

Meeting Agenda

**STATE OF NEVADA BOARD TO REVIEW CLAIMS
AGENDA
SEPTEMBER 12, 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, September 12, 2024 at the following locations:

Carson City: Richard H. Bryan Building, 901 South Stewart Street, Tahoe Hearing Room (Suite 2001), 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 JUNE 13, 2024 MINUTES (FOR POSSIBLE ACTION)

4. STATUS OF THE FUND (FOR DISCUSSION)

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

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

Site Specific Board Determination No. C2024-03

Proposed Site-Specific Board Determination to provide an Additional Allotment of Cleanup Funding in accordance with Board Policy Resolution 2023-01, for Gas 4 Less, located at 3283 Las Vegas Boulevard North, Las Vegas, Nevada
Petroleum Fund Case ID No. 1995000042, Facility ID No. 8-000251

RECOMMENDATION:

Adoption of Site-Specific Board Determination No. C2024-03 as proposed, granting additional cleanup funding in accordance with Board Policy Resolution 2023-01 under the State of Nevada Petroleum Fund to Gas 4 Less for \$950,000.00. This represents \$1,000,000.00 in coverage minus a 5% copayment.

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

Site Specific Board Determination No. C2024-04

Proposed Site-Specific Board Determination (SSBD) to provide reduced Petroleum Fund Coverage for Las Vegas Cardlock, 4480 E. Cheyenne Avenue, Las Vegas, Nevada
Petroleum Fund Case ID No. 2024000013, Facility ID No. 8-002005

RECOMMENDATION:

Adoption of Site-Specific Board Determination No. C2024-04 as proposed, granting coverage under the State of Nevada Petroleum Fund to Las Vegas Cardlock 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.

7. ADDITION OF APPENDIX A-2 TO THE COST GUIDELINES (FOR POSSIBLE ACTION)

Staff will request Board approval of the addition of Appendix A-2 to the Petroleum Fund Cost Guidelines, which establishes guidelines, timelines, and rates for rental of CEM-owned mobile remediation systems.

8. ADOPTION OF CONSENT ITEMS (FOR POSSIBLE ACTION)

The Board may approve all items in the following list as a consent agenda unless a listed item is marked with an asterisk (*). Items may be marked with an asterisk if a member of the public has requested 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 - SEPTEMBER 12, 2024**

<u>HEATING OIL</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2012000017; 80717 Churchill County School District: Old High School	\$11,871.36	\$11,871.36
FOR POSSIBLE ACTION	2.	2024000017; 80778 Emil Yankov: Residence Of 2090 Carter Drive	\$18,931.25	\$18,680.25
SUB TOTAL:			<u>\$30,802.61</u>	<u>\$30,551.61</u>
<u>NEW CASES</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2023000013; 80620 Terrible Herbst, Inc.: Terrible Herbst #3	\$97,680.00	\$84,719.47
FOR POSSIBLE ACTION	2.	2024000008; 80711 Midjit Market, Inc.: Green Valley Grocery #58	\$73,145.77	\$52,664.96
SUB TOTAL:			<u>\$170,825.77</u>	<u>\$137,384.43</u>
<u>ONGOING CASES</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	1992000126; 80770 Clark County School District: Re White (arville) Transportation Satellite	\$19,062.56	\$19,026.31

FOR POSSIBLE ACTION	2.	1993000102; 80763	Rebel Oil Company: Rebel Store #2008	\$100,229.06	\$94,609.06
FOR POSSIBLE ACTION	3.	1994000027; 80732	7-Eleven, Inc: 7-Eleven #19653	\$34,921.09	\$34,886.07
FOR POSSIBLE ACTION	4.	1995000039; 80765	Al Park Petroleum, Inc.: Crescent Valley Market	\$8,740.60	\$7,866.54
FOR POSSIBLE ACTION	5.	1996000064; 80760	The Esslinger Family Trust: Red Rock Mini Mart	\$33,166.60	\$30,516.94
FOR POSSIBLE ACTION	6.	1999000014; 80766	Al Park Petroleum, Inc.: Pit Stop #7 Conoco	\$2,000.00	\$1,800.00
FOR POSSIBLE ACTION	7.	1999000086; 80739	Terrible Herbst, Inc.: Terrible Herbst #126	\$5,287.50	\$4,758.75
FOR POSSIBLE ACTION	8.	1999000243; 80733	7-Eleven, Inc: 7-Eleven #27607	\$16,618.57	\$13,768.25
FOR POSSIBLE ACTION	9.	2007000014; 80773	Raiders Oz Business, Llc: Former Ace Cab/frias Transportation	\$45,583.89	\$40,992.34
FOR POSSIBLE ACTION	10.	2007000016; 80767	Golden Gate Petroleum Of Nevada Llc: Golden Gate Petroleum #43 - Sun Valley	\$10,316.66	\$9,284.99
FOR POSSIBLE ACTION	11.	2008000019; 80614	One Panou, Llc: Golden Market #3	\$115,221.23	\$94,942.73
FOR POSSIBLE ACTION	12.	2009000024; 80686	Sjk Investments, Llc: Chuck's Circle C	\$37,957.80	\$31,653.49
FOR POSSIBLE ACTION	13.	2010000009; 80769	Hpt Ta Properties Trust: Mill City Travel Center	\$30,476.28	\$24,685.79
FOR POSSIBLE ACTION	14.	2011000009; 80771	Cimarron West: Cimarron West	\$10,455.44	\$9,409.90
FOR POSSIBLE ACTION	15.	2012000005; 80742	Travel Systems, Llc: Zephyr Cove Resort	\$75,249.29	\$58,530.42
FOR POSSIBLE ACTION	16.	2013000004; 80757	7-Eleven, Inc: 7-Eleven #29665	\$50,399.36	\$45,336.92
FOR POSSIBLE ACTION	17.	2013000019; 80772	Hardy Enterprises, Inc.: Elko Sinclair #53	\$37,255.87	\$33,417.78
FOR POSSIBLE ACTION	18.	2014000004; 80705	Alsaker Corporation: Broadway Colt Service Center	\$40,247.89	\$36,223.10
FOR POSSIBLE ACTION	19.	2014000007; 80741	7-Eleven, Inc: 7-Eleven #29658	\$11,533.17	\$10,379.85
FOR POSSIBLE ACTION	20.	2014000025; 80776	Superior Campgrounds Of America, Llc: Silver City RV Resort	\$12,611.33	\$11,231.12
FOR POSSIBLE ACTION	21.	2016000023; 80775	Al Park Petroleum, Inc.: Pit Stop #1	\$15,203.60	\$10,865.59
FOR POSSIBLE ACTION	22.	2016000027; 80728	Terrible Herbst, Inc.: Terrible Herbst #272	\$18,586.66	\$15,048.97
FOR POSSIBLE ACTION	23.	2017000015; 80759	Ellen 5, Llc: Auto Center (green Valley Grocery #63)	\$28,346.55	\$24,693.32
FOR POSSIBLE ACTION	24.	2018000009; 80777	Reed Incorporated: Pacific Pride	\$44,883.28	\$40,385.95
FOR POSSIBLE ACTION	25.	2019000008; 80734	Circle K Stores, Inc.: Circle K Store #2701354	\$18,691.97	\$9,990.49
FOR POSSIBLE ACTION	26.	2019000044; 80745	7-Eleven, Inc: 7-Eleven #15829	\$29,602.11	\$26,590.06
FOR POSSIBLE ACTION	27.	2020000015; 80761	Canyon Plaza, Llc: Gas 2 Go	\$30,893.81	\$16,682.66
FOR POSSIBLE ACTION	28.	2021000014; 80727	Pilot Travel Centers Llc: Pilot Travel Centers LLC #341	\$11,559.77	\$10,403.79
FOR POSSIBLE ACTION	29.	2021000026; 80747	7-Eleven, Inc: 7-Eleven #25578	\$10,988.15	\$9,889.33
FOR POSSIBLE ACTION	30.	2022000018; 80726	Pilot Travel Centers Llc: Pilot Travel Centers LLC #341	\$8,651.79	\$6,229.29
FOR POSSIBLE ACTION	31.	2022000035; 80746	7-Eleven, Inc: 7-Eleven #29407	\$54,066.25	\$48,641.63
SUB TOTAL:				<u>\$968,808.13</u>	<u>\$832,741.43</u>

RECOMMENDED CLAIMS TOTAL:

\$1,170,436.51

\$1,000,677.47

9. DIRECT PAYMENT OF UNCONTESTED CLAIMS MADE PER POLICY RESOLUTION 2017-02 (FOR DISCUSSION)

The Board to Review Claims authorizes NDEP to make claim payments prior to a Board meeting when the recommended payment value is uncontested. This authorized delegation is consistent with the findings in the memorandum from the Attorney General’s Office dated August 3, 2017 (Attachment A of Policy Resolution 2017-02). Below is a list of all quarterly claim payments made on the Board’s behalf in accordance with Policy Resolution No. 2017-02.

A dagger (†) indicates previously disallowed monies have been successfully appealed where the requested amount is less than the recommended amount

An omega (ω) indicates Board approved reimbursement monies have been subtracted from the amount requested due to new information

<u>HEATING OIL</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	2024000010; 80725 Keegan Low: Residence Of 655 Canyon Circle	\$24,506.48	\$24,256.48
FOR DISCUSSION	2.	2024000011; 80731 Stephen Dangberg: Residence Of 835 Daniel Drive	\$50,768.28	\$50,268.28
FOR DISCUSSION	3.	2024000012; 80730 Shane Sykes: Residence Of 150 Old Washoe Drive	\$33,150.13	\$32,900.13
FOR DISCUSSION	4.	2024000012; 80744 Shane Sykes: Residence Of 150 Old Washoe Drive	\$26,719.34	\$26,719.34
FOR DISCUSSION	5.	2024000014; 80743 Carolyn Basta: Residence Of 7275 Lakeside Drive	\$30,450.44	\$30,200.44
FOR DISCUSSION	6.	2024000015; 80748 Aaron Foster: Residence Of 1480 Romero Way	\$35,512.94	\$35,262.94
FOR DISCUSSION	7.	2024000016; 80756 Robert Selwood: Residence Of 2635 Lakeside Drive	\$23,594.02	\$23,344.02
SUB TOTAL:			<u>\$224,701.63</u>	<u>\$222,951.63</u>

<u>ONGOING CASES</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	1995000012; 80740 Model T Casino Resort Llc: Parker's Model T	\$10,925.22	\$9,832.70
FOR DISCUSSION	2.	1999000023; 80752 Nevada Ready Mix Corp: Nevada Ready Mix	\$25,971.29	\$23,374.16
FOR DISCUSSION	3.	1999000066; 80751 HP Management, Llc: Former Haycock Petroleum	\$35,042.96	\$31,538.66
FOR DISCUSSION	4.	2014000033; 80758 Speedee Mart Inc.: Speedee Mart #108	\$43,938.48	\$39,544.63
FOR DISCUSSION	5.	2017000035; 80754 Rebel Oil Company: Rebel Store #2177	\$12,498.50	\$11,248.65
FOR DISCUSSION	6.	2018000005; 80753 Rebel Oil Company: Rebel Store # 2153	\$16,826.50	\$15,143.85

FOR DISCUSSION	7.	2019000014; 80749	Western Cab Co: Western Cab CO	\$8,080.00	\$7,272.00
FOR DISCUSSION	8.	2022000015; 80755	Rebel Oil Company: Rebel Store #2197	\$20,606.66	\$14,836.80
FOR DISCUSSION	9.	2023000028; 80762	Anderson Dairy, Inc.: Anderson Dairy INC	\$9,416.00	\$8,474.40
			SUB TOTAL:	<u>\$183,305.61</u>	<u>\$161,265.85</u>
			DIRECT PAYMENT CLAIMS TOTAL:	<u>\$408,007.24</u>	<u>\$384,217.48</u>
			BOARD MEETING CLAIMS TOTAL:	<u>\$1,578,443.75</u>	<u>\$1,384,894.95</u>

10. EXECUTIVE SUMMARY (FOR DISCUSSION)

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

11. PUBLIC COMMENT (FOR DISCUSSION)

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

**12. CONFIRMATION OF NEXT BOARD MEETING DATE (FOR DISCUSSION)
DECEMBER 12, 2024 (THURSDAY) AT 10:00 AM**

13. ADJOURNMENT

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

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

Additional physical postings were requested at the following locations:

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

In addition to the physical meeting locations, viewing of and participation in the September 12, 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, smart phone, or tablet using the following link:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_ODQ4NDRmZWItNzc0My00OGI2LThjZTIODE3ZjE4MGY2ODA2%40thread.v2/0?context=%7b%22id%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22oid%22%3a%22eee1e0b0-f0d7-4894-ac9e-799c32c17775%22%7d

Or call in (audio only):

+1 775-321-6111,,522553084# United States, Reno
Phone conference ID: 522 553 084#

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 September 9, 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.

**Agenda Item 1:
Call to Order and Roll Call**

**Agenda Item 2:
Public Comment**
(FOR DISCUSSION)

Agenda Item 3:
Approval of June 13, 2024 Minutes
(FOR POSSIBLE ACTION)

**STATE OF NEVADA BOARD TO REVIEW CLAIMS
MEETING MINUTES - JUNE 13, 2024**

1. CALL TO ORDER

Chair Tappan called the meeting to order at 10:00 a.m. The meeting was held in the Bonnie B. Bryan Boardroom Room of the Richard H. Bryan Building located at 901 S. Stewart Street, Carson City, NV and video conferenced to 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

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

B. OTHERS PRESENT

Katie Armstrong – Legal Counsel, State Attorney General’s Office
Jeff Kinder, Megan Slayden, Don Warner, Greg Johnson, Michael Mazziotta, Chuck Enberg,
John Karr, Erin Fragoso, Kim Valdez, Tristin Alishio, Alexa Salls, Jonathan McRae – Nevada
Division of Environmental Protection
William Thompson – Southern Nevada Health District
Rex Heppe – Broadbent & Associates
Juan Rivera – Green Valley Grocery
Keith Stewart - Stewart Environmental
Jeremy Holst – Broadbent & Associates

No additional participants called into the meeting using the teleconference number.

2. PUBLIC COMMENT

Megan Slayden announced that Gregory Johnson has joined the NDEP Petroleum Fund team as an Environmental Scientist.

3. APPROVAL OF THE MARCH 7, 2024 MINUTES

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

Rod Smith moved to approve the March 7, 2024 minutes as presented. LeRoy Perks seconded the motion. Motion carried unanimously.

4. STATUS OF THE FUND

Ms. Slayden reviewed the Fund status. The summary of the Fund for Fiscal Year 2024 thus far, includes a balance forward from State Fiscal Year 2023 of \$7,500,000. Approximately \$408,700 has been received for annual tank enrollment fees for enrollment year 2024. Approximately \$9,090,558 has been generated by the \$0.0075 Petroleum Fund fee. The Fund has earned approximately \$201,758 in interest. Total revenue received this fiscal year thus far is \$17,201,015.57. Expenditures for State Fiscal Year 2024 include Board member salaries of approximately \$842. In-state travel costs for Board Members total approximately \$187. Board meeting operating costs total approximately \$815. Money transferred to

NDEP for program administration, staff salaries and ongoing program maintenance totals \$1,160,929. Funding for State-led petrochemical cleanups totals approximately \$136,580. The fee paid to the DMV for collection of the \$0.0075 Petroleum fee totaled \$12,714. The reimbursement of Petroleum Fund claims thus far totals approximately \$3,844,251. Total expenditures thus far for 2024 are \$5,156,317.99. Total funding currently available within the Fund for Fiscal Year 2024 is \$12,044,697.58.

LeRoy Perks inquired about the expected donation to Department of Transportation this year. **Ms. Slayden** stated that the estimated total would be \$9 million, as included under potential liabilities. It may increase or decrease, depending upon the totals received for the \$0.0075 Petroleum fee as well as additional expenditures. In response to an additional question by **Mr. Perks**, **Ms. Slayden** confirmed that the \$7,500,000 will roll to next year.

5. SITE SPECIFIC BOARD DETERMINATION FOR ADDITIONAL CLEANUP ALLOTMENT

Don Warner, NDEP, addressed this agenda item, which includes a request by the operator for an additional allotment of cleanup funding under Board Policy Resolution 2023-01 and Site Specific Board Determination No. C2024-01 for Speedee Mart No. 108 for Petroleum Fund Case 2014000033, Facility ID No. 8-001779. The subject site, located at 4701 West Lake Mead Boulevard, Las Vegas, Nevada, was previously awarded coverage for one release from a storage tank system with a 10 percent copayment. Petroleum Fund staff has reviewed the request and prepared the SSBD to assist the Board in determining eligibility.

Mr. Warner provided a history of events and occurrences at the site over the past year. On April 5th, 2023 the case officer concurred with the Certified Environmental Manager (CEM) terminating remediation and moving on to post-remediation monitoring at the site. On January 9th, 2024, the Nevada Division of Environmental Protection made a preliminary decision to close the case and requested that all monitoring wells be abandoned per Nevada Division of Water Resources regulations and conduct all other site restoration activities. On March 11th, 2024, the case was issued a no further action determination. On April 15th, 2024, the operator submitted a request for an additional allotment of funding in accordance with Policy Resolution 2023-01, which was prepared by their CEM. Also included in the request for additional allotment of funding is an email dated April 3rd, 2024 discussing the schedule and cost estimate for remaining closure activities at the site.

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.381. In addition, Claim Number 80684 is recommended for payment for this Board meeting, which exhausted all available cleanup funding for this case. Based on the review of the documentation provided with the request for an additional allotment of cleanup funding, staff recommend that the Board approve the allotment of funding in the amount of \$900,000 for Speedee Mart No. 108. 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.

Rod Smith asked for clarification regarding the requirement that no funds were received prior to 2021, as detailed in Item 6, Section Number 2. **Ms. Slayden** stated that this is in reference to a circumstance whereby the operator was sued by a third party and NDEP paid damages for a third-party lawsuit.

Mr. Smith commented that it was his understanding that the Board is not obligated to approve \$1 million, but may decide to choose a lower amount, based on need. **Mr. Warner** stated that the \$1 million is the amount of the initial coverage for the one leaking tank system. In Policy Resolution 2023-01, staff made the recommendation for \$1 million, as the operator is eligible for this amount. However, the Board retains authority to approve an alternate amount. In this case, all site work is completed. A No Further Action (NFA) determination has been issued. Costs have now exceeded the initial \$1 million by approximately \$50,000. **Ms. Slayden** commented that the Board has authority to approve any value up to, but not exceeding \$1 million.

Mr. Perks noted that the request is for \$48,000. He asked whether the Board has the option to approve

\$100,000 for example, with the operator retaining the option to apply for remaining funding, if required. **Ms. Slayden** confirmed this understanding, noting that the regulations allow the operator to apply for more than one additional allotment.

There being no further discussion **Chair Tappan** invited a motion.

Rod Smith moved to reduce the funding request amount to \$100,000.

Discussion:

Chair Tappan asked for clarification that Mr. Smith is moving to reduce the amount from \$900,000 to \$100,000 with a ten percent copayment. **Mr. Smith** confirmed this understanding, noting that the amount would be \$90,000, in consideration of the 10 percent copayment.

Chair Tappan invited a second on the revised motion by Mr. Smith:

Rod Smith moved to adopt Site Specific Board Determination No. C2024-01 granting additional cleanup funding in accordance with Subsections 4 and 6 of NRS 445C.380 and Board Policy Resolution 2023-01 under the State of Nevada Petroleum Fund to Speedee Mart No. 108 for \$90,000. This represents \$100,000 in coverage minus a 10 percent copayment. LeRoy Perks seconded the motion. Motion carried unanimously.

Jennifer Carr commented that she was pleased that the change in law appears to be working. It was well designed and is being smoothly executed. She commended staff and Keith Stewart of Stewart Environmental on the quality of the packet.

6. SITE SPECIFIC BOARD DETERMINATION FOR PETROLEUM FUND COVERAGE WITH REDUCTION

Mr. Warner presented Site Specific Board Determination No. C2024-02, which proposed to provide reduced coverage for Green Valley Grocery No. 58, identified as Case No. 2024000008 with Facility ID No. 8-001067. The subject site is owned by Midjit Market, Inc. and identified as Green Valley Grocery No. 58 and is located at 3685 North Moapa Valley Boulevard in Logandale, Nevada. It includes three underground storage tanks (USTs), two USTs containing gasoline and one UST containing diesel. The coverage application identified that the release occurred due to a structural failure associated with UST No. 3, a 12,000-gallon tank, containing gasoline at the time of the release. The structural failure was confirmed by a failing tank tightness test performed on December 26th, 2023 and discovery of free product during drilling activities on February 5th, 2024. Currently, UST No. 3 remains in place in temporary closure status and isolated from further refueling events. Prior to the release, the facility had failing monthly monitoring results for UST No. 3 from July 2023 through December 2023, indicating a suspected release in which the implementing agency was not notified.

Southern Nevada Health District conducted an inspection of the facility on August 24th, 2023 and issued a notice of violation letter for failure to report a suspected release. On October 3rd, 2023, Southern Nevada Health District issued a second notice of violation letter for the failure to report a suspected release. On November 21st, 2023 Southern Nevada Health District issued a third notice of a violation letter for failure to report a suspect release. Tank tightness tests were conducted on August 7th, 2023, September 15th, 2023, and November 30th, 2023, resulting in passing results. However, following each passing tank tightness test, the monitoring system produced a failed result from the continuous statistical leak detection, (CSLD), which indicated a suspected release.

On December 26th, 2023, a tank tightness test was performed due to the failing monthly monitoring results associated with UST No. 3. The tank system failed the precision tank tightness testing. Spill Report Number No. 231227-01 was submitted on December 27th, 2023 which reported a suspected release. On December 29th, 2023, all gasoline was removed from UST No. 3 and the tank was placed in temporary closure status to prevent future deliveries. On February 5th, 2024, Broadbent and Associates performed an environmental site assessment in the vicinity of the UST basin. Laboratory results from the soil samples

collected during the investigation indicated contamination had occurred that exceeded NDEP soil reportable concentrations, and groundwater was impacted, confirming a release had occurred. Southern Nevada Health District issued a letter stating that the facility was in compliance on February 6th, 2024.

Title 40 of the Code of Federal Regulations 280.50, Reporting of Suspected Releases, states, *"Owners and operators of underground storage tank systems must report to the implementing agency within 24 hours or another reasonable time period specified by the agency and follow procedures in 280.52 for any of the following conditions: One, monitoring results, including investigation of an alarm from a release detection method required under 280.41 and 280.42 that indicate a release may have occurred, unless the monitoring device is found to be defective and is immediately repaired, recalibrated, replaced and additional monitoring does not confirm the initial result."*

Additionally, 40 CFR 280.52 states, *"Owners and operators must immediately investigate and confirm all suspected releases of regulated substances requiring reporting under 280.50 within seven days."* Lastly, 40 CFR 280.34(b)(7) requires owners and operators must maintain documentation of compliance with release detection requirements. Board Policy Resolution No. 94-023, Attachment A, states, *"Noncompliance with certain regulations may not necessarily be proximate cause for discharge... but may still result in increased cost for site remediation."* Resolution 94-023 also states, *"When the determination of noncompliance 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 reimbursement reduction schedules specified in Attachment A."*

In accordance with Board Policy Resolution 94-023, reductions for noncompliance with federal underground storage tank regulations are assessed as follows:

LUST 0.001, Failure to comply with Release Reporting, Investigation and Confirmation, 40 CFR 280.50 through 280.53, 40 percent reduction.

UST.002, Failure to comply with UST General Operating Requirements, 40 CFR 280.30 through 280.34, 10 percent reduction.

Per Board Policy Resolution No. 94-2023, if a site is found to have more than one noncompliance determination, Petroleum Fund staff is directed to recommend to the Board that any reimbursement be reduced by the largest percentage associated with any single item. In this case, a 40 percent coverage reduction is recommended. Therefore, in accordance with Board Policy Resolution No. 94-023, NDEP recommends that the subject facility receive Fund coverage with a 40 percent reduction and a 10 percent copayment, for a total reimbursement cap of \$540,000 in cleanup costs and \$540,000 in third party liability monies. The Board has the authority to provide coverage in an amount different than that recommended by NDEP staff.

Mr. Perks inquired about the type of monitoring system at the site. **Jonathan McRae** stated it is a Veeder Root 350.

Mr. Perks asked for the total estimated loss of fuel. **Mr. McRae** stated that staff has not yet been provided this information.

Mr. Perks asked if the site includes a high water table. **Mr. McRae** confirmed the presence of a high water table.

Mr. Perks inquired as to whether the documentation for A, B and C operator training was in compliance. **Mr. McRae** stated that the operator was in compliance and at the time of inspection.

Mr. Perks noted that the operator was notified in August, and this was followed by a period of six weeks before follow-up and issuance of a second notice of violation. He inquired as to the reason for this delay. **Mr. McRae** stated that in processing violations for facilities, the schedule generally proceeds on a 30, 60, 90-day timeline. During this time, communication is ongoing with the operator regarding intervening steps, additional information, and testing.

Mr. Perks inquired as to whether the Veeder Root showed a catastrophic leak. **Mr. McRae** commented

that it showed a fail for its timed leak test. In previous years at this site, the operator was consistently written up for not having monthly monitoring records. Within the last year, the Veeder Root CSLD was clearly indicating concerns with Tank No. 3.

In response to a question from Mr. Perks, **Mr. McRae** confirmed that the operator was not required to shut down, and continued to rely on the CSLD. When a violation is issued for failure to keep records, the resolution involves a tank tightness test. Upon the first NOV and CSLD fail, a tank tightness test was performed, and the tank passed. This technically returns their paperwork requirements to a clean record. In November, the CSLD showed another fail. This was followed by another passing test. The record of consistent fails was indicative of a larger issue.

