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January 2009
SFR-055/09-01

First Quarter Report on Performance Measures

Fiscal Year 2009

First Quarter Report on Performance Measures Fiscal Year 2009

Prepared by
Budget & Planning Division – Strategic Planning & Assessment

SFR-055/09-01
January 2009



Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*

Mark R. Vickery, P.G., *Executive Director*

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Published and distributed
by the
Texas Commission on Environmental Quality
PO Box 13087
Austin TX 78711-3087

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Strategic Planning Structure Fiscal Year 2009

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 2011 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.

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 2008, 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 2008, 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 — 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.

Strategy 01-01-01: Air Quality Assessment Planning

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

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	500	427	21.35%
2 nd Quarter	500		0.00%
3 rd Quarter	500		0.00%
4 th Quarter	500		0.00%
Total Performance	2,000	427	21.35%

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 st Quarter	625	409	16.36%
2 nd Quarter	625		0.00%
3 rd Quarter	625		0.00%
4 th Quarter	625		0.00%
Total Performance	2,500	409	16.36%

Variance Explanation:
BELOW PROJECTED LEVEL
 Performance for the number of Area Source Air Quality Assessments was below projections for the first quarter FY09. This measure counts the number of area source category emissions inventories developed in each county that have been reviewed and loaded into the Texas Air Emissions Repository (TexAER) database system. During the first quarter, the remaining number of area source category emissions inventories from the previous reporting period were reviewed and loaded into the database. However, emissions inventories for gasoline refueling stations were not developed in the correct format and therefore were not loaded into the database, resulting in a lower number of assessments. Year end projections are expected to be met.

Strategy 01-01-01: Air Quality Assessment Planning

Output Measure 03:

Number of Mobile Source Air Quality Assessments (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	312.50	84	6.72%
2 nd Quarter	312.50		0.00%
3 rd Quarter	312.50		0.00%
4 th Quarter	312.50		0.00%
Total Performance	1,250	84	6.72%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the number of Mobile Source Air Quality Assessments was below projections for the first quarter FY 09. This measure depicts the number of on-road mobile source/ transportation related scenarios evaluated by the Air Quality Division. On-road mobile sources include vehicles used on roads for transportation of passengers or freight for which emissions are estimated in tons of emissions per year and tons per ozone season average weekday. The quarterly performance is below the projected performance because on-road mobile source staff was supporting research efforts for State Implementation Plan (SIP) development including: airport emissions inventory work for the Houston-Galveston-Brazoria (HGB) Attainment Demonstration SIP, SIP development technical support and project management of contracted activities. The quarterly variance is typical and is not expected to affect the annual performance for this measure.

Strategy 01-01-01: Air Quality Assessment Planning

**Output Measure 04:
Number of Non-Road Mobile Source Air Quality Assessments**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	516.50	205	9.92%
2nd Quarter	516.50		0.00%
3rd Quarter	516.50		0.00%
4th Quarter	516.50		0.00%
Total Performance	2,066	205	9.92%

Variance Explanation:
 BELOW PROJECTED LEVEL
 Performance for the number of Non-Road Mobile Source Air Quality Assessments was below projections for the first quarter FY 09. The measure reflects the number of non-road mobile source emission inventories developed for specific analysis years needed for State Implementation Plan (SIP) development and other analyses. The data is collected at the county level. Non-road mobile sources comprise a very significant source of air emissions. Emissions from these sources are included in strategies associated with non-attainment area State Implementation Plans. The quarterly performance is below the projected performance because on-road mobile source staff were supporting research efforts for SIP development including: airport emissions inventory work for the HGB Attainment Demonstration SIP, SIP development technical support and project management of contracted activities. The quarterly variance is typical and is not expected to affect the annual performance for this measure.

**Output Measure 05:
Number of Air Monitors Operated**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	610	592	97.05%
2nd Quarter	610		0.00%
3rd Quarter	610		0.00%
4th Quarter	610		0.00%
Total Performance	610	592	97.05%

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

Strategy 01-01-01: Air Quality Assessment Planning

Output Measure 06:

Tons of Nox Reduced through the Texas Emissions Reduction Plan (TERP) (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	7,329.5	7,775.43	26.52%
2nd Quarter	7,329.5		0.00%
3rd Quarter	7,329.5		0.00%
4th Quarter	7,329.5		0.00%
Total Performance	29,318	7,775.43	26.52%

Variance Explanation:

Performance met projections. No variance explanation required.

Output Measure 07:

Number of Vehicles Repaired or Replaced through LIRAP Assistance (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	3,750	2,661	13.31%
2nd Quarter	3,750		0.00%
3rd Quarter	3,750		0.00%
4th Quarter	3,750		0.00%
Total Performance	20,000	2,661	13.31%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Number of Vehicles Repaired or Replaced through LIRAP Assistance was below projections for the first quarter of FY 09. This measure determines the number of vehicle repairs and replacements that have taken place in the program. Total repairs and replacements for the five-county Houston/Galveston/Brazoria (HGB) area, nine-county Dallas Fort Worth (DFW) Area, and two-county Austin area, were used to determine the total LIRAP participation figures. The HGB area repaired 252 vehicles and replaced 618 vehicles for a YTD total of 870 vehicles. The DFW area repaired 588 vehicles and replaced 1063 vehicles for a YTD total of 1651 vehicles. The Austin area repaired 29 vehicles and replaced 111 vehicles for a YTD total of 140 vehicles. The program continues to work with local program administrators to enhance outreach activities.

