

**STATE OF NEVADA BOARD TO REVIEW CLAIMS
MEETING MINUTES - MARCH 12, 2026**

1. CALL TO ORDER

Chair Tappan called the meeting to order at 10:00 a.m. The meeting was held in the Bonnie Conference room of the Richard Bryan Building located at 901 South Stewart Street, Carson City, NV and teleconferenced to the Red Rock Conference Room of the NDEP Las Vegas office, located at 375 East Warm Springs Road, Suite 200, Las Vegas, NV. Remote participation was also available via Microsoft Teams.

A. BOARD MEMBERS PRESENT

Chair, Maureen Tappan – Representative of the General Public
Vice-Chair, Rod Smith – Representative of Petroleum Refiners
LeRoy Perks – Representative of the Independent Retailers of Petroleum
Jason Case – Representative of Independent Petroleum Dealers
Karen Stoll – Department of Motor Vehicles
Jennifer Carr – Division of Environmental Protection
Albert Ruiz – State Fire Marshal’s Office

B. BOARD MEMBERS ABSENT

There were no Board Members absent.

C. OTHERS PRESENT

Katie Armstrong – Legal Counsel, State of Nevada, Attorney General’s Office

Megan Slayden, Gregory Johnson, Jeff Collins, Jeffrey Kinder, Ben Moan, Jonathan McRae, Kevin Salls, Dean Peterson, Michael Mazziotta, John Karr, Raman Brar, John Casey, Ruby Wood, Madison Mathers, Grant Spoering, Tristin Alishio, Kim Valdez, Kelly Gearlds, Ally Hernandez and Alexa Salls – Nevada Division of Environmental Protection (NDEP)

Brian Reed – Affinity Gaming
Lonnie Mercer – Geosyntec Consultants, Inc.
David Kelly – Northern Nevada Public Health
Rex Heppe – Broadbent & Associates, Inc.
Collin Schaumburg – ENCORE Consulting
Keith Stewart – Stewart Environmental, Inc.

2. PUBLIC COMMENT

There were no public comments.

3. APPROVAL OF THE DECEMBER 11, 2025, MINUTES

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

Mr. LeRoy Perks moved to approve the December 11, 2025, minutes. Vice-Chair Smith seconded the motion. Motion carried unanimously.

4. STATUS OF THE FUND

Megan Slayden, NDEP, provided a summary of revenues into the Fund for state fiscal year 2026, thus far:

The balance forward from state fiscal year 2025 was \$7,500,000. Approximately \$415,925 have been received from 2026 tank system enrollment fees. Approximately \$5,011,701 were generated by the \$0.0075 petroleum fee. The Fund has earned approximately \$147,883 in interest. The total revenue received by the Fund this fiscal year is \$13,075,508.74.

The total Fund expenditures for state fiscal year 2026, thus far are Board member salaries equal approximately \$791; in-state travel costs for Board members were approximately \$169; Board meeting operating costs were approximately \$285; money transferred from NDEP for program administration, staff salaries, and ongoing program maintenance was approximately \$906,855; funding for state-led petrochemical cleanups was approximately \$79,305; and reimbursement of Petroleum Fund cleanups totaled approximately \$2,734,725.

Expenditures of the Fund for state fiscal year 2026, thus far, equal \$3,722,129.76. The total funding currently available within the Petroleum Fund for fiscal year 2026 is \$9,353,378.98.

5. SITE SPECIFIC BOARD DETERMINATION FOR ADDITIONAL CLEANUP ALLOTMENT

Gregory Johnson, NDEP, presented a request for an additional allotment of funding under Board Policy Resolution 2023-01.

Site Specific Board Determination number C2026-01 proposes to provide an additional allotment of funding to Whiskey Pete's Stateline Stop. This is for Petroleum Fund case 2018000018, Facility ID 8-000772.

The subject site, identified as Whiskey Pete's Stateline Stop, located at 100 West Primm Boulevard, Primm, Nevada, was previously awarded coverage for a release from one gasoline underground storage tank system with a 10% reduction and a 10% copayment. The operator has requested an additional allotment of funding in accordance with Policy Resolution 2023-01, which is provided as Appendix A in your binders. Petroleum Fund staff has reviewed this request and prepared this SSBD to help the Board determine eligibility.

