

**Actual Performance for Outcome Measures**  
 82nd Regular Session, Performance Reporting  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **10/10/2013**  
 TIME: **9:53:12AM**  
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Agency code: **582**

Agency name: **Commission on Environmental Quality**

<u>Type/Objective/Measure</u>	<b>2013 Target</b>	<b>2013 YTD</b>	<b>Percent of Annual Target</b>	
<b>1-1 REDUCE TOXIC RELEASES</b>				
1 % POLLUTION REDUC/NONATT AREAS	3.00 %	21.02 %	700.67 % *	2.85 - 3.15
<u>Explanation of Variance:</u> Performance for the Annual Percent of Stationary and Mobile Source Pollution Reductions in Non-Attainment areas is above projections for FY 2013. This measure compares the percent change in volatile organic compounds and nitrogen oxides emitted in ozone nonattainment areas from point, area, on-road mobile, and non-road mobile sources. On-road mobile source emissions decreased because of more stringent emissions standards for newer fleet vehicles and the simultaneous attrition of older, higher emitting vehicles. Area source emissions also decreased during FY 2013 because of increased awareness, new rule requirements, technological advancements, and other factors. The desired performance for this measure is to be above the projected target.				
2 TERP REDUCTIONS	68.40	43.50	63.60 % *	64.98 - 71.82
<u>Explanation of Variance:</u> Performance for the Nitrogen Oxide Emissions Reduced through the Texas Emissions Reduction Plan (TERP) was below projections for FY 2013. This measure reports the actual tons per day (TPD) of emissions reductions as reported by grantees for projects in effect during the fiscal year. Reductions in NOx are lower than anticipated due to a number of factors including lower final commitments for reductions on some projects than were projected, needed adjustments to projections for realistic usage factors, and underperformance by some grantees. The agency continually works with grantees that don't meet usage commitments to bring projects into compliance or return a pro-rata share of TERP grant funds.				
4 % DISCHARGES REDUCED	0.10 %	0.05 %	53.00 % *	0.10 - 0.11
<u>Explanation of Variance:</u> Performance for the Annual Percent Reduction in Pollution from Permitted Wastewater Facilities Discharging to the Waters of the State was below projections for FY 2013. This measure compares this fiscal year's ratio of organic loading and permitted total flow of wastewater discharges to the previous fiscal year. During FY 2013, there were fewer plant expansions, fewer requests for new permits, and less of a reduction in pollution than originally anticipated.				
5 % SURFACE WATER MEETING STANDARDS	59.00 %	62.90 %	106.61 % *	56.05 - 61.95
<u>Explanation of Variance:</u> Performance for the Percent of Texas Surface Waters Meeting or Exceeding Water Quality Standards is above projections at the end of FY 2013. This is a measure of the agency's success in developing and implementing state water quality management programs. The agency uses the most recent list of impaired waters to calculate performance, and the list is updated every two years. The list used to calculate reported performance is from FY 2012. One reason performance was higher is due to the approval of Total Maximum Daily Loads (TMDLs), which removed a number of waterbodies from the 303(d) list of impaired waterbodies. Also, assessment methods (which consider data variability) have been implemented to avoid the inappropriate listing of waterbodies on the impaired list.				

\* Varies by 5% or more from target.

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7 % DECREASE/TOXIC RELEASES	2.00 %	(2.70)%	(135.00)% *	1.90 - 2.10
<u>Explanation of Variance:</u> Performance for the Annual Percent Decrease in the Toxic Releases in Texas was below projections for FY 2013. Performance reflects an increase in toxic releases instead of the projected decrease. Two major stationary sources increased their air emissions releases by 1.5 million pounds due to unplanned plant upsets and plant processing changes. This measure is subject to a variety of factors like economic conditions and business decisions that are beyond the agency's control.				
<b>2-1 INCREASE SAFE DRINKING WATER</b>				
1 % TEXANS W/WATER MEETING STANDARDS	93.00 %	96.00 %	103.23 %	88.35 - 97.65
<b>3-1 COMPLIANCE AND RESPONSE TO CITIZENS</b>				
1 % COMPLIANT AIR SITES	98.00 %	97.74 %	99.73 %	93.10 - 102.90
2 % COMPLIANT WATER SITES	97.00 %	98.87 %	101.93 %	92.15 - 101.85
3 % COMPLIANT WASTE SITES	97.00 %	89.48 %	92.25 % *	92.15 - 101.85
<u>Explanation of Variance:</u> Performance for the Percent of Inspected or Investigated Waste Sites in Compliance is below projections at the end of FY 2013. This measure determines the compliance rate of investigated waste sites that were not found to have significant violations. The percentage of noncompliance at Petroleum Storage Tank sites investigated under the Energy Policy Act was higher than anticipated.				
4 % NONCOMPLIANT W/ ACTION TAKEN	85.00 %	94.80 %	111.53 % *	80.75 - 89.25
<u>Explanation of Variance:</u> Performance for the Percent of Identified Non-Compliant Sites and Facilities for which Timely and Appropriate Action is Taken is above projections for FY 2013. This measure determines the percentage of enforcement actions processed in a timely manner. The improved timeliness is a result of a focused effort to keep the number of backlogged cases low throughout the year. The desired performance for this measure is to be above projections.				
7 % ADMIN PENALTIES COLLECTED	88.00 %	81.22 %	92.30 % *	83.60 - 92.40
<u>Explanation of Variance:</u> Performance for the Percent of Administrative Penalties Collected is below performance at the end of FY 2013. Lower performance is due to the increased number of PST violations. These violations are generally against smaller companies and individuals with less means to pay and a higher propensity to be issued default orders which result in lower collection rates as compared to collection rates for larger entities.				