Strategy 01-01-01: Air Quality Assessment Planning

**Output Measure 08:
Number of New Technology Grant Proposals Reviewed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	16	0	0.00%
2 nd Quarter	16		0.00%
3 rd Quarter	16		0.00%
4 th Quarter	16		0.00%
Total Performance	64	0	0.00%

Variance Explanation:
 BELOW PROJECTED LEVEL
 Performance for the Number of New Technology Grant Proposals Reviewed was below projections for the first quarter of FY 09. 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 was transferred by HB 2481, 79th Texas Legislature, Regular Session, to the Texas Environmental Research Consortium (TERC). TERC opened a large grant application round during the first quarter of FY09 but the grant round did not close until the second quarter of FY09. Therefore, there were no grant applications to review during this reporting period. There are 34 applications currently under review, making it likely TERC will meet the target for this measure by year end.

**Efficiency Measure 01:
Percent of Data Collected by TCEQ Continuous and Non-Continuous Air Monitoring Networks**

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	90%	92%	102.22%
2 nd Quarter	90%		0.00%
3 rd Quarter	90%		0.00%
4 th Quarter	90%		0.00%
Annual Target	90%	92%	102.22%

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

Strategy 01-01-01: Air Quality Assessment Planning

**Efficiency Measure 02:
Average Cost Per Air Quality Assessment**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$370	\$487	131.62%
2nd Quarter	\$370		0.00%
3rd Quarter	\$370		0.00%
4th Quarter	\$370		0.00%
Annual Target	\$370	\$487	131.62%

Variance Explanation:
ABOVE PROJECTED LEVEL
 The Average Cost Per Air Quality Assessment was above projections for the first quarter of FY 09. This measure accounts for the funds expended on salaries and other operating expenses related to staff work on air quality assessments. The overall number of air quality assessments completed in the first quarter was lower than projected resulting in a higher cost per assessment. The quarterly variance is typical and is not expected to affect the annual performance for this measure.

**Efficiency Measure 03:
Average Cost of LIRAP Vehicle Emissions Repairs/Retrofits (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$525	\$496.53	94.58%
2nd Quarter	\$525		0.00%
3rd Quarter	\$525		0.00%
4th Quarter	\$525		0.00%
Annual Target	\$525	\$496.53	94.58%

Variance Explanation:
BELOW PROJECTED LEVEL
 Performance for the Average Cost of LIRAP Vehicle Emissions Repairs/ Retrofits was below projections for the first quarter of FY 09. Costs for the five-county Houston/Galveston/Brazoria (HGB) area, nine-county Dallas Fort Worth (DFW) Area, and two-county Austin area, were used to determine the average LIRAP repair costs. The average cost for 252 repaired vehicles in the HGB area program was \$541.92 (total amount spent on repairs = \$136,562.58). The average cost for 588 vehicles repaired in the DFW area was \$476.73 (total amount spent on repairs = \$280,319.60). The average cost for 29 vehicles repaired in the Austin area was \$503.53 (total amount spent on repairs = \$14,602.46). The average cost for repairs was determined by dividing the total amount spent on repairs (\$431,484.64) by the total number of LIRAP repairs (869).

Strategy 01-01-01: Air Quality Assessment Planning

Efficiency Measure 04:

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

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	\$5,000	\$6,434.67	130.02%
2 nd Quarter	\$5,000		0.00%
3 rd Quarter	\$5,000		0.00%
4 th Quarter	\$5,000		0.00%
Annual Target	\$5,000	\$6,434.67	128.69%

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 the first quarter of FY 09. This measure shows the average cost per ton of NOx reduced through projects funded by the TERP incentive grants. The higher average cost per ton is due to the increase in the maximum cost per ton grant limits, which were instituted in response to legislative changes to the statutory cost-effectiveness limits for the program. The higher average cost per ton is expected to further continue the tremendous interest in the program. It is also expected that the final average cost per ton for the fiscal year will be around \$7,000.

Efficiency Measure 05:

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

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	1	0	0.00%
2 nd Quarter	1		0.00%
3 rd Quarter	1		0.00%
4 th Quarter	1		0.00%
Annual Target	1	0	0.00%

Variance Explanation:

BELOW PROJECTED LEVEL

The Average Number of Days to Review a Grant Proposal was below projections for the first quarter of FY 09. This measure reflects the number of days it takes to review a New Technology Research and Development (NTRD) grant proposal. The implementation of the NTRD program was transferred by HB 2481, 79th Texas Legislature, Regular Session, to the Texas Environmental Research Consortium (TERC). TERC opened a large grant round during the 1st quarter of FY 09 but the grant round did not close until the 2nd quarter of FY09. Therefore, there were no applications to review during this reporting period.

