

**STATE OF NEVADA BOARD TO REVIEW CLAIMS MEETING
MINUTES - SEPTEMBER 18, 2025**

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 of the Richard Bryan Building located at 901 South Stewart Street, Carson City, NV and teleconferenced to the Red Rock Conference Room of 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. Chair Tappan requested that item six of the agenda, Adoption of Consent Items, be taken out of order and heard following the first public comment period.

A. BOARD MEMBERS PRESENT

Chair, Maureen Tappan – Representative of the General Public
LeRoy Perks – Representative of the Independent Retailers of Petroleum
Alexander Knaack – Designee for the State Fire Marshal's Office
Karen Stoll – Department of Motor Vehicles
Jennifer Carr – Nevada Division of Environmental Protection
Jason Case – Representative of Independent Petroleum Dealers

B. BOARD MEMBERS ABSENT

Vice-Chair, Rod Smith – Representative of Petroleum Refiners

C. OTHERS PRESENT

Katie Armstrong – Legal Counsel, State of Nevada, Attorney General's Office

Megan Slayden, Gregory Johnson, Victor Alvarez, Jonathan McRae, Dean Peterson, Michael Mazziotta, Madison Mathers, Tristin Alishio, and Alexa Salls – Nevada Division of Environmental Protection (NDEP)

Keith Stewart – Stewart Environmental, Inc.
William Thompson - Southern Nevada Health District
Matt Grandjean – Stantec Consulting Services
Stephanie Holst – Broadbent & Associates, Inc.
Rex Heppe – Broadbent & Associates, Inc.
Jeremy Holst – Broadbent & Associates, Inc.
Evan Robinson - Broadbent & Associates, Inc.
Collin Schaumburg – ENCORE Consulting

In addition to the above-named participants, two guests called into the meeting using the teleconference number.

2. PUBLIC COMMENT

There were no public comments.

3. ADOPTION OF CONSENT ITEMS

The Board approved all items as a consent agenda item. There was no discussion regarding an individual item.

HEATING OIL

				<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	2024000017; 80889	Emil Yankov: Residence Of 2090 Carter Drive	\$769.00	\$769.00
FOR POSSIBLE ACTION	2.	2025000017; 80966	TI Talus Llc: Residence Of 3305 Bella Vista Ranch Road	\$19,475.60	\$19,225.60
FOR POSSIBLE ACTION	3.	2025000018; 80965	Teddy William Trust: Residence Of 6870 South Virginia Street	\$24,807.75	\$24,557.75
SUBTOTAL:				<u>\$45,052.35</u>	<u>\$44,552.35</u>

