

**STATE OF NEVADA BOARD TO REVIEW CLAIMS
AGENDA
MARCH 7, 2024**

The State of Nevada Board to Review Claims (Board) meeting will be video-conferenced and will begin promptly at 10:00 AM on Thursday, March 07, 2024 at the following locations:

Carson City: Richard H. Bryan Building Tahoe Room, 901 South Stewart Street, 2nd Floor, Carson City, NV. Remote participation information is also provided below this agenda.

Las Vegas: Red Rock Conference Room at 375 East Warm Springs Road, Suite 200, Las Vegas, NV. Remote participation information is also provided below this agenda.

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 14, 2023 MINUTES (FOR POSSIBLE ACTION)

4. STATUS OF THE FUND (FOR DISCUSSION)

NDEP reports to the Board the receipts, expenditures, liabilities, and current balance of the State of Nevada Petroleum Fund.

5. ADOPTION OF 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 7, 2024**

<u>HEATING OIL</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2012000017; 80608 Churchill County School District: Old High School	\$6,712.80	\$6,712.80
FOR POSSIBLE ACTION	2.	2023000023; 80642 Brooke Cage: 190 Del Mesa Court	\$17,551.76	\$17,239.26
SUB TOTAL:			<u>\$24,264.56</u>	<u>\$23,952.06</u>
<u>NEW CASES</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2023000018; 80677 Reed Incorporated: R Place #1	\$49,366.18	\$44,429.56
SUB TOTAL:			<u>\$49,366.18</u>	<u>\$44,429.56</u>
<u>ONGOING CASES</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	1992000126; 80663 Clark County School District: Rc White (arville) Transportation Satellite	\$27,148.46	\$27,148.46
FOR POSSIBLE ACTION	2.	1994000015; 80644 Pilger Family Holdings: Former D & G Oil Company	\$9,859.00	\$8,459.00

FOR POSSIBLE ACTION	3.	1995000039; 80604	Al Park Petroleum, Inc.: Crescent Valley Market	\$17,619.15	\$15,103.03
FOR POSSIBLE ACTION	4.	1995000042; 80657	FBF Inc.: Gas 4 Less	\$58,815.65	\$58,815.65
FOR POSSIBLE ACTION	5.	1996000064; 80661	The Esslinger Family Trust: Red Rock Mini Mart	\$26,493.66	\$24,413.91
FOR POSSIBLE ACTION	6.	1998000075; 80606	55 McDermitt Crude, Llc: McDermitt Motel & Convenience Store	\$20,710.38	\$18,639.34
FOR POSSIBLE ACTION	7.	1999000014; 80666	Al Park Petroleum, Inc.: Pit Stop #7 Conoco	\$8,921.51	\$8,029.36
FOR POSSIBLE ACTION	8.	1999000086; 80659	Terrible Herbst, Inc.: Terrible Herbst #126	\$2,168.75	\$1,951.87
FOR POSSIBLE ACTION	9.	1999000114; 80577	City Of Fallon: Fallon Maint. Yard	\$29,952.86	\$29,934.86
FOR POSSIBLE ACTION	10.	2007000014; 80665	Raiders Oz Business, Llc: Former Ace Cab/frias Transportation	\$66,359.79	\$59,723.81
FOR POSSIBLE ACTION	11.	2007000016; 80669	Golden Gate Petroleum Of Nevada Llc: Golden Gate Store #43	\$7,160.16	\$6,444.14
FOR POSSIBLE ACTION	12.	2010000009; 80667	Hpt Ta Properties Trust: Mill City Travel Center	\$22,972.94	\$18,608.09
FOR POSSIBLE ACTION	13.	2011000009; 80670	Cimarron West: Cimarron West	\$17,233.56	\$15,510.20
FOR POSSIBLE ACTION	14.	2012000012; 80658	Clark County Department Of Aviation: Former Smart Mart	\$25,865.68	\$23,279.11
FOR POSSIBLE ACTION	15.	2013000004; 80640	7-Eleven, Inc: 7-Eleven #29665	\$19,519.32	\$17,567.39
FOR POSSIBLE ACTION	16.	2013000019; 80672	Hardy Enterprises, Inc.: Elko Sinclair #53	\$38,230.85	\$34,407.77
FOR POSSIBLE ACTION	17.	2014000025; 80668	Superior Campgrounds Of America, Llc: Silver City Rv Resort	\$11,538.72	\$10,384.85
FOR POSSIBLE ACTION	18.	2016000023; 80627	Al Park Petroleum, Inc.: Pit Stop #1	\$35,776.24	\$25,758.89
FOR POSSIBLE ACTION	19.	2016000027; 80602	Terrible Herbst, Inc.: Terrible Herbst #272	\$15,775.03	\$12,777.78
FOR POSSIBLE ACTION	20.	2017000019; 80654	Rebel Oil Company: Rebel Store #2197	\$20,500.00	\$18,450.00
FOR POSSIBLE ACTION	21.	2017000035; 80656	Rebel Oil Company: Rebel Store #2177	\$71,062.35	\$62,801.41
FOR POSSIBLE ACTION	22.	2018000009; 80671	Reed Incorporated: Pacific Pride	\$72,064.04	\$64,857.64
FOR POSSIBLE ACTION	23.	2019000002; 80655	Rebel Oil Company: Rebel Store #2166	\$6,300.00	\$5,670.00
FOR POSSIBLE ACTION	24.	2019000014; 80646	Western Cab Co: Western Cab CO	\$7,709.50	\$6,938.55
FOR POSSIBLE ACTION	25.	2020000015; 80662	Canyon Plaza, Llc: Gas 2 Go	\$24,357.94	\$13,153.28
FOR POSSIBLE ACTION	26.	2020000016; 80660	LV Petroleum, Llc: Us Gas #7	\$6,010.00	\$5,409.00
FOR POSSIBLE ACTION	27.	2021000014; 80624	Pilot Travel Centers Llc: Pilot Travel Centers LLC #341	\$25,632.00	\$23,068.79
FOR POSSIBLE ACTION	28.	2021000027; 80612	Horizon C Stores, Llc: Horizon Market #5	\$3,755.62	\$3,380.06
FOR POSSIBLE ACTION	29.	2022000015; 80653	Rebel Oil Company: Rebel Store #2197	\$27,158.66	\$19,554.24
FOR POSSIBLE ACTION	30.	2022000018; 80625	Pilot Travel Centers Llc: Pilot Travel Centers LLC #341	\$10,469.60	\$7,538.11
SUB TOTAL:				<u>\$737,141.42</u>	<u>\$647,778.59</u>
RECOMMENDED CLAIMS TOTAL:				<u>\$810,772.16</u>	<u>\$716,160.21</u>

