

ACTUAL PERFORMANCE FOR OUTPUT/EFFICIENCY MEASURES

582 - Commission on Environmental Quality

Fiscal Year 2012

4/5/2012

Actual Performance for Output/Efficiency Measures with Updates
 82nd Regular Session, Performance Reporting
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012
 TIME: 11:02:30AM
 PAGE: 2 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|---|-------------|-------------|----------|--------------------------|-------------------|
| Output Measures | | | | | |
| <u>1-1-1 AIR QUALITY ASSESSMENT AND PLANNING</u> | | | | | |
| 1 # POINT SOURCE AIR ASSESSMENTS | | | | | |
| Quarter 1 | 1,967.00 | 488.00 | 488.00 | 24.81 % | 393.40 - 590.10 |
| <u>Explanation of Update:</u> NA | | | | | |
| Quarter 2 | 1,967.00 | 21.00 | 509.00 | 25.88 % * | 885.15 - 1,081.85 |
| <u>Explanation of Variance:</u> During the second quarter of FY 2012, performance was below expected levels because the majority of point source air quality assessments had been performed during the previous three quarters to meet the United States Environmental Protection Agency reporting deadline of December 31, 2011. Point source emissions inventories for the new federal reporting year were distributed during this quarter to entities that may be required to report point source emissions inventories. The quarterly variance is typical and is not expected to affect the cumulative annual performance for this measure. | | | | | |
| 2 # AREA SOURCE AIR ASSESSMENTS | | | | | |
| Quarter 1 | 2,250.00 | 569.00 | 569.00 | 25.29 % | 450.00 - 675.00 |

* Varies by 5% or more from target.

Actual Performance for Output/Efficiency Measures with Updates

82nd Regular Session, Performance Reporting

Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012

TIME: 11:02:30AM

PAGE: 3 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|-----------------------|----------------|----------------|-------------|-----------------------------|--------------|
|-----------------------|----------------|----------------|-------------|-----------------------------|--------------|

Output Measures

2 # AREA SOURCE AIR ASSESSMENTS

| | | | | | |
|------------------|----------|----------|----------|-----------|---------------------|
| Quarter 2 | 2,250.00 | 1,016.00 | 1,585.00 | 70.44 % * | 1,012.50 - 1,237.50 |
|------------------|----------|----------|----------|-----------|---------------------|

Explanation of Variance: Performance for the Number of Area Source Assessments was above projections at the end of the second quarter of FY 2012. This measure counts the number of area source air emissions inventories that have been reviewed and loaded into the Texas Air Emissions Repository (TexAER) database. The performance for the second quarter was above expected levels as four large inventory projects (2008 Traffic Markings, 2008 Emulsified Asphalt, 2005 Statewide V4, and 2008 AVI-RAIL-CMV-DrillRigs) were completed and loaded into the TexAER database. The end of the year target projection is expected to be met or exceeded.

3 # ON-ROAD SOURCE ASSESSMENTS

| | | | | | |
|------------------|----------|--------|--------|-----------|-----------------|
| Quarter 1 | 1,013.00 | 575.00 | 575.00 | 56.76 % * | 202.60 - 303.90 |
|------------------|----------|--------|--------|-----------|-----------------|

Explanation of Variance: The Number of Mobile Source On-Road Air Quality Assessments is above projections at the end of the first quarter of FY 2012. This measure depicts the number of on-road mobile source/transportation related scenarios evaluated by the Air Quality Division. During the first quarter, the on-road mobile source staff performed both routine tasks and work tasks related to the preparation for a state implementation plan (SIP) revision for the Houston-Galveston-Brazoria (HGB) ozone nonattainment area. The tasks included: assesment to determine widespread use of on-board vapor recovery systems, Texas low emission diesel analyses to support transportation conformity, and nationwide runs with the United States Environmental Protection Agency's Motor Vehicle Emission Simulator. The number of scenarios required to support the HGB SIP revision are not required every quarter and the number of assessments next quarter should be less than the first quarter.

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Actual Performance for Output/Efficiency Measures with Updates

82nd Regular Session, Performance Reporting

Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012

TIME: 11:02:30AM

PAGE: 4 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|-----------------------|----------------|----------------|-------------|-----------------------------|--------------|
|-----------------------|----------------|----------------|-------------|-----------------------------|--------------|

Output Measures

3 # ON-ROAD SOURCE ASSESSMENTS

| | | | | | |
|------------------|----------|--------|--------|-----------|-----------------|
| Quarter 2 | 1,013.00 | 378.00 | 953.00 | 94.08 % * | 455.85 - 557.15 |
|------------------|----------|--------|--------|-----------|-----------------|

Explanation of Variance: The Number of Mobile Source On-Road Air Quality Assessments is above projections at the end of the second quarter of FY 2012. This measure depicts the number of on-road mobile source/transportation related scenarios evaluated by the Air Quality Division. During the second quarter, the on-road mobile source staff performed tasks related to the preparation for a state implementation plan (SIP) revision for the Stage II SIP using the recently released United States Environmental Protection Agency's Motor Vehicle Emission Simulator (MOVES) and nationwide runs with the MOVES to support transition to MOVES-based results for photochemical modeling. The number of scenarios required to support the MOVES-based SIP revisions and transition to MOVES have created a larger than anticipated number of scenarios for both the first and second quarters.

6 TONS NOX REDUCED

| | | | | | |
|------------------|----------|------|------|----------|---------------------|
| Quarter 1 | 6,794.00 | 0.00 | 0.00 | 0.00 % * | 1,358.80 - 2,038.20 |
|------------------|----------|------|------|----------|---------------------|

Explanation of Variance: Performance was below projections for the first quarter of FY 2012. This measure shows the projected tons of nitrogen oxides (NOx) reduced through projects funded by the Texas Emissions Reduction Plan (TERP) incentive grants. Senate Bill 385, 82nd Texas Legislature, 2011, Regular Session, established three new grant programs under the TERP. In addition, House Bill 3399 made changes to the existing grant programs. Rules for the new programs and to implement the changes to the existing programs are scheduled for consideration for adoption by the commission on March 28, 2012. In addition, the existing grant program guidelines must also be revised and adopted to implement the program changes. The revised guidelines will be considered for adoption sometime after adoption of the rule revisions. As a result of the need to update the rules and guidelines, as well as the requirement to develop and implement several new grant programs, the next grant awards for projects to reduce emissions of NOx will not be made until late in Fiscal Year (FY) 2012 or early FY 2013. Therefore, the program does not expect to meet the targets for FY 2012.

