities.
  - (b) Full-scale free product recovery, if applicable.
  - (c) Delineation and removal of petroleum hydrocarbon sources via excavation, to the extent practicable. If excavation of petroleum hydrocarbon sources is not practicable, the plan must identify an alternative approach to delineate and remediate the petroleum hydrocarbon source or determine why it's not a risk to human health and the environment.
  - (d) Pilot testing and operation of an engineered treatment system or optimization of an existing treatment system subject to Division design review to effectively remove contaminant mass.
  - (e) Outline how operation, monitoring, and maintenance of the remediation system will be conducted and reported to ensure the effectiveness of the remediation efforts.
  - (f) Discussion of site closure goals and estimated timeline to obtain a no further action determination in accordance with Division requirements (groundwater exemption closure should be considered and included in the discussion).
  - (g) Periodic review with the Division cleanup case officer to ensure the plan and schedule remains viable (semiannual reviews recommended).
  - (h) A statement that changes in site conditions will be addressed via an updated/revised plan and schedule when required by the Division.
  - (i) Any additional information requested by the Division or Board.

Failure to comply with the Division-approved plan and schedule may result in reduction of coverage, a hold on processing claim payments, and/or denial of future requests from an operator for additional allotments of cleanup funding by the Board.

5. If a new release is discovered and the operator is liable pursuant NRS 445C.390, the operator must demonstrate compliance with all applicable federal and state requirements prior to requesting an additional allotment of cleanup funding (NRS 445C.380(4)(b)(3) and (4)).
6. If storage tanks remain in operation at the facility, it must be demonstrated that the storage tanks have been in compliance or have complied with storage tank requirements for the past 3 years (NRS 445C.380(4)(b)(5)).

At a minimum, a statement of significant operational compliance from the storage tank program or compliance letters indicating no violations were found and/or instances of noncompliance have been addressed to the satisfaction of the storage tank program must be provided. Additionally, an operator seeking approval of an additional allotment of cleanup funding and who is responsible for the operation of active storage tanks at the site,

shall provide documentation that the employees responsible for activities related to the on-site storage tank system(s) are properly trained to maintain compliance with, but not limited to, periodic inspections, release detection, release reporting, and release response. Required Class A, B, and C operator training certificates may be used to demonstrate employee compliance training.

7. When a request is received for an additional allotment of cleanup funding, Fund staff will conduct a comprehensive review of the case file to determine whether the operator has previously received money for damages pursuant to subsection 1 of NRS 445C.380. If it is discovered the operator has been paid by the Fund for third party damages, that operator is not eligible to receive an additional allotment, and the request will not be placed before the Board for review (NRS 445C.380(4)(b)(6)).
8. Existing site cleanup funding provided under subsections 1 and 4 of NRS 445C.380 must be exhausted prior to an operator being eligible to request an additional funding allotment (NRS 445C.380(4)(c) and NRS 445C.380(5)(c)). The operator may request an additional funding allotment during the same meeting a pending claim will exhaust current cleanup funding if the claim is approved for payment by the Board. If site cleanup funding is exhausted between scheduled Board meetings, an operator may request an additional allotment of cleanup funding during the next scheduled meeting.
9. If a request for an additional allotment of cleanup funding appears to meet Division requirements, the Executive Secretary to the Board will add a Site-Specific Board Determination (SSBD) action item to the next scheduled meeting agenda. The SSBD will include a recommendation to approve the additional allotment. The Board will have final approval authority to determine whether the operator has addressed the requirements of subsection 4 or subsection 5 of NRS 445C.380. The Board reserves the right to adjust the staff recommendation based upon the facts of the case.
10. If the operator was previously awarded Fund coverage with a reduction due to noncompliance at the time of release discovery, the coverage reduction will be maintained for the additional allotment unless the operator pursues a reconsideration of the coverage reduction. The reconsideration must be evaluated by the Board at a meeting prior to or at the same time the operator is requesting an additional allotment of cleanup funding.
11. If the Board approves additional allotments of cleanup funding pursuant to subsection 4 or subsection 5 of NRS 445C.380, the operator will be responsible for payment of the allocation (copayment) outlined by subsection 6 of NRS 445C.380.

I, Maureen Tappan, Chair, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the Nevada State Board to Review Claims on September 14, 2023.



Maureen Tappan, Chair  
Nevada Board to Review Claims

## APPENDIX B

Request for Additional Funding Allotment  
7-Eleven Store #27607





Stantec Consulting Services, Inc.  
6111 South Buffalo Drive, Suite 200  
Las Vegas, NV 89113  
Tel: (702) 878-8010  
Fax: (702) 258-4956

December 18, 2024

**Ms. Megan Slayden**

Supervisor

Nevada Division of Environmental Protection

Bureau of Corrective Actions

Petroleum Fund Branch

901 S. Stewart Street, Suite 4001

Carson City, Nevada 89701

**REQUEST FOR ADDITIONAL FUNDING ALLOTMENT**

**7-Eleven Store #27607**

600 North Las Vegas Boulevard

Las Vegas, Nevada 89101

Stantec Project No: 203720699

Nevada Facility ID No: 8-001149

Petroleum Fund ID No: 1999000243

Dear Ms. Slayden:

In accordance with Nevada Revised Statute (NRS) 445C.380(4)(a) and Petroleum Fund Board Policy Resolution No. 2023-01, Stantec Consulting Services, Inc. (Stantec) is submitting this request for additional funding on behalf of their client 7-Eleven, Inc. (7-Eleven) for the above-referenced facility. Costs for assessment and remediation of the underground storage tank (UST) system release have exceeded the maximum in Nevada Petroleum Fund (Fund) reimbursed environmental expenses. This facility has been approved to receive a maximum in reimbursed expenses of \$1,429,267.66, which includes \$1M in coverage for one release, \$1M in Third Party Liability coverage, and also applying a 40% reduction in coverage through December 13, 2012 and a 10% deductible. As of the September 12, 2024 State of Nevada Petroleum Fund meeting of the Board to Review Claims (Board), 7-Eleven #27607 has been reimbursed the maximum of \$1,429,267.66. NRS 445C.380 provides an additional allotment of not more than \$1M from the Fund for cleaning up discharged petroleum at a storage tank facility if certain conditions are met.

Petroleum Fund Board Policy Resolution No. 2023-01 requests a list of each statute identified in items 2 through 6 with a brief description explaining how the statute has been met or is not applicable for Board consideration, which is presented as follows:

**Item #2:**

Significant progress has been made at the facility, including multiple remediation approaches and the facility is currently being considered for a groundwater exemption regulatory closure. However, additional groundwater monitoring efforts will be required to reach closure conditions. Stantec is requesting funds in excess of the \$1,429,267.66 reimbursement limit. Additionally, the Nevada Division of Environmental Protection (NDEP) requested to continue groundwater monitoring through the Fourth Quarter 2024 in correspondence dated October 29, 2024 (**Attachment A**), the costs for which will exceed the available remaining funds. Groundwater monitoring will cease following the Fourth Quarter 2024 after which Stantec will submit a request for a groundwater exemption administrative closure. A plan for the remaining cleanup and closure activities has been discussed

with the NDEP in electronic correspondence and telephone conversations and is also presented below.

**Item #3:**

A statement of concurrence from the NDEP case officer indicating the operator of the site is compliant with required assessment and cleanup directives is enclosed as **Attachment B** (NRS 445C.380(4)(b)(1)).

**Item #4:**

For additional funds to be approved, NRS 445C.380(4)(b)(2) and Petroleum Fund Board Policy Resolution No. 2023-01 requires a plan, schedule and cost estimate for remaining assessment, cleanup, and closure activities for the site. Assessment activities have been completed and Stantec considers the residual impacted soil and groundwater to be adequately defined with historical data and the existing monitoring well network. A plan for the remaining monitoring and closure activities has been discussed with the NDEP in electronic correspondence and telephone conversations. A schedule and cost estimate for remaining monitoring and closure activities is presented in the following table:

| <b>Plan, Schedule and Cost Estimate</b> |  |                       |
|---|--|-----------------------|
| <b>Timeline</b>                         | <b>Work Proposed</b>   | <b>Estimated Cost</b> |
| December 2024                           | Fourth Quarter 2024 groundwater monitoring event. Continue preparing the groundwater exemption closure request presentation. | \$15,000              |
| January – February 2025                 | Complete and submit the groundwater exemption closure request presentation   | \$7,500               |
| March – April 2025                      | Well abandonment   | \$45,000              |
| April – June 2025                       | System decommissioning, site restoration,  | \$60,000              |
| June – September 2025                   | Final reimbursement claim package preparation, permit cancellation   | \$15,000              |
| <b>Total estimated cost to closure:</b> |  | <b>\$142,500</b>      |

Changes in site conditions will be addressed via an updated/revised plan and schedule when required by the Division.

**Item #5:**

If a new release is discovered the operator must demonstrate compliance with all applicable federal and state requirements. This item is not applicable because a new release has not been discovered since the current release that is being investigated under Petroleum Fund ID No: 1999000243.

**Item #6:**

USTs have not been present at the facility since the entire system was removed in April 2002. Therefore, 7-Eleven cannot demonstrate compliance with UST requirements for the past three years. Stantec contacted the NDEP UST compliance branch and the Southern Nevada Health District (SNHD) for the most recent compliance letters. The SNHD stated they do not have any records for the subject facility and any files were forwarded to the NDEP when the UST system was removed. The NDEP provided their available files, which did not include any UST compliance letters; however, the last SNHD letter available is enclosed as **Attachment C**.



7-Eleven has, and will continue to, maintain compliance with all regulatory-required assessment and remediation directives for this facility. Since the initial release discovery, 7-Eleven has conducted several assessment activities, removed the UST system, performed remedial over-excavation of impacted soils from the UST basin, applied multiple remediation approaches, and maintained a quarterly groundwater monitoring program for the facility. 7-Eleven has maintained communication with the NDEP case officers and complied with all regulatory directives.

Based on the information included herein, Stantec believes the subject facility meets all the requirements set forth in NRS 445C.380(4)(a) and Petroleum Fund Board Policy Resolution No. 2023-01 to approve an additional allotment of \$1M. Stantec and 7-Eleven understand that failure to comply with the NDEP-approved plan and schedule may result in a reduction of coverage, a hold on processing claim payments, and/or denial of future requests from an operator for additional allotments of cleanup funding by the Board.

Thank you for your consideration of our request. If you have any questions regarding this request, please contact Matthew Grandjean with Stantec at (702) 878-8010.

Sincerely,

**Stantec Consulting Services, Inc.**

A handwritten signature in blue ink that reads "Matthew Grandjean".

Matthew Grandjean

Senior Geologist

Nevada Certified Environmental Manager

No. EM-1790 (Expires 03/08/26)

Date Signed: December 18, 2024

*I hereby certify that I am responsible for the services described in this document and for the preparation of this document. The services described in this document have been provided in a manner consistent with the current standards of the profession and to the best of my knowledge comply with all applicable federal, state and local statutes, regulations and ordinances.*

#### **Operator's Authorized Representative (claimant) Statement**

*I have reviewed this request, which is being submitted in accordance with NRS 445C.380, for an additional allotment of funding from the Fund for Cleaning Up Discharges of Petroleum to continue assessment, cleanup, and/or site closure activities. I agree with the statements and documentation provided within this request. I further understand that I will continue to be responsible for site cleanup and any future proposed costs not recommended for reimbursement by the Fund.*

A handwritten signature in blue ink that reads "William Latt".

**William Latt**

7-Eleven, Inc.

Environmental Specialist

500 Speedway Drive

Enon, OH 45323

(937) 863-6442 (office)



ec: Dean Peterson NDEP, Carson City, NV, [d.peterson@ndep.nv.gov](mailto:d.peterson@ndep.nv.gov)  
File:/Jennifer Dart, 7-Eleven, Inc., Dallas, TX, [Jennifer.Dart@7-11.com](mailto:Jennifer.Dart@7-11.com)  
File:/William Latt, 7-Eleven, Inc., Enon, OH, [WilliamLatt@7-11.com](mailto:WilliamLatt@7-11.com)  
File:/Paula Sime, 7-Eleven, Inc., Temecula, CA, [Paula.Sime@7-11.com](mailto:Paula.Sime@7-11.com)  
File:/John Wainwright, Stantec, Salt Lake City, UT, [John.Wainwright@stantec.com](mailto:John.Wainwright@stantec.com)

## **ATTACHMENT A**



NEVADA DIVISION OF  
**ENVIRONMENTAL  
PROTECTION**

STATE OF NEVADA  
Department of Conservation & Natural Resources  
Joe Lombardo, Governor  
James A. Settelmeyer, Director  
Jennifer L. Carr, Administrator

October 29, 2024

Paula Sime  
7-Eleven, Inc.  
P. O. Box 1026  
Temecula, CA 92593

**Subject: NDEP Response: Third Quarter 2024 Groundwater Monitoring, Sampling and Remediation Status Report**

**Facility:** 7-Eleven #27607  
600 North Las Vegas Boulevard  
Las Vegas, Nevada

**Assessor's Parcel No.:** 13927805002

**Spill Report No.:** 000921-01

**Facility ID:** 8-001149

**Petroleum Fund No.:** 1999000243

Dear Paula Sime:

The Nevada Division of Environmental Protection (NDEP) has reviewed the *Third Quarter 2024 Groundwater Monitoring, Sampling and Remediation Status Report* (Report) for the referenced facility (Site) dated October 23<sup>rd</sup>, 2024 prepared by Matt Hammond and approved by Matthew Grandjean, Certified Environmental Manager (CEM) of Stantec Consulting Services, Inc. on behalf of 7-Eleven, Inc.

The Report summarizes the monitoring and sampling of 19 Site monitoring wells on September 26<sup>th</sup> & 27<sup>th</sup>, 2024. Depth to groundwater in Site monitoring wells ranged from 18.55 to 22.51 feet below ground surface (ft bgs). The estimated groundwater flow direction was towards the Northeast at a gradient of 0.013 feet/foot. A visible sheen of phase separated hydrocarbons (PSH) was observed in monitoring well 20 for this monitoring period, although thickness of the PSH layer was not reported. Dissolved phase contaminants were detected in groundwater samples above the U.S. Environmental Protection Agency (EPA) Maximum Contaminant Levels (MCLs) and/or the Nevada State Action Levels (SALs) for the following analytes:

- Benzene: 1.51 to 53.1 micrograms per liter ( $\mu\text{g/L}$ ); exceeded action level (5  $\mu\text{g/L}$ ) in 2 of 19 sampled wells.
- Toluene: 1.08 to 2,150  $\mu\text{g/L}$ ; exceeded action level (1,000  $\mu\text{g/L}$ ) in 1 of 19 sampled wells.
- Ethylbenzene: 1.88 to 3,920  $\mu\text{g/L}$ ; exceeded action level (700  $\mu\text{g/L}$ ) in 1 of 19 sampled wells.
- Xylenes: Non-detect to 14,100  $\mu\text{g/L}$ ; exceeded action level (10,000  $\mu\text{g/L}$ ) in 1 of 19 sampled wells.

Paula Sime  
7-Eleven #27607/Facility ID: 8-001149  
NDEP Response: 3rd Quarter Monitoring Status Report  
October 29, 2024

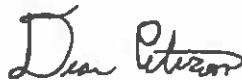
- Methyl tert-butyl ether (MTBE): 1.60 to 412 µg/L; exceeded action level (200 µg/L) in 1 of 19 sampled wells.

Increasing concentration trends for Benzene in monitoring well 17 have continued over three monitoring periods. A visible sheen of phase separated hydrocarbons was also observed in monitoring well 20. Because of these factors, Stantec recommends continuing monthly PSH gauging and quarterly monitoring and sampling program. The NDEP concurs with this recommendation. Monthly PSH gauging and quarterly monitoring and reporting will continue while Stantec prepares a groundwater exemption closure request presentation.

The next quarterly report is due no later than January 28<sup>th</sup>, 2025. NDEP requests that all report documents be submitted in digital portable document format (pdf) via email, by uploading to a file transfer protocol (ftp) site, or by a link to an online document site. Please be advised that NDEP has a 100-megabyte limit for email attachments.

If you have any questions or concerns regarding this letter, please contact the undersigned at 775-687-9377 or d.peterson@ndep.nv.gov.

Sincerely,



Dean Peterson  
Environmental Scientist  
Bureau of Corrective Actions, NDEP

cc Benjamin Moan, Professional Engineering Specialist, P.E., bmoan@ndep.nv.gov  
Bruno Stephani, Southern Nevada Health District, stephani@snhd.org  
Carolyn Levering, Emergency Manager, City of Las Vegas, Office of Emergency Management, oem@LasVegasNevada.gov  
Clark County Emergency Management, OEM@clarkcountynv.gov  
Gary Stevenson, Clark County Hazmat Coordinator, garys@clarkcountynv.gov  
Jennifer Dart, 3200 Hackberry Road - Loc 0148 Irving, TX 75063, Jennifer.Dart@7-11.com  
Jennifer Dart, 7-Eleven, Inc., Jennifer.Dart@7-11.com  
John Solvie, Planning Manager, Water Quality, Clark County Water Quality Reclamation District, jsolvie@cleanwaterteam.com  
John Wainwright, Stantec, John.Wainwright@stantec.com  
Jonathan McRae, UST/LUST Supervisor, jmcrae@ndep.nv.gov  
Joseph R. Leedy, Principal Planner, Water Quality, Clark County Water Quality Reclamation District, jleedy@cleanwaterteam.com  
Lindy Hazlett, Southern Nevada Health District, hazlett@snhd.org  
Lynn M. Cintron, Sr. Administrative Assistant, Environmental Compliance Section, Southern Nevada Health District, Cintron@SNHD.org  
Matthew Grandjean, Stantec Consulting Services Inc., 6111 South Buffalo Drive, Las Vegas, NV 89113, matt.grandjean@stantec.com  
Megan Slayden, Bureau of Corrective Actions, Petroleum Fund Supervisor, mslayden@ndep.nv.gov  
Michael Mazziotta, Remediation & LUST Supervisor, Las Vegas Office, mmazziotta@ndep.nv.gov  
Paula Sime, 7-Eleven, Inc., Paula.Sime@7-11.com

Paula Sime  
7-Eleven #27607/Facility ID: 8-001149  
NDEP Response: 3rd Quarter Monitoring Status Report  
October 29, 2024

Scott Smale, DoD and Remediation Branch Supervisor, [ssmale@ndep.nv.gov](mailto:ssmale@ndep.nv.gov)

Sherri McMahon, Environmental Officer, City of Las Vegas Public Works / Engineering Planning, [smcmahon@lasvegasnevada.gov](mailto:smcmahon@lasvegasnevada.gov)

William Thompson, Environmental Health Supervisor Environmental Compliance Section, Southern Nevada Health District, [thompsonw@snhd.org](mailto:thompsonw@snhd.org)

cc Suzanne Feld, 3207 Bel Air Drive, Las Vegas NV 89109



## ATTACHMENT B

**From:** [Dean Peterson](#)  
**To:** [Grandjean, Matt](#)  
**Cc:** [Megan Slayden](#); [Don Warner](#)  
**Subject:** 7-Eleven #27607 Facility ID: 8-001149 Approval for request of additional allotment  
**Date:** Wednesday, December 18, 2024 9:53:24 AM  
**Attachments:** [Outlook-Website.tr.png](#)

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The 7-11 Facility located at 600 North Las Vegas Boulevard is currently in a post-remediation monitoring period since the deactivation of a dual phase extraction system in February 24, 2023 per request of NDEP. The 7-11 Facility has since exceeded the one year of post-corrective action monitoring required of a case before consideration of a groundwater exemption closure. A formal request for groundwater exemption closure is anticipated to be submitted by Stantec in the near future, however, the petroleum fund coverage for this Facility has since been exhausted from all historical remediation activities required of this site since the confirmed release in April of 2002.

Stantec will soon request additional funding for closure activities required of this Facility which will include preparation of the exemption closure request report, seeking contractors for well-abandonment, well-abandonment activities, and site restoration activities. As the case officer for this Facility, I can confirm the operators of this Facility are compliant with assessment and clean up directives in terms of soil and groundwater remediation. Therefore, I **concur** with Stantec to move forward with request for additional allotment.

For any further questions regarding this Facility, please contact me at the address below.

Dean Peterson  
Environmental Scientist  
Bureau of Corrective Action, NDEP  
Nevada Division of Environmental Protection  
Department of Conservation and Natural Resources  
901 S. Stewart Street, Suite 4001  
Carson City, NV 89701  
[d.peterson@ndep.nv.gov](mailto:d.peterson@ndep.nv.gov)  
(O) 775- 687-9377



NEVADA DIVISION OF  
**ENVIRONMENTAL  
PROTECTION**



Nevada Department of  
**CONSERVATION &  
NATURAL RESOURCES**

Connect with us: [f](#) [t](#) [in](#)

## ATTACHMENT C

Clark County

# Health District

We're in Your Neighborhood  
Phone: (702) 383-1274

ENVIRONMENTAL  
PROTECTION

00 NOV 30 AM 11:10

November 20, 2000

Mr. Robert DeNinno, Environmental Manager  
The Southland Corporation  
10220 S. W. Greenburg Road, Suite 470  
Portland, OR 97223

Re: Facility ID #8-001149/#8-001348, 7-Eleven #27607, 600 North Las Vegas Boulevard, Las Vegas, Nevada 89101

Dear Mr. DeNinno:

The Clark County Health District (CCHD) staff has received your notice that a release of petroleum hydrocarbon from an Underground Storage Tank (UST) at 600 North Las Vegas Boulevard, Las Vegas, Nevada 89101, will require initial site characterization in accordance with 40 CFR §280.63. The release must be reported to the Nevada Division of Environmental Protection (NDEP), (702) 687-4670, extension 3043, in accordance with NAC 445A.347.

Federal and State Laws require that hydrocarbon contaminated UST sites must be evaluated and appropriate corrective action must be taken. Nevada Administrative Code 459, and Code of Federal Regulations (CFR) Chapter 40 Part §280, Subparts E, F, and G, delineate procedures for reporting, site characterization, and corrective action planning are available at CCHD upon request.

In order to be considered no less stringent than corresponding federal criteria, the state must have requirements for compliance that apply the Federal Technical Standards for USTs (40 CFR §280 and §281) equitably to both owners and operators.

**Regulatory oversight of Leaking Underground Storage Tank (LUST) remediation activities will be provided by the Nevada Division of Environmental Protection (NDEP). (Please note that CCHD staff will not oversee LUST remediation activities). NDEP will assign a remediation case officer and request the initial site assessment information provided in Attachment XX. For further information, please call the NDEP-Las Vegas office at (702) 486-2850.**

Additionally, in the event that free-floating product is encountered, please initiate immediate recovery action in accordance with 40 CFR §280.64 and submit a free-product removal report (§280.64(d)) within forty-five (45) days after confirmation to NDEP.

All contractors and consultants must be certified by the State of Nevada. Please contact this office for listings of known Certified Environmental Managers and Certified UST Handlers who will perform various site related tasks.

UST FAX: (702) 386-8540

Mr. Robert DeNinno, Environmental Manager  
Page two  
November 20, 2000

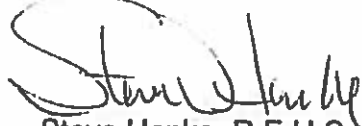
**NOTE:** If your tanks are registered under the State of Nevada Petroleum Fund and you have not yet requested an application for reimbursement, please do so. Requests for petroleum funds through the application process and their approval or disapproval shall not delay any cleanup operation. If you have any questions regarding the petroleum fund application, please do not hesitate to contact the petroleum fund staff at (702) 687-4670, extension 3036. If the tanks have not been registered with the State of Nevada, as required by law, please complete the enclosed EPA Form 7530-1 and submit it to CCHD no later than **December 20, 2000**.

**NOTE:** The UST owner/operator is responsible for ensuring his contractor(s) and/or subcontractor(s) and all other persons abide by Air Quality Division District regulations for control and permitting of hydrocarbon and dust emissions at the project site. For further information, contact Mr. Rene' Moreno at (702) 383-1276.

Should you have any questions or if we can be of any assistance, please do not hesitate to contact Steve Henke at (702) 383-1274. Please make every effort to keep our office informed and updated in all areas pertaining to your assessment, remediation, reinstallation or closure strategies for this site.

Sincerely,

CLARK COUNTY HEALTH DISTRICT



Steve Henke, R.E.H.S., C.E.M.  
Senior Environmental Health Specialist



Glenn D. Savage  
Environmental Health Supervisor

GDS/SH:dt

Enclosures: 1) CCHD Initial Site Characterization Format  
2) Flow Chart, UST Release Investigation/Remediation

cc: NDEP-UST Program, Bur. of Corrective Actions, Carson City, NV 89706  
NDEP-UST Program, Bureau of Corrective Actions, Las Vegas, NV 89101  
SECOR, 1515 E. Tropicana Ave., #200, LV 89119

## APPENDIX C

Case Officer Concurrence with Plan, Schedule and Cost Estimate



NEVADA DIVISION OF  
**ENVIRONMENTAL  
PROTECTION**

**STATE OF NEVADA**  
Department of Conservation & Natural Resources  
Joe Lombardo, *Governor*  
James A. Settelmeyer, *Director*  
Jennifer L. Carr, *Administrator*

January 13, 2025

Paula Sime  
7-Eleven, Inc.  
P. O. Box 1026  
Temecula, CA 92593

**Subject: NDEP Response: Plan, Schedule, and Cost Estimate (Request for additional funding allotment, 7-Eleven Store #27607)**

**Facility:** 7-Eleven #27607  
600 North Las Vegas Boulevard  
Las Vegas, Nevada

**Assessor's Parcel No.:** 13927805002

**Spill Report No.:** 000921-01

**Facility ID:** 8-001149

**Petroleum Fund No.:** 1999000243

Dear Paula Sime:

The Nevada Division of Environmental Protection (NDEP) has reviewed the Plan, Schedule, and Cost Estimate within the *Request for additional funding allotment* (Report) for the referenced facility (Site) dated December 18th, 2024 prepared by Matthew Grandjean, Certified Environmental Manager (CEM) of Stantec Consulting Services, Inc. on behalf of 7-Eleven Inc.

Remedial efforts for the 7-Eleven facility began in 2001, following characterization of impacted soil and groundwater. Stantec began high vacuum extraction (HVE) to remove subsurface phase separated hydrocarbons (PSH) in October of 2001 which carried on until October 2008 in accordance with instructions from the NDEP case officer. After removal of the underground storage tank system, approximately 200 cubic yards of impacted soil was excavated. Stantec began operation of the two phase extraction (TPE) remedial system in April of 2005 until October 2009. Soon after, Stantec began pilot testing of a new dual phase extraction system (DPE) in July 2010. After multiple testing periods, the system design proved to be effective, and a Corrective Action Plan (CAP) was submitted by Stantec in September 2014. Full operation of the DPE system began in March 2020 and carried on until February 2023, removing approximately 14,629 lbs. of volatile compounds in total.

Stantec has since completed assessment activities and fully characterized the remaining contaminants using historical data and the existing monitoring well network. A plan for the remaining closure activities

Paula Sime  
7-Eleven #27607 Las Vegas NV/Facility ID: 8-001149  
NDEP Response: Plan, Schedule and Cost Estimate  
January 14th, 2025

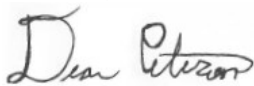
required of this facility has been discussed with NDEP, and Stantec anticipates full closure of the site can be achieved by September of 2025.

The Report outlines the remaining work required of this Site as well as the estimated cost and timeline of events leading to site restoration and eventual closure. Stantec estimates the total cost to closure will be \$142,500 which includes the final monitoring event, submission of groundwater exemption closure request, well abandonment, and site restoration activities. NDEP **concurs** with these operations and projected costs for the remaining work required of the 7-Eleven #27607 facility. All efforts and activities of Stantec Consulting Services and 7-Eleven have remained in compliance in terms of soil and groundwater remediation.

NDEP requests that all report documents be submitted in digital portable document format (pdf) via email, by uploading to a file transfer protocol (ftp) site, or by a link to an online document site. Please be advised that NDEP has a 100-megabyte limit for email attachments.

If you have any questions or need further assistance, please contact me at 775-687-9377 or [d.peterson@ndep.nv.gov](mailto:d.peterson@ndep.nv.gov).

