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October 2007  
SFR-055/07-04

# Fourth Quarter Report on Performance Measures

## Fiscal Year 2007

Budget & Planning Division - Strategic Planning and Assessment

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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## Strategic Planning Structure

### Fiscal Year 2007

#### Goal 01 — ASSESSMENT, PLANNING, AND PERMITTING

To protect public health and the environment by accurately assessing environmental conditions; by preventing or minimizing the level of contaminants released to the environment through regulation and permitting of facilities, individuals, or activities with potential to contribute to pollution levels.

**Objective 01:** To decrease the amount of toxics released and disposed of in Texas by 40 percent by 2007 from the 1992 level and reduce air, water, and waste pollutants through assessing the environment.

**Strategy 01 — Air Quality Assessment and Planning:** Reduce and prevent air pollution by monitoring and assessing air quality, developing and/or revising plans to address identified air quality problems, and assist in the implementation of approaches to reduce motor vehicle emissions.

**Strategy 02 — Water Resource Assessment and Planning:** Develop plans to ensure an adequate, affordable supply of clean water by monitoring and assessing water quality and availability.

**Strategy 03 — Waste Assessment and Planning:** Ensure the proper and safe disposal of pollutants by monitoring the generation, treatment, and storage of solid waste and assessing the capacity of waste disposal facilities; and by providing financial and technical assistance to municipal solid waste planning regions for the development and implementation of waste reduction plans.

**Objective 02:** To review and process 90% of air, water, and waste authorization applications within established time frames.

**Strategy 01 — Air Quality Permitting:** Perform complete and timely reviews of applications to release pollutants into the air.

**Strategy 02 — Water Resource Permitting:** Perform complete and timely reviews of applications to utilize the state's water resources or to discharge to the state's waterways.

**Strategy 03 — Waste Management and Permitting:** Perform complete and timely reviews of applications relating to the management and disposal of municipal and industrial solid and hazardous waste.

**Strategy 04 — Occupational Licensing:** Establish and maintain occupational certification programs to ensure compliance with statutes and regulations that protect public health and the environment.

**Objective 03:** To ensure the proper and safe disposal of low-level radioactive waste.

**Strategy 01 — Low-Level Radioactive Waste Management:** To ensure the proper and safe disposal of low-level radioactive waste.

#### Goal 02 — DRINKING WATER AND WATER UTILITIES

To protect public health and the environment by assuring the delivery of safe drinking water to the citizens of Texas consistent with requirements in the Safe Drinking Water Act; by providing regulatory oversight of water and sewer utilities; and by promoting regional water strategies.

**Objective 01:** To supply 95% of Texans served by public drinking water systems with drinking water consistent with requirements in the Safe Drinking Water Act. To provide regulatory oversight of water and sewer utilities and to promote regional water strategies.

**Strategy 01 — Safe Drinking Water:** Ensure the delivery of safe drinking water to all citizens through monitoring and oversight of drinking water sources consistent with the requirements of the Safe Drinking Water Act.

**Strategy 02 — Water Utilities Oversight:** Provide regulatory oversight of water and sewer utilities to ensure that charges to customers are necessary and cost-based and ensure adequate customer service.

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## Goal 03 – ENFORCEMENT AND COMPLIANCE ASSISTANCE

To protect public health and the environment by administering enforcement and environmental assistance programs that promote compliance with environmental laws and regulations, voluntary efforts to prevent pollution, and offer incentives for demonstrated environmental performance while providing strict, sure, and just enforcement when environmental laws are violated.

**Objective 01:** By fiscal year 2007, to maintain at least 95 percent of all regulated facilities in compliance with state environmental laws and regulations, and to respond appropriately to citizen inquiries and complaints and to achieve pollution prevention, resource conservation, and enhanced compliance.

**Strategy 01 – Field Inspections and Complaints:** Promote compliance with environmental laws and regulations by conducting field inspections and responding to citizen complaints.

**Strategy 02—Enforcement and Compliance Support:** Maximize voluntary compliance with environmental laws and regulations by providing educational outreach and assistance to businesses and units of local governments; and assure compliance with environmental laws and regulations by taking swift, sure and just enforcement actions to address violation situations.

**Strategy 03 – Pollution Prevention and Recycling:** Enhance environmental performance, pollution prevention, recycling, and innovative programs through technical assistance, public education, and innovative programs implementation.

## Goal 04 – POLLUTION CLEANUP

To protect public health and the environment by identifying, assessing, and prioritizing contaminated sites, and by assuring timely and cost-effective cleanup based on good science and current risk factors.

**Objective 01:** By fiscal year 2007, to identify, assess and remediate up to 56 percent of the known Superfund sites and/or other sites contaminated by hazardous materials. To identify, assess and remediate up to 85% of the leaking petroleum storage tank sites.

**Strategy 01 – Storage Tank Administration and Cleanup:** Regulate the installation and operation of underground storage tanks and administer a program to identify and remediate sites contaminated by leaking storage tanks. Provide prompt and appropriate reimbursement to contractors and owners for the cost of remediating sites contaminated by leaking storage tanks.

**Strategy 02 – Hazardous Materials Cleanup:** Aggressively pursue the investigation, design and cleanup of federal and state Superfund sites; and facilitate voluntary cleanup activities at other sites and respond immediately to spills which threaten human health and environment.

## Goal 05 – TEXAS RIVER COMPACTS

To ensure the delivery of Texas' equitable share of water.

**Objective 01:** To ensure the delivery of 100% of Texas' equitable share of water as apportioned by the River Compacts.

## Goal 06 – HISTORICALLY UNDERUTILIZED BUSINESS PROGRAM

To establish and carry out policies and practices governing purchasing and public works contracts that foster meaningful and substantive inclusion of historically underutilized businesses (HUBs). The agency strives to conduct a good faith effort program that will encourage inclusion of HUBs in all purchasing and procurement opportunities as set forth by 1 TAC 111.11 - 111.23, as adopted by the TCEQ. The HUB program will develop and implement a plan for increasing the use of HUBs in purchasing and public works contracts and subcontracts.

## Goal 01-01: Assessment, Planning, and Permitting

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**Outcome Measure 01:  
Annual Percent of Stationary and Mobile Source Pollution Reductions in Non-Attainment Areas  
(Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	6.0%	10.3%	171.67%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Annual Percent of Stationary and Mobile Source Pollution Reductions in Non-Attainment areas were above projections for FY 2007. This measure reflects trends of criteria emissions in the non-attainment areas showing pollution changes in areas that have failed to meet national emission standards. The sources include the annual inventory of major stationary point sources and the inventory of minor point sources and mobile sources occurs every three years. The larger reduction in pollution was attributed to federal and state rules associated with more stringent engine standards, the reformulation of fuels, and the implementation of rules requiring more stringent controls for major point sources such as power plants.

**Outcome Measure 02:  
Nitrogen Oxides (NOx) Emissions Reduced Through the Texas Emissions Reduction Plan (TERP)  
(Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	63	10.53	16.71%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Nitrogen Oxide emissions reduced through the Texas Emissions Reduction Plan (TERP) was below projections for FY 2007. This measure reflects the amount of NOx emissions reduced through implementation of the TERP incentive grants for cleaner on- and off-road diesel engines. TERP projects funded to date are projected to achieve more than 60 Tons Per Day (TPD) in NOx emission reductions. However, only approximately 6% of the grants awarded to date have phased into the performance period and are reporting usage data. For instance, many of the locomotive projects, involving significant reductions, have not entered the performance period and have not begun reporting usage. Therefore, the results reported for this measure are significantly less than the target due to the time it has taken some of the larger and more complex projects to complete the purchases and begin using the grant-funded vehicles and equipment. This longer period for implementing the projects will help the program in the long term, as the period over which the program can claim the TPD reductions will extend further into the future to meet the new SIP emission reduction targets under EPA's new 8 hour monitoring standards for ground-level ozone.

\*This measure is expressed as tons per day reduction in NOx emissions.

## Goal 01-01: Assessment, Planning, and Permitting

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**Outcome Measure 03:  
Percent of Texans Living Where the Air Meets Federal Air Quality Standards**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	45%	43%	96%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

**Outcome Measure 04:  
Annual Percent Reduction in Pollution from Permitted Wastewater Facilities Discharging to the Waters of the State (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	0.8%	.16%	20.00%

**Variance Explanation:**  
BELOW PROJECTED LEVEL  
Performance for the Percent Reduction in Pollution from Permitted Wastewater Facilities Discharging to the Waters of the State were below projections for FY 2007. This measure reflects the reduction in the pollution load from all facilities discharging to the waters of the state. Performance was lower due to the fact that the amount of permitted discharge increased by approximately 18 million gallons per day. The increase in flow negated any further reductions in pollution. Even though statewide permit limits are becoming more stringent, the pollution reductions are getting smaller.

**Outcome Measure 05:  
Percent of Texas Surface Waters Meeting or Exceeding Water Quality Standards (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	84%	80.6%	96.0%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

## Goal 01-01: Assessment, Planning, and Permitting

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### Outcome Measure 06:

#### Annual Percent Reduction in Disposal of Municipal Solid Waste per Capita (Key)

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	1.5%	.14%	9.33%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Annual Percent Reduction in Disposal of Municipal Solid Waste per Capita was below projections for FY 2007. This measure reflects the effectiveness of statewide solid waste reduction and planning efforts. Rather than reducing the per capita rate by 1.5% as projected, the rate decreased by .14% from 7.11 disposed pounds per capita per day (DPCD) in 2006 year to 7.10 DPCD in 2007. This is due in part to increases in construction and demolition debris resulting from hurricane-related debris.

### Outcome Measure 07:

#### Annual Percent Decrease in the Toxic Releases in Texas (Key)

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	2%	8.20%	410.00%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the annual percent decrease in the toxic releases in Texas was above projections for FY 2007. This measure provides the percent change of the on-site toxic releases from the current reporting year to the previous reporting year for the chemicals that have been reported since 1988 with no changes in the reporting method. Comparing reporting years 2005 to 2004, there were 102.43 million pounds of toxic releases and 111.52 million pounds of toxic releases, respectively, and the decrease in toxic releases in reporting year 2005 was attributed to significant reductions in underground injection, and air and water releases. It is expected that the projected performance for the upcoming fiscal year will be met.

## Goal 01-01: Assessment, Planning, and Permitting

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### Outcome Measure 08:

#### Annual Percent Decrease in the Amount of Municipal Solid Waste Going into Texas Landfills

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	-2.0%	-.30%	15.00%

\*Note- Projected performance is expressed as a negative number to indicate that an increase is projected.

#### Variance Explanation:

##### ABOVE PROJECTED LEVEL

Performance for the annual percent decrease in the amount of municipal solid waste going into Texas landfills was above projections for FY 2007. This measure reflects conservation efforts to reduce the amount of solid waste going into Texas landfills. The amount of municipal solid waste going to landfills decreased by nearly 2 percent from the previous reporting period. Pollution prevention assistance, recycling market development, and solid waste public education provided by the commission encourage all Texans' to "reduce, reuse, recycle, and rebuy." Other factors that impact the amount of solid waste going to landfills include statewide economic conditions, population growth, and natural disaster events.

### Outcome Measure 09:

#### Percent of TERP Grants Derived From New Technology Research and Development (NTRD) Technologies (Key)

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	10%	0%	0.00%

#### Variance Explanation:

##### BELOW PROJECTED LEVEL

Performance for the Percent TERP Grants Derived from NTRD Technologies was below projections for FY 2007. This measure shows the percent of the total dollar amount of TERP grants derived from grants of the NTRD program. To date, no TERP grants have derived from NTRD funded technologies. Retrofits, which make up most of the NTRD funded technologies, have not been the preferred choice of most TERP grantees, who on the whole prefer replacements or repowers.

## Goal 01-01: Assessment, Planning, and Permitting

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### Outcome Measure 10:

#### Percent of High and Significant Hazard Dams Inspected within Established Timeframes

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	70%	43.1%	61.57%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Percent of High and Significant Hazard Dams Inspected within Established Timeframes was below projections for FY 2007. The measure reflects assessments conducted to ensure the safe design, construction, maintenance, repair and removal of dams in the state. The high and significant hazard dams require engineering investigations and evaluations of the dam and are much more time-consuming than other types of investigations. There are over 1,650 high and significant hazard dams in the state.

### Outcome Measure 11:

#### Number of acres of Habitats Created, Restored, and Protected through Implementation Of Estuary Action Plans

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	2,000	10,860	543%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Number of Acres of Habitat Created, Restored, and Protected was above projections for FY 2007. This measure reports the number of acres of habitat created, restored, and/or protected through implementation of Galveston Estuary Bay Program (GBEP) and Coastal Bend Bay Estuary Program (CBBEP) estuary action plans. The significantly high performance for this measure can be attributed to two factors. First, the program was able to move forward quickly with Aransas National Wildlife Refuge project. This resulted in an improvement of 1,000 acres by removing invasive species. Secondly, a reduction of cost for the East Bay Project allowed for more acres of habitat with the budgeted funds.