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

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	29.75	21	17.65%
2nd Quarter	29.75		0.00%
3rd Quarter	29.75		0.00%
4th Quarter	29.75		0.00%
Total Performance	119	21	17.65%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Number of Surface Water Assessments was below projections for the first quarter of FY 09. This measure quantifies the surface water quality assessment activities of the agency. Assessment of water quality is essential to identification of impacted water bodies, development of water quality standards, development of effluent standards for wastewater discharges, and development of watershed restoration and implementation strategies. Field sampling conducted to support surface water assessments is performed primarily during the warmer part of the year when the aquatic systems are most responsive to environmental conditions; therefore, most special study assessments will not be completed until the fourth quarter. The Water Body System and 303(d) updates are scheduled for the third quarter. Clean River Assessments are not due until the third or fourth quarter. The Clean Water Act Annual Report is scheduled to be completed in the second quarter.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	15	6	10.00%
2nd Quarter	15		0.00%
3rd Quarter	15		0.00%
4th Quarter	15		0.00%
Total Performance	60	6	10.00%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Number of Groundwater Assessments was below projections for the first quarter of FY 09. This measure counts the number of reports completed which evaluate environmental or programmatic data related to groundwater quality or quantity issues. This level of performance is the norm for the first quarter as most of the assessments are long term projects and are either regional studies requiring four months or longer of preparation or ongoing tasks where data or the number of coordination activities are compiled at the end of the year. Most of these assessments are anticipated for fourth quarter completion. As the fiscal year progresses, performance will improve when compared to projections, but will likely not meet the projection until the fourth quarter when all assessments should be completed.

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

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

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	107.5	171	39.77%
2 nd Quarter	107.5		0.00%
3 rd Quarter	107.5		0.00%
4 th Quarter	107.5		0.00%
Total Performance	430	171	39.77%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Number of Dam Safety Assessments was above projections for the first quarter of FY 09. This measure includes on-site investigations as well as in-house review of plans, engineering reports, and water use permit applications involving dams. The Dam Safety program received more emergency action plans, engineering inspection reports from consultants and Water District creation documents to review and approve. Also, as a result of the emergency contract issued for FY 09, more contractor final dam inspection reports were received than anticipated.

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

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	\$1,200	\$632	52.67%
2 nd Quarter	\$1,200		0.00%
3 rd Quarter	\$1,200		0.00%
4 th Quarter	\$1,200		0.00%
Annual Target	\$1,200	\$632	52.67%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Average Cost Per Dam Safety Assessment was below projections for the first quarter of FY 09. This measure reports the average cost for each dam safety assessment performed by TCEQ staff and contractors. Average cost figures vary considerably due to the number and complexity of assessments performed. The desired performance for this measure is to be below projections.

Strategy 01-01-03: Waste Assessment and Planning

Output Measure 01:

Number of Municipal Solid Waste Facility Capacity Assessments (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	62.50	93	37.20%
2nd Quarter	62.50		0.00%
3rd Quarter	62.50		0.00%
4th Quarter	62.50		0.00%
Total Performance	250	93	37.20%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Number of Municipal Solid Waste Facility Capacity Assessments was above projections for the first quarter of FY09. This measure reflects efforts to gather current and accurate landfill capacity data to assist in the development of regional solid waste management plans. This information is critical in determining whether sufficient disposal capacity exists to manage the quantity of municipal solid waste generated in the state. This measure is based on the number of Municipal Solid Waste Annual Waste Summaries received, reviewed, and processed by the TCEQ. Annual Waste Summaries are due to the TCEQ by November 15, 2008. Over the course of two years, the TCEQ has automated the processing of Annual Waste Summaries and encouraged facilities to submit their reports electronically. All the reports for the first quarter were submitted electronically thereby eliminating the need for the data to be entered into the database. The electronic submission of data allows a greater number of summaries to be processed and reviewed.

Efficiency Measure 01:

Average Cost per Municipal Solid Waste Facility Capacity Assessment (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$35	\$8.12	23.20%
2nd Quarter	\$35		0.00%
3rd Quarter	\$35		0.00%
4th Quarter	\$35		0.00%
Annual Target	\$35	\$8.12	23.20%

Variance Explanation:

BELOW PROJECTED LEVEL

The Average Cost per Municipal Solid Waste Assessment is below projections for the first quarter of FY 09. Performance was less than anticipated due to improvements in the database and the ability of facilities to report electronically which diminished the amount of actual staff time necessary for data entry.

Strategy 01-02-01: Waste Assessment and Planning

Output Measure 01:

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

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	1,500	1,347	22.45%
2 nd Quarter	1,500		0.00%
3 rd Quarter	1,500		0.00%
4 th Quarter	1,500		0.00%
Total Performance	6,000	1,347	22.45%

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
1 st Quarter	275	263	23.91%
2 nd Quarter	275		0.00%
3 rd Quarter	275		0.00%
4 th Quarter	275		0.00%
Total Performance	1,100	263	23.91%

Variance Explanation:

Performance met projections. No variance explanation required.

Strategy 01-02-01: Waste Assessment and Planning

Output Measure 03:

Number of Emissions Banking and Trading Transaction Applications Reviewed

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	250	231	23.10%
2nd Quarter	250		0.00%
3rd Quarter	250		0.00%
4th Quarter	250		0.00%
Total Performance	1,000	231	23.10%

Variance Explanation:

Performance met projections. No variance explanation required.