On January 30, 2026, 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.

On February 10, 2026, the Nevada Division of Environmental Protection case officer concurred the operator is compliant with required assessment and cleanup directives at the site, Appendix C. On November 13, 2025, the case officer requested that continued remediation activities take place at the site, Appendix D. Claim #81025 is recommended for payment at this meeting and exhausts all available cleanup funding for the case.

A review of case records indicates that the Operator is not liable pursuant to NRS 445C.390 and has not received money for damages pursuant to NRS 445C.380(1). The operator's estimate of the remaining cost to bring this case to closure is \$2,700,000.

Based on a review of the documentation provided with this request for an additional allotment of cleanup funding, staff recommend that the Board approve the allotment of funding in the amount of \$810,000 for Whiskey Pete's Stateline Stop. This represents \$1,000,000 in funding, minus a 10% reduction and a 10% copayment. The Board has the authority to approve a value of not greater than \$1,000,000 for this allotment.

Vice-Chair Smith stated there was discussion prior to the meeting on this determination and suggested that

details of the discussion be explained on the record. **Chair Tappan** agreed and requested Ms. Slayden communicate this discussion.

Megan Slayden stated this Board originally awarded this case with a 45% reduction. At that time, it had both a non-compliance issue and a co-mingled contamination issue. The operator requested a reconsideration to get some of the funding back. **Ms. Slayden** stated a reconsideration may be applied to the non-compliance issue, but not to the commingled contamination issue. In order to have the reduction related to the co-mingled contamination reconsidered a different policy would be applied. The operator would have to delineate both plumes and demonstrate that the ineligible plume constituted less than the percent reduction.

Ms. Slayden stated the Fund allows for one reconsideration in a case. When this reconsideration was approved, the reduction value was lowered from 45% to 10%, for the remainder of the lifetime of the case. When a reconsideration is processed, staff calculates the case-specific maximum, and amount of the allowable funding that has been spent. Then staff adjusts the reduction percentage to the new Board approved number. The new reduction is applied to the remaining percentage of funding as of the day of the reconsideration. This mechanism provides the operator with the difference, essentially. The calculation seen in the request was provided to the operator at the time of reconsideration and accounts for everything that was spent up to the day the reconsideration happened. The operator is notified of their new case ceiling, and is reimbursed for any activities from the day of the reconsideration, forward, under the new reduction value. The operator will be reimbursed with a 10% reduction, and a 10% copayment, moving forward. Therefore, this allotment, and any future allotments, will be proposed under these conditions.

Mr. LeRoy Perks stated that attachment D shows a remainder of \$393,000 and asked if an additional \$810,000 was going to be added to that.

Ms. Slayden indicated that number was the remaining value when the reconsideration was processed. The operator has exhausted all of the previous funding with the claim that is listed on today's consent agenda. If the allotment is approved today, they would have \$810,000.

Vice-Chair Smith moved to adopt Site Specific Board Determination No. C2026-01 as proposed, granting additional cleanup funding in accordance with Board Policy Resolution 2023-01 under the State of Nevada Petroleum Fund to Whiskey Pete's Stateline Shop for \$810,000. This represents \$1,000,000 in coverage, minus a 10% reduction and 10% co-payment. Mr. LeRoy Perks seconded the motion. No further discussion, motion passed unanimously.

