

STATE OF NEVADA BOARD TO REVIEW CLAIMS
AGENDA
RESCHEDULED
DECEMBER 15, 2015

The State of Nevada Board to Review Claims (Board) meeting will be video-conferenced and will begin promptly at 10:00 a.m. on Tuesday, December 15, 2015 (rescheduled from December 10, 2015) at the following locations:

Carson City: Nevada Department of Transportation, 1301 Old Hot Springs Rd., Rm 112

Las Vegas: Nevada Department of Transportation, 123 E. Washington Ave., Building D,
(Material and Testing Lab Building)

The public is invited to attend at either location.

The following items may be taken out of order and/or items may be combined for consideration. Items may also be removed from the agenda or the Board may delay discussion relating to an item on the agenda at any time.

Public comment may be limited to ten minutes per person at the discretion of the chairperson.

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

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT (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.

4. RECOGNITION OF CHAIRMAN JOHN HAYCOCK (DISCUSSION)

5. APPROVAL OF THE AGENDA (FOR POSSIBLE ACTION)

6. APPROVAL OF THE SEPTEMBER 10, 2015 MINUTES (FOR POSSIBLE ACTION)

7. STATUS OF THE FUND (DISCUSSION)

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

8. SITE SPECIFIC BOARD DETERMINATION SSB (FOR POSSIBLE ACTION)

Site Specific Board Determination No. C2015-03

Site Specific Board Determination to approve a Small Business Exemption for V & V Automotive, 2401 N. Rancho Dr., Las Vegas, NV
Petroleum Fund ID No. 1996000063, Facility ID No. 8-000383

9. CONTROLLER’S OFFICE – COLLECTION STATUS UPDATE (FOR DISCUSSION)

Mr. James Smack, Chief Deputy of the Controller’s Office, will update the Board on the status of the collection efforts related to the Eagle Gas North station located in Carson City.

10. APPEAL OF NDEP REIMBURSEMENT RECOMMENDATIONS FOR THREE HEATING OIL TANK CLEANUPS (FOR POSSIBLE ACTION)

NDEP recommends the Board to Review Claims approve partial reimbursement in the amounts specified below while NDEP continues its review of the claims.

- A. Gillmartin Residence, 1980 Wren Street, Reno, NV
Petroleum Fund ID No. 2015000028H, Facility ID No. D-000919

Requested Amount:	\$95,381.43
Recommended Amount:	\$48,372.29
Difference less \$250 Deductible:	\$46,509.14

- B. Roope Residence, 17 Sunnyside Drive, Reno, NV
Petroleum Fund ID No. 2015000026H, Facility ID No. D-000915

Requested Amount:	\$98,395.72
Recommended Amount:	\$34,920.90
Difference less \$250 Deductible:	\$62,974.82

- C. Whitenack Residence, 1530 Hillside Drive, Reno, NV
Petroleum Fund ID No. 2015000027H, Facility ID No. D-000917

Requested Amount:	\$122,639.14
Recommended Amount:	\$25,720.80
Difference less \$250 Deductible:	\$96,418.34

11. ADOPTION OF CONSENT ITEMS

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

A dagger (†) 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.

