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October 2004  
SFR-055/04-04

# Fourth Quarter Report on Performance Measures

## Fiscal Year 2004



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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 2004

#### Goal 01 — ASSESSMENT, PERMITTING, AND PREVENTION:

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 or activities with potential to contribute to pollution levels; by promoting voluntary efforts to prevent pollution; and by assuring the delivery of safe drinking water to Texas citizens at affordable rates.

**Objective 01:** To decrease the amount of toxics released and disposed of in Texas by 30 percent by 2005 from the 1992 level through assessing the environment, permitting facilities, and promoting voluntary pollution prevention and recycling.

**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 — 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 to assist in the implementation of approaches to reduce motor vehicle emissions.

**Strategy 05 — 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 06 — Waste Management 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.

**Strategy 07 — Pollution Prevention, Recycling, and Innovative Programs:** Promote voluntary pollution prevention, recycling, and innovative programs through a combination of technical assistance and public education and by organizing and promoting voluntary prevention initiatives.

**Objective 02:** To provide 95 percent of Texans served by public drinking water systems with drinking water that meets drinking water standards.

**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 to promote and ensure adequate customer services.

#### Goal 02 — ENFORCEMENT AND COMPLIANCE ASSISTANCE

To protect public health and the environment by administering enforcement programs that promote voluntary compliance with environmental laws and regulations while providing strict, sure, and just enforcement when environmental laws are violated.

**Objective 01:** By fiscal year 2005, to bring 95 percent of all regulated facilities into compliance with state environmental laws and regulations, and to respond appropriately to citizen inquiries and complaints.

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

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

## Goal 03 — 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 2005, to identify, assess and clean up 80 percent of the known sites contaminated by hazardous materials and petroleum from leaking storage tanks.

**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 04 — INDIRECT ADMINISTRATION

To provide the essential infrastructure required to maintain an agency's day-to-day operations and guarantee internal and external customers to the TCEQ the ability to conduct business in the most efficient manner for the State of Texas.

**Objective 01:** To provide the essential infrastructure required to maintain an agency's day-to-day operations and guarantee internal and external customers to the TCEQ the ability to conduct business in the most efficient manner for the State of Texas.

**Strategy 01 — Central Administration:** The Central Administration strategy includes the Offices of the Commissioners, the Executive Director, and Administrative Services.

**Strategy 02 — Information Resources:** Provide all information technologies within TCEQ to maximize the flow of data, processes and information to meet the strategic and operational objectives with the essential infrastructure required for the delivery of high-quality effective services to TCEQ employees, programs, customers, and the public.

**Strategy 03 —Other Support Services:** To provide efficient and effective facilities, reproduction, plant management, and other operational support to agency personnel and programs through the use of current technology and a highly skilled workforce.

## Goal 05 — 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).

**Objective 01:** 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.

**Strategy 01 —** Develop and implement a plan for increasing the use of HUBs in purchasing and public works contracts and subcontracts.

**Outcome Measure 01:**

**Annual percent of stationary and mobile source pollution reductions in non-attainment areas (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	6.0%	5.0%	83.3%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

The annual percent of stationary and mobile source pollution reductions in non-attainment areas was below projections for FY 2004. There are four major components of the emissions inventory: point, area, on-road mobile, and non-road mobile sources. Traditionally, the focus has been on controlling emissions from point and on-road mobile sources while area and non-road mobile source emissions continue to rise due to lack of current controls and to the increase in population in the ozone non-attainment areas. Point source emissions were down 9% while on-road mobile emissions were down 8% for the period. However, overall reductions are contingent upon the reductions in point source and on-road mobile emissions offsetting the increases in area and non-road mobile source emissions. In the near future, new rules affecting non-road mobile emissions will become effective resulting in emissions from these sources dropping significantly.

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**Outcome Measure 02:**

**Nitrogen Oxides (NOx) emissions (tons per day) reduced through the Texas Emissions Reduction Plan (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	4.4	0.3	6.8%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

The nitrogen oxides emissions reduced through Texas Emission Reduction Plan funding was lower than projected for FY 2004. The projected performance of 4.4 tons per day (tpd) of reductions was based on the expectation that projects funded in FY 2002 and FY 2003 would be fully operational and would be able to report their actual average tpd of NOx reduced in FY 2004. However, several of the large projects that were funded in FY 2002 and FY 2003 were only just completed in the final quarter of FY 2004. Because those vehicles and equipment were just recently put into operation, the agency does not yet have a report on the usage of those vehicles and equipment. Two of these projects alone should account for an average of over 2 tpd in NOx reductions. Therefore, the reports in FY 2005 will show substantial increases in the tpd of reductions actually achieved, as more of the projects funded to date begin reporting their usage information.

**Outcome Measure 03:**

**Percent of Texans living where the air meets Federal Air Quality Standards**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	33%	37%	112%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the percent of Texans living where air meets Federal Air Quality Standards was above projections for FY 2004. The increase can be attributed to the fact that the Austin Metropolitan Statistical Area (MSA) met federal standards during the year. Also, from 2005 and beyond, we must use a different method of calculation based on the population of each county instead of by the population of a MSA. For example, in the past (2003-04) we included all 12 counties of the Dallas/Fort Worth consolidated MSA as noncompliant. But now, after EPA came out with their final designations for the 8-hour ozone standard, only 9 counties in the DFW area are officially designated as noncompliant. Due to these changes, performance is expected to increase for the next fiscal year.

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**Outcome Measure 04:**

**Annual percent reduction in pollution from permitted wastewater facilities discharging to the waters of the state (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	0.8%	1.4%	175.0%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the annual percent reduction in pollution from permitted wastewater facilities discharging to the waters of the state was above the projection for FY 2004. This is due to the fact that more stringent pollutant limits for several discharge permits that were amended for flow increase were located in water segments that did not allow the pollutant loading to increase. The desired performance for this measure is to be above projections.

OUTCOME 01-01: ASSESSMENT, PERMITTING, PREVENTION

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**Outcome Measure 05:**

**Percent of Texas surface water meeting or exceeding water quality standards (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	84%	85.6%	101.9%

**Variance Explanation:**

Performance met projections. No variance explanation required.

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**Outcome Measure 06:**

**Annual percent reduction in disposal of municipal solid waste per capita (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	1.5%	1.51%	100.7%

**Variance Explanation:**

Performance met projections. No variance explanation required.

**Outcome Measure 07:  
Annual percent decrease in toxic releases in Texas (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	2.0%	-7.3%	-365.0%

**Variance Explanation:**  
BELOW PROJECTED LEVEL.  
Performance for the annual percent decrease in toxic releases in Texas was below projections for FY 2004. The total amount of onsite releases of the 1988 Core Chemicals in Texas reported from all industry sectors increased by 8.5 million pounds from reporting years 2001 to 2002. Although there was a 4.75 million pound reduction in air releases that offset the 1.7 million pound increases in water and land releases, the 11.5 million pounds of toxic releases via underground injection surpassed the reduction in air releases. The increase in underground injection releases were attributed to a reduction in equipment efficiency, reductions in process recycling, and increases in the production

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**Outcome Measure 08:  
Annual percent decrease in the amount of municipal solid waste going into Texas landfills**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	-2%	-0.6%	30%

**Variance Explanation:**  
BELOW PROJECTED LEVEL.  
Performance for the percent decrease in municipal solid waste going to landfills was below projections for the fiscal year. Due to an increasing population, the agency had projected that the amount of waste going to landfills would increase instead of decrease. FY 2004 data indicates that there was a slight increase in the amount of waste, but the increase was lower than expected. This measure varies on a year to year basis due to changes in economic conditions, increasing population, and natural disaster events that may impact the actual disposal rate.

**Outcome Measure 09:**

**Tons of emissions and waste reduced and minimized as identified by site assistance visits and pollution prevention and Environmental Management Program training**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	70,000	77,216.8	110.3%

**Variance Explanation:**  
 ABOVE PROJECTED LEVEL.  
 Performance for the tons of emissions and waste reduced by environmental management training exceeded projections for FY 2004. The regulated community has responded positively to agency Environmental Management Training according to responses from the annual survey sent out to participants. The desired performance for this measure is above projections.

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**Outcome Measure 10:**

**Amount of financial savings achieved by the regulated community as identified by site assistance visits, pollution prevention training, and Environmental Management Systems programs**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	\$30,000,000	\$13,518,865	45.1%

**Variance Explanation:**  
 BELOW PROJECTED LEVEL.  
 Performance for the amount of financial savings was below projections for FY 2004. TCEQ performed fewer full cost accounting training sessions in FY 2004, in order to devote more emphasis to Environmental Management System training. Full cost accounting training demonstrates the indirect environmental costs associated with certain industrial activities, and provides those in the regulated industries with a tool to calculate the amount of financial savings they realize by employing methods taught in the Environmental Management System training. TCEQ plans to focus more effort on full cost accounting training for FY 2005.

**Outcome Measure 11:**

**Tons of emissions and waste reduced and minimized for the Texas-Mexico border region as identified by site visits and Pollution Prevention and Environmental Management training**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	10,000	11,747.7	117.5%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.  
 Performance for the tons of emissions and waste reduced and minimized for the border region exceeded projections for FY 2004. TCEQ's continuing efforts have had a greater impact than projected due to technical assistance activities. The desired performance for this measure is above projections.

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**Outcome Measure 12:**

**Percent reduction in Air Emissions from TCET funded Technologies**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	0.0%	0.0%	N/A

**Variance Explanation:**

MEETS PROJECTED LEVEL.  
 There are no percent reduction in air emissions from NTRD funded technologies. The functions of the Texas Council on Environmental Technology (TCET) were transferred to the Texas Commission on Environmental Quality's (TCEQ) New Technology Research and Development Program during the 1<sup>st</sup> quarter of the fiscal year. There were no Request For Grant Applications (RFGAs) issued during the 1<sup>st</sup> quarter of the fiscal year. RFGAs were issued during the 2<sup>nd</sup> and 4<sup>th</sup> quarters of the fiscal year and were reviewed during the 3<sup>rd</sup> and 4<sup>th</sup> quarters. No NTRD funded technologies as of date has gone through the EPA certification or verification processes. Therefore, there are no reductions in air emission attributable to projects funded by TCEQ.

