STATE OF NEVADA BOARD TO REVIEW CLAIMS
AGENDA
DECEMBER 14, 2017

The State of Nevada Board to Review Claims (Board) meeting will be video-conferenced and will begin promptly at 11:00 AM on Thursday, December 14, 2017 at the following locations:

   Carson City: Nevada Legislative Building, 401 S. Carson St., Rm. 2134
   Las Vegas: Grant Sawyer Building, 555 E. Washington Ave., Rm. 4401

The public is invited to attend either location.

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 ten minutes per person at the discretion of the chairperson.

Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the Board may refuse to consider public comment. See NRS 233B.126.

1. CALL TO ORDER AND ROLL CALL

2. PUBLIC COMMENT (FOR DISCUSSION)
   Members of the public will be invited to speak before the Board on any issue related to the Petroleum Fund. No action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action.

3. APPROVAL OF THE SEPTEMBER 14, 2017 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. RECOGNITION OF SERVICE: GEORGE ROSS (FOR DISCUSSION)
   The recognition of accomplishments and service of Chairman George Ross.

6. SITE SPECIFIC BOARD DETERMINATION FOR 3RD PARTY LIABILITY (FOR POSSIBLE ACTION)

   Site Specific Board Determination No. C2017-05
   Proposed Site Specific Board Determination (SSBD) to Provide Third Party Liability Coverage and Associated Claim Reimbursement to The Riviera, 2901 Las Vegas Blvd. South, Las Vegas, Nevada, Facility ID No. 8-001540, Petroleum Fund Case ID No. 2016000028

   RECOMMENDATION:
   Adoption of Site Specific Board Determination No. C2017-05 as proposed, granting third party liability Fund coverage to the subject site for one underground storage tank system with a 30% reduction and a 10% copayment. Additionally, the approval of payment of the claim exceedance in the amount of $504,470.56.

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

   Site Specific Board Determination No. C2017-06
   Proposed Site Specific Board Determination (SSBD) to provide reduced Petroleum Fund Coverage for MLK Gas Mart, Las Vegas, Nevada Facility ID No. 8-001654, Petroleum Fund Case ID No. 2017000027

   RECOMMENDATION:
   Adoption of Site Specific Board Determination No. C2017–06, as proposed, granting coverage under the State of Nevada Petroleum Fund to MLK Gas Mart for one UST system and associated underground piping with a 20% reduction and 10% copayment.

8. ADOPTION OF REGULATORY PETITION R032-17 (FOR POSSIBLE ACTION)
   NDEP will present for adoption Regulatory Petition R032-17 that addresses a grant program for UST owner/operators and a technical assistance program.

   RECOMMENDATION:
   Adoption of Regulatory Petition R032-17 as proposed.

9. ADOPTION OF POLICY RESOLUTION 2017-02 PROVIDING BOARD AUTHORIZATION TO NDEP FOR DIRECT PAYMENT OF UNCONTESTED CLAIMS (FOR POSSIBLE ACTION)
   NDEP will present Policy Resolution No. 2017-02 for adoption, which will provide authorization for the NDEP to make payments on behalf of the Board prior to a Board meeting for claims that have an uncontested payment recommendation.

   RECOMMENDATION:
   Adoption of Policy Resolution No. 2017-02 as proposed.

10. INTERNAL REVENUE SERVICE FORM 1099 (FOR DISCUSSION)
    Mr. Peter Keegan, Deputy Attorney General for the Board to Review Claims, will update the Board on the requirement for issuing 1099 IRS Forms and progress in seeking a Determination from the Secretary of Agriculture to allow private residents receiving reimbursement funds to exclude those funds from their gross income calculations.
RECOMMENDATION:
Adoption of Site Specific Board Determination No. C2017-05 as proposed, granting third party liability Fund coverage to the subject site for one underground storage tank system with a 30% reduction and a 10% copayment. Additionally, the approval of payment of the claim exceedance in the amount of $504,470.56.

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

Site Specific Board Determination No. C2017-06
Proposed Site Specific Board Determination (SSBD) to provide reduced Petroleum Fund Coverage for MLK Gas Mart, Las Vegas, Nevada
Facility ID No. 8-001654, Petroleum Fund Case ID No. 2017000027

RECOMMENDATION:
Adoption of Site Specific Board Determination No. C2017–06, as proposed, granting coverage under the State of Nevada Petroleum Fund to MLK Gas Mart for one UST system and associated underground piping with a 20% reduction and 10% copayment.

8. ADOPTION OF REGULATORY PETITION R032-17 (FOR POSSIBLE ACTION)

NDEP will present for adoption Regulatory Petition R032-17 that addresses a grant program for UST owner/operators and a technical assistance program.