**STATE BOARD TO REVIEW CLAIMS
REQUESTED/RECOMMENDED AMOUNTS – DECEMBER 10, 2015**

<u>HEATING OIL</u>				<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	1992000102H	Lyon County School District: Yerington Elementary	\$35,790.02	\$32,211.02
FOR POSSIBLE ACTION	2.	2007000013H	Churchill County School District: Bus Barn	\$15,973.80	\$15,973.80
FOR POSSIBLE ACTION	3.	2012000015H	Don Sinnar: Sinnar Residence	\$18,629.63	\$18,629.63
FOR POSSIBLE ACTION	4.	2012000017H	Churchill Co. School District: Old High School	\$14,627.97	\$14,627.97
FOR POSSIBLE ACTION	5.	2013000012H	Roger & Gemma Mateossian: Mateossian Residence	\$15,731.90	\$15,731.90
FOR POSSIBLE ACTION	6.	2013000015H	Gary Cornwall: Gary Cornwall Property	\$2,343.75	\$2,343.75
FOR POSSIBLE ACTION	7.	2014000021H	Town of Gardnerville: Former Eagle Gas - Gardnerville	\$582.50	\$582.50
FOR POSSIBLE ACTION	8.	2014000043H	L&G Properties, LLC: Residential Property	\$5,584.25	\$5,584.25
FOR POSSIBLE ACTION	9.	2015000020H	Lauren Evans: Evans Residence	\$59,788.58	\$59,538.58
FOR POSSIBLE ACTION	10.	2015000021H	Susan Frank: Frank Property / Rental Home	\$15,449.93	\$15,199.93
FOR POSSIBLE ACTION	11.	2015000022H	Reno Land Development Co.: Beedle House	\$7,419.91	\$7,112.41
FOR POSSIBLE ACTION	12.	2015000024H	Knauss Investments, LP: Former Lucky Concrete	\$17,107.79	\$16,857.79
FOR POSSIBLE ACTION	13.	2015000026H	George Roope: Roope Property	\$98,395.72	\$34,920.90
FOR POSSIBLE ACTION	14.	2015000027H	Judith Whitenack: Whitenack Residence	\$122,639.14	\$25,720.80
FOR POSSIBLE ACTION	15.	2015000028H	John Gillmartin: Gillmartin Residence	\$95,381.43	\$48,372.29
HEATING OIL SUB TOTAL:				<u>\$525,446.32</u>	<u>\$313,407.52</u>

NEW CASES, OTHER PRODUCTS

FOR POSSIBLE ACTION	1.	2015000014	City Express: City Express	<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	2.	2015000018	Sierra Rental & Transport: Sierra Rental & Transport	\$27,499.59	\$24,749.63
				\$21,032.04	\$18,928.84

