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SFR-055/10-01

First Quarter Report on Performance Measures

Fiscal Year 2010

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Prepared by
Chief Financial Officer Division

SFR-055/10-01
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Strategic Planning Structure

Fiscal Year 2010

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 52 percent by the 2011 Toxic Release Inventory (TRI) reporting year from the 1992 reporting year levels 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 recovery of source material and 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 to promote 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: Through fiscal year 2011, 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 2011, 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 91% 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

Ensure the delivery of Texas' equitable share of water.

Objective 01: 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.

Strategy 01-01-01: Air Quality Assessment and Planning

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	575	603	26.22%
2nd Quarter	575	0	0.00%
3rd Quarter	575	0	0.00%
4th Quarter	575	0	0.00%
Total Performance	2,300	603	26.22%

Variance Explanation:
MEETS PROJECTIONS
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
1st Quarter	625	680	27.20%
2nd Quarter	625	0	0.00%
3rd Quarter	625	0	0.00%
4th Quarter	625	0	0.00%
Total Performance	2,500	680	27.20%

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

Strategy 01-01-01: Air Quality Assessment and Planning

Output Measure 03:

Number of Mobile Source On-Road Air Quality Assessments (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	375.00	168	11.20%
2nd Quarter	375.00	0	0.00%
3rd Quarter	375.00	0	0.00%
4th Quarter	375.00	0	0.00%
Total Performance	1,500	168	11.20%

Variance Explanation:

BELOW PROJECTED LEVEL

The Number of Mobile Source On-Road Air Quality Assessments was below projections for the first quarter of FY 2010. This measure depicts the number of on-road mobile source/transportation related scenarios evaluated by the Air Quality Division. During the first quarter of FY 2010 the on-road mobile source staff was completing tasks that did not involve activities affecting the mobile source performance measure. The non-creditable tasks included responses to comments for the Houston Galveston Brazoria Reasonable Further Progress and the Attainment Demonstration State Implementation Plans (SIPs) and project management of contracted activities for FY 2010. During the next two quarters a substantial number of assessments will be performed to provide technical support for the next Dallas Fort Worth SIP. The quarterly variance is typical and is not expected to affect the cumulative annual performance for this measure.

Output Measure 04:

Number of Non-Road Mobile Source Air Quality Assessments

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	516.50	1,108	53.63%
2nd Quarter	516.50	0	0.00%
3rd Quarter	516.50	0	0.00%
4th Quarter	516.50	0	0.00%
Total Performance	2,066	1,108	53.63%

Variance Explanation:

ABOVE PROJECTED LEVELS

The Number of Non-Road Mobile Source Air Quality Assessments was above projections for the first quarter of FY 2010, and the year to date total is 53.63 percent of the total annual performance. This measure reflects the number of non-road mobile source emissions inventories developed at the county level for State Implementation Plan (SIP) development and other analyses. Performance is well above the projected level due to additional Emissions Inventories developed during the first quarter for the upcoming Dallas Fort Worth Rate of Further Progress SIP and the Houston Galveston Brazoria Attainment Demonstration SIP. The mobile source team's responsibilities involve both creditable and non-creditable activities. The quarterly variance is typical of this measure, and annual performance is expected to meet the projected target.

Strategy 01-01-01: Air Quality Assessment and Planning

**Output Measure 05:
Number of Air Monitors Operated**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	630	604	95.87%
2nd Quarter	630	0	0.00%
3rd Quarter	630	0	0.00%
4th Quarter	630	0	0.00%
Total Performance	630	604	95.87%

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

**Output Measure 06:
Tons of NOx Reduced through the Texas Emissions Reduction Plan (TERP) (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	3,700.75	4,775	32.26%
2nd Quarter	3,700.75	0	0.00%
3rd Quarter	3,700.75	0	0.00%
4th Quarter	3,700.75	0	0.00%
Total Performance	14,803	4,775	32.26%

Variance Explanation:
ABOVE PROJECTED LEVELS
 The Tons of NOx Reduced through the Texas Emissions Reduction Plan (TERP) exceeded projections for the first quarter of FY 2010. This measure shows the amount of NOx emissions projected to be reduced through TERP incentive grants. Funds awarded (\$43.4 million) during the first quarter were above projections. Grants for the quarter represent approximately 39% of the appropriated grant funds for this fiscal year. However, the tons of NOx reduced represent only 32.26% of the annual projections because the cost per ton of NOx reduced for the projects funded this quarter averaged \$9,089, while the average cost per ton used for the projections was \$7,500. It is expected that the grants awarded over the next several quarters will have a lower cost per ton and that the total tons of NOx reduced by the end of the fiscal year should be near the projected annual amount.

Output Measure 07:

Number of Vehicles Repaired and/or Replaced through LIRAP Assistance (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	4,250	6,131	36.06%
2nd Quarter	4,250	0	0.00%
3rd Quarter	4,250	0	0.00%
4th Quarter	4,250	0	0.00%
Total Performance	17,000	6,131	36.06%

Variance Explanation:

ABOVE PROJECTED LEVELS

Performance for the Number of Vehicles Repaired or Replaced through LIRAP is above projections for the first quarter of FY 2010. This measure determines the number of vehicle repairs and replacements that have taken place in the five-county Houston/Galveston/Brazoria (HGB) area, nine-county Dallas-Fort Worth (DFW) area, and the two-county Austin area. In the first quarter of FY 2010, the DFW area repaired and retired 3,054 vehicles. The HGB area repaired and retired 2,609 vehicles. The Austin area repaired and retired 468 vehicles. Local programs received a significant increase in applications/participation at the end of FY 2009, but many of the approved repair or replacement vouchers were not redeemed until the first quarter of FY 2010 due to depleted FY 2009 funding. Increases in repairs and replacements in the first quarter of FY 2010 are due to this carryover of eligible applications, and performance is expected to stabilize in the remaining quarters FY 2010.

