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February 2003  
SFR-055b/03-01

# First Quarter Report on Key Performance Measures

## Fiscal Year 2003

(General Appropriations Act, 77<sup>th</sup> Legislature)

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(General Appropriations Act, 77<sup>th</sup> Legislature)

Prepared by  
Strategic Planning and Appropriations



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# Strategic Planning Structure for Key Measure Reporting

## Fiscal Year 2003

According to the General Appropriations Act (77<sup>th</sup> Legislature)

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

To protect public health and the environment by accurately assessing environmental conditions; by preventing or minimizing the level of contaminants released to the environment through regulation and permitting of facilities or activities with potential to contribute to pollution levels; by promoting voluntary efforts to prevent pollution; and by assuring the delivery of safe drinking water to Texas citizens at affordable rates.

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

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

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

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

**Strategy 04 — Air Quality Assessment and Planning:** Reduce and prevent air pollution by monitoring and assessing air quality, developing and/or revising plans to address identified air quality problems and to assist in the implementation of approaches to reducing motor vehicle emissions.

**Strategy 05 — Water Resource Assessment and Planning:** Develop plans to ensure an adequate, affordable supply of clean water by monitoring and assessing water quality and availability.

**Strategy 06 — Waste Management Assessment and Planning:** Ensure the proper and safe disposal of pollutants by monitoring the generation, treatment, and storage of solid waste and assessing the capacity of waste disposal facilities; and by providing financial and technical assistance to municipal solid waste planning regions for the development and implementation of waste reduction plans.

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

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

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

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

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## Goal 02 — ENFORCEMENT AND COMPLIANCE ASSISTANCE

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

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

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

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

**Strategy 03 — Occupational Licensing:** Establish and maintain occupational certification programs to ensure compliance with statutes and regulations that protect public health and the environment.

## Goal 03 — POLLUTION CLEANUP

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

**Objective 01:** By fiscal year 2005, to identify, assess and clean up 80 percent of the known sites contaminated by hazardous materials and petroleum from leaking storage tanks.

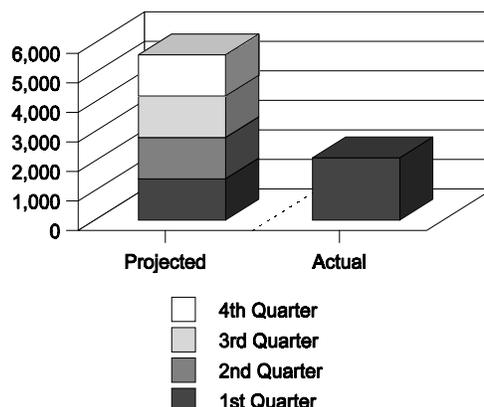
**Strategy 01 — Storage Tank Administration and Cleanup:** Regulate the installation and operation of underground storage tanks and administer a program to identify and remediate sites contaminated by leaking storage tanks.

**Strategy 02 — Storage Tank Cleanup:** Provide prompt and appropriate reimbursement to contractors and owners for the cost of remediating sites contaminated by leaking storage tanks.

**Strategy 03 — 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.

**Output Measure 01: Number of state and federal air quality permit applications reviewed (KEY)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	1,400	2,112	37.7%
2nd Quarter	1,400		0.0%
3rd Quarter	1,400		0.0%
4th Quarter	1,400		0.0%
<b>Total</b>	<b>5,600</b>	<b>2,112</b>	<b>37.7%</b>



**Variance Explanation:**

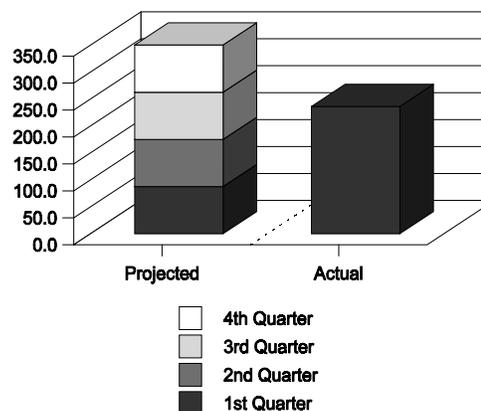
EXCEEDS PROJECTED LEVEL

Performance for the number of state and federal air quality permit applications reviewed was higher than projected for the first quarter of FY 03. The high performance is a reflection of the Air Permits Division's focused efforts to eliminate a backlog of pending permit applications. The backlog has resulted from the recent increase in processing times for new source review permits caused by: an increase in the time necessary for administrative review; an increase in applications and permit-by-rule registrations for grandfathered facilities; and the training and mentoring of new staff. The increase in completed reviews is expected to continue through the fiscal year until all currently backlogged projects are completed.

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**Output Measure 02: Number of federal air quality operating permits reviewed (KEY)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	87.5	236	67.4%
2nd Quarter	87.5		0.0%
3rd Quarter	87.5		0.0%
4th Quarter	87.5		0.0%
<b>Total</b>	<b>350</b>	<b>236</b>	<b>67.4%</b>



**Variance Explanation:**

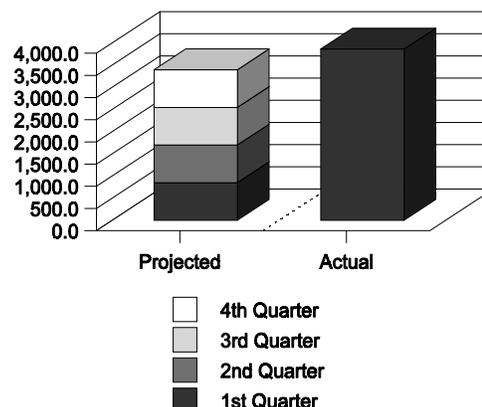
EXCEEDS PROJECTED LEVEL

Performance for the number of federal air quality operating permits reviewed exceeded the projected level for the first quarter of FY 03. The high performance is a reflection of the Air Permits Division's focused efforts to eliminate a backlog of pending permit applications. The backlog has resulted from the recent increase in processing times for operating permits caused by: an increase in the time necessary for administrative review; an increase in applications and permit-by-rule registrations for grandfathered facilities; and the training and mentoring of new staff. This increase in completed projects is expected to continue through the fiscal year until all currently backlogged projects have been completed.