## Strategy 01-01-01: Air Quality Assessment Planning

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**Output Measure 01:**  
**Number of Point Source Air Quality Assessments (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	500	330	16.50%
2 <sup>nd</sup> Quarter	500	300	15.00%
3 <sup>rd</sup> Quarter	500	283	14.15%
4 <sup>th</sup> Quarter	500	1,060	53.00%
<b>Total Performance</b>	2,000	1,973	98.65%

**Variance Explanation:**  
 Performance met projections. No variance explanation required.

**Output Measure 02:**  
**Number of Area Source Air Quality Assessments (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	625	654	26.16%
2 <sup>nd</sup> Quarter	625	655	26.20%
3 <sup>rd</sup> Quarter	625	667	26.68%
4 <sup>th</sup> Quarter	625	652	26.08%
<b>Total Performance</b>	2,500	2,628	105.12%

**Variance Explanation:**  
**ABOVE PROJECTED LEVEL**  
 The Number of Area Source Air Quality Assessments was above projections for FY 07. This measure is defined by the number of emissions inventories for area and non-road mobile sources that were developed or revised in the affected counties. Workload increases throughout the year which caused the performance measure to be over the projection were from the following areas. A new umbrella contract was put into effect requiring the development of work orders for the affected area and non-road mobile categories. Considerable effort and time was devoted to the selection of area and non-road mobile source categories for contracted work and for the development of work orders on these categories. The Federal Consolidated Emissions Reporting Rule required the 2005 Periodic Emissions Inventory (PEI) be submitted to EPA by June 1, 2007. This is part of the federal grant commitments. Most of the year's work and resources were devoted to preparing the 2005 PEI for submittal to EPA by the June 1 deadline. And, the data storage system (the Texas Air Emissions Repository) was being developed under a contract that expired in August 2007. Staff participation in assisting in this development, required resources to be increased throughout the year in order to ensure all commitments of this contract were met.

## Strategy 01-01-01: Air Quality Assessment Planning

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**Output Measure 03:**  
**Number of Mobile Source Air Quality Assessments (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	312.50	<del>2815</del> * 457	36.56%
2 <sup>nd</sup> Quarter	312.50	178	14.24%
3 <sup>rd</sup> Quarter	312.50	279	22.32%
4 <sup>th</sup> Quarter	312.50	314	25.12%
<b>Total Performance</b>	1,250	1228	98.24%

**Variance Explanation:**  
 Performance met projections. No variance explanation required.

\*Note: The first quarter performance has been updated from a value of 2815 to 457. The number of modeling runs was over reported due to a calculation error.

**Output Measure 04:**  
**Number of Air Monitors Operated**

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	590	585	99.15%
2 <sup>nd</sup> Quarter	590	585	99.15%
3 <sup>rd</sup> Quarter	590	593	100.51%
4 <sup>th</sup> Quarter	590	583	98.81%
<b>Annual Target</b>	590	583	98.81%

**Variance Explanation:**  
 Performance met projections. No variance explanation required.

## Strategy 01-01-01: Air Quality Assessment Planning

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### Output Measure 05:

#### Tons of NOx Reduced through the Texas Emissions Reduction Plan (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	6,644	0	0.00%
2 <sup>nd</sup> Quarter	6,644	1,819	6.84%
3 <sup>rd</sup> Quarter	6,644	4,607	17.34%
4 <sup>th</sup> Quarter	6,644	18,913	71.17%
<b>Total Performance</b>	26,576	25,339	95.35%

**Variance Explanation:**

Performance met projections. No variance explanation required.

### Output Measure 06:

#### Number of New Technology Grant Proposals Reviewed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	20	19	23.75%
2 <sup>nd</sup> Quarter	20	18	22.50%
3 <sup>rd</sup> Quarter	20	0	0.00%
4 <sup>th</sup> Quarter	20	18	22.50%
<b>Total Performance</b>	80	55	68.75%

**Variance Explanation:**

BELOW PROJECTED LEVEL

Performance for the Number of New Technology Grant Proposals reviewed was below projections for FY 2007. This measure reports the number of grant proposals reviewed that identify and evaluate new technologies to improve air quality and to facilitate the deployment of those technologies. The implementation of the NTRD program has been transferred by HB 2481, 79<sup>th</sup> Texas Legislature, Regular Session, to the Texas Environmental Research Consortium (TERC). TERC issued two rounds of grant proposals during the first quarter of FY 2007 and three more rounds of grant proposals in the third quarter of FY 2007. The focused nature of RFGA limited the number of potential applications. TERC is planning a more open RFGA in the first quarter of 2008 to bring in more applications.

**\*Note: In determining the final FY07 data for this measure the program discovered a mistake in the 2nd quarter report due to a misunderstanding between the agency and our contractor who administers this program, TERC, and their Research Management Organization. In collecting the final data for the end of the fiscal year we discovered this mistake and corrected the record on the latest performance measure report.**

## Strategy 01-01-01: Air Quality Assessment Planning

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### Efficiency Measure 01:

#### Percent of Data Collected by TCEQ Continuous and Non-Continuous Air Monitoring Networks

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	90%	93%	103.33%
2 <sup>nd</sup> Quarter	90%	93%	103.33%
3 <sup>rd</sup> Quarter	90%	94.7%	105.22%
4 <sup>th</sup> Quarter	90%	93.%	103.78%
Annual Target	90%	93.4%	103.78%

**Variance Explanation:**

Performance met projections. No variance explanation required.

### Efficiency Measure 02:

#### Average Cost Per Air Quality Assessment

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	\$370	<del>122*</del> \$321	32.97%
2 <sup>nd</sup> Quarter	\$370	\$417	112.70%
3 <sup>rd</sup> Quarter	\$370	\$390	105.41%
4 <sup>th</sup> Quarter	\$370	\$395	106.76%
Annual Target	\$370	\$381	102.97%

**Variance Explanation:**

Performance met projections. No variance explanation required.

\*Note: The first quarter performance has been updated to reflect a correction to the “number of mobile source air quality assessments.” The number of modeling runs was over reported due to a calculation error.

**Strategy 01-01-01: Air Quality Assessment Planning**

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**Efficiency Measure 03:**

**Average Cost of LIRAP Vehicle Emissions Repairs/Retrofits (Key)**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>1<sup>st</sup> Quarter</b>	\$480	\$490.15	102.11%
<b>2<sup>nd</sup> Quarter</b>	\$480	\$494.26	102.97%
<b>3<sup>rd</sup> Quarter</b>	\$480	\$500.50	104.27%
<b>4<sup>th</sup> Quarter</b>	\$480	\$495.58	103.25%
<b>Annual Target</b>	\$480	\$495.30	103.19%

\*Note: Annual target attainment is calculated by taking year-to-date expenditures and dividing by the number of repairs and retrofits completed. As of the third quarter, \$3,410,121.97 has been expended for the program. There have been 6,885 vehicles repaired or retrofitted.

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Average Cost of LIRAP Vehicle Emissions Repairs/Retrofits was slightly above projections for FY 2007, but still within the accepted range of performance for the fiscal year. This measure reports the average cost of repairs/retrofits to cars participating in the LIRAP program. The costs for the five (5) county Houston/Galveston/Brazoria (HGB) area, nine (9) county Dallas/Fort Worth (DFW) Area, and two (2) county Austin area, are used to determine average LIRAP repair costs. The average LIRAP repair costs for 963 vehicles repaired at a cost of \$506,708.22 in the HGB area program was \$526.18. The average LIRAP repair cost for 667 vehicles repaired at a cost of \$301,553 in the DFW area was \$452.10. The average LIRAP repair cost for 114 vehicles repaired at a cost of \$56,025.51 in Central Texas (Travis/Williamson County) was \$491.45. FY 07 Year-To-Date (YTD) performance is determined by dividing YTD total LIRAP repair cost (\$3,410,121.97) by YTD total number of LIRAP repairs (6,885), which results in a YTD average LIRAP repair cost of \$495.30. This is a 3.19% above projected performance.

**Efficiency Measure 04:**

**Average Cost Per Ton of NOx Reduced through the Texas Emissions Reduction Plan (Key)**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>1<sup>st</sup> Quarter</b>	\$5,000	\$0	0.00%
<b>2<sup>nd</sup> Quarter</b>	\$5,000	\$5,492.00	109.84%
<b>3<sup>rd</sup> Quarter</b>	\$5,000	\$5,459.00	109.18%
<b>4<sup>th</sup> Quarter</b>	\$5,000	5,454.49	109.09%
<b>Annual Target</b>	\$5,000	\$5,449.00	108.98%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Average Cost Per Ton of NOx Reduced through the Texas Emissions Reduction Plan (TERP) exceeded projections for FY 2007. This measure shows the average cost per ton of NOx reduced through projects funded by the TERP incentive grants. The performance exceeded the projection because the Commission revised the grant limit of the cost per ton to \$10,000 for non-road projects (27.7% of the 1,169 FY 2007 projects). The decision was made to encourage greater participation from the non-road sector. As a result of this change, the average cost per ton for projects funded this year will be higher than the original performance projection.

## Strategy 01-01-01: Air Quality Assessment Planning

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### Efficiency Measure 05:

#### Average Number of Days to Review a Grant Proposal (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	14	1	7.14%
2 <sup>nd</sup> Quarter	14	0	0.00%
3 <sup>rd</sup> Quarter	14	0	0.00%
4 <sup>th</sup> Quarter	14	2	14.29%
Annual Target	14	1	7.14%

#### Variance Explanation:

##### BELOW PROJECTED LEVEL

The Average Number of Days to Review a Grant Proposal measure was below expectations for FY 2007. This measure reports the number of days to review New Technology and Research Development (NTRD) grant proposals. The implementation of the NTRD program has been transferred by HB 2481, 79<sup>th</sup> Texas Legislature, Regular Session, to the Texas Environmental Research Consortium (TERC). TERC issued two rounds of grant proposals during the first quarter 2007 and opened three more rounds of grant proposals in the third quarter of FY 2007. TERC's rapid review processes have kept this number well below the annual performance goal.

### Explanatory Measure 01:

#### Number of Days Ozone Exceedances are Recorded in Texas

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	42	29	69.05%

#### Variance Explanation:

##### BELOW PROJECTED LEVEL

Performance for the number of days of ozone exceedances recorded in Texas was below projections for FY 2007. This measure reports the number of days that ozone standards are exceeded by more than one National Air Monitoring Site in any urban area. The decrease in number of 8-hour ozone exceedance days was due to meteorological variability combined with the observed downward trend in ozone-causing emissions. The number of 8-hour ozone exceedance days in Texas in 2006 was reduced compared to 2005.

**Explanatory Measure 02:  
Number of New Technology Grants Approved for Funding**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>Total Performance</b>	15	16	106.67%

**Variance Explanation:**  
**ABOVE PROJECTED LEVEL**  
 Performance for The Number of New Technology Grants Approved for Funding was above projections for FY 2007. This measure shows the number of grants that were approved for funding and provides an indication of the number of grantees that the agency must monitor and assist. The implementation of the NTRD program has been transferred by HB 2481, 79<sup>th</sup> Texas Legislature, Regular Session, to the Environmental Research Consortium (TERC). TERC issued two rounds of grant proposals during the first quarter and three more rounds of grant proposals in the third quarter of 2007. Even though there were fewer grant applications received, the number of grants approved for funding was slightly more than projected.

**Explanatory Measure 03:  
Percent of New Technology Research and Development(NTRD) Technologies Verified or Certified by the Environmental Protection Agency(EPA) or California Air Resources Board(CARB)**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>Total Performance</b>	3%	6%	200.00%

**Variance Explanation:**  
**ABOVE PROJECTED LEVEL**  
 Performance for the Percent of New Technology Research and Development (NTRD) Technologies Verified or Certified by the Environmental Protection Agency (EPA) or California Air Resources Board (CARB) was above projections for FY 2007. This measure reflects the percentage of grants funded that are verified by the EPA or the CARB based on their commercialization potential after being recommended for certification by the NTRD program. The implementation of the NTRD program has been transferred by HB 2481, 79<sup>th</sup> Texas Legislature, Regular Session, to the Environmental Research Consortium (TERC).

## Strategy 01-01-02: Water Resource Assessment Planning

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**Output Measure 01:  
Number of Surface Water Assessments (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>1<sup>st</sup> Quarter</b>	10.75	4	9.30%
<b>2<sup>nd</sup> Quarter</b>	10.75	4	9.30%
<b>3<sup>rd</sup> Quarter</b>	10.75	19	44.19%
<b>4<sup>th</sup> Quarter</b>	10.75	27	62.79%
<b>Total Performance</b>	43	54	125.58%

**Variance Explanation:**  
**ABOVE PROJECTED LEVEL**  
 Performance for the Number of Surface Water Assessments was above projections for FY 2007. This measure quantifies a diverse assemblage of assessment types performed and reported by multiple divisions within the agency. Field sampling conducted to support surface water assessments is performed primarily during the warmer parts of the year when aquatic systems are most responsive to environmental conditions. The variance for the fiscal year can be attributed to the number of total maximum daily load (TMDL) projects completed which included one in the first quarter for the Nueces Bay, 7 TMDLs were counted in the second quarter with 3 for Petronila Creek, 2 for the Colorado River Below E.V. Spence Reservoir, and 2 Implementation Plans for Arroyo Colorado; and 24 TMDLs in the fourth quarter with 17 for Orange County, 1 for Guadalupe River above Canyon Lake, 3 for Upper San Antonio River, 1 for Gilleland Creek, 1 for Upper Oyster Creek, and 1 for Oso Bay.