Jennifer Carr stated that with the conflicting results, a more conservative approach would have been for the owner to pump the product out of the tank and take it out of service while testing continued. **Mr. McRae** confirmed that the operator could have chosen that route.

Mr. Perks asked whether the NDEP has a regulation that dictates the operator's process for this situation. **Mr. McRae** stated that NDEP operates under the NAC and NRS, which then points to the 40 CFR. Those regulations discuss requirements to notify NDEP of a leak within 24 hours. They also include requirements for site checks and system checks. **Ms. Slayden** added that the 40 CFR directs operators who are experiencing erratic monitoring results, that the tank should be shut down, repaired, recalibrated, and retested. If the tank cannot immediately be tested and pass, the system must be shut down and the suspected release must be reported. The operator did not make this report to NDEP.

Mr. Smith asked for an explanation as to why the operator was issued a letter of compliance. **Mr. McRae** stated that once NDEP received information regarding a release into the environment and the removal of the tank from service, this cleared the violations for the previous UST inspection.

Mr. Smith commented on the difficulty of the situation and inquired as to any avenues available to prevent such an ongoing situation or for NDEP to step in. **Mr. McRae** stated that the operator could have taken the tank out of service in October. The NDEP does not have the authority to force the operator to take such action. Staff must follow through with the violation process and issue a delivery prohibition. This process takes at least 90 days, followed by 14 additional days and upper management approval.

Jeremy Holst, Broadbent & Associates, CEM for this project, was invited to address the Board. He acknowledged that the CSLD system indicated a suspected release. Green Valley Grocery did perform a precision tank tightness test on August 27th, 2023 as well as a pressure decay test, which passed. This indicated that the system was sound. The lines were also tested and no issues were identified. Upon the testing failure, the operator worked with their tank handler and Veeder Root through the process. Throughout this time, the tank tightness testing company and Veeder Root did not indicate that a release was occurring. They identified it as a probe issue, requiring checking of vent caps and correction of probe floats. The operator never received notice that there was a problem with the tank itself. Based on the information available, even with agency involvement, the leak would likely not have been corrected any sooner. There are currently no regulations requiring the operator to handle the issue differently. After failure of the tank tightness test, the operator contacted Broadbent and mitigation began immediately, including confirmation of the release. At this time, seven groundwater monitoring wells have been installed and an ESA report documenting these activities has been submitted. It appears the operator is being penalized with a 40 percent reduction for not making a phone call that would likely not change the course of events at the site. He requested that the Board consider the steps taken by Green Valley Grocery.

Chair Tappen invited questions from the Board.

Mr. Perks noted the three passing tightness tests by a third party, with **Mr. Holst** confirming three separate tests on different dates, the first including a pressure decay test. **Mr. Perks** commented that it appears the operator did everything they could to determine the presence of a leak, which was not identified with three tests. They were relying on the CSLD, which showed failure. **Mr. Holst** agreed that they were relying on CSLD reports. However, after making adjustments, such as the PV vent caps, the corrected probe floats, and working with Veeder Root, the tank passed for a few days following. Subsequently, another

issue would arise, which they would address with the tank handler and Veeder Root. Documentation from Veeder Root did not include a suggestion to pull fuel out of the tanks. The passing tank tightness tests were an indication that the tanks were sound. The operator was also working with the Southern Nevada Health District at that time and was not given a directive from Southern Nevada Health District to pull the fuel from the tanks.

Mr. Perks commented that a \$360,000 fine seems excessive, considering that the operator continually attempted to identify a leak.

Mr. Smith noted the new funding mechanism and asked whether the operator would be eligible to apply for additional funding, even with the 40 percent reduction. **Ms. Slayden** confirmed that the operator is eligible to apply for an additional allotment of funding, even with a coverage reduction.

Chair Tappen noted Mr. Perks' comment regarding the significance of the proposed reduction. She welcomed further discussion.

Mr. Perks asked whether staff considered this to be an issue of negligence and a disregarding of the requirements. **Ms. Slayden** stated that the facts indicate a lack in demonstrating immediate monitoring results after recalibration. After several erratic results, the operator was required to notify NDEP.

Chair Tappan summarized that the Board could choose to authorize the 40 percent reduction and the operator could come back to request a reconsideration in the future. It does appear that the operator is now taking appropriate measures for mitigation.

Mr. Smith asked about the potential for removing the tank. **Ms. Slayden** stated that the tank is in proper temporary closure at this time. **Mr. Holst** stated that the reason the tank is in temporary closure at this time is because Green Valley Grocery is in the process of building a new facility across the street. The entirety of the existing site is scheduled to be decommissioned. The operator has ensured they will not receive fuel deliveries to this tank. This shutdown was performed in coordination with the NDEP compliance branch and Southern Nevada Health District.

Mr. Perks asked about the tank details. **Mr. Holst** stated that it was a 12,000-gallon double-walled fiberglass tank.

Ms. Carr noted the difficulty of the case, considering the conflicting data. She indicated concern that the operator did not choose to engage with the leaking underground storage tank program early in the process. **Mr. Holst** commented that if the operator had called in the suspected release, they would still have been dealing with the Southern Nevada Health District until a release was confirmed. There seems to be a gray area in terms of identifying which agency will handle an issue such as this.

Mr. Perks asked whether it is a brine filled tank or a dry annular space. **Mr. Holst** and **Juan Rivera**, Green Valley Grocery, both stated that they were uncertain as to the answer.

Mr. Perks stated that a dry annular space is intended to collect any leakage of the fuel. Since this didn't occur, there is an indication of a structural failure of the tank. It would have been difficult to prove a leak in this case. **Ms. Slayden** stated that the site check is intended to provide verification of the presence or absence of contamination, and this was not performed until February. **Mr. Perks** commented that the operator completed all tightness testing. **Ms. Slayden** acknowledged this; however, the fact remains that the operator did not report the suspected release, even after 90 days of letters requesting that the operator report the suspected release. **Mr. Perks** stated that the operator likely spent significant funds to attempt to find the leak. **Mr. Rivera** stated that during the process of tank tightness testing, they went so far as to engage a third party to also conduct a tank tightness test, just to confirm that the company they typically used for such services was providing accurate testing results. The third party provided a passing result. Multiple log data dumps were provided to Veeder Root for analysis. The results provided by Veeder Root never mentioned a leak. Veeder Root suggested system resets to reanalyze the CSLD. After that, passing results were received for multiple days. When a failing result was subsequently received, all follow-up actions would begin again.

Mr. Smith commented that the focus of this determination is the failure to report the suspected release within a reasonable timeframe. He inquired about the reporting procedure between Southern Nevada Health District and NDEP. **Mr. McRae** stated that NDEP has a contract with Southern Nevada Health District and the organizations work cooperatively in terms of releases. Southern Nevada Health District handles such events as a UST inspector. They perform an inspection, write up violations and issue the first NOV. **Ms. Slayden** added that spills are to be reported via the state spill report hotline, which will provide the reporter with a spill report number. The operator failed to follow this procedure. **Mr. Holst** commented that Green Valley Grocery followed all required steps and that a 40 percent reduction for not making this one phone call to the hotline is excessive.

Mr. Smith asked whether communication with the Southern Nevada Health District was equivalent to calling in the hotline. **Ms. Slayden** stated the operator is free to communicate with the implementing agency. However, it was Southern Nevada Health District who issued the notices of violation, stating that the report had never been made. Importantly, the operator is free to submit a spill report without calling the hotline. They are free to access the website, type in the data and submit the spill report. Alternatively, the phone hotline number is staffed for reporting 24 hours per day, seven days per week.

Ms. Tappan surmised that the Board members were of the mind that a 40 percent reduction was a little severe. She suggested a lesser percentage, such as 25 percent. **Mr. Smith** concurred. The most critical goal is to avoid spills and that if they occur, they need to be cleaned as quickly as possible. A 40 percent reduction could theoretically prevent the goal of a quick and thorough clean. **Mike Dzyak** asked about the potential for the operator to come back to the Board at a later date, if they require additional funding. He is deeply concerned with failure to report the leak. **Ms. Slayden** confirmed that a reconsideration policy resolution is available. Access is available to the operator as soon as the next Board meeting after coverage is provided.

Ms. Tappan asked about the operator's timeline for cleanup at the spill site, in consideration of their intent to open its new facility across the street. **Mr. Holst** stated that Broadbent has installed seven groundwater monitoring wells around the UST basin and down gradient. They have just submitted the ESA report. He anticipates that there will be installation of additional groundwater wells and potentially weekly or biweekly free product recovery events until a more suitable system is implemented. Green Valley Grocery is anticipating having the facility decommissioned in late fall to early winter of next year.

Mr. Perks commented that there should be a penalty for the operator's failure to report. However, having a double-walled tank with Veeder Root was a significant investment. It appears to have been a structural failure. He recommended a 20 percent reduction.

There being no further discussion, **Chair Tappan** invited a motion.

Leroy Perks moved to adopt Site Specific Board Determination No. C2024-02 granting coverage under the State of Nevada Petroleum Fund to Green Valley Grocery No. 58 for UST No. 3 and associated underground piping for \$720,000 which represents \$1,000,000 less a 20 percent reduction and 10 percent copayment. Jason Case seconded the motion. Motion carried. Mike Dzyack opposed.

7. **DRAFT APPENDIX A-2 OF THE COST GUIDELINES**

Ms. Slayden presented an addition to Policy Resolution 2022-02, the Petroleum Fund Cost Guidelines. The Cost Guidelines outline the majority of reimbursement procedures and rates for the program. The appendix would establish allowable time frames and rates for rental of CEM-owned mobile remediation systems. This would not impact the bid requirements or processes for rental of a system through a third-party vendor. It is only for CEM-owned mobile systems. The system types for which this policy would establish rates are listed in the table provided. This would include air sparge with soil vapor extraction, self-powered air sparge with soil vapor extraction (inclusive of the generator), pulse-ox, and ozone sparge systems. These are the most commonly rented systems for which staff receive reimbursement requests at this time. Should additional types of CEM-owned mobile systems begin to be utilized and

requested, this policy would be expanded to accommodate those as well. In order to be considered a mobile system, it must be a complete packaged system, either trailer-mounted or skid-mounted and able to be installed or brought online very quickly, with minimal above ground infrastructure.

The time frames established in the document are intended to allow for pilot testing, extended pilot testing, short-term remediation, or interim remedial actions performed while waiting for a permanent system installation. The appendix proposes up to a 12-month time frame for use, at which point the status of remediation would be evaluated and a determination made regarding whether a permanent system should be installed. It provides a six-month extension period to allow operators and their CEMs to install the permanent system onsite and finalize permitting. This means that at a maximum of 18 months of operation on the site, this system would either be removed and a permanent system installed, or they would move into groundwater monitoring and post remediation monitoring and be ready to move into closure activities.

The rates proposed in the draft correspond to rates that have recently or are currently requested for reimbursement for rental of these systems through third-party vendors. The proposed language and rates contained are subject to change prior to this item being proposed for action on a future agenda. Staff will continue to work with the CEM companies and community throughout the summer to evaluate any adjustments to the language or the rate schedule before the September meeting, when it will be brought for action.

Mr. Perks asked whether these are premade kits from the manufacturer or are made by the cleanup companies. **Ms. Slayden** stated for those seen thus far, the CEM companies have built them themselves. **Mr. Smith** asked whether the project owner feels that the reimbursement is at an acceptable amount. **Ms. Slayden** stated that the CEMs may like to see a higher amount. The rate schedule was established under the only policy the Fund had at the time. That rate schedule was for small hand tools and was not developed for a 24-hour run period. Costs have increased significantly beyond initial discussions. They continue to increase at a pace that does not appear to be financially responsible for the Fund. Staff would like to rein these rates in to more appropriate levels. Additional input from the CEMs will be analyzed towards development of this funding schedule.

8. ADOPTION OF CONSENT ITEMS

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 - JUNE 13, 2024**

HEATING OIL

			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2024000004; 80683 City Of Reno: Residential Heating Oil Tank At 75 Cowan Drive	\$26,509.94	\$26,197.44
		SUB TOTAL:	<u>\$26,509.94</u>	<u>\$26,197.44</u>

NEW CASES

			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2023000028; 80698 Anderson Dairy, Inc.: Anderson Dairy INC	\$29,369.50	\$23,480.55
		SUB TOTAL:	<u>\$29,369.50</u>	<u>\$23,480.55</u>

ONGOING CASES

			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	1992000126; 80696 Clark County School District: Rc White (arville) Transportation Satellite	\$27,856.10	\$27,856.10
FOR POSSIBLE ACTION	2.	1995000039; 80701 Al Park Petroleum, Inc.: Crescent Valley Market	\$8,762.29	\$7,886.06
FOR POSSIBLE ACTION	3.	1995000042; 80713 Fbf, Inc.: Gas 4 Less	\$858.03	\$858.03

FOR POSSIBLE ACTION	4.	1996000064; 80709	The Esslinger Family Trust: Red Rock Mini Mart	\$16,058.15	\$14,797.59	
FOR POSSIBLE ACTION	5.	1999000014; 80703	Al Park Petroleum, Inc.: Pit Stop #7 Conoco	\$3,900.00	\$3,510.00	
FOR POSSIBLE ACTION	6.	1999000023; 80689	Nevada Ready Mix Corp: Nevada Ready Mix	\$25,820.64	\$21,663.69	
FOR POSSIBLE ACTION	7.	1999000086; 80716	Terrible Herbst, Inc.: Terrible Herbst #126	\$3,250.00	\$2,925.00	
FOR POSSIBLE ACTION	8.	1999000114; 80673	City Of Fallon: Fallon Maint. Yard	\$35,302.16	\$34,788.18	
FOR POSSIBLE ACTION	9.	2007000014; 80697	Raiders Oz Business, Llc: Former Ace Cab/frias Transportation	\$63,340.93	\$57,006.84	
FOR POSSIBLE ACTION	10.	2007000016; 80704	Golden Gate Petroleum Of Nevada Llc: Golden Gate Store #43	\$6,771.06	\$6,093.95	
FOR POSSIBLE ACTION	11.	2010000009; 80721	Hpt Ta Properties Trust: Mill City Travel Center	\$28,935.24	\$23,017.82	
FOR POSSIBLE ACTION	12.	2011000009; 80707	Cimarron West: Cimarron West	\$9,670.52	\$8,703.47	
FOR POSSIBLE ACTION	13.	2013000019; 80708	Hardy Enterprises, Inc.: Elko Sinclair #53	\$29,842.78	\$26,746.00	
FOR POSSIBLE ACTION	14.	2014000025; 80719	Superior Campgrounds Of America, Llc: Silver City Rv Resort	\$19,284.51	\$17,356.06	
FOR POSSIBLE ACTION	15.	2014000033; 80684	Speedee Mart Inc.: Speedee Mart #108	\$42,321.87	\$38,089.68	
FOR POSSIBLE ACTION	16.	2015000009; 80722	Hpt Ta Properties Trust: Las Vegas Travel Center	\$5,591.00	\$5,031.90	
FOR POSSIBLE ACTION	17.	2016000009; 80641	7-Eleven, Inc: 7-Eleven #13685	\$22,299.45	\$20,069.51	
FOR POSSIBLE ACTION	18.	2016000023; 80702	Al Park Petroleum, Inc.: Pit Stop #1	\$15,339.90	\$11,044.73	
FOR POSSIBLE ACTION	19.	2016000027; 80720	Terrible Herbst, Inc.: Terrible Herbst #272	\$14,190.75	\$11,477.42	
FOR POSSIBLE ACTION	20.	2017000015; 80544	Ellen 5, Llc: Auto Center (green Valley Grocery #63)	\$211,410.90	\$186,507.14	
FOR POSSIBLE ACTION	21.	2018000009; 80723	Reed Incorporated: Pacific Pride	\$74,660.97	\$67,194.87	
FOR POSSIBLE ACTION	22.	2018000018; 80685	Primadonna Company, Llc: Whiskey Pete's Stateline Stop	\$58,017.69	\$46,492.87	
FOR POSSIBLE ACTION	23.	2019000002; 80695	Rebel Oil Company: Rebel Store #2166	\$41,938.00	\$37,744.20	
FOR POSSIBLE ACTION	24.	2020000015; 80710	Canyon Plaza, Llc: Gas 2 Go	\$40,332.06	\$21,779.32	
FOR POSSIBLE ACTION	25.	2020000016; 80714	LV Petroleum, Llc: Us Gas #7	\$18,494.05	\$16,644.65	
FOR POSSIBLE ACTION	26.	2021000014; 80715	Pilot Travel Centers Llc: Pilot Travel Centers LLC #341	\$14,672.11	\$13,200.40	
FOR POSSIBLE ACTION	27.	2022000018; 80718	Pilot Travel Centers Llc: Pilot Travel Centers LLC #341	\$32,805.89	\$23,555.44	
FOR POSSIBLE ACTION	28.	2023000018; 80724	Reed Incorporated: R Place #1	\$22,382.12	\$20,143.91	
				SUBTOTAL:	<u>\$894,109.17</u>	<u>\$772,184.83</u>
				RECOMMENDED CLAIMS TOTAL:	<u>\$949,988.61</u>	<u>\$821,862.82</u>

LeRoy Perks moved for approval of the consent items. Rod Smith seconded the motion. Motion carried unanimously. Jason Case recused himself from Item 23.

9. 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.

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.	2024000005; 80681 Maria Mederos-Ayala: Residence Of 800 Cordone Avenue	\$26,484.33	\$26,234.33
FOR DISCUSSION	2.	2024000006; 80680 Patrick Andersen: Residential Heating Oil Tank At 515 5th Street	\$31,168.23	\$30,918.23
FOR DISCUSSION	3.	2024000007; 80682 Karen Robinson: Residence Of 2590 Knob Hill Drive	\$26,576.00	\$26,326.00
FOR DISCUSSION	4.	2024000009; 80699 Truckee Meadows Habitat For Humanity: Residence Of 13905 Mount Vida Street	\$32,856.39	\$32,606.39
		SUB TOTAL:	<u>\$117,084.95</u>	<u>\$116,084.95</u>

ONGOING CASES

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

DRAFT

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

10. 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 2024 were issued on August 23, 2023. A total of 1,300 facilities have been invoiced as of May 29, 2024. Approximately 1,282 or 98 percent of invoiced facilities have paid the required enrollment fees. Since the Fund was created, a total of 1,832 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, 1,583 cases have been closed and no longer receive Fund reimbursement. There are currently 74 active Fund cases. Since January 1, 2024, NDEP has received 9 new coverage applications for Fund coverage, with one pending coverage determination at this time. Prior to this Board meeting, the Board to Review Claims has approved a cumulative total of \$261,077,248.18 for reimbursement to Petroleum storage tank operators for cleanup expenses. This includes \$300,059.38 for direct payment claims paid since the last Board meeting. With today's Board approval of claims in the amount of \$821,862.82, the cumulative expenditure will increase to \$261,899,111.00. There were no grants for UST upgrades this quarter.

11. PUBLIC COMMENT

There were no public comments.

12. CONFIRMATION OF NEXT BOARD MEETING DATE

It was confirmed that the next meeting date has been scheduled for Thursday, September 12, 2024 at 10:00 a.m.

13. ADJOURNMENT

The meeting adjourned at 11:27 a.m.

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

Petroleum Discharge Cleanup Fund
Balance Sheet - State Fiscal Year 2024
As of 8/28/2024

REVENUE

Balance Forward	\$ 7,500,000.00
Enrollment and Registration Fees	\$ 411,600.00
Petroleum Fees	\$ 12,577,278.84
Interest Earned	\$ 415,372.61
Reimbursements Received	\$ -
Balance Forward to New Year	\$ 7,500,000.00
Total Revenue	\$ 13,404,251.45

EXPENDITURES

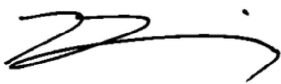
Board Salary	\$ 918.04
In-State Travel	\$ 258.42
Operating	\$ 963.64
Transfer to Highway Fund	\$ -
Transfer to Division of Environmental Protection	\$ 1,421,162.02
State Led Petrochemical Cleanup	\$ 201,452.30
Transfer to Greenhouse Gas Program	\$ 121,324.00
Petroleum Grant Program	\$ -
Department of Motor Vehicles Fee Collection Service	\$ 12,714.00
Reimbursement of Claims	\$ 4,704,198.06
Total Expenditures	\$ 6,462,990.48

LIABILITIES

Petroleum Board Costs	\$ 1,859.90
Highway Fund Budgeted Amount	\$ 9,000,000.00
Pending Obligated Claims	\$ -
Total Liabilities	\$ 9,001,859.90

ACTUAL FUNDING AVAILABLE

\$ 6,941,260.97



Aug 28, 2024

Prepared By

Date:

Morgan Friend

Aug 28, 2024

Reviewed By

Date:


[Megan Slayden \(Aug 28, 2024 16:50 PDT\)](#)

Aug 28, 2024

Petroleum Fund Staff Approval

Date:

Petroleum Discharge Cleanup Fund
Balance Sheet - State Fiscal Year 2025
As of 8/29/2024

REVENUE

Balance Forward	\$ 7,500,000.00
Enrollment and Registration Fees	\$ 69,500.00
Petroleum Fees	\$ -
Interest Earned	\$ -
Reimbursements Received	\$ -
Balance Forward to New Year	\$ -
Total Revenue	\$ 7,569,500.00

EXPENDITURES

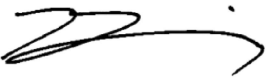
Board Salary	\$ 76.00
In-State Travel	\$ -
Operating	\$ -
Transfer to Highway Fund	\$ -
Transfer to Division of Environmental Protection	\$ (15,711.24)
State Led Petrochemical Cleanup	\$ 15,711.24
Transfer to Greenhouse Gas Program	\$ -
Petroleum Grant Program	\$ -
Department of Motor Vehicles Fee Collection Service	\$ -
Reimbursement of Claims	\$ 346,133.08
Total Expenditures	\$ 346,209.08

LIABILITIES

Petroleum Board Costs	\$ 3,924.00
Highway Fund Budgeted Amount	\$ -
Pending Obligated Claims	\$ -
Total Liabilities	\$ 3,924.00

ACTUAL FUNDING AVAILABLE

\$ 7,223,290.92



Aug 29, 2024

Prepared By


Date:

Morgan Friend

Aug 29, 2024

Reviewed By

Date:


[Megan Slavden \(Aug 29, 2024 10:48 PDT\)](#)

Aug 29, 2024

Petroleum Fund Staff Approval

Date:

**Agenda Item 5:
Site Specific Board Determination No.
C2024-03**

(FOR POSSIBLE ACTION)

STATE BOARD TO REVIEW CLAIMS

MEETING OF SEPTEMBER 12, 2024

Video-conferenced in Carson City and Las Vegas, Nevada
Summary of Site-Specific Board Determination No. C2024-03

- SUBJECT:** Proposed Site-Specific Board Determination to provide an Additional Allotment of Cleanup Funding in accordance with Board Policy Resolution 2023-01, for Gas 4 Less, located at 3283 Las Vegas Boulevard North, Las Vegas, Nevada Petroleum Fund Case ID No. 1995000042, Facility ID No. 8-000251
- DISCUSSION:** The subject site, identified as Gas 4 Less, and designated as a small business under NAC 445C.210 (1)(f) is located at 3283 Las Vegas Boulevard North, Las Vegas, Nevada. The operator has requested the Board to Review Claims (Board) approve an additional allotment of funding to continue cleanup of a release of discharged petroleum from two storage tank systems associated with Tanks 1 & 2. 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. C2024-03 as proposed, granting additional cleanup funding in accordance with Board Policy Resolution 2023-01 under the State of Nevada Petroleum Fund to Gas 4 Less for \$950,000.00. This represents \$1,000,000.00 in coverage minus a 5% copayment.

STATE BOARD TO REVIEW CLAIMS

Site-Specific Board Determination C2024-03
Site-Specific Board Determination to provide an Additional Allotment of Funding for
Gas 4 Less, located at 3283 Las Vegas Boulevard North, Las Vegas, Nevada
Petroleum Fund Case ID No. 1995000042
Facility ID No. 8-000251

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

1. The subject site, identified as Gas 4 Less, located at 3283 Las Vegas Boulevard North, Las Vegas, Nevada, was previously awarded coverage for a release from two underground storage tank systems. The source of the release was identified as a leak from the piping associated with Tank #1 and tank failure associated with Tank #2.
2. The operator was designated as a small business under NAC 445C.210 (1)(f) on June 23, 2022.
3. Subsection 4 of NRS 445C.380 states, “The Board may approve an operator to receive an additional allotment of not more than \$1,000,000.00 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.”
4. June 6, 2024, the Nevada Division of Environmental Protection (NDEP) case officer concurred with the plan and schedule proposed by the operator’s certified environmental manager (Appendix B).
5. July 29, 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 C and the most recent UST program letter dated May 24, 2024, indicating site compliance is an attachment in the request.
6. August 7, 2024, the NDEP case officer concurred that the operator is in compliance with the requirements from the Division concerning cleanup directives (Appendix D).
7. Claim #80713 was approved at the June 13, 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... (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."
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 \$1,000,000.00.

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 operator was designated as a small business under NAC 445C.210 (1)(f) on June 23, 2022.
9. The Board grants additional funding to Gas 4 Less, Fund Case ID No. 1995000042 in the amount of \$950,000.00. This represents \$1,000,000.00 in coverage with a 5% 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 September 12, 2024.