Sincerely,



Dean Peterson  
Environmental Scientist  
Bureau of Corrective Actions, NDEP

cc Benjamin Moan, Professional Engineering Specialist, P.E., [bmoan@ndep.nv.gov](mailto:bmoan@ndep.nv.gov)  
Bruno Stephani, Southern Nevada Health District, [stephani@snhd.org](mailto:stephani@snhd.org)  
Carolyn Levering, Emergency Manager, City of Las Vegas, Office of Emergency Management, [oem@LasVegasNevada.gov](mailto:oem@LasVegasNevada.gov)  
Clark County Emergency Management, [OEM@clarkcountynv.gov](mailto:OEM@clarkcountynv.gov)  
Gary Stevenson, Clark County Hazmat Coordinator, [garys@clarkcountynv.gov](mailto:garys@clarkcountynv.gov)  
Jason Garcia, Southern Nevada Health District, [garciaj@snhd.org](mailto:garciaj@snhd.org)  
Jennifer Dart, 3200 Hackberry Road - Loc 0148 Irving, TX 75063, [Jennifer.Dart@7-11.com](mailto:Jennifer.Dart@7-11.com)  
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Megan Slayden, Bureau of Corrective Actions, Petroleum Fund Supervisor, [m.slayden@ndep.nv.gov](mailto:m.slayden@ndep.nv.gov)  
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Paula Sime  
7-Eleven #27607 Las Vegas NV/Facility ID: 8-001149  
NDEP Response: Plan, Schedule and Cost Estimate  
January 14th, 2025

Scott Smale, DoD and Remediation Branch Supervisor, [ssmale@ndep.nv.gov](mailto:ssmale@ndep.nv.gov)  
Sherri McMahon, Environmental Officer, City of Las Vegas Public Works / Engineering Planning, [smcmahon@lasvegasnevada.gov](mailto:smcmahon@lasvegasnevada.gov)  
William Thompson, Environmental Health Supervisor Environmental Compliance Section, Southern Nevada Health District,  
[thompsonw@snhd.org](mailto:thompsonw@snhd.org)

Agenda Item 10:  
Proposed Amendments to Board Policy  
Resolution 2015-01 (Bid Policy)

(FOR DISCUSSION)

NEVADA BOARD TO REVIEW CLAIMS  
MEETING OF SEPTEMBER 10, 2015; AMENDED JUNE 12, 2025

Video conferenced from Carson City and Las Vegas, Nevada  
Summary of Amended Policy Resolution

SUBJECT: Amended Policy Resolution No. 2015-01 - Provides Clarification Regarding the Petroleum Fund Bid Process.

DISCUSSION: The subject resolution was initially adopted by the Board to Review Claims on September 10, 2015. The following amendment includes an update to the regulatory citations, an increase in bid values, and an update to the required forms and format of the bid packet. Petroleum Fund regulation NAC 445C.270.4(e) requires a storage tank owner/operator to obtain approval from the Nevada Division of Environmental Protection (NDEP) or secure not less than three competitive bids for a task included in a corrective action that costs more than \$ \$8,000.00 (as of the date of this revision) if the corrective action required by the discharge from the tank is not an emergency. The intent of this regulation is to facilitate cost control and verify the cost control measures were applied when a reimbursement claim package is submitted.

Policy Resolution No. 2015-01 will further delineate the bid process to meet the intent of NAC445C.270.4(e), which stipulates how the Certified Environmental Manager, the owner/operator, and the bidding contractor or vendor must complete and submit three bids to NDEP prior to work being initiated if the corrective action costs more than \$35,000.00 (as of the date of this revision).

RECOMMENDATION: **Adoption** of Amended Policy Resolution No. 2015-01, as proposed.

NEVADA BOARD TO REVIEW CLAIMS  
RESOLUTION No. 2015-01, Amended June 12, 2025

Resolution to Provide Clarification Regarding the Petroleum Fund (Fund) Bid Process

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Whereas, the Nevada Board to Review Claims (hereinafter referred to as the Board) Finds:

1. NAC 445C.270.4(e) states that a storage tank operator must obtain approval from the Division or secure not less than three competitive bids for a task included in a corrective action that costs more than \$6,000, an amount which may be adjusted annually by the Division and published on the website of the Division on or before March 1 of each year to reflect the change in the Consumer Price Index for All Urban Consumers published by the United States Department of Labor between December 2018 and December of the immediately preceding year and rounded to the nearest \$1,000 [\$8,000 as of the date of this revision] if: (1) The corrective action necessitated by a discharge from a storage tank is not an emergency action pursuant to paragraph (c) of subsection 1 of NAC 445C.210 or an initial abatement measure prescribed by 40 C.F.R. 280.62...”
2. NAC 445C.210.1(c) defines an emergency as an action that: (1) stops the release of petroleum, (2) identifies or mitigates existing or potential hazards from fire, explosion, vapor or other hazards associated with a release, or (3) prevents the migration of petroleum which poses a substantial imminent threat to the environment.
3. The intent of NAC 445C.270.4(e) is to facilitate cost control and maintain open competition.
4. To better manage cost control, but not impede corrective action progress, all bid packets for projects or purchases with the selected bid equal to or greater than \$ 35,000.00 must be provided to the Fund prior to the work being initiated by the contractor or item being purchased.
5. The request for bid sent to contractors/vendors must be structured so that all obtained bids will be compared to the same criteria. This will include a table similar to the form in Attachment B for the vendors/contractors to provide with their submittal. This table must include rates/unit costs and be structured in such a way that it allows direct comparison to the other bid submittals.
6. Correspondence from a contractor or vendor stating they cannot or do not wish to provide a bid may not constitute receipt of a valid bid; therefore, additional bids should be requested.
7. For all bids, regardless of the bid amount, the contractor or vendor must sign a "Contractor/Vendor Certification Form that contains certification statements regarding the process by which bids were obtained (Attachment A).
8. NDEP will notify the person who submitted the bid packet, in writing, that the bid packet has been received and a review will be completed no later than 10 business days after receipt. NDEP will notify the person who submitted the bid packet with the following direction:
  - a. If NDEP approves the bid packet, the work may proceed, or the item may be purchased.

- b. If NDEP rejects the bid packet , the issue must be resolved prior to initiating the work or purchase. If the owner chooses to proceed prior to resolving the issue, the costs for doing the work or purchasing the item may not be recommended for reimbursement.
  - c. If NDEP does not stipulate whether or not it has approved or rejected the bid packet after 10 business days from its receipt, the work may proceed, or the item may be purchased.
9. The complete bid packet will consist of the request for bid, the individual bids received (each paired with a signed Contractor/Vendor Certification form), and the Bid Summary Table & Certification Statements form. The CEM and Owner/Operator each must sign the Bid Summary Table & Certification Statements Form" (See Attachment C).
10. In the event an invoice submitted with a reimbursement claim is greater than the accepted bid amount, justification for the exceedance must be provided, and the approved bid rates/unit costs for contractor time and materials must be used for invoicing. Fund staff will not reimburse rates/unit costs greater than provided in the original bid. An exceedance that occurs for a bid where lump sum pricing was accepted may not be reimbursed by Fund staff if original bid rates/unit costs cannot be determined.
11. If invoiced costs exceed the bid value, a Bid Excess/Justification Form must be approved by the regulatory case officer and provided with the bid packet upon submittal of the reimbursement claim.

THEREFORE, BE IT RESOLVED THAT:

1. The Request for Bids sent to contractors must be structured so all obtained bids will be compared to the same criteria (See Attachment A for Request for Bid Table Example).
2. All bids, regardless of the bid amount, must be accompanied with a signed Contractor/Vendor Certification Form (Attachment B).
3. The Bid Summary Table and Certification Statements form (Attachment C) will ensure comparable bids and must be completed and signed by the Operator and the CEM, prior to submittal to the Fund .
4. The complete bid packet will consist of the request for bid, the individual bids received (each paired with a signed Contractor/Vendor Certification form), and the Bid Summary Table & Certification Statements form. The CEM and Owner/Operator each must sign the Bid Summary Table & Certification Statements form. This process is required for all bids, regardless of the amount.
5. All bid packets for contractor work or purchases with the selected bid equal to or greater than \$35,000.00 must be provided to the regulatory case officer and Fund staff prior to the work being initiated by the contractor or item being purchased.
6. NDEP will notify the person who submitted the bid packet, in writing, that the bid packet has been received and a review will be completed no later than 10 business days after receipt. NDEP will notify the person who submitted the bid packet with the following direction:
  - a) If NDEP approves the bid packet, the issue must be the work may proceed or the item may be

- purchased.
- b) If NDEP rejects the bid packet, the issue must be resolved prior to initiating the work or purchase. If the owner chooses to proceed prior to resolving the issue, the costs for doing the work or purchasing the item may not be recommended for reimbursement.
  - c) If NDEP does not stipulate whether or not it has approved or rejected the bid packet after 10 business days from its receipt, the work may proceed, or the item may be purchased.
- 7. In the event an invoice submitted with a reimbursement claim is greater than the accepted bid amount, justification for the exceedance must be provided, and the approved bid rates/unit costs for contractor time and materials must be used for invoicing. Fund staff will not reimburse rates/unit costs greater than provided in the original bid. An exceedance that occurs for a bid where lump sum pricing was accepted may not be reimbursed by Fund staff if original bid rates/unit costs cannot be determined.
  - 8. If invoiced costs exceed the bid value, a Bid Excess/Justification Form must be approved by the cleanup case officer and provided with the bid packet upon submittal of the reimbursement claim.
  - 9. The Petroleum Fund reimburses for select corrective action equipment and corrective action work performed, including reasonable and customary profit and overhead markup. The Fund does not reimburse costs attributed to risks associated with an owner/operator or other intangible costs not related to the work being performed or item(s) being purchased.

I, Maureen Tappan, Chair, do hereby certify that the foregoing is a full, true, and correct copy of a Board Policy Resolution adopted by the Nevada Board to Review Claims on June 12, 2025.

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Maureen Tappan, Chair  
Nevada Board to Review Claims

**Attachment A**

**Contractor/Vendor Certification Form**

DRAFT

## CONTRACTOR/VENDOR CERTIFICATION FORM

I hereby certify, to the best of my knowledge:

1. I am licensed to conduct the work contained in the above-described and attached bid.
2. I have arrived at the prices in the bid independently, without consultation, communication, or agreement with any party for the purpose of restricting competition, including price fixing, bid-rigging and collusion.
3. I understand the Petroleum Fund is not responsible for paying invoiced costs identified in the "Ineligible Contractor Costs" found at <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/cost-guidelines-rates>.
4. Unless otherwise required by law, I have not and will not disclose the prices quoted in the bid to any party, directly or indirectly, prior to the opening of all bids by the party requesting the bid.
5. I did not attempt to induce any other party to submit, not submit or modify a bid for the purpose of restricting competition.
6. I will provide to the NDEP all necessary documentation to verify actual costs, , upon request. These may include but are not limited to: bid worksheets, timesheets, and subcontractor invoices. I understand that reimbursements approved by the Board to Review Claims are subject to audit by the NDEP or any representative thereof.
7. I understand that the submission of false or misleading information or credentials, or failure to comply with the applicable statutes or rules, may result in a denial of all claims as well as further penalties as provided under NRS 459.595 and NRS 197.160

Business Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Business License Number: \_\_\_\_\_

License Expiration Date: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Date: \_\_\_\_\_

Facility Name: \_\_\_\_\_

Facility Location: \_\_\_\_\_

Petroleum Fund Case Number: \_\_\_\_\_

Facility ID Number: \_\_\_\_\_



**Attachment B**

Example Request for Bid Form

DRAFT

## NEVADA PETROLEUM FUND REQUEST FOR BID FORM

Facility Name: \_\_\_\_\_

Facility Address: \_\_\_\_\_

Petroleum Fund Case Number: \_\_\_\_\_

Facility ID Number: \_\_\_\_\_

| Task   | Estimated Quantity | Unit | Unit Price  | Cost                         |
|--------|--------------------|------|-------------|------------------------------|
| Task A |                    |      |             |                              |
| Task B |                    |      |             |                              |
| Task C |                    |      |             |                              |
|        |                    |      | Total Cost: | <i>ENTER TOTAL COST HERE</i> |

*This table should be modified to meet the scope of work requirements. Please ensure that for each project, all bids are submitted using the same uniform table.*

**Attachment C**

Bid Summary Table and Certification Statements Form

DRAFT

## NEVADA PETROLEUM FUND BID SUMMARY TABLE & CERTIFICATION STATEMENTS

Facility Name: \_\_\_\_\_

Facility Location: \_\_\_\_\_

Petroleum Fund Case Number: \_\_\_\_\_

Facility ID Number: \_\_\_\_\_

Selected Bidder: \_\_\_\_\_

| Description of Task/Work Activity | Quantity | Unit  | Company Name # 1 | Company Name # 2 | Company Name # 3 |
|-----------------------------------|----------|-------|------------------|------------------|------------------|
|                                   |          |       | \$               | \$               | \$               |
|                                   |          |       | \$               | \$               | \$               |
|                                   |          |       | \$               | \$               | \$               |
|                                   |          | Total | \$               | \$               | \$               |

NOTE: Bids must be reported in like units

### Bid Packet Requirements:

1. Ensure the Request for Bid Table provided to the Contractors/Vendors has tasks in identical order as the Bid Summary Table provided to NDEP. If the Quantity is not uniform for all bids, please indicate N/A for "not applicable." The units should be uniform for all bids.
2. Provide justification along with a written bid waiver from the Regulatory Case Officer if less than three bids were obtained OR lowest bid was not selected.
3. Ensure all contractor/vendor bids are complete, including a signature following the certification statements.
4. Ensure both the CEM and Owner/Operator have signed the same Certification Statement form, depending upon whether the CEM or Owner/Operator will be contracting with the contractor/vendor.
5. If the selected bid is \$35,000 or greater, the bid packet must be submitted to the regulatory case officer and Fund staff prior to conducting work or purchasing item.
6. If NDEP does not approve or reject the submitted bid packet after 10 business days of receipt, the contracted work may begin or the item may be purchased.

## Certification Statements

I hereby certify, to the best of my knowledge:

1. I have confirmed the bids were obtained only from parties licensed to perform the work.
2. The bids are based upon the same scope of work and I have included the Request for Bid.
3. I have not independently consulted, communicated, or otherwise influenced any bidding party for the purpose of restricting competition.
4. Unless otherwise required by law, I have not and will not disclose the prices quoted in the bids to any party, directly or indirectly, prior to the opening of all bids by the party requesting the bid.
5. I did not attempt to induce any other party to submit, not submit, or modify a bid for the purpose of restricting competition.
6. I have submitted to NDEP a true and correct copy of each bid I received.
7. I will provide to the NDEP all necessary documentation to verify actual costs, if requested.
8. I understand that reimbursements approved by the Board to Review Claims are subject to audit by the NDEP or any representative thereof. I will reimburse the Fund for any costs disallowed pursuant to such an audit.
9. I understand that the submission of false or misleading information or credentials, or failure to comply with the applicable statutes or rules, may result in a denial of all claims as well as further penalties as provided under NRS 459.595 and NRS 197.160.
10. If I am bidding on a client's project, my bid and all related competitor bids will be provided directly to the NDEP case officer and the Petroleum Fund staff.

Project Name: \_\_\_\_\_

Project Location: \_\_\_\_\_

Petroleum Fund Case Number: \_\_\_\_\_

Facility ID Number: \_\_\_\_\_

### Storage Tank Owner/Operator

Printed Name \_\_\_\_\_

Signature \_\_\_\_\_

Phone Number \_\_\_\_\_

Date \_\_\_\_\_

### Certified Environmental Manager

Company \_\_\_\_\_

Printed Name \_\_\_\_\_

CEM Number \_\_\_\_\_

Signature \_\_\_\_\_

Phone Number \_\_\_\_\_

Date \_\_\_\_\_

Attachments: Copy of Request for Bid

Copies of all bids received and Contractor/Vendor Certification Forms

#### REGULATORY AGENCY USE ONLY

I DO \_\_\_ DO NOT \_\_\_ concur with the proposed bid packet and selected contractor/vendor \_\_\_\_\_

NDEP Case Officer      Date

Attachment D

Ineligible Contractor Costs

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### **Ineligible Contractor Costs**

Please be aware the Petroleum Fund is NOT responsible for reimbursing the following itemized costs. If NDEP determines these costs have been included in a claim, NDEP will recommend to the Board to Review Claims to not reimburse the ineligible amount(s).

- Excessive markup over customary and usual rates. Customary and usual rates are rates required for a service or purchase that include reasonable markup for profit and overhead and do not include intangible costs not associated with effective completion of a project.
- Costs attributed to risks associated with an owner/operator or other intangible costs not related to the effective completion of a project.
- Costs for damage due to contractor or subcontractor error.
- Change order costs associated with an awarded bid that was submitted intentionally low, failing to be representative of the costs for the project, in an effort to increase the likelihood of winning the bid.
- Costs for equipment that was not used for the job.
- Costs outside the scope of the approved project.
- Costs for additional, unforeseen work approved by NDEP that is billed at a greater rate than the original bid rates, unless approved by the regulatory case officer.
- Purchase of maintenance equipment, such as hand tools.
- Activities, equipment, or materials that are solely for the convenience of the claimant. Examples: rush lab turn around fees not required by oversight agency, replacement of wells due to site improvements, and site improvements unrelated to required corrective actions.

This is a divider between the proposed policy and the red-line version of the same proposed policy



NEVADA BOARD TO REVIEW CLAIMS  
MEETING OF SEPTEMBER 10, 2015; AMENDED JUNE 12, 2025

Video conferenced from Carson City and Las Vegas, Nevada  
Summary of Amended Policy Resolution

SUBJECT: Amended Policy Resolution No. 2015-01 - Provides Clarification Regarding the Petroleum Fund Bid Process.—

DISCUSSION: The subject resolution was initially adopted by the Board to Review Claims on September 10, 2015. The following amendment includes an update to the regulatory citations, an increase in bid values, and an update to the required forms and format of the bid packet. Petroleum Fund regulation NAC 445C.270.4(e) requires a storage tank owner/operator to obtain approval from the Nevada Division of Environmental Protection (NDEP) or secure not less than three competitive bids for a task included in a corrective action that costs more than ~~\$3~~ \$8,000.00 (as of the date of this revision) if the corrective action required by the discharge from the tank is not an emergency. -The intent of this regulation is to facilitate cost control and verify the cost control measures were applied when a reimbursement claim package is submitted.—

Policy Resolution No. 2015-01 will further delineate the bid process to meet the intent of ~~NAC 590.760~~ NAC 445C.270.4(e), which stipulates how the Certified Environmental Manager, the owner/operator, and the bidding contractor or vendor must complete and submit three bids to NDEP prior to work being initiated if the corrective action costs more than ~~—It will provide a \$2535,000.00 (as of the date of this revision) threshold whereby bids must be provided to NDEP prior to work being initiated and stipulate how the Certified Environmental Manager, the owner/operator, and the bidding contractor/ or vendor must complete and submit the bids.—~~

RECOMMENDATION: Adoption of Amended Policy Resolution No. 2015-01, as proposed.

## NEVADA BOARD TO REVIEW CLAIMS

RESOLUTION No. 2015-01, Amended June 12, 2025

### Resolution to Provide Clarification Regarding the Petroleum Fund (Fund) Bid Process

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Whereas, the Nevada Board to Review Claims (hereinafter referred to as the Board) Finds:

1. NAC ~~590.760~~445C.270.4(e) states that a storage tank operator must obtain approval from the ~~Nevada Division of Environmental Protection (NDEP Division)~~ or secure not less than three competitive bids for a task included in a corrective action that costs more than ~~\$3,000.00 if the corrective action required by the discharge from the tank is not an emergency. 6,000, an amount which~~ may be adjusted annually by the Division and published on the -website of the Division on or before March 1 of each year to reflect the change in the Consumer Price Index for All Urban Consumers published by the United States Department of Labor between December 2018 and December of the immediately preceding year and rounded to the nearest \$1,000; [\$8,000 as of the date of this revision] if: (1) The corrective action necessitated by a discharge from a storage tank is not an emergency action pursuant to paragraph (c) of subsection 1 of NAC 445C.210 or an initial abatement measure prescribed by 40 C.F.R. 280.62..."
2. NAC ~~590.710~~445C.210.1(c) defines an emergency as an action that: ~~(1);~~ stops the release of petroleum ~~or, (2);~~ identifies or mitigates existing or potential hazards from fire, explosion, vapor or other hazards associated with a release, or ~~(3);~~ prevents the migration of petroleum which poses a substantial imminent threat to the environment.
3. The intent of NAC ~~590.760~~445C.270.4(e) is to facilitate cost control and maintain open competition.
4. To better manage cost control, but not impede corrective action progress, all bid packets for projects or purchases with the selected bid equal to or greater than ~~\$25~~ 35,000.00 must be provided to ~~NDEP~~the Fund prior to the work being initiated by the contractor or item being purchased.
5. The request for bid sent to contractors/vendors must be structured so that all obtained bids will be compared to the same criteria. This will include a table similar to the form in Attachment B for the vendors/contractors to provide with their submittal. This table must include rates/unit costs and be structured in such a way that it allows direct comparison to the other bid submittals.
6. Correspondence from a contractor or vendor stating they cannot or do not wish to provide a bid may not constitute receipt of a valid bid; therefore, additional bids should be requested.
7. For all bids, regardless of the bid amount, the contractor or vendor must sign a "Contractor-/Vendor Certification Form that contains certification statements regarding the process by which bids were

obtained (Attachment A).

~~5.8.~~ NDEP will notify the person who submitted the bid packet, in writing, that the bid packet has been received and ~~will~~ review it will be completed no later than 10 business days after receipt. NDEP will notify the person who submitted the bid packet with the following direction: ~~whether or not there is an objection.~~

- a. If NDEP approves the bid packet ~~does not object~~, the work may proceed, or the item may be purchased.
- b. If NDEP rejects the bid packet ~~objects~~, the issue must be resolved prior to initiating the work or purchase. ~~or, if~~ If the owner chooses to proceed prior to resolving the issue, the costs for doing the work or purchasing the item may not be recommended for reimbursement.
- c. If NDEP does not stipulate whether or not it has ~~an objection~~ approved or rejected the bid packet after 10 business days from ~~bid packet~~ its receipt, the work may proceed, or the item may be purchased.

~~1. For all bids, regardless of the bid amount, the contractor or vendor must sign a "Contractor Certification Form" or "Vendor Form" which contain certification statements (See Attachment A and B).~~

~~9. The individual bids, each paired with a signed Contractor/Vendor Certification Form, are packaged, usually by the Certified Environmental Manager (CEM), with for submittal. The complete bid packet~~ age will consist of the request for bid, the individual bids received (each paired with a signed Contractor/Vendor Certification form), and the Bid Summary Table ~~completed.~~ & Certification Statements form. The CEM and Owner/Operator each must sign the ~~"CEM Bid Summary Table & Certification Statements Form"~~ (See Attachment C). ~~D) which completes the bid packet for transmittal to NDEP.~~

10. In the event an invoice submitted with a reimbursement claim is greater than the accepted bid amount, justification for the exceedance must be provided, and the approved bid rates/unit costs for contractor time and materials must be used for invoicing. Fund staff will not reimburse rates-/unit costs greater than provided in the original bid. An exceedance that occurs for a bid where lump sum pricing was accepted may not be reimbursed by Fund staff if original bid rates/unit costs cannot be determined.

~~6.11.~~ If invoiced costs exceed the bid value, a Bid Excess/Justification Form must be approved by the ~~cleanup~~ regulatory case officer and provided with the bid packet upon submittal of the reimbursement claim.

THEREFORE, BE IT RESOLVED THAT:

1. The Request for Bids sent to contractors must be structured so all obtained bids will be compared to the same criteria (See Attachment ~~C~~ A for Request for Bid Table Example). ~~The Summary Bid Table (See Attachment D) must be completed prior to submittal to NDEP and~~

~~will ensure comparable bids.~~

2. All bids, regardless of the bid amount, must be accompanied with a signed Contractor/Vendor Certification Form (Attachment B).
3. The Bid Summary Table and Certification Statements form (~~See~~ Attachment C) will ensure comparable bids and must be completed and signed by the Operator and the CEM, prior to submittal to the Fund ~~NDEP and will ensure comparable bids.~~
4. The complete bid packet~~age~~ will consist of the request for bid, the individual bids received (each paired with a signed Contractor/Vendor Certification form), and the Bid Summary Table & Certification Statements form. The CEM and Owner/Operator each must sign the Bid Summary Table & Certification Statements form. This process is required for all bids, regardless of the amount.
- ~~2.5.~~ All bid packets for contractor work or purchases with the selected bid equal to or greater than \$2535,000.00 must be provided to the ~~NDEP~~ regulatory case officer and ~~the NDEP LUST supervisor~~ Petroleum Fund staff prior to the work being initiated by the contractor or item being purchased. ~~For Washoe County projects, bid packets must be submitted to the NDEP Petroleum Fund supervisor and the LUST supervisor.~~
- 3.6. NDEP will notify, ~~in writing,~~ the person who submitted the bid packet, in writing, that ~~it was~~ the bid packet has been received and a will review will be completed ~~the bid packet~~ no later than 10 business days after receipt. ~~NDEP will notify the person who submitted the bid packet with the following direction: whether or not there is an objection.~~
  - a) If NDEP ~~does not object~~ approves the bid packet, the issue must be the work may proceed or the item may be purchased.
  - b) If NDEP ~~objects~~ rejects the bid packet, the issue must be resolved prior to initiating the work or purchase. ~~or, if~~ if the owner chooses to proceed prior to resolving the issue, the costs for doing the work or purchasing the item may not be recommended for reimbursement.
  - c) If NDEP does not stipulate whether or not it has ~~an objection~~ approved or rejected the bid packet after 10 business days from ~~bid packet~~ its receipt, the work may proceed, or the item may be purchased. ~~All bids, regardless of the bid amount, must be accompanied with a signed Contractor Certification Form and/or Vendor Certification Form.~~

~~The individual bids, each paired with a signed Contractor Certification Form, are packaged, usually by the Certified Environmental Manager (CEM), with the Bid Summary Table completed. The CEM and Owner/Operator each must sign the "CEM Bid Summary & Certification Form" which completes the bid packet for transmittal to NDEP.~~

7. In the event an invoice submitted with a reimbursement claim is greater than the accepted bid amount, justification for the exceedance must be provided, and the approved bid rates/unit costs for contractor time and materials must be used for invoicing. Fund staff will not reimburse rates/unit costs greater than provided in the original bid. An exceedance that occurs for a bid where lump sum pricing was accepted may not be reimbursed by Fund staff if original bid rates/unit costs cannot be determined.
- 4.8. If invoiced costs exceed the bid value, a Bid Excess/Justification Form must be approved by the cleanup case officer and provided with the bid packet upon submittal of the reimbursement claim. ~~This~~

~~5.9.~~ The Petroleum Fund reimburses for select corrective action equipment and corrective action work performed, including reasonable and customary profit and overhead markup. ~~The Fund does not reimburse costs attributed to risks associated with an owner/operator or other intangible costs not related to the work being performed or item(s) being purchased.~~

~~John Haycock, Chairman~~

Maureen Tappan, Chair  
Nevada Board to Review Claims

**Attachment A-**

Contractor/Vendor Certification Form

**Contractor Certification Form**

## CONTRACTOR/VENDOR CERTIFICATION FORM

I hereby certify, to the best of my knowledge, ~~that~~:

1. I am licensed to conduct the work contained in the above-described and attached bid.
2. I have arrived at the prices in the bid independently, without consultation, communication, or agreement with any party for the purpose of restricting competition, including price fixing, bid-rigging and collusion.
3. I understand the Petroleum Fund is not responsible for paying invoiced costs identified in the ~~"Ineligible Contractor Costs"~~ found at <http://ndep.nv.gov/bca/fundhome.htm> ~~-https://ndep.nv.gov/environmental-cleanup/petroleum-fund/cost-guidelines-rates.~~
4. Unless otherwise required by law, I have not and will not disclose the prices quoted in the bid to any party, directly or indirectly, prior to the opening of all bids by the party requesting the bid. ~~-~~
5. I did not attempt to induce any other party to submit, not submit or modify a bid for the purpose of restricting competition.
6. I will provide to the NDEP all necessary documentation to verify actual costs, ~~if requested.~~, upon request. These may include but are not limited to: bid worksheets, timesheets, and subcontractor invoices. ~~-I understand that reimbursements approved by the Petroleum Fund Board to Review Claims are subject to audit by the NDEP or any representative thereof.—~~
7. I understand that the submission of false or misleading information or credentials, or failure to comply with the applicable statutes or rules, may result in a denial of all claims as well as further penalties as provided under NRS 459.595 and NRS 197.160. ~~-~~

Business Name: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Printed Name: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Authorized Signature: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

~~Contractor's Nevada~~ Business License Number: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

License Expiration Date: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_  
Date: \_\_\_\_\_  
Facility Name: \_\_\_\_\_  
Facility Location: \_\_\_\_\_  
Petroleum Fund Case Number: \_\_\_\_\_  
\_\_\_\_\_

Facility ID Number: \_\_\_\_\_

DRAFT



Attachment B

~~Vendor Certification Form~~

DRAFT

~~Vendor Certification Form~~

I hereby certify, to the best of my knowledge, that:

- ~~• I have arrived at the prices in the bid independently, without consultation, communication, or agreement with any party for the purpose of restricting competition.~~
- ~~• I understand the Petroleum Fund is not responsible for paying invoiced costs identified in the "Ineligible Contractor Costs" found at <http://ndep.nv.gov/bca/fundhome.htm>.~~

- ~~Unless otherwise required by law, I have not and will not disclose the prices quoted in the bid to any party, directly or indirectly, prior to the opening of all bids by the party requesting the bid.~~
- ~~I did not attempt to induce any other party to submit, not submit, or modify a bid for the purpose of restricting competition.~~
- ~~I understand that reimbursements approved by the Petroleum Fund Board are subject to audit by the NDEP or any representative thereof. I understand that the submission of false or misleading information or credentials, or failure to comply with the applicable statutes or rules, may result in a denial of all claims as well as further penalties as provided under NRS 459.595 and NRS 197.160.~~