**Output Measure 02:  
Number of Groundwater Assessments (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>1<sup>st</sup> Quarter</b>	12.5	3	6.00%
<b>2<sup>nd</sup> Quarter</b>	12.5	7	14.00%
<b>3<sup>rd</sup> Quarter</b>	12.5	10	20.00%
<b>4<sup>th</sup> Quarter</b>	12.5	35	70.00%
<b>Total Performance</b>	50	55	110.00%

**Variance Explanation:**  
**ABOVE PROJECTED LEVEL**  
 Performance for the Number of Groundwater Assessments was above projections for FY 2007. This measure counts the number of reports completed which evaluate environmental or programmatic data related to groundwater quality or quantity issues. Performance at this level was due to a unique combination of events, including the completion of ongoing projects that are compiled at the end of the year, the completion of some longer term projects on schedule, and the early completion of additional long term projects. It is unlikely this level of performance will repeat, as it is unlikely that the unique combination of events will reoccur.

**Strategy 01-01-02: Water Resource Assessment Planning**

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**Output Measure 03:  
Number of Dam Safety Assessments**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>1<sup>st</sup> Quarter</b>	107.5	105	24.42%
<b>2<sup>nd</sup> Quarter</b>	107.5	123	28.60%
<b>3<sup>rd</sup> Quarter</b>	107.5	123	28.60%
<b>4<sup>th</sup> Quarter</b>	107.5	100	23.26%
<b>Total Performance</b>	430	451	104.88%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

**Efficiency Measure 01:  
Average Cost Per Dam Safety Assessment**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>1<sup>st</sup> Quarter</b>	\$1,200	\$780.75	65.06%
<b>2<sup>nd</sup> Quarter</b>	\$1,200	\$966.25	80.52%
<b>3<sup>rd</sup> Quarter</b>	\$1,200	\$734.92	61.24%
<b>4<sup>th</sup> Quarter</b>	\$1,200	\$1,186.33	98.86%
<b>Annual Target</b>	\$1,200	\$908.77	75.73%

**Variance Explanation:**  
**BELOW PROJECTED LEVEL**  
Performance for the Average Cost Per Dam Safety Assessment was below projections for FY 2007. This measure reports the average cost for each dam safety assessment performed by TCEQ staff and contractors. The average costs vary considerably due to the number and complexity of assessments performed during the year. It is desirable for the average cost to be lower than projected.

## Strategy 01-01-02: Water Resource Assessment Planning

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### Explanatory Measure 01:

#### Percent of Texas' Rivers, Streams, Wetlands and Bays Protected by Site-Specific Water Quality Standards

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	36%	35.7%	99.17%

**Variance Explanation:**

Performance met projections. No variance explanation required.

### Explanatory Measure 02:

#### Percentage of Surface Water Impairments that are Addressed within 13 years of Impairment Listing

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	N/A	N/A	N/A

**Variance Explanation:**

This new measure will report the percentage of surface water impairments that are addressed within 13 years of impairment listing. The EPA has a 13 year benchmark for completion of listed surface water impairments. This measure will become effective in fiscal year 2008, as the oldest impairments have not been listed for more than 13 years.

### Explanatory Measure 03:

#### Number of Dams in the Texas Dam Inventory

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	7,542	7,626	101.11%

**Variance Explanation:**

Performance met projections. No variance explanation required.

**Strategy 01-01-03: Waste Management Assessment Planning**

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**Output Measure 01:**

**Number of Municipal Solid Waste Facility Capacity Assessments (Key)**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>1<sup>st</sup> Quarter</b>	63.75	44	17.25%
<b>2<sup>nd</sup> Quarter</b>	63.75	34	13.33%
<b>3<sup>rd</sup> Quarter</b>	63.75	173	67.84%
<b>4<sup>th</sup> Quarter</b>	63.75	3	1.18%
<b>Total Performance</b>	255	254	99.61%

**Variance Explanation:**  
 Performance met projections. No variance explanation required.

**Efficiency Measure 01:**

**Average Cost Per Municipal Solid Waste Facility Capacity Assessment (Key)**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>1<sup>st</sup> Quarter</b>	\$35	\$19.70	56.29%
<b>2<sup>nd</sup> Quarter</b>	\$35	\$27.29	77.97%
<b>3<sup>rd</sup> Quarter</b>	\$35	\$23.88	68.23%
<b>4<sup>th</sup> Quarter</b>	\$35	\$38.47	109.91%
<b>Annual Target</b>	\$35	\$27.34	78.10%

**Variance Explanation:**  
 BELOW PROJECTED LEVEL  
 Performance for the Average Cost Per Municipal Solid Waste Facility Capacity Assessment was below projections for FY 2007. This measure reflects agency efforts to conduct municipal solid waste facility capacity assessments in an efficient manner. Improved efficiency resulting from process automation decreases the amount of time required to conduct each assessment, thereby reducing the cost per assessment.

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**Strategy 01-01-03: Waste Management Assessment Planning**

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**Explanatory Measure 01:**

**Number of Council of Government Regions in the State with 10 or More Years of Disposal Capacity**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>Total Performance</b>	22	23	104.55%

**Variance Explanation:**

Performance met projections. No variance explanation required.

**Goal 01-02: Assessment, Planning, and Permitting**

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**Outcome Measure 01:**

**Percent of Air Quality Permit Applications Reviewed within Established Time Frames**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	90%	88%	97.78%

**Variance Explanation:**  
 Performance met projections. No variance explanation required.

**Outcome Measure 02:**

**Percent of Water Quality Permit Applications Reviewed within Established Time Frames**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	90.0%	86%	95.56%

**Variance Explanation:**  
 Performance met projections. No variance explanation required.

**Outcome Measure 03:**

**Percent of Water Rights Permit Applications Reviewed within Established Time Frames**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	86%	96.4%	112.09%

**Variance Explanation:**  
**ABOVE PROJECTED LEVEL**  
 Performance for the Percent of Water Rights Permit Applications Reviewed within Established Time Frames was above projections for FY 2007. The measure tracks the percentage of water rights permit applications which were reviewed within established time frames. Performance was exceeded as staff processed a greater number of less complex applications during this period. This trend is not expected to continue as more complex applications are received. Future performance is expected to be near the projected goal.

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**Goal 01-02: Assessment, Planning, and Permitting**

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**Outcome Measure 04:**

**Percent of Waste Management Permit Applications Reviewed within Established Time Frames**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>Total Performance</b>	90%	82%	91.11%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Percent of Waste Management Permit Applications Reviewed was below projections for FY 2007. This measure reports whether the agency is in compliance with established time frames for reviewing permit applications. Delays can be attributed to staff efforts in responding to public comments and/or holding a public meeting in response to request from the public, applicants failing to provide information to the agency, implementing new permit standards, and additional time needed by applicants to prepare a complete permit application package.

## Strategy 01-02-01: Air Quality Permitting

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### Output Measure 01:

**Number of State and Federal New Source Review Air Quality Permit Applications Reviewed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>1<sup>st</sup> Quarter</b>	1,400	1,275	22.77%
<b>2<sup>nd</sup> Quarter</b>	1,400	1,183	21.13%
<b>3<sup>rd</sup> Quarter</b>	1,400	1,378	24.61%
<b>4<sup>th</sup> Quarter</b>	1,400	1,604	28.64%
<b>Total Performance</b>	5,600	5,440	97.14%

**Variance Explanation:**

Performance met projections. No variance explanation required.

### Output Measure 02:

**Number of Federal Air Quality Operating Permits Reviewed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>1<sup>st</sup> Quarter</b>	200	192	24.00%
<b>2<sup>nd</sup> Quarter</b>	200	251	31.38%
<b>3<sup>rd</sup> Quarter</b>	200	394	49.25%
<b>4<sup>th</sup> Quarter</b>	200	356	44.50%
<b>Total Performance</b>	800	1,193	149.13%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

The Number of Federal Air Quality Operating Permits Reviewed was above the projected level for FY 2007. This measure quantifies the permitting workload of the Air Permits Division staff assigned to review federal operating permit applications. This measure's success is attributable to additional project types counted with General Operating Permit (GOP) review initiatives.

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## Strategy 01-02-01: Air Quality Permitting

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### Output Measure 03:

#### Number of Emissions Banking and Trading Transaction Applications Reviewed

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	250	159	15.90%
2 <sup>nd</sup> Quarter	250	399	39.90%
3 <sup>rd</sup> Quarter	250	263	26.30%
4 <sup>th</sup> Quarter	250	315	31.50%
<b>Total Performance</b>	1,000	1,136	113.60%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Number of Emissions Banking and Trading (EBT) Transaction Applications Reviewed was above projections for FY 2007. This measure reports the number of EBT transaction applications reviewed by the Air Permits Division. The measure includes emission reduction credits, discrete emission reduction credits, mass emission cap and trade, emissions banking and trading of allowances, and System Cap Trading Programs. The division staff reported the variance is due to an irregular workload.

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## Strategy 01-02-01: Air Quality Permitting

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### Explanatory Measure 01: Number of State and Federal Air Quality Permits Issued

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	4,850	4,818	99.34%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

### Explanatory Measure 02: Number of Federal Air Quality Permits Issued

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	650	931	143.23%

**Variance Explanation:**  
ABOVE PROJECTED LEVEL  
Performance for the Number of Federal Air Quality Permits Issued was above projections for FY 2007. This measure reports the number of federal air quality permits issued under Title V of the Federal Clean Air Act. This measure's success is attributable to additional project types counted with General Operating Permit (GOP) review initiatives.

## Strategy 01-02-02: Water Resource Permitting

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### Output Measure 01:

#### Number of Applications to Address Water Quality Impacts Reviewed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	3,864.50	5,971	38.63%
2 <sup>nd</sup> Quarter	3,864.50	5,132	33.20%
3 <sup>rd</sup> Quarter	3,864.50	5,000	32.35%
4 <sup>th</sup> Quarter	3,864.50	7,946	51.40%
<b>Total Performance</b>	15,458	24,049	155.58%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Number of Applications to Address Water Quality Impacts Reviewed was above projections for FY 2007. This measure reports the number of water quality applications reviewed by the water quality and field operations divisions to address water quality impacts. The wastewater permitting program exceeded FY 07 projections due to the commissions' reissuance of the Multi-Sector General Permit (MSGP) for industrial storm water on August 14, 2006. Approximately 10,000 facilities were to renew authorization under the MSGP by December 2006, resulting in the commission processing over 2,700 notice of intents (NOI) during FY 07. The commission typically processes 300 MSGP NOIs per quarter.

### Output Measure 02:

#### Number of Applications to Address Water Rights Impacts Reviewed

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	148.75	158	26.55%
2 <sup>nd</sup> Quarter	148.75	149	25.04%
3 <sup>rd</sup> Quarter	148.75	214	35.97%
4 <sup>th</sup> Quarter	148.75	178	29.92%
<b>Total Performance</b>	595	699	117.48%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Number of Applications to Address Water Rights was above projections for FY 2007. This measure tracks the number of water use applications, changes of ownership, and water supply contracts processed. Performance for this measure was above projections for the year due to additional emphasis placed on processing ownership transfer applications during the year and the receipt of a large number of water rights applications during this period. Future performance on this measure is expected to be near projections.

## Strategy 01-02-02: Water Resource Permitting

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### Output Measure 03:

#### Number of Concentrated Animal Feeding Operation (CAFO) Authorizations Reviewed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	346.25	45	3.25%
2 <sup>nd</sup> Quarter	346.25	64	4.62%
3 <sup>rd</sup> Quarter	346.25	66	4.77%
4 <sup>th</sup> Quarter	346.25	32	2.31%
<b>Total Performance</b>	1,385	207	14.95%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Number of Concentrated Animal Feeding Operation (CAFO) Authorizations Reviewed was below projections for FY 2007. This measure counts the number of CAFO authorizations the agency reviews. When the 2007 number of CAFO authorizations was projected at 1,385 authorizations, state and federal CAFO rules required dry litter poultry operations to apply for authorization. The commission anticipated 1,300 notices of intent (NOIs) from existing unauthorized and new dry litter poultry CAFOs. In February of 2005, the 2<sup>nd</sup> Circuit Court of Appeals vacated the portion of EPA's CAFO rules affecting dry litter poultry operation's duty to apply. The commission subsequently amended the CAFO rules in September 2006, to remove the duty to apply for dry litter poultry operations covered under a water quality management plan. As a result, 1,300 dry litter poultry operations will not file NOIs in 2007. The TCEQ anticipates processing 85 authorizations in FY 2008.