Strategy 01-02-02: Water Resource Permitting

**Output Measure 01:
Number of Applications to Address Water Quality Impacts Reviewed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	4,539.50	2,801	15.43%
2nd Quarter	4,539.50		0.00%
3rd Quarter	4,539.50		0.00%
4th Quarter	4,539.50		0.00%
Total Performance	18,158	2,801	15.43%

Variance Explanation:
 BELOW PROJECTED LEVEL
 Performance for the number of applications to address water quality impacts reviewed was below projections for the first quarter of FY 09. This measure counts all individual wastewater, sludge and storm water permits filed with the Chief Clerk of the Commission following technical review; and all general permit authorizations that have been issued. The total number of general permit notice of intents (NOIs) processed for the first quarter was 2,236, which is less than the projected 3,500. A review of the submittal for the first quarter of the FY 2009 as compared to the average numbers for the last three fiscal years showed a decrease in the submittal rate by 57%. The Water Quality Division believes this is due to the economy and a slow down in new construction in the state. Submittal rates for the remainder of the fiscal year are anticipated to be below projections.

**Output Measure 02:
Number of Applications to Address Water Rights Impacts Reviewed**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	148.75	96	16.13%
2nd Quarter	148.75		0.00%
3rd Quarter	148.75		0.00%
4th Quarter	148.75		0.00%
Total Performance	595	96	16.13%

Variance Explanation:
 BELOW PROJECTED LEVEL
 Performance for the Number of Applications to Address Water Rights Impacts Reviewed was below target for the first quarter FY 09. This measure tracks the number of water use applications, changes of ownership, and water supply contracts processed. Performance for this measure was below projections largely due to the number of applications now subject to the commission-directed Water Rights Amendment Notice review. Previously, these types of water use applications would have been processed under the 180-day projected processing time, but are now being processed under the 300-day projected processing time. The Commission has directed staff to set these applications for agenda over a six-month period. The level of this performance is expected to improve once the Commission has given final direction to staff on processing these types of applications.

Strategy 01-02-02: Water Resource Permitting

Output Measure 03:

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	22.5	42	46.67%
2nd Quarter	22.5		0.00%
3rd Quarter	22.5		0.00%
4th Quarter	22.5		0.00%
Total Performance	90	42	46.67%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Number of Concentrated Animal Feeding Operation (CAFO) Authorizations Reviewed was above projections for the first quarter of FY 09. This measure counts the number of CAFO Individual Permits filed with the Chief Clerk's Office and General Permit (GP) Notice of Intent (NOI) acknowledged for new and existing facilities. The number of existing NOIs received was larger than expected and the number of CAFO Individual Permits filed with the Chief Clerk's Office was larger than expected. The Water Quality Division anticipates meeting annual projections for this measure.

Strategy 01-02-03: Waste Management and Permitting

Output Measure 01:
Number of New System Waste Evaluation Conducted

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	142.50	142	24.91%
2 nd Quarter	142.50		0.00%
3 rd Quarter	142.50		0.00%
4 th Quarter	142.50		0.00%
Total Performance	570	142	24.91%

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

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

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	59	59	25.00%
2 nd Quarter	59		0.00%
3 rd Quarter	59		0.00%
4 th Quarter	59		0.00%
Total Performance	236	59	25.00%

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

Strategy 01-02-03: Waste Management and Permitting

Output Measure 03:

Number of Hazardous Waste Permit Applications Reviewed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	40	40	25.00%
2nd Quarter	40		0.00%
3rd Quarter	40		0.00%
4th Quarter	40		0.00%
Total Performance	160	40	25.00%

Variance Explanation:

Performance met projections. No variance explanation required.

Strategy 01-02-04: Occupational Licensing

Output Measure 01: Number of Applications for Occupational Licensing

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	5,750	5,523	24.01%
2 nd Quarter	5,750		0.00%
3 rd Quarter	5,750		0.00%
4 th Quarter	5,750		0.00%
Total Performance	23,000	5,523	24.01%

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 st Quarter	2,625	2,335	22.24%
2 nd Quarter	2,625		0.00%
3 rd Quarter	2,625		0.00%
4 th Quarter	2,625		0.00%
Total Performance	10,500	2,335	22.24%

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

Strategy 01-02-04: Occupational Licensing

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	5,500	5,074	23.06%
2nd Quarter	5,500		0.00%
3rd Quarter	5,500		0.00%
4th Quarter	5,500		0.00%
Total Performance	22,000	5,074	23.06%

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

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$18	\$19.43	107.94%
2nd Quarter	\$18		0.00%
3rd Quarter	\$18		0.00%
4th Quarter	\$18		0.00%
Annual Target	\$18	\$19.43	107.94%

Variance Explanation:
ABOVE PROJECTED LEVEL
Performance for the Average Annualized Cost per License and Registration was above projections for the first quarter of FY 09. This measure reports the average cost to issue, renew, and maintain licenses and registrations issued by the Occupational Licensing Section. The average cost is derived from taking the annual adjusted operating budget for the section and dividing it by the number of licensees and registrants. The higher cost is attributed to an increase in operating budget due to the legislatively approved 2% salary increases in FY08 and FY09. The annualized cost per license/registration is expected to be exceeded for the remaining quarters.