Business Name \_\_\_\_\_

Printed Name \_\_\_\_\_

Authorized Signature \_\_\_\_\_

Business License Number \_\_\_\_\_

Phone Number \_\_\_\_\_

Date \_\_\_\_\_

Project Name \_\_\_\_\_

Project Location \_\_\_\_\_

\_\_\_\_\_

Petroleum Fund Case # \_\_\_\_\_

Facility ID # \_\_\_\_\_

**~~Attachment C~~**

Example Request for Bid Form



NEVADA PETROLEUM FUND  
REQUEST FOR BID FORM

Facility ~~Example Form~~

**Project Name** \_\_\_\_\_  
\_\_\_\_\_

**Project Location** \_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_  
Facility Address: \_\_\_\_\_

Number: \_\_\_\_\_

Facility ID Number: \_\_\_\_\_

*This table should be modified to meet the scope of work requirements. -Please ensure that for each project, all bids are submitted using the same uniform table.*

DRAFT

Attachment **DC**

~~CEM & Owner/Operator~~ Bid Summary Table and

Certification ~~Forms~~

~~Certification~~ Statements Form ~~for Contract between CEM & Contractor~~  
~~Certification Form for Contract between Owner & Contractor~~

-

**BID SUMMARY & CERTIFICATIONS** **TABLE & CERTIFICATION STATEMENTS**

|   |                              |                     | —BIDS            |                  |                  |
|---|------------------------------|---------------------|------------------|------------------|------------------|
| <del>DESCRIPTION OF TASK / WORK ACTIVITY</del><br>Description of Task/Work Activity | <del>QUANTITY</del> Quantity | <del>UNIT</del> nit | Company Name #_1 | Company Name #_2 | Company Name #_3 |
|   |                              |                     | \$               | \$               | \$               |
|   |                              |                     | \$               | \$               | \$               |
|   |                              |                     | \$               | \$               | \$               |



|                  |  |                       |    |    |    |
|------------------|--|-----------------------|----|----|----|
|                  |  |                       |    |    |    |
| <del>TOTAL</del> |  | <del>TOTAL</del> otal | \$ | \$ | \$ |

~~NOTE: Bids must be reported in like units~~

NOTE: Bids must be reported in like units

Bid Packet Requirements:\_\_\_\_\_

1. Ensure the Request for Bid Table provided to the Contractors/Vendors has tasks in identical order as the Bid Summary Table provided to NDEP.\_\_\_\_ If the Quantity is not uniform for all bids, please indicate N/A for "not applicable." The units should be uniform for all bids.-
2. Provide justification along with a written bid waiver from the Regulatory Case Officer if less than three bids were obtained OR lowest bid was not selected.
3. Ensure all contractor/vendor bids are complete, including a signature following the certification statements.-
4. Ensure both the CEM and Owner/Operator have signed the same Certification Statement form, depending upon whether the CEM or ~~e~~Owner/Operator will be contracting with the contractor/vendor.
5. If the selected bid is \$~~235,000.00~~ or greater, the bid packet must be submitted to the ~~NDEP~~regulatory case officer and ~~the NDEP LUST Supervisor~~Fund staff prior to conducting work or purchasing item. ~~For Washoe County projects, the bid packet must be submitted to the NDEP Petroleum Fund supervisor and the NDEP LUST supervisor.~~
6. If NDEP does not ~~object~~approve or reject to the submitted bid packet after 10 business days of receipt, the contracted work may begin or the item may be purchased.\_

**Certification Statements—~~Contract Between CEM and Contractor~~**

I hereby certify, to the best of my knowledge, that:

~~I have confirmed the bids were obtained only from parties licensed to perform the work.~~

~~1. The bids are based upon the same scope of work and I have included the Request for Bid.~~

~~2. I have not independently consulted, communicated, or otherwise influenced any bidding party for the purpose of restricting competition.~~

~~3. Unless otherwise required by law, I have not and will not disclose the prices quoted in the bids to any party, directly or indirectly, prior to the opening of all bids by the party requesting the bid.~~

~~I did not attempt to induce any other party to submit, not submit, or modify a bid for the purpose of restricting competition.~~

~~4. If I am bidding on a client's project, my bid and all related competitor bids will be provided directly to the NDEP case officer and the NDEP LUST Supervisor. For Washoe County projects, all bids will be submitted to NDEP Petroleum Fund Supervisor and the LUST supervisor.~~

~~5. I have submitted to NDEP a true and correct copy of each bid I received.~~

~~6. I will provide to the NDEP all necessary documentation to verify actual costs, if requested. I understand that reimbursements approved by the Petroleum Fund Board are subject to audit by the NDEP or any representative thereof. I will reimburse the fund for any costs disallowed pursuant to such an audit.~~

~~7. I understand that the submission of false or misleading information or credentials, or failure to comply with the applicable statutes or rules, may result in a denial of all claims as well as further penalties as provided under NRS 459.595 and NRS 197.160.~~

**Project Name** \_\_\_\_\_

**Project Location** \_\_\_\_\_

**Petroleum Fund Case #** \_\_\_\_\_

**Facility ID #** \_\_\_\_\_

**Storage Tank Owner/Operator** \_\_\_\_\_

**Certified Environmental Manager** \_\_\_\_\_

*Statements 3, 4, 5, 8 and 9 only*

*Statements 1—9*

**Printed Name** \_\_\_\_\_ **Company** \_\_\_\_\_

**Signature** \_\_\_\_\_ **Printed Name** \_\_\_\_\_

**Phone Number** \_\_\_\_\_ **CEM Number** \_\_\_\_\_

**Date** \_\_\_\_\_ **Signature** \_\_\_\_\_

\_\_\_\_\_ **Phone Number** \_\_\_\_\_

**Date** \_\_\_\_\_

**Attachments:** Copy of Request for Bid

**~~REGULATORY AGENCY USE ONLY~~**

I DO ☐ DO NOT ☐ concur with the proposed bid packet and selected contractor/vendor \_\_\_\_\_

\_\_\_\_\_  
NDEP Case Officer Date

**Certification Statements – Contract Between Owner and Contractor**

I hereby certify, to the best of my knowledge, ~~that~~:

1. I have confirmed the bids were obtained only from parties licensed to perform the work.
2. The bids are based upon the same scope of work and I have included the Request for Bid.
3. I have not independently consulted, communicated, or otherwise influenced any bidding party for the purpose of restricting competition.-
4. Unless otherwise required by law, I have not and will not disclose the prices quoted in the bids to any party, directly or indirectly, prior to the opening of all bids by the party requesting the bid.
5. I did not attempt to induce any other party to submit, not submit, or modify a bid for the purpose of restricting competition.
6. I have submitted to NDEP a true and correct copy of each bid I received.
7. I will provide to the NDEP all necessary documentation to verify actual costs, if requested.\_
8. I understand that reimbursements approved by the ~~Petroleum Fund~~ Board to Review Claims are subject to audit by the NDEP or any representative thereof.- ☐ I will reimburse the ~~fund~~ Fund for any costs disallowed pursuant to such an audit.-
9. I understand that the submission of false or misleading information or credentials, or failure to comply with the applicable statutes or rules, may result in a denial of all claims as well as further penalties as provided under NRS 459.595 and NRS 197.160.

10. If I am bidding on a client's project, my bid and all related competitor bids will be provided directly to the NDEP case officer and the Petroleum Fund staff.

Project Name:

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Project Location:

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Petroleum Fund Case #

Number  
:  
Facility ID Number: #

Storage Tank Owner/Operator

Certified Environmental Manager

Facility ID #

**Storage Tank Owner/Operator**

**Certified Environmental Manager**

Printed Name

Company

Signature

Printed Name

Phone Number

CEM Number

Date

Signature

Phone Number

Date

Attachments: Copy of Request for Bid

Copies of all bids received and Contractor/Vendor Certification Forms

**REGULATORY AGENCY USE ONLY**

I DO \_\_\_ DO NOT \_\_\_ concur with the proposed bid packet and selected contractor/vendor

NDEP Case Officer\_ Date

Ineligible Contractor Costs

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DRAFT

### Ineligible Contractor Costs

Please be aware the Petroleum Fund is NOT responsible for reimbursing the following itemized costs. If NDEP determines these costs have been included in a claim, NDEP will recommend to the Board to Review Claims to not reimburse the ineligible amount(s).

~~The costs for items below may be separately negotiated with the owner/operator.~~

- Excessive markup over customary and usual rates. Customary and usual rates are rates required for a service or purchase that include reasonable markup for profit and overhead and do not include intangible costs not associated with effective completion of a project.
- Costs attributed to risks associated with an owner/operator or other intangible costs not related to the effective completion of a project.
- Costs for damage due to contractor or subcontractor error.
- Change order costs associated with an awarded bid that was submitted intentionally low, failing to be representative of the costs for the project, in an effort to increase the likelihood of winning the bid.
- Costs for equipment that was not used for the job.
- Costs outside the scope of the approved project.
- Costs for additional, unforeseen work approved by NDEP that is billed at a greater rate than the original bid rates, unless approved by the regulatory case officer.
- Purchase of maintenance equipment, such as hand tools.
- Activities, equipment, or materials which that are solely for the convenience of the claimant. Examples: rush lab turn around fees not required by oversight agency, replacement of wells due to site improvements, and site improvements unrelated to required corrective actions.

**Agenda Item 11:**  
**Adoption of Consent Items**  
(FOR POSSIBLE ACTION)

## STATE BOARD TO REVIEW CLAIMS REQUESTED/RECOMMENDED AMOUNTS - MARCH 13, 2025

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

### HEATING OIL

|                     |    |   | <u>REQUESTED</u>          | <u>RECOMMENDED</u>        |
|---------------------|----|---|---------------------------|---------------------------|
| FOR POSSIBLE ACTION | 1. | 2012000017; 80792 Churchill County School District: Old High School | \$5,882.43                | \$5,879.75                |
| FOR POSSIBLE ACTION | 2. | 2025000001; 80857 Scott Douglass: Residence Of 2795 W. Plumb Lane   | \$20,275.36               | \$19,887.36               |
| <b>SUB TOTAL:</b>   |    |   | <b><u>\$26,157.79</u></b> | <b><u>\$25,767.11</u></b> |

### ONGOING CASES

|                     |    |   | <u>REQUESTED</u> | <u>RECOMMENDED</u> |
|---------------------|----|---|------------------|--------------------|
| FOR POSSIBLE ACTION | 1. | 1992000126; 80876 Clark County School District: Rc White (arville) Transportation Satellite   | \$22,352.70      | \$22,352.70        |
| FOR POSSIBLE ACTION | 2. | 1993000102; 80861 Rebel Oil Company: Rebel Store #2008  | \$233,011.71     | \$195,729.04       |
| FOR POSSIBLE ACTION | 3. | 1995000039; 80862 Al Park Petroleum, Inc.: Crescent Valley Market                             | \$10,660.39      | \$9,594.35         |
| FOR POSSIBLE ACTION | 4. | 1995000042; 80839 Fbf, Inc.: Gas 4 Less   | \$25,670.45      | \$24,386.93        |
| FOR POSSIBLE ACTION | 5. | 2007000014; 80874 Raiders Oz Business, Llc: Former Ace Cab/frias Transportation               | \$58,385.52      | \$51,691.97        |
| FOR POSSIBLE ACTION | 6. | 2007000016; 80863 Golden Gate Petroleum Of Nevada Llc: Golden Gate Petroleum #43 - Sun Valley | \$13,394.86      | \$12,055.37        |
| FOR POSSIBLE ACTION | 7. | 2009000024; 80848 Sjk Investments, Llc: Chuck's Circle C                                      | \$26,089.30      | \$22,988.73        |
| FOR POSSIBLE ACTION | 8. | 2011000009; 80864 Cimarron West: Cimarron West  | \$12,010.60      | \$10,809.54        |
| FOR POSSIBLE ACTION | 9. | 2013000019; 80865 Hardy Enterprises, Inc.: Elko Sinclair #53                                  | \$32,046.20      | \$28,276.08        |



|                           |     |                   |   |                            |                            |
|---------------------------|-----|-------------------|---|----------------------------|----------------------------|
| FOR POSSIBLE ACTION       | 10. | 2014000025; 80868 | Superior Campgrounds Of America, Llc: Silver City RV Resort | \$11,219.72                | \$9,895.25                 |
| FOR POSSIBLE ACTION       | 11. | 2016000009; 80835 | 7-Eleven, Inc: 7-Eleven #13685                              | \$35,659.63                | \$32,074.54                |
| FOR POSSIBLE ACTION       | 12. | 2016000023; 80869 | Al Park Petroleum, Inc.: Pit Stop #1                        | \$32,034.96                | \$23,016.21                |
| FOR POSSIBLE ACTION       | 13. | 2016000027; 80836 | Terrible Herbst, Inc.: Terrible Herbst #272                 | \$16,889.50                | \$13,680.49                |
| FOR POSSIBLE ACTION       | 14. | 2017000015; 80847 | Ellen 5, Llc: Auto Center (green Valley Grocery #63)        | \$13,237.76                | \$11,913.98                |
| FOR POSSIBLE ACTION       | 15. | 2017000035; 80852 | Rebel Oil Company: Rebel Store #2177                        | \$93,197.00                | \$83,877.30                |
| FOR POSSIBLE ACTION       | 16. | 2018000005; 80844 | Rebel Oil Company: Rebel Store # 2153                       | \$20,814.90                | \$18,733.41                |
| FOR POSSIBLE ACTION       | 17. | 2018000009; 80870 | Reed Incorporated: Pacific Pride                            | \$36,249.63                | \$32,447.92                |
| FOR POSSIBLE ACTION       | 18. | 2019000044; 80833 | 7-Eleven, Inc: 7-Eleven #15829                              | \$24,138.30                | \$21,724.47                |
| FOR POSSIBLE ACTION       | 19. | 2020000015; 80849 | Canyon Plaza, Llc: Gas 2 Go                                 | \$29,467.16                | \$15,360.42                |
| FOR POSSIBLE ACTION       | 20. | 2021000014; 80854 | Pilot Travel Centers Llc: Pilot Travel Centers LLC #341     | \$16,277.38                | \$14,646.25                |
| FOR POSSIBLE ACTION       | 21. | 2021000026; 80829 | 7-Eleven, Inc: 7-Eleven #25578                              | \$16,876.60                | \$15,188.94                |
| FOR POSSIBLE ACTION       | 22. | 2022000015; 80851 | Rebel Oil Company: Rebel Store #2197                        | \$26,959.22                | \$19,410.64                |
| FOR POSSIBLE ACTION       | 23. | 2022000018; 80855 | Pilot Travel Centers Llc: Pilot Travel Centers LLC #341     | \$53,509.94                | \$35,829.05                |
| FOR POSSIBLE ACTION       | 24. | 2022000035; 80834 | 7-Eleven, Inc: 7-Eleven #29407                              | \$18,977.39                | \$17,079.65                |
| FOR POSSIBLE ACTION       | 25. | 2023000018; 80878 | Reed Incorporated: R Place #1                               | \$18,534.62                | \$16,681.16                |
| FOR POSSIBLE ACTION       | 26. | 2023000028; 80845 | Anderson Dairy, Inc.: Anderson Dairy INC                    | \$5,816.00                 | \$5,234.40                 |
| FOR POSSIBLE ACTION       | 27. | 2024000008; 80867 | Midjit Market, Inc.: Green Valley Grocery #58               | \$59,763.83                | \$43,029.95                |
| SUB TOTAL:                |     |                   |   | <b><u>\$963,245.27</u></b> | <b><u>\$807,708.74</u></b> |
| RECOMMENDED CLAIMS TOTAL: |     |                   |   | <b><u>\$989,403.06</u></b> | <b><u>\$833,475.85</u></b> |

Case: #1992000126  
Claim #: 80876

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$22,352.70 from the Petroleum Fund for cleanup costs.

|           |                         |  |
|-----------|-------------------------|--|
|           | \$3,054,751.97          | Amount Requested to Date                       |
|           | (\$161,454.00)          | Amount Disallowed, Past Claims                 |
|           | (\$40,000.00)           | Deductible/Co-Payment Satisfied to Date        |
|           | <u>(\$2,810,323.26)</u> | Amount Paid to Date                            |
| SUB TOTAL | \$22,352.70             | Amount Requested this Meeting                  |
|           | <u>\$0.00</u>           | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$22,352.70             | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 11/08/2024 and 01/07/2025

**Summary of work completed:** 3rd Quarter Report Preparation and 4th Quarter Groundwater Sampling Event

## Site Summary Report

**Case Number:** 1992000126      **Site Name:** Rc White (arville) Transportation Satellite

### Site Status

**Synopsis:** MARCH 7, 1992 ONE 1000 WASTE OIL UNDERGROUND STORAGE TANK (UST) WAS REMOVED FROM THE SITE (IDENTIFIED ON THE APPLICATION AS TANK 4). APRIL 7, 1992 THREE MORE USTS WERE CLOSED. THESE ADDITIONAL TANKS WERE IDENTIFIED AS: A 12,000 GALLON DIESEL TANK (TANK #1), A 12,000 GALLON UNLEADED GASOLINE TANK (TANK #2), AND A 6,000 GALLON UNLEADED GASOLINE (TANK #3); EACH HAD RELEASE SOURCES IDENTIFIED AS THE PIPING AND DISPENSERS. COVERAGE WAS GRANTED WITH A \$10,000 DEDUCTIBLE DUE TO THE FACILITY BEING OPERATED BY A POLITICAL SUBDIVISION OF STATE.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$4,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$3,960,000.00 |
| <b>Amount Requested</b>         | \$3,054,751.97 |
| <b>Amount Disallowed</b>        | \$161,454.00   |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$0.00         |
| <b>Copay/Deductible</b>         | \$40,000.00    |
| <b>Amount Recommended</b>       | \$2,853,297.97 |
| <b>Amount Paid</b>              | \$2,830,945.27 |

### Site Identification

|  |   |                             |                      |
|--|---|-----------------------------|----------------------|
| <b>Date Submitted:</b>                 | 06/10/1992  | <b>DEP Facility Number:</b> | 8-000825             |
| <b>Site Name</b>                       | Rc White (arville) Transportation Satellite             |                             |                      |
| <b>Site Contact</b>                    |   | <b>Telephone:</b>           |                      |
| <b>Site Address</b>                    | 4499 Arville St<br>Las Vegas, NV 89103                  |                             |                      |
| <b>County:</b>                         | Clark County  |                             |                      |
| <b>Owner/Operator Name:</b>            | Clark County School District                            |                             |                      |
| <b>Contact Name of Owner/Operator:</b> | Lori Olson  | <b>Telephone:</b>           | (702)799-0990 Ext: 5 |
|  | Environmental Services<br>Henderson, NV 89074           |                             |                      |
| <b>Prime Contractor</b>                | Converse Consultants                                    |                             |                      |
| <b>Contact Name</b>                    | Robert Gegenheimer                                      |                             |                      |
| <b>Contractor Address</b>              | 6610 West Arby Avenue, Suite 104<br>Las Vegas, NV 89118 |                             |                      |
| <b>Telephone:</b>                      | (702)269-8336 Ext: 2                                    | <b>% Board Reduction:</b>   | 0.00                 |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------|---------------------|------------------|---------------|---------------|
| 001    | 12000               | Closed           | Regulated UST | See Synopsis  |
| 002    | 12000               | 53               | Regulated UST | See Synopsis  |
| 003    | 12000               | 53               | Regulated UST | See Synopsis  |
| 004    | 12000               | 53               | Regulated UST | See Synopsis  |

Case: #1993000102  
Claim #: 80861

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$195,729.04 from the Petroleum Fund for cleanup costs.

|           |                  |  |
|-----------|------------------|--|
|           | \$3,255,064.00   | Amount Requested to Date                       |
|           | (\$33,266.54)    | Amount Disallowed, Past Claims                 |
|           | (\$30,000.00)    | Deductible/Co-Payment Satisfied to Date        |
|           | (\$2,476,994.83) | Amount Paid to Date                            |
| SUB TOTAL | \$233,011.71     | Amount Requested this Meeting                  |
|           | (\$15,535.00)    | Amount Disallowed this Meeting                 |
| SUB TOTAL | \$217,476.71     |  |
|           | (\$21,747.67)    | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$195,729.04     | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 03/06/2024 and 01/02/2025

**Summary of work completed:** Project management, attend meetings with NV Energy, engineering design, permit preparation, construction site meetings and construction supervision for NV Energy requirements to establish 240V 3 phase 400 amp power for remedial system, site utility clearance, site grading, dust control, install NVE required bollards, conduit, block wall, pedestal mount, provide equipment for electrical service for remedial system, disposal of debris and materials, provide barricades and traffic control devices, deliver, transport, unload, and install remedial system, install 4,000 pounds of vapor phase carbon, install fence enclosure, provide permanent electrical service, install well pumps and hoses, component plumbing, preparation of O&M manual, provide fence enclosure, July 2024 thru December 2024 Remediation System O&M, 2nd, 3rd, and 4th Quarters Groundwater/Remediation Status Report preparation, 2nd, 3rd, and 4th Quarters Remediation System Report preparation, 2nd, 3rd and 4th Quarters Petroleum Fund Reimbursement Claim preparation, carbon change out services, drafting services, forklift rental, air stripper cleaning, 2nd, 3rd, and 4th Quarters Groundwater Monitoring Well Sampling and/or Free Product Removal, traffic control services, purchase of scale prevention drums, cost proposal preparation, laboratory analysis.

## Site Summary Report

**Case Number:** 1993000102    **Site Name:** Rebel Store #2008

### Site Status

**Synopsis:** TWO USTS RELEASED GASOLINE IN 1992. PIPING FROM ONE TANK SYSTEM FAILED AND THE TANK FAILED IN THE SECOND SYSTEM. SSBD 2015-02 APPROVED AT THE SEPTEMBER 2015 BOARD MEETING PROVIDED ADDITIONAL FUNDING FOR CLEANUP ACTIVITIES UNDER FORMER POLICY RESOLUTION 2007-10. SSBD 2024-06 PROVIDED ADDITIONAL ALLOTMENT OF FUNDING AT THE DECEMBER 2024 BOARD MEETING UNDER POLICY RESOLUTION 2023-01.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$4,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$3,870,000.00 |
| <b>Amount Requested</b>         | \$3,255,064.00 |
| <b>Amount Disallowed</b>        | \$48,801.54    |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$21,747.67    |
| <b>Copay/Deductible</b>         | \$30,000.00    |
| <b>Amount Recommended</b>       | \$3,165,729.04 |
| <b>Amount Paid</b>              | \$2,970,000.00 |

### Site Identification

|  |  |                             |                      |
|--|--|-----------------------------|----------------------|
| <b>Date Submitted:</b>                 | 03/15/1993   | <b>DEP Facility Number:</b> | 8-000523             |
| <b>Site Name</b>                       | Rebel Store #2008  |                             |                      |
| <b>Site Contact</b>                    | Dana Cason Teepe   | <b>Telephone:</b>           | (702)382-5866        |
| <b>Site Address</b>                    | 3235 Las Vegas Blvd N<br>Las Vegas, NV 89115                               |                             |                      |
| <b>County:</b>                         | Clark County   |                             |                      |
| <b>Owner/Operator Name:</b>            | Rebel Oil Company  |                             |                      |
| <b>Contact Name of Owner/Operator:</b> | Dana Cason Teepe<br>10650 West Charleston Boulevard<br>Las Vegas, NV 89135 | <b>Telephone:</b>           | (702)382-5866 Ext: 2 |
| <b>Prime Contractor</b>                | Stewart Environmental, Inc.  |                             |                      |
| <b>Contact Name</b>                    | Keith Stewart  |                             |                      |
| <b>Contractor Address</b>              | 10300 West Charleston Boulevard, Suite 13-B32<br>Las Vegas, NV 89135       |                             |                      |
| <b>Telephone:</b>                      | (702)254-6731  | <b>% Board Reduction:</b>   | 0.00                 |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------|---------------------|------------------|---------------|---------------|
| 001    | 10000               | Closed           | Regulated UST | See Synopsis  |
| 002    | 10000               | 44               | Regulated UST | See Synopsis  |

Case: #1995000039  
Claim #: 80862

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$9,594.35 from the Petroleum Fund for cleanup costs.

|           |                  |  |
|-----------|------------------|--|
|           | \$2,042,112.17   | Amount Requested to Date                       |
|           | (\$95,753.60)    | Amount Disallowed, Past Claims                 |
|           | (\$117,990.84)   | Board Reduction, Past Claims                   |
|           | (\$181,770.74)   | Deductible/Co-Payment Satisfied to Date        |
|           | (\$1,530,953.09) | Amount Paid to Date                            |
| SUB TOTAL | \$10,660.39      | Amount Requested this Meeting                  |
|           | (\$1,066.04)     | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$9,594.35       | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 10/09/2024 and 12/31/2024

**Summary of work completed:** Prepare 3rd quarter groundwater monitoring report, coordinate with contractor and begin preparation of work plan for petrostop, conduct fourth quarter groundwater monitoring event, prepare petroleum fund documentation

## Site Summary Report

**Case Number:** 1995000039    **Site Name:** Crescent Valley Market

### Site Status

**Synopsis:** COVERAGE PROVIDED FOR DISCHARGE EMANATING FROM TWO USTS. 40% REDUCTION FOR ALL WORK PERFORMED PRIOR TO 12-9-09. FULL COVERAGE THEREAFTER. TOTAL REIMBURSABLE CAP IS \$1,487,536.77. SEE NDEP LETTER DATED 3-23-11. SSBD C2020-04 PROVIDED ADDITIONAL CLEANUP FUNDING UNDER FORMER POLICY RESOLUTION 2007-10.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$2,652,818.63 |
| <b>Amount Fund Will Pay</b>     | \$2,387,536.77 |
| <b>Amount Requested</b>         | \$2,042,112.17 |
| <b>Amount Disallowed</b>        | \$95,753.60    |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$117,990.84   |
| <b>Pending Copay/Deductible</b> | \$1,066.04     |
| <b>Copay/Deductible</b>         | \$181,770.74   |
| <b>Amount Recommended</b>       | \$1,618,178.87 |
| <b>Amount Paid</b>              | \$1,608,584.52 |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 09/21/1994   | <b>DEP Facility Number:</b> | 6-000318      |
| <b>Site Name</b>                       | Crescent Valley Market                                     |                             |               |
| <b>Site Contact</b>                    | Pam Williams   | <b>Telephone:</b>           | (775)934-3818 |
| <b>Site Address</b>                    | 3093 Crescent Ave<br>Crescent Valley, NV 89821             |                             |               |
| <b>County:</b>                         | Eureka County  |                             |               |
| <b>Owner/Operator Name:</b>            | AL Park Petroleum, Inc.                                    |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Pam Williams<br>379 Westby Drive<br>Spring Creek, NV 89815 | <b>Telephone:</b>           | (775)934-3818 |
| <b>Prime Contractor</b>                | McGinley & Associates, Inc, DBA UES                        |                             |               |
| <b>Contact Name</b>                    | Caitlin Jelle  |                             |               |
| <b>Contractor Address</b>              | 6995 Sierra Center Parkway<br>Reno, NV 89511               |                             |               |
| <b>Telephone:</b>                      | (775)829-2245  | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------|---------------------|------------------|---------------|---------------|
| 001    | 3000                | Closed           | Regulated UST | See Synopsis  |
| 002    | 3000                | 58               | Regulated UST | See Synopsis  |

Case: #1995000042  
Claim #: 80839

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$24,386.93 from the Petroleum Fund for cleanup costs.

|           |                  |  |
|-----------|------------------|--|
|           | \$3,170,451.73   | Amount Requested to Date                       |
|           | (\$47,613.36)    | Amount Disallowed, Past Claims                 |
|           | (\$266,250.33)   | Deductible/Co-Payment Satisfied to Date        |
|           | (\$2,830,917.59) | Amount Paid to Date                            |
| SUB TOTAL | \$25,670.45      | Amount Requested this Meeting                  |
|           | (\$1,283.52)     | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$24,386.93      | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 10/26/2024 and 12/31/2024

**Summary of work completed:** Project management; NDEP communications; O&M and decommissioning of ozone air sparge remediation system; quarterly groundwater monitoring, sampling, and reporting; and preparation of Fund documentation.