**Outcome Measure 13:  
Percent of Council Funded Technologies Certified by the EPA (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	0%	0%	N/A

**Variance Explanation:**

MEETS PROJECTED LEVEL.

Performance for the percent of Council funded technologies certified by the EPA met projections for FY 2004. The EPA's verification process is lengthy and can take longer than a year to get a product verified. The functions of the Texas Council on Environmental Technology (TCET) were transferred to the TCEQ New Technology Research and Development Program during the 1<sup>st</sup> quarter of the fiscal year. RFGAs were issued during the 2<sup>nd</sup> and 4<sup>th</sup> quarter of the fiscal year. No NTRD funded technologies have completely gone through the EPA certification or verification process yet. The name of this measure will change to "Percent of New Technology Research and Development (NTRD) technologies verified by the EPA" for FY 2005.

STRATEGY 01-01-01: AIR QUALITY PERMITTING

**Output Measure 01:**

**Number of state and federal new source review air quality permit applications reviewed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	1,400	1,438	25.7%
2nd Quarter	1,400	1,420	25.4%
3rd Quarter	1,400	1,389	24.8%
4th Quarter	1,400	1,452	25.9%
<b>Total</b>	<b>5,600</b>	<b>5,699</b>	<b>101.8%</b>

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

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**Output Measure 02:**

**Number of federal air quality operating permits reviewed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	87.5	229	65.4%
2nd Quarter	87.5	271	77.4%
3rd Quarter	87.5	214	61.1%
4th Quarter	87.5	225	64.3%
<b>Total</b>	<b>350</b>	<b>939</b>	<b>268.3%</b>

**Variance Explanation:**  
**ABOVE PROJECTED LEVEL.**  
Performance for the number of federal air quality operating permits reviewed exceeded projections for FY 2004. This measure reflects the number of completed application reviews for federal air quality operating permits mandated by Title V of the federal Clean Air Act (CAA). Part of the reason for the large number of projects completed during this fiscal year reflects agency efforts to streamline the air permit review process and focus resources on projects which exceeded time frames. Desired performance for this measure is above projections.

**Efficiency Measure 01:**

**Percent of air quality permit applications reviewed within established time frames**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	95%	71.77%	75.5%
2nd Quarter	95%	70.93%	74.7%
3rd Quarter	95%	86.50%	91.1%
4th Quarter	95%	83.23%	87.6%
Annual Target	95%	83.23%	87.6%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the percent of air quality permit applications reviewed within established time frames was below projections for FY 2004. This measure counts projects completed within specified time frames as a percentage of the total number of projects reviewed. The agency continues to streamline the air permit review process and focus resources on projects which exceeded time frames. Fewer new applications were reviewed within established time frames due to an increased focus on existing permit applications.

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**Explanatory Measure 01:**

**Number of State and Federal New Source Review (NSR) air quality permits issued**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	4,850	5,280	108.9%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of State and Federal Air Quality Permits issued exceeded projections for FY 2004. The large number of projects completed during this fiscal year reflects the agency's efforts to streamline the air permit review process and focus resources on projects which have exceeded time frames. The desired performance for this measure is above projections.

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**Explanatory Measure 02:**

**Number of federal air quality permits issued**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	300	655	218.3%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of Federal Air Quality Permits issued exceeded projections for FY 2004. The large number of projects completed during this fiscal year reflects the agency's efforts to streamline the air permit review process and focus resources on projects which have exceeded time frames. The desired performance for this measure is above projections.

**Output Measure 01:**

**Number of applications to address water quality impacts reviewed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	4,161.50	665	4%
2nd Quarter	4,161.50	6,229	37.4%
3rd Quarter	4,161.50	6,567	39.5%
4th Quarter	4,161.50	6,124	36.8%
<b>Total</b>	16,646	19,585	117.1%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL.**

Performance for the number of applications to address water quality impacts reviewed was above projections for FY 2004. This level of performance is due to the high productivity of the staff in mailing out notices of deficiency, reviewing applicant responses, and mailing the associated acknowledgment letters for general permits. The agency has contracted with Texas State University to process Notice of Intent (NOIs) for storm water general permits. A greater than expected number of pending permits from FY 2003 were completed by the contractor in FY 2004. The desired performance for this measure is above projections.

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**Output Measure 02:**

**Number of applications to address water rights impacts reviewed**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	125	120	24.0%
2nd Quarter	125	119	23.8%
3rd Quarter	125	153	30.6%
4th Quarter	125	105	21.0%
<b>Total</b>	500	497	99.4%

**Variance Explanation:**

Performance met projections. No variance explanation required.

**Output Measure 03:**

**Number of concentrated animal feeding operation permits reviewed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	21.25	21	24.7%
2nd Quarter	21.25	13 42	70.0%
3rd Quarter	21.25	23	27.1%
4th Quarter	21.25	16	18.8%
<b>Total</b>	85	73	85.9%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the number of concentrated animal feeding operation (CAFO) permits reviewed was below projections for FY 2004. This is due to the implementation of the general permit. The agency issued a general permit applicable to most CAFOs in the fourth quarter and is receiving Notices of Intent from entities applying for coverage under the CAFO general permit. The wastewater permitting program expects to be on target or above for the first quarter of FY 2005.

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**Efficiency Measure 01:**

**Percent of water resource permit applications reviewed within established time frames**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	95%	70.1%	73.8%
2nd Quarter	95%	66.9%	70.4%
3rd Quarter	95%	62.6%	65.9%
4th Quarter	95%	54.3%	57.2%
<b>Annual Target</b>	95%	54.3%	57.2%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the percent of water resource permit applications reviewed within established time frames was below projections for FY 2004. This measure includes the percent of both water rights and wastewater permits reviewed within established time frames. Under the delegation agreement with the EPA for the Texas Pollution Discharge Elimination System (TPDES) program, the EPA is allowed to review and comment on draft permits before they can be issued by the commission. In addition, current statute requires that the commission respond to comments and questions by the general public on a permit application before issuance of the permit. These requirements can lengthen the time it takes to issue a water resource permit. The agency continues to examine the permit process through the Permit Time Frame Reduction Initiative to meet the established time frames. Staff are currently completing older permit applications as well as new applications, which will result in a lower percentage of completed reviews within established time frames.

**Explanatory Measure 01:  
Number of Water Quality Permits Issued**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	800	1,296	162.0%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of water quality permits issued exceeded projections for FY 2004. This measure counts the number of water quality permits issued through the Chief Clerk's Office. Permits are generally issued for a five year river basin cycle unless a facility amends their permit during the permit term. Upon issuance, many permit terms are two to four years in order to maintain the basin cycle. There was a higher than expected number of these permits. Also, performance was higher than expected due staff efforts to issue permits under the TCEQ's Permit Timeframe Reduction Initiative. The TCEQ expects to meet the number of water quality permits issued through the Chief Clerk's Office for FY 2005.

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

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	175	87	49.7%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the number of water rights permits issued was below projected levels for FY 2004. Due to the complex and time consuming nature of the water rights permits applications, water rights staff spent more time than projected processing applications. This resulted in fewer applications approved and consequently, fewer permits issued. This level of performance is expected to improve in the future.

**Output Measure 01:  
Number of new system waste evaluations conducted**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	142.5	147	25.8%
2nd Quarter	142.5	146	25.6%
3rd Quarter	142.5	118	20.7%
4th Quarter	142.5	188	33.0%
<b>Total</b>	570	599	105.1%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of new system waste evaluations conducted exceeded projections for FY 2004. This measure is intended to confirm that generators have self-classified waste streams correctly. The evaluations counted are reviews of generator's documentation supporting the classification they have been assigned. In the fourth quarter, there was a greater than expected response by generators. This can be attributed to many recipients of the third quarter audit responding in the fourth quarter. Additionally, the number of out of state audits conducted was greater than usual due to the inflow of waste from out of state generators. The desired performance for this measure is above projections.

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**Output Measure 02:  
Number of corrective actions approved for sites contaminated by solid waste**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	102	158	38.7%
2nd Quarter	102	88	21.6%
3rd Quarter	102	188	46.1%
4th Quarter	102	143	35.0%
<b>Total</b>	408	577	141.4%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

The number of corrective actions approved exceeded projections for FY 2004. Corrective actions are steps in the cleanup process for solid waste sites, and can either be self-implemented or required by agency order, permits or compliance plans. The high performance can be attributed to adherence to processing time frames by the Corrective Action Section and to implementation of streamlining measures to increase efficiency in the approval process. The desired performance for this measure is above projections.

**Output Measure 03:**

**Number of nonhazardous waste permit applications reviewed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	3.25	58	446.2%
2nd Quarter	3.25	57	438.5%
3rd Quarter	3.25	46	353.8%
4th Quarter	3.25	59	453.8%
<b>Total</b>	13	220	1692.3%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of non-hazardous permit applications reviewed was above projections for FY 2004. This measure tracks the number of permit reviews for new, modified, or amended MSW storage, treatment, processing, and disposal facilities and renewed or amended commercial industrial non-hazardous waste landfill (CINWL) facilities. The definition for this measure was modified last fiscal year to include permit modifications. The projection was not adjusted to include modifications and includes only new permit applications. The desired performance for this measure is above projections.

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**Output Measure 04:**

**Number of hazardous waste permit applications reviewed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	33.75	52	38.5%
2nd Quarter	33.75	46	34.1%
3rd Quarter	33.75	56	41.5%
4th Quarter	33.75	63	46.7%
<b>Total</b>	135	217	160.7%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of hazardous waste permit applications reviewed was above projections for FY 2004. The majority of applications for permit modifications (Class 1ED and Class 2 modifications) received during the year were processed quicker than most applications. Class 1ED and Class 2 modifications are submitted primarily in response to the need of the regulated community to make minor permit changes to address business needs and are processed rather quickly compared to other types of permit applications. Also, the number of Class V Underground Injection Control well authorizations were higher than expected. This is attributable to the business needs of the industry. The desired performance for this measure is above projections.

