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SFR-055/08-04

Fourth Quarter Report on Performance Measures

Fiscal Year 2008

Budget & Planning Division - Strategic Planning and Assessment

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Fourth Quarter Report on Performance Measures, Fiscal Year 2008

Prepared by
Budget and Planning Division

SFR-055/08-04
October 2008



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TABLE OF CONTENTS

	<u>Page</u>
Strategic Planning Structure	
Fiscal Year 2008	1
Goal 01 Assessment, Permitting, and Prevention	
Strategy 01-01-01 Air Quality Assessment and Planning	8
Strategy 01-01-02 Water Resource Assessment and Planning.....	16
Strategy 01-01-03 Waste Assessment and Planning	19
Strategy 01-02-01 Air Quality Permitting.....	23
Strategy 01-02-02 Water Resource Permitting	26
Strategy 01-02-03 Waste Management and Permitting	29
Strategy 01-02-04 Occupational Licensing	32
Goal 02 Drinking Water and Water Utilities	
Strategy 02-01-01 Safe Drinking Water	37
Strategy 02-01-02 Water Utilities Oversight.....	38
Goal 03 Enforcement and Compliance Assistance	
Strategy 03-01-01 Field Inspections and Complaints	45
Strategy 03-01-02 Enforcement and Compliance Support	52
Strategy 03-01-03 Pollution Prevention and Recycling.....	57
Goal 04 Pollution Cleanup	
Strategy 04-01-01 Storage Tank Administration and Cleanup.....	61
Strategy 04-01-02 Hazardous Materials Cleanup	65
Goal 05 Texas River Compacts	71
Goal Historically Underutilized Businesses	
Historically Underutilized Businesses	81

Strategic Planning Structure Fiscal Year 2008

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 2008, 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 2008, 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 05 — TEXAS RIVER COMPACTS

To ensure the delivery of Texas' equitable share of water.

Objective 01: To ensure the delivery of 100% of Texas' equitable share of water as apportioned by the River Compacts.

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.

Goal 01-01: Assessment, Planning and Permitting

**Outcome Measure 01:
Annual Percent of Stationary and Mobile Source Pollution Reductions in Non-Attainment Areas
(Key)**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	6.0%	3.0%	50%

Variance Explanation:
BELOW PROJECTED LEVEL
 Performance for the Annual Percent of Stationary and Mobile Source Pollution Reductions in Non-Attainment areas is below projections for FY 2008. This measure compares the percent change in volatile organic compounds and nitrogen oxides emitted in ozone nonattainment areas from point, area, on-road mobile, and non-road mobile sources. The addition of a new source category (oil and gas exploration drilling rig engines, esp. in the Dallas/FT. Worth area) in the area source emissions inventory resulted in an increase in the area source emissions inventory that offset the reductions from the point, on-road mobile, and non-road mobile sources. For the upcoming fiscal year, the annual percent of stationary and mobile source pollution reductions in nonattainment areas is expected to be met.

**Outcome Measure 02:
Nitrogen Oxides (NOx) Emissions Reduced Through the Texas Emissions Reduction Plan (TERP)
(Key)**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	70	18.50	26.42%

*This measure is expressed as tons per day reduction in NOx emissions.

Variance Explanation:
BELOW PROJECTED LEVEL
 Performance for the Nitrogen Oxide Emissions Reduced through the Texas Emissions Reduction Plan (TERP) was below projections for FY 2008. This measure reports the actual tons per day (TPD) of emissions reductions as reported by grantees for all projects funded to date. Approximately 45 percent of the grants awarded to date have phased into the performance period and are reporting usage data. The results reported for this measure are less than the projected performance due to the time it has taken some of the larger and more complex projects to complete the purchases and begin using the grant-funded vehicles and equipment. Of the projects reporting usage data, the projects achieved over 90 percent of the usage and emissions reduction targets for those projects. It is also noted that this longer period for implementing the projects will help the program in the long term because the period over which the program can claim the TPD reductions will extend further into the future to meet the the new State Implementation Plan (SIP) emission reduction targets under EPA's new 8-hr monitoring standards for ground-level ozone.

Goal 01-01: Assessment, Planning and Permitting

Outcome Measure 03:

Percent of Texans Living Where the Air Meets Federal Air Quality Standards

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	53%	55.4%	105%

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

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
Total Performance	0.10%	.36%	360%

Variance Explanation:
 ABOVE PROJECTED LEVEL
 Performance for the Percent Reduction in Pollution from Permitted Wastewater Facilities Discharging to the Waters of the State was above projections for FY 2008. This measure reflects the reduction in the pollution load from all facilities discharging to the waters of the state. Performance was better due to a 30%-50% reduction in organic loading from multiple municipal wastewater treatment plants in the Houston ship channel. As TCEQ continues to issue permits in FY 2009 for this region of the state, similar type reductions are anticipated, however over the long term lower reductions more in line with projections are anticipated.

Outcome Measure 05:

Percent of Texas Surface Waters Meeting or Exceeding Water Quality Standards (Key)

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	67%	64.3%	95.97%

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

Goal 01-01: Assessment, Planning and Permitting

Outcome Measure 06:

Annual Percent Reduction in Disposal of Municipal Solid Waste per Capita (Key)

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	-02%	-7.00%	35,000%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Annual Percent Reduction in Disposal of Municipal Solid Waste per Capita was above projections for FY 2008. This measure reflects the effectiveness of statewide solid waste reduction and planning efforts. The amount of municipal solid waste disposed increased significantly by 7% from 7.1 lbs./person/day in FY 2006 to 7.6 lbs./person/day in FY2007. This is partly attributed to a 15% increase in the disposal of commercial waste related to a cleanup project by the Army Corp of Engineers and an increase in waste disposed of by Allied Waste. Future projections will take into consideration major cleanup events in the state.

Outcome Measure 07:

Annual Percent Decrease in the Toxic Releases in Texas (Key)

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	2%	3%	150%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the annual percent decrease in the toxic releases in Texas was above projections for FY 2008. This measure compares the most current year reported and the previous year reported for the total on-site releases of the core 1988 chemicals released from all industries located in Texas subject to the Toxic Release Inventory (TRI) reporting requirements. In comparison to the previous TRI reporting year, there was an overall reduction in the release of toxic chemicals via surface water discharges, underground injection, and land disposal. Future performance is expected to remain near projected levels.

Goal 01-01: Assessment, Planning and Permitting

Outcome Measure 08:

Annual Percent Decrease in the Amount of Municipal Solid Waste Going into Texas Landfills

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	-2.0%	-2.60%	130.00%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the annual percent decrease in the amount of municipal solid waste going into Texas landfills was above projections for FY 2008. This measure reflects conservation efforts to reduce the amount of solid waste going into Texas landfills. The amount of municipal solid waste going to landfills increased by nearly 1 percent from the previous reporting period. Factors that impact the amount of solid waste going to landfills include statewide economic conditions, population growth, and natural disaster events.

Outcome Measure 09:

Percent of TERP Grants Derived From New Technology Research and Development (NTRD) Technologies

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	10%	0%	0.00%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Percent TERP Grants Derived from NTRD Technologies was below projections for FY 2008. This measure shows the percent of the total dollar amount of TERP grants derived from grants of the NTRD program. To date, no TERP grants have derived from NTRD funded technologies. The implementation of the NTRD program was transferred by HB 2481, 79th Texas Legislature, Regular Session, to the Texas Environmental Research Consortium (TERC). Prior to that NTRD awards were made and managed by the TCEQ. Six technologies from TCEQ awarded grants have been verified/certified while no TERC funded technologies have yet completed the certification or verification process. The NTRD funded technologies certified/verified to date have specialized markets and are moving toward acceptance in those markets. The TCEQ anticipates that the NTRD funded railroad certifications are the most likely to be commercially implemented in the near future.

Goal 01-01: Assessment, Planning and Permitting

Outcome Measure 10:

Percent of High and Significant Hazard Dams Inspected within Established Timeframes

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	75%	54.6%	72.80%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Percent of High and Significant Hazard Dams Inspected within Established Timeframes was below projections for FY 2008. The measure reflects assessments conducted to ensure the safe design, construction, maintenance, repair and removal of dams in the state. The high and significant hazard dams require engineering investigations and evaluations of the dam and are much more time-consuming than other types of investigations. There are over 1650 high and significant hazard dams in the state. It is anticipated that TCEQ will meet projections in the required five year timeframe.

Outcome Measure 11:

Number of acres of Habitats Created, Restored, and Protected through Implementation of Estuary Action Plans

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	2,000	4,811	240.55%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Number of Acres of Habitat Created, Restored, and Protected was above projections for FY 2008. This measure reports the number of acres of habitat created, restored, and/or protected through implementation of Galveston Estuary Bay Program (GBEP) and Coastal Bend Bay Estuary Program (CBBEP) estuary action plans. The annual projection matches commitments of each estuary program in the U.S. to achieve 1000 acres. In FY 2008, GBEP exceeded the projected outcome because erosion control cost savings were implemented and the number of volunteers for marsh plantings resulted in greater restoration. CBBEP exceeded the projected outcome because additional funding was secured to double the size of a Whooping Crane habitat restoration effort.

Strategy 01-01-01: Assessment, Planning, and Permitting

Output Measure 01: Number of Point Source Air Quality Assessments (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	500	809	40.45%
2 nd Quarter	500	224	11.20%
3 rd Quarter	500	320	16.00%
4 th Quarter	500	612	30.60%
Total Performance	2,000	1,965	98.25%

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

Output Measure 02: Number of Area Source Air Quality Assessments (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	625	641	25.64%
2 nd Quarter	625	625	25.00%
3 rd Quarter	625	660	26.40%
4 th Quarter	625	651	26.04%
Total Performance	2,500	2,577	103.08%

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

Strategy 01-01-01: Assessment, Planning, and Permitting

**Output Measure 03:
Number of Mobile Source Air Quality Assessments (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	312.50	321	25.68%
2nd Quarter	312.50	162	12.96%
3rd Quarter	312.50	306	24.48%
4th Quarter	312.50	479	38.32%
Total Performance	1,250	1,268	101.44%

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

**Output Measure 04:
Number of Air Monitors Operated**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	600	589	98.17%
2nd Quarter	600	594	99.00%
3rd Quarter	600	593	98.83%
4th Quarter	600	599	99.83%
Annual Target	600	599	99.83%

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

Output Measure 05:

Tons of Nitrogen Oxide (NOx) Reduced through the Texas Emissions Reduction Plan (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	7,152.75	909 61	.22%
2nd Quarter	7,152.75	2,104	7.35%
3rd Quarter	7,152.75	1,363	4.76%
4th Quarter	7,152.75	14,690	51.34%
Total Performance	28,611	18,218	63.67%

*Note: The results for the first quarter are revised to show 61 tons of NOx reduced by grants awarded in the first quarter of FY 2008. Most of the 909 tons originally shown were actually accounted for in the FY 2007 final report and should have not been included in the 2008 results.