## Site Summary Report

**Case Number:** 1995000042    **Site Name:** Gas 4 Less

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED AUGUST 2, 1994. IT ORIGINATED FROM THE PIPING SYSTEM ASSOCIATED TO TANK 1. ADDITIONAL CLEANUP FUNDING PROVIDED UNDER FORMER POLICY RESOLUTION 2007-10 GRANTED TO FIRST RELEASE. FULL COVERAGE FOR RELEASE FROM TANK 2 GRANTED 5-21-08. SMALL BUSINESS DESIGNATION GRANTED JUNE 2022. ADDITIONAL ALLOTMENT OF FUNDING GRANTED IN ACCORDANCE WITH POLICY RESOLUTION 2023-01, AT SEPTEMBER 2024 BOARD MEETING UNDER SSBD C2024-03.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$4,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$3,688,608.07 |
| <b>Amount Requested</b>         | \$3,170,451.73 |
| <b>Amount Disallowed</b>        | \$47,613.36    |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$1,283.52     |
| <b>Copay/Deductible</b>         | \$266,250.33   |
| <b>Amount Recommended</b>       | \$2,855,304.52 |
| <b>Amount Paid</b>              | \$2,830,917.59 |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 10/25/1994   | <b>DEP Facility Number:</b> | 8-000251      |
| <b>Site Name</b>                       | Gas 4 Less   |                             |               |
| <b>Site Contact</b>                    | Mahmoodreza Radeh  | <b>Telephone:</b>           | (702)643-6465 |
| <b>Site Address</b>                    | 3283 Las Vegas Blvd N<br>Las Vegas, NV 89115                               |                             |               |
| <b>County:</b>                         | Clark County   |                             |               |
| <b>Owner/Operator Name:</b>            | Fbf, Inc.  |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Mahmoodreza Radeh<br>3283 Las Vegas Boulevard North<br>Las Vegas, NV 89115 | <b>Telephone:</b>           | (702)883-3859 |
| <b>Prime Contractor</b>                | Broadbent And Associates, Inc.   |                             |               |
| <b>Contact Name</b>                    | Jonathan Bell  |                             |               |
| <b>Contractor Address</b>              | 113 Falls Court Suite 700<br>Boerne, TX 78006                              |                             |               |
| <b>Telephone:</b>                      | (702)563-0600  | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------|---------------------|------------------|---------------|---------------|
| 001    | 8000                | 10               | Regulated UST | See Synopsis  |
| 002    | 4000                | 10               | Regulated UST | See Synopsis  |

Case: #2007000014  
Claim #: 80874

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$51,691.97 from the Petroleum Fund for cleanup costs.

|           |                  |  |
|-----------|------------------|--|
|           | \$5,206,044.86   | Amount Requested to Date                       |
|           | (\$41,299.18)    | Amount Disallowed, Past Claims                 |
|           | (\$510,636.01)   | Deductible/Co-Payment Satisfied to Date        |
|           | (\$4,425,510.94) | Amount Paid to Date                            |
| SUB TOTAL | \$58,385.52      | Amount Requested this Meeting                  |
|           | (\$5,838.55)     | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$51,691.97      | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 10/03/2024 and 01/11/2025

**Summary of work completed:** 3rd Quarter Report Preparation, 4th Quarter Groundwater Sampling event, Pulse-Ox System Maintenance and O&M

## Site Summary Report

**Case Number:** 2007000014    **Site Name:** Former Ace Cab/frias Transportation

### Site Status

**Synopsis:** INITIAL APPLICATION (2007000014) - THREE USTS WERE REMOVED FROM THE SITE ON SEPTEMBER 20, 2006. THE BOTTOM OF TANK #1 WAS OBSERVED TO BE CORRODED. SAMPLING REVEALED TPH ABOVE THE STATE ACTION LEVEL. ADDITIONAL CLEANUP FUNDING APPROVED UNDER FORMER POLICY RESOLUTION 2007-10 PROVIDED 6/9/11. A SECOND APPLICATION (2017000001) WAS RECEIVED ON JANUARY 19, 2017 FOR TWO TANK RELEASES. TANK #1 WAS ALREADY COVERED AND NOT ELIGIBLE FOR ADDITIONAL COVERAGE. TANK #3 (INSTALLED IN 1996) WAS ADDED ON 4/4/17 UNDER THE EXISTING CASE NUMBER OF 200700001...

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$6,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$5,400,000.00 |
| <b>Amount Requested</b>         | \$5,206,044.86 |
| <b>Amount Disallowed</b>        | \$41,299.18    |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$5,838.55     |
| <b>Copay/Deductible</b>         | \$510,636.01   |
| <b>Amount Recommended</b>       | \$4,647,416.12 |
| <b>Amount Paid</b>              | \$4,595,724.15 |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 11/30/2006                                     | <b>DEP Facility Number:</b> | 8-000204      |
| <b>Site Name</b>                       | Former Ace Cab/frias Transportation            |                             |               |
| <b>Site Contact</b>                    | Don Webb                                       | <b>Telephone:</b>           | (510)610-7667 |
| <b>Site Address</b>                    | 5010 S Valley View Blvd<br>Las Vegas, NV 89118 |                             |               |
| <b>County:</b>                         | Clark County                                   |                             |               |
| <b>Owner/Operator Name:</b>            | Raiders Oz Business, LLC                       |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Greg Gilbert                                   | <b>Telephone:</b>           | (702)669-4600 |
|  | 1475 Raiders Way<br>Henderson, NV 89052        |                             |               |
| <b>Prime Contractor</b>                | Converse Consultants                           |                             |               |
| <b>Contact Name</b>                    | Kurt Goebel                                    |                             |               |
| <b>Contractor Address</b>              | 6610 W. Arby, Suite 104<br>Las Vegas, NV 89118 |                             |               |
| <b>Telephone:</b>                      | (702)271-6839 Ext: 2                           | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location   |
|--------|---------------------|------------------|---------------|-----------------|
| 001    | 10000               | Closed           | Regulated UST | See Synopsis    |
| 001    | 10000               | Closed           | Regulated UST | Tank            |
| 003    | 10000               | 36               | Regulated UST | Tank            |
| 003    | 10000               | 18               | Regulated UST | Pipe            |
| 001    | 20000               | 28               | Regulated UST | tank fill riser |

Case: #2007000016  
Claim #: 80863

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$12,055.37 from the Petroleum Fund for cleanup costs.

|           |                |  |
|-----------|----------------|--|
|           | \$726,609.59   | Amount Requested to Date                       |
|           | (\$1,453.92)   | Amount Disallowed, Past Claims                 |
|           | (\$71,176.08)  | Deductible/Co-Payment Satisfied to Date        |
|           | (\$636,334.62) | Amount Paid to Date                            |
| SUB TOTAL | \$13,394.86    | Amount Requested this Meeting                  |
|           | (\$1,339.49)   | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$12,055.37    | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 12/11/2024 and 12/31/2024

**Summary of work completed:** Prepare 3rd quarter groundwater monitoring report, conduct 4th quarter groundwater monitoring event, prepare petroleum fund documentation, prepare Remediation System design

## Site Summary Report

**Case Number:** 2007000016      **Site Name:** Golden Gate Petroleum #43 - Sun Valley

### Site Status

**Synopsis:** INITIAL 2006 RELEASE WAS DISCOVERED DURING A PHASE II ESA . DURING A TIGHTNESS TEST, A LEAK WAS DISCOVERED IN THE VENT LINE AND SUBSEQUENTLY REPAIRED ON A 10,000 GALLON GASOLINE UST. A SECOND RELEASE WAS AWARDED COVERAGE UNDER CASE 2020000056. THIS RELEASE OCCURRED FROM PIPING BENEATH A DISPENSER ASSOCIATED TO A 12,000 GALLON REGULAR UNLEADED GASOLINE UST. GROUNDWATER APPEARS TO BE IMPACTED BY BOTH RELEASES, AND THE CONTAMINANT PLUMES ARE COMINGLED PER THE CEM. SINCE BOTH RELEASES WERE IDENTIFIED AS ELIGIBLE FOR COVERAGE AND NEITHER CASE H...

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$2,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$1,800,000.00 |
| <b>Amount Requested</b>         | \$726,609.59   |
| <b>Amount Disallowed</b>        | \$1,453.92     |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$1,339.49     |
| <b>Copay/Deductible</b>         | \$71,176.08    |
| <b>Amount Recommended</b>       | \$652,640.10   |
| <b>Amount Paid</b>              | \$640,584.73   |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 12/14/2006                                   | <b>DEP Facility Number:</b> | 4-000408      |
| <b>Site Name</b>                       | Golden Gate Petroleum #43 - Sun Valley       |                             |               |
| <b>Site Contact</b>                    | Graham Brown                                 | <b>Telephone:</b>           | (775)850-3010 |
| <b>Site Address</b>                    | 5190 Sun Valley Blvd<br>Sun Valley, NV 89433 |                             |               |
| <b>County:</b>                         | Washoe County                                |                             |               |
| <b>Owner/Operator Name:</b>            | Golden Gate Petroleum Of Nevada LLC          |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Nacho Aguilar                                | <b>Telephone:</b>           | (775)850-3010 |
|  | 16580 Wedge Parkway<br>Reno, NV 89511        |                             |               |
| <b>Prime Contractor</b>                | McGInley & Associates, Inc, DBA UES          |                             |               |
| <b>Contact Name</b>                    | Caitlin Jelle                                |                             |               |
| <b>Contractor Address</b>              | 6995 Sierra Center Parkway<br>Reno, NV 89511 |                             |               |
| <b>Telephone:</b>                      | (775)829-2245                                | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location                        |
|--------|---------------------|------------------|---------------|--------------------------------------|
| 024    | 10000               | Closed           | Regulated UST | See Synopsis                         |
| 030    | 12000               | 33               | Regulated UST | Connection to piping under UDC, Pipe |

Case: #2009000024  
Claim #: 80848

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$22,988.73 from the Petroleum Fund for cleanup costs.

|           |                  |  |
|-----------|------------------|--|
|           | \$1,519,724.46   | Amount Requested to Date                       |
|           | (\$16,678.22)    | Amount Disallowed, Past Claims                 |
|           | (\$147,695.68)   | Deductible/Co-Payment Satisfied to Date        |
|           | (\$1,329,261.26) | Amount Paid to Date                            |
| SUB TOTAL | \$26,089.30      | Amount Requested this Meeting                  |
|           | (\$546.27)       | Amount Disallowed this Meeting                 |
| SUB TOTAL | \$25,543.03      |  |
|           | (\$2,554.30)     | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$22,988.73      | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 08/05/2024 and 01/08/2025

**Summary of work completed:** This claim includes work performed from 08/01/24 through 12/31/24: Treatment system operation and maintenance, data review and vendor invoices (site visits on 08/05, 08/19, 09/10, 09/25, 10/07, 10/21, 11/12, 11/21, 12/04, & 12/18); Submittal of third quarter discharge report; completion of 3Q24 GWM event on 08/05/24, completion of 4Q24 GWM event on 12/04/24; Submittal of 3Q24 GWM Report dated 11/01/24; Preparation of 4Q24 GWM Report (partial); Preparation of Reimbursement Request Claim.

## Site Summary Report

**Case Number:** 2009000024    **Site Name:** Chuck's Circle C

### Site Status

**Synopsis:** GASOLINE IMPACTED GROUNDWATER DISCOVERED DURING PHASE 2 INVESTIGATION OF DIESEL RELEASE. LEAKING UNION DISCOVERED IN TURBINE SUMP. DIESEL RELEASE COVERED UNDER FUND CASE 2009000008. THIRD PARTY LIABILITY COVERAGE GRANTED AT MARCH 8, 2018 MEETING.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$2,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$1,800,000.00 |
| <b>Amount Requested</b>         | \$1,519,724.46 |
| <b>Amount Disallowed</b>        | \$17,224.49    |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$2,554.30     |
| <b>Copay/Deductible</b>         | \$147,695.68   |
| <b>Amount Recommended</b>       | \$1,352,249.99 |
| <b>Amount Paid</b>              | \$1,329,261.26 |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 04/01/2009   | <b>DEP Facility Number:</b> | 4-000744      |
| <b>Site Name</b>                       | Chuck's Circle C   |                             |               |
| <b>Site Contact</b>                    | Savinder Singh   | <b>Telephone:</b>           | (916)871-9038 |
| <b>Site Address</b>                    | 20255 Cold Springs Dr<br>Reno, NV 89508                      |                             |               |
| <b>County:</b>                         | Washoe County  |                             |               |
| <b>Owner/Operator Name:</b>            | Sjk Investments, LLC   |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Savinder Singh<br>20225 Cold Springs Drive<br>Reno, NV 89508 | <b>Telephone:</b>           | (916)871-9038 |
| <b>Prime Contractor</b>                | Stratus Engineering Associates LLC                           |                             |               |
| <b>Contact Name</b>                    | Trevor Hartwell  |                             |               |
| <b>Contractor Address</b>              | 3330 Cameron Park Drive, Suite 850<br>Cameron Park, CA 95682 |                             |               |
| <b>Telephone:</b>                      | (707)758-2455  | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

|               |                            |                         |                  |                      |
|---------------|----------------------------|-------------------------|------------------|----------------------|
| <b>Alt ID</b> | <b>Tank Cap. (Gallons)</b> | <b>Tank Age (Years)</b> | <b>Tank Type</b> | <b>Leak Location</b> |
| 001           | 5000                       | 42                      | Regulated UST    | See Synopsis         |

Case: #2011000009  
Claim #: 80864

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$10,809.54 from the Petroleum Fund for cleanup costs.

|           |                  |  |
|-----------|------------------|--|
|           | \$1,338,625.50   | Amount Requested to Date                       |
|           | (\$14,403.47)    | Amount Disallowed, Past Claims                 |
|           | (\$131,221.15)   | Deductible/Co-Payment Satisfied to Date        |
|           | (\$1,046,887.23) | Amount Paid to Date                            |
| SUB TOTAL | \$12,010.60      | Amount Requested this Meeting                  |
|           | (\$1,201.06)     | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$10,809.54      | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 10/15/2024 and 01/03/2025

**Summary of work completed:** Prepare 3rd quarter groundwater monitoring report, prepare petroleum fund documentation, conduct 4th quarter groundwater sampling, coordinate purge water disposal



## Site Summary Report

**Case Number:** 2011000009    **Site Name:** Cimarron West

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED 12/8/2010 FROM FAULTY SPILL BUCKETS, AND FAULTY PRODUCT PIPING WITHIN TURBINE SUMPS AND UNDER DISPENSERS OF ONE 10,000 GALLON UST CONTAINING DIESEL, ONE 10,000-GALLON UST CONTAINING GASOLINE, AND ONE 6,000-GALLON UST CONTAINING GASOLINE. PER SSBD 2012-01: CONTAMINATION FROM SPILL EVENTS MUST BE SEPARATED FROM OTHER CONTAMINATION TO MAINTAIN FULL COVERAGE.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$3,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$2,700,000.00 |
| <b>Amount Requested</b>         | \$1,338,625.50 |
| <b>Amount Disallowed</b>        | \$14,403.47    |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$1,201.06     |
| <b>Copay/Deductible</b>         | \$131,221.15   |
| <b>Amount Recommended</b>       | \$1,187,262.92 |
| <b>Amount Paid</b>              | \$1,176,453.38 |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 06/06/2011                                   | <b>DEP Facility Number:</b> | 6-000156      |
| <b>Site Name</b>                       | Cimarron West                                |                             |               |
| <b>Site Contact</b>                    | John Carpenter                               | <b>Telephone:</b>           | (775)738-9861 |
| <b>Site Address</b>                    | 1400 Mountain City Hwy<br>Elko, NV 89801     |                             |               |
| <b>County:</b>                         | Elko County                                  |                             |               |
| <b>Owner/Operator Name:</b>            | Cimarron West                                |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Linda Meo<br>P O Box 190<br>Elko, NV 89803   | <b>Telephone:</b>           | (775)738-9861 |
| <b>Prime Contractor</b>                | McGinley & Associates, Inc, DBA UES          |                             |               |
| <b>Contact Name</b>                    | Caitlin Jelle                                |                             |               |
| <b>Contractor Address</b>              | 6995 Sierra Center Parkway<br>Reno, NV 89511 |                             |               |
| <b>Telephone:</b>                      | (775)829-2245                                | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------|---------------------|------------------|---------------|---------------|
| 001    | 10000               | Closed           | Regulated UST | See Synopsis  |
| 002    | 10000               | 40               | Regulated UST | See Synopsis  |
| 003    | 6000                | 40               | Regulated UST | See Synopsis  |

Case: #2012000017  
Claim #: 80792

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$5,879.75 from the Petroleum Fund for cleanup costs.

|           |                |  |
|-----------|----------------|--|
|           | \$496,505.67   | Amount Requested to Date                       |
|           | (\$1,997.97)   | Amount Disallowed, Past Claims                 |
|           | (\$10,250.00)  | Deductible/Co-Payment Satisfied to Date        |
|           | (\$466,531.18) | Amount Paid to Date                            |
| SUB TOTAL | \$5,882.43     | Amount Requested this Meeting                  |
|           | (\$2.68)       | Amount Disallowed this Meeting                 |
| SUB TOTAL | \$5,879.75     |  |
|           | \$0.00         | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$5,879.75     | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 08/31/2024 and 01/03/2025

**Summary of work completed:** Prepare petroleum fund documentation, conduct 4th quarter groundwater sampling event

## Site Summary Report

**Case Number:** 2012000017      **Site Name:** Old High School

### Site Status

**Synopsis:** CORROSION HOLES AND FREE PRODUCT WERE DISCOVERED DURING TANK REMOVAL. 5% COPAY TO BE CAPPED AT \$10,000

**Contaminant:** Heating Oil

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$1,250,250.00 |
| <b>Amount Fund Will Pay</b>     | \$1,240,000.00 |
| <b>Amount Requested</b>         | \$496,505.67   |
| <b>Amount Disallowed</b>        | \$2,000.65     |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$0.00         |
| <b>Copay/Deductible</b>         | \$10,250.00    |
| <b>Amount Recommended</b>       | \$484,246.02   |
| <b>Amount Paid</b>              | \$478,366.27   |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 02/03/2012   | <b>DEP Facility Number:</b> | E-000030      |
| <b>Site Name</b>                       | Old High School  |                             |               |
| <b>Site Contact</b>                    | Ms. Christi Fielding   | <b>Telephone:</b>           | (775)428-7720 |
| <b>Site Address</b>                    | 690 Maine Street<br>Fallon, NV 89406                           |                             |               |
| <b>County:</b>                         | Churchill County   |                             |               |
| <b>Owner/Operator Name:</b>            | Churchill County School District                               |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Christi Fielding<br>690 South Maine Street<br>Fallon, NV 89406 | <b>Telephone:</b>           | (775)428-7720 |
| <b>Prime Contractor</b>                | McGinley & Associates, Inc, DBA UES                            |                             |               |
| <b>Contact Name</b>                    | Caitlin Jelle  |                             |               |
| <b>Contractor Address</b>              | 6995 Sierra Center Parkway<br>Reno, NV 89511                   |                             |               |
| <b>Telephone:</b>                      | (775)829-2245  | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------|---------------------|------------------|---------------|---------------|
| 003    | 10000               | 8                | Non-Regulated | See Synopsis  |
| 002    | 1000                | 8                | Non-Regulated | See Synopsis  |

Case: #2013000019  
Claim #: 80865

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$28,276.08 from the Petroleum Fund for cleanup costs.

|           |                  |  |
|-----------|------------------|--|
|           | \$1,601,678.32   | Amount Requested to Date                       |
|           | (\$47,369.79)    | Amount Disallowed, Past Claims                 |
|           | (\$152,226.23)   | Deductible/Co-Payment Satisfied to Date        |
|           | (\$1,039,128.99) | Amount Paid to Date                            |
| SUB TOTAL | \$32,046.20      | Amount Requested this Meeting                  |
|           | (\$628.33)       | Amount Disallowed this Meeting                 |
| SUB TOTAL | \$31,417.87      |  |
|           | (\$3,141.79)     | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$28,276.08      | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 10/07/2024 and 01/06/2025

**Summary of work completed:** Conduct remediation system operation and maintenance, conduct 4th quarter groundwater sampling, prepare 3rd quarter GMR, and prepare petroleum fund documentation.

## Site Summary Report

**Case Number:** 2013000019    **Site Name:** Elko Sinclair #53

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED DURING UST REMOVAL IN MARCH 2013. DISCHARGE EMANATED FROM PIPING FITTINGS ASSOCIATED TO SIX USTS.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$6,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$5,400,000.00 |
| <b>Amount Requested</b>         | \$1,601,678.32 |
| <b>Amount Disallowed</b>        | \$47,998.12    |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$3,141.79     |
| <b>Copay/Deductible</b>         | \$152,226.23   |
| <b>Amount Recommended</b>       | \$1,397,493.94 |
| <b>Amount Paid</b>              | \$1,369,217.86 |

### Site Identification

|  |   |                             |               |
|--|---|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 08/16/2013  | <b>DEP Facility Number:</b> | 6-000103      |
| <b>Site Name</b>                       | Elko Sinclair #53                                     |                             |               |
| <b>Site Contact</b>                    | Dennis Haggard  | <b>Telephone:</b>           | (801)298-3409 |
| <b>Site Address</b>                    | 1790 Idaho St<br>Elko, NV 89801                       |                             |               |
| <b>County:</b>                         | Elko County   |                             |               |
| <b>Owner/Operator Name:</b>            | Hardy Enterprises, Inc.                               |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Dennis Haggard<br>P.O. Box 248<br>Bountiful, UT 84011 | <b>Telephone:</b>           | (801)298-1180 |
| <b>Prime Contractor</b>                | McGInley & Associates, Inc.                           |                             |               |
| <b>Contact Name</b>                    | Justin Fike   |                             |               |
| <b>Contractor Address</b>              | 6995 Sierra Center Pkwy<br>Reno, NV 89511             |                             |               |
| <b>Telephone:</b>                      | (775)829-2245   | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------|---------------------|------------------|---------------|---------------|
| 001    | 12000               | Closed           | Regulated UST | See Synopsis  |
| 002    | 12000               | 45               | Regulated UST | See Synopsis  |
| 001    | 20000               | 40               | Regulated UST | See Synopsis  |
| 004    | 12000               | 45               | Regulated UST | See Synopsis  |
| 005    | 12000               | 45               | Regulated UST | See Synopsis  |
| 006    | 12000               | 45               | Regulated UST | See Synopsis  |

Case: #2014000025  
Claim #: 80868

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$9,895.25 from the Petroleum Fund for cleanup costs.

|           |                  |  |
|-----------|------------------|--|
|           | \$1,838,759.95   | Amount Requested to Date                       |
|           | (\$30,146.31)    | Amount Disallowed, Past Claims                 |
|           | (\$21,457.21)    | Board Reduction, Past Claims                   |
|           | (\$177,593.68)   | Deductible/Co-Payment Satisfied to Date        |
|           | (\$1,285,205.09) | Amount Paid to Date                            |
| SUB TOTAL | \$11,219.72      | Amount Requested this Meeting                  |
|           | (\$225.00)       | Amount Disallowed this Meeting                 |
| SUB TOTAL | \$10,994.72      |  |
|           | (\$1,099.47)     | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$9,895.25       | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 10/25/2024 and 10/31/2024

**Summary of work completed:** Conduct 4th quarter groundwater sampling event

## Site Summary Report

**Case Number:** 2014000025    **Site Name:** Silver City RV Resort

### Site Status

**Synopsis:** TANK #1 FAILED TIGHTNESS TEST. THE 40% REDUCTION REMOVED PURSUANT TO BOARD TO REVIEW CLAIMS MEETING DECISION ON JUNE 2, 2016. APPLICATION 2018000019 WAS RECEIVED ON JULY 19, 2018. THIS APPLICATION WAS FOR A DISCHARGE FROM THE PIPING OF 2 ADDITIONAL SYSTEMS (TANKS #2 AND #4). 2018000019 WAS MERGED INTO 2014000025 UPON APPROVAL.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$3,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$2,571,423.01 |
| <b>Amount Requested</b>         | \$1,838,759.95 |
| <b>Amount Disallowed</b>        | \$30,371.31    |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$21,457.21    |
| <b>Pending Copay/Deductible</b> | \$1,099.47     |
| <b>Copay/Deductible</b>         | \$177,593.68   |
| <b>Amount Recommended</b>       | \$1,607,103.83 |
| <b>Amount Paid</b>              | \$1,597,208.58 |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 02/24/2014   | <b>DEP Facility Number:</b> | 2-000075      |
| <b>Site Name</b>                       | Silver City RV Resort                                |                             |               |
| <b>Site Contact</b>                    | Marci Appleton                                       | <b>Telephone:</b>           | (775)267-3359 |
| <b>Site Address</b>                    | 3165 US Highway 395 N<br>Minden, NV 89423            |                             |               |
| <b>County:</b>                         | Douglas County                                       |                             |               |
| <b>Owner/Operator Name:</b>            | Superior Campgrounds Of America, LLC                 |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Tom Day Sr.<br>265 N. Joy Street<br>Corona, CA 92879 | <b>Telephone:</b>           | (909)241-7700 |
| <b>Prime Contractor</b>                | McGinley & Associates, Inc, DBA UES                  |                             |               |
| <b>Contact Name</b>                    | Caitlin Jelle  |                             |               |
| <b>Contractor Address</b>              | 6995 Sierra Center Parkway<br>Reno, NV 89511         |                             |               |
| <b>Telephone:</b>                      | (775)829-2245  | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------|---------------------|------------------|---------------|---------------|
| 001    | 8000                | Closed           | Regulated UST | See Synopsis  |
| 004    | 15000               | 25               | Regulated UST | Pipe          |
| 002    | 8000                | 41               | Regulated UST | Pipe          |

Case: #2016000009  
Claim #: 80835

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$32,074.54 from the Petroleum Fund for cleanup costs.

|           |                |  |
|-----------|----------------|--|
|           | \$403,498.09   | Amount Requested to Date                       |
|           | (\$3,946.84)   | Amount Disallowed, Past Claims                 |
|           | (\$36,389.13)  | Deductible/Co-Payment Satisfied to Date        |
|           | (\$301,492.81) | Amount Paid to Date                            |
| SUB TOTAL | \$35,659.63    | Amount Requested this Meeting                  |
|           | (\$21.25)      | Amount Disallowed this Meeting                 |
| SUB TOTAL | \$35,638.38    |  |
|           | (\$3,563.84)   | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$32,074.54    | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 12/07/2023 and 12/10/2024

**Summary of work completed:** Project management, scheduling and client invoicing, annual HASP preparation. Continue preparing for well abandonment including coordinating with the selected drilling contractor, preparing for traffic control, and negotiating a Clark County encroachment permit approval. Utility clearance, complete well abandonment fieldwork and site restoration, preparation of the final reimbursement claim packages.