**Efficiency Measure 01:**

**Percent of waste management permit applications reviewed within established time frames**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	95%	73.0%	76.8%
2nd Quarter	95%	91.0%	95.8%
3rd Quarter	95%	81.4%	85.7%
4th Quarter	95%	92.6%	97.5%
<b>Annual Target</b>	95%	84.7%	89.2%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the percentage of waste management permit applications reviewed within established time frames was below projections for FY 2004. This was due to the complex nature of the permitting process for combustion facilities, incomplete information on applications, and addressing public input by responding to public comments and holding public meetings as requested, all of which tend to lengthen the permit process. The main contributing factor for combustion facilities is amount of time it takes to verify data collected during trial burn and risk burn assessments conducted at hazardous waste combustion facilities. These combustion facilities require a site specific risk assessment in accordance with the agency's 1997 Combustion Strategy.

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**Explanatory Measure 01:**

**Number of nonhazardous waste permits issued**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	10	155	1550.0%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of non-hazardous waste permits issued exceeded projections for FY 2004. This is a result of a change in the definition to include Municipal Solid Waste (MSW) registrations and MSW permit modifications. The definition was expanded in order to make it consistent with the definition for the issuance of hazardous waste permits and to capture work performed that was not being reported. The desired performance for this measure is above projections.

**Explanatory Measure 02:  
Number of hazardous waste permits issued**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	135	216	160.0%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of hazardous waste permits issued was above projections for FY 2004. The majority of applications for permit modifications (Class 1ED and Class 2 modifications) received during the year were processed quicker than most applications. Class 1ED and Class 2 modifications are submitted primarily in response to the need of the regulated community to make minor permit changes to address business needs and are processed rather quickly compared to other types of permit applications. Also, the number of Class V Underground Injection Control well authorizations were higher than expected. This is attributable to the business needs of the industry. The desired performance for this measure is above projections.

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**Explanatory Measure 03:  
Number of solid waste sites remediated by responsible parties**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	3	1	33.3%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the number of solid waste sites remediated by responsible parties was below projections for FY 2004. As of August 31, 2004, approximately 34 landfills have installed monitoring equipment for landfill gas and/or groundwater. These sites will be in the midst of monitoring activity for several decades. One site has completed remediation activities, whereby the agency issued a letter indicating that remediation activities have been completed. The letter was issued to the City of Tyler.

**Explanatory Measure 04:  
Number of industrial solid waste cleanups**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	200	532	266.0%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of industrial solid waste cleanups was above projections for FY 2004. This measure counts the number of approvals of reports documenting cleanups that have occurred at sites contaminated by industrial solid waste and municipal hazardous waste. The high level of performance for this measure can be attributed to numerous referrals received from the Registration, Review, and Reporting Division. Desired performance for this measure is above projected levels.

**Output Measure 01:  
Number of point source air quality assessments (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	500	499	25.0%
2nd Quarter	500	191	9.6%
3rd Quarter	500	359	18.0%
4th Quarter	500	1,045	52.3%
<b>Total</b>	<b>2,000</b>	<b>2,094</b>	<b>104.7%</b>

**Variance Explanation:**

Performance met projections. No variance explanation required.

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**Output Measure 02:  
Number of area source air quality assessments (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	625	665	26.6%
2nd Quarter	625	670	26.8%
3rd Quarter	625	692	27.7%
4th Quarter	625	640	25.6%
<b>Total</b>	<b>2,500</b>	<b>2,667</b>	<b>106.7%</b>

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

The number of area source air quality assessments was above projections for FY 2004. This can be attributed to several factors which required additional assessments including the EPA requirement for reporting the 2002 Periodic Emissions Inventory (PEI). Also, the EPA's new Consolidated Emissions Reporting Rule became effective. This increased the number of counties to be inventoried from 16 ozone non-attainment to the total statewide 254 counties. The number of pollutants required to be inventoried also grew from three to seven. Work in support of the State Implementation Plan also exceeded projections during the year. The desired performance for this measure is above projections.

**Output Measure 03:  
Number of mobile source air quality assessments (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	312.5	310	24.8%
2nd Quarter	312.5	185	14.8%
3rd Quarter	312.5	66	5.3%
4th Quarter	312.5	714	57.1%
<b>Total</b>	1,250	1,275	102.0%

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

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**Output Measure 04:  
Number of air monitors operated**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	606	571	94.2%
2nd Quarter	606	582	96.0%
3rd Quarter	606	588	97.0%
4th Quarter	606	589	97.2%
<b>Annual Target</b>	606	589	97.2%

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

**Output Measure 05:**

**Tons of NO<sub>x</sub> reduced through the Emissions Reduction Plan (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	700	40.9	1.5%
2nd Quarter	700	3,085 <del>3,583.5</del>	110.2%
3rd Quarter	700	0.0	0.0%
4th Quarter	700	13,574.0	484.8%
<b>Annual Target</b>	2,800	16,699.9	596.4%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the tons of NO<sub>x</sub> reduced through the Texas Emissions Reduction Plan (TERP) was above projections for FY 2004. The original projection for this measure was based on FY 2002-2003 funding levels. House Bill (HB) 1365, 78<sup>th</sup> Texas Legislature, established additional funding sources for the TERP program. Given the increased funding, the agency will greatly exceed the projection for FY 2004. The desired performance for this measure is above projections.

\*Note: Actual performance for the second quarter has been updated because a few grantees cancelled or decided not to complete the contractual process.

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**Output Measure 06:**

**Number of new technology grant proposals reviewed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	10	0	0.0%
2nd Quarter	10	0	0.0%
3rd Quarter	10	74	185.0%
4th Quarter	10	66	165.0%
<b>Annual Target</b>	40	140	350.0%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of new technology grant proposals reviewed was above projections for FY 2004. The functions of the Texas Council on Environmental Technology (TCET) were transferred to the TCEQ's New Technology Research and Development Program during the first quarter of FY 2004. RFGAs (Request For Grant Application) were issued during the second quarter and were reviewed during the third quarter. The agency was able to promote the program from contacts through other sections of the agency and the increased awareness of the program increased demand. The desired performance for this measure is above projections.

**Output Measure 07:**  
**Number of technology certifications by the EPA**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	0.25	0	0.0%
2nd Quarter	0.25	0	0.0%
3rd Quarter	0.25	0	0.0%
4th Quarter	0.25	0	0.0%
Annual Target	1	0	0.0%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the number of new technology certifications reviewed was below projections for FY 2004. The functions of the TCET were transferred to the TCEQ's New Technology Research and Development (NTRD) Program during the first quarter of FY 2004. There were no Request For Grant Applications (RFGA) issued during the first quarter of the fiscal year. RFGA's were issued during the second quarter of the fiscal year and were reviewed during the third quarter. No NTRD funded technologies, as of yet, have gone through the EPA verification process.

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**Output Measure 08:**  
**Number of recommended demonstration projects**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	0	0	0.0%
2nd Quarter	0	0	0.0%
3rd Quarter	0	0	0.0%
4th Quarter	0	0	0.0%
Annual Target	0	0	0.0%

**Variance Explanation:**

MEETS PROJECTED LEVEL.

Performance for the number of recommended demonstration projects was below projections for the first quarter of FY 2004. The functions of the TCET were transferred to the TCEQ's New Technology Research and Development Program during the first quarter of FY 2004. Request For Grant Applications (RFGA's) were issued during the second quarter of the fiscal year and were reviewed during the third quarter. No projects were funded during the fourth quarter, funding will start taking place during FY 2005.

**Output Measure 09:**  
**Number of health effects grant proposals reviewed by TCET**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	0	0	0.0%
2nd Quarter	0	0	0.0%
3rd Quarter	0	0	0.0%
4th Quarter	0	0	0.0%
Annual Target	0	0	0.0%

**Variance Explanation:**  
 MEETS PROJECTED LEVEL.  
 Performance for the number of health effect grant proposals reviewed met projections for FY 2004. The functions of the TCET were transferred to the TCEQ's New Technology Research and Development Program during the first quarter of FY 2004. RFGA's were issued during the second quarter of the fiscal year and were reviewed during the third quarter. There were no applicants with a health effect study during the most recent RPGA.

**Efficiency Measure 01:**

**Percent of data collected by TCEQ continuous and non-continuous air monitoring networks**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	83%	95%	114.5%
2nd Quarter	83%	93%	112.0%
3rd Quarter	83%	93%	112.0%
4th Quarter	83%	94%	113.3%
Annual Target	83%	94%	113.3%

**Variance Explanation:**  
 ABOVE PROJECTED LEVEL.  
 Performance for the percent of data collected by air monitoring networks exceeded projections for FY 2004. This is because of improving data return for the PM10, lead monitoring networks, and improved technology for monitor calibrations in the continuous monitoring networks. Desired performance for this measure is to be above projections.

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**Efficiency Measure 02:**

**Average cost per air quality assessment**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$350	\$327	93.4%
2nd Quarter	\$350	\$467	133.4%
3rd Quarter	\$350	\$506	144.6%
4th Quarter	\$350	\$213.4	61.0%
Annual Target	\$350	\$339.1	96.9%

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

**Efficiency Measure 03:**

**Average cost of LIRAP vehicle emissions repairs and retrofits (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$380	\$497	130.8%
2nd Quarter	\$380	\$467	122.9%
3rd Quarter	\$380	\$478	125.8%
4th Quarter	\$380	\$478.1	125.8%
Annual Target	\$380	\$478.1	125.8%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the average cost of low income repair assistance program (LIRAP) vehicle emissions repairs and retrofits was above projections for FY 2004. The LIRAP program is operational in the 5-county Houston area and 9-county North Central Texas area. The number of vehicles repaired in the Houston area was 934 with an average repair cost of \$508.00. The North Central Texas area repaired 781 vehicles for an average of cost of \$443. Overall average repair cost for both program areas was \$478.10. Future performance is expected to remain near this level. The \$380 cost was a projection based on repair costs in a similar program in California during program design. Actual costs in Texas have been higher than the original projection.

