

**STATE OF NEVADA BOARD TO REVIEW CLAIMS
AGENDA
DECEMBER 6, 2018**

The State of Nevada Board to Review Claims (Board) meeting will be video-conferenced and will begin promptly at 10:00 AM on Thursday, December 06, 2018 at the following locations:

Carson City: Laxalt Building, 401 N. Carson St., 2nd Floor Chambers

Las Vegas: Grant Sawyer Building, 555 E. Washington Ave., Governor's Conference Room 5100

The public is invited to attend either location.

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

Public comment may be limited to ten minutes per person at the discretion of the 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 SEPTEMBER 6, 2018 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. AMEND POLICY RESOLUTION 2001-05 CEM COST GUIDELINES (FOR POSSIBLE ACTION)

Amended Policy Resolution 2001-05 allows for modifications to the CEM Cost Guidelines. Proposed amendments include administrative updates to outline expectations related to the NDEP's online electronic submittals for Petroleum Fund applications for coverage, not-to-exceed proposals (NTEPs), and claims; the addition of hours to specific NTEP tasks; the addition of Task J.2 for Initial Abatement of Regulated USTs at commercial facilities; and general policy format/grammar updates and regulation citation revisions.

RECOMMENDATION:

Adoption of Amended Policy Resolution No. 2001-05 as proposed.

6. ADOPTION OF CONSENT ITEMS (FOR POSSIBLE ACTION)

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

A dagger (†) 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 6, 2018**

<u>HEATING OIL</u>				<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1. †	1993000020	University Of Nevada Reno: Albert Fragione Property	\$4,750.25	\$5,000.25
FOR POSSIBLE ACTION	2.	2007000013	Churchill County School District: Churc. Co. S.d. Bus Barn	\$1,154.00	\$1,154.00
FOR POSSIBLE ACTION	3.	2012000017	Churchill County School District: Old High School	\$7,918.93	\$7,918.93
FOR POSSIBLE ACTION	4.	2013000012	Roger & Gemma Mateossian: Mateossian Residence	\$4,862.50	\$4,862.50
FOR POSSIBLE ACTION	5.	2018000004	Laura Scott: Laura A. Scott Residence	\$746.00	\$746.00
FOR POSSIBLE ACTION	6.	2018000024	Jacobs Entertainment: 339 Ralston Street, LLC	\$8,347.13	\$8,097.13
FOR POSSIBLE ACTION	7.	2018000038	Sherri Long: Christopher A. Long Residence	\$11,961.36	\$11,711.36
FOR POSSIBLE ACTION	8.	2018000039	Humberto Aguilar-Chavez: Humberto A. Chavez Residence	\$13,201.26	\$12,951.26
SUB TOTAL:				<u>\$52,941.43</u>	<u>\$52,441.43</u>

<u>NEW CASES</u>				<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2018000005	Rebel Oil Company: Rebel Store # 2153	\$16,519.87	\$14,867.88
SUB TOTAL:				<u>\$16,519.87</u>	<u>\$14,867.88</u>