### Explanatory Measure 01:

#### Number of Water Quality Permits Issued

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	100	99	99.00%

**Variance Explanation:**

Performance met projections. No variance explanation required.

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**Strategy 01-02-02: Water Resource Permitting**

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**Explanatory Measure 02:  
Number of Water Rights Permits Issued**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>Total Performance</b>	100	99	99%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

**Strategy 01-02-03: Waste Management and Permitting**

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**Output Measure 01:  
Number of New System Waste Evaluation Conducted**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>1<sup>st</sup> Quarter</b>	142.50	145	25.44%
<b>2<sup>nd</sup> Quarter</b>	142.50	136	23.86%
<b>3<sup>rd</sup> Quarter</b>	142.50	147	25.79%
<b>4<sup>th</sup> Quarter</b>	142.50	139	24.39%
<b>Total Performance</b>	570	567	99.47%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

**Output Measure 02:  
Number of Non-Hazardous Waste Permit Applications Reviewed (Key)**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>1<sup>st</sup> Quarter</b>	59	54	22.88%
<b>2<sup>nd</sup> Quarter</b>	59	64	27.12%
<b>3<sup>rd</sup> Quarter</b>	59	110	46.61%
<b>4<sup>th</sup> Quarter</b>	59	66	27.97%
<b>Total Performance</b>	236	294	124.58%

**Variance Explanation:**  
ABOVE PROJECTED LEVEL  
The Number of Non-Hazardous Waste Permit Applications Reviewed was above projections for FY 2007. This measure reports the number of non-hazardous waste permit applications reviewed. For the Municipal Solid Waste (MSW) Permit Section, the measure includes the number of permit reviews for new, modified, or amended MSW storage, treatment, processing, and disposal facilities and renewed or amended commercial industrial non-hazardous waste landfill (CINWL) facilities. The increase in performance is attributed to an increase in the number of permit modifications submitted by landfills needing to come into compliance with new agency rules. It is expected that performance in the beginning of fiscal year 2008 could also exceed expectations due to the increase in permit modifications. Once these modifications are processed, performance should return to the targeted number.

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## Strategy 01-02-03: Waste Management and Permitting

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### Output Measure 03:

#### Number of Hazardous Waste Permit Applications Reviewed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	40	48	30.00%
2 <sup>nd</sup> Quarter	40	37	23.13%
3 <sup>rd</sup> Quarter	40	44	27.50%
4 <sup>th</sup> Quarter	40	61	38.13%
<b>Total Performance</b>	160	190	118.75%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

The Number of Hazardous Waste Permit Applications Reviewed was above projections for FY 2007. This measure reports the number of permits, orders, licenses, and authorizations reviewed, denied, or withdrawn. The primary reason for exceedance is that most applications reviewed during the year were types of applications that involve minor permit modifications and requests for authorization made by the regulated community in response to changing business needs. These requests are difficult to anticipate and not within control of the agency.

### Explanatory Measure 01:

#### Number of Non-Hazardous Waste Permits issued

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	236	279	118.22%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Number of Non-Hazardous Waste Permits issued was above projections for FY 2007. This measure reports the number of permits issued for facilities that dispose of non-hazardous waste. This is attributed to an increase in the number of permit modification submitted by landfills needing to come into compliance with the new agency rules.

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## Strategy 01-02-03: Waste Management and Permitting

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### Explanatory Measure 02: Number of Hazardous Waste Permits Issued

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	160	163	101.88%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

### Explanatory Measure 03: Number of Corrective Actions Implemented by Responsible Parties for Solid Waste Sites

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	12	14	116.67%

**Variance Explanation:**  
**ABOVE PROJECTED LEVEL**  
Performance for the Number of Corrective Actions Implemented by Responsible Parties for Solid Waste Sites was above projections for FY 2007. This measure reflects the number of corrective actions being performed by responsible parties to remediate releases for municipal solid waste and commercial industrial non-hazardous waste landfills. The majority of sites implementing corrective action are related to landfill gas migration or the detection of groundwater contaminants, both of which have a degree of unpredictability and may vary from year to year.

## Strategy 01-02-04: Occupational Licensing

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**Output Measure 01:  
Number of Applications for Occupational Licensing**

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	5,750	5,641	24.53%
2 <sup>nd</sup> Quarter	5,750	5,147	22.38%
3 <sup>rd</sup> Quarter	5,750	5,942	25.83%
4 <sup>th</sup> Quarter	5,750	6,044	26.28%
<b>Total Performance</b>	23,000	22,786	99.07%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

**Output Measure 02:  
Number of Examinations Administered (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	2,625	2,496	23.77%
2 <sup>nd</sup> Quarter	2,625	<del>2,271</del> <sup>*</sup> 2,619	24.93%
3 <sup>rd</sup> Quarter	2,625	<del>2,660</del> 3,057	25.33%
4 <sup>th</sup> Quarter	2,625	2,966	28.25%
<b>Total Performance</b>	10,500	11,138	106.08%

\*Note: The second quarter number has been revised from 2,271 to 2,619, and third quarter has been revised from 2,660 to 3,057. The revision was necessary to count exams administered during the quarter, but received in the Central Office for processing very late or after the close of the quarter.

**Variance Explanation:**  
**ABOVE PROJECTED LEVEL**  
Performance for the Number of Examinations Administered was above projections for FY 2007. This measure reports the number of occupational licensing examinations administered by the agency and its agents for FY 07. This is an on demand activity in which the agency does not control the number of individuals taking examinations. The increase in the number of examinations can be attributed to several factors: more individuals retesting following the failure of an exam; an increase in the number of individuals failing to renew their licenses in a timely manner and having to retest to obtain a new license; individuals applying for license upgrades and testing in anticipation of changes to the occupational licensing rules. It is anticipated the measure will be met in FY2008.

## Strategy 01-02-04: Occupational Licensing

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**Output Measure 03:  
Number of Licenses and Registrations Issued**

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	5,500	<del>5,178</del> 5,180	23.54%
2 <sup>nd</sup> Quarter	5,500	<del>4,781</del> 4,782	21.73%
3 <sup>rd</sup> Quarter	5,500	<del>4,988</del> 4,985	22.65%
4 <sup>th</sup> Quarter	5,500	5,277	23.99%
<b>Total Performance</b>	22,000	20,224	91.93%

\*Note: The changes to previous quarters are a result of renewal of licensing being submitted after the close of the quarter. These renewals were processed with the anniversary date of their original registration

**Variance Explanation:**  
 BELOW PROJECTED LEVEL  
 Performance for The Number of Licenses and Registrations Issued was below projections for FY 2007. This measure reports the number of new and upgraded licenses and registrations issued during the reporting period. This is an on-demand activity in which the agency does not control the number of individuals seeking certification. The projected number of licenses issued and renewed had been increased for FY 2007 in anticipation of more On-Site Sewage Facility(OSSF) maintenance providers seeking licensure under HB 2510, but the higher number of OSSF applications were not received by the agency. The lower number may also be related to economic conditions with less demand for licensed occupations during this fiscal year. It is anticipated that the measure will be met in FY 08.

**Efficiency Measure 01:  
Average Annualized Cost Per License and Registration**

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	\$18	\$18.18	101.00%
2 <sup>nd</sup> Quarter	\$18	\$17.86	99.22%
3 <sup>rd</sup> Quarter	\$18	\$17.70	98.33%
4 <sup>th</sup> Quarter	\$18	\$17.65	98.06%
<b>Annual Target</b>	\$18	\$17.70	98.33%

**Variance Explanation:**  
 Performance met projections. No variance explanation required.

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**Strategy 01-02-04: Occupational Licensing**

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**Explanatory Measure 01:**

**Number of TCEQ Licensed Environmental Professionals and Registered Companies**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>Total Performance</b>	48,500	49,637	102.34%

**Variance Explanation:**

Performance met projections. No variance explanation required.

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**Goal 01-03: Assessment, Planning, and Permitting**

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**Outcome Measure 01:  
Percent of Scheduled Licensing Activities Complete (Key)**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>Total Performance</b>	86%	86%	100.00%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

## Goal 02-01: Drinking Water and Water Utilities

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**Outcome Measure 01:**

**Percent of Texas Population Served by Public Water Systems which Meet Drinking Water Standards (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	94%	96%	102.13%

**Variance Explanation:**

Performance met projections. No variance explanation required.

**Outcome Measure 02:**

**Percent of Texas Public Water Systems Protected by a Source Water Protection Program**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	95%	92%	96.84%

**Variance Explanation:**

Performance met projections. No variance explanation required.

**Outcome Measure 03:**

**Percent of Texas Population Served by Public Water Systems Protected by a Program Which Prevents Connection between Potable and Non-Potable Water Sources**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	95%	99%	104.21%

**Variance Explanation:**

Performance met projections. No variance explanation required.

## Strategy 02-01-01: Safe Drinking Water

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**Output Measure 01:**

**Number of Public Drinking Water Systems which Meet Primary Drinking Water Standards (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	6,000	6,278	104.63%
2 <sup>nd</sup> Quarter	6,000	6,327	105.45%
3 <sup>rd</sup> Quarter	6,000	6,350	105.83%
4 <sup>th</sup> Quarter	6,000	6,291	104.85%
<b>Total Performance</b>	6,000	6,291	104.85%

**Variance Explanation:**

Performance met projections. No variance explanation required.

**Output Measure 02:**

**Number of Drinking Water Samples Collected (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	9,000	8,519	23.66%
2 <sup>nd</sup> Quarter	9,000	8,676	24.09%
3 <sup>rd</sup> Quarter	9,000	9,856	27.38%
4 <sup>th</sup> Quarter	9,000	13,450	37.36%
<b>Total Performance</b>	36,000	40,501	112.50%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Number of Drinking Water Samples Collected was above projections for FY 2007. This measure reports the number of drinking water samples collected in a fiscal year. The variance in the number of samples collected resulted from the newly adopted Federal Stage 2 Disinfectants and Disinfection Byproduct Rule (DBP2) early sampling requirements. The DBP2 was adopted January 4, 2006, and increased the required sampling levels. Initial distribution System Evaluation (DSE) sampling under DBP2 is required to determine locations within drinking water distribution systems where disinfection by products are at relatively high concentrations.

## Strategy 02-01-02: Water Utilities Oversight

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**Output Measure 01:  
Number of Utility Rate Reviews Performed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>1<sup>st</sup> Quarter</b>	25	8	8.00%
<b>2<sup>nd</sup> Quarter</b>	25	19	19.00%
<b>3<sup>rd</sup> Quarter</b>	25	31	31.00%
<b>4<sup>th</sup> Quarter</b>	25	17	17.00%
<b>Total Performance</b>	100	75	75.00%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Number of Utility Rate Reviews Performed was below projections for FY 2007. This measure reports the number of utility rate change requests which are reviewed and processed by agency staff. Performance is low because we have received fewer rate applications than the projected number. One reason for the lower number of rate application filings is because many small systems have been acquired or transferred to cities, districts or larger multi-system investor owned utilities.

**Output Measure 02:  
Number of District Applications Processed**

	Projected	Actual	Percent of Annual Projection Attained
<b>1<sup>st</sup> Quarter</b>	137.5	173	31.45%
<b>2<sup>nd</sup> Quarter</b>	137.5	200	36.36%
<b>3<sup>rd</sup> Quarter</b>	137.5	209	38.00%
<b>4<sup>th</sup> Quarter</b>	137.5	150	27.27%
<b>Total Performance</b>	550	732	133.09%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Number of District Applications Processed was above projections for FY 2007. This measure reports the number of major and minor district applications reviewed which includes: applications for district creation, bond issues, and other approvals required under the Texas Water Code. Performance is directly tied to the needs of the regulated community. With the rapid expansion of the housing markets in the state, the needs of water districts have expanded as well. This has resulted in a greater number of applications being filed and processed. This performance is expected to continue as long as economic activity remains high.

## Strategy 02-01-02: Water Utilities Oversight

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### Output Measure 03:

#### Number of Certificates of Convenience and Necessity Applications Processed

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	56.25	26	11.56%
2 <sup>nd</sup> Quarter	56.25	33	14.67%
3 <sup>rd</sup> Quarter	56.25	59	26.22%
4 <sup>th</sup> Quarter	56.25	58	25.78%
<b>Total Performance</b>	225	176	78.22%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Number of Certificates of Convenience and Necessity (CCN) Applications Processed was below projections for FY 2007.

This measure reports the number of applications received and processed by agency staff and either approved, dismissed, referred to legal staff as a contested case matter, or withdrawn by the applicant within the reporting period.

Performance is low because we have received fewer CCN applications than the projected number. One reason for the lower number of CCN filings is due to recent legislation, which restricted cities from acquiring area outside the boundaries of their extraterritorial jurisdiction without first obtaining landowner consent from all in a proposed area.