Strategy 02-01-01: Safe Drinking Water

Output Measure 01:

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

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	6,200	6,485	104.60%
2 nd Quarter	6,200		0.00%
3 rd Quarter	6,200		0.00%
4 th Quarter	6,200		0.00%
Total Performance	6,200	6,485	104.60%

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 st Quarter	9,012.75	9,641	26.74%
2 nd Quarter	9,012.75		0.00%
3 rd Quarter	9,012.75		0.00%
4 th Quarter	9,012.75		0.00%
Total Performance	36,051	9,641	26.74%

Variance Explanation:

Performance met projections. No variance explanation required.

Strategy 02-01-02: Water Utilities Oversight

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	20	30	37.50%
2nd Quarter	20		0.00%
3rd Quarter	20		0.00%
4th Quarter	20		0.00%
Total Performance	80	30	37.50%

Variance Explanation:
ABOVE PROJECTED LEVEL
 Performance for the Number of Utility Rate Reviews Performed exceeded projections for the first quarter of FY 09. This measure reflects the number of requests from investor owned utilities to change their water or sewer rates and to amend their tariffs. It also includes the number of petitions filed to appeal the rate making decision of a governing body. Performance is high because we have received a greater number of rate applications than the projected number. Reasons for the greater number of rate applications filed include the slowing economy, increases in the minimum wage and costs to provide benefits to employees, and an increase in requirements imposed on water systems.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	137.5	241	43.82%
2nd Quarter	137.5		0.00%
3rd Quarter	137.5		0.00%
4th Quarter	137.5		0.00%
Total Performance	550	241	43.82%

Variance Explanation:
OVE PROJECTED LEVEL
 Performance the Number of District Applications Processed was above projections for the first quarter FY 09. This measure represents the number of water district applications submitted for approval under Chapter 293 of the Commission's rules. The number of applications processed during the first quarter was 44% above the projection due to extra effort by staff to reduce the number of applications in-house. This reduction effort will continue through the end of December which may cause performance to be above projections for the next quarter.

Strategy 02-01-02: Water Utilities Oversight

**Output Measure 03:
Number of Certificates of Convenience and Necessity Applications Processed**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	56.25	73	32.44%
2nd Quarter	56.25		0.00%
3rd Quarter	56.25		0.00%
4th Quarter	56.25		0.00%
Total Performance	225	73	32.44%

Variance Explanation:
ABOVE PROJECTED LEVEL
Performance for the Number of Certificates of Convenience and Necessity (CCN) Applications processed slightly exceeded projections for the first quarter of FY 09. This measure reflects the number of requests from utilities to obtain or amend a CCN. These applications are reviewed and processed by agency staff. One reason for the greater number of CCN applications filed is because there has been a trend in the water and sewer utility industry to consolidate, merge or "regionalize" smaller utilities into larger utilities.

Strategy 03-01-01: Field Inspections and Complaints

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	3,250	2,678	24.35%
2nd Quarter	3,250		0.00%
3rd Quarter	3,250		0.00%
4th Quarter	3,250		0.00%
Total Performance	11,000	2,678	24.35%

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

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	8,500	6,762	19.89%
2nd Quarter	8,500		0.00%
3rd Quarter	8,500		0.00%
4th Quarter	8,500		0.00%
Total Performance	34,000	6,762	19.89%

Variance Explanation:
BELOW PROJECTED LEVEL
Performance for the Number of Water Right Sites Inspected was below projections for the first quarter FY09. Staff resources were diverted to two natural disasters, Hurricane Ike and flooding in Presidio, which may have resulted in fewer investigations being completed. It is unknown at this time if increased inspections will be performed during the second, third, and fourth quarters to make up for the shortfall in the first quarter.

Strategy 03-01-01: Field Inspections and Complaints

Output Measure 03:

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	2,200	1,591	18.08%
2nd Quarter	2,200		0.00%
3rd Quarter	2,200		0.00%
4th Quarter	2,200		0.00%
Total Performance	8,800	1,591	18.08%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Number of Water Sites and Facilities Investigated is below projections for the first quarter of FY09. Staff resources were diverted to two natural disasters, Hurricane Ike and flooding in Presidio, which may have resulted in fewer investigations being completed. It is unknown at this time if increased inspections will be performed during the second, third, and fourth quarters to make up for the shortfall in the first quarter.

Output Measure 04:

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	100	102	25.50%
2nd Quarter	100		0.00%
3rd Quarter	100		0.00%
4th Quarter	100		0.00%
Total Performance	400	102	25.50%

Variance Explanation:

Performance met projections. No variance explanation required.

Strategy 03-01-01: Field Inspections and Complaints

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

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	1,839.50	1,581	21.49%
2 nd Quarter	1,839.50		0.00%
3 rd Quarter	1,839.50		0.00%
4 th Quarter	1,839.50		0.00%
Total Performance	7,358	1,581	21.49%

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

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

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	162.5	90	13.85%
2 nd Quarter	162.5		0.00%
3 rd Quarter	162.5		0.00%
4 th Quarter	162.5		0.00%
Total Performance	650	90	13.85%

Variance Explanation:
BELOW PROJECTED LEVEL
Performance for the number of spill cleanup was below projections for the first quarter of FY 09. 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. During this reporting period, fewer spills were reported to the agency that required investigations.

