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Third Quarter Report on Performance Measures

Fiscal Year 2005



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TABLE OF CONTENTS

	<u>Page</u>
Strategic Planning Structure	
Fiscal Year 2005	1
Goal 01 Assessment, Permitting, and Prevention	
Strategy 01-01-01 Air Quality Assessment and Planning	3
Strategy 01-01-02 Water Resource Assessment and Planning	10
Strategy 01-01-03 Waste Assessment and Planning	12
Strategy 01-02-01 Air Quality Permitting	13
Strategy 01-02-02 Water Resource Permitting	15
Strategy 01-02-03 Waste Management and Permitting	17
Strategy 01-02-04 Occupational Licensing	19
Goal 02 Drinking Water and Water Utilities	
Strategy 02-01-01 Safe Drinking Water	22
Strategy 02-01-02 Water Utilities Oversight	23
Goal 03 Enforcement and Compliance Assistance	
Strategy 03-01-01 Field Inspections and Complaints	25
Strategy 03-01-02 Enforcement and Compliance Support	30
Strategy 03-01-03 Pollution Prevention and Recycling	33
Goal 04 Pollution Cleanup	
Strategy 04-01-01 Storage Tank Administration and Cleanup	35
Strategy 04-01-02 Hazardous Materials Cleanup	39
Goal Historically Underutilized Businesses	
Historically Underutilized Businesses	44

Strategic Planning Structure

Fiscal Year 2005

Goal 01 — ASSESSMENT, PLANNING, AND PERMITTING

To protect public health and the environment by accurately assessing environmental conditions; by preventing or minimizing the level of contaminants released to the environment through regulation and permitting of facilities, individuals, or activities with potential to contribute to pollution levels.

Objective 01: To decrease the amount of toxics released and disposed of in Texas by 40 percent by 2007 from the 1992 level and reduce air, water, and waste pollutants through assessing the environment.

Strategy 01 — Air Quality Assessment and Planning: Reduce and prevent air pollution by monitoring and assessing air quality, developing and/or revising plans to address identified air quality problems, and assist in the implementation of approaches to reduce motor vehicle emissions.

Strategy 02 — Water Resource Assessment and Planning: Develop plans to ensure an adequate, affordable supply of clean water by monitoring and assessing water quality and availability.

Strategy 03 — Waste Assessment and Planning: Ensure the proper and safe disposal of pollutants by monitoring the generation, treatment, and storage of solid waste and assessing the capacity of waste disposal facilities; and by providing financial and technical assistance to municipal solid waste planning regions for the development and implementation of waste reduction plans.

Objective 02: To review and process 90% of air, water, and waste authorization applications within established time frames.

Strategy 01 — Air Quality Permitting: Perform complete and timely reviews of applications to release pollutants into the air.

Strategy 02 — Water Resource Permitting: Perform complete and timely reviews of applications to utilize the state's water resources or to discharge to the state's waterways.

Strategy 03 — Waste Management and Permitting: Perform complete and timely reviews of applications relating to the management and disposal of municipal and industrial solid and hazardous waste.

Strategy 04 — Occupational Licensing: Establish and maintain occupational certification programs to ensure compliance with statutes and regulations that protect public health and the environment.

Objective 03: To ensure the proper and safe disposal of low-level radioactive waste.

Strategy 01 — Low-Level Radioactive Waste Management: To ensure the proper and safe disposal of low-level radioactive waste.

Goal 02 — DRINKING WATER AND WATER UTILITIES

To protect public health and the environment by assuring the delivery of safe drinking water to the citizens of Texas consistent with requirements in the Safe Drinking Water Act; by providing regulatory oversight of water and sewer utilities; and by promoting regional water strategies.

Objective 01: To supply 95% of Texans served by public drinking water systems with drinking water consistent with requirements in the Safe Drinking Water Act. To provide regulatory oversight of water and sewer utilities and to promote regional water strategies.

Strategy 01 — Safe Drinking Water: Ensure the delivery of safe drinking water to all citizens through monitoring and oversight of drinking water sources consistent with the requirements of the Safe Drinking Water Act.

Strategy 02 — Water Utilities Oversight: Provide regulatory oversight of water and sewer utilities to ensure that charges to customers are necessary and cost-based and ensure adequate customer service.

Goal 03 — ENFORCEMENT AND COMPLIANCE ASSISTANCE

To protect public health and the environment by administering enforcement and environmental assistance programs that promote compliance with environmental laws and regulations, voluntary efforts to prevent pollution, and offer incentives for demonstrated environmental performance while providing strict, sure, and just enforcement when environmental laws are violated.

Objective 01: By fiscal year 2007, to maintain at least 95 percent of all regulated facilities in compliance with state environmental laws and regulations, and to respond appropriately to citizen inquiries and complaints and to achieve pollution prevention, resource conservation, and enhanced compliance.

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

Strategy 02—Enforcement and Compliance Support: Maximize voluntary compliance with environmental laws and regulations by providing educational outreach and assistance to businesses and units of local governments; and assure compliance with environmental laws and regulations by taking swift, sure and just enforcement actions to address violation situations.

Strategy 03 — Pollution Prevention and Recycling: Enhance environmental performance, pollution prevention, recycling, and innovative programs through technical assistance, public education, and innovative programs implementation.

Goal 04 — POLLUTION CLEANUP

To protect public health and the environment by identifying, assessing, and prioritizing contaminated sites, and by assuring timely and cost-effective cleanup based on good science and current risk factors.

Objective 01: By fiscal year 2007, to identify, assess and remediate up to 56 percent of the known Superfund sites and/or other sites contaminated by hazardous materials. To identify, assess and remediate up to 85% of the leaking petroleum storage tank sites.

Strategy 01 — Storage Tank Administration and Cleanup: Regulate the installation and operation of underground storage tanks and administer a program to identify and remediate sites contaminated by leaking storage tanks. Provide prompt and appropriate reimbursement to contractors and owners for the cost of remediating sites contaminated by leaking storage tanks.

Strategy 02 — Hazardous Materials Cleanup: Aggressively pursue the investigation, design and cleanup of federal and state Superfund sites; and facilitate voluntary cleanup activities at other sites and respond immediately to spills which threaten human health and environment.

Goal — HISTORICALLY UNDERUTILIZED BUSINESS PROGRAM

To establish and carry out policies and practices governing purchasing and public works contracts that foster meaningful and substantive inclusion of historically underutilized businesses (HUBs). The agency strives to conduct a good faith effort program that will encourage inclusion of HUBs in all purchasing and procurement opportunities as set forth by 1 TAC 111.11 - 111.23, as adopted by the TCEQ. The HUB program will develop and implement a plan for increasing the use of HUBs in purchasing and public works contracts and subcontracts.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	500	232	11.6%
2nd Quarter	500	185	9.3%
3rd Quarter	500	504	25.2%
4th Quarter	500		0.0%
Total	2,000	921	46.1%

Variance Explanation:
BELOW PROJECTED LEVEL
 Performance for the number of point source air quality assessments met projections for the third quarter of FY 2005 but remains below projections for the fiscal year. This measure counts the number of point source air emissions inventories which have been reviewed and entered into the State of Texas Air Reporting System database. Per the air emissions inventory rule, the point source emissions inventories are distributed during the second quarter so that the affected sites can submit their point source emissions inventories by the required due date which is in the third quarter; therefore, the assessments of the emissions inventories do not follow a smooth quarterly curve. Historically, the bulk of assessments are processed during the fourth quarter. The end-of-year projections are expected to be met.