Another factor affecting performance has been a number of renewal projects, which were not taken into consideration when making the initial projections. Federal air quality operating permits were first issued in 1997 and must be renewed on a five-year cycle which means that many permits are up for renewal this fiscal year. Renewals of federal air quality operating permits are included in this measure. The agency anticipates exceeding projections for the fiscal year.

**Output Measure 01: Number of applications to address water quality impacts reviewed (KEY)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	848.3	3,861	113.8%
2nd Quarter	848.3		0.0%
3rd Quarter	848.3		0.0%
4th Quarter	848.3		0.0%
<b>Total</b>	<b>3,393</b>	<b>3,861</b>	<b>113.8%</b>



**Variance Explanation:**

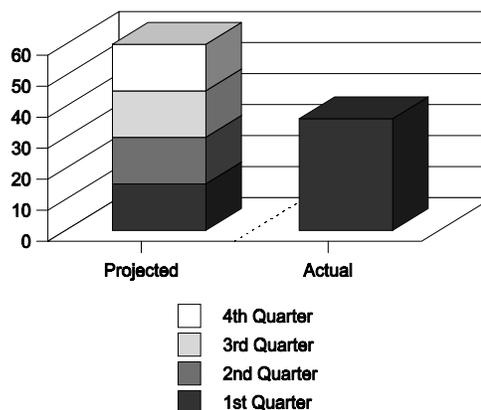
EXCEEDS PROJECTED LEVEL

The number of applications to address water quality impacts reviewed greatly exceeded projections for the first quarter and fiscal year. The high performance of this measure is primarily due to the processing of 3,258 authorization letters that acknowledge complete applications for the storm water Multi-Sector General Permit (MSGP) for the first quarter. The storm water MSGP authorizes discharges of storm water associated with industrial activities. The rules authorizing the permit were issued on August 20, 2001 and entities had until November 19, 2001 to submit an application for coverage under the permit. Staff are processing approximately 3,000 of the remaining applications and plan to issue approximately 3,000 more acknowledgment letters by February 28, 2003.

- N -

**Output Measure 03: Number of concentrated animal feeding operation permits reviewed (KEY)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	15	36	60.0%
2nd Quarter	15		0.0%
3rd Quarter	15		0.0%
4th Quarter	15		0.0%
<b>Total</b>	<b>60</b>	<b>36</b>	<b>60.0%</b>



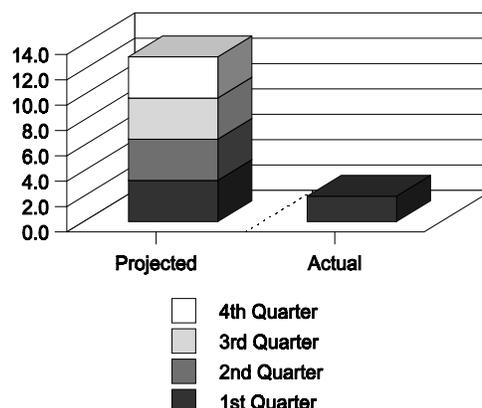
**Variance Explanation:**

EXCEEDS PROJECTED LEVEL

Performance for the number of concentrated animal feeding operation (CAFO) permits reviewed was higher than projected for the first quarter. Permit review activity was suspended in January 2001, when registrations in the Bosque watershed had to be resubmitted and processed as individual permit applications, in accordance with House Bill 2912 (77<sup>th</sup> Legislature). This action was taken to address concern regarding the implementation of Total Maximum Daily Load (TMDL) water quality assessment in the North Bosque River area. CAFOs have been restricted from expanding in the Bosque area, which has caused some CAFOs to relocate to the Panhandle area. As a result, the wastewater permitting program expects to issue approximately 35 registrations and permits for the second quarter of FY 03.

**Output Measure 03: Number of nonhazardous waste permit applications reviewed (KEY)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	3.3	2	15.4%
2nd Quarter	3.3		0.0%
3rd Quarter	3.3		0.0%
4th Quarter	3.3		0.0%
<b>Total</b>	<b>13</b>	<b>2</b>	<b>15.4%</b>



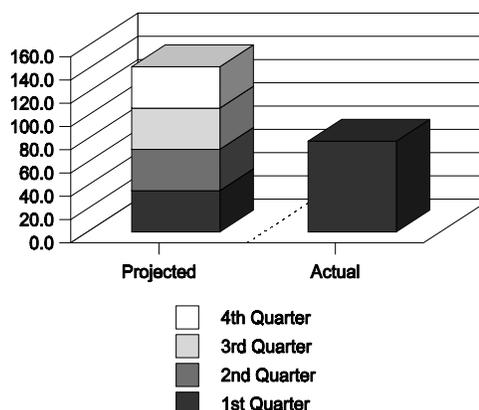
**Variance Explanation:**  
NEAR PROJECTED LEVEL

The number of nonhazardous waste permit applications reviewed for the first quarter was lower than projected due to the receipt of fewer applications to review. The submission of fewer applications can be attributed to factors such as the downturn in the economy and the completion of mergers within the municipal solid waste community as well as the corresponding permit amendments related to these mergers. Based on historical performance, the number of nonhazardous permit applications received for review is expected to increase over the next three quarters of fiscal year 2003.

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**Output Measure 04: Number of hazardous waste permit applications reviewed (KEY)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	35.5	78	54.9%
2nd Quarter	35.5		0.0%
3rd Quarter	35.5		0.0%
4th Quarter	35.5		0.0%
<b>Total</b>	<b>142</b>	<b>78</b>	<b>54.9%</b>

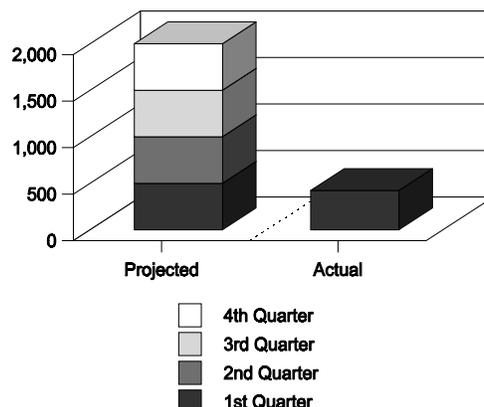


**Variance Explanation:**  
EXCEEDS PROJECTED LEVEL

The number of hazardous waste permit applications reviewed was higher than projected for the first quarter due to the review of an unexpected number of applications for Underground Injection (UIC) Control Class V Authorizations. The initial projections for FY 03 allowed for 40 UIC Class V authorizations throughout the fiscal year, however, the agency issued 27 authorizations in the first quarter and a similar performance is expected for each upcoming quarter this fiscal year. The increase in Class V authorizations can be attributed to an increase in groundwater remediation, which requires Class V authorizations. In addition, the agency experienced a larger than average number of applications processed in response to the agency's Permit Time Frame Reduction initiative, which targets the processing of backlogged, incomplete applications. These trends are expected to continue throughout the fiscal year.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	500	422	21.1%
2nd Quarter	500		0.0%
3rd Quarter	500		0.0%
4th Quarter	500		0.0%
<b>Total</b>	<b>2,000</b>	<b>422</b>	<b>21.1%</b>