Output Measure 08:

Number of New Technology Grants Approved to Fund Technologies to be Submitted for Verification or Certification by the EPA or CARB

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	2	0	0.00%
2nd Quarter	2	0	0.00%
3rd Quarter	2	0	0.00%
4th Quarter	2	0	0.00%
Total Performance	8	0	0.00%

Variance Explanation:

BELOW PROJECTED LEVELS

The Number of New Technology Grants Approved to Fund Technologies to be Submitted for Verification or Certification by the EPA or CARB was below projections for the first quarter of FY 2010. The implementation of the NTRD program was transferred by HB 1796, 81st Legislature, Regular Session, back to the TCEQ after being managed by the Texas Environmental Research Consortium (TERC) for the last four years. The TCEQ is preparing grant solicitation and application materials for release in the second quarter of FY 2010 with grant awards to be made during the third or fourth quarters of FY 2010. Performance at or above projected levels is anticipated by the end of the fiscal year.

Strategy 01-01-01: Air Quality Assessment and Planning

Efficiency Measure 01:

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	94%	95%	101.06%
2nd Quarter	94%	0%	0.00%
3rd Quarter	94%	0%	0.00%
4th Quarter	94%	0%	0.00%
Total Performance	94%	95%	101.06%

Variance Explanation:

MEETS PROJECTIONS

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	\$ 286	\$ 208	72.73%
2nd Quarter	\$ 286	\$ 0	0.00%
3rd Quarter	\$ 286	\$ 0	0.00%
4th Quarter	\$ 286	\$ 0	0.00%
Total Performance	\$ 286	\$ 208	72.73%

Variance Explanation:

BELOW PROJECTED LEVELS

The Average Cost Per Air Quality Assessment was below projections for the first quarter of FY 2010. This measure accounts for the funds expended on salaries and other operating expenses related to staff who work on air quality assessments. The number of air quality assessments completed in the first quarter is higher than projected resulting in a lower cost per assessment.

Strategy 01-01-01: Air Quality Assessment and Planning

Efficiency Measure 03:

Average Cost of LIRAP Vehicle Emissions Repairs/Retrofits (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$ 525	\$ 511.48	97.42%
2nd Quarter	\$ 525	\$ 0	0.00%
3rd Quarter	\$ 525	\$ 0	0.00%
4th Quarter	\$ 525	\$ 0	0.00%
Total Performance	\$ 525	\$ 511.48	97.42%

<p>Variance Explanation: MEETS PROJECTIONS Performance met projections. No variance explanation required.</p>
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Efficiency Measure 04:

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$ 7,500	\$ 9,089	121.19%
2nd Quarter	\$ 7,500	\$ 0	0.00%
3rd Quarter	\$ 7,500	\$ 0	0.00%
4th Quarter	\$ 7,500	\$ 0	0.00%
Total Performance	\$ 7,500	\$ 9,089	121.19%

<p>Variance Explanation: ABOVE PROJECTED LEVELS Performance for The Average Cost Per Ton of NOx Reduced through the Texas Emissions Reduction Plan (TERP) exceeded projections for the first quarter of FY 2010. This measure shows the average cost per ton of NOx reduced through projects funded by the TERP incentive grants. During this reporting period, the program awarded approximately \$43.4 million in grants. These grants represent approximately 39% of the funds appropriated in FY 2010 for the incentive grants. The cost per ton of NOx projected to be reduced by these projects is higher than the \$7,500 used for the projections. However, the majority of the grants issued to date were awarded under the Rebate Grants Program, which usually has a higher average cost per ton than the average for the projects that will be funded under the Emissions Reduction Incentive Grants Program, which will be awarded later in FY 2010. It is still expected that the final average cost per ton for the FY 2010 grants will meet or be lower than \$7,500.</p>
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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
1st Quarter	17.50	2	2.86%
2nd Quarter	17.50	0	0.00%
3rd Quarter	17.50	0	0.00%
4th Quarter	17.50	0	0.00%
Total Performance	70	2	2.86%

Variance Explanation:
BELOW PROJECTED LEVEL
 Performance for the Number of Surface Water Assessments was below projections for the first quarter of FY 2010. This measure quantifies the surface water assessment activities of the agency. Assessment of water quality is essential to the identification of impaired water bodies, development of water quality standards, development of effluent standards for discharges, and development of watershed restoration and implementation strategies. In general, water quality assessment activities are scheduled for completion later in the fiscal year after they have been planned and coordinated and/or field sampling has been completed. There are TMDLs in progress that are scheduled for completion by the end of the fiscal year.