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**Efficiency Measure 04:**

**Average cost of LIRAP retirement**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$1,000	\$997	99.7%
2nd Quarter	\$1,000	\$993	99.3%
3rd Quarter	\$1,000	\$997	99.7%
4th Quarter	\$1,000	\$992.7	99.3%
Annual Target	\$1,000	\$992.7	99.3%

**Variance Explanation:**

Performance met projections. No variance explanation required.

**Efficiency Measure 05:**

**Average cost/ton of NO<sub>x</sub> reduced through the Emissions Reduction Plan (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>1st Quarter</b>	\$5,000	\$12,517	250.3%
<b>2nd Quarter</b>	\$5,000	\$5,244 <del>\$5,187</del>	104.9%
<b>3rd Quarter</b>	\$5,000	\$5,244	104.9%
<b>4th Quarter</b>	\$5,000	\$5,811	116.2%
<b>Annual Target</b>	\$5,000	\$5,811	116.2%

\*Note: Actual performance for the second quarter has been updated because a few grantees cancelled or decided not to complete the contractual process.

**Variance Explanation:**

Performance for the average cost per ton of NO<sub>x</sub> reduced through the Emissions Reduction Plan was above projections for FY 2004. Projects funded under the program are getting more competitive and more cost effective. While cost effectiveness was a major factor in the funding decisions in FY 2004, the commission also considered where the projects would be conducted and the reductions needed in those non-attainment or near-non-attainment areas. In addition, the need to ensure that a broad range of projects and applicants be funded was also considered. In order to meet the \$5,000 per ton target, the commission has set a cost effectiveness cap for the FY 2005 grants of \$7,000 per ton, reduced from the current \$13,000 per ton. This change was made to encourage applications with an even lower cost effectiveness, such that the overall average will be at or below the \$5,000 per ton target.

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**Efficiency Measure 06:**

**Average number of days to review a grant proposal (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>1st Quarter</b>	14	0	0.0%
<b>2nd Quarter</b>	14	0	0.0%
<b>3rd Quarter</b>	14	13	92.9%
<b>4th Quarter</b>	14	13	92.9%
<b>Annual Target</b>	14	13	92.9%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the average number of days to review a grant proposal was below projections for FY 2004. The functions of the TCET were transferred to the TCEQ's New Technology Research and Development Program during the first quarter of FY 2004. RFPs were issued in the second quarter, and were reviewed during the third quarter. The desired performance for this measure is below projections.

**Explanatory Measure 01:  
Number of days ozone exceedences are recorded in Texas**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	45	36	80.0%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the number of days ozone exceedences are recorded in Texas was below projections for FY 2004. This performance is a result of the improved air quality in the Austin Metropolitan Statistical Area (MSA). The desired performance for this measure is to be below projections.

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**Explanatory Measure 02:  
Number of new technology grants approved for funding**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	6	16	266.7%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of new technology grants approved for funding was above projections for FY 2004. Sixteen grants were selected for funding for a total of \$7.6 million during the fourth quarter. The desired performance for this measure is above projections.

**Output Measure 01:  
Number of surface water assessments (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	12.75	4	7.8%
2nd Quarter	12.75	2	3.9%
3rd Quarter	12.75	10	19.6%
4th Quarter	12.75	29	56.9%
<b>Total</b>	51	45	88.2%

**Variance Explanation:**

BELOW PROJECTED LEVEL.  
Performance for the number of surface water assessments was below projections for FY 2004. Due to complex nature of the work involved and also due to weather delays, the 4 Total Maximum Daily Load (TMDL) assessments now have an estimated completion date of FY 2007. Also, the Water Body System and 303(d) Update has been delayed due to a public comment period that will expire at the end of calendar year 2004, thus placing the finished product in FY 2005.

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**Output Measure 02:  
Number of groundwater assessments (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	12.5	6	12.0%
2nd Quarter	12.5	7	14.0%
3rd Quarter	12.5	12	24.0%
4th Quarter	12.5	32	64.0%
<b>Total</b>	50	57	114.0%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.  
Performance for the number of groundwater assessments was above projections for FY 2004. This level of attainment is attributable to a greater than projected number of groundwater conservation district noncompliance assessments being completed during the year. There were a higher than expected number of assessments related to new districts who failed to submit management plans. The desired performance for this measure is above projections.

**Output Measure 03:**  
**Number of dam safety assessments**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	65	20	7.7%
2nd Quarter	65	119	45.8%
3rd Quarter	65	66	25.4%
4th Quarter	65	62	23.8%
<b>Total</b>	260	267	102.7%

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

**Efficiency Measure 01:  
Average cost per dam safety assessment**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$2,000	\$2,343	117.2%
2nd Quarter	\$2,000	\$448	22.4%
3rd Quarter	\$2,000	\$922	46.1%
4th Quarter	\$2,000	\$953.9	47.7%
Annual Target	\$2,000	\$831.82	41.6%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the average cost per dam safety assessment was below projections for FY 2004. This measure is dependent upon the fixed costs associated with conducting the dam safety assessments. Due to reduced overhead costs (resulting from two staff vacancies), the average cost per dam safety assessment was lower. The desired performance for this measure is below projections.

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**Explanatory Measure 01:  
Percent of Texas' rivers, streams, wetlands and bays protected by site-specific water quality standards**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	40%	35.6%	89.0%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the percent of Texas rivers, streams, wetlands and bays protected by site-specific water quality standards was below projections for FY 2004. In the FY 2000 and FY 2002 Water Quality Inventories, the estimated number of total square miles of estuaries in Texas was re-evaluated and listed as 2,394. The previous number was 1,990.7. In previous water quality inventories, the miles of estuaries covered by water quality standards was considered to represent the total square miles of estuaries present in the state. If that previous assumption had been used again for FY 2004, the percent of water bodies covered by standards for FY 2004 would be 39.72%, which would be very close to the goal of 40%. The amount of estuaries covered by water quality standards has not decreased, but in FY 2000 the amount of total estuaries was revised to a larger amount, which lowered the percent attainment of this measure.

**Explanatory Measure 02:  
Number of regional action plans implemented**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	12	12	100.0%

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

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**Explanatory Measure 03:  
Number of dams in the Texas Dam Inventory**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	8,088	8,088	100.0%

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

**Output Measure 01:**

**Number of municipal solid waste facility capacity assessments (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	60.25	0.0	0.0%
2nd Quarter	60.25	9.5	3.9%
3rd Quarter	60.25	85.3	35.4%
4th Quarter	60.25	153.2	63.6%
<b>Total</b>	241	248.0	102.9%

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

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**Efficiency Measure 01:**

**Average cost per municipal solid waste facility capacity assessment (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$35	\$0.00	0.0%
2nd Quarter	\$35	\$78.37	223.9%
3rd Quarter	\$35	\$37.09 <del>\$38.09</del>	106.0%
4th Quarter	\$35	\$35.83	102.4%
<b>Annual Target</b>	\$35	\$37.89	108.3%

**Variance Explanation:**  
ABOVE PROJECTED LEVEL.  
Performance for the average cost per municipal solid waste facility capacity assessment was slightly above projections for FY 2004. The average cost being above projections can be attributed to the extra amount of time spent on training for a new staff member who began work in the second quarter. Also, during the year, staff spent time developing new data tables to capture information gathered on a new report form implemented in FY 2004. The extra amount of time dedicated to these tasks increased the average cost per assessment.

\*Note: Performance for the third quarter has been revised due to an error in the calculation of the average cost.

**Explanatory Measure 01:**

**Number of Council of Government Regions in the state with less than 10 years of disposal capacity**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	0	2	N/A

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of councils of governments with less than 10 years of capacity was above projections for FY 2004. The Annual Report for Permitted Solid Waste Facilities is used to gather data regarding the operations of each facility. Years of remaining disposal capacity is computed using tons of waste accepted in the data year divided by the compaction rate (pounds per cubic yard) reported by the facilities within each COG. The two COGs with facilities having less than ten years disposal capacity (Brazos Valley and Texoma) each currently have facilities with new or amended permits pending, which if approved will raise their disposal capacity well above the ten-year threshold.

**Output Measure 01:**

**Number of on-site technical assistance visits, presentations, and workshops on pollution prevention/waste minimization and Environmental Management Systems (EMS) conducted**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	50.0	54 <del>53</del>	27.0%
2nd Quarter	50.0	56	28.0%
3rd Quarter	50.0	68	34.0%
4th Quarter	50.0	48	24.0%
<b>Total</b>	200	226	113.0%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.  
 Performance for the number of on-site technical assistance visits was above projections for FY 2004. Small Business Environmental Assistance staff were able to assist a greater number of people in the regulated community than originally projected. The desired performance for this measure is above projections.

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**Output Measure 02:**

**Number of entities joining the Clean Texas Program, Texas Environmental Management Systems (EMS) Program, and Innovative Programs**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	43.75	15	8.6%
2nd Quarter	43.75	13	7.4%
3rd Quarter	43.75	75	42.9%
4th Quarter	43.75	83	47.4%
<b>Total</b>	175	186	106.3%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.  
 Performance for the number of entities participating in voluntary programs was above projections for FY 2004. This can be attributed to renewals for the Clean Texas Cleaner World Program and participation by state agencies in the clean air challenge issued by TCEQ Commissioners. The desired performance for this measure is above projections.

**Output Measure 03:**

**Number of quarts of used oil diverted from landfills and processed (in millions)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	5	0.1	1%
2nd Quarter	5	22.7	114%
3rd Quarter	5	0.1	1%
4th Quarter	5	1.5	8%
<b>Total</b>	20	24.4	122%

**Variance Explanation:**  
 ABOVE PROJECTED LEVEL.  
 Performance for the number of quarts of used oil diverted from landfills and processed was above projections for FY 2004. As more used oil is being recycled than disposed of in landfills and more collection centers are registered with the TCEQ, it is anticipated that the annual projected numbers may continue to increase. The desired performance for this measure is to be above projections.