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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	636	25.4%
2nd Quarter	625	663	26.5%
3rd Quarter	625	667	26.7%
4th Quarter	625		0.0%
Total	2,500	1,966	78.6%

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

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	312.50	310	24.8%
2nd Quarter	312.50	320	25.6%
3rd Quarter	312.50	303	24.2%
4th Quarter	312.50		0.0%
Total	1,250	933	74.6%

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	578	95.4%
2nd Quarter	606	585	96.5%
3rd Quarter	606	592	97.7%
4th Quarter	606		0.0%
Annual Target	606	592	97.7%

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

Output Measure 05:

Tons of NOx reduced through the Texas Emissions Reduction Plan (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	700	0	0.0%
2nd Quarter	700	378.10	13.5%
3rd Quarter	700	20,688.12	738.9%
4th Quarter	700		0.0%
Total	2,800	21,066.22	752.4%

Variance Explanation:

ABOVE PROJECTED LEVEL.

Performance for the number of tons of NOx reduced through the Texas Emissions Reduction Plan (TERP) was significantly above projections for the third quarter of FY 2005. This measure reports the amount of NOx emissions projected to be reduced through projects funded by TERP incentive grants awarded each year. During the third quarter, there were 65 Small Business (SB) Grants awarded for 568.62 tons of projected NOx emission reductions. In addition, 67.69 tons of NOx emission reductions are projected from the 69 projects funded through the Railroad Commissions' Third Party Grant Program. The Emissions Reduction Incentive Grants (ERIG) program was released on 11/05/04 and closed on 01/21/05. During the third quarter, 250 projects were recommended for funding under the ERIG program for 20,051.81 tons of projected NOx emission reductions. Performance has exceeded projections due to the additional funding authorized by HB 1365 during the 78th Legislature. Performance targets have been increased for future years as a result of the increased funding level.

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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	11	27.5%
4th Quarter	10		0.0%
Total	40	11	27.5%

Variance Explanation:

BELOW PROJECTED LEVEL.

Performance for the number of new technology grant proposals reviewed met projections for the third quarter of FY 2005 but remains below projections for the year. This measure reports the number of grant proposals reviewed that identify and evaluate new technologies to improve air quality and to facilitate the deployment of those technologies. During the second quarter, one Request For Grant Applications (RFGA) was issued. The RFGA closed at the end of the third quarter but the number of proposals received was lower than anticipated. This can be attributed to the fact that the RFGA was specific in the requirements and the funding was limited to \$100,000 per contract. Staff will complete the review of the remaining proposals from the RFGA during the fourth quarter. There are no additional RFGAs scheduled for the fiscal year. As a result, it is projected that the annual target will not be achieved.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	1.25	0	0.0%
2nd Quarter	1.25	0	0.0%
3rd Quarter	1.25	0	0.0%
4th Quarter	1.25		0.0%
Total	5	0	0.0%

Variance Explanation:

BELOW PROJECTED LEVEL.

Performance for the number of technology verifications by the EPA was below projections for the third quarter of FY 2005. This measure reports the number of technology grants that are verified by the EPA based on their commercialization potential after being recommended for verification by the TCEQ. Request For Grant Applications were issued during the second and fourth quarter of FY 2004 and were reviewed during the third and fourth quarters of FY 2004. The applications that were selected for funding are currently working on grant activities that are leading towards verification; however, no funded technologies have completed the EPA verification process.

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%	94%	113.3%
2nd Quarter	83%	94%	113.3%
3rd Quarter	83%	94%	113.3%
4th Quarter	83%		0.0%
Annual Target	83%	94%	113.3%

Variance Explanation:

ABOVE PROJECTED LEVEL.

Performance for the percent of data collected by TCEQ continuous and non-continuous air monitoring networks was above projected levels for the third quarter of FY 2005. This measure reports the percent of valid data collected by the TCEQ continuous and non-continuous air monitoring networks. Performance was above projections because of improving data return for the PM10, lead monitoring networks, and improved technology for monitor calibrations in the continuous monitoring networks. The agency has switched to an improved sampling system for the air toxics network, which replaced the old canister sampling system. We have also developed improved lab techniques for data analysis. These factors have all contributed to improving the data quality from the air monitoring networks. Performance is projected to remain above the target.

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Efficiency Measure 02:

Average cost per air quality assessment

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$350	\$479	136.9%
2nd Quarter	\$350	\$452	129.1%
3rd Quarter	\$350	\$356	101.7%
4th Quarter	\$350		0.0%
Annual Target	\$350	\$429	122.6%

Variance Explanation:

ABOVE PROJECTED LEVEL.

Performance for the average cost per air quality assessment met projections for the third quarter of FY 2005 but remains above projections for the year. This measure provides an average cost of salaries and other operating expenses as related to the number of Point Source, Mobile Source, and Area Source assessments. The average cost was higher than projected due to the year-to-date number of Point Source assessments being below projections. As the number of Point Source assessments increase in the fourth quarter, performance for the average cost per assessment is projected to reach projected levels.

Efficiency Measure 03:

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$380	\$484.39	127.5%
2nd Quarter	\$380	\$488.42	128.5%
3rd Quarter	\$380	\$487.88	128.4%
4th Quarter	\$380		0.0%
Annual Target	\$380	\$486.97	128.2%

*Note: Annual target attainment is calculated by taking year-to-date expenditures and dividing by the number of repairs and retrofits completed. As of the third quarter, \$2,511,769.91 has been expended for the program. There have been 5,158 vehicles repaired or retrofitted.

Variance Explanation:

ABOVE PROJECTED LEVEL.

Performance for the average cost of LIRAP repairs was above projections for the third quarter of FY 2005. This measure reports the average cost of repairs/retrofits to cars participating in the LIRAP program. This measure includes costs for the five (5) county Houston/Galveston area and nine (9) county North Central Texas area. The average cost for the 1,118 vehicles repaired in the Houston/Galveston area was \$517.28. The average cost for the 825 vehicles repaired in the North Central Texas area was \$448.05. Overall average LIRAP repair cost for all 1,943 vehicles was \$487.88 for the third quarter. Year to date performance is \$486.97 per repair and retrofit. Average repair costs in Texas program areas have shown to be consistently higher than the \$380 projection made at program startup (which was based upon a similar program in California), and this level of performance is expected to continue.

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Efficiency Measure 04:

Average cost of LIRAP retirements

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$1,000	\$994.78	99.5%
2nd Quarter	\$1,000	\$992.57	99.3%
3rd Quarter	\$1,000	\$992.14	99.2%
4th Quarter	\$1,000		0.0%
Annual Target	\$1,000	\$993.12	99.3%

Variance Explanation:

Performance met projections. No variance explanation required.

*Note: Annual target attainment is calculated by taking year-to-date expenditures and dividing by the number of vehicle retirements completed. Year to date retirement costs have been \$184,721.22. There have been 186 vehicle retirements as of the third quarter.