Variance Explanation:

BELOW PROJECTED LEVEL

The Tons of NOx Reduced through the Texas Emissions Reduction Plan (TERP) was below projections for FY 2008. This measure reports the tons of NOx projected to be reduced by awarded grant projects in FY 2008. The original projections were based on an average cost per ton for the projects funded of \$5,000. Subsequent to the projections for this biennium, the commission increased the maximum cost per ton limits to \$5,000 for marine and locomotive projects and \$10,000 for other types of projects. This action was taken in response to the Legislature increasing the statutory cost per ton limits from \$13,000 to \$15,000 to encourage broader participation in the TERP programs. The change to the cost per ton limits is the main reason that the tons of NOx reduced is less than the projected performance.

Output Measure 06:

Number of New Technology Grant Proposals Reviewed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	15.5	11	17.74%
2nd Quarter	15.5	48	77.42%
3rd Quarter	15.5	1	1.61%
4th Quarter	15.5	14	22.58%
Total Performance	62	74	119.35%

Variance Explanation:

ABOVE PROJECTED LEVEL

The Number of New Technology Grant Proposals Reviewed was above projections for FY 2008. 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. The implementation of the NTRD program was transferred by HB 2481, 79th Texas Legislature, Regular Session, to the Texas Environmental Research Consortium (TERC). TERC issued four rounds of grant proposals during FY 2008 including a very comprehensive request soliciting all eligible technologies. This comprehensive request significantly increased the number of applications TERC reviewed in FY 2008.

Strategy 01-01-01: Assessment, Planning, and Permitting

Output Measure 07:

Number of Vehicles Repaired or Replaced through Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP) Assistance (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	3,750	1,565	10.43%
2 nd Quarter	3,750	4,616 2,981	19.87%
3 rd Quarter	3,750	6,915 8,560	57.07%
4 th Quarter	3,750	5,386	35.91%
Total Performance	15,000	18,492	123.28%

*Note: The DFW and HGB quarter reports are not due until 30 days after the end of the quarter. Program administrators were able to process all paperwork not posted at the initial reporting, resulting in a more accurate number.

Variance Explanation:

ABOVE PROJECTED LEVEL

The Number of Vehicles Repaired or Replaced was above projections for FY 2008. Total repairs and replacements for the five-county Houston/Galveston/Brazoria (HGB) area, nine-county Dallas/Fort Worth (DFW) Area, and two-county Austin area, were used to determine the total LIRAP participation figures. The HGB area repaired 208 vehicles and replaced 2,366 vehicles for a quarter total of 2,574 vehicles. The DFW area repaired 593 vehicles and replaced 1,775 vehicles for a quarter total of 2,368 vehicles. The Austin area repaired 66 vehicles and replaced 378 vehicles for a quarter total of 444 vehicles. The total YTD participation number for all 16 counties is 18,492 or 23.28% above the projected 15,000 units since counties have begun implementing the SB 12 enhanced activities.

Efficiency Measure 01:

Percent of Data Collected by TCEQ Continuous and Non-Continuous Air Monitoring Networks

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	90%	93%	103.33%
2 nd Quarter	90%	94%	104.44%
3 rd Quarter	90%	95%	105.56%
4 th Quarter	90%	94%	104.44%
Annual Target	90%	94%	104.44%

Variance Explanation:

Performance met projections. No variance explanation required.

**Efficiency Measure 02:
Average Cost per Air Quality Assessment**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$370	\$332	89.73%
2nd Quarter	\$370	\$516 \$463	125.00%
3rd Quarter	\$370	\$364	98.38%
4th Quarter	\$370	\$240	64.86%
Annual Target	\$370	\$350	94.59%

Note: The average cost per air quality assessment changed in the second quarter from \$516 to \$463 due to a mathematical error.

Variance Explanation:

BELOW PROJECTED LEVEL
Performance for the Average Cost per Air Quality Assessment was below projections for FY 2008. This measure reflects agency efforts to produce air quality assessments in an efficient manner. A substantial number of mobile assessments were required this quarter in order to provide technical support for State Implementation Program(SIP) planning and development. The projects included: alternative emission standard analysis, heavy-duty diesel vehicle rebuild program effectiveness, creation of a look up table of emission rates by model year for school buses, and quality assurance for a set of on-road mobile trend inventories covering 50 years and including all 254 Texas counties entered into the State of Texas Air Reporting System database. Program resources were concentrated on meeting the end of year projections resulting in a slight increase in the number of assessments completed in the fourth quarter, which lowered the average cost.

**Efficiency Measure 03:
Average Cost of LIRAP Vehicle Emissions Repairs/Retrofits (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$525	\$500.28	95.29%
2nd Quarter	\$525	\$497.88 \$491.40	103.73%
3rd Quarter	\$525	\$522.77 \$519.01	98.86%
4th Quarter	\$525	\$503.43	95.89%
Annual Target	\$525	\$504.61	96.12%

***Note:** The DFW and HGB quarter reports are not Due until 30 days after the end of the quarter. Program administrators were able to process all paperwork not posted at the initial reporting period

Variance Explanation:

MEETS PROJECTIONS
The average cost of LIRAP repairs for FY 2008 (ending August 31, 2008) was below the projected performance. Costs for the five-county Houston/Galveston/Brazoria (HGB) area, nine-county Dallas Fort Worth (DFW) Area, and two-county Austin area, were used to determine the average LIRAP repair costs. The average LIRAP cost for 208 repaired vehicles in the HGB area program was \$542.41 (total amount spent on repairs = \$112,820.31). The average LIRAP cost for 593 vehicles repaired in the DFW area was \$490.61 (total amount spent on repairs = \$290,933.97). The average LIRAP cost for 66 vehicles repaired in the Austin area was \$495.81 (total amount spent on repairs = \$32,723.43). The average cost for repairs was determined by dividing the total amount spent on repairs (\$436,477.71) by the total number of LIRAP repairs (867). The measure is 3.88% below the projected repair amount of \$525.00 per vehicle and reflects lower expenses for vehicle owners than anticipated.

Strategy 01-01-01: Assessment, Planning, and Permitting

Efficiency Measure 04:

Average Cost Per Ton of NOx Reduced through the Texas Emissions Reduction Plan (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	\$5,000	\$5,500 \$7,750	155.00%
2 nd Quarter	\$5,000	\$9,792	195.84%
3 rd Quarter	\$5,000	\$9,780	195.60%
4 th Quarter	\$5,000	\$7,351	147.02%
Annual Target	\$5,000	\$7,816	156.32%

Variance Explanation:

ABOVE PROJECTED LEVEL

The Average Cost Per Ton of NOx Reduced through the Texas Emissions Reduction Plan (TERP) exceeded projections for the fourth quarter FY 2008. This measure shows the average cost per ton of NOx reduced through projects funded by the TERP incentive grants. The performance under this measure is greater than the projected performance because the maximum cost per ton limits for the program were increased. The commission increased the maximum cost per ton limits to \$5,000 for marine and locomotive projects and \$10,000 for other types of projects. This action was taken in response to the Legislature increasing the statutory cost per ton limits from \$13,000 to \$15,000 and to encourage broader participation in the TERP programs.

Efficiency Measure 05:

Average Number of Days to Review a Grant Proposal (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	1	1	100.00%
2 nd Quarter	1	1	100.00%
3 rd Quarter	1	1	100.00%
4 th Quarter	1	3	300.00%
Annual Target	1	1.5	150.00%

Variance Explanation:

ABOVE PROJECTED LEVEL

The Average Number of Days to Review a Grant Proposal was above projections for FY 2008. This measure reflects the number of days it takes to review a grant proposal. The implementation of the NTRD program was transferred by HB 2481, 79th Texas Legislature, Regular Session, to the Texas Environmental Research Consortium (TERC). TERC's program manager left at the beginning of the 4th quarter 2008 at the same time as TERC closed one comprehensive round of grant proposals. As a result, TERC's typical rapid review processes were slightly delayed for one round. TERC has since replaced the program manager so this delay should not affect FY 2009 review times.

Strategy 01-01-01: Assessment, Planning, and Permitting

**Explanatory Measure 01:
Number of Days Ozone Exceedances are Recorded in Texas**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	42	42	100.00%

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

**Explanatory Measure 02:
Number of New Technology Grants Approved for Funding**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	15	14	93.33%

Variance Explanation:
BELOW PROJECTED LEVEL
Performance for the Number of New Technology Grants Approved for Funding was below projections for FY 2008. This measure shows the number of grants that were approved for funding and provides an indication of the number of grantees that the agency must monitor and assist. The implementation of the NTRD program was transferred by HB 2481, 79th Texas Legislature, Regular Session, to the Texas Environmental Research Consortium (TERC). TERC issued four rounds of grant proposals during FY 2008 including a comprehensive request soliciting all eligible technologies. The awards for this final round are under review and will be completed in the first quarter of FY 2009.

Strategy 01-01-01: Assessment, Planning, and Permitting

Explanatory Measure 03:

Percent of New Technology Research and Development(NTRD) Technologies Verified or Certified by the Environmental Protection Agency(EPA) or California Air Resources Board(CARB)

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	5%	5%	100.00%

Variance Explanation:

Performance met projections. No variance explanation required.

Strategy 01-01-02: Water Resource Assessment and Planning

Output Measure 01: Number of Surface Water Assessments (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	16.75	11	16.42%
2 nd Quarter	16.75	13	19.40%
3 rd Quarter	16.75	9	13.43%
4 th Quarter	16.75	32	47.76%
Total Performance	67	65	97.01%

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

Output Measure 02: Number of Groundwater Assessments (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	15	4	6.67%
2 nd Quarter	15	10	16.67%
3 rd Quarter	15	13	21.67%
4 th Quarter	15	32	53.33%
Total Performance	60	59	98.33%

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

Strategy 01-01-02: Water Resource Assessment and Planning

**Output Measure 03:
Number of Dam Safety Assessments**

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	107.5	153	35.58%
2 nd Quarter	107.5	98	22.79%
3 rd Quarter	107.5	99	23.02%
4 th Quarter	107.5	130	30.23%
Total Performance	430	480	111.63%

Variance Explanation:

ABOVE PROJECTED LEVEL

The Number of Dam Safety Assessments was above projections for FY 2008. This measure includes on-site investigations as well as in-house review of plans, engineering reports, and water use permit applications involving dams. The Dam Safety program received more final reports from the two contractors, especially in the first and fourth quarters significantly impacting the year to date performance.

**Efficiency Measure 01:
Average Cost per Dam Safety Assessment**

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	\$1,200	\$622	51.83%
2 nd Quarter	\$1,200	\$935	77.92%
3 rd Quarter	\$1,200	\$1,515	126.25%
4 th Quarter	\$1,200	\$1,726	143.83%
Annual Target	\$1,200	\$1,154	96.17%

Variance Explanation:

Performance met projections. No variance explanation required.

Strategy 01-01-02: Water Resource Assessment and Planning

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	36%	35.7%	99.17%

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

Explanatory Measure 02:

Percentage of Surface Water Impairments that are Addressed within 13 years of Impairment Listing

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	95%	N/A	N/A

Variance Explanation:
This measure will report the percentage of surface water impairments that are addressed within 13 years of impairment listing. The Environmental Protection Agency has a 13 year benchmark for completion of listed surface water impairments. The oldest impairments from 1996 will not be listed until FY 2009.