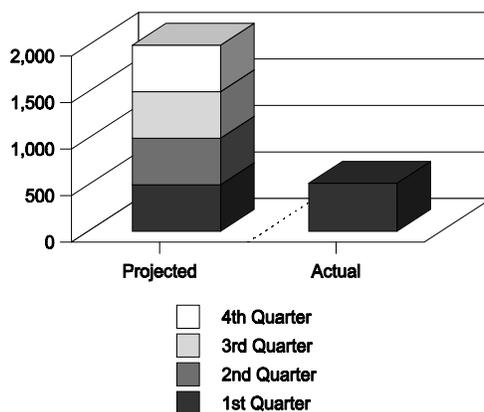
**Variance Explanation:**  
MEETS PROJECTED LEVEL

Performance meets projections. No explanation of variance required.

- N -

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	500	515	25.8%
2nd Quarter	500		0.0%
3rd Quarter	500		0.0%
4th Quarter	500		0.0%
<b>Total</b>	<b>2,000</b>	<b>515</b>	<b>25.8%</b>

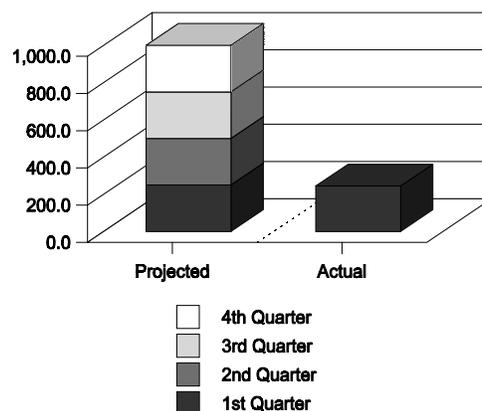


**Variance Explanation:**  
MEETS PROJECTED LEVEL

Performance meets projections. No explanation of variance required.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	250.0	244	24.4%
2nd Quarter	250.0		0.0%
3rd Quarter	250.0		0.0%
4th Quarter	250.0		0.0%
<b>Total</b>	<b>1,000</b>	<b>244</b>	<b>24.4%</b>

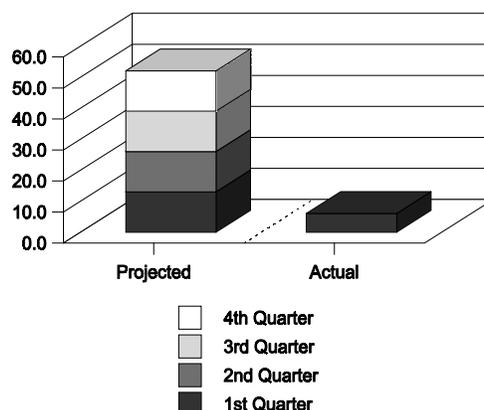


**Variance Explanation:**  
MEETS PROJECTED LEVEL

Performance meets projections. No explanation of variance required.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	17.5	6	8.6%
2nd Quarter	17.5		0.0%
3rd Quarter	17.5		0.0%
4th Quarter	17.5		0.0%
<b>Total</b>	<b>70</b>	<b>6</b>	<b>8.6%</b>



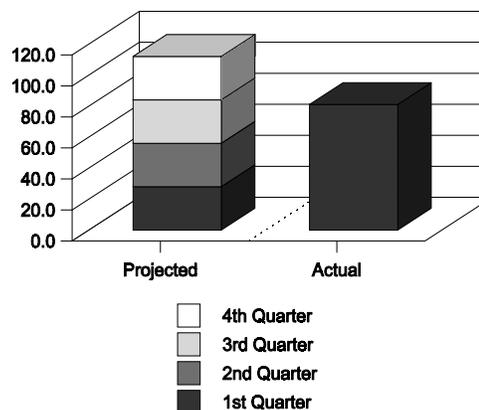
**Variance Explanation:**  
BELOW PROJECTED LEVEL

The number of surface water assessments was below the projected level for the first quarter of fiscal year 2003 due to the normal schedule of completion dates for some of the surveys and assessments as required by the Federal Clean Water Act. Variations between the quarters in the number of assessments will occur because assessments are due for different time frames and some are dependent upon environmental conditions. For example, some types of assessments included in this measure, such as intensive surveys and special studies, require warm weather and low flow conditions. These types of assessments are typically conducted in the late spring and summer. Receiving water assessments are also typically conducted in the summer. The agency anticipates meeting projections for the fiscal year.

- N -

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	28.0	81	72.3%
2nd Quarter	28.0		0.0%
3rd Quarter	28.0		0.0%
4th Quarter	28.0		0.0%
<b>Total</b>	<b>112</b>	<b>81</b>	<b>72.3%</b>

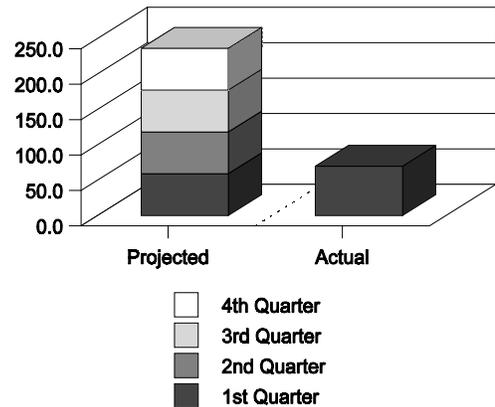


**Variance Explanation:**  
EXCEEDS PROJECTED LEVEL

The number of groundwater assessments exceeded the projected level for the first quarter. This measure includes a diverse set of assessment types performed and reported by multiple divisions within the agency, including a number of permit-related assessments. These permit-related activities, such as Class V and wastewater facility groundwater impact assessments are performed as needed, based on the demand for services associated with applications for facility authorization filed by regulated entities. The high performance is attributable to a greater than projected number of permit-related assessments completed in the first quarter. In particular, staff have reviewed a large number of existing registered wastewater sludge application sites that became subject to a new legislative mandate to obtain a permit or cease operation by September 1, 2003. Additionally, Concentrated Animal Feeding Operations are relocating from sensitive watersheds into the Texas Panhandle, resulting in a greater than anticipated number of assessments in the area. The number of Class V injection well authorizations also increased during this quarter, and all were associated with contamination remediation sites. Treatment methods that rely on disposal of treated wastewater by underground injection are becoming more common at remediation sites, and the number of these types of assessments may continue to increase throughout the fiscal year.