NEW CASES, OTHER PRODUCTS SUB TOTAL: \$48,531.63 \$43,678.47

ONGOING CASES/OTHER PRODUCTS

				<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	1992000126	Clark County School District: RC White Transportation	\$65,232.59	\$63,745.42
FOR POSSIBLE ACTION	2.	1993000102	Rebel Oil Company: Rebel #8	\$7,886.67	\$7,886.67
FOR POSSIBLE ACTION	3.	1993000103	Russell Yardley: Charlie Brown Construction	\$6,456.77	\$6,327.63
FOR POSSIBLE ACTION	4.	1993000115	City of Fallon: Former Bootlegger Texaco	\$7,180.92	\$7,180.92
FOR POSSIBLE ACTION	5.	1994000067	Peppermill, Inc.: Former Peppermill Truckstop	\$10,543.33	\$10,543.33
FOR POSSIBLE ACTION	6.	1994000113	Pilot Travel Centers, LLC: Former Unocal Truck Stop	\$36,404.61	\$36,404.61
FOR POSSIBLE ACTION	7.	1994000122	Mike's Gas-A-Mart: Mike's Gas-A-Mart	\$6,321.41	\$6,321.41
FOR POSSIBLE ACTION	8.	1995000012	N Nevada Asset Holdings LLC: Parker's Model T	\$3,817.50	\$3,435.75
FOR POSSIBLE ACTION	9.	1995000039	Al Park Petroleum, Inc.: Crescent Valley Market	\$27,699.90	\$24,929.91
FOR POSSIBLE ACTION	10.	1995000105	Redman Petroleum Corp.: Redman Petroleum	\$27,063.10	\$24,356.79
FOR POSSIBLE ACTION	11.	1996000063	Joan Pennachio: V&V Automotive	\$4,712.94	\$15,777.11
FOR POSSIBLE ACTION	12.	1996000064	H&A Esslinger, LLC: Red Rock Mini Mart	\$96,731.84	\$93,829.88
FOR POSSIBLE ACTION	13.	1996000101	Phillips 66 Company: Circle K #695	\$48,449.01	\$42,816.85
FOR POSSIBLE ACTION	14.	1996000102	Phillips 66 Company: Circle K #542	\$7,630.40	\$5,444.03
FOR POSSIBLE ACTION	15.	1997000008	Ewing Brothers, Inc.: Ewing Brothers Facility	\$2,855.00	\$2,569.50
FOR POSSIBLE ACTION	16.	1998000046	Willdens Automotive Holdings: Frmr Allstate Rent A Car	\$21,206.18	\$19,085.56
FOR POSSIBLE ACTION	17.	1998000068	Phillips 66 Company: Conoco #28003	\$63,892.38	\$57,418.25
FOR POSSIBLE ACTION	18.	1998000080	Seven Crown Resorts, Inc.: Echo Bay Resort	\$26,236.47	\$23,612.82
FOR POSSIBLE ACTION	19.	1999000014	Al Park Petroleum: Conoco Pit Stop #7	\$27,962.63	\$25,166.36
FOR POSSIBLE ACTION	20.	1999000022	Terrible Herbst: Terrible Herbst #129	\$3,831.57	\$2,246.62
FOR POSSIBLE ACTION	21.	1999000029	Terrible Herbst Oil Company: Terrible Herbst #136	\$15,555.09	\$13,924.80
FOR POSSIBLE ACTION	22.	1999000048	Estate of Robert Cowan: Former Lightning Lube	\$9,943.30	\$9,943.30
FOR POSSIBLE ACTION	23.	1999000052	Estate of Martin T Wessel: Ted's Chevron	\$9,294.59	\$8,365.13
FOR POSSIBLE ACTION	24.	1999000064	Al Park Petroleum, Inc.: Conoco Pit Stop	\$7,401.36	\$6,661.22
FOR POSSIBLE ACTION	25.	1999000066	HP Management LLC: Former Haycock Petroleum	\$13,141.75	\$11,827.58
FOR POSSIBLE ACTION	26.	1999000086	Terrible Herbst Oil Company: Terrible Herbst #126	\$3,295.60	\$2,891.25