Explanatory Measure 03:

Number of Dams in the Texas Dam Inventory

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	7,542	7,590	100.64%

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

Strategy 01-01-03: Waste Management Assessment Planning

Output Measure 01:

Number of Municipal Solid Waste Facility Capacity Assessments (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	62.50	65	26.00%
2 nd Quarter	62.50	44	17.60%
3 rd Quarter	62.50	179 137	71.60%
4 th Quarter	62.50	0	0.00%
Total Performance	250	246	98.40%

Variance Explanation:

Performance met projections. No variance explanation required.

Note: The third quarter has been corrected to reflect the performance that actually occurred in that quarter. The error is attributed to two factors: (1) unfamiliarity of new staff member with data, and (2) assessments approved within the third quarter were entered after the quarter ended.

Efficiency Measure 01:

Average Cost Per Municipal Solid Waste Facility Capacity Assessment (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	\$35	\$28.84	82.40%
2 nd Quarter	\$35	\$32.38	92.51%
3 rd Quarter	\$35	\$26.40 \$35.69	101.97%
4 th Quarter	\$35	0	0.00%
Annual Target	\$35	\$32.30	92.29%

Variance Explanation:

The Average Cost per Municipal Solid Waste Assessment is below projections for FY 2008. The 4th quarter is zero, as all work related to the review of the capacity assessments was completed prior to the start of the quarter. Annual performance was less than anticipated due to improvements in the database and the ability of facilities to report electronically which diminished the amount of actual staff time necessary for data entry.

Note: The third quarter has been corrected to reflect the performance that actually occurred in that quarter. The error is attributed to two factors: (1) unfamiliarity of new staff member with data, and (2) assessments approved within the third quarter were entered after the quarter ended.

Strategy 01-01-03: Waste Management Assessment Planning

Explanatory Measure 01:

Number of Council of Government Regions in the State with 10 or More Years of Disposal Capacity

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	22	22	100%

Variance Explanation:

Performance met projections. No variance explanation required.

Goal 01-02: Assessment, Planning, and Permitting

Outcome Measure 01:

Percent of Air Quality Permit Applications Reviewed within Established Time Frames

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	90%	89%	98.89%

Variance Explanation:

Performance met projections. No variance explanation required.

Outcome Measure 02:

Percent of Water Quality Permit Applications Reviewed within Established Time Frames

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	90.0%	84%	93.33%

Variance Explanation:

ABOVE PROJECTED LEVEL

The Percent of Water Quality Permit Applications Reviewed within Established Time Frames was below projections for FY 2008. This measure indicates whether the agency is in compliance within established timeframes for processing water quality permit applications. 580 individual permits were issued within the fiscal year, 94 of which were issued outside of the established time frames. During the fiscal year, TCEQ would have issued an additional 68 permits on time, however, Environmental Protection Agency(EPA) Region 6 would not allow issuance based on an objection related to disinfection requirements and bacteria limitations. This issue has been resolved with EPA, however these permits were not issued in a timely manner as a result of the EPA objections. Had the additional 68 permits been issued, the resulting on time percentage would have been 86%, within the acceptable range for this performance measure. TCEQ anticipates meeting this performance measure in FY 2009.

Goal 01-02: Assessment, Planning, and Permitting

Outcome Measure 03:

Percent of Water Rights Permit Applications Reviewed within Established Time Frames

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	83%	93.5%	112.65%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Percent of Water Rights Permit Applications Reviewed within Established Time Frames was above projections for FY 2008. This measure tracks the percent of water rights permits that were reviewed within the established 300-day time frame. Performance for this measure was above projections for the year as staff diligently tracked all given deadlines to assure applications would not exceed the established 300 days. The level of performance is expected to remain steady.

Outcome Measure 04:

Percent of Waste Management Permit Applications Reviewed within Established Time Frames

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	90%	85%	94.44%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Percent of Waste Management Permit Applications Reviewed was below projections for FY 2008. This measure reports whether the agency is in compliance with established time frames for reviewing permit applications. Performance is attributed to the fact that 28% of the permit applications reviewed were delayed as a result of responding to public comments, holding a public meeting/hearing in response to requests from the public, parties engaging in alternative dispute resolution, or the failure of the permittee to provide required information or publish public notice in a timely manner.

Strategy 01-02-01: 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	1,450	1,013	17.47%
2nd Quarter	1,450	1,199	20.67%
3rd Quarter	1,450	1,182	20.38%
4th Quarter	1,450	1,350	23.28%
Total Performance	5,800	4,744	81.79%

Variance Explanation:

BELOW PROJECTED LEVEL

The Number of State and Federal New Source Air Quality Permit Applications Reviewed was below projections for FY 2008. This measure quantifies the permitting workload of the Air Permits Division (APD) staff assigned to review state and federal new source review permit applications. The reported variance is attributable to a number of factors. Changes to the General Air Quality Rules required an owner or operator to apply to authorize planned maintenance, startup, and shutdown (MSS) emissions according to a set schedule. These emissions did not need air quality authorizations before the changes. Permit reviews for refinery applications submitted in 2007 have taken much longer than anticipated due to significant technical issues. This year, APD received approximately 400 chemical plant MSS applications. The division continues to work with applicants to identify planned MSS activities and appropriate controls needed to authorize these emissions; but, the high level of effort for MSS permits has extended the time to review and issue other permits. Also, federal courts struck down key Environmental Protection Agency (EPA) rule initiatives, such as the Clean Air Mercury Rule (CAMR), Boiler Maximum Achievable Control Technology (MACT) rules, and 1-hour to 8-hour ozone transition rules in nonattainment areas. These decisions within the last year now require permit reviews that would not have been previously required and extended the time needed to review and issue air permits. These changes were effective immediately and affected pending applications. In addition, permit review time was extended by on-going discussions with EPA concerning EPA's delayed action to approve or deny previously submitted state implementation plan revisions that contain key air permitting rules regarding flexible permits and control technology procedures.

Strategy 01-02-01: Air Quality Permitting

Output Measure 02:

Number of Federal Air Quality Operating Permits Reviewed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	275	215	19.55%
2 nd Quarter	275	277	25.18%
3 rd Quarter	275	162	14.73%
4 th Quarter	275	214	19.45%
Total Performance	1,100	868	78.91%

Variance Explanation:

BELOW PROJECTED LEVEL

The Number of Federal Air Quality Operating Permits Reviewed was below projections for FY 2008. This measure quantifies the permitting workload of the Air Permits Division staff assigned to review federal operating permit applications. The reported variance is attributable to the complexity of projects received and the greater amount of time needed to complete the associated technical review. The review of approximately 100 federal operating permit renewal projects for chemical plants has been further complicated due to changes to the General Air Quality Rules that required an owner or operator to apply to authorize planned maintenance, startup, and shutdown (MSS) emissions. In addition, federal court decisions struck down key federal rules. These court decisions within the last year now require permit reviews that would not have been previously required and have extended the time needed to review and issue federal operating permits.

Output Measure 03:

Number of Emissions Banking and Trading Transaction (EBT) Applications Reviewed

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	250	142 152	15.20%
2 nd Quarter	250	222 303	30.30%
3 rd Quarter	250	425 439	43.90%
4 th Quarter	250	535	53.50%
Total Performance	1,000	1,429	142.90%

Note: The increase in transactions in the previous three quarters is attributed to the transaction application review process. Transactions approved in previous quarters may not be closed in the database pending the resolution and closure of all related transactions and reports.

Variance Explanation:

ABOVE PROJECTED LEVEL

The Number of Emissions Banking and Trading (EBT) Applications Reviewed is above projections for FY 2008. This measure quantifies the workload of the Air Quality Division staff assigned to review EBT applications. The emissions banking and trading program is an air quality emissions compliance methodology, and/or a compliance alternative used to reduce emissions and aid in NAAQS attainment through the use of approved missions credits. The program continues to expand as the agency continues to further reduce air pollution. There has been increased market activity, (i.e. emission credit use, and credit buying and selling) as a result of more stringent emissions specifications. In addition, more sources are participating in the program and the program is expanding due to the state issuing credits for previously unregulated air pollution precursors and the inclusion of more areas in the state. The reported variance between quarters is attributable to an irregular workload stream as a result of various project-type deadlines.

Strategy 01-02-01: Air Quality Permitting

**Explanatory Measure 01:
Number of State and Federal Air Quality Permits Issued**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	5,400	4,034	74.70%

Variance Explanation:
BELOW PROJECTED LEVEL
Performance for the Number of State and Federal Air Quality Permit Applications Reviewed was below projections for FY 2008. This measure quantifies the number of state and federal new source review permits issued under the Texas Clean Air Act and Title I of the Federal Clean Air Act. The reported variance is attributable to changes to state air quality rules, changes to federal air permitting rules resulting from federal court actions, and pending state implementation plan revisions that contain key air permitting rules regarding flexible permits and control technology procedures. These factors increased the number and complexity of projects received and the amount of time needed to complete the associated technical reviews.

**Explanatory Measure 02:
Number of Federal Air Quality Permits Issued**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	900	667	74.11%

Variance Explanation:
BELOW PROJECTED LEVEL
The number of federal air quality operating permits reviewed was below projections for FY 2008. This measure quantifies the permitting workload of the Air Permits Division staff assigned to review federal operating permit applications. The reported variance is attributable to the number and complexity of projects received and the greater amount of time needed to complete the associated technical reviews. The review of approximately 100 chemical plant renewal projects was further complicated due to changes to the General Air Quality Rules that required an owner or operator to apply to authorize planned MSS emissions and federal court decisions that struck down key federal rules. These court decisions within the last year now require permit reviews that would not have been previously required and have extended the time needed to review and issue federal operating permits.

Strategy 01-02-02: Water Resource Permitting

Output Measure 01:

Number of Applications to Address Water Quality Impacts Applications Reviewed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	4,539.50	4,064	22.38%
2 nd Quarter	4,539.50	2,759	15.19%
3 rd Quarter	4,539.50	6,583	36.25%
4 th Quarter	4,539.50	6,815	37.53%
Total Performance	18,158	20,221	111.36%

Variance Explanation:

ABOVE PROJECTED LEVEL

The Number Applications to Address Water Quality Impacts Applications Reviewed was above projections for FY 2008. This measure reflects agency workload with regard to the review of water quality permit applications. The performance is due to renewal of the Storm Water Construction General Permit on March 5, 2008. In addition to the typical amount of new authorizations, several thousand entities were required to renew their current authorizations which resulted in a greater number of authorizations processed under the storm water general permit program than anticipated. TCEQ anticipates processing the amount of authorizations in line with projections in FY 2009.

Output Measure 02:

Number of Applications to Address Water Rights Impacts Reviewed

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	148.75	159	26.72%
2 nd Quarter	148.75	144	24.20%
3 rd Quarter	148.75	162	27.23%
4 th Quarter	148.75	170	28.57%
Total Performance	595	635	106.72%

Variance Explanation:

Performance for the Number of Applications to Address Water Rights Impacts Reviewed was above projections for FY 2008. This measure reflects the agency workload with regard to the review of water rights permit applications. FOD reviews and approves water rights applications for temporary permits. Issuing temporary permits is an on-demand activity that is based on the number of applications received and the availability of excess surface water over and above the amounts allocated for permitted diversions. More applications were received during the fiscal year than anticipated.