Strategy 03-01-01: Field Inspections and Complaints

Efficiency Measure 01:

Average Inspection and Investigation Cost of Livestock and Poultry Operations

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	\$770	\$678	88.05%
2 nd Quarter	\$770		0.00%
3 rd Quarter	\$770		0.00%
4 th Quarter	\$770		0.00%
Annual Target	\$770	\$678	88.05%

Variance Explanation:

BELOW PROJECTED LEVEL

The Average Inspection and Investigation Cost of Livestock and Poultry Operations were below projections for the first quarter of FY 09. This measure represents the total funds expended during the reporting period for TCEQ monitoring of livestock and poultry operations, divided by the number of inspections/investigations, and other compliance inspections and complaint investigations for livestock and poultry operations completed during the reporting period. Average cost figures vary considerably due to the number and complexity of assessments performed. 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 st Quarter	35	30.3	86.57%
2 nd Quarter	35		0.00%
3 rd Quarter	35		0.00%
4 th Quarter	35		0.00%
Annual Target	35	30.3	86.57%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Average Time (days) from Air, Water, and Waste Inspections to Report Completion was below projections for the first quarter of FY 09. 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. Field Operations Support Division (FOSD) had an increased number of investigations that do not take as much time to complete. The desired performance for this measure is to be below projections.

Strategy 03-01-02: Enforcement and Compliance Support

**Output Measure 01:
Number of Environmental Laboratories Accredited (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	300	257	85.67%
2nd Quarter	300		0.00%
3rd Quarter	300		0.00%
4th Quarter	300		0.00%
Total Performance	300	257	85.67%

Variance Explanation:
BELOW PROJECTED LEVEL
 Performance for the Number of Environmental Laboratories Accredited was below projections for the first quarter FY 09. The measure reflects the number of environmental laboratories accredited according to standards adopted by the National Environmental Laboratory Accreditation Conference. The number of accredited laboratories is below projections because the total number of applications received is lower than projected. Performance is projected to increase in the next quarter as 11 additional applications were in progress at the close of the first quarter.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	13,500	26,601	49.26%
2nd Quarter	13,500		0.00%
3rd Quarter	13,500		0.00%
4th Quarter	13,500		0.00%
Total Performance	54,000	26,601	49.26%

Variance Explanation:
ABOVE PROJECTED LEVEL
 Performance for the Number of Small Businesses and Local Governments Assisted was above projections for the first quarter FY 09. 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 that might affect them. Performance exceeded expectations due primarily to targeted outreach to businesses impacted by new federal air rules associated with the National Emissions Standards for Hazardous Air Pollutants (NESHAP). Performance was also exceeded due to outreach activities directed to wastewater and dry cleaning facilities, and outdoor burning. Performance is anticipated to continue to exceed goals.

Strategy 03-01-02: Enforcement and Compliance Support

Efficiency Measure 01:
Average Number of Days to File an Initial Settlement Offer

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	70	68	97.14%
2nd Quarter	70		0.00%
3rd Quarter	70		0.00%
4th Quarter	70		0.00%
Annual Target	70	68	97.14%

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

Strategy 03-01-03: Pollution Prevention and Recycling

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 st Quarter	62.5	78	31.20%
2 nd Quarter	62.5		0.00%
3 rd Quarter	62.5		0.00%
4 th Quarter	62.5		0.00%
Total Performance	250	78	31.20%

Variance Explanation:

ABOVE 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 above projections for the first quarter of FY 09. This measure reports the number of outreach activities conducted by the Pollution Prevention and Environmental Management Staff. The first quarter is historically higher than other quarters as a result of the number of pollution prevention/environmental management system conferences typically held during the fall. The remaining quarters are expected to remain near expected performance levels.

Output Measure 02:

Number of Entities Participating in Performance-Based Regulatory Programs

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	240	195	81.25%
2 nd Quarter	240		0.00%
3 rd Quarter	240		0.00%
4 th Quarter	240		0.00%
Total Performance	240	195	81.25%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Number of Entities Participating in Performance-Based Regulatory Programs was below projections for the first quarter of FY 09. This measure reflects the number of entities participating in voluntary programs. Increased marketing and public outreach will continue in an effort to increase participation in these programs. Future performance is expected to reach the projected performance.

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 st Quarter	8.25	0.0	0.0%
2 nd Quarter	8.25		0.0%
3 rd Quarter	8.25		0.0%
4 th Quarter	8.25		0.0%
Total Performance	33	0.0	0.00%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Number of Quarts of Used Oil Diverted from Landfills and Processed (in millions) was below projections for the first quarter of FY 09. This measure reports the amount of used oil diverted, via registered collection centers, from landfills and processed. It is below the projection as used oil customers report this information annually. The annual report is due by January 25th which is in the second quarter. The used oil program anticipates that performance for the second through fourth quarters should increase as reports on the amount of used oil collected and diverted from landfills are filed. The actual number diverted may vary from year to year due to voluntary reporting requirements and changes in vehicle maintenance practices.

Efficiency Measure 01:

Average Cost Per On-Site Technical Assistance Visit

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	\$600	\$526.52	87.75%
2 nd Quarter	\$600		0.00%
3 rd Quarter	\$600		0.00%
4 th Quarter	\$600		0.00%
Annual Target	\$600	\$526.52	87.75%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Average Cost Per On-Site Technical Assistance Visit was below projections for the first quarter of FY 09. This measure reports the average cost of each technical site assistance visit performed by Pollution Prevention Staff. The savings are a result of more efficient use of regional staff that has resulted in more local visits, reducing fewer travel costs. Future performance is expected to remain near \$600.00.

