CHAPTER 4

Agency Resources

Palo Duro Canyon, Lighthouse Rock, photo courtesy TPWD

The Texas Commission on Environmental Quality has more than 2,900 full-time employees, with more than a quarter working outside of the Austin headquarters. The agency has 16 regional offices, as well as three special-project offices.

These field offices give the TCEQ a statewide presence, enabling staff to communicate firsthand with municipalities, businesses and industry, and community groups in all quarters of Texas.

The TCEQ's budgetary needs are based on the demands of state and federal laws concerned with protecting human health and the environment. Its operating budget totaled $522.7 million in fiscal 2009 and $539.1 million in fiscal 2010. Most of the annual revenue is generated by fees.

The TCEQ posts its quarterly expenditures at <www.tceq.state.tx.us/about/expend.html>. The data is reported in broad categories, such as salaries, travel, utilities, and maintenance. The Web page also links to an expenditure database, called "Where the Money Goes," on the state Comptroller's website. These online postings are in response to the Legislature's call for greater accountability in state government.

Workforce

The overall size of the TCEQ workforce remains fairly consistent. In fiscal 2009, the agency was authorized to have 2,935.3 full-time equivalent (FTE) positions, and the average number of FTEs utilized was 2,916.65. Similarly, in fiscal 2010, the authorized FTEs were 2,980.3, and TCEQ averaged a total of 2,943.

TCEQ staff is composed largely of

professionals trained in science, technology, engineering, computer science, and other related fields. In fiscal 2010, professionals represented 64.6 percent of the workforce; technical and administrative support staff made up 25.5 percent; and officials and administrators (managers) filled 9.9 percent of positions. This reflects almost no change in the composition of EEO job categories within the agency from fiscal 2008.

It is the TCEQ's policy to provide equal employment opportunities to all employees and qualified applicants, regardless of race, color, religion, national origin, sex, sexual orientation, age, disability, genetic information, veteran status, or other status protected by law.

The agency is committed to recruiting, selecting, and retaining a multi-talented, culturally diverse workforce that is representative of the state's available labor force. In accordance with the Texas Labor Code, Chapter 21, all employees are provided training on equal employment practices to make them aware of state and federal employment laws and regulations.

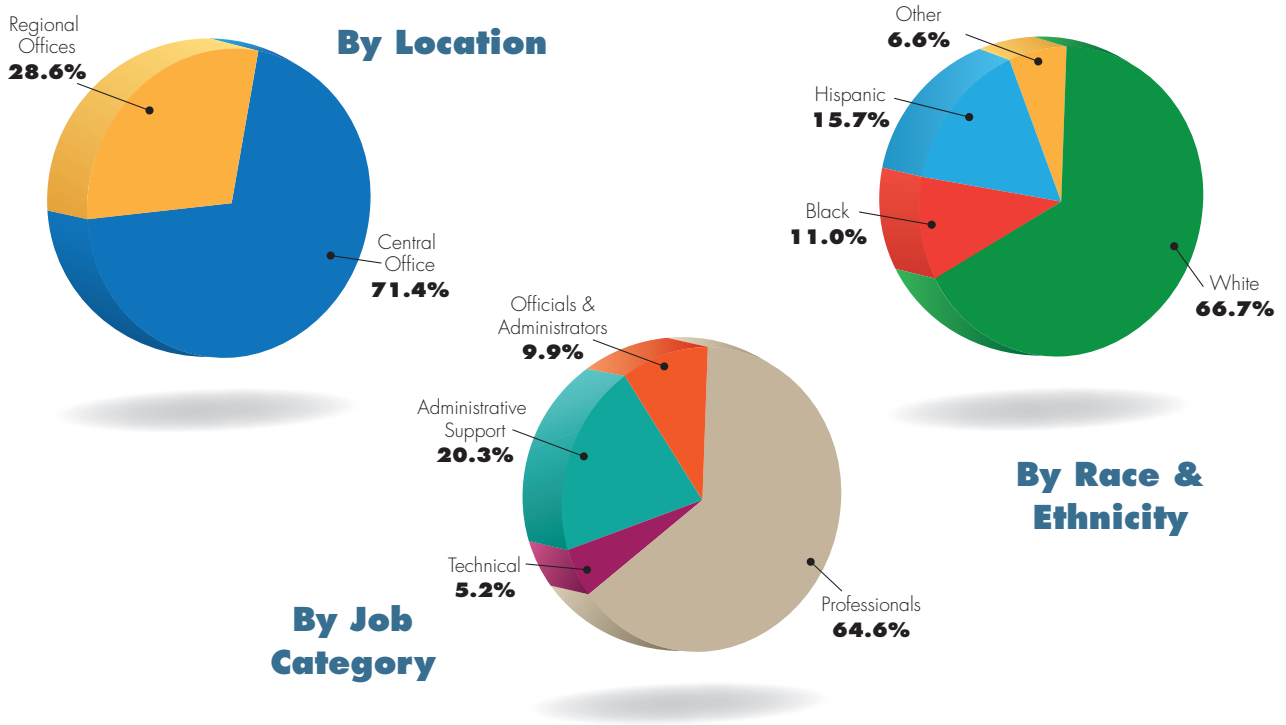
With regard to race and ethnicity, the agency workforce composition was almost 67 percent white, 15.7 percent Hispanic, nearly 11 percent black, and 6.6 percent other (including Asian, Pacific Islander, American Indian, and Alaskan Native). In terms of gender, women continue to be in the majority at the TCEQ, with a slight increase of 1.5 percent from fiscal 2008: female employees represented 51.6 percent; males, 48.4 percent.