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Actual Performance for Output/Efficiency Measures with Updates
 82nd Regular Session, Performance Reporting
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012
 TIME: 11:02:30AM
 PAGE: 5 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|-----------------------|----------------|----------------|-------------|-----------------------------|--------------|
|-----------------------|----------------|----------------|-------------|-----------------------------|--------------|

Output Measures

6 TONS NOX REDUCED

| | | | | | |
|------------------|----------|------|------|----------|---------------------|
| Quarter 2 | 6,794.00 | 0.00 | 0.00 | 0.00 % * | 3,057.30 - 3,736.70 |
|------------------|----------|------|------|----------|---------------------|

Explanation of Variance: Performance was below projections at the end of the second quarter of FY 2012. This measure shows the projected tons of nitrogen oxides (NOx) reduced through projects funded by the Texas Emissions Reduction Plan (TERP) incentive grants. Senate Bill 385, 82nd Texas Legislature, 2011, Regular Session, established three new grant programs under the TERP. In addition, House Bill 3399 made changes to the existing grant programs. Rules for the new programs and to implement the changes to the existing programs are scheduled for consideration for adoption by the commission on March 28, 2012. In addition, the existing grant program guidelines must also be revised and adopted to implement the program changes. The revised guidelines will be considered for adoption sometime after adoption of the rule revisions. As a result of the need to update the rules and guidelines, as well as the requirement to develop and implement several new grant programs, the next grant awards for projects to reduce emissions of NOx will not be made until late in Fiscal Year (FY) 2012 or early FY 2013. Therefore, the program does not expect to meet the targets for FY 2012.

7 # VEHICLES REPAIRED/REPLACED-LIRAP

| | | | | | |
|------------------|----------|----------|----------|------------|-----------------|
| Quarter 1 | 2,189.00 | 2,568.00 | 2,568.00 | 117.31 % * | 437.80 - 656.70 |
|------------------|----------|----------|----------|------------|-----------------|

Explanation of Variance: FINAL NUMBERS - Performance for the Number of Vehicles Repaired or Replaced through the LIRAP was above projections for the first quarter of Fiscal Year (FY) 2012. This measure determines the number of vehicle repairs and replacements that have taken place in the five-county Houston-Galveston-Brazoria (HGB) area, nine-county Dallas-Fort Worth (DFW) area, and two-county Austin-Round Rock (ARR) area. In the first quarter of FY 2012, the DFW area repaired and replaced 1,079 vehicles; the HGB area repaired and replaced 1,358 vehicles; and the ARR area repaired and replaced 131 vehicles. The high number of repairs and replacements reported in the first quarter FY 2012 are due to outstanding replacement vouchers from FY 2011 being used during this quarter and program areas' use of unspent funds from FY 2011. The suspension of retirement/replacement assistance by the local programs will allow more assistance to be provided to repair vehicles and will bring future reports in line with projections.

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Actual Performance for Output/Efficiency Measures with Updates
 82nd Regular Session, Performance Reporting
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012
 TIME: 11:02:30AM
 PAGE: 6 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|---|-------------|-------------|----------|--------------------------|-------------------|
| Output Measures | | | | | |
| 7 # VEHICLES REPAIRED/REPLACED-LIRAP | | | | | |
| Quarter 2 | 2,189.00 | 1,661.00 | 4,229.00 | 193.19 % * | 985.05 - 1,203.95 |
| <p><u>Explanation of Variance:</u> Final Numbers - Performance for the Number of Vehicles Repaired or Replaced through the LIRAP was above projections for the first and second quarters of Fiscal Year (FY) 2012. This measure determines the number of vehicle repairs and replacements that have taken place in the five-county Houston-Galveston-Brazoria (HGB) area, nine-county Dallas-Fort Worth (DFW) area, and two-county Austin-Round Rock (ARR) area. In the second quarter of FY 2012, the DFW area repaired and replaced 647 vehicles; the HGB area repaired and replaced 879 vehicles; and the ARR area repaired and replaced 135 vehicles. The high number of repairs and replacements reported in the first and second quarters of FY 2012 are due to outstanding replacement vouchers from FY 2011 being used during this quarter and program areas' use of unspent funds from FY 2011. The suspension of retirement/replacement assistance by the local programs will allow more assistance to be provided to repair vehicles and will bring future reports in line with projections.</p> | | | | | |
| <u>1-1-2 WATER ASSESSMENT AND PLANNING</u> | | | | | |
| 1 # SURFACE WATER ASSESSMENTS | | | | | |
| Quarter 1 | 78.30 | 4.00 | 4.00 | 5.11 % * | 15.66 - 23.49 |
| <p><u>Explanation of Variance:</u> Performance for the number of surface water assessments was below projections for the first quarter of FY 2012. This measure quantifies the surface water assessment activities of the agency. A variety of activities are reflected by this measure. Assessment of water quality is essential to the identification of impaired water bodies, development of water quality standards, development of effluent standards for discharges, and development of watershed restoration and implementation strategies. Water quality assessment activities are scheduled for completion later in the fiscal year after they have been planned and coordinated and/or field sampling has been completed. Performance of Receiving Water Assessments was impacted by the on-going drought. No Receiving Water Assessments were performed in the first quarter.</p> | | | | | |
| Quarter 2 | 78.30 | 33.00 | 37.00 | 47.25 % | 35.24 - 43.07 |
| 2 # GROUNDWATER ASSESSMENTS | | | | | |

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Actual Performance for Output/Efficiency Measures with Updates
 82nd Regular Session, Performance Reporting
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012
 TIME: 11:02:30AM
 PAGE: 7 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|--|----------------|----------------|-------------|-----------------------------|-----------------|
| Output Measures | | | | | |
| 2 # GROUNDWATER ASSESSMENTS | | | | | |
| Quarter 1 | 54.00 | 7.00 | 7.00 | 12.96 % * | 10.80 - 16.20 |
| <u>Explanation of Variance:</u> Performance for the number of groundwater assessments was below projections for the first quarter of FY 2012. This measure counts the number of assessment activities which evaluate environmental or programmatic data related to groundwater quality or quantity. This level of performance is the norm for the first quarter. 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 assessments are expected to be completed in the fourth quarter of FY 2012, and it is anticipated that performance will meet projections. | | | | | |
| Quarter 2 | 54.00 | 10.00 | 17.00 | 31.48 % * | 24.30 - 29.70 |
| <u>Explanation of Variance:</u> Performance for the Number of Groundwater Assessments was below projections at the end of the second quarter of FY 2012. This measure counts the number of assessment activities completed which evaluate environmental or programmatic data related to groundwater quality or quantity. This level of performance is the norm for the second quarter. 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 assessments are expected to be completed in the fourth quarter of FY 2012, and it is anticipated that performance will meet projections. | | | | | |
| 3 # DAM SAFETY ASSESSMENTS | | | | | |
| Quarter 1 | 1,030.00 | 459.00 | 459.00 | 44.56 % * | 206.00 - 309.00 |
| <u>Explanation of Variance:</u> Performance for the number of dam safety assessments is above projections for the first quarter of FY 2012. This measure reflects the total number of dam safety assessments completed in the reporting period. Reports from contractors, including the Natural Resources Conservation Service, were received by the program after September 1, 2011 for work originating in FY 2011, with the result that staff completed an increased number of assessments associated with these reports during the first quarter. The Dam Safety Program anticipates meeting projections for this measure at the end of the fiscal year. | | | | | |