## Site Summary Report

**Case Number:** 2016000009    **Site Name:** 7-Eleven #13685

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED 4/24/2015 AND 11/17/15. SOURCE IDENTIFIED AS DEGRADATION OF TANK WALLS WITH AGE IN THREE 10,000-GALLON UST SYSTEMS EACH CONTAINING GASOLINE.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$3,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$2,700,000.00 |
| <b>Amount Requested</b>         | \$403,498.09   |
| <b>Amount Disallowed</b>        | \$3,968.09     |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$3,563.84     |
| <b>Copay/Deductible</b>         | \$36,389.13    |
| <b>Amount Recommended</b>       | \$359,577.03   |
| <b>Amount Paid</b>              | \$327,502.49   |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 04/20/2016   | <b>DEP Facility Number:</b> | 8-000586      |
| <b>Site Name</b>                       | 7-Eleven #13685  |                             |               |
| <b>Site Contact</b>                    | Audrey Welty   | <b>Telephone:</b>           | (702)452-3835 |
| <b>Site Address</b>                    | 2577 N Pecos Rd<br>Las Vegas, NV 89115                     |                             |               |
| <b>County:</b>                         | Clark County   |                             |               |
| <b>Owner/Operator Name:</b>            | 7-Eleven, INC  |                             |               |
| <b>Contact Name of Owner/Operator:</b> | William Latt<br>500 Speedway Drive<br>Enon, OH 45323       | <b>Telephone:</b>           | (937)460-8488 |
| <b>Prime Contractor</b>                | Stantec Consulting Services Inc.                           |                             |               |
| <b>Contact Name</b>                    | Matthew Grandjean  |                             |               |
| <b>Contractor Address</b>              | 6111 South Buffalo Drive, Suite 200<br>Las Vegas, NV 89113 |                             |               |
| <b>Telephone:</b>                      | (702)525-5919  | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------|---------------------|------------------|---------------|---------------|
| 002    | 10000               | Closed           | Regulated UST | Tank          |
| 001    | 10000               | 38               | Regulated UST | Tank          |
| 003    | 10000               | 38               | Regulated UST | Tank          |

Case: #2016000023  
Claim #: 80869

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$23,016.21 from the Petroleum Fund for cleanup costs.

|           |                |  |
|-----------|----------------|--|
|           | \$1,058,369.82 | Amount Requested to Date                       |
|           | (\$59,400.43)  | Amount Disallowed, Past Claims                 |
|           | (\$193,386.91) | Board Reduction, Past Claims                   |
|           | (\$77,354.76)  | Deductible/Co-Payment Satisfied to Date        |
|           | (\$640,387.63) | Amount Paid to Date                            |
| SUB TOTAL | \$32,034.96    | Amount Requested this Meeting                  |
|           | (\$68.00)      | Amount Disallowed this Meeting                 |
|           | (\$6,393.39)   | Board Reduction, This Meeting                  |
| SUB TOTAL | \$25,573.57    |  |
|           | (\$2,557.36)   | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$23,016.21    | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 10/02/2024 and 01/14/2025

**Summary of work completed:** Operation and maintenance of LNAPL and SVE systems, conduct 2nd half groundwater sampling event, prepare remediation system startup report, and prepare petroleum fund documentation

## Site Summary Report

**Case Number:** 2016000023      **Site Name:** Pit Stop #1

### Site Status

**Synopsis:** DISCHARGE DISCOVERED SEPTEMBER 29, 2015. THE APPLICATION IDENTIFIED THE UNDERGROUND PIPING ASSOCIATED TO A 14,000 GALLON ABOVEGROUND STORAGE TANK (AST) SYSTEM (TANK 005), CONTAINING GASOLINE AS THE SOURCE OF THE RELEASE. SSBD 2016-07 WAS APPROVED AT THE DECEMBER 8, 2016 BOARD MEETING, GRANTING COVERAGE WITH A 20% REDUCTION DUE TO A COMINGLED PLUME.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$1,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$720,000.00   |
| <b>Amount Requested</b>         | \$1,058,369.82 |
| <b>Amount Disallowed</b>        | \$59,468.43    |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$199,780.30   |
| <b>Pending Copay/Deductible</b> | \$2,557.36     |
| <b>Copay/Deductible</b>         | \$77,354.76    |
| <b>Amount Recommended</b>       | \$719,208.97   |
| <b>Amount Paid</b>              | \$696,192.76   |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 09/19/2016   | <b>DEP Facility Number:</b> | 6-000317      |
| <b>Site Name</b>                       | Pit Stop #1  |                             |               |
| <b>Site Contact</b>                    | Pam Williams   | <b>Telephone:</b>           | (775)934-3818 |
| <b>Site Address</b>                    | 275 12th St<br>Elko, NV 89801                              |                             |               |
| <b>County:</b>                         | Elko County  |                             |               |
| <b>Owner/Operator Name:</b>            | AL Park Petroleum, Inc.                                    |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Pam Williams<br>379 Westby Drive<br>Spring Creek, NV 89815 | <b>Telephone:</b>           | (775)934-3818 |
| <b>Prime Contractor</b>                | McGinley & Associates, Inc, DBA UES                        |                             |               |
| <b>Contact Name</b>                    | Caitlin Jelle  |                             |               |
| <b>Contractor Address</b>              | 6995 Sierra Center Parkway<br>Reno, NV 89511               |                             |               |

|                   |               |                           |       |
|-------------------|---------------|---------------------------|-------|
| <b>Telephone:</b> | (775)829-2245 | <b>% Board Reduction:</b> | 20.00 |
|-------------------|---------------|---------------------------|-------|

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type   | Leak Location  |
|--------|---------------------|------------------|-------------|--|
| 005    | 14000               | 41               | Aboveground | Pipe, Underground product piping - Only piping was removed from service. Tank was re-plumbed into differen |

Case: #2016000027  
Claim #: 80836

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$13,680.49 from the Petroleum Fund for cleanup costs.

|           |                |  |
|-----------|----------------|--|
|           | \$599,277.17   | Amount Requested to Date                       |
|           | (\$1,778.49)   | Amount Disallowed, Past Claims                 |
|           | (\$85,295.90)  | Board Reduction, Past Claims                   |
|           | (\$49,531.32)  | Deductible/Co-Payment Satisfied to Date        |
|           | (\$255,853.77) | Amount Paid to Date                            |
| SUB TOTAL | \$16,889.50    | Amount Requested this Meeting                  |
|           | (\$1,688.95)   | Board Reduction, This Meeting                  |
| SUB TOTAL | \$15,200.55    |  |
|           | (\$1,520.06)   | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$13,680.49    | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 09/01/2024 and 01/01/2025

**Summary of work completed:** Third and Fourth Quarter 2024 reporting and submittal; Fourth Quarter 2024 sampling; sensitive receptor survey preparation; claim preparation and submittal; proof of payment preparation and submittal.

## Site Summary Report

**Case Number:** 2016000027      **Site Name:** Terrible Herbst #272

### Site Status

**Synopsis:** NDEP RECEIVED TWO SEPARATE COVERAGE APPLICATIONS. THE FIRST APPLICATION WAS RECEIVED IN MARCH 2013 FOR A SINGLE RELEASE DISCOVERED IN MAY 2012 AND THE SECOND COVERAGE APPLICATION WAS RECEIVED OCTOBER 2016 FOR THREE ADDITIONAL RELEASES DISCOVERED IN JANUARY 2016. THE RELEASE DISCOVERED IN MAY 2012 IS ASSOCIATED WITH MULTIPLE NON-COMPLIANCE ISSUES AND A 40% COVERAGE REDUCTION APPLIED. THE JANUARY 2016 RELEASE RECEIVED FULL COVERAGE FOR ALL THREE RELEASES. PER SSBD C2017-03 THE 40% COVERAGE REDUCTION FOR THE SINGLE RELEASE WILL BE WEIGHTED EQU...

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$4,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$3,240,000.00 |
| <b>Amount Requested</b>         | \$599,277.17   |
| <b>Amount Disallowed</b>        | \$1,778.49     |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$86,984.85    |
| <b>Pending Copay/Deductible</b> | \$1,520.06     |
| <b>Copay/Deductible</b>         | \$49,531.32    |
| <b>Amount Recommended</b>       | \$483,973.93   |
| <b>Amount Paid</b>              | \$470,293.44   |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 11/01/2016   | <b>DEP Facility Number:</b> | 8-001810      |
| <b>Site Name</b>                       | Terrible Herbst #272   |                             |               |
| <b>Site Contact</b>                    | Bob Laszcik  | <b>Telephone:</b>           | (702)327-0302 |
| <b>Site Address</b>                    | 2395 N Rancho Dr<br>Las Vegas, NV 89130                        |                             |               |
| <b>County:</b>                         | Clark County   |                             |               |
| <b>Owner/Operator Name:</b>            | Terrible Herbst, Inc.  |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Travis Bender<br>5195 S. Las Vegas Blvd<br>Las Vegas, NV 89119 | <b>Telephone:</b>           | (702)209-1772 |
| <b>Prime Contractor</b>                | The Westmark Group   |                             |               |
| <b>Contact Name</b>                    | Kathleen Johnson   |                             |               |
| <b>Contractor Address</b>              | 7145 South Buffalo Drive, Suite C105<br>Las Vegas, NV 89113    |                             |               |
| <b>Telephone:</b>                      | (702)305-2650  | <b>% Board Reduction:</b>   | 10.00         |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------|---------------------|------------------|---------------|---------------|
| 003    | 10000               | 28               | Regulated UST | Pipe          |
| 001    | 15000               | 28               | Regulated UST | Pipe          |
| 002    | 10000               | 28               | Regulated UST | Pipe          |
| 001    | 15000               | 28               | Regulated UST | See Synopsis  |

Case: #2017000015  
Claim #: 80847

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$11,913.98 from the Petroleum Fund for cleanup costs.

|           |                    |  |
|-----------|--------------------|--|
|           | \$901,131.68       | Amount Requested to Date                       |
|           | (\$10,951.82)      | Amount Disallowed, Past Claims                 |
|           | (\$63,738.62)      | Board Reduction, Past Claims                   |
|           | (\$81,320.35)      | Deductible/Co-Payment Satisfied to Date        |
|           | (\$627,579.50)     | Amount Paid to Date                            |
| SUB TOTAL | <u>\$13,237.76</u> | Amount Requested this Meeting                  |
|           | (\$1,323.78)       | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | <u>\$11,913.98</u> | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 09/30/2024 and 12/31/2024

**Summary of work completed:** Project management; quarterly monitoring, sampling, and report preparation; and preparation of Fund documents.

## Site Summary Report

**Case Number:** 2017000015      **Site Name:** Auto Center (green Valley Grocery #63)

### Site Status

**Synopsis:** DISCHARGE DISCOVERED MARCH 20, 2017. THE APPLICATION IDENTIFIES THE SHEAR VALVE AT MID-GRADE DISPENSER 5/6, ASSOCIATED TO A 10,000 GALLON UNDERGROUND STORAGE TANK (UST) SYSTEM CONTAINING GASOLINE AS THE SOURCE OF THE RELEASE. SSBD 2017-04 WAS APPROVED AT THE SEPTEMBER 14, 2017 BOARD MEETING AND PROVIDED COVERAGE WITH A 20% REDUCTION FOR NON-COMPLIANCE ISSUES.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$1,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$842,635.23   |
| <b>Amount Requested</b>         | \$901,131.68   |
| <b>Amount Disallowed</b>        | \$10,951.82    |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$63,738.62    |
| <b>Pending Copay/Deductible</b> | \$1,323.78     |
| <b>Copay/Deductible</b>         | \$81,320.35    |
| <b>Amount Recommended</b>       | \$743,706.14   |
| <b>Amount Paid</b>              | \$731,792.16   |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 05/03/2017                                       | <b>DEP Facility Number:</b> | 8-001471      |
| <b>Site Name</b>                       | Auto Center (green Valley Grocery #63)           |                             |               |
| <b>Site Contact</b>                    | Amit Sahgal                                      | <b>Telephone:</b>           | (702)258-0488 |
| <b>Site Address</b>                    | 4030 W Charleston Blvd<br>Las Vegas, NV 89102    |                             |               |
| <b>County:</b>                         | Clark County                                     |                             |               |
| <b>Owner/Operator Name:</b>            | Ellen 5, LLC                                     |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Tedd Rosenstein                                  | <b>Telephone:</b>           | (702)362-4144 |
|  | 2500 W Sahara Ave Ste 211<br>Las Vegas, NV 89102 |                             |               |
| <b>Prime Contractor</b>                | Broadbent And Associates, Inc.                   |                             |               |
| <b>Contact Name</b>                    | Jonathan Bell                                    |                             |               |
| <b>Contractor Address</b>              | 113 Falls Court Suite 700<br>Boerne, TX 78006    |                             |               |
| <b>Telephone:</b>                      | (702)563-0600                                    | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location  |
|--------|---------------------|------------------|---------------|--|
| 003    | 10000               | Closed           | Regulated UST | Product shear valve and vapor recovery shear valve at mid-grade dispenser 5/6. |

Case: #2017000035  
Claim #: 80852

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$83,877.30 from the Petroleum Fund for cleanup costs.

|           |                |  |
|-----------|----------------|--|
|           | \$1,273,818.18 | Amount Requested to Date                       |
|           | (\$75,546.84)  | Amount Disallowed, Past Claims                 |
|           | (\$110,507.43) | Deductible/Co-Payment Satisfied to Date        |
|           | (\$666,905.67) | Amount Paid to Date                            |
| SUB TOTAL | \$93,197.00    | Amount Requested this Meeting                  |
|           | (\$9,319.70)   | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$83,877.30    | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 10/28/2024 and 12/30/2024

**Summary of work completed:** Project management, 3rd Quarter 2024 Groundwater/Remediation Status Report preparation, 3rd Quarter 2024 Remediation System Report preparation, 3rd and 4th Quarters 2024 Petroleum Fund Reimbursement Claim preparation, Remediation System Decommission and Site Restoration, removal of well boxes, provide trench plates, removal and recycle of 4,000 pounds of vapor carbon, removal of electrical panel and meter, preparation of cost proposal, coordination of well closure, and on-site well abandonment services.



## Site Summary Report

**Case Number:** 2017000035    **Site Name:** Rebel Store #2177

### Site Status

**Synopsis:** DISCHARGE DISCOVERED ON JUNE 12, 2017 FOLLOWING A PHASE II ENVIRONMENTAL SITE ASSESSMENT. THE APPLICATION IDENTIFIED THE SHEAR VALVE A PIPING BENEATH DISPENSER 3/4 SEEPING INTO A LEAKING UNDER DISPENSER CONTAINMENT ASSOCIATED TO A 12,000 GALLON UNDERGROUND STORAGE TANK (UST) SYSTEM CONTAINING GASOLINE AS THE SOURCE OF THE CONTAMINATION. ADDITIONAL CLEANUP FUNDING APPROVED UNDER NRS 445C.380.4 AND POLICY RESOLUTION 2023-01.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$2,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$1,800,000.00 |
| <b>Amount Requested</b>         | \$1,273,818.18 |
| <b>Amount Disallowed</b>        | \$75,546.84    |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$9,319.70     |
| <b>Copay/Deductible</b>         | \$110,507.43   |
| <b>Amount Recommended</b>       | \$1,078,444.21 |
| <b>Amount Paid</b>              | \$994,566.91   |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 01/24/2018   | <b>DEP Facility Number:</b> | 8-001928      |
| <b>Site Name</b>                       | Rebel Store #2177  |                             |               |
| <b>Site Contact</b>                    |  | <b>Telephone:</b>           |               |
| <b>Site Address</b>                    | 6400 W Lake Mead Blvd<br>Las Vegas, NV 89108                               |                             |               |
| <b>County:</b>                         | Clark County   |                             |               |
| <b>Owner/Operator Name:</b>            | Rebel Oil Company  |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Dana Cason Teepe<br>10650 West Charleston Boulevard<br>Las Vegas, NV 89135 | <b>Telephone:</b>           | (702)382-5866 |
| <b>Prime Contractor</b>                | Stewart Environmental, Inc.  |                             |               |
| <b>Contact Name</b>                    | Keith Stewart  |                             |               |
| <b>Contractor Address</b>              | 10300 West Charleston Boulevard, Suite 13-B32<br>Las Vegas, NV 89135       |                             |               |
| <b>Telephone:</b>                      | (702)254-6731  | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location  |
|--------|---------------------|------------------|---------------|--|
| 1      | 12000               | 26               | Regulated UST | The shear valve and piping beneath dispenser 3/4 were documented as seeping into the Under-Dispenser |

Case: #2018000005  
Claim #: 80844

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$18,733.41 from the Petroleum Fund for cleanup costs.

|           |                |  |
|-----------|----------------|--|
|           | \$339,212.67   | Amount Requested to Date                       |
|           | (\$2,161.99)   | Amount Disallowed, Past Claims                 |
|           | (\$31,623.60)  | Deductible/Co-Payment Satisfied to Date        |
|           | (\$112,254.95) | Amount Paid to Date                            |
| SUB TOTAL | \$20,814.90    | Amount Requested this Meeting                  |
|           | (\$2,081.49)   | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$18,733.41    | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 11/26/2024 and 12/30/2024

**Summary of work completed:** Project management, groundwater monitoring well sampling and/or free product removal for 4th Quarter 2024, preparation of 4th Quarter 2024 Groundwater Monitoring/Remediation Report, preparation of petroleum fund reimbursement claim for 4th Quarter 2024, traffic control services, utility clearance coordination, cost proposal preparation, groundwater monitoring or remediation well construction, drilling services, disposal of well cuttings, and laboratory analysis.

## Site Summary Report

**Case Number:** 2018000005      **Site Name:** Rebel Store # 2153

### Site Status

**Synopsis:** DISCHARGE DISCOVERED ON OCTOBER 7, 2015 AS A RESULT OF A PHASE II ENVIRONMENTAL SITE ASSESSMENT. THE APPLICATION IDENTIFIES THE SPILL BUCKET ASSOCIATED TO A 6,000 GALLON UNDERGROUND STORAGE TANK (UST) SYSTEM CONTAINING DIESEL (TANK 005), AND THE SPILL BUCKET ASSOCIATED TO A 12,000 GALLON UST CONTAINING GASOLINE AS THE SOURCES OF THE RELEASE.

**Contaminant:** Diesel, Gasoline (containing > 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$2,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$1,800,000.00 |
| <b>Amount Requested</b>         | \$339,212.67   |
| <b>Amount Disallowed</b>        | \$2,161.99     |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$2,081.49     |
| <b>Copay/Deductible</b>         | \$31,623.60    |
| <b>Amount Recommended</b>       | \$303,345.59   |
| <b>Amount Paid</b>              | \$284,612.18   |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 07/13/2018   | <b>DEP Facility Number:</b> | 8-001429      |
| <b>Site Name</b>                       | Rebel Store # 2153   |                             |               |
| <b>Site Contact</b>                    | Pending  | <b>Telephone:</b>           | (702)555-5555 |
| <b>Site Address</b>                    | 4595 E Tropicana Ave<br>Las Vegas, NV 89121                                |                             |               |
| <b>County:</b>                         | Clark County   |                             |               |
| <b>Owner/Operator Name:</b>            | Rebel Oil Company  |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Dana Cason Teepe<br>10650 West Charleston Boulevard<br>Las Vegas, NV 89135 | <b>Telephone:</b>           | (702)382-5866 |
| <b>Prime Contractor</b>                | Stewart Environmental, Inc.  |                             |               |
| <b>Contact Name</b>                    | Keith Stewart  |                             |               |
| <b>Contractor Address</b>              | 10300 West Charleston Boulevard, Suite 13-B32<br>Las Vegas, NV 89135       |                             |               |
| <b>Telephone:</b>                      | (702)254-6731  | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------|---------------------|------------------|---------------|---------------|
| 005    | 6000                | 33               | Regulated UST | Spill Bucket  |
| 002    | 12000               | 33               | Regulated UST | Spill Bucket  |

Case: #2018000009  
Claim #: 80870

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$32,447.92 from the Petroleum Fund for cleanup costs.

|           |                |  |
|-----------|----------------|--|
|           | \$846,324.75   | Amount Requested to Date                       |
|           | (\$4,782.16)   | Amount Disallowed, Past Claims                 |
|           | (\$80,529.30)  | Deductible/Co-Payment Satisfied to Date        |
|           | (\$704,009.70) | Amount Paid to Date                            |
| SUB TOTAL | \$36,249.63    | Amount Requested this Meeting                  |
|           | (\$196.39)     | Amount Disallowed this Meeting                 |
| SUB TOTAL | \$36,053.24    |  |
|           | (\$3,605.32)   | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$32,447.92    | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 10/24/2024 and 12/31/2024

**Summary of work completed:** Prepare 3rd quarter groundwater monitoring report, prepare petroleum fund documentation, conduct remediation system operation and maintenance, and conduct 4th quarter groundwater sampling event.

## Site Summary Report

**Case Number:** 2018000009      **Site Name:** Pacific Pride

### Site Status

**Synopsis:** DISCHARGE WAS DISCOVERED MARCH 2, 2018 AS A RESULT OF A PHASE II ENVIRONMENTAL SITE ASSESSMENT. THE APPLICATION IDENTIFIES THE SHEAR VALVE ASSOCIATED WITH DIESEL DISPENSER #3 AND CONNECTED TO A 15,000 GALLON ABOVEGROUND STORAGE TANK (AST) SYSTEM CONTAINING DIESEL; AND THE SHEAR VALVE ASSOCIATED TO THE REGULAR GASOLINE DISPENSER #3 AND CONNECTED TO A 15,000 GALLON AST SYSTEM CONTAINING GASOLINE AS THE SOURCES OF THE RELEASE.

**Contaminant:** Diesel, Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$2,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$1,800,000.00 |
| <b>Amount Requested</b>         | \$846,324.75   |
| <b>Amount Disallowed</b>        | \$4,978.55     |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$3,605.32     |
| <b>Copay/Deductible</b>         | \$80,529.30    |
| <b>Amount Recommended</b>       | \$757,106.05   |
| <b>Amount Paid</b>              | \$724,658.13   |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 05/25/2018                                     | <b>DEP Facility Number:</b> | 5-000378      |
| <b>Site Name</b>                       | Pacific Pride                                  |                             |               |
| <b>Site Contact</b>                    | Bryan Reed                                     | <b>Telephone:</b>           | (775)296-0155 |
| <b>Site Address</b>                    | 3600 W Winnemucca Blvd<br>Winnemucca, NV 89445 |                             |               |
| <b>County:</b>                         | Humboldt County                                |                             |               |
| <b>Owner/Operator Name:</b>            | Reed Incorporated                              |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Bryan Reed<br>P.O. Box 151322<br>Ely, NV 89301 | <b>Telephone:</b>           | (775)289-4463 |
| <b>Prime Contractor</b>                | McGinley & Associates, Inc, DBA UES            |                             |               |
| <b>Contact Name</b>                    | Caitlin Jelle                                  |                             |               |
| <b>Contractor Address</b>              | 6995 Sierra Center Parkway<br>Reno, NV 89511   |                             |               |
| <b>Telephone:</b>                      | (775)829-2245                                  | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type   | Leak Location   |
|--------|---------------------|------------------|-------------|---|
| 003    | 15000               | 55               | Aboveground | The shear valve associated with diesel dispenser #3               |
| 001    | 15000               | 55               | Aboveground | The shear valve associated with the regular gasoline dispenser #5 |

Case: #2019000044  
Claim #: 80833

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$21,724.47 from the Petroleum Fund for cleanup costs.

|           |                |  |
|-----------|----------------|--|
|           | \$324,245.38   | Amount Requested to Date                       |
|           | (\$57.68)      | Amount Disallowed, Past Claims                 |
|           | (\$30,004.95)  | Deductible/Co-Payment Satisfied to Date        |
|           | (\$243,615.13) | Amount Paid to Date                            |
| SUB TOTAL | \$24,138.30    | Amount Requested this Meeting                  |
|           | (\$2,413.83)   | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$21,724.47    | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 02/29/2024 and 10/11/2024

**Summary of work completed:** Cost Proposal #15829.24: Project management, client invoicing and field scheduling. Quarterly groundwater monitoring, sampling and reporting, coordinating waste disposal. Annual cost proposal and HASP preparation. Preparing reimbursement packages.

## Site Summary Report

**Case Number:** 2019000044    **Site Name:** 7-Eleven #15829

### Site Status

**Synopsis:** AUGUST 2018, PREMIUM TANK (TANK 1) FAILED TIGHTNESS TESTING, SOIL BORINGS CONFIRMED DISCHARGE. JULY 2020, FREE PRODUCT FOUND IN MONITORING WELL. AUGUST 2020 TANK 2 AND TANK 3 FAILED TIGHTNESS TESTING. DISCHARGE EMANATED FROM 3, 10,000-GALLON, REGULATED UNDERGROUND STORAGE TANK SYSTEMS, CONTAINING GASOLINE AT THE TIME OF RELEASE DISCOVERY. ALL 3 TANK SYSTEMS REMOVED FROM GROUND IN FEBRUARY 2021.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$3,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$2,700,000.00 |
| <b>Amount Requested</b>         | \$324,245.38   |
| <b>Amount Disallowed</b>        | \$57.68        |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$2,413.83     |
| <b>Copay/Deductible</b>         | \$30,004.95    |
| <b>Amount Recommended</b>       | \$291,768.92   |
| <b>Amount Paid</b>              | \$270,044.45   |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 09/02/2021   | <b>DEP Facility Number:</b> | 8-000618      |
| <b>Site Name</b>                       | 7-Eleven #15829  |                             |               |
| <b>Site Contact</b>                    | Satinderpa S. Padda  | <b>Telephone:</b>           | (702)452-1749 |
| <b>Site Address</b>                    | 10 N Nellis Blvd<br>Las Vegas, NV 89110                    |                             |               |
| <b>County:</b>                         | Clark County   |                             |               |
| <b>Owner/Operator Name:</b>            | 7-Eleven, INC  |                             |               |
| <b>Contact Name of Owner/Operator:</b> | William Latt<br>500 Speedway Drive<br>Enon, OH 45323       | <b>Telephone:</b>           | (937)460-8488 |
| <b>Prime Contractor</b>                | Stantec Consulting Services Inc.                           |                             |               |
| <b>Contact Name</b>                    | Matthew Grandjean  |                             |               |
| <b>Contractor Address</b>              | 6111 South Buffalo Drive, Suite 200<br>Las Vegas, NV 89113 |                             |               |
| <b>Telephone:</b>                      | (702)525-5919  | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------|---------------------|------------------|---------------|---------------|
| 001    | 9728                | Closed           | Regulated UST | Tank          |
| 003    | 9728                | 39               | Regulated UST | Tank          |
| 002    | 9728                | 39               | Regulated UST | Tank          |

Case: #2020000015  
Claim #: 80849

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$15,360.42 from the Petroleum Fund for cleanup costs.

|           |                |  |
|-----------|----------------|--|
|           | \$626,186.71   | Amount Requested to Date                       |
|           | (\$1,749.00)   | Amount Disallowed, Past Claims                 |
|           | (\$237,988.22) | Board Reduction, Past Claims                   |
|           | (\$35,698.22)  | Deductible/Co-Payment Satisfied to Date        |
|           | (\$321,284.11) | Amount Paid to Date                            |
| SUB TOTAL | \$29,467.16    | Amount Requested this Meeting                  |
|           | (\$1,021.95)   | Amount Disallowed this Meeting                 |
|           | (\$11,378.08)  | Board Reduction, This Meeting                  |
| SUB TOTAL | \$17,067.13    |  |
|           | (\$1,706.71)   | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$15,360.42    | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 10/18/2024 and 12/31/2024

**Summary of work completed:** Project management; weekly LNAPL recovery; quarterly monitoring, sampling, and reporting; negotiations of access agreements with offsite property owners; coordination with drilling contractor; preparation for pilot testing; and preparation of Fund documents.



## Site Summary Report

**Case Number:** 2020000015    **Site Name:** Gas 2 Go

### Site Status

**Synopsis:** GASOLINE RELEASE FROM 10,000 GALLON PREMIUM TANK (TANK #3) DISCOVERED FOLLOWING TANK REMOVAL ON JANUARY 23, 2020 (INSTALLED 1991). COVERAGE GRANTED AT SEPTEMBER 2020 MEETING WITH 40% REDUCTION DUE TO NON-COMPLIANCE.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$1,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$540,000.00   |
| <b>Amount Requested</b>         | \$626,186.71   |
| <b>Amount Disallowed</b>        | \$2,770.95     |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$249,366.30   |
| <b>Pending Copay/Deductible</b> | \$1,706.71     |
| <b>Copay/Deductible</b>         | \$35,698.22    |
| <b>Amount Recommended</b>       | \$336,644.53   |
| <b>Amount Paid</b>              | \$321,284.11   |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 06/05/2020   | <b>DEP Facility Number:</b> | 8-001529      |
| <b>Site Name</b>                       | Gas 2 Go   |                             |               |
| <b>Site Contact</b>                    | Matthew Becker   | <b>Telephone:</b>           | (702)878-1903 |
| <b>Site Address</b>                    | 6390 W Lake Mead Blvd<br>Las Vegas, NV 89108               |                             |               |
| <b>County:</b>                         | Clark County   |                             |               |
| <b>Owner/Operator Name:</b>            | Canyon Plaza, LLC  |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Matt Becker  | <b>Telephone:</b>           | (702)878-1903 |
|  | 50 South Jones Boulevard, Suite 100<br>Las Vegas, NV 89107 |                             |               |
| <b>Prime Contractor</b>                | Broadbent & Associates, Inc.                               |                             |               |
| <b>Contact Name</b>                    | Stephanie Holst  |                             |               |
| <b>Contractor Address</b>              | 8 W. Pacific Avenue<br>Henderson, NV 89015                 |                             |               |
| <b>Telephone:</b>                      | (702)563-0600  | <b>% Board Reduction:</b>   | 40.00         |

### Site Characteristics

|               |                            |                         |                  |                      |
|---------------|----------------------------|-------------------------|------------------|----------------------|
| <b>Alt ID</b> | <b>Tank Cap. (Gallons)</b> | <b>Tank Age (Years)</b> | <b>Tank Type</b> | <b>Leak Location</b> |
| 003           | 10000                      | Closed                  | Regulated UST    | Tank                 |

Case: #2021000014  
Claim #: 80854

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$14,646.25 from the Petroleum Fund for cleanup costs.

|           |                |  |
|-----------|----------------|--|
|           | \$284,809.95   | Amount Requested to Date                       |
|           | (\$6,900.23)   | Amount Disallowed, Past Claims                 |
|           | (\$26,163.23)  | Deductible/Co-Payment Satisfied to Date        |
|           | (\$235,469.11) | Amount Paid to Date                            |
| SUB TOTAL | \$16,277.38    | Amount Requested this Meeting                  |
|           | (\$3.77)       | Amount Disallowed this Meeting                 |
| SUB TOTAL | \$16,273.61    |  |
|           | (\$1,627.36)   | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$14,646.25    | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 10/18/2024 and 12/31/2024

**Summary of work completed:** Project management; repairs to LNAPL recovery system; LNAPL retrieval when system was inoperable; quarterly groundwater monitoring and sampling; and preparation of Fund documents.

## Site Summary Report

**Case Number:** 2021000014    **Site Name:** Pilot Travel Centers LLC #341

### Site Status

**Synopsis:** DISCHARGE EMANATED FROM A LEAKING BALL VALVE WITHIN A TRANSITION SUMP ON THE TRUCKING SIDE OF THE PROPERTY (DIESEL ISLAND CONTAINING 21). THE BALL VALVE IS LOCATED ON A SINGLE, SHARED PIPELINE ASSOCIATED TO MULTIPLE TANKS. PER POLICY RESOLUTION 2014-01, WHEN A DISCHARGE EMANATES FROM A SYSTEM WITH THIS CONFIGURATION, FUND STAFF IS DIRECTED TO APPROVE COVERAGE FOR ONE DISCHARGE.