**Efficiency Measure 05:
Average cost/ton of NO_x reduced through the Emissions Reduction Plan (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$5,000	\$0	0.0%
2nd Quarter	\$5,000	\$6,896	137.9%
3rd Quarter	\$5,000	\$3,428.26	68.6%
4th Quarter	\$5,000		0.0%
Annual Target	\$5,000	\$3,490.49	69.8%

*Note: Reported performance is calculated by dividing the total amount of grant dollars awarded by the tons of NO_x reduced. For the third quarter, \$70,924,154.93 was awarded for a reduction of 20,688.12 tons of NO_x. For the fiscal year to date, \$73,531,339.93 has been awarded for a reduction of 21,066.20 tons of NO_x.

Variance Explanation:

BELOW PROJECTED LEVEL.

Performance for the average cost per ton of NO_x reduced through the Emissions Reduction Plan was below projections for the third quarter of FY 2005. This measure reports the average cost per ton of NO_x emissions projected to be reduced through projects funded by TERP incentive grants awarded each year. For the third quarter, there were 65 Small Business grants approved, 69 projects funded through the Texas Railroad Commission third party grant agreement, and 250 projects recommended for funding through the Emissions Reduction Incentive Grants (ERIG) program. The applications received for the ERIG program included a lower cost per ton than what was projected. It is anticipated that the average cost will remain below the targeted level for the fourth quarter.

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**Efficiency Measure 06:
Average number of days to review a grant proposal (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	14	0	0.0%
2nd Quarter	14	0	0.0%
3rd Quarter	14	2	14.3%
4th Quarter	14		0.0%
Annual Target	14	2	14.3%

Variance Explanation:

BELOW PROJECTED LEVEL.

Performance for the average number of days to review a grant proposal was below projections for the third quarter of FY 2005. This measure reports the number of days required to review grant proposals. A Request For Grant Application (RFGA) was issued during the second quarter. The completed applications were received and processed during the third quarter. The RFGA contained very specific and limited requirements. As a result, program staff were able to review the applications in a much shorter time period than projected. There will be no further RFGAs for this fiscal year. It is projected that performance will remain at this level through the fourth quarter.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	12.75	5	9.8%
2nd Quarter	12.75	8	15.7%
3rd Quarter	12.75	16	31.4%
4th Quarter	12.75		0.0%
Total	51	29	56.9%

Variance Explanation:

BELOW PROJECTED LEVEL.

Performance for the number of surface water assessments was below projections for the third quarter of FY 2005. This measure quantifies a diverse assemblage of assessment types performed and reported by multiple divisions within the agency. This measure is below projections due to several assessment types being below projections. Total Maximum Daily Load (TMDL) assessments will be delayed until FY 2007 due to weather delays (drought) in previous years and due to the complex nature of the work involved which requires additional information. Special studies are generally completed in the fourth quarter when conditions are more favorable for testing. It is anticipated that performance will continue to improve but will not reach maximum levels until the fourth quarter when all assessments should be completed.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	12.5	4	8.0%
2nd Quarter	12.5	12	24.0%
3rd Quarter	12.5	10	20.0%
4th Quarter	12.5		0.0%
Total	50	26	52.0%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the number of groundwater assessments met projections for the third quarter of FY 2005 but remains below projections for the year. This measure counts the number of reports completed which evaluate environmental or programmatic data related to groundwater quality or quantity issues. This level of performance is to be expected as longer term projects comprise most of these reports. These projects are generally not counted until completed. Most of these projects are anticipated for fourth quarter completion. It is projected that all assessments will be completed by the end of the fourth quarter and the annual target will be achieved.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	65	73	28.1%
2nd Quarter	65	60	23.1%
3rd Quarter	65	69	26.5%
4th Quarter	65		0.0%
Total	260	202	77.7%

Variance Explanation:

Performance met projections. No variance explanation required.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$2,000	\$697.80	34.9%
2nd Quarter	\$2,000	\$889.83	44.5%
3rd Quarter	\$2,000	\$698.63	34.9%
4th Quarter	\$2,000		0.0%
Annual Target	\$2,000	\$753.93	37.7%

Variance Explanation:

BELOW PROJECTED LEVEL.

Performance for the average cost per dam safety assessment was below projections for the second quarter of FY 2005. This measure reports the average cost for each dam safety assessment performed by TCEQ staff and contractors. Performance is below projections due to two factors. 1) Staff turnover has led to reduced overhead costs. 2) The delayed implementation of a contract which will outsource dam safety investigations has impacted the average cost greatly. The contract has a fixed cost of \$2000 per assessment performed by the contractors. The contract was in place for the third quarter but as of the end of the quarter, contractors have not submitted assessments. It is anticipated that the number of assessments will greatly increase in the fourth quarter and the average cost should increase as a result. Performance is projected to remain below the targeted level for the fiscal year.

Output Measure 01:

Number of municipal solid waste facility capacity assessments (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	61.5	19	7.7%
2nd Quarter	61.5	0	0.0%
3rd Quarter	61.5	75	30.5%
4th Quarter	61.5		0.0%
Total	246	94	38.2%

Variance Explanation:

BELOW PROJECTED LEVEL.

Performance for the number of municipal solid waste facility capacity assessments was above projections for the third quarter of FY 2005 but remains below projections for the year. This measure reports the number of annual capacity assessments for municipal solid waste landfills reviewed by the Waste Planning Team. The Annual Report for Permitted Solid Waste Facilities is used to gather data regarding the operations of each facility, including capacity information. This report was due to TCEQ by 11/15/04. As of the end of the third quarter, 92 percent of the Annual Reports have been received. During the third quarter, program staff spent additional time scanning in and performing the data entry of all outstanding report information. Program staff have also automated the database query process to expedite the assessment review process. It is projected, the additional preparation work performed during the third quarter will allow the staff to complete all outstanding assessments by the end of the fourth quarter.

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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	\$22.50	64.3%
2nd Quarter	\$35	\$0.00	0.0%
3rd Quarter	\$35	\$41.06	117.3%
4th Quarter	\$35		0.0%
Annual Target	\$35	\$37.31	106.6%

Variance Explanation:

ABOVE PROJECTED LEVEL.

Performance for the average cost per Municipal Solid Waste (MSW) facility capacity assessment was above projections for the third quarter of FY 2005. This measure reflects agency efforts to conduct MSW facility capacity assessments in an efficient manner. During the third quarter, staff focused efforts on the scanning and data entry of report information for all outstanding reports. These two tasks are the most time consuming activities in the assessment process. It is projected that the additional time spent during the third quarter will expedite the assessment process during the fourth quarter. It is projected that performance will meet or be below the annual target level.

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	1,417	25.3%
2nd Quarter	1,400	1,156	20.6%
3rd Quarter	1,400	1,531	27.3%
4th Quarter	1,400		0.0%
Total	5,600	4,104	73.3%

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

- 0 -

Output Measure 02:

Number of federal air quality operating permits reviewed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	87.5	223	63.7%
2nd Quarter	87.5	240	68.6%
3rd Quarter	87.5	286	81.7%
4th Quarter	87.5		0.0%
Total	350	749	214.0%

Variance Explanation:
ABOVE PROJECTED LEVEL.
Performance for the number of federal air quality operating permits reviewed was above projections for the third quarter of FY 2005. 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. Performance for this measure has exceeded projections due to the inclusion of additional project types in the count. This includes renewals and revisions that were previously not counted. Performance is expected to remain above projections and is anticipated to be 900 for this fiscal year. Target levels have been increased for future fiscal years.