ONGOING CASES

				<u>REQUESTED</u>	<u>RECOMMENDED</u>
FOR POSSIBLE ACTION	1.	1993000102; 80952	Rebel Oil Company: Rebel Store #2008	\$72,064.72	\$64,169.05
FOR POSSIBLE ACTION	2.	1994000027; 80943	7-Eleven, Inc: 7-Eleven #19653	\$41,010.27	\$41,010.27
FOR POSSIBLE ACTION	3.	1995000039; 80920	Al Park Petroleum, Inc.: Crescent Valley Market	\$12,151.48	\$11,720.49
FOR POSSIBLE ACTION	4.	1995000042; 80933	Fbf, Inc.: Gas 4 Less	\$9,072.50	\$8,618.88
FOR POSSIBLE ACTION	5.	1999000243; 80956	7-Eleven, Inc: 7-Eleven #27607	\$28,920.65	\$26,028.59
FOR POSSIBLE ACTION	6.	2007000014; 80960	Raiders Oz Business, Llc: Former Ace Cab/frias Transportation	\$65,193.11	\$58,673.80
FOR POSSIBLE ACTION	7.	2007000016; 80915	Golden Gate Petroleum Of Nevada Llc: Golden Gate Petroleum #43 - Sun Valley	\$12,711.12	\$11,344.76
FOR POSSIBLE ACTION	8.	2009000024; 80954	Sjk Investments, Llc: Chuck's Circle C	\$33,643.71	\$30,279.34
FOR POSSIBLE ACTION	9.	2010000009; 80921	Hpt Ta Properties Trust: Mill City Travel Center	\$21,060.19	\$17,034.45
FOR POSSIBLE ACTION	10.	2013000019; 80922	Hardy Enterprises, Inc.: Elko Sinclair #53	\$16,873.42	\$15,186.08
FOR POSSIBLE ACTION	11.	2014000007; 80932	7-Eleven, Inc: 7-Eleven #29658	\$36,373.67	\$32,736.30
FOR POSSIBLE ACTION	12.	2014000025; 80923	Superior Campgrounds Of America, Llc: Silver City RV Resort	\$21,417.35	\$19,275.61
FOR POSSIBLE ACTION	13.	2015000009; 80877	Hpt Ta Properties Trust: Las Vegas Travel Center	\$54,191.18	\$42,089.13
FOR POSSIBLE ACTION	14.	2016000023; 80925	Al Park Petroleum, Inc.: Pit Stop #1	\$31,960.69	\$878.91
FOR POSSIBLE ACTION	15.	2017000015; 80934	Ellen 5, Llc: Auto Center (green Valley Grocery #63)	\$7,557.75	\$6,801.97
FOR POSSIBLE ACTION	16.	2018000005; 80946	Rebel Oil Company: Rebel Store # 2153	\$8,766.49	\$7,889.84
FOR POSSIBLE ACTION	17.	2018000009; 80927	Reed Incorporated: Pacific Pride	\$40,230.66	\$36,207.59
FOR POSSIBLE ACTION	18.	2020000015; 80935	Canyon Plaza, Llc: Gas 2 Go	\$51,830.15	\$27,983.37
FOR POSSIBLE ACTION	19.	2021000014; 80936	Pilot Travel Centers Llc: Pilot Travel Centers LLC #341	\$11,234.92	\$10,100.72
FOR POSSIBLE ACTION	20.	2022000015; 80950	Rebel Oil Company: Rebel Store #2197	\$20,008.50	\$14,406.12
FOR POSSIBLE ACTION	21.	2022000018; 80937	Pilot Travel Centers Llc: Pilot Travel Centers LLC #341	\$11,499.15	\$8,258.72
FOR POSSIBLE ACTION	22.	2022000035; 80930	7-Eleven, Inc: 7-Eleven #29407	\$37,469.91	\$33,722.92
FOR POSSIBLE ACTION	23.	2023000018; 80918	Reed Incorporated: R Place #1	\$7,494.74	\$6,745.27
FOR POSSIBLE ACTION	24.	2024000008; 80939	Midjit Market, Inc.: Green Valley Grocery #58	\$19,127.60	\$13,771.87
SUBTOTAL:				<u>\$671,863.93</u>	<u>\$544,934.05</u>

RECOMMENDED CLAIMS TOTAL: \$716,916.28 \$589,486.40

LeRoy Perks moved to approve the consent items as proposed. Jennifer Carr seconded the motion. Jason Case recused himself from items 1, 16, and 20. Motion passed unanimously.

4. **APPROVAL OF THE JUNE 12, 2025 MINUTES**

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

Leroy Perks moved to approve the June 12, 2025 minutes. Jason Case seconded the motion. Motion passed unanimously.

5. **STATUS OF THE FUND**

Megan Slayden, NDEP, provided a summary of revenues into the Fund for State Fiscal Year of 2025, noting that the balance forward from State Fiscal Year 2024 was \$7,500,000. Approximately \$411,550 were received from 2025 tank system enrollment fees, approximately \$14,092,918 were generated by the \$0.0075 Petroleum Fee, and the Fund earned approximately \$478,647 in interest. The total revenue of the Fund for State Fiscal Year 2025, minus the balance forward amount for State Fiscal Year 2026, was \$14,983,115.15. The following are the total fund expenditures for State Fiscal Year 2025: Board member salaries equaled approximately \$1,349; in-state travel costs for Board members were approximately \$295; Board meeting operating costs were approximately \$995; the annual transfer to the State Highway fund was approximately \$8,478,432; money transferred to NDEP for program administration, staff salaries, and ongoing program maintenance was approximately \$1,462,374; funding for state-led petrochemical cleanups was approximately \$109,723; the annual transfer to the account for the management of air quality was approximately \$123,015; payment to the Department of Motor Vehicles for assessing the cleanup fee was \$12,714; and reimbursement of Petroleum Fund claims totaled approximately \$4,794,219. The total expenditures of the Fund for State Fiscal Year 2025 were \$14,983,115.15.