**Contaminant:** Diesel

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$1,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$900,000.00   |
| <b>Amount Requested</b>         | \$284,809.95   |
| <b>Amount Disallowed</b>        | \$6,904.00     |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$1,627.36     |
| <b>Copay/Deductible</b>         | \$26,163.23    |
| <b>Amount Recommended</b>       | \$250,115.36   |
| <b>Amount Paid</b>              | \$235,469.11   |

### Site Identification

|  |  |                             |                      |
|--|--|-----------------------------|----------------------|
| <b>Date Submitted:</b>                 | 02/24/2022   | <b>DEP Facility Number:</b> | 8-001634             |
| <b>Site Name</b>                       | Pilot Travel Centers LLC #341                                  |                             |                      |
| <b>Site Contact</b>                    | Chip Hughes  | <b>Telephone:</b>           | (865)474-2438        |
| <b>Site Address</b>                    | 3812 E Craig Rd<br>North Las Vegas, NV 89030                   |                             |                      |
| <b>County:</b>                         | Clark County   |                             |                      |
| <b>Owner/Operator Name:</b>            | Pilot Travel Centers LLC                                       |                             |                      |
| <b>Contact Name of Owner/Operator:</b> | Joey Cupp<br>5508 Lonas Road<br>Knoxville, TN 37909            | <b>Telephone:</b>           | (865)588-7488 Ext: 2 |
| <b>Prime Contractor</b>                | Broadbent & Associates, Inc.                                   |                             |                      |
| <b>Contact Name</b>                    | Kyle Virva   |                             |                      |
| <b>Contractor Address</b>              | 7501 Village Square Drive, Suite 106<br>Castle Pines, CO 80108 |                             |                      |
| <b>Telephone:</b>                      | (561)309-1682  | <b>% Board Reduction:</b>   | 0.00                 |

### Site Characteristics

| <b>Alt ID</b> | <b>Tank Cap. (Gallons)</b> | <b>Tank Age (Years)</b> | <b>Tank Type</b> | <b>Leak Location</b> |
|---------------|----------------------------|-------------------------|------------------|----------------------|
| 003           | 20000                      | 30                      | Regulated UST    | Ball valve leaked    |
| 001           | 20000                      | 30                      | Regulated UST    | Ball valve leaked    |
| 002           | 20000                      | 30                      | Regulated UST    | Ball valve leaked    |

Case: #2021000026  
Claim #: 80829

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$15,188.94 from the Petroleum Fund for cleanup costs.

|           |               |  |
|-----------|---------------|--|
|           | \$121,194.86  | Amount Requested to Date                       |
|           | (\$2,244.24)  | Amount Disallowed, Past Claims                 |
|           | (\$10,207.41) | Deductible/Co-Payment Satisfied to Date        |
|           | (\$91,866.61) | Amount Paid to Date                            |
| SUB TOTAL | \$16,876.60   | Amount Requested this Meeting                  |
|           | (\$1,687.66)  | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$15,188.94   | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 02/13/2024 and 10/11/2024

**Summary of work completed:** Project management, scheduling and client invoicing, annual HASP and cost proposal preparation, quarterly monitoring, sampling and reporting, waste disposal. Working with a traffic control subcontractor and Clark county for permit approval to sample wells within the right-of-way. Prepare reimbursement packages.

## Site Summary Report

**Case Number:** 2021000026    **Site Name:** 7-Eleven #25578

### Site Status

**Synopsis:** DISCHARGE WAS DISCOVERED ON OCTOBER 29, 2020 DURING TANK REMOVAL ACTIVITIES. TANK FAILURE OF TWO 10,000 GALLON UNDERGROUND STORAGE TANKS CONTAINING GASOLINE WAS THE SOURCE OF THE RELEASE. A THIRD TANK REMOVED FROM THE SITE WAS NOT COVERED UNDER THE FUND BECAUSE THERE WAS NOT ENOUGH EVIDENCE TO SUPPORT THE TANK HAD FAILED.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$2,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$1,800,000.00 |
| <b>Amount Requested</b>         | \$121,194.86   |
| <b>Amount Disallowed</b>        | \$2,244.24     |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$1,687.66     |
| <b>Copay/Deductible</b>         | \$10,207.41    |
| <b>Amount Recommended</b>       | \$107,055.55   |
| <b>Amount Paid</b>              | \$91,866.61    |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 09/02/2021   | <b>DEP Facility Number:</b> | 8-000590      |
| <b>Site Name</b>                       | 7-Eleven #25578  |                             |               |
| <b>Site Contact</b>                    | Amrik Singh  | <b>Telephone:</b>           | (702)641-6908 |
| <b>Site Address</b>                    | 4151 Boulder Hwy<br>Las Vegas, NV 89121                    |                             |               |
| <b>County:</b>                         | Clark County   |                             |               |
| <b>Owner/Operator Name:</b>            | 7-Eleven, INC  |                             |               |
| <b>Contact Name of Owner/Operator:</b> | William Latt<br>500 Speedway Drive<br>Enon, OH 45323       | <b>Telephone:</b>           | (937)460-8488 |
| <b>Prime Contractor</b>                | Stantec Consulting Services Inc.                           |                             |               |
| <b>Contact Name</b>                    | Matthew Grandjean  |                             |               |
| <b>Contractor Address</b>              | 6111 South Buffalo Drive, Suite 200<br>Las Vegas, NV 89113 |                             |               |
| <b>Telephone:</b>                      | (702)525-5919  | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------|---------------------|------------------|---------------|---------------|
| 003    | 9728                | Closed           | Regulated UST | Tank          |
| 001    | 9728                | 39               | Regulated UST | Tank          |
| 002    | 9728                | 39               | Regulated UST | Tank          |

Case: #2022000015  
Claim #: 80851

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$19,410.64 from the Petroleum Fund for cleanup costs.

|           |                |  |
|-----------|----------------|--|
|           | \$590,293.28   | Amount Requested to Date                       |
|           | (\$2,690.32)   | Amount Disallowed, Past Claims                 |
|           | (\$112,128.74) | Board Reduction, Past Claims                   |
|           | (\$44,851.48)  | Deductible/Co-Payment Satisfied to Date        |
|           | (\$348,085.49) | Amount Paid to Date                            |
| SUB TOTAL | \$26,959.22    | Amount Requested this Meeting                  |
|           | (\$5,391.84)   | Board Reduction, This Meeting                  |
| SUB TOTAL | \$21,567.38    |  |
|           | (\$2,156.74)   | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$19,410.64    | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 10/28/2024 and 01/02/2025

**Summary of work completed:** Project management, Remediation System Operation and Maintenance (Oct 2024 thru Dec 2024), CEM-Conducted Monthly Remediation System Maintenance (Oct 2024 thru Dec 2024), Groundwater Monitoring/Remediation Status Report Preparation (3rd Quarter 2024 and 4th Quarter 2024), Preparation of Petroleum Fund Reimbursement Claim (3rd Quarter 2024 and 4th Quarter 2024), Groundwater Monitoring Well Sampling and/or Free Product Removal for 4th Quarter 2024, annual permit fee, and laboratory analysis.

## Site Summary Report

**Case Number:** 2022000015    **Site Name:** Rebel Store #2197

### Site Status

**Synopsis:** FAILURE OF A 12,000 GALLON GASOLINE TANK (TANK 002). CRACKS IDENTIFIED AT TIME OF REMOVAL. THIS IS THE SECOND TANK TO FAIL AT THIS SITE. ANOTHER GASOLINE UST FAILED IN JULY 2016. SEE CASE ID 2017000019.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$1,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$720,000.00   |
| <b>Amount Requested</b>         | \$590,293.28   |
| <b>Amount Disallowed</b>        | \$2,690.32     |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$117,520.58   |
| <b>Pending Copay/Deductible</b> | \$2,156.74     |
| <b>Copay/Deductible</b>         | \$44,851.48    |
| <b>Amount Recommended</b>       | \$423,074.16   |
| <b>Amount Paid</b>              | \$403,663.52   |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 10/03/2022   | <b>DEP Facility Number:</b> | 8-001781      |
| <b>Site Name</b>                       | Rebel Store #2197  |                             |               |
| <b>Site Contact</b>                    | Chittal Shah   | <b>Telephone:</b>           | (702)458-6677 |
| <b>Site Address</b>                    | 4665 E Sunset Rd<br>Henderson, NV 89014                                    |                             |               |
| <b>County:</b>                         | Clark County   |                             |               |
| <b>Owner/Operator Name:</b>            | Rebel Oil Company  |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Dana Cason Teepe<br>10650 West Charleston Boulevard<br>Las Vegas, NV 89135 | <b>Telephone:</b>           | (702)382-5866 |
| <b>Prime Contractor</b>                | Stewart Environmental, Inc.  |                             |               |
| <b>Contact Name</b>                    | Keith Stewart  |                             |               |
| <b>Contractor Address</b>              | 10300 West Charleston Boulevard, Suite 13-B32<br>Las Vegas, NV 89135       |                             |               |
| <b>Telephone:</b>                      | (702)254-6731  | <b>% Board Reduction:</b>   | 20.00         |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------|---------------------|------------------|---------------|---------------|
| 001    | 12000               | Closed           | Regulated UST | Tank          |
| 002    | 12000               | 29               | Regulated UST | Tank          |

Case: #2022000018  
Claim #: 80855

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$35,829.05 from the Petroleum Fund for cleanup costs.

|           |               |  |
|-----------|---------------|--|
|           | \$139,507.92  | Amount Requested to Date                       |
|           | (\$90.00)     | Amount Disallowed, Past Claims                 |
|           | (\$17,181.60) | Board Reduction, Past Claims                   |
|           | (\$6,872.64)  | Deductible/Co-Payment Satisfied to Date        |
|           | (\$61,853.74) | Amount Paid to Date                            |
| SUB TOTAL | \$53,509.94   | Amount Requested this Meeting                  |
|           | (\$3,747.38)  | Amount Disallowed this Meeting                 |
|           | (\$9,952.51)  | Board Reduction, This Meeting                  |
| SUB TOTAL | \$39,810.05   |  |
|           | (\$3,981.00)  | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$35,829.05   | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 09/30/2024 and 12/31/2024

**Summary of work completed:** Project management; quarterly groundwater monitoring; installation of pilot test wells; performance of a pilot test; and preparation of Fund documents.



## Site Summary Report

**Case Number:** 2022000018      **Site Name:** Pilot Travel Centers LLC #341

### Site Status

**Synopsis:** GASOLINE DISCHARGE DISCOVERED DECEMBER 15, 2021, DURING RELEASE INVESTIGATION FOLLOWING REPLACEMENT OF A BALL VALVE ON JULY 8, 2021. CONTAMINATION EMANATED FROM PENETRATIONS IN THE ISOLATION SUMP CONTAINING THE FAILED BALL VALVE, FOR DISPENSERS 1-4 ON THE AUTO SIDE OF THE PROPERTY. FACILITY HAD MULTIPLE INELIGIBLE RELEASES ON THIS SIDE OF THE FACILITY. SITE SPECIFIC BOARD DETERMINATION C2022-01 WAS APPROVED DECEMBER 8, 2022, GRANTING COVERAGE WITH A 20% REDUCTION FOR COMINGLED CONTAMINATION.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$1,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$720,000.00   |
| <b>Amount Requested</b>         | \$139,507.92   |
| <b>Amount Disallowed</b>        | \$3,837.38     |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$27,134.11    |
| <b>Pending Copay/Deductible</b> | \$3,981.00     |
| <b>Copay/Deductible</b>         | \$6,872.64     |
| <b>Amount Recommended</b>       | \$97,682.79    |
| <b>Amount Paid</b>              | \$61,853.74    |

### Site Identification

|  |  |                             |                      |
|--|--|-----------------------------|----------------------|
| <b>Date Submitted:</b>                 | 06/14/2022   | <b>DEP Facility Number:</b> | 8-001634             |
| <b>Site Name</b>                       | Pilot Travel Centers LLC #341                                  |                             |                      |
| <b>Site Contact</b>                    | Chip Hughes  | <b>Telephone:</b>           | (865)474-2438        |
| <b>Site Address</b>                    | 3812 E Craig Rd<br>North Las Vegas, NV 89030                   |                             |                      |
| <b>County:</b>                         | Clark County   |                             |                      |
| <b>Owner/Operator Name:</b>            | Pilot Travel Centers LLC                                       |                             |                      |
| <b>Contact Name of Owner/Operator:</b> | Joey Cupp<br>5508 Lonas Road<br>Knoxville, TN 37909            | <b>Telephone:</b>           | (865)588-7488 Ext: 2 |
| <b>Prime Contractor</b>                | Broadbent & Associates, Inc.                                   |                             |                      |
| <b>Contact Name</b>                    | Kyle Virva   |                             |                      |
| <b>Contractor Address</b>              | 7501 Village Square Drive, Suite 106<br>Castle Pines, CO 80108 |                             |                      |
| <b>Telephone:</b>                      | (561)309-1682  | <b>% Board Reduction:</b>   | 20.00                |

### Site Characteristics

|               |                            |                         |                  |                      |
|---------------|----------------------------|-------------------------|------------------|----------------------|
| <b>Alt ID</b> | <b>Tank Cap. (Gallons)</b> | <b>Tank Age (Years)</b> | <b>Tank Type</b> | <b>Leak Location</b> |
| 004           | 12000                      | 30                      | Regulated UST    | Ball Valve failure   |

Case: #2022000035  
Claim #: 80834

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$17,079.65 from the Petroleum Fund for cleanup costs.

|           |                |  |
|-----------|----------------|--|
|           | \$174,575.28   | Amount Requested to Date                       |
|           | (\$20.20)      | Amount Disallowed, Past Claims                 |
|           | (\$15,557.76)  | Deductible/Co-Payment Satisfied to Date        |
|           | (\$140,019.93) | Amount Paid to Date                            |
| SUB TOTAL | \$18,977.39    | Amount Requested this Meeting                  |
|           | (\$1,897.74)   | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$17,079.65    | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 03/27/2024 and 10/11/2024

**Summary of work completed:** Project management, scheduling, and client invoicing. Quarterly groundwater monitoring, sampling and reporting. Waste disposal coordination. Reimbursement package and annual cost proposal preparation. Resume monthly free-product gauging and recovery.

## Site Summary Report

**Case Number:** 2022000035    **Site Name:** 7-Eleven #29407

### Site Status

**Synopsis:** DISCHARGE EMANATED FROM TWO 10,000-GALLON UNDERGROUND STORAGE TANK SYSTEMS CONTAINING GASOLINE. TANK FAILURE WAS THE SOURCE OF THE SOIL CONTAMINATION.

**Contaminant:** Gasoline (containing > 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$2,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$1,800,000.00 |
| <b>Amount Requested</b>         | \$174,575.28   |
| <b>Amount Disallowed</b>        | \$20.20        |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$1,897.74     |
| <b>Copay/Deductible</b>         | \$15,557.76    |
| <b>Amount Recommended</b>       | \$157,099.58   |
| <b>Amount Paid</b>              | \$140,019.93   |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 01/05/2023   | <b>DEP Facility Number:</b> | 8-001356      |
| <b>Site Name</b>                       | 7-Eleven #29407  |                             |               |
| <b>Site Contact</b>                    | Singh Aman   | <b>Telephone:</b>           | (702)734-0541 |
| <b>Site Address</b>                    | 815 E Twain Ave<br>Las Vegas, NV 89169                     |                             |               |
| <b>County:</b>                         | Clark County   |                             |               |
| <b>Owner/Operator Name:</b>            | 7-Eleven, INC  |                             |               |
| <b>Contact Name of Owner/Operator:</b> | William Latt<br>P.O. Box 711 - Loc 148<br>Dallas, TX 75221 | <b>Telephone:</b>           | (937)863-6442 |
| <b>Prime Contractor</b>                | Stantec Consulting Services Inc.                           |                             |               |
| <b>Contact Name</b>                    | Matthew Grandjean  |                             |               |
| <b>Contractor Address</b>              | 6111 South Buffalo Drive, Suite 200<br>Las Vegas, NV 89113 |                             |               |
| <b>Telephone:</b>                      | (702)525-5919  | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------|---------------------|------------------|---------------|---------------|
| 003    | 10000               | Closed           | Regulated UST | Tank          |
| 002    | 10000               | 36               | Regulated UST | Tank          |

Case: #2023000018  
Claim #: 80878

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$16,681.16 from the Petroleum Fund for cleanup costs.

|           |                |  |
|-----------|----------------|--|
|           | \$144,648.07   | Amount Requested to Date                       |
|           | (\$12,611.35)  | Deductible/Co-Payment Satisfied to Date        |
|           | (\$113,502.10) | Amount Paid to Date                            |
| SUB TOTAL | \$18,534.62    | Amount Requested this Meeting                  |
|           | (\$1,853.46)   | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$16,681.16    | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 09/19/2024 and 01/24/2025

**Summary of work completed:** Conduct 3rd and 4th quarter sampling event, prepare 3rd quarter monitoring report, and prepare petroleum fund documentation.

## Site Summary Report

**Case Number:** 2023000018      **Site Name:** R Place #1

### Site Status

**Synopsis:** THE DISCHARGE WAS DISCOVERED ON AUGUST 3, 2023 DURING REMOVAL OF TWO GASOLINE DISPENSERS AND ASSOCIATED CONVEYANCE PIPING. THE SOURCE WAS IDENTIFIED AS LEAKING PRODUCT PIPING ASSOCIATED WITH TANKS 3 AND 4.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$2,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$1,800,000.00 |
| <b>Amount Requested</b>         | \$144,648.07   |
| <b>Amount Disallowed</b>        | \$0.00         |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$1,853.46     |
| <b>Copay/Deductible</b>         | \$12,611.35    |
| <b>Amount Recommended</b>       | \$130,183.26   |
| <b>Amount Paid</b>              | \$113,502.10   |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 11/28/2023                                   | <b>DEP Facility Number:</b> | 6-000197      |
| <b>Site Name</b>                       | R Place #1                                   |                             |               |
| <b>Site Contact</b>                    | Bryan Reed                                   | <b>Telephone:</b>           | (775)296-0155 |
| <b>Site Address</b>                    | 1100 E Aultman St<br>Ely, NV 89301           |                             |               |
| <b>County:</b>                         | White Pine County                            |                             |               |
| <b>Owner/Operator Name:</b>            | Reed Incorporated                            |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Bryan Reed                                   | <b>Telephone:</b>           | (775)289-4463 |
|  | 802 Avenue E<br>Ely, NV 89301                |                             |               |
| <b>Prime Contractor</b>                | McGInley & Associates, Inc, DBA UES          |                             |               |
| <b>Contact Name</b>                    | Caitlin Jelle                                |                             |               |
| <b>Contractor Address</b>              | 6995 Sierra Center Parkway<br>Reno, NV 89511 |                             |               |

|                   |               |                           |      |
|-------------------|---------------|---------------------------|------|
| <b>Telephone:</b> | (775)829-2245 | <b>% Board Reduction:</b> | 0.00 |
|-------------------|---------------|---------------------------|------|

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------|---------------------|------------------|---------------|---------------|
| 003    | 12000               | 35               | Regulated UST | Pipe          |
| 004    | 12000               | 35               | Regulated UST | Pipe          |

Case: #2023000028  
Claim #: 80845

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$5,234.40 from the Petroleum Fund for cleanup costs.

|           |               |  |
|-----------|---------------|--|
|           | \$54,517.50   | Amount Requested to Date                       |
|           | (\$3,280.00)  | Amount Disallowed, Past Claims                 |
|           | (\$4,542.15)  | Deductible/Co-Payment Satisfied to Date        |
|           | (\$23,480.55) | Amount Paid to Date                            |
| SUB TOTAL | \$5,816.00    | Amount Requested this Meeting                  |
|           | (\$581.60)    | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$5,234.40    | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 12/30/2024 and 12/30/2024

**Summary of work completed:** Project management, Groundwater Monitoring and Well Sampling and/or Free Product Removal for 4th Quarter 2024, Groundwater Monitoring/Remediation Status Report preparation for 4th Quarter 2024, preparation of petroleum fund reimbursement claim for 4th Quarter 2024, and laboratory analysis.

## Site Summary Report

**Case Number:** 2023000028    **Site Name:** Anderson Dairy INC

### Site Status

**Synopsis:** THE DISCHARGE WAS DISCOVERED ON SEPTEMBER 13, 2023 AFTER A SITE ASSESSMENT WAS PERFORMED DUE TO A TANK SYSTEM FAILING A TIGHTNESS TEST. THE SOURCE WAS IDENTIFIED AS A LEAKING UNDERGROUND STORAGE TANK CONTAINING GASOLINE.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$1,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$900,000.00   |
| <b>Amount Requested</b>         | \$54,517.50    |
| <b>Amount Disallowed</b>        | \$3,280.00     |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$581.60       |
| <b>Copay/Deductible</b>         | \$4,542.15     |
| <b>Amount Recommended</b>       | \$46,113.75    |
| <b>Amount Paid</b>              | \$40,879.35    |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 01/30/2024   | <b>DEP Facility Number:</b> | 8-000009      |
| <b>Site Name</b>                       | Anderson Dairy INC   |                             |               |
| <b>Site Contact</b>                    | Russell Peterson   | <b>Telephone:</b>           | (702)379-3393 |
| <b>Site Address</b>                    | 801 Searles Ave<br>Las Vegas, NV 89101                               |                             |               |
| <b>County:</b>                         | Clark County   |                             |               |
| <b>Owner/Operator Name:</b>            | Anderson Dairy, Inc.   |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Russell Peterson<br>801 Searles Avenue<br>Las Vegas, NV 89101        | <b>Telephone:</b>           | (702)379-3393 |
| <b>Prime Contractor</b>                | Stewart Environmental, Inc.  |                             |               |
| <b>Contact Name</b>                    | Keith Stewart  |                             |               |
| <b>Contractor Address</b>              | 10300 West Charleston Boulevard, Suite 13-B32<br>Las Vegas, NV 89135 |                             |               |
| <b>Telephone:</b>                      | (702)254-6731  | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

|               |                            |                         |                  |                      |
|---------------|----------------------------|-------------------------|------------------|----------------------|
| <b>Alt ID</b> | <b>Tank Cap. (Gallons)</b> | <b>Tank Age (Years)</b> | <b>Tank Type</b> | <b>Leak Location</b> |
| 007           | 12000                      | 32                      | Regulated UST    | Tank                 |

Case: #2024000008  
Claim #: 80867

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$43,029.95 from the Petroleum Fund for cleanup costs.

|           |               |  |
|-----------|---------------|--|
|           | \$156,909.63  | Amount Requested to Date                       |
|           | (\$19,429.16) | Board Reduction, Past Claims                   |
|           | (\$7,771.66)  | Deductible/Co-Payment Satisfied to Date        |
|           | (\$69,944.98) | Amount Paid to Date                            |
| SUB TOTAL | \$59,763.83   | Amount Requested this Meeting                  |
|           | (\$11,952.77) | Board Reduction, This Meeting                  |
| SUB TOTAL | \$47,811.06   |  |
|           | (\$4,781.11)  | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$43,029.95   | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 10/01/2024 and 12/31/2024

**Summary of work completed:** Project management; installation of 5 new groundwater monitoring wells; quarterly monitoring events; and preparation of Fund documents.



Site Summary Report

Case Number: 2024000008      Site Name: Green Valley Grocery #58

Site Status

Synopsis: THE RELEASE AT THE FACILITY WAS A RESULT OF A STRUCTURAL FAILURE ASSOCIATED WITH UNDERGROUND STORAGE TANK (UST) #3. THE STRUCTURAL FAILURE OF UST #3 WAS CONFIRMED BY A FAILING TANK TIGHTNESS TEST PERFORMED ON DECEMBER 26, 2023 AND DISCOVERY OF FREE PRODUCT DURING DRILLING ACTIVITIES ON FEBRUARY 5, 2024. CURRENTLY, UST #3 REMAINS IN PLACE, IN TEMPORARY CLOSURE STATUS AND ISOLATED FROM FURTHER REFUELING EVENTS.

Contaminant: Gasoline (containing <= 10% ethanol)

|                          |                |
|--------------------------|----------------|
| Fund Coverage            | \$1,000,000.00 |
| Amount Fund Will Pay     | \$720,000.00   |
| Amount Requested         | \$156,909.63   |
| Amount Disallowed        | \$0.00         |
| Misc Debit/Credit        | \$0.00         |
| Reduction Amount Paid    | \$31,381.93    |
| Pending Copay/Deductible | \$4,781.11     |
| Copay/Deductible         | \$7,771.66     |
| Amount Recommended       | \$112,974.93   |
| Amount Paid              | \$69,944.98    |

Site Identification

|                                 |   |                      |                      |
|---------------------------------|---|----------------------|----------------------|
| Date Submitted:                 | 04/29/2024  | DEP Facility Number: | 8-001067             |
| Site Name                       | Green Valley Grocery #58  |                      |                      |
| Site Contact                    | Margaret Chamberlain  | Telephone:           | (702)398-3400        |
| Site Address                    | 3685 N Moapa Valley Blvd<br>Logandale, NV 89021                       |                      |                      |
| County:                         | Clark County  |                      |                      |
| Owner/Operator Name:            | Midjit Market, Inc.   |                      |                      |
| Contact Name of Owner/Operator: | Nicholas Baldwin<br>160 North Stephanie Street<br>Henderson, NV 89704 | Telephone:           | (702)367-0056 Ext: 1 |
| Prime Contractor                | Broadbent And Associates, Inc.  |                      |                      |
| Contact Name                    | Jeremy Holst  |                      |                      |
| Contractor Address              | 8 West Pacific Avenue<br>Henderson, NV 89015                          |                      |                      |
| Telephone:                      | (702)353-5743   | % Board Reduction:   | 20.00                |

Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------|---------------------|------------------|---------------|---------------|
| 003    | 12000               | 36               | Regulated UST | Tank          |

Case: #2025000001  
Claim #: 80857

**STAFF RECOMMENDATION**

March 13, 2025

Staff recommends this claim be reimbursed \$19,887.36 from the Petroleum Fund for cleanup costs.

|           |             |  |
|-----------|-------------|--|
|           | \$20,275.36 | Amount Requested to Date                       |
|           | \$0.00      | Deductible/Co-Payment Satisfied to Date        |
|           | \$0.00      | Amount Paid to Date                            |
| SUB TOTAL | \$20,275.36 | Amount Requested this Meeting                  |
|           | (\$138.00)  | Amount Disallowed this Meeting                 |
| SUB TOTAL | \$20,137.36 |  |
|           | (\$250.00)  | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$19,887.36 | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 11/07/2024 and 01/09/2025

**Summary of work completed:** Removal and disposal of one 250 gallon heating oil UST, Preparation and submittal of Application for Petroleum Fund Coverage; conducted project set-up and coordination with client and excavation subcontractor; Certified Environmental Manager (CEM) over-excavation oversight, over-excavation of impacted soil, including UST closure confirmation soil sample collection (six total confirmation soil samples); preparation and submittal of a Tank Closure Assessment and Release Report; collection of a waste profile soil sample, disposal of 11.5 tons of petroleum hydrocarbon impacted soil to US Ecology (due to high TPH concentrations >1,000 mg/Kg), replacement of grass and sprinkler line in front yard of residence that was damaged by excavation cleanup activities, regulatory liaison, preparation of Petroleum Fund Reimbursement Claim

## Site Summary Report

**Case Number:** 2025000001      **Site Name:** Residence Of 2795 W. Plumb Lane

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES ON OCTOBER 24, 2024. DISCHARGE EMANATED FROM A NON-REGULATED 250-GALLON UNDERGROUND STORAGE TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. A TOTAL OF 11.50 TONS OF CONTAMINATED SOIL WAS REMOVED.