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Actual Performance for Output/Efficiency Measures with Updates

82nd Regular Session, Performance Reporting

Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012
 TIME: 11:02:30AM
 PAGE: 8 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|-----------------------|----------------|----------------|-------------|-----------------------------|--------------|
|-----------------------|----------------|----------------|-------------|-----------------------------|--------------|

Output Measures

3 # DAM SAFETY ASSESSMENTS

| | | | | | |
|------------------|----------|--------|--------|-----------|-----------------|
| Quarter 2 | 1,030.00 | 364.00 | 823.00 | 79.90 % * | 463.50 - 566.50 |
|------------------|----------|--------|--------|-----------|-----------------|

Explanation of Variance: Performance for the Number of Dam Safety Assessments is above projections for the second quarter of FY 2012. This measure reflects the total number of dam safety assessments completed in the reporting period. Reports from contractors, including the Natural Resources Conservation Service, were received by the program after September 1, 2011 for work originating in FY 2011, and additional reports were submitted during the first and second quarters of FY 2012. Staff completed an increased number of assessments associated with these reports during the second quarter. The Dam Safety Program anticipates meeting projections for this measure at the end of the fiscal year.

1-1-3 WASTE ASSESSMENT AND PLANNING

1 # MUNIC SOLID WASTE FAC ASSESS

| | | | | | |
|------------------|--------|------|------|----------|---------------|
| Quarter 1 | 225.00 | 0.00 | 0.00 | 0.00 % * | 45.00 - 67.50 |
|------------------|--------|------|------|----------|---------------|

Explanation of Variance: The Number of Municipal Solid Waste (MSW) Facility Capacity Assessments is below the projection for the first quarter of FY 2012. This measure quantifies the number of MSW Annual Reports reviewed by staff. The first quarter of FY 2012 was spent preparing and mailing out the Annual Report form; assisting customers with filling out the form; and logging in the 12 reports received. The annual report is due to the agency at end of December 2011. Reviews will begin during the second quarter, with the majority of the reviews occurring in the third quarter. Project is expected to be completed by end of FY 2012.

| | | | | | |
|------------------|--------|------|------|----------|-----------------|
| Quarter 2 | 225.00 | 0.00 | 0.00 | 0.00 % * | 101.25 - 123.75 |
|------------------|--------|------|------|----------|-----------------|

Explanation of Variance: The Number of Municipal Solid Waste (MSW) Facility Capacity Assessments is below projections at the end of the second quarter of FY 2012. This measure quantifies the number of MSW Annual Reports reviewed by staff. The second quarter of FY 2012 was spent assisting customers with filling out forms and logging in the receipt of 211 reports out of the 225 reports projected. Reviews will begin in the third quarter. Annual projection is expected to be met by close of the fourth quarter.

1-2-1 AIR QUALITY PERMITTING

1 # AIR PERMITS REVIEWED

* Varies by 5% or more from target.

Actual Performance for Output/Efficiency Measures with Updates
 82nd Regular Session, Performance Reporting
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012
 TIME: 11:02:30AM
 PAGE: 9 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|---|-------------|-------------|----------|--------------------------|---------------------|
| Output Measures | | | | | |
| 1 # AIR PERMITS REVIEWED | | | | | |
| Quarter 1 | 5,600.00 | 1,792.00 | 1,792.00 | 32.00 % * | 1,120.00 - 1,680.00 |
| <u>Explanation of Variance:</u> The Number of State and Federal New Source Air Quality Permit Applications Reviewed was above projections for 1st Quarter FY 2012. This measure quantifies the permitting workload of the Air Permits Division (APD) staff assigned to review state and federal new source review permit applications. The increased output is due to a significant increase in permit by rule and standard permit projects received and reviewed during the quarter. | | | | | |
| Quarter 2 | 5,600.00 | 1,653.00 | 3,445.00 | 61.52 % * | 2,520.00 - 3,080.00 |
| <u>Explanation of Variance:</u> The Number of State and Federal New Source Air Quality Permit Applications Reviewed was above projections as of the second quarter of FY 2012. This measure quantifies the permitting workload of the Air Permits Division (APD) staff assigned to review state and federal new source review permit applications. The increased output is due to a significant increase in permit by rule and standard permit projects received and reviewed. | | | | | |
| 2 # FEDERAL AIR PERMITS REVIEWED | | | | | |
| Quarter 1 | 800.00 | 239.00 | 239.00 | 29.88 % | 160.00 - 240.00 |
| Quarter 2 | 800.00 | 219.00 | 458.00 | 57.25 % * | 360.00 - 440.00 |
| <u>Explanation of Variance:</u> The Number of Federal Air Quality Operating Permits Reviewed is above projections as of the second quarter of FY 2012. The increase in Title V projects reviewed is due to the resolution of certain EPA objections that were causing significant delays for Title V permit applications. Further, an increase in the Title V applications received can be linked to the regulated community's willingness to resume/begin projects previously susceptible to an EPA objection. | | | | | |

1-2-2 WATER RESOURCE PERMITTING

1 # WATER QUAL APPS REVIEWED

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Actual Performance for Output/Efficiency Measures with Updates

82nd Regular Session, Performance Reporting

Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012
 TIME: 11:02:30AM
 PAGE: 10 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|-----------------------|-------------|-------------|----------|--------------------------|--------------|
|-----------------------|-------------|-------------|----------|--------------------------|--------------|