6. ADOPTION OF CONSENT ITEMS

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

HEATING OIL				REQUESTED	RECOMMENDED
FOR POSSIBLE ACTION	1	2012000017; 80968	Churchill County School District: Old High School	\$13,160.13	\$13,160.13
				SUB TOTAL:	<u>\$13,160.13</u>
 NEW CASES				REQUESTED	RECOMMENDED
FOR POSSIBLE ACTION	1	2022000008; 80888	Nevada Department of Transportation - NDOT: NDOT-Las Vegas Main	\$197,757.62	\$176,524.00
FOR POSSIBLE ACTION	2	2025000009; 81024	7-Eleven, Inc: 7-Eleven #25785	\$241,358.53	\$217,078.50
				SUB TOTAL:	<u>\$439,116.15</u>
 ONGOING CASES				REQUESTED	RECOMMENDED
FOR POSSIBLE ACTION	1	1995000039; 81040	Al Park Petroleum, Inc.: Crescent Valley Market	\$10,899.02	\$10,899.02
FOR POSSIBLE ACTION	2	1995000042; 81031	FBF, Inc.: Gas 4 Less	\$7,695.34	\$7,310.57
FOR POSSIBLE ACTION	3	1999000022; 81053	Terrible Herbst, Inc.: Terrible Herbst #129	\$72,678.69	\$65,091.32
FOR POSSIBLE ACTION	4	1999000104; 81051	Terrible Herbst, Inc.: Terrible Herbst #118	\$66,475.03	\$59,827.53
FOR POSSIBLE ACTION	5	1999000114; 81014	City Of Fallon: Fallon Maint. Yard	\$58,158.63	\$57,630.39
FOR POSSIBLE ACTION	6	1999000137; 81055	Terrible Herbst, Inc.: Terrible Herbst #152	\$59,844.15	\$53,859.73
FOR POSSIBLE ACTION	7	2007000014; 81043	Raiders Oz Business, Llc: Former Ace Cab/Frias Transportation	\$36,382.58	\$32,744.32
FOR POSSIBLE ACTION	8	2007000016; 81042	Golden Gate Petroleum of Nevada Llc: Golden Gate Petroleum #43 - Sun Valley	\$30,048.62	\$27,043.76
FOR POSSIBLE ACTION	9	2010000009; 81012	HPT TA Properties Trust: Mill City Travel Center	\$13,144.08	\$10,646.70
FOR POSSIBLE ACTION	10	2011000009; 81046	Cimarron West: Cimarron West	\$10,395.14	\$9,355.63
FOR POSSIBLE ACTION	11	2013000019; 81052	Hardy Enterprises, Inc.: Elko Sinclair #53	\$12,468.10	\$11,221.29
FOR POSSIBLE ACTION	12	2014000025; 81049	Superior Campgrounds of America, Llc: Silver City RV Resort	\$36,774.79	\$33,097.31
FOR POSSIBLE ACTION	13	2015000009; 81013	HPT TA Properties Trust: Las Vegas Travel Center	\$90,608.74	\$81,547.87
FOR POSSIBLE ACTION	14	2016000023; 81054	Al Park Petroleum, Inc.: Pit Stop #1	\$98,958.98	\$75,045.31
FOR POSSIBLE ACTION	15	2018000009; 81047	Reed Incorporated: Pacific Pride	\$6,692.64	\$5,979.82
FOR POSSIBLE ACTION	16	2018000018; 81025	Primadonna Company, Llc: Whiskey Pete's Stateline Stop	\$1,546.30	\$50.94
FOR POSSIBLE ACTION	17	2019000010; 81022	Circle K Stores, Inc.: Circle K Store #2705399	\$20,324.28	\$18,116.10
FOR POSSIBLE ACTION	18	2021000032; 80969	Circle K Stores, Inc.: Circle K Store #2700755	\$53,093.46	\$47,784.11

FOR POSSIBLE ACTION	19	2022000035; 80985	7-Eleven, Inc: 7-Eleven #29407	\$42,013.62	\$37,523.88
FOR POSSIBLE ACTION	20	2023000018; 81048	Reed Incorporated: R Place #1	\$18,820.53	\$16,715.73
FOR POSSIBLE ACTION	21	2024000008; 81050	Midjit Market, Inc.: Green Valley Grocery #58	\$130,710.90	\$94,111.85
				SUB TOTAL:	<u>\$877,733.62</u>
				RECOMMENDED CLAIMS TOTAL:	<u>\$1,330,009.90</u>
					<u>\$755,603.18</u>

Mr. LeRoy Perks made a motion to adopt the consent items as proposed. Ms. Jennifer Carr seconded the motion. Motion passed unanimously

DRAFT

7. **DIRECT PAYMENT OF UNCONTESTED CLAIMS**

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

				REQUESTED	PAID
FOR POSSIBLE ACTION	1	2025000027; 81017	Karol F Robison-Garrett Trust: Residence Of 790 W 12th Street	\$20,976.51	\$19,949.77
FOR POSSIBLE ACTION	2	2025000029; 81020	Andrea Laue: Residence Of 2480 Idlewild Drive	\$30,146.38	\$29,896.38
FOR POSSIBLE ACTION	3	2026000002; 81037	Albert Clark: Residence Of 3255 Deer Foot Lane	\$18,160.48	\$17,910.48
FOR POSSIBLE ACTION	4	2026000003; 81036	Jeffrey Morgan: Residence Of 825 Cordone Avenue	\$33,450.65	\$33,200.65
SUB TOTAL:				<u>\$102,734.02</u>	<u>\$100,957.28</u>