Since 1999, the Legislature has required each state agency to analyze its workforce by ethnicity and gender. The TCEQ compares its workforce to the state civilian workforce using data provided by the Civil Rights Division of the Texas Workforce Commission (TWC). The TWC's report on equal employment opportunity hiring practices, which is published at the start of each legislative session, uses data sets based on the percentage of blacks, Hispanics, and females—by job category—within the civilian labor force in Texas.

At the end of fiscal 2010, the TCEQ exceeded the percentage of the available black workforce in the job category of administrative support. The agency's female workforce exceeded the available state civilian female labor

TCEQ Workforce

As of August 31, 2010 (FTE cap of 2,980)



force in top management (officials and administrators/managers), as well as in administrative support.

The TCEQ continues its recruitment and retention efforts by emphasizing employee recognition, professional development, and workforce and succession planning. The agency also uses hiring programs, such as Express Hire at recruitment events and Transitions Hiring for entry-level positions. In addition, the agency recruits at colleges and universities and administers the Mickey Leland Environmental Internship Program with a focus on providing summer internship opportunities for minorities, women, and economically disadvantaged students pursuing environmental, engineering, science-related, and public administration careers at colleges and universities across the United States. Further, the TCEQ partners with Texas State University to offer environmental internships. This program is open to undergraduate and graduate students enrolled in any Texas university. See <www.tceq.state.tx.us/goto/employment> for more information.

In the coming years, TCEQ officials anticipate several challenges as the agency strives to fulfill its mission and goals. In fiscal 2010, staff turnover was 8.21 percent. The agency's turnover continues to fall below the overall average for full- and part-time classified employees at state agencies. The TCEQ will continue it's efforts to attract and retain a qualified and diverse workforce.

Finances

In fiscal 2009, the agency's approved operating budget was $522.7 million. Of that, $461.5 million was appropriated from dedicated fee revenue, $42.2 million from federal funds, and $10.4 million from general revenue. Other sources provided the remaining $8.6 million.

In fiscal 2010, the approved operating budget totaled $539.1 million. Of that, $465.7 million was appropriated from dedicated fee revenue, $50 million from federal funds, and $15.6 million from general revenue. Other sources provided the remaining $7.8 million.

As requested by state leadership in a letter dated Jan. 15, 2010, the TCEQ submitted a plan to reduce expenditures in the 2010–2011 biennium by 5 percent. The 2010 operating budget was reduced by $36 million, including: $400,000 from general revenue for data center consolidation; $250,000 from the Clean Air Account for the Greenhouse Gas Registry; and from the Texas Emission Reduction Plan Account, a reduction of $3.9 million in New Technology Research Development Grants, $10 million in New Technology Incentive Grants, and $21.5 million in Emission Reduction Incentive Grants.

Pass-through funds accounted for 54 percent of the agency's operating budget in fiscal 2009 and 53 percent in fiscal 2010. Pass-through funds are used primarily for grants, contracts, and reimbursements in the agency's programs for petroleum storage tanks, Superfund cleanups, and municipal solid waste. The water and air programs also pass dollars on to local and regional units of government, but the amounts are not as significant.

Funds other than pass-through are the monies devoted to agency day-to-day operations. Salaries accounted for about 31 percent of the operating budgets in both fiscal years. The remaining operating funds were consumed by other expenses such as supplies, utilities, rent, travel, training, and capital.

American Recovery and Reinvestment Act (ARRA). The TCEQ received federal funding totaling $27.5 million from the ARRA, to be spent as follows:

- The Leaking Underground Storage Tank Trust Fund received $10.8 million to direct state petroleum storage tank contractors in performing site assessments and direct site work at leaking petroleum storage tank sites throughout the state.
- The 604(b) Water Quality Management Plan received $1.8 million to support water quality management planning activities, including watershed planning efforts. Of the funds received, 40 percent are passed to regional planning organizations.
- The Clean Diesel Grant Program received $1.7 million to support an ongoing effort to retrofit school buses with exhaust controls that reduce emissions of particulate matter.
- The Texas Emissions Reduction Plan (TERP) received $13.2 million to support the TERP Rebate Grant Program.