Output Measures

1 # WATER QUAL APPS REVIEWED

| | | | | | |
|------------------|----------|----------|----------|-----------|---------------------|
| Quarter 1 | 7,800.00 | 6,900.00 | 6,900.00 | 88.46 % * | 1,560.00 - 2,340.00 |
|------------------|----------|----------|----------|-----------|---------------------|

Explanation of Variance: Performance for The Number of Applications to Address Water Quality Impacts Reviewed was well above projections for the first quarter of FY2011. This measure reflects agency workload with regard to the review of water quality permit applications. The number of notice of intents (NOIs) for authorization under TCEQ's Multi-Sector General Permit (MSGP) was extremely high based on historically experienced levels. TCEQ believes this was a reflection of the recent renewal of the MSGP to authorize stormwater discharges from industrial activities. All permittees were required to renew by November 2011 in order to continue coverage under this permit. TCEQ expects this number to decrease throughout the fiscal year after most permits have been renewed. We had a total of 6,361 general permits this quarter alone, whereas the normal number of all general permit combined is about 1,200.

| | | | | | |
|------------------|----------|----------|-----------|------------|---------------------|
| Quarter 2 | 7,800.00 | 4,877.00 | 11,777.00 | 150.99 % * | 3,510.00 - 4,290.00 |
|------------------|----------|----------|-----------|------------|---------------------|

Explanation of Variance: Performance for The Number of Applications to Address Water Quality Impacts Reviewed was above projections at the end of the second quarter of FY2012. This measure reflects agency workload with regard to the review of water quality permit applications. The number of notice of intents (NOIs) for authorization under TCEQ's Multi-Sector General Permit (MSGP) was extremely high compared to historically experienced levels. TCEQ believes this was a reflection of the recent renewal of the MSGP to authorize stormwater discharges from industrial activities. All permittees were required to submit these NOIs by November 2011 in order to continue coverage under this permit. TCEQ expects this number to decrease throughout the fiscal year after most permits have been renewed. We had a total of 4,877 general permits in the second quarter alone, whereas the normal number of all general permit reviews combined is about 1,200.

3 # CAFO AUTHORIZATIONS REVIEWED

* Varies by 5% or more from target.

Actual Performance for Output/Efficiency Measures with Updates
 82nd Regular Session, Performance Reporting
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012
 TIME: 11:02:30AM
 PAGE: 11 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|---|----------------|----------------|-------------|-----------------------------|---------------|
| Output Measures | | | | | |
| 3 # CAFO AUTHORIZATIONS REVIEWED | | | | | |
| Quarter 1 | 53.00 | 10.00 | 10.00 | 18.87 % * | 10.60 - 15.90 |
| <p><u>Explanation of Variance:</u> Performance for the Number of Concentrated Animal Feeding Operation (CAFO) Authorizations Reviewed was below projections for the first quarter of FY 2012. This measure counts the number of concentrated animal feeding operation (CAFO) individual permits filed with the Chief Clerk of the Commission following technical review and CAFO general permit authorizations that have been issued. The TCEQ believes the number of authorizations received is significantly less than expected because of the current state of the economy and impacts to the CAFO industry. Fewer new CAFOs are seeking authorization, and fewer existing CAFOs are expanding or changing ownership. These application types account for the majority of the workload for this program. Submittal rates for FY 2012 are anticipated to be below projections for the same reason.</p> <p><u>Explanation of Update:</u> First quarter performance originally did not show November results because date used to run first quarter report used November 1 instead of November 30, 2011. Error now corrected.</p> | | | | | |
| Quarter 2 | 53.00 | 19.00 | 29.00 | 54.72 % | 23.85 - 29.15 |

1-2-3 WASTE MANAGEMENT AND PERMITTING

* Varies by 5% or more from target.

Actual Performance for Output/Efficiency Measures with Updates
 82nd Regular Session, Performance Reporting
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012
 TIME: 11:02:30AM
 PAGE: 12 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|-----------------------|-------------|-------------|----------|--------------------------|--------------|
|-----------------------|-------------|-------------|----------|--------------------------|--------------|

Output Measures

2 # NONHAZARDOUS WASTE APPS

| | | | | | |
|------------------|--------|-------|-------|-----------|---------------|
| Quarter 1 | 236.00 | 37.00 | 37.00 | 15.68 % * | 47.20 - 70.80 |
|------------------|--------|-------|-------|-----------|---------------|

Explanation of Variance: Original Explanation: The Number of New System Waste Evaluations Conducted was below projection for the first quarter of FY 2012. This measure represents audits conducted on generators' self-classification of their industrial waste. The shortfall was due to delays in initiating new waste classification audits in the new PARIS database (this issue has since been resolved in the PARIS production environment). However, the delay in creating audits will result in later responses increasing the second quarter total. These audits, in addition to the number of new evaluations during the next quarter, are expected to allow the agency to meet the second quarter target.

Explanation of Update: First quarter performance has been revised to remove Notice of Intent reviews which were done and included in the original performance for the first quarter. Management has determined that NOI reviews are not included in the reviews counted for this measure.

| | | | | | |
|------------------|--------|-------|-------|-----------|-----------------|
| Quarter 2 | 236.00 | 35.00 | 72.00 | 30.51 % * | 106.20 - 129.80 |
|------------------|--------|-------|-------|-----------|-----------------|

Explanation of Variance: The Number of Non-hazardous Waste Permit Applications Reviewed was below projections as of the second quarter of FY 2012. This measure quantifies the number of municipal solid waste permit and registration applications reviewed by TCEQ staff. These actions reflect request for authorization made by the regulated community in response to changing business needs (for example opening a new facility, modifying an existing facility's waste acceptance rate, etc.) Decreased performance is attributed to a decrease in the number of applications received. The number and type of authorization requests is shifting due to an increase in recycling activity. The majority of recycling activities are conducted via a Notice of Intent (NOI). Although NOI applications are reviewed and acknowledged by the program area, the number is not calculated as part of this performance measure. The estimated annual number of applications expected to be received is difficult to project. The program area expects to be below the projected performance for the year.