RECOMMENDATION:
Adoption of Regulatory Petition R032-17 as proposed.

9. ADOPTION OF POLICY RESOLUTION 2017-02 PROVIDING BOARD AUTHORIZATION TO NDEP FOR DIRECT PAYMENT OF UNCONTESTED CLAIMS (FOR POSSIBLE ACTION)

NDEP will present Policy Resolution No. 2017-02 for adoption, which will provide authorization for the NDEP to make payments on behalf of the Board prior to a Board meeting for claims that have an uncontested payment recommendation.

RECOMMENDATION:
Adoption of Policy Resolution No. 2017-02 as proposed.

10. INTERNAL REVENUE SERVICE FORM 1099 (FOR DISCUSSION)

Mr. Peter Keegan, Deputy Attorney General for the Board to Review Claims, will update the Board on the requirement for issuing 1099 IRS Forms and progress in seeking a Determination from the Secretary of Agriculture to allow private residents receiving reimbursement funds to exclude those funds from their gross income calculations.
11. ADOPTION OF CONSENT ITEMS (FOR POSSIBLE ACTION)

The Board will review all items as consent items, unless marked with an asterisk (*) indicates a nonconsent item, which either a member of the public has requested to address before the Board or the item is associated with a Fund Site Specific Board Determination. Upon Board adoption of the relevant Site Specific Board Determination, the nonconsent item is considered to be a consent item.

A dagger (†) indicated 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.

STATE BOARD TO REVIEW CLAIMS
REQUESTED/RECOMMENDED AMOUNTS - DECEMBER 14, 2017

<table>
<thead>
<tr>
<th>HEATING OIL</th>
<th>REQUESTED</th>
<th>RECOMMENDED</th>
</tr>
</thead>
<tbody>
<tr>
<td>FOR POSSIBLE ACTION 1. 1993000020 University</td>
<td>$2,175.00</td>
<td>$2,175.00</td>
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<tr>
<td>FOR POSSIBLE ACTION 2. 2007000013 Churchill</td>
<td>$6,848.75</td>
<td>$6,848.75</td>
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<tr>
<td>FOR POSSIBLE ACTION 3. 2012000017 Churchill</td>
<td>$7,144.27</td>
<td>$7,144.27</td>
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<tr>
<td>FOR POSSIBLE ACTION 4. 2017000029 Carson City</td>
<td>$18,267.72</td>
<td>$16,806.35</td>
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<tr>
<td>FOR POSSIBLE ACTION 5. 2017000030 Thayer</td>
<td>$12,014.93</td>
<td>$11,764.93</td>
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<tr>
<td>FOR POSSIBLE ACTION 6. 2017000031 S3 Development</td>
<td>$18,772.90</td>
<td>$18,522.90</td>
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<tr>
<td>FOR POSSIBLE ACTION 7. 2017000034 Johnnie Stolz</td>
<td>$13,082.22</td>
<td>$12,832.22</td>
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<tr>
<td>FOR POSSIBLE ACTION 8. 2017000036 William</td>
<td>$15,187.58</td>
<td>$14,937.58</td>
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<tr>
<td>FOR POSSIBLE ACTION 9. 2017000037 Noreen</td>
<td>$11,322.10</td>
<td>$11,072.10</td>
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<tr>
<td>FOR POSSIBLE ACTION 10. 2017000038 Mark</td>
<td>$16,830.34</td>
<td>$16,580.34</td>
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<tr>
<td>FOR POSSIBLE ACTION 11. 2017000040 Joseph</td>
<td>$9,809.89</td>
<td>$9,559.89</td>
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SUB TOTAL: $131,861.70 $128,244.33

<table>
<thead>
<tr>
<th>NEW CASES</th>
<th>REQUESTED</th>
<th>RECOMMENDED</th>
</tr>
</thead>
<tbody>
<tr>
<td>FOR POSSIBLE ACTION 1. 2016000011 Frederick</td>
<td>$261,695.50</td>
<td>$214,466.03</td>
</tr>
</tbody>
</table>

Board Meeting, December 14, 2017, Page 3 of 7
| FOR POSSIBLE ACTION | 2. | 2016000028 | Las Vegas Convention Center And Visitors Authority: The Riviera | $1,800,746.92 | $1,134,470.56 |
| FOR POSSIBLE ACTION | 3. | 2017000015 | Gmr National A Nevada General Partnership: 24x7 Mini Mart | $75,898.81 | $54,647.15 |