ONGOING CASES

				REQUESTED	PAID
FOR POSSIBLE ACTION	1	1993000102; 81038	Rebel Oil Company: Rebel Store #2008	\$50,874.72	\$45,787.25
FOR POSSIBLE ACTION	2	1999000023; 81033	Nevada Ready Mix Corp: Nevada Ready Mix	\$15,644.30	\$14,079.87
FOR POSSIBLE ACTION	3	1999000066; 81034	HP Management, Llc: Former Haycock Petroleum	\$18,903.75	\$17,013.37
FOR POSSIBLE ACTION	4	2018000005; 81029	Rebel Oil Company: Rebel Store # 2153	\$8,435.39	\$6,861.50
FOR POSSIBLE ACTION	5	2019000014; 81028	Western Cab Co: Western Cab CO	\$11,680.00	\$10,512.00
FOR POSSIBLE ACTION	6	2020000015; 81021	Canyon Plaza, Llc: Gas 2 Go	\$32,881.90	\$17,748.13
FOR POSSIBLE ACTION	7	2022000012; 81027	Neissan Koroghli: City C-Store (7-11)	\$10,057.00	\$9,051.30
FOR POSSIBLE ACTION	8	2022000015; 81032	Rebel Oil Company: Rebel Store #2197	\$13,150.50	\$9,468.36
FOR POSSIBLE ACTION	9	2024000013; 81030	Ernies Truck Plaza, Inc.: Las Vegas Cardlock	\$7,339.00	\$3,963.06
FOR POSSIBLE ACTION	10	2024000022; 80987	Circle K Stores, Inc.: Circle K Store #2701365	\$82,223.71	\$44,400.81
FOR POSSIBLE ACTION	11	2024000031; 80988	Circle K Stores, Inc.: Circle K Store #2701791	\$77,245.65	\$41,280.65
SUB TOTAL:				<u>\$328,435.92</u>	<u>\$220,166.30</u>

DIRECT PAYMENT CLAIMS TOTAL: \$431,169.94 \$321,123.58

BOARD MEETING CLAIMS TOTAL: \$1,761,179.84 \$1,483,489.39

8. **EXECUTIVE SUMMARY**

Megan Slayden presented the executive summary report for the Petroleum Fund. Tank enrollment fees are tracked pursuant to the federal fiscal year, which runs from October 1st to September 30th. The annual invoices for enrollment year 2026 were issued August 13, 2025. A total of 1,330 facilities were invoiced as of February 26, 2026. Approximately 1,307, or about 98% of the invoiced facilities, have submitted the required tank enrollment fees.

The following is a summary of facilities that are eligible for Fund coverage or have received reimbursement payments from the Fund following a release. Since the inception of the Fund, a total of 1,895 remediation cases have applied for Fund coverage. 176 of those cases have been denied due to ineligibility or other reasons. Of the total cases provided Fund coverage, 1,648 of them have been closed and no longer receive cleanup reimbursement. There are currently 71 active Fund cases. Since January 1, 2026, NDEP has received 4 new applications for coverage. There are no applications pending a coverage determination at this time.

Prior to this Board meeting, the Board to Review Claims approved a cumulative total of \$269,446,116.51 for reimbursement to petroleum storage tank operators throughout Nevada, for cleanup expenses. This number includes \$321,123.58 for claims paid using the direct payment method, since the last Board meeting. With today's approval of \$1,162,365.81, the cumulative Fund expenditure will increase to \$270,628,482.32. There were no UST upgrade grants issued this quarter.

9. **PUBLIC COMMENT**

Chair Tappan welcomed Mr. Albert Ruiz from the State Fire Marshall's Office to the Board.

10. **CONFIRMATION OF NEXT BOARD MEETING**

Chair Tappan confirmed that the next Board meeting is tentatively scheduled for June 4, 2026, at 10:00 a.m.

11. **ADJOURNMENT**

Chair Tappan adjourned the meeting at 10:21 a.m.