Strategy 01-02-02: Water Resource Permitting

Output Measure 03:

Number of Concentrated Animal Feeding Operation (CAFO) Authorizations Reviewed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	22.5	28	31.11%
2 nd Quarter	22.5	26	28.89%
3 rd Quarter	22.5	40	44.44%
4 th Quarter	22.5	29	32.22%
Total Performance	90	123	136.67%

Variance Explanation:

ABOVE PROJECTED LEVEL

The Number of Concentrated Animal Feeding Operation (CAFO) Authorizations Reviewed was above projections for FY 2008. This measure counts the number of CAFO Individual Permits filed with the Chief Clerk's Office and General Permit (GP) Notice of Intents (NOIs) acknowledged for new and existing facilities. The number of NOIs was larger than expected for FY 2008, due to ownership transfers of existing CAFOs. The CAFO general permit requires that the owner of a transferred CAFO facility submit a new NOI for coverage. The number of CAFO authorizations reviewed in FY 2009 should be more in line with projections.

Explanatory Measure 01:

Number of Water Quality Permits Issued

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	850	1,017	119.65%

Variance Explanation:

ABOVE PROJECTED LEVEL

The Number of Water Quality Permits Issued was above projections for FY 2008. This measure will report the total number of water quality permits approved by the Executive Director or by the Commissioners. There were significant efforts to resolve technical issues in the issuance of delayed permits. Additionally, the reported value includes administrative actions processed by the Chief Clerk including endorsements, transfers, and name changes which were not included in the projected value. The total number of permits processed in FY 2009 should be within projected totals.

Strategy 01-02-02: Water Resource Permitting

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

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	100	75	75%

Variance Explanation:

BELOW PROJECTED LEVEL

The Number of Applications to Address Water Rights Permits Issued was above projections for FY 2008. This measure tracks the number of water rights permit applications that were recommended for issuance and granted. Performance for this measure was below projections for the year due to the number of applications now subject to the Water Rights Amendment Notice review. A large number of permit applications which would have been granted with no public notice this fiscal year have been placed on hold by the applicants pending a final Commission determination on notice for these applications. The level of performance is expected to improve next fiscal year.

Strategy 01-02-03: Waste Management and Permitting

Output Measure 01: Number of New System Waste Evaluation Conducted

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	142.50	138	24.21%
2 nd Quarter	142.50	139	24.39%
3 rd Quarter	142.50	158	27.72%
4 th Quarter	142.50	139	24.39%
Total Performance	570	574	100.70%

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

Output Measure 02: Number of Non-Hazardous Waste Permit Applications Reviewed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	59	75	31.78%
2 nd Quarter	59	52	22.03%
3 rd Quarter	59	51	21.61%
4 th Quarter	59	54	22.88%
Total Performance	236	232	98.31%

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

Strategy 01-02-03: Waste Management and Permitting

Output Measure 03:

Number of Hazardous Waste Permit Applications Reviewed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	40	46	28.75%
2nd Quarter	40	37	23.13%
3rd Quarter	40	52	32.50%
4th Quarter	40	63	39.38%
Total Performance	160	198	123.75%

Variance Explanation:
ABOVE PROJECTED LEVEL
 The Number of Hazardous Waste Permit Applications Reviewed was above projections for FY 2008. This measure quantifies the number of environmentally protective authorizations recommended by TCEQ staff. Performance is attributed to the large number of minor permit modifications. These modifications reflect requests for authorization made by the regulated community in response to changing business needs (updated contingency plans, addresses, contact information, etc). These requests are difficult to anticipate and project.

Explanatory Measure 01:

Number of Non-Hazardous Waste Permits issued

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	236	232	98.31%

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

Explanatory Measure 02:

Number of Hazardous Waste Permits Issued

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	160	165	103.13%

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

Strategy 01-02-03: Waste Management and Permitting

Explanatory Measure 03:

Number of Corrective Actions Implemented by Responsible Parties for Solid Waste Sites

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	3	3	100.00%

Variance Explanation:

Performance met projections. No variance explanation required.

Strategy 01-02-04: Occupational Licensing

**Output Measure 01:
Number of Applications for Occupational Licensing**

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	6,000	5,198 6,820	28.42%
2 nd Quarter	6,000	4,485 4,483 4,466	18.60%
3 rd Quarter	6,000	7,080 7,075	29.48%
4 th Quarter	6,000	6,458	26.91%
Total Performance	24,000	24,819	103.41%

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

Note: A process developed to transfer Online Renewal Applications into the Consolidated Compliance Enforcement Database (CCEDS) resulted in incorrect numbers for FY 2008. A permanent enhancement has been added to CCEDS to prevent future errors.

**Output Measure 02:
Number of Examinations Administered (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	2,625	2,861 2,859	25.95%
2 nd Quarter	2,625	2,749 2,747	26.16%
3 rd Quarter	2,625	3,205 3,324	31.66%
4 th Quarter	2,625	2,751	26.20%
Total Performance	10,500	11,681	111.25%

Variance Explanation:
ABOVE PROJECTED LEVEL
Performance for the Number of Examinations Administered was above projections for FY 2008. This measure reports the number of occupational licensing examinations administered by the agency and its agents. This measure reflects an on demand activity. The increase in the number of examinations could be attributed to several factors: more individuals retesting following the failure of an exam; an increase in the number of individuals failing to renew their licenses in a timely manner and having to retest to obtain a new license; and individuals applying for license upgrades and testing in anticipation of changes to the occupational licensing rules.

Note: Exams toward the end of a quarter may not get processed until the following quarter. However, because the actual date of the exam is from the previous quarter the exam is credited to that quarter, thus increasing the number that was reported.

Strategy 01-02-04: Occupational Licensing

**Output Measure 03:
Number of Licenses and Registrations Issued**

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	5,750	4,658	20.25%
2 nd Quarter	5,750	5,252	22.83%
3 rd Quarter	5,750	6,060 6,061	26.35%
4 th Quarter	5,750	6,042	26.27%
Total Performance	23,000	22,013	95.71%

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

Note: Licenses and registrations toward the end of a quarter may not get processed until the following quarter. However, because the actual date of the issuance is from the previous quarter, the license or registration is credited to that quarter, thus increasing the number that was reported.

**Efficiency Measure 01:
Average Annualized Cost Per License and Registration**

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	\$18	\$18.67	103.72%
2 nd Quarter	\$18	\$17.95 \$18.62	99.72%
3 rd Quarter	\$18	\$17.80 \$18.55	98.89%
4 th Quarter	\$18	18.52	102.89%
Annual Target	\$18	\$18.50	102.78%

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

Note: Cost toward the end of a quarter may not get processed until the following quarter. However, because the actual date of the expenditure is from the previous quarter the expenditure is credited to that quarter, thus increasing the number that was reported.

Strategy 01-02-04: Occupational Licensing

Explanatory Measure 01:

Number of TCEQ Licensed Environmental Professionals and Registered Companies

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	48,500	50,405	103.93%

Variance Explanation:

Performance met projections. No variance explanation required.

Goal 01-03: Assessment, Planning, and Permitting

**Outcome Measure 01:
Percent of Scheduled Licensing Activities Complete (Key)**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	100%	90%	90.00%

Variance Explanation:
BELOW PROJECTED LEVEL
The Percent of Scheduled Licensing Activities Complete was below projections for FY 2008. This measure will demonstrate the progress made toward licensing a low-level radioactive waste disposal facility. Performance was below projections due to an extension granted to the applicant of the licensing activity.

Goal 02-01: Drinking Water and Water Utilities

Outcome Measure 01:

Percent of Texas Population Served by Public Water Systems which Meet Drinking Water Standards (Key)

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	94%	96%	102.13%

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

Outcome Measure 02:

Percent of Texas Public Water Systems Protected by a Source Water Protection Program

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	95%	96%	101.05%

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

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
Total Performance	95%	91.22%	96.02%

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

Strategy 02-01-01: Safe Drinking Water

Output Measure 01:

Number of Public Drinking Water Systems which Meet Primary Drinking Water Standards (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	6,200	6,260	100.97%
2 nd Quarter	6,200	6,320	101.94%
3 rd Quarter	6,200	6,372	102.77%
4 th Quarter	6,200	6,341	102.27%
Total Performance	6,200	6,341	102.27%

Variance Explanation:

Performance met projections. No variance explanation required.

Output Measure 02:

Number of Drinking Water Samples Collected (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	9,012.75	11,973	33.21%
2 nd Quarter	9,012.75	10,751	29.82%
3 rd Quarter	9,012.75	11,105	30.80%
4 th Quarter	9,012.75	12,828	35.58%
Total Performance	36,051	46,657	129.42%

Variance Explanation:

ABOVE PROJECTED LEVEL
 The Number of Drinking Water Samples Collected was above projections for FY 2008. The variance in the number of chemical samples collected resulted from normal fluctuations in the seasonality of required sampling at public water systems and from an increase in the number of chemical samples that will be required in FY 2008 due to rule changes. During the fall, less sampling is required. This is offset by increased sampling in the spring and summer. In spring, the required sampling for organic chemicals such as pesticides and herbicides increases. Required sampling for disinfection byproducts increases in the summer. In FY 2008, this effect is projected to be more pronounced due to an overall increase in sampling due to adoption of the Stage 2 Disinfection Byproducts Rule (DBP2).

Strategy 02-01-02: Water Utilities Oversight

**Output Measure 01:
Number of Utility Rate Reviews Performed (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	25	29	29.00%
2nd Quarter	25	26	26.00%
3rd Quarter	25	18	18.00%
4th Quarter	25	24	24.00%
Total Performance	100	97	97.00%

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

**Output Measure 02:
Number of District Applications Processed**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	137.5	158	28.73%
2nd Quarter	137.5	199	36.18%
3rd Quarter	137.5	223	40.55%
4th Quarter	137.5	159	28.91%
Total Performance	550	739	134.36%

Variance Explanation:
ABOVE PROJECTED LEVEL
The Number of District Applications Processed was above projections for FY 2008. This measure reflects the number of major and minor district applications reviewed and 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.

Strategy 02-01-02: Water Utilities Oversight

**Output Measure 03:
Number of Certificates of Convenience and Necessity Applications Processed**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	56.25	65	28.89%
2nd Quarter	56.25	46	20.44%
3rd Quarter	56.25	67	29.78%
4th Quarter	56.25	46	20.44%
Total Performance	225	224	99.56%

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

Goal 03-01: Enforcement and Compliance Assistance

Outcome Measure 01:

Percent of Inspected or Investigated Air Sites in Compliance (Key)

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	98%	94.7%	96.63%

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

Outcome Measure 02:

Percent of Inspected or Investigated Water Sites and Facilities in Compliance (Key)

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	97%	99.3%	102.37%

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

Outcome Measure 03:

Percent of Inspected or Investigated Waste Sites in Compliance (Key)

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	97%	93.7%	96.60%

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

Goal 03-01: Enforcement and Compliance Assistance

Outcome Measure 04:

Percent of Identified Non-Compliant Sites and Facilities for which Appropriate Action is Taken (Key)

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	85%	82.9%	97.53%

Variance Explanation:

Performance met projections. No variance explanation required.

