



Public Notice: **Proposed No Further Action Determination**

Former Smothers Deluxe Shell
(Central Valley Water Board Case No. 5T24000562)
55 West 16th Street, Merced, Merced County, CA

State Water Resources
Control Board
E. Joaquin Esquivel,
Chair

Regional Water Quality
Control Board,
Central Valley Region
Nicholas Avdis,
Chair

Contact:
Bret Sample
Regional Water Quality
Control Board,
Central Valley Region

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The Central Valley Regional Water Quality Control Board (Central Valley Water Board) invites public comments regarding the intent of the Board to grant regulatory closure for the leaking underground storage tank (UST) case at the former Smothers Deluxe Shell, located at 55 West 16th Street in Merced, California (Site). The Site is located on the north side of West 16th Street in an area of commercial and residential properties. The former Smothers Deluxe Shell fueling facility ceased operations prior to June 2007.

In June 2007, three USTs (one 8,000-gallon gasoline, and two 4,000-gallon gasoline) were closed in-place, and two waste oil USTs (450-gallon) and associated infrastructure were removed from the Site. During UST removal activities, an undocumented amount of impacted soil was excavated and disposed off-Site.

In August 2025, Frey Environmental, Inc. (Frey) advanced ten soil borings on- and off-Site to assess residual petroleum hydrocarbon impacts. Based on environmental assessment data collected, the extent of residual petroleum hydrocarbons in soil and groundwater is limited and are not anticipated to pose a threat to public health or waters of the State. The environmental assessment data also shows that residual petroleum-related compounds are expected to further decline and are unlikely to migrate beyond their current extent.

Based on the results of the recent investigation activities performed at the Site, Frey, on behalf of the property owner, have requested regulatory closure of the associated environmental case under the State Water Resources Control Board's *Low-Threat Underground Storage Tank Case Closure Policy (Low-Threat Closure Policy)*.

Central Valley Water Board staff have reviewed the data and information submitted by Frey and believe this request has merit.

Public Comment Period:
20 July 2026 through 18 September 2026

This Public Notice is being provided to you because your parcel is located adjacent to the former Smothers Deluxe Shell facility, or you have been identified as a potentially interested party. To allow you and other interested parties to comment on the proposed case closure, please contact the Central Valley Water Board **by 18 September 2026**. After that date, Central Valley Water Board staff intends to complete its closure review process and close the associated environmental case.

If you have questions or would like to comment on the proposed case closure and No Further Action determination, please contact Bret Sample at the Central Valley Water Board using the contact information provided above or by mail at:

Bret Sample
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

For More Information

Additional information is available on the [State Water Resources Control Board's Geotracker website](http://geotracker.waterboards.ca.gov/?gid=T10000000190) (<http://geotracker.waterboards.ca.gov/?gid=T10000000190>) and the case file, which is available at the Central Valley Water Board office in Rancho Cordova. To make an appointment, please call (916) 464-3291.

Notice to the Hearing Impaired

TDD users can obtain additional information using the California State Relay Service (800) 735-2929 to reach the Public Participation Specialist. Ask them to contact the Central Valley Water Board at (916) 464-3291 regarding the proposed "No Further Action" determination for this case.

Generalized Site Features