**Output Measure 01: Number of municipal solid waste facility capacity assessments (KEY)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	59.0	69.6	29.5%
2nd Quarter	59.0		0.0%
3rd Quarter	59.0		0.0%
4th Quarter	59.0		0.0%
<b>Total</b>	<b>236</b>	<b>69.6</b>	<b>29.5%</b>



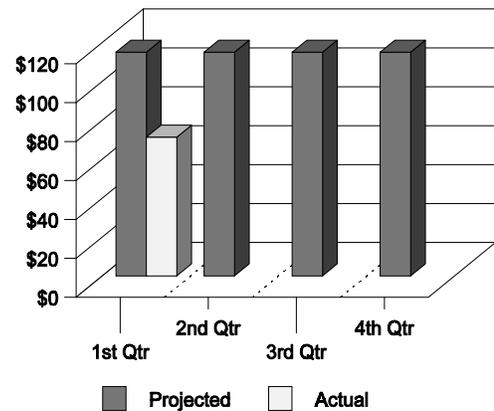
**Variance Explanation:**  
MEETS PROJECTED LEVEL

Performance meets projections. No explanation of variance required.

- N -

**Efficiency Measure 01: Average cost per municipal solid waste facility capacity assessment (KEY)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	\$115	\$71.30	62.0%
2nd Quarter	\$115		0.0%
3rd Quarter	\$115		0.0%
4th Quarter	\$115		0.0%
<b>Annual Target</b>	<b>\$115</b>	<b>\$71.30</b>	<b>62.0%</b>

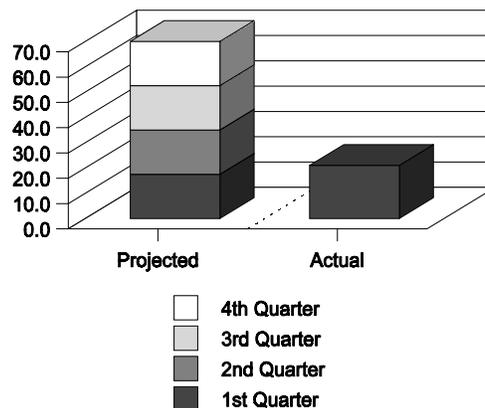


**Variance Explanation:**  
LESS COSTLY THAN PROJECTED LEVEL

The average cost per municipal solid waste facility capacity assessment was less than the projected level for the first quarter of fiscal year 2003. This measure captures the cost of agency efforts to review annual capacity assessments of municipal solid waste (MSW) facilities. Capacity assessment forms are sent annually to MSW landfills by the agency's Waste Planning Team and returned forms are reviewed for consistency with previously reported capacity data, as well as for consistency with related permit and fee data. For the most part, the facilities that report early in the fiscal year are the easiest cases to handle, consisting mostly of inactive sites. Because the majority of reports initially received are easy to handle, the review time and cost per report is fairly low, resulting in lower than expected costs. Performance is expected to rise slightly in the following quarters but remain below projected levels.

**Output Measure 01: Number of on-site technical assistance visits (KEY)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	17.5	21	30.0%
2nd Quarter	17.5		0.0%
3rd Quarter	17.5		0.0%
4th Quarter	17.5		0.0%
<b>Total</b>	<b>70</b>	<b>21</b>	<b>30.0%</b>



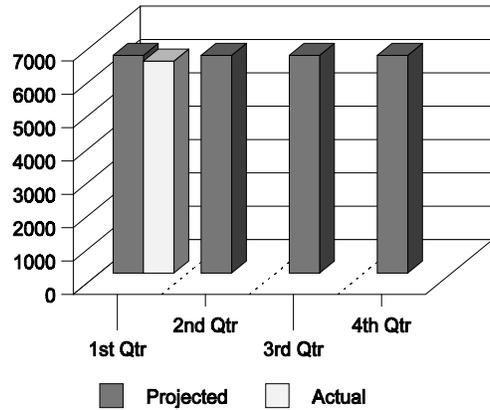
**Variance Explanation:**

EXCEEDS PROJECTED LEVEL

The number of on-site technical assistance visits slightly exceeded the projected level for the first quarter. This measure provides an indication of the agency's ability to conduct outreach and information dissemination of technical pollution prevention information to Texas industries. The performance was due to a strong demand by the regulated community for on-site assistance visits and a response by the marina industry for assistance visits to confirm their participation in the new Clean Texas Marina Program. In addition, agency staff conducted three Environmental Management Systems (EMS) mock audits with the regulated community to test new audit protocols.

**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	6,525	6,353	97.4%
2nd Quarter	6,525		0.0%
3rd Quarter	6,525		0.0%
4th Quarter	6,525		0.0%
<b>Annual Target</b>	<b>6,525</b>	<b>6,353</b>	<b>97.4%</b>



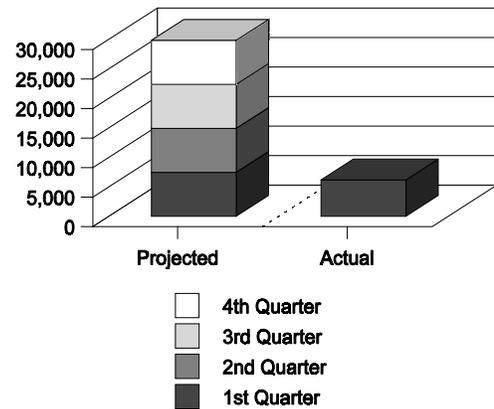
**Variance Explanation:**  
MEETS PROJECTED LEVEL

Performance meets projections. Explanation of variance not required.