Outcome Measure 05:

Percent of Investigated Occupational Licensees in Compliance

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	82%	45.3%	55.24%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Percent of Investigated Occupational Licensees in Compliance was below projections for FY 2008. This measure determines the percentage of investigated licenses that were not found to have significant violations. The percentage was lower for two reasons. First, FY 2008 had a lower number of violations for new irrigation systems installed. Second, the agency has continued focusing efforts on enforcement of individuals who are operating without licenses. These individuals are not counted as an occupational licensee since they do not have a license. This affects the reported performance. This trend is expected to continue in the future.

Goal 03-01: Enforcement and Compliance Assistance

**Outcome Measure 06:
Percent of Administrative Orders Settled**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	85%	78.3%	92.12%

Variance Explanation:
 BELOW PROJECTED LEVEL
 Performance for the Percent of Administrative Orders Settled was below projections for FY 2008. This measure reflects a percentage of the enforcement orders issued during a fiscal year that were settled by the Enforcement Division, without litigation. In FY 2008, the agency temporarily focused resources on reducing the number of backlog cases in litigation. This increase in the number of litigation cases resulted in a slightly lower number of orders settled by the Enforcement Division and issued by the Commission. However, the number of orders that have actually settled has not decreased significantly. This is primarily due to changes that have taken place as a result of the enforcement process review that resulted in streamlining how default cases, settlement negotiations, and referral to the State Office of Administrative Hearings were processed. This trend is expected to continue in the future.

**Outcome Measure 07:
Percent of Administrative Penalties Collected (KEY)**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	88%	87.4%	99.32%

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

Goal 03-01: Enforcement and Compliance Assistance

Outcome Measure 08:

Tons of Emissions and Waste Reduced and Minimized as Reported by the Regulated Community Implementing Pollution Prevention, Environmental Management Systems, and Other Innovative Programs.

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	100,000	251,990.60	251.99%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Tons of Emissions and Waste Reduced and Minimized was above projections for FY 2008. This measure provides an indication of pollution prevention and environmental management staff's ability to encourage the regulated community to implement pollution prevention and waste minimization practices and technology. Emissions reductions tend to be initially high with declining performance in following years. Past trends indicate that future performance is expected to remain near 100,000 tons.

Outcome Measure 09:

Amount of Financial Savings Achieved as Reported by the Regulated Community Implementing Pollution Prevention, Environmental Management Systems, and Other Innovative Programs.

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	\$30,000,000	\$34,033,899.72	113.45%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Amount of Financial Savings Achieved by the Regulated Community was above projections for FY 2008. This measure reports the dollar amount of savings voluntarily reported by the regulated community achieved through Pollution Prevention and Environmental Management technical assistance activities. The reported financial savings by the regulated community varies from year-to-year due to changes in economic conditions and reporting on completed projects. Future performance is expected to remain near \$30,000,000.00.

Goal 03-01: Enforcement and Compliance Assistance

Outcome Measure 10:

Tons of Emissions and Waste Reduced and Minimized in the Texas Mexico Border Region as Reported by the Regulated Community Implementing Pollution Prevention, Environmental Management Systems, and Other Innovative Programs

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	10,000	9.81	0.10%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Tons of Emissions and Waste Reduced and Minimized was below projections for FY 2008. This measure provides an indication of pollution prevention and environmental management staff's ability to encourage the regulated community along the Texas-Mexico border to implement pollution prevention and waste minimization practices and technology.

In FY 2008, facilities subject to Waste Reduction Policy Act (WRPA) and Toxics Release Inventory (TRI) requirements were targeted to achieve reductions on the Texas side of the border.

Projects introducing pollution prevention options to border facilities, including workshops and site assistance visits were started and will continue into FY 2009. Implementing new pollution prevention projects can take time to show results. The future performance is expected to be near 1,000.

Strategy 03-01-01: Field Inspections and Complaint Response

Output Measure 01:

Number of Inspections and Investigations of Air Sites (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	3,250	2,724	20.95%
2 nd Quarter	3,250	3,080	23.69%
3 rd Quarter	3,250	2,749	21.15%
4 th Quarter	3,250	2,727	20.98%
Total Performance	13,000	11,280	86.77%

Variance Explanation:

BELOW PROJECTED LEVEL

The Number of Inspections and Investigations of Air Sites was below projections for FY2008. This measure reports the number of inspections and investigations completed at regulated air sites. More emissions event investigations were performed than anticipated. These are on demand, statutorily required activities and are not captured under this measure. While the number of emission events investigations is estimated at 3,000 for FY 2008, TCEQ approved 5,424 emission events inspections in FY 2008. These activities have taken resources away from our air investigation commitments. This level of performance is expected to continue.

Output Measure 02:

Number of Inspections and Investigations of Water Rights Sites (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	8,500	8,381	24.65%
2 nd Quarter	8,500	8,938	26.29%
3 rd Quarter	8,500	10,617	31.23%
4 th Quarter	8,500	8,510	25.03%
Total Performance	34,000	36,446	107.19%

Variance Explanation:

ABOVE PROJECTED LEVEL

The Number of Inspections and Investigations of Water Rights Sites was above projections for the fourth quarter of FY 2008. This measure reports the number of inspections and investigations completed at regulated water rights sites. The increased number of inspections can be attributed to the fact that irrigation season is from May-August and there are more diversions and thus more inspections occurring in the Watermaster areas. Additionally, the Watermaster areas have been in a drought, which has precipitated more inspections than in a year with average rainfall.

Strategy 03-01-01: 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
1 st Quarter	2,125	2,037	23.96%
2 nd Quarter	2,125	2,069	24.34%
3 rd Quarter	2,125	2,274	26.75%
4 th Quarter	2,125	2,325	27.35%
Total Performance	8,500	8,705	102.41%

Variance Explanation:

Performance met projections. No variance explanation required.

Output Measure 04:

Number of Inspections and Investigations of Livestock and Poultry Operation Sites (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	175	120	17.14%
2 nd Quarter	175	174	24.86%
3 rd Quarter	175	160	22.86%
4 th Quarter	175	174	24.86%
Total Performance	700	628	89.71%

Variance Explanation:

BELOW PROJECTED LEVEL

The Number of Inspections and Investigations of Livestock and Poultry Operations Sites was below projections for FY 2008. This measure reports the regulated entities that are investigated to assure compliance with rules, regulations, and statutes designed to protect human health and the environment. In FY 2008, water programs experienced significant staff turnover. This impacted the CAFO program especially in the east and west Texas regions. As a result, inspection numbers decreased due to time expended in hiring new staff, as well as the subsequent training and mentoring required prior to allowing new staff to perform independent inspections. Also, while the implementation of the risk-ranking strategy (inspecting those sites which pose the highest risk to human health or the environment) re-directed inspection focus in the water programs to the west Texas regions to a limited degree, it is important to note that 100% of the permitted CAFO facilities in the Stephenville area were inspected.

Strategy 03-01-01: Field Inspections and Complaint Response

Output Measure 05: Number of Inspections and Investigations of Waste Sites (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	1,839.50	1,911	25.97%
2 nd Quarter	1,839.50	2,142	29.11%
3 rd Quarter	1,839.50	2,339	31.79%
4 th Quarter	1,839.50	2,119	28.80%
Total Performance	7,358	8,511	115.67%

Variance Explanation:
ABOVE PROJECTED LEVEL
 The Number of Inspections and Investigations of Waste Sites is above projections for FY 2008. This measure reflects the total number of inspections/investigations conducted in all waste programs. In FY 2007, the TCEQ conducted a PST statewide initiative in order to comply with Federal Energy Bill requirements (this required the inspection of all petroleum storage tank facilities that had not been inspected since 1998). Approximately 1,900 PST inspections were performed in FY 2007. As a result of the increased number of inspections, there is a corresponding increase in the number of follow up inspections conducted at those same PST facilities to confirm compliance in FY 2008.

Output Measure 06: Number of Spill Cleanup Inspections

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	100	169	42.25%
2 nd Quarter	100	132	33.00%
3 rd Quarter	100	126	31.50%
4 th Quarter	100	155	38.75%
Total Performance	400	582	145.50%

Variance Explanation:
ABOVE PROJECTED LEVEL
 The Number of Spill Cleanup Inspections was above projections for FY 2008. This measure is the total number of initial, on-site spill incident inspections/investigations conducted. Spill investigations are an on-demand activity and are based upon the number of spills of regulated materials reported by citizens, industry representatives, and state law enforcement officials. This number can vary widely from quarter to quarter. During this reporting period, more spills that required investigations were reported to the agency.

Strategy 03-01-01: Field Inspections and Complaint Response

Efficiency Measure 01:

Average Inspection and Investigation Cost of Livestock and Poultry Operations

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	\$770	\$550	71.43%
2 nd Quarter	\$770	\$509	66.10%
3 rd Quarter	\$770	\$557	72.34%
4 th Quarter	\$770	\$523	67.92%
Annual Target	\$770	\$533	69.22%

Variance Explanation:

BELOW PROJECTED LEVEL

The Average Inspection and Investigation Cost of Livestock and Poultry Operations was below projections for FY 2008. The measure data represents the total funds expended during the reporting period for TCEQ monitoring of livestock and poultry operations, divided by the number of inspections/investigations, and other compliance inspections and complaint investigations for livestock and poultry operations. The lower cost is the result of a refined accounting of time spent on investigations. Many costs used to calculate this measure increase on an annual basis, but the more accurate time accounting resulted in a lower cost per inspection. It is desirable to be below projections for this measure.

Efficiency Measure 02:

Average Time (days) from Air, Water, and Waste Inspections to Report Completion

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	35	29	82.86%
2 nd Quarter	35	28	80.00%
3 rd Quarter	35	28	80.00%
4 th Quarter	35	28	80.00%
Annual Target	35	28	80.00%

Variance Explanation:

BELOW PROJECTED LEVEL

The Average Time (days) from Air, Water, and Waste Inspections to Report Completion was below projections for FY 2008. This measure represents the average time to complete an investigation of air, water, or waste sites. Field Operations Division (FOD) had an increased number of investigations that do not take as much time to complete. For example, FOD had an increase in the number of on-site follow up investigations and record reviews associated with petroleum storage tank sites due to the implementation of last year's Federal Energy Bill requirements. The desired performance for this measure is to be below projections.

Strategy 03-01-01: Field Inspections and Complaint Response

Explanatory Measure 01: Number of Air Sites in Non-Compliance

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	450	617	137.11%

Variance Explanation:
ABOVE PROJECTED LEVEL
 Performance for the Number of Air Sites in Non-Compliance was above projections for FY 2008. The number of air sites in noncompliance reflects the number of air sites at which significant violations were discovered requiring formal enforcement action. The actual performance was higher than projected because of agency efforts to focus on compliance with emissions events and scheduled maintenance, startup, and shutdown activities; Title V permit requirements; and emissions inventory requirements that have resulted in a higher number of sites in non-compliance. This trend is expected to continue in the future.