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## Goal 03-01: Enforcement and Compliance Assistance

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### Outcome Measure 01:

#### Percent of Inspected or Investigated Air Sites in Compliance (Key)

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	98%	96%	97.96%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

### Outcome Measure 02:

#### Percent of Inspected or Investigated Water Sites and Facilities in Compliance (Key)

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	97%	99%	102.06%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

### Outcome Measure 03:

#### Percent of Inspected or Investigated Waste Sites in Compliance (Key)

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	97%	96%	98.97%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

## Goal 03-01: Enforcement and Compliance Assistance

---

**Outcome Measure 04:  
Percent of Identified Non-Compliant Sites and Facilities for which Appropriate Action is Taken  
(Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	85%	84%	98.82%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

**Outcome Measure 05:  
Percent of Investigated Occupational Licensees in Compliance**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	86%	90%	104.65%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

**Outcome Measure 06:  
Percent of Administrative Orders Settled**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	85%	79%	92.94%

**Variance Explanation:**  
BELOW PROJECTED LEVEL  
Performance for the Percent of Administrative Orders Settled was below projections for FY 2007. This measure reflects a percentage of the enforcement orders issued during a fiscal year that were settled by the Enforcement Division, without litigation. In FY 2007 the agency temporarily focused resources on reducing the number of backlog cases in Litigation Therefore, the number of cases that the enforcement division set for commission consideration and issuance was reduced to allow an increase in the number of litigation cases. This resulted in a slightly lower number of orders settled by the Enforcement Division being issued by the Commission. However, the number of orders that have actually settled has not decreased significantly. This is primarily due to changes that have taken place as a result of the enforcement process review that resulted in streamlining how default cases, settlement negotiations, and referrals to the State Office of Administrative Hearings were processed. This trend is not expected to continue in the future.

**Goal 03-01: Enforcement and Compliance Assistance**

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**Outcome Measure 07:  
Percent of Administrative Penalties Collected**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>Total Performance</b>	88%	90%	102.27%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

**Outcome Measure 08:  
Tons of Emissions and Waste Reduced and Minimized as Reported by the Regulated Community Implementing Pollution Prevention, Environmental Management Systems, and Other Innovative Programs.**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>Total Performance</b>	100,000	339,789.39	339.79%

**Variance Explanation:**  
ABOVE PROJECTED LEVEL  
Performance for the Tons of Emissions and Waste Reduced and Minimized was above projections for FY 2007. This measure provides an indication of pollution prevention and environmental management staff's ability to encourage the regulated community to implement pollution prevention and waste minimization practices and technology. Performance was above projected levels because emissions reductions tend to be initially high with declining performance in following years. Past trends indicate that future performance is expected to remain near 100,000 tons.

## Goal 03-01: Enforcement and Compliance Assistance

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### Outcome Measure 09:

**Amount of Financial Savings Achieved as Reported by the Regulated Community Implementing Pollution Prevention, Environmental Management Systems, and Other Innovative Programs.**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	\$30,000,000	\$41,525,298	138.42%

**Variance Explanation:**

ABOVE PROJECTED LEVEL  
 Performance for the Amount of Financial Savings Achieved by the Regulated Community was above projections for FY 2007. This measure reports the dollar amount of savings voluntarily reported by the regulated community achieved through Pollution Prevention and Environmental Management technical assistance activities. The reported financial savings by the regulated community varies from year-to-year due to changes in economic conditions and reporting on completed projects. Future performance is expected to remain near \$30,000,000.

### Outcome Measure 10:

**Tons of Emissions and Waste Reduced and Minimized in the Texas Mexico Border Region as Reported by the Regulated Community Implementing Pollution Prevention, Environmental Management Systems, and Other Innovative Programs.**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	10,000	20.115	0.20%

**Variance Explanation:**

BELOW PROJECTED LEVEL  
 Performance for the Tons of Emissions and Waste Reduced and Minimized was below projections for FY 2007. This measure provides an indication of pollution prevention and environmental management staff's ability to encourage the regulated community along the Texas-Mexico border to implement pollution prevention and waste minimization practices and technology. In previous years, SBEA staff conducted site assistance visits in Mexico along the border. These site visits no longer occur and reductions from Mexico are no longer included in total reductions. In FY 2008, Waste Reduction Policy Act facilities and Toxic Release Inventory facilities will be targeted to encourage site visits and achieve reductions on the Texas side of the border. The Texas side of the border represents a small percentage of the Border Region industry. As such, there may not be enough waste and emissions reductions possible to meet the projected performance goal every year.

## Strategy 03-01-01: Field Inspections and Complaint Response

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**Output Measure 01:  
Number of Inspections and Investigations of Air Sites (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>1<sup>st</sup> Quarter</b>	3,250	4,002	30.78%
<b>2<sup>nd</sup> Quarter</b>	3,250	2,634	20.26%
<b>3<sup>rd</sup> Quarter</b>	3,250	2,542	19.55%
<b>4<sup>th</sup> Quarter</b>	3,250	2,583	19.87%
<b>Total Performance</b>	13,000	11,761	90.47%

\*Note: This is the new version of this measure which does not include emission event investigations. Fourth quarter performance for the number of emission event investigations, is 1,326 .

**Variance Explanation:**  
 BELOW PROJECTED LEVEL  
 Performance for the Number of Inspections and Investigations of Air Sites was below projections for FY 2007. The calculation for this measure has changed and does not include emission event investigations. For FY2008, this measure will become the key measure for Air Site Inseptions. The number of emission events investigations was much higher than projected for FY 2007, affecting other types of investigations at air sites. Emission events investigations are on demand, statutorily required activities. It is anticipated that the numbers will meet projections in FY 2008.

**Output Measure 02:  
Number of Inspections and Investigations of Water Rights Sites (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>1<sup>st</sup> Quarter</b>	8,500	9,611	28.27%
<b>2<sup>nd</sup> Quarter</b>	8,500	7,153	21.04%
<b>3<sup>rd</sup> Quarter</b>	8,500	8,652	25.45%
<b>4<sup>th</sup> Quarter</b>	8,500	9,084	26.72%
<b>Total Performance</b>	34,000	34,500	101.47%

**Variance Explanation:**  
 Performance met projections. No variance explanation required.

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## Strategy 03-01-01: Field Inspections and Complaint Response

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### Output Measure 03:

#### Number of Inspections and Investigations of Water Sites and Facilities (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	2,125	2,143	25.21%
2 <sup>nd</sup> Quarter	2,125	2,084	24.52%
3 <sup>rd</sup> Quarter	2,125	2,193	25.80%
4 <sup>th</sup> Quarter	2,125	2,233	26.27%
<b>Total Performance</b>	<b>8,500</b>	<b>8,653</b>	<b>101.80%</b>

**Variance Explanation:**

Performance met projections. No variance explanation required.

### Output Measure 04:

#### Number of Inspections and Investigations of Livestock and Poultry Operation Sites (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	175	166	23.71%
2 <sup>nd</sup> Quarter	175	176	25.14%
3 <sup>rd</sup> Quarter	175	165	23.57%
4 <sup>th</sup> Quarter	175	218	31.14%
<b>Total Performance</b>	<b>700</b>	<b>725</b>	<b>103.57%</b>

**Variance Explanation:**

Performance met projections. No variance explanation required.

## Strategy 03-01-01: Field Inspections and Complaint Response

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**Output Measure 05:**  
**Number of Inspections and Investigations of Waste Sites (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>1<sup>st</sup> Quarter</b>	1,839.50	2,195	29.83%
<b>2<sup>nd</sup> Quarter</b>	1,839.50	2,296	31.20%
<b>3<sup>rd</sup> Quarter</b>	1,839.50	2,090	28.40%
<b>4<sup>th</sup> Quarter</b>	1,839.50	2,208	30.01%
<b>Total Performance</b>	7,358	8,789	119.45%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

The Number of Inspections and Investigations of Waste Sites was above projections for FY 2007. This measure counts the total number of inspections/investigations of regulated municipal solid waste (MSW), industrial and hazardous waste (IHW), petroleum storage tank (PST) and stage II vapor recovery entities during the reporting period. The PST inspections have increased this year by approximately 500 in order to complete the Federal Energy Bill requirement of inspecting all PST facilities that have not been inspected since 1998.

**Output Measure 06:**  
**Number of Spill Cleanup Inspections**

	Projected	Actual	Percent of Annual Projection Attained
<b>1<sup>st</sup> Quarter</b>	100	99	24.75%
<b>2<sup>nd</sup> Quarter</b>	100	219	54.75%
<b>3<sup>rd</sup> Quarter</b>	100	217	54.25%
<b>4<sup>th</sup> Quarter</b>	100	200	50.00%
<b>Total Performance</b>	400	735	183.75%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

The Number of Spill Cleanup Inspections was above projections for FY 2007. This measure is the total number of initial, on-site spill incident inspections/investigations conducted. Spill investigations are an on-demand activity and are based upon the number of spills of regulated materials reported by citizens, industry representatives, and state law enforcement officials. This number can vary widely from quarter to quarter, and the agency has limited control over how many spills occur. During this reporting period, more spills were reported to the agency that required investigations.

## Strategy 03-01-01: Field Inspections and Complaint Response

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### Efficiency Measure 01:

#### Average Inspection and Investigation Cost of Livestock and Poultry Operations

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	\$770	\$744	96.62%
2 <sup>nd</sup> Quarter	\$770	\$535	69.48%
3 <sup>rd</sup> Quarter	\$770	\$520	67.53%
4 <sup>th</sup> Quarter	\$770	\$492	63.90%
Annual Target	\$770	\$567	73.64%

#### Variance Explanation:

##### BELOW PROJECTED LEVEL

The Average Inspection and Investigation Cost of Livestock and Poultry Operations was below projections for FY 2007. This measure is the total funds expended during the reporting period for TCEQ monitoring of livestock and poultry operations, divided by the number of inspections/investigations, for livestock and poultry operations completed during the reporting period. The lower cost is a result of a refined accounting of an investigator's time spent on investigations. Many costs used to calculate this measure increase on an annual basis, but the more accurate time accounting resulted in a lower cost per inspection. The desired performance for this measure is to be below projections.

### Efficiency Measure 02:

#### Average Time (days) from Air, Water, and Waste Inspections to Report Completion

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	35	25.8	85.71%
2 <sup>nd</sup> Quarter	35	26	74.29%
3 <sup>rd</sup> Quarter	35	28	80.00%
4 <sup>th</sup> Quarter	35	28	80.00%
Annual Target	35	28	80.00%

#### Variance Explanation:

##### BELOW PROJECTED LEVEL

Performance for the Average Time (days) from Air, Water, and Waste Inspections to Report Completion was below projections for FY 2007. This measure reports the total number of calendar days between date of investigation and date of completion divided by the total number of completed investigations reported during the reporting period. The desired performance for this measure is to be below projections. It is anticipated that performance will be below projections for FY 2008.

**Strategy 03-01-01: Field Inspections and Complaint Response**

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**Explanatory Measure 01:  
Number of Air Sites in Non-Compliance**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>Total Performance</b>	340	615	180.88%

**Variance Explanation:**  
**ABOVE PROJECTED LEVEL**  
 Performance for The Number of Air Sites in Non-Compliance was above projections for FY 2007. This measure reports the number of air sites at which significant violations were discovered requiring formal enforcement. The actual performance was higher than projected because the agency has been focusing on compliance with emissions events and scheduled maintenance, startup, and shutdown activities; and Title V emissions inventory requirements. These compliance issues have resulted in a higher number of sites in non-compliance. This trend is expected to continue in FY 2008.

**Explanatory Measure 02:  
Number of Water Sites and Facilities in Non-Compliance**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>Total Performance</b>	370	789	213.24%

**Variance Explanation:**  
**ABOVE PROJECTED LEVEL**  
 Performance for the Number of Water Sites and Facilities in Non-Compliance was above projections for FY 2007. This measure reports the number of agriculture, public drinking water, water rights, and water quality (wastewater) sites and facilities at which significant violations were discovered requiring formal enforcement. The agency focused on investigation of sites that pose the greatest public risk to the environment and began an initiative for wastewater minor sources that resulted in higher rates of non-compliance. This trend may continue in the future.

## Strategy 03-01-01: Field Inspections and Complaint Response

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### Explanatory Measure 03: Number of Waste Sites in Non-Compliance

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	520	452	86.92%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Number of Waste Sites and Facilities in Non-Compliance was below projections for FY 2007. This measure reports the number of industrial and hazardous waste, municipal solid waste, radioactive waste, petroleum storage tank (PST), and underground injection control facilities at which significant violations were discovered requiring formal enforcement. The actual performance was lower than projected because the agency has completed several initiatives that had previously increased non-compliance and now the facilities are returning to compliance. This trend may continue in the future but is difficult to predict because the agency does not have control over this measure as it reflects the performance of a regulated entity, not performance of the agency.

### Explanatory Measure 04: Number of Citizen Complaints Investigations Completed

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	6,500	4,970	76.46%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for The Number of Citizen Complaints Investigations completed was below projections for FY 2007. This measure reports the number of citizen complaints that are investigated to assure compliance with rules, regulations, and statutes designed to protect human health and the environment. Citizen complaints investigations are an on-demand activity and are based upon the number of complaints received from citizens by the agency. Regulated entities are investigated to assure compliance with rules, regulations and statutes designed to protect human health and the environment. The agency has limited control over the number of complaints received.