ONGOING CASES

			<u>REQUESTED</u>	<u>RECOMMENDED</u>	
FOR POSSIBLE ACTION	1.	1992000126	Clark County School District: Rc White (Arville) Transportation Satellite	\$25,155.75	\$24,839.01
FOR POSSIBLE ACTION	2.	1993000102	Rebel Oil Company: Rebel Store #2008	\$23,455.09	\$23,455.09
FOR POSSIBLE ACTION	3.	1993000103	Charlie Brown Construction: Charlie Brown Const.	\$5,499.00	\$5,364.52
FOR POSSIBLE ACTION	4.	1994000029	7-Eleven INC: 7-Eleven #20826	\$41,025.28	\$36,922.75
FOR POSSIBLE ACTION	5.	1994000037	Param Investments LLC: Go-Fer Supermarket	\$21,708.73	\$21,708.73
FOR POSSIBLE ACTION	6.	1994000067	Peppermill Casinos INC: Frmr Peppermill Truckstop	\$3,320.50	\$3,320.50
FOR POSSIBLE ACTION	7.	1995000039	Al Park Petroleum Inc: Crescent Valley Market	\$36,366.78	\$32,730.10
FOR POSSIBLE ACTION	8.	1995000042	FBF INC: Gas 4 Less	\$22,750.73	\$19,494.66
FOR POSSIBLE ACTION	9.	1996000063	Joan Pennachio: V & V Automotive	\$8,024.31	\$8,024.31
FOR POSSIBLE ACTION	10.	1996000064	H & A Esslinger, LLC: Red Rock Mini Mart	\$81,112.85	\$71,184.27
FOR POSSIBLE ACTION	11.	1996000101	Phillips 66 Company: Circle K #695	\$20,411.45	\$15,427.13
FOR POSSIBLE ACTION	12.	1998000068	Phillips 66 Company: Conoco #28003	\$22,942.29	\$20,634.71
FOR POSSIBLE ACTION	13.	1998000079	The Carrington Company: Texaco	\$57,581.58	\$51,823.42
FOR POSSIBLE ACTION	14.	1999000014	Al Park Petroleum Inc: Pit Stop #7 Conoco	\$6,970.76	\$6,157.82
FOR POSSIBLE ACTION	15.	1999000052	Estate Of Martin T. Wessel: Ted's Chevron	\$11,993.02	\$10,793.72
FOR POSSIBLE ACTION	16.	1999000064	Al Park Petroleum Inc: Pit Stop #4 (Conoco)	\$9,681.99	\$8,713.79
FOR POSSIBLE ACTION	17.	1999000114	City Of Fallon: Fallon Maint. Yard	\$12,836.46	\$11,552.81
FOR POSSIBLE ACTION	18.	1999000199	Village Springs, LLC: Lakeshore Orbit Station	\$6,691.55	\$6,691.55
FOR POSSIBLE ACTION	19.	1999000244	7-Eleven INC: 7-Eleven #22070	\$98,564.74	\$88,708.27
FOR POSSIBLE ACTION	20.	2004000011	Travel Centers Of America: Wells Petro Truck Service	\$30,517.98	\$27,089.80
FOR POSSIBLE ACTION	21.	2005000002	Carson Valley Oil Co Inc: Carson Valley Oil CO	\$13,015.93	\$11,714.34
FOR POSSIBLE ACTION	22.	2005000036	Phillips 66 Company: Circle K #1791	\$3,139.17	\$2,260.21
FOR POSSIBLE ACTION	23.	2007000014	Ace Cab Company: Ace Cab Company	\$32,281.44	\$29,053.30
FOR POSSIBLE ACTION	24.	2008000005	Avis Rent A Car System LLC: Avis Rent A Car	\$35,308.24	\$29,603.24
FOR POSSIBLE ACTION	25.	2008000019	One Panou LLC: Golden Market #3	\$14,488.81	\$13,039.93
FOR POSSIBLE ACTION	26.	2009000017	D & J Holdings, LLC: Convenience Corner Shell	\$3,981.50	\$3,398.85
FOR POSSIBLE ACTION	27.	2009000024	Parampreet Investment LLC: Chucks Circle C Market	\$18,083.44	\$16,275.09
FOR POSSIBLE ACTION	28.	2010000003	Sira Truck Holdings, Llp: Big Wheel Truck Center	\$2,294.25	\$2,064.83
FOR POSSIBLE ACTION	29.	2010000005	7-Eleven INC: 7-Eleven #27071	\$10,814.16	\$9,732.74

FOR POSSIBLE ACTION	30.	2010000007	Pecos Express: Pecos Station	\$10,964.92	\$9,868.43
FOR POSSIBLE ACTION	31.	2010000009	Travel Centers Of America: Mill City Travel Center	\$18,408.84	\$14,911.16
FOR POSSIBLE ACTION	32.	2011000009	Cimarron West: Cimarron West	\$52,728.51	\$47,455.66
FOR POSSIBLE ACTION	33.	2012000003	7-Eleven INC: 7-Eleven #26627	\$22,355.59	\$16,096.02
FOR POSSIBLE ACTION	34.	2012000012	Dewey Has Gas, INC: Smart Mart	\$37,514.90	\$32,920.22
FOR POSSIBLE ACTION	35.	2013000019	Hardy Enterprises INC: Elko Sinclair #53	\$135,181.53	\$85,810.12
FOR POSSIBLE ACTION	36.	2013000020	7-Eleven INC: 7-Eleven #26395	\$7,589.20	\$6,830.28
FOR POSSIBLE ACTION	37.	2014000004	Alsaker Corp: Broadway Colt Service Center	\$29,305.96	\$26,329.46
FOR POSSIBLE ACTION	38.	2014000010	7-Eleven INC: 7-Eleven #29667	\$24,158.60	\$21,742.74
FOR POSSIBLE ACTION	39.	2014000025	Superior Campgrounds Of America LLC: Silver City Rv Resort	\$121,797.62	\$109,617.86
FOR POSSIBLE ACTION	40.	2015000005	Elko Acquisitions LLC dba Red Lion Chevron: Red Lion Chevron	\$13,390.34	\$12,051.31
FOR POSSIBLE ACTION	41.	2015000009	Travel Centers Of America: Las Vegas Travel Center	\$3,347.35	\$3,012.61
FOR POSSIBLE ACTION	42.	2015000013	7-Eleven INC: 7-Eleven #16896	\$49,355.31	\$44,419.78
FOR POSSIBLE ACTION	43.	2016000005	Golden Gate S.e.t. Retail Of Nevada LLC: Golden Gate Facility #65 - Fallon	\$8,195.10	\$7,375.59
FOR POSSIBLE ACTION	44.	2016000009	7-Eleven INC: 7-Eleven #13685	\$10,031.83	\$9,028.65
FOR POSSIBLE ACTION	45.	2016000011	Reno Seven Seas INC: Arco Am/pm	\$605.00	\$517.27
FOR POSSIBLE ACTION	46.	2016000012	DLF Corporation: Mr Ds Fastlane	\$7,197.47	\$6,477.72
FOR POSSIBLE ACTION	47.	2016000021	7-Eleven INC: 7-Eleven #29647	\$6,358.55	\$5,722.69
FOR POSSIBLE ACTION	48.	2016000023	Al Park Petroleum Inc: Pit Stop #1	\$27,505.56	\$19,804.01
FOR POSSIBLE ACTION	49.	2017000015	Gmr National A Nevada General Partnership: 24x7 Mini Mart	\$27,962.72	\$20,133.16
FOR POSSIBLE ACTION	50.	2017000035	Rebel Oil Company: Rebel Store #2177	\$26,132.80	\$23,499.41
FOR POSSIBLE ACTION	51.	2018000009	Reed Incorporated: Pacific Pride	\$4,882.75	\$4,394.47
			SUB TOTAL:	<u>\$1,324,988.23</u>	<u>\$1,139,798.11</u>
			RECOMMENDED CLAIMS TOTAL:	<u>\$1,394,449.53</u>	<u>\$1,207,107.42</u>