**Contaminant:** Heating Oil

|                                 |              |
|---------------------------------|--------------|
| <b>Fund Coverage</b>            | \$250,250.00 |
| <b>Amount Fund Will Pay</b>     | \$250,000.00 |
| <b>Amount Requested</b>         | \$20,275.36  |
| <b>Amount Disallowed</b>        | \$138.00     |
| <b>Misc Debit/Credit</b>        | \$0.00       |
| <b>Reduction Amount Paid</b>    | \$0.00       |
| <b>Pending Copay/Deductible</b> | \$250.00     |
| <b>Copay/Deductible</b>         | \$0.00       |
| <b>Amount Recommended</b>       | \$19,887.36  |
| <b>Amount Paid</b>              | \$0.00       |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 01/06/2025                                   | <b>DEP Facility Number:</b> | D-001432      |
| <b>Site Name</b>                       | Residence Of 2795 W. Plumb Lane              |                             |               |
| <b>Site Contact</b>                    | Scott Douglass                               | <b>Telephone:</b>           | (775)843-1946 |
| <b>Site Address</b>                    | 2795 W. Plumb Lane<br>Reno, NV 89509         |                             |               |
| <b>County:</b>                         | Washoe County                                |                             |               |
| <b>Owner/Operator Name:</b>            | Scott Douglass                               |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Scott Douglass                               | <b>Telephone:</b>           | (775)843-1946 |
|  | 2795 West Plumb Lane<br>Reno, NV 89509       |                             |               |
| <b>Prime Contractor</b>                | Broadbent & Associates                       |                             |               |
| <b>Contact Name</b>                    | Brandon Reiff                                |                             |               |
| <b>Contractor Address</b>              | 5450 Louie Lane Suite: 101<br>Reno, NV 89511 |                             |               |
| <b>Telephone:</b>                      | (775)313-2096                                | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID  | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|---------|---------------------|------------------|---------------|---------------|
| Tank 01 | 250                 | 70               | Non-Regulated | Tank          |

**Agenda Item 12:**  
**Direct Payment of Uncontested Claims**  
**(Board Policy 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

#### HEATING OIL

|                |    |   | <u>REQUESTED</u>           | <u>PAID</u>                |
|----------------|----|---|----------------------------|----------------------------|
| FOR DISCUSSION | 1. | 2024000027; 80828 3655 Warren Way Llc: Residence Of 3655 Warren Way               | \$19,974.38                | \$19,724.38                |
| FOR DISCUSSION | 2. | 2024000028; 80830 No California Llc: Residence Of 1053 Washington Street          | \$54,203.25                | \$53,453.25                |
| FOR DISCUSSION | 3. | 2024000029; 80831 No California Llc: Residence Of 1045 Washington Street          | \$27,993.08                | \$27,743.08                |
| FOR DISCUSSION | 4. | 2024000030; 80832 601 N Carson Llc: Northern Nevada Coin Shop                     | \$34,689.39                | \$34,439.39                |
| FOR DISCUSSION | 5. | 2024000034; 80838 Perry Intervivos Trust: Residence Of 449 Games Drive            | \$25,958.67                | \$25,708.67                |
| FOR DISCUSSION | 6. | 2024000035; 80837 Pechnik Trust Robert & Linda: Residence Of 801 Pine Ridge Drive | \$28,498.98                | \$28,248.98                |
| FOR DISCUSSION | 7. | 2024000036; 80842 Emerald Bay Properties Llc: Residence Of 3522 Arcadia Drive     | \$30,867.29                | \$30,617.29                |
| FOR DISCUSSION | 8. | 2025000002; 80858 Sara Miller: Residence Of 360 Sunset Drive                      | \$32,372.35                | \$32,122.35                |
| FOR DISCUSSION | 9. | 2025000003; 80850 Harvey Lambert: Residence Of 445 Games Drive                    | \$27,054.07                | \$26,804.07                |
|                |    | <b>SUB TOTAL:</b>   | <b><u>\$281,611.46</u></b> | <b><u>\$278,861.46</u></b> |

#### ONGOING CASES

|                |    |  | <u>REQUESTED</u>           | <u>PAID</u>                |
|----------------|----|--|----------------------------|----------------------------|
| FOR DISCUSSION | 1. | 1999000023; 80846 Nevada Ready Mix Corp: Nevada Ready Mix      | \$27,795.38                | \$24,295.84                |
| FOR DISCUSSION | 2. | 1999000066; 80856 HP Management, Llc: Former Haycock Petroleum | \$19,000.00                | \$17,076.89                |
| FOR DISCUSSION | 3. | 2019000014; 80843 Western Cab Co: Western Cab CO               | \$7,709.50                 | \$6,938.55                 |
| FOR DISCUSSION | 4. | 2022000012; 80859 Neissan Koroghli: City C-Store (7-11)        | \$6,357.00                 | \$5,721.30                 |
|                |    | <b>SUB TOTAL:</b>  | <b><u>\$60,861.88</u></b>  | <b><u>\$54,032.58</u></b>  |
|                |    | <b>DIRECT PAYMENT CLAIMS TOTAL:</b>                            | <b><u>\$342,473.34</u></b> | <b><u>\$332,894.04</u></b> |

**BOARD MEETING CLAIMS TOTAL:**

**\$1,331,876.40**

**\$1,166,369.89**

Case: #1999000023  
Claim #: 80846

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: February 24, 2025

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

|           |                |  |
|-----------|----------------|--|
|           | \$987,960.61   | Amount Requested to Date                       |
|           | (\$6,473.73)   | Amount Disallowed, Past Claims                 |
|           | (\$95,369.15)  | Deductible/Co-Payment Satisfied to Date        |
|           | (\$369,299.30) | Amount Paid to Date                            |
| SUB TOTAL | \$27,795.38    | Amount Requested this Meeting                  |
|           | (\$800.00)     | Amount Disallowed this Meeting                 |
| SUB TOTAL | \$26,995.38    |  |
|           | (\$2,699.54)   | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$24,295.84    | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 10/23/2024 and 12/30/2024

**Summary of work completed:** Project Management, Remediation System O&M (Oct 2024 - Dec 2024), CEM-Conducted Monthly System Maintenance (Oct 2024 - Dec 2024), 3rd and 4th Quarter 2024 Groundwater/Remediation Status Report preparation, 3rd and 4th Quarter 2024 Remediation System Report preparation, 3rd and 4th Quarter 2024 petroleum fund reimbursement claim preparation, drafting services, Groundwater Monitoring Well Sampling and/or Free Product Removal for 4th Quarter 2024, traffic control services, and laboratory analysis.

## Site Summary Report

**Case Number:** 1999000023    **Site Name:** Nevada Ready Mix

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED AUGUST 21, 1998. THE APPLICATION IDENTIFIES A THREE UNDERGROUND STORAGE TANK (UST) SYSTEMS AS THE CAUSE OF THE RELEASE. THE DISPENSER PUMPS AND PIPING WERE THE SOURCE IDENTIFIED FOR THE 8,000 GALLON UST (TANK 1) CONTAINING DIESEL AND THE 8,000 GALLON UST (TANK 2) CONTAINING GASOLINE. THE WASTE OIL CONTAMINATION EMANATED FROM CORROSION HOLES IN THE 500 GALLON UST (TANK 3). COVERAGE GRANTED WITH A 10% COPAYMENT.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$3,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$2,700,000.00 |
| <b>Amount Requested</b>         | \$987,960.61   |
| <b>Amount Disallowed</b>        | \$7,273.73     |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$0.00         |
| <b>Copay/Deductible</b>         | \$95,369.15    |
| <b>Amount Recommended</b>       | \$882,618.19   |
| <b>Amount Paid</b>              | \$882,618.19   |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 11/06/1998   | <b>DEP Facility Number:</b> | 8-000272      |
| <b>Site Name</b>                       | Nevada Ready Mix   |                             |               |
| <b>Site Contact</b>                    | Miller, Randy  | <b>Telephone:</b>           | (702)457-1115 |
| <b>Site Address</b>                    | 601 W Bonanza Rd<br>Las Vegas, NV 89106                              |                             |               |
| <b>County:</b>                         | Clark County   |                             |               |
| <b>Owner/Operator Name:</b>            | Nevada Ready Mix Corp  |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Larry Miller<br>151 Cassia Way<br>Henderson, NV 89014                | <b>Telephone:</b>           | (702)457-1115 |
| <b>Prime Contractor</b>                | Stewart Environmental, Inc.  |                             |               |
| <b>Contact Name</b>                    | Keith Stewart  |                             |               |
| <b>Contractor Address</b>              | 10300 West Charleston Boulevard, Suite 13-B32<br>Las Vegas, NV 89135 |                             |               |
| <b>Telephone:</b>                      | (702)254-6731  | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------|---------------------|------------------|---------------|---------------|
| 001    | 8000                | Closed           | Regulated UST | See Synopsis  |
| 002    | 8000                | 73               | Regulated UST | See Synopsis  |
| 003    | 500                 | 58               | Regulated UST | See Synopsis  |



Case: #1999000066  
Claim #: 80856

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: February 24, 2025

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

|           |                  |  |
|-----------|------------------|--|
|           | \$4,010,796.90   | Amount Requested to Date                       |
|           | (\$10,771.20)    | Amount Disallowed, Past Claims                 |
|           | (\$398,102.59)   | Deductible/Co-Payment Satisfied to Date        |
|           | (\$2,844,600.38) | Amount Paid to Date                            |
| SUB TOTAL | \$19,000.00      | Amount Requested this Meeting                  |
|           | (\$25.70)        | Amount Disallowed this Meeting                 |
| SUB TOTAL | \$18,974.30      |  |
|           | (\$1,897.41)     | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$17,076.89      | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 10/23/2024 and 01/02/2025

**Summary of work completed:** Project management, Remediation System Operation and Maintenance (Oct thru Dec 2024), CEM Conducted Monthly Remediation System Maintenance (Oct thru Dec 2024), 4th Quarter 2024 Remediation System Permit Report Preparation, 4th Quarter 2024 Well Sampling and/or Free Product Removal, 4th Quarter 2024 Groundwater Monitoring Remediation Status Report, preparation of petroleum fund claim reimbursement for 4th Quarter 2024, drafting services, annual permit fee, and laboratory analysis.

## Site Summary Report

**Case Number:** 1999000066      **Site Name:** Former Haycock Petroleum

### Site Status

**Synopsis:** TWO RELEASES: ONE FROM A 25,000 GALLON DIESEL AST SYSTEM (LEAKING VALVE) AND ONE FROM A 20,000 GALLON GASOLINE AST (UNDERGROUND PIPING) IN 1999. AT THE DECEMBER 20, 2016 BOARD MEETING AN ADDITIONAL ALLOTMENT OF FUNDING WAS PROVIDED UNDER FORMER POLICY RESOLUTION 2007-10. AT THE MARCH 8, 2018 BOARD MEETING A SECOND ADDITIONAL ALLOTMENT OF FUNDING WAS APPROVED UNDER FORMER POLICY RESOLUTION 2007-10.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$4,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$3,600,000.00 |
| <b>Amount Requested</b>         | \$4,010,796.90 |
| <b>Amount Disallowed</b>        | \$10,796.90    |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$0.00         |
| <b>Copay/Deductible</b>         | \$398,102.59   |
| <b>Amount Recommended</b>       | \$3,600,000.00 |
| <b>Amount Paid</b>              | \$3,600,000.00 |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 03/30/1999   | <b>DEP Facility Number:</b> | 8-001512      |
| <b>Site Name</b>                       | Former Haycock Petroleum   |                             |               |
| <b>Site Contact</b>                    | John Haycock   | <b>Telephone:</b>           | (702)219-5643 |
| <b>Site Address</b>                    | 715 W Bonanza Rd<br>Las Vegas, NV 89106                              |                             |               |
| <b>County:</b>                         | Clark County   |                             |               |
| <b>Owner/Operator Name:</b>            | HP Management, LLC   |                             |               |
| <b>Contact Name of Owner/Operator:</b> | John Haycock<br>P.O. Box 100 Pmb 380<br>Mammoth Lakes, CA 93546      | <b>Telephone:</b>           | (702)219-5643 |
| <b>Prime Contractor</b>                | Stewart Environmental, Inc.  |                             |               |
| <b>Contact Name</b>                    | Keith Stewart  |                             |               |
| <b>Contractor Address</b>              | 10300 West Charleston Boulevard, Suite 13-B32<br>Las Vegas, NV 89135 |                             |               |
| <b>Telephone:</b>                      | (702)254-6731  | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type   | Leak Location |
|--------|---------------------|------------------|-------------|---------------|
| 001    | 25000               | 58               | Aboveground | See Synopsis  |
| 006    | 20000               | 58               | Aboveground | See Synopsis  |

Case: #2019000014  
Claim #: 80843

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: January 30, 2025

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

|           |                      |  |
|-----------|----------------------|--|
|           | \$298,063.49         | Amount Requested to Date                       |
|           | (\$1,866.48)         | Amount Disallowed, Past Claims                 |
|           | (\$28,848.74)        | Deductible/Co-Payment Satisfied to Date        |
|           | <u>(\$21,236.63)</u> | Amount Paid to Date                            |
| SUB TOTAL | \$7,709.50           | Amount Requested this Meeting                  |
|           | <u>(\$770.95)</u>    | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$6,938.55           | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 12/18/2024 and 12/30/2024

**Summary of work completed:** Project management, 4th Quarter 2024 Well Sampling and/or Free Product Removal, 4th Quarter 2024 Groundwater Monitoring Remediation Status Report, preparation of petroleum fund claim reimbursement for 4th Quarter 2024, and laboratory analysis.

## Site Summary Report

**Case Number:** 2019000014    **Site Name:** Western Cab CO

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED ON APRIL 9, 2019 DURING TANK REMOVAL ACTIVITIES. THE SOURCE OF THE CONTAMINATION WAS DETERMINED TO BE THE FUEL FLEX LINE CONNECTING THE SHEAR VALVE TO THE DOUBLE-WALL FIBERGLASS PIPING OF A 12,000-GALLON UST SYSTEM STORING GASOLINE.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$1,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$900,000.00   |
| <b>Amount Requested</b>         | \$298,063.49   |
| <b>Amount Disallowed</b>        | \$1,866.48     |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$0.00         |
| <b>Copay/Deductible</b>         | \$29,619.69    |
| <b>Amount Recommended</b>       | \$266,577.32   |
| <b>Amount Paid</b>              | \$266,577.32   |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 08/14/2019   | <b>DEP Facility Number:</b> | 8-001122      |
| <b>Site Name</b>                       | Western Cab CO   |                             |               |
| <b>Site Contact</b>                    | Martha Sarver  | <b>Telephone:</b>           | (702)595-1946 |
| <b>Site Address</b>                    | 801 S Main St<br>Las Vegas, NV 89101                                 |                             |               |
| <b>County:</b>                         | Clark County   |                             |               |
| <b>Owner/Operator Name:</b>            | Western Cab CO   |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Martha Sarver<br>P.O. Box 36550<br>Las Vegas, NV 89133               | <b>Telephone:</b>           | (702)595-1946 |
| <b>Prime Contractor</b>                | Stewart Environmental, Inc.  |                             |               |
| <b>Contact Name</b>                    | Keith Stewart  |                             |               |
| <b>Contractor Address</b>              | 10300 West Charleston Boulevard, Suite 13-B32<br>Las Vegas, NV 89135 |                             |               |
| <b>Telephone:</b>                      | (702)254-6731  | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------|---------------------|------------------|---------------|---------------|
| 01     | 12000               | Closed           | Regulated UST | Pipe          |

Case: #2022000012  
Claim #: 80859

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: February 24, 2025

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

|           |                   |  |
|-----------|-------------------|--|
|           | \$115,423.50      | Amount Requested to Date                       |
|           | (\$381.00)        | Amount Disallowed, Past Claims                 |
|           | (\$10,868.54)     | Deductible/Co-Payment Satisfied to Date        |
|           | <u>\$0.00</u>     | Amount Paid to Date                            |
| SUB TOTAL | \$6,357.00        | Amount Requested this Meeting                  |
|           | <u>(\$635.70)</u> | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | <u>\$5,721.30</u> | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 01/11/2025 and 01/11/2025

**Summary of work completed:** Project management, 4th Quarter 12024 Well Sampling and/or Free Product Removal, 4th Quarter 2024 Groundwater Monitoring Remediation Status Report preparation, 4th Quarter Petroleum Fund Reimbursement Claim preparation, and laboratory analysis.

## Site Summary Report

**Case Number:** 2022000012    **Site Name:** City C-Store (7-11)

### Site Status

**Synopsis:** A LEAKING GASOLINE PIPE BENEATH THE SHEAR VALVE ON FUEL DISPENSER 1/2 WAS DISCOVERED DURING A SITE INSPECTION ON JANUARY 19, 2022 AND IS THE SOURCE OF THE SOIL CONTAMINATION.

**Contaminant:** Gasoline (containing <= 10% ethanol)

|                                 |                |
|---------------------------------|----------------|
| <b>Fund Coverage</b>            | \$1,000,000.00 |
| <b>Amount Fund Will Pay</b>     | \$900,000.00   |
| <b>Amount Requested</b>         | \$115,423.50   |
| <b>Amount Disallowed</b>        | \$381.00       |
| <b>Misc Debit/Credit</b>        | \$0.00         |
| <b>Reduction Amount Paid</b>    | \$0.00         |
| <b>Pending Copay/Deductible</b> | \$0.00         |
| <b>Copay/Deductible</b>         | \$10,868.54    |
| <b>Amount Recommended</b>       | \$103,538.26   |
| <b>Amount Paid</b>              | \$103,538.26   |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 09/06/2022   | <b>DEP Facility Number:</b> | 8-001419      |
| <b>Site Name</b>                       | City C-Store (7-11)  |                             |               |
| <b>Site Contact</b>                    | Neissan Koroghli   | <b>Telephone:</b>           | (702)290-6479 |
| <b>Site Address</b>                    | 228 Las Vegas Blvd N<br>Las Vegas, NV 89101                          |                             |               |
| <b>County:</b>                         | Clark County   |                             |               |
| <b>Owner/Operator Name:</b>            | Neissan Koroghli   |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Neissan Koroghli<br>2796 Brands Hatch Court<br>Henderson, NV 89052   | <b>Telephone:</b>           | (702)290-6479 |
| <b>Prime Contractor</b>                | Stewart Environmental, Inc.  |                             |               |
| <b>Contact Name</b>                    | Keith Stewart  |                             |               |
| <b>Contractor Address</b>              | 10300 West Charleston Boulevard, Suite 13-B32<br>Las Vegas, NV 89135 |                             |               |
| <b>Telephone:</b>                      | (702)254-6731  | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location                                      |
|--------|---------------------|------------------|---------------|--|
| 003    | 12000               | 33               | Regulated UST | Fuel pipe beneath the shear valve on dispenser 1/2 |

Case: #2024000027  
Claim #: 80828

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: January 30, 2025

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

|           |             |  |
|-----------|-------------|--|
|           | \$19,974.38 | Amount Requested to Date                       |
|           | \$0.00      | Deductible/Co-Payment Satisfied to Date        |
|           | \$0.00      | Amount Paid to Date                            |
| SUB TOTAL | \$19,974.38 | Amount Requested this Meeting                  |
|           | (\$250.00)  | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$19,724.38 | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 08/29/2024 and 11/12/2024

**Summary of work completed:** Historical release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace inside the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in the single wall steel tank shell. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Case officer was notified immediately regarding the suspected release based on holes in tank and staining in the excavation that appeared to be in excess of 3 cubic yards, lab results later verified TPH DRO,ORO,GRO in excess of 100 mg/kg and the confirmed release was reported via spill notification to NDEP. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tank. Contaminated soil was removed and delivered to the Waste Management Biopit. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

## Site Summary Report

**Case Number:** 2024000027      **Site Name:** Residence Of 3655 Warren Way

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED 08/06/2024 DURING REMOVAL OF A 350-GALLON SINGLE WALLED STEEL UNDERGROUND HEATING OIL STORAGE TANK. DISCHARGE EMANATED FROM CORROSION OF TANK. INITIAL ABATEMENT ACTION REMOVED APPROXIMATELY 25.5 TONS OF CONTAMINATED SOIL.

**Contaminant:** Heating Oil

|                                 |              |
|---------------------------------|--------------|
| <b>Fund Coverage</b>            | \$250,250.00 |
| <b>Amount Fund Will Pay</b>     | \$250,000.00 |
| <b>Amount Requested</b>         | \$19,974.38  |
| <b>Amount Disallowed</b>        | \$0.00       |
| <b>Misc Debit/Credit</b>        | \$0.00       |
| <b>Reduction Amount Paid</b>    | \$0.00       |
| <b>Pending Copay/Deductible</b> | \$0.00       |
| <b>Copay/Deductible</b>         | \$250.00     |
| <b>Amount Recommended</b>       | \$19,724.38  |
| <b>Amount Paid</b>              | \$19,724.38  |

### Site Identification

|  |  |                             |               |
|--|--|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 11/18/2024   | <b>DEP Facility Number:</b> | D-001426      |
| <b>Site Name</b>                       | Residence Of 3655 Warren Way   |                             |               |
| <b>Site Contact</b>                    | David Lindquist  | <b>Telephone:</b>           | (916)425-2151 |
| <b>Site Address</b>                    | 3655 Warren Way<br>Reno, NV 89509  |                             |               |
| <b>County:</b>                         | Washoe County  |                             |               |
| <b>Owner/Operator Name:</b>            | 3655 Warren Way LLC  |                             |               |
| <b>Contact Name of Owner/Operator:</b> | David Lindquist<br>11230 Gold Express Drive #310-328<br>Gold River, CA 85670 | <b>Telephone:</b>           | (916)425-2151 |
| <b>Prime Contractor</b>                | Reno Drain Oil Service   |                             |               |
| <b>Contact Name</b>                    | Steven Aguilar   |                             |               |
| <b>Contractor Address</b>              | 11970 Interstate 80 E<br>Sparks, NV 89434                                    |                             |               |
| <b>Telephone:</b>                      | (775)342-0351  | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID                     | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|----------------------------|---------------------|------------------|---------------|---------------|
| 3655<br>Warren<br>Way Tank | 350                 | 74               | Non-Regulated | Tank          |



Case: #2024000028  
Claim #: 80830

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: January 30, 2025

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

|           |             |  |
|-----------|-------------|--|
|           | \$54,203.25 | Amount Requested to Date                       |
|           | \$0.00      | Deductible/Co-Payment Satisfied to Date        |
|           | \$0.00      | Amount Paid to Date                            |
| SUB TOTAL | \$54,203.25 | Amount Requested this Meeting                  |
|           | (\$750.00)  | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$53,453.25 | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 09/30/2024 and 11/18/2024

**Summary of work completed:** RDO confirmed these were home heating oil tanks visually confirming return lines to the heating oil furnaces inside each duplex. The home heating oil tanks, which supplied heating oil to the heating oil furnace inside each duplex leaked from rust holes in the single wall steel tank shells. For documentation of tank removals, site and sample location maps, remediation and laboratory results see the closing report. Heating oil contaminated soil was isolated to an area adjacent to each removed underground home heating oil tank. Contaminated soil was removed for 2 separate excavations as pictured in the report site maps and delivered to the Waste Management Biopit. Confirmation samples were obtained from each excavation at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

## Site Summary Report

**Case Number:** 2024000028      **Site Name:** Residence Of 1053 Washington Street

### Site Status

**Synopsis:** THE SUBMITTED APPLICATION INDICATES A RELEASE OF HEATING OIL WAS DISCOVERED AT THE SUBJECT PROPERTY. DISCHARGES DISCOVERED 09/09/24 DURING REMOVAL OF A 500-GALLON SINGLE WALL STEEL TANK AND A 300-GALLON SINGLE WALL STEEL TANK FROM THE NORTH SIDE OF THE PROPERTY, AND ON 09/13/24 DURING REMOVAL OF A 300-GALLON SINGLE WALL STEEL TANK FROM THE SOUTH SIDE OF THE PROPERTY. THE TANKS WERE USED TO STORE HEATING OIL. CONTAMINATION EMANATED FROM THE CORROSION OF EACH TANK'S SHELL. 60.10 TONS OF CONTAMINATED SOIL REMOVED DURING INITIAL ABATEMENT O...

**Contaminant:** Heating Oil

|                                 |              |
|---------------------------------|--------------|
| <b>Fund Coverage</b>            | \$750,750.00 |
| <b>Amount Fund Will Pay</b>     | \$750,000.00 |
| <b>Amount Requested</b>         | \$54,203.25  |
| <b>Amount Disallowed</b>        | \$0.00       |
| <b>Misc Debit/Credit</b>        | \$0.00       |
| <b>Reduction Amount Paid</b>    | \$0.00       |
| <b>Pending Copay/Deductible</b> | \$0.00       |
| <b>Copay/Deductible</b>         | \$750.00     |
| <b>Amount Recommended</b>       | \$53,453.25  |
| <b>Amount Paid</b>              | \$53,453.25  |

### Site Identification

|  |   |                             |               |
|--|---|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 11/20/2024                                | <b>DEP Facility Number:</b> | D-001429      |
| <b>Site Name</b>                       | Residence Of 1053 Washington Street       |                             |               |
| <b>Site Contact</b>                    | Jerry Hudson                              | <b>Telephone:</b>           | (775)550-8022 |
| <b>Site Address</b>                    | 1053 Washington Street<br>Reno, NV 89503  |                             |               |
| <b>County:</b>                         | Washoe County                             |                             |               |
| <b>Owner/Operator Name:</b>            | No California LLC                         |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Jerry Hudson                              | <b>Telephone:</b>           | (775)550-8022 |
|  | 441 W. Plumb Lane<br>Reno, NV 89509       |                             |               |
| <b>Prime Contractor</b>                | Reno Drain Oil Service                    |                             |               |
| <b>Contact Name</b>                    | Steven Aguilar                            |                             |               |
| <b>Contractor Address</b>              | 11970 Interstate 80 E<br>Sparks, NV 89434 |                             |               |
| <b>Telephone:</b>                      | (775)342-0351                             | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID                         | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------------------------------|---------------------|------------------|---------------|---------------|
| 1053 Washington<br>St - Tank 1 | 500                 | 81               | Non-Regulated | Tank          |
| 1053 Washington<br>St - Tank 2 | 300                 | 81               | Non-Regulated | Tank          |
| 1053 Washington<br>St - Tank 3 | 300                 | 81               | Non-Regulated | Tank          |

Case: #2024000029  
Claim #: 80831

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: January 30, 2025

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

|           |             |  |
|-----------|-------------|--|
|           | \$27,993.08 | Amount Requested to Date                       |
|           | \$0.00      | Deductible/Co-Payment Satisfied to Date        |
|           | \$0.00      | Amount Paid to Date                            |
| SUB TOTAL | \$27,993.08 | Amount Requested this Meeting                  |
|           | (\$250.00)  | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$27,743.08 | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 09/26/2024 and 11/18/2024

**Summary of work completed:** Historical release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace inside the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in the single wall steel tank shell. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Case officer was notified immediately regarding the suspected release based on holes in tank and staining in the excavation that appeared to be in excess of 3 cubic yards, lab results later verified TPH DRO,ORO,GRO in excess of 100 mg/kg and the confirmed release was reported via spill notification to NDEP. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tank. Contaminated soil was removed and delivered to the Waste Management Biopit. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

## Site Summary Report

**Case Number:** 2024000029      **Site Name:** Residence Of 1045 Washington Street

### Site Status

**Synopsis:** THE SUBMITTED APPLICATION INDICATES A RELEASE OF HEATING OIL WAS DISCOVERED AT THE SUBJECT PROPERTY. DISCHARGE DISCOVERED 09/10/24 DURING REMOVAL OF A 350-GALLON SINGLE WALL STEEL TANK USED TO STORE HEATING OIL. CONTAMINATION EMANATED FROM THE CORROSION OF THE TANK SHELL. 37.85 TONS OF CONTAMINATED SOIL REMOVED DURING INITIAL ABATEMENT. DOCUMENTATION PROVIDED WITH THE APPLICATION PROVIDES EVIDENCE THAT CONTAMINATION OF THE ENVIRONMENT OCCURRED. PURSUANT TO REVIEW OF THE APPLICATION, NDEP FINDS THIS CASE IS ELIGIBLE FOR FUND COVERAGE.

**Contaminant:** Heating Oil

|                                 |              |
|---------------------------------|--------------|
| <b>Fund Coverage</b>            | \$250,250.00 |
| <b>Amount Fund Will Pay</b>     | \$250,000.00 |
| <b>Amount Requested</b>         | \$27,993.08  |
| <b>Amount Disallowed</b>        | \$0.00       |
| <b>Misc Debit/Credit</b>        | \$0.00       |
| <b>Reduction Amount Paid</b>    | \$0.00       |
| <b>Pending Copay/Deductible</b> | \$0.00       |
| <b>Copay/Deductible</b>         | \$250.00     |
| <b>Amount Recommended</b>       | \$27,743.08  |
| <b>Amount Paid</b>              | \$27,743.08  |

### Site Identification

|  |   |                             |               |
|--|---|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 11/22/2024                                | <b>DEP Facility Number:</b> | D-001430      |
| <b>Site Name</b>                       | Residence Of 1045 Washington Street       |                             |               |
| <b>Site Contact</b>                    | Jerry Hudson                              | <b>Telephone:</b>           | (775)550-8022 |
| <b>Site Address</b>                    | 1045 Washington Street<br>Reno, NV 89503  |                             |               |
| <b>County:</b>                         | Washoe County                             |                             |               |
| <b>Owner/Operator Name:</b>            | No California LLC                         |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Jerry Hudson                              | <b>Telephone:</b>           | (775)550-8022 |
|  | 441 W. Plumb Lane<br>Reno, NV 89509       |                             |               |
| <b>Prime Contractor</b>                | Reno Drain Oil Service                    |                             |               |
| <b>Contact Name</b>                    | Steven Aguilar                            |                             |               |
| <b>Contractor Address</b>              | 11970 Interstate 80 E<br>Sparks, NV 89434 |                             |               |
| <b>Telephone:</b>                      | (775)342-0351                             | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID                | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|-----------------------|---------------------|------------------|---------------|---------------|
| 10454                 |                     |                  |               |               |
| Washington St<br>Tank | 350                 | 81               | Non-Regulated | Tank          |

Case: #2024000030  
Claim #: 80832

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: January 30, 2025

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

|           |             |  |
|-----------|-------------|--|
|           | \$34,689.39 | Amount Requested to Date                       |
|           | \$0.00      | Deductible/Co-Payment Satisfied to Date        |
|           | \$0.00      | Amount Paid to Date                            |
| SUB TOTAL | \$34,689.39 | Amount Requested this Meeting                  |
|           | (\$250.00)  | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$34,439.39 | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 10/11/2024 and 11/21/2024

**Summary of work completed:** Historical release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace inside the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in the single wall steel tank shell. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Case officer was notified immediately regarding the suspected release based on holes in tank and staining in the excavation that appeared to be in excess of 3 cubic yards, lab results later verified TPH DRO,ORO,GRO in excess of 100 mg/kg and the confirmed release was reported via spill notification to NDEP. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tank. Contaminated soil was removed and delivered to the Waste Management Biopit. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

Site Summary Report

Case Number: 2024000030      Site Name: Northern Nevada Coin Shop

Site Status

Synopsis: CONTAMINATION DISCOVERED ON 09/23/2024 DURING REMOVAL OF SINGLE WALLED 500-GALLON HEATING OIL TANK. DISCHARGE EMANATED FROM CORROSION OF TANK. INITIAL ABATEMENT ACTION REMOVED APPROXIMATELY 53 TONS OF CONTAMINATED SOIL.