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## Strategy 03-01-01: Field Inspections and Complaint Response

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### Explanatory Measure 05: Number of Occupational Licensees in Non-Compliance

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	35	16	45.71%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Number of Occupational Licensees in Non-Compliance was below projections for FY 2007. This measure reports the number of licensees at which significant violations were discovered requiring formal enforcement. The agency has been focusing efforts on enforcement of individuals who are operating without licenses, which are not included in this measure. The TCEQ did begin enforcement against 58 licensed individuals in FY 2007. This trend is expected to continue in FY 2008.

### Explanatory Measure 06: Number of Emissions Events Investigations

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	3,000	5,293	176.43%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Number of Emission Events Investigations was above projections for FY 2007. These are on demand, statutorily required activities. The projection of 3,000 was based on trends over the past several years when the number of incidents increased dramatically. The number of emissions events, which are outside of the agency's control, drives the number of investigations. It is anticipated that the number will decrease in FY 2008.

**Strategy 03-01-02: Enforcement and Compliance Support**

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**Output Measure 01:  
Number of Environmental Laboratories Accredited**

	Projected	Actual	Percent of Annual Projection Attained
<b>1<sup>st</sup> Quarter</b>	80	59	73.75%
<b>2<sup>nd</sup> Quarter</b>	80	64	80.00%
<b>3<sup>rd</sup> Quarter</b>	80	71	88.75%
<b>4<sup>th</sup> Quarter</b>	80	76	95.00%
<b>Total Performance</b>	80	76	95.00%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

**Output Measure 02:  
Number of Small Business and Local Governments Assisted (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>1<sup>st</sup> Quarter</b>	13,500	40,980	75.89%
<b>2<sup>nd</sup> Quarter</b>	13,500	12,755	23.62%
<b>3<sup>rd</sup> Quarter</b>	13,500	23,231	43.02%
<b>4<sup>th</sup> Quarter</b>	13,500	5,901	10.93%
<b>Total Performance</b>	54,000	82,867	153.46%

**Variance Explanation:**  
**ABOVE PROJECTED LEVEL**  
Performance for the Number of Small Businesses and Local Governments Assisted was above projections for FY 2007. This measure provides an indication of the number of notifications provided to the state's small businesses and local governments to keep them informed of regulatory changes. The above level performance was due to special outreach to stakeholders during the first quarter that was conducted in advance of a regulatory requirement that took effect during that quarter.

**Strategy 03-01-02: Enforcement and Compliance Support**

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**Output Measure 03:**

**Number of Drinking Water Laboratories Certified (Key)**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>1<sup>st</sup> Quarter</b>	117	103	88.03%
<b>2<sup>nd</sup> Quarter</b>	117	101	86.32%
<b>3<sup>rd</sup> Quarter</b>	117	99	84.62%
<b>4<sup>th</sup> Quarter</b>	117	93	79.49%
<b>Total Performance</b>	117	93	79.49%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Number of Drinking Water Laboratories Certified was below projections for FY 2007. This measure reports the number of labs certified to analyze public water supply samples. Laboratories are switching from the Drinking Water Certification Program to the Environmental Laboratory Accreditation Program. It is projected as more laboratories switch their certifications, the number of certified drinking water laboratories will continue to decrease over time.

**Efficiency Measure 01:**

**Average Number of Days to File an Initial Settlement Offer**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>1<sup>st</sup> Quarter</b>	70	41	58.57%
<b>2<sup>nd</sup> Quarter</b>	70	45	64.29%
<b>3<sup>rd</sup> Quarter</b>	70	44	62.86%
<b>4<sup>th</sup> Quarter</b>	70	55	78.57%
<b>Annual Target</b>	70	55	78.57%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Average Number of Days to File an Initial Settlement Offer was below projections for FY 2007. This measure represents the average number of days from the date the case was assigned to the mailing date of the initial document that explains the violations and calculated penalty included in the enforcement action. The average number of days was lower than projected because the agency has revised enforcement processing procedures to process all new cases within a 60 day or less average time frame. For this type of measure, performance below the target level reflects positively on agency efforts to expedite cases. The agency anticipates that this trend will continue in FY 2008.

**Strategy 03-01-02: Enforcement and Compliance Support**

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**Explanatory Measure 01:  
Amount of Administrative Penalties Paid in Final Orders Issued**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	N/A	\$8,245,706	N/A

**Variance Explanation:**  
No performance target is set for this measure. The number is provided for informational purposes only.

**Explanatory Measure 02:  
Amount Required to be Paid for Supplemental Environmental Projects Issued in Administrative Orders**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	N/A	\$1,895,103	N/A

**Variance Explanation:**  
No performance target is set for this measure. The number is provided for informational purposes only.

**Explanatory Measure 03:  
Number of Administrative Enforcement Orders Issued**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	1,000	1,383	138.30%

**Variance Explanation:**  
**ABOVE PROJECTED LEVEL**  
Performance for the Number of Administrative Enforcement Orders Issued was above projections for FY 2007. This measure reflects agency efforts; however, the total number of orders issued during any fiscal quarter is largely a function of the rate of significant noncompliance documented during agency investigations. Performance exceeded projections due to an increase in the number of facilities that were documented to be in significant noncompliance. The increase is the result of an initiative regarding registration of dry cleaning facilities that generate hazardous wastes. This level of performance is expected to decline as this initiative is completed.

## Strategy 03-01-03: Pollution Prevention and Recycling

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### Output Measure 01:

#### Number of On-Site Technical Assistance Visits, Audits, Presentations and Workshops on Pollution Prevention/Waste Minimization and Environmental Management Systems Conducted

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	60	<del>60</del> 67	27.92%
2 <sup>nd</sup> Quarter	60	<del>33</del> 37	15.42%
3 <sup>rd</sup> Quarter	60	<del>39</del> 41	17.08%
4 <sup>th</sup> Quarter	60	58	24.17%
<b>Total Performance</b>	240	203	84.58%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Number of On-Site Technical Assistance Visits, Audits, Presentations and Workshops on Pollution Prevention/Waste Minimization and Environmental Management Systems Conducted was below projections for FY 2007. This measure reports the number of outreach activities conducted by the Pollution Prevention and Environmental Management Staff. Renewed efforts at public outreach will ensure FY 2008 performance meets expected projections.

\*Note: Staff changes in FY 07 resulted in lower second and third quarter numbers and the omission of several events, which required amendments to all quarters.

### Output Measure 02:

#### Number of Entities Participating in Performance-Based Regulatory Programs

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	370	335	90.54%
2 <sup>nd</sup> Quarter	370	155	41.89%
3 <sup>rd</sup> Quarter	370	140	37.84%
4 <sup>th</sup> Quarter	370	146	39.46%
<b>Total Performance</b>	370	146	39.46%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Number of Entities Participating in Performance-Based Regulatory Programs was below projections for FY 2007. This measure reflects the number of entities participating in voluntary programs. Changes made to the Clean Texas program this fiscal year elevated requirements for participants. The resulting benefit to the state is that members unwilling to actively participate are no longer included. Members are now expected to continually enhance their pollution prevention efforts and this change in strategy makes the projected performance difficult to achieve. As a result, a change in the projected performance requirements will be proposed. Increased marketing and public outreach will continue in an effort to increase participation in these programs.

## Strategy 03-01-03: Pollution Prevention and Recycling

### Output Measure 03:

Number of Quarts of Used Oil Diverted from Landfills and Processed (in millions)

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	8.25	0	0.0%
2 <sup>nd</sup> Quarter	8.25	5.2	15.8%
3 <sup>rd</sup> Quarter	8.25	15	45.5%
4 <sup>th</sup> Quarter	8.25	25.4	77.0%
<b>Total Performance</b>	33	45.6	138.3%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Number of Quarts of Used Oil Diverted from Landfills and Processed (in millions) was above projections for FY 2007. This measure reports the amount of used oil which, if not received by the registered collection centers, would otherwise be delivered to landfills or improperly disposed of. The number of quarts of used oil from households and non-collection centers diverted from landfills during this reporting cycle is 22.71 million. Collection centers can voluntarily report the amount of used oil they generated and recycled (they reported 22.88 million quarts this fiscal year). A total of 45.59 million (mandatory and voluntary data) quarts of used oil were diverted from landfills. As mandatory reporting is not required for used oil generated at collection centers, there will always be a wide range in the reporting of this measurement from year-to-year.

### Efficiency Measure 01:

Average Cost Per On-Site Technical Assistance Visit

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	\$600	<del>\$295.17</del> \$305.57	50.93%
2 <sup>nd</sup> Quarter	\$600	\$183.24	30.54%
3 <sup>rd</sup> Quarter	\$600	\$326.60	54.43%
4 <sup>th</sup> Quarter	\$600	633.91	105.65%
<b>Annual Target</b>	\$600	\$284.07	47.35%

\*Note: The first quarter change is a result of staff changes that resulted in On-site visit being omitted.

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Average Cost Per On-Site Technical Assistance Visit was below projections for FY 2007. This measure reports the average cost of each technical site assistance visit performed by Pollution Prevention Staff. The savings are a result of modifications made to the calculation method. The reported cost now tracks the actual time spent onsite instead of using an average that is no longer correct. Additionally, more efficient use of regional staff has resulted in more local visits, inducing fewer travel costs. Future performance is expected to remain below \$600.00.

**Explanatory Measure 01:**

**Tons of Hazardous Waste Reduced as a Result of Pollution Prevention Planning**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>Total Performance</b>	1,000,000	402,921	40.29%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Tons of Hazardous Waste Reduced as a Result of Pollution Prevention Planning was below projections for FY 2007. This measure indicates the level of hazardous waste reduction by Texas facilities and provides information regarding the agency's efforts to reduce toxics released in Texas. Projects implemented by industry can take years to implement and yield reductions. Despite the drastic fluctuations in reductions from year to year, the 10 year average is over 1 million tons per year reduced. In an effort to meet the projected tons for FY 2008, the number of Pollution Prevention workshops has been doubled from FY 2007. Additionally, in FY 2008 large quantity generators will be targeted for site assistance visits to increase reductions further.

**Explanatory Measure 02:**

**Tons of Waste Collected by Local and Regional Collection and Cleanup Events**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>Total Performance</b>	1,050	1,331	126.76%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the tons of waste collected by local and regional collection and cleanup events was above projections for FY 2007. This measure reports the tons of waste collected through cleanup events sponsored by or assisted by TCEQ. The number was computed by adding the amount of household hazardous waste collected at collection events (exclusive of paint, oil, batteries, etc.) and adding it to the amounts of solid waste collected at lake and river cleanup events. The amount has increased because of the number and interest in these cleanup and collection events, which is expected to continue into the future.

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**Strategy 03-01-03: Pollution Prevention and Recycling**

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**Explanatory Measure 03:**

**Tons of Agricultural Waste Chemicals Collected by TCEQ-Sponsored Entities**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>Total Performance</b>	125	122.49	97.99%

**Variance Explanation:**

Performance met projections. No variance explanation required.

**Explanatory Measure 04:**

**Number of Registered Waste Tire Facilities and Transporters**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>Total Performance</b>	860	917	106.63%

**Variance Explanation:**

ABOVE PROJETED LEVEL

Performance for the Number of Registered Waste Tire Facilities and Transporters was above projections for FY 2007. This measure reports the number of regulated facilities involved in scrap tire management. The number of registered waste tire facilities and transporters are the facilities registered from the previous year in addition to those newly registered in the reporting period. This is an on demand activity that occurs when applications for registrations are received by the agency.

## Goal 04-01: Pollution Cleanup

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### Outcome Measure 01:

#### Percent of Leaking Petroleum Storage Tank Sites Cleaned Up (Key)

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	86%	88%	102.33%

**Variance Explanation:**

Performance met projections. No variance explanation required.

### Outcome Measure 02:

#### Percent of Superfund Sites Cleaned Up (Key)

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	59%	63.4%	107.46%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Percent of Superfund Sites Cleaned up was above projections for FY 2007. This measure reflects long-term agency efforts to clean up Superfund sites. This measure is calculated by taking the total number of sites which have achieved "cleanup complete", and dividing by the total number of state and federal superfund sites since program inception. Because the program met its goal of 5 cleanup completions, but did not add as many sites as expected during the FY, the percentage is above the target. The program has reached "cleanup complete" for 92 of the 145 state and federal sites that have been listed or proposed for listing.

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## Goal 04-01: Pollution Cleanup

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### Outcome Measure 03:

#### Percent of Voluntary and Brownfield Cleanup Properties made Available for Commercial/Industrial Redevelopment, Community, or other Economic Reuse (Key)

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	57%	65.42%	114.77%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Percent of Brownfield Properties Made Available for redevelopment was above projections for FY 2007. This measure reports the percentage of voluntary and brownfield properties/sites that are returned to a productive use within a community. The Voluntary Cleanup Program (VCP) has closed 1,258 of the 1,923 sites that have entered into the VCP program. The VCP program had experienced a downward trend during the past seven years in the number of applications received. With a reduction in the number of new applications received and a greater than projected number of sites closed during FY 2007, the percent of sites made available for reuse was greater than projected.