Output Measure 03:

Number of Emissions Banking and Trading transaction applications reviewed (New Measure)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	250	162	16.2%
2nd Quarter	250	210	21.0%
3rd Quarter	250	142	14.2%
4th Quarter	250		0.0%
Total	1,000	514	51.4%

Variance Explanation:

BELOW PROJECTED LEVEL.

Performance for the number of Emissions Banking and Trading (EBT) transaction applications reviewed was below projections for the third quarter of FY 2005. This measure reports the number of EBT transaction applications reviewed by the Air Permits Division. Performance for this measure is cyclical and is consistent with prior fiscal years.

Performance is projected to increase sufficiently to achieve the annual target during the fourth quarter.

Output Measure 01:

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	4,270	4,361 4,563	25.5%
2nd Quarter	4,270	3,782	22.1%
3rd Quarter	4,270	4,675	27.4%
4th Quarter	4,270		0.0%
Total	17,080	12,818	75.0%

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

*Note: Performance for the first quarter has been revised due to an error in the method of calculation. The problem has been identified and corrected.

- 0 -

Output Measure 02:

Number of applications to address water rights impacts reviewed

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	125	93	18.6%
2nd Quarter	125	122	24.4%
3rd Quarter	125	127	25.4%
4th Quarter	125		0.0%
Total	500	342	68.4%

Variance Explanation:
BELOW PROJECTED LEVEL.
Performance for the number of applications to address water rights impacts reviewed met projections for the third quarter of FY 2005 but remains below projections for the year. This measure reflects agency workload with regard to the review of water rights permit applications. This includes water rights applications, ownership transfers, temporary permits, and water supply contracts. During the first quarter, staff concentrated their efforts on contested case hearings for various types of applications. This focus on complex water rights applications resulted in less time spent processing water supply contracts. An additional staff member was assigned to work on the water supply contracts. This resulted in improved performance for both the second and third quarter. It is anticipated that performance will continue to increase and should meet projections by the fourth quarter.

Output Measure 03:

Number of Concentrated Animal Feeding Operation (CAFO) authorizations reviewed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	21.25	156	183.5%
2nd Quarter	21.25	246	289.4%
3rd Quarter	21.25	115	135.3%
4th Quarter	21.25		0.0%
Total	85	517	608.2%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the number of Concentrated Animal Feeding Operation (CAFO) authorizations reviewed was above projections for the third quarter of FY 2005. This measure counts the number of CAFO authorizations the agency reviews. The Commission issued a general permit applicable to the majority of CAFOs in the fourth quarter of FY 2004. The previous rules and registration program which authorized these CAFOs has expired and thus required the submittal of notices of intent for coverage under the new general permit for the majority of the CAFOs in Texas. Based on the issuance of the general permit, the Wastewater Permitting Section anticipates reviewing approximately 600 CAFO authorizations in FY 2005. Performance is expected to return to the level of 85 per year in FY 2006.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	142.50	137.0	24.0%
2nd Quarter	142.50	145.0	25.4%
3rd Quarter	142.50	125.0	21.9%
4th Quarter	142.50		0.0%
Total	570	407.0	71.4%

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

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**Output Measure 02:
Number of non-hazardous waste permit applications reviewed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	3.25	59.0	453.8%
2nd Quarter	3.25	61.0	469.2%
3rd Quarter	3.25	53.0	407.7%
4th Quarter	3.25		0.0%
Total	13	173.0	1330.8%

Variance Explanation:
ABOVE PROJECTED LEVEL.
Performance for the number of non-hazardous waste permit applications reviewed was above projections for the third quarter of FY 2005. This measure reports the number of reviews conducted to ensure proposed facilities meet design and operational requirements and are protective of human health and the environment. The high level of performance is the result of a change in the definition to include the review of Municipal Solid Waste (MSW) registrations and MSW permit modifications. Performance will continue to exceed projections for the remainder of the fiscal year. Performance targets have been increased for FY 2006 to allow for the increases resulting from the definition change.

**Output Measure 03:
Number of hazardous waste permit applications reviewed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	33.75	44.0	32.6%
2nd Quarter	33.75	65.0	48.1%
3rd Quarter	33.75	41.0	30.4%
4th Quarter	33.75		0.0%
Total	135	150.0	111.1%

Variance Explanation:
 ABOVE PROJECTED LEVEL.
 Performance for the number of hazardous waste permit applications reviewed was above projections for the third quarter of FY 2005. This measure reports the number of permits and authorizations reviewed, denied, or withdrawn. It quantifies the number of environmentally protective authorizations recommended by the TCEQ staff. The high level of performance can be attributed to the agency responding to the needs of the regulated community. In the third quarter, there were a higher than anticipated number of Class 1ED and Class 2 modifications which represent minor changes needed to address business needs. As business needs increase, so does performance for this measure. It is anticipated that this level of performance will continue for the remainder of the fiscal year.

**Output Measure 01:
Number of applications for occupational licensing**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	6,250	4,887 4,876	19.5%
2nd Quarter	6,250	5,857 5,849	23.4%
3rd Quarter	6,250	6,575	26.3%
4th Quarter	6,250		0.0%
Total	25,000	17,319	69.3%

*Note: Reported performance for the first and second quarters has been corrected due to a database error.

Variance Explanation:
 BELOW PROJECTED LEVEL.
 Performance for the number of applications for occupational licensing met projections for the third quarter of FY 2005 but remains below projections for the year. This measure reports the number of individual applications for environmental professional licensing and registration that are received by the agency and processed to formal action. There are several factors which may have impacted performance in the third quarter. These factors include: 1) In past fiscal years, an application was required for retesting. Current procedures have eliminated this need. 2) Applications for Backflow Prevention Assembly Testers (BPAT) and Customer Service Inspector (CSI) licenses have declined. In prior years, this was a free accreditation. The agency now charges for these licenses and requires continuing education hours for renewal. 3) Historically, activity is usually higher in the third and fourth quarters when more training classes are offered and consequently, more applications are received. It is projected that performance will improve in the fourth quarter but will remain below the targeted level for the fiscal year.

- 0 -

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	2750	2,727 2,725	24.8%
2nd Quarter	2750	2,684 2,667	24.4%
3rd Quarter	2750	3,062	27.8%
4th Quarter	2750		0.0%
Total	11,000	8,473	77.0%

*Note: Reported performance for the first and second quarters has been corrected due to a database error.

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

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	2,000	1,739 1,738	21.7%
2nd Quarter	2,000	1,640 1,637	20.5%
3rd Quarter	2,000	1,724	21.6%
4th Quarter	2,000		0.0%
Total	8,000	5,103	63.8%

*Note: Reported performance for the first and second quarters has been corrected due to a database error.

Variance Explanation:
BELOW PROJECTED LEVEL.
Performance for the number of licenses and registrations issued was below projections for the third quarter of FY 2005. This measure reports the number of new and upgraded licenses and registrations issued during the reporting period. Performance for this measure is tied directly to the number of applications received and examinations administered. There are several factors which may have impacted performance in the third quarter. These factors include: 1) Fewer applications have been received than projected for the fiscal year. 2) There has been a reduction in the number of individuals applying for the Backflow Prevention Assembly Testers and Customer Service Inspectors licenses due to the application fee and continuing education requirements that have been implemented. Due to these factors, it is projected that performance will be below the projected level for the fiscal year.