Maureen Tappan, Chair
State Board to Review Claims

APPENDIX A

Board Policy Resolution 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**

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

Case Officer Concurrence with Proposed Plan and Schedule

Jason Hoffman

From: Dean Peterson <d.peterson@ndep.nv.gov>
Sent: Thursday, June 6, 2024 10:43 AM
To: Jason Hoffman
Subject: Re: Proposed Timeline to Closure, Gas-4-Less (former FBF) Facility 8-000251, Fund ID 1995000042

Jason,

After discussion of remediation goals for the remainder of 2024, NDEP has reviewed the proposed timeline of remaining activities from January 1st 2024 to January 2026. The document details the anticipated environmental activities for the Gas-4-Less Facility (ID: 8-000251) necessary to reach conditions for possible exemption closure. NDEP **concurs** with the proposed timeline, including necessary costs involved with these activities. For any questions regarding this site, please refer to myself as the case officer at the address below.

Thank you!

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
(O) 775- 687-9377



From: Jason Hoffman <jhoffman@broadbentinc.com>
Sent: Thursday, June 6, 2024 9:16 AM
To: Dean Peterson <d.peterson@ndep.nv.gov>
Subject: Proposed Timeline to Closure, Gas-4-Less (former FBF) Facility 8-000251, Fund ID 1995000042

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dean,

Thank you again for the call yesterday. In accordance with our discussion, I have prepared a timeline for the anticipated remaining activities needed to get the case to closure, including estimated costs. If this looks good to you, please respond to this email with your concurrence and I will include that with our petition to the Petroleum Fund for us to access the next million dollars in coverage. Specifically, this will be an attachment to the Request for Additional Funding Allotment letter, per NRS 445C.380. Thank you!

APPENDIX C

Request from Operator for an Additional Allotment of Funding for Cleanup



BROADBENT

8 West Pacific Ave., Henderson, NV 89015

[T] 702-563-0600 [F] 702-563-0610

broadbentinc.com

CREATING SOLUTIONS. BUILDING TRUST.

July 29, 2024

Project No. 07-01-263

Nevada Division of Environmental Protection
Bureau of Corrective Actions
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701

Attn: Ms. Megan Slayden

Re: Request for Additional Funding Allotment, Gas-4-Less (former FBF) Facility, 3283 North Las Vegas Blvd., Las Vegas, Nevada. Facility I.D. #8-000251. Petroleum Fund ID #1995000042.

Dear Ms. Slayden:

This letter serves to request an additional funding allotment for the Gas-4-Less (former FBF) Facility located at 3283 North Las Vegas Boulevard in Las Vegas, Nevada (Facility). Broadbent & Associates, Inc., (Broadbent) is making the additional funding allotment request on behalf of the claimant/operator, Mr. Mahmoodreza Radeh, President of FBF Inc. The additional funding allotment is being requested in accordance with Nevada Revised Statute (NRS) 445C.380(4).

The Nevada Division of Environmental Protection (Division) Fund for Cleaning Up Discharges of Petroleum (Fund) has provided three million dollars in coverage for the assessment and remediation of two eligible releases that occurred at the Facility in 1994 and 2007. As of Reimbursement Claim #80713, the approved funding associated with the two eligible releases has been exhausted (two million from the 1994 release, one million from the 2007 release). The funding was utilized to conduct extensive environmental site assessment activities as well as implement numerous remediation methods to address the historical releases. The remediation activities conducted have been successful in reducing petroleum hydrocarbon contamination at the Facility; however, active remediation via ozone air sparging is on-going and conditions at the Facility have not yet fully achieved the requirements to support a "No Further Action" (NFA) decision in accordance with Nevada Administrative Code (NAC) 445A.22725(2). Operation of the ozone air sparging remediation system has reduced the dissolved benzene plume to an area limited to on-site portions of the Facility and it no longer appears to be migrating to off-site locations. However, dissolved benzene concentrations remain elevated in the center of the Facility and Division staff have requested the continued operation of the remediation system until December 2024 to better establish decreasing trends and qualify for a NFA decision under NAC 445A.22725(2).

In accordance with NRS 445C.380(4), the Board to Review Claims (Board) may approve an operator to receive an additional allotment of not more than one million dollars from the Fund for cleaning up discharged petroleum at the site of a storage tank if certain conditions are met. It is Broadbent's opinion that the Facility qualifies for an additional allotment in accordance with the referenced NRS code. As a result, this letter serves to provide supporting documentation to request an additional funding allotment of one million dollars in accordance with NRS 445C.380(4).

COMPLIANCE WITH NRS 445C.380(4)

NRS 445C.380(4)(a) – The Division requires additional cleanup to occur in compliance with any of the requirements of the Division concerning the cleanup of discharged petroleum.

The Division has requested that the operation of the installed ozone air sparging remediation system continue until December 2024. In addition, future site activities will be required to receive a NFA decision from the Division. Based on discussions with the Division, it is anticipated that these activities will include: On-going quarterly groundwater monitoring, sampling, and reporting; updating the 2019 Conceptual Site Model, including new/updated Fate and Transport Model, Sensitive Receptor Survey, and Cross Sections; preparation of a presentation to support a NFA decision in accordance with NAC 445A.22725(2) and a corresponding formal request for NFA; preparation of a Geographic Information System (GIS) shapefile depicting the location of anticipated remnant dissolved benzene impacts; abandonment of the groundwater and remediation well network; and decommissioning of the ozone air sparge remediation system and infrastructure.

NRS 445C.380(4)(b)(1) – The Board determines that the operator is in compliance with any requirements of the Division concerning the cleanup of discharged petroleum.

It is Broadbent’s opinion that the operator has implemented assessment and cleanup of the discharged petroleum in compliance with the requirements implemented by the Division. The environmental activities were conducted in accordance with work plans prepared under the direction of Certified Environmental Managers (CEM) through Broadbent and executed in accordance with various approvals from the Division. Additionally, the operator has not received any correspondence indicating noncompliance with cleanup directives.

NRS 445C.380(4)(b)(2) – The Board determines that the operator has obtained approval from the Division for a plan and a schedule to clean up the discharged petroleum.

Table 1, attached, depicts a summary plan, timeline, and estimated cost for the implementation of the remaining environmental activities as required by the Division to receive a NFA decision for the historical releases. This plan was presented to the NDEP in correspondence dated June 6, 2024, and concurred by the case officer in email correspondence dated June 6, 2024, a copy of which follows Table 1. The estimated costs are based on Broadbent’s experience and not on actual bids or scheduling provided by contractors for well abandonment or system decommissioning activities.

In order to maximize uptime and the efficacy of the ozone air sparging remediation system, operation, monitoring, and maintenance will be conducted on a weekly basis. These events will include evaluating and balancing the injection pressure/air flow for each of the 20 injection points, measuring oxygen and ozone concentrations to ensure quality of injectate, and general maintenance to system equipment. To qualify for a NFA decision under NAC 445A.22725(2), the Division agrees that additional reductions in dissolved benzene concentrations and the establishment of high-confidence decreasing trends will provide a more robust dataset for decision making. Based on the returns from the initial period of operations, the ozone air sparging remediation system is expected to help establish these conditions at the Facility by December 2024. Broadbent will continue to conduct periodic reviews with the Division’s assigned case officer for this project to ensure that the plan continues to remain on track for a December 2024 shutdown of remedial operations. If changes in site conditions are identified, this plan will be updated and/or revised when required by the Division.

NRS 445C.380(4)(b)(3) – The Board determines that except as otherwise provided in subparagraph (4), the operator is not liable pursuant to subsection 1 of NRS 445C.390.

NRS 445C.390 pertains to the liability for costs to clean up discharges caused by willful and wanton misconduct, gross negligence, or violation of statute or regulation. Based on a review of available files by Broadbent, the two releases in which Fund coverage was previously provided were not the result of willful and wanton misconduct, gross negligence, or violation of statute or regulation.

If a new release is discovered and the operator is liable, pursuant to NRS 445C.390, it is understood that the operator will be required to demonstrate compliance with all applicable federal and state requirements prior to the request for an additional allotment of cleanup funding.

NRS 445C.380(4)(b)(4) – The Board determines that if the operator is liable pursuant to subsection 1 of NRS 445C.390, the operator has complied with subsection 2 of NRS 445C.390.

As previously stated, it is Broadbent’s opinion that subsection 1 of NRS 445C.390 does not apply to the operator under this request for an additional funding allotment. As a result, NRS 445C.380(b)(4) cannot apply to the request for an additional funding allotment.

NRS 445C.380(4)(b)(5) – The Board determines that 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.

In general, NRS 459.800 through 459.856 provide statutes pertaining to the operation of storage tanks. The underground storage tank (UST) system was replaced and modernized in 2014 and has been operated under the referenced provisions for the preceding 3 years. Broadbent conducted a review of files from the storage tank program with regulatory oversight of the Facility, the Southern Nevada Health District (SNHD). Based on records on file and the current status of the Facility, there have been no violations, or if there were violations, that they have been addressed to the satisfaction of the SNHD. SNHD documentation confirming compliance with the referenced provision is attached to this request.

Additionally, the employees at the Facility that are responsible for the operation of the USTs are properly trained to maintain compliance with regulations. Certificates of operator training are attached to this request.

NRS 445C.380(4)(b)(6) – The Board determines that the operator has not received money for damages pursuant to subsection 1 before July 1, 2021.

Based on a review of available files by Broadbent, documentation was not identified that showed the current operator received money for damages pursuant to 445C.380(1) during the course of the environmental activities performed to address the historical releases.

NRS 445C.380(4)(c) – The amount paid to the operator pursuant to subsection 1 for cleaning up the storage tank has been exhausted.

The approved funding associated with the two eligible releases was exhausted after the payment of Funds requested in Claim 80713 (scheduled to be heard during the June 13, 2024 meeting).

Based on the information presented, it is Broadbent's opinion that the Gas-4-Less qualifies for an additional funding allotment in accordance with NRS 445C.380(4). As a result, Broadbent requests, on behalf of the Mr. Mahmoodreza Radeh, President of FBF Inc., that an additional funding allotment of one million dollars be provided to complete the anticipated scope of work outlined as previously referenced.

Sincerely,
BROADBENT & ASSOCIATES, INC.



Jason Hoffman, CEM-1904 (exp. 1/26/25)
Principal Geologist

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.

FBF Inc.



Mahmoodreza Radeh
President

Enclosures: Table 1: Timeline for Anticipated Remaining Environmental Activities and Division Concurrence
Southern Nevada Health District UST Compliance Information
UST Facility Operator Training Certificates

Table 1
Timeline for Anticipated Remaining Environmental Activities
Gas-4-Less (Former FBF) Facility
Facility ID 8-000251; Petroleum Fund Case ID 1995000042

Item 1 - Operation of Ozone Air Sparge Remediation System				
Proposed Timeline	Tasks: Operate and maintain ozone air sparge remediation system, prepare agency permit reports			
	Title	Number of Events	Cost per Event	Total Amount
Jan 1, 2024 - Dec 1, 2024	Weekly O&M	48	\$492.84	\$23,656.32
	Monthly maintenance	11	\$1,500.00	\$16,500.00
	Remediation system rental	11	\$5,500.00	\$60,500.00
	UIC Permit reports	2	\$800.00	\$1,600.00
		<i>Item 1 Total:</i>		\$102,256.32
Item 2 - Quarterly Groundwater Monitoring and Sampling				
Proposed Timeline	Tasks: Conduct quarterly groundwater monitoring, sampling, and reporting			
	Title	Number of Events	Cost per Event	Total Amount
Jan 2024 - Dec 2025	Quarterly groundwater monitoring and sampling	8	\$2,847.50	\$22,780.00
	Outside fees (lab, disposal, traffic control)	8	\$1,625.00	\$13,000.00
	Quarterly reports	8	\$2,700.00	\$21,600.00
		<i>Item 2 Total:</i>		\$57,380.00
Item 3 - Closure Documents				
Proposed Timeline	Tasks: Update Conceptual Site Model (CSM), update sensitive receptor survey, preparation of new 2-dimensional cross-sections, preparation of new fate and transport model using EPA BIOSCREEN Software, preparation of a presentation requesting a "No Further Action" (NFA) decision for the release, and a NFA request.			
	Title			Total Amount
Dec 2024 - Dec 2025	CSM update			\$3,700.00
	Update sensitive receptor survey			\$2,200.00
	New cross sections			\$4,000.00
	Fate and transport model			\$5,200.00
	NFA presentation			\$4,100.00
	NFA request			\$2,800.00
		<i>Item 3 Total:</i>		\$22,000.00
Item 4 - Preliminary Closure Determination Activities				
Proposed Timeline*	Task: Well abandonment, site restoration, shapefile preparation			
	Title			Total Amount
Dec 2025 - Jan 2026	Coordination of permanent well closure (29 locations, 5 days)			\$5,764.00
	Remediation system decommissioning and site restoration (5 days)			\$5,264.00
	Shapefile preparation			\$1,400.00
	Outside fees (driller for well abandonment, general contractor, traffic control for ROW)			\$75,000.00
		<i>Item 4 Total:</i>		\$87,428.00
Item 5 - Petroleum Fund Submittals				
Proposed Timeline	Tasks: Preparation of cost proposals and reimbursement claims			
	Title	Number of Events	Cost per Event	Total Amount
Jun 2024	Cost Proposal Change Order (add six months of remediation system operations)	1	\$600.00	\$600.00
2024-2025	Cost Proposal	2	\$800.00	\$1,600.00
Jan 2024 - Mar 2026	Reimbursement Claim Preparation	9	\$1,400.00	\$12,600.00
		<i>Item 5 Total:</i>		\$14,800.00
Total Estimated Remaining Project Costs				
	Estimated Cost to NFA			\$283,864.32
	Estimate Cost to Closure with 15% Contingency			\$326,443.97

*Timeline contingent on NDEP approvals of site closure documents and contractor availability

Jason Hoffman

From: Lynn Cintron <Cintron@SNHD.ORG>
Sent: Tuesday, July 16, 2024 2:34 PM
To: Jason Hoffman
Subject: RE: Statement of Compliance for Facility ID 8-000251
Attachments: 20240524 NFA.pdf; 20230216 NFA.pdf; 20220128 insp letter & form.pdf; 20210811 NFA.pdf

Good afternoon,

I have attached the past 4 years of compliant notifications.

Thanks,



Our Mission: To assess, protect, and promote the health, the environment, and the well-being of Southern Nevada communities, residents, and visitors.

Lynn Cintron

Senior Administrative Assistant
Southern Nevada Health District | Environmental Health | Solid Waste
Underground Storage Tanks and Permitted Disposal Facilities

OFF EVERY MONDAY!

Mailing Address: P.O. Box 3902, Las Vegas, NV 89127
Physical Address: 280 S. Decatur Blvd., Las Vegas, NV 89107

Building closed Fridays

Office Phone: 702-759-0603

Fax Number: 702-759-1427

cintron@snhd.org



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From: Jason Hoffman <jhoffman@broadbentinc.com>
Sent: Tuesday, July 16, 2024 1:05 PM
To: UST Mailbox <UST@SNHD.ORG>
Subject: Statement of Compliance for Facility ID 8-000251

Hello, I am the CEM of record for the Gas-4-Less facility located at 3283 Las Vegas Boulevard N., in Las Vegas, NV, Facility ID 8-000251. This facility is currently in remediation managed by the Nevada Division of Environmental Protection (NDEP) and is funded through the Nevada Petroleum Fund under ID 1995000042. We are in the process of requesting an additional million dollars in coverage for the ongoing remediation at the facility. Per NRS 445C.380 and the State Board to Review Claims Resolution No. 2023-01, when requesting an additional million dollars in coverage for a facility that has operating USTs, it must be demonstrated that the USTs have been in compliance or have complied with storage tank requirements for the past 3 years (NRS 445C.380(4)(b)(5)). This

may be demonstrated by a statement of operational compliance from the storage tank program with regulatory oversight, in this case, the Southern Nevada Health District (SNHD).

Would it be possible for you to take a look at the current status of the project and respond to this email in concurrence that the referenced facility has no violations, or if there were violations, that they have been addressed to the satisfaction of the SNHD?

Thank you for your assistance.

Jason Hoffman, REP, CEM, ASP
Principal Geologist | Health and Safety Director | Division Mgr
7501 Village Square Drive, Ste. 106, Castle Pines, CO 80108
t:303.963.0100
jhoffman@broadbentinc.com | broadbentinc.com



NOW IN CASTLE PINES, CO



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May 24, 2024

Sean Fayeghi
Gas 4 Less
3283 Las Vegas Blvd N
Las Vegas, NV 89115

RE: Underground Storage Tank Compliance Inspection for the Following Facility: Gas 4 Less at 3283
Las Vegas Blvd N, Las Vegas, NV
Facility ID: 8-000251

Dear Owner/Operator:

Southern Nevada Health District (SNHD) has received the information requested subsequent to inspecting your facility (March 12, 2024). Based on the reviewed documentation, no further action is required at this time. You are reminded that you must continue to monitor your tanks and piping at least every 30 days and keep these records for at least 12 months. Additionally, your automatic line leak detectors will require annual testing.

NDEP recommends that 30-day monitoring be conducted at the beginning of each month. If an alarm or failed test is observed, you must immediately investigate the problem or contact your service company. **If neither you nor the service company is able to expeditiously (within 24 hrs.) resolve the monitoring system issues, you are required to contact the NDEP UST Program and report the failed test or fuel alarm as a suspected release.** NDEP personnel will discuss with you the proper course of action to take.

Please remember that having a failed test or system alarm does not mean you are out of compliance with UST regulations; the very function of leak detection equipment is to alert you to a possible problem with your UST system. **Neglecting to report or take immediate action to resolve the cause of alarms or test failures will result in your facility being out of compliance with federal regulation 40 CFR 280.50.** Records for any and all work/maintenance performed on your UST monitoring system must be maintained for at least one year.

Lastly, containment sumps and spill buckets are often overlooked during routine maintenance. Please inspect these areas (particularly after service, storm events, and/or delivery) for liquids and debris. If observed, promptly remove and properly dispose of liquid/debris accumulations.

Please forward a copy of this letter to on-site personnel responsible for UST system operations/maintenance.

If you have any questions regarding this matter, please contact me by email at pizano@snhd.org or by telephone at (702)305-6372.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nick Pizano', is located below the 'Sincerely,' text.

Nicholas Pizano
Environmental Health Specialist
Southern Nevada Health District

ec Lynn M. Cintron, Sr. Administrative Assistant, Environmental Compliance Section, Southern Nevada Health District,
Cintron@SNHD.org
William Thompson, Environmental Health Supervisor environmental Compliance Section, Southern Nevada Health
District, thompsonw@snhd.org



February 16, 2023

Sean Fayeghi
Gas 4 Less
3283 Las Vegas Blvd N
Las Vegas, NV 89115

RE: Underground Storage Tank Compliance Inspection for the Following Facility: Gas 4 Less at 3283
Las Vegas Blvd N, Las Vegas, NV
Facility ID: 8-000251

Dear Owner/Operator:

Southern Nevada Health District (SNHD) has received the information requested subsequent to inspecting your facility (January 24, 2023). Based on the reviewed documentation, no further action is required at this time. You are reminded that you must continue to monitor your tanks and piping at least every 30 days and keep these records for at least 12 months. Additionally, your automatic line leak detectors will require annual testing.

NDEP recommends that 30-day monitoring be conducted at the beginning of each month. If an alarm or failed test is observed, you must immediately investigate the problem or contact your service company. **If neither you nor the service company is able to expeditiously (within 24 hrs.) resolve the monitoring system issues, you are required to contact the NDEP UST Program and report the failed test or fuel alarm as a suspected release.** NDEP personnel will discuss with you the proper course of action to take.

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Lastly, containment sumps and spill buckets are often overlooked during routine maintenance. Please inspect these areas (particularly after service, storm events, and/or delivery) for liquids and debris. If observed, promptly remove and properly dispose of liquid/debris accumulations.

Please forward a copy of this letter to on-site personnel responsible for UST system operations/maintenance.

If you have any questions regarding this matter, please contact me by email at holland@snhd.org or by telephone at (702)759-1397.

Sincerely,



Myles Holland
Environmental Health Specialist
Southern Nevada Health District

ec Brian Northam, Environmental Health Supervisor, Environmental Compliance Section, Southern Nevada Health District, 280 S. Decatur Blvd., Las Vegas, NV 89107, northam@SNHD.org
Lynn M. Cintron, Sr. Administrative Assistant, Environmental Compliance Section, Southern Nevada Health District, 280 S. Decatur Blvd., Las Vegas, NV 89107, Cintron@SNHD.org



January 28, 2022

Sean Fayeghi
Gas 4 Less
3283 Las Vegas Blvd N
Las Vegas, NV 89115

RE: Underground Storage Tank Compliance Inspection for the Following Facility: Gas 4 Less at 3283
Las Vegas Blvd N, Las Vegas, NV
Facility ID: 8-000251

Dear Owner/Operator:

Southern Nevada Health District (SNHD) has received the information requested subsequent to inspecting your facility (January 28, 2022). Based on the reviewed documentation, no further action is required at this time. You are reminded that you must continue to monitor your tanks and piping at least every 30 days and keep these records for at least 12 months. Additionally, your automatic line leak detectors will require annual testing.

NDEP recommends that 30-day monitoring be conducted at the beginning of each month. If an alarm or failed test is observed, you must immediately investigate the problem or contact your service company. **If neither you nor the service company is able to expeditiously (within 24 hrs.) resolve the monitoring system issues, you are required to contact the NDEP UST Program and report the failed test or fuel alarm as a suspected release.** NDEP personnel will discuss with you the proper course of action to take.

Please remember that having a failed test or system alarm does not mean you are out of compliance with UST regulations; the very function of leak detection equipment is to alert you to a possible problem with your UST system. **Neglecting to report or take immediate action to resolve the cause of alarms or test failures will result in your facility being out of compliance with federal regulation 40 CFR 280.50.** Records for any and all work/maintenance performed on your UST monitoring system must be maintained for at least one year.

Lastly, containment sumps and spill buckets are often overlooked during routine maintenance. Please inspect these areas (particularly after service, storm events, and/or delivery) for liquids and debris. If observed, promptly remove and properly dispose of liquid/debris accumulations.

Please forward a copy of this letter to on-site personnel responsible for UST system operations/maintenance.

If you have any questions regarding this matter, please contact me by email at zinser@snhd.org or by telephone at (702)759-0657.

Sincerely,

A handwritten signature in black ink, appearing to read 'Darren Zinser', is located below the 'Sincerely,' text.

Darren Zinser
Environmental Health Specialist
Southern Nevada Health District

ec Brian Northam, Environmental Health Supervisor, Environmental Compliance Section, Southern Nevada Health District, 280 S. Decatur Blvd., Las Vegas, NV 89107, northam@SNHD.org
Lynn M. Cintron, Sr. Administrative Assistant, Environmental Compliance Section, Southern Nevada Health District, 280 S. Decatur Blvd., Las Vegas, NV 89107, Cintron@SNHD.org

STATE of NEVADA UST INSPECTION

Facility Information

Facility ID	8-000251	Facility Name	Gas 4 Less	
Location	3283 Las Vegas Blvd N, Las Vegas, NV			Financial Responsibility is Met
Owner	FBF Inc			Commercial Insurance, State Fund
Contact	Sean Fayeghi	Phone	(702)643-6165	

Inspection Information

Inspector	DARREN ZINSER	Start	1/28/2022	End	1/28/2022	Purpose	Routine
-----------	---------------	-------	-----------	-----	-----------	---------	---------

Tank Status Information

Tank ID	Alt ID	Substance	Capacity	Status	Spill Prevention	Overfill Type
4	001	Gasoline (containing <= 10% ethanol)	8,000	Currently In Use	Yes-Not Specified	Flow Restrictor
5	002	Gasoline (containing <= 10% ethanol)	4,000	Currently In Use	Yes-Not Specified	Flow Restrictor

Tank Construction Information

Tank ID	Alt ID	Siphon	>7/1/08	Tank Material
4	001	No	No	Double-Walled, Fiberglass Reinforced Plastic, Compartmentalized
5	002	No	No	Double-Walled, Fiberglass Reinforced Plastic, Compartmentalized

Pipe Construction Information

Tank ID	Alt ID	Manifold	Pipe Type	Pipe Material
4	001	No		Fiberglass Reinforced Plastic, Double Walled
5	002	No		Fiberglass Reinforced Plastic, Double Walled

Tank Leak Detection Information

Tank ID	Alt ID	Tank Leak Detection Methods
4	001	Interstitial monitoring (required for new or replaced tanks or piping)
5	002	Interstitial monitoring (required for new or replaced tanks or piping)

Pipe Leak Detection Information

Tank ID	Alt ID	ALLD Type	Pipe Leak Detection Methods
4	001		Interstitial monitoring (required for new or replaced tanks or piping), Automatic line leak detectors
5	002		Interstitial monitoring (required for new or replaced tanks or piping), Automatic line leak detectors

Facility Reporting, Record Keeping and Miscellaneous

Leak Detection		Corrosion Protection	
Failure to Investigate Confirmed Release	No	3 Year CP Survey	No Date Provided
Annual Line Leak Detection Test	07/19/2021	60 Day CP Log	Not Required
Annual ATG Certification Record Keeping	07/19/2021	Last Liner Inspection	No Date Provided
Pipe Records	All Records		
Hazardous Substance UST	Yes		
Periodic Testing After Repair	Not Required		
Testing and calibration of leak detection equipment	Not Required		
Test of spill prevention equipment. (Spill Buckets)	Not Required		
Annual Walk Through	No		
Test of containment sumps.(STP Sumps)	Not Required		
Operator Training		Miscellaneous	
Operator Form Present	Yes	Failure to Report Suspected Release	No
AB Operator Certificate(s)	Yes	Failure to Investigate	No
		Failure to Report Confirmed Release	No
		Notification Changes	No
		Repairs	Not Required
		Financial Responsibility	Yes
		Temporary Closure	Yes
		Repairs of Tanks and Piping	Not Required
		30 day walk through	No
		Failure to provide access	Yes



August 11, 2021

Sean Fayeghi
Gas 4 Less
3283 Las Vegas Blvd N
Las Vegas, NV 89115

RE: Underground Storage Tank Compliance Inspection for the Following Facility: Gas 4 Less at 3283
Las Vegas Blvd N, Las Vegas, NV
Facility ID: 8-000251

Dear Owner/Operator:

Southern Nevada Health District (SNHD) has received the information requested subsequent to inspecting your facility (May 27, 2021). Based on the reviewed documentation, no further action is required at this time. You are reminded that you must continue to monitor your tanks and piping at least every 30 days and keep these records for at least 12 months. Additionally, your automatic line leak detectors will require annual testing.