Contaminant: Heating Oil

|                          |              |
|--------------------------|--------------|
| Fund Coverage            | \$250,250.00 |
| Amount Fund Will Pay     | \$250,000.00 |
| Amount Requested         | \$34,689.39  |
| Amount Disallowed        | \$0.00       |
| Misc Debit/Credit        | \$0.00       |
| Reduction Amount Paid    | \$0.00       |
| Pending Copay/Deductible | \$0.00       |
| Copay/Deductible         | \$250.00     |
| Amount Recommended       | \$34,439.39  |
| Amount Paid              | \$34,439.39  |

Site Identification

|                                 |  |                      |               |
|---------------------------------|--|----------------------|---------------|
| Date Submitted:                 | 12/03/2024   | DEP Facility Number: | A-000082      |
| Site Name                       | Northern Nevada Coin Shop                              |                      |               |
| Site Contact                    | Allen Rowe   | Telephone:           | (775)771-3505 |
| Site Address                    | 601 N. Carson Street<br>Carson City, NV 89701          |                      |               |
| County:                         | Carson City County                                     |                      |               |
| Owner/Operator Name:            | 601 N Carson LLC                                       |                      |               |
| Contact Name of Owner/Operator: | Allen Rowe<br>601 N Carson St<br>Carson City, NV 89701 | Telephone:           | (775)771-3505 |
| Prime Contractor                | Reno Drain Oil Service                                 |                      |               |
| Contact Name                    | Steven Aguilar   |                      |               |
| Contractor Address              | 11970 Interstate 80 E<br>Sparks, NV 89434              |                      |               |
| Telephone:                      | (775)342-0351  | % Board Reduction:   | 0.00          |

Site Characteristics

| Alt ID                     | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|----------------------------|---------------------|------------------|---------------|---------------|
| 601 N<br>Carson St<br>Tank | 500                 | 72               | Non-Regulated | Tank          |

Case: #2024000034  
Claim #: 80838

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: February 12, 2025

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

|           |             |  |
|-----------|-------------|--|
|           | \$46,373.70 | Amount Requested to Date                       |
|           | \$0.00      | Deductible/Co-Payment Satisfied to Date        |
|           | \$0.00      | Amount Paid to Date                            |
| SUB TOTAL | \$25,958.67 | Amount Requested this Meeting                  |
|           | (\$250.00)  | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$25,708.67 | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 10/31/2024 and 12/17/2024

**Summary of work completed:** Historical release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace inside the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in the single wall steel tank shell. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Case officer was notified immediately regarding the suspected release based on holes in tank and staining in the excavation that appeared to be in excess of 3 cubic yards, lab results later verified TPH DRO,ORO,GRO in excess of 100 mg/kg and the confirmed release was reported via spill notification to NDEP. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tank. Contaminated soil was removed and delivered to the Waste Management Biopit. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

## Site Summary Report

**Case Number:** 2024000034      **Site Name:** Residence Of 449 Games Drive

### Site Status

**Synopsis:** THE SUBMITTED APPLICATION INDICATES A RELEASE OF HEATING OIL WAS DISCOVERED AT THE SUBJECT PROPERTY. DISCHARGE DISCOVERED 10/21/24 DURING REMOVAL OF A 300-GALLON SINGLE WALL STEEL TANK USED TO STORE HEATING OIL. CONTAMINATION EMANATED FROM THE CORROSION OF THE TANK SHELL. 92.65 TONS OF CONTAMINATED SOIL REMOVED DURING INITIAL ABATEMENT.

**Contaminant:** Heating Oil

|                                 |              |
|---------------------------------|--------------|
| <b>Fund Coverage</b>            | \$250,250.00 |
| <b>Amount Fund Will Pay</b>     | \$250,000.00 |
| <b>Amount Requested</b>         | \$46,373.70  |
| <b>Amount Disallowed</b>        | \$0.00       |
| <b>Misc Debit/Credit</b>        | \$0.00       |
| <b>Reduction Amount Paid</b>    | \$0.00       |
| <b>Pending Copay/Deductible</b> | \$0.00       |
| <b>Copay/Deductible</b>         | \$0.00       |
| <b>Amount Recommended</b>       | \$25,708.67  |
| <b>Amount Paid</b>              | \$25,708.67  |

### Site Identification

|  |   |                             |               |
|--|---|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 12/19/2024  | <b>DEP Facility Number:</b> | D-001435      |
| <b>Site Name</b>                       | Residence Of 449 Games Drive                          |                             |               |
| <b>Site Contact</b>                    | Marjorie Athayde                                      | <b>Telephone:</b>           | (757)870-1950 |
| <b>Site Address</b>                    | 449 Games Drive<br>Reno, NV 89509                     |                             |               |
| <b>County:</b>                         | Washoe County   |                             |               |
| <b>Owner/Operator Name:</b>            | Perry Intervivos Trust                                |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Marjorie Athayde<br>449 Games Drive<br>Reno, NV 89509 | <b>Telephone:</b>           | (757)870-1950 |
| <b>Prime Contractor</b>                | Reno Drain Oil Service                                |                             |               |
| <b>Contact Name</b>                    | Steven Aguilar  |                             |               |
| <b>Contractor Address</b>              | 11970 Interstate 80 E<br>Sparks, NV 89434             |                             |               |
| <b>Telephone:</b>                      | (775)342-0351   | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID               | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|----------------------|---------------------|------------------|---------------|---------------|
| 449 Games<br>Dr Tank | 300                 | 65               | Non-Regulated | Tank          |



Case: #2024000035  
Claim #: 80837

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: February 12, 2025

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

|           |             |  |
|-----------|-------------|--|
|           | \$28,498.98 | Amount Requested to Date                       |
|           | \$0.00      | Deductible/Co-Payment Satisfied to Date        |
|           | \$0.00      | Amount Paid to Date                            |
| SUB TOTAL | \$28,498.98 | Amount Requested this Meeting                  |
|           | (\$250.00)  | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$28,248.98 | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 10/18/2024 and 12/16/2024

**Summary of work completed:** Historical release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace inside the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in the single wall steel tank shell. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Case officer was notified immediately regarding the suspected release based on holes in tank and staining in the excavation that appeared to be in excess of 3 cubic yards, lab results later verified TPH DRO,ORO,GRO in excess of 100 mg/kg and the confirmed release was reported via spill notification to NDEP. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tank. Contaminated soil was removed and delivered to the Waste Management Biopit. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

# Site Summary Report

Case Number: 2024000035      Site Name: Residence Of 801 Pine Ridge Drive

## Site Status

**Synopsis:** CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES ON OCTOBER 4, 2024. DISCHARGE EMANATED FROM A NON-REGULATED 350-GALLON UNDERGROUND STORAGE TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. A TOTAL OF 85.66 TONS OF CONTAMINATED SOIL WAS REMOVED.

**Contaminant:** Heating Oil

|                                 |              |
|---------------------------------|--------------|
| <b>Fund Coverage</b>            | \$250,250.00 |
| <b>Amount Fund Will Pay</b>     | \$250,000.00 |
| <b>Amount Requested</b>         | \$28,498.98  |
| <b>Amount Disallowed</b>        | \$0.00       |
| <b>Misc Debit/Credit</b>        | \$0.00       |
| <b>Reduction Amount Paid</b>    | \$0.00       |
| <b>Pending Copay/Deductible</b> | \$0.00       |
| <b>Copay/Deductible</b>         | \$0.00       |
| <b>Amount Recommended</b>       | \$28,248.98  |
| <b>Amount Paid</b>              | \$28,248.98  |

## Site Identification

|  |   |                             |               |
|--|---|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 12/19/2024                                | <b>DEP Facility Number:</b> | D-001433      |
| <b>Site Name</b>                       | Residence Of 801 Pine Ridge Drive         |                             |               |
| <b>Site Contact</b>                    | Robert Pechnik                            | <b>Telephone:</b>           | (775)828-3677 |
| <b>Site Address</b>                    | 801 Pine Ridge Drive<br>Reno, NV 89509    |                             |               |
| <b>County:</b>                         | Washoe County                             |                             |               |
| <b>Owner/Operator Name:</b>            | Pechnik Trust Robert & Linda              |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Robert Pechnik                            | <b>Telephone:</b>           | (775)828-3677 |
|  | 801 Pine Ridge Drive<br>Reno, NV 89509    |                             |               |
| <b>Prime Contractor</b>                | Reno Drain Oil Service                    |                             |               |
| <b>Contact Name</b>                    | Steven Aguilar                            |                             |               |
| <b>Contractor Address</b>              | 11970 Interstate 80 E<br>Sparks, NV 89434 |                             |               |
| <b>Telephone:</b>                      | (775)342-0351                             | <b>% Board Reduction:</b>   | 0.00          |

## Site Characteristics

| Alt ID                   | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|--------------------------|---------------------|------------------|---------------|---------------|
| 801 Pineridge<br>Dr Tank | 350                 | 64               | Non-Regulated | Tank          |

Case: #2024000036  
Claim #: 80842

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: February 24, 2025

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

|           |             |  |
|-----------|-------------|--|
|           | \$30,867.29 | Amount Requested to Date                       |
|           | \$0.00      | Deductible/Co-Payment Satisfied to Date        |
|           | \$0.00      | Amount Paid to Date                            |
| SUB TOTAL | \$30,867.29 | Amount Requested this Meeting                  |
|           | (\$250.00)  | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$30,617.29 | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 11/12/2024 and 12/18/2024

**Summary of work completed:** Historical release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace inside the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in the single wall steel tank shell. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Case officer was notified immediately regarding the suspected release based on holes in tank and staining in the excavation that appeared to be in excess of 3 cubic yards, lab results later verified TPH DRO,ORO,GRO in excess of 100 mg/kg and the confirmed release was reported via spill notification to NDEP. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tank. Contaminated soil was removed and delivered to the Waste Management Biopit. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

## Site Summary Report

**Case Number:** 2024000036      **Site Name:** Residence Of 3522 Arcadia Drive

### Site Status

**Synopsis:** DISCHARGE DISCOVERED 10/29/24 DURING REMOVAL OF A 1,000-GALLON SINGLE WALL STEEL TANK USED TO STORE HEATING OIL. CONTAMINATION EMANATED FROM THE CORROSION OF THE TANK SHELL. 38.99 TONS OF CONTAMINATED SOIL REMOVED DURING INITIAL ABATEMENT. DOCUMENTATION PROVIDED WITH THE APPLICATION PROVIDES EVIDENCE THAT CONTAMINATION OF THE ENVIRONMENT OCCURRED.

**Contaminant:** Heating Oil

|                                 |              |
|---------------------------------|--------------|
| <b>Fund Coverage</b>            | \$250,250.00 |
| <b>Amount Fund Will Pay</b>     | \$250,000.00 |
| <b>Amount Requested</b>         | \$30,867.29  |
| <b>Amount Disallowed</b>        | \$0.00       |
| <b>Misc Debit/Credit</b>        | \$0.00       |
| <b>Reduction Amount Paid</b>    | \$0.00       |
| <b>Pending Copay/Deductible</b> | \$0.00       |
| <b>Copay/Deductible</b>         | \$0.00       |
| <b>Amount Recommended</b>       | \$30,617.29  |
| <b>Amount Paid</b>              | \$30,617.29  |

### Site Identification

|  |   |                             |               |
|--|---|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 12/30/2024  | <b>DEP Facility Number:</b> | A-000083      |
| <b>Site Name</b>                       | Residence Of 3522 Arcadia Drive                                   |                             |               |
| <b>Site Contact</b>                    | Ross Groelz   | <b>Telephone:</b>           | (530)318-3230 |
| <b>Site Address</b>                    | 3522 Arcadia Drive<br>Carson City, NV 89705                       |                             |               |
| <b>County:</b>                         | Carson City County  |                             |               |
| <b>Owner/Operator Name:</b>            | Emerald Bay Properties LLC  |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Ross Groelz<br>2163 White Sands Dr.<br>South Lake Tahoe, CA 96150 | <b>Telephone:</b>           | (530)318-3230 |
| <b>Prime Contractor</b>                | Reno Drain Oil Service  |                             |               |
| <b>Contact Name</b>                    | Steven Aguilar  |                             |               |
| <b>Contractor Address</b>              | 11970 Interstate 80 E<br>Sparks, NV 89434                         |                             |               |
| <b>Telephone:</b>                      | (775)342-0351   | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID                     | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|----------------------------|---------------------|------------------|---------------|---------------|
| 3522<br>Arcadia Dr<br>Tank | 1000                | 52               | Non-Regulated | Tank          |

Case: #2025000002  
Claim #: 80858

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: February 24, 2025

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

|           |             |  |
|-----------|-------------|--|
|           | \$32,372.35 | Amount Requested to Date                       |
|           | \$0.00      | Deductible/Co-Payment Satisfied to Date        |
|           | \$0.00      | Amount Paid to Date                            |
| SUB TOTAL | \$32,372.35 | Amount Requested this Meeting                  |
|           | (\$250.00)  | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$32,122.35 | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 11/01/2024 and 01/09/2025

**Summary of work completed:** Historical release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace inside the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in the single wall steel tank shell. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Case officer was notified immediately regarding the suspected release based on holes in tank and staining in the excavation that appeared to be in excess of 3 cubic yards, lab results later verified TPH DRO,ORO,GRO in excess of 100 mg/kg and the confirmed release was reported via spill notification to NDEP. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tank. Contaminated soil was removed and delivered to the Waste Management Biopit. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

## Site Summary Report

**Case Number:** 2025000002      **Site Name:** Residence Of 360 Sunset Drive

### Site Status

**Synopsis:** DISCHARGE DISCOVERED 10/23/24 DURING REMOVAL OF A 500-GALLON SINGLE WALL STEEL TANK USED TO STORE HEATING OIL. CONTAMINATION EMANATED FROM CORROSION OF THE TANK SHELL. 43.73 TONS OF CONTAMINATED SOIL REMOVED DURING INITIAL ABATEMENT.

**Contaminant:** Heating Oil

|                                 |              |
|---------------------------------|--------------|
| <b>Fund Coverage</b>            | \$250,250.00 |
| <b>Amount Fund Will Pay</b>     | \$250,000.00 |
| <b>Amount Requested</b>         | \$32,372.35  |
| <b>Amount Disallowed</b>        | \$0.00       |
| <b>Misc Debit/Credit</b>        | \$0.00       |
| <b>Reduction Amount Paid</b>    | \$0.00       |
| <b>Pending Copay/Deductible</b> | \$0.00       |
| <b>Copay/Deductible</b>         | \$0.00       |
| <b>Amount Recommended</b>       | \$32,122.35  |
| <b>Amount Paid</b>              | \$32,122.35  |

### Site Identification

|  |   |                             |               |
|--|---|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 01/08/2025  | <b>DEP Facility Number:</b> | D-001436      |
| <b>Site Name</b>                       | Residence Of 360 Sunset Drive                     |                             |               |
| <b>Site Contact</b>                    | Sara Miller                                       | <b>Telephone:</b>           | (775)848-3883 |
| <b>Site Address</b>                    | 360 Sunset Drive<br>Reno, NV 89509                |                             |               |
| <b>County:</b>                         | Washoe County                                     |                             |               |
| <b>Owner/Operator Name:</b>            | Sara Miller                                       |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Sara Miller<br>360 Sunset Drive<br>Reno, NV 89509 | <b>Telephone:</b>           | (775)848-3883 |
| <b>Prime Contractor</b>                | Reno Drain Oil Service                            |                             |               |
| <b>Contact Name</b>                    | Steven Aguilar                                    |                             |               |
| <b>Contractor Address</b>              | 11970 Interstate 80 E<br>Sparks, NV 89434         |                             |               |
| <b>Telephone:</b>                      | (775)342-0351                                     | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| Alt ID                | Tank Cap. (Gallons) | Tank Age (Years) | Tank Type     | Leak Location |
|-----------------------|---------------------|------------------|---------------|---------------|
| 360 Sunset<br>Dr Tank | 500                 | 68               | Non-Regulated | Tank          |

Case: #2025000003  
Claim #: 80850

**STAFF AUTHORIZED DIRECT PAYMENT**

Payment Date: February 12, 2025

The Nevada Division of Environmental Protection (NDEP), Petroleum Fund staff reviewed and approved the following claim amount. The owner provided a declaration to NDEP indicating the approved claim amount is uncontested in accordance with Fund Policy Resolution 2017-02. NDEP authorized payment of the subject claim on behalf of the Board to Review Claims.

|           |             |  |
|-----------|-------------|--|
|           | \$27,054.07 | Amount Requested to Date                       |
|           | \$0.00      | Deductible/Co-Payment Satisfied to Date        |
|           | \$0.00      | Amount Paid to Date                            |
| SUB TOTAL | \$27,054.07 | Amount Requested this Meeting                  |
|           | (\$250.00)  | Applicable Deductible/Co-Payment, this Meeting |
| TOTAL     | \$26,804.07 | Allowable Amount, this Board Meeting           |

The above claim amount represents reimbursement for invoices submitted between 10/31/2024 and 01/02/2025

**Summary of work completed:** Historical release discovered by Reno Drain Oil Service at time of home heating oil tank removal. RDO confirmed this was a home heating oil tank visually confirming return lines to the heating oil furnace inside the home. The home heating oil tank, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in the single wall steel tank shell. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report. Case officer was notified immediately regarding the suspected release based on holes in tank and staining in the excavation that appeared to be in excess of 3 cubic yards, lab results later verified TPH DRO,ORO,GRO in excess of 100 mg/kg and the confirmed release was reported via spill notification to NDEP. Heating oil contaminated soil was isolated to an area adjacent to the removed underground home heating oil tank. Contaminated soil was removed and delivered to the Waste Management Biopit. Confirmation samples were obtained at the direction of the NDEP Case Officer a closing report was submitted and a No Further Action determination was granted for this remediation project. Groundwater was not encountered during this project.

## Site Summary Report

**Case Number:** 2025000003      **Site Name:** Residence Of 445 Games Drive

### Site Status

**Synopsis:** CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES ON OCTOBER 22, 2024. DISCHARGE EMANATED FROM A NON-REGULATED 350-GALLON UNDERGROUND STORAGE TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. A TOTAL OF 104.31 TONS OF CONTAMINATED SOIL WAS REMOVED.

**Contaminant:** Heating Oil

|                                 |              |
|---------------------------------|--------------|
| <b>Fund Coverage</b>            | \$250,250.00 |
| <b>Amount Fund Will Pay</b>     | \$250,000.00 |
| <b>Amount Requested</b>         | \$27,054.07  |
| <b>Amount Disallowed</b>        | \$0.00       |
| <b>Misc Debit/Credit</b>        | \$0.00       |
| <b>Reduction Amount Paid</b>    | \$0.00       |
| <b>Pending Copay/Deductible</b> | \$0.00       |
| <b>Copay/Deductible</b>         | \$250.00     |
| <b>Amount Recommended</b>       | \$26,804.07  |
| <b>Amount Paid</b>              | \$26,804.07  |

### Site Identification

|  |   |                             |               |
|--|---|-----------------------------|---------------|
| <b>Date Submitted:</b>                 | 01/08/2025  | <b>DEP Facility Number:</b> | D-001434      |
| <b>Site Name</b>                       | Residence Of 445 Games Drive                        |                             |               |
| <b>Site Contact</b>                    | Harvey Lambert                                      | <b>Telephone:</b>           | (775)329-4197 |
| <b>Site Address</b>                    | 445 Games Drive<br>Reno, NV 89509                   |                             |               |
| <b>County:</b>                         | Washoe County                                       |                             |               |
| <b>Owner/Operator Name:</b>            | Harvey Lambert                                      |                             |               |
| <b>Contact Name of Owner/Operator:</b> | Harvey Lambert<br>445 Games Drive<br>Reno, NV 89509 | <b>Telephone:</b>           | (775)329-4197 |
| <b>Prime Contractor</b>                | Reno Drain Oil Service                              |                             |               |
| <b>Contact Name</b>                    | Steven Aguilar                                      |                             |               |
| <b>Contractor Address</b>              | 11970 Interstate 80 E<br>Sparks, NV 89434           |                             |               |
| <b>Telephone:</b>                      | (775)342-0351                                       | <b>% Board Reduction:</b>   | 0.00          |

### Site Characteristics

| <b>Alt ID</b>        | <b>Tank Cap. (Gallons)</b> | <b>Tank Age (Years)</b> | <b>Tank Type</b> | <b>Leak Location</b> |
|----------------------|----------------------------|-------------------------|------------------|----------------------|
| 445 Games<br>Dr Tank | 350                        | 65                      | Non-Regulated    | Tank                 |



Agenda Item 13:  
Executive  
Summary

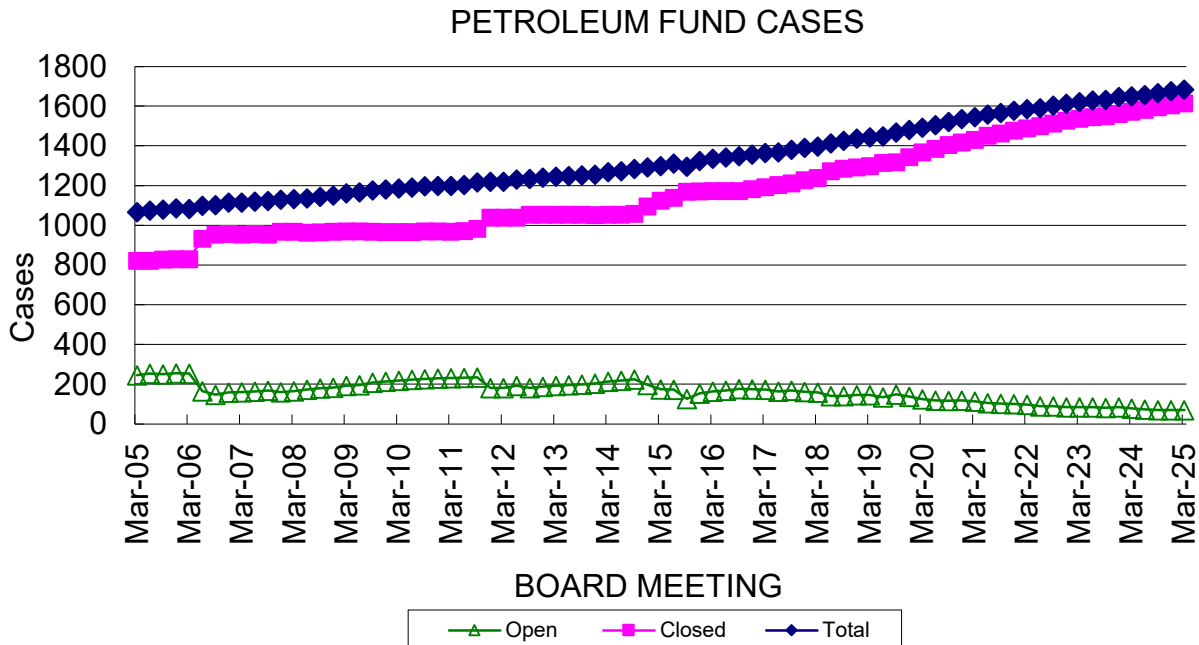
**STATE BOARD TO REVIEW CLAIMS  
MARCH 13, 2025 BOARD MEETING**

**EXECUTIVE SUMMARY REPORT**

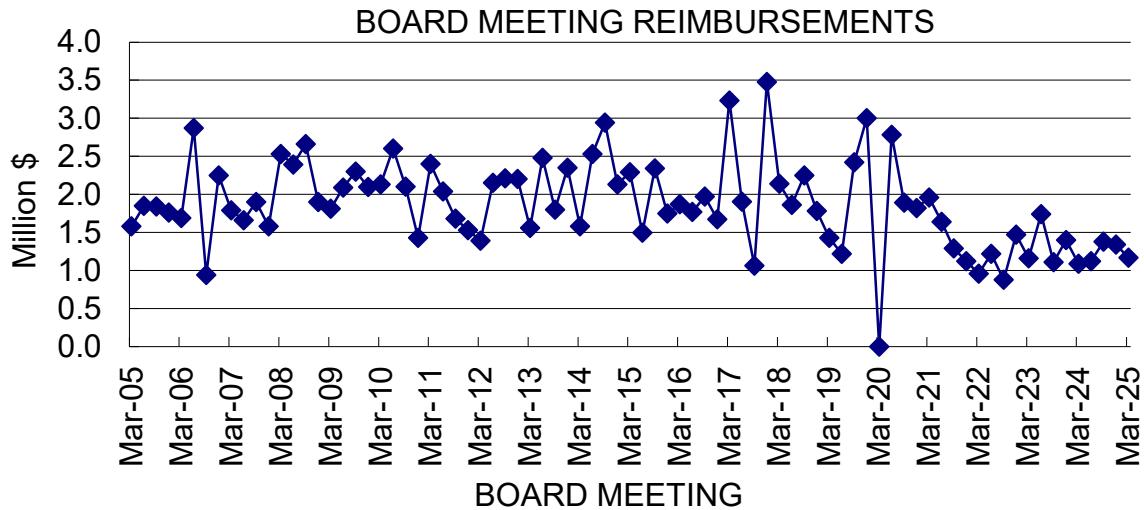
The Fund for Cleaning Up Discharges of Petroleum (“Petroleum Fund” or “Fund”) was established in 1989 by the Nevada Legislature. The Petroleum Fund facilitates the protection of Nevada’s environment, including its water resources, by allowing for prompt cleanup of petroleum discharges from storage tank systems. It also provides a mechanism for regulated underground petroleum storage tank operators to meet the federal financial responsibility requirements of 40 CFR 280, Subpart H. Authority for the Fund’s regulatory requirements is provided in Chapter 445C of the Nevada Revised Statutes (NRS) and adopted regulations under this authority are found in Chapter 445C of the Nevada Administrative Code (NAC).

**Enrollment Summary** – Tank enrollment fees are tracked pursuant to the Federal Fiscal Year (FFY). FFY 2025 runs October 1, 2024, through September 30, 2025. The annual tank system enrollment invoices for FFY 2025 were issued August 14, 2024. Additional invoices have also been generated for subsequent requests for tank enrollment. Currently, a total of 1,305 facilities have been invoiced at \$100 per petroleum tank system. As of February 25, 2025, 1286 (~98.5%) of the facilities have submitted the required enrollment fees.

**Program Case Summary** – Since the Fund was created, a total of 1,863 remediation cases have applied for Petroleum Fund coverage. Of those applications, 174 have been denied due to ineligibility or other reasons. Of the cases that were provided Fund coverage, 1,615 cases have since been closed and no longer receive Fund reimbursement. Currently, there are 70 open Fund cases. Since January 1, 2025, NDEP has received 4 applications for Fund coverage. There are 4 applications currently under review and pending a coverage determination.



**Claims Reimbursement Summary** – Prior to this meeting, the Board to Review Claims approved a cumulative total of \$264,961,613.83 for reimbursement to petroleum storage tank operators throughout Nevada for cleanup expenses. This cumulative total includes 13 claims paid via the direct payment method since the December 2024 Board meeting, totaling \$332,894.04. With today’s approval of \$833,475.85 in pending claims, the cumulative Fund expenditure will increase to \$265,795,089.68.



\* Note: The March 12, 2020 meeting was postponed and later cancelled. No claims were approved by the Board.

**Grant for UST Upgrades** – No UST upgrade grant payments were issued this quarter.

# Agenda Item 14: Public Comment

(FOR DISCUSSION)

**Agenda Item 15:**  
**Confirmation of Next Board Meeting Date**  
(FOR DISCUSSION)

**STATE BOARD TO REVIEW CLAIMS**  
**CONFIRMATION OF NEXT MEETING**

| DATE                                  | LOCATION   |
|---------------------------------------|--|
| June 12, 2025<br>Thursday<br>10:00 AM | <u>Videoconference</u><br><br>Richard H. Bryan Building, 901 South<br>Stewart Street, Bonnie B. Bryan<br>Boardroom (Suite 1002), Carson City,<br>NV<br><br>NDEP Las Vegas Office, 375 East<br>Warm Springs Road, Red Rock<br>Conference Room (Suite 200), Las<br>Vegas, NV |

Upcoming Board Meetings

June 12, 2025 - 10:00 AM

September 11, 2025 - 10:00 AM

December 11, 2025 - 10:00 AM

March 12, 2026 - 10:00 AM