**Efficiency Measure 01:  
Average cost per on-site technical assistance visit**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$1,200	\$606.9	50.6%
2nd Quarter	\$1,200	\$622.5	51.9%
3rd Quarter	\$1,200	\$486.8	40.6%
4th Quarter	\$1,200	\$582.2	48.5%
Annual Target	\$1,200	\$574.6	47.9%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the average cost per site assistance visit was below projections for FY 2004. The cost per site assistance visit was lower than projected due to limiting on-site technical assistance to the Austin-San Antonio, Houston, Dallas-Ft. Worth, and Beaumont regions. Other parts of the state are served based on approved travel. Staff are conducting day trips to reduce overnight travel expenses. The desired performance for this measure is to be below projected costs.

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**Explanatory Measure 01:  
Tons of hazardous waste reduced as a result of pollution prevention planning**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	1,000,000	2,760,508.2	276.1%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the amount of reported hazardous waste source reduction was above projections for FY 2004. The most significant reduction was achieved by one facility(Dow Chemical Company) which eliminated 2.3 million tons of a regulated hazardous waste stream. This was the highest reported reduction in the history of the program. The desired performance for this measure is above projections.

**Explanatory Measure 02:**

**Tons of waste collected by local and regional collection and cleanup events coordinated/assisted by TCEQ**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	1,033	6,466.0	625.9%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the tons of waste collected by local and regional cleanup events was above projections for FY 2004. This was due in large part to the unusually high amount of tons of litter collected at the Lake and River Cleanup events, particularly in the first quarter of FY 2004. The desired performance for this measure is above projections.

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**Explanatory Measure 03:**

**Tons of agricultural waste chemicals collected by TCEQ-sponsored entities**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	125.0	86.6	69.3%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the tons of agricultural waste chemicals collected by TCEQ-sponsored entities was below projections for FY 2004. Much of the accumulated backlog of old agricultural chemicals has been eliminated in prior fiscal years. Also, due to budget constraints, the agency conducted fewer events for FY 2004.

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**Explanatory Measure 04:**

**Number of registered waste tire facilities and transporters**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	610	679	111.3%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

The number of registered waste tire facilities and transporters was above projections for FY 2004. This measure has steadily increased due to the efforts of field staff to encourage customers to register their sites in compliance with agency rules. It is anticipated that future performance will continue to increase. The desired performance for this measure is to be above projections.

**Outcome Measure 01:**

**Percentage of Texas population served by public water systems which meet drinking water standards (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	95.0%	95.6%	100.6%

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

- 0 -

**Outcome Measure 02:**

**Percent of Texas public water systems protected by a source water protection program**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	96.0%	96.00%	100.0%

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

- 0 -

**Outcome Measure 03:**

**Percent of Texas population served by public water systems protected by a program which prevents connection between potable and non-potable water sources**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	92.0%	91.4%	99.3%

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

**Output Measure 01:**

**Number of public drinking water systems which meet primary drinking water standards (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	6,400	6,508	99.3%
2nd Quarter	6,400	6,447	100.7%
3rd Quarter	6,400	6,401	100.0%
4th Quarter	6,400	6,351	99.2%
<b>Annual Target</b>	6,400	6,351	99.2%

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

- O -

**Output Measure 02:**

**Number of drinking water samples collected (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	11,050	7,052 <del>6,428</del>	16.0%
2nd Quarter	11,050	8,380 <del>7,630</del>	19.0%
3rd Quarter	11,050	12,084 <del>11,193</del>	27.3%
4th Quarter	11,050	12,572	28.4%
<b>Total</b>	44,200	40,088	90.7%

**Variance Explanation:**  
BELOW PROJECTED LEVEL.  
Performance for the number of drinking water samples collected was below projections for FY 2004. This number consists of all chemical samples required to determine compliance with the primary drinking water standards. The number of samples collected was lower because waivers were granted to public water systems based on samples collected early in the reporting period that indicated low concentrations of certain inorganic contaminants. The waivers allowed for annual sampling as opposed to the usual quarterly sampling. This resulted in fewer samples being collected. The program anticipates meeting target projections for FY 2005.

\*Note: Actual performance for the first, second, and third quarter has been adjusted due to an error discovered in the method of calculation.

**Output Measure 01:  
Number of utility rate reviews performed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	25	22	22%
2nd Quarter	25	7	7%
3rd Quarter	25	35	35%
4th Quarter	25	43	43%
<b>Total</b>	100	107	107%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of utility rate reviews performed was above projections for FY 2004. This measure reports on the number of utility rate changes processed by agency staff and either approved, dismissed, referred to legal staff as a contested matter, or withdrawn by the applicant within the reporting period. The performance is above projections due to a greater number of applications being filed by utilities and processed by staff. Due to increased regulatory requirements and a strong housing and development market, the utility companies have filed rate change applications to recover the increased costs they are experiencing.

- 0 -

**Output Measure 02:  
Number of district applications processed**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	106.25	167	39.3%
2nd Quarter	106.25	177	41.6%
3rd Quarter	106.25	168	39.5%
4th Quarter	106.25	203	47.8%
<b>Total</b>	425	715	168.2%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of district applications processed was above projections for FY 2004. This measure includes applications for agency approval of district creations, bond issues, and a wide variety of other approvals required under the Texas Water Code. The number has exceeded projections because low interest rates have kept the housing and development market active, which directly affects water districts, resulting in a larger number of applications filed and processed.

**Output Measure 03:**

**Number of certificates of convenience and necessity applications processed**

	Projected	Actual	Percent of Annual Projection Attained
<b>1st Quarter</b>	56.25	67	29.8%
<b>2nd Quarter</b>	56.25	55	24.4%
<b>3rd Quarter</b>	56.25	77	34.2%
<b>4th Quarter</b>	56.25	56	24.9%
<b>Total</b>	225	255	113.3%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of Certificate of Convenience and Necessity (CCN) applications processed was above projections for FY 2004. This measure reflects the number of applications received and processed by agency staff and either approved, dismissed, referred to legal staff as a contested matter or withdrawn by the applicant within the reporting period. The higher than expected number of applications may be attributed to economic factors. Interest rates have remained low and the housing and development market continues to be active, which accounts for the number of CCN applications filed and processed.

GOAL 2: ENFORCEMENT AND COMPLIANCE

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**Outcome Measure 01:  
Percent of Inspected or Investigated air sites in compliance (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	98.0%	98.0%	100.0%

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

- 0 -

**Outcome Measure 02:  
Percent of Inspected or Investigated water sites and facilities in Compliance (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	98.0%	99.0%	101.0%

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

- 0 -

**Outcome Measure 03:  
Percent of Inspected or Investigated waste sites in compliance (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	98.0%	86.5%	88.3%

**Variance Explanation:**  
**BELOW PROJECTED LEVEL.**  
Performance for the percent of inspected or investigated waste sites in compliance was below projections for FY 2004. This measure evaluates the industrial and hazardous waste, Petroleum Storage Tank (PST), municipal solid waste, radioactive waste, and underground injection control sites that were investigated and determines a percentage of sites that were not found to have significant violations. The percentage was lower due to the agency undertaking a temporary project to address financial assurance violations at PST sites. This resulted in a temporary increase in noncompliance rates. This project has concluded and performance will return to projected levels.

GOAL 2: ENFORCEMENT AND COMPLIANCE

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**Outcome Measure 04:**

**Percent of identified noncompliant sites and facilities for which appropriate action is taken (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	85.0%	77.2%	90.8%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the percent of identified noncompliant sites and facilities for which appropriate action is taken was below projections for FY 2004. This measure compares enforcement actions that the agency takes during a fiscal year and determines whether they have been taken within appropriate time frames. Due to various agency initiatives, the total number of cases increased by 89% over the previous year, thus lowering the percentage of cases concluded within appropriate time frames. Performance is expected to be at projected levels for FY 2005.

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**Outcome Measure 05: Percent of investigated occupational licensees in compliance**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	86.0%	40.4%	47.0%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the percent of investigated occupational licensees in compliance was below projections for FY 2004. Performance was below projections for a number of reasons including the fact that local programs are handling more of their enforcement actions which results in fewer complaints to investigate. Also the method of calculating the number of investigations has been corrected from previous years. In the past, all complaints received were included as individual investigations. In many cases the complaints were related to one licensee. The agency's new data management system, has allowed for better tracking of investigations and complaints, revealing that a lower number of licensees are in compliance than was originally projected.

## Strategy 02-01-01: Field Inspections and Complaint Response

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**Output Measure 01:**  
**Number of inspections and investigations of air sites (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	4,750	3,324	17.5%
2nd Quarter	4,750	3,463	18.2%
3rd Quarter	4,750	4,197	22.1%
4th Quarter	4,750	8,380	44.1%
<b>Total</b>	19,000	19,364	101.9%

**Variance Explanation:**

Performance met projections. No variance explanation required.

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**Output Measure 02:**  
**Number of inspections and investigations of water rights sites (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	8,500	8,731	25.7%
2nd Quarter	8,500	7,658	22.5%
3rd Quarter	8,500	8,941	26.3%
4th Quarter	8,500	8,266	24.3%
<b>Total</b>	34,000	33,596	98.8%

**Variance Explanation:**

Performance met projections. No variance explanation required.

Strategy 02-01-01: Field Inspections and Complaint Response

**Output Measure 03:**

**Number of inspections and investigations of water sites and facilities (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	2,125	1,998	23.5%
2nd Quarter	2,125	2,273	26.7%
3rd Quarter	2,125	2,644	31.1%
4th Quarter	2,125	2,507	29.5%
<b>Total</b>	<b>8,500</b>	<b>9,422</b>	<b>110.8%</b>

**Variance Explanation:**

**ABOVE PROJECTED LEVEL**

Performance for the number of inspections and investigations of water sites and facilities was above projections for FY 2004. In FY 2004, the Field Operations water program continued to see an increase in both on-site and in-house follow-up investigations related to enforcement activities. The increased performance was due to increased demand for inspections and investigations.