- N -

**Output Measure 02: Number of drinking water samples collected (KEY)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	7,450	6,168	20.7%
2nd Quarter	7,450		0.0%
3rd Quarter	7,450		0.0%
4th Quarter	7,450		0.0%
<b>Total</b>	<b>29,800</b>	<b>6,168</b>	<b>20.7%</b>

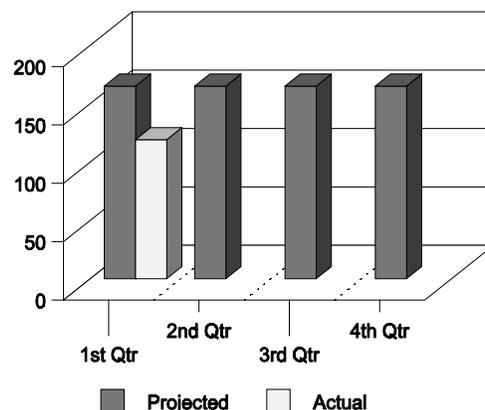


**Variance Explanation:**  
MEETS PROJECTED LEVEL

Performance meets projections. Explanation of variance not required.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	165	119	72.1%
2nd Quarter	165		0.0%
3rd Quarter	165		0.0%
4th Quarter	165		0.0%
<b>Annual Target</b>	165	119	72.1%

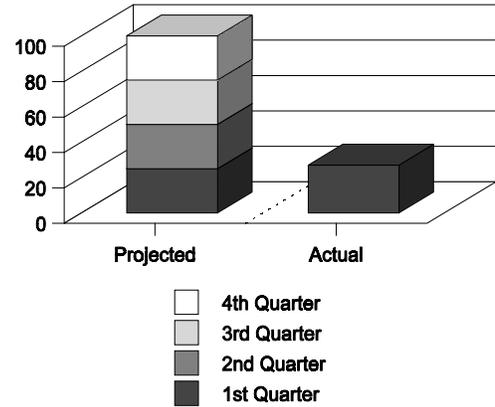


**Variance Explanation:**  
BELOW PROJECTED LEVEL

The number of drinking water laboratories certified was less than projected for the first quarter. This program was transferred from the Texas Department of Health to the agency by the 77<sup>th</sup> Legislature. It was expected that more applications would be received but the number did not reach the projected number of certified laboratories. The projection assumed some of the drinking water laboratories would be certified under the new Environmental Laboratory Accreditation Program, which was also established by the 77<sup>th</sup> Legislature. However, at this time, funding for the accreditation program has not been certified by the Comptroller and the program has not been implemented.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	25	27	27.0%
2nd Quarter	25		0.0%
3rd Quarter	25		0.0%
4th Quarter	25		0.0%
<b>Total</b>	100	27	27.0%



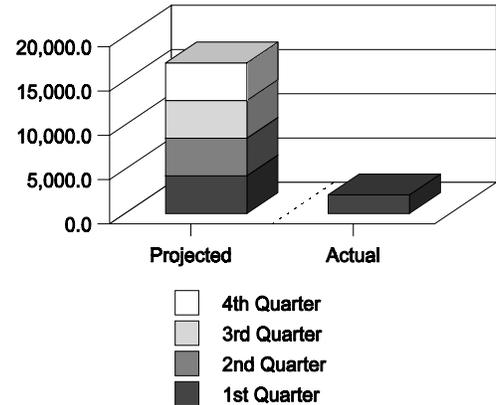
**Variance Explanation:**

MEETS PROJECTED LEVEL

Performance meets projections. No explanation of variance required.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	4,250.0	2,109	12.4%
2nd Quarter	4,250.0		0.0%
3rd Quarter	4,250.0		0.0%
4th Quarter	4,250.0		0.0%
<b>Total</b>	<b>17,000</b>	<b>2,109</b>	<b>12.4%</b>



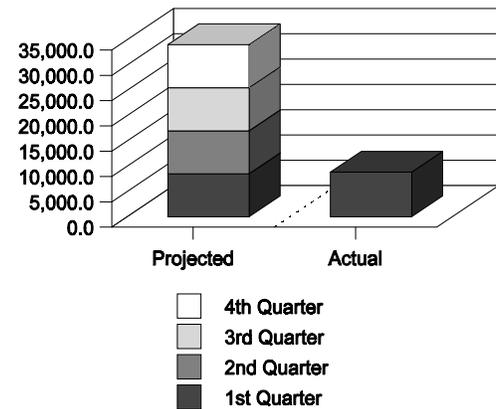
**Variance Explanation:**  
BELOW PROJECTED LEVEL

The number of inspections and investigations of air sites was below the projected level for the first quarter of fiscal year 2003. This performance is the result of numerous training events scheduled in the beginning of FY 03 to aid in the consistent implementation of new rules and procedures. It is expected that this number will begin to rise as investigators are able to spend additional time in the field in the coming quarter.

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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	8,500.0	8,804	25.9%
2nd Quarter	8,500.0		0.0%
3rd Quarter	8,500.0		0.0%
4th Quarter	8,500.0		0.0%
<b>Total</b>	<b>34,000</b>	<b>8,804</b>	<b>25.9%</b>

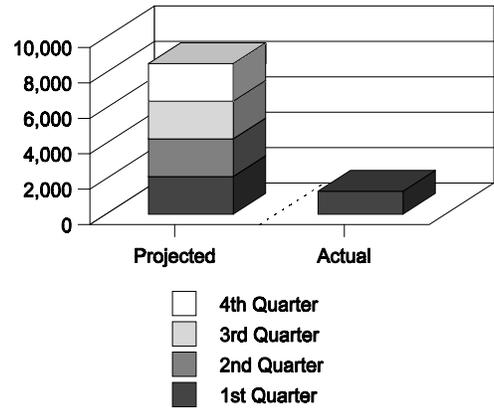


**Variance Explanation:**  
MEETS PROJECTED LEVEL

Performance meets projections. No explanation of variance required.

