

**3.A. STRATEGY REQUEST**  
 80th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/30/2006  
 TIME: 4:00:21PM

Agency code: **582** Agency name: **Commission on Environmental Quality**

GOAL: 3 Enforcement and Compliance Assistance  
 OBJECTIVE: 1 To Increase Compliance and Response to Citizen Inquiries  
 STRATEGY: 1 Field Inspections and Complaint Response

Statewide Goal/Benchmark: 6 7  
 Service Categories:  
 Service: 36 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2005	Est 2006	Bud 2007	BL 2008	BL 2009
<b>Output Measures:</b>						
1	Number of Inspections/Investigations of Air Sites	16,268.00	9,614.00	13,000.00	13,000.00	13,000.00
2	Number of Inspections/Investigations of Water Rights Sites	34,259.00	33,985.00	34,000.00	34,000.00	34,000.00
3	Number of Inspections/Investigations of Water Sites	8,919.00	8,512.00	8,500.00	8,500.00	8,500.00
4	# Inspections of Livestock and Poultry Operation Sites	752.00	675.00	700.00	700.00	700.00
5	Inspections/Investigations of Waste Sites	7,241.00	8,600.00	7,358.00	7,358.00	7,358.00
6	Number of Spill Cleanup Inspections	460.00	500.00	400.00	400.00	400.00
<b>Efficiency Measures:</b>						
1	Average Inspection/Inves Cost of Livestock and Poultry Operations	474.00	770.00	770.00	770.00	770.00
2	Avg. Time Air/Water/Waste Inspection to Report Completion	29.30	28.00	35.00	35.00	35.00
<b>Explanatory/Input Measures:</b>						
1	Number of Air Sites in Noncompliance	515.00	450.00	450.00	450.00	450.00
2	Number of Water Sites and Facilities in Noncompliance	720.00	650.00	675.00	675.00	675.00
3	Number of Waste Sites in Noncompliance	833.00	800.00	700.00	450.00	350.00
4	Number of Citizen Complaints Investigations Completed	5,482.00	6,500.00	6,500.00	6,500.00	6,500.00
5	Number of Occupational Licensees	33.00	35.00	35.00	35.00	35.00
6	Number of Emission Events Investigations	3,027.00	6,386.00	3,000.00	3,000.00	3,000.00
<b>Objects of Expense:</b>						
1001	SALARIES AND WAGES	\$24,805,486	\$24,999,823	\$25,930,666	\$27,244,724	\$27,244,724
1002	OTHER PERSONNEL COSTS	\$1,014,838	\$1,022,789	\$1,060,871	\$1,114,632	\$1,114,632
2001	PROFESSIONAL FEES AND SERVICES	\$2,335,523	\$1,345,185	\$2,399,280	\$2,226,075	\$2,226,075
2002	FUELS AND LUBRICANTS	\$294,130	\$306,658	\$168,603	\$191,402	\$191,402
2003	CONSUMABLE SUPPLIES	\$89,791	\$85,649	\$135,024	\$135,024	\$135,024

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GOAL: 3 Enforcement and Compliance Assistance

Statewide Goal/Benchmark: 6 7

OBJECTIVE: 1 To Increase Compliance and Response to Citizen Inquiries

Service Categories:

STRATEGY: 1 Field Inspections and Complaint Response

Service: 36 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2005	Est 2006	Bud 2007	BL 2008	BL 2009
2004	UTILITIES	\$220,030	\$302,709	\$175,615	\$199,758	\$199,758
2005	TRAVEL	\$643,684	\$472,122	\$384,569	\$599,203	\$599,202
2006	RENT - BUILDING	\$1,696,096	\$1,255,206	\$1,090,518	\$1,129,656	\$1,129,656
2007	RENT - MACHINE AND OTHER	\$120,192	\$187,345	\$154,223	\$207,140	\$207,140
2009	OTHER OPERATING EXPENSE	\$3,603,867	\$2,916,918	\$2,662,418	\$1,784,475	\$2,024,480
5000	CAPITAL EXPENDITURES	\$1,799,282	\$1,526,265	\$634,776	\$703,561	\$660,035
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$36,622,919</b>	<b>\$34,420,669</b>	<b>\$34,796,563</b>	<b>\$35,535,650</b>	<b>\$35,732,128</b>