NDEP recommends that 30-day monitoring be conducted at the beginning of each month. If an alarm or failed test is observed, you must immediately investigate the problem or contact your service company. **If neither you nor the service company is able to expeditiously (within 24 hrs.) resolve the monitoring system issues, you are required to contact the NDEP UST Program and report the failed test or fuel alarm as a suspected release.** NDEP personnel will discuss with you the proper course of action to take.

Please remember that having a failed test or system alarm does not mean you are out of compliance with UST regulations; the very function of leak detection equipment is to alert you to a possible problem with your UST system. **Neglecting to report or take immediate action to resolve the cause of alarms or test failures will result in your facility being out of compliance with federal regulation 40 CFR 280.50.** Records for any and all work/maintenance performed on your UST monitoring system must be maintained for at least one year.

Lastly, containment sumps and spill buckets are often overlooked during routine maintenance. Please inspect these areas (particularly after service, storm events, and/or delivery) for liquids and debris. If observed, promptly remove and properly dispose of liquid/debris accumulations.

Please forward a copy of this letter to on-site personnel responsible for UST system operations/maintenance.

If you have any questions regarding this matter, please contact me by email at porter@snhd.org or by telephone at (702)759-1397.

Sincerely,

A handwritten signature in black ink, appearing to read 'Aaron Porter', is located below the 'Sincerely,' text.

Aaron Porter
Environmental Health Specialist
Southern Nevada Health District

ec Brian Northam, Environmental Health Supervisor, Environmental Compliance Section, Southern Nevada Health District, 280 S. Decatur Blvd., Las Vegas, NV 89107, northam@SNHD.org
Lynn M. Cintron, Sr. Administrative Assistant, Environmental Compliance Section, Southern Nevada Health District, 280 S. Decatur Blvd., Las Vegas, NV 89107, Cintron@SNHD.org

CERTIFICATE OF COMPLETION

This is to certify that

Mahmoodreza Radeh

has successfully completed the online course

Nevada Class A/B UST Operator Training

on

07/29/2024 -



USTTraining.COM



This course is approved by the Nevada Department of Environmental Protection.

This certificate is valid indefinitely unless directed to retrain by the State of Nevada due to operational violations.

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APPENDIX D

Case Officer Concurrence of Site Compliance for Assessment and Cleanup Directive

Don Warner

From: Dean Peterson
Sent: Wednesday, August 7, 2024 1:58 PM
To: Jason Hoffman
Cc: Don Warner
Subject: Concurrence of site compliance for assessment and cleanup directive (Gas-4-Less)

Jason,

As the assigned case officer for the Gas-4-Less Facility (#8-000251) I can attest to the site compliance of cleanup and remediation standards expected of this facility. Discussions and workplans submitted by Broadbent and associates regarding the remaining petroleum contaminants are satisfactory to Nevada administrative code NRS 445C.380(4)(b)(1)(2). Operation of the ozone air sparge remediation system has been maintained to an acceptable degree, and effectiveness of the remediation system has been proven through data reports of decreasing contaminant trends.

For any questions regarding the remedial conditions at this facility, please feel free to contact me at the address listed below.

Thank you!

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
(O) 775- 687-9377



**Agenda Item 6:
Site Specific Board Determination No.
C2024-04**

(FOR POSSIBLE ACTION)

STATE BOARD TO REVIEW CLAIMS

MEETING OF SEPTEMBER 12, 2024

Video-conferenced in Carson City and Las Vegas, Nevada
Summary of Site-Specific Board Determination No. C2024-04

- SUBJECT:** Proposed Site-Specific Board Determination (SSBD) to provide reduced Petroleum Fund Coverage for Las Vegas Cardlock, 4480 E. Cheyenne Avenue, Las Vegas, Nevada
Petroleum Fund Case ID No. 2024000013, Facility ID No. 8-002005
- DISCUSSION:** The subject site, identified as Las Vegas Cardlock, and owned by Dats Trucking Inc., is located at 4480 E. Cheyenne Avenue, Las Vegas, Nevada. This facility consists of four underground storage tank (UST) systems, of which two contained gasoline and two 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 #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. C2024-04 as proposed, granting coverage under the State of Nevada Petroleum Fund to Las Vegas Cardlock 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 C2024-04

Site Specific Board Determination to Provide Reduced Petroleum Fund Coverage for
Las Vegas Cardlock, 4480 E. Cheyenne Avenue, Las Vegas, Nevada
Petroleum Fund Case ID No. 2024000013
Facility ID No. 8-002005

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

1. The subject site, identified as Las Vegas Cardlock, owned by Dats Trucking Inc., and located at 4480 E. Cheyenne Avenue, Las Vegas, Nevada, consists of four underground storage tank (UST) systems, of which two contained gasoline and two contained diesel at the time of release.
2. September 7, 2022, Tank #2, a 12,000-gallon single walled UST failed a tightness test. On September 8, 2022, the UST was drained of gasoline to less than one inch and taken out of service.
3. September 9, 2022, Southern Nevada Health District (SNHD) conducted a site inspection of the UST following the release. A letter from SNHD, dated September 13, 2022, requested an investigation for environmental release, a report documenting the findings, and a timeline indicating future intentions for the tank, be completed and received by their office no later than October 9, 2022.
4. March 14, 2023, a Nevada certified tank handler repaired a crack, and certified material used to line the tank interior met performance requirements per National Leak Prevention Association standards. March 28, 2023, Tank #2 passed a tank tightness test and was returned to service.
5. January 30, 2024, one subsurface sample was collected from the pea gravel located in the bottom of a manway on top of Tank #2. It was reported that no contamination was present above laboratory detection levels in the soil sample. In March 2024, SNHD requested an additional investigation be conducted to further evaluate if a gasoline release to the environment had occurred. One boring was advanced on the south side of Tank #2 and two soil samples and a groundwater sample were collected and tested. It was reported that the results from the soil sample collected at 16.5 feet below ground surface (ft bgs) and the groundwater sample collected from 20 ft bgs, confirmed a release to the environment. These investigations were conducted 15 and 17 months, respectively, after SNHD's initial request for an investigation to determine a potential release to the environment.
6. June 20, 2024, an application for coverage was submitted to NDEP. The application identified the source of the release as a crack in Tank #2.
7. 40 CFR 280.52 states, "Unless corrective action is initiated in accordance with subpart F, owners and operators must immediately investigate and confirm all suspected releases of regulated substances requiring reporting under 280.50 within 7 days, or another reasonable time period specified by the implementing agency, using either the following steps or another procedure approved by the implementing agency." 40 CFR 280.52 (a)(2) requires, "If the system test confirms a leak into the interstice or a release, owners and operators must repair, replace, upgrade, or close the UST system. In addition, owners, operators must begin corrective action in accordance with subpart F of this part if the test results for the system, tank, or delivery piping indicate that a leak exists." 40 CFR 280.52 (b) requires, "Owners and operators must measure for the presence of a release where contamination is most likely to be present at the UST site."

8. 40 CFR 280.62 (a) states, "... Owners and Operators must perform the following initial abatement measures: (5) Measure for the presence of a release where contamination is most likely to be present at the UST site, unless the presence and source have already been confirmed with the site check required by 40CFR 280.52(b)..." Furthermore, (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."
9. 40 CFR 280.63 (b) states, "Within 45 days of release confirmation or another reasonable period of time determined by the implementing agency, owners and operators must submit the information collected in compliance with paragraph (a) of this section to the implementing agency..."
10. NAC 445C.270 states, "As soon as possible after the discharge, but not later than 12 months after the date the discharge is discovered, the operator shall submit to the Division an application for coverage by the Fund for the discharge. The Division will not accept an application for coverage after the deadline unless the operator demonstrates good cause for the failure to comply with the deadline."
11. 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.001 – Failure to comply with Release Reporting, Investigation, and Confirmation
40 CFR 280.50 – 280.53: 40% Reduction
 - LUST.002 – Failure to comply with Release Response and Corrective Action
40 CFR 280.60-280.65: 40% Reduction
12. 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.
13. 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 12,000-gallon single walled tank, 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. The operator is unable to provide documentation demonstrating that the release was investigated promptly, in accordance with Federal regulations (40 CFR 280.50-280.53).
 - b. The operator is unable to demonstrate that corrective actions were initiated within regulatory timelines, following a confirmed release. (40 CFR 280.60-280.65)

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 September 12, 2024.

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

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."

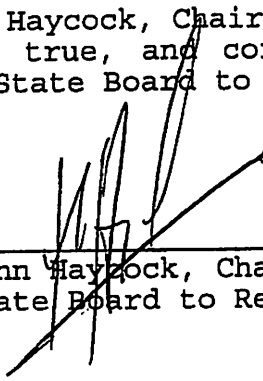
2. Non-compliance to certain regulations may not necessarily be proximate cause for a discharge as defined in Finding No. 1, but may still result in increased costs for site remediation.
3. Delays in the discovery and/or remediation of a contamination may not be a proximate cause as defined in Finding 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.



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.

**Agenda Item 7:
Addition of Appendix A-2 to the Cost
Guidelines**

(FOR POSSIBLE ACTION)

APPENDIX A-2
CEM-OWNED MOBILE REMEDIATION SYSTEMS

DRAFT

This appendix establishes rates for use of CEM-owned mobile remediation systems in lieu of requiring bids to rent mobile systems from a third-party vendor for pilot testing, short-term remediation projects, or interim cleanup while a permanent system undergoes the permitting/installation process onsite. These rates may be used for up to one-year, after which a permanent system must be installed or the CEM must demonstrate the mobile system will clean up the site within a 6-month extension period (i.e. post remediation monitoring will commence no more than 18 months after the mobile system is brought online). Any extension beyond 18 months must be approved by both the remediation case officer and Petroleum Fund staff. CEMs and case officers should evaluate the effectiveness of the system's performance at least every 3 months. If the system is not performing as expected, it must be optimized to achieve cleanup goals, or an alternative remediation method should be pursued.

Mobile remediation systems are systems that can be easily moved from one location to another with minimal aboveground infrastructure/time to bring the system into or out of service. These systems are typically trailer-mounted or skid-mounted. The below rates are inclusive of any costs for operational service, repair, calibration, fuel, and mobilization associated with using the system onsite. These rates should only be invoiced for days the equipment is operating onsite. System downtime not concurred with by the regulatory case officer is not eligible for reimbursement. Costs associated with CEM personnel optimization, maintenance, and sampling may be requested under the tasks outlined in Section 3 of these Guidelines. These systems are the responsibility of the CEM. The Fund will not reimburse costs associated with disrepair, theft, vandalism, or damage. Also, similar to other CEM equipment in Appendix A, markup is not eligible for reimbursement.

SYSTEM TYPE	DAILY RATE	WEEKLY RATE	MONTHLY RATE
Air Sparge with Soil Vapor Extraction	\$660	\$2,200	\$6,000
Self-Powered Air Sparge with Soil Vapor Extraction	\$880	\$2,900	\$8,000
Pulse-Ox	\$660	\$2,200	\$6,000
Ozone Sparge	\$550	\$1,800	\$5,000

* Daily Rate = Up to 24hours; Weekly Rate = Greater than 3 days (72 hours); Monthly Rate = Greater than 14 days

Note, for use of a mobile remediation system that is not CEM-owned (i.e. rented from a third-party in accordance with Appendix D), where rental costs will likely exceed the bid threshold, Section 2.4.3 of these Guidelines apply.

Agenda Item 8:
Adoption of Consent Items
(FOR POSSIBLE ACTION)

**STATE BOARD TO REVIEW CLAIMS
REQUESTED/RECOMMENDED AMOUNTS - SEPTEMBER 12, 2024**

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

<u>HEATING OIL</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2012000017; 80717 Churchill County School District: Old High School	\$11,871.36	\$11,871.36
FOR POSSIBLE ACTION	2.	2024000017; 80778 Emil Yankov: Residence Of 2090 Carter Drive	\$18,931.25	\$18,680.25
SUB TOTAL:			<u>\$30,802.61</u>	<u>\$30,551.61</u>

<u>NEW CASES</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2023000013; 80620 Terrible Herbst, Inc.: Terrible Herbst #3	\$97,680.00	\$84,719.47
FOR POSSIBLE ACTION	2.	2024000008; 80711 Midjit Market, Inc.: Green Valley Grocery #58	\$73,145.77	\$52,664.96
SUB TOTAL:			<u>\$170,825.77</u>	<u>\$137,384.43</u>

<u>ONGOING CASES</u>			<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	1992000126; 80770 Clark County School District: Rc White (arville) Transportation Satellite	\$19,062.56	\$19,026.31
FOR POSSIBLE ACTION	2.	1993000102; 80763 Rebel Oil Company: Rebel Store #2008	\$100,229.06	\$94,609.06
FOR POSSIBLE ACTION	3.	1994000027; 80732 7-Eleven, Inc: 7-Eleven #19653	\$34,921.09	\$34,886.07
FOR POSSIBLE ACTION	4.	1995000039; 80765 Al Park Petroleum, Inc.: Crescent Valley Market	\$8,740.60	\$7,866.54

FOR POSSIBLE ACTION	5.	1996000064; 80760	The Esslinger Family Trust: Red Rock Mini Mart	\$33,166.60	\$30,516.94
FOR POSSIBLE ACTION	6.	1999000014; 80766	Al Park Petroleum, Inc.: Pit Stop #7 Conoco	\$2,000.00	\$1,800.00
FOR POSSIBLE ACTION	7.	1999000086; 80739	Terrible Herbst, Inc.: Terrible Herbst #126	\$5,287.50	\$4,758.75
FOR POSSIBLE ACTION	8.	1999000243; 80733	7-Eleven, Inc: 7-Eleven #27607	\$16,618.57	\$13,768.25
FOR POSSIBLE ACTION	9.	2007000014; 80773	Raiders Oz Business, Llc: Former Ace Cab/frias Transportation	\$45,583.89	\$40,992.34
FOR POSSIBLE ACTION	10.	2007000016; 80767	Golden Gate Petroleum Of Nevada Llc: Golden Gate Petroleum #43 - Sun Valley	\$10,316.66	\$9,284.99
FOR POSSIBLE ACTION	11.	2008000019; 80614	One Panou, Llc: Golden Market #3	\$115,221.23	\$94,942.73
FOR POSSIBLE ACTION	12.	2009000024; 80686	Sjk Investments, Llc: Chuck's Circle C	\$37,957.80	\$31,653.49
FOR POSSIBLE ACTION	13.	2010000009; 80769	Hpt Ta Properties Trust: Mill City Travel Center	\$30,476.28	\$24,685.79
FOR POSSIBLE ACTION	14.	2011000009; 80771	Cimarron West: Cimarron West	\$10,455.44	\$9,409.90
FOR POSSIBLE ACTION	15.	2012000005; 80742	Travel Systems, Llc: Zephyr Cove Resort	\$75,249.29	\$58,530.42
FOR POSSIBLE ACTION	16.	2013000004; 80757	7-Eleven, Inc: 7-Eleven #29665	\$50,399.36	\$45,336.92
FOR POSSIBLE ACTION	17.	2013000019; 80772	Hardy Enterprises, Inc.: Elko Sinclair #53	\$37,255.87	\$33,417.78
FOR POSSIBLE ACTION	18.	2014000004; 80705	Alsaker Corporation: Broadway Colt Service Center	\$40,247.89	\$36,223.10
FOR POSSIBLE ACTION	19.	2014000007; 80741	7-Eleven, Inc: 7-Eleven #29658	\$11,533.17	\$10,379.85
FOR POSSIBLE ACTION	20.	2014000025; 80776	Superior Campgrounds Of America, Llc: Silver City RV Resort	\$12,611.33	\$11,231.12
FOR POSSIBLE ACTION	21.	2016000023; 80775	Al Park Petroleum, Inc.: Pit Stop #1	\$15,203.60	\$10,865.59
FOR POSSIBLE ACTION	22.	2016000027; 80728	Terrible Herbst, Inc.: Terrible Herbst #272	\$18,586.66	\$15,048.97
FOR POSSIBLE ACTION	23.	2017000015; 80759	Ellen 5, Llc: Auto Center (green Valley Grocery #63)	\$28,346.55	\$24,693.32
FOR POSSIBLE ACTION	24.	2018000009; 80777	Reed Incorporated: Pacific Pride	\$44,883.28	\$40,385.95
FOR POSSIBLE ACTION	25.	2019000008; 80734	Circle K Stores, Inc.: Circle K Store #2701354	\$18,691.97	\$9,990.49
FOR POSSIBLE ACTION	26.	2019000044; 80745	7-Eleven, Inc: 7-Eleven #15829	\$29,602.11	\$26,590.06
FOR POSSIBLE ACTION	27.	2020000015; 80761	Canyon Plaza, Llc: Gas 2 Go	\$30,893.81	\$16,682.66
FOR POSSIBLE ACTION	28.	2021000014; 80727	Pilot Travel Centers Llc: Pilot Travel Centers LLC #341	\$11,559.77	\$10,403.79
FOR POSSIBLE ACTION	29.	2021000026; 80747	7-Eleven, Inc: 7-Eleven #25578	\$10,988.15	\$9,889.33
FOR POSSIBLE ACTION	30.	2022000018; 80726	Pilot Travel Centers Llc: Pilot Travel Centers LLC #341	\$8,651.79	\$6,229.29
FOR POSSIBLE ACTION	31.	2022000035; 80746	7-Eleven, Inc: 7-Eleven #29407	\$54,066.25	\$48,641.63
SUB TOTAL:				<u>\$968,808.13</u>	<u>\$832,741.43</u>
RECOMMENDED CLAIMS TOTAL:				<u>\$1,170,436.51</u>	<u>\$1,000,677.47</u>

Case: #1992000126
Claim #: 80770

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$19,026.31 from the Petroleum Fund for cleanup costs.

	\$3,000,610.20	Amount Requested to Date
	(\$161,417.75)	Amount Disallowed, Past Claims
	(\$40,000.00)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,759,507.88)</u>	Amount Paid to Date
SUB TOTAL	\$19,062.56	Amount Requested this Meeting
	<u>(\$36.25)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$19,026.31	
	<u>\$0.00</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$19,026.31	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/07/2024 and 07/12/2024

Summary of work completed: 1st Quarter 2024 report preparation, 2nd Quarter 2024 Groundwater Sampling and Report Preparation, Conceptual Site Model Report Preparation, and petroleum fund tasks.

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)

Fund Coverage	\$4,000,000.00
Amount Fund Will Pay	\$3,960,000.00
Amount Requested	\$3,000,610.20
Amount Disallowed	\$161,454.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$40,000.00
Amount Recommended	\$2,799,156.20
Amount Paid	\$2,780,129.89

Site Identification

Date Submitted:	06/10/1992	DEP Facility Number:	8-000825
Site Name	Rc White (arville) Transportation Satellite		
Site Contact		Telephone:	
Site Address	4499 Arville St Las Vegas, NV 89103		
County:	Clark County		
Owner/Operator Name:	Clark County School District		
Contact Name of Owner/Operator:	Lori Olson	Telephone:	(702)799-0990 Ext: 5
	Environmental Services Henderson, NV 89074		
Prime Contractor	Converse Consultants		
Contact Name	Robert Gegenheimer		
Contractor Address	6610 West Arby Avenue, Suite 104 Las Vegas, NV 89118		
Telephone:	(702)269-8336 Ext: 2	% Board Reduction:	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 #: 80763

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$94,609.06 from the Petroleum Fund for cleanup costs.

	\$3,016,059.79	Amount Requested to Date
	(\$27,274.04)	Amount Disallowed, Past Claims
	(\$30,000.00)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,376,765.77)</u>	Amount Paid to Date
SUB TOTAL	\$100,229.06	Amount Requested this Meeting
	<u>(\$5,620.00)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$94,609.06	
	\$0.00	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$94,609.06</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/06/2024 and 07/15/2024

Summary of work completed: Project management, preparation of 1st Quarter 2024 Groundwater Monitoring/Remediation Status Report, Preparation of 1st Quarter of 2024 Petroleum Fund Reimbursement Claim, Drafting Services, Remediation System O&M for May and June 2024, CEM-Conducted Monthly Remediation System Maintenance for May and June 2024, Groundwater Monitoring/Well Sampling and/or Free Product Removal for 2nd Quarter 2024, Traffic Control Services, Site Grading, Dust Permit, Well Box and Wellhead Pipe and Valve Installation, Trenching and Underground Pipe Installation, Provide Temporary Electrical Service for Remedial System, Connect Water Discharge Line, Provide Shipping Container and Install Chain Link Fence, Disposal of Debris, Barricades and Traffic Control Devices, and 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.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,970,000.00
Amount Requested	\$3,016,059.79
Amount Disallowed	\$32,894.04
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$30,000.00
Amount Recommended	\$2,964,380.00
Amount Paid	\$2,869,770.94

Site Identification

Date Submitted:	03/15/1993	DEP Facility Number:	8-000523
Site Name	Rebel Store #2008		
Site Contact	Dana Cason Teepe	Telephone:	(702)382-5866
Site Address	3235 Las Vegas Blvd N Las Vegas, NV 89115		
County:	Clark County		
Owner/Operator Name:	Rebel Oil Company		
Contact Name of Owner/Operator:	Dana Cason Teepe	Telephone:	(702)382-5866 Ext: 2
	10650 West Charleston Boulevard Las Vegas, NV 89135		
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	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	43	Regulated UST	See Synopsis

Case: #1994000027
Claim #: 80732

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$34,886.07 from the Petroleum Fund for cleanup costs.

	\$2,732,171.57	Amount Requested to Date
	(\$79,927.05)	Amount Disallowed, Past Claims
	(\$30,000.00)	Deductible/Co-Payment Satisfied to Date
	(\$2,321,829.31)	Amount Paid to Date
SUB TOTAL	\$34,921.09	Amount Requested this Meeting
	(\$35.02)	Amount Disallowed this Meeting
SUB TOTAL	\$34,886.07	
	\$0.00	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$34,886.07	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 09/05/2023 and 03/28/2024

Summary of work completed: Project management, scheduling and client invoicing. Quarterly monitoring, sampling and reporting, coordinating traffic control and associated permitting, waste disposal, quarterly permit reporting, reimbursement packages preparation, annual cost proposal and HASP preparation, AS/SVE remediation system operations, utility costs, routine repairs, maintenance, data evaluation and monthly site visits for a safety check and cleaning.

Site Summary Report

Case Number: 1994000027 Site Name: 7-Eleven #19653

Site Status

Synopsis: CONTAMINATION DISCOVERED DECEMBER 1992 FROM THE PIPING AND TURBINE PUMPS OF (2) 10,000-GALLON USTS AND (1) 6,000-GALLON UST, EACH CONTAINING GASOLINE AT THE TIME OF RELEASE.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,970,000.00
Amount Requested	\$2,732,171.57
Amount Disallowed	\$79,962.07
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$30,000.00
Amount Recommended	\$2,621,937.34
Amount Paid	\$2,587,051.27

Site Identification

Date Submitted:	09/03/1993	DEP Facility Number:	8-000599
Site Name	7-Eleven #19653	Telephone:	
Site Contact			
Site Address	2725 Las Vegas Blvd N North Las Vegas, NV 89030		
County:	Clark County		
Owner/Operator Name:	7-Eleven, INC		
Contact Name of Owner/Operator:	William Latt 500 Speedway Drive Enon, OH 45323	Telephone:	(937)460-8488
Prime Contractor	Stantec Consulting Services Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	6111 South Buffalo Drive, Suite 200 Las Vegas, NV 89113		
Telephone:	(702)525-5919	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	6000	Closed	Regulated UST	See Synopsis
003	10000	47	Regulated UST	See Synopsis
002	10000	47	Regulated UST	See Synopsis

Case: #1995000039
Claim #: 80765

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$7,866.54 from the Petroleum Fund for cleanup costs.

	\$2,023,963.55	Amount Requested to Date
	(\$95,753.60)	Amount Disallowed, Past Claims
	(\$117,990.84)	Board Reduction, Past Claims
	(\$180,147.86)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,516,361.72)</u>	Amount Paid to Date
SUB TOTAL	\$8,740.60	Amount Requested this Meeting
	<u>(\$874.06)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$7,866.54	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/27/2024 and 06/30/2024

Summary of work completed: Prepare 1st quarter GMR, prepare petroleum fund documentation, conduct 2nd quarter groundwater sampling event.

