

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Dave Klotzle, City Engineer/Public Works Director 
Prepared By: Shaun Kroes, Senior Management Analyst 

DATE: June 28, 2013 (CC Meeting of 07/17/13)

SUBJECT: Consider Resolution Revising Stormwater Inspection Fees Consistent with Sections 8.52.150, 8.52.160 and 8.52.170 of the Moorpark Municipal Code (Business Inspection) Relating to Stormwater Quality Management

SUMMARY

On April 16, 2008, City Council adopted Resolution 2008-2704, which established annual Business Inspection Fees and Re-inspection Fees (Fees) for stormwater inspections provided at automotive and food service facilities. On June 16, 2010, City Council adopted Resolution 2010-2925, which updated the existing business inspection fees and added new inspection fees for nursery, laundry, and industrial facilities, pursuant to the Los Angeles Regional Water Quality Control Board (RWQCB) approved new Municipal Storm Water National Pollutant Discharge Elimination System (NPDES) Permit 09-0057 (Permit 09-0057) which was approved on May 7, 2009. Permit 09-0057 was later re-adopted as Permit 2010-0108 on July 8, 2010 (Permit 10-0108). Inspections are performed once every two years. The Business Inspection Fee is divided in half and collected annually by the City. Resolution 2010-2925 states that the annual fee for business inspections shall be reviewed annually by the City Engineer/Public Works Director and Finance Director to determine if a revised fee resolution should be considered by City Council to reflect changes in the costs to implement the business inspection. Staff has reviewed previous NPDES inspection costs that occurred in the summer of 2010 and 2012 and determined that adjustments to the annual Fees should be implemented.

BACKGROUND

Resolution 2008-2704 established Fees for stormwater inspections provided at automotive and food service facilities as shown in the following table.

Stormwater Inspection Fees for Businesses per Resolution 2008-2704

Facility Inspected	Cost/ Inspection	Annual Inspection Fee	Cost/ Re-Inspection	Re-Inspection Fee
Food	\$89.00	\$45.00	\$45.00	\$45.00
Automotive	\$79.17	\$40.00	\$40.00	\$40.00

The Fees are administered and collected by the City's Community Development Department. Business Inspection Fees are collected at the same time as the Business Registration or Business Registration renewal. Re-inspection Fees are collected after a violation has occurred and the City must re-inspect the business. The Business Inspection Fee was divided over a two-year period in order to lower the annual dollar amount expended by businesses. The annual collection was also intended to establish an easier tracking and administering process for City staff. Per City Council direction, the Business Inspection Fees were phased in over a two-year period, starting July 1, 2008. The table below details the Fees in effect between FY 2008/09 and FY 2009/10.

Effective July 1, 2008

Facility Inspected	Inspection Fee	Re-Inspection Fee
Food	\$22.50	\$45.00
Automotive	\$20.00	\$40.00

Effective July 1, 2009

Facility Inspected	Inspection Fee	Re-Inspection Fee
Food	\$45.00	\$45.00
Automotive	\$40.00	\$40.00

If a violation is discovered during an inspection, the business must be re-inspected within six months of the violation, although, typically, the re-inspection occurs within four weeks of the violation. The Re-Inspection Fee (\$45.00 for food facilities; \$40.00 for automotive facilities) was established at half the cost as the regular Business Inspection Fee (\$90.00 for food facilities; \$80.00 for automotive facilities) since re-inspections usually take about half the time as regular inspections.

Resolution 2010-2925, approved by City Council on June 16, 2010, updated the existing Fees and added new inspection fees for nursery, laundry, and industrial facilities, pursuant to Permit 09-0057 which was approved on May 7, 2009. Permit 09-0057 was later re-

adopted as Permit 2010-0108 on July 8, 2010. The updated Fees are shown in the following table:

Stormwater Inspection Fees for Businesses per Resolution 2010-2925

Facility Inspected	Cost/ Inspection	Annual Inspection Fee	Cost/ Re-Inspection	Re-Inspection Fee
Food	\$90.00	\$45.00	\$45.00	\$45.00
Automotive	\$90.00	\$45.00	\$45.00	\$45.00
Nursery – Tier 1 (< 1 acre)	\$90.00	\$45.00	\$45.00	\$45.00
Nursery – Tier 2 (> 1 acre) Additional per-acre charge rate	\$90.00 plus \$10.00 per-acre above 1-acre	\$45.00 plus \$5.00 per-acre above 1-acre	\$45.00 plus \$5.00 per-acre above 1-acre	\$45.00 plus \$5.00 per-acre above 1-acre
Laundry – Tier 1 (General Public)	\$67.00	\$33.60	\$33.60	\$33.60
Laundry – Tier 2 (Commercial)	\$90.00	\$45.00	\$45.00	\$45.00
Industrial Facility – Tier 1 (Non-exposure)	\$90.00	\$45.00	\$45.00	\$45.00
Industrial Facility – Tier 2 (General Permit)	\$160.00	\$80.00	\$80.00	\$80.00

The Fees established in 2010 were based upon the following criteria:

1. A third-party contractor (Charles Abbott Associates) was to provide the inspection service for all of the facilities.

2. The Fees included travel time to and from the inspected sites, management and field staff hourly rates, including benefits, plus a 15 percent City administrative fee.

In an effort to reduce the number of facilities erroneously assessed an incorrect fee, the Department of Public Works has submitted separate business inspection fee letters to laundry, nursery, and industrial sites since FY 2010/11. Community Development's business registration software program is expected to be updated in FY 2013/14 to incorporate the new facilities for fee collection.

DISCUSSION

Since adoption of Resolution 2010-2925, the City has performed inspection services for food facilities. Based upon costs associated with those inspections, staff is recommending updating the Fees for all of the facilities subject to inspection. The proposed fee changes are described in the following narrative.

Based upon a recommendation by the City Attorney, the City will no longer charge a flat 15 percent administrative fee for each inspection. Instead, staff has calculated the time it spends tracking the stormwater inspection fee program, updating the list of facilities required to be inspected, and reviewing the inspection reports from the third party inspector. Staff time cost is then divided between all 141 facilities in Moorpark that are subject to the stormwater inspection fee. It should be noted that in prior inspection fee assessments, the City had approximately 211 facilities that were subject to inspection. After the inspections performed in 2012, the City was able to remove approximately 70 facilities that upon their initial inspections are no longer subject to full inspections. Staff estimates it spends approximately 40 hours a year on the stormwater inspection fee program. Based upon staff billing rates per Resolution 2012-3139, the staff time costs are calculated to be \$4,800.00; divided by 141 facilities, the per-facility fee is \$34.00. It should be noted that the reduction of the number of facilities inspected from 211 to 141 increases the per-facility fee that the remaining facilities are required to pay. As previously mentioned, prior annual inspection fees charged a flat 15 percent administrative fee for each inspection, rather than the proposed administrative fee of projected staff time divided between the number of facilities inspected.

Food Service Facilities:

Permit 10-0108 continues the requirement that food service facilities (generally referred to as restaurants in Permit 10-0108) be inspected. Food service facilities include facilities that sell prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption. The inspection requires that best management practices (BMPs) as detailed in Permit 10-

0108 be effectively implemented at each facility. Permit 10-0108 requires that food service facilities be inspected twice during the five-year permit cycle. However, it is expected that any future permits would continue the inspection requirements. Consequently, it is staff's recommendation that the City continue inspecting food service facilities once every two years.

The current Business Inspection Fee for food service facilities is \$90.00/inspection, or \$45 every year. The current Re-inspection Fee is \$45/re-inspection. Based upon inspection costs incurred in 2010 and 2012, staff is recommending updating the food facility inspection fees as shown in the following table:

Proposed Stormwater Inspection Fees for Food Service Facilities

Food Service Facility	Cost/ Inspection	Annual Inspection Fee	Cost/ Re-Inspection	Re-Inspection Fee
Current Fees	\$90.00	\$45.00	\$45.00	\$45.00
Proposed Fees	\$134.00	\$67.00	\$67.00	\$67.00
Percent Increase	49%	49%	49%	49%

The fees were calculated based upon the following calculations:

\$100.00	(Third party inspection service fee)
<u>\$ 34.00</u>	(City staff costs based on Resolution 2012-3139)
\$134.00	

Automotive Service Facilities:

Permit 10-0108 continues the requirement that automotive service facilities, which include general automotive service facilities, retail gasoline outlets, and automotive dealerships, be inspected. The inspection requires that BMPs as detailed in Permit 10-0108 be effectively implemented at each facility. Permit 10-0108 requires that automotive service facilities be inspected twice during the five-year permit cycle. However, it is expected that any future permits would continue the inspection requirements. Consequently, it is staff's recommendation that the City continue inspecting automotive service facilities once every two years.