**Output Measure 03: Number of inspections and investigations of water sites and facilities (KEY)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	2,125	1,296	15.2%
2nd Quarter	2,125		0.0%
3rd Quarter	2,125		0.0%
4th Quarter	2,125		0.0%
<b>Total</b>	<b>8,500</b>	<b>1,296</b>	<b>15.2%</b>

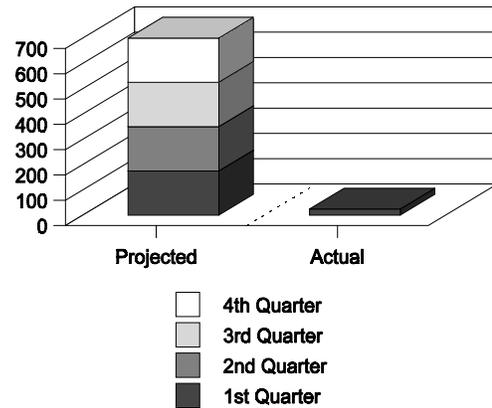


**Variance Explanation:**  
NEAR PROJECTED LEVEL

The number of inspections and investigations of water sites and facilities was below projections for the first quarter of fiscal year 2003. Resources were directed towards training events that were scheduled in the beginning of fiscal year 2003 to ensure that protocols are being consistently applied in all TCEQ regional offices. The agency expects to meet projected levels in the following quarters and fiscal year.

**Output Measure 04: Number of inspections and investigations of livestock and poultry operation sites (KEY)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	175	24	3.4%
2nd Quarter	175		0.0%
3rd Quarter	175		0.0%
4th Quarter	175		0.0%
<b>Total</b>	<b>700</b>	<b>24</b>	<b>3.4%</b>



**Variance Explanation:**

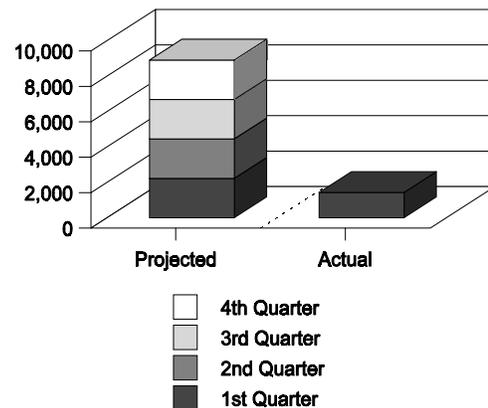
FAR BELOW PROJECTED LEVEL

The number of inspections and investigations of livestock and poultry operation sites was significantly below the projected level for the first quarter of fiscal year 2003. As a result of implementing a requirement of House Bill 2912, 77<sup>th</sup> Legislature, it was necessary to delay scheduled investigations at animal feeding operations in the Bosque Watershed for a period of time. Registrations from this area had to be resubmitted and processed as individual permit applications in accordance with HB 2912. It should be noted that completion of investigations at all required animal feeding operations is expected to be completed by the end of FY 03.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	2,225	1,425	16.0%
2nd Quarter	2,225		0.0%
3rd Quarter	2,225		0.0%
4th Quarter	2,225		0.0%
<b>Total</b>	<b>8,900</b>	<b>1,425</b>	<b>16.0%</b>



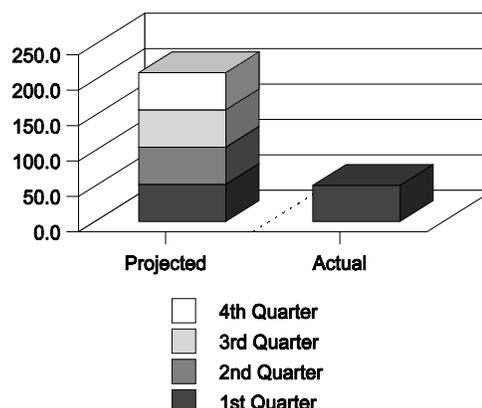
**Variance Explanation:**

NEAR PROJECTED LEVEL

The number of inspections and investigations of waste sites was below the projected level for the first quarter of fiscal year 2003. Resources were directed towards training events that were scheduled in the beginning of fiscal year 2003 to ensure that protocols are being consistently applied in all TCEQ regional offices. The agency expects to meet projections in the following quarters and fiscal year.

**Output Measure 03: Number of air program administrative enforcement orders issued (KEY)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	52.5	51	24.3%
2nd Quarter	52.5		0.0%
3rd Quarter	52.5		0.0%
4th Quarter	52.5		0.0%
<b>Total</b>	<b>210</b>	<b>51</b>	<b>24.3%</b>



**Variance Explanation:**

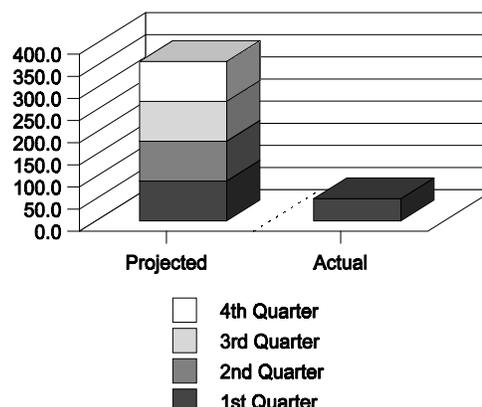
MEETS PROJECTED LEVEL

Performance meets projections. No explanation of variance required.

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**Output Measure 04: Number of water program administrative enforcement orders issued (KEY)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	90.0	50	13.9%
2nd Quarter	90.0		0.0%
3rd Quarter	90.0		0.0%
4th Quarter	90.0		0.0%
<b>Total</b>	<b>360</b>	<b>50</b>	<b>13.9%</b>



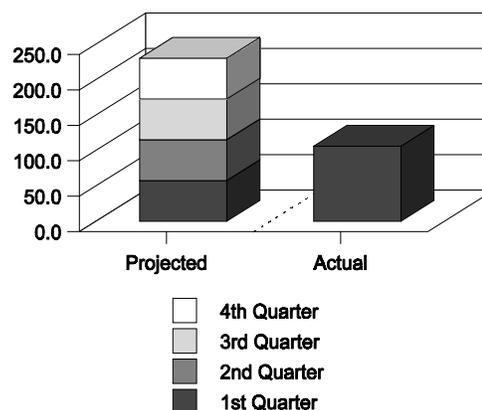
**Variance Explanation:**

BELOW PROJECTED LEVEL

The number of water program administrative enforcement orders issued was below projections for the first quarter. Water program administrative orders include enforcement orders which have been issued and are effective for the agriculture, public drinking water, water rights, and water quality (wastewater) programs. The number of cases received each year can vary significantly depending upon the facilities that are investigated. There was a 41 percent reduction in the number of noncompliant facilities requiring enforcement orders from FY 2001 to FY 2002, as facilities came into compliance with requirements for drought contingency plans and a focused strategy to address lead and copper violations for drinking water providers, effective in FY 2001. This trend is expected to continue for the remainder of the fiscal year.