**SUB TOTAL:** $2,138,341.23 $1,403,583.74

### ONGOING CASES

<table>
<thead>
<tr>
<th>FOR POSSIBLE ACTION</th>
<th>ACTIVITY</th>
<th>REQUESTED</th>
<th>RECOMMENDED</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>1992000126</td>
<td>Clark County School District: Rc White (Arville) Transportation Satellite</td>
<td>$8,476.00</td>
</tr>
<tr>
<td>2.</td>
<td>1993000102</td>
<td>Rebel Oil Company: Rebel Store #2008</td>
<td>$12,486.86</td>
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<tr>
<td>3.</td>
<td>1993000103</td>
<td>Charlie Brown Construction: Charlie Brown Const.</td>
<td>$6,422.01</td>
</tr>
<tr>
<td>4.</td>
<td>1994000115</td>
<td>Pilger Family Holdings: Former D &amp; G Oil Company</td>
<td>$32,920.97</td>
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<tr>
<td>5.</td>
<td>1994000037</td>
<td>Param Investments Llc: Go-Fer Supermarket</td>
<td>$76,318.97</td>
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<tr>
<td>6.</td>
<td>1994000676</td>
<td>Peppermill Casinos Inc: Frmr Peppermill Truckstop</td>
<td>$6,814.90</td>
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<tr>
<td>7.</td>
<td>1994000113</td>
<td>Pilot Travel Centers Llc: Former Unocal Truck Stop #6328</td>
<td>$37,253.26</td>
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<tr>
<td>8.</td>
<td>1994000122</td>
<td>Michelsen's Gas A Mart, Inc: Mike's Chevron</td>
<td>$16,656.00</td>
</tr>
<tr>
<td>9.</td>
<td>1995000039</td>
<td>Al Park Petroleum Inc: Crescent Valley Market</td>
<td>$129,654.40</td>
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<tr>
<td>10.</td>
<td>1996000063</td>
<td>Joan Pennachio: V &amp; V Automotive</td>
<td>$9,434.69</td>
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<tr>
<td>12.</td>
<td>1997000008</td>
<td>Ewing Bros Inc: Ewing Bros INC</td>
<td>$2,710.00</td>
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<td>13.</td>
<td>1998000034</td>
<td>Chevron Usa Products CO.: Chevron #9-4116</td>
<td>$340,174.65</td>
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<td>14.</td>
<td>1998000046</td>
<td>Wildens Automotive Holdings: Frmr Allstate Rent A Car</td>
<td>$11,655.54</td>
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<tr>
<td>15.</td>
<td>1998000075</td>
<td>Jeff Bumb : McDermitt Motel &amp; Convenience Store</td>
<td>$7,677.14</td>
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<td>16.</td>
<td>1999000014</td>
<td>Al Park Petroleum Inc: Pit Stop #7 Conoco</td>
<td>$16,423.81</td>
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<td>17.</td>
<td>1999000022</td>
<td>Terrible Herbst, INC.: Terrible Herbst #129 (Chevron)</td>
<td>$15,503.65</td>
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<td>18.</td>
<td>1999000023</td>
<td>Nevada Ready Mix Corp: Nevada Ready Mix</td>
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<td>19.</td>
<td>1999000029</td>
<td>Terrible Herbst, INC.: Terrible Herbst #136 (Arco)</td>
<td>$13,974.92</td>
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<tr>
<td>20.</td>
<td>1999000052</td>
<td>Estate Of Martin T. Wessel: Ted's Chevron</td>
<td>$10,033.37</td>
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<tr>
<td>21.</td>
<td>1999000064</td>
<td>Al Park Petroleum Inc: Pit Stop #4 (Conoco)</td>
<td>$14,252.75</td>
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<td>22.</td>
<td>1999000066</td>
<td>HP Management, Llc: Former Haycock Petroleum</td>
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<td>23.</td>
<td>1999000086</td>
<td>Terrible Herbst, INC.: Terrible Herbst #126 (Arco)</td>
<td>$9,311.25</td>
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<tr>
<td>24.</td>
<td>1999000090</td>
<td>HP Management, Llc: Former Haycock Petroleum</td>
<td>$207,408.54</td>
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<td>25.</td>
<td>1999001004</td>
<td>Terrible Herbst, INC.: Terrible Herbst #118 (Arco)</td>
<td>$6,931.25</td>
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<td>26.</td>
<td>1999001114</td>
<td>City Of Fallon: Fallon Maint. Yard</td>
<td>$6,373.73</td>
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<td>27.</td>
<td>1999001315</td>
<td>Terrible Herbst, INC.: Terrible Herbst #106 (Gas) &amp; #108 (Lube)</td>
<td>$14,591.03</td>
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<td>28.</td>
<td>1999001317</td>
<td>Terrible Herbst, INC.: Terrible Herbst #152 (Gas) &amp; #155 (Lube)</td>
<td>$7,649.89</td>
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<td>29.</td>
<td>1999001999</td>
<td>Village Springs, Llc: Lakeshore Orbit Station</td>
<td>$34,244.45</td>
</tr>
</tbody>
</table>
ADOPTION OF CONSENT ITEMS (FOR POSSIBLE ACTION)