**Output Measure 02:
Number of Groundwater Assessments (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	15	6	10.00%
2nd Quarter	15	0	0.00%
3rd Quarter	15	0	0.00%
4th Quarter	15	0	0.00%
Total Performance	60	6	10.00%

Variance Explanation:
BELOW PROJECTED LEVEL
 Performance for the Number of Groundwater Assessments was below projections for the first quarter of FY 2010. This measure counts the number of reports completed which evaluate environmental or programmatic data related to groundwater quality or quantity. This level of performance is the norm for the first quarter. Most of the assessments are long term projects and are either regional studies requiring four months or longer of preparation or ongoing tasks where data or the number of coordination activities are compiled at the end of the year. Most projects are expected to be completed for the fourth quarter. As the fiscal year progresses, performance will improve when compared to projections, but will likely not meet the projection until the fourth quarter when all assessments should be completed.

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

**Output Measure 03:
Number of Dam Safety Assessments (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	182.5	159	21.78%
2nd Quarter	182.5	0	0.00%
3rd Quarter	182.5	0	0.00%
4th Quarter	182.5	0	0.00%
Total Performance	730	159	21.78%

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

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$ 1,200	\$ 2,492	207.69%
2nd Quarter	\$ 1,200	\$ 0	0.00%
3rd Quarter	\$ 1,200	\$ 0	0.00%
4th Quarter	\$ 1,200	\$ 0	0.00%
Total Performance	\$ 1,200	\$ 2,492	207.69%

Variance Explanation:
ABOVE PROJECTED LEVELS
 Performance for the Average Cost Per Dam Safety Assessment was above projections for the first quarter of FY 2010. This measure reports the average cost for each dam safety assessment performed by TCEQ staff. New staff continued to be added to the program during the first quarter of FY 2010. These staff members are still in the training process, which results in fewer completed inspection reports and an increased cost per assessment. As new staff become more proficient and complete more assessments, the cost per assessment should decrease.

Strategy 01-01-03: Waste Assessment and Planning

Output Measure 01:

Number of Municipal Solid Waste Facility Capacity Assessments (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	62.50	0	0.00%
2nd Quarter	62.50	0	0.00%
3rd Quarter	62.50	0	0.00%
4th Quarter	62.50	0	0.00%
Total Performance	250	0	0.00%

Variance Explanation:

BELOW PROJECTED LEVEL

The Number of Municipal Solid Waste (MSW) Facility Capacity Assessments is below projection for the first quarter of FY 2010. This measure quantifies the number of MSW Annual Reports reviewed by staff. A reorganization of some staff previously assigned to review capacity assessments has left one person to do these reviews along with other duties. The first quarter of FY 2010 was spent preparing for and mailing out the Annual Report data request report. This report was due in November 2009, and approximately 97% of the Annual Reports have been received. However, staff has thus far only had the opportunity to log in receipt of the reports. Reviews will begin during the second quarter, with the majority of the reviews occurring in the third quarter. Performance is expected to meet the projected level for the year.

Efficiency Measure 01:

Average Number of Hours Spent Per Municipal Solid Waste Facility Capacity Assessment

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	2.3	0	0.00%
2nd Quarter	2.3	0	0.00%
3rd Quarter	2.3	0	0.00%
4th Quarter	2.3	0	0.00%
Total Performance	2.3	0	0.00%

Variance Explanation:

BELOW PROJECTED LEVEL

The Average Number of Hours Spent Per Municipal Solid Waste Facility Capacity Assessment is below projection for the first quarter of FY 2010. This measure quantifies the time spent reviewing Annual Reports. A reorganization of some staff previously assigned to review capacity assessments has left one person to do these reviews along with other duties. The first quarter of FY 2010 was spent preparing for and mailing out the Annual Report data request report. This report was due in November 2009, and approximately 97% of the Annual Reports have been received. However, staff has thus far only had the opportunity to log in receipt of the reports. Reviews will begin during the second quarter, with the majority of the reviews occurring in the third quarter. Performance is expected to meet the projected level for the year.

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	1,400	1,053	18.80%
2nd Quarter	1,400	0	0.00%
3rd Quarter	1,400	0	0.00%
4th Quarter	1,400	0	0.00%
Total Performance	5,600	1,053	18.80%

Variance Explanation:

BELOW PROJECTED LEVEL

The Number of State and Federal New Source Air Quality Permit Applications Reviewed was below projections for the first quarter of FY 2010. 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 majority of New Source Review applications require complex analysis and more time to perform necessary technical reviews than in the past to address public health and related permitting and compliance issues. A decrease in economic activity has also caused applicants to submit 20% fewer applications in the first quarter of FY 2010 compared to previous years. The economic environment and uncertainty of Environmental Protection Agency (EPA) decisions regarding air permitting activities may continue to influence performance for this measure in remaining quarters of FY 2010.

Output Measure 02:

Number of Federal Air Quality Operating Permits Reviewed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	200	258	32.25%
2nd Quarter	200	0	0.00%
3rd Quarter	200	0	0.00%
4th Quarter	200	0	0.00%
Total Performance	800	258	32.25%

Variance Explanation:

ABOVE PROJECTED LEVEL

The Number of Federal Air Quality Operating Permits Reviewed was above projections for FY 2010. This measure quantifies the permitting workload of the Air Permits Division staff assigned to review federal operating permit applications. Performance is above projections since staff made a concerted effort to complete withdrawal requests of General Operating Permit applications which take less time to complete. Performance for remaining quarters of the fiscal year could be affected by the prevailing economic environment.