**Output Measure 05: Number of waste program administrative enforcement orders issued (KEY)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	57.5	106	46.1%
2nd Quarter	57.5		0.0%
3rd Quarter	57.5		0.0%
4th Quarter	57.5		0.0%
<b>Total</b>	<b>230</b>	<b>106</b>	<b>46.1%</b>



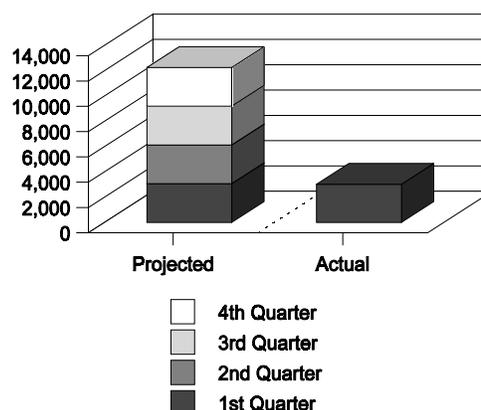
**Variance Explanation:**

EXCEEDS PROJECTED LEVEL

The number of waste program administrative enforcement orders issued was higher than projected for the first quarter of fiscal year 2003. Waste program administrative orders include enforcement orders which have been issued and are effective for the industrial and hazardous waste, municipal solid waste, radioactive waste, petroleum storage tank, and underground injection control programs. The number of waste orders issued was higher than projected due to initiatives targeting and enforcing new self-certification and financial assurance requirements in the petroleum storage tank program. The self-certification initiative affected both the owners of the facilities and transporters who delivered gasoline products to the gasoline stations. This initiative significantly increased the number of enforcement orders that were required to be issued. This trend is expected to continue for the remainder of the fiscal year.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	3,061	3,017	24.6%
2nd Quarter	3,061		0.0%
3rd Quarter	3,061		0.0%
4th Quarter	3,061		0.0%
<b>Total</b>	<b>12,245</b>	<b>3,017</b>	<b>24.6%</b>



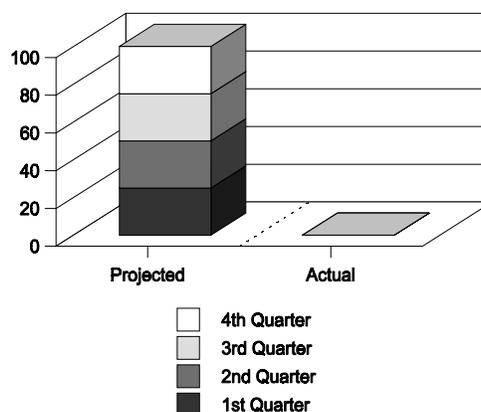
**Variance Explanation:**  
MEETS PROJECTED LEVEL

Performance meets projections. No explanation of variance required.

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**Output Measure 05: Number of commercial lab inspections (KEY)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	50	0	0.0%
2nd Quarter	50		0.0%
3rd Quarter	50		0.0%
4th Quarter	50		0.0%
<b>Total</b>	<b>200</b>	<b>0</b>	<b>0.0%</b>



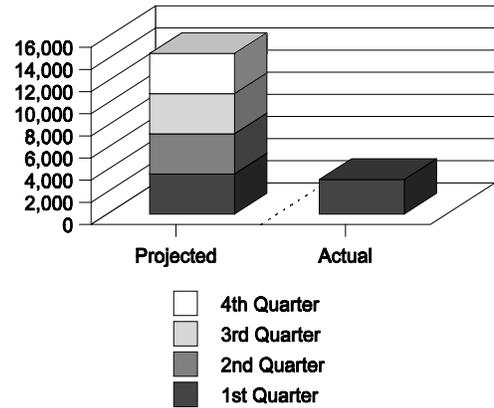
**Variance Explanation:**  
FAR BELOW PROJECTED LEVEL

Performance for the number of commercial laboratories inspected was less than projected for the first quarter of fiscal year 2003. This program was transferred from the Texas Department of Health to the agency by the 77<sup>th</sup> Legislature. However, funding and staffing for the laboratory accreditation program was not certified by the Comptroller. The lack of funding and staffing authorization prevented the division from hiring and training staff, implementing the program, and obtaining accrediting authority from the National Environmental Laboratory Accreditation Program. The agency has requested funding and staffing authority in its appropriation request. If the request is approved, accrediting authority will be obtained and accreditation inspections will begin in 2004.

STRATEGY 03-01-01: STORAGE TANK ADMINISTRATION

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	3,625	3,116	21.5%
2nd Quarter	3,625		0.0%
3rd Quarter	3,625		0.0%
4th Quarter	3,625		0.0%
<b>Total</b>	<b>14,500</b>	<b>3,116</b>	<b>21.5%</b>



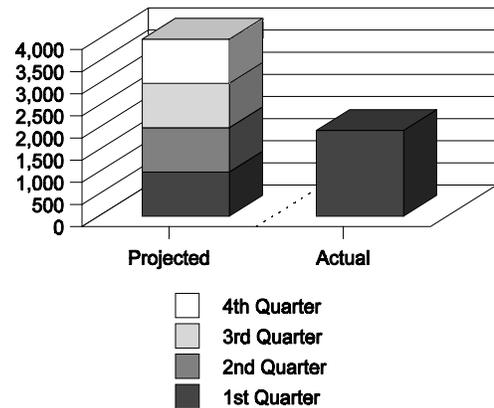
**Variance Explanation:**

MEETS PROJECTED LEVEL

Performance meets projections. Explanation of variance not required.

**Output Measure 02: Number of petroleum storage tank reimbursement applications processed (KEY)**

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	1,000	1,937	48.4%
2nd Quarter	1,000		0.0%
3rd Quarter	1,000		0.0%
4th Quarter	1,000		0.0%
<b>Total</b>	<b>4,000</b>	<b>1,937</b>	<b>48.4%</b>



**Variance Explanation:**

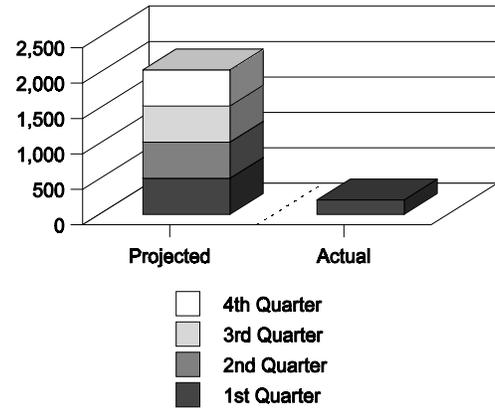
EXCEEDS PROJECTED LEVEL

The number of petroleum storage tank reimbursement applications processed has exceeded projections for the first quarter of fiscal year 2003. Performance can be attributed to the continued implementation of streamlining measures which have improved processing including a redesigned application, a risk assessment with regard to reviews, and the utilization of a private contractor. In addition, most of the claims being submitted are now more consistent with program guidelines.