For additional information about ARRA funding, visit <www.tceq.state.tx.us/agency/arra/arra.html>.

Fees

The TCEQ collects more than 100 separate fees. Each of the following fees generated revenue in excess of $25 million a year:

Texas Emissions Reduction Plan ($155.5 million in FY 2009, $147.6 million in FY 2010). Fees are assessed on the sale, registration, and

inspection of vehicles. The TERP draws from five separate fees, surcharges, and interest collected by the Texas Department of Public Safety (DPS) and the Comptroller of Public Accounts. In fiscal 2008, the TCEQ became the authorized manager of the account and handled the management and transfer of funds from the account.

Petroleum product delivery fee ($28.2 million in FY 2009, $28.5 million in FY 2010). The fee is assessed on the bulk delivery of petroleum products. It is collected by the state Comptroller and deposited to the Petroleum Storage Tank Remediation Account. The statutory set fee rate was reduced beginning in fiscal 2008 and is set to sunset in August of 2011.

Air emissions fee ($32.7 million in FY 2009, $29.7 million in FY 2010). The fee is authorized to recover the costs of developing and administering the Title V Operating Permit Program.

Solid waste disposal fee ($39.6 million in FY 2009, $41.3 million in FY 2010). The fee is assessed on the operators of municipal solid waste facilities for disposal of solid waste.

Auto emission inspection, on-board diagnostic fee ($35.7 million in FY 2009, $37.8 million in FY 2010). The fee provides funding for the Low-Income Repair Assistance Program (LIRAP) for counties that have opted into the program. The fee is collected by the DPS and deposited to the Clean Air Account.

Motor vehicle safety inspection fee ($33.9 million in FY 2009, $35.2 million in FY 2010). The fee is assessed per vehicle on the sale of state safety inspection stickers at inspection stations, auto dealers, and other service providers. The fee is collected by the DPS and deposited to the Clean Air Account.

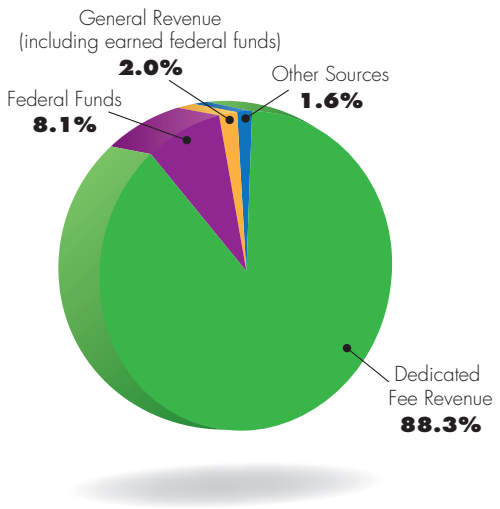
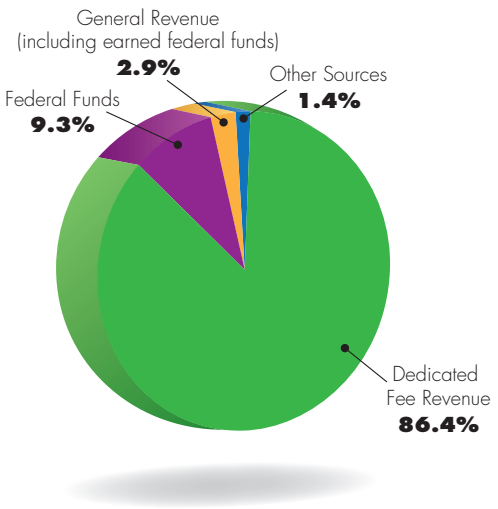
Fee Revisions

As a result of state legislation passed in 2009, a number of minor changes were made to the TCEQ's fees and funding structure, including the following:

- HB 1433 increased the statutory cap for the annual water quality fee for wastewater discharge permit holders and water right users through permit or contract from $75,000 to $100,000 beginning Sept. 1, 2009. The cap can be increased in subsequent years based on the Consumer Price Index, up to a maximum of $150,000.
- SB 2445 allowed for the expansion of areas covered by the prohibition against boat sewage disposal to include all inland waters of the state and coastal waters up to three nautical miles from shore. The expansion of the coverage area will result in increased revenue collection from the increase in fee payers.

Annual Operating Budgets

FY 2009: $522.7 million



FY 2010: $539.1 million