ONGOING CASES/OTHER PRODUCTS: CONTINUED

				<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	27.	1999000090	HP Management LLC: Former Haycock Petroleum	\$31,855.09	\$28,669.58
FOR POSSIBLE ACTION	28.	1999000104	Terrible Herbst Oil Co.: Terrible Herbst #118	\$4,863.74	\$4,377.36
FOR POSSIBLE ACTION	29.	1999000114	City of Fallon: Fallon Maintenance Yard	\$6,007.18	\$5,406.46
FOR POSSIBLE ACTION	30.	1999000135	Terrible Herbst Oil Company: Terrible Herbst #106	\$8,651.45	\$7,786.30
FOR POSSIBLE ACTION	31.	1999000137	Terrible Herbst Oil Company: Terrible Herbst #152	\$9,291.99	\$7,001.54
FOR POSSIBLE ACTION	32.	1999000167	City of Las Vegas: Fire Station #1	\$25,187.54	\$25,187.54
FOR POSSIBLE ACTION	33.	1999000186	Gloria Gayle Pilger: Former D&G Oil Facility	\$50,297.59	\$45,267.83
FOR POSSIBLE ACTION	34.	1999000199	Mary Ann Ferguson: Lakeshore Orbit Station	\$34,089.89	\$33,874.89
FOR POSSIBLE ACTION	35.	1999000244	7-Eleven, Inc.: 7-Eleven #22070	\$6,863.12	\$6,176.81
FOR POSSIBLE ACTION	36.	1999000257	University of Nevada: Newlands Agriculture	\$2,346.50	\$2,346.50
FOR POSSIBLE ACTION	37.	1999000273	V.K. Leavitt: The Waterhole	\$40,004.68	\$35,864.62
FOR POSSIBLE ACTION	38.	2004000011	TA Operating LLC: Four Way Truck Stop	\$43,280.30	\$38,952.27
FOR POSSIBLE ACTION	39.	2005000002	Carson Valley Oil Co., Inc.: Carson Valley Oil	\$11,826.33	\$10,643.70
FOR POSSIBLE ACTION	40.	2005000025	Bordertown, Inc.: Winner's Corner	\$8,685.05	\$7,816.55
FOR POSSIBLE ACTION	41.	2005000036	Phillips 66 Company: Circle K #1791	\$8,718.83	\$6,277.56
FOR POSSIBLE ACTION	42.	2005000044	Ewing Brothers, Inc.: Ewing Brothers Facility	\$18,861.73	\$15,278.01
FOR POSSIBLE ACTION	43.	2007000003	7-Eleven, Inc.: 7-Eleven #29648	\$27,522.06	\$21,443.98
FOR POSSIBLE ACTION	44.	2007000014	Ace Cab Company: Ace Cab Company	\$57,680.32	\$46,683.29
FOR POSSIBLE ACTION	45.	2007000016	TOC Holdings Company: Former Time Oil #6-100	\$3,941.60	\$3,547.44
FOR POSSIBLE ACTION	46.†	2007000023	7-Eleven, Inc.: 7-Eleven #29643	\$0.00	\$7,326.00
FOR POSSIBLE ACTION	47.	2008000005	Avis Rent A Car Systems: Former Avis Rent A Car	\$76,680.07	\$69,012.06
FOR POSSIBLE ACTION	48.	2008000009	Pilot Travel Centers, LLC: Flying J Travel Plaza	\$17,117.32	\$12,324.48
FOR POSSIBLE ACTION	49.	2008000017	Francois Alvandi: Flamingo AM/PM #82153	\$20,107.90	\$10,858.41
FOR POSSIBLE ACTION	50.	2008000018	Jacksons Food Stores, Inc.: Former Terrible's #830	\$9,940.93	\$8,946.84
FOR POSSIBLE ACTION	51.	2008000019	One Panou, LLC: Stop N Shop #2	\$10,443.32	\$9,398.99
FOR POSSIBLE ACTION	52.	2009000017	D&J Holdings, LLC: Convenience Corner Shell	\$13,806.72	\$12,426.05
FOR POSSIBLE ACTION	53.	2009000028	Vegas Rainbows, Inc.: Mick & Mac's Food Mart	\$13,237.94	\$11,616.29
FOR POSSIBLE ACTION	54.	2010000001	Smitten Oil & Tire Company: The Gas Store	\$4,387.50	\$3,948.75
FOR POSSIBLE ACTION	55.	2010000007	Pecos Express, Inc.: Pecos Express	\$12,259.34	\$11,033.41
FOR POSSIBLE ACTION	56.	2010000009	TA Operating: Mill City Travel Center	\$7,327.26	\$5,935.08
FOR POSSIBLE ACTION	57.	2010000010	Pacific Convenience & Fuel: Victorian Food Mart	\$2,490.13	\$2,241.12
FOR POSSIBLE ACTION	58.	2011000007	Echo Bay Marina, LLC: Echo Bay Marina	\$15,228.18	\$13,705.36
FOR POSSIBLE ACTION	59.	2011000009	Cimarron West: Cimarron West	\$5,986.81	\$5,388.13