- 0 -

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	3,375	2,679 2,674	19.8%
2nd Quarter	3,375	3,590 3,587	26.6%
3rd Quarter	3,375	3,964	29.4%
4th Quarter	3,375		0.0%
Total	13,500	10,233	75.8%

*Note: Reported performance for the first and second quarters has been corrected due to a database error.

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

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$18	\$17.72	98.4%
2nd Quarter	\$18	\$17.77	98.7%
3rd Quarter	\$18	\$17.98	99.9%
4th Quarter	\$18		0.0%
Annual Target	\$18	\$17.98	99.9%

Variance Explanation:
Performance met projections. No variance explanation is 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	5,900	6,374	108.0%
2nd Quarter	5,900	6,370	108.0%
3rd Quarter	5,900	6,303	106.8%
4th Quarter	5,900		0.0%
Annual Target	5,900	6,303	106.8%

Variance Explanation:

ABOVE PROJECTED LEVEL.

Performance for the number of public drinking water systems which meet primary drinking water standards was above projections for the third quarter of FY 2005. This measure reports the total number of all public water systems which have not had maximum contaminant level or treatment technique violations. Performance is above projections due to a higher than projected compliance rate with the Disinfection By-Product Rule, the Total Coliform Rule, and the Surface Water Treatment Rule. With the implementation of these more stringent rules, a higher non-compliance rate was assumed for the public drinking water systems. It is anticipated that this performance will continue for the remainder of the fiscal year.

- o -

Output Measure 02:

Number of drinking water samples collected (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	10,675	7,883 8,362	18.5%
2nd Quarter	10,675	9,939	23.3%
3rd Quarter	10,675	9,772	22.9%
4th Quarter	10,675		0.0%
Total	42,700	27,594	64.6%

Variance Explanation:

BELOW PROJECTED LEVEL.

Performance for the number of drinking water samples collected met projections for the third quarter of FY 2005 but remains below projections for the year. This measure reports the number of chemical compliance samples collected from public drinking water systems to assure safe drinking water and protect public health. The 2005 calendar year sample schedule was completed during the third quarter. It is projected that during the fourth quarter, between 14,078 and 16,213 samples will be collected. As a result of increased sampling requirements during the summer months, it is anticipated that performance will reach the targeted level by the fourth quarter.

*Note: Performance for the first quarter has been corrected due to a reporting error by a contractor.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	25	15	15%
2nd Quarter	25	25	25%
3rd Quarter	25	31	31%
4th Quarter	25		0%
Total	100	71	71%

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

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	137.50	258	46.9%
2nd Quarter	137.50	189	34.4%
3rd Quarter	137.50	198	36.0%
4th Quarter	137.50		0.0%
Total	550	645	117.3%

Variance Explanation:
ABOVE PROJECTED LEVEL.
Performance for the number of district applications processed was above projections for the third quarter of FY 2005. This measure reflects the number of major and minor district applications reviewed which includes: applications for district creation, bond issues, and other approvals required under the Texas Water Code. Performance is directly tied to the needs of the regulated community. With the rapid expansion of the housing markets in the state, the needs of water districts have expanded as well. This has resulted in a greater number of applications being filed and processed. This performance is expected to continue as long as economic activity remains high.

Output Measure 03:
Number of certificates of convenience and necessity applications processed

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	56.25	54	24.0%
2nd Quarter	56.25	56	24.9%
3rd Quarter	56.25	58	25.8%
4th Quarter	56.25		0.0%
Total	225	168	74.7%

<p>Variance Explanation: Performance met projections. No variance explanation is required.</p>

Output Measure 01:

Number of inspections and investigations of air sites (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	4,750	5,377	28.3%
2nd Quarter	4,750	3,322	17.5%
3rd Quarter	4,750	3,702	19.5%
4th Quarter	4,750		0.0%
Total	19,000	12,401	65.3%

Variance Explanation:

BELOW PROJECTED LEVEL.

Performance for the number of inspections and investigations of air sites was below projections for the third quarter of FY 2005. This measure reports the number of investigations of regulated entities to assure compliance with rules, regulations, and statutes designed to protect human health and the environment. During the second quarter, a revised investigative protocol for emissions events was implemented which reduced performance from first quarter levels. Performance improved slightly in the third quarter. It is projected that this will be a short term reduction and will not carry over to future reporting periods. By the end of the fourth quarter, the program anticipates achieving the target for this measure through the completion of additional air investigations not related to emissions events.

- 0 -

Output Measure 02:

Number of inspections and investigations of water rights sites (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	8,500	8,927 8,687	26.3%
2nd Quarter	8,500	9,658	28.4%
3rd Quarter	8,500	8,813	25.9%
4th Quarter	8,500		0.0%
Total	34,000	27,398	80.6%

Variance Explanation:

ABOVE PROJECTED LEVEL.

Performance for the number of inspections and investigations of water rights sites was above projections for the third quarter of FY 2005. This measure reports the number of inspections and investigations completed at regulated water rights sites. Performance was slightly above projections due to the increase in irrigation during the third quarter. More contracts are negotiated and more pumps operate, thus resulting in more investigations being performed by agency staff. It is projected that the annual target will be met during the fourth quarter.

*Note: Performance for the first quarter has been revised due to an error in the method of calculation. The problem has been identified and corrected.

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	2,369 1,979	27.9%
2nd Quarter	2,125	2,441	28.7%
3rd Quarter	2,125	2,659	31.3%
4th Quarter	2,125		0.0%
Total	8,500	7,469	87.9%

*Note: Performance for the first quarter has been revised due to an error in the method of calculation. The problem has been identified and corrected.

Variance Explanation:
ABOVE PROJECTED LEVEL.
 Performance for the number of inspections and investigations of water sites and facilities was above projections for the third quarter of FY 2005. This measure reports the number of inspections and investigations completed at regulated water sites and facilities. Performance is above projections due to additional follow up inspections conducted in prior quarters. This was necessitated by an initiative implemented in FY 2004 (the Clear Streams Initiative). As a result of this initiative, it was necessary to perform follow up inspections to verify that all violations had been addressed. This measure historically has a greater performance level in the third and fourth quarters. Due to the additional inspections from prior quarters, it is projected that performance will exceed projections for the fiscal year.

- 0 -

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	79 414	11.3%
2nd Quarter	175	151	21.6%
3rd Quarter	175	153	21.9%
4th Quarter	175		0.0%
Total	700	383	54.7%

*Note: Performance for the first quarter has been revised due to error in the method of calculation. The problem has been identified and corrected.

Variance Explanation:
BELOW PROJECTED LEVEL.
 Performance for the number of inspections and investigations of livestock and poultry operation sites was below projections for the third quarter of FY 2005. This measure reports the number of inspections and investigations at livestock and poultry operation sites completed to assure compliance with rules, regulations, and statutes designed to protect human health and the environment. Performance is below projections due to a problem with the uploading of new rule citations into the Comprehensive Compliance and Enforcement Database System (CCEDS). The problems with the CCEDS database has resulted in program staff not being able to input completed inspections and investigations. It is projected that this problem will be corrected early in the fourth quarter. The program projects that performance will reach targeted levels by the end of the fiscal year.