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. SSBDC2020-04 PROVIDED ADDITIONAL CLEANUP FUNDING UNDER FORMER POLICY RESOLUTION 2007-10.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,652,818.63
Amount Fund Will Pay	\$2,387,536.77
Amount Requested	\$2,023,963.55
Amount Disallowed	\$95,753.60
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$117,990.84
Pending Copay/Deductible	\$874.06
Copay/Deductible	\$180,147.86
Amount Recommended	\$1,601,859.69
Amount Paid	\$1,593,993.15

Site Identification

Date Submitted:	09/21/1994	DEP Facility Number:	6-000318
Site Name	Crescent Valley Market	Telephone:	(775)934-3818
Site Contact	Pam Williams		
Site Address	3093 Crescent Ave Crescent Valley, NV 89821		
County:	Eureka County		
Owner/Operator Name:	AL Park Petroleum, Inc.		
Contact Name of Owner/Operator:	Pam Williams 379 Westby Drive Spring Creek, NV 89815	Telephone:	(775)934-3818
Prime Contractor	McGInley & Associates, Inc, DBA UES		
Contact Name	Caitlin Jelle		
Contractor Address	6995 Sierra Center Parkway Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	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	57	Regulated UST	See Synopsis

Case: #1996000064
Claim #: 80760

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$30,516.94 from the Petroleum Fund for cleanup costs.

	\$2,344,680.83	Amount Requested to Date
	(\$70,214.48)	Amount Disallowed, Past Claims
	(\$230,745.80)	Board Reduction, Past Claims
	(\$52,946.32)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,896,830.45)</u>	Amount Paid to Date
SUB TOTAL	\$33,166.60	Amount Requested this Meeting
	(\$50.00)	Amount Disallowed this Meeting
	<u>(\$993.50)</u>	Board Reduction, This Meeting
SUB TOTAL	\$32,123.10	
	<u>(\$1,606.16)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$30,516.94	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/08/2024 and 04/30/2024

Summary of work completed: Project management; field activities and contractor costs associated with well abandonment work; and preparation of Fund documents.

Site Summary Report

Case Number: 1996000064 Site Name: Red Rock Mini Mart

Site Status

Synopsis: TWO GASOLINE RELEASES IMPRINTED UPON THIRD, OLDER, INELIGIBLE RELEASE, COVERAGE AWARDED WITH 21% REDUCTION (SSBD 96-030). CLAIMANT DESIGNATED AS A SMALL BUSINESS WITH COPAYMENT MAXIMUM OF \$50,000. REQUEST FOR RECONSIDERATION PRESENTED AT MARCH 14, 2013. BOARD CHANGED REDUCTION FROM 21% TO 3%. ADDITIONAL CLEANUP FUNDING APPROVED PURSUANT TO NAC 445C.380.4 AT JUNE 8, 2023 MEETING.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,811,500.00
Amount Requested	\$2,344,680.83
Amount Disallowed	\$70,264.48
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$231,739.30
Pending Copay/Deductible	\$1,606.16
Copay/Deductible	\$52,946.32
Amount Recommended	\$1,976,497.13
Amount Paid	\$1,945,980.19

Site Identification

Date Submitted:	04/29/1996	DEP Facility Number:	8-000161
Site Name	Red Rock Mini Mart	Telephone:	(480)694-1890
Site Contact	Harold T. Crutcher		
Site Address	5525 W Charleston Blvd Las Vegas, NV 89146		
County:	Clark County		
Owner/Operator Name:	The Esslinger Family Trust		
Contact Name of Owner/Operator:	Harold T. Crutcher 12932 North 136th Street Scottsdale, AZ 85259	Telephone:	(480)694-1890
Prime Contractor	Broadbent And Associates, Inc.		
Contact Name	Jeremy Holst		
Contractor Address	8 West Pacific Avenue Henderson, NV 89015		
Telephone:	(702)353-5743	% Board Reduction:	3.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	Closed	Regulated UST	See Synopsis
002	10000	51	Regulated UST	See Synopsis

Case: #1999000014
Claim #: 80766

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$1,800.00 from the Petroleum Fund for cleanup costs.

	\$1,147,387.11	Amount Requested to Date
	(\$65,364.85)	Amount Disallowed, Past Claims
	(\$71,518.04)	Board Reduction, Past Claims
	(\$100,850.45)	Deductible/Co-Payment Satisfied to Date
	(\$866,368.42)	Amount Paid to Date
SUB TOTAL	<u>\$2,000.00</u>	Amount Requested this Meeting
	(\$200.00)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$1,800.00</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/31/2024 and 05/31/2024

Summary of work completed: Prepare petroleum fund documentation, prepare draft closure presentation

Site Summary Report

Case Number: 1999000014 Site Name: Pit Stop #7 Conoco

Site Status

Synopsis: FOAV ISSUED ON 12/14/98 FOR LUST NON-COMPLIANCE. 2ND FOAV ISSUED ON 2/3/09. 40% REDUCTION FOR ALL WORK CONDUCTED PRIOR TO 12/9/09, FULL COVERAGE THEREAFTER. REIMBURSABLE CAP = \$725,400. ADDITIONAL CLEANUP FUNDING APPROVED UNDER FORMER POLICY RESOLUTION 2007-10 AT JUNE 14, 2018 BOARD MEETING (SSBD C2018-05).

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,625,400.00
Amount Requested	\$1,147,387.11
Amount Disallowed	\$65,364.85
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$71,518.04
Pending Copay/Deductible	\$200.00
Copay/Deductible	\$100,850.45
Amount Recommended	\$909,453.77
Amount Paid	\$907,653.77

Site Identification

Date Submitted:	09/10/1998	DEP Facility Number:	6-000009
Site Name	Pit Stop #7 Conoco	Telephone:	(775)934-3818
Site Contact	Pam Williams		
Site Address	1600 Idaho St Elko, NV 89801		
County:	Elko County		
Owner/Operator Name:	AL Park Petroleum, Inc.		
Contact Name of Owner/Operator:	Pam Williams 379 Westby Drive Spring Creek, NV 89815	Telephone:	(775)934-3818
Prime Contractor	McGInley & Associates, Inc, DBA UES		
Contact Name	Caitlin Jelle		
Contractor Address	6995 Sierra Center Parkway Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	0.00

Site Characteristics

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

Case: #1999000086
Claim #: 80739

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$4,758.75 from the Petroleum Fund for cleanup costs.

	\$1,864,364.31	Amount Requested to Date
	(\$89,701.70)	Amount Disallowed, Past Claims
	(\$176,937.53)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,463,053.85)</u>	Amount Paid to Date
SUB TOTAL	\$5,287.50	Amount Requested this Meeting
	<u>(\$528.75)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$4,758.75	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/01/2024 and 07/01/2024

Summary of work completed: Prepared bid packet and solicited quotes; field work preparation; drafting closure report; cost proposal preparations and submittals; prepared and submitted claim packet; prepared and submitted proof of payment

Site Summary Report

Case Number: 1999000086 Site Name: Terrible Herbst #126

Site Status

Synopsis: CONTAMINATION DISCOVERED MAY 11, 1999. THE APPLICATION IDENTIFIED DETERIORATED FIBERGLASS PRODUCT PIPING ASSOCIATED TO TWO 12,000 GALLON UNDERGROUND STORAGE TANK SYSTEMS CONTAINING GASOLINE (TANK 1 AND TANK 2). COVERAGE FOR TANK 1 AWARDED JULY 26, 1999 AND COVERAGE FOR TANK 2 AWARDED JANUARY 25, 2000.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$1,864,364.31
Amount Disallowed	\$89,701.70
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$528.75
Copay/Deductible	\$176,937.53
Amount Recommended	\$1,597,196.33
Amount Paid	\$1,592,437.58

Site Identification

Date Submitted:	05/24/1999	DEP Facility Number:	8-000657
Site Name	Terrible Herbst #126	Telephone:	(702)876-3474
Site Contact			
Site Address	1195 E Sahara Ave Las Vegas, NV 89104		
County:	Clark County		
Owner/Operator Name:	Terrible Herbst, Inc.		
Contact Name of Owner/Operator:	Ben Scott 3440 West Russell Road Las Vegas, NV 89118	Telephone:	(325)716-9344
Prime Contractor	The Westmark Group		
Contact Name	Kathleen Johnson		
Contractor Address	7145 South Buffalo Drive, Suite C105 Las Vegas, NV 89113		
Telephone:	(702)305-2650	% Board Reduction:	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	47	Regulated UST	See Synopsis

Case: #1999000243
Claim #: 80733

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$13,768.25 from the Petroleum Fund for cleanup costs.

	\$2,044,801.32	Amount Requested to Date
	(\$57,206.13)	Amount Disallowed, Past Claims
	(\$397,897.10)	Board Reduction, Past Claims
	(\$157,307.95)	Deductible/Co-Payment Satisfied to Date
	(\$1,332,548.06)	Amount Paid to Date
SUB TOTAL	<u>\$16,618.57</u>	Amount Requested this Meeting
	(\$1,661.86)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$13,768.25</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 09/28/2023 and 03/27/2024

Summary of work completed: Project management, scheduling and client invoicing. Quarterly monitoring, sampling and reporting, waste disposal, quarterly and annual permit reporting, annual cost proposal and HASP preparation, reimbursement package preparation. DPE remediation system monthly site visits for safety check and cleaning, utility costs, routine repairs and equipment maintenance.

Site Summary Report

Case Number: 1999000243 Site Name: 7-Eleven #27607

Site Status

Synopsis: DETERIORATED TANK. 2ND REIMBURSEMENT GRANTED 12-15-10 ; 40% REDUCTION REMOVED 12/13/12.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,429,267.66
Amount Requested	\$2,044,801.32
Amount Disallowed	\$57,206.13
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$397,897.10
Pending Copay/Deductible	\$1,661.86
Copay/Deductible	\$157,307.95
Amount Recommended	\$1,429,267.66
Amount Paid	\$1,415,499.41

Site Identification

Date Submitted:	07/05/2002	DEP Facility Number:	8-001149
Site Name	7-Eleven #27607	Telephone:	(702)388-0940
Site Contact	Rich Davies		
Site Address	600 Las Vegas Blvd N Las Vegas, NV 89101		
County:	Clark County		
Owner/Operator Name:	7-Eleven, INC		
Contact Name of Owner/Operator:	William Latt	Telephone:	(937)460-8488
	500 Speedway Drive Enon, OH 45323		
Prime Contractor	Stantec Consulting Services Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	6111 South Buffalo Drive, Suite 200 Las Vegas, NV 89113		
Telephone:	(702)525-5919	% Board Reduction:	0.00

Site Characteristics

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

Case: #2007000014
Claim #: 80773

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$40,992.34 from the Petroleum Fund for cleanup costs.

	\$5,090,547.18	Amount Requested to Date
	(\$41,262.33)	Amount Disallowed, Past Claims
	(\$500,370.09)	Deductible/Co-Payment Satisfied to Date
	<u>(\$4,333,117.66)</u>	Amount Paid to Date
SUB TOTAL	\$45,583.89	Amount Requested this Meeting
	<u>(\$36.85)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$45,547.04	
	<u>(\$4,554.70)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$40,992.34	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/09/2024 and 07/09/2024

Summary of work completed: 1st and 2nd Quarter 2024 Groundwater Sampling Reports Preparation, 2nd Quarter 2024 Groundwater Sampling Event, Pulse-Ox O&M, and petroleum fund tasks.

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)

Fund Coverage	\$6,000,000.00
Amount Fund Will Pay	\$5,400,000.00
Amount Requested	\$5,090,547.18
Amount Disallowed	\$41,299.18
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$4,554.70
Copay/Deductible	\$500,370.09
Amount Recommended	\$4,544,323.21
Amount Paid	\$4,503,330.87

Site Identification

Date Submitted:	11/30/2006	DEP Facility Number:	8-000204
Site Name	Former Ace Cab/frias Transportation		
Site Contact	Don Webb	Telephone:	(510)610-7667
Site Address	5010 S Valley View Blvd Las Vegas, NV 89118		
County:	Clark County		
Owner/Operator Name:	Raiders Oz Business, LLC		
Contact Name of Owner/Operator:	Greg Gilbert	Telephone:	(702)669-4600
	1475 Raiders Way Henderson, NV 89052		
Prime Contractor	Converse Consultants		
Contact Name	Kurt Goebel		
Contractor Address	6610 W. Arby, Suite 104 Las Vegas, NV 89118		
Telephone:	(702)271-6839 Ext: 2	% Board Reduction:	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	17	Regulated UST	Pipe
001	20000	27	Regulated UST	tank fill riser

Case: #2007000016
Claim #: 80767

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$9,284.99 from the Petroleum Fund for cleanup costs.

	\$706,855.33	Amount Requested to Date
	(\$1,453.92)	Amount Disallowed, Past Claims
	(\$69,508.47)	Deductible/Co-Payment Satisfied to Date
	(\$621,326.17)	Amount Paid to Date
SUB TOTAL	<u>\$10,316.66</u>	Amount Requested this Meeting
	(\$1,031.67)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$9,284.99</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/26/2024 and 05/31/2024

Summary of work completed: Conduct 2nd quarter groundwater monitoring event, prepare petroleum fund documentation, prepare draft remedial design, prepare 1st quarter GMR,

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)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$706,855.33
Amount Disallowed	\$1,453.92
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,031.67
Copay/Deductible	\$69,508.47
Amount Recommended	\$634,861.27
Amount Paid	\$625,576.28

Site Identification

Date Submitted:	12/14/2006	DEP Facility Number:	4-000408
Site Name	Golden Gate Petroleum #43 - Sun Valley		
Site Contact	Graham Brown	Telephone:	(775)850-3010
Site Address	5190 Sun Valley Blvd Sun Valley, NV 89433		
County:	Washoe County		
Owner/Operator Name:	Golden Gate Petroleum Of Nevada LLC		
Contact Name of Owner/Operator:	Nacho Aguilar	Telephone:	(775)850-3010
	16580 Wedge Parkway Reno, NV 89511		
Prime Contractor	McGInley & Associates, Inc, DBA UES		
Contact Name	Caitlin Jelle		
Contractor Address	6995 Sierra Center Parkway Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	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: #2008000019
Claim #: 80614

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$94,942.73 from the Petroleum Fund for cleanup costs.

	\$886,906.78	Amount Requested to Date
	(\$20,691.94)	Amount Disallowed, Past Claims
	(\$75,099.33)	Deductible/Co-Payment Satisfied to Date
	<u>(\$632,581.66)</u>	Amount Paid to Date
SUB TOTAL	\$115,221.23	Amount Requested this Meeting
	<u>(\$9,729.31)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$105,491.92	
	<u>(\$10,549.19)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$94,942.73	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/28/2023 and 04/30/2024

Summary of work completed: Property management; design and performance of a SVE pilot test; contracted onsite security guard while pilot test equipment was onsite; installation of remediation wells; groundwater monitoring and report preparation; and preparation of Fund documents.

Site Summary Report

Case Number: 2008000019 Site Name: Golden Market #3

Site Status

Synopsis: CONTAMINATION WAS RE-DISCOVERED DURING A PHASE II ENVIRONMENTAL SITE ASSESSMENT, CONDUCTED DURING A PROPERTY TRANSACTION IN 2007. THE APPLICATION IDENTIFIED A LEAKING TURBINE ASSOCIATED TO THE NORTHENMOST 10,000 GALLON UNDERGROUND STORAGE TANK (UST) SYSTEM, WHICH CONTAINED GASOLINE AT THE TIME OF RELEASE.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$886,906.78
Amount Disallowed	\$30,421.25
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$10,549.19
Copay/Deductible	\$75,099.33
Amount Recommended	\$770,837.01
Amount Paid	\$675,894.28

Site Identification

Date Submitted:	04/16/2008	DEP Facility Number:	8-001393
Site Name	Golden Market #3	Telephone:	
Site Contact			
Site Address	3025 Las Vegas Blvd North North Las Vegas, NV 89030		
County:	Clark County		
Owner/Operator Name:	One Panou, LLC		
Contact Name of Owner/Operator:	Amer (jack) Panou 3025 North Las Vegas Blvd. Las Vegas, NV 89030	Telephone:	(702)285-3678
Prime Contractor	Broadbent And Associates, Inc.		
Contact Name	Jonathan Bell		
Contractor Address	113 Falls Court Suite 700 Boerne, TX 78006		
Telephone:	(702)563-0600	% Board Reduction:	0.00

Site Characteristics

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

Case: #2009000024
Claim #: 80686

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$31,653.49 from the Petroleum Fund for cleanup costs.

	\$1,423,009.45	Amount Requested to Date
	(\$13,592.95)	Amount Disallowed, Past Claims
	(\$137,145.85)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,234,312.85)</u>	Amount Paid to Date
SUB TOTAL	\$37,957.80	Amount Requested this Meeting
	<u>(\$2,787.25)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$35,170.55	
	<u>(\$3,517.06)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$31,653.49	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/01/2023 and 04/02/2024

Summary of work completed: Invoice No. 50130 is for work performed at the Chuck's Circle "C" market site between July 1 and September 30, 2023. Work was associated with: renewal of NDEP permit; operation and maintenance for the third quarter; completing second quarter discharge reporting; conducting third quarter monitoring and sampling; completing second quarter groundwater monitoring and sampling reporting; preparing third quarter groundwater monitoring and sampling reporting; and preparing reimbursement request. Invoice No. 50226 is for work performed at the Chuck's Circle "C" market site between October 1, 2023 and January 31, 2024. Work was associated with: renewal of NDEP permit; operation and maintenance for the fourth quarter; completing third and fourth quarter discharge reporting; conducting fourth quarter monitoring and sampling; completing third and fourth quarter groundwater monitoring and sampling reporting; and preparing reimbursement requests.

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)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$1,423,009.45
Amount Disallowed	\$16,380.20
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$3,517.06
Copay/Deductible	\$137,145.85
Amount Recommended	\$1,265,966.34
Amount Paid	\$1,234,312.85

Site Identification

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

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	5000	41	Regulated UST	See Synopsis

Case: #201000009
Claim #: 80769

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$24,685.79 from the Petroleum Fund for cleanup costs.

	\$1,450,209.55	Amount Requested to Date
	(\$58,621.06)	Amount Disallowed, Past Claims
	(\$133,578.66)	Board Reduction, Past Claims
	(\$122,753.35)	Deductible/Co-Payment Satisfied to Date
	(\$860,289.09)	Amount Paid to Date
SUB TOTAL	<u>\$30,476.28</u>	Amount Requested this Meeting
	(\$3,047.63)	Board Reduction, This Meeting
SUB TOTAL	<u>\$27,428.65</u>	
	(\$2,742.86)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$24,685.79</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/03/2024 and 07/01/2024

Summary of work completed: Prepare and submit 1st quarter GMR, conducted 2nd quarter groundwater sampling, conducted O&M on remediation system, prepare petroleum fund documentation

Site Summary Report

Case Number: 2010000009 Site Name: Mill City Travel Center

Site Status

Synopsis: GASOLINE DISCOVERED IN SUMP THAT IS ATTACHED TO TRENCH THAT HOUSES PIPING FOR TWO GASOLINE USTS. COVERAGE APPROVED DURING SEPTEMBER 2010 BOARD MEETING WITH A 10% REDUCTION PER SSBD 2010-06 .

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,620,000.00
Amount Requested	\$1,450,209.55
Amount Disallowed	\$58,621.06
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$136,626.29
Pending Copay/Deductible	\$2,742.86
Copay/Deductible	\$122,753.35
Amount Recommended	\$1,129,046.26
Amount Paid	\$1,104,360.47

Site Identification

Date Submitted:	11/16/2009	DEP Facility Number:	5-000016
Site Name	Mill City Travel Center	Telephone:	(775)538-7311
Site Contact	Jack Burnett		
Site Address	6000 Frontage Rd Mill City, NV 89418		
County:	Pershing County		
Owner/Operator Name:	Hpt Ta Properties Trust		
Contact Name of Owner/Operator:	Sarah Paulson 24601 Center Ridge Road Westlake, OH 44145	Telephone:	(440)808-4459
Prime Contractor	McGInley & Associates, Inc, DBA UES		
Contact Name	Caitlin Jelle		
Contractor Address	6995 Sierra Center Parkway Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	10.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	20000	39	Regulated UST	See Synopsis
002	20000	39	Regulated UST	See Synopsis

Case: #201100009
Claim #: 80771

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$9,409.90 from the Petroleum Fund for cleanup costs.

	\$1,320,012.67	Amount Requested to Date
	(\$14,403.47)	Amount Disallowed, Past Claims
	(\$129,515.39)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,031,535.32)</u>	Amount Paid to Date
SUB TOTAL	\$10,455.44	Amount Requested this Meeting
	<u>(\$1,045.54)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$9,409.90	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/30/2024 and 06/30/2024

Summary of work completed: Prepare and submit 1st quarter GMR, conduct 2nd quarter sampling event, prepare petroleum fund documentation.

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)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,700,000.00
Amount Requested	\$1,320,012.67
Amount Disallowed	\$14,403.47
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,045.54
Copay/Deductible	\$129,515.39
Amount Recommended	\$1,170,511.37
Amount Paid	\$1,161,101.47

Site Identification

Date Submitted:	06/06/2011	DEP Facility Number:	6-000156
Site Name	Cimarron West		
Site Contact	John Carpenter	Telephone:	(775)738-9861
Site Address	1400 Mountain City Hwy Elko, NV 89801		
County:	Elko County		
Owner/Operator Name:	Cimarron West		
Contact Name of Owner/Operator:	Linda Meo P O Box 190 Elko, NV 89803	Telephone:	(775)738-9861
Prime Contractor	McGInley & Associates, Inc, DBA UES		
Contact Name	Caitlin Jelle		
Contractor Address	6995 Sierra Center Parkway Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	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	39	Regulated UST	See Synopsis
003	6000	39	Regulated UST	See Synopsis

Case: #2012000005
Claim #: 80742

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$58,530.42 from the Petroleum Fund for cleanup costs.

	\$4,151,814.63	Amount Requested to Date
	(\$141,599.13)	Amount Disallowed, Past Claims
	(\$393,496.62)	Deductible/Co-Payment Satisfied to Date
	<u>(\$3,506,623.62)</u>	Amount Paid to Date
SUB TOTAL	\$75,249.29	Amount Requested this Meeting
	<u>(\$10,215.49)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$65,033.80	
	<u>(\$6,503.38)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$58,530.42	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 09/05/2023 and 05/09/2024

Summary of work completed: Cost Proposal #ZC-2023: Project management, scheduling and client invoicing. Renew NDWR waivers for wells installed after 2021. Laboratory analysis. Quarterly groundwater monitoring and sampling field activities and prepare the associated monitoring reports. Reimbursement package and annual Cost Proposal preparation. Coordinate waste disposal. Biosparge remediation system planning, design, purchase, and installation. Remediation well installation preparation, permitting, field activities and prepare the well construction and borehole logs. Obtaining vendor bids for rental and purchase of remediation equipment. Obtaining NDEP approval of the selected bidder and submitted package. Submit the TRPA and Douglas County Fire Department permit applications and correspondence with the agencies regarding their approval. Working with TRPA and NV Energy to obtain an overhead electrical variance. Prepare for and attend a meeting at NDEPs request. Working with NV Energy on the design, permit and installation of electrical service. Cost Proposal #ZC-2024: Project management, scheduling and client invoicing. Annual HASP preparation, First Quarter 2024 groundwater monitoring and sampling event. Laboratory analysis. Quarterly groundwater monitoring sampling and reporting. Reimbursement package and annual Cost Proposal preparation.

Site Summary Report

Case Number: 2012000005 Site Name: Zephyr Cove Resort

Site Status

Synopsis: CORROSION HOLES IN STEEL PRODUCT PIPING ASSOCIATED WITH TWO TANKS. ADDITIONAL CLEANUP FUNDING PROVIDED UNDER FORMER POLICY RESOLUTION 2007-10. ALLOTTED AT 9/15/16 BOARD MEETING. 2ND ALLOTMENT OF FUNDING UNDER FORMER POLICY RESOLUTION 2007-10 APPROVED DURING 12/8/16 BOARD MEETING.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$4,000,000.00
Amount Fund Will Pay	\$3,600,000.00
Amount Requested	\$4,151,814.63
Amount Disallowed	\$151,814.62
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$6,503.38
Copay/Deductible	\$393,496.62
Amount Recommended	\$3,600,000.00
Amount Paid	\$3,541,469.58

Site Identification

Date Submitted:	09/23/2011	DEP Facility Number:	2-000112
Site Name	Zephyr Cove Resort	Telephone:	(775)589-4934
Site Contact	Maggie Garcia-Nook		
Site Address	760 Us-50 Zephyr Cove, NV 89448		
County:	Douglas County		
Owner/Operator Name:	Travel Systems, LLC		
Contact Name of Owner/Operator:	Jennifer Kugler 2400 Market Street Philadelphia, PA 19103	Telephone:	(267)593-8183
Prime Contractor	Stantec Consulting Services Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	6111 South Buffalo Drive, Suite 200 Las Vegas, NV 89113		
Telephone:	(702)525-5919	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	Closed	Regulated UST	See Synopsis
002	10000	39	Regulated UST	See Synopsis

Case: #2012000017
Claim #: 80717

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$11,871.36 from the Petroleum Fund for cleanup costs.

	\$490,623.24	Amount Requested to Date
	(\$1,997.97)	Amount Disallowed, Past Claims
	(\$10,250.00)	Deductible/Co-Payment Satisfied to Date
	(\$454,659.82)	Amount Paid to Date
SUB TOTAL	<u>\$11,871.36</u>	Amount Requested this Meeting
	\$0.00	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$11,871.36</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/29/2024 and 05/31/2024

Summary of work completed: Prepare 2023 annual GMR, prepare petroleum fund documentation, and conducted 1st half 2024 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

Fund Coverage	\$1,250,250.00
Amount Fund Will Pay	\$1,240,000.00
Amount Requested	\$490,623.24
Amount Disallowed	\$1,997.97
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$10,250.00
Amount Recommended	\$478,366.27
Amount Paid	\$466,494.91

Site Identification

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

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	10000	7	Non-Regulated	See Synopsis
002	1000	7	Non-Regulated	See Synopsis

Case: #2013000004
Claim #: 80757

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$45,336.92 from the Petroleum Fund for cleanup costs.