Output Measure 03:

Number of Emissions Banking and Trading Transaction Applications Reviewed

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	250	218	21.80%
2nd Quarter	250	0	0.00%
3rd Quarter	250	0	0.00%
4th Quarter	250	0	0.00%
Total Performance	1,000	218	21.80%

Variance Explanation:

MEETS PROJECTIONS

Performance met projections. No variance explanation required.

Strategy 01-02-02: Water Resource Permitting

Output Measure 01:

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	4,746.00	1,796	9.46%
2nd Quarter	4,746.00	0	0.00%
3rd Quarter	4,746.00	0	0.00%
4th Quarter	4,746.00	0	0.00%
Total Performance	18,984	1,796	9.46%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for The Number of Applications to Address Water Quality Impacts Reviewed was below projections for the first quarter of FY2010. This measure reflects agency workload with regard to the review of water quality permit applications. The number of notice of intents (NOIs) for authorization under TCEQ's storm water construction general permit is below historically experienced levels. TCEQ believes this is a reflection of the current state of the economy where new construction projects are being initiated at lower frequencies. TCEQ expects this trend to continue and be below projected levels throughout the fiscal year.

Output Measure 02:

Number of Applications to Address Water Rights Impacts Reviewed

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	148.75	133	22.35%
2nd Quarter	148.75	0	0.00%
3rd Quarter	148.75	0	0.00%
4th Quarter	148.75	0	0.00%
Total Performance	595	133	22.35%

Variance Explanation:

MEETS PROJECTIONS

Performance met projections. No variance explanation required.

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
1st Quarter	223.3	377	42.22%
2nd Quarter	223.3	0	0.00%
3rd Quarter	223.3	0	0.00%
4th Quarter	223.3	0	0.00%
Total Performance	893	377	42.22%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Number of Concentrated Animal Feeding Operation (CAFO) Authorizations Reviewed was above projections for the first quarter of FY 2010. 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. Typically, the majority of authorizations are processed in the first two quarters of each fiscal year, and staff was reallocated to assist with this short term project. During the first quarter, 374 renewal NOIs were processed. Processing of renewal NOIs will continue during the second quarter of FY 2010 but will taper off in the third and fourth quarters. The Water Quality Division expects to meet the projected annual target for this measure.

Strategy 01-02-03: Waste Management and Permitting

**Output Measure 01:
Number of New System Waste Evaluations Conducted**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	142.50	135	23.68%
2nd Quarter	142.50	0	0.00%
3rd Quarter	142.50	0	0.00%
4th Quarter	142.50	0	0.00%
Total Performance	570	135	23.68%

Variance Explanation:

MEETS PROJECTIONS

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
1st Quarter	59	125	52.97%
2nd Quarter	59	0	0.00%
3rd Quarter	59	0	0.00%
4th Quarter	59	0	0.00%
Total Performance	236	125	52.97%

Variance Explanation:

ABOVE PROJECTED LEVEL

The Number of Non-Hazardous Waste Permit Applications Reviewed exceeded projections for the first quarter of FY 2010. This measure quantifies the number of municipal solid waste permit and registration applications reviewed by TCEQ staff. Increased performance is attributed to the completion of a backlog of groundwater monitoring well spacing permit modifications received in FY 2009, as well as the completion of permit modifications received as a result of the final call-in of Site Operating Plan modifications for Arid Exempt facilities. This measure is expected to exceed performance in the second quarter and for the year.

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	49	30.63%
2nd Quarter	40	0	0.00%
3rd Quarter	40	0	0.00%
4th Quarter	40	0	0.00%
Total Performance	160	49	30.63%

Variance Explanation:

ABOVE PROJECTED LEVEL

The Number of Hazardous Waste Permit Applications Reviewed was above projections for the first quarter of FY 2010. This measure quantifies the number of hazardous waste and underground injection control permits and registration applications reviewed. Increased performance is attributed to the large number of minor permit modifications received and processed. These modifications reflect requests for authorization made by the regulated community in response to changing business needs (updating contingency plans, addresses, contact information, etc.). These requests are difficult to anticipate and project. This measure is expected to meet or exceed performance for the year.

Strategy 01-02-04: Occupational Licensing

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	5,875	5,458	23.23%
2nd Quarter	5,875	0	0.00%
3rd Quarter	5,875	0	0.00%
4th Quarter	5,875	0	0.00%
Total Performance	23,500	5,458	23.23%

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

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	3,050	2,826	23.16%
2nd Quarter	3,050	0	0.00%
3rd Quarter	3,050	0	0.00%
4th Quarter	3,050	0	0.00%
Total Performance	12,200	2,826	23.16%

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

Strategy 01-02-04: Occupational Licensing

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	5,625	5,073	21.59%
2nd Quarter	5,625	0	0.00%
3rd Quarter	5,625	0	0.00%
4th Quarter	5,625	0	0.00%
Total Performance	22,500	5,073	22.55%

Variance Explanation:

MEETS PROJECTIONS

Performance met projections. No variance explanation required.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$ 18	\$ 21.23	117.94%
2nd Quarter	\$ 18	\$ 0	0.00%
3rd Quarter	\$ 18	\$ 0	0.00%
4th Quarter	\$ 18	\$ 0	0.00%
Total Performance	\$ 18	\$ 21.23	117.94%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Average Annualized Cost Per License and Registration was above projections for the first quarter of FY 2010. This measure reports the average cost to issue, renew and maintain licenses and registrations issued by the occupational licensing section. The average cost is derived from taking the FY 2010 adjusted operation budget for the section and dividing it by the number of licensees and registrants. The increased cost is attributed to a higher adjusted operating budget due to a realignment of resources adding additional staff which increased the FY 2010 operating budget.