**Method of Financing:**

1	GENERAL REVENUE FUND	\$622,453	\$0	\$0	\$0	\$0
888	EARNED FEDERAL FUNDS	\$65,891	\$20,381	\$20,381	\$15,011	\$15,011
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS)</b>		<b>\$688,344</b>	<b>\$20,381</b>	<b>\$20,381</b>	<b>\$15,011</b>	<b>\$15,011</b>

**Method of Financing:**

146	USED OIL RECYCLE ACCT	\$367,605	\$418,011	\$427,487	\$400,918	\$400,918
151	CLEAN AIR ACCOUNT	\$2,099,096	\$1,561,762	\$1,533,040	\$1,399,974	\$1,499,974
153	WATER RESOURCE MANAGEMENT	\$6,397,180	\$6,379,483	\$6,691,723	\$6,656,781	\$6,724,800
549	HAZARDOUS/WASTE FEE ACCT	\$8,863,109	\$8,654,235	\$8,931,398	\$8,127,276	\$8,130,281
550	HAZARDOUS/WASTE REMED ACC	\$1,396,535	\$1,892,953	\$1,920,782	\$1,924,442	\$1,949,896
5094	Operating Permit Fees Account	\$9,182,003	\$8,724,331	\$8,977,355	\$8,977,355	\$8,977,355
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)</b>		<b>\$28,305,528</b>	<b>\$27,630,775</b>	<b>\$28,481,785</b>	<b>\$27,486,746</b>	<b>\$27,683,224</b>

**Method of Financing:**

555	FEDERAL FUNDS					
12.113.000	State Memorandum of Agree	\$101,992	\$159,548	\$163,759	\$163,759	\$163,759
66.419.000	Water Pollution Control_S	\$18,939	\$0	\$0	\$0	\$0

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GOAL: 3 Enforcement and Compliance Assistance

Statewide Goal/Benchmark: 6 7

OBJECTIVE: 1 To Increase Compliance and Response to Citizen Inquiries

Service Categories:

STRATEGY: 1 Field Inspections and Complaint Response

Service: 36 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2005	Est 2006	Bud 2007	BL 2008	BL 2009
66.460.000	Nonpoint Source Implement	\$62,630	\$0	\$0	\$0	\$0
66.474.000	Water Protection Coordination Grant	\$180,000	\$0	\$0	\$0	\$0
66.605.000	PPG PERFORMANCE PARTNERSH	\$6,746,700	\$6,545,210	\$6,061,485	\$6,061,485	\$6,061,485
66.805.000	Leaking Underground Stora	\$463,791	\$0	\$0	\$0	\$0
81.092.000	ENVIRONMENTAL RESTORATION	\$54,995	\$64,755	\$69,153	\$67,946	\$67,946
CFDA Subtotal, Fund 555		\$7,629,047	\$6,769,513	\$6,294,397	\$6,293,190	\$6,293,190
<b>SUBTOTAL, MOF (FEDERAL FUNDS)</b>		<b>\$7,629,047</b>	<b>\$6,769,513</b>	<b>\$6,294,397</b>	<b>\$6,293,190</b>	<b>\$6,293,190</b>

**Method of Financing:**

777 INTERAGENCY CONTRACTS	\$0	\$0	\$0	\$1,740,703	\$1,740,703
<b>SUBTOTAL, MOF (OTHER FUNDS)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,740,703</b>	<b>\$1,740,703</b>

**TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)** **\$35,535,650** **\$35,732,128**

**TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)** **\$36,622,919** **\$34,420,669** **\$34,796,563** **\$35,535,650** **\$35,732,128**

**FULL TIME EQUIVALENT POSITIONS:** **569.6** **537.2** **548.6** **577.3** **577.3**

**STRATEGY DESCRIPTION AND JUSTIFICATION:**

The principal activities of this strategy are the inspection/investigation of regulated facilities and response to complaints. The agency maintains 16 regional offices, 2 satellite offices, and 2 laboratories. The TCEQ regional offices perform over 70,000 facility inspections/investigations per year and respond to approximately 6,500 citizen complaints. This is accomplished through a prioritization of responses to different types of compliance and complaint investigations. By prioritizing resources, the agency can better address those situations posing the greatest threat to environmental quality or public health.

**EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:**

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Agency code: **582**      Agency name: **Commission on Environmental Quality**

GOAL:	3	Enforcement and Compliance Assistance	Statewide Goal/Benchmark:	6	7
OBJECTIVE:	1	To Increase Compliance and Response to Citizen Inquiries	Service Categories:		
STRATEGY:	1	Field Inspections and Complaint Response	Service:	36	Income: A.2      Age: B.3

CODE	DESCRIPTION	Exp 2005	Est 2006	Bud 2007	BL 2008	BL 2009
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A strong agency presence is needed to maintain and increase compliance throughout the regulated community. Without a constant presence in the field, or the associated enforcement capabilities, many of the regulated facilities might lack incentive to achieve and maintain compliance. The state conducts almost all inspection/investigation and enforcement activity, while EPA maintains an active oversight role.

Inspection/investigation and enforcement activities are resource intensive. The size of Texas requires extensive travel to conduct inspections/investigations and coordinate enforcement activities. Population and business growth have also increased the demands upon the agency in pursuing its mission. However, funding limitations for travel could potentially limit the TCEQ's ability to conduct future inspections/investigations. Agency resources for compliance monitoring and enforcement continue to be limited and, therefore, careful prioritization and additional streamlining efforts will continue.

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GOAL:            3    Enforcement and Compliance Assistance

Statewide Goal/Benchmark:    6    7

OBJECTIVE:    1    To Increase Compliance and Response to Citizen Inquiries

Service Categories:

STRATEGY:    2    Enforcement and Compliance Support

Service: 17    Income: A.2    Age: B.3

CODE	DESCRIPTION	Exp 2005	Est 2006	Bud 2007	BL 2008	BL 2009
<b>Output Measures:</b>						
1	Number of Environmental Labs Accredited	0.00	51.00	80.00	300.00	300.00
2	# Small Businesses and Local Governments Assisted	67,757.00	54,000.00	54,000.00	54,000.00	54,000.00
3	Number of Drinking Water Labs Certified	120.00	104.00	70.00	0.00	0.00
<b>Efficiency Measures:</b>						
1	Average Number of Days to File an Initial Settlement Offer	66.00	55.00	70.00	70.00	70.00
<b>Explanatory/Input Measures:</b>						
1	Amount of Administrative Penalties Paid in Final Orders Issued	8,188,010.00	0.00	0.00	0.00	0.00
2	Amount Paid for Projects in Administrative Orders	4,253,217.00	0.00	0.00	0.00	0.00
3	Number of Administrative Enforcement Orders Issued	1,158.00	1,500.00	1,000.00	1,000.00	1,000.00
<b>Objects of Expense:</b>						
1001	SALARIES AND WAGES	\$7,791,824	\$8,422,327	\$8,820,516	\$9,110,972	\$9,110,800
1002	OTHER PERSONNEL COSTS	\$355,418	\$384,178	\$402,341	\$415,590	\$415,582
2001	PROFESSIONAL FEES AND SERVICES	\$1,400,535	\$1,001,020	\$1,321,737	\$680,699	\$680,699
2002	FUELS AND LUBRICANTS	\$2,596	\$16,217	\$17,365	\$17,365	\$17,365
2003	CONSUMABLE SUPPLIES	\$28,246	\$12,824	\$24,140	\$20,016	\$20,016
2004	UTILITIES	\$2,603	\$1,951	\$2,497	\$2,497	\$2,497
2005	TRAVEL	\$71,591	\$96,402	\$121,310	\$108,640	\$108,640
2006	RENT - BUILDING	\$9	\$0	\$100	\$100	\$100
2007	RENT - MACHINE AND OTHER	\$0	\$1,731	\$1,731	\$1,731	\$1,731
2009	OTHER OPERATING EXPENSE	\$383,191	\$788,661	\$511,338	\$505,267	\$505,267
5000	CAPITAL EXPENDITURES	\$532,492	\$145,000	\$121,000	\$464,371	\$321,993
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$10,568,505</b>	<b>\$10,870,311</b>	<b>\$11,344,075</b>	<b>\$11,327,248</b>	<b>\$11,184,690</b>

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GOAL:            3    Enforcement and Compliance Assistance  
 OBJECTIVE:    1    To Increase Compliance and Response to Citizen Inquiries  
 STRATEGY:    2    Enforcement and Compliance Support

Statewide Goal/Benchmark:    6    7  
 Service Categories:  
 Service:    17    Income: A.2    Age:    B.3