The current Business Inspection Fee for automotive service facilities is \$90.00/inspection, or \$45 every year. The current Re-inspection Fee is \$45/re-inspection. Based upon inspection costs that took place in 2010 and 2012, staff is recommending updating the automotive facility inspection fees as shown in the following table:

Proposed Stormwater Inspection Fees for Automotive Service Facilities

Automotive Service Facility	Cost/ Inspection	Annual Inspection Fee	Cost/ Re-Inspection	Re-Inspection Fee
Current Fees	\$90.00	\$45.00	\$45.00	\$45.00
Proposed Fees	\$134.00	\$67.00	\$67.00	\$67.00
Percent Increase	49%	49%	49%	49%

The fees were calculated based upon the following calculations:

\$100.00	(Third party inspection service fee)
\$ 34.00	(City staff costs based on Resolution 2012-3139)
<u>\$134.00</u>	

Nursery Facilities:

Permit 10-0108 requires that commercial nurseries and nursery centers (merchant wholesalers, nondurable goods, and retail trade) be inspected if they do not comply with the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands (Order No. R4-2005-0080). Nursery facilities also include farm supply stores. Although not specifically required by Permit 10-0108, staff recommends that the City consider commercial businesses with an outdoor garden center (such as the Do It Center) subject to inspection services as well. These outdoor garden centers are a potential critical source of pollutants, including sediment, pesticides, and fertilizers. The inspection requires that BMPs as detailed in Permit 10-0108 be effectively implemented at each facility. Permit 10-0108 requires that nursery facilities be inspected twice during the five-year permit cycle. However, it is expected that any future permits would continue the inspection requirements. Consequently, it is staff's recommendation that the City continue inspecting nursery facilities once every two years.

Due to the potential variation in time required to inspect a nursery, a two-tiered rate was proposed. Tier 1 is for nursery facilities less than or equal to an acre. Tier 2 is an additional per-acre fee for facilities larger than one acre. Based upon inspection costs that took place in 2010 and 2012, staff is recommending updating the nursery facility inspection fees as shown in the following tables:

Proposed Stormwater Inspection Fees for Nursery Facility Tier 1 (<1 acre)

Nursery Facility Tier 1 (< 1 acre)	Cost/ Inspection	Annual Inspection Fee	Cost/ Re-Inspection	Re-Inspection Fee
Current Fees	\$90.00	\$45.00	\$45.00	\$45.00
Proposed Fees	\$134.00	\$67.00	\$67.00	\$67.00
Percent Increase	49%	49%	49%	49%

The fees were calculated based upon the following calculations:

\$100.00 (Third party inspection service fee)
 \$ 34.00 (City staff costs based on Resolution 2012-3139)
 \$134.00

Proposed Stormwater Inspection Fees for Nursery Facility Tier 2 (>1 acre)

Nursery Facility Tier 2 (> 1 acre)	Cost/ Inspection	Annual Inspection Fee	Cost/ Re-Inspection	Re-Inspection Fee
Current Fees	\$90.00 plus \$10.00 per-acre above 1-acre	\$45.00 plus \$5.00 per-acre above 1-acre	\$45.00 plus \$5.00 per-acre above 1-acre	\$45.00 plus \$5.00 per-acre above 1-acre
Proposed Fees	\$134.00 plus \$10.00 per-acre above 1-acre	\$67.00 \$5.00 per-acre above 1-acre	\$67.00 \$5.00 per-acre above 1-acre	\$67.00 \$5.00 per-acre above 1-acre
Percent Increase	49%	49%	49%	49%

The fees were calculated based upon the following calculations:

\$100.00 (Third party inspection service fee)
 \$ 34.00 (City staff costs based on Resolution 2012-3139)
 \$134.00

Laundry Facilities:

Permit 10-0108 requires that laundry facilities be inspected. Laundry facilities include large commercial cleaning facilities that provide laundry services for businesses as well as small coin-operated facilities and dry cleaners. The inspection requires that BMPs as detailed in Permit 10-0108 be effectively implemented at each facility. Permit 10-0108 requires that

laundry facilities be inspected twice during the five-year permit cycle. However, it is expected that any future permits would continue the inspection requirements. Consequently, it is staff's recommendation that the City continue inspecting laundry facilities once every two years.

The laundry inspection rates approved by City Council on June 16, 2010, included a two-tiered rate. Tier 1 was for laundry facilities open to the general public, such as coin-operated facilities and dry cleaners. Tier 2 was for laundry facilities that serve commercial establishments. Since adoption of Resolution 2010-2925 staff has concluded that large commercial cleaning facilities are also subject to the General Stormwater Permit for Industrial Activities. Consequently, staff is proposing to eliminate the Tier 2 inspection fee and instead consider commercial laundry facilities as industrial facilities that would be subject to industrial facility inspection fees (detailed further in this staff report). Based upon inspection costs that took place in 2010, staff is recommending updating the laundry facility inspection fees as shown in the following table:

Proposed Stormwater Inspection Fees for Laundry Facility Tier 1 (general public)

Laundry Facility Tier 1 (general public)	Cost/ Inspection	Annual Inspection Fee	Cost/ Re-Inspection	Re-Inspection Fee
Current Fees	\$67.00	\$33.60	\$33.60	\$33.60
Proposed Fees	\$104.00	\$52.00	\$52.00	\$52.00
Percent Increase	55%	55%	55%	55%

The fees were calculated based upon the following calculations:

\$ 70.00 (Third party inspection service fee)
\$ 34.00 (City staff costs based on Resolution 2012-3139)
 \$104.00

Current Stormwater Inspection Fees for Laundry Facility Tier 2 (commercial)

Laundry Facility Tier 2 (commercial)	Cost/ Inspection	Annual Inspection Fee	Cost/ Re-Inspection	Re-Inspection Fee
Current Fees	\$90.00	\$45.00	\$45.00	\$45.00

As previously mentioned, it is proposed to eliminate the fee structure for commercial laundry facilities as they are required to obtain a General Stormwater Permit for Industrial

Activities which would make them subject to the industrial facility inspection fee detailed in this staff report. It should be noted that Exhibit A to Resolution 2010-2925 has an incorrect dollar amount of \$90.00 for commercial laundry facilities. The \$90.00 was not assessed incorrectly against any laundry facility in FY 2010/11.

Industrial Facilities:

Permit 2010-0108 requires that industrial facilities be inspected. Industrial facility inspections are slightly different than previous inspected facilities mentioned before. The City must inspect all industrial facilities that are subject to the General Stormwater Permit for Industrial Activities. The inspection requires inspection of BMPs as required by the General Stormwater Permit; confirmation that the industrial facility has a stormwater pollution prevention plan (SWPPP) on site; and confirmation that the industrial facility is complying with the SWPPP. Industrial facilities subject to the General Stormwater Permit are required to be inspected twice during the five-year permit cycle. However, it is expected that any future permits would continue the inspection requirements. Consequently, it is staff's recommendation that the City continue inspecting industrial facilities once every two years. As detailed below inspection costs for Tier 2 facilities remain essentially the same, based upon the actual length of time that the inspector has had to spend at Tier 2 facilities.

Some industrial facilities have the ability to file a Notice of Non-Applicability for Category 10 exemption status (Non-exposure status) with the RWQCB. The City must first inspect each facility, however, to determine whether or not the industrial facility qualifies for Non-exposure status. For those industrial facilities that qualify, Permit 10-0108 requires that the City inspect 20% of each facility every year to confirm that the industrial facility continues to have Non-exposure status (essentially, the City could perform a parking lot inspection to confirm that the facility continues to not have any materials exposed to run-off).