RECOMMENDED

FOR POSSIBLE ACTION 30. 1999000243 7-Eleven Inc: 7-Eleven #27607 $3,161.43 $2,845.29
FOR POSSIBLE ACTION 31. 1999000273 Mr. V. K. Leavitt: The Waterhole $78,508.75 $70,657.87
FOR POSSIBLE ACTION 32. 2004000011 Travel Centers Of America: Wells Petro Truck Service $44,749.19 $40,274.27
FOR POSSIBLE ACTION 33. 2005000002 Carson Valley Oil Co Inc: Carson Valley Oil CO $2,799.50 $2,519.55
FOR POSSIBLE ACTION 34. 2005000025 Bordertown Inc: Bordertown Winners Corner $2,582.32 $2,324.09
FOR POSSIBLE ACTION 35. 2005000044 Ewing Bros Inc: Ewing Bros INC $15,339.53 $13,333.98
FOR POSSIBLE ACTION 36. 2007000014 Ace Cab Company: Ace Cab Company $14,690.72 $10,900.92
FOR POSSIBLE ACTION 37. 2008000005 Avis Rent A Car System Llc: Avis Rent A Car $21,449.21 $19,304.29
FOR POSSIBLE ACTION 38. 2008000009 Pilot Travel Centers Llc: Flying J Travel Plaza #770 $75,892.69 $54,433.92
FOR POSSIBLE ACTION 39. 2008000017 Big Daddy's Oil Llc: Arco Am/pm Mini Market $61,534.10 $55,380.69
FOR POSSIBLE ACTION 40. 2008000018 Jacksons Food Stores Inc: Jacksons Food Stores #0145 $11,187.31 $10,068.58
FOR POSSIBLE ACTION 41. 2008000019 One Panou Llc: Golden Market #3 $15,706.83 $14,136.15
FOR POSSIBLE ACTION 42. 2009000017 D & J Holdings, Llc: Convenience Corner Shell $8,074.75 $7,267.27
FOR POSSIBLE ACTION 43. 2009000024 Parampreet Investment Llc: Chucks Circle C Market $40,437.72 $35,173.55
FOR POSSIBLE ACTION 44. 2009000028 Vegas Rainbows, Inc: Mick & Mac's Food Mart $36,690.64 $30,898.39
FOR POSSIBLE ACTION 45. 2010000001 Smitten Oil And Tire Co Inc: The Gas Store $8,002.75 $7,202.47
FOR POSSIBLE ACTION 46. 2010000007 Pecos Express: Pecos Station $9,494.94 $8,950.45
FOR POSSIBLE ACTION 47. 2010000009 Travel Centers Of America: Mill City Travel Center $220,688.94 $144,444.82
FOR POSSIBLE ACTION 48. 2011000006 7-Eleven Inc: 7-Eleven #29384 $14,884.96 $13,396.46
FOR POSSIBLE ACTION 49. 2011000009 Cimarron West: Cimarron West $106,565.96 $95,909.36
FOR POSSIBLE ACTION 50. 2012000005 Aramark Corporation: Zephyr Cove Resort $32,187.94 $28,969.15
FOR POSSIBLE ACTION 51. 2012000012 Dewey Has Gas, Inc: Smart Mart $36,617.74 $32,955.97
FOR POSSIBLE ACTION 52. 2013000005 R B Properties Inc: South Pointe Market $6,839.94 $6,155.95
FOR POSSIBLE ACTION 53. 2013000009 Western Petroleum: Western Petroleum $32,899.23 $29,609.31
FOR POSSIBLE ACTION 54. 2013000011 Har Moor Investments, Llc: Village Shop #4 $9,798.50 $8,818.65
FOR POSSIBLE ACTION 55. 2013000019 Hardy Enterprises Inc: Elko Sinclair #53 $26,627.99 $23,956.19
FOR POSSIBLE ACTION 56. 2013000021 7-Eleven Inc: 7-Eleven #27700 $11,083.66 $9,975.29
FOR POSSIBLE ACTION 57. 2014000004 Alsaker Corp: Broadway Colt Service Center $40,112.54 $36,101.29
FOR POSSIBLE ACTION 58. 2014000016 Smitten Oil And Tire Co Inc: Former Smitten Oil $6,643.46 $5,979.11
FOR POSSIBLE ACTION 59. 2014000025 Superior Campgrounds Of America Llc: Silver City Rv Resort $11,316.78 $10,185.10
FOR POSSIBLE ACTION 60. 2014000033 Speedee Mart Inc: Speedee Mart #108 $23,936.21 $21,542.59
FOR POSSIBLE ACTION 61. 2014000041 Forever Resorts: Callville Bay Resort Marina $15,042.50 $13,583.25
FOR POSSIBLE ACTION 62. 2015000005 Elko Acquisitions LLC dba Red Lion Chevron: Red Lion Chevron $14,240.52 $12,816.47
FOR POSSIBLE ACTION 63. 2015000009 Travel Centers Of America: Las Vegas Travel Center $8,988.75 $8,089.87
FOR POSSIBLE ACTION 64. 2015000014 Abe Kaabipour: City Express $9,058.89 $8,152.99
FOR POSSIBLE ACTION 65. 2015000025 Blue Horizon Investments, INC.: Horizon Market #5 $3,442.50 $3,098.25