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
1st Quarter	6,300	6,520	103.49%
2nd Quarter	6,300	0	0.00%
3rd Quarter	6,300	0	0.00%
4th Quarter	6,300	0	0.00%
Total Performance	6,300	6,520	103.49%

Variance Explanation:

MEETS PROJECTIONS

Performance met projections. No variance explanation required.

Output Measure 02:

Number of Drinking Water Samples Collected (Key)

	OPR WS Projected	OPR WS Actual	Percent of Annual Projection Attained
1st Quarter	9,800.00	9,251	23.60%
2nd Quarter	9,800.00	0	0.00%
3rd Quarter	9,800.00	0	0.00%
4th Quarter	9,800.00	0	0.00%
Total Performance	39,200	9,251	23.60%

Variance Explanation:

MEETS PROJECTIONS

Performance met projections. No variance explanation required.

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	20	21	26.25%
2nd Quarter	20	0	0.00%
3rd Quarter	20	0	0.00%
4th Quarter	20	0	0.00%
Total Performance	80	21	26.25%

Variance Explanation:

MEETS PROJECTIONS

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	189	34.36%
2nd Quarter	137.5	0	0.00%
3rd Quarter	137.5	0	0.00%
4th Quarter	137.5	0	0.00%
Total Performance	550	189	34.36%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Number of District Applications Processed was above projections for the first quarter of FY 2010. This measure represents the number of Water District applications submitted for approval under Chapter 293 of the Commission's rules. This measure is above projections due to a positive economic climate (low interest rate) in Texas resulting in a push by developers and Districts to fund infrastructure projects.

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	53	23.56%
2nd Quarter	56.25	0	0.00%
3rd Quarter	56.25	0	0.00%
4th Quarter	56.25	0	0.00%
Total Performance	225	53	23.56%

Variance Explanation:

MEETS PROJECTIONS

Performance met projections. No variance explanation required.

Strategy 03-01-01: Field Inspections and Complaints

**Output Measure 01:
Number of Inspections and Investigations of Air Sites (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	2,869	2,939	25.61%
2nd Quarter	2,869	0	0.00%
3rd Quarter	2,869	0	0.00%
4th Quarter	2,869	0	0.00%
Total Performance	11,475	2,939	25.61%

<p><u>Variance Explanation:</u> MEETS PROJECTIONS Performance met projections. No variance explanation required.</p>
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**Output Measure 02:
Number of Inspections and Investigations of Water Rights Sites (Key)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	8,500	6,409	18.85%
2nd Quarter	8,500	0	0.00%
3rd Quarter	8,500	0	0.00%
4th Quarter	8,500	0	0.00%
Total Performance	34,000	6,409	18.85%

<p><u>Variance Explanation:</u> BELOW PROJECTED LEVELS The Number of Inspections and Investigations of Water Rights Sites was below projections for the first quarter of FY 2010. This measure reports the number of inspections and investigations completed at regulated water rights sites. Fewer inspections were conducted during the first quarter because it was not irrigation season and there were fewer diversions occurring in the Watermaster areas. The number of inspections and investigations is expected to increase in the second through fourth quarters, and staff expects that the projected performance will be met.</p>

Strategy 03-01-01: Field Inspections and Complaints

Output Measure 03:

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	2,200	2,232	25.36%
2nd Quarter	2,200	0	0.00%
3rd Quarter	2,200	0	0.00%
4th Quarter	2,200	0	0.00%
Total Performance	8,800	2,232	25.36%

Variance Explanation:

MEETS PROJECTIONS

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
1st Quarter	100	115	28.75%
2nd Quarter	100	0	0.00%
3rd Quarter	100	0	0.00%
4th Quarter	100	0	0.00%
Total Performance	400	115	28.75%

Variance Explanation:

MEETS PROJECTIONS

Performance met projections. No variance explanation required.

Strategy 03-01-01: Field Inspections and Complaints

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	1,839.50	2,028	27.56%
2nd Quarter	1,839.50	0	0.00%
3rd Quarter	1,839.50	0	0.00%
4th Quarter	1,839.50	0	0.00%
Total Performance	7,358	2,028	27.56%

<p><u>Variance Explanation:</u> MEETS PROJECTIONS Performance met projections. No variance explanation required.</p>
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**Output Measure 06:
Number of Spill Cleanup Inspections**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	162.50	109	16.77%
2nd Quarter	162.50	0	0.00%
3rd Quarter	162.50	0	0.00%
4th Quarter	162.50	0	0.00%
Total Performance	650	109	16.77%

<p><u>Variance Explanation:</u> BELOW PROJECTED LEVELS Performance for the Number of Spill Cleanup Inspections is below projections at the end of the first quarter for FY 2010. 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, fewer spills were reported to the agency that required investigations.</p>