Explanatory Measure 02: Number of Water Sites and Facilities in Non-Compliance

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	675	784	116.15%

Variance Explanation:
ABOVE PROJECTED LEVEL
 Performance for the Number of Water Sites and Facilities in Non-Compliance was above projections for FY 2008. 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 continued to focus on investigation of sites that pose the greatest risk to the public and the environment and continued its initiative for wastewater minor sources that resulted in higher rates of non-compliance. This trend is expected to continue in the future.

Strategy 03-01-01: Field Inspections and Complaint Response

**Explanatory Measure 03:
Number of Waste Sites in Non-Compliance**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	450	601	133.56%

Variance Explanation:
ABOVE PROJECTED LEVEL
 Performance for the Number of Waste Sites and Facilities in Non-Compliance was above projections for FY 2008. The number of waste facilities in noncompliance 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 out-of-service tank facilities and mulch sites. This resulted in a higher number of sites in non-compliance. This trend is not expected to continue in the future.

**Explanatory Measure 04:
Number of Citizen Complaints Investigations Completed**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	5,300	4,974	93.85%

Variance Explanation:
BELOW PROJECTED LEVEL
 Performance for the Number of Citizen Complaints Investigations completed was below projections for FY 2008. This measure reports the number of citizen complaints that are investigated to assure compliance with rules, regulations, and statutes designed to protect human health and the environment. Citizen complaint investigations are an on-demand activity and are based upon the number of complaints reported by citizens to the agency. This number can vary widely from quarter to quarter and from fiscal year to fiscal year.

Strategy 03-01-01: Field Inspections and Complaint Response

**Explanatory Measure 05:
Number of Occupational Licensees in Non-Compliance**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	35	29	82.86%

Variance Explanation:
 BELOW PROJECTED LEVEL
 Performance for the Number of Occupational Licensees in Non-Compliance was below projections for FY 2008. The number of occupational licensees in non-compliance reflects the number of licensees with significant violations requiring formal actions. The actual performance was lower than projected for two reasons. First, FY 2008 had lower number of violations for new irrigation systems installed. Second, the agency has continued focusing efforts on enforcement of individuals who are operating without licenses. These individuals are not counted as an occupational licensee since they have no license. This affects the reported performance. This trend is expected to continue in the future.

**Explanatory Measure 06:
Number of Emissions Events Investigations**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	5,000	5,424	108.48%

Variance Explanation:
 ABOVE PROJECTED LEVEL
 Performance for the Number of Emission Events Investigations was above projections for FY 2008. More emissions event investigations were performed than anticipated. These are on demand, statutorily required activities. Projections have been increased for FY 2009 to reflect the increase in the number of these types of investigations.

Strategy 03-01-02: Enforcement and Compliance Support

**Output Measure 01:
Number of Environmental Laboratories Accredited (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	75	80	26.67%
2nd Quarter	75	10	3.33%
3rd Quarter	75	14	4.67%
4th Quarter	75	144	48.00%
Total Performance	300	248	82.67%

Variance Explanation:
 BELOW PROJECTED LEVEL
 The Number of Environmental Laboratories Accredited was below projections for FY 2008. This measure reports the number of laboratories accredited under national standards. The number of accredited laboratories is below projections because the total number of applications received is lower than projected. A total of 13 additional applications are in progress. Future performance is projected to be 250-260.

**Output Measure 02:
Number of Small Business and Local Governments Assisted (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	13,500	24,370	45.13%
2nd Quarter	13,500	28,389	52.57%
3rd Quarter	13,500	20,537	38.03%
4th Quarter	13,500	35,327	65.42%
Total Performance	54,000	108,623	201.15%

Variance Explanation:
 ABOVE PROJECTED LEVEL
 The Number of Small Businesses and Local Governments Assisted was above projections for FY 2008. This measure provides an indication of the number of notifications provided to the state's small businesses and local governments to keep them informed of regulatory changes that might affect them. FY 2008 performance exceeded expectations due primarily to targeted outreach to auto body and painting facilities. Those operations were subject to federal rules that were proposed, adopted, and effective during the course of the fiscal year, requiring extensive outreach and compliance assistance from the program. Performance was also exceeded because of wastewater, petroleum storage tank, and dry cleaner outreach. Performance is anticipated to continue to exceed goals.

Strategy 03-01-02: Enforcement and Compliance Support

**Output Measure 03:
Number of Drinking Water Laboratories Certified**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	0	92	9,200%
2nd Quarter	0	90	9,000%
3rd Quarter	0	87	8,700%
4th Quarter	0	0	0.00
Total Performance	0	0	100%

Variance Explanation:
 Performance met projections. The Drinking Water Certification Program ended June 30, 2008. This measure will no longer be reported by the TCEQ.

**Efficiency Measure 01:
Average Number of Days to File an Initial Settlement Offer**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	70	59	84.29%
2nd Quarter	70	61	87.14%
3rd Quarter	70	56	80.00%
4th Quarter	70	58	82.86%
Annual Target	70	58	82.86%

Variance Explanation:
 BELOW PROJECTED LEVEL
 The Average Number of Days to File an Initial Settlement Offer was below projections for FY 2008. This measure represents the average number of days from the date the case was assigned, 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 or less average time frame. For this type of measure, performance below the target level reflects positively on agency efforts to expedite cases. The agency anticipates that this trend will continue in FY 2009.

Strategy 03-01-02: Enforcement and Compliance Support

**Explanatory Measure 01:
Amount of Administrative Penalties Paid in Final Orders Issued**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	N/A	\$ 10,180,835	N/A

Variance Explanation:

No performance target 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 Administrative Orders**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	N/A	\$ 4,659,119	N/A

Variance Explanation:

No performance target is set for this measure. The number is provided for informational purposes only.

Strategy 03-01-02: Enforcement and Compliance Support

Explanatory Measure 03: Number of Administrative Enforcement Orders Issued

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	1,000	1,624	162.40%

Variance Explanation:

ABOVE PROJECTED LEVEL

The Number of Administrative Enforcement Orders Issued was above projections for FY 2008. This measure reflects agency efforts; however, the total number of orders issued is largely a function of the rate of significant noncompliance documented during agency investigations. Performance exceeded projections due to an increase in the number of facilities that were documented to be in significant noncompliance.

Strategy 03-01-03: Pollution Prevention and Recycling

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
1 st Quarter	62.5	89	35.60%
2 nd Quarter	62.5	40	14.40%
3 rd Quarter	62.5	49	19.60%
4 th Quarter	62.5	65	26.00%
Total Performance	250	243	97.20%

Variance Explanation:

Performance met projections. No variance explanation required.

Output Measure 02:

Number of Entities Participating in Performance-Based Regulatory Programs

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	370	148	40.00%
2 nd Quarter	370	171	46.22%
3 rd Quarter	370	188	50.81%
4 th Quarter	370	190	51.35%
Total Performance	370	190	51.35%

Variance Explanation:

BELOW PROJECTED LEVEL

The Number of Entities Participating in Performance-Based Regulatory Programs was below projections for FY 2008. This measure reflects the number of entities participating in voluntary programs. CLEAN TEXAS Members are expected to continually enhance their pollution prevention efforts. This makes the projected performance value difficult to achieve. The elevated requirements for participants has resulted in fewer members willing to maintain active participation. Increased marketing and public outreach will continue in an effort to increase participation in these programs and future performance is expected to reach the requested change in projected FY 2009 performance of 240.

Strategy 03-01-03: Pollution Prevention and Recycling

Output Measure 03:

Number of Quarts of Used Oil Diverted from Landfills and Processed (in millions)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	8.25	0.18	0.55%
2 nd Quarter	8.25	0.0	0.0%
3 rd Quarter	8.25	41.9	127.0%
4 th Quarter	8.25	.8	2.4%
Total Performance	33	42.88	129.94%

Variance Explanation:

ABOVE PROJECTED LEVEL

The Number of Quarts of Used Oil Diverted from Landfills and Processed (in millions) was above projections for FY 2008. This measure reports the amount of used oil which, if not received by registered collection centers, would otherwise be delivered to landfills or improperly disposed. Performance is above the yearly projection. Collection Centers have both mandatory and voluntary reporting requirements. They can voluntarily report the amount of used oil they generated and recycled. This year, they have voluntarily reported 21.4 million quarts of used oil which pushed performance past projected levels. Because of this voluntary element, as well as the impacts of economic and business conditions, there will always be a potential for variance in this measure from year to year.

Efficiency Measure 01:

Average Cost Per On-Site Technical Assistance Visit

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	\$600	\$276.00	46.00%
2 nd Quarter	\$600	\$259.39	43.23%
3 rd Quarter	\$600	\$382.33	63.72%
4 th Quarter	\$600	\$658.05	109.68%
Annual Target	\$600	\$503.02	83.84%

Variance Explanation:

BELOW PROJECTED LEVEL

The Average Cost Per On-Site Technical Assistance Visit was below projections for FY 2008. This measure reports the average cost of each technical site assistance visit performed by Pollution Prevention Staff. The reported cost now tracks the actual time spent on-site instead of using an average that is no longer correct. Additionally, due to the local nature of these visits, few travel costs were incurred. Future performance is expected to remain below \$600.00.

Strategy 03-01-03: Pollution Prevention and Recycling

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	222,130.84	22.21%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Tons of Hazardous Waste Reduced as a Result of Pollution Prevention Planning was below projections for FY 2008. This measure indicates the level of hazardous waste reduction by Texas facilities and provides information regarding the agency's efforts to reduce toxics released in Texas. This number is very volatile since reductions in hazardous waste are strongly dependent on a few large reporters. Additionally, projects can take years to implement and yield reductions. Continued efforts at outreach, education and marketing the benefits of pollution prevention planning will enhance future performance.

Explanatory Measure 02:

Tons of Waste Collected by Local and Regional Collection and Cleanup Events

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	1,050	1,768	168.38%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Tons of Waste Collected by Local and Regional Collection and Cleanup Events was above projections for FY 2008. This measure reports the tons of waste collected through cleanup events sponsored by or assisted by TCEQ. The number was computed by adding the amount of household hazardous waste collected at collection events (exclusive of paint, oil, batteries, etc.) and adding it to the amounts of solid waste collected at lake and river cleanup events. The required number of waterway cleanups this year was 120 and almost 400 events were organized, which resulted in a greater amount of waste collected. Additionally, interest in these cleanup and collection events is expected to continue into the future.

Strategy 03-01-03: Pollution Prevention and Recycling

Explanatory Measure 03:

Tons of Agricultural Waste Chemicals Collected by TCEQ-Sponsored Entities

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	125	133	106.40%

Variance Explanation:

ABOVE PROJECTED LEVEL

The Tons of Agricultural Waste Chemicals Collected by TCEQ-Sponsored Entities is above the projected level for FY 2008. This measure provides data on how many agricultural waste chemicals were collected and properly disposed of in Texas, thus reducing the impact on the environment. Increased marketing and targeting areas with the greatest need resulted in greater amounts of chemicals collected. Future performance is expected to remain at the projected level.