Due to the potential variation in time required to inspect an industrial facility, a two-tiered rate was proposed. Tier 1 is for industrial facilities that have the ability to file for Non-exposure status. Tier 2 is for industrial facilities that are required to comply with the General Stormwater Permit for Industrial Activities. Based upon inspection costs that took place in 2010 and 2012, staff is recommending updating the industrial facility inspection fees as shown in the following tables:

Proposed Stormwater Inspection Fees for Industrial Facility Tier 1 (non-exposure)

Industrial Facility Tier 1 (non-exposure)	Cost/ Inspection	Annual Inspection Fee	Cost/ Re-Inspection	Re-Inspection Fee
Current Fees	\$90.00	\$45.00	\$45.00	\$45.00
Proposed Fees	\$134.00	\$67.00	\$67.00	\$67.00
Percent Increase	49%	49%	49%	49%

The fees were calculated based upon the following calculations:

\$100.00 (Third party inspection service fee)
\$ 34.00 (City staff costs based on Resolution 2012-3139)
 \$134.00

Proposed Stormwater Inspection Fees for Industrial Facility Tier 2 (general permit)

Industrial Facility Tier 2 (general permit)	Cost/ Inspection	Annual Inspection Fee	Cost/ Re-Inspection	Re-Inspection Fee
Current Fees	\$160.00	\$80.00	\$80.00	\$80.00
Proposed Fees	\$164.00	\$82.00	\$82.00	\$82.00
Percent Increase	3%	3%	3%	3%

The fees were calculated based upon the following calculations:

\$130.00 (Third party inspection service fee)
\$ 34.00 (City staff costs based on Resolution 2012-3139)
 \$164.00

As mentioned earlier, after the Non-exposure industrial facilities have been inspected once, only 20% of the inspected facilities must be re-inspected every year. Staff estimates that only fifteen minutes would be required to re-inspect the Non-exposure industrial facility by performing a parking lot inspection. Due to the short amount of time expected for these re-inspections (not associated with violations), staff proposes to not charge the Non-exposure industrial facilities after they have received their first inspection and filed for Non-exposure status. Any industrial facility that fails to file for Non-exposure status would continue to be inspected once every two years and continue to be charged the Tier 1 rate.

Other Facilities:

Permit 10-0108 includes inspection requirements for additional facilities, including U.S. EPA Phase I and II facilities; municipal landfills, hazardous waste treatment, disposal, and recovery facilities; and facilities subject to the Emergency and Community Right-to-Know Act (EPCRA). To staff's knowledge, there are only two EPCRA facilities in the City of Moorpark. Both facilities are covered by the industrial facility inspections detailed above. In anticipation of the potential facility establishments in the City, staff proposed Fees for their inspection. Based upon inspection costs that took place in 2010 and 2012, staff is recommending updating the industrial facility inspection fees as shown in the following table:

Proposed Stormwater Inspection Fees for Other Facility

Other Facility	Cost/ Inspection	Annual Inspection Fee	Cost/ Re-Inspection	Re-Inspection Fee
Current Fees	\$160.00	\$80.00	\$80.00	\$80.00
Proposed Fees	\$164.00	\$82.00	\$82.00	\$82.00
Percent Increase	3%	3%	3%	3%

The fees were calculated based upon the following calculations:

\$130.00	(Third party inspection service fee)
<u>\$ 34.00</u>	(City staff costs based on Resolution 2012-3139)
\$164.00	

ENVIRONMENTAL DETERMINATION

The Community Development Director has determined that the proposed revised business inspection fees for stormwater quality management, consistent with Sections 8.52.150, 8.52.160, and 8.52.170 of the Moorpark Municipal Code, are exempt from the provisions of the California Environmental Quality Act, in that the action of the City Council does not involve the consideration of the approval of a project.

FISCAL IMPACT

Staff has estimated the number of each facility subject to the Fees and the respective funds generated if City Council approves the Fees. It should be noted that funds collected would offset City staff time and consultant's costs associated with inspections performed.