CODE	DESCRIPTION	Exp 2005	Est 2006	Bud 2007	BL 2008	BL 2009
<b>Method of Financing:</b>						
1	GENERAL REVENUE FUND	\$1,035,846	\$0	\$0	\$0	\$0
888	EARNED FEDERAL FUNDS	\$728,781	\$226,068	\$238,217	\$238,217	\$238,217
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS)</b>		<b>\$1,764,627</b>	<b>\$226,068</b>	<b>\$238,217</b>	<b>\$238,217</b>	<b>\$238,217</b>
<b>Method of Financing:</b>						
151	CLEAN AIR ACCOUNT	\$2,843,573	\$2,380,954	\$2,574,364	\$3,282,604	\$3,300,046
153	WATER RESOURCE MANAGEMENT	\$844,788	\$2,613,997	\$2,668,383	\$3,043,643	\$2,993,643
468	OCCUPATIONAL LICENSING	\$28,383	\$0	\$0	\$0	\$0
549	HAZARDOUS/WASTE FEE ACCT	\$2,077,334	\$2,627,869	\$2,364,222	\$2,531,134	\$2,421,134
550	HAZARDOUS/WASTE REMED ACC	\$405,469	\$504,708	\$498,645	\$508,423	\$508,423
5065	ENVIRONMENTAL TESTING LAB ACCRED	\$87,859	\$91,452	\$94,151	\$94,151	\$94,151
5094	Operating Permit Fees Account	\$457,940	\$1,016,710	\$1,171,067	\$418,972	\$418,972
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)</b>		<b>\$6,745,346</b>	<b>\$9,235,690</b>	<b>\$9,370,832</b>	<b>\$9,878,927</b>	<b>\$9,736,369</b>
<b>Method of Financing:</b>						
555	FEDERAL FUNDS					
66.419.000	Water Pollution Control_S	\$868,228	\$218,829	\$167,032	\$22,110	\$22,110
66.605.000	PPG PERFORMANCE PARTNERSH	\$1,141,014	\$1,189,724	\$1,187,994	\$1,187,994	\$1,187,994
66.608.000	ONE-STOP REPORTING	\$0	\$0	\$380,000	\$0	\$0
66.805.000	Leaking Underground Stora	\$49,290	\$0	\$0	\$0	\$0
CFDA Subtotal, Fund	555	\$2,058,532	\$1,408,553	\$1,735,026	\$1,210,104	\$1,210,104
<b>SUBTOTAL, MOF (FEDERAL FUNDS)</b>		<b>\$2,058,532</b>	<b>\$1,408,553</b>	<b>\$1,735,026</b>	<b>\$1,210,104</b>	<b>\$1,210,104</b>



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GOAL:            3    Enforcement and Compliance Assistance

Statewide Goal/Benchmark:    6    7

OBJECTIVE:    1    To Increase Compliance and Response to Citizen Inquiries

Service Categories:

STRATEGY:    2    Enforcement and Compliance Support

Service: 17    Income: A.2    Age: B.3

<b>CODE</b>	<b>DESCRIPTION</b>	<b>Exp 2005</b>	<b>Est 2006</b>	<b>Bud 2007</b>	<b>BL 2008</b>	<b>BL 2009</b>
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Enforcement is a very resource-intensive process. If a regulated entity refuses to settle a case, then the agency no longer controls the timing for processing the case since the court takes jurisdiction and determines the schedules for hearings and/or trials. In addition, the agency has recently completed a comprehensive review of the enforcement process. This review has resulted in implementation of changes to the investigation and enforcement processes, such as streamlining the expedited enforcement process from an average of approximately 290 days to 185 days; providing the public with access to web-based information related to ongoing enforcement actions and complaint investigations; and revising the criteria for initiation of an enforcement action to improve consistency of application and to capture violations that pose the greatest risk to the health and safety of the public and the environment.

The TCEQ has continuously sought methods by which to improve the efficiency and effectiveness of the enforcement program. It significantly improved through the development and implementation of the Enforcement Initiation Criteria, Enforcement Standard Operating Procedures, Penalty Policy, automated penalty calculation worksheets, and standard computerized forms. The agency's new compliance and enforcement database should streamline enforcement activities and provide additional capabilities to respond to the public.