	\$603,183.70	Amount Requested to Date
	(\$1,108.98)	Amount Disallowed, Past Claims
	(\$55,167.53)	Deductible/Co-Payment Satisfied to Date
	(\$439,705.05)	Amount Paid to Date
SUB TOTAL	<u>\$50,399.36</u>	Amount Requested this Meeting
	(\$25.00)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$50,374.36</u>	
	(\$5,037.44)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$45,336.92</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 12/05/2023 and 07/26/2024

Summary of work completed: Project management, scheduling, client invoicing. Continue preparing for well abandonment including coordinating field activities with the drilling contractor, preparing a Clark County encroachment permit to abandon one well in the Mt. Hood right-of-way, and coordinating traffic control and utility clearance. Conduct well abandonment field activities and prepare the associated report. Receive the final NFA letter, prepare the access agreement cancellation and prepare the final reimbursement package. Project management, scheduling, client invoicing, annual HASP and cost proposal preparation, quarterly monitoring, sampling and reporting, and coordinate waste disposal. Preparing petroleum fund claim packages

Site Summary Report

Case Number: 2013000004 Site Name: 7-Eleven #29665

Site Status

Synopsis: ON 10/28/11 TANK #3 REPORTED A TEST FAIL ALARM. ON 10/31/11, THE TANK FAILED A PRECISION TIGHTNESS TEST. ON 11/2/11, THE TANK WAS PUMPED. TANK WAS CLOSED IN PLACE ON 2/1/12.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$603,183.70
Amount Disallowed	\$1,133.98
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$5,037.44
Copay/Deductible	\$55,167.53
Amount Recommended	\$541,844.75
Amount Paid	\$496,507.83

Site Identification

Date Submitted:	11/01/2012	DEP Facility Number:	8-000421
Site Name	7-Eleven #29665	Telephone:	(972)828-8968
Site Contact	Jose Rios		
Site Address	6310 E Lake Mead Blvd Las Vegas, NV 89156		
County:	Clark County		
Owner/Operator Name:	7-Eleven, INC		
Contact Name of Owner/Operator:	William Latt 500 Speedway Drive Enon, OH 45323	Telephone:	(937)460-8488
Prime Contractor	Stantec Consulting Services Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	6111 South Buffalo Drive, Suite 200 Las Vegas, NV 89113		
Telephone:	(702)525-5919	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	Closed	Regulated UST	See Synopsis

Case: #2013000019
Claim #: 80772

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$33,417.78 from the Petroleum Fund for cleanup costs.

	\$1,535,229.31	Amount Requested to Date
	(\$45,401.03)	Amount Disallowed, Past Claims
	(\$145,257.24)	Deductible/Co-Payment Satisfied to Date
	(\$976,408.06)	Amount Paid to Date
SUB TOTAL	<u>\$37,255.87</u>	Amount Requested this Meeting
	(\$125.00)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$37,130.87</u>	
	(\$3,713.09)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$33,417.78</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/26/2024 and 06/30/2024

Summary of work completed: Conduct O&M on remediation system, prepare petroleum fund documentation, prepare 1st quarter GMR, conduct 2nd quarter groundwater sampling event

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)

Fund Coverage	\$6,000,000.00
Amount Fund Will Pay	\$5,400,000.00
Amount Requested	\$1,535,229.31
Amount Disallowed	\$45,526.03
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$3,713.09
Copay/Deductible	\$145,257.24
Amount Recommended	\$1,339,914.71
Amount Paid	\$1,306,496.93

Site Identification

Date Submitted:	08/16/2013	DEP Facility Number:	6-000103
Site Name	Elko Sinclair #53	Telephone:	(801)298-3409
Site Contact	Dennis Haggard		
Site Address	1790 Idaho St Elko, NV 89801		
County:	Elko County		
Owner/Operator Name:	Hardy Enterprises, Inc.		
Contact Name of Owner/Operator:	Dennis Haggard P.O. Box 248 Bountiful, UT 84011	Telephone:	(801)298-1180
Prime Contractor	McGInley & Associates, Inc.		
Contact Name	Justin Fike		
Contractor Address	6995 Sierra Center Pkwy Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	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	39	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: #2014000004
Claim #: 80705

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$36,223.10 from the Petroleum Fund for cleanup costs.

	\$1,637,138.09	Amount Requested to Date
	(\$9,371.02)	Amount Disallowed, Past Claims
	(\$158,751.97)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,289,526.66)</u>	Amount Paid to Date
SUB TOTAL	\$40,247.89	Amount Requested this Meeting
	<u>(\$4,024.79)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$36,223.10	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 11/30/2023 and 06/17/2024

Summary of work completed: Oversee and coordinate final vault abandonment, prepare petroleum fund documentation, remediation system removal.

Site Summary Report

Case Number: 2014000004 Site Name: Broadway Colt Service Center

Site Status

Synopsis: INVENTORY RECONCILIATION LEAD TO DISCOVERY OF LEAKS IN LINES FROM AST TO FUEL DISPENSERS.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$1,637,138.09
Amount Disallowed	\$9,371.02
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$4,024.79
Copay/Deductible	\$158,751.97
Amount Recommended	\$1,464,990.31
Amount Paid	\$1,428,767.21

Site Identification

Date Submitted:	08/02/2013	DEP Facility Number:	5-000283
Site Name	Broadway Colt Service Center		
Site Contact	Damon Borden	Telephone:	(509)710-7749
Site Address	660 W Front St Battle Mountain, NV 89820		
County:	Lander County		
Owner/Operator Name:	Alsaker Corporation		
Contact Name of Owner/Operator:	Damon Borden	Telephone:	(509)710-7749
	6409 E. Sharp Ave Spokane Valley, WA 99212		
Prime Contractor	McGInley & Associates, Inc.		
Contact Name	Justin Fike		
Contractor Address	6995 Sierra Center Pkwy Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	20000	47	Aboveground	See Synopsis
002	20000	57	Aboveground	See Synopsis

Case: #2014000007
Claim #: 80741

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$10,379.85 from the Petroleum Fund for cleanup costs.

	\$411,606.30	Amount Requested to Date
	(\$1,766.00)	Amount Disallowed, Past Claims
	(\$39,830.72)	Deductible/Co-Payment Satisfied to Date
	(\$344,661.39)	Amount Paid to Date
SUB TOTAL	<u>\$11,533.17</u>	Amount Requested this Meeting
	(\$1,153.32)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$10,379.85</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 10/20/2023 and 03/27/2024

Summary of work completed: Cost Proposal #29658.23: Project management, scheduling and client invoicing, quarterly monitoring, sampling and reporting, semi-annual UIC reporting and annual permit renewal, prepare Petroleum Fund reimbursement claims, waste disposal, annual Cost Proposal and HASP preparation. Preparing the elements of a Conceptual Site Model for inclusion into the groundwater exemption closure request, including detailed cross-sections. Cost Proposal #29658.23A: Project management, scheduling and client invoicing, prepare the fate and transport model, prepare the groundwater exemption closure request.

Site Summary Report

Case Number: 2014000007 Site Name: 7-Eleven #29658

Site Status

Synopsis: REMOVAL OF TANKS REPORTEDLY DEMONSTRATED EVIDENCE OF FAILURES.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$411,606.30
Amount Disallowed	\$1,766.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,153.32
Copay/Deductible	\$39,830.72
Amount Recommended	\$368,856.26
Amount Paid	\$358,476.41

Site Identification

Date Submitted:	08/16/2013	DEP Facility Number:	8-001345
Site Name	7-Eleven #29658	Telephone:	(702)732-1361
Site Contact	Frank Higgins		
Site Address	3716 S Paradise Rd Las Vegas, NV 89169		
County:	Clark County		
Owner/Operator Name:	7-Eleven, INC		
Contact Name of Owner/Operator:	William Latt 500 Speedway Drive Enon, OH 45323	Telephone:	(937)460-8488
Prime Contractor	Stantec Consulting Services Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	6111 South Buffalo Drive, Suite 200 Las Vegas, NV 89113		
Telephone:	(702)525-5919	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
004	10000	Closed	Regulated UST	See Synopsis

Case: #2014000025
Claim #: 80776

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$11,231.12 from the Petroleum Fund for cleanup costs.

	\$1,811,877.15	Amount Requested to Date
	(\$30,014.00)	Amount Disallowed, Past Claims
	(\$21,457.21)	Board Reduction, Past Claims
	(\$174,779.47)	Deductible/Co-Payment Satisfied to Date
	<u>(\$1,259,877.20)</u>	Amount Paid to Date
SUB TOTAL	\$12,611.33	Amount Requested this Meeting
	<u>(\$132.31)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$12,479.02	
	<u>(\$1,247.90)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$11,231.12	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/10/2024 and 07/06/2024

Summary of work completed: Prepare 1st quarter GMR, conduct 2nd quarter groundwater sampling event, prepare petroleum fund documentation

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)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,571,423.01
Amount Requested	\$1,811,877.15
Amount Disallowed	\$30,146.31
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$21,457.21
Pending Copay/Deductible	\$1,247.90
Copay/Deductible	\$174,779.47
Amount Recommended	\$1,583,111.81
Amount Paid	\$1,571,880.69

Site Identification

Date Submitted:	02/24/2014	DEP Facility Number:	2-000075
Site Name	Silver City RV Resort		
Site Contact	Marci Appleton	Telephone:	(775)267-3359
Site Address	3165 US Highway 395 N Minden, NV 89423		
County:	Douglas County		
Owner/Operator Name:	Superior Campgrounds Of America, LLC		
Contact Name of Owner/Operator:	Tom Day Sr. 265 N. Joy Street Corona, CA 92879	Telephone:	(909)241-7700
Prime Contractor	McGInley & Associates, Inc, DBA UES		
Contact Name	Caitlin Jelle		
Contractor Address	6995 Sierra Center Parkway Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	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	24	Regulated UST	Pipe
002	8000	40	Regulated UST	Pipe

Case: #2016000023
Claim #: 80775

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$10,865.59 from the Petroleum Fund for cleanup costs.

	\$992,380.56	Amount Requested to Date
	(\$59,285.63)	Amount Disallowed, Past Claims
	(\$183,578.29)	Board Reduction, Past Claims
	(\$73,431.31)	Deductible/Co-Payment Satisfied to Date
	(\$605,076.60)	Amount Paid to Date
SUB TOTAL	<u>\$15,203.60</u>	Amount Requested this Meeting
	(\$112.50)	Amount Disallowed this Meeting
	<u>(\$3,018.22)</u>	Board Reduction, This Meeting
SUB TOTAL	\$12,072.88	
	<u>(\$1,207.29)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$10,865.59</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/11/2024 and 06/30/2024

Summary of work completed: Conduct first half groundwater sampling event, conduct bi-weekly LNAPL measurement, prepare SVE system for startup, 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)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$720,000.00
Amount Requested	\$992,380.56
Amount Disallowed	\$59,398.13
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$186,596.51
Pending Copay/Deductible	\$1,207.29
Copay/Deductible	\$73,431.31
Amount Recommended	\$671,747.32
Amount Paid	\$660,881.73

Site Identification

Date Submitted:	09/19/2016	DEP Facility Number:	6-000317
Site Name	Pit Stop #1		
Site Contact	Pam Williams	Telephone:	(775)934-3818
Site Address	275 12th St Elko, NV 89801		
County:	Elko County		
Owner/Operator Name:	AL Park Petroleum, Inc.		
Contact Name of Owner/Operator:	Pam Williams 379 Westby Drive Spring Creek, NV 89815	Telephone:	(775)934-3818
Prime Contractor	McGInley & Associates, Inc, DBA UES		
Contact Name	Caitlin Jelle		
Contractor Address	6995 Sierra Center Parkway Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	20.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
005	14000	40	Aboveground	Pipe, Underground product piping - Only piping was removed from service. Tank was re-plumbed into differen

Case: #2016000027
Claim #: 80728

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$15,048.97 from the Petroleum Fund for cleanup costs.

	\$573,030.82	Amount Requested to Date
	(\$1,770.81)	Amount Disallowed, Past Claims
	(\$82,502.32)	Board Reduction, Past Claims
	(\$47,017.09)	Deductible/Co-Payment Satisfied to Date
	(\$233,225.75)	Amount Paid to Date
SUB TOTAL	<u>\$18,586.66</u>	Amount Requested this Meeting
	(\$7.68)	Amount Disallowed this Meeting
	(\$1,857.90)	Board Reduction, This Meeting
SUB TOTAL	<u>\$16,721.08</u>	
	(\$1,672.11)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$15,048.97</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/01/2024 and 07/01/2024

Summary of work completed: First Quarter 2024 reporting and submittal; Second Quarter 2024 sampling; cost proposal 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 SSB D C2017-03 THE 40% COVERAGE REDUCTION FOR THE SINGLE RELEASE WILL BE WEIGHTED EQU...

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$4,000,000.00
Amount Fund Will Pay	\$3,240,000.00
Amount Requested	\$573,030.82
Amount Disallowed	\$1,778.49
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$84,360.22
Pending Copay/Deductible	\$1,672.11
Copay/Deductible	\$47,017.09
Amount Recommended	\$462,714.39
Amount Paid	\$447,665.42

Site Identification

Date Submitted:	11/01/2016	DEP Facility Number:	8-001810
Site Name	Terrible Herbst #272		
Site Contact	Bob Laszcik	Telephone:	(702)327-0302
Site Address	2395 N Rancho Dr Las Vegas, NV 89130		
County:	Clark County		
Owner/Operator Name:	Terrible Herbst, Inc.		
Contact Name of Owner/Operator:	Ben Scott	Telephone:	(325)716-9344
	3440 West Russell Road Las Vegas, NV 89118		
Prime Contractor	The Westmark Group		
Contact Name	Kathleen Johnson		
Contractor Address	7145 South Buffalo Drive, Suite C105 Las Vegas, NV 89113		
Telephone:	(702)305-2650	% Board Reduction:	10.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	10000	27	Regulated UST	Pipe
001	15000	27	Regulated UST	Pipe
002	10000	27	Regulated UST	Pipe
001	15000	27	Regulated UST	See Synopsis

Case: #2017000015
Claim #: 80759

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$24,693.32 from the Petroleum Fund for cleanup costs.

	\$873,390.80	Amount Requested to Date
	(\$10,042.29)	Amount Disallowed, Past Claims
	(\$63,738.62)	Board Reduction, Past Claims
	(\$77,126.34)	Deductible/Co-Payment Satisfied to Date
	(\$589,924.35)	Amount Paid to Date
SUB TOTAL	<u>\$28,346.55</u>	Amount Requested this Meeting
	(\$909.53)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$27,437.02</u>	
	(\$2,743.70)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$24,693.32</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/04/2023 and 06/30/2024

Summary of work completed: Project management; quarterly groundwater monitoring and reporting; system O&M; and preparation of Fund documentation.

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)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$842,635.23
Amount Requested	\$873,390.80
Amount Disallowed	\$10,951.82
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$63,738.62
Pending Copay/Deductible	\$2,743.70
Copay/Deductible	\$77,126.34
Amount Recommended	\$718,830.33
Amount Paid	\$694,137.01

Site Identification

Date Submitted:	05/03/2017	DEP Facility Number:	8-001471
Site Name	Auto Center (green Valley Grocery #63)		
Site Contact	Amit Sahgal	Telephone:	(702)258-0488
Site Address	4030 W Charleston Blvd Las Vegas, NV 89102		
County:	Clark County		
Owner/Operator Name:	Ellen 5, LLC		
Contact Name of Owner/Operator:	Tedd Rosenstein	Telephone:	(702)362-4144
	2500 W Sahara Ave Ste 211 Las Vegas, NV 89102		
Prime Contractor	Broadbent And Associates, Inc.		
Contact Name	Jonathan Bell		
Contractor Address	113 Falls Court Suite 700 Boerne, TX 78006		
Telephone:	(702)563-0600	% Board Reduction:	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: #2018000009
Claim #: 80777

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$40,385.95 from the Petroleum Fund for cleanup costs.

	\$756,684.95	Amount Requested to Date
	(\$4,772.16)	Amount Disallowed, Past Claims
	(\$70,702.95)	Deductible/Co-Payment Satisfied to Date
	(\$615,572.60)	Amount Paid to Date
SUB TOTAL	<u>\$44,883.28</u>	Amount Requested this Meeting
	(\$10.00)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$44,873.28</u>	
	(\$4,487.33)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$40,385.95</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/11/2024 and 07/01/2024

Summary of work completed: Coordinate and conduct remediation events in April and May, communicated with NDEP and provide updates, prepare petroleum fund documentation, prepare and submit 1st quarter GMR, conduct 2nd quarter groundwater sampling

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)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$756,684.95
Amount Disallowed	\$4,782.16
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$4,487.33
Copay/Deductible	\$70,702.95
Amount Recommended	\$676,606.98
Amount Paid	\$636,221.03

Site Identification

Date Submitted:	05/25/2018	DEP Facility Number:	5-000378
Site Name	Pacific Pride		
Site Contact	Bryan Reed	Telephone:	(775)296-0155
Site Address	3600 W Winnemucca Blvd Winnemucca, NV 89445		
County:	Humboldt County		
Owner/Operator Name:	Reed Incorporated		
Contact Name of Owner/Operator:	Bryan Reed P.O. Box 151322 Ely, NV 89301	Telephone:	(775)289-4463
Prime Contractor	McGInley & Associates, Inc, DBA UES		
Contact Name	Caitlin Jelle		
Contractor Address	6995 Sierra Center Parkway Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	15000	54	Aboveground	The shear valve associated with diesel dispenser #3
001	15000	54	Aboveground	The shear valve associated with the regular gasoline dispenser #5

Case: #2019000008
Claim #: 80734

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$9,990.49 from the Petroleum Fund for cleanup costs.

	\$58,752.79	Amount Requested to Date
	(\$952.76)	Amount Disallowed, Past Claims
	(\$15,643.22)	Board Reduction, Past Claims
	(\$2,346.48)	Deductible/Co-Payment Satisfied to Date
	(\$21,118.36)	Amount Paid to Date
SUB TOTAL	<u>\$18,691.97</u>	Amount Requested this Meeting
	(\$191.07)	Amount Disallowed this Meeting
	(\$7,400.36)	Board Reduction, This Meeting
SUB TOTAL	<u>\$11,100.54</u>	
	(\$1,110.05)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$9,990.49</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 07/10/2023 and 02/05/2024

Summary of work completed: 1) Complete 2nd Qtr 2023 groundwater monitoring and sampling event, report, and waste profile, transport, and disposal. 2) A-K Closure NFA evaluation. 3) Well Abandonment

Site Summary Report

Case Number: 2019000008 Site Name: Circle K Store #2701354

Site Status

Synopsis: GASOLINE DISCHARGE CONFIRMED OCTOBER 11, 2018, DURING TANK REMOVAL ACTIVITIES, FOLLOWING A FAILED TANK TIGHTNESS TEST FOR TANK #2 (MIDDLE TANK) ON MARCH 23, 2018. SITE SPECIFIC BOARD DETERMINATION C2020-05 WAS APPROVED AT THE DECEMBER 10, 2020 MEETING, GRANTING COVERAGE WITH A 40% REDUCTION FOR FAILURE TO COMPLY WITH RELEASE RESPONSE ACTIONS.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$540,000.00
Amount Requested	\$58,752.79
Amount Disallowed	\$1,143.83
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$23,043.58
Pending Copay/Deductible	\$1,110.05
Copay/Deductible	\$2,346.48
Amount Recommended	\$31,108.85
Amount Paid	\$21,118.36

Site Identification

Date Submitted:	07/29/2020	DEP Facility Number:	8-000118
Site Name	Circle K Store #2701354	Telephone:	(330)634-2101
Site Contact	Alan Cubberley		
Site Address	1301 N Eastern Ave Las Vegas, NV 89101		
County:	Clark County		
Owner/Operator Name:	Circle K Stores, Inc.		
Contact Name of Owner/Operator:	Anthony Bell 1100 Situs Court Raleigh, NC 27606	Telephone:	(803)629-1976
Prime Contractor	Blaes Environmental Management, Inc.		
Contact Name	Steven Woodhull		
Contractor Address	45 E. Monterey Way #200 Phoenix, AZ 85012		
Telephone:	(602)300-8307	% Board Reduction:	40.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
002	10000	Closed	Regulated UST	Tank

Case: #2019000044
Claim #: 80745

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$26,590.06 from the Petroleum Fund for cleanup costs.

	\$300,107.08	Amount Requested to Date
	(\$0.08)	Amount Disallowed, Past Claims
	(\$27,050.50)	Deductible/Co-Payment Satisfied to Date
	<u>(\$217,025.07)</u>	Amount Paid to Date
SUB TOTAL	\$29,602.11	Amount Requested this Meeting
	<u>(\$57.60)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$29,544.51	
	<u>(\$2,954.45)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$26,590.06	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 09/14/2023 and 05/22/2024

Summary of work completed: Cost Proposal #15829.23: 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. Cost Proposal #15829.23: Project management, client invoicing and field scheduling. Installation of new remediation wells, including field work, waste disposal and utility clearance. Generate borehole and remediation well construction logs. Coordinating pilot testing fieldwork including locating applicable SVE equipment from local consultants, negotiating pricing and terms, locating applicable AS equipment from local rental companies, discussing options with NDEP, ordering supplies, testing equipment, repairing and building system piping, gauges and sample ports, and developing a step-by-step field work scope with NDEP. Prepare a reimbursement package. Conduct pilot testing fieldwork.

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)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,700,000.00
Amount Requested	\$300,107.08
Amount Disallowed	\$57.68
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$2,954.45
Copay/Deductible	\$27,050.50
Amount Recommended	\$270,044.45
Amount Paid	\$243,454.39

Site Identification

Date Submitted:	09/02/2021	DEP Facility Number:	8-000618
Site Name	7-Eleven #15829		
Site Contact	Satinderpa S. Padda	Telephone:	(702)452-1749
Site Address	10 N Nellis Blvd Las Vegas, NV 89110		
County:	Clark County		
Owner/Operator Name:	7-Eleven, INC		
Contact Name of Owner/Operator:	William Latt	Telephone:	(937)460-8488
	500 Speedway Drive Enon, OH 45323		
Prime Contractor	Stantec Consulting Services Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	6111 South Buffalo Drive, Suite 200 Las Vegas, NV 89113		
Telephone:	(702)525-5919	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	9728	Closed	Regulated UST	Tank
003	9728	38	Regulated UST	Tank
002	9728	38	Regulated UST	Tank

Case: #202000015
Claim #: 80761

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$16,682.66 from the Petroleum Fund for cleanup costs.

	\$563,117.86	Amount Requested to Date
	(\$1,749.00)	Amount Disallowed, Past Claims
	(\$212,190.02)	Board Reduction, Past Claims
	(\$31,828.49)	Deductible/Co-Payment Satisfied to Date
	(\$286,456.54)	Amount Paid to Date
SUB TOTAL	<u>\$30,893.81</u>	Amount Requested this Meeting
	(\$12,357.52)	Board Reduction, This Meeting
SUB TOTAL	<u>\$18,536.29</u>	
	(\$1,853.63)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$16,682.66</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/30/2024 and 06/30/2024

Summary of work completed: Project management; LNAPL retrieval; quarterly monitoring and report preparation; meeting with NDEP; revisions to ESA workplan; 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)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$540,000.00
Amount Requested	\$563,117.86
Amount Disallowed	\$1,749.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$224,547.54
Pending Copay/Deductible	\$1,853.63
Copay/Deductible	\$31,828.49
Amount Recommended	\$303,139.20
Amount Paid	\$286,456.54

Site Identification

Date Submitted:	06/05/2020	DEP Facility Number:	8-001529
Site Name	Gas 2 Go	Telephone:	(702)878-1903
Site Contact	Matthew Becker		
Site Address	6390 W Lake Mead Blvd Las Vegas, NV 89108		
County:	Clark County		
Owner/Operator Name:	Canyon Plaza, LLC		
Contact Name of Owner/Operator:	Matt Becker	Telephone:	(702)878-1903
	50 South Jones Boulevard, Suite 100 Las Vegas, NV 89107		
Prime Contractor	Broadbent & Associates, Inc.		
Contact Name	Stephanie Holst		
Contractor Address	8 W. Pacific Avenue Henderson, NV 89015		
Telephone:	(702)563-0600	% Board Reduction:	40.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	10000	Closed	Regulated UST	Tank

Case: #2021000014
Claim #: 80727

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$10,403.79 from the Petroleum Fund for cleanup costs.

	\$262,319.63	Amount Requested to Date
	(\$6,900.23)	Amount Disallowed, Past Claims
	(\$24,385.96)	Deductible/Co-Payment Satisfied to Date
	(\$219,473.67)	Amount Paid to Date
SUB TOTAL	<u>\$11,559.77</u>	Amount Requested this Meeting
	(\$1,155.98)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$10,403.79</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/30/2024 and 06/30/2024

Summary of work completed: Project management; operations and maintenance of LNAPL recovery remediation system; hand bailing of LNAPL when remediation system was not operational; performance of quarterly monitoring; preparation of quarterly monitoring status report; 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

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$262,319.63
Amount Disallowed	\$6,900.23
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,155.98
Copay/Deductible	\$24,385.96
Amount Recommended	\$229,877.46
Amount Paid	\$219,473.67

Site Identification

Date Submitted:	02/24/2022	DEP Facility Number:	8-001634
Site Name	Pilot Travel Centers LLC #341	Telephone:	(865)474-2438
Site Contact	Chip Hughes		
Site Address	3812 E Craig Rd North Las Vegas, NV 89030		
County:	Clark County		
Owner/Operator Name:	Pilot Travel Centers LLC		
Contact Name of Owner/Operator:	Joey Cupp 5508 Lonas Road Knoxville, TN 37909	Telephone:	(865)588-7488 Ext: 2
Prime Contractor	Broadbent & Associates, Inc.		
Contact Name	Kyle Virva		
Contractor Address	12760 Stroh Ranch Way, Ste 101 Parker, CO 80134		
Telephone:	(561)309-1682	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
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 #: 80747

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$9,889.33 from the Petroleum Fund for cleanup costs.