Strategy 03-01-01: Field Inspections and Complaints

Efficiency Measure 01:

Average Inspection and Investigation Cost of Livestock and Poultry Operations

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$ 600	\$ 433	72.20%
2nd Quarter	\$ 600	\$ 0	0.00%
3rd Quarter	\$ 600	\$ 0	0.00%
4th Quarter	\$ 600	\$ 0	0.00%
Total Performance	\$ 600	\$ 433	72.20%

Variance Explanation:

BELOW PROJECTED LEVELS

Performance for the Average Inspection and Investigation Cost of Livestock and Poultry Operations was below the projected cost at the end of the first quarter for FY 2010. This measure represents total funds expended during the reporting period for monitoring of livestock and poultry operations, divided by the number of compliance inspections and complaint investigations for livestock and poultry operations completed during the reporting period. Average cost figures for the inspection and investigation of livestock and poultry operations vary considerably due to the number and complexity of investigations performed in any given quarter. The desired performance is to be at or below projected average cost for the quarter and year to date costs.

Efficiency Measure 02:

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	35	28.0	80.00%
2nd Quarter	35	0	0.00%
3rd Quarter	35	0	0.00%
4th Quarter	35	0	0.00%
Total Performance	35	28.0	80.00%

Variance Explanation:

BELOW PROJECTED LEVELS

Performance for the Average Time (days) from Air, Water, and Waste Inspections to Report Completion was below projections for the first quarter of FY 2010. This measure reports the total number of calendar days between date of investigation and date of completion divided by the total number of completed investigations reported during the reporting period. The desired performance for this measure is to be below projections.

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	250	276	110.40%
2nd Quarter	250	0	0.00%
3rd Quarter	250	0	0.00%
4th Quarter	250	0	0.00%
Total Performance	250	276	110.40%

Variance Explanation:
ABOVE PROJECTED LEVEL
 Performance for the Number of Environmental Laboratories Accredited was above projected levels for the first quarter of FY 2010. The measure reflects the number of environmental laboratories accredited according to standards adopted by the National Environmental Laboratory Accreditation Conference. TCEQ received and issued additional accreditations via mutual or reciprocal recognition to out-of-state laboratories. These applications were not anticipated and, therefore, not included in the projected number of laboratory accreditations.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	15,000	32,134	53.56%
2nd Quarter	15,000	0	0.00%
3rd Quarter	15,000	0	0.00%
4th Quarter	15,000	0	0.00%
Total Performance	60,000	32,134	53.56%

Variance Explanation:
ABOVE PROJECTED LEVEL
 Performance for the Number of Small Businesses and Local Governments Assisted exceeded projections for the first quarter of FY 2010. This measure provides an indication of the number of notifications provided to the state's small businesses and local governments to keep them informed of regulatory changes that might affect them. Performance is above the projected level due to significant outreach aimed at petroleum storage tank facilities to inform them of the availability of newly created compliance assistance tools.

Strategy 03-01-02: Enforcement and Compliance Support

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	70	51.0	72.86%
2nd Quarter	70	0	0.00%
3rd Quarter	70	0	0.00%
4th Quarter	70	0	0.00%
Total Performance	70	51.0	72.86%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Average Number of Days to File an Initial Settlement Offer was below projections for the first quarter of FY2010. 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 processing procedures in place to ensure that all cases are processed below the average time frame. For this type of measure, performance below the target level is desirable.

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
1st Quarter	62.5	64	25.60%
2nd Quarter	62.5	0	0.00%
3rd Quarter	62.5	0	0.00%
4th Quarter	62.5	0	0.00%
Total Performance	250	64	25.60%

Variance Explanation:

MEETS PROJECTIONS

Performance met projections. No variance explanation required.

Output Measure 02:

Number of Entities Participating in Voluntary Programs

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	240	248	103.33%
2nd Quarter	240	0	0.00%
3rd Quarter	240	0	0.00%
4th Quarter	240	0	0.00%
Total Performance	240	248	103.33%

Variance Explanation:

MEETS PROJECTIONS

Performance met projections. No variance explanation required.

Strategy 03-01-03: Pollution Prevention and Recycling

Output Measure 03:

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	8.25	0.0	0.00%
2nd Quarter	8.25	0.0	0.00%
3rd Quarter	8.25	0.0	0.00%
4th Quarter	8.25	0.0	0.00%
Total Performance	33	0.0	0.00%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Number of Quarts of Used Oil Diverted from Landfills and Processed (in millions) was below projections for the first quarter of FY 2010. This measure reports the amount of used oil diverted, via registered collection centers, from landfills and processed. It is below the projection as used oil customers report this information annually. The annual report is due by January 25th which is in the second quarter. The used oil program expects performance for the second through fourth quarters will increase as reports on the amount of used oil collected and diverted from landfills are filed. The actual number diverted may vary from year to year due to voluntary reporting requirements and changes in vehicle maintenance practices.