## Strategy 04-01-01: Storage Tank Administration and Cleanup

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### Output Measure 01:

#### Number of Petroleum Storage Tank Self-Certifications Processed

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	4,500	2,680	14.89%
2 <sup>nd</sup> Quarter	4,500	4,191	23.28%
3 <sup>rd</sup> Quarter	4,500	5,094	28.30%
4 <sup>th</sup> Quarter	4,500	5,411	30.06%
<b>Total Performance</b>	18,000	17,376	96.53%

**Variance Explanation:**

Performance met projections. No variance explanation required.

### Output Measure 02:

#### Number of Emergency Response Actions at Petroleum Storage Tank Sites

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	4	6	37.50%
2 <sup>nd</sup> Quarter	4	3	18.75%
3 <sup>rd</sup> Quarter	4	3	18.75%
4 <sup>th</sup> Quarter	4	6	37.50%
<b>Total Performance</b>	16	18	112.50%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for Number of Emergency Response Actions at Petroleum Storage Tank Sites was above projections for FY 2007. This measure reports the number of sites to which a state lead contractor is dispatched to address an immediate threat to human health or safety. This is an on-demand activity. Fluctuations in performance are likely to occur due to the unpredictable number of sites requiring emergency responses.

## Strategy 04-01-01: Storage Tank Administration and Cleanup

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### Output Measure 03:

#### Number of Petroleum Storage Tank Reimbursement Fund Applications Processed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	1,375	947	17.22%
2 <sup>nd</sup> Quarter	1,375	1,134	20.62%
3 <sup>rd</sup> Quarter	1,375	1,090	19.82%
4 <sup>th</sup> Quarter	1,375	877	15.95%
<b>Total Performance</b>	<b>5,500</b>	<b>4,048</b>	<b>73.60%</b>

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Number of Petroleum Storage Tank Reimbursement Fund Applications Processed was below projections for FY 2007. This measure reflects program performance in processing reimbursement applications received for petroleum storage tank cleanups. The program met all review time periods required by statute. The reduced number of applications received and processed is a direct result of the reduction of sites undergoing remediation. At the close of FY 2007, 88% of the known LPST sites have been closed.

### Output Measure 04:

#### Number of Petroleum Storage Tank Cleanups Completed

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	150	120	20.00%
2 <sup>nd</sup> Quarter	150	251	41.83%
3 <sup>rd</sup> Quarter	150	237	39.50%
4 <sup>th</sup> Quarter	150	149	24.83%
<b>Total Performance</b>	<b>600</b>	<b>757</b>	<b>126.17%</b>

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Number of Petroleum Storage Tank Cleanups Completed was above projections for FY 2007. Cleanup completions are not expected to be evenly distributed over each reporting quarter. Most cleanups are finalized after responsible parties complete all field work and formally request closure review. The TCEQ has limited control over the number of requests for closure that are submitted within a given period of time.

## Strategy 04-01-01: Storage Tank Administration and Cleanup

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### Efficiency Measure 01:

#### Average Time (days) to Review and Respond to Remedial Action Plans

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	30	24.7	82.33%
2 <sup>nd</sup> Quarter	30	25.3	84.33%
3 <sup>rd</sup> Quarter	30	23.7	79.00%
4 <sup>th</sup> Quarter	30	23.7	79.00%
Annual Target	30	24.4	81.33%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Average Time (days) to Review and Respond to Remedial Action Plans was below projections for FY 2007. This measure reports the average number of days for the agency to review and respond to remedial action plans over the reporting period. The TCEQ has implemented procedures for reviewing remedial action plans to ensure average review times remain below the legislatively mandated time frame of 30 days. Performance is expected to be at this level for future reporting periods.

### Efficiency Measure 02:

#### Average Time (days) to Review and Respond to Risk-Based Site Assessments

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	30	23.3	77.67%
2 <sup>nd</sup> Quarter	30	26.7	89.00%
3 <sup>rd</sup> Quarter	30	25.3	84.33%
4 <sup>th</sup> Quarter	30	24	80.00%
Annual Target	30	24.8	82.67%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Average Time (days) to Review and Respond to Risk-Based Site Assessments was below projections for FY 2007. This measure reports the average number of days for the agency to review and respond to risk-based site assessments over the reporting period. The TCEQ has implemented procedures for reviewing these assessments to ensure average review times remain below the legislatively mandated time frame of 30 days. Projections for this measure are expected to remain at this level for future reporting periods.

## Strategy 04-01-01: Storage Tank Administration and Cleanup

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### Efficiency Measure 03:

#### Average Time (days) to Process Petroleum Storage Tank Remediation Fund Reimbursement Claims

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	90	53	58.89%
2 <sup>nd</sup> Quarter	90	55	61.11%
3 <sup>rd</sup> Quarter	90	56	62.22%
4 <sup>th</sup> Quarter	90	57	63.33%
Annual Target	90	55.3	61.44%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Average Time (Days) to Process Petroleum Storage Tank (PST) Remediation Fund Reimbursement Claims was below projections for FY 2007. This measure reflects how efficiently the agency processes claims for reimbursements from the PST remediation fund. The program is required by rule to process new claims from the date of receipt to date that a payment is mailed out to be no more than 90 days. Due to efficiencies in processing new claims, the program has consistently operated within established timelines.

### Explanatory Measure 01:

#### Average Cost per Petroleum Storage Tank Cleanup

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	\$77,500	\$75,444	97.35%

**Variance Explanation:**

Performance met projections. No variance explanation required.

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## Strategy 04-01-02: Hazardous Materials Cleanup

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### Output Measure 01:

#### Number of Immediate Response Actions Completed to Protect Human Health and the Environment

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	1.25	0	0.00%
2 <sup>nd</sup> Quarter	1.25	1	20.00%
3 <sup>rd</sup> Quarter	1.25	1	20.00%
4 <sup>th</sup> Quarter	1.25	3	60.00%
<b>Total Performance</b>	5	5	100.00%

**Variance Explanation:**

Performance met projections. No variance explanation required.

### Output Measure 02:

#### Number of Superfund Site Assessments

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	18	34	47.22%
2 <sup>nd</sup> Quarter	18	4	5.56%
3 <sup>rd</sup> Quarter	18	14	19.44%
4 <sup>th</sup> Quarter	18	22	30.56%
<b>Total Performance</b>	72	74	102.78%

**Variance Explanation:**

Performance met projections. No variance explanation required.

## Strategy 04-01-02: Hazardous Materials Cleanup

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### Output Measure 03:

#### Number of Voluntary and Brownfield Cleanups Completed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	17.5	26	37.14%
2 <sup>nd</sup> Quarter	17.5	19	27.14%
3 <sup>rd</sup> Quarter	17.5	27	38.57%
4 <sup>th</sup> Quarter	17.5	31	44.29%
<b>Total Performance</b>	70	103	147.14%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Number of Voluntary and Brownfield Cleanups Completed was above projections for FY 2007. This measure reports the number of voluntary cleanup and brownfield sites which have completed necessary response action through the removal or control of contamination levels which are protective of human health and the environment. Performance was above projections for the fourth quarter and the fiscal year due to applicants submitting technical documents and other program related documents in a timely manner.

#### Number of Superfund Evaluations Underway (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	27	35	129.63%
2 <sup>nd</sup> Quarter	27	35	129.63%
3 <sup>rd</sup> Quarter	27	35	129.63%
4 <sup>th</sup> Quarter	27	33	122.22%
<b>Total Performance</b>	27	33	122.22%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Number of Superfund Evaluations Underway was above projections for FY 2007. This measure reports the number of state and federal superfund sites that are under the evaluation phase of the superfund process. This number will increase as new sites are added to the state and federal registry during this fiscal year. When sites move to the cleanup phase, they are reported under the cleanups underway measure. Performance for this measure is expected to continue to exceed projected levels due to the iterative nature of groundwater investigations being undertaken at many of the sites. Getting landowner access agreements can also slow the investigation process. Finally, decreases in federal funding have led to delays in initiating cleanups, resulting in sites remaining in the evaluation phase.

## Strategy 04-01-02: Hazardous Materials Cleanup

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### Number of Superfund Cleanups Underway (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	28	16	57.14%
2 <sup>nd</sup> Quarter	28	16	57.14%
3 <sup>rd</sup> Quarter	28	17	60.71%
4 <sup>th</sup> Quarter	28	15	53.57%
<b>Total Performance</b>	28	15	53.57%

**Variance Explanation:**  
 BELOW PROJECTED LEVEL  
 Performance for the Number of Superfund Cleanups Underway was below projections for FY 2007. This measure reports the number of state and federal superfund sites that are undergoing the cleanup phase of the superfund process. This phase begins after the evaluation is completed and funding for cleanup becomes available. At this time, performance is expected to remain near current levels.

### Output Measure 04:

### Number of Superfund Sites in Texas Undergoing Evaluation and Cleanup (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	55	51	92.73%
2 <sup>nd</sup> Quarter	55	51	92.73%
3 <sup>rd</sup> Quarter	55	52	94.55%
4 <sup>th</sup> Quarter	55	48	87.27%
<b>Total Performance</b>	55	48	87.27%

\*Note: This measure is a new measure which combines two key measures. For the fourth quarter, performance for the number of Superfund evaluation underway was 33 and performance for the number of Superfund cleanups underway was 15.

**Variance Explanation:**  
 BELOW PROJECTED LEVEL  
 Performance for the Number of Superfund Sites Undergoing Evaluation and Cleanup was below projections for FY 2007. This measure reports the number of state and federal Superfund sites that are undergoing the evaluation or cleanup phase of the superfund process. This new measure combines the previous evaluations underway (EU) and cleanups underway (CU) measures. For the number of sites that would be listed or proposed as superfund sites, two of the state sites are undergoing a removal action and three federal sites were delayed from being listed in March 2007 and now will be listed in October 2007. Since the sites were not listed, they could not be counted in FY 2007.

**Strategy 04-01-02: Hazardous Materials Cleanup**

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**Output Measure 05:  
Number of Superfund Cleanups Completed (Key)**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>1<sup>st</sup> Quarter</b>	1.25	0	0.00%
<b>2<sup>nd</sup> Quarter</b>	1.25	0	0.00%
<b>3<sup>rd</sup> Quarter</b>	1.25	0	0.00%
<b>4<sup>th</sup> Quarter</b>	1.25	5	100.00%
<b>Total Performance</b>	5	5	100.00%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

**Output Measure 06:  
Number of Corrective Action Documents Approved for Industrial Solid and Municipal Hazardous Waste Sites**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>1<sup>st</sup> Quarter</b>	137.5	198	36.00%
<b>2<sup>nd</sup> Quarter</b>	137.5	147	26.73%
<b>3<sup>rd</sup> Quarter</b>	137.5	229	41.64%
<b>4<sup>th</sup> Quarter</b>	137.5	209	38.00%
<b>Total Performance</b>	550	783	142.36%

**Variance Explanation:**  
ABOVE PROJECTED LEVEL  
Performance for the Number of Corrective Action Documents Approved for Industrial Solid and Municipal Hazardous Waste Sites was above projections for FY 2007. This measure reports the number of corrective action document approvals demonstrating progress towards final cleanup of sites contaminated by industrial solid or municipal hazardous waste. The agency has limited control over the number of number of corrective action documents submitted for approval by facilities.

## Strategy 04-01-02: Hazardous Materials Cleanup

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### Output Measure 07:

#### Number of Dry Cleaner Remediation Program Applications Received (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	5	11	55.00%
2 <sup>nd</sup> Quarter	5	13	65.00%
3 <sup>rd</sup> Quarter	5	8	40.00%
4 <sup>th</sup> Quarter	5	8	40.00%
<b>Total Performance</b>	20	40	200.00%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Number of Dry Cleaner Remediation Program Applications Received exceeded projections for FY 2007. This measure reports the number of dry cleaner remediation program applications received. The program anticipated that the number of applications received in FY 2005 (the first year of the program) would be higher than the number actually received in that fiscal year. This was likely due to the relative newness of the program. Also, rule changes were adopted during FY 2006. It is believed the relatively large numbers of applications now being received are applications that were delayed while external customers became familiar with the program. The agency has limited control over the number of applications submitted.

### Efficiency Measure 01:

#### Average time (days) to Process Dry Cleaner Remediation Program Applications

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	90	53	58.89%
2 <sup>nd</sup> Quarter	90	39	43.33%
3 <sup>rd</sup> Quarter	90	35	38.89%
4 <sup>th</sup> Quarter	90	53	0.00%
<b>Annual Target</b>	90	45	50.00%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Average Time (days) to Process Dry Cleaner Remediation Program Applications was below projections for FY 2007. This measure reports the average number of days required by agency staff to process the dry cleaner remediation program applications. The TCEQ has implemented procedures for screening and reviewing the applications to ensure the average processing time is less than the legislatively mandated time frame of 90-day time frame.