Upon Board adoption
<table>
<thead>
<tr>
<th>FOR POSSIBLE ACTION</th>
<th>Claim Number</th>
<th>Company/Location</th>
<th>Requested Amount</th>
<th>Recommended Amount</th>
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</thead>
<tbody>
<tr>
<td>66</td>
<td>2016000005</td>
<td>Golden Gate S.e.t. Retail Of Nevada Llc: Golden Gate Facility #65 - Fallon</td>
<td>$1,186.25</td>
<td>$1,067.63</td>
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<td>67</td>
<td>2016000006</td>
<td>Wendover Fuels Llc: Chevron</td>
<td>$2,262.87</td>
<td>$1,629.27</td>
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<td>68</td>
<td>2016000023</td>
<td>Al Park Petroleum Inc: Pit Stop #1</td>
<td>$26,237.98</td>
<td>$18,891.34</td>
</tr>
</tbody>
</table>

**SUB TOTAL:** $2,244,574.06  $1,944,489.79

**CLAIMS TOTAL:** $4,514,776.99  $3,476,317.86
12. EXECUTIVE SUMMARY (FOR DISCUSSION)
NDEP will brief the Board on Fund coverage activities, Fund expenditures, tank enrollment status, and Eagle Gas North cleanup status.

13. 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.

14. CONFIRMATION OF NEXT BOARD MEETING DATE (FOR DISCUSSION)
MARCH 8, 2018 (THURSDAY) AT 11:00 AM

15. ADJOURNMENT

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

Clark County Managers Office, 500 S. Grand Central Pkwy., Las Vegas, NV 89106
Grant Sawyer Building, 555 E. Washington Ave. Rm. 1003, Las Vegas, NV 89101
Legislative Counsel Bureau, 401 S. Carson St., Carson City, NV 89701
Nevada State Library & Archives, 100 N. Stewart St., Carson City, NV 89701-4285
State Fire Marshal's Office, Stewart Facility, 107 Jacobsen Way, Carson City, NV 89711
State of Nevada, Environmental Protection, Bureau Of Corrective Actions, 901 S. Stewart St., Carson City, NV 89701-5249
State of Nevada, Environmental Protection, Bureau Of Corrective Actions, 2030 E. Flamingo Rd., Ste. 230 Las Vegas, NV 89119
Washoe County Commission Chambers, 1001 E. 9th St., Reno, NV 89512
Washoe County District Health Department - Environmental Health Services Division, PO Box 11130, Reno, NV 89520-0027
Washoe County Library, 301 S. Center St., Reno, NV 89501

You may find the agenda posted On our web site at: https://ndep.nv.gov/environmental-cleanup/petroleum-fund.
It Is also posted on the Legislative Counsel Bureau’s website at http://www.leg.state.nv.us/register/ and the Department of Administrations's website at https://notice.nv.gov.

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify, in writing, NDEP, State of Nevada Board to Review Claims, in care of Victoria Joncas, 901 S. Stewart St., Ste. 4001, Carson City, NV 89701, facsimile (775) 687-8335, or by calling (775) 687-9369 no later than December 11, 2017.

Note: Supporting material for this meeting and audio recordings of previous meetings are located in the Carson City Nevada Division of Environmental Protection (NDEP) office and can be obtained from Victoria Joncas by sending a request in writing to 901 S. Stewart St., Ste. 4001, Carson City, NV 89701, via electronic mail to vjoncas@ndep.nv.gov, or by calling (775) 687-9369.