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Actual Performance for Output/Efficiency Measures with Updates
 82nd Regular Session, Performance Reporting
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012
 TIME: 11:02:30AM
 PAGE: 13 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|-----------------------|-------------|-------------|----------|--------------------------|--------------|
|-----------------------|-------------|-------------|----------|--------------------------|--------------|

Output Measures

3 # HAZARDOUS WASTE PERMIT APPS

| | | | | | |
|------------------|--------|-------|-------|---------|---------------|
| Quarter 1 | 160.00 | 46.00 | 46.00 | 28.75 % | 32.00 - 48.00 |
|------------------|--------|-------|-------|---------|---------------|

| | | | | | |
|------------------|--------|-------|-------|-----------|---------------|
| Quarter 2 | 160.00 | 42.00 | 88.00 | 55.00 % * | 72.00 - 88.00 |
|------------------|--------|-------|-------|-----------|---------------|

Explanation of Variance: The Number of Hazardous Waste Permit Applications Reviewed is above projections for the second quarter of FY 2012. This measure quantifies the number of hazardous waste and underground injection control permits and registration applications reviewed by TCEQ staff. Increased performance is attributed to a large number of permit modifications received and processed. These modifications reflect the requests for authorization made by the regulated community in response to changing business needs (for example, updating contact information, addresses, typographical errors, etc.). These requests are difficult to anticipate and project.

1-2-4 OCCUPATIONAL LICENSING

2 # EXAMS PROCESSED

| | | | | | |
|------------------|-----------|----------|----------|---------|---------------------|
| Quarter 1 | 12,300.00 | 2,836.00 | 2,836.00 | 23.06 % | 2,460.00 - 3,690.00 |
|------------------|-----------|----------|----------|---------|---------------------|

| | | | | | |
|------------------|-----------|----------|----------|-----------|---------------------|
| Quarter 2 | 12,300.00 | 2,601.00 | 5,437.00 | 44.20 % * | 5,535.00 - 6,765.00 |
|------------------|-----------|----------|----------|-----------|---------------------|

Explanation of Variance: Performance for the Number of Examinations Processed was below projections at the end of the second quarter of FY 2012. This measure reports the number of occupational licensing examinations processed by the Occupational Licensing Section. The lower number of examinations processed can be attributed to several factors. The agency has no control over how many individuals will be taking examinations. The lower number may also be related to economic conditions with less demand for licensed occupations. However, past history indicates the number of applications and examinations administered increase during the third and fourth quarters; therefore, we anticipate the number of examinations to increase the next quarter thus meeting the projected target.

2-1-1 SAFE DRINKING WATER

1 # WATER SYSTEMS MEETING STANDARDS

* Varies by 5% or more from target.

Actual Performance for Output/Efficiency Measures with Updates
 82nd Regular Session, Performance Reporting
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012
 TIME: 11:02:30AM
 PAGE: 14 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|---|----------------|----------------|-------------|-----------------------------|----------------------|
| Output Measures | | | | | |
| 1 # WATER SYSTEMS MEETING STANDARDS | | | | | |
| Quarter 1 | 6,280.00 | 6,671.00 | 6,671.00 | 106.23 % * | 5,966.00 - 6,594.00 |
| <u>Explanation of Variance:</u> Performance for the Number of Public Drinking Water Systems Which Meet Primary Drinking Water Standards is above projections for the first quarter of FY 2012. This measure reports the total number of all public water systems which have not had maximum contaminant level (MCL) or micro violations. Public water system's compliance rates with the Total Coliform Rule have been better than anticipated. The desired performance for this measure is to be above projections. | | | | | |
| Quarter 2 | 6,280.00 | 6,674.00 | 6,674.00 | 106.27 % * | 5,966.00 - 6,594.00 |
| <u>Explanation of Variance:</u> Performance for the Number of Public Drinking Water Systems Which Meet Primary Drinking Water Standards is above projections for the second quarter of FY 2012. This measure reports the total number of all public water systems which have not had maximum contaminant level (MCL), lead action-level violations, or treatment-technique violations. Performance is above projections because the number of public water systems has grown more than anticipated. The projected target is intended to approximate a compliance rate of 95% of the total systems. | | | | | |
| 2 # DRINKING WATER SAMPLES | | | | | |
| Quarter 1 | 37,810.00 | 12,054.00 | 12,054.00 | 31.88 % * | 7,562.00 - 11,343.00 |
| <u>Explanation of Variance:</u> Performance for the Number of Drinking Water Samples Collected was above projections for the first quarter of FY 2012. This measure reflects agency workload with regard to contract management activities concerning the collection of public drinking water chemical compliance samples by an agency contractor. The Public Drinking Water Section has seen a steady increase in the number of public water systems coming on line. As these water systems come on line they become subject to drinking water sampling requirements and, therefore, the number of samples taken has also been increasing. Because of this trend, this performance measure was above projected rates for this quarter. Submittal rates for FY 2012 are anticipated to be slightly above projections for the same reason. | | | | | |

* Varies by 5% or more from target.

Actual Performance for Output/Efficiency Measures with Updates

82nd Regular Session, Performance Reporting

Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012

TIME: 11:02:30AM

PAGE: 15 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|-----------------------|----------------|----------------|-------------|-----------------------------|--------------|
|-----------------------|----------------|----------------|-------------|-----------------------------|--------------|

Output Measures

2 # DRINKING WATER SAMPLES

| | | | | | |
|------------------|-----------|----------|-----------|-----------|-----------------------|
| Quarter 2 | 37,810.00 | 9,151.00 | 21,205.00 | 56.08 % * | 17,014.50 - 20,795.50 |
|------------------|-----------|----------|-----------|-----------|-----------------------|

Explanation of Variance: Performance for the Number of Drinking Water Samples Collected was above projections for the second quarter of FY 2012. This measure reflects agency workload with regard to contract management activities concerning the collection of public drinking water chemical compliance samples by an agency contractor. The Public Drinking Water Section has seen a steady increase in the number of public water systems coming on line. As these water systems come on line they become subject to drinking water sampling requirements and, therefore, the number of samples taken has also been increasing. Because of this trend, this performance measure was above projected rates for this quarter. Submittal rates for FY 2012 are anticipated to be slightly above projections for the same reason.

2-1-2 WATER UTILITIES OVERSIGHT

1 # UTILITY RATE REVIEWS

| | | | | | |
|------------------|-------|-------|-------|-----------|---------------|
| Quarter 1 | 80.00 | 33.00 | 33.00 | 41.25 % * | 16.00 - 24.00 |
|------------------|-------|-------|-------|-----------|---------------|

Explanation of Variance: Performance for the Number of Utility Rate Reviews Performed was higher than projections for the first quarter of FY 2012. This measure reflects the number of applications received and processed by agency staff and either approved, dismissed, withdrawn or referred to the Environmental Law Division as a contested matter. The number of rate and tariff change applications filed has been increasing over the last three years. TCEQ believes this is a reflection of the current economy, aging infrastructure, and water and sewer utilities attempting to set rates that reflect the cost of service. As the cost of service for water and/or sewer utilities increases, the need for utilities to increase their rates also increases. Therefore, the number of rate reviews also increases. Submittal rates for FY 2012 are anticipated to remain above projections for the same reason.