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**Output Measure 04:**

**Number of inspections and investigations of livestock and poultry operation sites (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	175	90	12.9%
2nd Quarter	175	167	23.9%
3rd Quarter	175	227	32.4%
4th Quarter	175	282	40.3%
<b>Total</b>	<b>700</b>	<b>766</b>	<b>109.4%</b>

**Variance Explanation:**

**ABOVE PROJECTED LEVEL.**

Performance for the number of inspections and investigations of livestock and poultry operation sites exceeded projections for FY 2004. During the fourth quarter, the Field Operations Division water program saw an increase in the number of both on-site and in-house follow-up investigations related to enforcement activities.

## Strategy 02-01-01: Field Inspections and Complaint Response

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### Output Measure 05:

#### Number of inspections and investigations of waste sites (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	1,839.5	1,265	17.2%
2nd Quarter	1,839.5	1,737	23.6%
3rd Quarter	1,839.5	2,117	28.8%
4th Quarter	1,839.5	2,239	30.4%
<b>Total</b>	<b>7,358</b>	<b>7,358</b>	<b>100.0%</b>

**Variance Explanation:**

Performance met projections. No variance explanation required.

- 0 -

### Output Measure 06:

#### Number of spill cleanup inspections

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	150	78	13.0%
2nd Quarter	150	77	12.8%
3rd Quarter	150	99	16.5%
4th Quarter	150	119	19.8%
<b>Total</b>	<b>600</b>	<b>373</b>	<b>62.2%</b>

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the number of spill cleanup inspections was below projections for FY 2004. Spill cleanup inspections are on-demand activities and are based on the number of spills of regulated materials reported by citizens, industry representatives, and local and state law enforcement officials. During the reporting period of FY 2004, there were fewer spills reported to the agency that required investigations. The agency has no control over the performance for this measure.

## Strategy 02-01-01: Field Inspections and Complaint Response

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### Efficiency Measure 01:

#### Average inspection and investigation cost of livestock and poultry operations

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$229	\$729	318.3%
2nd Quarter	\$229	\$410	179.0%
3rd Quarter	\$229	\$323.2	141.1%
4th Quarter	\$229	\$267.6	116.9%
Annual Target	\$229	\$368.5	160.9%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the average inspection and investigation cost of livestock and poultry operations was above projections for FY 2004. This is consistent with prior performance for this measure. For FY 2003, the average cost was \$382. The target for this measure has been increased for FY 2005.

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### Efficiency Measure 02:

#### Average time (days) to complete inspection/investigation of air sites

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	21	23	109.5%
2nd Quarter	21	21.8	103.8%
3rd Quarter	21	21.6	102.9%
4th Quarter	21	21.3	101.4%
Annual Target	21	21.9	104.3%

**Variance Explanation:**

Performance met projections. No variance explanation required.

**Efficiency Measure 03:**

**Average time (days) to complete inspection/investigation of water sites**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	35	34.0	97.1%
2nd Quarter	35	25.0	71.4%
3rd Quarter	35	24.5	70.0%
4th Quarter	35	25.3	72.3%
Annual Target	35	27.2	77.7%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the average time to complete inspection/investigation of water sites was below projections for FY 2004. The desired performance for this measure is to be below projections.

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**Efficiency Measure 04:**

**Average time (days) from date of waste facility inspection to report**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	35	28.0	80.0%
2nd Quarter	35	29.6	84.6%
3rd Quarter	35	27.9	79.7%
4th Quarter	35	29.8	85.1%
Annual Target	35	28.8	82.3%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the average time from date of waste facility inspection to report was below projections for FY 2004. The desired performance for this measure is below projections.

**Explanatory Measure 01:  
Number of air sites in noncompliance**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	340	392	115.3%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of air sites in noncompliance was above projections for FY 2004. The number of air sites in noncompliance reflects the number of air sites at which significant violations were discovered requiring formal enforcement. The actual performance was higher than projected because the agency has been focusing on compliance with the emission events and scheduled activities, Title V, and emissions inventory requirements which has resulted in a higher number of sites in non-compliance.

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**Explanatory Measure 02:  
Number of water sites and facilities in noncompliance**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	370	554	149.7%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of water sites and facilities in noncompliance was above projections for FY 2004. The number of water sites and facilities in noncompliance reflects the number of agriculture, public drinking water, water rights, and water quality (wastewater) sites and facilities at which significant violations were discovered requiring formal enforcement. The agency focused on investigation of sites that were expected to have a higher rate of non-compliance.

**Explanatory Measure 03:  
Number of waste sites in noncompliance**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	520	996	191.5%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.  
Performance for the number of waste sites and facilities in non-compliance was above projections for FY 2004. The number of waste facilities in non-compliance reflects the number of industrial and hazardous waste, municipal solid waste, radioactive waste, Petroleum Storage Tank (PST), and underground injection control facilities at which significant violations were discovered requiring formal enforcement. The actual performance was higher than projected because the agency focused efforts on investigation of financial assurance requirements in the waste program. This resulted in a higher number of sites in non-compliance.

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**Explanatory Measure 04:  
Number of citizen complaints investigations completed**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	7,500	4,829	64.4%

**Variance Explanation:**

BELOW PROJECTED LEVEL.  
Performance for the number of projected complaints investigated was below projections for FY 2004. Complaint investigations are conducted as an on-demand activity at the time a complaint is filed by a member of the public. For FY 2004, fewer complaints were reported to the agency. The desired performance for this measure is below projections.

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**Explanatory Measure 05:  
Number of Occupational Licensees in non-compliance**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	35	34	97.1%

**Variance Explanation:**

Performance met projections. No variance explanation required.

## Strategy 02-01-02: Enforcement and Compliance Support

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**Output Measure 01:  
Number of commercial lab inspections**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	0	0	0.0%
2nd Quarter	0	0	0.0%
3rd Quarter	0	0	0.0%
4th Quarter	0	0	0.0%
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0.0%</b>

**Variance Explanation:**

MEETS PROJECTED LEVEL.

The agency has not obtained approval from the National Environmental Laboratory Accreditation Program to begin issuing accreditations. The agency allocated four positions to the program during the second quarter and plans to begin accepting applications for accreditation next fiscal year.

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**Output Measure 02:  
Number of small businesses and local governments assisted (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	12,000	45,846	95.5%
2nd Quarter	12,000	6,400	13.3%
3rd Quarter	12,000	6,397	13.3%
4th Quarter	12,000	7,076	14.7%
<b>Total</b>	<b>48,000</b>	<b>65,719</b>	<b>136.9%</b>

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of small businesses and local governments assisted exceeded projections for FY 2004. The agency sent a notification of TCEQ rule and policy changes to all small businesses and local governments included in the program's database during the first quarter, which has resulted in performance exceeding projections for the year. These notifications are provided to the state's small businesses and local governments to keep them informed of regulatory changes that might affect them. The notices included information on the following issues: construction storm water permits; standard air permits for hot mix asphalt plants; public water supply minimum capacity rules; concrete crushing facilities; and dry cleaning rules. The desired performance for this measure is above projections.

**Output Measure 03:**

**Number of air program administrative enforcement orders issued**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	61.25	39 <del>45</del>	15.9%
2nd Quarter	61.25	24 <del>27</del>	9.8%
3rd Quarter	61.25	30	12.2%
4th Quarter	61.25	94	38.4%
<b>Total</b>	245	187	76.3%

\*Note: Actual performance for the first and second quarter has been updated after it was discovered that a report was double-counting some orders that have been issued.

**Variance Explanation:**

**BELOW PROJECTED LEVEL.**

Performance for the number of air program administrative enforcement orders issued was below projections for FY 2004. Air program administrative orders include enforcement orders that have been issued to address violations of statutes and rules that regulate releases of pollutants to air. A lower number of air enforcement orders were issued because the agency allocated resources to undertake a temporary project designed to address financial assurance violations in the waste program. Performance for FY 2005 is anticipated to meet projections.

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**Output Measure 04:**

**Number of water program administrative enforcement orders issued**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	78.75	68	21.6%
2nd Quarter	78.75	36	11.4%
3rd Quarter	78.75	41 <del>40</del>	13.0%
4th Quarter	78.75	104	33.0%
<b>Total</b>	315	249	79.0%

**Variance Explanation:**

**BELOW PROJECTED LEVEL.**

Performance for the number of water program administrative enforcement orders issued was below projections for FY 2004. Water program administrative orders include enforcement orders that have been issued and are effective for the agriculture, public drinking water, water rights, and water quality (wastewater) programs. A lower number of water program enforcement orders were issued because the agency allocated resources to undertake a temporary project designed to address financial assurance violations in the waste program. Performance for FY 2005 is anticipated to meet projections.

**Output Measure 05:**

**Number of waste program administrative enforcement orders issued**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	60.0	51 <del>57</del>	21.3%
2nd Quarter	60.0	57 <del>60</del>	23.8%
3rd Quarter	60.0	77	32.1%
4th Quarter	60.0	140	58.3%
<b>Total</b>	240	325	135.4%

\*Note: Actual performance for the first and second quarter has been updated after it was discovered that a report was double-counting some orders that have been issued.

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of waste program administrative enforcement orders issued exceeded projections for FY 2004. Waste program administrative orders include enforcement orders that have been issued and are effective for the industrial and hazardous waste, municipal solid waste, radioactive waste, petroleum storage tank, and underground injection control programs. The number of waste orders issued was higher than projected due to the agency undertaking a temporary project designed to address financial assurance violations in the waste program. This project has been completed and performance should meet projections for FY 2005.

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**Output Measure 06:**

**Number of drinking water labs certified (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	115	116	100.9%
2nd Quarter	115	116	100.9%
3rd Quarter	115	117	101.7%
4th Quarter	115	117	101.7%
<b>Annual Target</b>	115	117	101.7%

**Variance Explanation:**

Performance met projections. No variance explanation required.