**Output Measure 05:
Number of inspections and investigations of waste sites (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	1,839.50	1,553	21.1%
2nd Quarter	1,839.50	1,701	23.1%
3rd Quarter	1,839.50	1,662	22.6%
4th Quarter	1,839.50		0.0%
Total	7,358	4,916	66.8%

Variance Explanation:
BELOW PROJECTED LEVEL.
 Performance for the number of inspections and investigations of waste sites was below projections for the third quarter of FY 2005. This measure reports the number of inspections and investigations that are performed to assure compliance with rules, regulations, and statutes designed to protect human health and the environment. During the first three quarters, program staff concentrated on more complex inspections which involved complicated regulatory and environmental issues. This is a result of an effort to address facilities which pose a higher environmental risk. These types of investigations require more time to conduct. It is projected that projections will be met for the fiscal year.

- O -

**Output Measure 06:
Number of spill cleanup inspections**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	100	101	25.3%
2nd Quarter	100	137	34.3%
3rd Quarter	100	128	32.0%
4th Quarter	100		0.0%
Total	400	366	91.5%

Variance Explanation:
ABOVE PROJECTED LEVEL.
 Performance for the number of spill cleanup inspections was above projections for the third quarter of FY 2005. This measure reports the number of spill cleanup inspections that are conducted by the Field Operations Division to protect human health and the environment. This measure is an on-demand activity. The agency has no control over the number of spills that occur. The Field Operations Division is required to inspect each spill that occurs to ensure that regulated entities comply with rules, regulations, and statutes designed to protect human health and the environment.

Efficiency Measure 01:

Average inspection and investigation cost of livestock and poultry operations

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$430	\$1,201.76 \$842.70	279.5%
2nd Quarter	\$430	\$618.00	143.7%
3rd Quarter	\$430	\$732.72	170.4%
4th Quarter	\$430		0.0%
Annual Target	\$430	\$736.60	171.3%

Variance Explanation:
 ABOVE PROJECTED LEVEL.
 Performance for the average inspection and investigation cost of livestock and poultry operations was above projections for the third quarter of FY 2005. This measure reports the average cost to the agency for each inspection and investigation of livestock and poultry operations. This measure is directly tied to the number of inspections and investigations of livestock and poultry operations performed. Performance is above projections due to a reduced number of inspections and investigations performed as of the third quarter. As the number of inspections and investigations increases during the fourth quarter, the average cost will fall and is expected to meet projections.

*Note: Performance for the first quarter has been revised due to error in the method of calculation. The problem has been identified and corrected.

- O -

Efficiency Measure 02:

Average time (days) from air inspection to report completion

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	21	22.0	104.8%
2nd Quarter	21	20.0	95.2%
3rd Quarter	21	20.0	95.2%
4th Quarter	21		0.0%
Annual Target	21	20.0	95.2%

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

Efficiency Measure 03:
Average time (days) from water inspection to report completion

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	35	34.0	97.1%
2nd Quarter	35	35.0	100.0%
3rd Quarter	35	33.7	96.3%
4th Quarter	35		0.0%
Annual Target	35	33.7	96.3%

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

- 0 -

Efficiency Measure 04:
Average time (days) from waste inspection to report completion

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	35	33.5	95.7%
2nd Quarter	35	34.0	97.1%
3rd Quarter	35	34.6	98.9%
4th Quarter	35		0.0%
Annual Target	35	34.6	98.9%

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

**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%
Total	0	0	0.0%

Variance Explanation:
 MEETS EXPECTED LEVEL.
 TCEQ submitted its application to become an accrediting authority during August 2004. EPA is reviewing the application and planning an on-site assessment of the agency's proposed laboratory accreditation program.

- 0 -

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	12,000	46,184	96.2%
2nd Quarter	12,000	4,825	10.1%
3rd Quarter	12,000	14,704	30.6%
4th Quarter	12,000		0.0%
Total	48,000	65,713	136.9%

Variance Explanation:
 ABOVE PROJECTED LEVEL.
 Performance for the number of small businesses and local governments assisted was above projections for the third quarter of FY 2005. This measure provides an indication of the responsiveness of Small Business and Local Government Assistance staff to small business and local government inquiries. The TCEQ sent a notification of TCEQ rule and policy changes to all small businesses and local governments included in the programs database during the first quarter. These notifications are provided to the state's small businesses and local governments to keep them informed of regulatory changes that might affect them. Due to this, performance will remain above projections for the fiscal year.

**Output Measure 03:
Number of drinking water labs certified (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	115	118	102.6%
2nd Quarter	115	119	103.5%
3rd Quarter	115	119	103.5%
4th Quarter	115		0.0%
Annual Target	115	119	103.5%

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

- 0 -

**Output Measure 04:
Number of administrative enforcement orders issued**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	200.00	209 208	26.1%
2nd Quarter	200.00	156	19.5%
3rd Quarter	200.00	338	42.3%
4th Quarter	200.00		0.0%
Total	800	703	87.9%

Variance Explanation:
ABOVE PROJECTED LEVEL.
Performance for the number of administrative enforcement orders issued was above projections for the third quarter of FY 2005. This measure reflects agency enforcement efforts. Performance exceeded projections as a result of three federal and state initiatives: 1) EPA and TCEQ implemented new drinking water rules regarding regulation of disinfectant by-products resulting from water treatment chemicals; 2) TCEQ has increased compliance monitoring activities related to smaller wastewater treatment facilities; and 3) financial assurance initiatives in the waste programs have continued to increase the number of cases requiring enforcement. The higher level of performance is expected to continue during the fourth quarter. The final number of administrative enforcement orders is projected to be approximately 1100.

Note: Performance for the first quarter has been updated to reflect one Emergency Order issued by the Executive Director that was not included in the first quarter report.

Efficiency Measure 01:

Average number of days to file notices of formal violations

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	100	56	56.0%
2nd Quarter	100	68	68.0%
3rd Quarter	100	63	63.0%
4th Quarter	100		0.0%
Annual Target	100	63	63.0%

Variance Explanation:

BELOW PROJECTED LEVEL.

Performance for the average number of days to file notices of formal violations was below projections for the third quarter of FY 2005. 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. The average number of days was lower than projected because the agency has revised enforcement processing procedures to process all new cases within a 60 day average time frame. This change in procedures is part of an overall review of the Agency's enforcement policies and procedures and is expected to continue throughout the remainder of FY 2005.

Output Measure 01:

Number of on-site technical assistance visits, audits, presentations and workshops on pollution prevention/waste minimization and environmental management systems conducted

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	50	50	25.0%
2nd Quarter	50	52	26.0%
3rd Quarter	50	91	45.5%
4th Quarter	50		0.0%
Total	200	193	96.5%

Variance Explanation:

ABOVE PROJECTED LEVEL.

Performance for the number of on-site technical assistance visits, audits, presentations, and workshops was above projections for the third quarter of FY 2005. This measure reports the number of outreach activities conducted by the Pollution Prevention and Environmental Management staff. Performance is above projections due to a greater number of presentations conducted at the Environmental Trade Fair and Conference. An additional 37 Clean Texas, Cleaner World presentations were conducted during the conference. As a result, it is projected that performance will exceed the target for the fiscal year.

- 0 -

Output Measure 02:

Number of entities participating in performance-based regulatory programs

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	37.5	43	28.7%
2nd Quarter	37.5	39	26.0%
3rd Quarter	37.5	45	30.0%
4th Quarter	37.5		0.0%
Total	150	127	84.7%

Variance Explanation:

ABOVE PROJECTED LEVEL.