* Varies by 5% or more from target.

Actual Performance for Output/Efficiency Measures with Updates
 82nd Regular Session, Performance Reporting
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012
 TIME: 11:02:30AM
 PAGE: 16 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|--|----------------|----------------|-------------|-----------------------------|---------------------|
| Output Measures | | | | | |
| 1 # UTILITY RATE REVIEWS | | | | | |
| Quarter 2 | 80.00 | 50.00 | 83.00 | 103.75 % * | 36.00 - 44.00 |
| <p><u>Explanation of Variance:</u> Performance for the Number of Utility Rate Reviews Performed was higher than projections as of the second quarter of FY 2012. This measure reflects the number of applications received and processed by agency staff and either approved, dismissed, withdrawn or referred to the Environmental Law Division as a contested matter. The number of rate and tariff change applications filed has been increasing over the last three years. TCEQ believes this is a reflection of the current economy, aging infrastructure, and water and sewer utilities attempting to set rates that reflect the cost of service. As the cost of service for water and/or sewer utilities increases, the need for utilities to increase their rates also increases. Therefore, the number of rate reviews also increases. Performance above projected levels is desirable for this measure. Submittal rates for FY 2012 are anticipated to remain above projections for the same reason.</p> | | | | | |
| <u>3-1-1 FIELD INSPECTIONS & COMPLAINTS</u> | | | | | |
| 1 # AIR SITES INSPECTED/INVESTIGATED | | | | | |
| Quarter 1 | 11,177.00 | 2,550.00 | 2,550.00 | 22.81 % | 2,235.40 - 3,353.10 |
| Quarter 2 | 11,177.00 | 3,111.00 | 5,661.00 | 50.65 % | 5,029.65 - 6,147.35 |
| 2 # WATER RTS INSPECTED/INVESTIGATED | | | | | |

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Actual Performance for Output/Efficiency Measures with Updates
 82nd Regular Session, Performance Reporting
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012
 TIME: 11:02:30AM
 PAGE: 17 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|--|-------------|-------------|-----------|--------------------------|-----------------------|
| Output Measures | | | | | |
| 2 # WATER RTS INSPECTED/INVESTIGATED | | | | | |
| Quarter 1 | 28,600.00 | 4,773.00 | 4,773.00 | 16.69 % * | 5,720.00 - 8,580.00 |
| <u>Explanation of Variance:</u> The number of inspections and investigations of water rights sites through the first quarter are below projections. This measure reports the number of inspections and investigations completed at regulated water rights sites. The South Texas Watermaster areas have experienced staff turnover which has resulted in fewer inspections being conducted in the first quarter. The Rio Grande Watermaster (RGWM) area experienced several days this fall that were not safe, due to border violence conditions, for staff to be in the field which has curtailed these activities. In addition, the RGWM program has been very busy with high salinity inspections and activities related to higher than normal salinity. The number of inspections and investigations is expected to increase in the remainder of the year, and staff expects that the projected performance will be met for FY 2012. | | | | | |
| Quarter 2 | 28,600.00 | 5,383.00 | 10,156.00 | 35.51 % * | 12,870.00 - 15,730.00 |
| <u>Explanation of Variance:</u> The Number of Inspections and Investigations of Water Rights Sites through the second quarter are below projections. This measure reports the number of inspections and investigations completed at regulated water rights sites. During the second quarter, the Rio Grande Watermaster received 12 homeland security notifications which substantially reduced the number of investigations along the Rio Grande River. In addition, the RGWM Program has been very active with high salinity verification inspections related to abnormal salinity. The number of inspections and investigations is expected to increase in the remainder of the year, and staff expects that the projected performance will be met for FY 2012. | | | | | |
| 3 # WATER SITES INSPECTED/INVES | | | | | |
| Quarter 1 | 11,535.00 | 2,719.00 | 2,719.00 | 23.57 % | 2,307.00 - 3,460.50 |
| Quarter 2 | 11,535.00 | 2,627.00 | 5,346.00 | 46.35 % | 5,190.75 - 6,344.25 |
| 4 # LIVESTOCK INSPECTIONS | | | | | |

* Varies by 5% or more from target.

Actual Performance for Output/Efficiency Measures with Updates
 82nd Regular Session, Performance Reporting
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012
 TIME: 11:02:30AM
 PAGE: 18 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|--|-------------|-------------|----------|--------------------------|---------------------|
| Output Measures | | | | | |
| 4 # LIVESTOCK INSPECTIONS | | | | | |
| Quarter 1 | 330.00 | 96.00 | 96.00 | 29.09 % | 66.00 - 99.00 |
| Quarter 2 | 330.00 | 124.00 | 220.00 | 66.67 % * | 148.50 - 181.50 |
| <u>Explanation of Variance:</u> Performance for the Number of Inspections and Investigations of Livestock and Poultry Operation Sites is above projected levels at the end of the second quarter for FY 2012. Inspections and investigations vary in number and complexity from quarter to quarter. Investigations have been completed earlier than projected. The agency anticipates meeting the annual target projection. | | | | | |
| 5 # WASTE INSPECTIONS | | | | | |
| Quarter 1 | 6,760.00 | 2,456.00 | 2,456.00 | 36.33 % * | 1,352.00 - 2,028.00 |
| <u>Explanation of Variance:</u> The Number of Inspections and Investigations of Waste Sites was above projections at the end of the first quarter for FY 2012. This measure includes investigations at Petroleum Storage Tank (PST) sites subject to the Energy Policy Act (the Act). In order to meet the requirements of the Act, the agency received a grant from EPA which is used by the agency to fund an intergovernmental contract to complete these investigations. Investigations conducted by both the contractor and agency staff have resulted in performance above projected targets. | | | | | |
| Quarter 2 | 6,760.00 | 3,905.00 | 6,361.00 | 94.10 % * | 3,042.00 - 3,718.00 |
| <u>Explanation of Variance:</u> The Number of Inspections and Investigations of Waste Sites was above projections at the end of the second quarter for FY 2012. This measure includes investigations at Petroleum Storage Tank (PST) sites subject to the Energy Policy Act (the Act). In order to meet the requirements of the Act, the agency received a grant from EPA which is used by the agency to fund an intergovernmental contract to complete these investigations. Investigations conducted by both the contractor and agency staff have resulted in performance above projected targets. | | | | | |

3-1-2 ENFORCEMENT & COMPLIANCE SUPPORT

* Varies by 5% or more from target.