**Efficiency Measure 01:**

**Average number of days to file notices of formal violations**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	100	32.0	32.0%
2nd Quarter	100	88.0	88.0%
3rd Quarter	100	53.0	53.0%
4th Quarter	100	57.0	57.0%
Annual Target	100	57.0	57.0%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the average number of days to file notices of formal violations was below projections for FY 2004. This measure represents the average number of days from the date the case was screened for appropriate evidence, and a decision was made to take formal enforcement action, to the mailing date of the initial document that explains the violations and calculated penalty included in the enforcement action. Preparation of this documentation includes evaluation of evidence and development of the necessary legal documents. The average number of days was lower than projected because the agency has temporarily set aside the enforcement case priority criteria which would have allowed up to 120 days to file these notices. Instead, the agency is processing all new cases within a 60 day average time-frame. This is an interim measure implemented to streamline the process but may continue in the future.

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**Explanatory Measure 01:**

**Amount of Administrative Penalties required to be paid in final administrative orders issued**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance		\$5,566,657	

**Variance Explanation:**

No targeted performance is set for this measure, the number is provided for informational purposes only.

**Explanatory Measure 02:**

**Amount required to be paid for supplemental environmental projects issued in final administrative orders**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>		\$2,367,038	

**Variance Explanation:**

No targeted performance is set for this measure, the number is provided for informational purposes only.

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**Explanatory Measure 03:**

**Percent of Administrative Penalties Collected**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	90%	121%	134%

**Variance Explanation:**

**ABOVE PROJECTED LEVEL.**

Performance for the percent of administrative penalties collected was above projections for FY 2004. This was because the agency has increased collection efforts for overdue penalties from previous fiscal years.

**Output Measure 01:  
Number of applications for certification**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	5,750	4,852 <del>4,468</del>	21.1%
2nd Quarter	5,750	4,485 <del>3,986</del>	19.5%
3rd Quarter	5,750	5,802 <del>5,397</del>	25.2%
4th Quarter	5,750	5,246	22.8%
<b>Total</b>	23,000	20,385	88.6%

Note: Actual performance for the first, second, and third quarter has been updated to correct an error in how the database accumulates the reported data.

**Variance Explanation:**  
BELOW PROJECTED LEVEL.  
Performance for the number of applications for certification was below projections for FY 2004. The agency implemented a new database system which no longer requires that a new application be submitted in order for an individual to retest. This system change has resulted in fewer applications for certification being processed by the agency. The number of applications for Backflow Assembly Testers (BPAT) and Customer Service Inspector (CSI) licenses has declined due to these two licenses no longer being accreditations (that were issued at no charge), but are now licenses that require a fee and require the licensee to obtain Continuing Education Hours for renewals. Because this type of certification is not in high demand, many individuals are opting not to acquire the license.

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**Output Measure 02:  
Number of examinations administered (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	2,725.00	2,675 <del>2,333</del>	24.5%
2nd Quarter	2,725.00	2,508 <del>1,829</del>	23.0%
3rd Quarter	2,725.00	3,179 <del>2,706</del>	29.2%
4th Quarter	2,725.00	2,669	24.5%
<b>Total</b>	10,900	11,031	101.2%

Note: Actual performance for the first, second, and third quarter has been updated to correct an error in how the database accumulates the reported data.

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

**Output Measure 03:  
Number of new licenses issued**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	2,000	1,846 <del>1,833</del>	23.1%
2nd Quarter	2,000	1,560	19.5%
3rd Quarter	2,000	2,027 <del>2,024</del>	25.3%
4th Quarter	2,000	1,813	22.7%
<b>Total</b>	<b>8,000</b>	<b>7,246</b>	<b>90.6%</b>

**Variance Explanation:**  
BELOW PROJECTED LEVEL.  
Performance for the number of licenses issued was below projections for FY 2004 because this measure is dependent upon the number of applications received. The number of applications received was low for this fiscal year, resulting in fewer licenses issued. Low performance can also be attributed to fewer applicants meeting the qualifications required to be issued a license. This can include, but is not limited to: lack of work experience, training, and missing financial statements for companies.

Note: Actual performance for the first and third quarter has been updated to correct an error in how the database accumulates the reported data.

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**Output Measure 04:  
Number of licenses renewed**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	3,125	2,686 <del>2,579</del>	21.5%
2nd Quarter	3,125	2,404 <del>2,390</del>	19.2%
3rd Quarter	3,125	2,978 <del>2,955</del>	23.8%
4th Quarter	3,125	3,008	24.1%
<b>Total</b>	<b>12,500</b>	<b>11,076</b>	<b>88.6%</b>

**Variance Explanation:**  
BELOW PROJECTED LEVEL.  
Performance for the number of licenses renewed was below projections for FY 2004. Performance for this measure has been impacted due to changes in the renewal periods of some licenses. Several licenses are now valid for longer periods of time due to extended renewal cycles. This has resulted in fewer numbers of licenses being renewed.

Note: Actual performance for the first, second, and third quarter has been updated to correct an error in how the database accumulates the reported data.

**Efficiency Measure 01:  
Average annualized cost per license**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$21.95	\$17.96 <del>\$18.05</del>	81.8%
2nd Quarter	\$21.95	\$17.90 <del>\$17.94</del>	81.5%
3rd Quarter	\$21.95	\$17.77 <del>\$17.80</del>	81.0%
4th Quarter	\$21.95	\$17.91	81.6%
<b>Annual Target</b>	\$21.95	\$17.91	81.6%

**Variance Explanation:**

**BELOW PROJECTED LEVEL.**

Performance for the average annualized cost per license was below projections for FY 2004. This measure reflects the average annualized cost for the agency's licensing program per license issued. The agency has realigned licensing staff and redistributed the workload to ensure performance was maintained, while reducing operating costs through staff retirements. The decreased salary costs and continued performance has resulted in a reduction in the average annualized cost per license. The desired performance for this measure is to be below projected costs.

Note: Actual performance for the first, second, and third quarter has been updated to correct an error in how the database accumulates the reported data.

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**Explanatory Measure 01:  
Number of TCEQ-certified Environmental Professionals**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	47,000	47,435	100.9%

**Variance Explanation:**

Performance met projections. No variance explanation required.

**Explanatory Measure 02:  
Number of jurisdictional complaints received**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	400	190	47.5%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the number of jurisdictional complaints received was below projections for FY 2004. The number of complaints is lower than expected due to the increased level of training and education of the local government representatives. This training helps local governments handle a larger number of complaints related to On-site sewage facilities. On-site sewage facility system owners are also becoming better educated about their systems. This enables them to choose contractors better, as well as knowing the working mechanisms of their systems and what items would warrant complaints. The desired performance for this measure is below projections.

GOAL 3: POLLUTION CLEANUP

**Outcome Measure 01:  
Percent of leaking petroleum storage tank sites cleaned up (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	80.0%	81.1%	101.4%

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

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**Outcome Measure 02:  
Percent of Superfund sites cleaned up (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	56.3%	59.4%	105.5%

**Variance Explanation:**  
ABOVE PROJECTED LEVEL.  
Performance for the percent of Superfund sites cleaned up was above projections for FY 2004. The number of Superfund sites cleaned up outnumbered the number of Superfund sites that were added to the state and federal Superfund listing. It is anticipated that four sites that are pending listing will be listed during FY 2005. Desired performance for this measure is above

GOAL 3: POLLUTION CLEANUP

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**Outcome Measure 03:**

**Percent of Voluntary and Brownfield Cleanup Properties available made available for commercial/industrial redevelopment, community, or other economic reuse (Key)**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	54.0%	58.1%	107.6%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the percent of voluntary Brownfield cleanup properties available for reuse was above projections for FY 2004. The Voluntary Cleanup Program has closed 927 of 1,595 sites that have entered the program. During the fiscal year, the program received 15% fewer applications than in the prior FY. The number of Certificates of Completion issued coupled with fewer applications received by the program led to a slightly higher percentage than was projected. The desired performance for this measure is above projections.

**Output Measure 01:**

**Number of petroleum storage tank self-certifications processed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	2,990.75	3,268	27.3%
2nd Quarter	2,990.75	4,934	41.2%
3rd Quarter	2,990.75	5,421	45.3%
4th Quarter	2,990.75	5,609	46.9%
<b>Total</b>	11,963	19,232	160.8%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of PST self-certifications processed exceeded projections for FY 2004. The Self-Certification is an annual requirement of owners or operators to certify that required facilities are in compliance with certain technical and administrative requirements. The number of Self-Certifications processed through the fourth quarter are consistent with past fiscal years. We anticipate that projected future performance will continue at this level. Desired performance for this measure is above projections.

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**Output Measure 02:**

**Number of emergency response actions at petroleum storage tank sites**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	7.5	7	23.3%
2nd Quarter	7.5	2	6.7%
3rd Quarter	7.5	3	10.0%
4th Quarter	7.5	6	20.0%
<b>Total</b>	30	18	60.0%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the number of emergency response actions was below projections for FY 2004. This can be attributed to the seasonal variability (weather) encountered within each specific reporting quarter. Excessive rainfall results in a rising water table which may cause underground tanks to float up or contaminant plumes to migrate to drinking water wells. Fluctuations in performance will likely continue to occur in future reporting periods. This is an on-demand activity that the agency has no control over.

**Output Measure 03:**

**Number of petroleum storage tank reimbursement applications processed**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	1,250	2,484	49.7%
2nd Quarter	1,250	1,684	33.7%
3rd Quarter	1,250	2,160	43.2%
4th Quarter	1,250	2,470	49.4%
<b>Total</b>	<b>5,000</b>	<b>8,798</b>	<b>176.0%</b>

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of Petroleum Storage Tank Reimbursement (PSTR) applications processed exceeded projections for FY 2004. The program staff and PSTR contractor have become more efficient in processing claims. Also, the number of applications received by the agency has remained above projections as the reimbursement program moves toward sunset in FY 2006. The desired performance for this measure is above projections.

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**Output Measure 04:**

**Number of petroleum storage tank cleanups completed**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	357	140	9.8%
2nd Quarter	357	110	7.7%
3rd Quarter	357	383	26.8%
4th Quarter	357	614	43.0%
<b>Total</b>	<b>1,428</b>	<b>1,247</b>	<b>87.3%</b>

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the number of petroleum storage tank cleanups completed was below projections for FY 2004. Since most cleanups are finalized after responsible parties complete all field work and formally request closure review, the projection assumed a higher request rate. The TCEQ has limited control over the number of requests for closure review.