Explanatory Measure 04:

Number of Registered Waste Tire Facilities and Transporters

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	840	620	73.81%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Number of Registered Waste Tire Facilities and Transporters was below projections for FY 2008. This measure reports the number of regulated facilities involved in scrap tire management. The number of registered waste tire facilities and transporters are the facilities registered from the previous year in addition to those newly registered in the reporting period. The agency undertook a major updating of its waste tire facilities database last summer to contact facilities and ensure that they are still active as waste tire transporters. Those not currently active (i.e. no longer in the business) were removed from the database thus the lower number of registered waste tire facilities and transporters in FY 2008.

Goal 04-01: Pollution Cleanup

Outcome Measure 01:

Percent of Leaking Petroleum Storage Tank Sites Cleaned Up (Key)

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	88%	88.3%	100.34%

Variance Explanation:

Performance met projections. No variance explanation required.

Outcome Measure 02:

Percent of Superfund Sites Cleaned Up (Key)

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	57%	63.57%	111.53%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Percent of Superfund Sites Cleaned Up was above projections for FY 2008. This measure reflects long-term agency efforts to clean up Superfund sites. This measure is calculated by taking the total number of sites which have achieved "cleanups complete status", divided by the total number of state and federal superfund sites since program inception. Because the program met its goal of 4 cleanup completions, but did not add as many sites as expected during the FY, the percentage is above the target. The program has reached "cleanups complete" for 96 of the 151 state and federal sites that have been listed or proposed for listing.

Outcome Measure 03:

Percent of Voluntary and Brownfield Cleanup Properties made Available for Commercial/Industrial Redevelopment, Community, or other Economic Reuse (Key)

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	65%	67.2%	103.38%

Variance Explanation:

Performance met projections. No variance explanation required.

Strategy 04-01-01: Storage Tank Administration and Cleanup

Output Measure 01:

Number of Petroleum Storage Tank Self-Certifications Processed

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	4,500	2,392	13.29%
2 nd Quarter	4,500	3,942	21.90%
3 rd Quarter	4,500	5,512	30.62%
4 th Quarter	4,500	4,645	25.81%
Total Performance	18,000	16,491	91.62%

Variance Explanation:

BELOW PROJECTED LEVEL

The Number of Petroleum Storage Tank Self-Certifications Processed was below projections for FY 2008. 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 during the fiscal year is below the projected numbers. Currently there are 18,617 facilities with at least one active underground storage tank (UST), not all of which have motor fuel tanks (for example oil change facilities) and do not require self-certification. In addition, a new requirement to file proof of financial assurance with the annual self-certification has resulted in many submittals being returned and a delay in processing forms. We anticipate that projected future performance should be similar or slightly below this fiscal year.

Output Measure 02:

Number of Emergency Response Actions at Petroleum Storage Tank Sites

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	4	7	43.75%
2 nd Quarter	4	3	18.75%
3 rd Quarter	4	4	25.00%
4 th Quarter	4	2	12.50%
Total Performance	16	16	100.00%

Variance Explanation:

Performance met projections. No variance explanation required.

Strategy 04-01-01: Storage Tank Administration and Cleanup

Output Measure 03:

Number of Petroleum Storage Tank Reimbursement Fund Applications Processed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	875	785	22.43%
2 nd Quarter	875	665	19.00%
3 rd Quarter	875	646	18.46%
4 th Quarter	875	577	16.49%
Total Performance	3,500	2,673	76.37%

Variance Explanation:

BELOW PROJECTED LEVEL

The Number of Petroleum Storage Tank Reimbursement Fund Applications Processed was below projections for FY 2008. This measure reflects program performance in processing reimbursement applications received for petroleum storage tank cleanups. The program met all review time periods required by statute. The reduced number of applications received and processed is a direct result of the reduction of sites undergoing remediation. At the close of FY 2008, 88% of the known LPST sites have been closed.

Output Measure 04:

Number of Petroleum Storage Tank Cleanups Completed

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	100	115	28.75%
2 nd Quarter	100	101	25.25%
3 rd Quarter	100	128	32.00%
4 th Quarter	100	208	52.00%
Total Performance	400	552	138.00%

Variance Explanation:

ABOVE PROJECTED LEVEL

The Number of Petroleum Storage Tank Cleanups Completed was above the projection for FY 2008. Most cleanups are finalized after responsible parties complete all field work and formally request closure review. The TCEQ has limited control over the number of requests for closure that are submitted within a given period of time.

Strategy 04-01-01: Storage Tank Administration and Cleanup

Efficiency Measure 01:

Average Time (days) to Review and Respond to Remedial Action Plans

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	30	24.3	81.00%
2 nd Quarter	30	26.5	88.33%
3 rd Quarter	30	25.8	86.00%
4 th Quarter	30	23	76.67%
Annual Target	30	25	83.33%

Variance Explanation:

BELOW PROJECTED LEVEL

The Average Time (days) to Review and Respond to Remedial Action Plans was below projections for FY 2008. 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 meet the legislatively mandated time frame of 30 days. Performance is expected to remain at this level for future reporting periods.

Efficiency Measure 02:

Average Time (days) to Review and Respond to Risk-Based Site Assessments

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	30	24	80.00%
2 nd Quarter	30	24	80.00%
3 rd Quarter	30	24	80.00%
4 th Quarter	30	23.7	79.00%
Annual Target	30	23.9	79.67%

Variance Explanation:

BELOW PROJECTED LEVEL

The Average Time (days) to Review and Respond to Risk-Based Site Assessments was below projections for FY 2008. 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 risk-based site assessments to ensure average review times meet the legislatively mandated time frame of 30 days. Performance is expected to remain at this level for future reporting periods.

Strategy 04-01-01: Storage Tank Administration and Cleanup

Efficiency Measure 03:

Average Time (days) to Process Petroleum Storage Tank Remediation Fund Reimbursement Claims

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	90	46	51.11%
2 nd Quarter	90	41	45.56%
3 rd Quarter	90	33	36.67%
4 th Quarter	90	27	30.00%
Annual Target	90	36.8	40.88%

Variance Explanation:

BELOW PROJECTED LEVEL

The Average Time (Days) to Process Petroleum Storage Tank (PST) Remediation Fund Reimbursement Claims was below projections for FY 2008. This measure reflects how efficiently the agency processes claims for reimbursements from the PST remediation fund. The program is required by rule to process new claims from the date of receipt to date that a payment is mailed out to be no more than 90 days. Due to efficiencies in processing new claims, the program has consistently operated within established timelines.

Explanatory Measure 01:

Average Cost per Petroleum Storage Tank Cleanup

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	\$82,000	\$81,775	99.73%

Variance Explanation:

Performance met projections. No variance explanation required.

Strategy 04-01-02: Hazardous Materials Cleanup

Output Measure 01:

Number of Immediate Response Actions Completed to Protect Human Health and the Environment

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	1.25	1	20.00%
2 nd Quarter	1.25	1	20.00%
3 rd Quarter	1.25	2	40.00%
4 th Quarter	1.25	1	20.00%
Total Performance	5	5	100.00%

Variance Explanation:

Performance met projections. No variance explanation required.

Output Measure 02:

Number of Superfund Site Assessments

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	18	18	25.00%
2 nd Quarter	18	18	25.00%
3 rd Quarter	18	21	29.17%
4 th Quarter	18	19	26.39%
Total Performance	72	76	105.56%

Variance Explanation:

ABOVE PROJECTED LEVEL

The number of Superfund Site Assessments completed was above projections for FY 2008. The performance can be attributed to some site assessments not requiring additional sampling events and review, thus allowing more sites to be assessed during the fiscal year.

Output Measure 03:

Number of Voluntary and Brownfield Cleanups Completed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	20	23	28.75%
2 nd Quarter	20	35	43.75%
3 rd Quarter	20	31	38.75%
4 th Quarter	20	20	25.00%
Total Performance	80	109	136.25%

Variance Explanation:

ABOVE PROJECTED LEVEL

The Number of Voluntary Brownfield Cleanups Completed was above projections for FY 2008. This measure reports the number of voluntary and brownfield cleanups completed. High performance can be attributed to applicants submitting technical documents in a timely manner.

Strategy 04-01-02: Hazardous Materials Cleanup

Output Measure 04:

Number of Superfund sites in Texas Undergoing Evaluation and Cleanup (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	67	47	70.15%
2 nd Quarter	67	52	77.61%
3 rd Quarter	67	49	73.13%
4 th Quarter	67	48	71.64%
Total Performance	67	48	71.64%

Variance Explanation:

BELOW PROJECTED LEVEL

The Number of Superfund Sites Undergoing Evaluation and Cleanup was below projections for FY 2008. This measure reports the combined number of state and federal Superfund sites that are undergoing evaluation and/or cleanup. Due to EPA funding limitations, seven (7) federal sites are pending issuance of work orders to perform the evaluation process. Also, fewer sites were added to the Texas Register and the National Priority List than originally projected because assessed sites did not meet Superfund program eligibility criteria.

Output Measure 05:

Number of Superfund Cleanups Completed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	1	1	25.00%
2 nd Quarter	1	0	0.00%
3 rd Quarter	1	1	25.00%
4 th Quarter	1	2	0.00%
Total Performance	4	4	100.00%

Variance Explanation:

Performance met projections. No variance explanation required.

Strategy 04-01-02: Hazardous Materials Cleanup

Output Measure 06:

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	209	38.00%
2nd Quarter	137.5	155	28.18%
3rd Quarter	137.5	274	49.82%
4th Quarter	137.5	213	38.73%
Total Performance	550	851	154.73%

Variance Explanation:

ABOVE PROJECTED LEVEL

The Number of Corrective Action Documents Approved for Industrial Solid and Municipal Hazardous Waste Sites was above projections for FY 2008. 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 agency has limited control over the number of corrective action documents submitted for approval by facilities.

Output Measure 07:

Number of Dry Cleaner Remediation Program Applications Received (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	7.5	5	16.67%
2nd Quarter	7.5	11	36.67%
3rd Quarter	7.5	9	30.00%
4th Quarter	7.5	6	20.00%
Total Performance	30	31	103.33%

Variance Explanation:

Performance met projections. No variance explanation required.

Strategy 04-01-02: Hazardous Materials Cleanup

Efficiency Measure 01:

Average time (days) to Process Dry Cleaner Remediation Program Applications

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	90	41.7	46.33%
2 nd Quarter	90	49	54.44%
3 rd Quarter	90	47	52.22%
4 th Quarter	90	41	45.56%
Annual Target	90	45	50.00%

Variance Explanation:

BELOW PROJECTED LEVEL

The Average Time (days) to Process Dry Cleaner Remediation Program Applications was below projections for FY 2008. This measure reports the average number of days required by agency staff to process the dry cleaner remediation program applications. The program area has implemented procedures for screening and reviewing the applications to ensure the average processing time is less than the legislatively mandated time frame of 90 days.