Actual Performance for Output/Efficiency Measures with Updates
 82nd Regular Session, Performance Reporting
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012
 TIME: 11:02:30AM
 PAGE: 19 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|---|-------------|-------------|-----------|--------------------------|-----------------------|
| Output Measures | | | | | |
| 1 # ENVIRO LABS ACCREDITED | | | | | |
| Quarter 1 | 285.00 | 281.00 | 281.00 | 98.60 % | 270.75 - 299.25 |
| Quarter 2 | 285.00 | 281.00 | 281.00 | 98.60 % | 270.75 - 299.25 |
| 2 # ASSISTS BY SBAP | | | | | |
| Quarter 1 | 54,000.00 | 20,011.00 | 20,011.00 | 37.06 % * | 10,800.00 - 16,200.00 |
| <u>Explanation of Variance:</u> Performance for the Number of Small Businesses and Local Governments Assisted exceeded projections for the first quarter of FY 2012. 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 is above the projected level due to an increase in the number of compliance newsletters mailed. | | | | | |
| Quarter 2 | 54,000.00 | 19,129.00 | 39,140.00 | 72.48 % * | 24,300.00 - 29,700.00 |
| <u>Explanation of Variance:</u> Performance for the Number of Small Businesses and Local Governments Assisted exceeded projections at the end of the second quarter of FY 2012. 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 is above the projected level due to outreach to over 6,000 Public Water Systems related to drought workshops conducted by the division. | | | | | |
| 3-1-3 POLLUTION PREVENTION RECYCLING | | | | | |
| 1 # POLLUTION PREVENTION WORKSHOPS | | | | | |

* Varies by 5% or more from target.

Actual Performance for Output/Efficiency Measures with Updates

82nd Regular Session, Performance Reporting

Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012

TIME: 11:02:30AM

PAGE: 20 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|---|----------------|----------------|-------------|-----------------------------|-----------------|
| Output Measures | | | | | |
| 1 # POLLUTION PREVENTION WORKSHOPS | | | | | |
| Quarter 1 | 125.00 | 54.00 | 54.00 | 43.20 % * | 25.00 - 37.50 |
| <u>Explanation of Variance:</u> For the first quarter of Fiscal year 2012, the performance of the number of presentations and workshops conducted on pollution prevention/waste minimization and voluntary program participation is above expectations. The first quarter results are historically higher each fiscal year as many event opportunities present themselves in the Fall. Future performance is expected to remain consistent with expectations. | | | | | |
| Quarter 2 | 125.00 | 29.00 | 83.00 | 66.40 % * | 56.25 - 68.75 |
| <u>Explanation of Variance:</u> For the second quarter of FY 2012, the performance of the number of on-site technical assistance visits, presentations and workshops conducted on pollution prevention/waste minimization and voluntary program participation continues to be above expectations. First quarter results are historically higher each fiscal year due to the number of event opportunities available in the Fall. This causes cumulative performance at the end of the second quarter to remain above projections. Performance for the third and fourth quarters is also expected to be lower than first quarter performance, and the agency projects that performance at year end will be consistent with the projected target. | | | | | |
| 4-1-1 STORAGE TANK ADMIN & CLEANUP | | | | | |
| 3 # PSTR REIMB APPLICATIONS | | | | | |
| Quarter 1 | 900.00 | 378.00 | 378.00 | 42.00 % * | 180.00 - 270.00 |
| <u>Explanation of Variance:</u> The Number of Petroleum Storage Tank Reimbursement Fund Applications received and processed was above projections during the first quarter of FY2012. This measure reflects performance in processing reimbursement applications received for petroleum storage tank cleanups. The number of applications received by the program fluctuates in any given reporting period. | | | | | |

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Actual Performance for Output/Efficiency Measures with Updates
 82nd Regular Session, Performance Reporting
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012
 TIME: 11:02:30AM
 PAGE: 21 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|--|-------------|-------------|----------|--------------------------|-----------------|
| Output Measures | | | | | |
| 3 # PSTR REIMB APPLICATIONS | | | | | |
| Quarter 2 | 900.00 | 374.00 | 752.00 | 83.56 % * | 405.00 - 495.00 |
| <u>Explanation of Variance:</u> The Number of Petroleum Storage Tank Reimbursement Fund Applications received and processed was above projections during the second quarter of FY2012. This measure reflects performance in processing reimbursement applications received for petroleum storage tank cleanups. The number of applications received by the program fluctuates in any given reporting period. | | | | | |
| <u>4-1-2 HAZARDOUS MATERIALS CLEANUP</u> | | | | | |
| 3 # VOLUNTARY CLEANUPS | | | | | |
| Quarter 1 | 60.00 | 16.00 | 16.00 | 26.67 % | 12.00 - 18.00 |
| Quarter 2 | 60.00 | 17.00 | 33.00 | 55.00 % * | 27.00 - 33.00 |
| <u>Explanation of Variance:</u> Performance for the number of Voluntary and Brownfields Cleanups completed was above projections at the end of the second quarter for FY2012. This measure indicates the number of sites that have completed necessary response actions to either remove or control contamination levels at voluntary cleanup and Brownfield sites. Performance is above projected levels due to applicant submittals of technical documents and other program related documents in a timely manner. The Voluntary Cleanup Program anticipates meeting the annual projected goal for FY2012. | | | | | |
| 4 # SUPERFUND EVALS/CLEANUPS UNDERWAY | | | | | |
| Quarter 1 | 41.00 | 47.00 | 47.00 | 114.63 % * | 38.95 - 43.05 |
| <u>Explanation of Variance:</u> The Number of Superfund Sites Undergoing Evaluation and Cleanup was above projections for the first quarter of FY 2012. This measure reports the combined number of state and federal Superfund sites that are undergoing evaluation and/or cleanup. The progression of Superfund sites through the evaluation and cleanup phase is dependent on available funding. Current performance reflects the sites that may be progressing and/or awaiting available funding. | | | | | |