Estimated Annual Fees Collected by Facility Type

Facility Type	Estimated Number of Facilities	Estimated Annual Fees Collected
Automotive Facility	28	\$1,876.00
Food Facility	91	\$6,097.00
Nursery Facility – Tier 1	3	\$201.00
Nursery Facility – Tier 2	0	\$0.00
Laundry Facility – Tier 1	8	\$416.00
Laundry Facility – Tier 2	0	\$0.00
Industrial Facility – Tier 1	5*	\$335.00
Industrial Facility – Tier 2	6	\$492.00
Other Facilities	0	\$0.00
Total Facilities	141	\$9,417.00

* majority of Tier 1 facilities have been inspected and will now receive parking lot inspections with no fee.

STAFF RECOMMENDATION (ROLL CALL VOTE)

1. Open the Public Hearing, accept public testimony, and close the Public Hearing;
and
2. Adopt Resolution No. 2013-_____, rescinding Resolution No. 2010-2925 upon the effective date of July 17, 2013.

Attachment:

Draft Resolution

RESOLUTION NO. 2013-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, REVISING THE BUSINESS INSPECTION FEE SCHEDULE, CONSISTENT WITH SECTIONS 8.52.150, 8.52.160, AND 8.52.170 OF THE MOORPARK MUNICIPAL CODE RELATING TO STORMWATER QUALITY MANAGEMENT, AND RESCINDING RESOLUTION NO. 2010-2925

WHEREAS, on July 1, 2008 Ordinance No. 368, establishing Sections 8.52.150 (Business inspections), 8.52.160 (Business inspection fee) and 8.52.170 (Business re-inspection) of the Moorpark Municipal Code, took effect; and

WHEREAS, the City Council determined that the cost of the implementation of the Ordinance shall be offset by fees for businesses requiring inspection to ensure National Pollutant Discharge Elimination System (NPDES) compliance; and

WHEREAS, the proposed fees for inspections for NPDES compliance are based on estimated City of Moorpark actual costs; and

WHEREAS, the City Council concurs with the Community Development Director determination that the proposed revision and addition of new business inspection fees for stormwater quality management, is consistent with Sections 8.52.150, 8.52.160, and 8.52.170 of the Moorpark Municipal Code is exempt from the provisions of the California Environmental Quality Act, in that the action of the City Council does not involve the consideration of the approval of a project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Fees for the Business Inspection shall be per the schedule in Exhibit "A".

SECTION 2. This Resolution shall become effective July 17, 2013, and Resolution No. 2010-2925 shall be rescinded upon that date.

SECTION 3. The City Manager shall be authorized to refund payment to a business that has been assessed an incorrect fee.

SECTION 4. The annual fee for business inspection shall be reviewed annually by the City Engineer/Public Works Director and Finance Director to determine if a revised

fee resolution should be considered by City Council to reflect changes in the costs to implement the business inspection.

SECTION 5. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 17th day of July, 2013.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

Exhibit A – Moorpark Business Inspection Fee Schedule

**EXHIBIT A
 MOORPARK BUSINESS INSPECTION FEE SCHEDULE**

EFFECTIVE JULY 17, 2013

Facility Inspected	Annual Inspection Fee	Re-Inspection Fee
Food	\$67.00	\$67.00
Automotive	\$67.00	\$67.00
Nursery – Tier 1 (< 1 acre)	\$67.00	\$67.00
Tier 2 (> 1 acre) additional per-acre charge rate	\$67.00 plus \$5.00 per-acre above 1-acre	\$67.00 plus \$5.00 per-acre above 1-acre
Laundry – Tier 1 (General Public)	\$52.00	\$52.00
Laundry – Tier 2 (Commercial)	See Industrial Facility – Tier 2	See Industrial Facility – Tier 2
Industrial Facility – Tier 1 (Non-exposure)*	\$67.00	\$67.00
Industrial Facility – Tier 2 (General Permit)	\$82.00	\$82.00
Other**	\$82.00	\$82.00

* Non-exposure Industrial facilities, after they have received their first inspection and filed for Non-exposure status, shall not be charged additional inspection fees. Any industrial facility that fails to file for Non-exposure status shall continue to be inspected once every two years and continue to be charged the Tier 1 rate.

** Other Facilities include US EPA Phase I and II Facilities; Municipal Landfills; Hazardous Waste Treatment, Disposal, and Recovery Facilities; and Emergency and Community Right-to-Know Act (EPCRA)