Ms. Slayden then provided a summary of revenues into the Fund for the State Fiscal Year 2026 thus far, noting that it began July 1, 2025. The balance forward from State Fiscal Year 2025 was \$7,500,000. Approximately \$12,600 had been received from tank system registration fees for enrollment year 2026. Total revenue received by the Fund for the current Fiscal Year is \$7,512,600. The following are the total Fund expenditures for State Fiscal Year 2026 thus far: Board member personnel costs equal approximately \$76; reimbursement of Petroleum Fund claims totaled approximately \$361,705. The total expenditures from the Fund thus far equal \$361,781.21. The total funding currently available within the Petroleum Fund for State Fiscal Year 2026 is \$7,150,818.79.

Ms. Slayden also noted that some items from the new fiscal year were unavailable due to the statewide system outage at the time the report was produced, and there would be updated numbers provided in the December meeting.

6. SITE SPECIFIC BOARD DETERMINATION FOR ADDITIONAL CLEANUP ALLOTMENT

Gregroy Johnson, NDEP presented a request for an additional allotment of funding under Board Policy Resolution 2023-01.

Site Specific Board Determination number C2025-07 proposes to provide an additional allotment of funding to 7-Eleven Store #29646. This is for Petroleum Fund case 1993000011, Facility ID 8-000436.

The subject site, identified as 7-Eleven Store #29646, located at 4325 West Sahara Ave, Las Vegas, Nevada, was previously awarded coverage for a leak from a gasoline storage tank system with a 10% copayment. The operator has requested an additional allotment of funding in accordance with Policy Resolution 2023-01, which is provided as Appendix A in your binders. Petroleum Fund staff have reviewed this request and prepared this SSBD to help the Board determine eligibility.

The following is a brief history of what has occurred at this site over the past year:

April 25, 2025, the case officer requested additional cleanup activities be performed at the site. In this correspondence, the case officer concurred with the plan and schedule provided by the CEM. This correspondence is available in the request for an additional allotment.

On May 23, 2025, the operator submitted a request for an additional allotment of funding, in accordance with Policy Resolution 2023-01, which addressed each item listed in statute. The request is provided in Appendix B. Also included in the request for an additional allotment of funding, in Attachment A, are two emails dated April 23, 2025, and April 25, 2025, respectively, discussing preparation of a workplan and resuming coverage under the Petroleum Fund. The last claim, #80023 was approved for payment at the June 3, 2021, Board meeting, which exhausted all available cleanup funding for the case.

August 18, 2025, the Nevada Division of Environmental Protection (NDEP) case officer concurred that the operator is compliant with required assessment and cleanup directives at the site. The case officer concurrence is provided under Appendix B, Attachment C.

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.380(1).

Based on a 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 7-Eleven Store #29646. This represents \$1,000,000 in funding, minus a 10% copayment. The Board has the authority to approve a value of not greater than \$1,000,000 for this allotment.

Chair Tappan opened the floor for questions.

There were no questions.

LeRoy Perks moved to adopt Site Specific Board Determination No. C2025-07 as proposed, granting additional cleanup funding in accordance with Board Policy Resolution 2023-01 under the State of Nevada Petroleum Fund to 7-Eleven Store #29646 for \$900,000.00. This represents \$1,000,000.00 in coverage, minus a 10% copayment. Jason Case seconded the motion. There was no discussion. Motion passed unanimously.

7. 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.