Performance for the number of entities participating in performance-based regulatory programs was above projections for the third quarter of FY 2005. This measure reports the number of entities who participate in agency conducted or approved regulatory programs. Performance for the third quarter was above projections due to a greater than anticipated number of entities participating in the Clean Texas Marina program. It is projected that the program will attain the projected target by the fourth quarter.

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	5.75	0	0.0%
2nd Quarter	5.75	36.4	158.3%
3rd Quarter	5.75	0.5	2.2%
4th Quarter	5.75		0.0%
Total	23	36.9	160.4%

Variance Explanation:

ABOVE PROJECTED LEVEL.

Performance for the number of quarts of used oil diverted from landfills and processed was above projections for the third quarter of FY 2005. This measure reports the amount of used oil which, if not received by the registered collection centers, would otherwise be delivered to landfills or improperly disposed of. Information was collected from registered collection centers and used to prepare the Annual Used Oil Report. This report was compiled in February. Performance was above projections due to an increase in the number of registered collection centers and greater awareness of the program. It is anticipated that performance may continue to increase in future fiscal years as additional collection centers register and citizens become more aware of the program.

- 0 -

Efficiency Measure 01:

Average cost per on-site technical assistance visit

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$600	\$809.60	134.9%
2nd Quarter	\$600	\$739.13	123.2%
3rd Quarter	\$600	\$825.67	137.6%
4th Quarter	\$600		0.0%
Annual Target	\$600	\$825.67	137.6%

Variance Explanation:

ABOVE PROJECTED LEVEL.

Performance for the average annualized cost per on-site technical assistance visit was above projections for the third quarter of FY 2005. This measure provides an indication of staff's ability to provide pollution prevention assistance and training in a cost-effective, efficient manner. The higher cost is due to out-of-region travel costs to provide technical assistance in TCEQ Region 9 (Waco, TX) and Region 5 (Tyler). TCEQ does not have a regional staff person to conduct pollution prevention technical assistance in either region and required staff to travel from other regions in the state. It is projected that performance will remain above projections for the remainder of the fiscal year.

**Output Measure 01:
Number of petroleum storage tank self-certifications processed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	2,990.75	2,887	24.1%
2nd Quarter	2,990.75	4,816	40.3%
3rd Quarter	2,990.75	5,453	45.6%
4th Quarter	2,990.75		0.0%
Total	11,963	13,156	110.0%

Variance Explanation:
 ABOVE PROJECTED LEVEL.
 Performance for the number of petroleum storage tank self-certifications processed was above projections for the third quarter of FY 2005. This measure reflects agency workload for the processing of petroleum storage tank self-certifications. Performance is consistent with prior years. It is projected that FY 2005 performance will continue to be above projections and should increase to approximately 18,500 by the fourth quarter. Performance targets have been increased for FY 2006 to more accurately reflect the number of self-certifications processed based on past years numbers reported.

- 0 -

**Output Measure 02:
Number of emergency response actions at petroleum storage tank sites**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	7.5	2	6.7%
2nd Quarter	7.5	2	6.7%
3rd Quarter	7.5	3	10.0%
4th Quarter	7.5		0.0%
Total	30	7	23.3%

Variance Explanation:
 BELOW PROJECTED LEVEL.
 Performance for the number of emergency response actions at petroleum storage tank sites was below projections for the third quarter of FY 2005. This measure reports the number of sites to which a state lead contractor is dispatched to address an immediate threat to human health or safety. This is an on-demand activity. Fluctuations in performance are likely to occur due to the unpredictable number of sites requiring emergency responses.

Output Measure 03:

Number of petroleum storage tank reimbursement fund applications processed

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	2,000	1,409	17.6%
2nd Quarter	2,000	1,273	15.9%
3rd Quarter	2,000	1,835	22.9%
4th Quarter	2,000		0.0%
Total	8,000	4,517	56.5%

Variance Explanation:

BELOW PROJECTED LEVEL.

Performance for the number of petroleum storage tank reimbursement fund applications processed was below projections for the third quarter of FY 2005. This measure reflects agency workload in processing applications for reimbursements for petroleum storage tank remediation. The number of claims reviewed in a given quarter is variable (dependent upon the number of received claims). The Petroleum Storage Tank program was scheduled to sunset at the end of FY 2005. The program was extended through FY 2007 during the 79th Legislature. The program has experienced a decrease in the number of claims submitted due to the anticipated sunset of the program. Due to the reduced number of claims, it is projected that the annual target will not be reached for this measure.

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Output Measure 04:

Number of petroleum storage tank cleanups completed

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	225	180	20.0%
2nd Quarter	225	250	27.8%
3rd Quarter	225	261	29.0%
4th Quarter	225		0.0%
Total	900	691	76.8%

Variance Explanation:

Performance met projections. No variance explanation required.

Efficiency Measure 01:

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	30	27.6	92.0%
2nd Quarter	30	27.1	90.3%
3rd Quarter	30	27.2	90.7%
4th Quarter	30		0.0%
Annual Target	30	27.3	91.0%

Variance Explanation:

BELOW PROJECTED LEVEL.

Performance for the average time to review and respond to remedial action plans was below projections for the third quarter of FY 2005. This measure reports the average number of days for the agency to review and respond to remedial action plans over the reporting period. The TCEQ has implemented procedures for reviewing remedial action plans to ensure average review times remain below the legislatively mandated time frame of 30 days. Performance is expected to remain at this level for future reporting periods.

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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	25.6	85.3%
2nd Quarter	30	25.4	84.7%
3rd Quarter	30	26.0	86.7%
4th Quarter	30		0.0%
Annual Target	30	25.7	85.7%

Variance Explanation:

BELOW PROJECTED LEVEL.

Performance for the average time to review and respond to risk-based site assessments was below projections for the third quarter of FY 2005. This measure reports the average number of days for the agency to review and respond to risk-based site assessments over the reporting period. The TCEQ has implemented procedures for reviewing these assessments to ensure average review times remain below the legislatively mandated time frame of 30 days. Performance is expected to remain at this level for future reporting periods.

Efficiency Measure 03:

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	90	47.0	52.2%
2nd Quarter	90	54.0	60.0%
3rd Quarter	90	55.0	61.1%
4th Quarter	90		0.0%
Annual Target	90	55.0	61.1%

Variance Explanation:

BELOW PROJECTED LEVEL.

Performance for the average time to process PST Remediation Fund reimbursement claims was below projections for the third quarter of FY 2005. This measure reflects how efficiently and quickly the agency processes claims for reimbursements from the PST Remediation Fund. 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. It is expected that performance will remain below the targeted level for the remainder of the fiscal year.

Output Measure 01:

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	1.25	1	20.0%
2nd Quarter	1.25	0	0.0%
3rd Quarter	1.25	3	60.0%
4th Quarter	1.25		0.0%
Total	5	4	80.0%

Variance Explanation:

Performance met projections. No variance explanation required.

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Output Measure 02:

Number of Superfund site assessments

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	21.75	14	16.1%
2nd Quarter	21.75	26	29.9%
3rd Quarter	21.75	37	42.5%
4th Quarter	21.75		0.0%
Total	87	77	88.5%

Variance Explanation:

ABOVE PROJECTED LEVEL.