	\$104,318.26	Amount Requested to Date
	(\$2,244.24)	Amount Disallowed, Past Claims
	(\$9,108.59)	Deductible/Co-Payment Satisfied to Date
	<u>(\$81,977.28)</u>	Amount Paid to Date
SUB TOTAL	\$10,988.15	Amount Requested this Meeting
	<u>(\$1,098.82)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$9,889.33	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 10/02/2023 and 05/08/2024

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. Prepare the fate and transport modeling investigation.

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)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$104,318.26
Amount Disallowed	\$2,244.24
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$1,098.82
Copay/Deductible	\$9,108.59
Amount Recommended	\$91,866.61
Amount Paid	\$81,977.28

Site Identification

Date Submitted:	09/02/2021	DEP Facility Number:	8-000590
Site Name	7-Eleven #25578	Telephone:	(702)641-6908
Site Contact	Amrik Singh		
Site Address	4151 Boulder Hwy Las Vegas, NV 89121		
County:	Clark County		
Owner/Operator Name:	7-Eleven, INC		
Contact Name of Owner/Operator:	William Latt 500 Speedway Drive Enon, OH 45323	Telephone:	(937)460-8488
Prime Contractor	Stantec Consulting Services Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	6111 South Buffalo Drive, Suite 200 Las Vegas, NV 89113		
Telephone:	(702)525-5919	% Board Reduction:	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: #2022000018
Claim #: 80726

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$6,229.29 from the Petroleum Fund for cleanup costs.

	\$75,523.27	Amount Requested to Date
	(\$90.00)	Amount Disallowed, Past Claims
	(\$13,356.30)	Board Reduction, Past Claims
	(\$5,342.52)	Deductible/Co-Payment Satisfied to Date
	(\$48,082.66)	Amount Paid to Date
SUB TOTAL	<u>\$8,651.79</u>	Amount Requested this Meeting
	(\$1,730.36)	Board Reduction, This Meeting
SUB TOTAL	<u>\$6,921.43</u>	
	(\$692.14)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$6,229.29</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/12/2024 and 06/30/2024

Summary of work completed: Project management; preparation of a AS/VE pilot test workplan; survey of new monitoring wells; quarterly groundwater sampling and status report preparation; 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)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$720,000.00
Amount Requested	\$75,523.27
Amount Disallowed	\$90.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$15,086.66
Pending Copay/Deductible	\$692.14
Copay/Deductible	\$5,342.52
Amount Recommended	\$54,311.95
Amount Paid	\$48,082.66

Site Identification

Date Submitted:	06/14/2022	DEP Facility Number:	8-001634
Site Name	Pilot Travel Centers LLC #341		
Site Contact	Chip Hughes	Telephone:	(865)474-2438
Site Address	3812 E Craig Rd North Las Vegas, NV 89030		
County:	Clark County		
Owner/Operator Name:	Pilot Travel Centers LLC		
Contact Name of Owner/Operator:	Joey Cupp 5508 Lonas Road Knoxville, TN 37909	Telephone:	(865)588-7488 Ext: 2
Prime Contractor	Broadbent & Associates, Inc.		
Contact Name	Kyle Virva		
Contractor Address	12760 Stroh Ranch Way, Ste 101 Parker, CO 80134		
Telephone:	(561)309-1682	% Board Reduction:	20.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
004	12000	30	Regulated UST	Ball Valve failure

Case: #2022000035
Claim #: 80746

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$48,641.63 from the Petroleum Fund for cleanup costs.

	\$155,597.89	Amount Requested to Date
	(\$0.20)	Amount Disallowed, Past Claims
	(\$10,153.14)	Deductible/Co-Payment Satisfied to Date
	(\$91,378.30)	Amount Paid to Date
SUB TOTAL	<u>\$54,066.25</u>	Amount Requested this Meeting
	(\$20.00)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$54,046.25</u>	
	(\$5,404.62)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$48,641.63</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 08/31/2023 and 06/21/2024

Summary of work completed: CP #29407.23: Project management, scheduling, and client invoicing. Prepare the annual health and safety plan. Quarterly groundwater monitoring, sampling and reporting. Waste disposal coordination. Reimbursement package and annual cost proposal preparation. CP #29407.23A: Project management, scheduling, and client invoicing. Conduct weekly and monthly free-product gauging and recovery events. Prepare access agreements and negotiations to install wells on two adjacent properties. Prepare a reimbursement package. Coordinate additional site assessment and well installation including preparing the drilling contractor request for bid package, evaluating submittals, awarding the contract, prepare permit applications, conduct fieldwork and public and private utility clearance. Survey new wells and prepare the site assessment report.

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)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$155,597.89
Amount Disallowed	\$20.20
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$5,404.62
Copay/Deductible	\$10,153.14
Amount Recommended	\$140,019.93
Amount Paid	\$91,378.30

Site Identification

Date Submitted:	01/05/2023	DEP Facility Number:	8-001356
Site Name	7-Eleven #29407	Telephone:	(702)734-0541
Site Contact	Singh Aman		
Site Address	815 E Twain Ave Las Vegas, NV 89169		
County:	Clark County		
Owner/Operator Name:	7-Eleven, INC		
Contact Name of Owner/Operator:	William Latt P.O. Box 711 - Loc 148 Dallas, TX 75221	Telephone:	(937)863-6442
Prime Contractor	Stantec Consulting Services Inc.		
Contact Name	Matthew Grandjean		
Contractor Address	6111 South Buffalo Drive, Suite 200 Las Vegas, NV 89113		
Telephone:	(702)525-5919	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
003	10000	35	Regulated UST	Tank
002	10000	35	Regulated UST	Tank

Case: #2023000013
Claim #: 80620

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$84,719.47 from the Petroleum Fund for cleanup costs.

	\$97,680.00	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$97,680.00</u>	Amount Requested this Meeting
	<u>(\$3,547.25)</u>	Amount Disallowed this Meeting
SUB TOTAL	\$94,132.75	
	<u>(\$9,413.28)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$84,719.47</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/12/2023 and 09/30/2023

Summary of work completed: Initial abatement activities including coordinating field activities; oversight of excavation activities; laboratory analysis of samples; contractor costs associated with soil removal and backfill material.

Site Summary Report

Case Number: 2023000013 Site Name: Terrible Herbst #3

Site Status

Synopsis: DISCHARGE DISCOVERED ON MAY 12, 2023, DURING TANK REMOVAL ACTIVITIES. CONTAMINATION EMANATED FROM CORROSION HOLES AND SPLIT SEAMS OF 3 10,000-GALLON STEEL TANKS. TWO TANKS CONTAINED GASOLINE AND ONE TANK CONTAINED DIESEL AT THE TIME OF RELEASE.

Contaminant: Diesel, Gasoline (containing <= 10% ethanol)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,700,000.00
Amount Requested	\$97,680.00
Amount Disallowed	\$3,547.25
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$9,413.28
Copay/Deductible	\$0.00
Amount Recommended	\$84,719.47
Amount Paid	\$0.00

Site Identification

Date Submitted:	09/01/2023	DEP Facility Number:	8-000652
Site Name	Terrible Herbst #3	Telephone:	(325)716-9344
Site Contact	Ben Scott		
Site Address	333 S Main St Las Vegas, NV 89101		
County:	Clark County		
Owner/Operator Name:	Terrible Herbst, Inc.		
Contact Name of Owner/Operator:	Ben Scott	Telephone:	(325)716-9344
	5195 Las Vegas Boulevard South Las Vegas, NV 89119		
Prime Contractor	Broadbent & Associates, Inc.		
Contact Name	Stephanie Holst		
Contractor Address	8 W. Pacific Avenue Henderson, NV 89015		
Telephone:	(702)563-0600	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	10000	Closed	Regulated UST	Tank
002	10000	64	Regulated UST	Tank
003	10000	64	Regulated UST	Tank

Case: #2024000008
Claim #: 80711

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$52,664.96 from the Petroleum Fund for cleanup costs.

	\$73,145.77	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$73,145.77</u>	Amount Requested this Meeting
	(\$14,629.15)	Board Reduction, This Meeting
SUB TOTAL	<u>\$58,516.62</u>	
	(\$5,851.66)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$52,664.96</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 02/29/2024 and 06/30/2024

Summary of work completed: Project management; work plan preparation for ESA activities; preparation of a Petroleum Fund application; preparation of a health and safety plan; utility clearance; drilling activities associated with installation of 7 new monitoring wells; well development; sampling; well survey; preparation of a site characterization report; 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	\$73,145.77
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$14,629.15
Pending Copay/Deductible	\$5,851.66
Copay/Deductible	\$0.00
Amount Recommended	\$52,664.96
Amount Paid	\$0.00

Site Identification

Date Submitted:	04/29/2024	DEP Facility Number:	8-001067
Site Name	Green Valley Grocery #58	Telephone:	(702)398-3400
Site Contact	Margaret Chamberlain		
Site Address	3685 N Moapa Valley Blvd Logandale, NV 89021		
County:	Clark County		
Owner/Operator Name:	Midjit Market, Inc.		
Contact Name of Owner/Operator:	Juan Rivera	Telephone:	(702)216-2154 Ext: 1
	1580 South Jones Boulevard Las Vegas, NV 89146		
Prime Contractor	Broadbent And Associates, Inc.		
Contact Name	Jeremy Holst		
Contractor Address	8 West Pacific Avenue 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: #2024000017
Claim #: 80778

STAFF RECOMMENDATION
September 12, 2024

Staff recommends this claim be reimbursed \$18,680.25 from the Petroleum Fund for cleanup costs.

	\$18,931.25	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$18,931.25</u>	Amount Requested this Meeting
	(\$1.00)	Amount Disallowed this Meeting
SUB TOTAL	<u>\$18,930.25</u>	
	(\$250.00)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$18,680.25</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 06/13/2024 and 08/01/2024

Summary of work completed: 1.) Coordinate with NDEP and homeowner to clarify past actions with the UST. 2.) Oversee impacted soil excavation. 3.) Prepare UST Closure Report 4.) Prepare petroleum fund documentation.

Site Summary Report

Case Number: 2024000017 Site Name: Residence Of 2090 Carter Drive

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES ON JANUARY 19, 2024. DISCHARGE EMANATED FROM A NON-REGULATED 500-GALLON UNDERGROUND STORAGE TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. A TOTAL OF 6.89 TONS OF CONTAMINATED SOIL WAS REMOVED.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$18,931.25
Amount Disallowed	\$1.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$250.00
Copay/Deductible	\$0.00
Amount Recommended	\$18,680.25
Amount Paid	\$0.00

Site Identification

Date Submitted:	07/24/2024	DEP Facility Number:	D-001409
Site Name	Residence Of 2090 Carter Drive		
Site Contact	Emil Yankov	Telephone:	(775)843-4276
Site Address	2090 Carter Drive Reno, NV 89509		
County:	Washoe County		
Owner/Operator Name:	Emil Yankov		
Contact Name of Owner/Operator:	Emil Yankov	Telephone:	(775)843-4276
	2090 Carter Drive Reno, NV 89509		
Prime Contractor	McGInley & Associates		
Contact Name	Anna Henry		
Contractor Address	6995 Sierra Center Parkway Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
HUST#1	500	58	Non-Regulated	Tank

**Agenda Item 9:
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.	2024000010; 80725 Keegan Low: Residence Of 655 Canyon Circle	\$24,506.48	\$24,256.48
FOR DISCUSSION	2.	2024000011; 80731 Stephen Dangberg: Residence Of 835 Daniel Drive	\$50,768.28	\$50,268.28
FOR DISCUSSION	3.	2024000012; 80730 Shane Sykes: Residence Of 150 Old Washoe Drive	\$33,150.13	\$32,900.13
FOR DISCUSSION	4.	2024000012; 80744 Shane Sykes: Residence Of 150 Old Washoe Drive	\$26,719.34	\$26,719.34
FOR DISCUSSION	5.	2024000014; 80743 Carolyn Basta: Residence Of 7275 Lakeside Drive	\$30,450.44	\$30,200.44
FOR DISCUSSION	6.	2024000015; 80748 Aaron Foster: Residence Of 1480 Romero Way	\$35,512.94	\$35,262.94
FOR DISCUSSION	7.	2024000016; 80756 Robert Selwood: Residence Of 2635 Lakeside Drive	\$23,594.02	\$23,344.02
		SUB TOTAL:	<u>\$224,701.63</u>	<u>\$222,951.63</u>

ONGOING CASES

			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	1995000012; 80740 Model T Casino Resort Llc: Parker's Model T	\$10,925.22	\$9,832.70
FOR DISCUSSION	2.	1999000023; 80752 Nevada Ready Mix Corp: Nevada Ready Mix	\$25,971.29	\$23,374.16
FOR DISCUSSION	3.	1999000066; 80751 HP Management, Llc: Former Haycock Petroleum	\$35,042.96	\$31,538.66
FOR DISCUSSION	4.	2014000033; 80758 Speedee Mart Inc.: Speedee Mart #108	\$43,938.48	\$39,544.63
FOR DISCUSSION	5.	2017000035; 80754 Rebel Oil Company: Rebel Store #2177	\$12,498.50	\$11,248.65
FOR DISCUSSION	6.	2018000005; 80753 Rebel Oil Company: Rebel Store # 2153	\$16,826.50	\$15,143.85
FOR DISCUSSION	7.	2019000014; 80749 Western Cab Co: Western Cab CO	\$8,080.00	\$7,272.00
FOR DISCUSSION	8.	2022000015; 80755 Rebel Oil Company: Rebel Store #2197	\$20,606.66	\$14,836.80
FOR DISCUSSION	9.	2023000028; 80762 Anderson Dairy, Inc.: Anderson Dairy INC	\$9,416.00	\$8,474.40
		SUB TOTAL:	<u>\$183,305.61</u>	<u>\$161,265.85</u>

DIRECT PAYMENT CLAIMS TOTAL: \$408,007.24 \$384,217.48

BOARD MEETING CLAIMS TOTAL: \$1,578,443.75 \$1,384,894.95

Case: #1995000012
Claim #: 80740

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 26, 2024

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.

	\$2,460,092.85	Amount Requested to Date
	(\$113,777.01)	Amount Disallowed, Past Claims
	(\$233,539.06)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,035,931.23)</u>	Amount Paid to Date
SUB TOTAL	\$10,925.22	Amount Requested this Meeting
	<u>(\$1,092.52)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$9,832.70	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/15/2024 and 05/31/2024

Summary of work completed: Conduct final site restoration and waste removal, prepare final closure documentation, and prepare petroleum fund documentation.

Site Summary Report

Case Number: 1995000012 Site Name: Parker's Model T

Site Status

Synopsis: THE CONTAMINATION OCCURRED FROM FIVE 12,000-GALLON DIESEL AND GASOLINE TANKS.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$5,000,000.00
Amount Fund Will Pay	\$4,500,000.00
Amount Requested	\$2,460,092.85
Amount Disallowed	\$113,777.01
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$234,631.58
Amount Recommended	\$2,101,842.25
Amount Paid	\$2,111,684.26

Site Identification

Date Submitted:	07/14/1994	DEP Facility Number:	5-000114
Site Name	Parker's Model T	Telephone:	(775)530-5897
Site Contact	Wendy Juarez		
Site Address	1130 W Winnemucca Blvd Winnemucca, NV 89445		
County:	Humboldt County		
Owner/Operator Name:	Model T Casino Resort LLC		
Contact Name of Owner/Operator:	Mac Potter PO Box 1847 Sparks, NV 89432	Telephone:	(775)530-1583
Prime Contractor	McGInley & Associates, Inc.		
Contact Name	Justin Fike		
Contractor Address	6995 Sierra Center Pkwy Reno, NV 89511		
Telephone:	(775)829-2245	% Board Reduction:	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	55	Regulated UST	See Synopsis
003	12000	55	Regulated UST	See Synopsis
004	12000	55	Regulated UST	See Synopsis
005	12000	55	Regulated UST	See Synopsis

Case: #1999000023
Claim #: 80752

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 15, 2024

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.

	\$932,437.12	Amount Requested to Date
	(\$6,473.73)	Amount Disallowed, Past Claims
	(\$89,999.21)	Deductible/Co-Payment Satisfied to Date
	<u>(\$369,299.30)</u>	Amount Paid to Date
SUB TOTAL	\$25,971.29	Amount Requested this Meeting
	<u>(\$2,597.13)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$23,374.16	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/05/2024 and 07/01/2024

Summary of work completed: Project management, System Remediation O&M (April thru June 2024), CEM Conducted Monthly System Maintenance (April thru June 2024), 1st Quarter 2024 Groundwater/Remediation Status Report Preparation, 1st Quarter Remediation System Report Preparation, 1st Quarter 2024 Petroleum Fund Reimbursement Claim Preparation, Groundwater Monitoring Well Sampling and/or Free Product Removal for 2nd Quarter 2024, traffic control services, drafting 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)

Fund Coverage	\$3,000,000.00
Amount Fund Will Pay	\$2,700,000.00
Amount Requested	\$932,437.12
Amount Disallowed	\$6,473.73
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$92,596.34
Amount Recommended	\$833,367.05
Amount Paid	\$833,367.05

Site Identification

Date Submitted:	11/06/1998	DEP Facility Number:	8-000272
Site Name	Nevada Ready Mix		
Site Contact	Miller, Randy	Telephone:	(702)457-1115
Site Address	601 W Bonanza Rd Las Vegas, NV 89106		
County:	Clark County		
Owner/Operator Name:	Nevada Ready Mix Corp		
Contact Name of Owner/Operator:	Larry Miller 151 Cassia Way Henderson, NV 89014	Telephone:	(702)457-1115
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	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 #: 80751

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 15, 2024

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.

	\$3,951,881.52	Amount Requested to Date
	(\$10,021.20)	Amount Disallowed, Past Claims
	(\$390,681.75)	Deductible/Co-Payment Satisfied to Date
	<u>(\$2,809,351.54)</u>	Amount Paid to Date
SUB TOTAL	\$35,042.96	Amount Requested this Meeting
	<u>(\$3,504.30)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$31,538.66	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/16/2024 and 07/01/2024

Summary of work completed: Project management, Remediation System Operation and Maintenance (Apr thru June 2024), CEM Conducted Monthly Remediation System Maintenance (Apr thru June 2024) 2nd Quarter 2024 Remediation System Permit Report Preparation, 2nd Quarter 2024 Well Sampling and/or Free Product Removal, preparation of 2nd Quarter 2024 Groundwater Monitoring Remediation Status Report, preparation of 2nd Quarter 2024 Petroleum Fund Reimbursement Claim, drafting services, annual permit fee for NDEP, 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)

Fund Coverage	\$4,000,000.00
Amount Fund Will Pay	\$3,600,000.00
Amount Requested	\$3,951,881.52
Amount Disallowed	\$10,021.20
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$394,186.05
Amount Recommended	\$3,547,674.27
Amount Paid	\$3,547,674.27

Site Identification

Date Submitted:	03/30/1999	DEP Facility Number:	8-001512
Site Name	Former Haycock Petroleum	Telephone:	(702)219-5643
Site Contact	John Haycock		
Site Address	715 W Bonanza Rd Las Vegas, NV 89106		
County:	Clark County		
Owner/Operator Name:	HP Management, LLC		
Contact Name of Owner/Operator:	John Haycock P.O. Box 100 Pmb 380 Mammoth Lakes, CA 93546	Telephone:	(702)219-5643
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	25000	57	Aboveground	See Synopsis
006	20000	57	Aboveground	See Synopsis

Case: #2014000033
Claim #: 80758

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 15, 2024

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.

	\$1,048,355.00	Amount Requested to Date
	(\$4,416.50)	Amount Disallowed, Past Claims
	(\$100,000.00)	Deductible/Co-Payment Satisfied to Date
	(\$382,190.89)	Amount Paid to Date
SUB TOTAL	<u>\$43,938.48</u>	Amount Requested this Meeting
	(\$4,393.85)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$39,544.63</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 01/31/2024 and 02/28/2024

Summary of work completed: Project management, Coordination of Permanent Well Closure, Remediation System Decommissioning and Site Restoration, disconnection of power panels and electrical supply from remedial system, removal of electrical components at remedial system compound, removal of remedial system, removal of 39 well boxes, provide trench plates, patch surface after well abandonment, and disposal of debris, remove and recycle of 4,000 pounds of vapor phase carbon, and well abandonment services.

Site Summary Report

Case Number: 2014000033 Site Name: Speedee Mart #108

Site Status

Synopsis: CONTAMINATION DISCOVERED JUNE 23, 2014. DISCHARGE EMANATED FROM A LEAK IN THE PIPING UNDERLYING DISPENSER 3/4, ASSOCIATED TO TANK 2, CONTAINING MIDGRADE GASOLINE AT THE TIME OF RELEASE. ADDITIONAL ALLOTMENT OF FUNDING PROVIDED UNDER POLICY RESOLUTION 2023-01 FOR \$90,000 FOR REMAINING CLEANUP COSTS.

Contaminant: Gasoline (containing <= 10% ethanol)

Fund Coverage	\$1,100,000.00
Amount Fund Will Pay	\$990,000.00
Amount Requested	\$1,048,355.00
Amount Disallowed	\$4,416.50
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$104,393.85
Amount Recommended	\$939,544.63
Amount Paid	\$939,544.63

Site Identification

Date Submitted:	01/16/2015	DEP Facility Number:	8-001779
Site Name	Speedee Mart #108	Telephone:	(702)450-2726
Site Contact	Paul Orluske		
Site Address	4701 W Lake Mead Blvd Las Vegas, NV 89108		
County:	Clark County		
Owner/Operator Name:	Speedee Mart Inc.		
Contact Name of Owner/Operator:	Brad Emery 1188 Wigwam Parkway Henderson, NV 89074	Telephone:	(702)610-9844
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	15000	28	Regulated UST	See Synopsis

Case: #2017000035
Claim #: 80754

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 15, 2024

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.

	\$1,167,208.18	Amount Requested to Date
	(\$75,546.84)	Amount Disallowed, Past Claims
	(\$107,916.28)	Deductible/Co-Payment Satisfied to Date
	(\$666,905.67)	Amount Paid to Date
SUB TOTAL	<u>\$12,498.50</u>	Amount Requested this Meeting
	(\$1,249.85)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$11,248.65</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/29/2024 and 07/01/2024

Summary of work completed: Project management, CEM-Conducted Monthly Remediation System Maintenance for April 2024, Groundwater Monitoring/Remediation Status Report Preparation for 1st Quarter of 2024, preparation of Petroleum Fund Reimbursement Claim for 1st Quarter of 2024, 2nd Quarter Groundwater Monitoring/Remediation Well Sampling and/or Free Product Removal, traffic control services, and laboratory analysis.

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)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$1,167,208.18
Amount Disallowed	\$75,546.84
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$109,166.13
Amount Recommended	\$982,495.21
Amount Paid	\$982,495.21

Site Identification

Date Submitted:	01/24/2018	DEP Facility Number:	8-001928
Site Name	Rebel Store #2177	Telephone:	
Site Contact			
Site Address	6400 W Lake Mead Blvd Las Vegas, NV 89108		
County:	Clark County		
Owner/Operator Name:	Rebel Oil Company		
Contact Name of Owner/Operator:	Dana Cason Teepe 10650 West Charleston Boulevard Las Vegas, NV 89135	Telephone:	(702)382-5866
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
1	12000	25	Regulated UST	The shear valve and piping beneath dispenser 3/4 were documented as seeping into the Under-Dispenser

Case: #2018000005
Claim #: 80753

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 15, 2024

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.

	\$305,826.27	Amount Requested to Date
	(\$2,161.99)	Amount Disallowed, Past Claims
	(\$28,683.80)	Deductible/Co-Payment Satisfied to Date
	<u>(\$112,254.95)</u>	Amount Paid to Date
SUB TOTAL	\$16,826.50	Amount Requested this Meeting
	<u>(\$1,682.65)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$15,143.85	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 06/26/2024 and 07/01/2024

Summary of work completed: Project management, Groundwater Monitoring Well Sampling and/or Free Product Removal for 2nd Quarter 2024, Groundwater Monitoring/Remediation Report Preparation for 2nd Quarter 2024, Preparation of the Petroleum Fund Reimbursement Claim for 2nd Quarter 2024, Preparation of Corrective Action Plan (Active Site Remediation), cost proposal preparation, traffic control services, 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)

Fund Coverage	\$2,000,000.00
Amount Fund Will Pay	\$1,800,000.00
Amount Requested	\$305,826.27
Amount Disallowed	\$2,161.99
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$30,366.45
Amount Recommended	\$273,297.83
Amount Paid	\$273,297.83

Site Identification

Date Submitted:	07/13/2018	DEP Facility Number:	8-001429
Site Name	Rebel Store # 2153	Telephone:	(702)555-5555
Site Contact	Pending		
Site Address	4595 E Tropicana Ave Las Vegas, NV 89121		
County:	Clark County		
Owner/Operator Name:	Rebel Oil Company		
Contact Name of Owner/Operator:	Dana Cason Teepe 10650 West Charleston Boulevard Las Vegas, NV 89135	Telephone:	(702)382-5866
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
005	6000	32	Regulated UST	Spill Bucket
002	12000	32	Regulated UST	Spill Bucket

Case: #2019000014
Claim #: 80749

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 05, 2024

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.