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<b>4-1 CONTAMINATED SITE CLEANUP</b>				
1 % LEAKING PETR TANK CLEANUPS	88.00 %	93.78 %	106.57 % *	83.60 - 92.40
<u>Explanation of Variance:</u> Performance for the Percent of Leaking Petroleum Storage Tank Sites Cleaned Up was above projections for FY 2013. This measure provides an indication of the agency's efforts to clean up leaking petroleum storage tank sites relative to the total population of known leaking petroleum storage tank sites. Most cleanups are finalized after responsible parties complete all field work and formally request closure review. The agency has limited control over the number of requests for closure submitted within a fiscal year.				
2 # SUPERFUND REMEDIAL ACTIONS COMP.	113.00	113.00	100.00 %	107.35 - 118.65
3 % BROWNFIELDS FOR REUSE	69.00 %	75.00 %	108.70 % *	65.55 - 72.45
<u>Explanation of Variance:</u> Performance for the Percent of Voluntary and Brownfield Cleanup Properties Made Available for Commercial/Industrial Redevelopment, Community or Other Economic Reuse was above projections for FY 2013. This outcome measure indicates the total number of sites that have been accepted into the program divided by the total number of certificates of completion issued since the inception of the program. Performance is above projected levels due to applicants submitting technical documents in a timely manner to facilitate property transactions and promote real estate reuse and development.				
<b>5-1 RIVER COMPACT COMMISSIONS</b>				
1 % OF CANADIAN WATER RECEIVED	100.00 %	9.00 %	9.00 % *	95.00 - 105.00
<u>Explanation of Variance:</u> Performance for the Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Canadian River Compact was below projections for FY 2013. This measure reports the extent to which Texas receives its share of water as apportioned by the Canadian River compact with New Mexico. The acre-feet of quality water received by Texas from the Canadian River were less than average due to severe drought conditions in the Canadian River watershed. New Mexico is in compliance with the Compact.				
2 % OF PECOS WATER RECEIVED	100.00 %	382.00 %	382.00 % *	95.00 - 105.00
<u>Explanation of Variance:</u> Performance for the Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Pecos River Compact was above projections for FY 2013. 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 Pecos River were higher than projected due to New Mexico's credits accumulated under the Compact. New Mexico was in compliance with the Compact.				
3 % OF RED RIVER WATER RECEIVED	100.00 %	100.00 %	100.00 %	95.00 - 105.00

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4 % OF RIO GRANDE WATER RECEIVED	100.00 %	0.00 %	0.00 % *	95.00 - 105.00
<p><u>Explanation of Variance:</u> Performance for the Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Rio Grande River Compact was below projections for FY 2013. This measure reports the extent to which Texas receives its share of water as apportioned by the Compact. The Rio Grande Compact Commission was unable to agree on the calculation of water deliveries and credit water calculations because of New Mexico's position on the Compact water deliveries and calculations regarding the use of Rio Grande Project waters. New Mexico's views will result in less water available to Texas. New Mexico has filed litigation in Federal District Court to attempt to verify their positions and reduce water available to Texas. The Rio Grande Compact Commission has hired outside legal counsel and technical experts and filed litigation in the U. S. Supreme Court (Texas v. New Mexico No. 141 Original) to protect the state's water supplies.</p>				
5 % OF SABINE WATER RECEIVED	100.00 %	106.00 %	106.00 % *	95.00 - 105.00
<p><u>Explanation of Variance:</u> Performance for The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Sabine River Compact was above projections for FY 2013. This measure is based on water usage compared to the last 5 year running average. The percentage of water received by Texas in FY 2013 was higher than projected compared to the average amount of diversions during the last 5 years due to increased industrial and mining uses. Louisiana was in compliance with the Compact.</p>				

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