Performance for the number of Superfund site assessments was above projections for the third quarter of FY 2005. This measure reports the number of potential Superfund sites that have undergone an eligibility assessment for either the state or federal Superfund program. During the third quarter, more than 10 of the site assessments performed required no additional assessment action. As a result, the program was able to complete a higher number of assessments than projected for the quarter. The program expects to meet the annual

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	18.75	20	26.7%
2nd Quarter	18.75	20	26.7%
3rd Quarter	18.75	21	28.0%
4th Quarter	18.75		0.0%
Total	75	61	81.3%

Variance Explanation:
 ABOVE PROJECTED LEVEL.
 Performance for the number of voluntary and brownfield cleanups completed was above projections for the third quarter of FY 2005. This measure reports the number of voluntary cleanup and brownfields sites which have completed necessary response action through either the removal, decontamination, or control of contamination to levels which are protective of human health and the environment. Performance for this measure has increased due to improved response times by applicants submitting the necessary paperwork for closure. The program anticipates meeting the target by fiscal year end.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	27	26	96.3%
2nd Quarter	27	25	92.6%
3rd Quarter	27	27	100.0%
4th Quarter	27		0.0%
Annual Target	27	27	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	26	19	73.1%
2nd Quarter	26	20	76.9%
3rd Quarter	26	20	76.9%
4th Quarter	26		0.0%
Annual Target	26	20	76.9%

Variance Explanation:
BELOW PROJECTED LEVEL
Performance for the number of Superfund cleanups underway was below projections for the third quarter of FY 2005. This measure reflects the total number of state and federal Superfund sites that are in the cleanup phase. Currently, there are six federal Superfund sites that have not moved into cleanup underway status due to delays in federal funding. Additionally, several state sites are progressing slower than projected due to groundwater issues that were discovered during the evaluation process of the sites. As a result, the program does not expect to meet the annual target by fiscal year end.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	1.5	1	16.7%
2nd Quarter	1.5	1	16.7%
3rd Quarter	1.5	0	0.0%
4th Quarter	1.5		0%
Total	6	2	33.3%

Variance Explanation:
BELOW PROJECTED LEVEL.
Performance for the number of Superfund cleanups completed was below projections for the third quarter of FY 2005. Superfund cleanup completions are not expected to be evenly distributed over each reporting quarter, but the number of cleanups completed is expected to meet projections by the end of the fiscal year.

Output Measure 07:

Number of corrective action documents approved for industrial solid and municipal hazardous waste sites

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	137.5	173	31.5%
2nd Quarter	137.5	102	18.5%
3rd Quarter	137.5	176	32.0%
4th Quarter	137.5		0.0%
Total	550	451	82.0%

Variance Explanation:

ABOVE PROJECTED LEVEL.

Performance for the number of corrective action documents approved was above projections for the third quarter of FY 2005. This measure reports the number of corrective action document approvals demonstrating progress towards final cleanup of sites contaminated by industrial solid or municipal hazardous waste. The number of corrective action documents reviewed in the first and third quarters are generally greater because most of the semiannual remediation progress reports are received during the second and fourth quarters and are due for review during the first and third quarters. It is anticipated that the projected target will be met in the fourth quarter.

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Output Measure 08:

Number of Dry Cleaner Remediation program applications received (New Measure)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	18.75	3	4.0%
2nd Quarter	18.75	11	14.7%
3rd Quarter	18.75	16	21.3%
4th Quarter	18.75		0.0%
Total	75	30	40.0%

Variance Explanation:

BELOW PROJECTED LEVEL.

Performance for the number of Dry Cleaner Remediation Program applications was below projections for the third quarter of FY 2005. This measure reports the number of Dry Cleaner Remediation Program applications received, ranked, prioritized, and scheduled for, or undergoing, corrective action activity. Applications received through the third reporting quarter have been far below projections, which is likely due to a combination of several factors: (1) the proposed rules were finalized and made effective beginning June 1, 2005; (2) many potential applicants anticipate that there will be changes to the program and they are waiting to see what the changes will be; (3) the Application for Ranking requires a significant amount of environmental information to be complete, so those that have not yet done any investigation to meet the \$5,000 deductible may be performing those investigations at this time; and (4) many potential applicants are not yet aware of the program. Performance is expected to increase during the fourth quarter but is not projected to reach the targeted level for this fiscal year.

Efficiency Measure 01:

Average time (days) to process Dry Cleaner Remediation program applications (New Measure)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	90	9	10.0%
2nd Quarter	90	19.1	21.2%
3rd Quarter	90	17.1	19.0%
4th Quarter	90		0.0%
Annual Target	90	15.1	16.8%

Variance Explanation:
 BELOW PROJECTED LEVEL.
 Performance for the average time to process Dry Cleaner Remediation program applications was below projections for the third quarter of FY 2005. This measure reports the average number of days required by agency staff to process the Dry Cleaner Remediation program applications. Due to the low number of applications received, agency staff were able to concentrate their efforts and process the applications much more efficiently than if they had received the full number of projected applications. The Dry Cleaner Remediation program is new and at this time, there is a large degree of uncertainty in the anticipated number of applications due to the same factors cited in the Dry Cleaner Remediation Program output measure. It is anticipated that the number of applications will increase in the future as the program becomes more widely known.

HISTORICALLY UNDERUTILIZED BUSINESS PROGRAM

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	18.1%	11.3%	62.4%
2nd Quarter	18.1%	87.3%	482.3%
3rd Quarter	18.1%	15.1%	83.4%
4th Quarter	18.1%		0.0%
Annual Target	18.1%	21.2%	117.1%

Variance Explanation:

ABOVE PROJECTED LEVEL.

Performance for the percent of professional services going to HUBs was below projections for the third quarter of FY 2005 but remains above projections for the fiscal year. Performance can be attributed to several efforts by TCEQ: 1) dividing contracts into smaller contracts to allow for small business participation; 2) the development of mentor-protege agreements to assist HUBs in developing and growing their businesses; and 3) additional monitoring of existing HUB contracts for HUB subcontracting compliance.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	33%	32.7%	99.1%
2nd Quarter	33%	20.7%	62.7%
3rd Quarter	33%	28.7%	87.0%
4th Quarter	33%		0.0%
Annual Target	33%	28.0%	84.8%

Variance Explanation:

BELOW PROJECTED LEVEL.

Performance for the percent of other services going to HUBs was below projections for the third quarter of FY 2005. Historically, businesses providing other services are not HUBs. The agency has concentrated efforts on improving performance by strictly monitoring HUB subcontracting performance through a Progress Assessment Report form tracking system. The agency has also concentrated on ensuring HUBs can compete by encouraging participation, dividing solicitations into reasonable lots, assessing bond and insurance requirements, and seeking HUB subcontracting in contracts that are less than \$100,000. It is projected that these efforts will lead to a greater percentage of other services performed by HUB vendors.

HISTORICALLY UNDERUTILIZED BUSINESS PROGRAM

Output Measure 03:
Percentage of commodity purchasing awarded to HUBs

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	12.6%	34.1%	270.6%
2nd Quarter	12.6%	36.8%	292.1%
3rd Quarter	12.6%	39.7%	315.1%
4th Quarter	12.6%		0.0%
Annual Target	12.6%	36.7%	291.3%

Variance Explanation:

ABOVE PROJECTED LEVEL.

Performance for the percentage of commodity purchases awarded to HUBs was above projections for the third quarter of FY 2005. The TCEQ has successfully focused efforts on identifying HUB vendors in this area. A large number of certified HUB vendors available in this category has aided TCEQ efforts to utilize their services.