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

Output Measure 01:
Number of Petroleum Storage Tank Self-Certifications Processed

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	4,125	3,342	20.25%
2 nd Quarter	4,125		0.00%
3 rd Quarter	4,125		0.00%
4 th Quarter	4,125		0.00%
Total Performance	16,500	3,342	20.25%

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 st Quarter	4	3	18.75%
2 nd Quarter	4		0.00%
3 rd Quarter	4		0.00%
4 th Quarter	4		0.00%
Total Performance	16	3	18.75%

Variance Explanation:
 BELOW PROJECTED LEVEL
 Performance for the Number of Emergency Response Actions at Petroleum Storage Tank Sites was below projections for the first quarter of FY 09. 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

Output Measure 03:

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	700	569	20.32%
2nd Quarter	700		0.00%
3rd Quarter	700		0.00%
4th Quarter	700		0.00%
Total Performance	2,800	569	20.32%

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

Output Measure 04:

Number of Petroleum Storage Tank Cleanups Completed

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	50	116	58.00%
2nd Quarter	50		0.00%
3rd Quarter	50		0.00%
4th Quarter	50		0.00%
Total Performance	200	116	58.00%

Variance Explanation:
 ABOVE PROJECTED LEVEL
 Performance for the Number of Petroleum Storage Tank Cleanups completed was above the projection for the first quarter FY 09. 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

Efficiency Measure 01:

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

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	30	22.2	74.00%
2 nd Quarter	30		0.00%
3 rd Quarter	30		0.00%
4 th Quarter	30		0.00%
Annual Target	30	22.2	74.00%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Average Time (days) to Review and Respond to Remedial Action Plans was below projections for the first quarter of FY 09. 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. The desired performance for this measure is to be below projections.

Efficiency Measure 02:

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

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	30	23.1	77.00%
2 nd Quarter	30		0.00%
3 rd Quarter	30		0.00%
4 th Quarter	30		0.00%
Annual Target	30	23.1	77.00%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Average Time (days) to Review and Respond to Risk-Based Site Assessments was below projections for the first quarter of FY 09. 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. The desired performance for this measure is to be below projections.

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

Efficiency Measure 03:

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	90	29	32.22%
2nd Quarter	90		0.00%
3rd Quarter	90		0.00%
4th Quarter	90		0.00%
Annual Target	90	29	32.22%

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 the first quarter of FY 09. 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. The desired performance for this measure is to be below projections.

Strategy 04-01-02: Hazardous Materials Cleanup

**Output Measure 01:
Number of Immediate Response Actions Completed to Protect Human Health and the Environment**

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	1.25	0	0.00%
2 nd Quarter	1.25		0.00%
3 rd Quarter	1.25		0.00%
4 th Quarter	1.25		0.00%
Total Performance	5	0	0.00%

Variance Explanation:
 BELOW PROJECTED LEVEL
 Performance was below projections for the first quarter of FY 09. Cleanup completions are not expected to be evenly distributed over each reporting quarter. The number of cleanups completed is expected to meet the projected level by the end of the fiscal year.

**Output Measure 02:
Number of Superfund Site Assessments**

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	18	14	19.44%
2 nd Quarter	18		0.00%
3 rd Quarter	18		0.00%
4 th Quarter	18		0.00%
Total Performance	72	14	19.44%

Variance Explanation:
 BELOW PROJECTED LEVEL
 Performance for the Number of Superfund Site Assessments was below projections for the first quarter FY 09. This measure provides an indication of the Remediation Division efforts to prioritize and assess sites under Superfund program eligibility criteria. During this reporting period many of the staff were helping with issues concerning Hurricane Ike and site inspections. The number of site assessments is expected to meet the projected level by the end of the fiscal year.

Strategy 04-01-02: Hazardous Materials Cleanup

**Output Measure 03:
Number of Voluntary and Brownfield Cleanups Completed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	20	25	31.25%
2nd Quarter	20		0.00%
3rd Quarter	20		0.00%
4th Quarter	20		0.00%
Total Performance	80	25	31.25%

Variance Explanation:
ABOVE PROJECTED LEVEL
 Performance for the number of voluntary and Brownfield's cleanups completed was above projections for the first quarter FY 09 due to applicants submitting technical documents and other program related documents in a timely manner. The Voluntary Cleanup Program expects to meet the annual goal for this fiscal year.

**Output Measure 04:
Number of Superfund sites in Texas Undergoing Evaluation and Cleanup (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	73	47	64.38%
2nd Quarter	73		0.00%
3rd Quarter	73		0.00%
4th Quarter	73		0.00%
Total Performance	73	47	64.38%

Variance Explanation:
BELOW PROJECTED LEVEL
 Performance for the number of Superfund sites in Texas Undergoing Evaluation and Cleanup was below projections for the first quarter FY 09. This measure reports the combined number of state and federal Superfund sites that are undergoing evaluation and/or cleanup. Over the past two years, the EPA has had problems with obtaining funding for starting the evaluation process for new sites. Should these funding limitations continue, it is anticipated that this measure will not be met. Also, fewer sites were added to the Texas Register and the National Priority List than originally projected because many assessed sites did not meet Superfund program eligibility criteria.