7. 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.	2018000026 Ggg Real Estate Holdings LLC.: Ggg Real Estate Holdings, LLC	\$14,052.48	\$13,802.48
FOR DISCUSSION	2.	2018000027 Ksenia Timonina: Ksenia Timonina Residence	\$14,820.62	\$14,570.62
FOR DISCUSSION	3.	2018000028 Mintage Investment LLC: Mintage Investment, LLC	\$19,964.63	\$19,714.63
FOR DISCUSSION	4.	2018000030 Maribel Nicholson: Maribel Nicholson Residence	\$14,434.45	\$14,184.45
FOR DISCUSSION	5.	2018000031 Stephanie Ball Living Trust: Stephanie J. Ball Residence	\$13,210.07	\$12,710.07
FOR DISCUSSION	6.	2018000036 Pearl Ormsby: Pearl S. Ormsby Residence	\$18,412.83	\$18,162.83
SUB TOTAL:			<u>\$94,895.08</u>	<u>\$93,145.08</u>

<u>ONGOING CASES</u>			<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	1994000015 Pilger Family Holdings: Former D & G Oil Company	\$37,178.43	\$37,178.43
FOR DISCUSSION	2.	1994000122 Michelsen's Gas A Mart, Inc: Mike's Chevron	\$10,503.11	\$10,503.11
FOR DISCUSSION	3.	1997000008 Ewing Bros Inc: Ewing Bros INC	\$11,892.50	\$10,703.25
FOR DISCUSSION	4.	1998000034 Chevron Usa Products CO.: Chevron #9-4116	\$128,100.05	\$114,683.57
FOR DISCUSSION	5.	1999000022 Terrible Herbst, INC.: Terrible Herbst #129 (Chevron)	\$10,320.78	\$9,288.70
FOR DISCUSSION	6.	1999000022 Terrible Herbst, INC.: Terrible Herbst #129 (Chevron)	\$9,830.75	\$8,847.67