6. 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.	2023000024; 80637 Geoffrey Phillips: Residential Heating Oil Tank At 1575 Davidson Way	\$29,543.64	\$29,293.64
FOR DISCUSSION	2.	2023000025; 80636 Jake Sells: Residential Heating Oil At 670 Starlight Circle	\$35,751.16	\$35,501.16
FOR DISCUSSION	3.	2023000026; 80639 Steven Halme: Residential Heating Oil Tank At 3975 Lamay Lane, Washoe County	\$30,150.05	\$29,900.05
FOR DISCUSSION	4.	2023000027; 80638 Charles & Renee Krebs: Residential Heating Oil Tank At 1500 Sharon Way	\$28,836.43	\$28,586.43
FOR DISCUSSION	5.	2023000029; 80643 Samantha Schwartz: Residential Heating Oil Tank At 410 Puma Drive	\$33,077.11	\$32,827.11
FOR DISCUSSION	6.	2024000002; 80675 Lee Chanslor: Residence Of 2120 Royal Drive	\$35,539.70	\$35,289.70
FOR DISCUSSION	7.	2024000003; 80676 Jessica Maddox: Residence Of 1405 Clough Road	\$35,684.51	\$35,434.51
SUB TOTAL:			<u>\$228,582.60</u>	<u>\$226,832.60</u>

<u>ONGOING CASES</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	1993000102; 80599 Rebel Oil Company: Rebel Store #2008	\$58,264.68	\$58,264.68
FOR DISCUSSION	2.	1993000102; 80652 Rebel Oil Company: Rebel Store #2008	\$16,038.52	\$16,038.52
FOR DISCUSSION	3.	1999000023; 80649 Nevada Ready Mix Corp: Nevada Ready Mix	\$24,324.16	\$21,891.74
FOR DISCUSSION	4.	1999000066; 80650 HP Management, Llc: Former Haycock Petroleum	\$34,741.52	\$31,243.99

FOR DISCUSSION	5.	2014000033; 80648	Speedee Mart Inc.: Speedee Mart #108	\$11,378.56	\$10,240.70
FOR DISCUSSION	6.	2018000005; 80651	Rebel Oil Company: Rebel Store # 2153	\$8,626.50	\$7,763.85
FOR DISCUSSION	7.	2022000012; 80647	Neissan Koroghli: City C-Store (7-11)	\$6,006.50	\$5,234.40
			SUB TOTAL:	<u>\$159,380.44</u>	<u>\$150,677.88</u>
			DIRECT PAYMENT CLAIMS TOTAL:	<u>\$387,963.04</u>	<u>\$377,510.48</u>
			BOARD MEETING CLAIMS TOTAL:	<u>\$1,198,735.20</u>	<u>\$1,093,670.69</u>

7. EXECUTIVE SUMMARY (FOR DISCUSSION)

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

8. 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.

9. CONFIRMATION OF NEXT BOARD MEETING DATE (FOR DISCUSSION) JUNE 13, 2024 (THURSDAY) AT 10:00 AM

10. ADJOURNMENT

This agenda will be posted no later than three working days prior to the meeting at the following locations:

The Board to Review Claims meetings webpage at: <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/board-meeting-agendas-minutes> and the Department of Administration's website at: <https://notice.nv.gov>. Additional physical postings were requested at the following locations:

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

In addition to the physical meeting locations, viewing of and participation in the March 7, 2024 Board to Review Claims Meeting will be available via video/teleconference. Meeting access information is listed below:

Microsoft Teams meeting

Join on your computer, smartphone, or tablet using the following link:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_OTViNDE3OGMtNWNiMy00NmVklWI3ZTEtYTI0YTFiYmQ2NzBh%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22f5d90261-50cc-4af0-a3bb-e68b8276e5d2%22%7d

Or call in (audio only)

+1 775-321-6111,,603215745# United States, Reno
Phone Conference ID: 603 215 745#

The agency can accommodate limited seating at the meeting locations and requests advanced notice to accommodate attendees. Members of the public that need prior assistance to participate in the meeting or wish to submit a written public comment to be read aloud during the meeting should contact Tristin Alishio by email at talishio@ndep.nv.gov, by calling (775) 687-9369, or in writing at NDEP-BCA, Board to Review Claims, 901 S. Stewart St., Ste. 4001, Carson City, NV 89701 no later than March 4, 2024.

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