Strategy 04-01-02: Hazardous Materials Cleanup

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	1	1	25.00%
2nd Quarter	1		0.00%
3rd Quarter	1		0.00%
4th Quarter	1		0.00%
Total Performance	4	1	25.00%

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

**Output Measure 06:
Number of Dry Cleaner Remediation Program Applications Site Assessments Initiated**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	32	1	3.13%
2nd Quarter	32		0.00%
3rd Quarter	32		0.00%
4th Quarter	32		0.00%
Total Performance	32	1	3.13%

Variance Explanation:
BELOW PROJECTED LEVEL
Performance for the Number of Dry Cleaner Remediation Program Applications Site Assessments Initiated was below projections for the first quarter FY 09. This measure indicates the number of work orders issued to initiate DCRP site cleanups during the reporting period. New DCRP contracts are now in place and site assessments are being initiated on all eligible sites. The measure is expected to meet the projected level by the end of the fiscal year.

Strategy 04-01-02: Hazardous Materials Cleanup

Output Measure 07:

Number of Dry Cleaner Remediation Program Applications Received (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	7.5	12	40.00%
2 nd Quarter	7.5		0.00%
3 rd Quarter	7.5		0.00%
4 th Quarter	7.5		0.00%
Total Performance	30	12	40.00%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Number of Dry Cleaner Remediation Program Applications Received was above projections for the first quarter for FY 09. The agency processed all applications received within the mandated time frame of 90 days during the first reporting quarter. The agency has no control over the number of applications that are submitted to the Program.

New Measure:

Number of Dry Cleaner Remediation Program Site Cleanups Completed

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	2	1	12.50%
2 nd Quarter	2		0.00%
3 rd Quarter	2		0.00%
4 th Quarter	2		0.00%
Total Performance	8	1	12.50%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Number of Dry Cleaner Site Cleanups Completed was below projections for the first quarter for FY 09. This measure reflects the agency's efforts to clean up known eligible dry cleaning sites contaminated by dry cleaner solvents. The number of cleanups completed was below projection for the first quarter in FY 09. Cleanup completions are not expected to be evenly distributed over each reporting quarter. The number of cleanups completed is expected to meet the projected level by the end of the fiscal year.

Strategy 04-01-02: Hazardous Materials Cleanup

Efficiency Measure 01:

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	90	45	50.00%
2nd Quarter	90		0.00%
3rd Quarter	90		0.00%
4th Quarter	90		0.00%
Annual Target	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 the first quarter of FY 09. 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 that the average processing time is less than the legislatively mandated 90-day time frame. This desired performance for this measure is to be below projections.

Goal 05-01: Texas River Compacts

Pursuant to Rider 38 for the Texas Commission on Environmental Quality as specified in the General Appropriations Act of the 79th Legislature, the five River Compact Commissions have been incorporated into the budget structure of the TCEQ. Because the River Compact Commissions hold their official meetings in the third and fourth quarters of each fiscal year, there is no performance measure data available until the fourth quarter. Reporting for all performance measures for the River Compacts will be included in the fourth quarter performance measure report.

Historically Underutilized Business Program

Output Measure 01:

Percentage of Professional Services Going to Historically Underutilized Businesses

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	20.0%	3.00%	15.00%
2nd Quarter	20.0%		0.00%
3rd Quarter	20.0%		0.00%
4th Quarter	20.0%		0.00%
Total Performance	20.0%	3.00%	15.00%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Percent of Professional Services Going to Historically Underutilized Businesses (HUBs) was below projections for the first quarter of FY 09. Since the beginning of FY 09, we have met with 5 certified HUB sub-contractors in the professional service sector. They showed a positive interest in our Mentor-Protégé program. We will be hosting a forum in February 09 to give them an opportunity to meet prime contractors in their field of work.

Output Measure 02:

Percentage of Other Services Awarded to Historically Underutilized Businesses

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	33%	38.30%	116.06%
2nd Quarter	33%		0.00%
3rd Quarter	33%		0.00%
4th Quarter	33%		0.00%
Total Performance	33%	38.30%	116.06%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Percentage of Other Services Awarded to Historically Underutilized Businesses (HUBs) was above projections for the first quarter of FY 09. The agency exceeded this target due to large HUB expenses made by the Office of Administrative Services and the Office of Compliance and Enforcement which totaled over 66% of the agency's total eligible expenses.

Historically Underutilized Business Program

Output Measure 03:

Percentage of Commodity Purchasing Awarded to Historically Underutilized Businesses

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	12.6%	49.20%	390.48%
2 nd Quarter	12.6%		0.00%
3 rd Quarter	12.6%		0.00%
4 th Quarter	12.6%		0.00%
Total Performance	12.6%	49.20%	390.48%

Variance Explanation:

ABOVE PROJECTED LEVEL.

Performance for the Percentage of Commodity Purchasing Awarded to Historically Underutilized Businesses (HUBs) was above projections for the first quarter of FY 09. The TCEQ has successfully focused efforts on identifying HUB vendors in this area.