<u>HEATING OIL</u>				<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	2024000032; 80880	California Avenue Rentals, Llc: Residence Of 570 California Avenue	\$24,714.67	\$24,214.67
FOR DISCUSSION	2.	2025000007; 80928	Robin Novak: Residence Of 886 Primrose Street	\$22,985.17	\$22,985.17
FOR DISCUSSION	3.	2025000010; 80926	Kathleen Sebahar: Residence Of 1600 Mono Avenue	\$36,299.11	\$36,299.11
FOR DISCUSSION	4.	2025000012; 80931	Kristen Nork: 1055 Cinderella Drive	\$42,636.14	\$42,636.14
FOR DISCUSSION	5.	2025000014; 80940	Brianna Mick: Residence Of 385 Sunset Drive	\$21,028.28	\$20,778.28
FOR DISCUSSION	6.	2025000019; 80944	Samantha E. Terenzi: Residence Of 15105 Pinion Drive	\$32,623.80	\$32,373.80
FOR DISCUSSION	7.	2025000020; 80955	Majuba Llc: Residence Of 1600 Ferris Lane	\$31,227.71	\$30,977.71
FOR DISCUSSION	8.	2025000022; 80975	Lim Chu Kang Llc: Residence Of 412 Roberts Street	\$21,044.11	\$20,794.11
SUBTOTAL:				<u>\$232,558.99</u>	<u>\$230,308.99</u>
<u>NEW CASES</u>				<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	2024000022; 80941	Circle K Stores, Inc.: Circle K Store #2701365	\$20,955.65	\$4,164.37
FOR DISCUSSION	2.	2024000031; 80942	Circle K Stores, Inc.: Circle K Store #2701791	\$20,477.66	\$4,027.37
SUBTOTAL:				<u>\$41,433.31</u>	<u>\$8,191.74</u>
<u>ONGOING CASES</u>				<u>REQUESTED</u>	<u>PAID</u>
FOR DISCUSSION	1.	1999000023; 80951	Nevada Ready Mix Corp: Nevada Ready Mix	\$13,890.35	\$12,501.31
FOR DISCUSSION	2.	1999000066; 80953	HP Management, Llc: Former Haycock Petroleum	\$59,715.78	\$53,744.20
FOR DISCUSSION	3.	2011000009; 80919	Cimarron West: Cimarron West	\$10,585.55	\$9,526.99
FOR DISCUSSION	4.	2019000014; 80949	Western Cab Co: Western Cab CO	\$8,080.00	\$7,272.00
FOR DISCUSSION	5.	2022000012; 80948	Neissan Koroghli: City C-Store (7-11)	\$6,357.00	\$5,721.30
FOR DISCUSSION	6.	2023000028; 80947	Anderson Dairy, Inc.: Anderson Dairy Inc	\$5,054.00	\$4,548.60
FOR DISCUSSION	7.	2024000013; 80860	Ernies Truck Plaza, Inc.: Las Vegas Cardlock	\$58,152.00	\$29,890.08
SUBTOTAL:				<u>\$161,834.68</u>	<u>\$123,204.48</u>
DIRECT PAYMENT CLAIMS TOTAL:				<u>\$435,826.98</u>	<u>\$361,705.21</u>
BOARD MEETING CLAIMS TOTAL:				<u>\$1,152,743.26</u>	<u>\$951,191.61</u>

8. EXECUTIVE SUMMARY

Megan Slayden, NDEP, provided the Board with the quarterly executive summary report for the Petroleum Fund. Tank enrollment fees are tracked pursuant to the Federal Fiscal Year, which runs from October 1st through September 30th of each year. The annual invoices for enrollment year 2025 were issued August 14, 2024, and a total of 1,324 facilities had been invoiced as of September 4, 2025. Approximately 1,317, or about 99% of the invoiced facilities, had submitted the required tank enrollment fees. Annual invoicing for enrollment year 2026 was produced on August 13, 2025, and that enrollment year will start October 1, 2025.

A summary of facilities that are eligible for Fund coverage or have received reimbursement payments from the Fund following a release was provided. Since the inception of the Fund, a total of 1,886 remediation cases have applied for Petroleum Fund coverage. 174 of those cases were denied due to ineligibility or other reasons. Of the total cases provided Fund coverage, 1,631 of them have been closed and no longer receive cleanup reimbursement. There are currently 74 active Fund cases. Since January 1, 2025, NDEP has received 25 new applications for Fund coverage. There are 7 applications currently under review. Prior to this Board meeting, the Board to Review Claims approved a cumulative total of \$267,093,096.92 for reimbursement to petroleum storage tank operators throughout Nevada for cleanup expenses. This cumulative total includes \$361,705.21 for claims paid using the direct payment method since the last Board meeting. With today's Board approval of \$589,486.40, the cumulative Fund expenditure will increase to \$267,682,583.32. Lastly, there were no grants for UST upgrades issued this quarter.

9. PUBLIC COMMENT

There were no public comments.

10. CONFIRMATION OF NEXT BOARD MEETING DATE

Chair Tappan confirmed that the next Board meeting is tentatively scheduled for December 11, 2025, at 10:00 am

11. ADJOURNMENT

Chair Tappan adjourned the meeting at 10:35 a.m.