ONGOING CASES/OTHER PRODUCTS: CONTINUED

				<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	60.	2012000003	7-Eleven, Inc.: 7-Eleven #26627	\$55,241.14	\$36,103.19
FOR POSSIBLE ACTION	61.	2012000005	ARAMARK Corporation: Zephyr Cove Resort	\$48,928.55	\$44,035.70
FOR POSSIBLE ACTION	62.	2012000011	Golden Gate Petroleum: Baldini's Grand Pavilion	\$4,701.88	\$4,141.69
FOR POSSIBLE ACTION	63.	2012000012	Dewey Has Gas, Inc.: Smart Mart	\$19,613.29	\$17,287.46
FOR POSSIBLE ACTION	64.	2012000020	Francois Alvandi: Charleston AM/PM #85155	\$5,362.25	\$4,826.03
FOR POSSIBLE ACTION	65.	2012000022	7-Eleven, Inc.: 7-Eleven #26873	\$5,289.71	\$4,760.73
FOR POSSIBLE ACTION	66.	2013000004	7-Eleven, Inc.: 7-Eleven #29665	\$10,225.31	\$9,202.78
FOR POSSIBLE ACTION	67.	2013000005	RB Properties, Inc.: South Pointe Market	\$13,510.46	\$12,159.41
FOR POSSIBLE ACTION	68.	2013000009	Western Petroleum: Western Petroleum	\$4,542.00	\$4,087.80
FOR POSSIBLE ACTION	69.	2013000011	Slots Unlimited, LLC, Village Shop #4	\$14,775.32	\$13,297.79
FOR POSSIBLE ACTION	70.	2013000019	Hardy Enterprises, Inc.: Sinclair Mini-Mart	\$3,970.00	\$3,573.00
FOR POSSIBLE ACTION	71.	2013000020	7-Eleven, Inc.: 7-Eleven #26395	\$6,634.53	\$5,971.08
FOR POSSIBLE ACTION	72.	2014000003	Sterling-UN Reno, LLC: Former Luce & Sons	\$4,886.42	\$4,397.78
FOR POSSIBLE ACTION	73.	2014000004	Alsaker Corporation: Broadway Colt Service Center	\$73,963.55	\$66,567.19
FOR POSSIBLE ACTION	74.	2014000007	7-Eleven, Inc.: 7-Eleven #29658	\$8,691.57	\$7,822.42
FOR POSSIBLE ACTION	75.	2014000010	7-Eleven, Inc.: 7-Eleven #29667	\$7,321.87	\$6,589.69
FOR POSSIBLE ACTION	76.	2014000016	Fran Smitten: Smedley's Chevron	\$21,673.70	\$19,506.33
FOR POSSIBLE ACTION	77.	2014000020	Ken & Bonnie Goodness: Waterhoe Truck Plaza	\$35,663.06	\$32,096.76
FOR POSSIBLE ACTION	78.	2014000025	Superior Campgrounds of America: Silver City RV Resort	\$7,950.14	\$4,293.12
FOR POSSIBLE ACTION	79.	2014000033	Speedee Mart, Inc.: Speedee Mart #108	\$14,790.87	\$13,311.79
FOR POSSIBLE ACTION	80.†	2014000041	Callville Bay Resort Marina: Callville Bay Resort	\$32,987.65	\$33,738.88
FOR POSSIBLE ACTION	81.	2015000005	Red Lion Hotel & Casino: Red Lion Chevron	\$1,809.25	\$1,628.33

ONGOING CASES/OTHER PRODUCTS SUB TOTAL: \$1,583,332.01 \$1,418,874.85

REQUESTED RECOMMENDED
CLAIMS TOTAL: \$2,157,309.96 \$1,775,960.84

12. EXECUTIVE SUMMARY (DISCUSSION)

NDEP will report to the Board on the following: tank enrollment status, reimbursement activity, cumulative Fund expenditures, interactive database status, Attorney General contract, SB89 update, program reforms including proposed regulation modifications status and “Initial Abatement” clarification, and an “Eagle Gas North” status update.

13. PUBLIC COMMENT (DISCUSSION)

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

14. CONFIRMATION OF NEXT BOARD MEETING DATE (DISCUSSION)

March 10, 2016 (THURSDAY) at 10:00 am

15. ADJOURNMENT

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

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

You may find the agenda posted on our web site at: <http://ndep.nv.gov/bca/fundhome.htm>

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify, in writing, to NDEP, State of Nevada Board to Review Claims, in care of Mrs. Victoria Joncas, 901 S. Stewart St., Ste. 4001, Carson City, NV 89701, facsimile (775) 687-8335, or by calling (775) 687-9369 no later than December 10, 2015.

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