	\$282,373.99	Amount Requested to Date
	(\$1,866.48)	Amount Disallowed, Past Claims
	(\$27,242.74)	Deductible/Co-Payment Satisfied to Date
	(\$21,236.63)	Amount Paid to Date
SUB TOTAL	<u>\$8,080.00</u>	Amount Requested this Meeting
	(\$808.00)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$7,272.00</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 06/19/2024 and 07/01/2024

Summary of work completed: Project management, 2nd Quarter 2024 Well Sampling and/or Free Product Removal, preparation of 2nd Quarter 2024 Groundwater Monitoring Remediation Status Report, preparation of petroleum fund submittal for 2nd 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)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$282,373.99
Amount Disallowed	\$1,866.48
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$28,050.74
Amount Recommended	\$252,456.77
Amount Paid	\$252,456.77

Site Identification

Date Submitted:	08/14/2019	DEP Facility Number:	8-001122
Site Name	Western Cab CO	Telephone:	(702)595-1946
Site Contact	Martha Sarver		
Site Address	801 S Main St Las Vegas, NV 89101		
County:	Clark County		
Owner/Operator Name:	Western Cab CO		
Contact Name of Owner/Operator:	Martha Sarver P.O. Box 36550 Las Vegas, NV 89133	Telephone:	(702)595-1946
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
01	12000	Closed	Regulated UST	Pipe

Case: #2022000015
Claim #: 80755

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 15, 2024

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.

	\$542,696.51	Amount Requested to Date
	(\$2,590.32)	Amount Disallowed, Past Claims
	(\$103,899.90)	Board Reduction, Past Claims
	(\$41,559.95)	Deductible/Co-Payment Satisfied to Date
	<u>(\$348,085.49)</u>	Amount Paid to Date
SUB TOTAL	\$20,606.66	Amount Requested this Meeting
	<u>(\$4,121.33)</u>	Board Reduction, This Meeting
SUB TOTAL	\$16,485.33	
	<u>(\$1,648.53)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$14,836.80	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/16/2024 and 07/01/2024

Summary of work completed: Project management, Remediation System Operations and Monitoring (April thru June 2024), CEM-Conducted Monthly Remediation System Maintenance (April thru June 2024), Groundwater Monitoring/Remediation Status Report Preparation - 1st Quarter 2024, Petroleum Fund Reimbursement Claim Preparation - 1st Quarter 2024, Groundwater Monitoring Well Sampling and/or Free Product Removal - 2nd Quarter 2024, 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)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$720,000.00
Amount Requested	\$542,696.51
Amount Disallowed	\$2,590.32
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$108,021.23
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$43,208.48
Amount Recommended	\$388,876.48
Amount Paid	\$388,876.48

Site Identification

Date Submitted:	10/03/2022	DEP Facility Number:	8-001781
Site Name	Rebel Store #2197	Telephone:	(702)458-6677
Site Contact	Chittal Shah		
Site Address	4665 E Sunset Rd Henderson, NV 89014		
County:	Clark County		
Owner/Operator Name:	Rebel Oil Company	Telephone:	(702)382-5866
Contact Name of Owner/Operator:	Dana Cason Teepe 10650 West Charleston Boulevard Las Vegas, NV 89135		
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	20.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
001	12000	Closed	Regulated UST	Tank
002	12000	28	Regulated UST	Tank

Case: #2023000028
Claim #: 80762

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 15, 2024

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.

	\$38,785.50	Amount Requested to Date
	(\$3,280.00)	Amount Disallowed, Past Claims
	(\$2,608.95)	Deductible/Co-Payment Satisfied to Date
	<u>(\$23,480.55)</u>	Amount Paid to Date
SUB TOTAL	\$9,416.00	Amount Requested this Meeting
	<u>(\$941.60)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$8,474.40	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 06/03/2024 and 07/01/2024

Summary of work completed: Project management, Assessment of Site Conditions Pursuant to Release Discovery, Work Plan Preparation Large-Scale Site Characterization, Groundwater Monitoring and/or Free Product Removal for 2nd 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)

Fund Coverage	\$1,000,000.00
Amount Fund Will Pay	\$900,000.00
Amount Requested	\$38,785.50
Amount Disallowed	\$3,280.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$3,550.55
Amount Recommended	\$31,954.95
Amount Paid	\$31,954.95

Site Identification

Date Submitted:	01/30/2024	DEP Facility Number:	8-000009
Site Name	Anderson Dairy INC	Telephone:	(702)379-3393
Site Contact	Russell Peterson		
Site Address	801 Searles Ave Las Vegas, NV 89101		
County:	Clark County		
Owner/Operator Name:	Anderson Dairy, Inc.		
Contact Name of Owner/Operator:	Russell Peterson	Telephone:	(702)379-3393
	801 Searles Avenue Las Vegas, NV 89101		
Prime Contractor	Stewart Environmental, Inc.		
Contact Name	Keith Stewart		
Contractor Address	10300 West Charleston Boulevard, Suite 13-B32 Las Vegas, NV 89135		
Telephone:	(702)254-6731	% Board Reduction:	0.00

Site Characteristics

Alt ID	Tank Cap. (Gallons)	Tank Age (Years)	Tank Type	Leak Location
007	12000	31	Regulated UST	Tank

Case: #2024000010
Claim #: 80725

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: June 25, 2024

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.

	\$24,506.48	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$24,506.48</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$24,256.48	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/05/2024 and 05/21/2024

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. 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: 2024000010 Site Name: Residence Of 655 Canyon Circle

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A NON-REGULATED 500-GALLON UNDERGROUND STORAGE TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. A TOTAL OF 25.23 TONS OF CONTAMINATION WAS REMOVED.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$24,506.48
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	\$24,256.48
Amount Paid	\$24,256.48

Site Identification

Date Submitted:	05/22/2024	DEP Facility Number:	D-001412
Site Name	Residence Of 655 Canyon Circle	Telephone:	(775)742-9122
Site Contact	Keegan Low		
Site Address	655 Canyon Circle Reno , NV 89519		
County:	Washoe County		
Owner/Operator Name:	Keegan Low	Telephone:	(775)742-9120
Contact Name of Owner/Operator:	Keegan Low 655 Canyon Circle Reno, NV 89519		
Prime Contractor	Reno Drain Oil Service		
Contact Name	Steven Aguilar		
Contractor Address	11970 Interstate 80 E 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
655 Canyon Cir. Tank	500	46	Non-Regulated	Tank

Case: #2024000011
Claim #: 80731

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: June 25, 2024

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.

	\$50,768.28	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$50,768.28</u>	Amount Requested this Meeting
	<u>(\$500.00)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$50,268.28</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/08/2024 and 05/28/2024

Summary of work completed: Historical release discovered by Reno Drain Oil Service at time of home heating oil tank removal on 02-23-24. The second tank was found in the footprint of the first tanks soil remediation area on 03-14-24 during corrective action activities RDO confirmed these were a home heating oil tanks visually confirming return lines to the heating oil furnace inside the home. The home heating oil tanks, which supplied heating oil to the heating oil furnace inside the home leaked from rust holes in the single wall steel tank shells. It is unknown when the first failed and the second tank was installed. For documentation of tank removal, site and sample location maps, remediation and laboratory results see the closing report.

Site Summary Report

Case Number: 2024000011 Site Name: Residence Of 835 Daniel Drive

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM TWO 350-GALLON UNDERGROUND STORAGE TANKS CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. A TOTAL OF 81.56 TONS OF CONTAMINATED SOIL WAS REMOVED.

Contaminant: Heating Oil

Fund Coverage	\$500,500.00
Amount Fund Will Pay	\$500,000.00
Amount Requested	\$50,768.28
Amount Disallowed	\$0.00
Misc Debit/Credit	\$0.00
Reduction Amount Paid	\$0.00
Pending Copay/Deductible	\$0.00
Copay/Deductible	\$500.00
Amount Recommended	\$50,268.28
Amount Paid	\$50,268.28

Site Identification

Date Submitted:	05/31/2024	DEP Facility Number:	D-001414
Site Name	Residence Of 835 Daniel Drive	Telephone:	(775)322-3502
Site Contact	Stephen Dangberg		
Site Address	835 Daniel Drive Reno, NV 89509		
County:	Washoe County		
Owner/Operator Name:	Stephen Dangberg	Telephone:	(775)322-3502
Contact Name of Owner/Operator:	Stephen Dangberg 835 Daniel Drive Reno, NV 89509		
Prime Contractor	Reno Drain Oil Service		
Contact Name	Steven Aguilar		
Contractor Address	11970 Interstate 80 E 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
835 Daniel Dr Tank 1	350	72	Non-Regulated	Tank
835 Daniel Dr Tank 2	350	72	Non-Regulated	Tank

Case: #2024000012
Claim #: 80730

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: June 25, 2024

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.

	\$59,869.47	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$33,150.13</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$32,900.13	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 03/06/2024 and 05/28/2024

Summary of work completed: RDO confirmed the 2 tanks were home heating oil tanks visually confirming return lines to the heating oil furnace inside the home. The home heating oil tanks, which supplied heating oil to the heating oil furnace 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 he removed underground home heating oil tanks. Contaminated soil was removed for one excavation as pictured in the report and delivered to the Waste Management Biopit. Confirmation samples were obtained from the 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: 2024000012 Site Name: Residence Of 150 Old Washoe Drive

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. TWO 500-GALLON UNDERGROUND STORAGE TANKS CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY WERE REMOVED FROM THE EXCAVATION. HOWEVER, DISCHARGE EMANATED FROM ONLY ONE OF THE TANKS. THEREFORE, ONLY ONE TANK SYSTEM IS COVERED UNDER THE PETROLEUM FUND. A TOTAL OF 94.94 TONS OF CONTAMINATED SOIL REMOVED.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$59,869.47
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	\$59,619.47
Amount Paid	\$59,619.47

Site Identification

Date Submitted:	06/03/2024	DEP Facility Number:	D-001413
Site Name	Residence Of 150 Old Washoe Drive		
Site Contact	Shane Sykes	Telephone:	(775)420-0816
Site Address	050-220-40 Washoe Valley, NV 89704		
County:	Washoe County		
Owner/Operator Name:	Shane Sykes		
Contact Name of Owner/Operator:	Shane Sykes	Telephone:	(775)420-0816
	150 Old Washoe Drive Washoe Valley, NV 89704		
Prime Contractor	Reno Drain Oil Service		
Contact Name	Steven Aguilar		
Contractor Address	11970 Interstate 80 E 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
150 Old Washoe Rd Tank 1	500	65	Non-Regulated	Tank
150 Old Washoe Drive	500	65	Non-Regulated	Tank

Case: #2024000012
Claim #: 80744

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 05, 2024

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.

	\$59,869.47	Amount Requested to Date
	(\$250.00)	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	\$26,719.34	Amount Requested this Meeting
	\$0.00	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$26,719.34	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 04/16/2024 and 05/28/2024

Summary of work completed: The initial sample obtained from beneath the removed tank at a depth of eight feet was contaminated with heating oil to a TPH level of 50,701 mg/Kg (46,327 DRO, 4,300 ORO & 74 GRO). Additional tests performed for profile indicated the soil to be acceptable for treatment at the Waste Management bio-remediation facility. After the excavation and removal of 67.22 tons of contaminated soil on 03-25, 03-26 & 03-27-24 (see attachment# 6 thru 11) a soil sample was obtained from the four sidewalls of the excavation at a depth of nineteen feet and from the bottom of the excavation at a depth of twenty feet. See original closing report for details and lab reports. After the removal of an additional 27.72 tons of contaminated soil on 04-11 & 04-12-24 confirmation samples were again obtained from the north, east and west sidewalls at a depth of nineteen feet and from the bottom of the excavation at a depth of twenty-one feet. The result of this testing indicated that the north sidewall had a TPH level of 131 mg/Kg (105 DRO & 26 ORO), the east sidewall had a TPH result of 5,641 mg/Kg (4,541 DRO & 1,100 ORO), the west sidewall at 1,315 mg/Kg (1,273 DRO & 42 ORO) and the bottom had a TPH level of 3,559 mg/Kg (3,049 DRO & 510 ORO). See attachment# 20 thru 27. RDO directed Nevada Analytical laboratory to perform constituent closure testing on the latest sample obtained from the east sidewall of the excavation. The result of this testing indicated that no constituent was present at a level above the screening limit. See original closing report for details and lab reports.

Site Summary Report

Case Number: 2024000012 Site Name: Residence Of 150 Old Washoe Drive

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. TWO 500-GALLON UNDERGROUND STORAGE TANKS CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY WERE REMOVED FROM THE EXCAVATION. HOWEVER, DISCHARGE EMANATED FROM ONLY ONE OF THE TANKS. THEREFORE, ONLY ONE TANK SYSTEM IS COVERED UNDER THE PETROLEUM FUND. A TOTAL OF 94.94 TONS OF CONTAMINATED SOIL REMOVED.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$59,869.47
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	\$59,619.47
Amount Paid	\$59,619.47

Site Identification

Date Submitted:	06/03/2024	DEP Facility Number:	D-001413
Site Name	Residence Of 150 Old Washoe Drive		
Site Contact	Shane Sykes	Telephone:	(775)420-0816
Site Address	050-220-40 Washoe Valley, NV 89704		
County:	Washoe County		
Owner/Operator Name:	Shane Sykes		
Contact Name of Owner/Operator:	Shane Sykes	Telephone:	(775)420-0816
	150 Old Washoe Drive Washoe Valley, NV 89704		
Prime Contractor	Reno Drain Oil Service		
Contact Name	Steven Aguilar		
Contractor Address	11970 Interstate 80 E 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
150 Old Washoe Rd Tank 1	500	65	Non-Regulated	Tank
150 Old Washoe Drive	500	65	Non-Regulated	Tank

Case: #2024000014
Claim #: 80743

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 05, 2024

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.

	\$30,450.44	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$30,450.44</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$30,200.44</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/15/2024 and 06/19/2024

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. 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: 2024000014 Site Name: Residence Of 7275 Lakeside Drive

Site Status

Synopsis: DISCHARGE DISCOVERED 4/29/24 DURING REMOVAL OF 1,000-GALLON SINGLE WALL STEEL TANK USED TO STORE HEATING OIL. CONTAMINATION EMANATED FROM CORROSION OF TANK SHELL. 57.03 TONS OF CONTAMINATED SOIL REMOVED DURING INITIAL ABATEMENT.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$30,450.44
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	\$30,200.44
Amount Paid	\$30,200.44

Site Identification

Date Submitted:	06/24/2024	DEP Facility Number:	D-001419
Site Name	Residence Of 7275 Lakeside Drive		
Site Contact	Carolyn Basta	Telephone:	(775)851-1916
Site Address	7275 Lakeside Drive Reno, NV 89511		
County:	Washoe County		
Owner/Operator Name:	Carolyn Basta		
Contact Name of Owner/Operator:	Carolyn Basta	Telephone:	(775)232-8700
	7275 Lakeside Drive Reno, NV 89511		
Prime Contractor	Reno Drain Oil Service		
Contact Name	Steven Aguilar		
Contractor Address	11970 Interstate 80 E 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
7275 Lakeside Dr Tank	1000	70	Non-Regulated	Tank

Case: #2024000015
Claim #: 80748

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 15, 2024

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.

	\$35,512.94	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$35,512.94</u>	Amount Requested this Meeting
	<u>(\$250.00)</u>	Applicable Deductible/Co-Payment, this Meeting
TOTAL	\$35,262.94	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/13/2024 and 07/02/2024

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. 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: 2024000015 Site Name: Residence Of 1480 Romero Way

Site Status

Synopsis: CONTAMINATION DISCOVERED DURING TANK REMOVAL ACTIVITIES. DISCHARGE EMANATED FROM A NON-REGULATED 300-GALLON UNDERGROUND STORAGE TANK CONTAINING HEATING OIL AT A RESIDENTIAL PROPERTY. A TOTAL OF 59.22 TONS OF CONTAMINATED SOIL WAS REMOVED.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$35,512.94
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	\$35,262.94
Amount Paid	\$35,262.94

Site Identification

Date Submitted:	07/03/2024	DEP Facility Number:	D-001417
Site Name	Residence Of 1480 Romero Way	Telephone:	(323)302-3908
Site Contact	Aaron Foster		
Site Address	1480 Romero Way Reno, NV 89509		
County:	Carson City County		
Owner/Operator Name:	Aaron Foster	Telephone:	(323)302-3908
Contact Name of Owner/Operator:	Aaron Foster 1480 Romero Way Reno, NV 89509		
Prime Contractor	Reno Drain Oil Service		
Contact Name	Steven Aguilar		
Contractor Address	11970 Interstate 80 E 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
1480 Romero Tank	300	64	Non-Regulated	Tank

Case: #2024000016
Claim #: 80756

STAFF AUTHORIZED DIRECT PAYMENT

Payment Date: August 15, 2024

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.

	\$23,594.02	Amount Requested to Date
	\$0.00	Deductible/Co-Payment Satisfied to Date
	\$0.00	Amount Paid to Date
SUB TOTAL	<u>\$23,594.02</u>	Amount Requested this Meeting
	(\$250.00)	Applicable Deductible/Co-Payment, this Meeting
TOTAL	<u>\$23,344.02</u>	Allowable Amount, this Board Meeting

The above claim amount represents reimbursement for invoices submitted between 05/02/2024 and 07/02/2024

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. 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: 2024000016 Site Name: Residence Of 2635 Lakeside Drive

Site Status

Synopsis: DISCHARGE DISCOVERED 4/22/24 DURING REMOVAL OF 300-GALLON SINGLE WALL STEEL TANK USED TO STORE HEATING OIL. CONTAMINATION EMANATED FROM CORROSION OF TANK SHELL. 22.86 TONS OF CONTAMINATED SOIL REMOVED DURING INITIAL ABATEMENT.

Contaminant: Heating Oil

Fund Coverage	\$250,250.00
Amount Fund Will Pay	\$250,000.00
Amount Requested	\$23,594.02
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	\$23,344.02
Amount Paid	\$23,344.02

Site Identification

Date Submitted:	07/10/2024	DEP Facility Number:	D-001416
Site Name	Residence Of 2635 Lakeside Drive		
Site Contact	Robert Selwood	Telephone:	(775)223-0826
Site Address	2635 Lakeside Drive Reno, NV 89509		
County:	Washoe County		
Owner/Operator Name:	Robert Selwood		
Contact Name of Owner/Operator:	Robert Selwood	Telephone:	(775)223-0826
	2635 Lakeside Drive Reno, NV 89509		
Prime Contractor	Reno Drain Oil Service		
Contact Name	Steven Aguilar		
Contractor Address	11970 Interstate 80 E 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
2635 Lakeside Tank	300	71	Non-Regulated	Tank

**Agenda Item 10:
Execute Summary**
(FOR DISCUSSION)

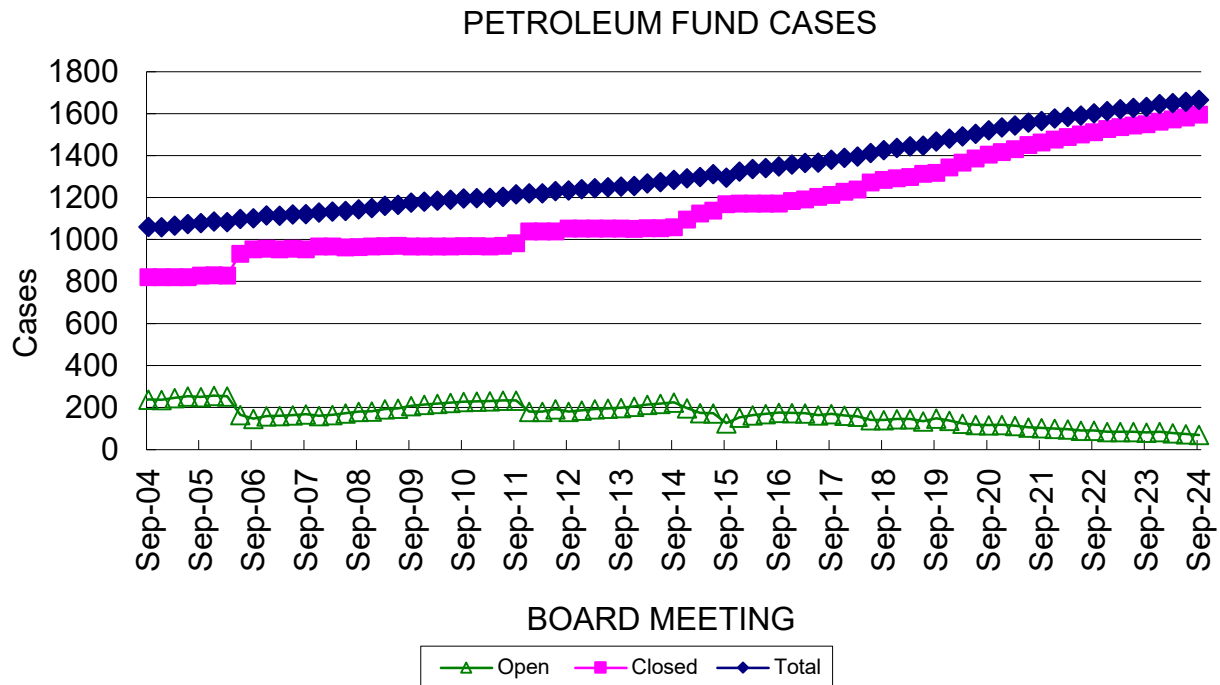
**STATE BOARD TO REVIEW CLAIMS
SEPTEMBER 12, 2024 BOARD MEETING**

EXECUTIVE SUMMARY REPORT

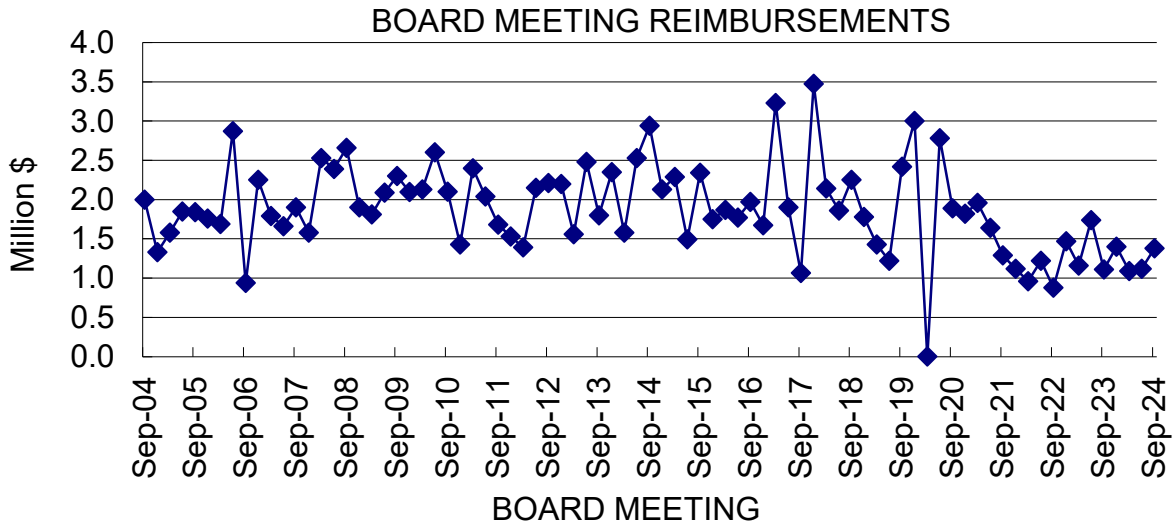
The Fund for Cleaning Up Discharges of Petroleum (“Petroleum Fund” or “Fund”) was established in 1989 by the Nevada Legislature. The Petroleum Fund facilitates the protection of Nevada’s environment, including its water resources, by allowing for prompt cleanup of petroleum discharges from storage tank 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 2024 runs October 1, 2023, through September 30, 2024. The annual tank system enrollment invoices for FFY 2024 were issued August 23, 2023. Additional invoices have also been generated for subsequent requests for tank enrollment. Currently, a total of 1,306 facilities have been invoiced at \$100 per petroleum tank system. As of August 29, 2024, 1,295 (~99.4%) of the facilities have submitted the required enrollment fees.

Program Case Summary – Since the Fund was created, a total of 1,841 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, 1,596 cases have since been closed and no longer receive Fund reimbursement. Currently, there are 70 open Fund cases. Since January 1, 2024, NDEP has received 18 applications for Fund coverage. There is 1 application 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 \$262,283,328.48 for reimbursement to petroleum storage tank operators throughout Nevada for cleanup expenses. This cumulative total includes 16 claims paid via the direct payment method since the June 2024 Board meeting, totaling \$384,217.48. With today’s approval of \$1,000,677.47 in pending claims, the cumulative Fund expenditure will increase to \$263,284,005.95.



* 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 11:
Public Comment**
(FOR DISCUSSION)

Agenda Item 12:
Confirmation of Next Board Meeting Date
(FOR DISCUSSION)

STATE BOARD TO REVIEW CLAIMS
CONFIRMATION OF NEXT MEETING

DATE	LOCATION
December 12, 2024 Thursday 10:00 AM	<u>Videoconference</u> Richard H. Bryan Building, 901 South Stewart Street, Bonnie B. Bryan Boardroom (Suite 1002), Carson City, NV NDEP Las Vegas Office, 375 East Warm Springs Road, Red Rock Conference Room (Suite 200), Las Vegas, NV

Upcoming Board Meetings
December 12, 2024 - 10:00 AM
March 13, 2025 - 10:00 AM
June 12, 2025 - 10:00 AM
September 11, 2025 - 10:00 AM