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GOAL:            3    Enforcement and Compliance Assistance  
 OBJECTIVE:    1    To Increase Compliance and Response to Citizen Inquiries  
 STRATEGY:     3    Pollution Prevention, Recycling and Innovative Programs

Statewide Goal/Benchmark:    6    10  
 Service Categories:  
 Service:    36    Income: A.2    Age:    B.3

CODE	DESCRIPTION	Exp 2005	Est 2006	Bud 2007	BL 2008	BL 2009
4000	GRANTS	\$2,809,836	\$2,683,325	\$221,159	\$215,159	\$215,159
5000	CAPITAL EXPENDITURES	\$142	\$0	\$0	\$0	\$0
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$7,784,473</b>	<b>\$8,498,176</b>	<b>\$5,447,737</b>	<b>\$4,992,662</b>	<b>\$4,857,851</b>

**Method of Financing:**

1	GENERAL REVENUE FUND	\$126,426	\$133,338	\$136,924	\$136,924	\$136,924
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS)</b>		<b>\$126,426</b>	<b>\$133,338</b>	<b>\$136,924</b>	<b>\$136,924</b>	<b>\$136,924</b>

**Method of Financing:**

151	CLEAN AIR ACCOUNT	\$246,467	\$298,647	\$273,034	\$203,449	\$203,449
549	HAZARDOUS/WASTE FEE ACCT	\$2,206,155	\$2,254,843	\$2,281,643	\$2,123,795	\$2,123,795
550	HAZARDOUS/WASTE REMED ACC	\$1,206,516	\$1,298,579	\$1,330,510	\$1,107,288	\$1,107,288
5000	SOLID WASTE DISPOSAL ACCT	\$2,448,890	\$2,400,000	\$0	\$0	\$0
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)</b>		<b>\$6,108,028</b>	<b>\$6,252,069</b>	<b>\$3,885,187</b>	<b>\$3,434,532</b>	<b>\$3,434,532</b>

**Method of Financing:**

555 FEDERAL FUNDS						
66.419.000	Water Pollution Control_S	\$0	\$0	\$0	\$45,500	\$3,500
66.460.000	Nonpoint Source Implement	\$169,573	\$666,919	\$105,237	\$92,811	\$0
66.605.000	PPG PERFORMANCE PARTNERSH	\$229,921	\$297,308	\$309,619	\$303,619	\$303,619
66.606.000	SURVEYS, STUDIES, INVEST	\$38,618	\$74,400	\$0	\$0	\$0
66.708.000	Pollution Prevention Gran	\$173,369	\$102,142	\$54,623	\$44,142	\$44,142
66.709.000	Capacity Bldg Grants/Coop Agreement	\$0	\$2,248	\$21,013	\$0	\$0
66.931.000	Int'l Financial Assistance	\$94,132	\$34,618	\$0	\$0	\$0
CFDA Subtotal, Fund	555	\$705,613	\$1,177,635	\$490,492	\$486,072	\$351,261
<b>SUBTOTAL, MOF (FEDERAL FUNDS)</b>		<b>\$705,613</b>	<b>\$1,177,635</b>	<b>\$490,492</b>	<b>\$486,072</b>	<b>\$351,261</b>



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GOAL:	3	Enforcement and Compliance Assistance	Statewide Goal/Benchmark:	6	10
OBJECTIVE:	1	To Increase Compliance and Response to Citizen Inquiries	Service Categories:		
STRATEGY:	3	Pollution Prevention, Recycling and Innovative Programs	Service:	36	Income: A.2    Age: B.3

<b>CODE</b>	<b>DESCRIPTION</b>	<b>Exp 2005</b>	<b>Est 2006</b>	<b>Bud 2007</b>	<b>BL 2008</b>	<b>BL 2009</b>
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HB 2912, 77th Legislature directed the commission to develop a strategically directed regulatory structure to provide incentives for enhanced environmental performance. The strategically directed regulatory structure offers incentives based on: a compliance history classification and any voluntary measures undertaken to improve environmental quality. In addition, the commission is required to promote the development of innovative programs. These programs would provide compliance history classification incentives for a person in return for benefits to the environment that exceed benefits from compliance with current applicable legal requirements under the commission's jurisdiction.

The ability of the state to achieve increased pollution prevention, recycling and waste reduction depends upon voluntary participation in recycling programs and waste minimization efforts by citizens, industry, small business, and local government. The EPA has made pollution prevention a top priority and is looking to states for innovative, multimedia approaches to environmental management that emphasize pollution prevention. State pollution prevention efforts support state and EPA Region VI priorities, including ozone and air toxics reduction in nonattainment and near nonattainment areas, efforts to improve surface water quality through the Total Daily Maximum Load (TMDL) program, coastal management plan implementation, and initiatives along the Texas-Mexico border. This will substantially increase the demand for the commission's technical assistance.