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**Strategy 04-01-02: Hazardous Materials Cleanup**

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**Explanatory Measure 01:  
Number of Potential Superfund Sites to be Assessed**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	552	435	78.80%

**Variance Explanation:**  
BELOW PROJECTED LEVEL  
Performance for the Number of Potential Superfund Sites to be Assessed was below projections for FY 2007. This measure reports the number of known sites that are to be prioritized and assessed for Superfund eligibility in the subsequent fiscal year(s). The total number of sites to be assessed at the end of FY 06 was 457. The number of sites assessed in FY 07 was 74. The number of new sites referred from enforcement and the EPA this year were lower than projected.

**Explanatory Measure 02:  
Number of Federal Superfund Sites**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	54	54	100.00%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

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**Strategy 04-01-02: Hazardous Materials Cleanup**

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**Explanatory Measure 03:  
Number of State Superfund Sites**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	102	91	89.22%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Number of State Superfund Sites was below projections for FY 2007. This measure reports the number of state Superfund sites in Texas. At the end of FY2006, there were 89 state superfund sites reported under this measure. Two sites were added to the state registry in FY 2007. The total number of state Superfund sites is less than anticipated because three of the sites are being handled by the removal programs. Therefore, the number of state superfund sites was below projections for FY 2007.

**Explanatory Measure 04:  
Number of Approved Industrial Solid and Municipal Hazardous Waste Cleanups**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	300	396	132.00%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Number of Approved Industrial Solid and Municipal Hazardous Waste Cleanups was above projections for FY 2007. This explanatory measure counts the number of final approval of industrial solid and municipal hazardous waste cleanup and unit closures. The agency has limited control over the number of corrective action cleanup and unit closures submitted for approval by facilities.

## Goal 05-01: Texas River Compacts

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**Outcome 01:**

**The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Canadian River Compact (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	100%	43%	43.00%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Percent of Quality Water received was below projections for FY 2007. This measure reports the extent to which Texas receives its share of water as apportioned by the compact. The acre feet of quality water received by Texas from the Canadian River was less than normal due to below average precipitation in the Canadian River watershed of New Mexico. New Mexico was in compliance with the Compact.

**Outcome 02:**

**The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Pecos River Compact (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	100%	233%	233.00%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Percent of Quality Water received was above projections for FY 2007. This measure reports the extent to which Texas receives its share of water as apportioned by the Compact. Performance was above projections due to New Mexico's credits accumulated under the Compact.

**Outcome 03:**

**The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Red River Compact (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	100%	100%	100.00%

**Variance Explanation:**

Performance met projections. No variance explanation required.

## Goal 05-01: Texas River Compacts

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### Outcome 04:

**The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Rio Grande River Compact (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	100%	80%	80.00%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for The Percent of Quality Water received was below projections for FY 2007. This measure reports the extent to which Texas receives its share of water as apportioned by the compact. The percentage was lower due to the continued drought in New Mexico.

### Outcome 05:

**The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Sabine River Compact (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	100%	113%	113.00%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Percent of Quality Water received was above projections for FY 2007. This measure reports the extent to which Texas receives its share of water as apportioned by the Compact. The percentage was higher than projected due to an increased demand for water by Texas water users.

**Strategy 05-01-01: Canadian River Compact**

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**Output Measure 01:  
Number of Accountings Prepared and Resolved Annually**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>Total Performance</b>	1	1	100.00%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

**Output Measure 02:  
Acre Feet of Quality Water Impounded in Texas' Reservoirs as Apportioned by the Canadian River Compact**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>Total Performance</b>	350,000	148,035	42.30%

**Variance Explanation:**  
**BELOW PROJECTED LEVEL**  
Performance for the acre-feet of quality water received was below projections for FY 2007. This measure reports the extent to which Texas receives its share of water as apportioned by the Compact. Performance was below projections due to below average precipitation in the Canadian River watershed of New Mexico. New Mexico was in compliance with the Compact.

**Strategy 05-01-01: Canadian River Compact**

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**Efficiency Measure 01:**

**Average Cost per Acre-Foot of Water Impounded in Texas' Reservoirs as Apportioned by the Canadian River Compact**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	\$0.06	\$0.09	150.00%

**Variance Explanation:**  
 ABOVE PROJECTED LEVEL  
 Performance for The Average Cost Per Acre-Foot of Water Received was above projections for FY 2007. This measure reports the average cost per acre-foot of water received by Texas. The average cost per acre-foot of water impounded in Texas Reservoirs was more expensive due to less than expected runoff in the Canadian River Watershed of New Mexico.

**Explanatory Measure 01:**

**Number of Active Interstate Disputes Regarding the Canadian River Compact which Could Result in Litigation Involving Texas, Oklahoma, and/or New Mexico**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	1	1	100%

**Variance Explanation:**  
 Performance met projections. No variance explanation required.

**Strategy 05-01-02: Pecos River Compact**

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**Output Measure 01:  
Number of Accountings Prepared and Resolved Annually**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	1	1	100.00%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

**Output Measure 02:  
Acre Feet of Quality Water Received by Texas Annually as Apportioned by the Pecos River Compact**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	64,000	149,000	232.81%

**Variance Explanation:**  
ABOVE PROJECTED LEVEL  
Performance for the Acre-Feet of Water Received by Texas was above projections for FY 2007. This measure reports the extent to which Texas receives its share of water as apportioned by the compact. Performance was higher than projected due to New Mexico's credits accumulated under the Compact. New Mexico was in compliance with the Compact.

**Output Measure 03:  
Number of Projects Implemented to Maximize Water Quality and Water Resource**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	2	2	100.00%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

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**Strategy 05-01-02: Pecos River Compact**

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**Efficiency Measure 01:**

**Average Cost Per Acre-Foot of Quality Water Received by Texas as Apportioned by the Pecos River Compact**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>Total Performance</b>	\$1.86	\$.79	42.47%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Average Cost Per Acre-Foot of Water Received was below projections for FY 2007. This measure is directly tied to the number of acre-feet of water received by the state. The acre-feet received in FY 2007 was higher than projected due to New Mexico's credits accumulated under the Compact. This resulted in less expenses per acre-foot water received than anticipated.

## Strategy 05-01-03: Red River Compact

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### Output Measure 01:

#### Rules Developed and Approved for Compact Defined by the Red River Compact

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	0.5	0	0.00%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Number of Rules Developed and Approved was below projections for FY 2007. This measure reports the number of rules developed and approved for the Compact. No compact rules were approved during the fiscal year. The Texas and Oklahoma Commissioners were unable to reach an agreement on the draft rules for the Red River upstream of Lake Texoma or for the North Fork Red River/Sweetwater Creek area.

### Output Measure 02:

#### Number of Interstate Compact Meetings Attended to Administer the Red River Compact

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	6	8	133.33%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Number of Interstate Compact Meetings Attended was above projections for FY 2007. This measure reports the number of meetings attended to administer the compact during the fiscal year. The number of meetings attended was higher than anticipated due to the lawsuits filed by the Tarrant Regional Water District vs. Oklahoma and visits with U.S. Congressmen from the Red River Basin regarding compact issues.

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**Strategy 05-01-03: Red River Compact**

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**Efficiency Measure 01:**

**Average Cost per Compact Meeting Attended to Administer the Red River Compact**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>Total Performance</b>	\$4,945	\$3,774	76.32%

**Variance Explanation:**

BELOW PROJECTED LEVEL

Performance for the Average Cost per Compact Meeting was below projections for FY 2007. This measure reflects the average cost to attend the compact measure meeting. The average cost for each meeting attended was lower than anticipated due to the increased number of meetings attended due to the lawsuit filed by the Tarrant Regional Water District vs. Oklahoma and visits with U.S. Congressman from the Red River Basin regarding compact issues.

**Strategy 05-01-04: Rio Grande River Compact**

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**Output Measure 01:  
Number of Accountings Prepared and Resolved Annually**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	1	1	100.00%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

**Output Measure 02:  
Acre Feet of Quality Water Received by Texas Annually as Apportioned by the Rio Grande River Compact**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	750,000	603,000	80.40%

**Variance Explanation:**  
BELOW PROJECTED LEVEL  
Performance for the Acre-Feet of Water Received by Texas was below projections for FY 2007. The number of acre-feet received by Texas was lower than projected due to drought conditions in New Mexico.

**Output Measure 03:  
Number of Projects Implemented to Maximize Water Quality and Water Resource**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	1	2	200.00%

**Variance Explanation:**  
ABOVE PROJECTED LEVEL  
Performance for the Number of Projects Implemented to Maximize Water Quality and Resources was above projections for FY 2007. The number of projects was higher due to the need to become actively involved in the negotiation of an Operating Agreement regarding Elephant Butte Reservoir. Negotiations were between Texas interests, New Mexico interests, and the Bureau of Reclamation.

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**Strategy 05-01-04: Rio Grande River Compact**

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**Efficiency Measure 01:**

**Average Cost per Acre-Foot of Quality Water Received by Texas as Apportioned by the Rio Grande River Compact**

	<b>Projected</b>	<b>Actual</b>	<b>Percent of Annual Projection Attained</b>
<b>Total Performance</b>	\$0.17	\$0.22	129.41%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Average Cost per Acre-foot of Water Received by Texas was above projections for FY 2007. This measure is directly tied to the number of acre-feet of water received by Texas. The number of acre-feet received was lower than projected due to drought conditions in New Mexico.

**Strategy 05-01-05: Sabine Grande River Compact**

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**Output Measure 01:  
Number of Accountings Prepared and Resolved Annually**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	1	1	100.00%

**Variance Explanation:**  
Performance met projections. No variance explanation required.

**Output Measure 02:  
Acre Feet of Quality Water Diversions by Texas Annually as Apportioned by the Sabine River Compact**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	57,017	65,279	114.49%

**Variance Explanation:**  
ABOVE PROJECTED LEVEL  
Performance for the Number of Acre- Feet Quality Water Diversion was above projections for FY 2007. The acre-feet was higher than projected due to an increased demand for water by Texas water users.

**Efficiency Measure 01:  
Average Cost per Acre-Foot of Water Diversions by Texas as Apportioned by the Sabine River Compact**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	\$0.94	\$0.77	81.91%

**Variance Explanation:**  
BELOW PROJECTED LEVEL  
Performance for the Average Cost Per Acre-Foot of Water was below projections for FY 2007. This measure is directly tied to the number of acre-feet of water diverted by Texas. The cost per acre-feet diverted was lower than projected due to a higher than projected increase in demand for water by Texas users.

## Historically Underutilized Businesses

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### Output Measure 01:

#### Percentage of Professional Services Going to Historically Underutilized Businesses

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	18.1%	13.6%	75.14%
2 <sup>nd</sup> Quarter	18.1%	13.64%	75.36%
3 <sup>rd</sup> Quarter	18.1%	14.56%	80.44%
4 <sup>th</sup> Quarter	18.1%	42.65%	235.64%
<b>Total Performance</b>	18.1%	20.9%	115.47%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the Percent of Professional Services Going to Historically Underutilized Businesses (HUBs) was above projections for FY 2007. The TCEQ has successfully ensured that procurement opportunities in this category are open to HUB subcontractors and prime contractors.

### Output Measure 02:

#### Percentage of Other Services Awarded to Historically Underutilized Businesses

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	33%	38.7%	117.27%
2 <sup>nd</sup> Quarter	33%	32.7%	99.09%
3 <sup>rd</sup> Quarter	33%	25.4%	76.97%
4 <sup>th</sup> Quarter	33%	26.8%	81.18%
<b>Total Performance</b>	33%	30.8%	93.33%

**Variance Explanation:**

**BELOW PROJECTED LEVEL**

Performance for the Percentage of Other Services Awarded to Historically Underutilized Businesses was below projections for FY 07. The agency has taken the following actions to increase HUB performance: 1) All of the "Other Services" contracts are audited on a monthly basis to ensure a compliance with HUB subcontracting plan requirements; 2) proprietary purchases will be monitored to ensure compliance with all HUB good faith effort requirements; and 3) insurance and bond requirements will continue to be reviewed to determine whether these requirements may preclude small business participation.

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## Historically Underutilized Businesses

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### Output Measure 03:

#### Percentage of Commodity Purchasing Awarded to Historically Underutilized Businesses

	Projected	Actual	Percent of Annual Projection Attained
1 <sup>st</sup> Quarter	12.6%	42.30%	335.71%
2 <sup>nd</sup> Quarter	12.6%	50.73%	402.62%
3 <sup>rd</sup> Quarter	12.6%	31.50%	250.00%
4 <sup>th</sup> Quarter	12.6%	26.21%	208.02%
<b>Total Performance</b>	12.6%	37.5%	297.62%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the Percentage of Commodity Purchasing Awarded to Historically Underutilized Businesses (HUBs) was above projections for FY 2007. The TCEQ has successfully focused efforts on purchasing for HUB vendors.