**Efficiency Measure 01:**

**Average time (days) to review and respond to remedial action plans**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	30	30.7	102.3%
2nd Quarter	30	32.2	107.3%
3rd Quarter	30	25.9	86.3%
4th Quarter	30	26.1	87.0%
Annual Target	30	28.7	95.7%

**Variance Explanation:**

Performance met projections. No variance explanation required.

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**Efficiency Measure 02:**

**Average time (days) to review and respond to risk-based site assessments**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	30	31.9	106.3%
2nd Quarter	30	33.2	110.7%
3rd Quarter	30	32.8	109.3%
4th Quarter	30	27.5	91.7%
Annual Target	30	31.4	104.7%

**Variance Explanation:**

Performance met projections. No variance explanation required.

**Efficiency Measure 03:**

**Average time (days) to process Petroleum Storage Tank Remediation Fund reimbursement claims**

	Projected	Actual	Percent of Annual Projection Attained
<b>1st Quarter</b>	90	67.7	75.2%
<b>2nd Quarter</b>	90	58.2	64.7%
<b>3rd Quarter</b>	90	54.8	60.9%
<b>4th Quarter</b>	90	54.7	60.8%
<b>Annual Target</b>	90	54.7	60.8%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

The average time to process Petroleum Storage Tank Remediation Fund reimbursement claims was below projections for FY 2004. Turnaround time for claim processing has consistently been below the mandated level of 90 days. This is primarily due to staff efficiency and the improved quality of information provided in claims submitted. The desired performance for this measure is to be below projections.

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**Explanatory Measure 01:**

**Average cost per Petroleum Storage Tank Cleanup**

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	\$53,050	\$69,259	130.6%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the average cost per PST cleanup exceeded projections for FY 2004. This statistic will continue to increase every year as the measure reported is total dollars reimbursed divided by total sites that are or have been in the program. The program is not accepting any new sites as of December 22, 1998; therefore, the number of sites will stay constant to the end of the program. However, the dollars reimbursed continues to increase every year. Based upon this method of calculation, the average dollars spent per site will increase.

**Output Measure 01:**

**Number of immediate response actions conducted to protect human health and environment**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	1.25	0	0.0%
2nd Quarter	1.25	1	20.0%
3rd Quarter	1.25	1	20.0%
4th Quarter	1.25	5	100.0%
<b>Total</b>	<b>5</b>	<b>7</b>	<b>140.0%</b>

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of immediate response actions conducted to protect human health and the environment exceeded projections for FY 2004. The five response actions that were completed during the fourth quarter were as follows: Dorchester Refinery, Rio Chemical, Scotty Joe Lane, Oscar Dominguez, Pearce Caliche. These sites had documented hazardous substances on-site or releasing from the site that required an immediate response under the Site Discovery & Assessment Program.

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**Output Measure 02:**

**Number of Superfund site assessments**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	21.75	24	27.6%
2nd Quarter	21.75	16	18.4%
3rd Quarter	21.75	30	34.5%
4th Quarter	21.75	26	29.9%
<b>Total</b>	<b>87</b>	<b>96</b>	<b>110.3%</b>

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the number of Superfund site assessments was above projections for FY 2004. The desired performance for this measure is above projections.

**Output Measure 03:  
Number of voluntary and brownfield cleanups completed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	18.75	10	13%
2nd Quarter	18.75	22	29%
3rd Quarter	18.75	20	27%
4th Quarter	18.75	25	33%
<b>Total</b>	75	77	102.7%

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

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**Output Measure 04:  
Number of Superfund evaluations underway (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	25	23	92.0%
2nd Quarter	25	23	92.0%
3rd Quarter	25	25	100.0%
4th Quarter	25	25	100.0%
<b>Annual Target</b>	25	25	100.0%

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

**Output Measure 05:  
Number of Superfund cleanups underway (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	29	23	79.3%
2nd Quarter	29	23	79.3%
3rd Quarter	29	22	75.9%
4th Quarter	29	20	69.0%
Annual Target	29	20	69.0%

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the number of Superfund cleanups underway was below projections for FY 2004. During the year, five sites moved from being underway to completed. Six additional sites have been delayed in being moved into the cleanups underway category. Many of these sites have extensive groundwater contamination plumes which increases the investigation time to define the groundwater contamination plume boundaries.

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**Output Measure 06:  
Number of Superfund cleanups completed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	1.25	1	20%
2nd Quarter	1.25	0	0%
3rd Quarter	1.25	1	20%
4th Quarter	1.25	3	60%
Total	5	5	100%

**Variance Explanation:**

Performance met projections. No variance explanation required.

**Efficiency Measure 01:  
Average time (days) for immediate response actions**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	180	0.0	0.0%
2nd Quarter	180	52.0	28.9%
3rd Quarter	180	71.0	39.4%
4th Quarter	180	91.0	50.6%
Annual Target	180	71.3	39.6%

**Variance Explanation:**

BELOW PROJECTED LEVEL.  
Performance for the average time for immediate response actions was below projections for FY 2004. Response action duration can vary significantly due to site complexity and magnitude of the response action required, making it difficult to predict subsequent quarterly performances. The desired performance for this measure is below projections.

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**Explanatory Measure 01:  
Number of potential Superfund sites to be assessed**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	255	546	214.1%

**Variance Explanation:**

ABOVE PROJECTED LEVEL.  
Performance for the number of potential Superfund sites to be assessed exceeded projections for FY 2004. The number of sites to be assessed depends upon the number of new referrals received from TCEQ, EPA, and other state agencies. In the past two years, the program has received over 400 site referrals from the federal government. The program has limited control over the number of sites referred to the program for assessment. It is anticipated that performance will continue at this level for the next fiscal year.

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

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	52	51	98.1%

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

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

	Projected	Actual	Percent of Annual Projection Attained
<b>Total Performance</b>	85	77	90.6%

**Variance Explanation:**  
BELOW PROJECTED LEVEL.  
Performance for the number of State Superfund sites was below projections for FY 2004. This was because fewer sites were referred as a result of program eligibility criteria not being met.

**Output Measure 01:  
Percentage of professional services going to HUBs**

	Projected	Actual	Percent of Annual Projection Attained
<b>1st Quarter</b>	18.1%	7.7% <del>8.6%</del>	42.5%
<b>2nd Quarter</b>	18.1%	30.8% <del>30.5%</del>	170.2%
<b>3rd Quarter</b>	18.1%	11.5%	63.5%
<b>4th Quarter</b>	18.1%	12.0%	66.3%
<b>Annual Target</b>	18.1%	13.9%	76.8%

\*Note: Actual performance for the first and second quarter has been updated to correct an error in the calculation of the measure.

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the percentage of "professional services" going to HUB companies was below the projected goal for FY 2004. The largest component of these services is professional remediation engineering contracts and there is a very limited pool of HUB engineering firms registered that compete as a prime contractor. Prime contractors perform most, if not all, of their services "in house" which provides limited opportunities for subcontracting. To improve opportunities, the agency is dividing solicitations into smaller lots, reassessing bond and insurance requirements, and seeking HUB subcontracting in contracts that are less than \$100,000. The agency also implemented a process to better track subcontracting. The TCEQ will continue to monitor existing professional services contracts for HUB subcontracting compliance and will continue to develop additional Mentor-Protege agreements in this category to assist small businesses and HUBs in developing and growing their firms. The agency currently has three (3) Mentor-Protege agreements in the "professional services" category. In addition to monitoring existing contracts, the TCEQ will develop and implement a HUB contract evaluation process to assist in the evaluation of upcoming solicitations. The agency will also offer agency-wide training in November 2004 in order to increase awareness of how to improve our use of HUB businesses.

\*Note: The percentage of special trade construction awarded to HUBs is no longer being reported. It was formerly reported as Output Measure 05-01-01.01. The Texas Building and Procurement Commission is now responsible for the campus' building maintenance.

**Output Measure 02:  
Percentage of other services going to HUBs**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	33%	15.2% 45.3%	46.1%
2nd Quarter	33%	12% 40.8%	36.4%
3rd Quarter	33%	21.3%	64.5%
4th Quarter	33%	203.5%	616.7%
Annual Target	33%	24.3%	73.6%

\*Note: Actual performance for the first and second quarter has been updated to correct an error in the calculation of the measure.

**Variance Explanation:**

BELOW PROJECTED LEVEL.

Performance for the percentage of "other services" going to HUB companies was below the projected goal for FY 2004. The bulk of this work is with remediation and information resources contracts. The agency has improved our HUB subcontracting monitoring through a tracking system. The agency is concentrating on ensuring that HUB vendors can compete as primes by: encouraging participation, dividing solicitations into smaller lots, reassessing bond and insurance requirements, and seeking HUB subcontracting in contracts that are less than \$100,000. The agency has successfully implemented seven (7) Mentor-Protege agreements in this category. The TCEQ will continue to monitor existing "other services" contracts for HUB subcontracting compliance and will continue to develop additional Mentor-Protege agreements in this category to assist small businesses and HUBs in developing and growing their firms. In addition to monitoring existing contracts, the TCEQ will develop and implement a HUB contract evaluation process to assist in the evaluation of upcoming solicitations. The TCEQ will also offer agency-wide training in November 2004, in order to improve awareness of how to increase our use of HUB companies.

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**Output Measure 03:  
Percentage of commodity purchasing awarded to HUBs**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	12.6%	11.1% 9.8%	88.1%
2nd Quarter	12.6%	10% 41.0%	79.4%
3rd Quarter	12.6%	49.6%	393.7%
4th Quarter	12.6%	45.5%	361.1%
Annual Target	12.6%	27.6%	219.0%

\*Note: Actual performance for the first and second quarter has been updated to correct an error in the calculation of the measure.

**Variance Explanation:**

ABOVE PROJECTED LEVEL.

Performance for the percentage of commodity purchases going to HUB companies exceeded the projected goal for FY 2004. The agency has been successful in attracting qualified HUB vendors in the "commodity purchases" category, especially when procuring computers and computer accessories.