FOR DISCUSSION	7.	1999000023	Nevada Ready Mix Corp: Nevada Ready Mix	\$23,703.95	\$21,333.55
FOR DISCUSSION	8.	1999000029	Terrible Herbst, INC.: Terrible Herbst #136 (Arco)	\$29,961.79	\$26,965.61
FOR DISCUSSION	9.	1999000029	Terrible Herbst, INC.: Terrible Herbst #136 (Arco)	\$16,167.33	\$14,550.60
FOR DISCUSSION	10.	1999000066	HP Management, LLC: Former Haycock Petroleum	\$44,304.31	\$39,828.88
FOR DISCUSSION	11.	1999000086	Terrible Herbst, INC.: Terrible Herbst #126 (Arco)	\$5,013.75	\$4,512.37
FOR DISCUSSION	12.	1999000086	Terrible Herbst, INC.: Terrible Herbst #126 (Arco)	\$3,177.50	\$2,859.75
FOR DISCUSSION	13.	1999000104	Terrible Herbst, INC.: Terrible Herbst #118 (Arco)	\$12,426.94	\$11,184.25
FOR DISCUSSION	14.	1999000135	Terrible Herbst, INC.: Terrible Herbst #106 (Gas) & #108 (Lube)	\$11,094.54	\$9,985.09
FOR DISCUSSION	15.	1999000137	Terrible Herbst, INC.: Terrible Herbst #152 (Gas) & #155 (Lube)	\$17,595.48	\$15,835.93
FOR DISCUSSION	16.	1999000137	Terrible Herbst, INC.: Terrible Herbst #152 (Gas) & #155 (Lube)	\$7,670.28	\$6,903.25
FOR DISCUSSION	17.	2005000044	Ewing Bros Inc: Ewing Bros INC	\$18,275.48	\$16,447.93
FOR DISCUSSION	18.	2009000017	D & J Holdings, LLC: Convenience Corner Shell	\$7,005.75	\$6,305.17
FOR DISCUSSION	19.	2013000009	Western Petroleum: Western Petroleum	\$20,808.30	\$18,727.47
FOR DISCUSSION	20.	2013000011	Har Moor Investments, LLC: Village Shop #4	\$16,565.00	\$14,908.50
FOR DISCUSSION	21.	2014000016	Smitten Oil And Tire Co Inc: Former Smitten Oil	\$7,159.47	\$6,430.02
FOR DISCUSSION	22.	2014000033	Speedee Mart Inc: Speedee Mart #108	\$26,664.60	\$23,998.14
FOR DISCUSSION	23.	2014000041	Forever Resorts: Callville Bay Resort Marina	\$4,935.00	\$4,441.50
FOR DISCUSSION	24.	†2016000027	Terrible Herbst, INC.: Terrible Herbst #272	\$16,548.60	\$37,915.86
FOR DISCUSSION	25.	2016000027	Terrible Herbst, INC.: Terrible Herbst #272	\$812.27	\$657.94
FOR DISCUSSION	26.	2017000027	John Edmond: Milk Gas Mart	\$3,735.00	\$3,361.50
			SUB TOTAL:	<u>\$501,450.96</u>	<u>\$478,358.04</u>
			DIRECT PAYMENT CLAIMS TOTAL:	<u>\$596,346.04</u>	<u>\$571,503.12</u>
			BOARD MEETING CLAIMS TOTAL:	<u>\$1,990,795.57</u>	<u>\$1,778,610.54</u>

8. EXECUTIVE SUMMARY (FOR DISCUSSION)

NDEP will brief the Board on Fund coverage activities, Fund expenditures, tank enrollment status, 1099 tax form determination from the Department of Agriculture, and Eagle Gas North cleanup status.

9. 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.

10. CONFIRMATION OF NEXT BOARD MEETING DATE (FOR DISCUSSION)

MARCH 14, 2019 (THURSDAY) AT 10:00 AM

11. 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 89155
Department of Conservation and Natural Resources, Richard H. Bryan Bldg., 901 S. Stewart St., 1st Floor, Carson City, NV 89701
Legislative Counsel Bureau, Nevada Legislative Bldg., 401 S. Carson St., Carson City, NV 89701
Legislative Counsel Bureau, Grant Sawyer Building, 555 E. Washington Ave., Rm. 1003, Las Vegas, NV 89101
Nevada Division of Tourism, Paul Laxalt Bldg., 401 N. Carson St., Carson City, NV 89701
Nevada Division of Environmental Protection, Bureau of Corrective Actions, 901 S. Stewart St., 3rd Floor, Carson City, NV 89701
Nevada Division of Environmental Protection, Bureau of Corrective Actions, 2030 E. Flamingo Rd., Ste. 230, Las Vegas, NV 89119
Nevada State Library & Archives, 100 N. Stewart St., Carson City, NV 89701
State Fire Marshal's Office, Stewart Facility, 107 Jacobsen Way, Carson City, NV 89701
Washoe County Commission Chambers, 1001 E. 9th St., Bldg. A, Reno, NV 89512
Washoe County District Health Department - Environmental Health Services Division, 1001 E. 9th St., Bldg. B, Reno, NV 89520
Washoe County Library, 301 S. Center St., Reno, NV 89501

You may also find the agenda posted on our web site 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> under State Government, Department of Conservation and Natural Resources, State of Nevada Board to Review Claims.

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify, in writing, NDEP, State of Nevada Board to Review Claims, in care of Victoria Joncas, 901 S. Stewart St., Ste. 4001, Carson City, NV 89701, facsimile (775) 687-8335, or by calling (775) 687-9369 no later than November 29, 2018.

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