STRATEGY 03-01-02: STORAGE TANK CLEANUP

Output Measure 03: Number of petroleum storage tank cleanups completed (KEY)

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	510	205	10.0%
2nd Quarter	510		0.0%
3rd Quarter	510		0.0%
4th Quarter	510		0.0%
<b>Total</b>	<b>2,040</b>	<b>205</b>	<b>10.0%</b>

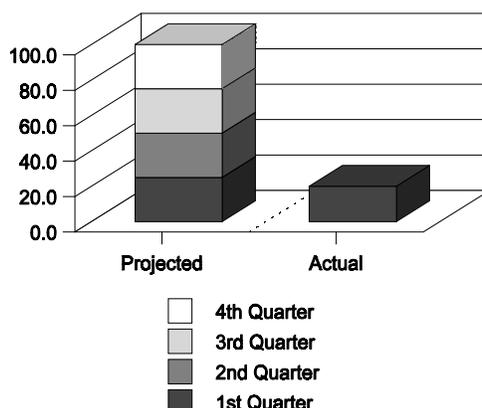


**Variance Explanation:**  
BELOW PROJECTED LEVEL

The number of petroleum storage tank cleanups completed was below the projected level for the first quarter of fiscal year 2003. Since most cleanups are considered complete after the responsible parties complete all field work and request closure review, the projection assumed a higher request rate. The TCEQ has limited control over the number of requests for closure review. Due to statutory corrective action deadlines, the request rate is expected to increase.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	25.0	20	20.0%
2nd Quarter	25.0		0.0%
3rd Quarter	25.0		0.0%
4th Quarter	25.0		0.0%
<b>Total</b>	100	20	20.0%



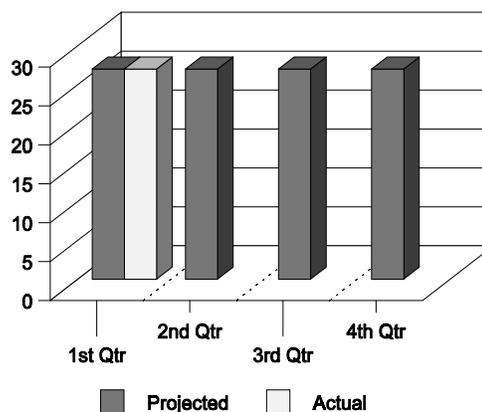
**Variance Explanation:**  
NEAR PROJECTED LEVEL

The number of voluntary and brownfield cleanups completed was slightly below projections for the first quarter of fiscal year 2003. This measure counts the number of voluntary cleanup and brownfield sites that have completed necessary response actions through either the removal, decontamination, or control of contamination levels which are protective of human health and the environment. Upon completion of response actions, a certificate of completion is given to the applicant which releases liability for any past contamination. The Voluntary Cleanup Program issued 20 certificates of completion (COC) in the first quarter, which was five less than projected. Contributing factors to the lower number of COCs are delays related to the applicants submitting necessary paperwork. The receipt of outstanding affidavits will allow the issuance of additional COCs. The agency expects to meet projections for the fiscal year.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	27	27	100.0%
2nd Quarter	27		0.0%
3rd Quarter	27		0.0%
4th Quarter	27		0.0%
<b>Annual Target</b>	27	27	100.0%

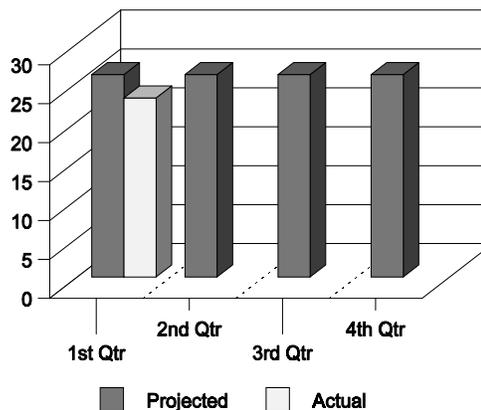


**Variance Explanation:**  
MEETS PROJECTED LEVEL

Performance meets projections. No explanation of variance required.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	26	23	88.5%
2nd Quarter	26		0.0%
3rd Quarter	26		0.0%
4th Quarter	26		0.0%
<b>Annual Target</b>	26	23	88.5%



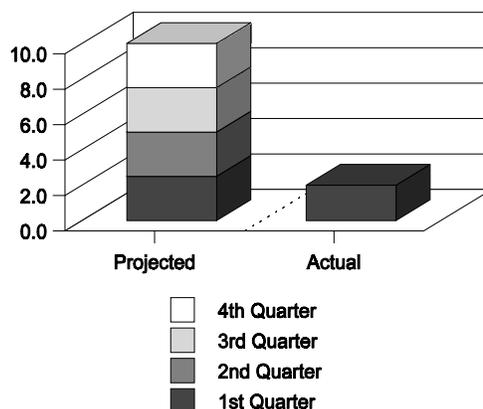
**Variance Explanation:**  
NEAR PROJECTED LEVEL

The number of Superfund cleanups underway was below the projected level for the first quarter of fiscal year 2003. During the first reporting quarter, two sites moved out of this category as cleanup completions. The number of cleanups underway is expected to approach the projected level by the end of the fiscal year.

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

	Projected	Actual	Percent of Annual Projection Attained
1st Quarter	2.5	2	20.0%
2nd Quarter	2.5		0.0%
3rd Quarter	2.5		0.0%
4th Quarter	2.5		0.0%
<b>Total</b>	10	2	20.0%



**Variance Explanation:**  
NEAR PROJECTED LEVEL

The number of Superfund cleanups completed was slightly below the projected level for the first quarter of fiscal year 2003. During the first reporting quarter, two Superfund sites (Koppers Co. Inc and Crystal Chemical Co.) achieved a cleanup completion. 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.