Efficiency Measure 01:

Average Cost Per On-Site Technical Assistance Visit

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$ 600	\$ 297.63	49.61%
2nd Quarter	\$ 600	\$ 0	0.00%
3rd Quarter	\$ 600	\$ 0	0.00%
4th Quarter	\$ 600	\$ 0	0.00%
Total Performance	\$ 600	\$ 297.63	49.61%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Average Cost Per On-Site Technical Assistance Visit was below projections for the first quarter of FY 2010. This measure reports the average cost of each technical site assistance visit performed by Pollution Prevention Staff. The savings are a result of efficient use of regional staff that has resulted in more local visits which lowers travel costs per visit. Due to upcoming projects, travel costs in the second through fourth quarters are expected to increase. However, costs are expected to remain below the projected average cost. The desired performance for this measure is to be below projections.

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
1st Quarter	4,125	3,100	18.79%
2nd Quarter	4,125	0	0.00%
3rd Quarter	4,125	0	0.00%
4th Quarter	4,125	0	0.00%
Total Performance	16,500	3,100	18.79%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Number of Petroleum Storage Tank Self-Certifications Processed is below the projected level for the first quarter of FY 2010. This measure reflects the number of Petroleum Storage Tank Self-Certifications processed during the quarter. Self-Certification is an annual requirement of owners or operators to certify that required facilities are in compliance with certain technical and administrative requirements. Performance is dependent upon the date complete Self-Certifications are received. Self-Certifications are renewed in January through October, and none are required to renew in November. In addition, the requirement to file proof of financial assurance with the annual Self-Certification has resulted in submittals being returned which has delayed processing of forms. Performance for the remainder of FY 2010 is expected to meet projected levels.

Output Measure 02:

Number of Emergency Response Actions at Petroleum Storage Tank Sites

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	4	3	18.75%
2nd Quarter	4	0	0.00%
3rd Quarter	4	0	0.00%
4th Quarter	4	0	0.00%
Total Performance	16	3	18.75%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Number of Emergency Response Actions at Petroleum Storage Tank Sites was below projected levels for the first quarter of FY 2010. This measure reports the number of sites to which a state lead contractor is dispatched to address an immediate threat to human health or safety. This is an on-demand activity. Fluctuations in performance are likely to occur due to the unpredictable number of sites requiring emergency responses.

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

Output Measure 03:

Number of Petroleum Storage Tank Reimbursement Applications Processed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	350	409	29.21%
2nd Quarter	350	0	0.00%
3rd Quarter	350	0	0.00%
4th Quarter	350	0	0.00%
Total Performance	1,400	409	29.21%

Variance Explanation:

MEETS PROJECTIONS

Performance met projections. No variance explanation required.

Output Measure 04:

Number of Petroleum Storage Tank Cleanups Completed

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	50	137	68.50%
2nd Quarter	50	0	0.00%
3rd Quarter	50	0	0.00%
4th Quarter	50	0	0.00%
Total Performance	200	137	68.50%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Number of Petroleum Storage Tank Cleanups Completed was above projections for the first quarter of FY 2010. 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.

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
1st Quarter	30	21.0	70.00%
2nd Quarter	30	0	0.00%
3rd Quarter	30	0	0.00%
4th Quarter	30	0	0.00%
Total Performance	30	21.0	70.00%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Average Time to Review and Respond to Remedial Action Plans was below the projected level for the first quarter of FY 2010. 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. The desired performance for this measure is to be below projections.

Efficiency Measure 02:

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	30	25.0	83.33%
2nd Quarter	30	0	0.00%
3rd Quarter	30	0	0.00%
4th Quarter	30	0	0.00%
Total Performance	30	25.0	83.33%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Average Time to Review and Respond to Risk-Based Assessments was below the projected level for the first quarter of FY 2010. 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. The desired performance for this measure is to be below projections.

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
1st Quarter	90	34	37.78%
2nd Quarter	90	0	0.00%
3rd Quarter	90	0	0.00%
4th Quarter	90	0	0.00%
Total Performance	90	34	37.78%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Average Time (Days) to Process Petroleum Storage Tank (PST) Remediation Fund Reimbursement Claims was below projections for the first quarter of FY 2010. This measure reports the average number of days to process 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 fund payment report 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. The desired performance for this measure is to be below projections.

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
1st Quarter	1.25	0	0.00%
2nd Quarter	1.25	0	0.00%
3rd Quarter	1.25	0	0.00%
4th Quarter	1.25	0	0.00%
Total Performance	5	0	0.00%

Variance Explanation:

BELOW PROJECTED LEVEL

Performance for the Number of Immediate Response Actions Completed to Protect Human Health and the Environment was below projections for the first quarter of FY 2010. Response action completions are not expected to be evenly distributed over each reporting quarter. Seven identified Immediate Response Actions are currently underway. Limited resources may impact the programs ability to complete the projected five response actions this fiscal year.

Output Measure 02:

Number of Superfund Site Assessments

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	18	46	63.89%
2nd Quarter	18	0	0.00%
3rd Quarter	18	0	0.00%
4th Quarter	18	0	0.00%
Total Performance	72	46	63.89%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Number of Superfund Site Assessments Completed was above projections for the first quarter of FY 2010. This measure reports the number of site assessments conducted to determine Superfund program eligibility. The performance is above projected levels due to focused efforts in the Houston area. The program expects a higher than projected performance for the subsequent reporting periods.