Explanatory Measure 01:

Number of Potential Superfund Sites to be Assessed

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	555	402	72.43%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Number of Potential Superfund Sites to be Assessed was below projections for FY 2008. This measure reflects future work to be conducted in the program. The number of sites reported by this measure reflects sites that have not undergone an assessment for Superfund program eligibility, and includes new referrals into the program from EPA, TCEQ, and other state agencies. The program has limited control over the number of sites referred in for assessment.

Strategy 04-01-02: Hazardous Materials Cleanup

Explanatory Measure 02: Number of Federal Superfund Sites

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	56	59	105.36%

Variance Explanation:

ABOVE PROJECTED LEVEL

The Number of Federal Superfund Sites was above projections for FY 2008. This measure reflects the number of federal superfund sites. The additional sites that were proposed scored high enough under the Hazard Ranking System (HRS) to be listed under the federal program instead of the state program.

Explanatory Measure 03: Number of State Superfund Sites

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	112	92	82.14%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Number of State Superfund Sites was below projections for FY 2008. This measure reports the number of state Superfund sites in Texas. Three new sites have been ranked by the program and the packages were developed by August 31. For one site, the final score was less than 5 and not eligible as a state Superfund site. The other two sites had final scores above 28.5. The Environmental Protection Agency (EPA) has declined to accept one of those sites for the National Priority List (NPL) and will review the other one. Six additional Hazard Ranking System (HRS) packages are in progress. A lack of targets to score the site and funding to complete sample collection has impeded the progress of sites to be submitted to the state Superfund program.

Explanatory Measure 04: Number of Approved Industrial Solid and Municipal Hazardous Waste Cleanups

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	250	322	128.80%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Number of Approved Industrial Solid and Municipal Hazardous Waste Cleanups was above projections for FY 2008. This explanatory measure counts the number of final approval of industrial solid and municipal hazardous waste cleanup and unit closures. The agency has limited control over the number of corrective action cleanup and unit closures submitted for approval by facilities.

Goal 05-01: Texas River Compacts

Outcome 01:

The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Canadian River Compact (Key)

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	100%	35%	35.00%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Percent of Quality Water received was below projections for FY 2008. This measure reports the extent to which Texas receives its share of water as apportioned by the Canadian River compact. The acre-feet of quality water received by Texas from the Canadian River was less than normal due to below average precipitation in the Canadian River watershed of New Mexico. New Mexico was in compliance with the Compact.

Outcome 02:

The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Pecos River Compact (Key)

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	100%	217%	217.00%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Percent of Quality Water received was above projections for FY 2008. This measure reports the extent to which Texas receives its share of water as apportioned by the Compact. The acre-feet of quality water received by Texas from the Pecos River was higher than projected due to New Mexico's credits accumulated under the Compact. New Mexico was in compliance with the Compact.

Outcome 03:

The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Red River Compact (Key)

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	100%	100%	100.00%

Variance Explanation:

Performance met projections. No variance explanation required.

Goal 05-01: Texas River Compacts

Outcome 04:

The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Rio Grande River Compact (Key)

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	100%	94%	94.00%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for The Percent of Quality Water received was below projections for FY 2008. This measure reports the extent to which Texas receives its share of water as apportioned by the compact. The percentage was slightly lower than projected due to the continued drought in New Mexico.

Outcome 05:

The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Sabine River Compact (Key)

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	100%	98%	98.00%

Variance Explanation:

Performance met projections. No variance explanation required.

Strategy 05-01-01: Canadian River Compact

**Output Measure 01:
Number of Accountings Prepared and Resolved Annually**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	1	1	100.00%

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

**Output Measure 02:
Acre Feet of Quality Water Impounded in Texas' Reservoirs as Apportioned by the Canadian River Compact**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	350,000	120,922	34.55%

Variance Explanation:
BELOW PROJECTED LEVEL
Performance for the Acre-Feet of Quality Water Impounded was below projections for FY 2008. This measure reports the extent to which Texas receives its share of water as apportioned by the Compact. Performance was below projections due to below average precipitation in the Canadian River watershed of New Mexico. New Mexico was in compliance with the Compact.

Strategy 05-01-01: Canadian River Compact

Efficiency Measure 01:

Average Cost per Acre-Foot of Water Impounded in Texas' Reservoirs as Apportioned by the Canadian River Compact

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	\$0.06	\$.11	183%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Average Cost Per Acre Foot of Water Received was above projections for FY 2007. This measure reports the average cost per acre-foot of water received by Texas. The average cost per acre-foot of water impounded in Texas Reservoirs was more expensive than expected due to less than expected runoff in the Canadian River watershed of New Mexico.

Explanatory Measure 01:

Number of Active Interstate Disputes Regarding the Canadian River Compact which Could Result in Litigation Involving Texas, Oklahoma, and/or New Mexico (KEY)

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	1	1	100%

Variance Explanation:

Performance met projections. No variance explanation required.

Strategy 05-01-02: Pecos River Compact

**Output Measure 01:
Number of Accountings Prepared and Resolved Annually**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	1	1	100.00%

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

**Output Measure 02:
Acre Feet of Quality Water Received by Texas Annually as Apportioned by the Pecos River Compact**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	64,000	138,800	216.88%

Variance Explanation:
ABOVE PROJECTED LEVEL
Performance for the Acre Feet of Water Received by Texas was above projections for FY 2008. This measure reports the extent to which Texas receives its share of water as apportioned by the compact. The acre-feet of quality water received by Texas from the Pecos River was higher than projected due to New Mexico's credits accumulated under the Compact. New Mexico was in compliance with the Compact.

**Output Measure 03:
Number of Projects Implemented to Maximize Water Quality and Water Resource**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	2	2	100.00%

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

Strategy 05-01-02: Pecos River Compact

Efficiency Measure 01:

Average Cost Per Acre-Foot of Quality Water Received by Texas as Apportioned by the Pecos River Compact

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	\$1.86	\$.86	46.24%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Average Cost Per Acre-Foot of Water Received was below projections for FY 2008. This measure is directly tied to the number of acre-feet of water received by the state. The acre-feet of quality water received by Texas from the Pecos River was higher than projected due to New Mexico's credits accumulated under the Compact. This resulted in fewer expenses per acre-foot of water received than anticipated.

Strategy 05-01-03: Red River Compact

Output Measure 01:

Rules Developed and Approved for Compact Defined by the Red River Compact

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	0.5	1	200.00%

Variance Explanation:

ABOVE PROJECTED LEVEL
 Performance for the Number of Rules Developed and Approved was above projections for FY 2008. This measure reports the number of rules developed and approved for the Compact. Compact accounting rules are approved by the Red River Compact Commission at the annual meeting in April. The Texas and Oklahoma Commissioners reached an agreement on the rules for the the North Fork Red River/Sweetwater Creek area.

Output Measure 02:

Number of Interstate Compact Meetings Attended to Administer the Red River Compact

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	6	6	100.00%

Variance Explanation:

Performance met projections. No variance explanation required.

Strategy 05-01-03: Red River Compact

Efficiency Measure 01:

Average Cost per Compact Meeting Attended to Administer the Red River Compact

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	\$4,945	\$5,000	101.11%

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

Strategy 05-01-04: Rio Grande River Compact

**Output Measure 01:
Number of Accountings Prepared and Resolved Annually**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	1	1	100.00%

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

**Output Measure 02:
Acre Feet of Quality Water Received by Texas Annually as Apportioned by the Rio Grande River Compact**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	750,000	702,400	93.65%

Variance Explanation:
BELOW PROJECTED LEVEL
Performance for the Acre Feet of Water Received by Texas was below projections for FY 2008. The acre feet delivered was lower than projected due to the continued drought in New Mexico resulting in New Mexico having a lower delivery requirement.

**Output Measure 03:
Number of Projects Implemented to Maximize Water Quality and Water Resource**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	1	2	200.00%

Variance Explanation:
ABOVE PROJECTED LEVEL
Performance for the Number of Projects Implemented to Maximize Water Quality and Resources was above projections for FY 2008. The performance was higher than projected due to the continued drought in New Mexico resulting in less water being required to be delivered to Texas from New Mexico.

Strategy 05-01-04: Rio Grande River Compact

Efficiency Measure 01:

Average Cost per Acre-Foot of Quality Water Received by Texas as Apportioned by the Rio Grande River Compact

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	\$0.17	\$.19	111.76%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Average Cost per Acre Foot of Water Received by Texas was above projections for FY 2008. The cost was higher than projected due to the continued drought in New Mexico resulting in less water being required to be delivered to Texas from New Mexico.

Strategy 05-01-05: Sabine Grande River Compact

**Output Measure 01:
Number of Accountings Prepared and Resolved Annually**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	1	1	100.00%

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

**Output Measure 02:
Acre Feet of Quality Water Diversions by Texas Annually as Apportioned by the Sabine River Compact**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	57,017	55,813	97.89%

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

**Efficiency Measure 01:
Average Cost per Acre-Foot of Water Diversions by Texas as Apportioned by the Sabine River Compact**

	Projected	Actual	Percent of Annual Projection Attained
Total Performance	\$0.94	\$1.02	108.51%

Variance Explanation:
ABOVE PROJECTED LEVEL
Performance for the Average Cost Per Acre-Foot of Water was above projections for FY 2008. This measure is directly tied to the number of acre-feet of water diverted by Texas. The cost per acre-feet diverted was slightly higher than projected due to a lower than projected increase in demand for water by Texas users.

Historically Underutilized Business Program

Output Measure 01:

Percentage of Professional Services Going to Historically Underutilized Businesses

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	18.1%	34.87%	192.65%
2nd Quarter	18.1%	8.24%	45.52%
3rd Quarter	18.1%	19.48%	107.62%
4th Quarter	18.1%	17.10%	94.48%
Total Performance	18.1%	22%	121.55%

Variance Explanation:

ABOVE PROJECTED LEVEL

The Percentage of Professional Services Going to Historically Underutilized Businesses (HUBs) was above projections for FY 2008. The agency has ensured that prime contractors fully comply with their HUB subcontracting goals.

Output Measure 02:

Percentage of Other Services Awarded to Historically Underutilized Businesses

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	33%	25.10%	76.06%
2nd Quarter	33%	31.61%	95.79%
3rd Quarter	33%	40.04%	121.33%
4th Quarter	33%	40.55%	0.00%
Total Performance	33%	33.3%	100.91%

Variance Explanation:

Performance met projections. No variance explanation required.

Historically Underutilized Business Program

Output Measure 03:

Percentage of Commodity Purchasing Awarded to Historically Underutilized Businesses

	Projected	Actual	Percent of Annual Projection Attained
1 st Quarter	12.6%	37.30%	296.03%
2 nd Quarter	12.6%	26.35%	209.13%
3 rd Quarter	12.6%	38.45%	305.16%
4 th Quarter	12.6%	35.86%	284.60%
Total Performance	12.6%	35.7%	283.33%

Variance Explanation:

ABOVE PROJECTED LEVEL.

The Percentage of Commodity Purchasing Awarded to Historically Underutilized Businesses (HUBs) was above projections for FY 2008. The TCEQ has successfully focused efforts on identifying HUB vendors in this area.

Additionally, there is a large number of certified HUB vendors within the category.