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Actual Performance for Output/Efficiency Measures with Updates
 82nd Regular Session, Performance Reporting
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012
 TIME: 11:02:30AM
 PAGE: 22 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|--|----------------|----------------|-------------|-----------------------------|---------------|
| Output Measures | | | | | |
| 4 # SUPERFUND EVALS/CLEANUPS UNDERWAY | | | | | |
| Quarter 2 | 41.00 | 46.00 | 46.00 | 112.20 % * | 38.95 - 43.05 |
| <u>Explanation of Variance:</u> The Number of Superfund Sites Undergoing Evaluation and Cleanup was above projections as of the second quarter of FY 2012. This measure reports the combined number of state and federal Superfund sites that are undergoing evaluation and/or cleanup. The progression of Superfund sites through the evaluation and cleanup phase is dependent on available funding. Current performance reflects the sites that may be progressing and/or awaiting available funding. | | | | | |
| 5 # SUPERFUND REMEDIAL ACTION COMP. | | | | | |
| Quarter 1 | 1.00 | 1.00 | 1.00 | 100.00 % * | 0.20 - 0.30 |
| <u>Explanation of Variance:</u> Performance for the Number of Superfund Remedial Actions Completed was above projections for the first quarter of FY 2012. Superfund remedial action completions are not expected to be evenly distributed over each reporting quarter. | | | | | |
| Quarter 2 | 1.00 | 1.00 | 2.00 | 200.00 % * | 0.45 - 0.55 |
| <u>Explanation of Variance:</u> Performance for the Number of Superfund Remedial Actions Completed was above projections for the second quarter of FY 2012. Superfund remedial action completions are not expected to be evenly distributed over each reporting quarter. | | | | | |
| 7 # DRY CLEANER SITE CLEANUPS | | | | | |

* Varies by 5% or more from target.

Actual Performance for Output/Efficiency Measures with Updates

82nd Regular Session, Performance Reporting

Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012
 TIME: 11:02:30AM
 PAGE: 23 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|--|----------------|----------------|-------------|-----------------------------|-----------------|
| Output Measures | | | | | |
| 7 # DRY CLEANER SITE CLEANUPS | | | | | |
| Quarter 1 | 2.00 | 1.00 | 1.00 | 50.00 % * | 0.40 - 0.60 |
| <p><u>Explanation of Variance:</u> Performance for the Number of Dry Cleaner Remediation Site Cleanups Completed was above projections for the first quarter in FY 2012. This measure reflects the agency's efforts to clean up known eligible dry cleaning sites contaminated by dry cleaner solvents. Cleanup completions arPerformance for the Number of Dry Cleaner Remediation Site Cleanups Completed was above projections for the first quarter in FY 2012. This measure reflects the agency's efforts to clean up known eligible dry cleaning sites e not expected to be evenly distributed over each reporting quarter.</p> <p><u>Explanation of Update:</u> No change</p> | | | | | |
| Quarter 2 | 2.00 | 1.00 | 2.00 | 100.00 % * | 0.90 - 1.10 |
| <p><u>Explanation of Variance:</u> Performance for the Number of Dry Cleaner Remediation Site Cleanups Completed was above projections for the second quarter in FY 2012. This measure reflects the agency's efforts to clean up known eligible dry cleaning sites contaminated by dry cleaner solvents. The number of cleanups is not expected to be evenly distributed over each reporting quarter.</p> | | | | | |
| Efficiency Measures | | | | | |
| 1-1-1 AIR QUALITY ASSESSMENT AND PLANNING | | | | | |
| 3 AVG COST/ LIRAP RETROFIT | | | | | |
| Quarter 1 | 525.00 | 533.25 | 533.25 | 101.57 % | 498.75 - 551.25 |

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Actual Performance for Output/Efficiency Measures with Updates
 82nd Regular Session, Performance Reporting
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 4/5/2012
 TIME: 11:02:30AM
 PAGE: 24 OF 24

Agency code: 582

Agency name: Commission on Environmental Quality

| Type/Strategy/Measure | 2012 Target | 2012 Actual | 2012 YTD | Percent of Annual Target | Target Range |
|--|-------------|-------------|----------|--------------------------|---------------------|
| Efficiency Measures | | | | | |
| 3 AVG COST/ LIRAP RETROFIT | | | | | |
| Quarter 2 | 525.00 | 543.66 | 538.66 | 102.60 % | 498.75 - 551.25 |
| 4 AVG COST/TON NOX REDUCED | | | | | |
| Quarter 1 | 7,500.00 | 0.00 | 0.00 | 0.00 % * | 7,125.00 - 7,875.00 |
| <p><u>Explanation of Variance:</u> Performance was below projections for the first quarter of FY 2012. This measure shows the average cost per ton of nitrogen oxides (NOx) reduced through projects funded by the Texas Emissions Reduction Plan (TERP) incentive grants. The TERP Program has not issued any emissions reduction incentive grants this quarter. Senate Bill 385, 82nd Texas Legislature, 2011, Regular Session, established three new grant programs under the TERP. In addition, House Bill 3399, 82nd Texas Legislature, 2011 Regular Session, made changes to the existing grant programs. Rules for the new programs and to implement the changes to the existing programs are scheduled for consideration for adoption by the commission on March 28, 2012. In addition, the existing grant program guidelines must also be revised and adopted to implement the program changes. The revised guidelines will be considered for adoption sometime after adoption of the rule revisions. As a result of the need to update the rules and guidelines, as well as the requirement to develop and implement several new grant programs, the next grant awards for projects to reduce emissions of nitrogen oxides will not be made until late in Fiscal Year (FY) 2012 or early FY 2013. Therefore, the program does not expect to meet the targets for FY 2012.</p> | | | | | |
| Quarter 2 | 7,500.00 | 0.00 | 0.00 | 0.00 % * | 7,125.00 - 7,875.00 |
| <p><u>Explanation of Variance:</u> Performance was below projections for the first and second quarters of FY 2012. This measure shows the average cost per ton of nitrogen oxides (NOx) reduced through projects funded by the Texas Emissions Reduction Plan (TERP) incentive grants. The TERP Program has not issued any emissions reduction incentive grants this quarter. Senate Bill 385, 82nd Texas Legislature, 2011, Regular Session, established three new grant programs under the TERP. In addition, House Bill 3399, 82nd Texas Legislature, 2011, Regular Session, made changes to the existing grant programs. Rules for the new programs and to implement the changes to the existing programs are scheduled for consideration for adoption by the commission on March 28, 2012. In addition, the existing grant program guidelines must also be revised and adopted to implement the program changes. The revised guidelines will be considered for adoption sometime after adoption of the rule revisions. As a result of the need to update the rules and guidelines, as well as the requirement to develop and implement several new grant programs, the next grant awards for projects to reduce emissions of nitrogen oxides will not be made until late in Fiscal Year (FY) 2012 or early FY 2013. Therefore, the program does not expect to meet the targets for FY 2012.</p> | | | | | |

* Varies by 5% or more from target.