Strategy 04-01-02: Hazardous Materials Cleanup

Output Measure 03:

Number of Voluntary and Brownfield Cleanups Completed (Key)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	23	27	30.00%
2nd Quarter	23	0	0.00%
3rd Quarter	23	0	0.00%
4th Quarter	23	0	0.00%
Total Performance	90	27	30.00%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Number of Voluntary and Brownfield Cleanups Completed was above projections for the first quarter for FY 2010. This measure indicates the number of sites that have completed necessary response actions to either remove or control contamination levels at voluntary cleanup and brownfield sites.

Performance is above projected levels due to applicants submitting technical documents and other program related documents in a timely manner.

Output Measure 04:

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	51	47	92.16%
2nd Quarter	51	0	0.00%
3rd Quarter	51	0	0.00%
4th Quarter	51	0	0.00%
Total Performance	51	47	92.16%

Variance Explanation:

BELOW PROJECTED LEVEL

The Number of Superfund Sites Undergoing Evaluation and Cleanup was below projections for the first quarter of FY 2010. This measure reports the combined number of state and federal Superfund sites that are undergoing evaluation and/or cleanup. EPA funding limitations, in addition to significant cleanup costs incurred at some state sites, has delayed issuance of work orders to perform the planned evaluation and cleanup process on federal and state Superfund sites. 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.

Strategy 04-01-02: Hazardous Materials Cleanup

**Output Measure 05:
Number of Superfund Cleanups Completed (Key)**

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

<p>Variance Explanation: MEETS PROJECTIONS Performance met projections. No variance explanation required.</p>
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**Output Measure 06:
Number of Dry Cleaner Remediation Program Site Assessments Initiated**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	7	5	17.86%
2nd Quarter	7	0	0.00%
3rd Quarter	7	0	0.00%
4th Quarter	7	0	0.00%
Total Performance	28	5	17.86%

<p>Variance Explanation: BELOW PROJECTED LEVEL Performance for the Number of Dry Cleaner Remediation Program Site Assessments Initiated was below projected levels for the first quarter of FY 2010. This measure indicates the number of work orders issued to initiate DCRP site cleanups during the reporting period. The number of site assessments initiated is based on the number of DCRP Applications that are received. Entry into the DCRP is voluntary; therefore, the program has no control over the number of DCRP Applications received. However, based upon historical and current program trends the program expects to meet the projected total performance target by end of the fiscal year.</p>
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Strategy 04-01-02: Hazardous Materials Cleanup

**Output Measure 07:
Number of Dry Cleaner Remediation Program Site Cleanups Completed**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	3	1	10.00%
2nd Quarter	3	0	0.00%
3rd Quarter	3	0	0.00%
4th Quarter	3	0	0.00%
Total Performance	10	1	10.00%

Variance Explanation:
 BELOW PROJECTED LEVEL
 Performance for the Number of Dry Cleaner Remediation Site Cleanups Completed was below projections for the first quarter in FY 2010. This measure reflects the agency's efforts to clean up known eligible dry cleaning sites contaminated by dry cleaner solvents. Cleanup completions are not expected to be evenly distributed over each reporting quarter. The number of cleanups completed is expected to meet the projected level by the end of the fiscal year.

**Efficiency Measure 01:
Average Time (Days) to Process Dry Cleaner Remediation Program Applications**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	90	41	45.56%
2nd Quarter	90	0	0.00%
3rd Quarter	90	0	0.00%
4th Quarter	90	0	0.00%
Total Performance	90	41	45.56%

Variance Explanation:
 BELOW PROJECTED LEVEL
 Performance for the Average Time (Days) to Process Dry Cleaner Remediation Program Applications was below projections for the first quarter of FY 2010. This measure reports the average time required by agency staff to process Dry Cleaner Remediation Program applications. The TCEQ has implemented procedures for screening and reviewing the applications to ensure that the average processing time is less than the legislatively mandated 90-day time frame. The desired performance for this measure is to be below projections

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	20.00%	44.60%	223.00%
2nd Quarter	20.00%	0	0.00%
3rd Quarter	20.00%	0	0.00%
4th Quarter	20.00%	0	0.00%
Total Performance	20.00%	44.60%	223.00%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Percentage of Professional Services going to Historically Underutilized Businesses, was above projections for the first quarter. The primary reason the agency was able to exceed projections was because several invoices for work performed by HUB sub-contractors in FY 2009 were paid in September FY 2010. The majority of HUB actual expenditures came from the Remediation division.

Output Measure 02:

Percentage of Other Services Awarded to Historically Underutilized Businesses

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	33.00%	38.84%	117.70%
2nd Quarter	33.00%	0	0.00%
3rd Quarter	33.00%	0	0.00%
4th Quarter	33.00%	0	0.00%
Total Performance	33.00%	38.84%	117.70%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Percentage of Other Services Awarded to HUBs was above projections for the 1st quarter of FY 2010. HUB sub-contracting activity was strong in the Information Resources division.

Historically Underutilized Business Program

Output Measure 03:

Percentage of Commodity Purchasing Awarded to Historically Underutilized Businesses

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	12.60%	31.30%	248.41%
2nd Quarter	12.60%	0	0.00%
3rd Quarter	12.60%	0	0.00%
4th Quarter	12.60%	0	0.00%
Total Performance	12.60%	31.30%	248.41%

Variance Explanation:

ABOVE PROJECTED LEVEL

Performance for the Percentage of Commodities Awarded to HUBs was above projections for the first quarter of FY 2010. TCEQ has successfully focused efforts on identifying HUB vendors in this area.